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SENATE—Tuesday, March 21, 2017

The Senate met at 10:30 a.m. and was called to order by the Honorable DAVID PERDUE, a Senator from the State of Georgia.

PRAYER

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

Let us pray.

Eternal God, empower us today to trust You more fully and to accept our responsibility to bring peace to our Nation. Let that peace begin in our individual lives, creating an oasis of concord in an arid and truculent world.

May our Senators bring the music of Your unity to their work, finding creative solutions to intractable problems. Lord, whisper to them words of instruction to help them find wisdom for these challenging days. May they shoulder the responsibilities that come with the privilege of freedom.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 21, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable DAVID PERDUE, a Senator from the State of Georgia, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. PERDUE thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

REPEALING AND REPLACING OBAMACARE

Mr. McCONNELL. Mr. President, last night in my home State of Kentucky, the President called for an end to ObamaCare as Congress continues working to repeal this disastrous law and replace it with patient-centered solutions.

In Kentucky, just like across the country, costs are spiking, choices are dwindling, and insurance markets are edging closer and closer to collapse. Listen to this wife and small business owner who lives in Shelby County. She wrote to my office about her problems with ObamaCare. Here is what she said:

I have seen little or no success where ObamaCare is concerned. [T]he current insurance available is causing working class Americans to choose between paying their bills and getting needed medical care. . . . We need help.

Kentuckians deserve better than ObamaCare. The American people deserve relief from ObamaCare. The law is failing right in front of us. It will continue to get worse unless we act. So we have to act. This week the House will continue working to advance ObamaCare repeal-and-replace legislation. The House has already done some great work on the bill, and I look forward to taking it up in the Senate soon. We will have an amendment process here in the Senate. At the end of that process, we will send a bill to the one person who can sign it into law, and that is the President of the United States.

But the legislation before the House isn't our only tool to help stabilize the healthcare marketplace. It is one prong of a three-part strategy.

The second prong is the administration continuing to use its broad authority to bring relief. Officials like the Secretary of Health and Human Services, Tom Price, and the Adminis-

trator of the Centers for Medicare and Medicaid Services, Seema Verma, are already working to bring relief to stabilize health markets that ObamaCare has rattled.

The third prong is further legislation to reform the healthcare market and make it more competitive for consumers. Taken together, these three prongs aim to restore power to the States and move more healthcare decisions out of Washington and back to the States. They also represent the best way to bring relief to Americans who continue to suffer under ObamaCare. The American people deserve better than this failing law. We promised we would repeal and replace it for four straight elections. We are working to fulfill that commitment right now.

NOMINATION OF NEIL GORSUCH

Mr. McCONNELL. On another matter, Mr. President, yesterday Supreme Court nominee Neil Gorsuch came before the Judiciary Committee for the first day of his confirmation hearing. In his opening statement, Judge Gorsuch showed why so many lawyers and judges strongly support his nomination as a thoughtful and fairminded judge who understands the particular role of the Federal courts in our Republic and who has discharged his judicial office accordingly.

Last week, two of his former colleagues on the Tenth Circuit Court of Appeals added their voices to this growing chorus. The endorsement of him was published in the Washington Post. Judge Gorsuch's hearing continues today with Senators on the committee asking him questions. As they do, we should keep in mind the counsel of his former Tenth Circuit colleagues—both as to their experience with Judge Gorsuch on the bench and their view of our role in questioning him now that he is before the Senate. Judges Deanell Reece Tacha and Robert Henry both served with Judge Gorsuch on the Tenth Circuit. Both were chief judges of that court, in fact, and both have gone on to careers in

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

academia: Judge Tacha as dean of the Pepperdine University School of Law and Judge Henry as president and chief executive of Oklahoma City University. Judge Tacha was appointed to the circuit court by President Reagan while Judge Henry was appointed to the circuit court by President Clinton. They describe themselves as a lifelong Republican and Democrat, respectively.

They write that “predictions abound as to how Judge Neil Gorsuch—if confirmed—would lean or even vote on this or that case. . . . But these essentially political discussions tend to distort the role of judges in our government.” They remind us that the “‘independence of the judges’ is a most sacred tradition in U.S. constitutional law, requiring all judges to have no obligations to those who nominated or confirmed them.” Let me repeat that. They note that the principle of judicial independence requires judges not to have obligations to those who nominate them or those who confirm them.

In that regard, Judges Tacha and Henry remind us that “[d]etailed discussions during the confirmation process on issues that might come before a judge are not proper; in fact, they would in all likelihood require recusals from the cases discussed.” They point out how the judicial process is different from the confirmation process. They observe that “controversies that go before the court often bring unique and complicated facts that could completely change a judge’s sincerely espoused view.” Legal research is “[a]nother critically important input into judicial decisions.” Legal research might reveal precedent that overrides a judge’s “previously held views or even logical interpretations of legal text.” They emphasize that the judicial process is the collection of “[t]hese factors—tradition, independence, precedent and unique facts,” and that these factors “often combine to lead judicial nominees to change their views when confronted with specific cases.”

By contrast, these factors are not present in the confirmation process. So it is not realistic or fair to expect a judicial nominee to state or imply under oath how he or she might rule as a judge. That is why Justice Ginsburg could not give any hints, forecasts, or previews of her possible rulings during her Supreme Court nomination hearing.

But we don’t have to guess how Judge Gorsuch would conduct himself as a Justice. We have a 10-year record of his judicial decisions, and we have the professional experience of those who practiced before him and those who have served with him. As for the latter, Judges Tacha and Henry give him the highest marks.

Judge Gorsuch was, they say, “like most good judges, assiduously attentive to the facts and the law in each

case.” If he were confirmed to the Supreme Court, they say that “other important traits of Gorsuch that are not likely to change” are things like “his fair consideration of opposing views, his remarkable intelligence, his wonderful judicial temperament expressed to litigants and his collegiality toward colleagues.”

They conclude by saying that “[i]f we seek to confirm to the Supreme Court a noted intellect, a collegial colleague, and a gifted and eloquent writer—as well as a person of exhibited judicial temperament—Gorsuch fits that bill. He represents the best of the judicial tradition in our country.”

Their endorsement tracks with so many others we have heard, and I am confident Judge Gorsuch will show the country today and tomorrow why so many people are so proud to support him to be our next Supreme Court Justice.

NOMINATION OF DANNY REEVES

Mr. MCCONNELL. As to another well-qualified judge whose nomination is currently being considered by the Senate, today, we will consider the nomination of U.S. District Court Judge Danny Reeves to serve on the U.S. Sentencing Commission. He is a great choice to serve on the Commission, and I look forward to the Senate confirming him.

Among its responsibilities, the Commission is tasked with setting sentencing policy in our Federal judicial system. While I don’t always agree with the policy outcomes, I appreciate the important role it plays in trying to ensure fairness in our Federal courts. Judge Reeves is well prepared for the task ahead. I am confident he will do great work on the Commission.

His legal career began in Northern Kentucky University’s Salmon P. Chase College of Law, where he graduated with honors in 1981. After graduation, he clerked with Judge Eugene Siler, then a district court judge in the Eastern and Western Districts of Kentucky. Upon finishing his clerkship, Judge Reeves entered private practice at what was then known as Greenebaum Doll & McDonald. He became a partner there in 1988.

In 2001, I had the first of many in-depth discussions with Judge Reeves. I was so impressed by him that I recommended him to then-President George W. Bush and that he appoint Judge Reeves as a Federal district court judge in Kentucky. The Senate confirmed him without a dissenting vote, and he served with distinction on the Federal bench.

Judge Reeves has been lauded for his steady devotion to the rule of law, for his commitment to fair rulings predicated on the facts and law—rather than his own political beliefs—and for his evenhanded approach to all who enter

his courtroom. Because of his demonstrated appreciation for these precepts, Judge Reeves will be a significant asset to the Commission and an advocate for sound and sober decision-making.

As many of you know, the Commission has been operating, to the extent it can, without a quorum. Not only does Judge Reeves’ appointment stand as validation of his distinguished career as a respected jurist, but, along with the reappointment of U.S. District Court Judge Charles Breyer, it represents a return to an operational agency. Now the Commission can get back to the business for which it was designed, establishing uniform sentencing practices and policies that will be utilized in Federal courts all across the country.

So I look forward to supporting and congratulating Judge Danny Reeves, as well as his wife Cindy and their sons Adam and Joe and their families, on his confirmation to the U.S. Sentencing Commission.

CONGRESSIONAL REVIEW ACT RESOLUTION

Mr. MCCONNELL. Mr. President, on one final matter, over the past several weeks, the Senate has been working to bring much needed relief from the regulatory onslaught of the last 8 years. Using the Congressional Review Act, or CRA, we have already taken action to end regulations that threaten jobs, weaken our economy, and undermine States’ authority. Today we will continue to move forward with our efforts to block more unnecessary regulations that hold our country back in a number of ways. The CRA resolution that we will consider today will end regulation that undercuts Alaska’s ability to manage its fish and wildlife resources. As a coalition of hunters, fishing enthusiasts, and conservationists recently wrote me, “Congress promised that the citizens of Alaska, working through their Department of Fish and Game would be able to manage their own fish and wildlife, as do the other 49 states.”

Passing this CRA resolution will roll back the administration’s overreach and restore the State-Federal balance that Congress originally intended. Our colleagues from Alaska, Senator MURKOWSKI and Senator SULLIVAN, are the sponsors of this resolution we will consider today. They know the damage this regulation would do to their home State. They have been working to do something about it.

They have also been quick to point out the concerning precedent this rule would mean for the rest of the States. I appreciate their leadership on this issue and look forward to joining them in overturning this harmful Obama administration regulation as soon as possible.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

NOMINATION OF NEIL GORSUCH

Mr. SCHUMER. Mr. President, yesterday, President Trump's nominee to the Supreme Court, Judge Neil Gorsuch, was introduced in the Judiciary Committee for opening statements. We all look forward to today's round of questioning, during which I hope the nominee will be more forthcoming than he was with me. I am very sympathetic to the fact that judges should not offer opinions on cases that could come before the Court lest they bias themselves. Every Senator is aware of that. We know to ask general questions or questions about cases previously decided to get a sense of a judge's philosophy.

In our meeting, Judge Gorsuch refused to even answer those questions. For instance, I asked him a very simple question. I said forget about the case that was then pending in the Ninth Circuit on the Executive order. I said: Let's say Congress passed a law: No Muslim could enter the United States. Would that be unconstitutional?

He even refused to answer that question. So I hope he will be more willing to answer questions in the Judiciary Committee today, particularly about his views of important Supreme Court cases of the past and his own ideology. This idea that judges judge regardless of ideology is totally belied by the fact that there is a coalition right now—four judges on one side, four judges on the other. Four appointed by Democratic Presidents who generally rule one way, four appointed by Republican Presidents who generally rule the other.

If it was just interpreting the law without any input from a person's life and thoughts and ideology, we would not have that stark breakdown, but we do. In my view, the hard right, in trying to populate the bench with people way over, has adopted this philosophy, starting with Miguel Estrada: Don't answer the questions because if the American people knew how you really felt, they would not want you on the bench.

Let's take the case of President Trump. Of course President Trump considered ideology when he selected Judge Gorsuch off a list culled by the far-right Heritage Foundation and Federalist Society. He did not pick the judges himself. He went to these extreme groups and said: You make a list. I promise I will pick people from that list.

Do you think organizations—these organizations—dedicated to a certain ideological viewpoint, did not consider ideology when building their list of possible Supreme Court picks? Of course they did.

President Trump said himself, he wanted to appoint a Justice who would overturn *Roe v. Wade*. The idea that he selected a judicious, neutral judge is belied by the selection process, totally and amazingly. That is how the President considered these judges. So it is not unreasonable for Senators to consider and question the ideology of a nominee in committee. President Trump sure did when he came up with a list. The only way for the Judiciary Committee to do that is if the nominee is willing to answer specific questions. If he is not willing to answer specific questions, what is the purpose of even holding a 4-day hearing?

Before I move on to another topic, I would like to point out that it is the height of irony that Republicans held this Supreme Court seat open for nearly a calendar year while President Obama was in office but are now rushing to fill the seat for a President whose campaign is under investigation by the FBI.

Even Representative NUNES, the Republican chairman of the House Intelligence Committee, said the investigation, confirmed yesterday by FBI Director Comey, puts a "big gray cloud" over this administration. You can bet if the shoe were on the other foot and a Democratic President was under investigation by the FBI, the Republicans would be howling at the Moon about filling a Supreme Court seat in such circumstances.

After all, they stopped the President who was not under investigation from filling a seat with nearly a year left in his Presidency. It is unseemly to be moving forward so fast on confirming a Supreme Court Justice with a lifetime appointment while this "big gray cloud" of an FBI investigation hangs over the Presidency.

TRUMPCARE

Mr. SCHUMER. Mr. President, the Republicans plan to repeal and replace the Affordable Care Act. Their bill is such a mess and is proving so deeply unpopular that Republicans are playing a game of hot potato with it. Speaker RYAN does not want to call it RyanCare. The administration does not want to call it TrumpCare. They are

pointing at each other and hoping the other one takes responsibility and blame.

President Trump, who has tried to put his name on nearly everything in his career—ties, steaks, water—does not want his name on this bill. Well, the President himself is here on the Hill today to sell the bill to House Republicans. Make no mistake, this is TrumpCare, the President's bill. Every American should know that if Republicans ultimately pass this bill, President Trump is behind it, and Republicans will have helped him every step of the way.

So voters, particularly Trump supporters, who would be hurt most by this TrumpCare should remember that when your premiums start going up, President Trump did that. When your insurance does not cover all the things it used to, President Trump did that. If you are older and insurance companies are now charging you exorbitant premiums, several times what you used to pay, President Trump did that. When 24 million fewer Americans have health insurance while the wealthiest Americans get a huge tax break, you can be sure President Trump did that too.

Even now, the changes House Republicans are making to buy off different factions of their caucus are making the bill more harsh. Some of these changes will further weaken Medicaid and result in even fewer Americans with healthcare coverage. Though Republicans claim they are fixing the bill's unfair tax on older Americans, they are not. The truth is, the Republican age tax is still in the bill. People in their fifties and sixties still stand to lose big time.

The larger truth is, Republicans are not trying to make this bill better. They are just trying to make it pass with all their various factions pulling them in different directions. There is no better evidence of that than the new "Senate slush fund," a \$75 billion earmark the House is giving the Senate to buy off Republican Senators who don't want to vote for this bill.

What happened to our fiscal conservative friends in the House—no unnecessary expenditures. A \$75 billion slush fund. It doesn't even say what it does. Wow. Unbelievable. Many Republican Senators don't want to vote on the House bill because it is going to crush older Americans with a new age tax, but make no mistake about it, the Senate slush fund is not going to fix that problem at all.

Here is the biggest problem. The consequences of TrumpCare are so bad for working Americans and older Americans that my friend the majority leader may rush it through the Chamber after we get it from the House. He has already said TrumpCare is going to bypass committees and go right to the floor. There is even talk that Republican Senators, under his leadership,

are negotiating a substitute bill behind closed doors that would take its place and also go straight to the floor.

That is not how we should do business here on something as important as healthcare. That is not just my view, that is the majority leader's view. Listen to what the distinguished majority leader—then-minority leader—said about healthcare reform in 2009, when the Affordable Care Act was being debated. He said—these are MITCH MCCONNELL's words:

We shouldn't try to do it in the dark. And whatever final bill is produced should be available to the American public and to Members of the Senate for enough time to come to grips with it. There should be and must be a CBO score.

Let me repeat that. "There should be and must be a CBO score." I would ask our leader, are we going to have one before he rushes this bill to the floor? I hope so. "We are going to insist," he said, "that it be done in a transparent and fair and open way."

Well, the majority leader delights in pointing out instances when Democrats seemed to go back on something they said. So I certainly hope he follows his own advice from 2009 now that he is majority leader. We hope to see a published bill, with Senators given time to review, and a CBO score before anything moves forward—a fair, open, and transparent process, as he said.

I know why he wants to move so quickly. The majority leader knows how bad the bill actually is. In fact, the consequences of TrumpCare are so bad that Republicans are talking about other phases of the plan, promising a second and third prong that will somehow make this bill better for American people down the road. They say to their colleagues: Well, this bill is bad, but we will change it in the second and third prongs.

Well, that is a diversion. If Republicans can't live with this bill, they should shelve it because those other prongs are either not going to happen or will make it worse.

I can speak with some authority on the third prong. It is going to require 60 votes. That is what will be needed for the Republican legislation to make more changes to our healthcare system—60 votes, which means at least 8 Democratic votes.

I warn my Republican colleagues: Once you repeal ACA in this fashion—just ripping it out, having nothing good to put in its place—our healthcare system is going to be too messed up to resuscitate it with piecemeal legislation down the road. Even my Republican friends, Senators on the other side of the aisle, said as much. My friend, the junior Senator from Texas, Senator CRUZ, said: "Anything placed in so-called bucket three won't pass." You are right, TED. If we want to pass real reforms, we have to do it now and on budget reconciliation. Senator CRUZ is right again.

My friend, the junior Senator from Arkansas, Senator COTTON, freely admits that "there is no three-phase process. There is no three-phase plan. That is just political talk. It's just politicians engaging in spin." Senator COTTON, I couldn't have said it better myself.

All Republicans in the House and Senate should hear this: Democrats will not help Republicans repeal and replace the Affordable Care Act—in one phase, two phases, or three phases. This TrumpCare bill would cause such immense damage to our country, its citizens, average working families who are going to be paying more and getting less, we are not going to be complicit. But we will work with our Republican colleagues to improve the existing law.

If the President and the majority leader say "All right, we are not going to repeal; let's work on some changes," we will do it with them. Of course we will listen. But they have to drop repeal first.

Again, I urge my friends on the other side of the aisle to drop their repeal efforts, drop TrumpCare—non-negotiated, not a drop of bipartisanship in it—and come negotiate with Democrats on improvements to the Affordable Care Act. Turn back before it is too late—too late for the American people who will be hurt and too late for all of you who will also be hurt as you try to defend TrumpCare in the next few years.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, equally divided, with Senators permitted to speak therein, with the majority controlling the first half and the Democrats controlling the final half.

The Senator from Missouri.

NOMINATION OF NEIL GORSUCH

Mr. BLUNT. Mr. President, I am here today to discuss the nomination of Neil Gorsuch to serve on the U.S. Supreme Court. So far this year, we have heard that it is too early to do everything, that the process of putting the President's Cabinet in place, which took longer than any administration since George Washington and is still not completed, was somehow too early. We heard that every single nominee was being handled too quickly, even though every previous President since the first

President has managed to have a Cabinet confirmed by the Senate quicker than this one.

Clearly the process going on right now—hours of questioning beginning today for Judge Gorsuch, who has a 10-year record as an appeals judge on the Tenth Circuit, where all of the other judges in the district courts under the Tenth Circuit's jurisdiction see their cases go to be appealed.

The Supreme Court is "distinctly American in concept and function," according to Chief Justice Charles Evans Hughes, and there is, frankly, nothing quite like it in any other constitutional government. It is a Court that was supposed to be part of this very unique at the time idea of a government that was so finely balanced that it would run itself, a machine that was so finely balanced that it didn't take a King, it didn't take the intervention of somebody to decide who would be the one person who would run the country.

The Supreme Court—the only Court mentioned in the Constitution—is a uniquely American court. In the history of the country, only 112 people have had the honor to serve on the Supreme Court. On the last day of January, President Trump nominated Judge Neil Gorsuch of the U.S. Court of Appeals for the Tenth Circuit to be one of those unique individuals who get to serve on this Court, to be an Associate Justice on the U.S. Supreme Court.

Since his nomination, he has visited individually with a significant majority of Members of the Senate. I think he has had 70 visits with Members of the Senate in their offices. Many of my colleagues on the other side—several of whom I will mention in a minute—voted for Judge Gorsuch to have the job he currently has. Many of my colleagues on the other side of the aisle left their meetings with Judge Gorsuch impressed by his character, by his intellect. Here is what just a couple of our colleagues on the other side said:

"He did a very good job in the meeting with me. He presents himself very well."

Another one of our colleagues said: "He's a very caring person, and he's obviously legally very smart. . . . I think we are dealing with someone who is impressive."

Another one of our colleagues said they "had a thorough conversation about the importance of the rule of law and of a judiciary that is independent of the executive and legislative branches of government."

As more Senators had a chance to meet Judge Gorsuch, they came to see him as an independent-minded judge who has a deep appreciation for the law and a real understanding of what a judge should do.

It was mentioned earlier that the judge should be required to talk about how he would rule on individual cases. Of course not. In fact, Ruth Bader

Ginsburg, who is on the Court now, was very strident before the committee in pointing out that it would be wrong for a judge to explain how they would judge an individual case. She said that if a judge did that, a judge would actually have to recuse themselves, in her opinion, from the case, and others on the Court today have all said similar things when asked the kinds of questions that the minority leader just said that Judge Gorsuch would have to answer if he was going to be confirmed to the Court. If that was the test, there would be nobody on the Court today, and if that was the test, none of the 112 people who have served on the Court would have, in all likelihood, passed that test.

When I had a chance to visit with Judge Gorsuch, it was clear that he understood the proper role of a judge. The role of a judge—the job is to adhere to the Constitution, to apply the rule of law, and not to legislate from the bench.

When he was nominated by President Trump, Judge Gorsuch said:

It is for Congress and not the courts to write new laws. It is the role of judges to apply, not alter, the work of the people's representatives. A judge who likes every outcome he reaches is very likely a bad judge, stretching for results he prefers, rather than those the law demands.

What does that mean? How would a person reach a conclusion they didn't like and that is what makes them a good judge? Well, a good judge reads the law, reads the Constitution, and applies the law. A good judge doesn't try to determine what the Constitution and the law should say but only has the job of determining what the Constitution and the law do say.

Justice Scalia—the vacancy Judge Gorsuch will fill—according to Justice Scalia, setting aside personal views is “one of the primary qualifications for a judge”—not determining what you would like to happen but determining what the law and the Constitution say has to happen. I think Judge Gorsuch understands that.

He comes to the Court very well prepared. He is a graduate of Columbia University, Harvard Law School, and Oxford University. His academic credentials are unrivalled in preparation for this job. He served his country admirably as a Supreme Court Justice clerk for Justice Byron White, who was appointed to the Court by President Kennedy and confirmed by the Senate, and Justice Anthony Kennedy, who was appointed to the Court by President Reagan. Judge Gorsuch served as the Principal Deputy Associate Attorney General, and then in 2006, President George W. Bush nominated him to serve on the Tenth Circuit Court of Appeals. The Senate confirmed his nomination unanimously by a voice vote. There are 12 Democrats currently serving in the Senate who were then in of-

fice and supported Judge Gorsuch's nomination 10 years ago to the job he has today.

In the decade Judge Gorsuch has served as a circuit court judge, reviewing the work of other Federal judges on appeal, he has demonstrated the integrity, professional qualifications, and judicial temperament to serve on the Nation's highest Court.

Judge Gorsuch said recently that judges are not politicians in robes. It is not the job of a judge to determine what the law is or should be; it is the job of a judge to determine what the law is. The job of a judge is to determine what the Framers intended the Constitution to say.

Judge Gorsuch received high praise from legal experts across party lines. He has gotten the highest level of recommendation from the American Bar Association, unanimously rating him as “well qualified,” its highest rating. He is respected by people who know him in his community. He has really dedicated himself to a lifetime of service that prepares him for this job.

The Supreme Court is one of the foundational institutions of our country. It is designed to protect our democracy and is designed to really understand and apply the Constitution and the law so that the rule of law is uniquely dependable in the United States of America.

If you are a citizen and you read the law and you understand what the law says, that should get you a long way toward success before the courts and ensures that in this country, the rule of law matters. The ultimate determiner of what the law says is the Supreme Court.

I think Judge Gorsuch will serve well and I hope long on the Court. I believe that in the next couple of weeks, he will join the Justices, one of whom he clerked for. If that happens, he will be the first person in the history of the country to be sitting as an Associate Justice with another Associate Justice who decades earlier he was the law clerk for when he and Associate Justice Kennedy had an opportunity to serve together.

With that, I notice my colleague from Iowa is here, and I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mrs. ERNST. Mr. President, I rise today to praise President Trump for selecting an eminently qualified nominee in Judge Neil Gorsuch to be an Associate Justice of the U.S. Supreme Court. No one can dispute the academic credentials and intellectual rigor of Judge Gorsuch. In fact, even a former Acting Solicitor General under President Obama, Neal Katyal, called Judge Gorsuch “one of the most thoughtful and brilliant judges to have served our Nation over the last century.” Just yesterday, he joined the Republican and Democratic Senators from Colo-

rado in introducing Judge Gorsuch at his confirmation hearing before the Senate Judiciary Committee.

Judge Gorsuch graduated with honors from Columbia University and then Harvard Law School. He later earned a doctorate in legal philosophy from the University of Oxford. Prior to becoming a judge, Neil Gorsuch was Principal Deputy to the Associate Attorney General and Acting Associate Attorney General at the Department of Justice, worked as a litigator in private practice, and served as a law clerk to Supreme Court Justices Byron White and Anthony Kennedy. Moreover, earlier this month, the American Bar Association's Standing Committee on the Federal Judiciary rated Judge Gorsuch “well qualified,” its highest rating.

One of my constituents who went to high school with Judge Gorsuch took the time to send me a note in support of his character, calling him “the most reasonable, smart, principled, kind, and humble person I know.” Even at a young age, he made a positive impression on his colleagues—something he has continued to do today.

During the course of Judge Gorsuch's 10-year judicial career, his opinions have reflected not only his outstanding legal acumen but also his respect for the Constitution and his Scalia-like ability to explain his decisions.

Judge Gorsuch was nominated to his current position on the U.S. Court of Appeals for the Tenth Circuit by President George W. Bush in 2006. As a testament to Judge Gorsuch's exceptional credentials, the Senate confirmed him by unanimous voice vote. Several current Members of the Senate from both parties, including Minority Leader Schumer, supported Judge Gorsuch's confirmation. The people spoke last November, and our new President has put forward a well-respected nominee whom the Senate has previously confirmed with unanimous support. It is time for Washington to work together as our constituents expect us to do, to help protect and defend our coequal branches of government and the rule of law. If confirmed, Judge Gorsuch's dedication to interpreting the text of the Constitution and statutes as they are written rather than attempting to legislate from the bench will help to do just that.

As Judge Gorsuch himself has stated in one of his opinions: “A judge who likes every result he reaches is very likely a bad judge, reaching for results he prefers rather than those the law compels.”

I have had the great honor of meeting with Judge Gorsuch to learn more about his judicial philosophy, and over the next few days, the American people will also get to learn more about Judge Gorsuch through his confirmation hearing. I am confident they will also determine he is qualified to serve on

our Nation's highest Court. I look forward to moving ahead to fill the Supreme Court vacancy with this eminently qualified nominee, and I thank him for his willingness to serve his country in this critically important role.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

REPUBLICAN HEALTHCARE BILL

Mr. BARRASSO. Mr. President, it was 7 years ago that Democrats in Congress passed ObamaCare. They promised lower healthcare costs. What they delivered was a Washington mandate for expensive insurance that many people found actually wasn't insurance they could use, even though they were forced to buy it. For 7 years, Americans have suffered under the consequences of that decision by this body and by the former President.

Less than 7 weeks into the Trump administration, Republicans introduced a plan to give Americans real healthcare reform. The American people know that ObamaCare has been a disaster, one broken promise after another. I hear about this every weekend when I am home in Wyoming. I heard about it this past weekend. There is now only one insurance company that is willing to offer ObamaCare coverage in my entire State. There are 1,000 counties all across the country in the same situation—only one option. This is not a marketplace; it is a monopoly.

As a doctor who has practiced medicine for 25 years, I can tell you that when it comes to healthcare, the last thing patients want to hear is that they don't have a choice: It is this or nothing. That is why Republicans promised we were going to repeal the restrictions in ObamaCare that limit people's choices. We promised to give people options, not mandates. The healthcare bill we are debating now is the first step to keeping that promise.

The bill starts to give people more choices so they can pick what is right for them and for their families. I want to talk about three ways that it does this.

First, the bill removes the mandates. It ends both the individual and the employer mandates. It eliminates the penalties that hard-working families have to pay if they decide that overpriced ObamaCare insurance isn't right for them. This was one of the most outrageous and unfair parts of the healthcare law. These mandates will be gone.

Second, the bill that the House is considering cuts taxes. It gets rid of the ObamaCare tax on prescription drugs. It gets rid of the ObamaCare tax on health insurance. It gets rid of the taxes on artificial appliances, such as pacemakers and artificial joints. Overall, the bill eliminates 15 different taxes. These taxes are obviously passed on to consumers; repealing them helps to bring down the cost of care.

Third, the repeal bill creates options for people and for States. It encourages people to find creative ways to help make healthcare costs more affordable for them. It expands how people can use health savings accounts, which is a great option for many people. It helps States do innovative things, such as create high risk pools to bring down costs for everybody. It gives States more flexibility when it comes to Medicaid Programs.

Let's face it: Medicaid is broken, and ObamaCare just threw more people onto this second-class health insurance. Just last week, we got evidence of how badly Medicaid is harming patients. The chief executive at the Mayo Clinic said in his speech that his hospital is going to give precedence to people with private insurance over people on Medicaid. The supporters of ObamaCare said that their biggest success is the number of people who got coverage by being put into Medicaid. Well, it is clear that many of these people are being harmed by being in Medicaid, a system that has been broken for decades. It is alarming and it is also appalling.

We have to fundamentally reform the Medicaid Program. To do that, we have to give States more options for coming up with the reforms that work for them and for the people who live in those States. Every State is different, and a one-size-fits-all mandate from Washington will never work for all of the States all across the country. Democrats tried it, and it failed dramatically.

ObamaCare is collapsing all around us. We have to do something, and we have to start now. In the next couple of months, insurance companies are going to start making decisions about what they are going to do for next year, 2018. They will be figuring out how much they want to charge and whether they want to be involved in the ObamaCare exchanges at all. People have been losing their coverage and losing choices ever since the Democrats wrote the healthcare law and the President signed it 7 years ago. I believe it is going to get worse every day that we delay.

There are Democrats who don't really seem to care much about any of that. They would rather set the whole healthcare system on a path to fall apart completely before they will ever admit that they were wrong. Hard-working Americans and families across

the country don't have that luxury. There are still 25 million Americans without insurance even 7 years after ObamaCare has been in place. Every year, people have gotten letters in the mail telling them that their plans have been canceled. That is the reality of ObamaCare. Democrats want to pretend that everything is fine, but that is absolutely not true.

That is why it is so important that President Trump jumped in right away to take important steps to help stabilize the marketplace. He recognized what Democrats won't admit—that these ObamaCare markets are falling apart. So the President has already started doing what he can to stabilize the markets, to make sure people keep their options for health coverage. The Department of Health and Human Services has taken steps to preserve programs that ObamaCare tried to eliminate. These are plans that people already had and they liked and the law tried to say they could no longer exist. The Trump administration has said people can continue on those plans. The administration also tightened up some of the rules to make sure people actually pay the premiums for this year's insurance before they are allowed to sign up for next year. The administration is taking commonsense steps that will make it harder for people to game the system and that will lower the cost for everyone else. These are important steps. The administration is going to be doing a lot more to protect families and to create more options.

This repeal bill isn't perfect; nobody says it is. Still, it is a monumental shift away from ObamaCare. The American people will be better off with this repeal plan. They will be better off with the additional reforms that we will continue to push after this bill.

I hope that Democrats will join us and offer their own ideas about what these additional reforms will look like. I hope they realize that families are better off when they have more choices, not fewer. We are better off when people can decide what is better for them and their families, not when government tells them what to do. We are better off when healthcare decisions are left to patients and doctors, not to Washington bureaucrats and insurance companies. We are better off when people have freedom and options, not mandates and penalties.

America needs healthcare reform. What we had before ObamaCare wasn't working; I saw that as a doctor. What we have now isn't working, either. It is time for everyone to admit that and to take this opportunity to start repairing the damage, start creating real reform. As Ronald Reagan said: It is better to get 80 percent of what you want rather than go over the cliff with a flag flying. The American people are asking for our help, and we cannot turn our backs on them now.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations en bloc, which the clerk will report.

The legislative clerk read the nominations of Charles R. Breyer, of California, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2021; and Danny C. Reeves, of Kentucky, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2019.

Mr. LEAHY. Mr. President, today the Senate will vote on two nominees to the U.S. Sentencing Commission who should have been confirmed last year. Judge Danny Reeves was nominated more than 1 year ago, and he was unanimously reported by the Judiciary Committee; yet Senate Republicans refused to approve him before the end of last year. Judge Charles Breyer was nominated last September for a reappointment, and despite overwhelming support, Republicans blocked him as well. These are not controversial nominees, and there is no good reason they were blocked last year. In fact, in ordinary times, these nominees would be unanimously confirmed during wrap-up on the Senate floor.

RICHARD BOULWARE

Mr. President, one nominee we are not considering today is Judge Richard Boulware, whom President Obama nominated in 2015 to fill a seat on the Sentencing Commission previously held by Judge Ketanji Brown Jackson. Judge Boulware was confirmed to serve as a district judge in June 2014, becoming the first African-American man to serve on the U.S. District Court for the District of Nevada. His nomination to the Sentencing Commission had the strong support of the Leadership Conference on Civil and Human Rights, which said that Judge Boulware would “bring a much needed and valuable perspective to the work of the Commission

because of his experience.” Judge Boulware clerked in the Southern District of New York, served as a Federal public defender, and represented the Las Vegas branch of the NAACP on a range of issues, including voting rights, police cameras, and solitary confinement.

Despite his clear qualifications, Senate Republicans blocked Judge Boulware, and his nomination was returned to the White House at the end of last year. President Trump renominated Judge Reeves and Judge Breyer, but I am disappointed that he failed to do the same for Judge Boulware. The Sentencing Commission does not have a single person of Color serving as a commissioner; yet its work on criminal justice issues has a significant effect on communities of color. Judge Boulware should have been confirmed last year, along with Judge Reeves and Judge Breyer. While I support the two nominees before us today, I want the RECORD to note my deep disappointment and concern that Judge Boulware is not among them.

For nearly a decade, I have worked with Senators from both parties on bipartisan legislation to reform our criminal justice system. The Sentencing Commission has also studied the issue and brought about needed change to the sentencing guidelines. The Bureau of Prisons continues to consume nearly a quarter of the Justice Department's budget, even as violent crime rates have gone down; but instead of taking meaningful steps to reduce these costs, the Trump-Sessions Justice Department has signaled it intends to more aggressively charge low-level offenders with crimes carrying mandatory minimums. The Attorney General also lifted restrictions on the use of private prisons that serve only the interest of wealthy corporations. This is deeply troubling on moral grounds. Incarceration should not be a for-profit business. It is also troubling to me in my role as vice chairman of the Appropriations Committee. Instead of wasting taxpayer dollars on private prisons, we should be directing our limited resources to train and protect officers on the streets and to reduce recidivism and crime.

The Sentencing Commission has brought much-needed fairness to the Guidelines in the past, and I hope it will continue to do so once its new members are confirmed. Although we should also be voting today on Judge Boulware's nomination to the commission—rather, we should have voted on it last year—I will support the nominations of Judge Breyer and Judge Reeves.

BREYER NOMINATION

Mrs. FEINSTEIN. Mr. President, I rise in strong support of Judge Charles Breyer's reappointment to the U.S. Sentencing Commission.

Judge Breyer earned his bachelor's degree cum laude from Harvard Univer-

sity in 1963 and his law degree from the University of California, Berkeley Law School in 1966.

In 1997, Judge Breyer was nominated by President Clinton to a seat on the U.S. District Court for the Northern District of California. Judge Breyer was confirmed by the U.S. Senate that same year by voice vote.

On the bench, Judge Breyer has served with distinction. He has done the hard work of sentencing individuals to prison terms. He has also focused on sentencing issues outside the courtroom, testifying before the Sentencing Commission in 2009 and serving as chair of a Ninth Circuit Committee evaluating the impact of the Supreme Court's decisions in *Blakely v. Washington*, 2004, and *United States v. Booker*, 2005, on sentencing.

In 2011, Judge Breyer took senior status, and the following year, he was nominated by President Obama to serve on the Sentencing Commission. Judge Breyer became the commission's vice chair in 2013.

The Sentencing Commission is an independent agency charged with establishing sentencing guidelines for the Federal court system. The commission's work is important. It is responsible for advising and assisting Congress and the Executive branch in the development of effective and efficient crime policy. The commission also collects, analyzes, researches, and distributes a broad array of information on Federal crime and sentencing issues and serves as a resource for Congress, the Executive branch, the Judiciary, practitioners, academics, and the public.

Since the start of the 115th Congress, the Sentencing Commission has been unable to do its work because it has been with only two commissioners. By statute, the commission requires a quorum of at least four commissioners.

For this reason, it is vitally important that Judge Breyer is confirmed once again to serve on the commission. Judge Breyer is a man of distinction and integrity. He has a long history of dedicated service to this country and an impeccable record of fairness. The commission really needs his continued leadership.

Today I urge my colleagues to support Judge Breyer's nomination.

The PRESIDING OFFICER. Under the previous order, the hour of 12 noon having arrived, the question is, Will the Senate advise and consent to the Breyer and Reeves nominations en bloc?

Mr. BARRASSO. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: The Senator from Oklahoma (Mr. INHOFE) and the Senator from Georgia (Mr. ISAKSON).

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

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 91 Ex.]

YEAS—98

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

NOT VOTING—2

Inhofe Isakson

The nominations were confirmed en bloc.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The Senator from Kansas.

ORDER OF PROCEDURE

Mr. MORAN. Mr. President, I ask unanimous consent that the Senate resume legislative session and then recess until 2:15 p.m. for the weekly conference meetings.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:37 p.m., recessed until 2:15 p.m. and reassembled

when called to order by the Presiding Officer (Mr. PORTMAN).

The PRESIDING OFFICER. The majority leader.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE OF THE DEPARTMENT OF THE INTERIOR—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to H.J. Res. 69.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to H.J. Res. 69, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of the Interior relating to "Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska."

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

The motion was agreed to.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE OF THE DEPARTMENT OF THE INTERIOR

The PRESIDING OFFICER. The clerk will report the joint resolution.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 69) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of the Interior relating to "Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska."

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I rise to encourage my colleagues to rescind a recently promulgated regulation by the Obama administration and to support the corresponding resolution of disapproval that the majority leader just brought up and that we unanimously moved forward to debate, H.J. Res. 69.

There are few, if any, people in the world who love their lands and wildlife more than Alaskans. In Alaska, our land is the lifeblood that sustains us, that feeds our bodies, our families, and our souls. It is a deep and enduring part of our culture.

Our hunting traditions are very much alive in Alaska. Alaskans hunt for food for cultural reasons and even for survival. There are people in my State whose families have called our beautiful and rugged lands home for thousands of years, living side-by-side with more recent arrivals. Alaska has also the well-earned reputation of having one of the best managed, most sustainable fish and game populations anywhere in America or anywhere in the world, for that matter. We have an

abundance of wildlife that most States and most countries can only dream of. We do this year after year, generation after generation, through rigorous scientific processes that allow and encourage public participation through our Board of Game, Board of Fisheries, and our Fish and Game Department to make sure we manage our fish and game for sustainability, as required by the Alaska constitution, and that we take into account the needs of our citizens—the needs of Alaskans. It is not an easy process. It can be contentious, but all Alaskans take this very seriously.

In Alaska, we respect the land and everything in it. That special connection and our ability to manage our own lands and resources was explicitly recognized in Federal law when Alaska became a State. The Alaska Statehood Act passed in this body in 1958, specifically granting Alaska the authority to manage fish and wildlife on not only State lands but on Federal lands, unless Congress passes a law to the contrary. By the way, that is the same authority granted to all States. It is granted to Ohio, New Mexico—all States in America have this authority.

Further, in 1980, this body, the Congress of the United States, passed the Alaska National Interest Lands Conservation Act, designating 100 million acres of land, in my great State, as Federal conservation units, including over 70 million acres—I believe larger than the State of New Mexico—as wildlife refuges in one State.

Many Alaskans didn't like this bill. Several saw this as a massive Federal usurpation of our land, but our congressional delegation fought to include explicit provisions in this Federal law that made it abundantly clear that the State of Alaska still had primacy in managing fish and game throughout the entire State—State lands and Federal lands.

When that act was passed, it explicitly stated: "Nothing in this act is intended to enlarge or diminish the responsibility and authority of the State of Alaska for the management of fish and wildlife on public lands. . . ."

That is pretty clear language, and it is very important language to Alaskans. ANILCA is the statute we are talking about, and that is what we call it in Alaska. That Federal law that passed in 1980 made numerous other commitments to Alaskans about how the Federal Government would not usurp the power of the State or our citizens to live the life we have in Alaska. How quickly the Feds forget. How quickly the Feds forget what this law requires.

On August 5, 2016, the Obama administration's Fish and Wildlife Service finalized a rule that, No. 1, restricted certain State-approved fish and game management practices; No. 2, limited

public input in the wildlife management process; and, No. 3, expanded closure procedures on refuges in Alaska, making it easier to keep people shut out of these Federal lands in our State.

This rule is not based on sound science. Thousands of Alaskans and other Americans opposed it, tried to work with the Feds to get them to moderate it or rescind it, to no avail. It is not based on established wildlife management principles, and it is certainly not based on Federal law. The Fish and Wildlife Service didn't take this action because Alaska's sustainable and abundant populations of fish and game or their habitats were being threatened; it took this action because it wanted to control Alaska's fish and wildlife and because it subjectively disapproved of the way Alaska's game was being managed by our Department of Fish and Game and by the Alaska Board of Game, but the Federal Fish and Wildlife Service does not have this authority.

To make this clear, we are proceeding today with this resolution of disapproval under the Congressional Review Act, H.J. Res. 69, to rescind that August 5 Obama Fish and Wildlife Service rule.

The House has already passed this measure under Congressman DON YOUNG's leadership. So I want to encourage all of my colleagues, Democrats and Republicans, to vote in favor of this resolution. It is backed by the force of law, the principles of federalism, and respect for the Alaskan Native people who have been hunting and fishing, subsisting off the land in Alaska for generations. It is also supported by millions of Americans across the country and wildlife professionals in every State in the Union who are committed to the conservation of the abundant species of wildlife in my home State and in theirs.

Why should my colleagues support rescinding this Fish and Wildlife Service regulation? Well, first and foremost, as I have already mentioned, it clearly usurps power from the States and it ignores Federal law. Unfortunately, faced with a Federal law it disagreed with, the Fish and Wildlife Service took the route other Federal agencies have been taking over the years by simply writing a reg to bypass the will of Congress and the American people, by simply moving forward with their preferred policy preference via regulation and ignoring the law. That is an issue every Member of this body, whether you are a Democrat or Republican, should be concerned about and vigilant to reverse.

It is not a partisan issue. It is a federalism issue. It is a States' rights issue. That is why my State of Alaska, led by a Governor who is an Independent and a Lieutenant Governor who is a Democrat, sued to overturn the Obama administration's litigation.

This litigation that my State brought against the Federal Government cites Federal laws like ANILCA, which declares that the State of Alaska "has jurisdiction over the management of fish and wildlife on public lands throughout the State." That is the Federal law.

The law is clear, and of course it makes sense from a management perspective. Alaska is a patch of many different ownerships of our land—State, Federal, and Native lands. The moose and bear in our great State don't know these borders. One agency needs to be in charge, and that is the State agency.

While it might be true that this Obama administration regulation, as written, only applies and impacts Alaska, it is a precedent that should trouble every Member of this body and every State in the Union because if it can be done in Alaska, it can be done anywhere. That is why the Association of Fish and Wildlife Agencies, State agencies charged with managing wildlife in all 50 States and territories from California, New Mexico, to New Jersey all support this resolution. They all support overturning the Obama administration's Fish and Wildlife reg. All 50 States, the people who know these issues, support what we are doing on the Senate floor right now.

A second and related reason for the broad bipartisan support not only in Alaska but across the country for rescinding this Fish and Wildlife regulation is because it significantly reduces the public participation in managing lands and wildlife in Alaska. Before this rule came out, the harvest of fish and wildlife on Alaska refuges was governed by Alaska's Board of Game and Board of Fish, and the process was highly sensible. I have been to Board of Game meetings. It is open to the public and responsive to the public, but this new regulation gives the Federal Government a veto over State regulations issued by the boards, with no public process and no public input.

The rule also makes closures of Federal lands subject more to the whims of Federal officials than to the input of the people they serve. It shuts down the public process, which is critical to the successful stable management of fish and game in my State.

This Federal regulation also undermines subsistence. In Alaska, "subsistence" isn't just a word, a catch phrase, or a slogan. It is not what people do for the benefit of tourism. It is critical. The public participation element is critical to the healthy management of fish and game, and it also enables the professionals to learn from the people—particularly the Native people in my State—what we call traditional knowledge in Alaska. As I mentioned, "subsistence" in my State isn't just a catch phrase or a slogan. Subsistence encompasses the customary and traditional use of fish, wildlife, plant resources, preserving cultural traditions, sup-

plying basic necessities such as food, firewood, and clothing. It provides for barter, trade, and income for subsistence in the cash-based rural economy. It is serious business in my State. Subsistence in Alaska is life, literally, and it has been so for thousands of years. In so many of my State's villages, there is no grocery store, there is no Costco, there is no Whole Foods market. If one doesn't get a moose in the fall or have enough salmon in the summer that someone catches, they might have trouble surviving in the winter. This is serious business.

In other places in Alaska, where we do have small grocery stores, the costs are often more than twice to four times the national average for basic necessities. President Obama, when he visited Alaska in 2015, went out to the rural communities, and once he saw it, he understood this. When he came to Alaska, he said, "You're looking at prices that are double, in some cases, or even higher for basic necessities like milk, like orange juice, like other produce. . . . That's part of the reason why the subsistence economy [in Alaska] is so important."

This is the former President of the United States making this comment.

One wonders why this Fish and Wildlife Service then issued a reg that attacked subsistence. But to be honest, most Americans and certainly most Senators do not fully understand this. Again, due to the tenacity of Alaska's congressional delegation—former Senators, such as Ted Stevens, and current Members, such as DON YOUNG in the House—Federal law recognizes the importance of subsistence in Alaska.

The protection of subsistence rights in ANILCA and other Federal legislation is listed throughout our Federal laws. Specifically, ANILCA states:

The opportunity for rural residents engaged in a subsistence way of life must continue to be so.

It further goes on to state that the Federal Government's actions in Alaska should have "the least adverse impact possible on rural residents who depend on subsistence uses of the resources of such lands."

This issue of subsistence is important to thousands of my constituents. It is not a theoretical issue, it is critical, but it is now more important to the Alaska Native populations in my State, which is close to 20 percent of my State.

In 2014, the Alaska Federation of Natives ratified a resolution that criticized a proposal from the Federal Government that was similar to the one we are debating today, and they stated the following in their resolution:

Alaska Natives have served as the stewards of their traditional lands and resources, maintaining healthy and productive ecosystems for thousands of years, and maintain the belief that human beings are an integral part of naturally functioning ecosystems, not separate from them.

That is what all Alaskans believe. Yet, despite Federal laws that emphasize the importance of subsistence to all Alaskans and pleas and letters from hundreds of Alaska Natives who ask the Federal Government not to negatively impact their subsistence way of life and opportunities with this new Fish and Wildlife Service regulation, the Fish and Wildlife Service persisted. They promulgated this regulation in the face of opposing voices in Alaska and Federal law that says they do not have the authority to do this.

You know it is targeted for subsistence because in the Fish and Wildlife Service's initial rule, that rule stated that the law and the policy had to "take into consideration the fact that humans are dependent on wildlife refuge subsistence resources." That was the original draft rule. Subsistence matters. That was in there, a nod to Federal law. Guess what happened with the final rule? That entire section on subsistence was removed by the Federal Government, which showed that this law is an anti-subsistence law, which violates Federal law. They did not want Alaskans to subsist off their lands as required by Federal law.

Alaska's attorney general, Jahna Lindemuth, who was appointed by an Independent Governor from my State, said:

These federal regulations are not about . . . protecting the State's wildlife numbers. These regulations are about the federal government trying to control Alaskans' way of life.

Hunting is a way of life in Alaska. The Presiding Officer is a hunter and understands that it is cultural and that it provides subsistence and even protection for our citizens.

Let's be clear. The Fish and Wildlife regulation at issue today, which we are debating, is an anti-hunting rule, pure and simple. That this is the case became very clear when the former Fish and Wildlife Service Director, Dan Ashe, who promulgated this regulation, questioned the ethics of our hunters in Alaska in a Huffington Post column. He said that some of Alaska's practices are "wholly at odds with America's long tradition of ethical, sportsman-like, fair-chase hunting." That is from the former Fish and Wildlife Service Director. One knows where he is coming from on this.

Along these lines, I anticipate some of my colleagues on the other side of the aisle—I see one of them down here already—are going to come down and start touting this parade of horrors, spurred on by anti-hunting groups to convince our colleagues to vote against this resolution of disapproval—what we want to have passed. You might hear phrases from them like Alaska's practices constitute a "war on wolves" or a "black eye for ethical hunters," with the implication that my constituents are not ethical hunters. One might

even see my colleagues repeat the false and misleading claims that have been run on TV by certain groups about alleged unethical hunting and game management practices in Alaska. I would like to make a suggestion or two to my colleagues who are coming down here to speak against this resolution of disapproval.

First, please let them try to do so with a sense of humility and a sense of history. Yes, one or two of them may have been accomplished hunters in their own right or are still accomplished hunters in their own right. I respect that. I love to hunt. But that does not mean one has as much or any knowledge or understanding of my State's long history and distinguished record of fish and game management. One might prefer his meat wrapped in cellophane at the grocery store. That is fine, but I ask that one doesn't criticize the thousands of Alaskans who have to hunt for their food and who value hunting as a deep part of their culture.

I would also caution one from making claims that Alaska's wildlife officials allow for unethical hunting and management practices that require the Federal Government to intervene in my State's long history of distinguished fish and game management. Such an argument would be at odds with the consistent and numerous awards the State of Alaska has received for its outstanding management of fish and game year after year after year—American Fishery Society awards, awards from the Department of the Interior, the Wildlife Society, and the Association of Fish and Wildlife Agencies. Those who manage wildlife in Alaska are the best in their field. It is not just Alaskans who take issue or who will take issue with such statements that I am sure we are going to hear on the floor.

Let me read a list of hunting and conservation groups that support this resolution of disapproval, groups that, in other words, support the overturning of the Fish and Wildlife rule at issue today. It is a very long list, and it is actually longer than this: Ducks Unlimited, National Wild Turkey Federation, Pheasants Forever, Quail Forever, Boone and Crockett Club, Congressional Sportsmen's Foundation, Delta Waterfowl Foundation, Alaska Outdoor Council, Alaska Professional Hunters Association, American Outfitter and Guide Association, Territorial Sportsmen, National Rifle Association, Safari Club International. The list goes on and on.

These groups represent millions of hunters, conservationists, wildlife enthusiasts, and wildlife scientists who represent millions of Americans who are focused on the model of conservation that we all are supportive of, and they are the backbone of habitat and species conservation in our country.

These groups—every one of them—are supportive of what we are trying to do on the Senate floor today. These groups certainly do not consider themselves unethical hunters. To the contrary, they care deeply about conservation and abundant wildlife populations not only for themselves but for the generations of Americans to come, and they have dedicated their lives to this. They represent Americans from across the 50 States—Montana, West Virginia, New Mexico, New Jersey. Their values, like the values held by Alaskans with regard to conservation and hunting, should not be doubted and I certainly hope are not going to be attacked on the Senate floor.

In closing, I believe in respectful and informed debate. Sometimes it certainly requires reaching beyond one's own experience to listen to others with opposing views. I took the opportunity to do that just the other day. I had a conversation with the president and CEO of the Humane Society about the issue and resolutions we are discussing today. I know that he and others are leading the opposition to this, but we had a very respectful conversation. We heard each other's views, and although we likely will not agree on this issue, I hope he felt that I talked to him with respect and listened to him because that is what I did.

Perhaps my colleagues who are going to speak against this resolution today should do the same. I would hope that those who come down to the floor to oppose overturning this rule would have picked up the phone and maybe called Alaska's Department of Fish and Game, or talked to a biologist there, or maybe talked to the chairman of the Board of Game and asked if he is an ethical hunter, or maybe called a store in remote Alaska to ask about food prices, or made some inquiries about the lack of stores in dozens of villages that rely on subsistence, or called an Alaska Native leader to see how important subsistence is to his life and his culture.

Maybe my colleagues would have called one of my constituents who wrote in opposing this rule. He is an Alaska Native who lives in rural Alaska and whose grandfather taught him to hunt and fish. Here is what he wrote to us:

Please do not pass these types of regulations that will change my future. These lands are dear to Alaska Natives, and I feel that some of the Fish and Wildlife workers are biased as well as listening to the wrong people. By the "wrong people," I mean Fish and Wildlife officials who do not understand my subsistence rights, who do not work in the villages, who want to take away my right to hunt.

This is about the rule of law, primacy, federalism, and it is about much more than that; it is about real people—people like my constituents.

I urge my colleagues to support our resolution of disapproval and rescind

this regulation that violates the law, undermines subsistence in Alaska, and will do harm to my State and other States.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Mr. President, I come to the floor to oppose this effort by my good colleague from Alaska and by congressional Republicans to, in my view, turn back the clock 100 years on the management of our native wildlife on our national wildlife refuges in Alaska.

Since 2002, the Alaska Department of Fish and Game has embraced what some have called a politically driven and even unscientific regime of intensive predator control. I think it is helpful to look at the views of a former Governor of Alaska, Tony Knowles, who recently commented in *High Country News*:

The most disappointing thing is that the balance of the views on the Board of Game has disappeared. I tried to work with a balanced board that reflected subsistence hunters, sport hunters, guides and conservationists, but now the board is made up of people who want to make hunting ungulates the priority for wildlife management.

There's been a focused effort to dramatically reduce populations of wolves, coyotes, and bears, and the methods and means they've used are both unscientific and unethical.

That is not my quote, but that of former Governor Tony Knowles of Alaska.

In addition, in the past decade, the Alaska Board of Game and the department have turned their back, I think, on a long history of not only working together between Federal and State agencies but embracing ethics as central to wildlife management—not just to maintain the viability of that management but to maintain the support of the public for that management.

This relatively new approach that actively seeks to eschew the long history of embracing sporting ethics can best be summed up by a quote from Doug Vincent-Land, the former director of the Alaska Department of Fish and Game Division of Wildlife Conservation. He said: "The professionals at the Alaska Department of Fish and Game did not feel it was our role to judge the ethics of these practices."

The result of this ethics-free approach is now glaringly obvious, when considering some of the methods of take that have been approved over time for native predators in Alaska. Shooting mother grizzlies with cubs, aerial gunning of wolves, killing wolf pups in their dens, using spotlights at bear dens, baiting of bears, and allowing the wanton waste of black bear meat are a few of the practices that Alaska's Board of Game has approved.

Aldo Leopold, the father of modern wildlife conservation, once said: "Ethical behavior is doing the right thing

when no one else is watching—even when doing the wrong thing is legal."

Now, I know it has become fashionable in some hunting circles recently to ignore the importance of ethics to our way of life. Yet, if our greatest leaders are any indication, that is, at best, a slippery slope to irrelevance.

This cartoon is a good reminder. It is from the early 20th century, at a time when President Teddy Roosevelt was invited down to Mississippi for a black bear hunt. When he wasn't successful, they tied a black bear to a tree. I think that cartoon from that period is a good reminder of how T.R. viewed the importance of sportsmanship and ethics in hunting as central to what maintains our credibility. Today, politicians jump at the chance to embrace his reputation, but too often they have not followed his example. So while shooting down grizzlies with cubs may be legal, I suspect the public will never view it as ethical. I have to wonder what good old T.R. would have to say about recent decisions to allow things like unlimited bag limits on black bear cubs or baiting of bears and shooting female grizzlies with cubs.

So why does all of this ethics stuff matter so much to hunters? Why does it matter to me? It matters because hunters like me are a small minority of the population in this country. We are less than 5 percent, by most counts, and we are able to carry on this great tradition because the vast majority—the nonhunting public, which is 95 percent of the population—sees us as effective and ethical stewards of our country's native wildlife. We have embraced the North American model of wildlife conservation that has literally brought elk, deer, wild turkey, and species we think of as common today—Canada geese, for example—back from the brink of extinction, and that public shares in that success when they enjoy wildlife. That is true, even if they never hunt, never pick up a fishing poll. We as hunters also have the trust and the respect of the public because we are willing to literally spend billions of dollars of our own money to protect, conserve, and manage those resources with the best available science.

The Alaska Game Board's decision to ignore the latest science on the importance of predators to healthy prey populations is indicative of a desire to effectively turn caribou and moose populations into livestock and to manage for maximum numbers and maximum tag revenue.

Now, ironically, that approach has certainly been ineffective at boosting and maintaining historically high caribou and moose numbers.

This is an example of a graph of moose population over time. We can see back in 2002, when these sorts of intensive take measures went into place: intensive predator control,

preintensive management, and postintensive management. If you can discern a consistent correlation of an outcome of higher moose numbers there, you are doing better than I.

This would all be fine if this was just happening on State lands in Alaska, perchance. But, unfortunately, the Alaska Game Board now seeks to suppress healthy predator populations on our national wildlife refuges—the very places set aside to protect and preserve our native wildlife—even predators, even black bears and grizzlies and wolves. Let that sink in for a moment.

This is about embracing unscientific wildlife management on the very refuges that belong to each and every American citizen—not Alaska State land but our national wildlife refuges.

People save up for years—sometimes decades—to travel thousands of miles to go to places like the Kenai National Wildlife Refuge so they can see a grizzly bear fish for salmon. Does it make sense to allow these kinds of extreme measures of take to allow for grizzlies with cubs to be killed in those refuges? Will these policies actually benefit the hunting public? I would argue that they do not.

Not one of my colleagues can deny how much I love to hunt and fish. Many of my life's best memories have been forged around the campfire with my friends and family at elk camp. Just this past Christmas break, both of my boys joined me for what would be my son Carter's very first elk hunt. This is the picture of us in the Continental Divide Wilderness Study Area.

After days of hard hunting, hiking miles through the rough and tumble backcountry of the Continental Divide WSA, my son Carter harvested his first elk.

He soon learned that the real work starts after you pull the trigger. He labored long and hard to make sure that every scrap of meat from that animal made its way from the wilderness to our freezer. Anything less would be unethical and disrespectful to that magnificent animal. My son takes great pride in the meals that elk provides for our family and our friends. He also knows that hunting is conservation and that we have a responsibility to hand these wildlife resources off to the next generation unimpaired. I am proud that even at 13 he takes that responsibility very seriously.

Some of my son's classmates in school are vegetarians. Too many of those who do eat meat think that it is created, as my colleague from Alaska said, on a Styrofoam platter wrapped in cellophane. Carter knows better. As someone who hunts and fully embraces the ideas of sustainability and ethics, the next generation of sports men and women couldn't have a better ambassador to this new generation of millennials for why hunting is actually critical to the future of wildlife.

That, my friends, is what this CRA before us, in my view, puts at risk.

When you vote to put the Federal stamp of approval on methods of take that the public views as objectionable—even unethical—when you allow that ideologically driven style of game management to even permeate the sanctity of our national wildlife refuges, I don't think that is standing up for hunters. I fear that it is endangering the future of something that is critical to culture and way of life.

As I said before, the number of active hunters in the United States today sits, I think, at around 5 percent, or maybe a little lower—I hope not. By voting for this CRA, we are risking the confidence of the general public in our ability as hunters to be the best stewards of our wildlife resources. That is a risk that I am not willing to take.

So I would urge all of my colleagues to stand up for our Nation's wildlife, to stand up for our national wildlife refuges, and to vote no on this proposal.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Ms. MURKOWSKI. Mr. President, there have now been two speakers on the floor this afternoon speaking to H.J. Res. 69, which is the disapproval resolution on Alaska fish and wildlife refuge rule. I have come today to speak in strong support of this resolution, which will effectively overturn a rule imposed by the previous administration related to fish and wildlife management on millions of acres of refuge land in the State of Alaska.

I would like to start my comments by acknowledging Senator SULLIVAN, for his lead on this initiative, and Congressman YOUNG, as he moved this measure through the House just a couple of weeks ago. What we saw in the House measure and the final vote was a bipartisan vote that secured passage through the House, and I thank Congressman YOUNG for his able leadership there.

I also want to thank Senator SULLIVAN for his comments and for really doing an excellent job in outlining and explaining why this Fish and Wildlife Service rule is bad for Alaska, bad for hunters, bad for our Native peoples, and bad for America.

Like my friend and colleague, I am here to encourage Members of the Senate to see this rule for what it really is. It is a clear departure from Federal law. It is unwarranted regulatory overreach, and, from all accounts, it is a direct attack on States' rights.

Now, we will have discussion back and forth on the floor about various

hunting practices, and we will see beautiful shots of wildlife and suggestions that, somehow or other, this is about a specific hunting practice. This is bigger than wildlife refuges in the State of Alaska. This is an issue that is not just isolated or contained in the State of Alaska. This resolution is specific to Alaska, but I would suggest to my colleagues that for all of those of us who care about States' rights, who care about the promises made to our States about how they operate and how they manage activities in their States, this is something that we must all pay attention to because this is a direct attack on States' rights.

I look at this and suggest that this rule is a solution in search of a problem. Again, there are those who would say: Why is the Senate spending 10 hours to debate practices within a refuge in the State of Alaska? Is this not just so parochial an issue that it ought not take our time? However, I would contend that this foreshadows what is in store for the rest of the country if we are not adamant in ensuring that this rule be repealed by Congress.

Now, for those who may not be familiar with Alaska or gaming management laws within our State or within our national wildlife refuges in general, I think it is important to cover some basic facts and perhaps a little bit of history here to illustrate why this rule is so flawed. Alaska, like every other State in the Nation, holds primary legal authority to manage its fish and its wildlife, including on Federal refuge lands.

So let's not get confused here and think that because we have Federal lands, somehow or other the States do not have primacy when it comes to management of fish and wildlife. Alaska holds legal authority to manage the fish and wildlife within its borders. This is clear. This is unambiguous. Congress explicitly provided that authority specifically to our State in not one, not two, but three separate laws. The first of these is the Alaska Statehood Act; then the Alaska National Interest Lands Conservation Act—ANILCA; and the third authority was through the National Wildlife Refuge System Administration Act. In three separate authorities, Congress made it clear: Alaska, you are to manage the fish and wildlife within your borders.

Our Statehood Act gave Alaska the right to manage its fish and its wildlife as soon as the State could assemble a department of fish and game, which we actually did in our first year of Statehood. Then, in 1980, ANILCA, the Alaska National Interest Lands Conservation Act, affirmed twice that nothing within its text was "intended to enlarge or diminish the authority of the State of Alaska for management of fish and wildlife on the public lands."

Again, it is very clear, not only within the Statehood Act, but within

ANILCA, that management would be left with the State. The authority to manage our fish and our wildlife—through decisions based on sound science and that make sense for our local communities—is something that we in Alaska take very, very seriously. For us, State management of fish and wildlife is practically sacrosanct. I cannot emphasize that enough. It is one of the key reasons the State of Alaska voted to join the Union, so we have pretty good reason for the emotion and the passion that come with this authority to manage our fish and our wildlife.

I am proud to acknowledge that not only am I the first Senator to serve in the Senate who was born in Alaska; I was actually born in the territory. My parents and my grandparents were engaged in the battle for Statehood. Some think it was about the land. For most of the discussion that I recall from my family, it was all about fish. It was all about the salmon. One of the reasons we fought for Statehood was management of our fisheries. The Federal management of Alaska salmon fisheries prior to Statehood was absolutely appalling, with salmon stocks falling from 113 million in 1934 to just 25 million in 1959. We saw the management from the Federal side, and that experience left Alaskans absolutely committed to State management and the preservation of both fish and game, so we negotiated that for ourselves. We put it into law; we enshrined it into law in several different places. And we expect our Federal agencies to abide by that.

Those were the terms of the deal when we entered the Union as a State: Alaska is to manage the fish and wildlife within our borders. It is our right and our responsibility, and we take that responsibility very seriously. We have an entire department of fish and game dedicated to it and, as Senator SULLIVAN rightly noted, a department that has been recognized for the good work they do, the strong science they utilize. We are proud of the efforts they make to ensure that this management is done for sustained yield, the principle we stand by in our State's constitution. For decades now, we have done just that, until the National Park Service in 2015 and the Fish and Wildlife Service in 2016 took it upon themselves to propose regulations to take control away from Alaska, despite what was contained in our Statehood agreement, in ANILCA, and in the National Wildlife Refuge Administration Act.

The National Park Service's rule is outside the reach of the Congressional Review Act. So while, in my view, that also deserves repeal, it is not the focus of our debate today. Instead, the resolution we are discussing focuses on the Fish and Wildlife Service rule that was finalized over the protests of Alaskans

in August of last year. The rule itself was packaged perhaps innocently enough. The Fish and Wildlife Service spoke of clarifying “existing mandates” for conservation and biological diversity, and the agency claimed it was outlawing a few methods of predator control, couched its rule as a victory for public participation, and then promised us that it did not change Federal subsistence regulations or impose new regulations on subsistence users.

On the face of it all, it sounded as though it was going to be not so bad—if you take the agency’s description at face value. Many who are outside of Alaska are looking at this and saying: Why are you making such a big deal about all of this? The Department of the Interior is just clarifying some hunting rules, so it can’t be that big of a deal.

But the answer on that is: Wrong. This is a big deal.

Some of our opponents will allege the repeal of this rule will legalize brutal predator-control practices. What the Senate should know is that it is already illegal for hunters to use certain practices—gas against wolves, traps to harvest bears. You cannot do this on national wildlife refuges in Alaska. So those arguments are false and, unfortunately, serve mostly to distract from what this rule is really about. As I mentioned at the outset of my comments, what this is really about are the States’ rights, States’ authorities, and, effectively, States’ control.

First and foremost, I am here to defend the rights of my home State and all of the States to manage fish and game within their boundaries. The game management rule severely erodes the authority of Alaska to make these decisions, and I think it sets a terrible precedent for the other 49 States. If you think, this rule is just about Alaska, that this is not something you need not worry yourself about—well you really actually ought to be worried. Especially so if you have Federal lands within your State. Your State could be the next one where Fish and Wildlife Service comes in and says: No, it’s not going to be you, State, that has this management authority. We’re going to come in and tell you what can and cannot be done.

The Fish and Wildlife Service freely admits its rule will impact 54 million acres of refuge land inside the State of Alaska. This is an area 10 times larger than the size of the State of Massachusetts. This is not insignificant. Really, this is truly the camel’s nose under the tent.

If Congress allows this rule to stand, it will effectively override U.S. Supreme Court rulings from 1896 and 1979, which held that the States have the power to “protect and conserve wild animal life within their borders.” The States’ power in this area is subject only to specific Federal authorities ar-

ticulated by Congress, such as the Endangered Species Act and the Marine Mammal Protection Act.

The precedent being set for Alaska—and every other State—should be sufficient reason for us to oppose this rule. But I also need to speak to some of the particulars included within it, especially the Obama administration’s claim that it would not change or restrict subsistence uses.

This regulation made significant and substantive changes to regulations related to the hunting of bears. While I realize that not everyone may agree with hunting, I urge you to listen to what my colleague from the State of Alaska said in his comments and what he outlined in terms of subsistence to Alaska Natives, subsistence to those who are in areas so remote that “rural” is not even the right way to describe it. We call it Bush Alaska. There are no stores, there is no Safeway, there is no Whole Foods, and there is no Stop-N-Go. There is no place where you can go to get your meat, to get your fish. In many areas there just isn’t even a store, much less a store where you can buy Hamburger Helper or whatever it is that you are going to provide for your family. That model just does not exist in certain parts of our State, so what the people who live there do is hunt. That is how they provide for their families. They hunt and they fish and they gather. That is subsistence. That subsistence is not only nutritional sustenance, but for many, it is also their cultural identity, whether you are the “People of the Caribou,” the “People of the Whale,” or the “Salmon People.” The Native people who have been part of this corner of the world for millennia relate to their food source, making sure that not only their traditional diets can continue, but how they are able to practice this subsistence lifestyle matters greatly.

The regulation we are talking about today jeopardizes the ability of many of those Alaskans to sustainably harvest wildlife, to hunt, to feed themselves and their families. So when we think about the Alaska model of management and how it works to achieve healthy populations, this rule we are dealing with right now upsets that balance. It makes significant changes to the types of activities allowed when hunting bears without the support of the State or the traditional user groups. In updating regulations governing public notice and participation, the rule eliminates tools and obligations necessary for meaningful engagement with affected Alaskans. It curtails the use of local knowledge and insights for refuge management. It relies on an arbitrary and unscientific interpretation of the agency’s national biological integrity, diversity, and environmental health policy.

The sustainability of Alaska’s ecosystem depends on good, sound man-

agement—expert management—of fish and game populations. But under this regulation, well-established best practices employed by wildlife management professionals are more vulnerable to what could be unscientific or certainly bureaucratic second-guessing. That has sweeping implications for wildlife populations and for those who depend on them. If left in place, this rule will be applied to the entire refuge system either unilaterally or through litigation, placing our Nation’s fishing and hunting traditions at even greater risk.

Those who actively participate in the sustainable management of our Nation’s fish and wildlife populations understand the dangers presented by this rule, and they are overwhelmingly opposed to it. Senator SULLIVAN mentioned a list of the organizations that have voiced their support. I will not repeat many of the names, but it includes the Association of Fish and Wildlife Agencies, which represents all 50 States. It includes subsistence users, guides, outfitters, tourists, hunters, anglers throughout the country, and dozens of conservation groups, from the Alaska Outdoor Council and the Alaska Professional Hunters Association to Ducks Unlimited, Safari Club International, the National Rifle Association, and the Boone and Crockett Club. When you have a coalition that is this strong, that is this broad and yet united against a Federal rule, you know something went terribly awry with the regulation.

I would encourage the Senate to see through some of what I consider to be misleading arguments that some of the outside groups are making against us and to really see this rule for what it is—that this Fish and Wildlife Service game management rule for Alaska refuges is the very definition of Federal overreach. It defies the will of Alaskans, while disregarding sound scientific game management principles. It will result in less stable populations of fish and wildlife within our State. It will harm our subsistence users who hunt, not for sport but for their literal cultural sustenance, their nutritional sustenance, and, again, so much of their identity.

I again want to thank those that have been leading on this issue. This is a bad rule that deserves repeal. I would encourage all of my colleagues to look carefully at this. Look carefully at this, not just as a rule that is parochial and limited to just Alaska alone, but look to it within the context of what this does and what it says when it comes to States’ rights and States’ ability to manage fish and wildlife within their own State borders.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Vermont.

THE PRESIDENT’S BUDGET

Mr. LEAHY. Mr. President, last Thursday the Trump administration

submitted its first budget blueprint to Congress. The President called it “America First, A Budget Blueprint to Make America Great Again.” The title would seem like a “Saturday Night Live” skit if the topic were not so serious. Like some of the President’s tweets, his budget is a hasty list of appallingly unbalanced, shortsighted, and, I believe, politically driven priorities.

He proposes to eliminate or drastically cut programs that benefit the middle class and safeguard its most vulnerable citizens, programs that protect our environment, programs that promote our interests overseas but also security at home. Instead, he wants to spend billions upon billions of taxpayer dollars on a misguided wall along our southern border and increased spending for the Pentagon.

He says his proposal causes “strength, security and resolve.” He couldn’t be more wrong. You don’t want to make America “great again” at the expense of middle-class families and the most vulnerable among us. We are not a “great” nation if we abandon our shared desire to cure cancer, the desire to bring an end to Alzheimer’s disease or diabetes. We don’t do that by slashing billions for the National Institutes of Health. You can’t switch complex and promising medical research off and then say: Well, maybe someday later we will just turn it back on again.

We are not a great nation if we eliminate heating assistance for the 6 million vulnerable households that receive LIHEAP. Some 21,000 of those households just had to dig themselves out from a historic snowstorm in my State of Vermont. And we are not a “great” nation if we don’t protect the air we breathe and the water we drink.

You don’t make America stronger by eliminating the very programs that strengthen our alliances around the world and make our Nation more secure. We are not a strong nation if we simply pour more money into the Pentagon but then renege on commitments to international peacekeeping and security alliances or slash funding to respond to humanitarian crises or cut our diplomatic presence around the world. Interesting enough, when the other body spent millions of tax dollars to investigate a lack of security in Benghazi and came up with nothing, this budget slashes huge amounts that could be spent on security in our embassies, just as they voted to cut out hundreds of millions of dollars from a Senate budget that would have improved our security.

The President says he prefers hard power to soft power, but it is not either/or. The notion that soft power is weak or wasteful is mindless. If you are cutting programs that feed millions or prevent AIDS or treat tuberculosis and malaria, well, that doesn’t help. It makes the world less stable, less secure.

I am afraid the budget proposal is divorced from reality. It has a lot of partisan campaign promises. He promises infrastructure investment—and all of us would agree with that—but then it cuts critical Federal funds for proven successful State transportation projects. He claims it will save rural America, but he cuts those Federal programs that spur rural economic development. That is not a budget with vision.

We need a serious budget proposal—a proposal that acknowledges the devastating effects the Budget Control Act and sequestration have had in our country and a budget that charts a path forward, rather than doubling down on further cuts on programs for the middle class. We need a budget proposal investing in our citizens and in our military, not a proposal that pays for one at the expense of the other.

We have a lot of work to do. I am the vice chairman of the Senate Appropriations Committee. I would say we have to finish the fiscal year 2017 appropriations bills and then get to work on fiscal year 2018. Anybody who has been a Governor of their State would recognize that because they know they have to do it in their State. We should do it for the United States. To accomplish that, we need a budget framework that respects the principles in the Bipartisan Budget Act of 2015, including parity between the defense and nondefense spending and that, even though they might be politically popular, doesn’t have poison pill riders. We need relief from sequestration, not more misguided cuts.

This budget proposal takes us backward, not forward. But we can remind ourselves that it is Congress that holds the power of the purse, not the President. I have said that, whether we had Democratic or Republican Presidents. I take the responsibility seriously. I look forward to working across the aisle with colleagues both on and off the Appropriations Committee. I want to craft a responsible budget, a thoughtful budget, a serious budget—one that truly makes us a better and safer Nation and reflects the values we share as Americans.

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

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

The legislative clerk proceeded to call the roll.

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

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

Ms. CANTWELL. Mr. President, I rise to speak in opposition to the resolution which uses the Congressional Review Act process to overturn a Fish and Wildlife Service resolution prohibiting certain inhumane methods of killing bears and wolves within the 16

national wildlife refuges in Alaska, which cover about 20 percent of the State of Alaska.

I understand the opponents of the Fish and Wildlife Service rule argue that States’ rights issues are at hand, and they are responsible for the management of fish and wildlife in the State. That is certainly true within the State, but on Federal national wildlife refuge land, the U.S. Fish and Wildlife Service is in charge—just like at Mount Rainier or Olympic National Park, where the National Park Service is in charge. I am sure there are times when Pierce County or even Seattle would like to make rules related to Mount Rainier, but they are not allowed because it is part of our National Park System. Similarly, the Fish and Wildlife Service manages our national wildlife refuge system.

The rules in this proposal only apply to those national wildlife refuge lands in Alaska. They don’t cover any other lands in the State. So this isn’t about States’ rights. It is about how we can manage these wildlife refuges to the degree that agencies believe are necessary for the preservation of the wildlife.

Managing these national wildlife refuges—the 16 Federal refuges in Alaska—is about ensuring the management policies are consistent with the purpose of the wildlife refuge. It is not about prohibiting hunting. In fact, hunting has been allowed, and will continue to be allowed within these refuges in Alaska, as is the case with most national wildlife refuges throughout the United States.

As the Senator from New Mexico pointed out earlier, this is about what people want to see when they go to a national wildlife refuge. Do they want to see the inhumane killing of bear cubs in their den or would they like to see the bears and the other fish and wildlife activity that exists in so many of these beautiful areas?

Another argument that has been raised is that this rule will stop Alaskans from hunting for subsistence purposes—Native Alaskans who depend on subsistence hunting. The rule says nothing about this. It does not affect subsistence hunting. This rule is only about prohibiting certain methods of predator control in our wildlife refuges. Some people think this is contrary to responsible wildlife management practices in other States. But this rule only applies to national wildlife refuges in the State of Alaska.

The actions that Alaska has authorized on their State lands are so aggressive, that permitting them on Federal wildlife refuge land would be counter to the purposes of these national wildlife refuges. I know one of my colleagues was here citing what they think is already prohibited under state law, but the Alaska Administrative Code does allow for carbon monoxide

cartridges to be used in humane euthanizing in these wolf dens and the killing of young animals.

Mr. President, let me read from the relevant provision of the Alaska Code, which is 5 AAC 92.110, Control of Predation by wolves. Subsection (h) states that “carbon monoxide cartridges may be used to humanely euthanize wolf young in the den in areas under a predation control implementation plan.”

The next subsection, subsection (i) states that “the killing of wolf young in the den, commonly known as ‘denning,’ is prohibited unless the commission authorizes the killing of wolf young in the den in areas under a predation control implementation plan.”

That is in the Alaska Administrative Code today, and it is something that the U.S. Fish and Wildlife Service does not want to see happen in national wildlife refuges. The killing methods authorized by the State of Alaska include killing bear cubs or mothers with cubs, killing brown bears, including grizzly bears, using bait, killing brown bears using traps or snares, killing wolves or coyotes and their pups during the denning season, and shooting bears or wolves from aircraft or helicopters, using the aircraft to track down the bears or wolves, then landing and shooting them.

When you see the list of prohibited actions, you have to wonder why anybody would oppose this rule. Who is advocating for the slaughtering of wolf pups or bear cubs in their dens, shooting them from aircraft or using snares to catch them by their necks and kill them? I think my colleague from New Mexico had a picture of such an event. Who is advocating for this kind of method?

This is why the U.S. Fish and Wildlife Service policy makes sure that if predator controls used, that they are based on science and not these inhumane actions. The wildlife rule is not a case of regulating sportsmen for traditional hunting practices, but it is making sure that they are doing so in a humane way.

The law requires that the Alaska wildlife refuges be managed to conserve fish and wildlife populations in their natural diversity, but Alaska’s predator control practices are not consistent with that management requirement. They are directly opposite to conserving the natural diversity and are instead promoting the wholesale killing of predator species. So that is why we oppose this override of the regulation. I hope my colleagues will turn it down.

If we want to make improvements to the U.S. Fish and Wildlife Service rule, we can do so by legislation, or by working to change the rule. But by overturning this rule, you are also prohibiting the agency from fulfilling their job of protecting the wildlife refuge.

I want to make sure that all our colleagues understand that this is about

protecting wildlife refuges in a humane way, allowing hunting practices, but doing so in a way that preserves the species.

Mr. President, I yield the floor.

Mr. VAN HOLLEN. Mr. President, I oppose this outrageous resolution, which would overturn a Fish and Wildlife Service ecosystem management rule for the Alaska National Wildlife Refuge. This resolution is a cruel measure that has horrified many of my constituents, and I share their strong opposition.

The purpose of our National Wildlife Refuge System is to protect wildlife across the country. It does so by maintaining sustainable populations and balanced ecosystems. The Alaska National Wildlife Refuge is a stunning habitat that attracts hikers, fishers, hunters, and photographers to take in the beauty of the landscape and enjoy the wildlife there.

The Fish and Wildlife Service rule simply codifies scientifically based wildlife management practices. It does not affect subsistence hunting by rural and Native Alaskans.

By overturning this rule, Congress would permit extreme and cruel hunting practices that include killing wolves and pups in their dens and trapping, baiting, and using airplanes to scout and shoot bears and cubs. This so-called predator control is unnecessary and indefensible. Most Alaskans oppose these extreme practices. The resolution of disapproval would impede the Federal Government’s ability to manage 76 million acres of public lands that Congress set aside for all Americans.

The Fish and Wildlife Service is charged with balancing multiple needs in wildlife refuges and conserving natural diversity. Overturning its rules to allow a small minority of hunters to use cruel and inhumane practices in a wildlife refuge is wrong. I oppose this resolution.

Ms. CANTWELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold her suggestion regarding the absence of a quorum?

Ms. CANTWELL. Yes.

The PRESIDING OFFICER. The Senator from Colorado.

NOMINATION OF NEIL GORSUCH

Mr. GARDNER. Mr. President, I thank my colleague from Washington State for delaying the quorum call.

I appreciate the opportunity to visit with you today and to share some of the conversations I had yesterday before the Judiciary Committee in regard to the confirmation of a Coloradan, Judge Neil Gorsuch, who now serves on the Tenth Circuit Court, which is housed in Denver, CO.

Yesterday began his confirmation hearing before the Senate—the first step in a process which will ultimately end in his confirmation as a Justice to

the U.S. Supreme Court. It was a great honor to be able to introduce Judge Gorsuch to the committee. It is a tradition that Members of the Senate from the home State of the judge nominated to serve on the High Court be allowed to introduce the nominee—in this case, a judge of the Tenth Circuit Court. I joined my Democratic colleague MICHAEL BENNET from Colorado in this tradition and am very excited to express my support for Judge Neil Gorsuch.

I thought this afternoon I would share some of the comments I gave yesterday before the committee. I will start by talking about Confluence Park in Denver, CO.

In downtown Denver, if you look at Cherry Creek and the South Platte River, they join together. That is where the Colorado Gold Rush began. When it was first discovered, it started bringing people out to the West, out to Colorado, to a place now known as Confluence Park, where the two rivers come together.

At Confluence Park in Denver, if you look, there is a plaque on one of the walls there that has a poem written on it from Colorado poet laureate Thomas Hornsby Ferril. It is a poem known as “Two Rivers” describing the settlement of the West. The poem ends with this:

I wasn’t here, yet I remember them.

That first night long ago, those wagon people

Who pushed aside enough of the cottonwoods

To build our city where the blueness rested.

“Where the optimistic blueness of our Colorado skies rests against the mountains and the plains” is a good description of our great State. We are reminded about how incredibly diverse our great Nation is, its people and its geography. Judge Gorsuch’s nomination to the Supreme Court helps recognize the diversity in geography, the diversity of our country, and it helps to recognize that indeed there are highly qualified jurists who reside west of the Mississippi River.

Judge Gorsuch is a fourth-generation Coloradan. He is a skier. He is a fly-fisherman. He serves on a court that represents 20 percent of our Nation’s landmass.

Once confirmed, Judge Gorsuch will be only the second Coloradan to have ever served on the Nation’s highest Court. The first Coloradan to serve on the High Court was Justice Byron White. Justice Byron White also led the NFL in rushing, which is something Neil Gorsuch won’t be able to claim when he is confirmed but is certainly something that makes his confirmation as the second Coloradan unique in our history. Should he be confirmed, Judge Gorsuch will also make history as he represents the first Generation X Justice of the U.S. Supreme Court, the emerging generation of American leadership.

Judge Gorsuch was confirmed to the Tenth Circuit Court unanimously by voice vote in this Chamber in 2006. In fact, 12 current Democratic Senators did not oppose his confirmation, including three distinguished members of the Judiciary Committee. Ranking Member FEINSTEIN, Senator LEAHY, and Senator DURBIN are all members of the Judiciary Committee who supported, through voice vote, his nomination. Eleven years ago, Senator GRAMHAM presided over an empty committee dais as Neil Gorsuch faced his confirmation in 2006. No one showed up. What a difference a court can make. The level of bipartisan support for his 2006 nomination is almost unheard of in today's political climate, but when you look at his record, his writings, and his statements, it is easy to see why Judge Gorsuch has such overwhelming support.

Judge Gorsuch is not an ideologue. He is a mainstream jurist who follows the law as written and doesn't try to supplant it with his own personal policy preferences. As he said, "Personal politics or policy preferences have no useful role in judging; regular and healthy doses of self-skepticism and humility about one's own abilities and conclusions always do."

Judge Gorsuch is not an activist judge but, rather, a faithful adherent to and ardent defender of our Constitution. Judge Gorsuch said that judges have a "foundational duty" to "do more than merely consider [the Constitution]. . . . They take an oath to uphold it."

The judge recognizes that the judiciary is not the place for social or constitutional experimentation and that efforts to engage in such experimentation delegitimize the Court. As he said, "This overweening addiction to the courtroom as the place to debate social policy is bad for the country and bad for the judiciary. . . . As a society, we lose the benefit of the give-and-take of the political process and the flexibility of social experimentation that only the elected branches can provide."

Judge Gorsuch has a deep appreciation and respect for the constitutional principle of federalism and the separation of powers prescribed by our Founding Fathers. As he stated, "A firm and independent judiciary is critical to a well-functioning democracy."

Judge Gorsuch understands the advantage of democratic institutions and the special authority and legitimacy that come from the consent of the governed. As he said, "Judges must allow the elected branches of government to flourish and citizens, through their elected representatives, to make laws appropriate to the facts and circumstances of the day."

Judge Gorsuch appreciates the rule of law and respects the considered judgment of those who came before him. As he said, "A good judge will

seek to honor precedent and strive to avoid its disparagement or displacement."

It is this appropriate temperament, this fidelity to the Constitution, this remarkable humility that has made Judge Gorsuch such a consensus pick among Colorado's diverse legal and legislative communities.

Former Colorado Senator, Democrat Ken Salazar, Secretary of the Interior under Barack Obama, in praising Judge Gorsuch's temperament, said during his circuit court confirmation:

[A] judicial nominee should have a demonstrated dedication to fairness, impartiality, precedent, and the avoidance of judicial activism—from both the left and the right. I believe that Mr. Gorsuch meets this very high test.

A very prominent Colorado lawyer and former adviser to President Bill Clinton said:

Judge Gorsuch's intellect, energy, and deep regard for the Constitution are well known to those of us who have worked with him and have seen firsthand his commitment to basic principles. Above all, this independence, fairness, and impartiality are the hallmarks of his career and his well-earned reputation.

Hundreds of prominent liberal and conservative Colorado attorneys support Judge Gorsuch, writing this bipartisan letter of support praising the judge:

We hold a diverse set of political views as Republicans, Democrats, and Independents. Many of us have been critical of actions taken by President Trump. Nonetheless, we all agree that Judge Gorsuch is exceptionally well qualified to join the Supreme Court. He deserves an up-or-down vote.

The people who know him best in Colorado—they have worked with him in the Tenth Circuit Court, and they have worked with him in private practice—believe that he deserves an up-or-down vote, believe that he is exceptionally well qualified to join the Supreme Court.

One of the individuals, one of the lawyers, one of the Democrats who signed that very letter, who wrote this phrase, was a Democrat who was the chairman of the host committee for the Democratic National Convention in Denver in 2008 that saw the nomination of then-Senator Barack Obama to be the Democratic candidate for the 2008 ticket.

Colorado's former Democratic Governor Bill Ritter and former Republican Attorney General John Suthers jointly said:

It is time to use this confirmation process to examine and exalt the characteristics of a judge who demonstrates that he or she is scholarly, compassionate, committed to the law, and will function as part of a truly independent, apolitical judiciary. Judge Gorsuch fits that bill.

Judge Gorsuch has a consistent record of applying the law fairly, and his reputation among his peers and lawmakers is evidence of it.

According to the Denver Post, Marcy Glenn, a Denver attorney and Demo-

crat, recalls two cases before Gorsuch in which she represented underdogs, and she said: "He issued a decision that most certainly focused on the little guy."

That same article cited another example. "Judge Gorsuch can't be pigeonholed as either pro-prosecution or pro-defense," said Peter Krumholz, a Denver appellate attorney who reviewed the nominee's criminal law record. "He is very independent and will not hesitate to rule in favor of a criminal defendant's rights when he thinks it's warranted by the Constitution."

For all these reasons cited today and the many reasons that have been cited over the past several weeks, I am certain Judge Gorsuch will make Colorado proud and that his opinions will have a positive impact on this country for generations to come.

I look forward to Judge Gorsuch receiving a fair hearing today, tomorrow, and after that, to working with my distinguished colleagues on both sides of the aisle to expeditiously confirm his nomination.

Thomas Hornsby Ferril, a great poet laureate, wrote another poem. This one is memorialized on a mural painted in the rotunda of the Colorado capitol. It ends with these words: "Beyond the sundown is tomorrow's wisdom. Today is going to be long, long ago."

The wisdom of Neil Gorsuch, guardian of the Constitution, will serve our Nation well for generations to come.

The PRESIDING OFFICER. The Senator from Arkansas.

REMEMBERING WARREN D. BLAYLOCK

Mr. BOOZMAN. Mr. President, I rise today to pay tribute to Warren Blaylock, a friend and true public servant who was a lifelong resident of Crawford County, AR. Warren was a World War II veteran and someone I admired greatly for the vital role he played in his community for decades.

Born in 1921, Warren grew up near Alma, AR, and knew the harsh realities that many Americans encountered during the Great Depression. He graduated from Alma High School and went on to join the Army during World War II. During the war, he served as a combat medic with the 67th Evacuation Hospital. His unit landed at Normandy just days after the Allied forces stormed the beaches on D-day and went on to follow the Allies as they marched through Europe. Warren was promoted to first sergeant while serving in Europe, and he received several awards and commendations, including two Bronze Stars, the Superior Unit Award, and the Combat Medical Badge.

I am so thankful for his service alongside so many others in the "greatest generation" as they risked their lives in the defense of freedom.

Even after he left the service, Warren spent the rest of his life giving back to his community and advocating for causes he believed in.

After returning home from the war, he attended the University of Arkansas and earned a bachelor's degree in business. In his professional life, he was vice president and general manager of the Derrel Thomas Company in Van Buren, AR. Still, Warren found time to participate in numerous civic organizations within the community. He was an active member of the Alma United Methodist Church for decades and served on the Methodist Health and Rehabilitation Board for 41 years. Additionally, Warren served on various other boards and organizations and was a pillar in the community. Perhaps most notably, he was a member of the Rotary Club—first in Van Buren and then in Fort Smith—for 54 years and maintained perfect attendance. This is just one example of Warren's dedication to serving and giving back to Arkansas.

While Warren never sought recognition for the work he did on behalf of his community, his contributions were noticed and recognized by the city of Alma, as well as on the regional and State levels. He was inducted into the Arkansas Senior Hall of Fame in 2013. In 2015, I had the honor of participating in the ceremony where Warren was inducted into the Arkansas Military Hall of Fame on the basis of his honorable military service and exceptional State and community service. This was yet another reminder of how loved and valued Warren was by so many people whose lives he touched.

As active as he was, Warren always enjoyed spending time on his ranch tending to his livestock. In fact, he was also a talented auctioneer who would lend his skills to various charitable auctions and events.

A devoted follower of Christ, a wonderful father and family man, a respected humanitarian, and a rock within his community, Warren will be greatly missed by many. We wish his family, friends, and loved ones comfort as we all mourn his loss, but we also take great joy in knowing just how profound an impact Warren had on the lives of so many others. He leaves behind an incredible legacy of love, devotion, and service that will last for many years to come.

I very much appreciate Warren's service and even more his friendship, encouragement, and the amazing example he set. I will miss him and the vital role he played in his community and in Arkansas. He leaves a huge void that will be hard to fill, but I hope all those who witnessed his committed service to his fellow man will join me in resolving to live and love more like Warren as a way to honor him and his legacy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

TRUMPCARE

Mr. NELSON. Mr. President, we have seen TV clips about various Members

and Senators around the country having townhall meetings. For example, three of our colleagues this past weekend—Indiana was one of them—had tremendous townhall meetings with a good exchange of information.

With this looming House of Representatives healthcare bill, which I refer to as TrumpCare, since the President has endorsed it, I wanted to see a particular group in our society who is extremely vulnerable and those are the older Americans who are not 65—not old enough to be eligible for Medicare. Now, be careful because there are people lurking in these halls and the administration who would like to raise Medicare eligibility from age 65 to 67. But that is not what is confronting the House of Representatives; it is what is going to happen to those people below the age of 65 for their healthcare. Under current law, once they hit 65, they are eligible for Medicare.

I reached out to a particular group of Floridians. These are folks whom I did not know that our offices in Florida had become aware of because they had written about the healthcare debate that is going on and, in many cases, had described their circumstances.

Yesterday, the group of 8 or 10 whom we had in my Orlando office were all in the age range of 50 to 64. I want to tell the Senate about this group of people because, if approved in its current form, the House healthcare bill, TrumpCare, would dramatically increase healthcare costs for folks in that age group, 50 to 64. Those are folks who either get their healthcare through expanded Medicaid or they get their health insurance through healthcare.gov, which is the exchange, whether it be on the State exchange or the Federal exchange because the State does not participate. According to the Congressional Budget Office, a 64-year-old making \$26,500 could see their healthcare costs go from \$1,700 a year, which they pay now under the Affordable Care Act, all the way up to \$14,600 a year under the House plan, TrumpCare. That is a dramatic jump, obviously. Do we think that is really too much of an extreme example?

I want to tell you what these people said. If you look at what the House is proposing, the dramatic rise in cost is due in large part to two provisions contained in the House bill, one that would allow insurers to charge older Americans up to five times as much as younger people; the second one caps the Federal tax credits meant to help seniors pay for the rising cost of health insurance. Federal tax credits is a fancy way of saying "subsidy." So if you are a senior and you are above 138 percent of poverty, which for a single individual is approximately \$16,000 a year—by the way, who making \$16,000 a year can afford health insurance? That is why we need the remaining 19 States, my State of Florida included,

to expand Medicaid up to that 138 percent of poverty. But if someone is between that level and all the way up to 400 percent of the poverty level, which for a single individual is about \$46,000, \$47,000 a year—in that zone of 138 percent of poverty up to 400 percent of poverty, there are these tax credits or subsidies. The one with the lower income gets more of a subsidy in order to buy private health insurance on the private marketplace through the exchange. As they get up to 400 percent, a person making \$46,000 or \$47,000 a year—can they really afford health insurance? Not the real cost, unless it is some huge deductible plan that doesn't give them much. That is why these folks need some assistance. That is in place. That is the law. That is the Affordable Care Act, which has been so maligned over the last several years.

Aside from health insurance, there is the expansion of Medicaid that has helped a lot of people. There are still 4 million people in this country who would benefit if those 19 remaining States would expand Medicaid up to 138 percent. They are left in the cold. They are not getting health insurance; they are not getting healthcare. They are eligible to have it, and the Federal money is there to draw down to enable them to have that Medicaid, but 19 States, including my State of Florida, have decided not to expand it.

With all of that as background, I asked these folks to come in. According to the AARP, there are millions of Floridians in that age group of 50 to 64 who currently receive Medicaid or tax credits to help them pay for the insurance through healthcare.gov; there are millions who are eligible. So the group came in, and here's what I learned. I am going to give you some personal vignettes.

Marshall Stern is a 61-year-old heart transplant survivor who lives in Kissimmee, FL. Marshall has had a serious heart condition since he was a young man. Three years ago, his condition worsened, and it resulted in several hospitalizations, after which he was told he would need a heart transplant. Since he is on full disability, he was told that he had to enroll in Medicaid or he would not be eligible for the transplant. Just the medication for the posttransplant operation costs around \$100,000 a year, which, obviously, Marshall would not be able to afford without Medicaid coverage. He also is going to have to take this medication for the rest of his life if he is going to live. He worries that the House TrumpCare bill will turn Medicaid into a block grant program, which is a fancy way of saying: We are going to cut it off, and you are not going to get any more money, and you are going to have to finance it from your own State resources. Governors and State legislatures are going to have to share more of the burden of healthcare costs. He is worried that if

that House bill passes and Medicaid is threatened as we know it, he is not going to be able to have the medications he needs to stay alive. This is what Marshall told me, and it was very dramatic. He said: "It is as good as saying that I die."

For the rest of us who are not facing that, imagine having a fellow tell you that. This is serious business.

Let me tell you about Susanna Perkins. She is a 62-year-old living in Altamonte Springs. Susanna's husband lost his job in 2009, and she lost her employer-provided health plan during the recession. The couple blew through their IRA, and they ended up selling nearly everything they had.

They eventually moved out of the country to save money, but in 2014, they decided to move back. Why? Because the Affordable Care Act passed, and the ACA made it possible for them to afford health insurance again. This is what Susanna said:

If they shred [the ACA] like they're [threatening] to, we're going to be high-tailing it out of here, because dealing with the health care [costs] and insurance makes you sick. We're getting by, but if the ACA goes away, and if they make these changes they're talking about, we'll be uninsured again.

I was going to show you a picture. These are the folks whom I met with yesterday. I will not point out the individuals, and I am going to talk about some of the others, but you can see almost everybody. There is one person who is outside the photograph. But we sat down for an hour's conversation, and I heard their stories.

I wish every Senator and every Member of Congress would go out and talk to people who are real people with real problems and understand how petrified they are. These folks look like our neighbors and our friends. They look like the people whom we go to church with. They look like the people who have children or grandchildren whom we play with, and they are petrified. They are scared to death that they are not going to have healthcare.

So let me tell you about another one of these ladies. Terri Falbo is a 59-year-old living in the Orlando area. She moved to Florida back in 2012 to take care of her elderly mother and disabled sister. For 25 years she had good health insurance through her employer where she lived up north, and she rarely used health insurance. After losing her job in 2006, as we went into the beginnings of the recession, she purchased an individual insurance policy that cost her \$500 to \$650 a month. Prior to the ACA, she had to make withdrawals from her retirement account. She had to max out her credit cards to pay for the premiums. As a result, she depleted all of her reserves and all of her retirement funds. Since the Affordable Care Act was implemented, she has had an affordable policy because she qualifies for the monthly subsidy of over \$600,

bringing her premium payments to \$70 a month with a zero deductible. She could have gotten a policy with a \$5,000 deductible for \$3 a month. At her age, she needed assurance that she would be able to have the healthcare she needed, so she paid \$70 a month because of the subsidy. Yet that is not what is protecting her in the House TrumpCare bill.

Under that proposed healthcare plan, her maximum subsidy would be less than \$300 a month, which means she would end up paying \$4,000 more per year—an amount that she simply cannot afford. That is what she told me: "I cannot afford it." She said she would have to go without health insurance instead. Before the ACA, she was desperately trying to have health insurance, and she depleted all of her retirement funds.

There is another lady who is sitting around that table in the picture I showed, Nancy Walker. She is a 51-year-old self-employed actor who is living in Kissimmee. She is active. She is healthy. She chose to pursue a career in the arts. The unstable nature of her profession has often left her unable to afford health insurance. So she has gone without it most of her adult life as an artist, as a performer.

Since the ACA took effect, however, she has, finally, been able to afford health insurance, thanks to the subsidies. She told me that it has been a relief for her to be able to go to the doctor not only for checkups but, actually, when she has a problem, to fix it.

If Congress passes the House TrumpCare bill, her premiums are going to go up. She has no doubt that she will, once again, be unable to afford health insurance and healthcare. She told me that she fears simple health issues will fester, becoming serious, chronic, and expensive to treat. Remember, I said they were petrified—that they were scared to death. There is an example. Finally, she has health insurance after all of these years of going without because she did not have an employer who paid for her.

Let's take another one. Marilyn Word is a 63-year-old retiree living in Orlando. Marilyn lives mainly off of Social Security payments but is not old enough to qualify for Medicare. She is under that magic year of age 65, at which one is eligible.

After retiring, Marilyn enrolled in an insurance plan through the ACA exchange, and she is eligible for annual tax credits to help her pay for her insurance. Marilyn told me that she was extremely worried about the increased premiums that she would likely have to pay under the House TrumpCare plan.

I will give you another example of a lady who is sitting around that table. Sharon Brown is a 58-year-old widow. She lives in the Orlando area. Since her husband's death, Sharon has been deal-

ing with several medical issues and pulling money out of her retirement account to pay for her current plan. She has a nest egg from her husband's life insurance money, but due to her health condition, she will likely need long-term medical care. This is what she told me:

My premium's pretty high because I've got multiple medical conditions that make it so I cannot work. I've done a lot of reading on this . . . and the cost of my healthcare [under the TrumpCare plan] will amount to double what I make right now in income.

She looked at me with this pained expression on her face and said: "It's very scary, and the anxiety that goes along with this happening right now is making it worse."

Sharon told me that she is a lifelong registered Republican—she volunteered this—and she said that the bill being considered now is forcing her to reconsider her party. She said:

I'm changing my political affiliation to independent. I want to vote my conscience.

When one puts faces to these stories—to these people about whom I have just talked and about whom we just talked yesterday—the House TrumpCare plan ends Medicaid as we know it because it cuts off the amount going to the States.

I understand that in the House, in trying to fix up some things just last night, they filed an amendment in an attempt to address some of the problems. One of the things they were trying to fix would allow States to choose between capping or block-granting the Medicaid Program. Under either proposal, the Federal Government is going to be contributing less to the States, and that means more money will have to be picked up—the tab—by the States. Just ask the Governors how much more they can pick up.

I urge our House and Senate colleagues to join all of these people whom I have talked about and vote as Sharon said—with their consciences on what they are going to do to folks like them. Gutting Medicaid and forcing struggling, older Americans to pay more for health insurance is simply not the right thing to do. For a change, we ought to be trying to do the right thing.

I yield the floor.

The PRESIDING OFFICER (Mr. STRANGE). The majority whip.

REPEALING AND REPLACING OBAMACARE

Mr. CORNYN. Mr. President, I came to speak on the nomination of Neil Gorsuch as Associate Justice for the United States Supreme Court, but in listening to my colleague from Florida, I feel like I am missing something because he has described the Affordable Care Act in a way that I do not recognize, and he has talked about a bill that has not even passed the House of Representatives as a fait accompli.

ObamaCare was sold under false pretenses. The President himself said: If

you like what you have, you can keep it. If you like your doctor, you can keep your doctor. Oh, yes, by the way, a family of four will see a reduction of its premiums by \$2,500. None of those have proven to be true. So we are going to repeal and replace ObamaCare.

I have to tell my friend from Florida to please join us. If he does not like the product that is working its way through Congress, please join us and help us make it better because, right now, all I see from our Democratic friends is sort of like a Pontius Pilate moment—a washing of their hands and letting the Republicans alone do the heavy lifting. We invite them to work with us in a bipartisan way, which is something that did not happen, by the way, in ObamaCare, which was passed on a purely party-line vote, and I think it has proven to be a terrible mistake.

Mr. NELSON. Mr. President, will the Senator yield since he has invoked my name?

Mr. CORNYN. Mr. President, I will yield for a question, but I will not yield the floor.

Mr. NELSON. Mr. President, I do not intend for the Senator to yield the floor, and he is my friend.

The Senator started out by saying he was missing something. Yes, he missed the first part of my speech, during which I talked about these folks in the age category of 50 to 64, who are not eligible for Medicare.

Mr. CORNYN. Mr. President, I will yield for a question but not for a speech.

Mr. NELSON. Mr. President, I am about to ask the question.

I want to introduce the Senator to these people in that age group of 50 to 64. In fact, they told me stories that had them scared to death.

Would the Senator believe that they believe that they are going to lose coverage?

Mr. CORNYN. Mr. President, I say to my friend from Florida that I think there has been a lot of false advertising and scaremongering taking place around the country in trying to convince people that, somehow, they are going to lose their coverage, which is not the case.

We believe we can do better than ObamaCare, which has created a one-size-fits-all healthcare package and has basically denied people the right to choose the kind of coverage that suits them best at a price they can afford.

In Texas alone, a person making about \$25,000 a year could spend up to 30 percent of his gross income under ObamaCare. That is a young person, and it is no surprise that many of them have opted out of ObamaCare and simply decided either to pay the penalty or to just become noncompliant because it is unaffordable.

I am sympathetic, certainly, to the genuine concerns of anybody in one's getting appropriate healthcare cov-

erage, but I sure hope people do not succumb to the scaremongering taking place in parts of the country that tells people they are going to be left high and dry.

For example, my friend and colleague said that Medicare was going to be gutted under the House bill. That is not true. Right now, Medicaid is an uncapped entitlement. It is one of the fastest growing sources of Federal Government spending. The bill in the House proposes not to cut it but to restrain its rate of growth. Right now, it is the third largest budget item in the Texas budget. My friends in the Texas Legislature tell me that it crowds out all other spending, including education, law enforcement, and other things—that it just eats up so much money because it is uncapped. What we would propose to do is to leave Medicaid at the current levels but then make sure that it grows according to the Consumer Price Index—and a rather generous one—in medical inflation.

I will say what I said earlier, which is that I do not recognize the bill that my friend from Florida has described. If the House did not pass a bill and if the Senate did not pass a bill, we would still be here, talking about the meltdown of the Affordable Care Act because many insurance companies have simply pulled out of the marketplace. Many people do not have choices. They are forced to deal with, perhaps, the one remaining health insurance company, and in some places they are going to have all insurance companies pull out of the individual market.

I yield for one more question, and then I really need to get to my speech.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I thank the distinguished Senator from Texas, and he knows my affection for him.

The Senator has stated that he would like, in a bipartisan way, to fix the current law. Would the Senator believe, if there were a genuine, bipartisan attempt to fix what needs fixing instead of repealing and replacing it with something that has people petrified, that he could find that bipartisan consensus?

Mr. CORNYN. Mr. President, I would welcome that any day and every day. The only way we get things done around here in any sort of durable fashion is on a bipartisan basis. But so far, I have seen zero indication from our friends across the aisle that they are interested in working with us. I hope that is a misunderstanding on my part, and I hope going forward we will be able to come up with some bipartisan bills.

The truth is that, given the constraints of the budget process, we are not going to be able to do everything we want to do in this bill that is going to pass the House on Thursday and which we will take up here in the Sen-

ate next week. So there is going to be a necessity to do some more, and I hope we can do that on a bipartisan basis.

We also know that the Secretary of Health and Human Services, Dr. Tom Price, is working from a regulatory standpoint to try to do everything he can to stabilize the insurance market and to make sure that people continue to have some choices.

I think this is fundamentally a test of our principles regarding whether we actually believe in more choices and competition, and my firm conviction is choices and competition improve the quality of a service and the quality of a product. That is really one of the foundational principles upon which our economy is based. I think it also works in healthcare, but we haven't had that since ObamaCare passed.

NOMINATION OF NEIL GORSUCH

Mr. President, I want to speak a little bit about the important hearing on the judicial nomination of Judge Gorsuch to the U.S. Supreme Court that is taking place in the Senate Judiciary Committee even as we speak.

We know that President Trump nominated Judge Gorsuch at the end of January to a seat left vacant by the death of Justice Antonin Scalia. Justice Scalia was a lion of American law. He was bigger than life. His intellect, his writing, and his wit inspired a lot of young lawyers and not-so-young lawyers and judges and law students over the past decades, and reminded us that judges have a distinct and special and important role in our system of government, but it is decidedly not to be a legislator or a policymaker because they are ill-suited for doing that.

First of all, Federal judges are appointed for life. Judges are not supposed to take public opinion polls to figure out how to rule in a case.

I asked Judge Gorsuch today: Is it proper for a judge to decide in a case in front of him or her who he or she thinks should win and then try to work backward to justify it in a judge's decision?

He said: Well, it is actually just the opposite. What you try to do is to take the facts and the law and you apply them and you respect the outcome, even if sometimes it is not an outcome you would prefer if it were a matter of your personal preference.

What he described, really, is called the rule of law, which has distinguished the United States of America from most of the rest of the world and which has given us our competitive advantage. When people know that we are going to have a legal system that doesn't depend on personalities, doesn't depend on politics, but rather on a written law or Constitution, then people can take confidence in their investments, in their plans, and our economy has been the winner.

There is a Peruvian economist who wrote a book called "The Mystery of

Capital.” I will just summarize, briefly. I was intrigued by the book and by his thesis. Basically, his argument is the United States is no more entrepreneurial than other parts of the world, but what distinguishes us from much of the rest of the world is what I just said a moment ago: It is the rule of law. For example, if you buy a house and get a title to that house, then you have a legal right to it, and you can defend it against all other claimants or people who might try to say: No, that is really my house. I know that sounds so basic, and we take it for granted, but it really does distinguish our country from others, where the law is really not about law, but it is about politics. It is about who is in power. Well, our laws are designed to protect people who are not in power, including people in political minorities.

I think the greatest legacy of Justice Scalia was a strong belief that the words in the Constitution and laws passed by the Congress matter. He believed judges should apply those texts and not just pronounce their policy preferences in deciding cases. He understood, as I do, that a careful adherence to text ultimately protects our democracy, which is the intention of our Founding Fathers.

I have spent time, like many of my colleagues, talking about the type of judge we need to fill this vacancy—someone who understands the lessons that Justice Scalia taught us—and will apply them faithfully, without regard to persons or personalities or politics. I believe there is no question that Judge Gorsuch is the man for the task. I am confident that the hearings this week will make that clear to the rest of America.

It is interesting to listen to some of my colleagues on the Judiciary Committee who want to talk about everything other than Judge Gorsuch and his qualifications. They want to talk about President Trump. They want to talk about abortion. They want to talk about same-sex marriage. They want to try to get Judge Gorsuch to prejudge some future case that may come before the U.S. Supreme Court. Well, no judge worthy of that title will tell anybody: Well, if you confirm me as a judge, I promise you this outcome. That is a violation of the most fundamental ethics of a judge, because a judge is not, again, a policymaker, a judge is not a politician; judges aren't about outcomes, but rather a commitment to the rule of law and due process of law in reaching their decisions.

So far, in almost two days in the Judiciary Committee, I think Judge Gorsuch has performed admirably and demonstrated no reason why our colleagues across the aisle can't support him. As a matter of fact, my view is that if you can't vote for somebody like Judge Gorsuch, there is probably nobody that would be nominated by

this President that you would vote to confirm. It is hard for me to imagine the nomination getting much better.

We have already learned a lot about the judge. We know of his intellect. We know of his sterling qualifications and his extensive experience. I particularly appreciated his testimony today about access to justice and his concern that people of modest means—low income, the so-called little guy that our friends across the aisle keep talking about. The little guy in America is essentially denied access to our courts because it costs so much and it takes too long, and there have to be mechanisms in place for us to resolve our differences that everybody has access to or else the statement carved in the marble over the U.S. Supreme Court that says “equal justice under law” is just a pathetic joke.

So we have a lot to do in terms of providing access to justice. I think somebody with Judge Gorsuch's background—someone who actually has practiced the law and who has represented clients in court and who has been thoughtful about this and so many other topics—is just the type of person that can help us get our legal system back on track, so that saying, that model, “equal justice under law,” is a reality.

We know that Judge Gorsuch has spent a decade on the bench and about 10 years in private practice, and he has also worked at the Department of Justice. Like Justice Scalia, he is a steadfast believer in the Constitution laws and that they should be interpreted based on their text; that is, what they actually say.

I asked Judge Gorsuch today: If you don't believe that you ought to interpret the law based on what the law actually says, what would you use as your guide? If you are not going to interpret the Constitution based on what the Constitution says, what are you going to use as your guide?

Well, some of our friends would talk about a living Constitution or judges knowing better than perhaps the elected representatives of the people. To me, that is just misguided. Judges are not philosopher kings or queens. Judges, as I said at the outset, hold a very important but finite role in our system of government. It is our job as the legislature to make the policy. It is the executive—the President's job—to execute the policy. And if we don't like the law, then it is our job to change it, not to look to the Court to say: I am going to let the Congress off the hook, and we are just going to write an opinion and render a judgment that changes the law under the guise of actually judging, actually engaging in more policymaking.

Well, the great thing about somebody like Judge Gorsuch is that the people who admire him also include people who differ from him politically but

have seen him in action—people like the former Solicitor General under President Obama, who said he is “one of the most thoughtful and brilliant judges to have served our nation over the last century,” and someone who “has always put aside his personal views to serve the rule of law.”

In other words, Judge Gorsuch is the type of judge that we should all be able to get behind, and he is exactly the kind of nominee we would hope to see from any administration. That is why he was previously confirmed by the U.S. Senate 10 years ago when he was nominated to the Tenth Circuit Court of Appeals in Denver. He was confirmed by voice vote. For people who may not be familiar with the practices of the Senate, that essentially is by unanimous consent, by unanimous agreement, including the Democratic leader, the Senator from New York, Mr. SCHUMER. He thought Judge Gorsuch was good enough for the Tenth Circuit Court of Appeals. I would challenge him to identify a reason why he is not well suited for the United States Supreme Court, unless it is based on some political calculation.

As the Judiciary Committee this week considers his nomination, I want to make crystal clear the purpose of the hearing. It is not about pinning the nominee down or asking trick questions or asking the judge to prejudge cases that might come before the Court. We know there have been outside special interest groups who have criticized Judge Gorsuch for failing to rule in favor of one sympathetic constituency or another, but, again, that is not what judges do—or what they are supposed to do. Are they really supposed to find the most sympathetic party to a lawsuit and say: I am going to decide that case for them, and I will figure out the justification for it later. That is not what judges are supposed to do. Judges are supposed to apply the law impartially and fairly and decide the facts and apply the law and render judgments on cases or controversies that become before the court, not write policy at large.

So I think some of these attacks are pretty silly, but they also are a reminder of the importance of these hearings because I really believe this is one of those opportunities to help acquaint millions more Americans with our unique founding story and the unique nature of our Constitution and our Nation of laws.

I see my friend from Tennessee here. I remember something he told me once about telling his constituents that one of the important functions of the Senate was to remind people what it means to be an American. Well, being an American means believing in the rule of law and equal justice for all.

I will close on this because I see my friend from Tennessee here waiting to speak. This is another kind of an interesting statistic I found pretty amazing,

and the Presiding Officer, a distinguished lawyer in his own right, can marvel at this as I do.

Judge Gorsuch is no radical. He follows the law wherever it leads: sometimes for the police, sometimes for a criminal defendant; sometimes for the government, sometimes against the government. That is the way the rule of law works. He noted that about 97 percent of the thousands of cases he has decided have been unanimously. As the Presiding Officer knows, the circuit court sits in three-judge panels. The idea that 97 percent of the cases he decided were decided unanimously is pretty remarkable, and he sided with the majority 99 percent of the time. This is nobody out of the mainstream. This is a mainstream judge. So let's be honest and open about it.

I hope our colleagues across the aisle, after this nominee is voted out of the Judiciary Committee, will allow us to have an up-or-down vote on this nomination. It wasn't until the Presidency of George W. Bush in 2000 that somehow the tradition of allowing an up-or-down vote for nominees went out the window and instead some people got together and decided, well, we are going to come up with a rationale to raise the threshold to 60. In other words, a President won't be able to see his nominee confirmed unless not just a majority votes for it but 60 people vote for it in the Senate because of the Senate's rules on cloture closing off debate. That period of our history during the George W. Bush administration was an aberration, and I would hope no one would want to repeat that—again, politicizing the judicial nomination process.

People can vote any way they want, but denying the opportunity for the Senate to vote up or down on a nominee, particularly to the U.S. Supreme Court, is certainly not a road I would hope our colleagues would go down. As they presumably learned this year, after Senator Harry Reid, the Democratic leader, led his conference into the nuclear option, which basically changed the Senate rules by breaking the Senate rules—that is what allowed us to confirm the President's Cabinet with 51 votes, and that is what will allow us to confirm all lower court judicial nominees with 51 votes. So we would think they might have learned the lesson that what goes around comes around and that while you are in the minority one day, you might be in the majority in the not too distant future. What you force the Senate to do in order to do its job may end up biting you in the future. So I hope they seriously consider allowing Judge Gorsuch an up-or-down vote when his nomination comes to the floor sometime around or after April 3.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, later today the Senate will vote on H.J. Res. 69, and I am here to state as strongly and emphatically as possible my opposition to this misguided and unwise measure.

As a Senator who fights to preserve and protect the vast diversity of American wildlife and honor the natural beauty of our Nation's great refuges, I urge my colleagues to reject the effort to revoke a commonsense rule of the U.S. Fish and Wildlife Service. This rule of the FWS is designed to prevent the use of cruel, unsporting, and inhumane killing methods on Federal land. It is really that simple, and repeal of it is an outrage.

Proponents of H.J. Res. 69 have attempted to frame this debate as an effort by the Federal Government to usurp State power, but that argument is simply absurd. The rule at issue is about Federal management of Federal land, Federal control over land owned by the Federal Government, pure and simple. The rule, which took effect in September, does not restrict subsistence hunting or normal hunting practices. It does not imperil public safety or impede on defense of property. It simply prevents brutal, cruel, barbaric hunting methods that target vulnerable bears, wolves, and coyote from occurring on lands that were intended to provide refuge for these animals. "Refuge" is the key word.

This resolution subverts the judgment of professional wildlife managers to adopt sensible wildlife management actions that are based on the best available science. If the U.S. Fish and Wildlife Service rule is undermined, any State would be permitted to allow egregious killing methods on these wildlife refuges, which is the one category of Federal lands specifically set aside to benefit wildlife. That is its singular purpose.

I will oppose this legislation because I believe in preserving our Nation's natural ecosystem and the constitutional responsibility of the Federal Government to manage Federal lands for all citizens and prevent the inhumane treatment of our Nation's most iconic wildlife.

This rule bans the killing of wolves and their pups at their den sites in springtime when they are most vulnerable. It bans the killing of sleeping black bear mothers and their cubs while they are hibernating in winter—not exactly fair sport and certainly damaging to our environment. The rule also bans the baiting of grizzly bears, which involves the use of toxic, rotting food or grease to lure and acclimate bears to a certain area so that trophy hunters can get a point-blank shot. It prohibits the use of traps such as steel-jawed traps or snares, which cause animals to suffer injury as they fight the trap or even slow and painful death from starvation or exposure. It pro-

hibits using airplanes and helicopters to scout, land, and shoot brown or black bears. These practices are not only cruel and inhumane, they are really unsporting and have no place in a civilized society.

This resolution would foreclose our wildlife managers from making Federal wildlife management decisions. It will undoubtedly affect the future of all American wildlife, including regulating inhumane practices on Alaska national wildlife refuges even though those practices may be recognized as cruel and unsustainable.

All in all, voiding the U.S. Fish and Wildlife rule would set a dangerous precedent for the management of public lands across the country. Time and time again, our Federal courts have held that the Federal Government has the authority to regulate wildlife on Federal lands and cannot be superseded by initiatives at the State level. This Federal rule explicitly prohibits only these particularly gruesome and egregious methods of hunting or other kinds of practices on national wildlife refuges. It does not apply to hunting in State-owned wilderness or to rural Alaskan practices for residents who hunt for subsistence.

Regardless of my colleagues' claims, there is not a Tenth Amendment issue here, and the case law clearly demonstrates it, from the Supreme Court decision in 1976 that held that "the Property Clause also gives Congress the power to protect wildlife on public lands, state law notwithstanding"; the Ninth Circuit Court of Appeals, which followed it; and just last year, the Tenth Circuit Court of Appeals, which repeated the Supreme Court's well-established jurisprudence on the supremacy clause and the property clause.

Neither the Alaska National Interest Lands Conservation Act nor the Alaska Statehood Act grants any State official the power to overrule these Federal land managers' decisions.

Putting aside the legal issues—and there are none that really argue in favor of sabotaging this Fish and Wildlife Service rule—it is the right thing to do for us and for our future. This legislation would essentially reject our authority and our responsibility and our obligation to future generations to promote humane wildlife management practices. It is not only a matter of our law but who we are and what kind of society we believe we should have.

I hope my colleagues will join me in opposing this abhorrent and appalling legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

NOMINATION OF NEIL GORSUCH

Mr. ALEXANDER. Mr. President, President Trump's nomination of Judge Neil Gorsuch to be a member of the U.S. Supreme Court is being considered this week in the Senate Judiciary Committee. Soon, the nomination

is likely to move to the floor for debate.

Some have suggested that instead of allowing a majority of Senators to decide whether to approve the nomination of Judge Gorsuch, there should be first a cloture vote to determine whether to cut off debate. Cutting off debate requires the approval of 60 Senators, so if 41 of the 46 Democratic Senators vote not to cut off debate, there would never be an up-or-down majority vote to approve Judge Gorsuch. In other words, the 41 Democratic Senators would have filibustered to death the Gorsuch nomination.

Filibustering to death the Gorsuch nomination—or any Presidential nomination, for that matter—flies in the face of 230 years of Senate tradition. Throughout the Senate's history, approval of even the most controversial Presidential nominations has required only a majority vote. For example, in 1991 President George H.W. Bush nominated Clarence Thomas to be an Associate Justice of the Supreme Court. The debate was bitter. The Senate confirmed Judge Thomas narrowly, 52 to 48. Although the Senate rules allowed any Senator to try to filibuster the nomination to death, none did. In fact, Senate rules have always allowed Senators the option to filibuster to death a Presidential nomination; yet it has almost never happened. According to the former Senate Historian, with one possible exception, which I will mention in a minute, the number of Supreme Court Justices in our country's history who have been denied their seat by filibuster is zero. The number of Cabinet members in our country's history who have been denied their seats by filibuster is zero. The number of Federal district judges in our country's history who have been denied their seats by filibuster is zero. And until 2003, the number of Federal circuit judges in our country's history who have been denied their seats by filibuster was zero.

Senator Everett Dirksen did not filibuster President Lyndon Johnson's Presidential nominations. Senator Robert Byrd did not filibuster President Reagan's nominees. Senator Howard Baker did not filibuster President Carter's nominees. Senator Bob Dole did not filibuster President Clinton's nominees. During most of the 20th century, when one party controlled the White House and the Senate 70 percent of the time, the minority never filibustered to death a single Presidential nominee.

On the other hand, there have been plenty of filibusters on legislation—so many that in 1917, the Senate adopted a cloture rule as a way to end filibusters. The rule was amended in 1949, 1959, 1975, 1979, and 1986—always in response to filibusters on legislation, never on nominations. It was the 1975 change that established the current cloture standard of 60 votes to end de-

bate except on amendments to the standing rules of the Senate.

Filibustering a Presidential nomination has always been treated differently than filibustering a legislative matter. The filibuster of legislation is perhaps the Senate's most famous characteristic. It has been called "democracy's finest show, the right to talk your head off." As the actor Jimmy Stewart said in the movie "Mr. Smith Goes to Washington," "Wild horses aren't going to drag me off this floor until those people have heard everything I've got to say, even if it takes all winter." That was Jimmy Stewart in "Mr. Smith Goes to Washington."

The late Senator Robert C. Byrd of West Virginia described the importance of the legislative filibuster in a different way. He said in his last speech:

Our Founding Fathers intended the Senate to be a continuing body that allows for open and unlimited debate and the protection of minority rights. Senators have understood this since the Senate first convened.

In fact, the whole idea of the Senate is not to have majority rule on legislation. Throughout Senate history, the purpose of the legislative filibuster has been to force consensus on issues, to force there to be a group of Senators on either side who have to respect one another's views so they work together and produce 60 votes on important matters, as we did on the 21st Century Cures bill and as we did on the bill fixing No Child Left Behind.

Nominations have always been treated differently from legislation. For example, under rule XIV, any Senator could bring legislation directly to the calendar bypassing committees. There is no such power for nominations. Senate rules allow debate and therefore the possibility of filibuster on a motion to proceed to legislation. Debate is not allowed on a motion to proceed to nominations.

In summary, while Senate rules have always allowed extended debate or filibusters, the filibuster was never used to block a nomination until recently. As I mentioned earlier, it was never used to block a Cabinet nomination, never used to block a Federal district judge, and until 2003, never used to block a circuit judge, and never used to block a Supreme Court Justice in the country's history, with one possible exception. That was in 1968, when President Johnson sought to elevate Associate Justice Abe Fortas to be Chief Justice. When it became clear the Senate majority wouldn't agree, Johnson engineered a 45-to-43 cloture vote so forces could save face and appear to have won something. Fortas then asked the President to withdraw the nomination.

Other than the Fortas nomination, the filibuster was never used to block any judicial nomination until 2003 and

2004, when Democrats decided to use the 60-vote cloture requirement to block 10 of President George W. Bush's nominations. This unprecedented action produced a threat by Republicans to change the Senate rules, to make it clear that only a majority vote is required to approve a Presidential nomination. There was a negotiation and eventually five of Bush's nominations were approved, five were blocked and the rules were not changed. Then, in 2011 and 2013, Republicans returned the favor—as often happens around here—by seeking to block 5 of President Obama's nominees for the circuit court by insisting on a 60-vote cloture for each. Republicans alleged that President Obama was trying to pack the circuit court in the District of Columbia with three liberal judges.

To overcome Republican objections, Democrats invoked the so-called nuclear option. They broke the Senate rules to change the Senate rules. The new rule eliminated the possibility of 60-vote cloture motions for all Presidential nominees except for the Supreme Court.

That is where we stand today. There have been other examples of minority Senators filibustering nominations to death, all of them during the last three administrations and all involving sub-Cabinet nominations. Of course, there have been delays in considering nominations. My own nomination in 1991 as U.S. Education Secretary was delayed 51 days by Democratic Senators. Of course, I thought unnecessarily.

President Reagan's nomination of Ed Meese as Attorney General of the United States was delayed a year by a Democratic Senate. No one has ever disputed our right in the Senate, regardless of who is in charge, to use our constitutional duty of advice and consent to delay and examine and sometimes cause nominations to be withdrawn or even to defeat nominees by a majority vote.

As we approach a vote on Judge Gorsuch on the floor of the Senate, it is useful to remember that the tradition of the United States Senate, for 230 years, has been to treat legislative matters and nominations differently. Filibuster to death legislation, yes. Filibuster to death Presidential nominations? No. Should the Gorsuch nomination come to the floor soon, as I believe it will, overwhelming Senate tradition requires that whether to approve it should be decided by a majority vote of Senators, and there should be no attempt by the minority to filibuster the nomination to death.

I yield the floor.

The PRESIDING OFFICER (Mr. JOHNSON). The Senator from New Jersey.

Mr. BOOKER. Mr. President, I rise to join my voice with a growing chorus of citizens, as well as members of the scientific community and colleagues, who

are deeply disturbed by this CRA to repeal vital wildlife protections from Federal land in Alaska.

Before I speak on this CRA, I would like to be clear that I am not someone who believes all regulations are good. In fact, I don't believe we should be trying to regulate our way out of all of our problems. I am proud of the work I have done, with people on both sides of the aisle, in an effort to make our government work smarter and more efficiently for the benefit of my constituents in New Jersey, as well as all Americans, but today I am profoundly disappointed.

Instead of working to create bipartisan policies that will serve all Americans, we are now considering a CRA resolution—unfortunately, one of many ones of this type—that prioritizes special interests above the good of the public, and it is deeply unpopular, in fact, with the public at large.

I oppose this CRA that would repeal the U.S. Fish and Wildlife's rule called the non-subsistence take of wildlife on national wildlife refuges in Alaska rule. The rule was finalized by the Fish and Wildlife Service in August of 2016, with the clear goal to forever ban unnecessary and extremely cruel methods of killing bears and wolves and other animals on more than 70 million acres of public land managed under our Federal National Wildlife Refuge System in Alaska.

Let's be clear. When it says the word "take"—that it prevents the "take" of wildlife—that means the killing of wildlife. Specifically, the rule prevents inhumane killing of animals on our wildlife refuges.

Examples of the rule are: prohibits the killing of mother bears and their cubs. It prevents the killing of wolves and pups in their dens. It prohibits using planes to track and kill bears. It prohibits using snares to strangle and kill bears, steel traps to kill bears, and it prohibits baiting and killing of grizzly bears.

Why was this rule issued by the Fish and Wildlife Service in the first place? Our national wildlife refuges are public lands that exist for the benefit of all Americans. Refuge lands are managed by the Fish and Wildlife Service for the express purpose of conserving natural diversity in wildlife populations. This means that any management activity that favors certain species over others is inconsistent with the goals of the National Wildlife Refuge.

It doesn't mean that hunting is not allowed on Federal land. Hunting is one of many permitted practices on wildlife refuges, and this rule does not prevent hunting on any wildlife refuge. What is permitted on refuges under this law is the indiscriminate killing of bears and wolves in an attempt to boost populations of moose and caribou.

Unfortunately, this is exactly how Alaska has been managing its wildlife

since 1994 on State and private lands, when it adopted an intensive management strategy for its wildlife that is specifically designed to artificially reduce populations of predators so hunters might have more prey, more animals to kill.

In Alaska, the Fish and Wildlife Service and the State work together to manage wildlife within the National Wildlife Refuge System. However, when any State's wildlife management approach is in direct conflict with the goals of the refuge system, the Federal Government has the authority—indeed the obligation—to step in and ban certain practices. This is exactly what the Fish and Wildlife did last year when they issued their rule prohibiting this inhumane killing method on 16 Federal national wildlife refuges in Alaska.

It is important to note that the predator control practices I have described, some of which are currently allowed on certain State and private lands in Alaska, have never been allowed on national wildlife refuges in Alaska. This rule simply clarifies that these practices—even those explicitly authorized under State regulations in Alaska—are never to be used on Federal wildlife lands in Alaska, regardless of what is decided to be allowed under this State law.

I have heard concerns from my colleagues in Alaska that they believe the Fish and Wildlife Service rule triggers a State sovereignty issue by dictating which practices can and cannot be used on Federal refuge lands in Alaska. However, I don't believe this rule conflicts with any of Alaska's State sovereignty. The Fish and Wildlife Service has clear statutory and constitutional authority to prohibit wildlife management practices that are incompatible with the objectives of national wildlife refuges in Alaska, as well as other States, including New Jersey.

I have also heard the concerns of my Alaska colleagues that this rule threatens the many Alaskans who rely on subsistence, hunting of deer, moose, and caribou, to feed themselves and their families. I have sympathy for that concern and believe again that this subsistence hunting is not affected.

We know these predator control practices have never been done on Alaskan refuges before. This argument makes no sense. It is not affecting the subsistence hunting of deer and moose and caribou for them to feed their families. It has never been allowed to go on in the first place. How can these practices be necessary to preserve subsistence hunting when they have never been done before on Federal wildlife refuges? I want to be clear about something. Alaska is free to manage its wildlife on State lands and private lands however Alaska chooses. This point is not up for debate, not up for discussion. It is not the subject of the Fish and Wildlife

Services rule in question. The rule only applies to federally owned and federally managed wildlife refuge land, which must be managed for the benefit of the American public, including the requirement to manage for national diversity of wildlife.

As former Fish and Wildlife Director Dan Ashe announced in a press release in August, "Whenever possible, we prefer to defer to the State of Alaska on regulation of general hunting and trapping of wildlife on national wildlife refuges unless by doing so we are out of compliance with Federal law and policy. This regulation ensures that we comply with our mandates and obligations."

Let's move beyond talk of mandates and obligations. The hunting practices banned by this rule are flatout inhumane. They are an anathema to the type of thoughtful, humane wildlife management that should be taking place on national wildlife refuges.

In a committee hearing, I asked management experts about this rule last week, and they agree that these practices were not necessary on wildlife refuges. In fact, the U.S. Fish and Wildlife Service Acting Director Jim Kurth—who was the former manager for many years of the Arctic Wildlife Refuge in Northern Alaska—testified that the service did not find that the practice prohibited by this rule was in any way necessary.

Another witness, Brian Nesvik, Chief Game Warden with the Wyoming Game and Fish Department—again, a Republican-invited witness—testified that Wyoming has a different perspective on utilizing national wildlife refuges in their State. The practices discussed in this rule, he said, are not used in Wyoming's wildlife refuges, nor did he make an appeal to use these inhumane practices because they are not necessary. Killing a mother bear or mother wolf when she has young cubs virtually guarantees that those cubs will not survive, creating the potential for much broader negative impacts on the overall population.

The baiting of grizzly bears, which involves putting piles of food out to attract bears in unusually high numbers at the start of hunting season, is literally akin to shooting fish in a barrel. Bear baiting often occurs when bears are desperately searching for those extra calories to store energy for hibernation. It is an inhumane practice and is recognized so by many experts.

The use of aircraft hunting—using a plane to track wild animals and then landing to kill them—violates the principle of fair chase in every sense of the word. In fact, killing wolves from aircraft or on the same day that air travel occurred was already prohibited on refuge lands prior to this new rule being issued. The new rule merely extends that same protection to bears.

Finally, the use of snares—these are these choking traps—and steel traps to

kill the bear is a practice that is particularly troubling, and I am not alone. A statewide poll of Alaskans themselves shows that nearly 60 percent of Alaskans oppose trapping and snaring bears in their State.

Charles Darwin called the leghold trap one of the cruelest devices ever invented by man, stating:

Few men could endure to watch for five minutes an animal struggling in a trap with a torn limb.

Some who reflect upon this subject for the first time will wonder how such cruelty can have been permitted to continue in these days of civilisation.

That was Charles Darwin decades and decades ago in 1863. I echo that again today, more than 150 years later. Such cruelty should not be permitted on Federal wildlife refuges of all places, and the Fish and Wildlife Service was absolutely right to permanently protect bears from such cruelty on Alaska's wildlife refuges.

I would like to take a few more moments to talk about the animals that are subject to this rule. Grizzly bears and wolves are the top predators in North America. Predators in any ecosystem play a critical role in maintaining populations and in preventing problems like we have actually seen in New Jersey by the overgrazing and disease that can occur when deer, moose, and caribou grow in high numbers.

These charismatic animals also attract huge numbers of tourists to national parks, refuges, and other wild lands in the United States. All across the country, nearly 72 million Americans spend over \$50 billion on wildlife watching.

In Alaska, wildlife watchers outnumber hunters by nearly five to one, and they also contribute more than four times as much money to the State's economy as hunting does. Put another way, even considering the issue from an economic perspective, these animals are worth far more alive than they are dead, killed by these savage inhumane practices.

There are few values as deeply entrenched in the American culture as conservation. This legacy is our American heritage, and the coexistence of people, wildlife, and wild lands remains a key objective for our public lands today.

Americans interact with nature in many different ways on public lands, some through consumption uses, like hunting and fishing, and others through more hands-off activities, like camping and wildlife watching. No single use is more important and more valuable than another. So public lands should be managed in a way that minimizes conflict across those different uses while allowing for natural diversity.

The Fish and Wildlife Service rule does just that. Our wildlife refuges are not game parks, and they should not be managed as though they are.

The cruel practices this rule prohibits—killing mother animals and their babies and the trapping, snaring, baiting, and aerial hunting of bears—are practices that I believe do not align with who we are as a country. They are practices that have no place on our national wildlife refuges in Alaska or any other State.

I want to close with something that my friend Senator HEINRICH already mentioned. Many people know that Teddy Roosevelt was an avid hunter, a naturalist, a wildlife enthusiast. When he was President, Roosevelt went on a bear hunting trip in Mississippi. Roosevelt's hunting party cornered a Louisiana black bear. They tied it to a willow tree and suggested the President shoot it.

Viewing this as an extremely unsportsmanlike way to kill a bear, Roosevelt refused to do it. A political cartoonist heard the story and drew a cartoon that celebrated President Roosevelt's decision. A Brooklyn candy shop owner saw the cartoon and decided to create a stuffed toy bear and dedicated it to the President, who refused to engage in this kind of inhumane hunting of a bear. He called it a "Teddy bear" or "Teddy's bear," and little children for generations have been loving them ever since.

Teddy Roosevelt knew that using certain methods to kill animals was immoral and wrong. We know this too.

With all of the issues going on right now—from healthcare to tax and all of the issues and urgencies, such as infrastructure—why are we about to consider a CRA that would literally, on our Federal lands, allow the cruelest types of killing to go on of bears and wolves and their pups in dens.

Why, with all that is going on, would we, as Americans, violate our culture and history by allowing the most inhumane, cruel killing practices to go on? Why, with all that we have to do, are we going to allow this to happen?

Well, I will not support it, and I stand against it. Our national wildlife refuges—our refuges for wildlife—have never allowed these cruel practices, and we should not start now.

We should not CRA this rule. I stand strong and firm in honor of our traditions and stand against this CRA.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

NOMINATION OF NEIL GORSUCH

Mr. ROBERTS. Mr. President, today I rise to speak in support of the President's Supreme Court nominee, Judge Neil Gorsuch, who, right now, is about two-thirds through his second day of hearings—better described perhaps as a grilling.

Simply put, I think the President made an extraordinary selection. Currently, Judge Gorsuch serves on the Court of Appeals for the Tenth Circuit, which includes my home State of Kansas.

Our State has seen firsthand how Judge Gorsuch interprets the law. He has had an outstanding judicial record while serving on the court. What is more, he is highly respected and supported by individuals in the judicial community who align on all sides of the political spectrum—except, inexplicably, the U.S. Senate.

Judge Gorsuch's qualifications are not only noteworthy but extremely impressive. He graduated from Columbia University and Harvard Law School. He received a doctorate in legal philosophy from Oxford, as a recipient of the Marshall Scholarship, one of the most prestigious scholars programs in the country. He has litigation experience from his time as a law partner, and he has clerked for not one but two Supreme Court Justices.

Examining his record during his time on the Tenth Circuit gives us some insight into the judge's approach to interpreting the law. When we read his opinions, we know he is a judge who follows the law, applying the text of the Constitution and statutes impartially. Of primordial importance to this body is his critique of the executive branch's tendency to assume the roles of the judicial and legislative branches.

No matter which political party controls the executive branch, this body—the Senate of the United States—must protect its ability to legislate and create laws. The Founding Fathers intended for the separation of powers to remain inviolate.

Judge Gorsuch understands the role of the judicial branch and the significance of maintaining that balance of power. He has made it absolutely clear that he will not legislate from the bench. I repeat. He has made it clear that he will not legislate from the bench. That might just be the problem for those who would like to vote for a judge who would legislate from the bench.

I, along with many of my colleagues here in the Senate today, confirmed Judge Gorsuch over 10 years ago. Judge Gorsuch's record was so noncontroversial, the Senate unanimously supported his nomination. That includes the minority leader, Senator SCHUMER, and then-Senators Obama, Clinton, and Biden.

I repeat. Judge Gorsuch has received support from across the entire political spectrum. His judicial record over the past 10 years has made him even more deserving of the Senate's full support.

The American people went to the polls in November, knowing the next President would have the distinct honor of nominating the next Supreme Court Justice. The American people have spoken. As the Senate, it is now our responsibility to see through this nomination and appoint the judge to the High Court.

The Wall Street Journal summed up what is happening within its editorial

page today in pointing out that Senators want Judge Gorsuch to declare how he would vote in specific areas of the law—questions that every Supreme Court nominee declines to answer. Quoting from the editorial: “At the 1967 hearings for Thurgood Marshall, then-Senator Edward Kennedy called it a sound legal precedent that any nominee for the Supreme Court would have to defer any comments on any matters which are either before the court or very likely to appear before the court.” The Journal’s editorial went on to say that in the 1993 confirmation hearings, Judge Ruth Bader Ginsburg emphasized: “A judge sworn to decide impartially can offer no forecast, no hints; for that would show not only disregard for the specifics of the particular case, it would also display disdain for the entire judicial process.”

I regret to say that profound advice apparently does not apply today.

One of my colleagues serving on the Judiciary Committee pretty well summed up the dilemma we have in the Senate when he said to the judge: “If you fail to be explicit and forthcoming, the committee would have to assume his views were in line with Mr. Trump’s.”

And there is the rub. Judge Gorsuch has written 789 opinions, with only 15 dissents from other judges. The apparent burr in the minority’s saddle—the Democrats’ saddle—has nothing to do with Judge Gorsuch or his qualifications. The problem is that Mr. Trump is now President Trump.

My question is this. All right, we know you feel that way. In every committee hearing that we have, we know you feel that way. When will this end? When will we get back to what is referred to as regular order? That question lies squarely with my colleagues in the minority.

I am really disheartened to hear the rhetoric coming from across the aisle in the days since the new President took office. The minority has taken extraordinary lengths to extend the confirmation process of the President’s nominees—from shying away from our constitutional responsibilities and not voting on nominees in committee hearings to using unprecedented amounts of time to speak on this floor, disapproving of the President and his nominees, or anything else. These stall tactics are unbecoming of the world’s greatest deliberative body. We have fallen from bipartisan deliberation, worthy of public opinion and support, to engaging with poisonous arrows of political procrastination.

With the nomination of Judge Gorsuch, we now have an opportunity to fix this sorry state of affairs. This is the opportunity we should seize to restore comity to the Senate. The people of this great Nation deserve nothing else.

I am hopeful that the minority will recognize the superlative qualities

Judge Neil Gorsuch possesses and provide him with a fair and swift confirmation process.

That is not happening as of today. But hope springs eternal, even within the Senate as it now exists.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. UDALL. Mr. President, we are here to consider another joint resolution of disapproval under the Congressional Review Act. This one, H.J. Res. 69, repeals the U.S. Fish and Wildlife Service’s regulation and would allow extreme and inhumane hunting practices on National Wildlife Refuges in Alaska.

My first concern about this measure is that it is a distraction. It benefits special interests to the detriment of the American people at a time when Congress should be focused on much more pressing issues.

Mr. President, 24 million Americans are at risk of losing their healthcare. Clean air and clean water protections are threatened. The President is proposing to cut Meals on Wheels, Head Start, the arts and humanities, and the National Institutes of Health. Each day we learn more details about the President and his team’s connections to Russia and about Russia’s involvement in our elections.

The American people want Congress to work together to rebuild our Nation’s infrastructure and boost our economy. Instead, Congress is wasting time and energy using the Congressional Review Act to repeal common-sense rules that protect people, places, and iconic species. These rules have been vetted over months and years through a thorough public process, but if we repeal them using the CRA, these measures will be permanently blocked unless Congress passes a new law directing the government to act.

My second concern is just as serious. I support responsible hunting practices. Many New Mexicans hunt for sport and for food, but the vast majority of hunters also recognize that some practices are counterproductive, unsportsmanlike, cruel, and they can even wipe out species and the diversity of wildlife in certain regions. The Fish and Wildlife’s rule deals with that issue, and it carries Congress’s express direction that the Service protect natural diversity at national wildlife refuges in Alaska.

We are talking about national wildlife refuges. These are the country’s refuges. The Service bars a few extreme practices for hunting bears, wolves,

and coyotes that are totally inappropriate on national wildlife refuge land. These extreme practices include targeting and killing black bears and brown bears and their cubs, and wolves and coyotes and their pups during denning season; baiting Grizzly bears with food so they are easier to kill at point-blank range; trapping brown and black bears with steel-jawed traps that shut on the animal’s leg, leaving them to suffer indefinitely; and shooting bears from aircraft or killing them same-day from spotting them with aircraft. Many of these practices violate “fair chase” ethical standards established and used by sportsmen across the country. Alaska voters actually oppose these practices.

We are not talking about private hunting land. This is Federal refuge land. Fish and Wildlife’s rule is based on sound science and appropriate wildlife management standards. The rule doesn’t change or restrict the taking of fish or wildlife for subsistence purposes, which some Alaskans count on to feed their families, and it doesn’t restrict sport hunting. Fish and Wildlife’s rule is not an anti-hunting rule. It is a commonsense guideline that ensures bear and wolf populations, as well as caribou, elk, and moose, are sustained for generations to come.

Let me reiterate that. Like the vast majority of New Mexicans, I support hunting and sportsmen’s access to public lands consistent with State and Federal law and sound wildlife management practices. Fish and Wildlife’s rule doesn’t affect these uses at all in any way. Fish and Wildlife’s rule carries out Congress’s intent in three long-standing pieces of legislation that are now law: the 1980 Alaska National Interest Lands Conservation Act, or ANILCA; the 1966 National Wildlife Administration Act; and the 1964 Wilderness Act. Importantly, none of these laws prevents reasonable hunting. Together, those acts establish national wildlife refuges and provide for their management, and they establish the 76 million acres of national refuges in Alaska. Alaska accounts for over 85 percent of our National Wildlife Refuge System, so this is not a State or parochial issue. The rule governs the vast majority of refuge lands designated for protection by Congress.

Again, none of these laws prevents reasonable hunting on national refuges. National wildlife refuges are established for the benefit of “present and future generations of Americans” and for the whole nation. Every American has an ownership stake in and a right to enjoy public lands and the astounding scenic, cultural, and natural qualities that make these places so special.

The first listed purpose of ANILCA is to “conserve fish and wildlife populations and habitats in their natural diversity.” The words “natural diversity” are important to this discussion.

My uncle, Congressman Mo Udall, was the floor manager for the House when ANILCA passed in 1980. On the House floor, he said the term natural diversity meant “protecting and managing all fish and wildlife populations within a particular wildlife refuge system unit in the natural ‘mix,’ not to emphasize management activities favoring one species to the detriment of another.”

He also said that in managing for natural diversity, Congress’s intent was to “direct the U.S. Fish and Wildlife Service to the best of its ability . . . to manage wildlife refuges to assure that habitat diversity is maintained through natural means, avoiding artificial developments and habitat manipulation programs; to assure that wildlife refuge management fully considers the fact that humans reside permanently within the boundaries of some areas and are dependent . . . on wildlife refuge subsistence resources; and to allow management flexibility in developing new and innovative management programs different from the lower 48 standards, but in the context of maintaining natural diversity of fish and wildlife populations and their dependent habitats for the long-term benefit of all citizens.”

Fish and Wildlife’s rule carries out congressional intent by managing the national refuges in Alaska for natural diversity through natural, not artificial means, by continuing to allow for subsistence hunting, and by managing the law for the benefit of all—exactly what Representative Mo Udall said the act was intended to accomplish.

Maintaining natural diversity means promoting the health of all fish, wildlife, and plants in the ecosystem, not favoring certain species and harming others, and not interfering with natural ecosystems. Protecting bears and wolves and other apex predators is essential. It helps maintain predator-prey relationships and the health of Alaska’s Arctic and sub-Arctic ecosystems.

Federal and State laws overlay management of public lands, including national wildlife refuges. State law on fish and wildlife management applies on national refuge land as long as it is consistent with Federal law. The Fish and Wildlife Service in the State of Alaska worked together for years to manage fish and wildlife on Alaskan refuges, and Federal requirements ensured that hunting was balanced with conservation of wildlife and their habitat.

Alaska law did not conflict with Federal law until an Alaskan administrative agency, the Alaska Board of Game, adopted rules allowing for extreme hunting practices on national wildlife refuges within Alaska’s borders. The Board of Game said it targeted reduction of wolf, black bear, and brown bear to increase the moose, caribou, and deer populations for harvesting.

But the indiscriminate killing of bears and wolves to provide more game hunting is contrary to ANILCA. That law directs the preservation of the “natural diversity” or “natural mix” of wildlife. The Board of Game regulation allowing extreme hunting practices is not consistent with the law.

As I said earlier, while the Fish and Wildlife’s rule does not allow extreme hunting practices, it does not change the rules for subsistence hunting or sports hunting. It even authorizes a process for predator control to benefit prey species and to meet refuge purposes. The process is based on sound science, an evaluation of alternatives, and an assessment of impacts to subsistence uses and needs. Again, Alaskans don’t support overturning the Service’s rule to allow indiscriminate killing of apex predators. A February 2016 Remington poll found that Alaska voters oppose the extreme hunting practices banned under the Fish and Wildlife’s rule by wide margins. Alaska voters don’t want to see unsporting and cruel practices used to kill bears, wolves, and coyotes on National Wildlife Refuges in their State.

Wildlife watching is an important part of Alaska’s economy. Each year, thousands of tourists visit Alaska’s national wildlife refuges to see iconic wildlife. According to a Fish and Wildlife report, wildlife watching on the National Wildlife Refuge System contributed over \$2 billion to Alaska’s economy in 2011. That same year, hunting contributed approximately \$425 million.

Congress’s repeated use of the Congressional Review Act with no public hearing, no record or evidence, no use of science, and no stakeholder involvement is a bad way to legislate. It makes government opaque and inaccessible, and what people want to see is transparency and openness, which we didn’t have here. It caters to special interests behind the scenes and outside of public view. It makes the swamp murkier than ever.

Fish and Wildlife’s rule carries out what Congress wanted when it established the wildlife refuges—to conserve our wild American land and wildlife for generations to come. The rule prohibits the most extreme of hunting practices—against grizzlies and black bears and their cubs and against wolves and coyotes and their pups—and protects the natural diversity. We should not rush to undermine this important, national, long-term goal for short-term political gain—to benefit select special interests.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

HONORING DEPUTY SHAWN ANDERSON

Mr. CASSIDY. Mr. President, this weekend, the city of Baton Rouge was reminded of how precious life is and of the harsh reality of law enforcement

officers putting their lives on the line to protect us.

On Saturday, March 18, 2017, this past Saturday, East Baton Rouge Parish Sheriff’s Deputy Shawn Anderson made the ultimate sacrifice while he and a fellow officer were conducting a rape investigation in Baton Rouge.

We honor Deputy Anderson’s life and recognize him for his 18 years of faithful service to East Baton Rouge Parish, the State of Louisiana, and our Nation for his service and his having been enlisted in the U.S. Army.

Deputy Anderson embodied public service—taking action to help those in need. Deputy Anderson repeatedly put his life on the line to protect the lives of others. He spent 12 years as a member of the SWAT team and was recognized in 2014 for serving more than 60 high-risk warrants in the previous year with there having been no injuries or shots fired.

Last year, Deputy Anderson added midwifery to his job description after having delivered a child. With baby on the way and the hospital out of reach, a Prairieville, LA, couple turned to Deputy Anderson for help. In stopping before the hospital, with baby emerging, Anderson successfully delivered a healthy child before turning over the situation to arriving EMTs. A Louisiana family asked for his help, and Deputy Anderson answered the call.

This is the latest in a string of law enforcement tragedies to inflict our State. Since January 2016, Louisiana has lost 11 officers and one K-9 in the line of duty. I will read their names:

Here you see Deputy Anderson. Here we have Police Officer Michael Louviere, of the Westwego Police Department, aged 26; Police Officer Jude Williams Lewis, of the New Orleans Police Department, aged 46; Police Officer Shannon Matthew Brown, of the Fenton Police Department, aged 40; Deputy Sheriff Bradford Allen Garafola, Sr., of the East Baton Rouge Parish Sheriff’s Office, aged 45; Police Officer Matthew Lane Gerald, of the Baton Rouge Police Department, aged 41; Corporal Montrell Lyle Jackson, of the Baton Rouge Police Department, aged 32; Sergeant David Kyle Elahi, of the Sterlington Police Department, aged 28; Deputy Sheriff David Francis Michel, Jr., of the Jefferson Parish Sheriff’s Office, aged 50; Police Officer Natasha Maria Hunter, of the New Orleans Police Department, aged 32; Sergeant Derrick Morial Mingo, of the Winnsboro Police Department, aged 35; and K-9 Duke, of the Winnsboro Police Department.

Mr. President, thousands of men and women in law enforcement put on the uniform, step into the community, and risk their lives daily to keep us safe. Far too often, the price of this safety falls on these officers and their families. Deputy Anderson represents the best of law enforcement. He and his

family deserve our admiration and support. His sacrifice will be remembered. The prayers of a grateful State and Nation are with his wife Rebecca, his daughter Delaney, and his son Breland.

I yield to my colleague, Senator KENNEDY.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Mr. President, if I make it to Heaven—and I hope I do—the first question I am going to ask God is why bad things happen to good people. We have had some bad things happen in Louisiana to some really good people, as my colleague from Louisiana just referred to.

This past weekend, while most of us slept, Louisiana lost yet another officer in the line of duty. East Baton Rouge Parish Sheriff's Office Sergeant Shawn Anderson—as shown in this photograph here—was a law enforcement veteran. He was a military veteran, and he was a father. He served high-risk warrants. He had been recognized for doing his job without having resorted to firing his weapon. In short, he was an American hero, and he was a Louisiana hero.

On Saturday night, Sergeant Anderson was just doing his job. He went into a barbershop in search of a suspected rapist. Sergeant Anderson lost his life. A line of law enforcement vehicles escorted his body from the scene, and their flashing blue lights lit up the dark night.

It has been a tough few months for our law enforcement families in Louisiana. We have buried six officers who were shot and killed simply because they were wearing a badge.

In January, Westwego Police Officer Michael Louviere stopped to help at a traffic accident, and he was shot in the back of the head. Michael was not even on duty. He was driving home and saw an accident and immediately stopped his car to help. That is the kind of person he was.

The Presiding Officer and all of those listening to me today, no doubt, saw the news footage as to what unfolded along a busy Baton Rouge highway last summer. July will no longer be just about hot dogs and fireworks for us in Louisiana. The shootings that took the lives of three law enforcement officers shattered our summer and broke our hearts.

Just a month earlier, Jefferson Parish Sheriff's Deputy David Michel was shot three times in the back—not once, not twice, but three times—and he died in Harvey. His killer, apparently, shot him because the killer did not want to return to jail.

I would ask all of those who wish to, to join me in saying a prayer for these law enforcement officers and their families. They were sons and they were fathers and they are going to miss out on holidays and birthdays and graduations. They were men who sacrificed

their lives so we could sleep a little bit better at night.

Let us also, while we are praying for these brave men—and, yes, women too—pray for an end to the violence. We have had enough flashing blue lights light up the dark nights in Louisiana.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CORNYN. Mr. President, I ask unanimous consent that at 6 p.m. today, there be 10 minutes of debate, equally divided in the usual form, remaining on H.J. Res. 69; further, that following the use or yielding back of that time, the resolution be read a third time and the Senate vote on the resolution with no intervening action or debate.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BROWN. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

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

GREAT LAKES RESTORATION INITIATIVE

Mr. BROWN. Mr. President, the five Great Lakes are as vital to our industrial heartlands as the Rockies are to the West or the Atlantic coastline is to New England. Eighty-four percent of America's freshwater is in the Great Lakes—84 percent. Around the globe, only polar ice caps contain more freshwater than do these five Great Lakes.

Lake Erie is one of the biggest lakes in the world. From the boats and barges that moved goods along the Ohio River and the Erie Canal to the ships that leave Lake Erie and export grain and steel to the world, my State of Ohio has a rich history of cultivating this vital natural resource. In Ohio, families and businesses rely on Lake Erie. Its waters are critical to farming and to clean energy development and industry and regional economic competitiveness, to fishing and recreation and so much that people do every day in my State.

From tourism in Catawba and Put-in-Bay, to fishing at Marblehead, to va-

cations and family reunions at Maumee Bay State Park, Lake Erie benefits our communities and creates jobs in our State, but for more than a half century, keeping our lake healthy has been a constant struggle. Lake Erie is the shallowest of the Great Lakes. In the Western Basin off the shore of Toledo, it is only 30 feet deep—much shallower in contrast with Lake Superior, which is 600 feet deep on average.

I remember how polluted Lake Erie was when I was growing up. As a child, it was obvious the water shouldn't look quite the way it looked. While improvements have been made, today's problems are different and in many ways more urgent.

Harmful algal blooms are a constant threat. Because the Western Lake Erie Basin near Toledo is the shallowest part of the lake, it is uniquely vulnerable to these blooms, the same way that much of Lake Erie, 60 or 70 or 80 feet deep, is more vulnerable to pollution.

In August 2014, a bloom left 500,000 Ohioans in Lucas County in Northwest Ohio, in the Toledo area, without safe drinking water for nearly 3 days. We know these blooms are caused by excess nutrients in our water. This comes from untreated sewage, it comes from urban runoff, and it comes from farm field runoff. Heavy rains lead to more combined sewage overflows, more nutrient runoff from our fields, and to larger and more harmful algal blooms.

Algal blooms leave our lake looking like this. This may be a beautiful painting in your living room or a striking photograph of something, but this color here is more the regular, natural color of Lake Erie, the dark here in the wake of this boat. This green is the algal blooms, and you can see what this has done to pollute one of the greatest bodies of freshwater in the world. Would you want to fish there? Likely not. Would you take your children out on water that looks like this? Of course not. Does this water look like what you want coming out of your faucet when you turn on the faucet in Toledo or in Lorain, where I lived for 10 years, or in Sandusky or Cleveland or Ashtabula or any city along the Great Lakes?

According to the National Oceanic and Atmospheric Administration, we know that one effect of climate change in the Great Lakes region has been a 37-percent increase in gully washers, or heavy rain events that contribute to blooms. Hotter summers will only make these blooms worse. The effects of algal blooms like that have profound effects on the entire ecosystem.

Protecting our lake is one of the biggest environmental challenges our country faces. We have made progress over the last 8 years, thanks in large part to the Great Lakes Restoration Initiative. We have continued to clean up Lake Erie and its tributaries, we

have increased access to the lake, and we have improved habitats for fish and wildlife in the region.

Because it is shallow, this Great Lake, Lake Erie, only one of five Great Lakes and the Great Lake with actually the least water—almost 50 percent of all the fish in the Great Lakes live in this Great Lake. So you can see what these algal blooms do to aquatic life, to our way of life when you have these kinds of algal blooms.

We know that the bipartisan Great Lakes Restoration Initiative is working. As we celebrate Water Week this week, we should recommit ourselves to strengthening this program and building on our success. But in President Trump's budget proposal this week, the administration proposed entirely eliminating this important program that has been so successful—entirely eliminating this program that has been so successful. It is basically a surrender to the algal blooms. It is the administration—our country, if he speaks for our country—surrendering and just saying: Give up; we are not going to make the fight.

We have cleaned up Lake Erie because of the Federal EPA, because of the State EPA, because of the cities and the counties along the lake, places like Toledo, Lorain, Sandusky, Cleveland, and my wife's hometown of Ashtabula. We have cleaned it up, but it is a constant struggle because so many people live along this very shallow, very vulnerable to pollution Great Lake. That is why we don't give up.

We are not just talking about cutting funding for a program; the administration budget completely cuts this program, completely ends it. Taking an axe to the Great Lakes Restoration Initiative will cost Ohio jobs, jeopardize public health, and will put our drinking water at risk and reverse the progress we have made. It is simply something you don't do in a country like ours. It is unacceptable. I will fight like hell to protect the Great Lakes, I will fight like hell to protect Lake Erie, and I will fight like hell to protect the entire lake ecosystem.

The fact is, these five Great Lakes are a natural resource like none other in the world. Here is what is at risk if the administration's budget plan becomes a reality: Forty percent of the funds used to protect the lake from Asian carp would just disappear like that; 1.8 million more pounds of phosphorus would enter the Lake, making algal blooms like this more likely, just like that; and the cleanup of toxic sediment in habitat restorations in some of our most polluted rivers would grind to a halt. Why would they do this? Why would they eliminate this program? Neither party here wants them to do this. Senator PORTMAN stands with me on this. Most of the Republican House Members stand with Democrats like Congresswoman FUDGE and Congress-

woman KAPTUR, who represent much of the area along the Great Lakes.

There are projects across Ohio that simply couldn't take place without this program. In Ashtabula, a cleanup project has removed sediment containing 25,000 pounds of toxic material, transforming the lower two-thirds of the Ashtabula River. A \$61 million project never would have gotten off the ground without the Great Lakes Restoration Initiative. Look at the new Lake Erie Bluffs Park in Perry Township—they used \$1.6 million from the initiative to leverage other sources of funding to restore and protect this shoreline.

My Ohio colleagues of both parties have made it clear that zeroing out the Great Lakes Restoration Initiative is not an option and that they will not stand for it.

It isn't just this initiative on the chopping block; the budget makes deep cuts in the National Oceanic and Atmospheric Administration, which monitors these algal blooms. Scientists at Ohio State's Stone Lab play a key role in protecting our lake, and the reported NOAA cuts would nearly eliminate the grant funding that supports Stone Lab's mission. I have been at Stone Lab. I see the work they do. I see the dedicated dozen or so naturalists, not well-paid—Federal employees or State employees not particularly well paid. They love nature, they love Lake Erie, they love our State, they love its natural beauty, and they love all that it does for us.

When I was young, people wrote off Lake Erie as a dying lake. It was polluted, it smelled bad, and it looked bad. It was a dying lake. Over the past century, people have had a habit of trying to write off my State. We have proved them wrong time and again. The lake is improving. It is supporting entire industries. It supports jobs. It provides drinking water. It provides recreation. It is beautiful to look at from my home in Lorain when I lived there. It is beautiful to look at anywhere along the coastline of Lake Erie. We cannot allow this President and we cannot allow Washington, DC, to write off Lake Erie and the millions of Americans who rely on it.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Under the previous order, there will now be 10 minutes of debate equally divided in the usual form.

If no one yields time, time will be charged equally to both sides.

The Senator from New Mexico.

Mr. HEINRICH. Mr. President, I will close on the issue of the CRA before us today.

This CRA will turn back the clock on the management of native wildlife on our Nation's wildlife refuges. Methods of take, like shooting mother grizzlies with cubs, aerial gunning of wolves, killing wolf pups in their dens—these

are not 21st-century tools for wildlife management. They are relics of the 19th century, before we truly understood the importance of predators to healthy ecosystems and populations. These practices have no place on our Nation's Federal wildlife refuges.

This rule, frankly, doesn't stand up for subsistence hunters or hunters at all; it simply reinforces the politically driven and unscientific turn that the Alaska Board of Game has taken under Governors like Sarah Palin. This isn't about hunting; it is about dogma and dogma driving policy.

I urge all of my colleagues tonight to vote for fair chase hunting, to vote for native wildlife, and to vote for our national wildlife refuges. To do that, I ask you to vote against this measure.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, in spite of what my good friend from New Mexico has been saying about this resolution, I encourage my colleagues to vote in favor of the resolution.

I came down here predicting that he was going to come down with a parade of horrors, none of which have happened in Alaska—that is a fact—none of which happened in Alaska.

The resolution we have before us is backed by the force of law. The Fish and Wildlife Service did not have the authority to do what they did by passing this regulation, and not one of my colleagues tried to defend this on the basis of legal authority by the Feds because it doesn't exist. So I think that is the starting point.

The principle of federalism. We have had a lot of discussion here by colleagues from New Jersey and New Mexico telling Alaskans, who have a tremendous record on the management of fish and game—they are going to tell Alaskans how to do that, Senators from States that don't know anything about my State. That is the whole principle of federalism, and that is another reason we need to support this resolution.

This rule is about subsistence. Thousands of Alaskans, particularly Alaskan Natives, rely on subsistence. Again, my colleagues on the other side come down here and say that it is not about subsistence. Come up to Alaska. Ask the people who have to live off the land, who need the food to survive in the winter. Tell them it is not about subsistence.

Finally, it is important to recognize just how many other Americans care about what we are doing right now. As I mentioned, literally millions of Americans from every State of the country, represented by groups as diverse as Ducks Unlimited, Boone and Crockett, and the National Rifle Association, are all supportive of this resolution, as are every Fish and Wildlife Service State agency, including from

New Mexico, including from New Jersey. They are all supportive of our resolution.

To have our colleagues come down here and say “Those Alaskans don’t know what they are doing” when we have the record of well-managed fish and game, awards every year from the Department of the Interior and others—to have them come down here with very little knowledge of my State is not the humility that I think is needed in this body.

So I ask all my colleagues to vote in favor of this resolution. It is backed by law. It is backed by millions of Americans in every State. It is very important to the people of Alaska, particularly those who live a subsistence lifestyle.

Mr. President, I yield the floor.

Mr. President, I yield back the time.

The PRESIDING OFFICER. The majority time is yielded back.

All time is yielded back.

The joint resolution was ordered to a third reading and was read the third time.

Mr. INHOFE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

The clerk will call the roll.

The assistant bill clerk called the roll.

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

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

The result was announced—yeas 52, nays 47, as follows:

[Rollcall Vote No. 92 Leg.]

YEAS—52

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Johnson	Shelby
Corker	Kennedy	Strange
Cornyn	King	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Fischer	Paul	

NAYS—47

Baldwin	Cortez Masto	Heitkamp
Bennet	Donnelly	Hirono
Blumenthal	Duckworth	Kaine
Booker	Durbin	Klobuchar
Brown	Feinstein	Leahy
Cantwell	Franken	Manchin
Cardin	Gillibrand	Markey
Carper	Harris	McSkill
Casey	Hassan	Menendez
Coons	Heinrich	Merkeley

Murphy	Schatz	Van Hollen
Murray	Schumer	Warner
Nelson	Shaheen	Warren
Peters	Stabenow	Whitehouse
Reed	Tester	Wyden
Sanders	Udall	

NOT VOTING—1

Isakson

The joint resolution (H.J. Res. 69) was agreed to.

The PRESIDING OFFICER. The Senator from Alaska.

MORNING BUSINESS

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

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

CONGRESSIONAL REVIEW ACT RESOLUTION

Mr. SULLIVAN. Mr. President, I want to mention that I am very gratified by my colleagues—by the way, on both sides of the aisle. It was a bipartisan vote. H.J. Res. 69, as the Presiding Officer just mentioned, has passed the Senate and will soon be going to the White House for a signature by President Trump. That is a resolution—now a law—that will be heading to the White House. It is not just important for Alaska, but, as the Presiding Officer and I were talking about, for any American who believes in federalism, State control over our land, and the Tenth Amendment. That is what was at stake.

For my State a lot more was at stake—subsistence rights, the ability to continue to hunt in the ways that we have been doing for generations in Alaska. So I just want to thank all the Alaskans—hundreds—including the State of Alaska Board of Game, the Alaska Department of Fish and Game, our Governor and his attorney general, who filed suit against the Federal Government over this issue. Obviously, it is all going to be resolved right now, right here, because of this vote.

I want to thank all the Alaskans who played such an important role, the groups that I talked about in my remarks outside of Alaska that represent millions of Americans—the conservationists, the people who love the outdoors, and hunters who also weighed in and in a very powerful way to make sure that this resolution passed. So I want to thank them all.

ELECTION IN ECUADOR

Mr. LEAHY. Mr. President, article 2 of chapter I of the Charter of the Organization of American States, of which Ecuador is a party, states that one of the OAS’s purposes is “to promote and consolidate representative democracy,

with due respect for the principle of nonintervention.”

I mention this because the second round of Ecuador’s Presidential election is scheduled for April 2, less than 2 weeks away. In the first round, Lenin Moreno, who is supported by outgoing President Correa, received 39 percent and his opponent, Guillermo Lasso, received 28 percent, so it is a hotly contested election.

But democracy is about more than elections. There is no institution more fundamental to democracy than a free and independent press. A free press helps protect the rule of law, to ensure that no person or group is above the rules and procedures that govern a democratic society. A free press helps ensure transparency to prod governments to be honest and accountable to their citizens.

Although wavering at times, Ecuador has a history of democratic government of which its citizens can be proud. It has a long tradition of recognizing the importance of freedom of the press. Ecuador’s first constitution, written in 1830, stipulated that “every citizen can express their thoughts and publish them freely through the press.” Ecuador’s 1998 constitution guaranteed the right of journalists and social communicators to “seek, receive, learn, and disseminate” events of general interest, with the goal of “preserving the values of the community.” Even Ecuador’s current constitution protects the right “to voice one’s opinion and express one’s thinking freely and in all of its forms and manifestations,” and the right to “associate, assemble and express oneself freely and voluntarily.”

Yet, since President Correa was first elected, freedom of the press has been under assault. He has called the independent press his “greatest enemy.” He sought to intimidate and silence his critics in the media and civil society, like Janet Hinostroza, El Universo, Vanguardia, El Comercio, Xavier Bonilla, and Fundamedios. He publicly vilified Dr. Catalina Botero, a respected Colombian lawyer and former OAS Special Rapporteur for Freedom of Expression. He pursued criminal charges against columnists and newspaper owners who had criticized his policies. During this period, the number of state-owned media organizations exploded, growing from just one government-run news outlet to a media conglomerate that today is made up of more than a dozen outlets echoing the government’s self-serving declarations. These actions are a threat to democracy, and they damaged relations with the United States.

On April 2, when the people of Ecuador elect their next President, they alone will decide Ecuador’s future. What is important at this stage is to ensure that the electoral process is free and fair, that the press can participate freely, and that the election is open to

international observers, including the OAS.

Whoever wins on April 2, I hope Ecuador's next President is someone who genuinely believes in the freedoms of expression and association that are enshrined in Ecuador's Constitution. I hope he defends the right of a free press, an independent judiciary, and the right of civil society organizations to function without government interference. These rights are part of the foundation of the representative democracy referenced in the OAS Charter. The alternative is unaccountable government. That is, in fact, where Ecuador was heading, after President Correa orchestrated the adoption of a new constitution in order to run for reelection in 2009 and again in 2013.

I hope the result on April 2 will signify a commitment to uphold Ecuador's Constitution and the beginning of a new relationship with the United States, based on a common devotion to the fundamental rights of citizens.

THE RULE OF LAW IN GUATEMALA

Mr. LEAHY. Mr. President, I want to call the Senate's attention to the current situation in Guatemala, where upholding the rule of law has too often been the exception rather than the rule.

For centuries, most Guatemalans had no access to justice. This was exacerbated during—and in the years since—the civil war, when an estimated 200,000 people were killed or disappeared. Most of them were innocent victims of the armed forces, and only a small number of the military officers and their accomplices who were responsible have been punished. In fact, the armed forces and their benefactors have for the most part successfully avoided justice, by threatening prosecutors and witnesses and paying off judges.

At the same time, Guatemala is experiencing the corrosive effects of drug gangs, smugglers, and organized crime. Former President Perez Molina is under arrest, and other high-ranking officials have been implicated in corruption. Rampant gang violence and a lack of job opportunities have caused tens of thousands of Guatemalans, including unaccompanied minors, to seek safety and employment in the United States.

Two individuals, Thelma Aldana, Guatemala's Attorney General, and Ivan Velasquez, the head of CICIG, the International Commission Against Impunity in Guatemala, have been courageously investigating these high-profile cases and working diligently to bring those responsible to justice. Both are respected former judges, Aldana a Guatemalan and Velasquez a Colombian.

The United States, with the support of Democrats and Republicans in Con-

gress, has provided funding to both of their offices.

It is difficult, dangerous work. They have received anonymous threats in an attempt to intimidate them, and there is a concern that President Morales may oppose the renewal of Mr. Velasquez's term of duty, which ends in September, or request the U.N. Secretary General to remove or replace Mr. Velasquez.

This would be of great concern because no democracy can survive without the rule of law, and there can be no rule of law without independent investigators, prosecutors, and judges.

In Guatemala, with its history of impunity, Thelma Aldana and Ivan Velasquez are making history by showing the Guatemalan people that justice is possible. It is possible even in cases in which the perpetrators are high-ranking government officials, members of their families, or others with wealth and power who have long evaded justice.

Guatemala needs our support to reduce poverty and malnutrition, improve education, combat crime, reform the police, and strengthen its economy and public institutions, but none of that can be achieved or sustained without political will and a transparent, accountable justice system. I know this from my own experience, first as a prosecutor, and more recently as the senior member of the Senate Judiciary Committee.

I have been here a long time, in fact longer than any other Senator. I know Guatemala's history and the daunting challenges it faces. Its people deserve better, and they need leaders who respect the rule of law.

If Guatemala's leaders support Thelma Aldana and Ivan Velasquez for as long they are willing to make the personal sacrifice and continue their important work, we will do our part by supporting the Alliance for Prosperity, but if there are attempts to undermine or curtail the work of these two outstanding prosecutors, then Guatemala's leaders should look elsewhere for support.

TRIBUTE TO DR. HARRY CHEN

Mr. LEAHY. Mr. President, for over a decade, Vermont has been named one of the healthiest States in the Nation. For those who know the tireless dedication of Vermont's Commissioner of Health, Dr. Harry Chen, this fact is not surprising. Dr. Chen recently made the difficult decision to not seek reappointment. He leaves behind a legacy which future leaders will undoubtedly follow.

Dr. Chen has long graced Vermont as a top leader in healthcare. Before his appointment as health commissioner in 2011, Dr. Chen served in the Vermont House of Representatives from 2004 to 2008 and in his last term was the vice

chair of the Health Care Committee. In 2008, he was honored with the Physician Award for Community Service by the Vermont State Medical Society.

Prior to his election to the State legislature, Dr. Chen worked for more than 20 years as an emergency room physician and medical director at the Rutland Regional Medical Center. Dr. Chen also served on the clinical faculty at the University of Vermont's College of Medicine and as vice chair of the University of Vermont's board of trustees. He obtained his medical degree and completed his residency at the University of Oregon's school of medicine as chief resident.

Dr. Chen's work to improve public health awareness and education has long made Vermont a nationwide leader in healthcare. As Vermont's Commissioner of Health since 2011 and briefly as the interim Secretary of Health and Human Services from 2014 to 2015, Dr. Chen led the charge to expand public health education and resources across the State. Dr. Chen was especially instrumental in the fight against opioid and substance abuse. I was proud when he testified at the field hearing I held on the issue while ranking member of the Senate Judiciary Committee in 2014. In the years after, he worked to strengthen State resources for treatment and education programs. He has worked to improve the State's prescription drug monitoring system in order to curb harmful opioid prescribing and misuse.

Dr. Chen also led efforts to reduce tobacco, marijuana, and alcohol use among youth. In 2013, he and I worked to secure a \$10 million grant from the Substance Abuse and Mental Health Services Administration, SAMHSA, to expand substance abuse efforts in Vermont among young adults at risk of developing habits in alcohol, tobacco, marijuana, and illicit drug use. Since his efforts, the conversation regarding youth substance abuse, especially on marijuana, has become a major public health discussion in the Vermont Statehouse and beyond. He also worked to expand nutrition education in schools and to increase awareness surrounding the importance of vaccines. For instance, 2 years ago, after the outbreak of Ebola, Dr. Chen worked with Vermont's top health facilities to strengthen defenses against the disease, while educating patients on the importance of disease prevention. He also led efforts to increase vaccinations for children in efforts to prevent the spread of disease at school.

Dr. Chen's dedication to public health promotion did not stop at the State level. In 2009, Dr. Chen testified before the Senate Health, Education, Labor, and Pensions Committee on Vermont's experience with healthcare reform and the creation of Vermont Health Connect. In 2014, he became chair of the Centers for Disease Control

and Prevention's Food Safety and Modernization Act Surveillance Working Group where he continues to strengthen foodborne illness surveillance systems across the country. He has also long served on the board of the CDC's Office of Infectious Disease, and he currently chairs the Prevention Committee of the Association of State and Territorial Health Officials.

Vermont's national role in promoting the health and well-being of patients has made strides under the leadership of Dr. Chen. Vermonters are sorry to see him go, but I know we can expect many more years of outstanding leadership from him. In fact, he and his wife have just been accepted to the Peace Corps, where they look forward to training physicians in Africa. I wish them both the very best in this exciting work, and I once again thank Dr. Chen for his incredible contributions to our State and beyond.

ARMS SALES NOTIFICATION

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

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

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

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-02, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of the United Kingdom for defense articles and services estimated to cost \$150 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

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

Enclosures.

TRANSMITTAL NO. 17-02

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

- (i) Prospective Purchaser: United Kingdom.
- (ii) Total Estimated Value:
Major Defense Equipment* \$135.0 million.
Other \$ 15.0 million.
Total \$150.0 million.
- (iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:
Major Defense Equipment (MDE):
One thousand (1,000) AGM-114-R1/R2 Hellfire II Semi-Active Laser (SAL) Missiles.
Non-MDE:
Logistics support services and other related program support.
- (iv) Military Department: Air Force (YAI).
- (v) Prior Related Cases, if any: UK-D-YAC-\$22M—May 2008; UK-D-YAF-\$21M—Mar 2011; UK-D-YAY—\$134M—Aug 2013.
- (vi) Sales Commission. Fee, etc., Paid. Offered, or Agreed to be Paid: None.
- (vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.
- (viii) Date Report Delivered to Congress: March 16, 2017.

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

POLICY JUSTIFICATION

United Kingdom—Hellfire Missiles

The Government of the United Kingdom (UK) requested a possible sale of 1,000 AGM-114-R1/R2 Hellfire II Semi-Active Laser (SAL) Missiles with logistics support services and other related program support. The estimated cost is \$150 million.

This proposed sale directly contributes to the foreign policy and national security policies of the United States by enhancing the close air support capability of the UK in support of NATO and other coalition operations. Commonality between close air support capabilities greatly increases interoperability between our two countries' military and peacekeeping forces and allows for greater burden sharing.

The proposed sale improves the UK's capability to meet current and future threats by providing close air support to counter enemy attacks on coalition ground forces in the U.S. Central Command area of responsibility (AOR) and other areas, as needed. The UK already has Hellfire missiles in its inventory and will have no difficulty absorbing these additional missiles.

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

There is no principal contractor for this sale as the missiles are coming from U.S. stock.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to the UK.

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

2017 FOOD AND DRUG ADMINISTRATION USER FEE REAUTHORIZATION

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of my remarks at the Senate Committee on Health, Education, Labor, and Pensions earlier today.

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

2017 FOOD AND DRUG ADMINISTRATION USER FEE REAUTHORIZATION

The Senate Committee on Health, Education, Labor and Pensions will please come to order. We're holding a hearing today on "FDA User Fee Agreements: Improving Medical Product Regulation and Innovation for Patients Part 1."

Now, Senator Murray and I will each have an opening statement, then we will introduce our panel of witnesses. After our witness testimony, senators will have 5 minutes of questions. The subject of today is the Food and Drug Administration's medical device and drug user fees. It seems like a long time ago, but it really wasn't that long ago, that Congress passed the 21st Century Cures Act. 94 Senators voted for it, President Obama and Vice President Biden were strongly in support of it. So were Speaker Ryan and Mitch McConnell, who called it "the most important piece of legislation in the last Congress."

It came through this committee and I thank the members of the committee, especially for resolving our differences of opinions and making it possible to reach a consensus. That bill was about the moving medical products, drugs and devices more rapidly, in a safe way, through the investment and the regulatory process into the hands of patients and doctors offices.

Today, we are talking about really implementing that great goal, one that shows so much promise for virtually every American. We're here to talk about how we continue the fund the Food and Drug Administration, the agency responsible for making sure the promising research supported by 21st Century Cures actually reaches patients.

We will hear from witnesses from the agency itself to tell us how the user fee agreements will improve the agency's abilities to regulate medical products and promote innovation. We will hear from patients, device manufacturers, and brand and generic drug manufacturers in a second hearing, which is tentatively scheduled for April 4.

I want to thank the witnesses for taking the time to testify today. We respect the great amount of expertise and service that you've given for our country. I want to thank you also for moving so quickly to implement the 21st Century Cures Act. I noticed specifically that the provision involving regenerative medicine was published with about a month after President Obama signed the law.

The first medical product user fee agreement was enacted in 1992. FDA worked with the drug manufacturers to hammer out an agreement that the agency would collect user fees from drug manufacturers in exchange for more timely, predictable reviews. The agreement was a success—it decreased review times and increased patient access to medicines.

Before September 30 of this year, 4 different user fee agreements need to be reauthorized: The Prescription drug user fee is the first one. Now it's common around here to call it PDUFA, I'm not going to do it. I just can't stand PDUFA, and MDUFA and GDUFA and the other UFA. So I'm going to call them if you don't mind, the prescription drug user fee, which accounted for over 70 percent of the brand drug review budget in FY2015.

The second one is the Medical device user fee, which accounted for 35 percent of the medical device review budget in 2015.

The Generic drug user fee accounted for 70 percent of the generic drug review budget. Biosimilar user fee accounted for 7 percent of the biosimilar review budget.

CONSEQUENCES OF FAILING TO REAUTHORIZE

So a lot of the money for the FDA comes from these agreements with manufacturers of prescription drugs and devices.

The authority for FDA to collect user fees for medical product review will expire on September 30 of this year—six months from now.

Now this is probably the most important part of what I have to say this morning. If we do not move quickly to reauthorize these agreements, the FDA will be forced to begin sending layoff notices to more than 5,000 employees to notify them that they may lose their jobs in 60 days—that's what they have to do by law.

A delay in reauthorizing these agreements would delay the reviews of drugs and devices submitted after April 1, only a few days away.

For example, if we do not pass these reauthorizations into law before the current agreements expire, an FDA reviewer who gets started reviewing a cancer drug submitted to the agency in April would be laid off on October 1, before the reviewer is able to finish his or her work. The sooner we reauthorize the agreements, the better—to give patients, reviewers, and companies certainty.

In addition to harming patients and families that rely on medical innovation, a delay in reauthorizing the user fees would threaten biomedical industry jobs and America's global leadership in biomedical innovation.

PROCESS FOR REAUTHORIZATION

I am hopeful that this committee, and this Congress, can work in a bipartisan manner to reauthorize the user fees before the August recess.

Congress must pass legislation reauthorizing and updating the fees to support the recommendations contained in what are called "commitment letters" sent to Congress in January.

Now these commitment letters are part of the agreements between FDA and industry—they establish the agency's commitments, such as timelines for application review or to put out guidances in exchange for the fees Congress authorizes. The letters were transmitted to Congress in January of this year.

So today's hearing is not the first time members of Congress or the public is hearing about the recommendations for reauthorization.

In Congress, while we were working on the 21st Century Cures and after it was signed into law, the HELP Committee had 15 bipartisan briefings, some of which were in conjunction with the Energy and Commerce Committee in the House of Representatives as well, so we could hear from FDA and industry about the reauthorization. The first of those briefings was back in late 2015.

Outside of Congress, the FDA posted meeting minutes after every negotiation, and held public meetings to hear feedback.

So the content of the commitment letters, and the changes to the fee authorizations, should not be new, or a surprise, for any member of this committee.

After the April 4th hearing, I hope to move to mark-up the legislation in committee as soon as possible.

This is the first time that the user fees have sunset in the first year of a new administration, so we are starting hearings a little later this year than we did in 2012.

In order to get this done on time, any additional policies that Senators may want to attach need to be broadly bipartisan, related to human medical products, and non-controversial in order to avoid slowing the package down.

HOW REAUTHORIZATION BUILDS ON 21ST CENTURY CURES

There are many improvements in the commitment letters and fee structure in these reauthorizations to be excited about.

The prescription drug and medical device reauthorizations include many provisions that build on the work of 21st Century Cures, such as: involving patients in drug and medical device development, dedicated staff to assist in the development and review of rare disease drugs, improved timelines, increased guidance for drug and device combination products, and modernizing the clinical trial process.

There are important structural reforms. Each agreement contains reporting measures built both by FDA and by independent third parties, so we can see how the changes are working. FDA is going to work to implement full time reporting by 2022, so Congress, patients, and medical product manufacturers will have a better picture about how resources are being used at FDA and understand what is needed to do what we ask.

The biosimilar and generic drug user fee agreement includes additional staff and resources to approve more biosimilars and more generic drugs, which provide more competition and lower drug costs.

These are just a few of the highlights of the reauthorization and commitment letters. It is a good agreement for patients, and I look forward to working with Senator Murray and all the members of the Committee to get it done expeditiously.

TRIBUTE TO NINA M. SERAFINO

Mr. CARDIN. Mr. President, I would like to take this opportunity to extend my appreciation to a dedicated public servant at the Congressional Research Service, CRS, of the Library of Congress, Ms. Nina M. Serafino. Ms. Serafino recently retired after more than 35 years of service to Congress. This length of public service is not only a credit to Ms. Serafino, but also a demonstration of the dedication that she and many other CRS employees bring to support our work here in Congress.

During Ms. Serafino's 35 years with CRS, she provided Congress with many types of assistance to help inform national policymaking on a variety of war and peace issues. From 1981, when she joined CRS, through the 1980s, she was deeply involved in bipartisan efforts to evaluate U.S. policy in Central America. Her work focused on providing a common understanding of the problems and possibilities in the region in order to shape U.S. options and alternatives. Particularly noteworthy was her original research on aspects of the Central American conflicts where there was a little or no information available from other sources. Responding to a congressional request, she conducted field research and delved into the Library of Congress's historical

materials to provide a unique report on the many parties of the civic opposition to the Sandinista government in Nicaragua. Similarly, her field research on the Latin American "Contadora" effort significantly informed congressional deliberations regarding the peace process to end the conflicts in Nicaragua and El Salvador.

With the advent of U.S. military involvement in peacekeeping operations in the Balkans and elsewhere beginning in the 1990s, Ms. Serafino contributed to congressional efforts to comprehend the plethora of institutional and budgetary considerations relevant to our government's ability to bring its full toolbox to bear in those operations. Providing information and analysis through reports, briefings, and several comprehensive conferences and workshops for Members and staff, Ms. Serafino assisted Congress in understanding the possibilities, constraints, and options for legislating and overseeing military and civilian tools and the development of interagency resources and mechanisms.

As Congress sought to comprehend and deal with the post-9/11 world, Ms. Serafino supplemented targeted CRS work on Afghanistan and Iraq with conferences and reports that brought an historical perspective to congressional deliberations. The conferences and reports provided insights on a wide variety of international experiences in dealing with terrorism and contained historical information and pertinent analysis on previous U.S. interventions and occupations.

Over the past decade, Ms. Serafino also developed a number of products on security assistance and cooperation. Most recently, as the U.S. Government has expanded U.S. military efforts to build partner capacity among foreign security forces worldwide, Ms. Serafino contributed an historical perspective on U.S. security assistance and cooperation development in the post-World War II period to inform our deliberations on an evolving legislative framework for such assistance. Her written work on post-9/11 topics has enlightened both Congress and the broader foreign policy and defense communities.

Throughout Ms. Serafino's career, she won the respect and admiration of her colleagues for her generosity and expertise on Latin America and international security affairs. She won a Distinguished Service Award and several Merit Service and Special Achievement awards. Her steadfast dedication to serve Congress and her commitment to the highest standards of research made a lasting contribution to congressional policy discourse. I have said many times that the Federal workforce is a critical national asset. Ms. Serafino and the other talented and dedicated public servants at CRS are yet another example. While we will

miss her contributions, I know my colleagues will want to join me in sending our best wishes to Ms. Serafino for a happy retirement.

ADDITIONAL STATEMENTS

TRIBUTE TO STEVE HAMMOND

• Mr. CARDIN. Mr. President, today I wish to recognize the three decades of distinguished service journalist Steve Hammond has provided to the citizens of Maryland's Eastern Shore and the viewers of WBOC-TV 16 in Salisbury, MD, "Delmarva's News Leader."

Steve Hammond is a Maryland native, raised in Towson's Rodgers Forge neighborhood. He learned many of life's lessons on the football and lacrosse fields before graduating from the University of Delaware with a degree in mass communications. Since his mother, sister, and brother have all been involved in television production, it is no surprise, perhaps, that Steve gravitated toward the business of broadcasting and interned for several stations. He discovered he felt most at home in the newsroom and was drawn particularly to the variety of daily reporting. In 1985, after working without pay for 2 weeks to illustrate his potential value, Steve was hired by WHYY, a PBS affiliate in Philadelphia, PA. Two years later, on March 23, 1987, he joined WBOC-TV to serve as the first bureau chief for Dover, DE. It was there that he first began to anchor news broadcasts. It was a role, it turned out, which suited him perfectly.

Today Steve Hammond is WBOC-TV's main anchor and managing editor. He has become a household name in the region, having covered countless elections, major crisis, and natural disasters. Steve has flown with the Blue Angels and interviewed U.S. Presidents. He also has filed reports from several foreign countries to tell the stories of local troops in harm's way in Iraq and Somalia. Steve is highly respected in his field and has been widely recognized, winning innumerable awards, including a prestigious national Edward R. Murrow Award and distinctions from the Associated Press and Radio Television News Directors Association; yet Steve is characteristically modest about his accomplishments. If he were inclined to brag about anything, it probably would be about his beloved family—his sons Graham and Hunter, and his wife, Heather, who are his favorite companions for a day at the beach.

Steve Hammond is deeply invested in his community and has volunteered for many years for numerous charitable organizations, including Junior Achievement, March of Dimes, Easter Seals, Big Brothers/Big Sisters and The Salvation Army. He has helped spearhead The Salvation Army's Red Kettle

Holiday Campaign on the Eastern Shore of Maryland. He also serves as a member of the board of trustees for Worcester Preparatory School in Berlin, MD, and is a member of Trinity United Methodist Church in Salisbury. Steve's coworkers, friends, and audience appreciate the dedication, service, and leadership he shown professionally and privately throughout his career. As he enters his fourth decade at WBOC-TV 16, I ask my colleagues to join me in congratulating Steve Hammond on 30 years of exemplary work and community service and wishing him all the best in the years ahead.●

REMEMBERING JOHN BRUCE FERY

• Mr. CRAPO. Mr. President, today I wish to honor the life of John Bruce Fery, a friend and mentor.

John's obituary beautifully conveyed a sense of who he was: "John's journey took him from challenging early years as a latchkey kid with a working mom to remarkable lifetime accomplishments. He loved God, his family, his community, and his country. He loved the outdoors, sunshine, and John Wayne. He had a zest for life and a work ethic that was incomparable, while his commanding presence, charming smile, and quick-witted humor made him adored by family and friends. He was captivated by the joys of family life, the challenges of business, the warmth of friendships, the satisfaction of philanthropic work, and the stories each brought to his life."

On February 16, 1930, John was born in Bellingham, WA, to Margaret and Carl Fery. John lost his father at a young age, and he and his mother moved to Seattle, where he graduated from Roosevelt High School and attended the University of Washington before serving in the U.S. Navy during the Korean war. He married his wife, Dee, in 1953, and obtained his masters of business administration from Stanford University before his extensive, much respected career in the pulp and paper industry. He led the Boise Cascade Company for more than two decades, taking on the position of president and chief executive officer in 1972 and chairman of the board in 1978. Throughout his 37-year career with the company, he built a legacy of sound judgement and expertise that led to his many honors, awards, and service on multiple boards.

In addition to his esteemed business career, John and Dee have given generously to many philanthropic efforts. His obituary aptly highlights some of their significant contributions to the community: "Whether attending the new Horsethief Reservoir Y Camp in Cascade, Idaho, learning about Birds of Prey at the World Center, enjoying the Idaho Shakespeare Festival and the park that he and Dee donated, attending Medical School through the

WWAMI program which John helped found as a means of training physicians for Idaho, staying at St. Alphonsus Regional Medical Center where John chaired the board and established its Foundation, receiving a grant from the Idaho Community Foundation, which exists today due to John's leadership in its formation and growth, or receiving a scholarship to Boise's Bishop Kelly High School, the University of Idaho, or Stanford, people will have experiences made possible by John and Dee's vision and generosity."

John was also a dear friend to me. He encouraged me and was instrumental in inspiring my public service. His guidance, advice, and insight are forever etched in my life's path, and I am deeply grateful for the time he took to help shape my service. I extend my deepest sympathies to Dee; their sons, Brent, Bruce, and Michael and their families; and their many other family members, loved ones, and friends. We are bettered for having had John in our lives. He leaves behind an enduring, loving, and joyful legacy.●

RECOGNIZING THE JEWISH COMMUNITY ALLIANCE OF SOUTHERN MAINE

• Mr. KING. Mr. President, today I wish to recognize the Jewish Community Alliance in Portland, Maine, for their longstanding service and commitment to Maine's Jewish community across southern Maine.

In 1999, the Jewish Community Alliance of Southern Maine, JCA, was founded following a merger of the Jewish Community Center and the Jewish Federation. With a strong commitment to upholding Jewish values and culture, the JCA provides diverse programs for the entire community, educating children, teens, and adults to better connect with their community and learn from one another. The organization welcomes citizens of all backgrounds, encouraging a deeper understanding of Jewish history, practice, and culture.

The JCA understands the importance of supporting and educating future generations through high-quality programming for children offered throughout the year. The JCA administers a nationally accredited preschool program, now in its 24th year, which provides children with the opportunity to grow and learn in a safe and positive environment driven by Jewish values. Additionally, each summer, the JCA welcomes children of all faiths to the Center Day Camp, along the shores of Sebago Lake in Cumberland County, ME. Heading into its 68th summer, the Center Day Camp encourages Maine's youth to explore new interests, build confidence and friendships, and develop new skills.

The JCA also offers adult education classes to engage both Jewish and non-

Jewish individuals, and to provide opportunities to learn about a wide range of topics relating to Judaism and Jewish life. One such program, NextDor, offers peer-led social, cultural, and educational engagement guided by Jewish values to adults in their twenties, thirties, and early forties. The program is dedicated to engaging members in a variety of settings that are accessible, inclusive, and uniting to help encourage Jewish and non-Jewish participation.

I would like to recognize the positive impact that the JCA has had in the lives of Maine's citizens and its positive impact in strengthening the Jewish community. Their ongoing commitment to a better and more prosperous tomorrow is to be commended, and their message of inclusiveness and engagement is a model for the entire State. I look forward to the continued success of the Jewish Community Alliance of Southern Maine, and to watching their community grow and thrive.●

25TH ANNIVERSARY OF THE NATIONAL HISTORIC OREGON TRAIL INTERPRETIVE CENTER

● Mr. WYDEN. Mr. President, today I wish to congratulate the National Historic Oregon Trail Interpretive Center in Baker, OR, on its 25th anniversary and to recognize the cultural and historical importance of this special place. Twenty-five years ago, volunteers, philanthropists, and community leaders came together with the Bureau of Land Management to make this dream a reality, and today I want to honor them for their dedication to their community and the State of Oregon.

Since 1992, the Interpretive Center has brought to life the story of the Oregon Trail. Through life-size displays, historical artifacts, and live performances by historical interpreters, visitors to the center are transported back in time to the first days of Baker City. What started as a small goldmining town grew through the years as more emigrants arrived. These pioneers had fought through challenging conditions and traveled thousands of miles to reach Oregon, but had they not persevered, the growth of this State could never have taken place. We owe it to those who blazed the trail before us to listen to their story, and we owe it to ourselves to take their lessons of perseverance, innovation, and community spirit to heart.

It is no coincidence that the community that came together to make the Interpretive Center possible, shares the characteristics of their ancestors. In the 1970s, Baker City was struggling to keep up with a changing economy. It took the innovative vision of modern-day pioneers, who recognized the cultural importance of this place, to bring its rich history back to life. Joining

forces with the Bureau of Land Management, community leaders worked together to create the Interpretive Center and jumpstarted Baker City's growing tourism industry.

Over 25 years, this community has continued to contribute to the sustained success of the Interpretive Center. From the hard-working caretakers of the center's 4 miles of interpretive trails, to the philanthropy of individuals like the late Leo Adler who help sustain the center financially, the people of Baker City demonstrate every day the same spirit as the pioneers they honor. In this way, the story of the Interpretive Center mirrors the very story it tells.

It stands today as a living testament to the value of learning from our past. Therefore, I wish today to not only celebrate this milestone, but to encourage us all to reflect on the example set by both the pioneers of the Oregon Trail and those who continue to blaze new trails for their communities every day.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on March 16, 2017, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House had passed the following joint resolution, without amendment:

S.J. Res. 1. Joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield.

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on March 16, 2017, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bill:

H.R. 1362. An act to name the Department of Veterans Affairs community-based outpatient clinic in Pago Pago, American

Samoa, the Faleomavaega Eni Fa'au'a Hunkin VA Clinic.

Under the authority of the order of the Senate of January 3, 2017, the enrolled bill was signed on March 20, 2017, during the adjournment of the Senate, by the President pro tempore (Mr. HATCH).

ENROLLED JOINT RESOLUTIONS SIGNED

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on March 17, 2017, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled joint resolutions:

S.J. Res. 1. Joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield.

H.J. Res. 42. Joint resolution disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants.

Under the authority of the order of the Senate of January 3, 2017, the enrolled joint resolutions were signed on March 20, 2017, during the adjournment of the Senate, by the President pro tempore (Mr. HATCH).

MESSAGE FROM THE HOUSE

At 10:32 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 132. An act to authorize the Secretary of the Interior to convey certain land and appurtenances of the Arbuckle Project, Oklahoma, to the Arbuckle Master Conservancy District, and for other purposes.

H.R. 267. An act to redesignate the Martin Luther King, Junior, National Historic Site in the State of Georgia, and for other purposes.

H.R. 382. An act to amend the Department of Agriculture program for research and extension grants to increase participation by women and underrepresented minorities in the fields of science, technology, engineering, and mathematics to redesignate the program as the "Jeannette Rankin Women and Minorities in STEM Fields Program".

H.R. 648. An act to authorize the Secretary of the Interior to amend the Definite Plan Report for the Seedskaadee Project to enable the use of the active capacity of the Fontenelle Reservoir.

H.R. 1029. An act to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve pesticide registration and other activities under the Act, to extend and modify fee authorities, and for other purposes.

H.R. 1181. An act to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes.

H.R. 1228. An act to provide for the appointment of members of the Board of Directors of the Office of Compliance to replace members whose terms expire during 2017, and for other purposes.

H.R. 1249. An act to amend the Homeland Security Act of 2002 to require a multiyear

acquisition strategy of the Department of Homeland Security, and for other purposes.

H.R. 1252. An act to amend the Homeland Security Act of 2002 to provide for certain acquisition authorities for the Under Secretary of Management of the Department of Homeland Security, and for other purposes.

H.R. 1259. An act to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

H.R. 1294. An act to amend the Homeland Security Act of 2002 to provide for congressional notification regarding major acquisition program breaches, and for other purposes.

H.R. 1309. An act to streamline the office and term of the Administrator of the Transportation Security Administration, and for other purposes.

H.R. 1367. An act to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, and for other purposes.

The message also announced that pursuant to section 161(a) of the Trade Act of 1974 (19 U.S.C. 2211), and the order of the House of January 3, 2017, the Speaker appoints the following Members of the House of Representatives as Congressional Advisors on Trade Policy and Negotiations: Mr. NEAL of Massachusetts and Mr. PASCRELL of New Jersey.

MEASURES REFERRED

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

H.R. 132. An act to authorize the Secretary of the Interior to convey certain land and appurtenances of the Arbuckle Project, Oklahoma, to the Arbuckle Master Conservancy District, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 267. An act to redesignate the Martin Luther King, Junior, National Historic Site in the State of Georgia, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 382. An act to amend the Department of Agriculture program for research and extension grants to increase participation by women and underrepresented minorities in the fields of science, technology, engineering, and mathematics to redesignate the program as the "Jeannette Rankin Women and Minorities in STEM Fields Program"; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 648. An act to authorize the Secretary of the Interior to amend the Definite Plan Report for the Seedskeadee Project to enable the use of the active capacity of the Fontenelle Reservoir; to the Committee on Energy and Natural Resources.

H.R. 1029. An act to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve pesticide registration and other activities under the Act, to extend and modify fee authorities, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 1249. An act to amend the Homeland Security Act of 2002 to require a multiyear acquisition strategy of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1252. An act to amend the Homeland Security Act of 2002 to provide for certain acquisition authorities for the Under Secretary of Management of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1259. An act to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1294. An act to amend the Homeland Security Act of 2002 to provide for congressional notification regarding major acquisition program breaches, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1309. An act to streamline the office and term of the Administrator of the Transportation Security Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1367. An act to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 1181. An act to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on March 20, 2017, she had presented to the President of the United States the following enrolled joint resolution:

S.J. Res. 1. Joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. MERKLEY (for himself, Mr. WYDEN, Mrs. MURRAY, and Ms. CANTWELL):

S. 669. A bill to authorize the Secretary of the Interior to assess sanitation and safety conditions at Bureau of Indian Affairs facilities that were constructed to provide affected Columbia River Treaty tribes access to traditional fishing grounds and expend funds on construction of facilities and structures to improve those conditions, and for other purposes; to the Committee on Indian Affairs.

By Ms. WARREN (for herself, Mr. GRASSLEY, Ms. HASSAN, and Mr. ISAKSON):

S. 670. A bill to provide for the regulation of over-the-counter hearing aids; to the Com-

mittee on Health, Education, Labor, and Pensions.

By Mr. MORAN (for himself and Mrs. ERNST):

S. 671. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain amounts realized on the disposition of property raised or produced by a student farmer, and for other purposes; to the Committee on Finance.

By Mr. CRUZ (for himself, Mr. TILLIS, Mr. HELLER, Ms. MURKOWSKI, Mr. RUBIO, Mr. SULLIVAN, Mr. GARDNER, and Mr. INHOFE):

S. 672. A bill to require a report on designation of North Korea as a state sponsor of terrorism, and for other purposes; to the Committee on Foreign Relations.

By Ms. KLOBUCHAR (for herself, Mr. TILLIS, Mr. VAN HOLLEN, Mr. MARKEY, Mr. KAINE, Mrs. GILLIBRAND, and Ms. WARREN):

S. 673. A bill to amend the Internal Revenue Code of 1986 to decrease the distance away from home required for a member of a reserve component of the Armed Forces to be eligible for the above-the-line deduction for travel expenses; to the Committee on Finance.

By Mr. CARDIN (for himself, Mr. CRAPO, and Mr. ROBERTS):

S. 674. A bill to amend the Internal Revenue Code of 1986 to clarify the retirement income account rules relating to church controlled organizations; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself, Mr. SCHUMER, Mr. BLUMENTHAL, and Mr. MURPHY):

S. 675. A bill to amend and reauthorize certain provisions relating to Long Island Sound restoration and stewardship; to the Committee on Environment and Public Works.

By Mr. ROUNDS:

S. 676. A bill to amend title 44, United States Code, to require the Administrator of the Office of Information and Regulatory Affairs to review regulations, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BARRASSO (for himself, Mr. FLAKE, Mr. MCCAIN, Mr. HELLER, Mr. ENZI, and Mr. RISCH):

S. 677. A bill to authorize the Secretary of the Interior to coordinate Federal and State permitting processes related to the construction of new surface water storage projects on lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture and to designate the Bureau of Reclamation as the lead agency for permit processing, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. INHOFE (for himself, Mr. BOOZMAN, Mr. COTTON, and Mr. ISAKSON):

S. 678. A bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MARKEY (for himself and Mr. BLUMENTHAL):

S. 679. A bill to require the disclosure of information relating to cyberattacks on aircraft systems and maintenance and ground support systems for aircraft, to identify and

address cybersecurity vulnerabilities to the United States commercial aviation system, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MARKEY (for himself and Mr. BLUMENTHAL):

S. 680. A bill to protect consumers from security and privacy threats to their motor vehicles, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. TESTER (for himself, Mr. BOOZMAN, Mr. KAINE, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mrs. MURRAY, Ms. BALDWIN, Mr. NELSON, Ms. HASSAN, and Mr. SCHATZ):

S. 681. A bill to amend title 38, United States Code, to improve the benefits and services provided by the Department of Veterans Affairs to women veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. MURRAY (for herself, Ms. COLLINS, Mr. KING, and Ms. KLOBUCHAR):

S. 682. A bill to amend title 31, United States Code, to require the Secretary of the Treasury to provide for the purchase of paper United States savings bonds with tax refunds; to the Committee on Finance.

By Ms. HIRONO (for herself, Ms. COLLINS, and Mr. KING):

S. 683. A bill to amend title 38, United States Code, to extend the requirement to provide nursing home care to certain veterans with service-connected disabilities; to the Committee on Veterans' Affairs.

By Mrs. GILLIBRAND (for herself and Mr. LANKFORD):

S. 684. A bill to establish a national, research-based, and comprehensive home study assessment process for the evaluation of prospective foster parents and adoptive parents and provide funding to States and Indian tribes to adopt such process; to the Committee on Health, Education, Labor, and Pensions.

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

S. 685. A bill to authorize the Dry-Redwater Regional Water Authority System and the Musselshell-Judith Rural Water System in the States of Montana and North Dakota, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PORTMAN (for himself and Mr. HATCH):

S. 686. A bill to amend the Unfunded Mandates Reform Act of 1995 to provide for regulatory impact analyses for certain rules and consideration of the least burdensome regulatory alternative, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. KLOBUCHAR (for herself, Mr. FRANKEN, and Mr. CASEY):

S. 687. A bill to amend the Trade Act of 1974 to authorize a State to reimburse certain costs incurred by the State in providing training to workers after a petition for certification of eligibility for trade adjustment assistance has been filed, and for other purposes; to the Committee on Finance.

By Mr. TESTER:

S. 688. A bill to suspend the importation of beef and poultry from Brazil; to the Committee on Finance.

By Mrs. MURRAY (for herself, Mrs. GILLIBRAND, and Ms. BALDWIN):

S. 689. A bill to provide women with increased access to preventive and life-saving cancer screening; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN (for himself, Mr. RISCH, Mrs. SHAHEEN, Ms. HIRONO, and Mr. VAN HOLLEN):

S. 690. A bill to extend the eligibility of re-designated areas as HUBZones from 3 years to 7 years; to the Committee on Small Business and Entrepreneurship.

By Mr. KAINE (for himself and Mr. WARNER):

S. 691. A bill to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe; to the Committee on Indian Affairs.

By Mrs. FISCHER (for herself, Mr. BROWN, Mr. CARDIN, Mr. BOOZMAN, Mr. PORTMAN, Mr. BLUNT, and Mr. BOOKER):

S. 692. A bill to provide for integrated plan permits, to establish an Office of the Municipal Ombudsman, to promote green infrastructure, and to require the revision of financial capability guidance; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. PERDUE (for himself, Mr. GARDNER, Mr. RUBIO, Ms. COLLINS, Mr. ISAKSON, Mr. CRUZ, Mr. COONS, Mr. KAINE, Mr. PETERS, and Mr. TESTER):

S. Res. 90. A resolution recognizing the importance of the United States-Israel economic relationship and encouraging new areas of cooperation; to the Committee on Foreign Relations.

By Ms. STABENOW:

S. Res. 91. A resolution supporting the goals and ideals of National Professional Social Work Month in March 2017 and World Social Work Day on March 21, 2017; to the Committee on Health, Education, Labor, and Pensions.

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

S. Con. Res. 10. A concurrent resolution expressing the sense of Congress that the Secretary of the Navy should name the next nuclear powered submarine of the United States Navy the "USS Los Alamos"; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 26

At the request of Mr. WYDEN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 26, a bill to amend the Ethics in Government Act of 1978 to require the disclosure of certain tax returns by Presidents and certain candidates for the office of the President, and for other purposes.

S. 65

At the request of Ms. WARREN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 65, a bill to address financial conflicts of interest of the President and Vice President.

S. 130

At the request of Ms. BALDWIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cospon-

sor of S. 130, a bill to require enforcement against misbranded milk alternatives.

S. 188

At the request of Mr. CASSIDY, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 188, a bill to prohibit the use of Federal funds for the costs of painting portraits of officers and employees of the Federal Government.

S. 223

At the request of Ms. COLLINS, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 223, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 236

At the request of Mr. WYDEN, the names of the Senator from Delaware (Mr. COONS) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 260

At the request of Mr. CORNYN, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 260, a bill to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board.

S. 292

At the request of Mrs. CAPITO, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 292, a bill to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes.

S. 324

At the request of Mr. HATCH, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 324, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 372

At the request of Mr. PORTMAN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 372, a bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to require the provision of advance electronic information on shipments of mail to U.S. Customs and Border Protection and for other purposes.

S. 378

At the request of Mr. BARRASSO, the names of the Senator from Arizona (Mr. MCCAIN) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 378, a bill to amend titles 5 and 28, United States Code, to require

the maintenance of databases on awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes.

S. 382

At the request of Mr. MENENDEZ, the names of the Senator from Delaware (Mr. COONS), the Senator from Indiana (Mr. DONNELLY) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 382, a bill to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters.

S. 384

At the request of Mr. BLUNT, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 384, a bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes.

S. 407

At the request of Mr. CRAPO, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 407, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 422

At the request of Mrs. GILLIBRAND, the names of the Senator from New Jersey (Mr. BOOKER), the Senator from Hawaii (Ms. HIRONO) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 422, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 438

At the request of Mr. BLUNT, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 438, a bill to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes.

S. 445

At the request of Ms. COLLINS, the names of the Senator from Iowa (Mrs. ERNST) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 445, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

At the request of Mr. CARDIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 445, *supra*.

S. 461

At the request of Mr. HEINRICH, the name of the Senator from Minnesota

(Ms. KLOBUCHAR) was added as a cosponsor of S. 461, a bill to allow Homeland Security Grant Program funds to be used to safeguard faith-based community centers across the United States, and for other purposes.

S. 464

At the request of Mr. MARKEY, the names of the Senator from Maine (Mr. KING) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 464, a bill to amend title XVIII of the Social Security Act to provide for a permanent Independence at Home medical practice program under the Medicare program.

S. 479

At the request of Mr. BROWN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 479, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 480

At the request of Mr. PORTMAN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 480, a bill to reauthorize the Multinational Species Conservation Funds Semipostal Stamp.

S. 493

At the request of Mr. RUBIO, the names of the Senator from Arizona (Mr. FLAKE), the Senator from Oklahoma (Mr. INHOFE), the Senator from North Carolina (Mr. TILLIS) and the Senator from Indiana (Mr. YOUNG) were added as cosponsors of S. 493, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 512

At the request of Mr. BARRASSO, the names of the Senator from Delaware (Mr. CARPER) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 512, a bill to modernize the regulation of nuclear energy.

S. 537

At the request of Mr. FRANKEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 537, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 540

At the request of Mr. THUNE, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 540, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 544

At the request of Mr. TESTER, the names of the Senator from Michigan (Mr. PETERS) and the Senator from

Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 544, a bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes.

S. 546

At the request of Mr. BARRASSO, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 546, a bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

S. 567

At the request of Ms. HEITKAMP, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 567, a bill to amend the Home Owners' Loan Act to allow Federal savings associations to elect to operate as national banks, and for other purposes.

S. 573

At the request of Mr. PETERS, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 573, a bill to establish the National Criminal Justice Commission.

S. 576

At the request of Mr. JOHNSON, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 576, a bill to amend title 5, United States Code, to extend certain protections against prohibited personnel practices, and for other purposes.

S. 582

At the request of Mr. JOHNSON, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 582, a bill to reauthorize the Office of Special Counsel, and for other purposes.

S. 591

At the request of Mrs. MURRAY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 591, a bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes.

S. 593

At the request of Mrs. CAPITO, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 593, a bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States.

S. 618

At the request of Mr. HATCH, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 618, a bill to amend chapter 44 of title 18, United States Code, to more comprehensively address the interstate

transportation of firearms or ammunition.

S. 625

At the request of Mrs. SHAHEEN, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 625, a bill to preserve the integrity of American elections by providing the Attorney General with the investigative tools to identify and prosecute foreign agents who seek to circumvent Federal registration requirements and unlawfully influence the political process.

S. 630

At the request of Mrs. SHAHEEN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 630, a bill to amend the Afghan Allies Protection Act of 2009 to make 2,500 visas available for the Afghan Special Immigrant Visa program, and for other purposes.

S. 635

At the request of Mrs. SHAHEEN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 635, a bill to amend title 28, United States Code, to prohibit the exclusion of individuals from service on a Federal jury on account of sexual orientation or gender identity.

S. 636

At the request of Mrs. MURRAY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 636, a bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families.

S. 657

At the request of Mr. WICKER, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 657, a bill to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans.

S. 659

At the request of Mr. RUBIO, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 659, a bill to impose sanctions with respect to the People's Republic of China in relation to activities in the South China Sea and the East China Sea, and for other purposes.

S.J. RES. 27

At the request of Mr. CASSIDY, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S.J. Res. 27, a joint resolution disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness".

S.J. RES. 34

At the request of Mr. FLAKE, the name of the Senator from South Da-

kota (Mr. ROUNDS) was added as a cosponsor of S.J. Res. 34, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Protecting the Privacy of Customers of Broadband and Other Telecommunications Services".

S. RES. 83

At the request of Mr. MARKEY, the names of the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. Res. 83, a resolution expressing the sense of the Senate regarding the trafficking of illicit fentanyl into the United States from Mexico and China.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KAINE (for himself and Mr. WARNER):

S. 691. A bill to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe; to the Committee on Indian Affairs.

Mr. KAINE. Mr. President. I am pleased to reintroduce the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2017. Indian Affairs previously voted our bill out of committee in the 113th Congress and by voice vote in the 114th Congress, and we remain hopeful that the full Senate will finally vote to recognize our Tribes in the 115th Congress.

This month marks the 400th anniversary of the death of Pocahontas, the famous daughter of Chief Powhatan, whose tribes were among the first to make contact with English settlers in the 17th century. Today, as we introduce this bill, a delegation from the Commonwealth, including Chief Stephen Adkins of the Chickahominy, Chief Anne Richardson of the Rappahannock, and Chief Emeritus Ken Adams of the Upper Mattaponi, is in England to commemorate the anniversary, including a presentation and ceremony at St. George's Church, Gravesend to honor Pocahontas.

The ceremony reflects the sovereign recognition that the British Government grants to our Virginia tribes, which the United States has yet to acknowledge. This legislation is critically important because it strives toward reconciling an historic wrong for Virginia and the Nation. While the Virginia Tribes have received official recognition from the Commonwealth of Virginia, acknowledgement and officially-recognized status from the Federal Government has been considerably more difficult due to their systematic mistreatment over the past century.

More specifically, Virginia's Racial Integrity Act, a State law in effect from 1924 to 1967, stripped the identities of the Tribal members of Virginia's Indian Tribes. The act changed the racial identifications of those who lacked White ancestry to "colored" on birth certificates during that period. In addition, five of the six courthouses that held the vast majority of the Virginia Indian Tribal records were destroyed in the Civil War. Those records were crucial for documenting the history of the Tribes for recognition by the Bureau of Indian Affairs Office of Federal Acknowledgement.

Furthermore, Virginia Indians made peace too soon when they signed the Treaty of Middle Plantation with England in 1677. This predated the creation of the United States of America by just short of 100 years, and the Founding Fathers of the United States never recognized the treaty. Therefore, unlike tribes that received Federal recognition upon the signing of a treaty with the United States, the Virginia Tribes did not receive Federal recognition because they made peace with England prior to the founding of our Nation.

I am proud of Virginia's recognized Indian Tribes and their contributions to our Commonwealth. The Virginia Tribes are not only part of our history, but they remain ever present today. We go to school together, work together, and serve our Commonwealth and Nation together every day. These contributions should be acknowledged, and this Federal recognition for Virginia's Native peoples is long overdue.

Virginia's Indian Tribes contributed to the successful founding of our country and continue to help define our national identity. Their members have attended our schools, worked next to us, and served in every American war since the Revolution, all while maintaining a unique identity and culture. I am hopeful the Senate will act upon my legislation this year, to give these six Virginia Native American Tribes the Federal recognition that is long overdue.

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

S. 685. A bill to authorize the Dry-Redwater Regional Water Authority System and the Musselshell-Judith Rural Water System in the States of Montana and North Dakota, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. DAINES. Mr. President, water is a basic foundation of life. In Montana, we depend on a steady supply of water to drink, irrigate our crops, water our livestock, and provide energy through hydropower. Water is a precious resource, and there are still rural communities that face barriers to access and are in dire need of clean drinking water. The struggle for water continues to create health challenges for

Indian Country and nearby communities, in addition to making economic development more difficult.

There are approximately 35,000 Americans across 12 counties in both Montana and North Dakota whose existing public water supply systems are unable to provide them with water that meets the requirements of the Safe Drinking Water Act.

The Bureau of Reclamation plays a critical role in managing the storage and delivery of water in the Western United States. Some of the earliest water projects built by the Bureau were built in Montana. These projects provided critical infrastructure for Montana homesteaders and were of critical importance to the long-term growth of our State. They are still vital today.

That is why I am introducing the Clean Water for Rural Communities Act. This legislation would authorize the Bureau of Reclamation to provide Federal assistance for the planning, design, and construction of the Dry-Redwater Regional Water Authority System and the Musselshell-Judith Rural Water System in Montana and North Dakota. The Dry-Redwater and Musselshell-Judith rural water projects have spent 7 and 11 years, respectively, in deliberation with the Bureau, as well as \$4 million and \$3 million in State, local, and Federal funding. It is critical we provide the Bureau of Reclamation the necessary authorization to complete these projects and provide clean and reliable water to 35,000 Montanans and North Dakotans.

I thank Senator TESTER for being an original cosponsor of this bill. I ask my Senate colleagues to join us in support of this important legislation.

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

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

S. 685

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Clean Water for Rural Communities Act”.

SEC. 2. PURPOSE.

The purpose of this Act is to ensure a safe and adequate municipal, rural, and industrial water supply for the citizens of—

- (1) Dawson, Garfield, McCone, Prairie, Richland, Judith Basin, Wheatland, Golden Valley, Fergus, Yellowstone, and Musselshell Counties in the State of Montana; and
- (2) McKenzie County, North Dakota.

SEC. 3. DEFINITIONS.

In this Act:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Western Area Power Administration.

(2) **AUTHORITY.**—The term “Authority” means—

(A) in the case of the Dry-Redwater Regional Water Authority System—

(i) the Dry-Redwater Regional Water Authority, which is a publicly owned nonprofit

water authority formed in accordance with Mont. Code Ann. § 75-6-302 (2007); and

(ii) any nonprofit successor entity to the Authority described in clause (i); and

(B) in the case of the Musselshell-Judith Rural Water System—

(i) the Central Montana Regional Water Authority, which is a publicly owned nonprofit water authority formed in accordance with Mont. Code Ann. § 75-6-302 (2007); and

(ii) any nonprofit successor entity to the Authority described in clause (i).

(3) **DRY-REDWATER REGIONAL WATER AUTHORITY SYSTEM.**—The term “Dry-Redwater Regional Water Authority System” means the Dry-Redwater Regional Water Authority System authorized under section 4(a)(1) with a project service area that includes—

(A) Garfield and McCone Counties in the State;

(B) the area west of the Yellowstone River in Dawson and Richland Counties in the State;

(C) T. 15 N. (including the area north of the Township) in Prairie County in the State; and

(D) the portion of McKenzie County, North Dakota, that includes all land that is located west of the Yellowstone River in the State of North Dakota.

(4) **INTEGRATED SYSTEM.**—The term “integrated system” means the transmission system owned by the Western Area Power Administration Basin Electric Power District and the Heartland Consumers Power District.

(5) **MUSSELHELL-JUDITH RURAL WATER SYSTEM.**—The term “Musselshell-Judith Rural Water System” means the Musselshell-Judith Rural Water System authorized under section 4(a)(2) with a project service area that includes—

(A) Judith Basin, Wheatland, Golden Valley, and Musselshell Counties in the State;

(B) the portion of Yellowstone County in the State within 2 miles of State Highway 3 and within 4 miles of the county line between Golden Valley and Yellowstone Counties in the State, inclusive of the Town of Broadview, Montana; and

(C) the portion of Fergus County in the State within 2 miles of US Highway 87 and within 4 miles of the county line between Fergus and Judith Basin Counties in the State, inclusive of the Town of Moore, Montana.

(6) **NON-FEDERAL DISTRIBUTION SYSTEM.**—The term “non-Federal distribution system” means a non-Federal utility that provides electricity to the counties covered by the Dry-Redwater Regional Water Authority System.

(7) **PICK-SLOAN PROGRAM.**—The term “Pick-Sloan program” means the Pick-Sloan Missouri River Basin Program (authorized by section 9 of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 891, chapter 665)).

(8) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(9) **STATE.**—The term “State” means the State of Montana.

(10) **WATER SYSTEM.**—The term “Water System” means—

(A) the Dry-Redwater Regional Water Authority System; and

(B) the Musselshell-Judith Rural Water System.

SEC. 4. DRY-REDWATER REGIONAL WATER AUTHORITY SYSTEM AND MUSSELHELL-JUDITH RURAL WATER SYSTEM.

(a) **AUTHORIZATION.**—The Secretary may carry out—

(1) the project entitled the “Dry-Redwater Regional Water Authority System” in a manner that is substantially in accordance with the feasibility study entitled “Dry-Redwater Regional Water System Feasibility Study” (including revisions of the study), which received funding from the Bureau of Reclamation on September 1, 2010; and

(2) the project entitled the “Musselshell-Judith Rural Water System” in a manner that is substantially in accordance with the feasibility report entitled “Musselshell-Judith Rural Water System Feasibility Report” (including any and all revisions of the report).

(b) **COOPERATIVE AGREEMENT.**—The Secretary shall enter into a cooperative agreement with the Authority to provide Federal assistance for the planning, design, and construction of the Water Systems.

(c) **COST-SHARING REQUIREMENT.**—

(1) **FEDERAL SHARE.**—

(A) **IN GENERAL.**—The Federal share of the costs relating to the planning, design, and construction of the Water Systems shall not exceed—

(i) in the case of the Dry-Redwater Regional Water Authority System—

(I) 75 percent of the total cost of the Dry-Redwater Regional Water Authority System; or

(II) such other lesser amount as may be determined by the Secretary, acting through the Commissioner of Reclamation, in a feasibility report; or

(ii) in the case of the Musselshell-Judith Rural Water System, 75 percent of the total cost of the Musselshell-Judith Rural Water System.

(B) **LIMITATION.**—Amounts made available under subparagraph (A) shall not be returnable or reimbursable under the reclamation laws.

(2) **USE OF FEDERAL FUNDS.**—

(A) **GENERAL USES.**—Subject to subparagraphs (B) and (C), the Water Systems may use Federal funds made available to carry out this section for—

(i) facilities relating to—

(I) water pumping;

(II) water treatment; and

(III) water storage;

(ii) transmission pipelines;

(iii) pumping stations;

(iv) appurtenant buildings, maintenance equipment, and access roads;

(v) any interconnection facility that connects a pipeline of the Water System to a pipeline of a public water system;

(vi) electrical power transmission and distribution facilities required for the operation and maintenance of the Water System;

(vii) any other facility or service required for the development of a rural water distribution system, as determined by the Secretary; and

(viii) any property or property right required for the construction or operation of a facility described in this subsection.

(B) **ADDITIONAL USES.**—In addition to the uses described in subparagraph (A)—

(i) the Dry-Redwater Regional Water Authority System may use Federal funds made available to carry out this section for—

(I) facilities relating to water intake; and

(II) distribution, pumping, and storage facilities that—

(aa) serve the needs of citizens who use public water systems;

(bb) are in existence on the date of enactment of this Act; and

(cc) may be purchased, improved, and repaired in accordance with a cooperative

agreement entered into by the Secretary under subsection (b); and

(ii) the Musselshell-Judith Rural Water System may use Federal funds made available to carry out this section for—

- (I) facilities relating to—
 - (aa) water supply wells; and
 - (bb) distribution pipelines; and
- (II) control systems.

(C) LIMITATION.—Federal funds made available to carry out this section shall not be used for the operation, maintenance, or replacement of the Water Systems.

(D) TITLE.—Title to the Water Systems shall be held by the Authority.

SEC. 5. USE OF POWER FROM PICK-SLOAN PROGRAM BY THE DRY-REDWATER REGIONAL WATER AUTHORITY SYSTEM.

(a) FINDING.—Congress finds that—

(1) McCone and Garfield Counties in the State were designated as impact counties during the period in which the Fort Peck Dam was constructed; and

(2) as a result of the designation, the Counties referred to in paragraph (1) were to receive impact mitigation benefits in accordance with the Pick-Sloan program.

(b) AVAILABILITY OF POWER.—

(1) IN GENERAL.—Subject to paragraph (2), the Administrator shall make available to the Dry-Redwater Regional Water Authority System a quantity of power required, of up to 1½ megawatt capacity, to meet the pumping and incidental operation requirements of the Dry-Redwater Regional Water Authority System during the period beginning on May 1 and ending on October 31 of each year—

(A) from the water intake facilities; and

(B) through all pumping stations, water treatment facilities, reservoirs, storage tanks, and pipelines up to the point of delivery of water by the water supply system to all storage reservoirs and tanks and each entity that distributes water at retail to individual users.

(2) ELIGIBILITY.—The Dry-Redwater Regional Water Authority System shall be eligible to receive power under paragraph (1) if the Dry-Redwater Regional Water Authority System—

(A) operates on a not-for-profit basis; and

(B) is constructed pursuant to a cooperative agreement entered into by the Secretary under section 4(b).

(3) RATE.—The Administrator shall establish the cost of the power described in paragraph (1) at the firm power rate.

(4) ADDITIONAL POWER.—

(A) IN GENERAL.—If power, in addition to that made available to the Dry-Redwater Regional Water Authority System under paragraph (1), is necessary to meet the pumping requirements of the Dry-Redwater Regional Water Authority, the Administrator may purchase the necessary additional power at the best available rate.

(B) REIMBURSEMENT.—The cost of purchasing additional power shall be reimbursed to the Administrator by the Dry-Redwater Regional Water Authority.

(5) RESPONSIBILITY FOR POWER CHARGES.—The Dry-Redwater Regional Water Authority shall be responsible for the payment of the power charge described in paragraph (4) and non-Federal delivery costs described in paragraph (6).

(6) TRANSMISSION ARRANGEMENTS.—

(A) IN GENERAL.—The Dry-Redwater Regional Water Authority System shall be responsible for all non-Federal transmission and distribution system delivery and service arrangements.

(B) UPGRADES.—The Dry-Redwater Regional Water Authority System shall be re-

sponsible for funding any transmission upgrades, if required, to the integrated system necessary to deliver power to the Dry-Redwater Regional Water Authority System.

SEC. 6. WATER RIGHTS.

Nothing in this Act—

(1) preempts or affects any State water law; or

(2) affects any authority of a State, as in effect on the date of enactment of this Act, to manage water resources within that State.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—There are authorized to be appropriated such sums as are necessary to carry out the planning, design, and construction of the Water Systems, substantially in accordance with the cost estimate set forth in the applicable feasibility study or feasibility report described in section 4(a).

(b) COST INDEXING.—

(1) IN GENERAL.—The amount authorized to be appropriated under subsection (a) may be increased or decreased in accordance with ordinary fluctuations in development costs incurred after the applicable date specified in paragraph (2), as indicated by any available engineering cost indices applicable to construction activities that are similar to the construction of the Water Systems.

(2) APPLICABLE DATES.—The date referred to in paragraph (1) is—

(A) in the case of the Dry-Redwater Regional Water Authority System, January 1, 2008; and

(B) in the case of the Musselshell-Judith Rural Water Authority System, November 1, 2014.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 90—RECOGNIZING THE IMPORTANCE OF THE UNITED STATES-ISRAEL ECONOMIC RELATIONSHIP AND ENCOURAGING NEW AREAS OF COOPERATION

Mr. PERDUE (for himself, Mr. GARDNER, Mr. RUBIO, Ms. COLLINS, Mr. ISAKSON, Mr. CRUZ, Mr. COONS, Mr. Kaine, Mr. PETERS, and Mr. TESTER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 90

Whereas the deep bond between the United States and Israel is exemplified by its many facets, including the robust economic and commercial relationship;

Whereas, on April 22, 2015, the United States celebrated the 32nd anniversary of its free trade agreement with Israel, which was the first free trade agreement entered into by the United States;

Whereas the United States-Israel Free Trade Agreement established the United States-Israel Joint Committee to facilitate the agreement and collaborate on efforts to increase bilateral cooperation and investment;

Whereas, since the signing of this agreement, two-way trade has multiplied tenfold to over \$40,000,000,000 annually;

Whereas Israel is the third largest importer of United States goods in the Middle East and North Africa (MENA) region after Saudi Arabia and the United Arab Emirates, despite representing only 2 percent of the region's population;

Whereas nearly 40 percent (37 percent) of all investment in the United States from the MENA region comes from Israel;

Whereas Israel has more companies listed on the NASDAQ Stock Exchange than any other country except for the United States and China;

Whereas, in 1956, the United States-Israel Education Foundation was established to administer the Fulbright Program in Israel, and has facilitated the exchange of nearly 3,300 students between the United States and Israel since its inception;

Whereas, in 1972, the United States-Israel Binational Science Foundation (BSF) was established to promote scientific relations between the United States and Israel by supporting collaborative research projects in basic and applied scientific fields, and has generated investments of over \$480,000,000 to over 4,000 projects since its inception;

Whereas Binational Science Foundation grant recipients have included 45 Nobel Laureates, 19 winners of the Albert Lasker Medical Research Award, and 38 recipients of the Wolf Prize;

Whereas, in 1977, the United States-Israel Binational Industrial Research and Development Foundation (BIRD) was established to stimulate, promote, and support non-defense industrial research and development of mutual benefit to both countries in agriculture, communications, life sciences, electronics, electro-optics, energy, healthcare information technology, homeland security, software, water, and other technologies, and has provided over \$300,000,000 to over 700 joint projects since its inception;

Whereas recent successful BIRD projects include the ReWalk system that helps paraplegics walk, a medical teaching simulator for Laparoscopic Hysterectomies, and a new drug to treat chronic gout;

Whereas, in 1978, the United States-Israel Binational Agricultural Research and Development Fund was established as a competitive funding program for mutually beneficial, mission-oriented, strategic and applied research of agricultural problems conducted jointly by United States and Israeli scientists, and has provided over \$250,000,000 to over 1,000 projects since its inception;

Whereas an independent review of the United States-Israel Binational Agricultural Research and Development Fund (BARD) estimated that the dollar benefits of just 10 of its projects through 2010 came to \$440,000,000 in the United States and \$300,000,000 in Israel, far exceeding total investment in the program;

Whereas, in 1984, the United States and Israel began convening the Joint Economic Development Group (JEDG) to regularly discuss economic conditions and identify new opportunities for collaboration;

Whereas, in 1994, the United States-Israel Science and Technology Foundation (USISTF) was established to promote the advancement of science and technology for mutual economic benefit and has developed joint research and development programs that reach 12 States;

Whereas the United States-Israel Innovation Index (USI3), which was developed by USISTF to track and benchmark innovation relationships, ranks the United States-Israel innovation relationship as top-tier;

Whereas, in 2007, the United States-Israel Binational Industrial Research and Development Foundation (BIRD) Energy program was established to provide support for joint United States-Israel research and development of renewable energy and energy efficiency, and has provided \$18,000,000 to 20 joint projects since its founding;

Whereas, since 2011, the United States Department of Energy and the Israeli Ministry of National Infrastructures, Energy and Water Resources have led an annual United States-Israel Energy Meeting with participants across government agencies to facilitate bilateral cooperation in that sector;

Whereas, in 2012, Congress passed and President Barack Obama signed into law the United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112-150), which set United States policy to expand bilateral cooperation across the spectrum of civilian sectors, including high technology, agriculture, medicine, health, pharmaceuticals, and energy;

Whereas, in 2013, President Obama said in reference to Israel's contribution to the global economy, "That innovation is just as important to the relationship between the United States and Israel as our security cooperation.";

Whereas, in 2014, Secretary of the Treasury Jacob Lew said, "As one of the most technologically-advanced and innovative economies in the world, Israel is an important economic partner to the United States.";

Whereas, in 2014, Congress passed and President Obama signed into law the United States-Israel Strategic Partnership Act of 2014 (Public Law 113-296), which deepened cooperation on energy, water, agriculture, trade, and defense, and expressed the sense of Congress that Israel is a major strategic partner of the United States;

Whereas the 2015 Global Venture Capital Confidence Survey ranked the United States and Israel as the two countries with the highest levels of investor confidence in the world; and

Whereas economic cooperation between the United States and Israel has also thrived at the State and local levels through both formal agreements and bilateral organizations in over 30 States that have encouraged new forms of cooperation in fields such as water conservation, cybersecurity, and alternative energy and farming technologies: Now, therefore, be it

Resolved, That the Senate—

(1) affirms that the United States-Israel economic partnership has achieved great tangible and intangible benefits to both countries and is a foundational component of the strong alliance;

(2) recognizes that science and technology innovation present promising new frontiers for United States-Israel economic cooperation, particularly in light of widespread drought, cybersecurity attacks, and other major challenges impacting the United States;

(3) encourages the President to regularize and expand existing forums of economic dialogue with Israel and foster both public and private sector participation; and

(4) expresses support for the President to explore new agreements with Israel, including in the fields of energy, water, agriculture, medicine, neurotechnology, and cybersecurity.

SENATE RESOLUTION 91—SUPPORTING THE GOALS AND IDEALS OF NATIONAL PROFESSIONAL SOCIAL WORK MONTH IN MARCH 2017 AND WORLD SOCIAL WORK DAY ON MARCH 21, 2017

Ms. STABENOW submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 91

Whereas the primary mission of the social work profession is to enhance the well-being and help meet the basic needs of all individuals, especially the most vulnerable individuals in society;

Whereas social work pioneers have helped—

(1) lead the struggle for social justice in the United States; and

(2) pave the way for positive social change for millions of people of the United States each day;

Whereas social workers work in all areas of United States society to improve happiness, health, and prosperity, including in government, schools, institutions of higher education, social service agencies, communities, the military, and mental health and health care facilities;

Whereas social workers—

(1) are key employees at the Federal, State, and local levels of government; and

(2) work to expand policies and practices that promote equity and social justice for all individuals;

Whereas, as of March 2017, there are almost 650,000 social workers in the United States, and social work is 1 of the fastest-growing careers in the United States;

Whereas social workers help individuals, organizations, communities, and the larger society tackle and solve the issues that confront the individuals, communities, and larger society;

Whereas each day social workers embody the themes of—

(A) National Professional Social Work Month in March 2017, which is "Social Workers Stand Up!"; and

(B) World Social Work Day on March 21, 2017, which is "Promoting Community and Environmental Stability";

Whereas social workers have pushed for decades to ensure equal rights for all individuals, including women, African Americans, Latinos, individuals who are disabled, individuals who are LGBTQ, and individuals of various ethnic, cultural, and religious groups;

Whereas social workers have worked to reduce racial discord by advocating for—

(1) legislation, including—

(A) the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);

(B) each reauthorization of the Voting Rights Act of 1965 (42 U.S.C. 1971 note; Public Law 89-110);

(C) the Civil Rights Act of 1964 (42 U.S.C. 2000a et seq.);

(D) the Violence Against Women Act of 1994 (42 U.S.C. 13925 et seq.); and

(E) the Patient Protection and Affordable Care Act (Public Law 111-148; 124 Stat. 119); and

(2) policies relating to—

(A) benefits under the Social Security Act (42 U.S.C. 301 et seq.);

(B) unemployment insurance; and

(C) workplace safety;

Whereas social workers are the largest group of mental health care providers in the United States, and social workers work each day to help individuals overcome substance use disorders and mental illnesses, such as depression and anxiety;

Whereas the Department of Veterans Affairs employs more than 12,000 professional social workers, and social workers help to bolster the security of the United States by providing support to active duty military personnel, veterans, and the families of active duty military personnel and veterans;

Whereas thousands of child, family, and school social workers across the United States provide assistance to protect children and improve the social and psychological functioning of children and their families;

Whereas social workers help children find loving homes and create new families through adoption;

Whereas social workers in schools work with families and schools to foster future generations by ensuring that each student reaches the full academic and personal potential of the student;

Whereas social workers work with older adults and the families of older adults—

(1) to improve quality of life and the ability to live independently as long as possible; and

(2) to have access to quality health care and mental health care; and

Whereas social workers help the United States and other nations overcome earthquakes, floods, wars, and other disasters by helping survivors receive services, including food, shelter, health care, and mental health care to address stress and anxiety: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of —

(A) National Professional Social Work Month in March 2017; and

(B) World Social Work Day on March 21, 2017;

(2) acknowledges the diligent efforts of each individual and group that promotes the importance of social work and observes National Professional Social Work Month and World Social Work Day;

(3) encourages the people of the United States to engage in appropriate ceremonies and activities to promote further awareness of the life-changing role that social workers play; and

(4) recognizes with gratitude the contributions of the millions of caring individuals that have chosen to serve the community through social work.

SENATE CONCURRENT RESOLUTION 10—EXPRESSING THE SENSE OF CONGRESS THAT THE SECRETARY OF THE NAVY SHOULD NAME THE NEXT NUCLEAR POWERED SUBMARINE OF THE UNITED STATES NAVY THE "USS LOS ALAMOS"

Mr. HEINRICH (for himself and Mr. UDALL) submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

S. CON. RES. 10

Whereas the people of Los Alamos and the Navy have a 74-year relationship that continues from the Manhattan Project through the creation of a nuclear Navy and into the current ocean-borne leg of the strategic nuclear triad of the United States;

Whereas the contributions of the people of Los Alamos and surrounding communities allowed the Navy to keep its offensive edge from World War II, through the Cold War, continuing to the emerging conflicts as of the date of adoption of this resolution;

Whereas Captain "Deke" Parsons was one of the first residents of Los Alamos and, along with Laureate Ramsey, oversaw the safe delivery, assembly and loading of the nuclear bomb that led to the surrender of Japan in World War II;

Whereas the people of Los Alamos and surrounding communities played a critical role

in designing the nuclear portion of the first nuclear weapon to enter the arsenal of the Navy, known as the Regulus, along with atomic depth bombs, torpedoes, rockets, and even next generation weapon systems like the B61-12 precision-guided nuclear bomb;

Whereas the people of Los Alamos designed the warheads that armed the first generation Trident submarine-launched ballistic missiles of the Navy and the follow-on Trident II missile warheads used by the Navy;

Whereas the research into nuclear energy conducted by Los Alamos during World War II advanced the technical basis for the development of the nuclear propulsion systems of the Navy used aboard Los Angeles, Seawolf, Ohio, and Virginia Class submarines along with multiple naval aircraft carriers today;

Whereas the people of Los Alamos and Los Alamos National Laboratory host United States Naval Academy midshipmen every year to provide hands-on scientific and engineering experience working to solve real world challenges in national security, thereby directly contributing to the development of future Navy leadership;

Whereas the people of Los Alamos carry the solemn responsibility to assess the sea-based nuclear deterrent carried aboard Navy fleet ballistic missile submarines;

Whereas naming a submarine Los Alamos will recognize and continue to forge the longstanding relationship between the Navy and Los Alamos;

Whereas the year 2018 will mark the 75th anniversary of Los Alamos National Laboratory; and

Whereas the distinctive service and contributions from the people of Los Alamos to the Navy merits naming a vessel that embodies the heritage, service, fidelity, and achievements of the residents of Los Alamos and surrounding communities in partnership with the United States Navy; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the Secretary of the Navy should name the next nuclear powered submarine of the United States Navy as the "USS Los Alamos".

AMENDMENTS SUBMITTED AND PROPOSED

SA 192. Mr. SULLIVAN (for Mr. BLUNT) proposed an amendment to the bill H.R. 244, to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes.

TEXT OF AMENDMENTS

SA 192. Mr. SULLIVAN (for Mr. BLUNT) proposed an amendment to the bill H.R. 244, to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes; as follows:

On page 9, strike lines 11 through 18.

On page 9, line 19, strike "(b) UNLAWFUL DISPLAY PROHIBITED.—".

On page 12, lines 18 through 19, strike " , as defined in such section".

AUTHORITY FOR COMMITTEES TO MEET

Mr. MORAN. Mr. President, I have 7 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

ARMED SERVICES COMMITTEE

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, March 21, 2017, at 9:30 a.m., to receive testimony on U.S. Policy and Strategy in Europe.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate, on March 21, 2017, at 9:30 a.m., to continue a hearing entitled "The Nomination of the Honorable Neil M. Gorsuch".

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Senate Committee on Energy and Natural Resources is authorized to meet during the session of the Senate in order to hold a hearing on Tuesday, March 21, 2017, beginning at 10 a.m.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, March 21, 2017, at 10 a.m.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Tuesday, March 21, 2017.

SELECT COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Tuesday, March 21, 2017 from 2:30 p.m.

SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT SAFETY, INSURANCE, AND DATA SECURITY

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Tuesday, March 21, 2017, at 2:30 p.m.

The Committee will hold Subcommittee Hearing on "Staying a Step Ahead: Fighting Back Against scams Used to Defraud Americans."

PRIVILEGES OF THE FLOOR

Mr. BOOKER. Mr. President, I ask unanimous consent that floor privileges be granted to the following member of my staff, Ariana Spawn.

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

PROVIDING FOR THE APPOINTMENT OF MEMBERS OF THE BOARD OF DIRECTORS OF THE OFFICE OF COMPLIANCE

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1228, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1228) to provide for the appointment of members of the Board of Directors of the Office of Compliance to replace members whose terms expire during 2017, and for other purposes.

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

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 1228) was ordered to a third reading, was read the third time, and passed.

HIRE VETS ACT

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Health, Education, Labor, and Pensions Committee be discharged from further consideration of H.R. 244 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 244) to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes.

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

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Blunt amendment at the desk be agreed to; the bill, as amended, be considered read a third time and passed; and the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 192) was agreed to, as follows:

(Purpose: To improve the HIRE Vets Medallion Program)

On page 9, strike lines 11 through 18.

On page 9, line 19, strike "(b) UNLAWFUL DISPLAY PROHIBITED.—".

On page 12, lines 18 through 19, strike " , as defined in such section".

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

The bill was read the third time.

The bill (H.R. 244), as amended, was passed.

RECOGNIZING THE 196TH ANNIVERSARY OF THE INDEPENDENCE OF GREECE

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Res. 81 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 81) recognizing the 196th anniversary of the independence of Greece and celebrating democracy in Greece and the United States.

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

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

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

The resolution (S. Res. 81) was agreed to.

The preamble was agreed to.
(The resolution, with its preamble, is printed in the RECORD of March 6, 2017, under "Submitted Resolutions.")

MEASURE READ THE FIRST TIME—H.R. 1181

Mr. SULLIVAN. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1181) to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes.

Mr. SULLIVAN. Mr. President, I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the title of the bill will be read for the second time on the next legislative day.

ORDERS FOR WEDNESDAY, MARCH 22, 2017

Mr. SULLIVAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10:30 a.m., Wednesday, March 22; further, that following the

prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed.

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

ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

Mr. SULLIVAN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:05 p.m., adjourned until Wednesday, March 22, 2017, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

HEATHER WILSON, OF SOUTH DAKOTA, TO BE SECRETARY OF THE AIR FORCE, VICE DEBORAH LEE JAMES.

DEPARTMENT OF TRANSPORTATION

JEFFREY A. ROSEN, OF VIRGINIA, TO BE DEPUTY SECRETARY OF TRANSPORTATION, VICE VICTOR M. MENDEZ.

DEPARTMENT OF THE TREASURY

DAVID MALPASS, OF NEW YORK, TO BE AN UNDER SECRETARY OF THE TREASURY, VICE D. NATHAN SHEETS.

CENTRAL INTELLIGENCE AGENCY

COURTNEY ELWOOD, OF VIRGINIA, TO BE GENERAL COUNSEL OF THE CENTRAL INTELLIGENCE AGENCY, VICE CAROLINE DIANE KRASS, RESIGNED.

THE JUDICIARY

AMUL R. THAPAR, OF KENTUCKY, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SIXTH CIRCUIT, VICE BOYCE F. MARTIN JR., RETIRED.

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) RICHARD A. BROWN
REAR ADM. (LH) JAMES S. BYNUM
REAR ADM. (LH) DARYL L. CAUDLE
REAR ADM. (LH) RICHARD A. CORRELL
REAR ADM. (LH) RANDY B. CRITES
REAR ADM. (LH) DANIEL H. FILLION
REAR ADM. (LH) COLLIN P. GREEN
REAR ADM. (LH) MARY M. JACKSON
REAR ADM. (LH) JAMES W. KILBY
REAR ADM. (LH) JAMES J. MALLOY
REAR ADM. (LH) JOHN W. TAMMEN, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. WILLIAM C. GREENE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. WILLIAM S. DILLON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. JOHN A. OKON
CAPT. MICHAEL W. STUDEMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. KEVIN M. JONES
CAPT. THOMAS J. MOREAU

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. EDWARD L. ANDERSON
CAPT. STUART P. BAKER
CAPT. MICHAEL D. BERNACCHI, JR.
CAPT. FRANK M. BRADLEY
CAPT. DANIEL L. CHEEVER
CAPT. YVETTE M. DAVIDS
CAPT. BRIAN P. FORT
CAPT. PETER A. GARVIN
CAPT. WILLIAM J. HOUSTON
CAPT. SARA A. JOYNER
CAPT. FREDERICK W. KACHER
CAPT. TIMOTHY C. KUEHHAS
CAPT. CARL A. LAHTI
CAPT. ANDREW J. LOISELLE
CAPT. DOUGLAS G. PERRY
CAPT. FRED I. PYLE
CAPT. ERIK M. ROSS
CAPT. PAUL J. SCHLISE
CAPT. PETER G. VASELY
CAPT. JAMES P. WATERS III

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. DAVID G. BELLON
BRIG. GEN. PATRICK J. HERMESMANN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. EDWARD D. BANTA
BRIG. GEN. ROBERT F. CANTALLVI
BRIG. GEN. MATTHEW G. GLAVY
BRIG. GEN. MICHAEL S. GROEN
BRIG. GEN. KEVIN M. IAMS
BRIG. GEN. WILLIAM F. MULLEN III
BRIG. GEN. GREGG P. OLSON
BRIG. GEN. ERIC M. SMITH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. MICHAEL S. MARTIN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. JAMES H. ADAMS III
COL. ERIC E. AUSTIN
COL. JAY M. BARGERON
COL. MICHAEL J. BORGSCHULTE
COL. WILLIAM J. BOWERS
COL. DIMITRI HENRY
COL. KEITH D. REVENTLOW
COL. ROBERTA L. SHEA
COL. BENJAMIN T. WATSON
COL. CHRISTIAN F. WORTMAN

FOREIGN SERVICE

THE FOLLOWING NAMED CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

ALEXANDER DICKIE IV, OF TEXAS

CONFIRMATIONS

Executive nominations confirmed by the Senate March 21, 2017:

UNITED STATES SENTENCING COMMISSION

CHARLES R. BREYER, OF CALIFORNIA, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION FOR A TERM EXPIRING OCTOBER 31, 2021.

DANNY C. REEVES, OF KENTUCKY, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION FOR A TERM EXPIRING OCTOBER 31, 2019.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on March 21, 2017 withdrawing from further Senate consideration the following nomination:

VINCENT VIOLA, OF NEW YORK, TO BE SECRETARY OF THE ARMY, VICE ERIC KENNETH FANNING, WHICH WAS SENT TO THE SENATE ON JANUARY 20, 2017.

HOUSE OF REPRESENTATIVES—Tuesday, March 21, 2017

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,

March 21, 2017.

I hereby appoint the Honorable EVAN H. JENKINS to act as Speaker pro tempore on this day.

PAUL D. RYAN,

Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

RELEASE SANDY PHAN-GILLIS

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

Mr. POE of Texas. Mr. Speaker, China is illegally imprisoning an American citizen, Mrs. Sandy Phan-Gillis. March 19 marked the 2-year anniversary since Sandy illegally was incarcerated by the Chinese Government.

Sandy is from Houston, Texas. She has lived there for almost 40 years. She worked tirelessly to improve U.S. relations with China. She believed that closer engagement would improve the lives of both Americans and the Chinese.

As a member of the Houston Mayor's International Trade and Development Council, Sandy traveled to China in March 2015 with Houston Mayor Pro Tem Ed Gonzalez. Their purpose was to help a trade mission to promote business between Houston, Texas, and China.

It was on this trip when Sandy was unlawfully arrested by China's State Security. The Chinese accused her of being a spy for the FBI. She was thrown into solitary confinement and subjected to torture and relentless questioning.

Mr. Speaker, there are worldwide horror stories about Chinese prisons. Sandy was hospitalized twice because of the treatment by China's spy agency while she was incarcerated in China.

Sandy suffers from several serious medical conditions. The Chinese threatened to take away her access to medicine, basically threatening to kill her, unless she confessed to being a spy. She even suffered a fear-induced heart attack because of their brutality while she was in custody.

Sandy's false imprisonment is a travesty and a farce.

Here is a photograph of Sandy before she was imprisoned in China.

Her lawyers and her family have never received a copy of the warrants for her detention or her arrest. It took the Chinese over a year while she was in jail before they even charged her with a crime. She was not allowed to speak to a lawyer for over a year.

According to the Chinese Government, Sandy was spying for the FBI back in the nineties—that was over 25 years ago—but the Chinese Government has not been able to provide a scintilla of evidence to back up their outlandish false claims.

The FBI has stated Sandy never, ever has worked for them, and her passport shows that she never traveled to China in the timeframe the Communist State Security accuses her of going on spy missions in China. In fact, there is documentation proving Sandy was working in Houston, Texas, at the time.

Mr. Speaker, I am a former judge, and I have looked at the evidence in this case. There is no evidence, and she should be released. The Chinese allegations are a total illusion on the part of the Communist government.

Sandy has been denied the basic rights she is entitled to, even under Chinese law and international law. The United Nations has reviewed Sandy's case and determined that she had been arbitrarily arrested and that her rights have been violated. After 2 years in jail, she has not had the chance to have an appearance before a judge.

Sandy spent her entire life trying to improve China's trade relations with the United States, and for her efforts, she was put in jail by the Communist Chinese.

If Sandy isn't safe in China, then no American is. On any given trip, an American citizen like Sandy can be snatched by the Communists and put in jail just on a whim.

Supposedly, the State Department has raised Sandy's case with their Chi-

nese counterparts over 20 times, but more pressure needs to be applied. We know that China is a gross human rights violator. They persecute minorities in their country.

China cannot be allowed to illegally detain and torture an American citizen and face no consequences for their unlawful acts. Hopefully, Secretary Tillerson will make freeing Sandy a top priority for this administration.

The last time Sandy's husband, Jeff, whom I have met with, was able to speak with her was way back in September of 2015. Sandy has already missed out on 2 years of her life with her loving husband and her daughter.

It is time to let Sandy go. She is not guilty of any crime. The only crime being committed is by the Chinese Government for their false imprisonment of an American citizen.

And that is just the way it is.

REPUBLICANS PUSH THROUGH THE AMERICAN HEALTH CARE ACT

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

Mr. HOYER. Mr. Speaker, this week we will consider the most important bill that this House will consider in this Congress.

Every day we are hearing from more and more Republican Members of this House and of the Senate who oppose—who oppose—who oppose—the dangerous healthcare bill on the floor this week.

Just yesterday, conservative Republican Representative JUSTIN AMASH tweeted the following—a very conservative Republican from the mid-part of our country said this: “While I’ve been in Congress, I can’t recall a more universally detested piece of legislation than this GOP healthcare bill.” Or health no care bill.

This is just the most recent in a long list of statements by Republicans on the demerits—demerits—of the bill to repeal the Affordable Care Act.

It is interesting that they have named it the American Health Care Act. The only thing they struck from our title was “affordable.” It should tell you something about the bill. They replace it with a system that requires Americans to pay more and get less.

This bill has been rushed through the committees without a single public hearing—not one, no testimony or expert view. And when the committees marked it up, it did not have what we call a CBO score.

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

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

That is simply Washington-speak for the agency that is nonpartisan, bipartisan, with the Director appointed by the Republicans to give us the advice of the consequences of the enactment of such legislation.

They came back and told us that there would be 24 million less Americans insured by 2026. That would total 58 million uninsured Americans as a result of this bill just 9 years from now.

Republicans are rushing it to the floor for two reasons. First, they know that if the American people see what this bill would do and what it would cost, it wouldn't pass.

As a matter of fact, we have some information on that already because, at town meeting after town meeting after town meeting that Republicans have held and Democrats have held on this bill, the overwhelming number of people that came to those town meetings said: This is a bad bill. It will hurt us. It will hurt our health care. It will hurt our families. It will hurt our children.

We are rushing this bill that was introduced just some 2½ weeks ago. It was introduced on a Monday night, late at night. It was marked up less than 36 hours later in both committees. And they were so intent on getting it marked up and speeding it along that they held a hearing for 26 hours straight. Excuse me. It was not a hearing. No witnesses. They just held a markup for 26 hours straight.

Now, I am sure, Mr. Speaker, that millions of Americans were awake at 4 a.m. in the morning to see what the committee was doing. Obviously, I am not sure of that at all. Perhaps that was the strategy.

Now that the CBO score which I just related to you has been released, we know the harm that this bill will bring. As I said, 24 million Americans kicked off their insurance, including 7 million Americans who are currently covered under plans provided by their employers, premiums for individual policyholders rising 24 to 29 percent.

This is not my view. This is the Congressional Budget Office, whose Director was appointed by this Republican Congress. His predecessor, Dr. Elmenhorst, testified in a hearing that we held, because Republicans refused to hold a hearing on this bill, and he agreed with the Republican-appointed Director and Congressional Budget Office.

So you have a bipartisan agreement that this bill will harm Americans—and not just those 24 million Americans. It will harm all Americans because their premiums and copays and deductibles will go up. States will be forced to drop 14 million Americans from Medicaid—and I understand there is a manager's amendment that is going to make it worse—while cutting benefits and provider payments.

A less fiscally sustainable future for Medicare, they shorten the life of

Medicare's fiscal sustainability by 3 years, from 2028 down to 2025.

The list goes on, Mr. Speaker, of the reasons why this bill would be a disaster for families in our country.

The second reason they pushed the bill through so quickly is because they wanted to bring it to the floor this week—not next week, not the week after, not after thorough consideration, not after hearings, not after listening to the American people, but this week.

Why this week? Because this week marks the seventh anniversary of the enactment of the law they are seeking to repeal, in other words, optics, spin, propaganda, message. That is what their timeline and their bill are all about: messaging—not results, not reform, political messaging.

This is the fulfillment of a campaign pledge based on a premise that is no longer sustainable. Seven years after the law's enactment the facts are clear. It has expanded coverage, improved benefits, banned discrimination against women and people with pre-existing conditions and disabilities, and prohibited annual and lifetime limits on coverage.

Now, they keep some of those things in their bill because they were so popular they thought they couldn't get rid of them. But they have voted 65 times to repeal all those benefits.

Is the Affordable Care Act perfect? Of course not. In the areas where it has fallen short, let's fix it—together.

But this bill—this bill repealing the law and making Americans pay more for less—will throw our healthcare system into turmoil and put millions of families and small businesses at risk. That is why doctors oppose it. That is why hospitals oppose it. That is why senior organizations like AARP oppose it. There are literally 1,000 organizations, plus, that have opposed this legislation.

We are now hearing reports, Mr. Speaker, that Republican leaders are making secret backroom deals with individual Members in order to win their support, the kind of desperate maneuvering that shows how unpopular this bill is.

Republicans, Mr. Speaker, must remember that, as the governing majority, they will be responsible for what happens to our healthcare system under their watch. And I do not just mean this bill. I mean the lack of certainty and the turmoil that they have been creating for the Affordable Care Act market since not only Trump was elected, but since they started attacking this bill some years ago.

Mr. Speaker, I urge my Republican friends, for the sake of their constituents, for the sake of the children of this country, for the sake of those who are at risk because of health challenges that confront them, I urge my Republican friends to abandon this dangerous bill and instead work with us to

strengthen our healthcare system for all of our citizens.

□ 1015

CONGRATULATING ROTARY CLUB OF MIAMI

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

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to congratulate the Rotary Club of Miami on its 100th anniversary, which will be celebrated through the Century of Service Gala this Saturday, March 25.

The Rotary Club of Miami is the fifth oldest rotary club in Florida, and has been working around-the-clock to make positive and long-lasting contributions to our beautiful south Florida community. Through community service projects and philanthropy, this organization has helped establish several institutions that aim to assist some of the most vulnerable members of our society, including the Miami Lighthouse for the Blind, the YMCA of Greater Miami, and Boys Town of Florida.

Since its inception, the Rotary Club of Miami has been headed by extraordinary individuals with a vision to make south Florida an even better place in which to live. Its first president was Dr. James Jackson, who was instrumental in establishing Jackson Memorial Hospital, which is now the third largest public hospital and the third largest teaching hospital in our great country.

Another Miami staple of the Rotary Club of Miami is the Bascom Palmer Eye Institute, which was established by one of the club members, and is ranked the number one eye hospital in the United States.

The Rotary Club of Miami also helped found one of the largest burn centers in the south, the Bone and Tissue Bank at the University of Miami. And the Rotary Club of Miami has also supported education by providing scholarship opportunities for high school, college, and postgraduate students.

Mr. Speaker, I am honored to recognize the Rotary Club of Miami for its impressive legacy. I thank everyone who is involved in this club supporting this wonderful organization. And I wish the members of the Rotary Club of Miami much continued success in the decades to come.

TRIBUTE TO CONGRESSMAN ROBERT GARCIA

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to pay tribute to a former Member of the House, Robert Garcia, or, as we used to call him, Bobby, who passed away nearly 2 months ago.

I had the opportunity to serve with Bobby for only a few months before his retirement, but during that short time,

I was able to see firsthand his commitment to our great Nation.

Bobby was a patriot. After graduating from high school, Bobby joined the Army and went on to serve as part of the Third Infantry Division in the Korean war, where he earned two Bronze Stars.

As the first Hispanic woman elected to Congress, I have been invigorated by Bobby's unwavering passion to fight for better opportunities for our Hispanic community. He was a founding member of the Congressional Hispanic Caucus Institute and NALEO, the National Association of Latino Elected and Appointed Officials, to ensure that more Hispanics become involved in our political arena.

Bobby was also instrumental in guaranteeing that Hispanics were counted in the U.S. Census. One of Bobby's legacies, Mr. Speaker, was the creation of free enterprise zones designed to spur job creation and economic opportunities in inner city neighborhoods. Bobby also led the effort to establish the Martin Luther King national holiday.

The loss of Bobby's experience and knowledge is felt in New York, in Puerto Rico, and all across our country by everyone who benefited from his contributions. Bobby Garcia's memory will stand as a great example of a tenacious public servant and a remarkable life lived.

REPUBLICAN ATTACK ON MEDICAID

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

Mr. BLUMENAUER. Mr. Speaker, one of the most disturbing aspects of the Republican attack on the Affordable Care Act and the success we have had in extending care to Americans has been the specific attack on Medicaid. Fourteen million of the 24 million people who will lose coverage under the Republican bill are under the Medicaid program. Medicaid is critical to the provision of health care in the United States. Medicaid covers more people than Medicare.

Medicaid expansion has been transformational in the 31 States that took advantage of the provision in the Affordable Care Act to provide coverage to people who make up to 138 percent of poverty—roughly \$16,600 for a single individual and almost \$34,000 for a family of four.

Until then, Medicaid has provided extension of care to the elderly, to the poor, and to the disabled. It was helpful, but very restrictive. In some cases, people who earned a modest sum—\$7,000, \$10,000, \$12,000—were ineligible, especially in those 19 States that refused to take advantage of the opportunity to expand the Medicaid coverage at Federal expense.

Mr. Speaker, this is America. So even though these poor, disabled people did not have access to Medicaid, many of them did ultimately secure health care. But they got it too late. They got it in the emergency room. They didn't get it in a clinic in a timely fashion. And, of course, the cost for that charity care in emergency rooms or in clinics was borne by the rest of us in increased costs for our insurance.

The Republican draconian provisions, even before they put into effect an absolutely unnecessary and unenforceable work requirement, will be devastating to millions. Bear in mind, these people now are receiving care in an appropriate clinic session. They will be getting it now when it is too late, and that burden shifted on to the rest of us.

There will be a tax credit that doesn't help people who don't have enough money to buy meaningful coverage in the private market. Under the Republican plan, coverage will become worse, deductibles and copays will become higher, and we risk destabilizing the insurance market for the rest of us.

Now, we have heard on the floor, in committee, and on the news shows our Republican friends and the President talking about the Affordable Care Act is in a death spiral and that the insurance industry is collapsing. Hardly.

There was a fascinating article in the weekend New York Times that looked at the insurance industry. Since March of 2010, with the passage of the Affordable Care Act, the overall stock market has more than doubled. It has increased 136 percent. But the managed care health organizations have increased their stock value almost 300 percent. The largest, UnitedHealth, 480 percent.

A signal of an industry in a death spiral?

Absolutely not. The companies are healthy and investors are bidding up their stock. The CBO report that our Republican friends did not want us to have before we voted on the bill in committee in the middle of the night testifies to this underlying stability of the insurance market and the Affordable Care Act.

Medicaid under the Republican plan will be shifted back increasingly to the States, which have repeatedly proven that they are incapable of maintaining high eligibility funding to help the poor and the near poor. And when budget crunches hit, it is the poor who suffer most with restrictions in their coverage.

We have also heard that the Republican plan will provide much-needed flexibility. That is nonsense. There is already ample flexibility under the Affordable Care Act. I represent Oregon. We were able to negotiate an agreement with the Federal Government under the 1115 waiver program that other States have that represented a

unique partnership with the Federal Government to achieve better care, better results, and restrain Medicare costs. We have got the flexibility. There is no need to destroy the program.

OBAMACARE IS FAILING HOOSIERS

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

Mr. MESSER. Mr. Speaker, I appreciate the opportunity to come here to the floor and talk about what is really happening under the Affordable Care Act, better known by the American people as ObamaCare.

I just left a meeting with the President of the United States where he lobbied my colleagues to make clear to the American people what a disaster this law has been and why the law needs to be repealed and replaced with something far better.

Mr. Speaker, there is no doubt that ObamaCare is failing Hoosiers. Healthcare costs continue to rise, and people have less coverage and less choice today than ever before. No doubt, some have benefited from the law, but millions more Hoosiers have been hurt by the law and are worse off today than they were before this law was passed.

I have heard from countless Hoosiers in the Sixth District of Indiana, who are hurting under ObamaCare and who have sent me here to repeal this disastrous law.

There is one message from a constituent from Greenfield who said: "I am a perfectly healthy human being, and I used to pay \$230 a month with a \$500 deductible for my health care. Since ObamaCare, my premiums have risen to over \$1,480 a month with a \$10,000 deductible."

Or a dad in Shelbyville, who lost the healthcare plan he liked when ObamaCare took effect, and whose prescription costs for his daughter have now doubled and tripled under ObamaCare.

Or the owner of a small telecom company in southern rural Indiana, who tells me that he and his employees have faced higher health insurance rates every year since ObamaCare with out-of-pocket costs increasing as well, not to mention the endless paperwork and red tape. He says: "ObamaCare has been an absolute disaster for small businesses and our employees."

I heard from a cancer survivor from Vevay, whose plan went from \$199 a month to over \$800 a month, and who couldn't keep her plan or her doctor. She says: "I am a cancer survivor, and the old policy has taken me through three surgeries and worked well for me. Now we're paying over \$1,300 a month with a \$5,000 deductible, and the policy paid nothing the entire year. Then, we received a notice that, in 2017, the premium would raise again."

Or the family physician from Muncie, who told me his patients have “more limited options, longer wait times for approval of vital procedures and medications, and—through the confusing nature of the health insurance marketplace—have ended up with plans they didn’t understand and couldn’t afford.”

Or the hardworking mom and wife in Shelbyville, whose husband lost hours at work because of ObamaCare’s full-time employee mandates, and whose own health insurance increased in cost with less coverage. She says: “We work hard for our benefits, and now the benefits are terrible. I am paying more for worse coverage, and we lost income. It was a double whammy.”

These Hoosiers and so many others are being crushed by ObamaCare and its burdensome taxes, mandates, and fees. We can do better for Hoosiers, and this week we will. We will start the process of repealing ObamaCare and replacing it with something better.

This week, Congress will vote on the American Health Care Act, the first phase of our plan to repeal and replace ObamaCare. This is a transformational change that will do away with ObamaCare’s costly mandates, provide much-needed relief to Hoosiers, and create a healthcare system that actually lowers costs and increases choice. We are going to keep our promise, come together, and get this done.

□ 1030

ENDING FEDERAL MARIJUANA PROHIBITION ACT

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

Ms. GABBARD. Mr. Speaker, I am rising today to urge my colleagues to support H.R. 1227, the Ending Federal Marijuana Prohibition Act, which I have introduced with my Republican colleague, a fellow Army veteran and former prosecutor from the State of Virginia, Congressman TOM GARRETT, where we are seeking to address our outdated and widely problematic marijuana laws by federally decriminalizing marijuana.

FBI reports have shown that, in 2011 alone, an individual in the United States was arrested for marijuana use, sale, or possession every 42 seconds—every 42 seconds—mostly in poor and minority communities. Our current laws are turning everyday Americans into criminals, sending them to jail, ruining their lives, tearing apart families, and wasting huge amounts of taxpayer dollars to arrest, prosecute, and incarcerate people for marijuana use, a drug that has been proven time and time again to be far less dangerous than alcohol both for individual consumers as well as for the people around them.

Dr. Donald Abrams, who is chief of oncology at San Francisco General

Hospital, has talked about how, in the 37 years that he has worked and served as a physician, the number of patients that he has admitted to his hospital with marijuana complications is zero. The number of patients that he has admitted due to alcohol use is “profound.”

So, rather than actually helping people, our current laws are turning them into criminals, forever impacting their future and the future of their families. Over the years, we have spent hundreds of billions of dollars locking people up for nonviolent marijuana offenses, creating strain within our criminal justice system, and clogging court calendars, resulting in further overcrowding of our prisons.

Now, just a few weeks ago, I had the chance to go and visit a number of our prisons and jails in Hawaii, where I saw firsthand the crumbling infrastructure, the extreme overcrowding and facilities in dire need of upgrades, as well as the shortage of services that are actually needed to help rehabilitate people and reduce our recidivism rates.

So whether you personally think that marijuana use is good or bad, whether you would choose to use marijuana or not, the question is: Should we really be sending people to jail and turning them into criminals for it? The answer is no. The fiscal impacts and the social impacts of our current policy are having devastating ripple effects on individuals and our communities and are only continuing to perpetuate the problem.

For example, the contradiction that we see currently between State and Federal laws on marijuana has created a serious problem for many of our local businesses. I have talked with local bankers in my home State of Hawaii who expressed great frustration, and even confusion, about the contradiction between our laws with the fact that even though our State of Hawaii has legalized and authorized marijuana dispensaries to grow, process, and dispense medical marijuana, Federal law prohibits banks and credit unions from offering any type of financial services to both businesses and individuals whose financial transactions have anything to do with marijuana.

So what this means in practical terms is that our State-recognized and licensed medical marijuana dispensary owners as well as their employees can’t open a bank account. They can’t get a loan from our local bank. The businesses, literally, have to hold thousands, or even millions, of dollars from their transactions and have to conduct their transactions in cash. Businesses that provide services to these medical marijuana dispensaries are also unable to access financial services due to the gaps between Federal and State law.

So as we look at ways that we need to update our outdated drug policies and the need for us to reform a very

broken criminal justice system, we need to take into account the growing body of evidence that suggests the medicinal benefits of marijuana, including, preventing epileptic seizures, reducing anxiety, and even halting the growth of cancer cells.

However, the FDA still currently classifies marijuana as a schedule I drug, basically saying that marijuana is just like heroin, LSD, and MDMA, ignoring the fact that at least 28 States, including my home State of Hawaii, have already accepted the medical use of marijuana under State law.

In addition to passing H.R. 1227, we need to require the FDA to remove marijuana from schedule I based on State-accepted medical use. These reforms that we are calling for in this bipartisan bill are common sense and they are long overdue, long overdue changes that will help to reduce the strain on our criminal justice system, create certainty and reduce contradictions and confusion between State and Federal law, and update those Federal laws to actually meet the needs and progress that States are making across the country.

REPEAL AND REPLACE

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

Mr. MCCLINTOCK. Mr. Speaker, any discussion of the American Health Care Act needs first to consider where we would be without it.

ObamaCare is collapsing. More people are paying the State tax penalty or claiming hardship exemptions than are choosing to buy ObamaCare policies. In a third of the counties across America, there is only one provider to choose, and we are now seeing counties where there are no providers at all.

ObamaCare premiums soared an average of 25 percent last year, and we are warned that this year will be worse. I have strongly advocated that the House address this crisis in a single, comprehensive bill that fully repeals ObamaCare and replaces it with a healthy, competitive market.

Instead, we have to rely on the reconciliation process in order to bypass Democratic obstructionism in the Senate, and this only allows us to repeal parts of ObamaCare and enact only parts of a replacement. Finishing the job will require administrative actions and followup legislation in the Senate, both somewhat speculative enterprises. So we need to ask if this bill alone is enough to produce a better healthcare system for the vast majority of people.

Its biggest defects are its failure to restore to consumers the failure to shop across State lines and to fully free consumers from having to purchase coverage they don’t need and don’t want. I am afraid in States that have

insurance commissioners who refuse to approve innovative replacement plans, consumers will be stuck in a market still governed by ObamaCare mandates. This will require followup measures.

Critics cite the Congressional Budget Office estimate that 24 million Americans will lose their coverage, but this conclusion is largely based on the premise that unless people are forced to buy health insurance they won't. In fact, people won't buy health insurance that is not a good value for them; and, clearly, they believe ObamaCare isn't.

We envision a vigorous buyer's market where plans across the country compete to offer consumers better services at lower costs, tailored to their own needs and wants. This is the AHCA's biggest achievement: replacing coercion with choice for every American.

It ends the individual mandate that forces Americans to buy products they don't want. It ends the employer mandate that has trapped many low-income workers in part-time jobs.

It begins to restore consumers' freedom of choice, the best guarantee of quality and value in any market.

It allows Americans to meet more of their healthcare needs with pretax dollars.

It relieves the premium base of the enormous cost of preexisting conditions by moving them to a block-granted, assigned risk pool.

In making this transition, though, it is important to leave no one in the lurch, and that is where we need to heed the CBO's warning. The fact that many low-income families could no longer afford basic health care is what produced ObamaCare in the first place.

Now, when fully implemented, our reforms will correct the government mandates that trapped people in restricted markets that forced health care out of reach. But until then, the CBO warns that a 64-year-old, for example, earning \$26,500 will see her out-of-pocket health costs balloon from \$1,700 to \$14,600 per year. This is neither morally defensible nor politically sustainable.

The Budget Committee adopted my motion, on a bipartisan vote, to ask the House to correct this inequity by adjusting the tax credits to assure that health plans are within the financial reach of every family. I want to thank the leadership for responding to this motion by creating architecture in the bill to shift an additional \$75 billion for this purpose.

As our pro-growth economic reforms cause incomes to rise and our healthcare reforms bring healthcare costs down, families will be earning more and will be paying less of what they earn for their health care, and reliance on these tax credits will recede.

But we need a bridge from the present to the future, and we simply can't get there without addressing the

bill's initial impact on older, low-income Americans.

It is also important that we assure stability in the Medicaid system as we transition to flexible, State-run programs that correct the inequities of ObamaCare that have pushed the elderly, blind, and disabled to the back of the Medicaid line. This bill does so.

I wish it did everything necessary to restore an optimal health insurance market, but it moves us toward that goal. And even as a stand-alone measure, I am confident that it will ultimately create a market in most States that will produce better services, greater choices, and lower costs for the vast majority of Americans.

THE AFFORDABLE CARE ACT HAS IMPROVED AMERICAN LIVES

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

Mr. JEFFRIES. Mr. Speaker, this is a monumental week here on Capitol Hill as we will decide the fate of health care in America.

Despite the evidence that the Affordable Care Act has made a positive difference in the lives of everyday Americans, Republicans are set to destroy it. But the Affordable Care Act has improved the quality of life for tens of millions of people all across this country.

As a result of the Affordable Care Act, people born with preexisting conditions can no longer be denied health insurance.

As a result of the Affordable Care Act, young people can remain on their parents' health insurance all the way through to the age of 26.

As a result of the Affordable Care Act, women can no longer be discriminated against with respect to the issuance of insurance simply based on their gender.

As a result of the Affordable Care Act, seniors are paying less for life-saving prescription drug medication.

As a result of the Affordable Care Act, more than 1 million people throughout this country—including in rural America—are able to receive substance abuse treatment because of them being caught up in the opioid addiction epidemic.

The Affordable Care Act has made a positive difference in the lives of everyday Americans, yet this President says it has been a disaster. This is the same President who, for 5 years, perpetrated the racist lie that Barack Obama was not born in the United States of America, who said that he received more votes than Hillary Clinton, who claimed that there were more people at the inauguration than in 2009. This is an individual who still maintains that his predecessor, Barack Obama, committed a felony and ordered a wiretap, despite testimony from the FBI Director to the contrary.

Let's be clear. What will be an unmitigated disaster is TrumpCare, which House Republicans are working to jam down the throats of the American people.

TrumpCare, the Republican healthcare plan, will result in 24 million Americans losing their health care.

TrumpCare, the Republican plan, will gut Medicaid, stripping it of \$880 billion, taking dead aim at seniors, the poor, and the afflicted.

TrumpCare will impose an age tax on people between the ages of 50 and 64, causing some in that category who are currently paying approximately \$1,700 per year to pay close to \$14,000 in age tax—on people between 50 and 64.

□ 1045

That is TrumpCare, the Republican plan, an unmitigated disaster taking dead aim at the American people. It will result in tens of thousands of Americans dying. It is a death sentence. Seniors will die. The poor will die. The chronically ill will die. Rural Americans will die. People between the age of 50 and 64 will die. And the executioner will be the authors and those who support the Republican healthcare plan.

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

MNIKESA'S ACA TESTIMONY

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

Ms. DELAURO. Mr. Speaker, I rise today to share the testimony of one of my constituents. Her name is Mnikesa Whitaker-Haasheim. She is a fifth-generation, college-educated woman, founder of Ballet Haven, a rigorous dance training program. She is an English teacher who has won the Teacher of the Year award twice. And I regret to tell you that she is also living with and dying from a debilitating disease, and these are her words:

"The debate about healthcare has turned into something of a spectacle—as if it exists apart from the flesh and bones that are experiencing the consequences of the decisions being made. I think it is exceedingly important to talk about the felt experience of illness.

"The feeling like an elephant's sitting on my chest—daily—because I have pulmonary fibrosis. No, I have never smoked. Not cigarettes. Not anything. Ever. I am simply sick. The feeling of my leg bones splintering, waking me up with the pain, several times a night, several times a week. Each leg is splayed beneath me as if I'd fallen from a window. Of course that's not what happened. This is just what joints and

muscles feel like as part of my rare disease.

“The feeling of having a widespread flu-like, bone-crushing ache that does not end. I don’t have the flu. I have a rare, autoimmune disease. This is what my entire body feels like 90 percent of the time. The feeling of choking without warning, regularly on coffee. On water. On my own spit. This is what my disease feels like.

“The feelings I’m talking about are what it is like to not be able to take a deep breath, ever, because over 70 percent of my lungs have turned to hardened, stony, scar tissue. The feeling of not even remembering what it is like to take a deep breath.

“Because my particular disease is one that is categorized as autoimmune, it would be several months before we got the correct diagnosis; autoimmunity is notoriously difficult to diagnose.

“And unless you are a specialized medical professional or happen to know someone who is afflicted by rheumatoid disorders, you have likely never heard of what I have: anti-synthetase syndrome—scleroderma. It is rare, progressive, and aggressive. Often it is fatal, especially with the amount of lung damage that I have incurred.

“When after 2 years of chemotherapy, the progression of my pulmonary fibrosis and overall disease process was not successfully remaining stable, I had to go on supplemental oxygen. Within 6 months, I was getting so sick that I eventually had to medically retire at 36 years old; it was a heart-breaking decision.

“I loved my job, and I was good at it. Without the protections afforded to me through the Affordable Care Act, my oxygen, the cost of seeing my numerous specialists, paying for 14 medications, admissions to the hospital, and life-threatening emergency trips to the ER would be nothing short of financially catastrophic for my family.

“A rare disease like mine baffles many doctors. It has not been uncommon for my caretakers to have to spend hours on the phone with insurance companies fighting for a drug that is literally thousands of dollars but necessary for my treatment.

“When you have a rare illness, you often have to try new things. Insurance companies will unabashedly see you as a risk. Why? You are expensive, rare and dying. That is an unholy trinity.

“But since the Affordable Care Act, my medications have been affordable. Access to care is not accessible if you cannot afford it, and what the ACA has done is create a safeguard so that the care that my doctors have prescribed for one of their sickest patients is truly accessible to that patient because I can afford it.

“I come from a family who has, for generations, always worked and always paid into ‘the system.’ There are next

to no services available for a relatively young woman like me at social services. I know. I’ve checked. I am not old enough for a full teacher’s pension, but do receive a small disability allowance. I receive a small Social Security check, but I am well below the poverty level.

“I need you to understand that people like me are not asking for anything for free. I am willing to continue to pay for the quality health care that I have had. I am willing for there to be changes made to it.”

“I find it unconscionable, however, that decisions can be made regarding life and death without actual regard for the felt lives and actual deaths that you will be responsible for if you repeal the ACA.

“I do not know the course that my disease will take. But I have the blood of some powerful ancestors flowing in me, and their fight for life continues in me as well. I am honored to do so in their memory and on behalf of the millions of Americans who do not have the words or the ability to speak for themselves yet are terrified of losing their affordable, solid coverage under the ACA.”

Those were her words—and she is not alone in her fear of repeal. Mr. Speaker, I will enter into the RECORD testimony from other women in my district whose lives have been changed by the Affordable Care Act.

Mr. Speaker, we owe it to Mnikesa and everyone like her across the country to protect their health care and to reject this repeal bill.

MICHIGANDERS WILL LOSE COVERAGE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Michigan (Mrs. LAWRENCE) for 5 minutes.

Mrs. LAWRENCE. Mr. Speaker, I rise today in strong opposition to the American Health Care Act.

This week, the Republicans will call for a vote to push 24 million Americans off of their health care and transfer massive healthcare costs on working families across the country.

Today I will take a moment to talk about the impact that TrumpCare will have on my district, the 14th District of Michigan. Under this bill, 70,000 constituents of mine will lose coverage by 2026.

One of the pillars of the existing Affordable Care Act were allowing States like Michigan—who, for the record, has a Republican Governor who worked hard to make sure that we were able to have Medicare expansion so that we could use the Affordable Care Act in Michigan.

One of the pillars of the Affordable Care Act was to expand Medicaid coverage to millions of people. According to the statistics from Healthy Michigan, which is our process for affordable health care in Michigan, over 650,000 Michiganders enrolled and gained access to health coverage.

In Oakland and Wayne Counties, which I represent, there are over 140,000 individuals enrolled in Healthy Michigan, the Affordable Care Act. Under the Republican bill, these same Michiganders will lose the coverage that they depend on for their long-term care.

Approximately 200,000 seniors, disabled individuals, children, and women who receive care through traditional Medicaid will be severely impacted by the Republican health plan. That includes half of all the children in Michigan, including over 100,000 children in my district alone.

Republicans are using the repeal-and-replace legislation once again to target women’s health by defunding Planned Parenthood. No matter how many times it has been substantiated, it is a fact, it has been stated, the Republicans do not seem to understand or refuse to accept the fact that Federal dollars do not pay for abortions.

Planned Parenthood provides a variety of preventative care, including contraception and cancer screening for millions of Americans and women in this country.

Instead of allowing Planned Parenthood to continue their important mission of providing women across the country with quality health care, Republicans have decided to jeopardize the health of millions of Americans because of a blatantly partisan witch hunt.

I would like to take a minute to share a letter one of my constituents wrote me about her experience with the Affordable Care Act:

“As a self-employed person, the first time in my life I’ve been able to have health care in Michigan has been through the Affordable Care Act, and I still only very, very rarely go to the doctor.

“But I’m happy to pay into the system every month because I believe that’s what it means to be a good citizen: that a healthy community is a safer community, a happier community, and a more creative community.

“Health care is a very important issue to me. My brother has cystic fibrosis, and it is only through Medicaid expansion that he is still able to receive health care.

“The thought of the Medicaid expansion being phased out and my brother being somehow responsible for paying for tens of thousands of dollars per month for necessary medication destroys me.”

Mr. Speaker, my constituents deserve better. I urge my colleagues to oppose TrumpCare, the American Health Care Act.

I will stand here and say that the Affordable Care Act is not perfect, but if we really do the job that we are sent here to do as Members of Congress, we would sit down together and fix what is wrong with our existing healthcare

program so that every American will be able to continue to stay on their health care, still be able to allow their children to stay on their health care, and still be able to get health care without being penalized for a pre-existing condition.

Let us work together to make health care affordable for all Americans.

CRITICAL PUBLIC HEALTH ISSUES

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

Mr. BROWN of Maryland. Mr. Speaker, I rise today to oppose the Republican plan to repeal the Affordable Care Act and to address two critical public health issues that are important to the families of Maryland's Fourth Congressional District.

Nearly 26 million Americans are estimated to have chronic kidney disease. 700,000 people, including 3,000 in my district in Prince George's County, have irreversible kidney failure or end-stage renal disease often because of complications of diabetes and high blood pressure, where you cannot survive without a kidney transplant or dialysis treatment. And 70 percent of those patients are on dialysis treatment at least three times per week.

This is a serious issue for us to consider today because nearly 50 percent of all end-stage renal disease patients rely on Medicaid. If we pass the Republican plan to gut Medicaid, we are making life-and-death choices for these patients who are disproportionately seniors, minorities, and some of our most vulnerable neighbors.

I saw the potential impact of these brutal cuts on my constituents when I toured a DaVita Dialysis facility in my district. Nearly half of all people with end-stage renal disease in Prince George's County are being treated at a DaVita facility. There I got to speak to several patients receiving lifesaving treatment, and I heard how important it was for them to have access to dialysis.

Many of these patients simply would not get care if it wasn't for the Medicaid expansion, subsidies to afford quality health coverage, and the consumer protections under the Affordable Care Act that prevent health plans from denying coverage because of pre-existing conditions and prohibiting insurers from dropping people from plans when they become ill. These are real people who will suffer the consequences of our actions if we pass this pay-more-for-less bill.

As Republicans rush to pass this bill to repeal the Affordable Care Act and replace it with more expensive and worse care, we are also turning a blind eye to the impact on the opioid crisis that is ravaging many of our communities. In my district in Anne Arundel County, the number of people killed by

heroin and opioid overdoses in 2016 was more than the prior 2 years combined.

□ 1100

Records show there have been more overdoses in the first 3 months of 2017 than all of 2016. And last week alone, over a 24-hour period, there were 16 overdoses and 3 fatalities in Anne Arundel County. The Republican bill offers no solutions for this drug crisis. In fact, it makes it worse by dramatically cutting Medicaid and ending the requirement that addiction services and treatment be covered by States.

Because of the Affordable Care Act, 1.3 million people are receiving treatment for substance abuse disorders or mental illnesses under Medicaid expansion. In Maryland, Medicaid pays for nearly 40 percent of all addiction treatment medication.

Without this expansion, the clear majority of those people would either fall into the treatment gap, unable to receive substance abuse treatment because of a lack of insurance or public funds, or be forced to wait months or years to get into publicly-funded treatment programs.

The so-called flexibility Congressional Republicans want to give States would only mean less funding for substance abuse. This is a step in the wrong direction, at a time when we are facing this urgent public health crisis.

Reducing access to addiction treatment would lead to more drug overdose deaths and more trips to our emergency rooms. We know that untreated addiction leads to more crime and more homelessness. Again, I worry that the proposals being offered in this House could cost the lives of thousands of people in my State and around the country.

The GOP plan for repeal will hurt a lot of people: the 24 million Americans who will be uninsured; the millions of middle-income families, especially the elderly, who will pay thousands of dollars more for care; the 33 million children and 10 million people with disabilities impacted by Medicaid cuts; the 390,000 women who will lose care if Planned Parenthood is defunded.

But these aren't just numbers in a CBO report, they are the dialysis patient in Upper Marlboro, or the family whose son is finally getting the addiction treatment he needs in Severna Park.

Mr. Speaker, let us think about all of these families before we vote on this ill-conceived and ill-advised bill. Let's not put partisanship before patients.

RECESS

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

Accordingly (at 11 o'clock and 2 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

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

PRAYER

Pastor Chris Bell, 3 Circle Church, Fairhope, Alabama, offered the following prayer:

Our Lord and Father, I come to You today in this place of government of the Nation that I love to ask for Your hand of blessing and guiding wisdom upon the leadership of these United States of America.

We know that all good gifts come from Your hand, and this beautiful and free Nation in which we live is one of those gifts.

We thank You today for the many ways that You have blessed us, from our bountiful natural resources to our freedom to work and to speak and to worship.

And it is because of these blessings that You have also given us a great responsibility to our world to live and to lead by example.

So, by Your grace today, I humbly ask that You would help these leaders of our Nation and our citizens to be a continued light in the darkness.

We confess now our need for Your help and Your guidance. Please place Your mighty hand on us today, for You have told us in Your Word to trust not in our own understanding, but to trust You and acknowledge You in all of our ways and You would make our path straight. May we do this today and in the future.

It is in the name of our Lord, Jesus, I pray.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. BYRNE led the Pledge of Allegiance as follows:

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

WELCOMING PASTOR CHRIS BELL

The SPEAKER. Without objection, the gentleman from Alabama (Mr. BYRNE) is recognized for 1 minute.

There was no objection.

Mr. BYRNE. Mr. Speaker, it is written in Philippians 4:6:

Do not be anxious about anything, but in everything by prayer and supplication with thanksgiving let your requests be made known to God.

As this body debates important issues, it is critical we begin with prayer. I am honored my constituent Pastor Chris Bell was able to lead today's prayer.

Mr. Speaker, Pastor Bell studied theology and communications at the University of Mobile and Luther Rice Seminary, and he has over 20 years of ministry experience.

Pastor Bell is currently the lead pastor at 3 Circle Church in southwest Alabama. 3 Circle Church has five campuses, with weekly attendance reaching over 2,000 people.

In addition to their regular services, Pastor Bell and 3 Circle Church have a focus on mission and serving others locally, regionally, and around the world. These missions make a real difference.

So on behalf of Alabama's First Congressional District, it is an honor to welcome Chris and his wife, Nan, to the people's House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DENHAM). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

THE THREAT OF NORTH KOREA

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

Mr. WILSON of South Carolina. Mr. Speaker, yesterday I was grateful to participate in a panel discussion at the dynamic Hudson Institute about the growing threat North Korea poses to the United States and our allies, with Hudson fellow research director Rebeccah Heinrichs and senior fellow Arthur Herman.

We discussed the growing threat of North Korea's testing medium- and long-range missiles, the gruesome capabilities of conventional weapons, and their rapidly proceeding nuclear program.

We further discussed the importance of missile defense, specifically the THAAD missile system and the boost phase interceptor system, and how they could deter the threats from North Korea.

I also spoke on the bipartisan resolution that I introduced last week, a resolution condemning North Korea's development of their missile program, calling for the consideration of all available options to protect the people of South Korea.

I look forward to working with Foreign Affairs Chairman ED ROYCE,

Ranking Member ELIOT ENGEL, Secretary of State Rex Tillerson, and President Donald Trump to ensure that all options are on the table when responding to the growing threat posed by North Korea.

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

WORKING TOGETHER ON THE AMERICAN HEALTH CARE ACT

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

Mr. QUIGLEY. Mr. Speaker, tomorrow we will celebrate 7 years since the President signed the Affordable Care Act into law. The following day my colleagues across the aisle will vote to eradicate the undeniable progress it has made.

On Thursday, when the House votes on the American Health Care Act, we will vote to take away health insurance from millions of Americans; we will vote to raise premiums on seniors; we will vote to damage women's healthcare programs; and we will vote to reduce access to care for LGBTQ people.

Policies that were once derided as socialist are now mainstream, considering so many of the popular parts of ACA are retained in the Republican replacement.

The majority of the country does not want to repeal ACA but to improve it in a bipartisan way. The only way to create a meaningful change for the American people is to work together across the aisle.

As Lincoln said: "We cannot escape history. We . . . will be remembered in spite of ourselves." A vote to repeal ACA will be a stain on that legacy.

RECOGNIZING NATIONAL AGRICULTURE DAY

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

Mr. MARSHALL. Mr. Speaker, today I rise to recognize and celebrate National Agriculture Day.

I proudly represent the largest agriculture-producing district in the country, the big First District of Kansas. In my home State, it is Kansas Agriculture Month, a month to celebrate our State's largest economy.

Today is an opportunity to remind my colleagues of the hardworking Americans who produce the bounty of American harvest and livestock. The food that sustains them doesn't originate in a grocery store.

Let us remember as we move forward with regulations and with trade policy that there are families with generations of history on their farm or ranch

who face the consequences of every decision. They feed America and our economy.

This day and every day, we are grateful that God made a farmer.

CELEBRATING THE ANNIVERSARY OF THE AFFORDABLE CARE ACT

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

Ms. JACKSON LEE. Mr. Speaker, I, too, am excited to celebrate the signing of the Affordable Care Act signed by President Barack Obama.

In the hearing last Thursday of the Budget Committee, we noted that Medicaid that provided health insurance in this bill, now the TrumpCare bill, will be cut \$880 billion for working people, for seniors in nursing homes, for the blind, and for the disabled.

We note that this meaningless TrumpCare amendment, for which the President is now rallying his troops, coming up to the Hill two and three times—maybe he will be here tomorrow—is as meaningless as the first part of it was: 24 million Americans will lose their insurance—TrumpCare will double that amount in 2026; 52 million will not have insurance—giveaways to billionaires, 1 percent of the rich people in America; and destroying 2 million jobs.

But what I am most concerned about is my constituent in the Heights who could not take her medicine before the Affordable Care Act. Tragically, a young woman had a stroke and a heart attack and now is in a nursing home. She uses the health insurance of Medicaid, \$880 billion, to provide for her lifeline, but yet TrumpCare comes to destroy that.

I want to celebrate the Affordable Care Act because it saves lives.

COMMEMORATING ROSIE THE RIVETER

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

Mr. FITZPATRICK. Mr. Speaker, I rise today in commemoration of National Rosie the Riveter Day, an effort to raise awareness for the 16 million women working during World War II.

These women left their homes to work or volunteer full-time in factories, farms, shipyards, banks, and other institutions in support of our military. These brave women worked with the USO and the Red Cross. They drove trucks, riveted airplanes, collected critical materials, rolled bandages, and served on rationing boards.

These Rosie the Riveters embodied the "we can do it spirit" forever connected with them by Norman Rockwell's iconic painting.

As we mark the contributions and triumphs of women this Women's History Month, I am proud to join the effort and recognize these brave heroes with a National Rosie the Riveter Day.

I am especially proud to represent a "Rosie" and Bucks County native, Mae Krier, for her efforts in advocating for this long-deserved recognition. Mae was a riveter on Boeing aircraft in Seattle. She was a builder of B-17s and B-29s, which went off to fly missions over Europe.

Mr. Speaker, I am honored to recognize National Rosie the Riveter Day and have the pleasure of welcoming Rosies from around the Nation here at the Capitol today.

THE AMERICAN HEALTH CARE ACT AND OPIOID ADDICTION

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

Mr. SCHNEIDER. Mr. Speaker, across the country, communities are struggling with an epidemic of opioid addiction, abuse, and overdose; and across party lines, we all agree something must be done to address this crisis.

But the repeal-and-replace plan proposed by my Republican colleagues adds fuel to the fire. The bill eliminates the Affordable Care Act's requirement that Medicaid cover basic mental health and addiction services.

Economists estimate 1.3 million Americans receive treatment for substance abuse and other mental health disorders through the Medicaid extension.

Across the States that have expanded Medicaid, like Illinois, the program is used for 27 percent of all addiction treatment.

We are not going to arrest our way out of this epidemic; instead, we need to treat addiction like the disease that it is. Removing the mental health coverage requirement pulls the rug out from more than a quarter of all those seeking help from opioid addiction.

Mr. Speaker, opioids now kill more Americans than car accidents. The Affordable Care Act offers hope and is saving lives. The Republican efforts to repeal the ACA is a bleak step backwards. I strongly urge my colleagues to vote against this legislation.

ADVOCATING FOR PATIENT-CENTERED HEALTH CARE

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

Mr. ABRAHAM. Mr. Speaker, I rise today as a practicing physician who believes that we must repeal the disaster that ObamaCare has brought us and return to a patient-centered system.

My patients have dealt with skyrocketing premiums, unaffordable deductibles, and a formulary so restrictive it is an insult to call it a real treatment.

Medicaid expansion is no better and gives only the illusion of sound coverage. These patients can't find doctors. They can't find specialists who will see them, which results in more hospital admissions, more unnecessary hospital referrals, more expensive trips to the emergency room, and higher costs to the program and to the taxpayers.

There is nothing compassionate about cramming more people into a failed system just so politicians can score political points. All they have done is force a second-class insurance onto first-class people.

All Americans deserve better than ObamaCare. We can provide a better healthcare delivery system for them where everyone has access to affordable care, and it starts with the passage of the American Health Care Act.

LOSING HEALTHCARE COVERAGE UNDER THE AMERICAN HEALTH CARE ACT

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

Ms. BASS. Mr. Speaker, since January I have received hundreds of messages from constituents who are panicked that they will lose healthcare coverage with the Republican plan, where people will pay more for less.

Although the talking points of the Republican plan references access to health care, care will only be accessible for people with enough money to pay.

A message I received from Vera Caldas:

My husband has leukemia, and if it wasn't for the ACA, he would be dead by now. I am living in fear that if he loses ObamaCare, that will mean his death sentence since he won't be able to afford insurance to continue his treatment.

A message from Lee Portillo:

The ACA allowed my wife to start her Silicon Valley beach business in Venice, California and still have access to health care. The ACA is pro small entrepreneur and gives us the freedom to work on our own and still have insurance.

My constituents, like millions across the Nation, are afraid they might be one of the 14 million people who will lose coverage if the Republican plan is passed.

□ 1215

TRUMP CARE IS A TERRIBLE BILL

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

Mr. GENE GREEN of Texas. Mr. Speaker, this week Republicans plan to

vote on TrumpCare to push 24 million Americans off healthcare coverage and saddle families across the country with massive health costs. TrumpCare is an assault on families and a broken promise to the American people.

Twenty-four million people will lose their health insurance. It will terminate the assistance that people depend on to afford quality coverage. It will destroy the Medicaid program, the bedrock of our social safety net for more than 50 years.

Medicaid covers 74 million children, pregnant women, people with disabilities, and seniors with long-term care needs. Under TrumpCare, deductibles and out-of-pocket costs will skyrocket and families will be exposed to crushing health costs. Premiums will rise dramatically—particularly, for older Americans—because TrumpCare allows insurance companies to charge five times higher than what others pay for the average, five times higher for our near senior citizens. This means thousands and thousands of dollars more in premiums, which low-income seniors cannot afford.

TrumpCare shortens the life of the Medicare trust fund by 3 years and cuts \$880 billion from Medicaid.

Mr. Speaker, this is a terrible bill, and it puts the entire healthcare system at risk.

DO NOT REPLACE THE AFFORDABLE CARE ACT WITH TRUMP CARE

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

Ms. FRANKEL of Florida. Mr. Speaker, I rise to talk about the Republican's sick plan to repeal the Affordable Care Act and replace it with TrumpCare, where the wealthy will get huge tax cuts and the rest of America will pay more for less. Twenty-four million will be losing their doctors, their nurses, and their medicine, and my constituents are frightened.

Just ask Amy Bernard, whose mom, Francine, like 70 percent of Americans living in nursing homes, pays for it with Medicaid. Francine was a teacher. She planned for her retirement. She had savings, Social Security, and a pension. Then she was diagnosed with Parkinson's disease, and she spent all her savings on in-home care. And then one day after a near-fatal fall, her family realized she needed around-the-clock care.

TrumpCare means tax cuts for the very rich, less for the rest of Americans, gutting Medicaid, and sending folks like Francine to the curb.

DO NOT REPEAL THE AFFORDABLE CARE ACT

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

Mr. CORREA. Mr. Speaker, on Thursday we will vote on the future of health care for America. We need to do what is right for our district and for our constituents. We need to protect the Affordable Care Act.

The ACA works, but like America's other great healthcare program, Medicare, it needs a little time to get there. Today, Medicare covers over 55 million Americans and is a staple for our seniors; but back in 1965, people had a very negative opinion of Medicare. Today, 52 years later, Medicare is one of the most efficient healthcare systems in our country.

I urge my colleagues: Do not repeal the Affordable Care Act. If you do, 24 million Americans will lose their coverage and older Americans will pay higher premiums. I ask my colleagues to keep the ACA. Let's do the right thing.

BIG PHARMA IS A BIG WINNER IN TRUMPCARE

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

Mr. DOGGETT. Mr. Speaker, Thursday these Republicans are awarding a new grand prize, a big-dollar award. Unfortunately, the contest has been rigged so that your name is not in the winner's circle. Instead, the world leaders in prescription price gouging, highest drug prices to Americans than just about anywhere, are declared the winners of the grand prize in the Trump Republican sweepstakes that they call repealing ObamaCare.

With Big Pharma's exceptional, distinguished service in charging astronomical prices and blocking competition to their government-approved monopolies, these Republicans have included a no-strings-attached \$25 billion tax windfall for Big Pharma in their so-called ObamaCare repeal.

Now, with their latest late-night amendment, the prize is already growing bigger and bigger by the moment. And all of those American families that are out there struggling, trying to access lifesaving drugs, they don't win a dime in this contest.

Mr. Speaker, let's reject this phony Republican giveaway where only Big Pharma is the big winner.

HONORING THE LEGENDARY CHUCK BERRY

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

Mr. CLAY. Mr. Speaker, I rise to honor a legendary American musical genius, an inaugural member of the Rock and Roll Hall of Fame, and a former neighbor and friend of the Clay family for six decades, the father of rock and roll, the immortal Chuck

Berry, who died this past Saturday at the age of 90.

I grew up just a few blocks away from the Berry residence. My sisters and I came up with his kids, and our families knew each other very well. Chuck Berry was one of the first Black superstars whose innovative music was not only popular with African-American audiences, but with young music fans around the world.

Since his death, tributes from across every spectrum of music have poured in, including The Rolling Stones, U2, Sir Paul McCartney, Stevie Wonder, Bruce Springsteen, and hundreds of other internationally known artists who were deeply influenced by Chuck Berry's magical music.

On behalf of my family, I want to express our deepest condolences to the Berry family; and on behalf of music fans everywhere, I want to give thanks for the life of this legendary American treasure whose legacy and unique sound will live on for generations, a true St. Louis original, the real king of rock and roll: Chuck Berry.

TRUMPCARE IS A TOTAL DISASTER FOR AMERICA

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

Mr. SOTO. Mr. Speaker, TrumpCare—a total disaster for America. Here it is by the numbers, per our own nonpartisan Congressional Budget Office: 24 million Americans will lose coverage, with 14 million Americans losing coverage in year one; 15 to 20 percent increases in health insurance premiums in year one; and if you are paying \$1,700, you will be paying \$14,600 in premium increases if you are a 64-year-old making \$26,500 per year.

But where does the money go? \$592 billion in tax cuts for the rich. That is where it is going.

The conclusions: TrumpCare robs health care from American working families to give tax cuts to the rich.

So vote "no" on TrumpCare to vote "yes" on health care for America's working families.

EMBRACE THE GOAL OF HEALTH CARE FOR ALL OUR CITIZENS

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

Mr. WELCH. Mr. Speaker, this country, since Harry Truman, has had an illusive but desirable goal, and that is health care for all of our citizens. We made two strides: one in 1964, with the passage of Medicare; another in 2010, with the passage of ObamaCare.

We should be moving towards Medicare for all our citizens. Instead, this bill does not move forward. It goes back.

Number one, 24 million Americans will lose their health care.

Number two, Americans who have been living a life of toil and effort all of their lives from the ages of 50 to 64—at a time when they need health care the most—are in danger of losing it with the excessive tax that is being imposed on them by this bill.

Number three, our community hospitals, from the prairies of Nebraska to the hills of Vermont, those are critical institutions providing care. They have gone from red ink to black ink as a result of the Affordable Care Act. Every single one of those is in jeopardy, and that is going to deprive our citizens in those communities of access to affordable health care.

This bill must be defeated. Let's embrace the goal of health care for all our citizens.

REPUBLICANS SHOULD JOIN DEMOCRATS IN REJECTING TRUMPCARE

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

Mr. KILDEE. Mr. Speaker, thousands of my constituents have contacted me very concerned about the Republican healthcare bill—TrumpCare—which would mean higher costs and worse care for hardworking families.

On the campaign trail, then-candidate Trump promised that "everyone would be covered" under his plan. We now know that is a broken promise, that under TrumpCare 24 million Americans will lose their health insurance—24 million people.

What kind of promise is that?

Then-candidate Trump promised that there would be no cuts to Medicaid, but he will cut \$880 billion from Medicaid.

What kind of promise is that? A broken promise.

Seniors overwhelmingly voted for President Trump, but he has already forgotten them, imposing an age tax on them. If you are 50 to 64, fasten your seatbelts. You are going to pay five times what a younger, healthier person would pay for worse coverage.

This is a terrible bill. Democrats and Republicans should reject it.

TRUMPCARE MISSES THE MARK

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

Mr. POLIS. Mr. Speaker, there is kind of a rather ridiculous healthcare bill that this body may or may not be considering soon.

First of all, it creates an entirely new entitlement program at the State level rather than the Federal level.

Second of all, in an unrelated matter, it provides huge tax cuts to millionaires and billionaires—mostly in New

York and California—which has nothing to do with making health care affordable. I mean, it is fine. Republicans want to do that. We get that. They always want to cut taxes for millionaires, but don't put it in the same bill as we are here trying to provide health care for people and bring down our insurance rates.

Third of all, this bill that is supposed to somehow help is going to increase insurance costs to American families by 15 to 20 percent. Most families can't afford that, and 24 million people will lose their insurance.

So there is just no way, shape, or form that this bill makes any sense.

There are a lot of positive improvements and suggestions that we can make to the Affordable Care Act. There are a lot of great ideas with us providing a public option, more pricing transparency, a lot of great ideas that probably Democrats and Republicans support; but, frankly, they missed the mark on this bill.

These aren't ideas that Democrats or Republicans support, because they are bad ideas that cost families money.

PROVIDING FOR CONSIDERATION OF H.R. 372, COMPETITIVE HEALTH INSURANCE REFORM ACT OF 2017

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 209 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 209

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 372) to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-8 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit with or without instructions.

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

□ 1230

Mr. COLLINS of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS),

pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on House Resolution 209, currently under consideration.

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

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Today I am pleased to bring forward this rule on behalf of the Rules Committee. The rule provides for consideration of H.R. 372, the Competitive Health Insurance Reform Act. The rule provides for 1 hour of debate for the bill, equally divided between the chairman and ranking member of the Judiciary Committee. The rule also provides for a motion to recommit.

Yesterday, the Rules Committee had the opportunity to hear from Judiciary Committee Chairman BOB GOODLATTE and Congressman DAVID CICILLINE on behalf of the Judiciary Committee.

I thank Chairman GOODLATTE and the Judiciary Committee staff for their work on this legislation. As a member of the Judiciary Committee, I had the opportunity to review this legislation at both a committee hearing and a markup.

We heard from several witnesses at the Judiciary Committee hearing, including the bill's primary sponsor, Congressman PAUL GOSAR of Arizona.

In addition to the bill's sponsor and the Judiciary Committee, I would also like to recognize one of my colleagues from Georgia, Representative AUSTIN SCOTT, for his interest in this topic and leadership on this legislation. Congressman AUSTIN SCOTT of Georgia testified before the Judiciary Committee on this bill and has worked actively to highlight this issue.

The issue of competition in the health insurance marketplace is not a new one, but it is one that deserves more attention. Legislation similar to the Competitive Health Insurance Reform Act passed the House under a Democrat-led Congress in 2010 and under a Republican Congress in 2012.

Mr. Speaker, much of our attention on the floor this week is focused on making health care more affordable and accessible to the American people. The Competitive Health Insurance Reform Act is part of that plan.

From shore to shore, we have seen and heard stories about the soaring costs of health care and the health insurance markets that have been hamstrung by ACA regulations. As a result, insurers have fled the exchanges while

consumer choice and access to quality care have disappeared along with them.

Today, more than ever, we need to institute reforms that restore options for Americans by encouraging healthy competition in the health insurance market. The problem actually dates back to the 1940s, and the Competitive Health Insurance Reform Act helps address a problem that has increasingly demanded attention.

In 1944, Mr. Speaker, the Supreme Court held, for the first time, that insurance was part of interstate commerce and was, therefore, subject to Federal antitrust laws. Congress responded a year later by passing the McCarran-Ferguson Act, which established certain exemptions from the Federal antitrust regulations for the business of insurance. That law remains in place today, and reexamining it in the context of our health insurance market has received bipartisan support.

The Competitive Health Insurance Reform Act would amend the 1945 McCarran-Ferguson Act to apply our three main antitrust laws—the Clayton Act, the Sherman Act, and the FTC Act—to the health insurance industry.

To be clear, this bill does not impose new or radical regulations upon the health insurance industry. It merely applies longstanding antitrust laws to the business of health insurance, laws that have applied to the rest of the economy for decades. By restoring the application of our competition and antitrust laws to the health insurance industry, we strengthen the foundation for a competitive health insurance market.

The high prices and lack of choices that patients find in health insurance flow back from a lack of competition in the market and a barrage of regulations. So it is past time that we reestablish a basis for a system in which insurance providers compete for customers in a patient-driven marketplace.

While we work to bring common sense back to health care, we also have to look at the broad context of where the industry is and how it got there. In that spirit, this bill recognizes the importance of open and free competition across the economy, including the healthcare marketplace. Part of the government's role is to guard the American people rather than creating special interest exemptions that ultimately work against the hardworking citizens. H.R. 372 establishes that there is no basis for further exemption of the health insurance industry from the Federal antitrust law.

Importantly, however, H.R. 372 also contains narrowly defined safe harbors to protect historically procompetitive collaborative activities that are unique to the business of insurance, including the collection and distribution of historical loss data and the performance

of actuarial services that do not involve a restraint of trade.

The Competitive Health Insurance Reform Act is not a magic pill or a silver bullet, but it is a key component of our broader plan to restore competition and common sense to the healthcare marketplace.

The principles captured by this bill are part of our House Republican Better Way plan and a part of our plan to address the harm done that ObamaCare has brought on our healthcare system and those who depend on it.

I look forward to the underlying legislation once again receiving broad support from both sides of the aisle.

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

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman from Georgia (Mr. COLLINS) for yielding me the customary 30 minutes.

Mr. Speaker, I rise in opposition to this rule today, one that provides for consideration of H.R. 372, the Competitive Health Insurance Reform Act of 2017, a good bill that I support.

Mr. Speaker, the Competitive Health Insurance Reform Act amends the McCarran-Ferguson Act so that the health insurance companies would no longer be exempt from Federal antitrust regulation.

Currently, unfortunately, most types of insurance, including property or life insurance, are exempt from Federal antitrust regulations and statutes. The McCarran-Ferguson Act makes it clear that the insurance industry heretofore has been regulated only by States. Additionally, the Department of Justice and the Federal Trade Commission have retained authority for antitrust enforcement involving mergers and acquisitions of insurance companies, but not dominations of markets and competition.

As a result of this exemption, the health insurance industry does not have to share pricing information, and actually can currently communicate with one another to fix prices. Now, that doesn't make sense.

I firmly believe that the more transparency in our healthcare system, the better off consumers will be. Repealing the health insurance exemption of the McCarran-Ferguson Act may improve competition, but it would almost also result in more transparency in health insurance. It is something that we sorely need. So I intend to join many of my colleagues on both sides of the aisle in supporting the underlying bill because it increases transparency.

The reality is that this bill does nothing to replace the protections of the Affordable Care Act. It doesn't even make a dent in addressing the many problems created by the Republican healthcare legislation, the American Health Care Act.

Mr. Speaker, so I don't want anybody listening to this to be distracted by a

bipartisan bill that we hope becomes law. In any way, shape, or form, this bill does nothing when, in 2 days, we are considering a bill that threatens the health care for 24 million Americans, increases prices for Americans who are currently insured by 15 to 20 percent, and throws millions off of the rolls of the insured.

The Republican healthcare bill that is coming to the floor Thursday will cause a huge disruption in coverage for millions of Americans. It creates an entirely new entitlement program. It would throw 24 million people who currently have insurance out of insurance. And for anybody who still has insurance, their rates go up 15 to 20 percent.

How is that a good idea? It is not.

This bill today does nothing. Nothing. I don't even think the advocates of it would say it does anything to address those increases in costs for consumers or 24 million people losing their health care or the creation of a brand-new costly entitlement program in a time of record deficits.

For constituents—and we all represent people from our districts—for people like Greg and Nikita, Coloradans who have shared their stories with me, the passage of the American Health Care Act, the Republican healthcare bill, would devastate their lives.

Greg was diagnosed with a rare form of cancer in 2014, in his midforties. After several surgeries, his doctors told him his condition is inoperable and could only be treated chronically by medication. It is a very expensive injection that has so far been successful, thank goodness, at keeping the tumor from growing and allowing Greg to live an ordinary life.

Now, Greg needs this shot every 3 weeks. It is thousands of dollars each time. And despite working at least two jobs, it is not something that Greg could afford to have—Greg would not have health care without the Affordable Care Act. He would have to quit his jobs and become destitute and go on Medicaid.

The Republicans are basically saying to people like Greg: We want you to be lazy. We want you to quit your job so you could have health care. We want you to live off the government dole of this brand-new entitlement program that we created to hand you money rather than work for yourself and pay for your own insurance.

That is the message the Republicans are sending to people like Greg across the country.

Nikita lives in Boulder and has spent much of her life battling endometriosis. In 2014, she was having trouble walking because of her condition and she missed work for a few weeks. After the passage of the Affordable Care Act, she was able to afford the surgery that she needed to improve her mobility and manage her pain.

In her message to me, Nikita emphasized that affordable health care is what allows her to work and to be a citizen that pays taxes and contributes to society rather than somebody who is shut in at home, living off the government dole like Republicans are trying to force her to do with the new entitlement program that they are creating.

If Nikita didn't have the healthcare coverage she obtained through the Affordable Care Act, she said that she would be on disability and Medicaid, costing the government far more money and preventing her the dignity of holding a job and working to support herself and paying taxes.

Both Greg and Nikita expressed fear that the benefits they receive under the Affordable Care Act would disappear if the Affordable Care Act is dismantled in favor of this new Republican entitlement program that encourages people not to work. The American Health Care Act threatens to pull the rug out from so many of my constituents and millions across the country while simultaneously raising rates by 15 to 20 percent for people who are currently insured and paying for their own insurance.

Look, H.R. 372 is a fine bill. Republicans are using it as a talking point, claiming that somehow it addresses costs in some meaningful way. And given how complicated the healthcare system is and the critical role that we all have to play in it and every little piece plays, it is important to lay out the facts of the Republican plan, which H.R. 372 does nothing to address.

It is a fact fewer people will be covered under the Republican plan. The Congressional Budget Office says 24 million people will lose their healthcare coverage over the next decade.

It is a fact that middle-aged Americans will pay five times more in premiums. The age tax is a big part of the Republican healthcare bill. Americans ages 55 to 64 will see their cost increase by over \$8,000. Most of my constituents in that age group simply can't afford that every year.

It is a fact that those currently enrolled in Medicaid programs are at risk of losing their coverage. The Republicans' concern that Medicaid expansion to the Affordable Care Act was coercive, they should be equally concerned about the per capita cap in the Republican plan. It is the flip side of the same coin.

Those are just some of the many troubling facts about the Republican healthcare bill.

H.R. 372, removing the antitrust exemption, is a fine bill. It does nothing to address any of those problems or change any of those facts and figures that I cited as to why this bill doesn't fix health care.

In fact, frankly, this bill is a distraction from the real topic we should be

discussing—how to improve health care in this country. I don't think we should improve it by giving tax cuts to millionaires and billionaires, forcing people like Greg and Nikita not to work and to be destitute in order to get health care and go on the government dole, creating a brand-new entitlement program that States administer, increasing the costs of insurance for people who are already insured by 15 to 20 percent.

Mr. Speaker, if those are the answers, what is the question? Is it how to make health care cost more and how to have less people covered?

If that is the question, the Republican bill is a good answer.

That is not the question my constituents are asking me, and I don't think it is a question their constituents are asking my Republican colleagues.

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

Mr. COLLINS of Georgia. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. AUSTIN SCOTT) to continue discussing the rule before us about the McCarran-Ferguson repeal.

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I rise today in strong support of H.R. 372, the Competitive Health Insurance Reform Act of 2017, which would take a big step towards creating a more business- and consumer-friendly insurance market that works for all Americans.

As I listened to the comments just before I stood up, I heard that this is a fine bill. It is more than a fine bill. This is a good bill. Let me tell you how I know it is a good bill—because, a few years ago, both NANCY PELOSI and MIKE PENCE voted for it.

Now, what the Democrats don't want to tell you is that on February 24, 2010, less than a month before the Affordable Care Act was signed into law, there was an agreement that allowing the insurance companies to be exempt from the antitrust laws in the country was a problem.

So how is it that with a bill that passed 406 “yes” votes to 19 “no” votes—when it came out of the dark rooms, the Affordable Care Act was brought to the floor with the comments of: Well, you will have to read it to find out what is in it.

Perhaps the Democrats should have read it to find out what wasn't in it, because the leadership not only sold America out, they sold them out. This bill passed 406-19. Yet, in the back rooms where they put the Affordable Care Act together, they didn't include the provision.

While the Affordable Care Act certainly has played a major role in the disruptions patients and providers have experienced, the decades-old special exemption—which they voted to take away, and then the leadership of the Democratic party gave it back to the

insurance industry—shielding insurers from Federal antitrust laws has eroded confidence and competition in the marketplace. Fortunately, we have a vehicle before us to walk back this special deal.

The legislation currently before the House would inject much-needed competition into the health insurance market by eliminating the antitrust exemptions for health and dental insurers, leveling the playing field and giving consumers and providers more leverage and better options. There are very few antitrust exemptions in our country, and for good reason.

This exemption is not only damaging to the consumer when they purchase health insurance, but it damages the healthcare providers, further limiting consumers' access to services.

The dominance of the market that large insurers have enjoyed has forced many providers to move, close, merge, or sell to larger regional hospitals, impacting parties across the industry. In the 24 counties of Georgia that I represent, patients have few healthcare choices left that impacts their ability to receive quality care and negotiate a policy that meets their unique needs.

Echoing that sentiment, I think anyone who has skin in the game will tell you that a majority of the problems in the healthcare marketplace trace their roots back to a lack of competition.

□ 1245

Yet, the Democrats left the insurance industry exempt from the antitrust laws once again when they passed the Affordable Care Act.

While insurance companies have the power to negotiate, just as they proved in the negotiations with the Democrats on the Affordable Care Act, pharmacies, physicians, and hospitals are left without a seat at the table. When the insurance companies get to determine who is and isn't able to provide healthcare services, the insurer-provider relationship is closer to extortion than negotiation.

So why do we allow the health insurance industry that controls, through their contracts, who your doctor is, who your pharmacist is, which medicine you can get, and which hospital you can go to, to be exempt from the antitrust laws of the country? How could the Democrats do that to you in the Affordable Care Act?

By definition, health care and health insurance are not the same thing, but when one industry, one insurance company controls such significant portions of the cash flow of all of the providers in a region, no provider can stay in business without a contract with that carrier; therefore, the insurance company gets to determine who is and who is not able to provide health care.

Removing this antitrust exemption for health insurers means one more option for consumers, increased competi-

tion between providers, and greater certainty for insurers when it comes to hammering out policies and working for consumers across the spectrum. It should have been done long ago, but the Democrats turned their back on the American public and, again, granted the health insurance industry an exemption from the antitrust laws of the country.

While this is certainly not an end-all, be-all to reforming our broken and dysfunctional healthcare system, it is a commonsense step towards untangling the mess our health insurance marketplace has become.

I also think it noteworthy to mention, again, February 24, 2010, the Health Insurance Industry Fair Competition Act passed the House with a vote 406-19 only 1 month prior to the Affordable Care Act being signed into law. And yet, the American citizens, once again, were sold out by the Democratic Party.

I strongly believe this piece of legislation currently before the House lays a firm foundation in our work to fulfill our promise to fix our badly broken healthcare system. Today we have the opportunity to provide relief to consumers and providers alike, and I urge my colleagues to vote in favor of H.R. 372, the Competitive Health Insurance Reform Act of 2017.

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

Two weeks ago, the Republicans pushed ahead with their healthcare bill, despite not knowing the impact of the legislation. A week later, the non-partisan Congressional Budget Office announced that the bill would take health insurance away from 24 million people and increase costs by 15 to 20 percent for those who currently have insurance.

Mr. Speaker, late last night the Republicans introduced a major manager's amendment that changes the bill, frankly.

Mr. Speaker, just as it was irresponsible to move forward without knowing the full effects of the original bill, it is completely reckless to even know whether this manager's amendment makes it better or worse and the impact that it has on health care for American families. It is reckless to consider and vote on their amended bill before the Congressional Budget Office even says how much it costs, or how much it will increase insurance by, or whether it throws people off insurance rolls.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule that would require a CBO cost estimate that analyzes the impact of any legislation amending or repealing the Affordable Care Act, as well as the impact of any manager's amendment to that legislation to be made publicly available before the bill may be considered on the House floor.

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

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

There was no objection.

Mr. POLIS. Mr. Speaker, I am proud to yield 4 minutes to the distinguished gentleman from Kentucky (Mr. YARMUTH), the ranking member on the Committee on the Budget, to discuss our proposal.

Mr. YARMUTH. Mr. Speaker, I thank my colleague for yielding.

The one question I think many Americans who follow this debate would be asking now is: What is the rush? What is the rush?

For 7 years now, our Republican colleagues have consistently said we are going to repeal the Affordable Care Act. More than 60 votes have been taken in this body to repeal the Affordable Care Act. We kept asking: If you are going to repeal it, what are you going to replace it with? You can't just say, do away with it, and leave millions and millions of Americans in the lurch.

So finally, 2 weeks ago yesterday, we have gotten their answer. TrumpCare, RyanCare, the American Health Care Act, call it what you will, we finally got an answer.

What has happened since those 2 weeks? We had no hearings on this bill. We had quick markups. They lasted a long time, but we had—the bill was introduced Monday night—markups in the Energy and Commerce Committee and the Ways and Means Committee on Wednesday. And this was on just a steamroller to try to get this accomplished before anybody knew what was in it.

Now, the CBO report from last week came out indicating things that I think most Americans would be frightened by. 24 million Americans lose their coverage over 10 years; but, more significantly than that, 21 million lose their coverage within 3 years; 14 million next year.

Consider that. All of the gains in coverage made under the Affordable Care Act done away with in 3 years. Premiums going up for Americans.

I can't believe Speaker RYAN tried to put lipstick on a pig. He said he thought the CBO report was really encouraging because, 10 years from now, premiums would be 10 percent lower. The only way they are 10 percent lower is because, under the TrumpCare, older Americans, 50 and older, in the individual market get priced out of the market with huge premium increases. So they are gone. Only younger and healthier people are in there. Yes, premiums would be lower for them. Other people are out of business.

So that report comes out, causing a great deal of consternation on the part

of the sponsors and supporters. They bring it, schedule it to come to the floor on Thursday, March 23, because they think that is cute because that is the seventh anniversary of the passage of the Affordable Care Act. But, again, no hearings, no real analysis; and what is more important, no CBO revised report on the changes that were introduced late last night.

This is outrageous. And I love to hear my Republican colleagues try to portray the process under which the Affordable Care Act was drafted and considered with some kind of nighttime secretive deal. They weren't here, most of them. I was.

I was on the Ways and Means Committee, one of the drafting committees. Fourteen months we worked on that legislation—14 months. Seventy-nine hearings in the Congress on that legislation. Hours and hours and hours of markups on that legislation. Cost estimates throughout the process. I can't imagine a more exhaustive and public process than we went through for the Affordable Care Act.

And here, 2 weeks from introduction to proposed passage, we have no real public discussion of a piece of legislation that directly affects the lives and probably, unfortunately, the deaths of many, many Americans.

So, Mr. Speaker, we don't need to rush to judgment. I don't think the American people are waiting around saying: I don't need to know any more; ObamaCare is so bad, and my life is so bad that I can't wait another 2 weeks to find out what this really would do to me and my family. No, we need to give more time.

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

Mr. POLIS. I yield an additional 1 minute to the gentleman.

Mr. YARMUTH. We don't need to do this this Thursday without a full rendering of the cost of the new manager's amendment to TrumpCare. We suspect, although we don't know, that it is going to look even bleaker; that more people will lose their coverage; that costs and rates will be higher. But shouldn't we understand exactly what those statistics are, what those projections are before we vote on something that is so significant for tens of millions of Americans?

So, Mr. Speaker, I think it is entirely appropriate that we require that a new CBO report be done on the manager's amendment before we vote on something that, again, means life and death to American families.

Mr. COLLINS of Georgia. Mr. Speaker, I have no other speakers, and I reserve the balance of my time.

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

Mr. Speaker, I am awaiting the graphic presentation about some of what is at stake in this debate about

the Affordable Care Act, the fundamental debate about whether we try to fix health care in this country, make insurance cost less, or whether we move backwards under this Republican healthcare proposal.

The Republican healthcare proposal would create an entirely new entitlement program administered by the States. In creating this program, it would throw 24 million people who have healthcare insurance today off of the insurance rolls. They would become uninsured Americans.

It would add an age tax on older Americans. It would also increase the cost of health care for people who have health care today and pay for it, by 15 to 20 percent. Now, they wouldn't be getting more for that 15 to 20 percent.

Mr. Speaker, if you can believe it, they would actually be getting less insurance for that 15 to 20 percent because many of the requirements that insurance has to have are rolled back, the Federal protections under this Republican healthcare bill.

Somehow, at the same time it does all these things, the same time it costs 24 million Americans their insurance, the same time it increases rates by 15 to 20 percent—and, by the way, these figures are from the nonpartisan Congressional Budget Office, the head of which was appointed by Republicans.

These are solid predictions that are done by people who were appointed by Republicans. We are not citing any outside group or naysayers who don't like the bill. These are the objective Congressional Budget Office numbers that we are citing here in their entirety.

So, in addition to costing people 15 to 20 percent more, this bill also, for reasons unknown, gives an enormous multibillion-dollar tax break to millionaires and billionaires in New York and California. That is where most of them live. Now, there are a few in other places, of course, too.

But it is just unclear why, at the same time Republicans are trying to change the healthcare law, they want to go back to giving enormous tax cuts to the wealthiest Americans. We are not even talking the wealthiest 1 percent. We are talking, like, one-tenth of a percent who are going to see the bulk of the benefit from these tax cuts, at the same time that health care is being taken away from 24 million people who have insurance today, and at the same time those who are fortunate enough to be able to continue to have it will have to pay 15 to 20 percent more.

That is why, Mr. Speaker, this bill is so unpopular. If you are going to go through the trouble of creating an entirely new entitlement program, at least do it in a way where it actually helps people afford coverage versus hurts their ability to afford coverage.

Now, I gave the example in my remarks of Greg, and that is far from

unique because people today, who rely on the subsidies to be able to get health insurance within the Affordable Care Act, if the Republican bill passes, would have to quit their jobs and rely on Medicaid instead, or they would have to take a lower-wage job. Instead of earning \$40,000 or \$50,000 a year, they would have to quit that job and try to take a minimum-wage job so they could qualify for Medicaid.

Essentially, this Republican healthcare bill is telling Americans, you need to be lazy and not work if you want health care because, if you want to work a job, we are going to take it away. We are only going to provide it if you quit your job or take a minimum-wage job under Medicaid.

So that is not the message or the incentives that we want to send to the American people. One of the great aspects of the Affordable Care Act is it actually, for the first time, provided an incentive for people to get increases in their wages, to get better jobs, to work additional hours.

Before the Affordable Care Act, we were locked into a scenario where people who were on Medicaid lost their Medicaid benefits if they got a raise at work, depending on the size of their family. It could have been a raise from, let's say, \$14 an hour to \$16 an hour. They couldn't work overtime. They couldn't work a second job, as so many people do to escape from poverty because they would lose their health care.

The Affordable Care Act said: You know what? We are going to allow you and encourage you to work that second job, to get a raise and support your health care as you make your way out of poverty into the middle class. What a great idea.

The Republican proposal creates a brand new entitlement program, but rolls back those affordability protections that help people work their way out of poverty, and leaves no alternative for people like Nikita and Greg, other than you have to quit your job or work a minimum-wage job because, otherwise, we are going to take your health care away from you.

□ 1300

That is the reason that the projections came back—no surprise—that 24 million people will lose their healthcare insurance. It is the reason that healthcare insurance rates will increase 15 to 20 percent.

We don't know the reason that they are also giving a tax cut to billionaires in the same bill. We know they want to do that, but they should do that in a tax bill. There is an effort at tax reform. I think they are talking about giving an additional tax cut to billionaires in that bill. That will be debated separately. But it is unclear how—or it is more than unclear as to why it would help make health care more af-

fordable to give a tax cut to billionaires. It just doesn't make any sense. Let's debate that under a different bill. I am happy to do that. As part of a broader tax proposal, we will see what else is in it. We know Republicans want to do that, but they shouldn't do that under the guise of health care.

So, again, Mr. Speaker, what you have here in this Republican bill, which this current bill does nothing to change—and this bill will pass, it has passed before, and we hope the Senate acts on it to remove the antitrust exemption. This bill does nothing to change the facts on the ground that the Republican healthcare bill that creates a brand new entitlement program would make Americans pay more for less, 24 million people would lose their insurance, there is an age tax on older Americans, guts Medicaid, huge tax cuts for millionaires and billionaires, increases of 15 to 20 percent for Americans who are lucky enough to retain their insurance, and discourages work and encourages people to be lazy at home to get health care.

It is the opposite of what we want to do. It is contrary to the American work ethic, and it is contrary to all incentives around cost containment. I hope—I really hope, Mr. Speaker—that the House defeats this awful bill to replace the Affordable Care Act, even as we pass some of these commonsense bipartisan measures like the one before us today that, around the edges, could potentially affect antitrust within insurance companies.

Mr. Speaker, the bill under consideration today is a commonsense piece of legislation. It has passed the House before. Ultimately, however, it distracts from the elephant in the room. The American Health Care Act is the Republican bill to roll back and change the Affordable Care Act and create a brand new entitlement program while increasing the insurance rates for American families, providing tax cuts to billionaires, and throwing 24 million people off of the insurance rolls.

My colleagues across the aisle had 7 years to work with us to improve the Affordable Care Act, but they refused to work with us to make health care more affordable and to expand coverage. Instead, they have drafted a bill that does the exact opposite. No wonder we were unable to find common ground when our goals were different.

The goals of myself and Democrats have always been to reduce costs and expand coverage. Reading into what the Republican goals must be if this bill meets them, it seems like they are working to decrease coverage and increase costs—the opposite of what we are working for.

How will my colleagues look into the eyes of a former veteran or a small-business owner or a middle class family or my constituents like Greg or Nikita and somehow tell them that they

would be better off under a plan that forces them to quit their jobs and become destitute? How will Republicans defend the vote to senior citizens when the age tax in this bill will force most seniors to pay premiums five times higher than what others pay for healthcare coverage? What will my colleagues say to 24 million people who lose healthcare coverage entirely under this bill?

The Republican healthcare bill that this body will consider on Thursday will do extraordinary damage to the healthcare system and leave millions of Americans guessing as to how much healthcare costs will cost and what will be covered. The American healthcare bill threatens to roll back important protections in coverage gains delivered by the ACA, and discussion of anything else at this point is a diversionary tactic, plain and simple.

Mr. Speaker, let's defeat the previous question and figure out how much this mysterious manager's amendment even changes the bill for better or worse. My colleague, Mr. YARMUTH, made a very compelling argument about how we need to know the actual costs and benefits of any bill we vote on; yet, this body is being forced to vote blind on a manager's amendment that we saw for the first time today and could even change by tomorrow, and we won't even know how it affects the costs of this bill or how it affects the lives of Americans who have health care today or aspire to it.

Mr. Speaker, I encourage my colleagues to defeat the previous question and vote "no" on the rule, to vote "yes" on this commonsense bill to modify our antitrust statutes which Democrats and Republicans have supported overwhelmingly in the past, but never, not once, to take our eye away from the ball of trying to decrease costs rather than increase costs and trying to expand coverage rather than retract coverage.

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

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

I would just like to remind those from the House that if you do defeat this rule, you will not vote on this commonsense piece of legislation. So let's at least put the correct procedural order out there.

We need to vote "yes" on this rule and get on to the underlying piece of legislation, which is a piece that has passed this House not only unanimously by voice vote in the Republican Congress but also with an overwhelming vote just recently in the Democratic administration as well. So we are moving forward on this.

I think what is interesting here, and what I have worked on, and we are going to have a lot of discussion on for

the next 2 days is repealing and replacing ObamaCare. I think it was interesting that my friend—we share many a night and day in the Rules Committee, we share different opinions, but he made mention of the elephant in the room. I will just make mention of the donkey in the room.

It is amazing to me now that we are actually concerned about people losing health care. We are actually concerned about prices going up. We are actually concerned about these issues that have been going on for 7 years. We are having an \$800 billion tax because we have removed the taxes and impediments of ObamaCare. We are actually—instead of mandating the folks that they buy insurance that they can't afford and can't use, we are actually getting a marketplace that will actually give them better choices and results.

I think the interesting part here is not knowing the cost and benefits. Good gracious. All we have to do is look back over the last 7 years, Mr. Speaker. When we understand what is going on, let's also, as we throw out the discussion—it was made in comment by my friend, 7 years to fix. You can't fix broken in this regard. When he goes about it traditionally wrong, it is not fixing. When you take away the markets, when you take away the individual market, and when you are taking away the very incentives that actually are the underpinnings of our health care to enlarge and grow, if your goals were to reduce and expand, then you failed miserably. You have not reduced costs, they have gone up. You have not expanded choices, they have gone down.

I have listened to it about as much as I can right now. We are going to have the next 2 days to give people health. It is why we are over here for the majority speaking because of the failure of the ACA in ObamaCare. When we understand that, then we can look at pieces of legislation like the Competitive Health Insurance Reform Act that should have been part of this a long time ago. Yet, we choose to begin discussions about a failure. It is about a failure.

Choose the status quo. Squint your eyes, look real hard, it is not getting worse, it is really okay, just help us tweak it, help it get better.

It is not getting any better. In fact, any insurance company is on a death spiral. ObamaCare is failing. Some of the CBO estimates about increased costs 10 years out are based on ObamaCare pricing. There wouldn't even be an ObamaCare plan in 10 years because it won't be there.

So we will have these arguments. We will have these discussions. But if you want to move forward a commonsense piece of legislation, if you want to move forward a bipartisan piece of legislation, if you want one that actually the American people sent us here to do

to actually make things better, then vote "yes" on the rule and vote "yes" on the underlying bill because that is why we are here—real solutions from a real majority that will answer the questions and then gladly defend it to an American people who are tired of being told about and talked about and taking things away because we didn't read it to know what was in it. That is why, because you couldn't know what was in it.

Now we are going to tell you what is in it, and we are going to put back a marketplace that actually works for Americans. When we do that, we will gladly put the market back there where they can actually have a plan they can afford and actually use. When we understand that, the health care and the plan we put forward will be one that works for the American people, not against them.

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

AN AMENDMENT TO H. RES. 209 OFFERED BY
MR. POLIS

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

SEC. 2. In rule XXI add the following new clause:

13. (a) It shall not be in order to consider a measure or matter proposing to repeal or amend the Patient Protection and Affordable Care Act (PL 111-148) and the Health Care and Education Affordability Reconciliation Act of 2010 (PL 111-152), or part thereof, in the House or in the Committee of the Whole House on the state of the Union unless an easily searchable electronic estimate and comparison prepared by the Director of the Congressional Budget Office is made available on a publicly available website of the House.

(b) It shall not be in order to consider a measure or matter proposing to repeal or amend the Patient Protection and Affordable Care Act (PL 111-148) and the Health Care and Education Affordability Reconciliation Act of 2010 (PL 111-152), or part thereof, in the House or in the Committee of the Whole House on the state of the Union, that is called up pursuant to a rule or order that makes a manager's amendment in order or considers such an amendment to be adopted, unless an easily searchable updated electronic estimate and comparison prepared by the Director of the Congressional Budget Office reflecting such amendment is made available on a publicly available website of the House.

(c) It shall not be in order to consider a rule or order that waives the application of paragraphs (a) or (b).

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

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

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To

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

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

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

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

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

The SPEAKER pro tempore (Mr. GRAVES of Louisiana). The question is on ordering the previous question.

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

Mr. COLLINS of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the

previous question will be followed by 5-minute votes on adopting the resolution, if ordered, and suspending the rules and passing H.R. 1353.

The vote was taken by electronic device, and there were—yeas 231, nays 185, not voting 13, as follows:

[Roll No. 176]

YEAS—231

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

NAYS—185

Adams	Bass	Bishop (GA)
Aguilar	Beatty	Blumenauer
Barragan	Bera	Blunt Rochester

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

NOT VOTING—13

Allen	Lewis (GA)	Slaughter
Beyer	Marchant	Thompson (MS)
Deutch	Payne	Tsongas
Emmer	Rush	
Fortenberry	Sinema	

□ 1335

Mr. COHEN changed his vote from "yea" to "nay."

Mr. WITTMAN changed his vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mr. ALLEN. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 176.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 234, noes 182, not voting 13, as follows:

[Roll No. 177]

AYES—234

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

NOES—182

Adams	Bera	Boyle, Brendan F.
Aguilar	Bishop (GA)	Brady (PA)
Barragan	Blumenauer	Brown (MD)
Bass	Blunt Rochester	Brownley (CA)
Beatty	Bonamici	

Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Españlat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa

Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowey
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
O'Halleran
O'Rourke

Pallone
Panetta
Pascarell
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Smith (WA)
Soto
Speier
Suozi
Swailwell (CA)
Takano
Thompson (CA)
Titus
Tonko
Torres
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Beyer
Deutch
Fortenberry
Lewis (GA)
Marchant

Norcross
Payne
Rush
Schweikert
Sinema

Slaughter
Thompson (MS)
Tsongas

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HUIZENGA) (during the vote). There are 2 minutes remaining.

□ 1342

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

TRANSPARENCY IN TECHNOLOGICAL ACQUISITIONS ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1353) to amend the Homeland Security Act of 2002 to require certain additional information to be submitted to Congress regarding the strategic 5-year technology investment plan of the

Transportation Security Administration, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. RUTHERFORD) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 2, not voting 13, as follows:

[Roll No. 178]

YEAS—414

Abraham
Adams
Aderholt
Agular
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock

Conaway
Connolly
Conyers
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael
F.
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Españlat
Esty
Evans
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Foster
Foxy
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)

Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Hanabusa
Harper
Harris
Hartzler
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Levin

Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loeb sack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
MacArthur
Maloney,
Carolyn B.
Maloney, Sean
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta

Pascarell
Paulsen
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Polis
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Russell
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus

Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozi
Swailwell (CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—2

Hastings
Beyer
Deutch
Fortenberry
Lewis (GA)
Marchant

Napolitano
Payne
Rokita
Rush
Sinema
Slaughter

NOT VOTING—13

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1349

Mr. WEBSTER of Florida changed his vote from “nay” to “yea.”

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HASTINGS. Mr. Speaker, during rollcall Vote number 178 on H.R. 1353, I mistakenly recorded my vote as “nay” when I should have voted “yea.”

Mrs. NAPOLITANO. Mr. Speaker, during rollcall Vote number 178 on H.R. 1353, I mistakenly recorded my vote as “no” when I should have voted “yes.”

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO THE PRESIDENT

Mr. MURPHY of Pennsylvania, from the Committee on Energy and Commerce, submitted an adverse privileged report (Rept. No. 115-54) on the resolution (H. Res. 154) of inquiry requesting the President of the United States and directing the Secretary of Health and Human Services to transmit certain information to the House of Representatives relating to plans to repeal or replace the Patient Protection and Affordable Care Act and the health-related measures of the Health Care and Education Reconciliation Act of 2010, which was referred to the House Calendar and ordered to be printed.

PROVIDING FOR CONSIDERATION OF H.R. 1101, SMALL BUSINESS HEALTH FAIRNESS ACT OF 2017

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 210 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 210

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1101) to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees. All points of order against consideration of the bill are waived. In lieu of the amendment recommended by the Committee on Education and the Workforce now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-9 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by the Member designated in the report, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for a division of the question; and (3) one motion to recommit with or without instructions.

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

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

GENERAL LEAVE

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

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

There was no objection.

Mr. BYRNE. Mr. Speaker, House Resolution 210 provides for consideration of H.R. 1101, the Small Business Health Fairness Act of 2017.

President Trump promised to repeal and replace ObamaCare, which is negatively affecting our economy and causing great hardship on the American people. Congress is responding this week with multiple bills to do just that.

After years of endless premium increases, we must take steps to make health insurance more accessible and affordable, including for small businesses that employ the majority of Americans. H.R. 1101, the Small Business Health Fairness Act, will do just that by helping to level inequalities between large and small employers, ultimately making health insurance more affordable for millions of Americans.

Simply put, the Small Business Health Fairness Act will empower small businesses to band together through association health plans to purchase health insurance. This will allow them to increase their bargaining power, negotiating for lower health insurance rates on behalf of their employees, just like their large competitors do.

Additionally, the bill will allow their plans to fall under the Employee Retirement Income Security Act of 1974, or ERISA, and the Department of Labor, just like the large self-funded employer plans, preempting a myriad of State regulations that often make insurance unaffordable for small businesses.

The usefulness of this legislation is easy to imagine. For example, a small accounting firm might employ just three or four people while the largest firms employ tens of thousands. If that small firm could join together with others just like it to provide health insurance through their national association, it could have the same bargaining power and be subject to the same regulation as the firm with thousands of employees. This parity means more options and lower costs for employers and employees.

Mr. Speaker, our Nation's small businesses were hit especially hard by the

passage of ACA. In fact, a 2016 survey by the National Federation of Independent Businesses found that small businesses identified the cost of health care as their number one challenge.

An estimated 300,000 small-business jobs were destroyed, and an estimated 10,000 small businesses closed altogether due to the failed ObamaCare policies.

Since 2008, 36 percent of all small businesses with fewer than 10 employees have stopped offering healthcare coverage. This has resulted in less overall healthcare options for working families.

ObamaCare's compliance costs and mandates have resulted in \$19 billion in lost wages for small-business employees.

The bottom line is that small businesses—the backbone of our Nation's economy—and their employees are feeling the pain of ObamaCare's failures and broken promises.

I meet with these small-business owners from south Alabama every day. They want to take care of their employees and provide them with high-quality health insurance. Through enacting the Small Business Health Fairness Act, we can help thousands of small businesses achieve that goal.

Mr. Speaker, I also want to point out that this legislation includes strong protections to ensure association health plans are solvent and that the families covered by them are indeed protected. A sponsor of a plan must be a bona fide trade, industry, or professional organization and can't be established for the purpose of providing medical care.

The sponsor must have existed for a period of at least 3 consecutive years before providing group health insurance coverage. The association health plan must be operated by a board of trustees and will be supervised by the Department of Labor. This will include minimum capital requirements and a requirement that plans have a stop-loss and solvency insurance.

Finally and most importantly, the bill prohibits association health plans from discriminating based upon health status and preexisting conditions.

Mr. Speaker, the Small Business Health Fairness Act is about ensuring our Nation's small businesses are afforded the same opportunities given to large corporations and labor unions. When similar legislation has been brought to the floor in the past, it has received strong bipartisan support, as I hope this bill will today.

Ultimately, this bill is just one part of our larger plan to rescue the American people from the failures of ObamaCare. This week, the House intends to vote to repeal ObamaCare, along with its mandates and its taxes.

But we do also understand that the pre-ObamaCare status quo is not acceptable. That is why the House is already moving to consider bills to give

Americans the freedom, choices, and control they deserve.

Our solutions are built on free market and patient-centered principles. By getting the government out of the way and increasing competition, we can draw down costs and help Americans obtain health care that actually works for them.

Mr. Speaker, I urge my colleagues to support House Resolution 210 and the underlying bill.

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

□ 1400

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

Mr. Speaker, I rise in opposition to this rule today that provides for consideration of H.R. 1101, the so-called Small Business Health Fairness Act of 2017.

This bill, first of all, from a procedural basis, did not allow even a discussion of the amendments that my Democratic colleagues brought forward to improve the bill. This rule has something called the structured amendment process, which basically means that Democrats are locked out from presenting our ideas for improving this bill. We are not even allowed a 10-minute debate or a vote on any of the ideas that many of my colleagues brought forward.

The gentlewoman from Oregon (Ms. BONAMICI) proposed an amendment to require the legislation only take effect if the Congressional Budget Office determined premiums for older workers wouldn't increase. Sounds like a reasonable idea to at least debate for an hour, 10 minutes. It is important to do.

The gentlewoman from California (Mrs. TORRES) offered an amendment that would have required all association health plans to continue the 10 essential health benefits of the Patient Protection and Affordable Care Act to obtain State certification—again, not even allowed to vote on her amendment.

The gentleman from New York (Mr. ESPAILLAT) offered an amendment to allow States to continue regulating any association health plan, including regulations related to benefits, consumer protections, and rating restrictions—not allowed.

These amendments would have improved the underlying legislation. They should have been allowed to proceed to the floor. Unfortunately, the only amendment that made it in was from the Republican side of the aisle, and all of the great ideas that Members on my side of the aisle offered were prevented from being even allowed to be debated under this restrictive rule.

I find it very troubling that my colleagues on the other side seem to prefer a partisan vote to collaboration and

to considering valuable proposals that might help improve the quality of health care just because they happen to come from Democrats.

But there is a bigger issue here. Of course, in addition to the faulty process, the bill is simply a bad bill and does nothing to address the problems with the repeal of the Affordable Care Act, which is pending before this body.

One of the issues raised under this bill is it could lure away young and healthy workers, creating a distortion in the market. The ACA changed that practice by requiring health insurance sold through an association to meet the same insurance standards of coverage sold to the individual and small group market, preventing cherry-picking and providing a basic level of protection for consumers. This bill would roll back that progress, creating a separate set of rules for association health plans, essentially exempting them from complying with State regulations.

There is also little evidence that it has even been effective to expand coverage. That is why many consumer and advocacy groups, including, for instance, the National Association of Insurance Commissioners, have come out opposed to this bill.

But even more disturbing is the fact that we are considering a bill that even its proponents would agree does not in any way, shape, or form replace the protections of the Affordable Care Act. This is a bill that is narrow in scope. In fact, when we marked it up in our committee, the Education and the Workforce Committee, that very same day, the Energy and Commerce and Ways and Means Committees were marking up a bill to create a brand-new entitlement program, remove health care from 24 million Americans who have it today, and increase costs by 15 to 20 percent for those who are paying for their insurance today.

At that time, the Republican healthcare bill had only been public for 24 hours. When the committees marked it up, we didn't even know how much the bill cost or how many people would lose coverage as a result. That information only came later, after committee members voted to amend or not amend the bill.

Frankly, it is unconscionable to deny people healthcare insurance. It may be a life-or-death proposition, and we need to do a better job understanding bills before we vote on them, which is one of the reasons that we need to make sure we know the cost of this so-called manager's amendment, these midnight changes to the repeal of the Affordable Care Act.

What is interesting with this proposed American Health Care Act the Republicans plan to bring to the floor, it was just reported—and I will be submitting the article for the RECORD—that the Republican bill actually re-

sults in more people being uninsured than if ObamaCare were simply repealed outright.

So rather than repealing it outright, what Republicans are doing is giving a tax break to billionaires, creating a brand-new entitlement program, throwing 24 million people off the insurance rolls, and increasing costs by 15 to 20 percent. It would actually throw less people off insurance if they simply repealed ObamaCare.

Mr. Speaker, I include in the RECORD an article from The New York Times.

[From The New York Times, Mar. 21, 2017]

The Upshot—Public Health

FEWER AMERICANS WOULD BE INSURED WITH G.O.P. PLAN THAN WITH SIMPLE REPEAL

(By Margot Sanger-Katz)

The Congressional Budget Office recently said that around 24 million fewer Americans would have health insurance in 2026 under the Republican repeal plan than if the current law stayed in place.

That loss was bigger than most experts anticipated, and led to a round of predictable laments from congressional Democrats—and less predictable ones from Republican senators, including Bill Cassidy of Louisiana and John Thune of South Dakota, who told reporters that the bill needed to be “more helpful” to low-income people who wanted insurance.

But one piece of context has gone little noticed: The Republican bill would actually result in more people being uninsured than if Obamacare were simply repealed. Getting rid of the major coverage provisions and regulations of Obamacare would cost 23 million Americans their health insurance, according to another recent C.B.O. report. In other words, 1 million more Americans would have health insurance with a clean repeal than with the Republican replacement plan, according to C.B.O. estimates.

The C.B.O. estimated what would happen after a simple repeal when it considered a bill that Congress passed last year. (President Obama later vetoed that bill.) The bill left parts of Obamacare in place, so the 23 million estimate didn't come with the kind of detailed analysis that accompanied last week's score of the American Health Care Act. But the similarity of the two estimates highlights some of the difficulties of the current proposal, both for Democrats, who are strongly criticizing potential coverage losses, and for the repeal-or-die crowd, who hate the structure of this new bill.

“It's reaffirmed how exceedingly complicated and convoluted the approach the House leadership took,” said Dan Holler, the vice president for communications and government relations at Heritage Action, an advocacy group firmly in the repeal-or-die camp.

Late Monday, House leadership revealed a set of amendments to the bill, which will be considered when the bill comes up for a vote. But, if they are adopted, the changes are unlikely to have major effects on overall coverage numbers. If anything, the changes might lead to a larger increase in the number of Americans without health insurance.

The people who would end up without health insurance are slightly different in the two cases. The current bill would cause more people to lose employer insurance, while a straight repeal bill would most likely cause more people who buy their own coverage to become uninsured. A simple repeal would be

worse for Americans with pre-existing conditions, but the current bill would be worse for older Americans who are relatively healthy. Both approaches would lead to major reductions in the number of Americans covered by Medicaid.

The bill that Congress passed in 2016 is the third scenario. It would have kept Obamacare's major insurance regulations on the books, including its rule that health insurers need to sell insurance at the same price to healthy and sick customers of the same age. It would have removed funding for the expansion of Medicaid, dropped subsidies to help people buy health coverage, and eliminated the individual and employer mandates in the law.

The results of those changes would be drastic: In a decade, 32 million more people would be without health insurance, according to the estimates. The C.B.O. essentially said it was a policy combination that would break the insurance market, resulting in substantially more people losing coverage than gained it under Obamacare.

The kind of full repeal that some Republicans are calling for would, of course, be hard to pass. Even if every member of their caucus supported the approach, most experts believe that repealing Obamacare's major insurance provisions would require a type of legislation that would be vulnerable to a Senate filibuster, and would thus require at least eight Democratic votes.

All three approaches would result in meaningful reductions in the number of Americans with health coverage. But, in the end, it appears that the long-term effects of the current Republican plan don't look that different from full repeal.

Mr. POLIS. Mr. Speaker, Margo Sanger-Katz said, in part: "But one piece of context has gone little noticed: The Republican bill would actually result in more people being uninsured than if ObamaCare were simply repealed. Getting rid of the major coverage provisions and regulations of ObamaCare would cost 23 million Americans their health insurance. . . . In other words, 1 million more Americans would have health insurance with a clean repeal than with the Republican replacement plan, according to CBO estimates."

So it is just unclear what the Republicans are trying to do here. If the goal was to come up with something worse than repealing the Affordable Care Act, they certainly reached that goal: less people will have coverage, more tax breaks for billionaires, higher rate increases for most Americans. On every account, it actually underperforms a cleaner repeal.

What Democrats wanted to do is improve the Affordable Care Act. And I want to be clear, none of us have ever argued the Affordable Care Act is perfect. I pushed for fixes. So many of my Democratic and Republican colleagues have pushed for fixes to strengthen the law, like repealing the medical device tax, which adds cost to health care, and altering the Cadillac tax on insurance premiums.

In the Education and the Workforce Committee, I actually offered three amendments to show some of the ideas that I and some of my colleagues had

to improve the Affordable Care Act. They offered an amendment to establish a public option in the exchange, to provide a baseline of competition in every ZIP Code in this country—defeated on a partisan vote. I should add that my proposal for a public option—and I am a cosponsor of the bill to do the same—would actually reduce the budget deficit by over \$50 billion.

I also offered an amendment for pricing transparency to help make the market in health care work. One of the major market fallacies in health care is a Byzantine pricing structure where, frequently, different entities and people are paying different amounts for the same thing. If we had simple pricing transparency and quality transparency, we would go a long way towards making markets work in health care—defeated on a party vote.

Finally, I offered an amendment that would have allowed reimportation of prescription drugs. When you have a situation where—we have a popular example of this in the EpiPen, costing Americans who need access to the EpiPen over \$400, and yet in neighboring countries—Canada, Australia—EpiPens cost \$40 or \$50, one-tenth as much.

It is not unique to the EpiPen. By no means is that an exception to the rule. In fact, it is the rule. By allowing reimportation of prescription drugs, a proposal that was backed in the Senate in a bipartisan way by many of my Democratic and Republican colleagues as a budget amendment, we could actually reduce costs in health care, making the goal of expanding coverage even easier with those reduced costs.

You know, when I think about health care, I think it is important to think about who in our districts and States it most affects. I think of Pat Hayward, a constituent in my district who lives in Loveland.

Pat has so many family members who would be directly impacted by the repeal of the ACA. For instance, her husband has melanoma and over the years has needed several procedures to remove cancerous cells from his skin. Had those procedures not been done in a timely and efficient manner, it could cause major complications, including premature death for Pat's husband.

Prior to the Affordable Care Act, when they tried to change insurance carriers, her husband was told that any coverage would exclude coverage of cancers, the very type of coverage he needed, because it was a preexisting condition. They literally would have had to choose between bankruptcy or being forced out of their home and into destitution or not getting the life-saving melanoma treatments that he needed.

But it is not just Pat's husband who has benefited and perhaps is alive and thriving today because of the protections of the Affordable Care Act. Pat's

eldest son took advantage of a provision that allowed him to stay on his parents' plan until he got a job with health insurance at age 25.

Their younger son has struggled with anxiety and panic attacks, but thanks to comprehensive mental health treatment and the protections of the mental health parity that are in the Affordable Care Act—and being rolled back under the American Health Care Act, the Republican bill to replace it—their son is now back in college and thriving.

Pat, herself, expressed gratitude. The Affordable Care Act covers wellness visits and tests like mammograms, which can detect problems early, reduce costs, and save lives.

I share this story—and Pat wanted me to share her story—because families like the Haywards are like families in every State, in every county, in every ZIP Code in the country. American families have faced their share of medical challenges, as have mine, and I am sure that yours has as well, Mr. Speaker. Medical challenges crop up unexpectedly. They don't have any bias toward a political party. They affect Democrats and Republicans and Independents and Greens and apathetic voters and diligent participants in our civic system. They make no distinction.

But the Affordable Care Act is there to make it easier for families across our country to stay healthy, to get better, to save their lives so that kids can grow up with their parents healthy, kids can grow up and be able to go to school and get good jobs.

And like so many of my constituents, Pat told me she would rather see the current system improved than thrown out entirely, and I agree. That is why I offered the pricing transparency amendment, the public option amendment, and the reimportation of prescription drug amendment; and there are dozens of other ideas to improve the Affordable Care Act from my side of the aisle. I offered amendments in committee that would have codified these provisions into law.

I plan to continue to fight to improve access and lower healthcare costs, but dismantling the Affordable Care Act is simply counterproductive towards that end.

The Republican proposal to create a brand-new entitlement program would cause 24 million Americans to lose their insurance—over 1 million more than repealing the Affordable Care Act. For those who are lucky enough to still have their insurance, it would increase rates by 15 to 20 percent.

It would also, for reasons unknown, have an enormous tax cut for billionaires and millionaires. We know Republicans want to do that, but they should do that through a tax bill, not through something that is supposed to be a healthcare bill—enormous tax cuts. We are not even talking the

wealthiest 1 percent. Most of those tax cuts go to the wealthiest one-tenth of 1 percent of Americans. That certainly doesn't help reduce the cost of health care.

Again, this bill can be debated, and, frankly, many of us feel it presents a problem in the risk pools that remove consumer protections. There is a solvency issue around some of these groups. There is a legitimate debate to be had, but we certainly haven't heard anybody present that somehow this bill is any kind of answer to making health care more affordable or expanding coverage.

What we have before us over the next couple of days is a bill that not only is the answer, but is a bill that creates an even bigger problem. The Republican healthcare bill would dig us in a deeper hole with regard to health care, leaving more Americans without coverage, creating a costly, brand-new entitlement program, and raising rates for those Americans who are lucky enough to still have their insurance after the Republicans remove it from tens of millions of people.

If that bill is the answer, what is the question?

Is the question, Mr. Speaker: How do we make health care cost more for American families?

Is the question, Mr. Speaker: How do we have less people covered and throw 20 million people off of health care insurance?

Is the question, Mr. Speaker: How do we make sure that, rather than work hard and try to get a raise or work two jobs, Americans are forced to quit their jobs and be lazy and not work just so that they can have Medicaid eligibility, which is what the brand-new Republican entitlement program would do?

Or, is the answer to move forward in a bipartisan way to improve the Affordable Care Act, a discussion that so many of us are excited to have.

I was disappointed that my three amendments were shut out in partisan votes in committee, and I am hopeful that by resetting this process, we can work together to reduce costs and expand coverage. Defeating the rule today will be the first step towards accomplishing that.

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

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

My colleague from Colorado raised an important question: What are the Republicans trying to accomplish here? It is pretty simple. We are trying to give freedom and choice back to the American people who lost their freedom and choice and control over their healthcare plans, who lost freedom and control over their health care because of an ill-considered law passed by this Congress several years ago.

He talked about the cost to American consumers. If you want to pass some-

thing that is going to increase cost to American consumers, this Congress did that several years ago. Look at the dramatic increase in healthcare insurance premiums, the dramatic increase in people's deductibles that have occurred since the Affordable Care Act—the so-called Affordable Care Act—was passed here in Congress several years ago.

We are trying to reverse that. We are trying to get control back. And, in fact, we know from the Congressional Budget Office score that it will lower premiums by 10 percent. We haven't seen premiums go lower in years. So if they want to know what we are trying to accomplish, it is plain on its face.

The gentleman referred to some amendments that he offered in committee. Every one of those amendments was ruled nongermane.

And for those of us that maybe don't understand a lot about what "germane" means, it is pretty simple. You can't offer amendments to a bill that aren't related to the subject matter of the bill.

The chairwoman of the committee ruled that he offered amendments that weren't germane to the bill that we have today. So the gentleman didn't lose because people were trying to lock him out of the process. He just offered amendments that had nothing to do with the underlying bill.

He talked about the fact that this underlying bill for the rule we have today will lure away young and healthy workers.

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Let me say it again. I said this in my principal remarks. Under this bill, none of these association health plans can discriminate against anybody. They can't do that. They can't say we are only going to let young or healthy people in the plan. They have to admit everyone. So there is no discrimination here. Everyone will be covered.

And remember how many people in America work for small businesses. All types of Americans work for small businesses. We are not trying to hurt them. We are trying to give them more opportunities to get better health insurance that will cost less money.

And if there was anything in here that would cause discrimination, we would have heard long and hard about that before this point. I would suggest to you, Mr. Speaker, that that is not a relevant argument to this particular bill. Every plan that is going to be under this bill must comply with the regulations of the Department of Labor, just like big corporation plans have to comply with the regulations of the Department of Labor.

We are simply treating small businesses through these associations the same way we treat big corporations. We have essentially denied to the employees of small businesses the same

opportunities to get good health insurance at a lower cost that their colleagues that work for bigger corporations get.

The reason the bigger corporations have this is because the Department of Labor comes up with a nationwide rule so you don't have all these different variations from State to State and allows for those big companies to do the things that they can do so very well because of their size to get better health care for an affordable cost for their employees. We are giving the same thing to these small businesses through their associations.

And remember, this is not just one bill. We actually just passed a rule. We will be considering another bill that will exempt, from the provisions of McCarran-Ferguson, health insurance so we get more competition into the health insurance market.

This bill is on top of that. It is on top of the AHCA that we will be considering later this week and other bills that will be coming, because there are a host of things that we are doing on this side of the aisle to make sure we restore freedom and choice and affordable care to the people of our country.

We are not removing people from health insurance in any of the bills that we are doing. We are giving them the freedom to choose. And that is what America is really all about: the freedom to choose.

Right now we are coercing, by law, people to go out and buy health insurance that they don't want. That shouldn't be done in America. We are going to give them their freedom back. And if they chose not to buy health insurance, that is their right as Americans. That is not taking something away from somebody. That is giving them their freedom back.

So I would suggest to the gentleman that, if he wants to look for something that is going to help the workers of America, this bill and the other bills that our side of the aisle are proposing will do just that.

Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. DUNN).

Mr. DUNN. Mr. Speaker, I thank my friend, the gentleman from Alabama, for yielding me time.

Mr. Speaker, I rise today in support of H.R. 1101, the Small Business Health Fairness Act.

As a surgeon in north Florida, I witnessed, firsthand, the disaster that is ObamaCare. After ObamaCare was passed and implemented, small medical practices across the country were faced with new, crippling regulations that threatened their very existence.

I ran a small urology practice in Panama City and faced the very devastation that these new regulations on small business imposed. Thankfully, I was able to work with several other small practices to create the Advanced Urology Institute, a 45-physician practice with over 400 employees and offices

throughout north Florida. Cooperation and pooling of our resources allowed our practice to reduce costs and to better serve our patients.

My experience underscores why the Small Business Health Fairness Act is so crucial. The Small Business Health Fairness Act allows small businesses to operate under the same principle when purchasing health insurance for their employees.

By joining together across State lines through associations, small businesses can achieve the economies of scale enjoyed by big businesses and unions when purchasing health care. It will empower small businesses to purchase better plans at a lower cost, which means working families can get the care they need at a price they can afford.

It is time to put small business employees on a level playing field with those of large businesses and those in unions. The health insurance market and this bill does just that.

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

Mr. Speaker, first of all, amendments that were brought forward by Ms. BONAMICI, germane. Republicans shut it down, didn't allow a debate.

Amendment brought forward by NORMA TORRES for this very bill, germane—not allowed to be debated for not even 10 minutes, not 5 minutes, not even 1 minute. Mrs. TORRES wasn't even allowed to offer her amendment under this rule that only allowed Republican amendments.

Finally, Mr. ESPAILLAT's amendment to this bill, yes, germane. He was, nevertheless, shut out in a party-line vote by the Rules Committee and not allowed to present his amendment before the floor that would simply allow States to continue protecting the benefits and consumer protections and rating restrictions in associated health plans, very simply.

Mr. Speaker, we are here considering the rule for H.R. 1101 and we still don't have a cost estimate from our non-partisan experts at CBO. We certainly believe this legislation will increase premiums for the middle class and seniors, but we don't have any idea how much so. It is becoming a pattern, Mr. Speaker.

Two weeks ago, the Republican majority pushed ahead with their healthcare repeal bill without a cost estimate. A week later, it turned out it will cost 24 million Americans their insurance and 15 to 20 percent increases for those who would still have it.

Late last night, there was a back-room, secretive manager's amendment that was proposed which we don't know the cost of or how it would affect coverage, and it is irresponsible for the Republicans to move forward without knowing the effect of the bill as amended.

If we defeat the previous question, I will offer an amendment to the rule

that would require a CBO cost estimate that analyzes the impact of any legislation amending or repealing the Affordable Care Act, as well as the impact of any manager's amendment to that legislation, to be made publicly available before the bill may be considered on the House floor.

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

The SPEAKER *pro tempore* (Mr. MOONEY of West Virginia). Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California (Ms. LEE) to discuss our proposal to make sure we actually know the cost of what is before this body.

Ms. LEE. Mr. Speaker, I first want to thank the gentleman from Colorado for yielding and for his tireless advocacy on behalf of the American people.

Mr. Speaker, I rise in opposition, first, to this terrible rule, of course, which made no Democratic amendments in order, but also in strong support of Congressman POLIS' amendment that requires the nonpartisan Congressional Budget Office to score the final bill, which is the bill to take away health care from 24 million people, to score it as amended by the Republican manager's amendment before the bill is on the House floor.

This clearly is nothing new for Republicans, though. In fact, just 2 weeks ago, Republicans shamefully pushed ahead with the markup of their terrible ACA repeal bill without a score from the Congressional Budget Office. And this week, on the seventh anniversary of the Affordable Care Act, Republicans' terrible plan to repeal this life-saving legislation will make it to the House floor.

One thing is clear. Republicans' proposals, of course written in secret back rooms, would be a disaster for struggling families, seniors, people with disabilities, low-income individuals, the poor, and the middle class.

It would, yes, rip away health care from 24 million people, reduce benefits, increase rates for those who can least afford this, and transfer \$600 billion in tax cuts to the very wealthy. That is outrageous, but it gets even worse.

Late last night, in secret back rooms, Republicans introduced a dangerous manager's amendment that doubles down on the war on women's health and the poor, low-income, and struggling families.

Yes, once again, Republicans are attempting to move forward with a vote on the final GOP's take away health care from 24 million Americans, a bill that includes a manager's amendment, without an updated Congressional Budget Office score.

The American people deserve to know the full damage of this disastrous bill. I urge my colleagues to vote "no" on the previous question and support Congressman POLIS' amendment to ensure that we have updated Congressional Budget Office scores before this bill is brought to the House floor.

I thank the gentleman for this amendment, and I thank him for yielding me time.

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

Mr. Speaker, the manager's amendment that has been referred to was put on a public website last night. Everyone in the House of Representatives will have 3 days to read the manager's amendment. There is nothing secret about it.

Bills are not written in front of cameras. They are written so that they can be put on public websites for all of us to see it. This manager's amendment was handled like many, many other manager's amendments are handled, including the way manager's amendments have been handled by the other side when they were in the majority.

Let's remember, in 2010 when the reconciliation bill was passed that established the ACA, no amendments were allowed on the floor—none, zero. So if there is a precedent that has been set in this House, it was set by my friends on the other side of the aisle when they passed the Affordable Care Act and wouldn't allow any amendments by any Member of the House. That is the precedent.

There is nothing new about the way this manager's amendment was handled. It was handled the way manager's amendments are handled virtually all the time. Everybody in this House now has a copy of it, has plenty of time to read it and ask questions about it. Nothing secret going on here.

The truth of the matter is that we are moving forward with our plan, as we said we were, to repeal and replace ObamaCare, to give freedom and choice back to the people of America so that patients control their health care, not a bureaucrat in Washington.

I reserve the balance of my time.

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

Mr. Speaker, first of all, over 150 amendments by Democrats were rejected to this healthcare bill before us today, contrary to the process of 8 years ago when over 120 Republican amendments were not only made in order, but were actually incorporated into the healthcare bill despite the fact that, for final passage, not a single Republican voted for it.

So when we talk about the record and the precedent, there couldn't more of a night-and-day difference between what is occurring today where Democrats are locked out and the effort 8 years ago where Republican ideas were welcomed in the process.

I also want to ask my colleague from Alabama—I was hoping that he would yield me the time to do so, and I will have to yield him time for an answer—he mentioned that this manager's amendment has already been posted and we will have 3 days to look at it. I just want to get his assurance that the version that we saw posted is the actual version that will be brought to the Rules Committee and presented on the floor and there will be no further changes to the manager's amendment, if the gentleman can assure me of that.

Mr. BYRNE. Will the gentleman yield?

Mr. POLIS. I yield to the gentleman from Alabama.

Mr. BYRNE. As far as I know, speaking back to the gentleman from Colorado, the manager's amendments that were posted last night are going to be the manager's amendments that we will consider tomorrow in the Rules Committee.

Mr. POLIS. Reclaiming my time, Mr. Speaker, I also would like to ask if we are going to have a score from the Congressional Budget Office prior to the House having to vote on that manager's amendment?

I yield, for an answer, to the gentleman from Alabama.

Mr. BYRNE. Mr. Speaker, I am ready to answer the question.

We believe that we will be receiving the CBO table prior to the vote on the floor of the House of Representatives.

Mr. POLIS. Mr. Speaker, reclaiming my time, again, that simply confirms what our previous question would simply require, that before the bill is voted on we will simply know how much it costs and who it impacts. What could be more important than finding that out.

I think it is important to note that Democrats have been shut out of the process, at the committee level, in the amendments I offered. Even the germane amendments of this particular bill before us today, Democrats were locked out.

Rather than allow Members of both parties to participate in reducing the costs of health care and increasing coverage, Republicans have come up with a bill that actually increases costs and decreases coverage.

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

Mr. BYRNE. Mr. Speaker, from what I saw in the CBO score of the bill, the AHCA bill actually reduces government spending, reduces taxes, and reduces health insurance premiums over the window of the CBO score.

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So it does the exact opposite of what the gentleman suggested. It does exactly what the American people sent us here to do.

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

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

Mr. Speaker, the statistics we are talking about, the fact that it will cost Americans 15 to 20 percent more to get health care, the fact that it will cost 24 million Americans their insurance, these are not statistics that are made up by some group that wants to oppose the Republican effort. They are facts that are arrived upon by the Congressional Budget Office, the head of which was appointed by a Republican. They do diligent work to determine how much bills cost and what their effect is.

Now, of course, you know, those are best estimates. Maybe, instead of 24 million people who will lose coverage under the Republican healthcare bill, maybe it will be 25 million, maybe it will be 23 million. There is always a little bit of variation on what those predictions are.

But whether it is 23 million or 25.6 million, the fact that Americans—millions, tens of millions of Americans—will lose coverage under this Republican bill should be a flashing warning sign that it is time to slow down and work in a collaborative manner to improve the Affordable Care Act, rather than create a brand new entitlement program that throws 24 million people off the insurance rolls, and increases the cost for those who remain by 15 to 20 percent.

This bill immediately before us is a diversion from the real story in health care. In my home State alone, 600,000 Coloradans would likely lose coverage if the American Health Care Act is rammed through Congress, as my Republican colleagues intend to do.

The American Health Care Act would roll back important protections and coverage gains. It would create a brand new entitlement program, while delivering record tax breaks for billionaires in New York and California.

It is clear that this bill threatens the health and welfare of hundreds of thousands of families in Colorado alone, tens of millions across the country. It is time that we get this process right and slow down, rather than cramming a midnight bill through the House of Representatives that we don't even know the cost of, before we are voting on it.

This is simple, Mr. Speaker. Democrats are excited to roll up our sleeves and work together to create a plan that will reduce healthcare costs. If you don't like the amendment I offered for allowing reimportation of prescription drugs, let's talk about other options.

What about Medicare negotiating prescription drug rates? What about removing tax deductibility for the advertisements for pharmaceutical companies?

What about expediting approval process at the FDA, which President Trump

himself mentioned in this very Chamber as a proposal that can reduce the cost of approving drugs from the \$1.2 billion it costs today, which is passed along to consumers, to a much lower cost, thereby passing the savings along to consumers.

There are plenty of good ideas the Democrats and Republicans can work together on. None of them are this bill before us today. None of them are in the repeal of the Affordable Care Act. So let's just stop this ridiculous partisan process.

I don't want 24 million Americans to be victims of partisanship in Washington. I don't want other Americans who pay for their healthcare insurance to be victims of partisanship in Washington.

I want to make sure that people in my district who are working hard and only able to afford coverage under the Affordable Care Act because of the healthcare subsidies are not forced into medical bankruptcy and to give up their jobs and rely on Medicaid because of Republican efforts to ram through this brand new entitlement program.

Let's get this right. There is plenty of opportunity to work together to reduce costs and expand coverage. The American Health Care Act does the exact opposite. It increases costs and reduces coverage.

And instead of these incremental bills, like this so-called Small Business Health Fairness Act, which actually winds up removing protections and pushing more costs onto working families and seniors, we should improve upon and fix the Affordable Care Act that we put in place 7 years ago. We should support innovation to produce healthier outcomes, to reduce costs, and, yes, to expand coverage across our country.

We have a unique opportunity in this Congress to put partisanship behind us, to work together to make affordable health care a reality for every American family. Because you know what? When you have a preexisting condition, like I talked about Pat's husband in my district who suffers from melanoma, it doesn't matter whether he is a Republican or a Democrat or Independent or whether he is not even registered at all.

What matters is that he is a father to two children, a husband to his wife, and he wants the ability to work with dignity, support himself, and have medical insurance to receive his life-saving monthly injections that allow him to maintain his quality of life and continue to work and pay taxes and support his kids and family. That is what healthcare coverage is all about.

So let's stop this silly partisanship. This Republican American Health Care Act actually kicks more people off of the healthcare rolls than simply repealing ObamaCare. By creating this brand new entitlement program, they

are actually costing an additional 1 millions Americans their healthcare insurance.

But the answer is not to cost 23 million people their healthcare insurance. It is not to take it away from 24 million people. You know what the answer is, Mr. Speaker, is to provide a way that more people can work hard and pay into the system, and that we decrease the number of Americans who lack access to healthcare insurance which, in turn, reduces the costs for the rest of us because of the cost shifting that occurs within health care.

Mr. Speaker, I know so many of my friends on the Republican and Democratic side of the aisle, dedicated public servants with thoughtful ideas that they have based on their life experiences, that they want to present before this body to reduce the cost of health care. Let's let them do it. Let's have an open process.

So, 150 amendments from Democrats were shot down in committees, not even allowed to be debated, not even allowed to be included in this healthcare bill. Three of mine were shot down. In this very rule today, amendments by Mr. ESPAILLAT and Ms. BONAMICI were not even allowed to be debated.

The American people want health care to be affordable, and they want Republicans and Democrats to work together to accomplish that end.

Let's vote "no" on this rule. Let's reset the process. Let's fix health care. Let's expand coverage. Let's reduce costs. I look forward to working with my colleagues on both sides of the aisle to accomplish those important goals that my constituents have sent me here to work on.

I urge my colleagues to vote "no" on the previous question so we can know the cost of any manager's amendment before we vote on it; to vote "no" on the rule, and to vote "no" on the underlying bill.

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

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

I certainly agree with my colleague from Colorado that we should avoid silly partisanship, and I hope that that means we won't see silly partisan procedural motions and points of order between now and the end of the week. We have seen plenty of those up until this point in time by our friends on the other side of the aisle, and I hope that his statement means we won't see any more since he believes that silly partisanship is bad for this body and the consideration of these important healthcare bills.

We are not here today to talk about the AHCA. We are here today to talk about the Small Business Health Fairness Act. That is what this rule covers.

Let me go over again what has happened to small businesses, but, more

importantly, what has happened to the people who work for small businesses. An estimated 300,000 small-business jobs were destroyed by ObamaCare; 10,000 small businesses closed because of ObamaCare.

Since 2008, 36 percent of small businesses that have fewer than 10 employees have stopped offering healthcare coverage altogether. ObamaCare's compliance costs and mandates have resulted in \$19 billion in lost wages for small-business employees.

The majority of people in this country work for small businesses. We are trying to give them a fair shake. We are trying to give them their freedom and their choice back. We are trying to give them affordable care because their freedom and their choice and the affordability of their care has evaporated over the last several years.

Ask anybody in America. They come up to me all the time in my district and tell me this.

We, through this bill and the other bills we are considering, are repairing the damage done to the people of America by ObamaCare.

Now, my colleagues can throw up dilatory points of order and other procedural items later on if they want to engage in silly partisanship, or we can get down to the business of taking care of the workers in America.

This bill, or a concept like this bill, has been on this floor before and enjoyed bipartisan support. If we are going to drop silly partisanship, let's drop it right now on this rule and on this bill, and adopt it for the good of the workers in these small businesses throughout America.

Mr. Speaker, I again urge my colleagues to support House Resolution 210 and the underlying bill.

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

AN AMENDMENT TO H. RES. 210 OFFERED BY
MR. POLIS

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

SEC. 2. In rule XXI add the following new clause:

13. (a) It shall not be in order to consider a measure or matter proposing to repeal or amend the Patient Protection and Affordable Care Act (PL 111-148) and the Health Care and Education Affordability Reconciliation Act of 2010 (PL 111-152), or part thereof, in the House or in the Committee of the Whole House on the state of the Union unless an easily searchable electronic estimate and comparison prepared by the Director of the Congressional Budget Office is made available on a publicly available website of the House.

(b) It shall not be in order to consider a measure or matter proposing to repeal or amend the Patient Protection and Affordable Care Act (PL 111-148) and the Health Care and Education Affordability Reconciliation Act of 2010 (PL 111-152), or part thereof, in the House or in the Committee of the Whole House on the state of the Union, that is called up pursuant to a rule or order that makes a manager's amendment in order or considers such an amendment to be adopted,

unless an easily searchable updated electronic estimate and comparison prepared by the Director of the Congressional Budget Office reflecting such amendment is made available on a publicly available website of the House.

(c) It shall not be in order to consider a rule or order that waives the application of paragraphs (a) or (b).

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

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

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

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

VIETNAM WAR VETERANS RECOGNITION ACT OF 2017

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the bill (S. 305) to amend title 4, United States Code, to encourage the display of the flag of the United States on National Vietnam War Veterans Day, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

S. 305

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Vietnam War Veterans Recognition Act of 2017".

SEC. 2. DISPLAY OF FLAG ON NATIONAL VIETNAM WAR VETERANS DAY.

Section 6(d) of title 4, United States Code, is amended by inserting "National Vietnam War Veterans Day, March 29;" after "third Monday in February;"

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

COMPETITIVE HEALTH INSURANCE REFORM ACT OF 2017

Mr. GOODLATTE. Mr. Speaker, pursuant to House Resolution 209, I call up the bill (H.R. 372) to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 209, in lieu of the amendment in the nature of a sub-

stitute recommended by the Committee on the Judiciary printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-8 is adopted and the bill, as amended, is considered read.

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

H.R. 372

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Competitive Health Insurance Reform Act of 2017".

SEC. 2. RESTORING THE APPLICATION OF ANTI-TRUST LAWS TO THE BUSINESS OF HEALTH INSURANCE.

(a) AMENDMENT TO MCCARRAN-FERGUSON ACT.—Section 3 of the Act of March 9, 1945 (15 U.S.C. 1013), commonly known as the McCarran-Ferguson Act, is amended by adding at the end the following:

"(c)(1) Nothing contained in this Act shall modify, impair, or supersede the operation of any of the antitrust laws with respect to the business of health insurance (including the business of dental insurance and limited-scope dental benefits).

"(2) Paragraph (1) shall not apply with respect to making a contract, or engaging in a combination or conspiracy—

"(A) to collect, compile, or disseminate historical loss data;

"(B) to determine a loss development factor applicable to historical loss data;

"(C) to perform actuarial services if such contract, combination, or conspiracy does not involve a restraint of trade; or

"(D) to develop or disseminate a standard insurance policy form (including a standard addendum to an insurance policy form and standard terminology in an insurance policy form) if such contract, combination, or conspiracy is not to adhere to such standard form or require adherence to such standard form.

"(3) For purposes of this subsection—

"(A) the term 'antitrust laws' has the meaning given it in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12), except that such term includes section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent that such section 5 applies to unfair methods of competition;

"(B) the term 'business of health insurance (including the business of dental insurance and limited-scope dental benefits)' does not include—

"(i) the business of life insurance (including annuities); or

"(ii) the business of property or casualty insurance, including but not limited to—

"(1) any insurance or benefits defined as 'excepted benefits' under paragraph (1), subparagraph (B) or (C) of paragraph (2), or paragraph (3) of section 9832(c) of the Internal Revenue Code of 1986 (26 U.S.C. 9832(c)) whether offered separately or in combination with insurance or benefits described in paragraph (2)(A) of such section; and

"(2) any other line of insurance that is classified as property or casualty insurance under State law;

"(C) the term 'historical loss data' means information respecting claims paid, or reserves held for claims reported, by any person engaged in the business of insurance; and

"(D) the term 'loss development factor' means an adjustment to be made to reserves held for losses incurred for claims reported by any person engaged in the business of insurance, for the purpose of bringing such reserves to an ultimate paid basis."

(b) RELATED PROVISION.—For purposes of section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent such section applies to unfair methods of competition, section 3(c) of the McCarran-Ferguson Act shall apply with respect to the business of health insurance without regard to whether such business is carried on for profit, notwithstanding the definition of "Corporation" contained in section 4 of the Federal Trade Commission Act.

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

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 372.

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

There was no objection.

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

Mr. Speaker, I rise today in support of a bill that will move us a step closer towards restoring healthy competition in the health insurance industry. Today, the health insurance industry is besieged by dwindling competition and skyrocketing premiums. Insurance providers, States, and the public have been dealing with the disastrous repercussions of ObamaCare for the past 6 years and overregulation by States for much longer.

Congress finally has the opportunity to pass legislation to reverse the downward spiral of our health insurance industry. Any such legislation must encourage a robust and competitive health insurance market in which insurance providers actively compete for customers. Healthy competition ensures premiums are accurately priced and that customers are able to find a variety of policies to meet their specific needs and demands.

H.R. 372, the Competitive Health Insurance Reform Act of 2017, represents a step on that journey, repealing the McCarran-Ferguson Act as it applies to the business of health insurance. There is wide support for this bill, and the Judiciary Committee has favorably reported similar legislation in the past, including legislation that was passed by the House, 406-19 during the 111th Congress.

The stated goal of the bill is to help restore competition in the healthcare market. I support this goal and firmly believe this bill must be coupled with larger changes to the existing Federal and State healthcare regulatory schemes.

As Speaker RYAN has noted, States “should be empowered to make the right tradeoffs between consumer protections and individual choice, not regulators in Washington.”

This bill does not impact the State’s ability to regulate the insurance market. Rather, this legislation levels the playing field for all healthcare industry participants. While insurers have been exempt from Federal antitrust laws for the past 70 years, healthcare providers and other participants have not.

□ 1445

This bill removes this exemption, ensuring that health insurers are better able to compete to provide quality coverage, thereby benefiting hospitals, doctors, and, most importantly, patients.

In addition, if separate legislation is passed to allow for the more open sale of health insurance across State lines, the Competitive Health Insurance Reform Act will allow uniform Federal antitrust laws to be applied across the marketplace while allowing States to maintain authority as the primary regulators of the health insurance market outside of the antitrust sphere.

The McCarran-Ferguson Act was originally passed to leave the regulation of the business of insurance with the States and to allow insurers to engage in certain procompetitive collaborative activities.

This legislation limits significant uncertainty and unnecessary litigation that would likely result from a broader McCarran-Ferguson repeal, through the use of safe harbors for such historically procompetitive collaborative activities, specifically the collection and distribution of historical loss data, the determination of loss development factors, the performance of actuarial services that do not involve restraints of trade, and the use of common forms that are not coercive.

Absent these safeguards, insurers will likely disengage from certain proconsumer collaborative activities, eliminating or impeding smaller insurers from competing and disincentivizing larger insurers from exploring new products and markets. This will lead to further market consolidation and fewer product choices, the impact of which will eventually be borne by the consumer.

These narrow safe harbors create a presumption that certain procompetitive activities can continue while maintaining regulation and oversight to the extent any activity crosses over into a restraint of trade. As a result, insurers can continue to engage in proconsumer business practices and will be encouraged to provide a diverse range of offerings at fair and reasonable prices.

I thank Mr. GOSAR for introducing this legislation, and I urge all of my

colleagues to vote for the Competitive Health Insurance Reform Act.

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

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

Mr. Speaker, I rise in qualified support of H.R. 372, the Competitive Health Insurance Reform Act, but I do not endorse the majority’s exaggerated claims regarding the bill’s impact on the affordability and availability of health insurance.

H.R. 372 would partially repeal the limited Federal antitrust exemption for the business of insurance established by the McCarran-Ferguson Act in 1945. Specifically, the bill only permits Federal antitrust enforcement with regard to the business of health insurance.

Now, House Democrats have long supported a full repeal of McCarran-Ferguson’s antitrust exemption for all insurers, not just for health insurers. In 2010, under a Democratic House majority, we passed legislation to repeal the McCarran-Ferguson exemption for health insurers by a vote of 406–19, even though House Republicans had not previously supported moving any version of a McCarran-Ferguson repeal bill.

But let me be clear. Enacting H.R. 372 would in no way be a substitute for the many health insurance guarantees of the Affordable Care Act. The two things are completely separate. To begin with, enacting H.R. 372 would not significantly improve healthcare affordability or coverage. According to the Congressional Budget Office, H.R. 372’s effect on health insurance premiums would probably be quite small, and enacting the bill would have no significant net effect on the premiums the private insurers would charge for health or dental insurance. That is according to the Congressional Budget Office.

The Consumers Union observes that the application of the antitrust laws to some health insurance activity, by itself, is simply not enough to create a vibrant insurance market because our long experience shows you can’t expect a healthcare system to run effectively on competition alone. That is the Consumers Union.

Likewise, the majority’s claim that enacting H.R. 372 would create major new competition by allowing cross-State insurance sales is unavailing. Current law, including the Affordable Care Act, already allows States to agree with each other to allow cross-State insurance sales.

Enabling Federal antitrust agencies to police certain forms of anticompetitive conduct will not, in and of itself, incentivize health insurers to offer products across State lines beyond the incentives that already exist for offering such products. It just won’t happen by itself. Whatever the incentives for health insurers to offer such products,

they have little to do with Federal antitrust law or enforcement.

Finally, enacting H.R. 372 would not ensure that the Affordable Care Act’s prohibitions against discrimination and limits on premium growth would remain in place. H.R. 372 only applies to certain anticompetitive conduct and does not preserve or enhance existing protections for consumers of health insurance. For instance, it does not prohibit discrimination by health insurers on the basis of preexisting conditions, nor does it reduce premium growth or require health insurers to be accountable for price increases.

Repeal of the antitrust exemption for health insurance is a complement to and not a replacement for the Affordable Care Act’s many consumer protections. This is not an either-or situation. We need H.R. 372 and the Affordable Care Act to be in place to maximize benefits, improve quality, and lower costs for consumers.

So while I support the bill with some reluctance, I take issue with the majority’s rhetoric. It is very important that we set the record straight here.

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

Mr. GOODLATTE. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. GOSAR), who is the chief sponsor of the legislation.

Mr. GOSAR. Mr. Speaker, I thank Chairman GOODLATTE and the Judiciary Committee for their thorough work on this bill. I would also like to express my appreciation to the broad group of stakeholders who have helped to shape, improve, and support this commonsense and consumer-centric legislation.

As Congress, once again, faces the preeminent task of repairing our Nation’s healthcare system, first and foremost, we must establish the proper foundation for a competitive and consumer-driven health insurance marketplace that empowers patients.

The Competitive Health Insurance Reform Act of 2017 will restore the application of Federal antitrust laws to health insurance and infuse much-needed competition and transparency to the industry. Ending the special-interest exemption is the essential first step to broader healthcare reform. Popular cost-reducing reform priorities, such as selling insurance across State lines and developing diverse, consumer-driven plans, are predicated on the robust competitive markets this bill will enable.

As a healthcare provider for more than 25 years, I understand firsthand the importance of a competitive and dynamic health insurance market. Patients, doctors, and hospitals alike benefit when health insurers compete to provide a variety of quality coverage options.

It is apparent that after 70 years, McCarran-Ferguson, the broad-stroked exemption created by Congress in the

1940s, was not wise. Over decades, and expeditiously since the passage of ObamaCare in 2009, the health insurance market has devolved into one of the least transparent and most anti-competitive industries in the United States. These antiquated exemptions are no longer necessary for health insurance. There is no reason in law, policy, or logic for the industry to have special exemptions that are different from all other businesses in the United States.

The interpretation of antitrust law has narrowed dramatically over the decades. Many of the practices which insurers say they need this exemption to do, such as analyzing historical loss data, have proven to be permissible by the Federal Trade Commission and the courts over the decades since McCarran-Ferguson was passed.

This narrowing of scope has resulted in a law whose efficacy and usefulness long since expired. Yet, the shell of this zombie law lurks to scare off potential, legitimate legal challenges from States, patients, and providers. These entities do not have the tools, money, or manpower to challenge these monopolies in court or head-on in the current market. Only the Federal Government, with its resources, can enforce the laws which rebalance the playing field of interstate commerce fairly.

I would like to stress the point that this legislation does not affect any other type of insurance other than health insurance. The language of the bill was carefully and deliberately drafted to exclude other areas of insurance, such as life insurance, property and casualty insurance, and excepted benefits like disability income insurance. In short, the legislation before the House today does not repeal the McCarran-Ferguson Act for life insurance, annuities, property and casualty insurance, disability income insurance, and long-term care insurance.

The broad stakeholders of healthcare professionals, insurance providers, and consumer protection groups support this narrow and important scope of the language. I am open to efforts to strengthen the narrow and deliberate scope of this legislation going forward should the need and opportunity arise.

Repeal of this specific section of the McCarran-Ferguson Act, which applies only to health insurance, has strong bipartisan support. As labeled earlier, in the 111th Congress, it passed by a vote of 406-19 and passed the Republican-led House in the 112th Congress by a voice vote. Similar legislation has been introduced by multiple Democratic Members of the House, and the text of my bill has been included in the Republican Study Committee's healthcare reform bill for the last four Congresses in a row.

The passage of the Competitive Health Insurance Reform Act into law

is an important first step towards increasing competition in health insurance markets and will assist with setting the foundation for real, competitive, and patient-centered healthcare reform.

At the end of the day, you can tell a lot about a bill by who supports it. H.R. 372 has the support of the healthcare professionals that actually provide care to patients, including doctors, dentists, surgeons, pharmacists, chiropractors, optometrists, and others. This key law, by liberating, liberates the insurance industry and doctors and empowers the patients. Doctors will see and insurance will see that the patient is empowered for new opportunities. Things that we can't even imagine today will exist through competition. It is the American way.

Mr. Speaker, I thank the chairman and the members of the committee for their work on this issue. I urge my colleagues to support this bill.

Mr. CONYERS. Mr. Speaker, I yield such time as he may consume to the gentleman from Rhode Island (Mr. CICILLINE), who is a distinguished leader of the Judiciary Committee.

Mr. CICILLINE. Mr. Speaker, I thank the gentleman for yielding and for his extraordinary leadership on this legislation.

Mr. Speaker, H.R. 372, the Competitive Health Insurance Reform Act of 2017, would partially repeal a longstanding antitrust exemption established by the McCarran-Ferguson Act with respect to the business of health and dental insurance.

To qualify for this limited antitrust exemption, an insurer must be engaged in the business of insurance regulated by a State that is not designed to boycott, coerce, or intimidate.

While these requirements somewhat constrain anticompetitive conduct, it is clear that they do not preclude the most egregious antitrust violations, such as price fixing, bid rigging, and market allocation, by health insurance providers.

□ 1500

Health insurers should not be immune from antitrust scrutiny, particularly when they collude to increase prices, reduce availability, or otherwise engage in anticompetitive behavior.

That is why House Democrats passed a measure that is substantively similar to H.R. 372, in 2010, by a vote of 406-19, and in 2009, as well. In 1988, 1992, and 1994, Judiciary Democrats likewise favorably reported legislation to completely repeal the McCarran-Ferguson Act.

While H.R. 372 is only a partial repeal of this exemption, I encourage my colleagues to support this measure. But let me be perfectly clear about three things:

First, promoting competition in health insurance markets cannot occur

at the expense of the strong protections established by the Affordable Care Act to make health markets more efficient and prohibiting discriminatory insurance policies. These protections are "textbook measures that help promote competition in the insurance marketplace," as Professor Tim Greaney, a leading antitrust expert, testified in 2015.

Second, contrary to President Trump's suggestions on Twitter, repealing McCarran-Ferguson's antitrust exemption for health insurance will not remove State barriers or create new pathways for insurance companies to compete and offer products across State lines.

This simplistic approach to healthcare policy overlooks the fact that the Affordable Care Act already allows States to establish healthcare choice compacts to provide for cross-State insurance sales, while five States have already enacted out-of-State purchasing laws. But these laws have done little to encourage cross-State insurance sales because health insurers are simply not interested in selling these products across State lines.

The barriers to entry into health insurance markets "are not truly regulatory, they are financial and they are network," as Professor Sabrina Corlette of Georgetown University's Health Policy Institute has observed.

Notwithstanding President Trump's exaggerated claims to the contrary, it is also clear that enacting this legislation is not a precondition for Congress authorizing cross-State insurance sales.

My Republican colleagues on the Judiciary Committee agree, noting in their report on the bill that "the general consensus, including among witnesses at the most recent Judiciary hearing on the Competitive Health Insurance Reform Act, is that if Congress decides to allow insurers to sell across State lines, such action does not necessarily require a repeal of McCarran-Ferguson."

And third, there is no evidence that enacting this bill alone will improve the affordability or availability of health insurance.

According to the Congressional Budget Office, the effect of H.R. 372 on health insurance premiums "would probably be quite small," and enacting the bill will have "no significant net effect on the premiums that private insurers would charge for health or dental insurance."

Additionally, because the McCarran-Ferguson Act does not apply to mergers, H.R. 372 will not prevent further concentration in health insurance markets.

The truth is, Mr. Speaker, if Republicans were serious about actually enforcing the antitrust laws, they would fully fund the antitrust agencies. But as we know from the Trump administration's budget blueprint, Republicans

plan to make deep cuts to the funding of enforcement agencies like the Justice Department, likely to the detriment of economic opportunity and fair competition.

In addition, President Trump has not even nominated heads to the antitrust agencies. According to the Partnership for Public Service, even though he has been in office for 60 days, President Trump has not picked a nominee for 497 of the 553 positions requiring Senate confirmation.

Worse still, President Trump is reportedly considering appointing a former lobbyist for a health insurance giant to run the Justice Department's antitrust division, which is tasked by Congress "to protect economic freedom and opportunity by promoting free and fair competition in the marketplace."

Citing lobbying reports, the *International Business Times* notes that this particular lobbyist participated in the "antitrust issues associated with Anthem's proposed acquisition of Cigna," and his firm received \$375,000 in lobbying fees.

Just last month, the Justice Department won an important lawsuit initiated under the Obama administration to block this merger, which, according to the Department of Justice, would have harmed consumers through increased health insurance prices, while stifling the exact innovation that is necessary to lower healthcare costs.

It is unsurprising that President Trump's corporate cabinet will probably include yet another lobbyist that will pursue an extreme agenda on behalf of special interests. But the significance of this potential appointment cannot be overstated and absolutely will not result in lower prices or more choices for the American people.

In closing, Mr. Speaker, while I support H.R. 372 as a complement to the Affordable Care Act, I agree with the ranking member that this bill is not a solution to improving the availability or affordability of health insurance.

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

Mr. CONYERS. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman from Michigan has 18 minutes remaining. The gentleman from Virginia has 21 minutes remaining.

Mr. CONYERS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, let me thank the gentleman very much for his leadership. I acknowledge the chairman of the committee for his, as well.

I thank the gentleman for yielding to me, and although I will make the points that I think are important, I wanted to take the time to thank Mr. CONYERS for the thoughtful legislation that he has introduced over the years.

This leads me to call this the Conyers bill because of the important contributions it makes to ensuring that our health care is competitive, our health insurance is competitive, and his thoughtfulness in this legislation. As it comes to the floor, I am reminded of Mr. CONYERS' influence on this legislation. It is an interesting time at which it comes, Mr. Speaker.

Mr. Speaker, I rise to acknowledge the importance of H.R. 372, the Competitive Health Insurance Reform Act of 2017, a proposal to remove the antitrust exemption in the McCarran-Ferguson Act as it applies to health insurance.

Overall, the proposed legislation, as well as previous attempts by the Judiciary Committee to repeal the McCarran-Ferguson Act's antitrust exemption for health insurance, does not raise new or pressing issues.

Opponents of repeal assume problems that cannot be documented, unlike the very tangible and real economic and competitive costs that will be incurred if the exemption is allowed to continue.

As the Justice Department has explained, where there is effective competition, coupled with transparency, in a consumer-friendly regulatory framework, insurers will compete against each other by offering plans with lower premiums, reducing copayments, lowering or eliminating deductibles, lowering annual out-of-pocket maximum costs, managing care, improving drug coverage, offering desirable benefits, and making their provider networks more attractive to potential members.

That sounds, of course, like the Affordable Care Act, which we will celebrate tomorrow, for that was the day it was signed. That is what health insurance should be for the American people.

This legislation is a very thoughtful legislative initiative, and I am hoping that its coming to the floor is not like trying to put lipstick on a pig. That, of course, is the latest configuration of the meaningless TrumpCare, and which the amendment that will be coming forward will, again, in essence, throw people off health insurance. It will take away all that we are intending it to do, but this legislation has reason.

Other current enforcement tools and regulatory policies already in place address competition issues at the State and Federal level to police health insurance competition. In this and numerous other ways, effective regulation can promote improved healthcare delivery and improved cost control by ensuring that all insurance companies are required to follow certain basic consumer-friendly rules of the road.

Again, wouldn't it be great to have this very thoughtful legislation with all of the points of the Affordable Care Act: it eliminates preexisting conditions, has lowered premiums and con-

tinues to lower premiums, and is lowering or eliminating deductibles. All of those were thoughtful of Mr. CONYERS, and they would have been the right complement to the Affordable Care Act.

However, the additional risks of adding new regulatory uncertainty, increasing boundary-testing litigation, and distracting policymakers from more important ways to reduce healthcare costs and improve healthcare competition suggest that further caution and delay on this front is inadvisable, given present circumstances and conditions.

But let us not fool ourselves into thinking that the legislation before us is a panacea that will lead to affordable, accessible, high-quality health care for all Americans. If that worthy goal is the objective sought, the best way to achieve it is to retain and strengthen the Affordable Care Act and abandon the misguided effort of House Republicans to repeal this landmark legislation and replace it with the pay more for less act masquerading as a healthcare bill.

The Affordable Care Act works. I think we in the Judiciary Committee know it full well. We held hearings and briefings; we heard from the victims of those who did not have insurance, who had lost insurance, did not have enough insurance, or the insurance would not cover them.

I am reminded of a very emotional story of an 8-year-old girl in the office of an insurance company where her family was begging for coverage because she had leukemia; obviously, a preexisting condition. It is sad to say, but I understand that she lost her life.

The Affordable Care Act has significantly improved the availability, affordability, and quality of health care for tens of millions of Americans, including millions who previously had no health insurance at all.

Americans are rightly frightened by Republican attempts to repeal the ACA without having in place a superior new plan that maintains comparable coverages and comparable consumer choices and protections, not throwing off 24 million Americans who will have no insurance.

It is beyond dispute that the pay more for less plan proposed by Republicans fails this test miserably. The Republican pay more for less act is a massive tax cut for the rich, paid for on the backs of America's most vulnerable: those who work and who happen to be of low income. This Robin-Hood-in-reverse bill is unprecedented and breathtaking in its audacity. No bill has ever tried to give so much to the rich while taking so much from the poor.

One number comes to mind: \$880 billion taken away from Medicaid insurance covering nursing homes, patients, the blind, the disabled; again, then giving a great plus and a great refund in

tax credits to the richest in America. They will be happy. It won't be health care. They have got private health insurance. But it certainly will be a big check that they get in the mail.

This pay more for less bill represents the largest transfer of wealth from the bottom 99 percent to the top 1 percent in American history. This Republican scheme gives gigantic tax cuts to the rich, and pays for it by taking insurance away from 24 million.

In addition, Republicans are giving the pharmaceutical industry a big tax repeal, worth nearly \$25 billion over a decade, without demanding in return any reduction in the cost of prescription and brand-name drugs. That is very important.

To paraphrase Winston Churchill, of this bill, it can truly be said that never has so much been taken from so many to benefit so few.

The pay more for less plan destroys the Medicaid program. CBO estimates 14 million will lose Medicaid. In 2026, 52 million Americans will be uninsured.

We know that these combined policies will not help to cure some of the thoughtful deliberations that went into the underlying bill. We want more competition. We want the insurance products to be the kind of products that we can be sure provide health care.

In short, the Republican pay more get less plan represents a clear and present danger to the financial and health security of American families and to the very stability of our Nation's healthcare system.

Mr. Speaker, the healthcare marketplace is complex in how it operates and how it motivates providers, insurers, and consumers.

If I can quote the 45th President, he said: "I didn't know how difficult this would be." Well, we know how difficult it can be, and was.

Mr. Speaker, Democrats held some 79-plus hearings. We had 181 witnesses-plus. We had hundreds of hours of hearings. We held thousands, I might imagine, of townhall meetings. We didn't hold one here and one there. I myself held 11 townhall meetings.

We continue to hear from not only the consumers, but the rural hospitals, the major hospitals, the senior citizens, and particularly those senior citizens on dealing with the cost of prescription drugs.

I am proud to say that we saved the dastardly Medicare part D by closing the doughnut hole, which is closed today, so that seniors under the Affordable Care Act do not fall into an abyss, a deep ocean, and have to, in essence, not take their drugs because they don't have enough money.

An effective regulatory framework is needed to shape this complex environment—and this is a word to the administration—to help safeguard consumers, help keep costs under control,

and help make a full range of healthcare services. But our country's long experience shows that we cannot expect a healthcare system to run effectively on market competition alone. Markets can and do fail when proper regulation is lacking.

□ 1515

So the goodness of this bill has to go along with—a good example is recognizing what happens in the ACA's provision, banning insurance companies from denying coverage of preexisting disease—we had to help them along—preexisting conditions. We had to help them along. You have to help them along to be a good steward of the insurance that the American people need.

This is a key consumer protection that the free market demonstrates time and time again that it could produce and needed to do. That is where regulation and the antitrust laws come in to protect consumer choice. Let me go back and say that it could not produce on its own. It is a per se violation of antitrust laws for competing companies to agree to divide markets or to fix prices. The other sectors in the healthcare supply chain are already subject to antitrust laws, and it will be beneficial to the healthcare marketplace and to consumers if the healthcare industry joins them. That is why I said this bill is a thoughtful, important bill to dealing with the complex issues of insurance and health care.

I am sad to say that tomorrow, as we celebrate the Affordable Care Act, we will be looking toward Thursday, where we will be, in essence, debating a bill that takes 24 million people off of health insurance, period. 24 million will lose their coverage. Tax giveaways will continue again to the top 1 percent. That will be \$600 billion in tax breaks to the rich and big corporations. In fact, the Republican bill gives \$2.8 billion to 400 of the richest families in America.

Then to add to the downside, the Affordable Care Act was known to create more jobs. Unfortunately, this will see 2 million jobs destroyed and lost. Families will be paying more for less. Young people will be hit with a millennial penalty. And we don't know if this formula that they have still stops the 50- to 64-year-olds from paying higher premiums. Women lose comprehensive care, middle-aged Americans pay the age tax, seniors see Medicaid and Medicare weakened, preexisting conditions and disabilities may suffer, and it does not reduce the deficit as the ACA does.

My final point, if I can, we are glad to come to the floor and honor Mr. CONYERS for this important bill and support H.R. 372. I believe this legislation before us does a lot more good than it does harm, but I hope that we can, in a bipartisan manner—maybe even in a nonpartisan manner—reflect

on what is needed to really insure the American people and we can work with the Affordable Care Act, which has all of these positive elements, and move this country forward through competition and health care that saves lives.

Mr. Speaker, overall, the proposed legislation, as well as previous attempts by the Judiciary Committee to repeal the McCarran-Ferguson Act's antitrust exemption for health insurance, does not raise new or pressing issues.

Opponents of repeal assume problems that cannot be documented, unlike the very tangible and real economic and competitive costs that will be incurred if the exemption is allowed to continue.

As the Justice Department has explained, where there is effective competition, coupled with transparency, in a consumer-friendly regulatory framework, insurers will compete against each other by offering plans with lower premiums, reducing copayments, lowering or eliminating deductibles, lowering annual out-of-pocket maximum costs, managing care, improving drug coverage, offering desirable benefits, and making their provider networks more attractive to potential members.

Other current enforcement tools and regulatory policies already in place address competition issues at the state and federal level to police health insurance competition.

In this and numerous other ways, effective regulation can promote improved health care delivery and improved cost control, by ensuring that all insurance companies are required to follow certain basic consumer-friendly "rules of the road."

It might be argued that increasing the federal government's role in regulating health insurance, through expanded antitrust enforcement, would appear to conflict with proposed reforms to delegate more responsibility to state governments.

However, the additional risks of adding new regulatory uncertainty, increasing boundary-testing litigation, and distracting policymakers from more important ways to reduce health care costs and improve health care competition suggest that further caution and delay on this front is inadvisable given present circumstances and conditions.

But let us not fool ourselves into thinking that the legislation before us is a panacea that will lead to affordable, accessible, high quality health care for all Americans.

If that worthy goal is the objective sought, then the best way to achieve it is to retain and strengthen the Affordable Care Act and abandon the misguided effort of House Republicans to repeal this landmark legislation and replace it with their Pay More For Less Act, masquerading as the American Health Care Act.

The Affordable Care Act has significantly improved the availability, affordability, and quality of health care for tens of millions of Americans, including millions who previously had no health insurance at all.

Americans are rightly frightened by Republican attempts to repeal the ACA without having in place a superior new plan that maintains comparable coverages and comparable consumer choices and protections.

It is beyond dispute that the "Pay More For Less" plan proposed by House Republicans fails this test miserably.

The Republican “Pay More For Less Act” is a massive tax cut for the wealthy, paid for on the backs of America’s most vulnerable, the poor and working class households.

This “Robin Hood in reverse” bill is unprecedented and breathtaking in its audacity—no bill has ever tried to give so much to the rich while taking so much from the poor and working class.

This “Pay More Get Less” bill represents the largest transfer of wealth from the bottom 99% to the top 1% in American history.

This Republican scheme gives gigantic tax cuts to the rich, and pays for it by taking insurance away from 24 million people and raising costs for the poor and middle class.

In addition, Republicans are giving the pharmaceutical industry a big tax repeal, worth nearly \$25 billion over a decade without demanding in return any reduction in the cost of prescription and brand-name drugs.

To paraphrase Winston Churchill, of this bill, it can truly be said that “never has so much been taken from so many to benefit so few.”

The “Pay More Get Less” plan destroys the Medicaid program under the cover of repealing the Affordable Care Act Medicaid expansion.

CBO estimates 14 million Americans will lose Medicaid coverage by 2026 under the Republican plan.

In addition to terminating the ACA Medicaid expansion, the “Pay More Get Less” plan converts Medicaid to a per capita cap that is not guaranteed to keep pace with health costs starting in 2020.

The combined effect of these policies is to slash \$880 billion in federal Medicaid funding over the next decade.

The cuts get deeper with each passing year, reaching 25% of Medicaid spending in 2026.

In short, the Republican “Pay More Get Less Act” represents a clear and present danger to the financial and health security of our nation’s health care system overall.

Mr. Speaker, the health care marketplace is complex in how it operates and how it motivates providers, insurers, and consumers.

An effective regulatory framework is needed to shape that complex environment, to help safeguard consumers, help keep costs under control, and help make a full range of health care services available.

But our country’s long experience shows that we cannot expect a health care system to run effectively on market competition alone; markets can and do fail when proper regulation is lacking.

A good example is the ACA’s provision banning insurance companies from denying coverage of preexisting conditions.

This is a key consumer protection that the free market demonstrated time and again that it would not produce on its own.

And that is where regulation and the antitrust laws come in to protect consumer choice.

It is a per se violation of antitrust law for competing companies to agree to divide markets or to fix prices.

The other sectors in the health care supply chain are already subject to the antitrust laws, and it will be beneficial to the health care marketplace, and to consumers, if the health insurance industry joins them.

For these reasons, I believe the legislation before us does more good than harm and, accordingly, I urge my colleagues to join me in supporting H.R. 372.

Mr. GOODLATTE. Mr. Speaker, I am prepared to close, so I reserve the balance of my time until the other side closes.

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

In closing, I want to reiterate my support for this measure, H.R. 372. Now, I don’t know what is happening on the other side, but many of its leaders voted against a substantively identical version of this bill in 2010, and that was including Speaker RYAN, Health and Human Services Secretary Tom Price, Committee on Ways and Means chairman KEVIN BRADY. They voted against a substantively identical version of this bill. I don’t want to impugn motives that I don’t know about, but maybe if you support H.R. 372, you are going to be making the Affordable Care Act, ACA, better. So I want to thank my friends on the other side for helping us out. This is great. We passed something like this a few years ago, and we were very proud that it was an overwhelming vote.

This is a very important step forward. The Affordable Care Act is not going to be affected in any kind of negative way, and that is why I am eager to join with those who are going to be voting for H.R. 372. I thank my friends on the other side for supporting H.R. 372 as well.

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

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

Our health insurance industry is in a dire situation. Premiums and deductibles are skyrocketing, hundreds of percent in some cases. In the State of the gentleman who is the chief sponsor of this bill, the State of Arizona, there has been a more than 100 percent increase in just the last year.

In 2017, the national State average of insurers participating in Federal exchanges dropped to four, down from six the previous year. Five States will only have one insurer providing plans on their Federal exchanges this year. It is time to reverse this trend. The Competitive Health Insurance Reform Act is an important step in restoring competition to the health insurance industry and will help to set the foundation for additional essential reforms that must follow.

I say to the gentleman from Michigan (Mr. CONYERS), the ranking member of the committee and my friend, I appreciate very much working with him on this legislation, but I would also say to him that this legislation, as bipartisan as it is, cannot save the Affordable Care Act. It is drowning. It is denying people coverage. Its costs are going up so much that somebody who

likes it this year will not be able to afford it next year.

The promise that if you like your health insurance you will be able to keep it was never true, and it is still not true with ObamaCare. The promise that if you like your doctor you can keep your doctor was never true. The promise that health insurance premiums would go down under ObamaCare has been proven to be totally false. Instead, what we have done is we have denied the American people the right to choose for themselves what access to health care that they need and can afford.

We have denied the American people the freedom to decide whether or not they want to purchase a product that is mandated upon them by the Federal Government. That is wrong. It has got to change. That is why we are taking action this week—including the Competitive Health Insurance Reform Act, but certainly not only the Competitive Health Insurance Reform Act—to return a patient-centered healthcare system to the American people, one that reconnects them with their healthcare providers, one that will make sure that they have the maximum amount of choice and the maximum amount of access to real, affordable health insurance and quality health care in America. I support this bipartisan legislation. I urge my colleagues to do the same.

Mr. Speaker, I include in the RECORD three letters in support of H.R. 372.

SMALL BUSINESS &
ENTREPRENEURSHIP COUNCIL,
Vienna, VA, February 27, 2017.

Hon. PAUL A. GOSAR,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE GOSAR: The Small Business & Entrepreneurship Council (SHE Council) and our nationwide membership of small business owners and entrepreneurs support the “Competitive Health Insurance Reform Act of 2017” (H.R. 372). Perhaps more than any other group, small business owners understand the need for increased competition in the health insurance marketplace. Indeed, it is the actions of entrepreneurs that bring down costs, enhance innovation, and boost quality in a competitive marketplace. H.R. 372 is a common sense and long-overdue step to repeal special-interest exemptions to federal antitrust laws for health insurance companies.

These exemptions have existed for more than 70 years, and were initially instituted to help newly formed insurance companies deal with data sharing. Given the dramatic changes in the industry over these past many decades, such special-interest treatment is no longer warranted.

Considering the government-imposed distortions within the health care industry as a result of the Affordable Care Act and other regulatory restrictions, full-blown review and reform of health care policies focused on expanding competition, and consumer choice are needed. That includes foundational changes, such as, in the case of H.R. 372, removing special-interest treatment that could reduce or retrain competition.

In order to bring down health insurance costs and utilize the models and technologies

of our modern economy to drive value and innovation within this sector, entrepreneurs need a system that allows for such freedom and creativity. Your bill is an important step in bringing down artificial barriers that are preventing much needed innovation and competition. Thank you for your leadership on this important issue. Please let SBE Council know how we can help you advance H.R. 372 into law.

Sincerely,

KAREN KERRIGAN,
President & CEO.

AMERICAN DENTAL ASSOCIATION®,
Washington, DC, February 24, 2017.

Hon. BOB GOODLATTE,
Chairman, House Committee on the Judiciary,
Washington, DC.

Hon. JOHN CONYERS,
Ranking Member, House Committee on the Judiciary,
Washington, DC.

DEAR CHAIRMAN GOODLATTE AND RANKING MEMBER CONYERS: The dental professional organizations listed below, as members of the Organized Dentistry Coalition, are writing to express our strong support of H.R. 372, The Competitive Health Insurance Reform Act.

H.R. 372 would authorize the Federal Trade Commission and the Justice Department to enforce the federal antitrust laws against health insurance companies engaged in anti-competitive conduct. It would not interfere with the states' ability to maintain and enforce their own insurance regulations, antitrust statutes, and consumer protection laws. Because states vary in their enforcement efforts, the impact of repeal on health insurance companies would differ from state to state. This is no different from the situation faced by other businesses.

The bill is narrowly drawn to apply only to the business of health insurance, including dental insurance, and would not affect the business of life insurance, property or casualty insurance, and many similar insurance areas.

Passage of H.R. 372 would help interject more competition into the insurance marketplace by authorizing greater federal antitrust enforcement in instances where state regulators fail to act. When competition is not robust, consumers are more likely to face higher prices and less likely to and less likely to benefit from innovation and variety in the marketplace.

On behalf of our member dentists and their patients, we urge you to cosponsor H.R. 372, The Competitive Health Insurance Reform Act.

Please contact Ms. Midi Walker with any questions.

Sincerely,

American Dental Association; Academy of General Dentistry; American Academy of Oral and Maxillofacial Pathology; American Academy of Pediatric Dentistry; American Association of Endodontists; American Association of Oral & Maxillofacial Surgeons; American Association of Women Dentists; American Society of Dentist Anesthesiologists.

MARCH 21, 2017.

DEAR REPRESENTATIVE: The undersigned organizations urge your support for H.R. 372, the "Competitive Health Insurance Reform Act of 2017." This bill takes an important step in bringing consumers the benefits of competition under the antitrust laws, in the way health insurance is offered, marketed, and sold.

The rules of competition apply to every other part of the health care system, health insurance is an aberration. The antitrust laws are a key to making sure that the free market works for consumers, and the insurance industry should not be left out.

Congress created this antitrust exemption almost by accident, in the midst of the Second World War—when attentions were rightly directed elsewhere—in the wake of a Supreme Court decision clarifying that the antitrust laws did apply to insurance. It started out to be a temporary three-year breathing spell, to allow insurers to familiarize themselves with the antitrust laws and adjust their practices to the accepted rules of competition. Instead, a few poorly understood words added in conference committee turned the temporary delay into an unintended exemption from those rules.

It is long since time to correct that error. Among other experts who have called for doing so, the Antitrust Modernization Commission, established in 2002 by legislation authored in this Committee, singled out this exemption for particular skepticism as to any justification for it. While we would ultimately like to see this antitrust exemption removed for all insurance, focusing on the health insurance industry now is a logical and important positive step to take at this time.

We note that the proposed manager's amendment would preserve the antitrust exemption in "safe harbors" for four described activities—(1) compilation of historical loss data, (2) development of what is known as a "loss development factor" to fill holes in the historical data, (3) some actuarial services, and (4) some standardization of policy forms. In our view, the most effective way to remove this exemption is to do so cleanly, without new safe harbors. Further, the kinds of insurance industry activities commonly described as the justification for these particular safe harbors do not raise antitrust issues, as they are described. Nonetheless, we believe these safe harbors, as written, do not significantly risk inadvertently immunizing anticompetitive conduct that would violate the antitrust laws, and therefore that they do not diminish the beneficial purpose and effect of the bill.

There is also another set of "safe harbor" antitrust exemptions imbedded in the definition of "business of health insurance (including the business of dental insurance)" in the new subsection 2(c)(3)(B)(ii)(I) as added by the bill. They include a number of types of benefits referenced in the Internal Revenue Code as "excepted benefits." While the lead-in to (3)(B)(ii) characterizes these as types of property-casualty insurance, there are three that by their terms in the Internal Revenue Code do not fit within what is considered property-casualty insurance, and that consumers would consider to be types of health insurance.

Among these are hospital indemnity insurance, 26 U.S.C. 9832(c)(3)(B); coverage for a specified disease or illness, 26 U.S.C. 9832(c)(3)(A); and an open-ended "such other similar, limited benefits as are specified in regulations," 26 U.S.C. 9832(c)(2)(C). This last one is found in the same Internal Revenue Code provision that lists dental coverage as an excepted benefit, meaning that the "similar" benefits that could be potentially excluded by regulation—and thereby get an automatic antitrust exemption—could be anything similar to a category such as dental coverage—which might be any kind of specified benefit.

While there may have been justification for excepting these categories of benefits

from federal regulatory requirements such as portability under the Affordable Care Act—which is what 26 U.S.C. 9832(c) is in reference to—that does not mean it makes sense to exempt them from the antitrust laws. The bill recognizes this for dental coverage, and explicitly takes the cross-reference to it out of the safe harbor, to ensure that it is covered by the bill. We hope that, as the bill moves forward, the three new antitrust exemptions in the cross references described above will also be removed, so that these types of health-related insurance coverage will likewise be subject to the antitrust laws.

We remain strong supporters of the Affordable Care Act, which has significantly improved the availability and affordability of health care for many millions of Americans, including millions who previously had no health insurance. We would be very concerned by any move to repeal the Affordable care Act without having an effective new plan already figured out and in place that maintains comparable coverages and comparable consumer choices and protections. Such a move would be a grave threat to the financial and health security of American families, and to the very stability of our nation's health care system overall.

At the same time, we also strongly support bringing the antitrust laws into play in this important sector of the health care marketplace. That marketplace is complex in how it operates and how it motivates providers, insurers, and consumers. An effective regulatory framework is needed to shape that complex environment, to help safeguard consumers, help keep costs under control, and help make a full range of health care services available. Our country's long experience shows you can't expect a health care system to run effectively on competition alone.

But consumers will benefit from also having effective competition, at all levels in the supply chain. Even the best regulatory framework works better where competition, within the bounds of that framework, gives businesses a market-driven incentive to want to improve service while holding down prices and providing better value. Regulation and competition both work best when they can work hand in hand.

As the health care marketplace evolves, having the antitrust laws apply will give health insurers competition-based incentives to improve the way they provide coverage to consumers, with higher quality, better choice, and more affordability. Better competition will help bring insurer incentives better in line with benefiting consumers.

As the Justice Department has explained, where there is effective competition, coupled with transparency, in a consumer-friendly regulatory framework, insurers will be spurred to compete against each other by offering plans with lower premiums, reducing copayments, lowering or eliminating deductibles, lowering annual out-of-pocket maximum costs, managing care, improving drug coverage, offering desirable benefits, and making their provider networks more attractive to potential members.

Competition will be beneficial to consumers in the health insurance marketplace just as it is everywhere else in our economy.

We urge your support for H.R. 372.

Respectfully,

GEORGE P. SLOVER,
Senior Policy Counsel,
Consumers Union.
J. ROBERT HUNTER,
Director of Insurance,
Consumer Federation of America.

LINDA SHERRY,
Director of National
Priorities, Consumer
Action.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 209, the previous question is ordered on the bill, as amended.

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

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

MOTION TO RECOMMIT

Ms. ROSEN. Mr. Speaker, I have a motion to recommit at the desk.

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

Ms. ROSEN. I am opposed to the bill in its current form.

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

The Clerk read as follows:

Ms. Rosen moves to recommit the bill (H.R. 372) to the Committee on the Judiciary, with instructions to report the bill back to the House forthwith with the following amendment:

At the end of the bill, add the following:

(c) PROTECTING AFFORDABLE HEALTH CARE FOR OLDER AMERICANS.—Section 3 of the Act of March 9, 1945 (15 U.S.C. 1013), commonly known as the McCarran-Ferguson Act, is further amended by adding at the end of subsection (c), as added by subsection (a), the following:

“(4) Paragraph (2) shall not apply to an issuer in the business of health insurance (including the business of dental insurance and limited-scope dental benefits) if the issuer varies the premium for any health insurance by age in a manner so that the premium for an individual who is 55 years of age or older is more than 3 times the premium for an individual who is 21 years of age or younger.”.

Ms. ROSEN (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Nevada?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Nevada is recognized for 5 minutes in support of her motion.

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

Mr. Speaker, last night, in an effort to secure more votes to pass the so-called American Health Care Act, the GOP made another last-minute attempt to modify its replacement plan for the Affordable Care Act—a replacement that I can only describe as a disastrous piece of legislation—by offering a short-term fix to try and regulate the massive rise in premiums that

Americans over the age of 50 are expected to incur under their current plan.

H.R. 372 is a measure that simply ends health insurance antitrust exemption. What is ironic is that the proposed legislation is being messaged by the GOP as a bipartisan bill, a no-brainer. But Republicans have never lifted a finger to end the antitrust exemption. For years, Congressman JOHN CONYERS and the Democrats have advocated ending health insurers' special treatment.

The reality is, while this is an unobjectionable bill on its own, H.R. 372 has nothing to do with reversing the extraordinary damage that the GOP plan will unleash on this country. The fact is this will not help us solve the fundamental issues underlying the GOP's repeal-and-replace bill. Yet, instead of fixing what we know is not working under the current law, the GOP has offered this Band-Aid to help mend a bill that needs major surgery. H.R. 372 is simply a complement to help fix our healthcare system, not an alternative.

One of the worst aspects of the GOP's repeal is the fact that it implements an age tax. Americans over the age of 50 will be forced to pay up to five times more than what young Americans would pay for coverage. In my district alone, we have roughly 89,000 people between the ages of 50 and 64 who would see their premiums and the cost of their insurance rise significantly.

I recently heard from one of my constituents within that age bracket. He is a retired firefighter who served our country for 29 years and is now disabled. So after many years of service, Ted is worried that if the GOP plan becomes the new law, he and his wife would be kicked off their insurance plans simply because their insurance would become unaffordable.

If this is what the GOP has offered to fix their disastrous repeal, then I am sad to say, my friends, you have missed the mark once again. According to the Congressional Budget Office, if the GOP repeal is enacted, 14 million Americans nationwide will be kicked off their insurance coverage by the end of this year alone.

So let me be clear. The problem with the GOP repeal is that as Americans age, they get less and less coverage. We need to protect those Americans who are fast approaching their Medicare-eligible years but who, for now, are still bearing the heaviest cost of private insurance.

My motion to recommit makes this possible by turning this Band-Aid of a bill into something that actually helps drive down costs for older Americans. It does this by allowing insurance companies to take part in the bill's safe harbor protections only if they charge individuals over 55 less than three times as much as younger Americans.

Since insurance companies consider these safe harbors critical for their survival, this will reverse one of the worst parts of the Republican health plan, allowing insurance companies to charge older Americans five times or even more for health insurance.

I call on my colleagues on the other side of the aisle to show that they aren't tone deaf and that they haven't lost touch with the needs and wants of their constituents, and I urge my colleagues to vote in favor of the motion to recommit so that we can protect our seniors and the most vulnerable of Americans among us.

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

Mr. GOODLATTE. Mr. Speaker, I claim the time in opposition to the motion.

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

Mr. GOODLATTE. Mr. Speaker, the McCarran-Ferguson Act was originally passed to leave the regulation of the business of insurance with the States and to allow insurers to engage in certain procompetitive collaborative activities.

This legislation limits significant uncertainty and unnecessary litigation that would likely result from a broader McCarran-Ferguson repeal through the use of safe harbors for such historically procompetitive collaborative activities, specifically the collection and distribution of historical loss data, the determination of loss development factors, the performance of actuarial services that do not involve restraints of trade, and the use of common forms that are not coercive.

Absent these safeguards, insurers will likely disengage from certain proconsumer collaborative activities, eliminating or impeding smaller insurers from competing and disincentivizing larger insurers from exploring new products and markets. This will lead to further market consolidation and fewer product choices, the impact of which will eventually be borne by the consumer.

These narrow safe harbors create a presumption that certain procompetitive activities can continue while maintaining regulation and oversight to the extent any activity crosses over into a restraint of trade. As a result, insurers can continue to engage in proconsumer business practices, and will be encouraged to provide a diverse range of offerings at fair and reasonable prices.

There is no reason to make an exception to these safe harbors. Therefore, I oppose the motion. I urge my colleagues to reject this motion to recommit and to support the underlying bill.

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

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit. The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

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

The yeas and nays were ordered.

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

RECESS

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

Accordingly (at 3 o'clock and 31 minutes p.m.), the House stood in recess.

□ 1612

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. ROS-LEHTINEN) at 4 o'clock and 12 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed. Votes will be taken in the following order:

Ordering the previous question on House Resolution 210;

Adopting House Resolution 210, if ordered; and

Suspending the rules and passing H.R. 1297.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 1101, SMALL BUSINESS HEALTH FAIRNESS ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 210) providing for consideration of the bill (H.R. 1101) to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 233, nays 186, not voting 10, as follows:

[Roll No. 179]

YEAS—233

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

NAYS—186

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

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

NOT VOTING—10

Black	Payne	Tsongas
Bridenstine	Rush	Yarmuth
Deutch	Sinema	
Marchant	Slaughter	

□ 1637

Messrs. MICHAEL F. DOYLE of Pennsylvania, SIREs, and NOLAN changed their vote from "yea" to "nay."

Mr. TIPTON changed his vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mrs. BLACK. Madam Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 179.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—aye 233, noes 186, not voting 10, as follows:

[Roll No. 180]

AYES—233

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Costock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar

Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
HuiZenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moonen
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo

Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Rice (TX)
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—186

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici

Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)

Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen

Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espallat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.

Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebuck
Lofgren
Lowenthal
Lowe
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney
Carolyn B. Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halloran
O'Rourke
Pallone
Panetta
Pascarelli
Pelosi

Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Tsongas
Yarmuth

NOT VOTING—10

□ 1645

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GAETZ. Madam Speaker, had I been present, I would have voted "yea" on rollcall No. 180.

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENT PROCESS FOR H.R. 1215, PROTECTING ACCESS TO CARE ACT OF 2017, AND H.R. 1304, SELF-INSURANCE PROTECTION ACT

Mr. SESSIONS. Madam Speaker, the Rules Committee will be issuing announcements outlining the amendment processes for two measures that will likely be before the Rules Committee next week.

An amendment deadline has been set for Monday, March 27, at 10 a.m., for H.R. 1215, the Protecting Access to Care Act of 2017; and H.R. 1304, the Self-Insurance Protection Act.

The text of these measures will be available on the Rules Committee website upon this announcement.

Please feel free to contact me or my staff if you have any questions.

Mr. MCGOVERN. Will the gentleman yield?

Mr. SESSIONS. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. I appreciate the gentleman informing us about next week, but I am concerned about this week still.

Can the gentleman inform me whether or not we will have a CBO score on the healthcare repeal bill that we are going to be taking up in the Rules Committee tomorrow?

Mr. SESSIONS. I appreciate the gentleman asking this question.

As the gentleman has previously asked at the Rules Committee, I advised the gentleman that tomorrow, at 10 a.m., the Rules Committee will be convening for the purpose of amendment and discussion of the text that will come, and it would be my belief that that would be available in the evening hour, as I assume we will still be in.

Mr. MCGOVERN. Will we have a CBO score before the Rules Committee meets?

Mr. SESSIONS. It is my belief that I will have one.

The gentleman does understand that the CBO, in order to get it correctly processed, we have not pushed them. They have advised us they would anticipate having a score, they believe, tomorrow evening.

Mr. MCGOVERN. I thank the gentleman.

But as I said in the Rules Committee, I just think, under regular order, we ought to have the score and know how many people will lose their health insurance before we consider it in the Rules Committee.

QUADRENNIAL HOMELAND SECURITY REVIEW TECHNICAL CORRECTIONS ACT OF 2017

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1297) to amend the Homeland Security Act of 2002 to make technical corrections to the requirement that the Secretary of Homeland Security submit quadrennial homeland security reviews, and for other purposes, on which the yeas and nays were ordered. The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. RUTHERFORD) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 14, as follows:

[Roll No. 181]

YEAS—415

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan
F.
Brady (PA)
Brat
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar

Culberson
Cummings
Curbelo (FL)
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael
F.
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Español
Esty
Evans
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxy
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Hanabusa
Harper
Harris
Hartzler
Hastings
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer

Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loeb
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowe
Lucas
Luetkemeyer
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
MacArthur
Maloney
Carolyn B.
Maloney, Sean
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris
Rodgers

McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascarella
Paulsen
Pearce
Perry
Peters
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Polis
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond

Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Russell
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schramer
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik

NOT VOTING—14

Brady (TX)
Bridenstine
Brown (MD)
Deutch
Hudson

Marchant
Payne
Pelosi
Perlmutter
Rush

Sinema
Slaughter
Tsongas
Yarmuth

□ 1655

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BRADY of Texas. Mr. Speaker, on roll-call no. 181, I was unavoidably detained to cast my vote in time. Had I been present, I would have voted "yes."

CELEBRATING NATIONAL AGRICULTURE DAY

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today marks the 44th anniversary of National Agriculture Day, which is celebrated in classrooms and communities across the country. This year's theme is "Agriculture: Food for Life."

Today marks a nationwide effort to tell the true story of American agriculture and remind citizens that agriculture is a part of all of us. The National Ag Day program encourages every American to understand how food and fiber products are produced; appreciate the role agriculture plays in providing safe, abundant, and affordable products; value the essential role of agriculture in maintaining a strong economy; and acknowledge and consider career opportunities in the agriculture, food, and fiber industry.

America's next wave of agriculture leaders are also in Washington today: members of the National FFA Organization, 4-H, Agriculture of America, and MANRRS. Their advocacy and leadership is critical to the future of agriculture.

Mr. Speaker, our farmers feed and agriculture plays a critical role in modern society. I would like to thank all Americans who work in this essential industry.

Happy Ag Day.

□ 1700

REPEAL OF THE ACA

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

Mr. LANGEVIN. Mr. Speaker, exactly 7 years after the Affordable Care Act became law, we now anticipate a vote this week on a Republican plan to gut it.

Mr. Speaker, the ACA expanded health coverage to 20 million people and expanded Medicaid to help our most vulnerable populations, changes that resulted in coverage for more than 100,000 Rhode Islanders.

Last week, I joined Democratic colleagues at a hearing to discuss the Republican plan, a hearing Republicans should have organized to assess the impact of their bill, which CBO estimates will result in 14 million additional uninsured by 2018 and 24 million people losing their health insurance by 2026.

Mr. Speaker, the Republican plan is not the solution to strengthen our health system. It ignores the sick, the poor, the disabled, and the elderly. Mr. Speaker, Americans cannot benefit from the systemic changes in care delivery, the breakthrough treatments of tomorrow, or improved access to today's therapies if the Republican plan is passed.

Mr. Speaker, we should be working in a bipartisan way to improve the Affordable Care Act, not gutting it.

TAKING THE INNOCENCE OF A CHILD IS SHAMEFUL

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

Mr. POE of Texas. Mr. Speaker, a 14-year-old girl last week was kidnapped off the streets of Houston, Texas. After being held against her will for 5 days, she was taken to a motel, where she met a person named Denise Coronado.

But Coronado was no friend. Instead, she threatened the girl. Coronado ground cigarettes into the girl's body. She threatened everyone that the child loved. She published photographs of the girl on backpage.com, selling her on the marketplace of sex slavery. In a 1-week period, the young girl was forced to have sex with more than 20 men. Finally she escaped.

But, Mr. Speaker, the reality is that the victim sometimes never truly escapes. The horrors sometimes live with them forever. We can no longer be ignorant to modern day slavery. My legislation, the Shame Act, gives Federal judges the ability to publish the names and photographs of convicted buyers and sellers of humans.

Those who sell or buy the innocence of children should be shamed for all to see. Put their photographs on backpage.com.

And that is just the way it is.

NATIONAL VITILIGO AWARENESS DAY

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

Mr. JOHNSON of Georgia. Mr. Speaker, I rise to introduce a bipartisan resolution which designates October 17 as National Vitiligo Awareness Day.

Vitiligo is a chronic medical condition resulting in the loss of skin pigmentation. Studies show that about 50 million people worldwide are diagnosed with vitiligo. In the United States, around 2 to 5 million individuals are affected. Michael Jackson had it.

The American Academy of Dermatology refers to vitiligo as a life-altering disorder that can result in low self-esteem, anxiety, and depression. Children with vitiligo are especially vulnerable to being bullied because of their looks. They have a harder time making friends and are more likely to perform poorly at school. We have the power to change this. By naming October 17, 2017, as National Vitiligo Awareness Day, we highlight the importance of providing support to individuals diagnosed with vitiligo in an effort to improve their quality of life.

PUTTING LIVES AT RISK WITH REPEAL

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

Mr. CÁRDENAS. Mr. Speaker, I rise today gravely concerned for the lives put at risk by the Republicans' repeal

scheme. Trump has flip-flopped on his promises to the American people.

I recently heard from a person named Nancy who lives in my district. Nancy said: I am not asking for a handout. I have been a gainfully employed taxpayer for close to 40 years.

Nancy was able to pursue her dream of opening her own small business because she could finally afford her own health care.

This bill breaks Trump's promise to Nancy and to millions of Americans. It does not lower deductibles or drug prices, and it doesn't provide better coverage. Instead, they are purposefully taking away the health insurance from 24 million Americans by cutting \$170 billion from Medicare and \$880 billion from Medicaid.

Why are they doing this?

Simply to give a \$600 billion tax cut to millionaires. Let me be very clear. This bill hurts kids, women, families, working people, the disabled, and seniors.

THE INTEGRATED NATURE OF THE U.S.-CANADA RELATIONSHIP

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Mr. Speaker, I rise today to illustrate the importance of the U.S.-Canada relationship, one that is based on shared values, shared hopes, and shared dreams. The United States and Canada have established strong partnerships to provide leadership on climate change, clean energy, and the environment.

The United States and Canada share deeply connected economies and enjoy the largest bilateral trade and investment relationship in the United States. We trade an average of \$1.3 million in goods and services. Nearly 9 million U.S. jobs depend on trade with Canada. In my State of Michigan, over 250,000 jobs depend on the U.S.-Canada trade and investment, making Canada the number one customer for the State of Michigan.

Our two countries share the common goal of creating jobs and protecting workers. I am proud to call Canada a friend, ally, and partner.

CONGRATULATING CCDD ON 51 YEARS OF SERVICE

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

Mr. ESPAILLAT. Mr. Speaker, I rise today to recognize Centro Cultural y Deportivo Dominicano de New York.

The story of Club Deportivo began 51 years ago in the New York City neighborhood of Washington Heights, where a group of Dominican immigrants bonded over weekly games of the classic board game dominoes and a shared desire to maintain their cultural roots.

Over time, this proud group, inspired by the founding fathers of the Dominican Republic—Juan Pablo Duarte, Francisco del Rosario Sanchez, and Ramon Matias Mella—made the decision to formalize itself in order to protect their own identity and cultural heritage. They officially incorporated on March 23, 1966.

As the years passed, what initially began as a way for friends new and old to stay in touch through the power of sports blossomed into what is now institutionally and athletically one of the most important centers of Dominican Americans and their friends in the 13th Congressional District. Over the past 50 years, they have hosted numerous recreational sports tournaments and have played an integral role in formation of many other civic, cultural, and social organizations.

Club Deportivo also provides its members with many vital forms of community service: ESL, citizenship classes for immigrants, folklore classes, music and arts classes for young and adults. Additionally, the group provides hot meals for the homeless each Thanksgiving and carries out frequent medical fairs.

Mr. Speaker, we are joined today by several members of the Club Deportivo Dominicano. They are celebrating their 51st anniversary. Santiago Cruz, Felix Grant, Jose Monta, Carlos Leerdam, and Jose Rodriguez are here to celebrate.

THE LATEST INCARNATION OF TRUMPCARE

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

Ms. JAYAPAL. Mr. Speaker, late last night, in a callous betrayal of the very people who elected them, Republicans hatched up the latest plan to deprive more than 24 million Americans of their health care. Let me say that again. 24 million people. In fact, perhaps more because we have yet to receive the CBO estimates on this latest plan.

This incarnation of TrumpCare would freeze Medicaid expansion in its tracks on top of the \$880 billion cut that was already in the bill. In my home State of Washington, this plan would put in jeopardy 600,000 people assisted by Medicaid expansion, people who have gained access to critical treatments for substance abuse, diabetes, and cancer screenings.

Dominic in Seattle has a son who, along with many others who suffer from asthma and other respiratory diseases, will not be able to afford his inhaler anymore. Nursing homes will shut down and throw thousands of grandparents out with no help. New so-called work requirements will add even more obstacles to healthcare coverage for our most vulnerable.

TrumpCare will strip coverage from 24 million. It is past time for my colleagues to reject this pay even more for even less plan.

HISTORIC PARALLELS

The SPEAKER pro tempore (Mr. JOHNSON of Louisiana). Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, it has been an interesting couple of days. We heard from our President, and that was a great privilege this morning to hear from him at our Conference. We were reminded what an amazing victory President Trump had last November. Some said it was so very historic, maybe as historic going back clear to Andrew Jackson's victory in 1828.

That took me back, being a lover of history, being convinced over the years, as I majored in history in college because I knew out of the Army 4 years, when I finished that, I figured I would major in what I loved, and that was history. Although my mother thought I should have majored in math or either been a doctor or a college math professor.

But history I loved, and I continue to learn from history. The old adage is those who refuse to learn from history are destined to repeat it. The corollary that is not as well known is those who do learn from history will find new ways to screw up.

But the 1828 election that saw Andrew Jackson become our President actually happened after four abysmal years, some would say the least productive 4 years any President has ever had, and it was actually a President who was a hero of mine, John Quincy Adams. He was the first son of a former President to be President. Some have said he was probably the best educated President we have ever had, having been educated at the best Massachusetts had, England had, and France had. He wrote books in German, fluently spoke French.

Of course, if he had had his way, he would have been married to an American, but when his mother, Abigail, was not too pleased with the girl he thought was the love of his life, he ended up being directed to England where he ended up falling in love with Louisa, and she ultimately became his wife; but apparently his mother didn't think she was quite fit. Louisa became the first—used to be able to say the only—First Lady the country has ever had who was not born in the United States. Like I say, if he had had his choice—first choice—then his wife would have been born in the United States. But that is the way things fall. He loved his wife dearly.

He was quite accomplished. He kept the most complete journal of anybody

we have ever had who was President. He knew slavery was wrong. He knew slavery was destroying our country, that we could never reach the potential that God had for this country unless we eliminated slavery. He had corresponded to England with a guy by the name of William Wilberforce, who had dedicated his adult life since his twenties to eliminating slavery in the British Isles and British territories.

□ 1715

He ran for President in 1824. No one won with the electoral votes. It was thrown to the House of Representatives. John Quincy Adams garnered the favor of Henry Clay in the House. And when Clay threw his support behind John Quincy Adams, Adams then won the Presidency.

Adams had some friends who were very close to him. They knew his heart, they knew his heart was pure, and his intentions were clearly nothing but the very best for the United States. They knew him to be a man of honor, a man of integrity, a man of his word. He had not made any kind of deal with Henry Clay to make him Secretary of State. But as a man of honor, a man of integrity, he could not understand why he couldn't go ahead, and why he shouldn't go ahead, and appoint Henry Clay to be Secretary of State.

His closest friend said: John, if you appoint Henry Clay to be Secretary of State, you will never, ever be able to convince anybody in Congress—the House or Senate—you will never convince anybody in Washington but your closest friends, those of us that really love you, you will never convince the rest of the world or posterity that you had not cut a deal with Henry Clay that in return for his support for you being President, you would make him Secretary of State. Please, appoint him to anything, but not Secretary of State. It is going to look like you made a deal and bought the Presidency with the appointment.

But there were those who did not love John Quincy Adams, didn't have that much respect for him, and would have been fine if he had not won the election, but he had won the election. And those who didn't care about John Quincy Adams encouraged him: Sure, appoint Henry Clay, it is your choice. You appoint whoever you want.

Those who loved John said: John, it is not a good idea. People are going to brand you improperly. We know you are honest. Those are not really your friends that are telling you to just appoint Henry Clay to be Secretary of State. Go ahead.

He didn't listen to the closest friends who loved him and cared about him. He listened to those who didn't care if he succeeded or failed. So he appointed Henry Clay to be Secretary of State.

Some historians would say he had the least productive 4 years of any

President in history. It is always arguable. But there were clearly times throughout his 4 years as President when he backed bills and pushed bills that would have been good for the United States and that should have had the support of both the House and Senate when they couldn't get passed simply because people thought he had bought the office with the appointment of Henry Clay to Secretary of State. And so they went against anything and everything that John Quincy Adams tried to support thereafter.

That may seem kind of a strange story to pull out from history, except I was reminded of it as I thought about today, and I thought about some folks who even in October, they didn't care about Donald Trump getting elected President, they didn't really support him at that point, so they encouraged him: You go ahead and let's do this bill that we are bringing to the floor and just never mind the fact that prices will not come down, unless you want to say 10 percent over 3 years, maybe 10 percent.

After the prices will probably continue to go up after those same 3 years, we may be able to cut 10 percent off at some point. Why? Because we are not stripping the regulation, the regulatory authority, out of ObamaCare. We are only repealing part of it. And we are leaving almost all of the part that has driven costs through the roof. It has driven the price of health insurance through the roof. It has blown the deductibles so high that so many of my constituents and friends know they will never have enough cash to pay for the deductible to even get to a claim that the insurance company would pay.

And I just know that when the prices of health insurance don't come down over the next few years, people are going to say President Trump broke his promise to repeal ObamaCare. He only got part of it, but the monopolies that had begun to grow in the health insurance market grew bigger and fatter. And a man who wanted to do an honorable thing for America and get rid of ObamaCare—that it cost people their insurance, their doctor, their medicine, that it caused so much suffering and heartache as people struggle with their healthcare bills—he promised he would get rid of it, he wanted to deliver on his promise, and he has been told by people who weren't really sure if they cared if he won or lost that: Gee, just pass this, this will be great. Just pass anything. Pass something. We will call it a victory and move on.

But these are the times when it is very important to take an assessment of those who want to see you succeed and those who really don't care. There are those who have felt on the Republican side that if Donald Trump was defeated, that would be the end of the Tea Party movement, that would be the end of any type of populism rising

up against the runaway socialism, the runaway assault on religious freedom, the Second Amendment.

The American public rose up, and this is our first chance to really deliver on our promises. I hope that the votes are not all there yet so that we can reach an agreement so that we can include in the bill that comes to the floor, not an amendment we vote on so that it can be voted down, but actually included in the bill so that we take out at least the big hunk of what has caused health insurance prices to skyrocket.

And if we can do that, we can have a win this week, one that we can all feel good about on our side of the aisle, and even my friends on the other side of the aisle. If we do the right thing and make sure that we take action that actually legitimately brings down health insurance costs, then my friends on the other side of the aisle will hear good reports of joyful remarks with gratitude that insurance prices have come down, we can now afford it, our deductible is lower, we are building a health savings account, it is great.

There are some good things that can come out of the votes this week. But if people take advice from those who are not as concerned with their total success, then this could be the start of a Presidency that was as unpleasant as John Quincy Adams' Presidency, which ended up leading to the inevitable result of his defeat in 1828 to Andrew Jackson.

I hope we keep our promise.

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

BRINGING DOWN THE COST OF HEALTH INSURANCE PREMIUMS IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, I thank the Speaker for this opportunity to continue the discussion. My colleague from Texas really left here a moment ago with a plea about bringing down the cost of health care in America. Actually, it was the cost of premiums in America. That is a plea that I think all 435 of us would echo. It would certainly be our goal, as representatives of the American people, to find some way to accomplish that, some way to bring down the cost of premiums.

I would like just to make a point right at the outset. When discussing health care, there are really two connected, but very separate, parts to the healthcare system.

One part is the delivery of medical services. These are the doctors, some of whom are in organizations of doctors or

various specialties. Some are in large practices, such as the Kaiser practice. Some are in hospitals disconnected from doctors. But there is just a plethora of different ways in which medical services are delivered. That is the delivery of medical services. That is one part of it.

The other part of the healthcare system in America, and really anywhere in the world, is the collection of money to pay for the services. Now, in the United States, we have many different ways to collect the money. One of them is through taxes. And this is how we pay for Medicare and Medicaid, what we call MediCal in California. We pay for the veterans' medical services through the collection of taxes, children's health services, and some other programs that are much smaller. So that is one way in which we collect the money to pay for services. You might call those single-payer taxpayer services, taxpayers' money being spent on services delivered by that whole range of providers, some of which happen to be government providers, for example, the Veterans Administration and military medical services.

Now, the other way in which we collect money to pay for services are premiums, health insurance premiums that are charged by health insurance companies. The largest single part of that is from corporations, businesses, that buy health insurance and pay the premiums. And the others are individuals, and this is the individual insurance market. There are some small group markets out there, also. But these two systems, we need to understand that they are different. They are connected, obviously.

Now, if we are going to deal with the cost of premiums, you have to go over and deal with the cost of health care, because the health care drives the premiums and also drives the amount of money that we need to raise to pay for the services that are provided by the various governmental programs.

Now, in the Affordable Care Act, which is now some 7 years old Thursday of this week, the seventh anniversary of the passage of the Affordable Care Act, there are some very powerful mechanisms to reduce the cost of health care—doctors, hospitals, and the rest. Some of these are electronic medical records so that there is a continuity of knowledge as to what happened, what was provided, what services were provided to the individual.

□ 1730

Another one happens to be a penalty assessed on hospitals for hospital readmissions on hospital-acquired infections—profound in driving down the cost; also extremely important for individuals because hospital infection rates dramatically dropped.

There are also ways in which we pay for the services. It is very clear that

the utilization of fee-for-service drove up the cost.

Anyway, as we go through this discussion today on the Affordable Care Act, and I see I am being joined by my colleagues here, I just want us to keep in mind that in order to deal with the cost of premiums, you have got to deal with the cost of services that are provided.

Now, in the Affordable Care Act, we actually saw, over the last 5 years as the Affordable Care Act, ObamaCare, went into effect, a decrease in the rate of increase. We haven't seen a decrease in the cost of medical services, but what we have seen is that the inflation rate has significantly reduced, so much so that the financial security of the Medicare program, which is the single biggest expenditure, has been extended by some 11 years because the inflation rate has declined—not decreased, but the rate of inflation has declined almost 50 percent from what it was before the Affordable Care Act.

That is a direct result of the many reforms that went into the way in which medical services were delivered. That allowed for a lower inflation rate for premiums and an extension of the financial viability of Medicare and other medical programs.

Now, unfortunately, we are now faced with a repeal or a partial repeal of the Affordable Care Act, and the promise has been made by my Republican colleagues that somehow this will reduce the premiums. Well, that is interesting. Now, exactly how are you going to reduce the premiums unless you are dealing with the cost of medical care?

In their reforms, there is—as best I can determine and everybody else—no effective way to reduce the cost of medical services and, in fact, the high probability that the cost of medical services will increase, specifically, because, in their proposed reform, men and women that are 45, 50 to 65 are going to find it virtually impossible to continue to buy insurance. They will drop their insurance. That is part of those 14 million Americans that will lose their insurance next year and part of the 24 million Americans that will not have insurance 9 years from now.

That population, before they get to Medicare, when they begin to get ill, 40, 50, 60, they will not be able to afford insurance. It is something like a \$12,000 increase in cost to them. It is what is known as the senior tax.

Now, that will drive up the cost of medical services. Because they will not be able to have continuity of care, their diabetes, their heart issues, their high blood pressure, and on and on will not be treated.

Similarly, in the proposed reform, there is a significant reduction in the number of men and women across this Nation—and we are talking probably in the range of 4 to 6 million in the next 2 years that will not be covered under

the Medicaid program. Those people, not having access to continuous medical services, will not seek treatment for those illnesses that can be treated effectively or held in abeyance, such as diabetes, heart disease, and the like. That means that the cost of medical care for them will rise.

Where will they go to get medical care? Not to worry, say our Republican colleagues. They can go to the emergency room. We have been there. We have seen what that means.

The expansion of the Medicaid program is unraveled by the proposed TrumpCare. I am going to come back to this.

I would like to ask my colleague from Texas to carry on here, if you would. I yield to the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Speaker, I am going to take just a moment.

This is an excellent presentation. I think our constituents should be aware, and our colleagues, of your enormous knowledge as the former State insurance administrator in California, years of service to the people of California, and we are grateful for that analysis because you are right on the money, if you will, on the disaster or the questioning that comes about through two points: the existing bill, and then now an amendment which has been called meaningless that will be on the floor on Thursday, meaning that this bill has been amended by those who want to make it worse.

We sat in the Budget Committee on Thursday with Ranking Member YARMUTH most of the day trying to debate these numbers. So I just want to make points about wellness, about some of the criteria that maybe is misrepresented as making the insurance product more expensive.

To the Republicans, 10, 20 years ago, the product you had may not have been worth what you paid. In the product we have now, preexisting condition, stay on your parents insurance until you are 26, certain criteria that the insurance companies must have, by the nature of the market, premiums go up to take in the idea that there are "better benefits." I would argue that those benefits should have been there, but they are better benefits.

The other thing is that there was a formula which pushed millennials into the market or into the pool of people and persons that will purchase insurance.

Now, let me be very clear. I think we have not seen the end of the story. I believe that 10 years, 15 years, the young population will buy insurance. It is an educational curve. And so as they buy insurance, they will create that cushion.

Now, let me make this other point. Premiums are raised under this Republican bill, really raised, and then there are smoke and mirrors to say, oh, at a

certain point it will go down 10 percent. But it goes down on the raised amount.

If you allow the Affordable Care Act to continue, we have a very large piece of wellness. Talk to your doctors. It is working.

Individuals are coming in, taking advantage of the wellness check. So they are not coming in with metastasized cancer, with thyroid conditions. They are not coming in on a stretcher with strokes or a heart attack because they are getting wellness care. When you get wellness care, on the other side of the curve, premiums go down because you get more well people.

I want to finish on this point of Medicaid that we were just debating.

Over and over again, it doesn't seem like there was any understanding that Medicaid is now part of people's insurance. And it is not a situation where I have seen many of my constituents stand on the street corner with a sign, saying, "Give me Medicaid." You get Medicaid either through the expanded Medicaid.

And for our colleagues, that means that you are in a State where your insurance comes through expanded Medicaid; or you are a sick and elderly person in a nursing home or a disabled person; or you are blind; or you are a pregnant woman; or you are a mother with children; or you are on the children's health insurance program, which I was here in 1997 when this miraculous bill came forward and we established the Children's Health Insurance Program, which is a Medicaid-based program that gives millions of children insurance.

But under this bill, all of that will be capped. It will be per capita. So the \$880 billion is being cut, my fellow Americans, ladies and gentleman, from your insurance.

Then, finally, this bill could not be more cruel. Besides the ailing that are in nursing homes—and I do want to tell one story of an individual who got into the nursing home, Mr. Speaker, because they didn't have insurance to take their medicine, and it resulted in heart attack and stroke. They are not an old person, but they are totally disabled, and they are in the nursing home on Medicaid now.

But in the Budget Committee, two amendments came up that I was just stunned. You worked very hard on the opioid legislation. Some of it came out of my committee, Judiciary Committee. Many Members have worked hard on this.

They had an amendment saying no able-bodied man or person should get Medicaid. I don't know what that definition is. Are you an addicted young person, wholly addicted on opioids, that needs medical treatment? Are you an able-bodied person because you have all of your faculties and limbs but you are sick and addicted?

And then, don't incentivize Medicaid. I am trying to find out what that means because all of my hospitals—and I think one of the things the Affordable Care Act has done is to question costs and to work hard to bring costs down in hospital care and to have an accountability assessment on that.

But to finish, I have not heard my rural hospitals, I have not heard my public hospitals, I have not heard the Texas Medical Center talk about people being incentivized to get Medicaid. They are sick and they come in for whatever they have.

The last point is someone gave an example that they were able to have a transplant because they were under the Affordable Care Act with expanded Medicaid.

So I want to thank the gentleman for raising these very important points, but it baffles me that there is such a skewing of a very successful legislation, very difficult. It was a very difficult piece of legislation. It took years, the Affordable Care Act, and it is doing what it is supposed to do.

As we have heard before, you can get more insurance companies. We have to do something with the premiums, and that is fixing or improving. But that is not what we are doing here. We are literally cutting people off of insurance.

I will give you the number that I keep using: 2026, 52 million Americans will be uninsured, and that will be our constituents all over the Nation. That is because of the underlying bill, this bill that is coming up now—which there are those who want it to be even worse. I just heard a gentleman say he wants to take away all the mandates. It will be worse on the American people, and I don't want to make America sick again.

Mr. GARAMENDI. I want to thank the gentlewoman from Texas, SHEILA JACKSON LEE, for her consistent and constant caring for men and women in this Nation that are on the outside, that are not among the wealthy, that are struggling with their families to improve their situation. You are always there. And here you are once again this evening laying out the problems that we are going to see with TrumpCare.

Let me just very quickly run through this, and then I would like to turn back to my colleague from Rhode Island, Mr. CICILLINE.

The proposal that is on the floor, we could just lay out five very succinct arguments on why it doesn't work.

I was going through a rather complete explanation of how the healthcare system works because it is kind of a basic understanding, but clearly, under the legislation that is going to be taken up this Thursday, Americans are going to pay more for less. And it is not just a few.

The senior citizens in Medicare are going to see a diminution in their benefits. We are looking at the 40-to 50-

years-olds, which I have already discussed. We are looking at other individuals.

Pay more for less, we are looking, over the next 9 years, that 24 million Americans will lose their insurance or their opportunity to get insurance. And just this next year, just 18 months from now—excuse me, not 18 months from now. Nine months from now, we are going to see 14 million people begin to lose their insurance.

I talked earlier about this age tax, which speaks to those people that are 50 to 65 years of age. They are, under this legislation, going to pay up to five times more than someone who is between 20 and 30 years of age.

□ 1745

Present law says they can be charged no more than three times what a 20- to 30-year-old pays, and so this is what is known as an age tax. It simply shifts the cost to those 40-, 50-, 60-year-old people who happen to be the most expensive. And I talked about the \$12,000 that they will have to pay in addition to that.

It guts Medicaid. We call it Medi-Cal in California and Medicaid across the Nation. The expansion of Medicaid was an extraordinarily important event that provided insurance not only to men and women who had no income, but to 85 percent of the people on Medicaid across this Nation who are elderly, in nursing homes, or elderly poor, unable to provide sufficient income from just their Social Security—those are called the dual eligible—or children.

Now, in the Affordable Care Act, there was what was known as Medicaid expansion; and those are the working men and women, families, who have less than 138 percent of the poverty rate. So those are the low-income working men and women who are able to get Medicaid, or Medi-Cal insurance in California. It simply guts it in a variety of ways, which we will come back and discuss a little later.

You can bet and you can count on there being less support for the elderly that are in nursing homes. There will be less support for the young families; the single-mother families who are struggling to get along, probably going to school, trying to learn skills; and for the working families who are at \$10 an hour minimum wage.

Finally, this is the one that ought to drive Americans right off the rails. This is a whopping \$270 billion tax reduction for the top 1 percent of Americans. It is for 400 families in America, the richest 400, four of which are in the current Trump administration, including the President himself. They will see a \$7 million a year decrease in their taxes.

Now, that is great. I am sure the President will enjoy that \$7 million tax reduction, along with the \$3 million or

\$4 million he is getting from the taxpayers every year so he can go to his home in Florida.

This is obscene. This is obscene because the way in which this thing works, working men and women and families across America at every income level are going to get less. They are going to pay for more, and yet the superwealthy in America are going to get a whopping tax reduction. This is the income distribution that we should never have, to take from the poor, to take from the middle class, and give to the superwealthy. I will come back and discuss this.

Mr. Speaker, I yield to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, I thank the gentleman from California (Mr. GARAMENDI) for leading this Special Order hour where we can really talk about the impact of what is about to happen if the Republicans get their way and pass TrumpCare.

I think it is important to recognize that this proposal that is currently before the House will substantially hurt the American people, beginning with, as your chart demonstrates, the loss of coverage, when fully implemented, for 24 million Americans who will no longer have access to affordable health care and will be uninsured by 2026. Those are our friends, our neighbors, our family members who no longer will have health coverage.

In addition, it provides an enormous tax break for the wealthiest people in this country. In fact, the total value of these tax breaks over the decade is \$600 billion to the richest individuals and the biggest corporations. It is the largest transfer of wealth for working families to the very rich in our Nation's history.

To accommodate this tax break, to give this huge tax benefit to the richest Americans and the largest corporations, they achieve this by stealing health care from millions of families all across this country and by cutting billions of dollars from Medicaid and Medicare. As the gentleman from California (Mr. GARAMENDI) said, the 400 richest families will each enjoy a \$7 million tax cut; and the way they paid for that is they take away health care from millions of Americans.

There is also the impact on our economy. There is a new analysis from the Center for American Progress, and they conclude that TrumpCare will destroy 1.8 million jobs.

We are all focused on: How do we get people back to work? How do we create good-paying jobs?

This is a job killer. TrumpCare will cost 1.8 million jobs, a loss of an ability to provide for yourself, for your family, and for your future.

As you said, people will be paying more money for less quality care. Deductibles and out-of-pocket expenses will skyrocket, leaving sick people unable to afford the care they need.

Particularly, as you mentioned, there will be an age tax because older Americans will pay more. Their premiums will go up at an even faster pace because they are allowed to charge even more based on their age.

Young people are also hurt. Young people are hit with a millennial tax. They put a 30 percent premium surcharge on those reenrolling after a lapse in coverage, which is often the case, particularly with young people where people may have lost a job and be out of work. So they are going to be penalized with a 30 percent premium.

The impact of the Republican proposal, this TrumpCare proposal, on women is devastating. In addition to new restrictions on comprehensive health care for women, this Republican bill, TrumpCare, defunds Planned Parenthood and will make it much more difficult for women to access essential preventative care and affordable contraception.

As I mentioned, the middle-aged American—the age tax—will pay more. For example, a 64-year-old individual with an income of \$26,000 in the individual market will pay \$12,900 more in their premiums each year. That is almost half their income under the Republican plan. So it is going to really get those who are above 55 but haven't yet hit the age to receive Medicare especially hard.

Also, TrumpCare hurts our seniors by weakening Medicaid and Medicare. It shortens the life of the Medicare trust fund by 3 years. It steals \$880 billion from Medicaid, which, as you mentioned, is the principal source of long-term care for seniors.

Also, it does damage to the protection for people who have preexisting conditions, because someone who has a lapse in coverage will be subjected to a 30 percent premium on top of their base premium. So there is another penalty for people who have preexisting conditions.

If you take all of this together, it is worse coverage, worse care, higher costs, huge tax cut for the richest people in this country—for drug companies, for insurance companies, CEOs. To pay for their tax cut, we take away insurance from the most vulnerable and working people in this country.

We have all received both emails and phone calls and had conversations with those whom we have the privilege of representing, and they have shared with us these heart-wrenching stories of what it would mean to lose their health care.

In my State, I am proud to say that, with the implementation of the Affordable Care Act, ObamaCare, we have the highest rate of coverage that we have ever had in our State's history. Ninety-seven percent of Rhode Islanders have access to quality, affordable health care. It is great. It makes a difference in the lives and quality of the lives of everyone.

I want to share with the gentleman from California (Mr. GARAMENDI) an email that I got from a constituent, just recently, from Lincoln, Rhode Island. Brenda said:

If all goes well, I am literally going into surgery for hip replacement on March 16 of this year. Though hip replacement is seen as elective, the pain I deal with now interferes with my quality of life. Without it, I will end up in a wheelchair in a few years once I can't handle the persistent pain.

Without the ACA, I would not be able to have this operation. I do not own a home for collateral and have a 19-year-old car. I work full-time in a hotel for \$12 an hour. I have not had a raise in 4 years. We have no benefits at all, including health care. We have no paid time off at all for sick days, personal days, or vacation.

I am not confident enough to move to another job with my current physical limitations, which have reached a point where it interferes with every activity, including sleeping.

My doctors, who are aware that I get my medical through the ACA, have been helpful and diligent about getting me in soon, knowing there is a major threat for those whose only way for medical coverage is through the ACA. My condition may not be life-threatening, but left untreated, it would limit where I can live, if and where I can work, and, most likely, leave me on permanent disability or Social Security, which most people can't live on.

I am only 52. I still have several functional, productive years ahead of me, and I receive a subsidy to help make my coverage affordable.

Brenda is just one example of someone whose life is literally being preserved. Her quality of life is being protected because she has access to health care. She can have the surgery she needs. She can eliminate the pain she is suffering and lead a productive life.

There are millions and millions of Americans who have the same kinds of stories, who have benefited from the Affordable Care Act, who will be deeply harmed when that insurance is ripped away if Republicans get their way and pass TrumpCare.

I want to end by just saying thank you again to the gentleman from California (Mr. GARAMENDI) and to also mention that he referenced, in his remarks, the process that has produced this very, very troubling piece of legislation, unlike the process that produced the Affordable Care Act that occurred over many, many months and many hearings, where 121 Republican amendments were accepted into the bill and it still didn't earn a single Republican vote. Yet, through TrumpCare, over 100 Democratic amendments were offered in three committees of jurisdiction and not a single Democratic amendment was accepted.

So even efforts to try to improve a terrible bill were rejected in the committee process, and that is because they are intent on making sure they deliver this big tax cut to the special interests who sent them here to Washington, and they are going to try to do it on the backs of the hardworking peo-

ple of this country. We have to continue to stand up and fight and do everything we can to prevent it from happening.

Mr. GARAMENDI. Mr. Speaker, there is no better fighter than the gentleman from Rhode Island (Mr. CICILLINE) in the representation that he gives to the people of Rhode Island and beyond. The gentleman couldn't be more accurate about all that he said.

I was listening carefully to the story the gentleman from Rhode Island told of the individual who wrote him an email. I, too, have received many, many emails.

I was thinking, as he was describing the situation, of a woman who runs her own small farm near Marysville, California, in my district. For years, she could not afford insurance. She had a small orchard farm. She couldn't afford insurance. When she got sick, she went to the emergency room. She was able to get along.

But she knew that, as she approached 50 years of age, she would be facing a bad medical situation, and she did. She had cancer. She couldn't get a policy prior to the Affordable Care Act because she had a preexisting condition: she had cancer. Emergency rooms are not treating that. She wasn't able to get on a program, and she was going to die.

About that time, we established, in California, a covered California program that is an exchange based upon the Affordable Care Act. She, because of her income, was able to get a comprehensive insurance policy and a subsidy for her premium. She then had quality insurance, and she was able to get the cancer treatment because her insurance had no preexisting conditions and she was able to afford it. She had to pay a little bit, but she had a subsidy that made up the difference.

She is now looking at a situation, because she is in that age 50 to 65, where she will not be able to afford a \$12,000- or \$14,000-a-year premium because the subsidies were taken out and because of this age tax, the 1-to-5 ratio rather than the 1-to-3 ratio. It is horrific. She knows what she is facing. She is facing the loss of her insurance and, quite possibly, the loss of her life.

This is wrong. This is wrong.

I thank the gentleman from Rhode Island for joining us tonight. I yield to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, there are so many people that I have heard from in my own district, and I know colleagues have heard the same thing when we talk about these numbers: 24 million people will lose their insurance and billions of dollars in tax breaks for the richest people in this country. Behind every one of these numbers is a real person whose life will be destroyed or devastated because they don't have access to quality, affordable health care.

This is the richest, most powerful country in the world. We are well on the way to having a system in which everyone can afford and have access to quality, affordable health care. We made huge progress in the Affordable Care Act. It is not perfect. We have always been willing to say: How do we make it better? How do we build on the success of it?

The notion, in the midst of this progress, that we would deprive or pass a piece of legislation, this TrumpCare, that will take away insurance from 24 million people, that will raise premiums, raise out-of-pocket costs, undermine Medicaid and Medicare, and also give a big tax cut to the richest people in this country is just so wrong.

□ 1800

I just think it is very important, as we speak about this, to remember, behind every one of these numbers is a story of a real person, a real family, just like the woman you described, just like Brenda in Lincoln, Rhode Island, whose lives are going to be really hurt and who are going to face devastating consequences because they don't have access to basic quality health care, which is a right in this country every American should have access to.

This sets us back so far it is difficult to imagine what our colleagues on the other side of the aisle are thinking.

Mr. GARAMENDI. Mr. Speaker, I see that my colleague from the great State of Ohio (Ms. KAPTUR) has arrived. Often we have shared time on the floor. Ms. KAPTUR, if you would care to share with us your thoughts on the Affordable Care Act as it exists. I know in your area it is a very important attribute in an area that has been known as the Rust Belt, and the effect of TrumpCare, RyanCare, on your citizens.

I yield to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the gentleman so very much for taking the time, after formal votes have occurred today, to help us enlighten the American people on what is really at stake here.

I have to say, President Trump carried the State of Ohio by about 450,000 votes out of all the votes that were cast. And there was this slim hope, I think, on behalf of some of the people who voted for him, that though he was a billionaire, that there was perhaps a kind heart that would minister to the people of our country, helping them get more jobs, helping them deal with their everyday challenges, including health care.

Unfortunately, this bill is cruel, and it is dangerous. It helps the billionaire class. Why in heaven's name, of the people that are drafting this bill on the Republican side of the aisle, would they be giving billions and billions and billions of tax giveaways to the wealthiest people in our country; to

those that, frankly, if you take away a couple of million, they wouldn't miss it anyway. You know, when you have that much money, normal life is kind of distant from your world.

But what TrumpCare is giving to the rank and file, people are going to have to pay more for less coverage, and millions and millions of people are going to lose their coverage completely.

Now, you know, 75 percent of the people who go bankrupt in this country go bankrupt because of health bills that they can't pay for. And so when you start tinkering around with people's health insurance and their coverage, you are playing with wildfire, and that is what is happening on the Republican side of the aisle.

Now, it used to be that most Americans received their health insurance through employment, just like in Germany. We had an employment-based health insurance system. I like that system. I like for workers to share in the profits of the companies that they help make money for.

But what has been happening over the years, with so much outsourcing that Wall Street is more than happy to finance, right, companies are plucked up from Ohio and put in Mexico, put in China, put in all these other places around the world. People lose their health insurance. They lose everything. They are lucky if they can hang on to their houses.

Then what happens? What happens to them? Well, if they are lucky, they might get a job that pays a third of what they earned before in a company that doesn't pay health insurance.

Take Walmart, the biggest employer in the country. Go take a look at their employees and what happens. What is happening is the corporations are throwing on to the back of the public sector, the Federal Government, the responsibility to pay for health insurance. So all the profits that Walmart makes, it doesn't benefit the workers there with any health insurance. The companies have ceded their responsibility to provide health insurance as a condition of employment, and they have transferred that to, guess what, the taxpayer. So what is going on here is a big shift in responsibility.

The Congressional Budget Office, which is nonpartisan, and the head of it is a Republican, I might say, but it is the nonpartisan Congressional Budget Office reports that with TrumpCare, next year alone, 14 million fewer Americans will have health insurance.

Some of those currently on the Affordable Care will drop off, and I am very worried about the 900,000 Ohioans who were finally able to get insurance, some of whom work for Walmart, some of whom work for small employers who couldn't afford health insurance, some of them who worked for big corporations that spit them out when they moved and outsourced their jobs, that

they are going to be among these numbers.

We are told by 2020, 21 million people will lose their coverage in the country; 24 million by 2026, and perhaps the total number of uninsured Americans rising to reach 52 million. That is going backwards.

In this bill, they expect 70 million people who are currently on Medicaid—all right, guess what? They are in nursing homes.

The Republican Party always says they are the pro-life party. Baloney. This is an anti-life bill. This is going to cost illness and death across this country.

Here is a story already in my district in Ohio. A man named Joseph is self-employed, and he used to get his insurance from his wife's employer. Thank God she had employer-provided health insurance. She retired, and now the family faced a choice, forced upon them by the Republican leaders in Congress and President Trump.

They faced the threat of no health coverage, so Joseph heard all this debate here. He wasn't sure what was going to happen to him in this fiscal year of 2017, so his choice was to go on the healthcare exchange and risk losing coverage if the Republicans repeal the Affordable Care Act and pull the rug out from under him; or he could opt for the guarantee of 18 months of expensive COBRA insurance. So he opted for the expensive choice of COBRA, which cost him and his family hundreds and hundreds and hundreds of dollars in additional costs per month, and he is putting off a knee replacement because of the uncertainty even consideration of this bill is causing.

Don't tell me that this isn't cruel and dangerous. And this family isn't the only one in America that is facing that kind of terrible health choice.

The TrumpCare proposal in States like Ohio, where we have a lot of rural counties, we are going to have hundreds of thousands of people out of work, nurses, long-term care aides.

I just had people from Hospice in my office this afternoon, and we were talking about home-health care for Hospice patients versus institutional care, the rising numbers of Vietnam veterans coming into Hospice facilities.

Well, guess what? Who is going to pay for all of that in the TrumpCare? These people will be dropped. They will say to the States: well, we will give you a little bit of money, but we will cap the money, you know.

And then what happens after 2020? Hey, it is like dropping you out of an airplane with no parachute. Good luck.

We can't do this. This is a death bill. This is a death knell for the American people. We can't allow the American people to be treated in this manner. So we ought to be repairing and fixing and looking in the windshield, not the rearview mirror of where we need to take

health insurance in this country, but not put so many millions, ten and tens of millions of Americans at risk, and doling out—Congressman GARAMENDI, maybe you could repeat those numbers—over \$600 billion in tax giveaways to the richest people in this country, many of whom caused the financial crash of 2008. They owe the Republic. They owe the people of this Republic for what they did.

I have families in my district still underwater on their mortgages, if they were able to hang on to their homes at all.

The wealthy of this country, starting with Wall Street, owe the American people a lot. And all those employers who abandoned their responsibilities and pushed the cost of health insurance on the public sector because they didn't have the decency to help ensure their own workers, well, shame on you. Shame on you.

For all the small businesses that finally got health insurance through this program, thank you for respecting your workers. Thank you for respecting the Affordable Care Act.

We can do a whole lot better than TrumpCare. And I really feel sorry that this new President, for whom many of the people in Ohio voted, doled up this kind of a flawed piece of legislation that is cruel and, honestly, will result in so many more illnesses across this country, because people worry about health insurance. They worry about the affordability of health insurance.

Congressman GARAMENDI, thank you so very much for having this Special Order this evening and for inviting me to participate. It has been a great privilege.

Mr. GARAMENDI. I thank the gentlewoman so very much for joining us. She asked a little bit about the health care. I am going to do this very quickly, then I want to turn to my colleague from the State of Arizona (Mr. O'HALLERAN).

Under TrumpCare, or Ryan TrumpCare, as I would like to call it, these huge tax cuts for millions of families, let's just focus on that for a second. It is the largest shift of wealth from the working men and women of America, poor and up through the middle class, to the wealthiest that has ever occurred in any tax break. The Reagan taxes, you name the taxes, including the Bush W. taxes, this is the largest single shift of wealth. It is well over \$300 billion in the next 9 years.

As I have said before, the 400 wealthiest families, as I said, four of whom are now the President and three in the Trump cabinet, will get over \$7 million a year in reductions in their taxes. In addition to that, the top one-tenth of 1 percent will receive over—well, nearly a \$200,000 reduction in their taxes. That is the top one-tenth of 1 percent.

Beyond that, \$300 billion will go to the wealthy. The top 20 percent of

Americans will get 75 percent of the tax breaks. The remaining 80 percent of Americans will then share the remaining very small percentage.

So it is part of this enormous shift of wealth, and this does not take into account the fact that Americans are going to pay a whole lot more for their insurance. So, in addition to the tax cuts, there is also this issue of having higher rates, less benefits going forward.

So just to repeat again, the top one-tenth of 1 percent will receive nearly \$200,000 a year in tax breaks. The top 1 percent will get 57 percent. The top 20 percent get 75 percent of the 300-plus billion dollar tax cut, and everybody else, in this case, the lower 90 percent, will then share in the remaining 43 percent. Different ways of looking at these numbers.

The fact of the matter is, it is a tax cut that guts the money necessary for Medicare expansion and for the tax subsidies that people count on in order to survive. It is obscene.

Mr. Speaker, I yield to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Congressman GARAMENDI, may I just inject, and I won't take up much time. But, you know, in this job, you meet everybody. I come from a working class family. We had to work for everything we ever had.

I thank the people of my district for allowing me to serve and kind of learn a whole lot more about our country and the world. And one of the things I have learned is that when you are that wealthy, these billionaires, they purchase their own doctors, they purchase their own nurses. They have special houses where they put them in on their property.

So, you know, it isn't just the tax cut that goes to the wealthiest among us, but the imbalance between those who have much and those who eke out a living is growing greater and greater and greater in our society.

Now, I think everybody should have good health care. But, honestly, when you can do that, you are not living in the real world that the vast majority of Americans live in. I thank the gentleman for allowing me to put that on the RECORD.

Mr. GARAMENDI. I thank the gentlewoman for bringing us the view from Ohio. Let's now talk about the view from Arizona. Mr. O'HALLERAN, this being your first year in Congress, welcome. I am delighted to have you join us on the floor.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. O'HALLERAN).

Mr. O'HALLERAN. Mr. Speaker, I rise today to share the story of a young boy who lives in my district named Cameron. Cameron was born with a congenital heart defect, but a successful surgery at 5 weeks of age has given him a shot at a vibrant life.

He is like most 8-year-olds, fearless, curious, and full of life, but Cameron will live with this for the rest of his life.

His parents shared this story with me recently and expressed their concerns, not just about Cameron, but about the children of America who are under this type of a process. They have affordable coverage under the Affordable Care Act, despite Cameron's preexisting conditions.

But, Mr. Speaker, they are concerned that future coverage will be unaffordable and unattainable as he grows up under the American Health Care Act, also known as TrumpCare.

I share these concerns. I cannot support legislation that will drastically raise premiums for families like Cameron's and disproportionately impact rural communities in my district.

□ 1815

It is my hope that, moving forward, Congress can work on a bipartisan solution to improve the health and well-being of Americans and their children and protect those who need it most. We cannot continue to play partisan politics with the lives of our constituents, our children, our small businesses, and the people of America.

Mr. GARAMENDI. Mr. Speaker, I thank the gentleman from Arizona (Mr. O'HALLERAN) so very much. The stories from the gentleman's constituents echoed across all of our constituencies, all across America.

Mr. Speaker, I yield to the gentleman from California (Mr. COSTA), who is from the Central Valley.

Mr. COSTA. Mr. Speaker, I thank the gentleman from California (Mr. GARAMENDI) very much not only for the focus and the passion that he shows for this very important issue of trying to ensure that we have health care for all Americans, but also for the leadership he has demonstrated over the years. He and I have worked together in California on so many different issues.

The Affordable Care Act, as we know, has provided health care for over 20 million Americans. Since its implementation over 6 years ago, the ACA in my district, which is Fresno, Madera, and Merced Counties, located in the San Joaquin Valley, has decreased the uninsured rate from 22 percent to 11 percent. It is cut in half.

I have a marvelous, wonderful district that I take great pride in representing. It is one of the largest agricultural areas in the country. It has significant wealth, but, sadly, it has significant poverty. It is the combination of those two that make it a place where immigrants have come for decades—immigrants past and immigrants present—to make a better life for themselves.

Mr. Speaker, 19,000 individuals in my district have received financial assistance and have been able to purchase

coverage through the Covered California marketplace, and 121,000 individuals in my district are now covered by the Affordable Care Act's Medicaid expansion.

The cuts that are proposed in this Republican proposal would devastate those individuals not only in my district, but in Congressman GARAMENDI's district and throughout the valley. My Republican colleagues, the five of us from Modesto down to Bakersfield, almost 500,000 people today have insurance coverage that did not have it 6 years ago.

Let me give you some real examples. Tom lives in Fresno, California. He is 57 years old. In 2015, due to a major heart attack, he had to leave his job of 29 years. Tom's health insurance, though, did not lapse because, as a result of the Affordable Care Act, he gained affordable health coverage insurance through the Covered California marketplace. In addition, his family wrote to my office saying that they cannot envision his recovery being a success had it not been for the ACA.

Another one of my constituents, John, who lives in Fresno, told my office that without the ACA, he and his wife would not have been able to afford cancer surgery for his wife. She is now cancer-free. And we know how expensive that can be.

Austin, one of those Americans who volunteered to serve his Nation, a Vietnam veteran who lives in my district, told my office that his wife was paying \$830 a month before the Affordable Care Act. Now she can afford health care at \$400 a month—cut in half.

Not every story with the ACA is a success story. It is not perfect. There are problems with the act. We should be working on it.

I remember, Congressman GARAMENDI, when you were the insurance commissioner of California, and one of the areas that you developed a lot of expertise and experience on was how to deal with the insurance industry. Certainly there are improvements that can be made. There are small-business owners in my district who say that the ACA raises costs and does not provide enough insurance options for themselves or their employees. So we need to work together to fix the provisions in the law that drive up the costs and weaken the insurance marketplace.

This month, the American Health Care Act was introduced to repeal and replace the ACA by our Republican colleagues. I do not believe the American Health Care Act is a serious solution to fixing the problems we have in the ACA. The legislation we know would provide less financial help to low-income families and seniors whom we both represent. The American Health Care Act would dramatically change the way we finance Medicaid by shifting from an open-ended reimbursement

system to a person allotment or block grant which will cap the amount of money in California that receive Medicaid, and that is dramatic and devastating.

This would force California to choose how to allocate increasingly a smaller number of Medicaid dollars and would decrease the care available to Medicaid beneficiaries which Congressman GARAMENDI and I care deeply about. Thousands of individuals in the San Joaquin Valley would be impacted.

Additionally, the legislation will not mandate individuals to purchase health insurance. Instead, insurers would be able to attach a 30 percent surcharge—think about that—on individuals who have a lapse in coverage. I don't think that is going to play well in Peoria or in California. So this will provide a disincentive for young and healthy people to buy insurance. It is important to note that in order for the insurance marketplace to work, there needs to be healthy people in the system to help pay for sick people. When the Speaker said that healthy people are subsidizing sick people, well, I am not an insurance expert, but isn't that the way insurance works? Good drivers pay for poor drivers, right? If you don't have a pool, a balanced pool, it doesn't work.

One last point I want to make: passing the Affordable Care Act, I was here in 2010, and it wasn't pretty. It took 1 year, dozens of committee hearings in several committees, multiple versions of the bill in the House and the Senate, and various revisions of it. We tried to get the Republicans involved. We tried to get them to participate, and we took amendments that they gave. But at some point, they decided that, no, they were going to go it alone or force us to go it alone. I think they are making the same mistake that possibly we made 6 years ago. I think that is sad because I think the American public wants us to work together.

Less than 1 month after introducing their repeal-and-replace bill, which will be before us this week—and, clearly, the replace is still a work in progress—the House is going to pass a bill on a party line vote on Thursday maybe without an updated CBO score. I thought we were going to have transparency, the light of day, know what taxpayers are paying, what they are getting, and what they are not getting. I guess not on Thursday. The CBO scores are how Congress and the public analyzes how legislation would impact States and citizens. But we are not working to get that vital information.

This last week I hosted a healthcare workshop to hear from all of my hospitals, healthcare providers, clinics, doctors, and nurses to ask what they thought of the Affordable Care Act and what we can do to fix the law. What they told me is there are a lot of things we can do to fix the current law to

make it better. But they said the healthcare act that is being offered as a repeal and replace is not a solution to providing the much-needed health care we need in the San Joaquin Valley, that we need in California, and that we need in our country.

At the end of the day, Mr. Speaker, we know that working together is how you get things done. On a bipartisan basis, we can make a difference, but not the way we are going. So I think that the gentleman from California's efforts and my efforts as we continue to try to urge common sense to prevail is what we need to do. I will, unfortunately, not be able to vote for this measure on Thursday because it really is going to negatively impact hundreds and thousands of people in the San Joaquin Valley that will lose their coverage as a result of this repeal and replace.

Mr. Speaker, I thank the gentleman for his passion and his efforts.

Mr. GARAMENDI. Mr. Speaker, I thank the gentleman from California (Mr. COSTA) very much for his excellent presentation. The gentleman covered many of the issues.

I want to wrap up with just a couple of thoughts.

One of my Republican friends came up to me earlier today. He said: I don't understand. I don't understand what our team is doing. All we are doing is changing the name and hurting people.

I thought about that for a few moments, and, yes, it is Ryan or TrumpCare, but people are going to be hurt all across this Nation.

One more story, and I think we will probably wrap up here, and that is of my wife's hairstylist. She is a young lady, married, private businessowner, trying to get along, and not enough money to buy insurance. The Affordable Care Act goes into place. She looks at the exchange, and she is able to get comprehensive insurance, maternity care, and at an affordable price because of the subsidies that are built into it. She was so happy when she talked to my wife.

She said: I have insurance. For the first time in my life, I am able to buy insurance, and I am going to get pregnant. I am going to have the baby that my husband and I have always wanted because now we have insurance—not just for myself, but for my child and my husband.

The next visit, she is asking: They are not going to take it away, are they? They are not going to take it away, are they?

Well, yes, for 14 million Americans—next year, 2018, 9 months from now, 14 million Americans will begin to lose their insurance. I am not sure if this young lady will be among them or the farm lady that I talked about earlier, but they are at risk all across America—14 million people in less than 1 year, and then, beyond that, over the ensuing years, 24 million Americans.

It has been argued that the Affordable Care Act is in a death spiral. I was an insurance commissioner in California for 8 years, and that is not true. It is an alternate fact. The fact of the matter is that the Affordable Care Act is working—not without some problems here and there, but it is working. It is not in a death spiral.

That is probably a good place to leave it, except this TrumpCare—RyanCare—is a problem. You are going to pay more and you are going to get less—24 million people, an age tax on seniors, and a huge tax break for the superwealthy in America.

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

ADJOURNMENT

Mr. GARAMENDI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 27 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 22, 2017, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

866. A letter from the Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting the Department's final rule — Competitive and Noncompetitive Non-formula Federal Assistance Programs — Specific Administrative Provisions for the Veterinary Services Grants Program (RIN: 0524-AA70) received March 20, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

867. A letter from the Secretary, Department of Education, transmitting the Department's interim final rule — Open Licensing Requirement for Competitive Grant Programs [Docket ID.: ED-2015-OS-0105] (RIN: 1894-AA07) March 20, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

868. A letter from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Connect America Fund [WC Docket No.: 10-90]; ETC Annual Reports and Certifications [WC Docket No.: 14-58] received March 20, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

869. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting a report concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(a); Public Law 92-403, Sec. 1(a) (as amended by Public Law 108-458, Sec. 7121(b)); (118 Stat. 3807); to the Committee on Foreign Affairs.

870. A letter from the Director, Defense Security Cooperation Agency, Department of

Defense, transmitting the Air Force's proposed Letter of Offer and Acceptance to the Government of the United Kingdom, Transmittal No. 17-02, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

871. A letter from the Secretary, Department of the Treasury, transmitting a notification of a determination that, by reason of the statutory debt limit, the Secretary is unable to comply with the investment requirements of the Civil Service Retirement and Disability Fund, pursuant to 5 U.S.C. 8348(l)(2); Public Law 89-554, Sec. 8348(l)(2) (as added by Public Law 99-509, Sec. 6002(c)); (100 Stat. 1933) and 5 U.S.C. 8338(h)(2); Public Law 99-335, Sec. 101(a) (as amended by Public Law 101-335, Sec. 3(a)(7)); (104 Stat. 320); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALDEN: Committee on Energy and Commerce. House Resolution 154. Resolution of inquiry requesting the President of the United States and directing the Secretary of Health and Human Services to transmit certain information to the House of Representatives relating to plans to repeal or replace the Patient Protection and Affordable Care Act and the health-related measures of the Health Care and Education Reconciliation Act of 2010; adversely (Rept. 115-54). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ROYCE of California (for himself, Mr. ENGEL, Mr. YOHIO, and Mr. SHERMAN):

H.R. 1644. A bill to enhance sanctions with respect to transactions relating to North Korea, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, Financial Services, Transportation and Infrastructure, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SINEMA (for herself and Mr. HOLLINGSWORTH):

H.R. 1645. A bill to amend the Sarbanes-Oxley Act of 2002 to provide a temporary exemption for low-revenue issuers from certain auditor attestation requirements; to the Committee on Financial Services.

By Mr. WALBERG (for himself, Mr. BYRNE, Mr. HUDSON, and Mr. ROKITA):

H.R. 1646. A bill to amend title VII of the Civil Rights Act of 1964 to exclude the application of such title to employment practices that are in compliance with Federal regulations, and State laws, in certain areas; to the Committee on Education and the Workforce.

By Mr. BLUMENAUER (for himself and Mr. DUNCAN of Tennessee):

H.R. 1647. A bill to establish a Water Infrastructure Trust Fund, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on

Ways and Means, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CLARKE of New York (for herself and Mr. MEEHAN):

H.R. 1648. A bill to provide for further comprehensive research at the National Institute of Neurological Disorders and Stroke on unruptured intracranial aneurysms; to the Committee on Energy and Commerce.

By Mrs. DINGELL:

H.R. 1649. A bill to assist entrepreneurs, support development of the creative economy, and encourage international cultural exchange, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Small Business, Transportation and Infrastructure, the Judiciary, Education and the Workforce, Financial Services, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUFFMAN (for himself, Mr. RUSSELL, and Ms. BASS):

H.R. 1650. A bill to establish a national, research-based, and comprehensive home study assessment process for the evaluation of prospective foster parents and adoptive parents and provide funding to States and Indian tribes to adopt such process; to the Committee on Education and the Workforce.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. KING of New York, Mr. TONKO, Mr. ENGEL, Ms. SCHAKOWSKY, Mr. YOUNG of Alaska, Mr. LANCE, Mr. SCHRADER, Ms. HERERA BEUTLER, Mr. HARPER, Mr. MCKINLEY, and Mr. CRAMER):

H.R. 1651. A bill to designate the same individual serving as the Chief Nurse Officer of the Public Health Service as the National Nurse for Public Health; to the Committee on Energy and Commerce.

By Mr. KENNEDY (for himself, Mr. CARTER of Georgia, and Mrs. BLACKBURN):

H.R. 1652. A bill to provide for the regulation of over-the-counter hearing aids; to the Committee on Energy and Commerce.

By Mr. LATTA (for himself and Mr. MCKINLEY):

H.R. 1653. A bill to amend certain provisions of the Safe Drinking Water Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCCLINTOCK (for himself, Ms. CHENEY, Mr. COOK, Mr. CRAMER, Mr. GOSAR, Mr. ISSA, Mr. LAMALFA, Mr. ROHRBACHER, and Mr. TIPTON):

H.R. 1654. A bill to authorize the Secretary of the Interior to coordinate Federal and State permitting processes related to the construction of new surface water storage projects on lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture and to designate the Bureau of Reclamation as the lead agency for permit processing, and for other purposes; to the Committee on Natural Resources.

By Mr. MEEHAN (for himself, Mr. THOMPSON of Pennsylvania, Mr. BABIN, and Mr. LARSON of Connecticut):

H.R. 1655. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for facilities using a qualified methane conversion technology to provide transportation fuels and chemicals; to the Committee on Ways and Means.

By Mr. MEEHAN (for himself, Ms. DELBENE, Mr. RYAN of Ohio, Mr. HURD, Mr. RODNEY DAVIS of Illinois, and Mr. REICHERT):

H.R. 1656. A bill to amend the Internal Revenue Code of 1986 to provide incentives for employers to establish student loan repayment programs and to make contributions to qualified tuition programs on behalf of children of employees; to the Committee on Ways and Means.

By Mr. NOLAN:

H.R. 1657. A bill to amend the Trade Act of 1974 to authorize a State to reimburse certain costs incurred by the State in providing training to workers after a petition for certification of eligibility for trade adjustment assistance has been filed, and for other purposes; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 1658. A bill to extend to the Mayor of the District of Columbia the same authority over the National Guard of the District of Columbia as the Governors of the several States exercise over the National Guard of those States with respect to administration of the National Guard and its use to respond to natural disasters and other civil disturbances, while ensuring that the President retains control of the National Guard of the District of Columbia to respond to homeland defense emergencies; to the Committee on Oversight and Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSKAM (for himself, Mr. KIND, Mr. COSTELLO of Pennsylvania, Ms. PINGREE, Mr. REICHERT, Mr. PASCRELL, Mr. RENACCI, Mr. SEAN PATRICK MALONEY of New York, and Ms. BONAMICI):

H.R. 1659. A bill to amend the Internal Revenue Code of 1986 and the Higher Education Act of 1965 to provide an exclusion from income for student loan forgiveness for students who have died or become disabled; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIREs (for himself, Mr. DIAZ-BALART, Mr. CONNOLLY, Mr. ENGEL, Mr. SHERMAN, Mr. CICILLINE, Mr. KEATING, Ms. ROS-LEHTINEN, Mr. DONOVAN, and Mr. SMITH of New Jersey):

H.R. 1660. A bill to direct the Administrator of the United States Agency for International Development to submit to Congress a report on the development and use of global health innovations in the programs, projects, and activities of the Agency; to the Committee on Foreign Affairs.

By Mr. TIBERI (for himself, Mr. NEAL, Mr. MEEHAN, Mr. BLUMENAUER, Mr. KELLY of Pennsylvania, Ms. SANCHEZ, Mr. PAULSEN, Mr. CROWLEY, Mr. REICHERT, Mr. THOMPSON of California, Mr. SMITH of Missouri, Mr. DANNY K. DAVIS of Illinois, Mr. CURBELO of Florida, Mr. MEEKS, Mr. FASO, Mr. KATKO, Mr. PASCRELL, and Mr. RENACCI):

H.R. 1661. A bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes; to the Committee on Ways and Means.

By Mr. WENSTRUP:

H.R. 1662. A bill to amend title 38, United States Code, to prohibit smoking in any facility of the Veterans Health Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WITTMAN (for himself, Mrs. NAPOLITANO, and Mr. GRIFFITH):

H.R. 1663. A bill to amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under that Act; to the Committee on Natural Resources.

By Mr. JOHNSON of Georgia (for himself, Mr. MEEKS, Mr. GRIJALVA, Mrs. DINGELL, Mr. BILIRAKIS, Ms. NORTON, Ms. JACKSON LEE, and Mr. DAVID SCOTT of Georgia):

H. Res. 213. A resolution expressing support for designation of October 17, 2017, as the "National Vitiligo Awareness Day"; to the Committee on Energy and Commerce.

By Ms. SANCHEZ (for herself, Mr. COOK, Mr. RYAN of Ohio, Mr. BISHOP of Georgia, Mrs. NAPOLITANO, Ms. CLARKE of New York, Mr. ELLISON, Mr. RUSH, and Mr. GALLAGHER):

H. Res. 214. A resolution expressing support for designation of a Welcome Home Vietnam Veterans Day; to the Committee on Veterans' Affairs.

By Mr. BILIRAKIS (for himself and Mr. MAST):

H. Res. 215. A resolution expressing the fact that the House of Representatives supports the system for prescription drug coverage provided under part D of the Medicare program and believes that changes to such system should not be part of the American Health Care Act of 2017; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCSHON:

H. Res. 216. A resolution congratulating the Plastics Industry Association on its 80th anniversary; to the Committee on Energy and Commerce, and in addition to the Committees on Science, Space, and Technology, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE (for herself, Mr. GUTIÉRREZ, Mr. NADLER, Mr. LEWIS of Georgia, Mrs. NAPOLITANO, Mr. MEEKS, and Ms. SHEA-PORTER):

H. Res. 217. A resolution supporting the goals and ideals of Social Work Month and World Social Work Day; to the Committee on Education and the Workforce.

By Mr. TED LIEU of California (for himself, Mr. ALLEN, Mr. CARBAJAL, Mr. CICILLINE, Mr. CONNOLLY, Mr. DELANEY, Mr. DESANTIS, Mr. DEUTCH, Mr. DONOVAN, Mr. FOSTER, Ms. FRANKEL of Florida, Mr. GENE GREEN of Texas, Mr. HASTINGS, Ms. JENKINS of Kansas, Ms. KELLY of Illinois, Mr. KING of New York, Mr. LAMBORN, Mr. LANGEVIN, Mr. LIPINSKI, Mr. LOWENTHAL, Mr. MARINO, Ms. MOORE, Mr. NADLER, Mr. POE of Texas, Mr. QUIGLEY, Miss RICE of New York, Ms. ROSEN, Mr. ROSKAM, Ms. ROSLEHTINEN, Mr. SERRANO, Mr. SWALWELL of California, Ms. VELÁZQUEZ, Ms. WASSERMAN

SCHULTZ, Mr. YOHO, Mr. ROKITA, Mrs. MURPHY of Florida, and Ms. MENG):

H. Res. 218. A resolution recognizing the importance of the United States-Israel economic relationship and encouraging new areas of cooperation; to the Committee on Foreign Affairs.

By Mr. WALKER:

H. Res. 219. A resolution establishing a Select Committee on POW and MIA Affairs; to the Committee on Rules.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ROYCE of California:

H.R. 1644.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Ms. SINEMA:

H.R. 1645.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. WALBERG:

H.R. 1646.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. BLUMENAUER:

H.R. 1647.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Ms. CLARKE of New York:

H.R. 1648.

Congress has the power to enact this legislation pursuant to the following:

the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mrs. DINGELL:

H.R. 1649.

Congress has the power to enact this legislation pursuant to the following

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution.

By Mr. HUFFMAN:

H.R. 1650.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof"

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 1651.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. KENNEDY:

H.R. 1652.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8—to provide for the general welfare and to regulate commerce among the states.

By Mr. LATTA:

H.R. 1653.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MCCLINTOCK:

H.R. 1654.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2 of the U.S. Constitution, which confers on Congress the power to make all needful Rules and Regulations respecting the property belonging to the United States.

By Mr. MEEHAN:

H.R. 1655.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution which gives Congress the power to "regulate Commerce with foreign Nations, and among the several states and within the Indian Tribes."

By Mr. MEEHAN:

H.R. 1656.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to: Article I, Section 8, Clause I

By Mr. NOLAN:

H.R. 1657.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Ms. NORTON:

H.R. 1658.

Congress has the power to enact this legislation pursuant to the following:

clause 17 of section 8 of article I of the Constitution.

By Mr. ROSKAM:

H.R. 1659.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 states that, "The Congress should have Power To lay and collect Taxes," and Article I, Section 7 states "All Bills for raising Revenue shall originate in the House of Representatives."

By Mr. SIRE:

H.R. 1660.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article I, section 8 of the Constitution.

By Mr. TIBERI:

H.R. 1661.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. WENSTRUP:

H.R. 1662.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. WITTMAN:

H.R. 1663.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause I of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 38: Mr. DENT.
 H.R. 103: Mr. PERLMUTTER.
 H.R. 104: Mr. BLUMENAUER.
 H.R. 179: Mr. RYAN of Ohio, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CLAY, Mr. O'HALLERAN, Mr. FITZPATRICK, and Mr. RODNEY DAVIS of Illinois.
 H.R. 233: Mr. YARMUTH.
 H.R. 299: Mr. ISSA, Mr. NEWHOUSE, Ms. BLUNT ROCHESTER, Mrs. DEMINGS, Mr. TAKANO, Mr. BUTTERFIELD, and Mr. PERRY.
 H.R. 303: Mr. YOUNG of Iowa and Mrs. McMORRIS RODGERS.
 H.R. 314: Mr. LATTI, Mr. HUIZENGA, and Mr. WILLIAMS.
 H.R. 421: Mr. GARRETT.
 H.R. 474: Mr. RICE of South Carolina and Mr. SESSIONS.
 H.R. 488: Mr. BARR.
 H.R. 520: Mr. COLE.
 H.R. 530: Ms. CLARK of Massachusetts.
 H.R. 539: Mr. LANCE.
 H.R. 548: Mr. POE of Texas.
 H.R. 564: Mr. BOST, Mr. LAMBORN, Mr. ROE of Tennessee, Mr. HUIZENGA, and Mr. RENACCI.
 H.R. 613: Mr. BARR.
 H.R. 669: Mr. LARSON of Connecticut.
 H.R. 695: Mrs. BROOKS of Indiana.
 H.R. 721: Mr. DUFFY.
 H.R. 747: Ms. KUSTER of New Hampshire, Mr. RUTHERFORD, Mr. JOHNSON of Ohio, Mr. POCAN, and Mrs. DINGELL.
 H.R. 754: Mr. ISSA, Mrs. LOWEY, Mr. SMITH of Washington, Ms. JACKSON LEE, and Mr. RASKIN.
 H.R. 757: Mr. KILDEE.
 H.R. 761: Mr. LAHOOD and Mr. GROTHMAN.
 H.R. 770: Ms. SINEMA and Ms. KUSTER of New Hampshire.
 H.R. 772: Mr. LEWIS of Minnesota.
 H.R. 795: Mr. MEEHAN.
 H.R. 800: Mr. ELLISON.
 H.R. 804: Mr. WALZ and Mr. CARTWRIGHT.
 H.R. 807: Mr. TONKO.
 H.R. 812: Mr. RENACCI.
 H.R. 816: Mr. CARBAJAL.
 H.R. 919: Mr. CONNOLLY, Mr. RUPPERSBERGER, and Mr. BUTTERFIELD.
 H.R. 942: Mr. NOLAN.
 H.R. 949: Mr. COSTELLO of Pennsylvania.

H.R. 984: Mr. MCEACHIN.
 H.R. 986: Mr. AUSTIN SCOTT of Georgia and Mr. MOOLENAAR.
 H.R. 1005: Mr. HUDSON, Mr. ESPAILLAT, and Mr. COLLINS of New York.
 H.R. 1017: Mr. POCAN, Mr. HARPER, and Mr. POLIS.
 H.R. 1057: Mr. ROE of Tennessee, Mr. FRANKS of Arizona, Mr. CUELLAR, Mr. COLE, and Mr. RYAN of Ohio.
 H.R. 1066: Ms. KUSTER of New Hampshire, Mr. RENACCI, Mrs. BROOKS of Indiana, and Miss RICE of New York.
 H.R. 1090: Mr. ROSS.
 H.R. 1116: Mr. HULTGREN, Mr. HARPER, and Mr. KELLY of Mississippi.
 H.R. 1120: Mr. FASO, Mr. NOLAN, and Mr. BEN RAY LUJÁN of New Mexico.
 H.R. 1141: Mr. GRIJALVA, Mrs. DAVIS of California, and Mr. QUIGLEY.
 H.R. 1163: Mr. YOUNG of Iowa.
 H.R. 1206: Mr. QUIGLEY.
 H.R. 1231: Mr. POE of Texas.
 H.R. 1243: Mr. TAKANO.
 H.R. 1251: Mr. GOHMERT.
 H.R. 1267: Ms. BONAMICI and Mr. HIGGINS of New York.
 H.R. 1289: Mr. POCAN, Mr. EVANS, Mr. CONYERS, Mr. GUTIÉRREZ, Ms. PLASKETT, and Ms. SHEA-PORTER.
 H.R. 1290: Mr. SOTO, Ms. CLARKE of New York, Mr. KILMER, Mr. CONYERS, Mr. GUTIÉRREZ, Ms. PLASKETT, and Ms. SHEA-PORTER.
 H.R. 1299: Mr. NOLAN and Ms. CLARK of Massachusetts.
 H.R. 1346: Mr. CARTWRIGHT.
 H.R. 1363: Mr. CARBAJAL.
 H.R. 1377: Mr. SWALWELL of California, Miss GONZÁLEZ-COLÓN of Puerto Rico, Ms. KAPTUR, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
 H.R. 1378: Mr. PERLMUTTER, Mr. SOTO, Mr. LOEBACK, and Mr. POCAN.
 H.R. 1384: Ms. STEFANIK, Mrs. MURPHY of Florida, Mr. SENSENBRENNER, Mrs. HARTZLER, Mr. GRAVES of Missouri, Mr. COLE and Mrs. ROBY.
 H.R. 1393: Mr. WITTMAN, Mr. ROKITA, and Mr. CURBELO of Florida.
 H.R. 1435: Ms. JUDY CHU of California.
 H.R. 1444: Ms. KUSTER of New Hampshire.
 H.R. 1456: Mr. YODER and Mr. CUELLAR.
 H.R. 1463: Mr. JODY B. HICE of Georgia.
 H.R. 1464: Ms. CLARK of Massachusetts.
 H.R. 1473: Ms. CLARKE of New York, Mr. WELCH, Mr. CONYERS, Mr. KHANNA, and Mrs. WATSON COLEMAN.
 H.R. 1515: Mr. NADLER, Mr. CICILLINE, Ms. SCHAKOWSKY, and Mr. RUSH.
 H.R. 1526: Mr. JONES.
 H.R. 1532: Mr. COLE.
 H.R. 1538: Mr. GOODLATTE.
 H.R. 1552: Mr. MASSIE and Mr. WALKER.
 H.R. 1556: Mr. MCGOVERN.
 H.R. 1562: Mr. RUSH.
 H.R. 1566: Mr. POLIS, Mr. RYAN of Ohio, Mr. COHEN, Ms. KAPTUR, Ms. ESHOO, Mr. SMITH of Washington, Mr. MCGOVERN, and Mr. RUSH.
 H.R. 1569: Mr. RUSH, Mr. SWALWELL of California, and Ms. ESHOO.
 H.R. 1588: Ms. BROWNLEY of California.
 H.R. 1594: Mr. COLE.
 H.R. 1608: Mr. SMITH of Washington and Mr. PASCRELL.
 H.R. 1614: Mrs. BEATTY.
 H.R. 1624: Mr. HUDSON.
 H.R. 1626: Mr. O'HALLERAN.
 H.R. 1627: Mr. MEEHAN, Mrs. COMSTOCK, Mr. WEBER of Texas, Mr. STEWART, and Ms. PINGREE.
 H.R. 1632: Mr. COLE.
 H.J. Res. 7: Mr. GALLAGHER.
 H.J. Res. 59: Mr. EMMER, Mr. JODY B. HICE of Georgia, and Mr. ALLEN.
 H.J. Res. 89: Mr. BACON.
 H. Con. Res. 10: Mr. FOSTER.
 H. Con. Res. 27: Mr. BLUMENAUER, Mr. DESAULNIER, Mr. HUFFMAN, and Ms. TSONGAS.
 H. Res. 28: Mr. CLEAVER, Mr. GRAVES of Missouri, Mr. SHERMAN, and Mr. RENACCI.
 H. Res. 31: Mr. CLEAVER and Mr. NORCROSS.
 H. Res. 54: Mr. SOTO, Mrs. TORRES, and Ms. WASSERMAN SCHULTZ.
 H. Res. 140: Mr. HIGGINS of New York.
 H. Res. 162: Mr. BRENDAN F. BOYLE of Pennsylvania and Ms. HANABUSA.
 H. Res. 164: Mrs. BEATTY, Mr. SMITH of Washington, Mr. DAVID SCOTT of Georgia, Ms. BROWNLEY of California, Mr. ELLISON, Ms. CLARK of Massachusetts, Ms. LOFGREN, and Mr. YARMUTH.
 H. Res. 181: Mr. GROTHMAN.
 H. Res. 184: Mr. SMITH of Washington, Mr. CLEAVER, Mr. TONKO, Mr. LAWSON of Florida, and Mr. SERRANO.
 H. Res. 186: Ms. PINGREE.
 H. Res. 196: Mr. RUSH.
 H. Res. 206: Mrs. BUSTOS, Ms. CLARKE of New York, Mr. MAST, Ms. SHEA-PORTER, and Mrs. DAVIS of California.

EXTENSIONS OF REMARKS

TRIBUTES HONORING FORMER
CONGRESSMAN FALEOMAVAEGA
ENI FA'AU'A HUNKIN, JR.

**HON. AUMUA AMATA COLEMAN
RADEWAGEN**

OF AMERICAN SAMOA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mrs. RADEWAGEN. Mr. Speaker, I rise today to honor my friend and former Member of Congress Faleomavaega Eni Fa'au'a Hunkin who served honorably as the representative for American Samoa for 26 years.

I want to thank everyone for being here and particularly want to acknowledge my friend Hinanui Hunkin, who came all the way from Utah with her children to be at this service. Because he spent over 30 years of his career in the nation's capital, it is only fitting to have a memorial service for Eni here. He would be gratified to see how he touched so many people who would come out to pay tribute to him.

Congressman Faleomavaega was a soldier and a statesman who dedicated his entire life to serving the United States and the people of American Samoa. Indeed, his entire career was devoted to public service and social justice. He was a champion of Native Americans, Native Hawaiians and the Melanesian natives of West Papua. His causes were many. He strenuously fought against nuclear weaponry, from confronting France in French Polynesia over nuclear testing to pressing for nuclear cleanup in Central Asia. He took up the cause of Korean comfort women, expressed concern about disputes in the South China Sea and even helped solve land disputes in Rapa Nui. Even as his health began to deteriorate, he refused to cut back his workload or give up any of his important causes.

Although we had our political differences, it never affected our personal friendship or devotion to the people of American Samoa. There was very little on which we disagreed when it came to the territory and, in fact, when I came into office, I picked up right where he left off in a lawsuit before the U.S. Supreme Court involving Samoan citizenship and voting rights. We both believed American Samoa's political should not be decided in a federal courtroom thousands of miles away; most importantly, it should be decided by our own people at a time of own choosing. Our approaches to issues were different and that often put us at odds with one another, but it was always with the utmost respect and grace, which allowed us to form the bond that we would come to share . . . One I am very thankful for, and will never forget. Ours was a true friendship that demonstrated that, despite our differences in political party, we can all come together for the good of those we serve. Partisan differences on national issues never interfered with our relationship because we

were very much of one mind when it came to federal policy and funding for American Samoa.

As a veteran, whose long-term health suffered due to his service in Vietnam, Eni dedicated his life to improving the conditions for our veterans in American Samoa, and took great pride in securing funds to build the local VA Clinic, which has served our veterans well. Although I myself am not a veteran, I come from a family with a strong military tradition. My grandfather, father, several brothers and three nephews are, so I appreciate the needs of our veterans and am as devoted to them as Eni was.

As a member of the House Veterans Affairs Committee, I was in a position to offer legislation to name our local VA clinic in his honor. He was primarily responsible for the establishment of this clinic, so I could think of no more appropriate way to permanently honor his memory and legacy than by dedicating the clinic to him. Because of his long service in the House, he is remembered by many Members on both sides of the aisle who helped smooth the path for this tribute. As much as people complain about the slowness of the legislative process, my bill passed the House in less than a week, the Senate passed it a week later and in short order it was on the president's desk for signature.

After enactment of this legislation, I made arrangements for Members to speak of their colleague Eni on the floor of the House and am pleased to say that those tributes were delivered for the record, in addition to press statements made and remarks by several members on the Floor when we debated the VA clinic bill. In most of the stories written about Eni's passing, he was described as the longest serving Member of Congress in American Samoa's history. That is a title I expect will be his alone for many, many years to come, perhaps forever.

Goodbye My friend. Farewell and Godspeed.

(The Samoan version is as follows):

E muamua ona ou Fa'atulou Le Pa'ia o le Maota Namu Asi, i le Paia O le lagi, ma le lagi, ma le lagi tulou, tulouna ia, tulouna lava. O Paia o le aufaigaluega tofoti o le Atua i ona Tafa'i Va'aia, ou to fa'atulou atu.

E le vaea fo'i le fala fofola loa o Samoa mai Saua e o'o atu i Salafai nu'unu'u atu fa'atini o tausala. O lo'o mamalu fo'i le aofia i le Afio Mai O Le Kovana Sili o le malo o Amerika Samoa, le tofa i le to'oto'o ia Lolo Moliga ma le Masiofo ia Cynthia, le afio i le Lutena Kovana ma le kapeneta, le paia o maota e lua i le afio o le Peresetene ma le senate, le Fofogafetalai ma le Maota o Sui, o le mamalu lava lea o le afio o le fa'amasino sili ma le vaega o fa'amasinoga tulou, tulou lava.

E le fa'agaloina le tapuaiga i uso i sisifo i le afio i le ao o le malo tuto'atasi, le Palemia ma le Palemene o Samoa, ma le usoga ia Tumua ma Pule.

Ua tu mai nei Lagi le laga'ali a Tamafaiga, a ua tagita'amilo le Manuali'i ina ua ta'ape papa, ae tafea le tau'ofe i le Afioga a Faleomavaega Eni Hunkin sa tu i le tofi o lo'o o'u tauaveina nei i Uosigitone.

O le lagi lava lea o le Tafatolu o lau faigamalo Amerika Samoa, tulou, tulou, tulou, tulouna lava.

Talua'i o lea ua ou tula'i mai i le tofi Faipule i le Konekeresi i le Laumua i Uosigitone, o lea ou te fa'apea atu ai i le Faletua ia Hinanui ma le nofo a Alo loto fa'avauvau aemaise le tagi mai ala o le paia i Aiga ma Paolo ma Gafa sili i lagi tainane le Malo o Amerika Samoa ma le tapuaiga i le Malo Tuto'atasi i le Usoga Tumua ma Pule:

"Amuia e fa'anoanoa, aua e fa'amafanafanaina i latou."

CELEBRATION OF THE LIFE OF
ENI F.H. FALEOMAVAEGA

HON. COLLEEN HANABUSA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Ms. HANABUSA. Mr. Speaker, I remember the first time I met Eni. It was in the Supreme Court of the State of Hawaii. As the Judiciary and Hawaiian Affairs Chair for the Hawaii State Senate, I was speaking on behalf of a Circuit Court Judge, the first of American Samoan ancestry who was confirmed by the Senate and there to receive his oath of office. Eni was there, the Delegate to the Congress of the United States from American Samoa, to show his support for the Judge. Eni was so proud, as if he was being sworn in. I do know that American Samoans in Hawaii looked up to Eni as if he was their ultimate role model.

I was fortunate to serve four years in the House of Representatives with Eni. I learned from him how we each represent a constituency that deserves our advocacy, albeit that we may come from islands in the vast Pacific Ocean. I learned that our voices are equal to our colleagues and it is up to us to ensure that we are heard.

My favorite memory of Eni comes from 2012 when he performed the formal Samoan dance with his niece to honor the retirement of our much beloved and respected Senator Daniel K. Akaka. Eni told me Senator Akaka was his friend and his Senator. Eni proudly showed me his tattoos, made the traditional way. I was in awe of his strength and perseverance.

Most importantly, I will never forget the friendship of Eni and his wonderful smile and big bear hug I was so fortunate to receive whenever I saw him. Upon my return to Congress, my first questions were about Eni and if anyone had seen him.

I will miss you my friend.

My condolences to his wife, Hinanui Bambridge Cave, and their five children.

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

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

Mahalo (Thank You) for sharing him with us for all these years.

HONORING THE LIFE AND LEGACY
OF REP. ENI FALEOMAVAEGA OF
AMERICAN SAMOA

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Ms. BORDALLO. Mr. Speaker, I rise to honor the life and legacy of my good friend and our former colleague from American Samoa, Congressman Eni Faleomavaega, who passed away on February 22, 2017. Throughout his 26 years here in the House of Representatives, Eni was a tireless champion for the people of American Samoa, an advocate for the U.S. territories, and leader on issues affecting the Asian American and Pacific Islander community. He was also a leader on the House Foreign Affairs Committee on issues important to the Asia-Pacific region. More importantly, he got leaders in Congress and in administration after administration to focus on the importance of the Pacific Islands. We are often overlooked in grand Asia strategy but he got policymakers to understand our importance to the world community.

I am proud to have worked with Eni on a number of issues that impact the Asia-Pacific region and the 4.5 million Americans living in the territories. For much of my time here in Congress, Eni was the longest serving representative from a U.S. territory, so he was the Dean of what we refer to as our Territorial Caucus. I leaned on his advice and appreciated his insightful perspectives that were grounded in not only his almost three decades as a Member of Congress, but also his work in public service as American Samoa's Lieutenant Governor and Deputy Attorney General, as a staffer here on Capitol Hill, and service in the U.S. Army. He, like many Members in this body, fought hard to secure much needed federal funding for American Samoa. Eni had a broad vision but never forgot his constituents. He never forgot the people that gave him the privilege to serve in this esteemed body. His depth of knowledge and compassion for the less fortunate were evident to everyone he met, and I will look back fondly on the work that we did together in Congress.

Eni's passing is a great loss for the people of American Samoa and all Americans, and we are all better for having known him. I extend my sincere condolences to his family, loved ones, and the people of American Samoa, and I join them in celebrating his memory. I thank my colleague from American Samoa, Congresswoman RADEWAGEN for organizing this Special Order, so that this body can appropriately honor and pay tribute to Congressman Faleomavaega for his years of dedicated service to his constituents and to our nation. He is deeply missed, but he will forever be remembered by all who he served.

ENI FA'AU'A HUNKIN
FALEOMAVAEGA, JR.

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Ms. NORTON. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the extraordinary life of Eni Fa'au'a Hunkin Faleomavaega, Jr., who passed away last month at the age of 73. Eni Faleomavaega was not only my colleague, he was my friend. Eni was the senior delegate and, therefore, the dean of the delegates. We became friends from the time I was elected in 1990. Eni was as affable as he was serious and dedicated to his constituents in American Samoa. He was the first person of Asian-Pacific descent to chair the House Subcommittee on Asia, the Pacific, and the Global Environment, later serving as ranking member.

Eni was fully prepared for his leadership roles in the Congress. He served his country for three years during the Vietnam War. Eni put his education at Brigham Young University and the University of Houston Law Center to a lifetime of public service. He served the people of American Samoa in critical positions. Eni Faleomavaega was deputy attorney general and, later, lieutenant governor of American Samoa. Eni was the administrative assistant to American Samoa Delegate A.U. Fuimaono before he was elected to that position himself in 1988.

Even though the District of Columbia pays federal taxes (highest per capita in the U.S.), the delegates have much in common and always worked together. When I discovered that the D.C. flag was not carried by D.C. troops as state troops do, further investigation showed that the troops of the territories also did not carry their flags. Yet, the territories and the District have served their country in notably-disproportionate numbers. All of us signed a letter to House and Senate Armed Services committees. Working together, we got this failure to acknowledge all our troops corrected by the Congress.

I was particularly appreciative of Eni's initiatives. For example, he introduced the bill to cancel the trademark using the disparaging word "Redskins," the name of the District of Columbia's football team. That challenge has been vindicated, but is now on appeal.

Delegates have always supported one another on issues unique to their districts. I appreciate that all the Democratic delegates are original cosponsors of my bill to make the District of Columbia the 51st state. In the same way, we supported Eni's work against nuclear testing in the South Pacific. Eni led in the Congress on this critical issue, even boycotting then-French president Jacques Chirac's address before a joint session of Congress. Only days before that speech, France was conducting a series of nuclear tests in the South Pacific, despite protests.

Eni led the Congress on issues important to American Samoa and to our country. He set a high standard for representation. Eni Faleomavaega was kind and generous, and he was intelligent, able, dedicated, and hard-working. I miss my friend. So does the Congress.

HONORING THE LIFE AND MEM-
ORY OF REPRESENTATIVE ENI
FALEOMAVAEGA

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. GOSAR. Mr. Speaker, I rise today to honor the life and memory of a true statesman, Congressman Eni Faleomavaega.

I'm Congressman PAUL GOSAR and I represent Arizona's Fourth Congressional District. I am also Chairman of the Congressional Western Caucus, Chairman of the House Committee on Natural Resources Subcommittee on Energy and Mineral Resources, and Vice-Chairman of the House Committee on Oversight and Government Reform.

I would like to start by thanking Congresswoman AMATA for her great leadership in the House of Representatives and for organizing this bipartisan special order today to pay tribute to our colleague Eni.

On February 22, 2017, a Member of the House who served the Congress and represented the people of American Samoa for 26 years, passed away out West while at his home in Utah.

Eni was a patriot who honorably served this great nation in uniform in the U.S. Army. Unfortunately, he was exposed to Agent Orange during one of his tours, something that negatively impacted his health for the rest of his life.

Eni did not let this incident hold him back though and went on to serve our great country for nearly three decades as the Delegate for American Samoa. He also served the territory as its Lieutenant Governor.

I got to know Eni through our work together on the House Committee on Natural Resources. Eni was a passionate and effective member on issues impacting the Pacific.

Eni was a devoted husband and father of five children. Eni and his wife were active members of their church.

Family, friends and colleagues were saddened to learn of his passing last month. This demonstrates just how much he will be missed. I am confident there will be a large turnout next Saturday the 25th at his memorial service and subsequent reception that follows to celebrate his life.

Again, I would like to thank Congresswoman AMATA for organizing this most worthy tribute to our colleague Eni. Eni left big shoes to fill, but Congresswoman AMATA has stepped up, continued the excellent representation the people of American Samoa have come to expect, and become an effective leader that is respected throughout the country.

I know Eni would be proud of the Congresswoman and the great work she has done for American Samoa.

ENI FALEOMAVAEGA

HON. STEVE CHABOT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. CHABOT. Mr. Speaker, I had the honor of serving on the Foreign Affairs Committee

with Congressman Eni Faleomavaega for 16 years. We got to know each other well in 2001, when President Bush nominated the two of us to be the bipartisan Congressional Delegates to the United Nations, and we would travel to New York together to meet with our Ambassador and his diplomatic team.

During Eni's last term in Congress, I chaired the Asia Pacific Subcommittee. Eni was the subcommittee's Ranking Member. I can tell you that during that period, we disagreed from time to time on policy matters, but never were we disagreeable. Eni was the consummate gentleman who respected the views of his colleagues, as we all respected him.

It was during that time that Eni and I had the opportunity to travel together to the Republic of Korea, Japan and Taiwan to meet with the leaders of those nations and discuss the economic, political and security issues in the region. In those many meetings, Eni was an engaged participant who clearly had earned the respect of our allies. There were two of us—one Democrat, one Republican. But there was no partisanship on that trip. Eni came not as a Democrat but as a thoughtful Member of Congress who understood the realities of the modern day Asia-Pacific region.

I think you can tell a lot about an individual Member of Congress by what his colleagues and staff think of him. In all the years I had the privilege of knowing Eni, I never heard a negative word from anybody about him. His colleagues respected him—appreciating his hard work, his dedication to this institution, his service during the Vietnam War, and his love for American Samoa. And his staff thought the world of him—as did mine.

Mr. Speaker, to his wife, Hina, and his children, grandchildren, former staff and extended family—my sincere condolences. Eni was an outstanding public servant, a proud Samoan, and a great American. He will be missed. Rest in peace, Eni.

CONGRESSMAN ENI
FALEOMAVAEGA

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. COFFMAN. Mr. Speaker, I am proud to rise today to recognize the long career and dedication to public service of Congressman Eni Faleomavaega. Congressman Faleomavaega passed away on February 22, 2017. He served the people of American Samoa for over thirty years, first as Lieutenant Governor and later on as their Representative.

A true patriot, Congressman Faleomavaega served his country in the Army and eventually became an officer in the United States Army Reserve, having served during the Vietnam War as a captain. As a legislator, his achievements for the people of our nation and American Samoa came through his important work with the Committee on Foreign Affairs and Committee on Natural Resources. He fought tirelessly for the prosperity and wellbeing of his people. I am proud to be able to say that I was able to serve alongside Congressman Faleomavaega in the House of Representatives from 2009–2015.

It is my honor to commemorate Eni Faleomavaega today, and I take pride in recognizing a great American and public servant. Today, his commitment to public service lives on through his great nephew, Andrew Tuitele, who is currently an intern in my district office in Aurora, Colorado.

HONORING THE LIFE OF CON-
GRESSMAN ENI FALEOMAVAEGA

HON. TULSI GABBARD

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Ms. GABBARD. Mr. Speaker, today let's honor the life and service of our dear colleague, my friend, the late Congressman Eni Fa'aua'a Hunkin Faleomavaega, Jr.

My memories with Congressman Faleomavaega extend back to small-kid time, in Hawaii—he was elected to Congress as American Samoa's delegate when I was just 8 years old. On his way to and from American Samoa, he would often stop in Hawaii, pay visits to his alma mater Kahuku High School, watch a Red Raider game or two, and visit with friends and family in Hawaii's vibrant Samoan and Polynesian community. I grew up understanding and appreciating Fa'a Samoa—The Samoan Way—which like the aloha spirit, refers to how we should respect and honor one another, no matter where you're from or your stature in life. He shared this Fa'a Samoa every day with his colleagues and others in Washington, seven thousand miles from his homeland. It was a very special thing to serve alongside him as a Member of Congress when I was elected in 2012. We served on the House Foreign Affairs Committee, and he often pulled me aside to talk story about his experiences on this committee, the places he'd been, and the people he'd met.

Eni was a warrior, a public servant, a devoted Christian, and a family man. He was born in Vailoatai Village in American Samoa. It's a beautiful and culturally rich island with that small-town feel where everybody knows everybody. Eni's father served in the military, so growing up, he moved around a bit. He lived in Guam and later moved to Hawaii and attended Kahuku High School and Brigham Young University on Oahu's northeast shore, eventually graduating from the main BYU campus in Utah. Eni was an active member of The Church of Jesus Christ of Latter-day Saints alongside his wife Hinanui and their family.

Eni was a soldier in the United States Army. He served honorably in Vietnam, earned the rank of Captain, joined the Reserves decades later, and unfortunately suffered from complications associated with his exposure to Agent Orange. Throughout his four decades of service in Congress (1989–2015), he worked hard for the people of American Samoa and for our veterans, caring for them deeply and fighting for them relentlessly. As a delegate, Congressman Faleomavaega was passionate about representing his people and ensuring the communities at home had the resources they needed, especially health care and other essential services. He staunchly opposed free

trade deals so that the few but impactful industries of American Samoa would not be devastated. He always put the people first, and he served with all of his heart.

So as we honor the life and service of this great man, Eni Fa'aua'a Hunkin Faleomavaega, Jr., we send our deepest gratitude to his 'aiga (family) for their support and sacrifice over the years.

Traditionally, at a Samoan memorial service, guests give the grieving family hand-woven mats in a ceremonial exchange of gifts called fa'alavelave. We don't have one here today, but offer these words in their absence: Fa'afetai Tele Lava (thank you), Fa'amanuia le Atua (God bless), and Fa Soifua.

PERSONAL EXPLANATION

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. HIGGINS of New York. Mr. Speaker, on March 17, 2017, I was unable to be present for the recorded votes on roll call no. 170, 171, and 172. Had I been present, I would have voted as follows: AYE on Hanabusa Amendment No. 11, YEA on the final passage of H.R. 1367, and AYE on the journal vote.

IN RECOGNITION OF THE HONOR-
ABLE WILLIAM F. ADOLPH, JR.
OF SPRINGFIELD, PA

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. MEEHAN. Mr. Speaker, I rise today to congratulate the Honorable William F. Adolph, Jr. of Springfield, PA on his retirement and thank him for his decades of service to Delaware County families. Bill is retiring as Representative from the 165th Legislative District in the Pennsylvania General Assembly, where he served as Chairman of the Appropriations Committee. After more than thirty years of public service, Bill has earned a record as a champion for the middle class, small and growing businesses and fiscal responsibility in Harrisburg.

Throughout his career in public service, first as a township commissioner in Springfield, as a lawmaker in Harrisburg and ultimately as the Chairman of the Appropriations Committee, Bill has always fought to ensure the taxpayer got the most out of every dollar government spends. He's fought to lessen the tax burden on job creators and spur economic growth. He's fought to ensure Pennsylvania's most vulnerable have access to the services they need. And he's fought to hold government accountable to the people it serves.

As important as his legislative achievements have been to Pennsylvania, perhaps his greatest legacy is the role model he's been to countless young people as a coach and through his decades-long involvement with the Springfield Youth Club. He's taught generations of Springfield's young people how to

conduct themselves with integrity and responsibility—both on and off the field.

I thank Bill for all he's done for our state and our community, and I wish him the best in his retirement.

NATIONAL ROSIE THE RIVETER DAY: A TRIBUTE TO THE LONG BEACH ROSIE THE RIVETER PARK

HON. ALAN S. LOWENTHAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. LOWENTHAL. Mr. Speaker, I am a proud co-sponsor of House Resolution 162, which will designate March 21, 2017, as National Rosie the Riveter Day. This honor has special significance for the City of Long Beach, California which I represent.

Long Beach is one of two locations in the nation that has a park dedicated to recognizing and preserving the history and legacy of the working women, including volunteer women, of World War II.

The Long Beach Rosie the Riveter Park was dedicated in March 2006. It is a 3.2 acre park that is just steps away from where tens of thousands of women worked at Douglas Aircraft Company during WWII, assembling the planes and bombers that helped our brave service members win the war. It is also located near what was the Long Beach Airfield (now the Long Beach Municipal Airport), where during WWII Women Airforce Service Pilots (WASPs), commanded by 24-year-old Barbara Erickson, flew the finished warplanes to military bases around the world.

The Long Beach Rosie the Riveter Park was inspired by former Long Beach City Councilwoman Gerrie Schipske, author of the book "Rosie the Riveter in Long Beach," and designed by public artist, Terry Braunstein. It features a rose colored walk-way that winds through the park so that visitors can see photographs depicting the work and efforts of these women. Visitors can access a narrated tour via cell phone and hear the song by the Four Vagabonds—"Rosie the Riveter" that gave these women their collective and affectionate name.

At both ends of the park are a "compass rose" that have been etched and painted into concrete, marking the location of the park.

At the north end of the park are both a military memorial and wall with plaques commemorating the lives of those who have served our country in so many ways and outlined with a rose garden in the shape of a "V" for victory. The Long Beach Rosie the Riveter Park displays one of only two bas reliefs sculpted by Raymond Kaskey, who designed the same for the National World War II monument, here in Washington, D.C.

Last year, C-SPAN, in its "Cities Tour," featured the Long Beach Rosie the Riveter Park because of its role in honoring the women who contributed on the home front during WWII.

As we celebrate "National Rosie the Riveter Day," let us continue our efforts to recognize and preserve the history and legacy of work-

ing women, including volunteer women during World War II, as a way of promoting cooperation and fellowship among all American women and their descendants.

IN HONOR OF ALABAMA STATE UNIVERSITY'S WAR GARDENS

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mrs. ROBY. Mr. Speaker, I rise today to honor Alabama State University upon its 100 year anniversary of planting war gardens to aid the United States efforts in World War I.

One hundred years ago, students, staff, and faculty of the then State Normal School at Montgomery, subsequently Alabama State University, assisted and advised residents near campus and in the City of Montgomery, Alabama on how to plant war gardens. Thanks to these efforts, it was reported that in March 1918 over 1,400 black homes in Montgomery had war gardens.

These gardens were important acts of sacrifice and rationing as commercially grown produce was shipped overseas to feed our troops and food-insecure Allies during The Great War or World War I.

Next month, the ASU Department of History and Political Science and university community will plant a Memorial WWI War Garden in commemoration and in honor of what was done on our campus a century ago.

The garden will represent the pride and commitment of ASU's campus to community and to country.

It was originally on March 21, 1918 that Alabama Governor Charles Anderson declared "Garden Days" urging Alabamians to grow war gardens, and this day on March 21, 2017 I declare "Garden Days" in tribute to what was done in the Montgomery community.

Mr. Speaker, it is my privilege to honor Alabama State University for its legacy of civil duty and service to both community and country.

IN RECOGNITION OF KITTY JURCIUKONIS

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. MEEHAN. Mr. Speaker, I rise today to honor Kitty Jurciukonis for her achievements as a volunteer, professional, and elected official in southeastern Pennsylvania. In recognition of these accomplishments, Mrs. Jurciukonis was posthumously awarded the Women of Achievement Award from the Delaware County Women's Commission.

Kitty worked as a tireless advocate for her community, serving as member of the Springfield Township Board of Commissioners for nineteen years, two of which were spent as President. She was also a leader in the Suburban West Realtors Association, the Springfield School District Home and School Association, and Community Education Council.

She even volunteered her time and talents to help open the Springfield School District's Parent Resource Center.

The current Springfield Township Commissioner says of Kitty: "I was humbled and honored to follow in her footsteps. . . She worked tirelessly with integrity and enthusiasm for the Township and the people she served."

I honor all of the work Kitty accomplished in our community and the trail she blazed for the women inspired by her achievements.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for roll call votes 173, 174, 175 on Monday, March 20, 2017. Had I been present, I would have voted "Yea" on roll call votes 173, 174, and 175.

SPECIAL TRIBUTE IN HONOR OF JUDGE BENTLEY KASSAL'S 100TH BIRTHDAY

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. NADLER. Mr. Speaker, I hereby congratulate Judge Bentley Kassal on the occasion of his 100th birthday. Judge Kassal has dedicated his life to public service, and we are grateful for his contributions to the people of New York. As a member of the New York State Assembly from 1957 through 1962, Judge Kassal represented a significant portion of Manhattan's Upper West Side in the very same Assembly district that I would later serve. During his time in Albany, Judge Kassal, among other accomplishments, authored a bill establishing the New York State Council on the Arts—the very first arts council to operate in the United States.

Mr. Kassal was later elected to the New York City Civil Court in 1969 and then the New York Supreme Court in 1975. In 1982, Governor Hugh Carey appointed Judge Kassal to the Appellate Division of the New York Supreme Court. He continued in that capacity until 1993. Following his retirement from the bench, Judge Kassal has served as counsel at Skadden, Arps, Slate, Meagher, and Flom, where he continues to provide assistance with litigation matters.

Judge Kassal is also a decorated war veteran, and was stationed abroad as an air combat intelligence officer for four years during World War II. In recognition of his distinguished military service, Judge Kassal has received the Bronze Star medal and the French Legion of Honor medal.

I am incredibly proud to count Judge Kassal as one of my constituents. The people of New York have been the fortunate beneficiaries of Judge Kassal's years of service. I wish him a

warm congratulations on this special occasion, and thank him for his contributions to our community.

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed Roll Call vote numbers 173, 174, and 175. Had I been present, I would have voted Aye on all of these measures.

IN RECOGNITION OF JUDGE CHRISTINE FIZZANO CANNON

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. MEEHAN. Mr. Speaker, I rise today to congratulate Judge Christine Fizzano Cannon for receiving the Women of Achievement Award from the Delaware County Women's Commission. The Honorable Christine Fizzano Cannon has been a leader in our community both as a small business owner and a public servant. She ran her own law firm for over ten years and has served as a Delaware County Women's Commissioner, member of the Pennsylvania Supreme Court Disciplinary Board Hearing Committee, Ridley Hospital Foundation, and Delaware County Council.

In 2012, Judge Fizzano Cannon was elected to the Court of Common Pleas. In this role she handles civil and equity matters, personal injury and property damage cases, real estate, land use and zoning matters, and medical malpractice cases. She is also currently serving on the Judicial Conduct Board of Pennsylvania, which reviews, investigates, and prosecutes judicial misconduct.

I thank Judge Fizzano Cannon for all of her work in our community, and I congratulate her on receiving this award.

RECOGNIZING THE SILHOUETTE CIVIC AND SOCIAL CLUB

HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. O'ROURKE. Mr. Speaker, I am honored to rise today to recognize the Silhouette Civic and Social Club, which holds a commendable record of service to the El Paso community.

This Saturday, March 25, 2017 the club will recognize their 50th anniversary. Founded in 1967, the Silhouette Civic and Social Club has served the El Paso community through events, social activities, and scholarships.

The Club's founders wanted to create an organization with a unity of sisterhood dedicated to enriching and supporting the El Paso community. Three of its founders, Doris Gary,

Baby Ruth Boswell, and Edna Black, still actively participate in the organization's activities to this day.

The Silhouette Civic and Social Club, affectionately referred to as the "Ladies with the Big Hearts," has graciously supported churches, shelters, and crisis centers through regular donations. They have supported El Paso's McCall Neighborhood Center, which preserves and advances the History of the African-American Community in El Paso, as well as the Reynolds Home, a shelter for homeless mothers and children.

They are most proud of providing college scholarships for deserving, honorable high school graduates. Their grass roots initiatives help young El Pasoans pursue the American Dream.

I thank the Silhouette Civic and Social Club for their efforts to improve our community and have a positive impact on the world through their generosity. The "Ladies with the Big Hearts" represent the compassion, selflessness, and community that is indicative of our country's southwest border and the people of El Paso that I have the distinct privilege to represent.

PERSONAL EXPLANATION

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. RENACCI. Mr. Speaker, had I been present, I would have voted YEA on Roll Call No. 173, YEA on Roll Call No. 174, and YEA on Roll Call No. 175.

HONORING MODESTO FIRE DEPARTMENT CHIEF SEAN SLAMON

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Modesto Fire Department Chief Sean Slamon, who announced his retirement after serving the community of Modesto for 29 years.

In 1989, Sean began his successful career with the Modesto Fire Department. Throughout his many years of service, he has held various positions, including Firefighter, Engineer, Captain, Training Captain, Battalion Chief, Division Chief of Operations and Training, and Fire Chief since August 2014.

In addition to his dedicated service, Chief Slamon previously served as President of the Training Officers section of the California Fire Chiefs Association and remains on the team as an Area Director. Currently, Sean is a member of the International Association of Fire Chiefs and the California Fire Chiefs Association, in addition to being the former President of the Stanislaus County Fire Chiefs.

Knowing that education is the key to success, Chief Slamon obtained a Bachelor's degree in Occupational Studies from California State University, Long Beach as well as an

Associate of Science degree in Fire Science from Modesto Junior College. He has furthered his education and training by obtaining numerous certificates from the California State Fire Marshalls Office and FEMA, and is a state certified instructor in numerous command and management courses.

Sean has been happily married to his wife, Shannon, for 23 years. Together, they have two children: Zachary, a Cal Poly San Luis Obispo graduate who is currently serving as an Airman 1st Class in the United States Air Force, and Courtney, a Senior in High School, who will be attending Cal Poly San Luis Obispo in the Fall.

Chief Slamon's 29 years of experience, knowledge, and commitment are unparalleled. His expertise has led him on a new journey as the Fire Chief of the Carson City Fire Department.

Mr. Speaker, please join me in honoring and commending the outstanding contributions made to the Modesto Fire Department by Chief Sean Slamon as we wish him continued success in his future endeavors.

IN RECOGNITION OF STEPHANIE (SAM) FLEETMAN

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. MEEHAN. Mr. Speaker, I rise today to congratulate Stephanie (Sam) Fleetman for receiving the Women of Achievement Award from the Delaware County Women's Commission. Sam is the CEO of Mustang Expedition, Inc.—a nationally recognized full-service delivery carrier. She has grown the company from one truck and a few employees to a multi-million dollar company employing over 50 individuals.

While reaching success in a male-oriented industry, Sam has also been a leader in her community. She has served as Chair of the Board of Directors for the Pennsylvania Motor Truck Association—only the second woman to do so in eighty-six years—and the Delaware County Historical Society. And she previously held positions as the President of the Bridgewater Park Association and the Sharon Alumnae Association.

I thank Sam for all she's done professionally and philanthropically in our community and congratulate her on receiving this important award.

HONORING THE LIFE OF JAMES COTTON

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. COHEN. Mr. Speaker, I rise today to honor and commemorate the remarkable life of James Cotton who passed away on March 16, 2017, at the age of 81. Mr. Cotton was a pioneering harmonica player who helped establish his instrument as an integral part of modern blues.

James Henry Cotton was born on July 1, 1935 in Tunica, MS, the youngest of eight brothers and sisters. His parents, Hattie and Mose were sharecroppers who worked on a cotton plantation and his father was also the preacher at the local Baptist church. Mr. Cotton was inspired to take up the harmonica by his mother and by the time he was 7 years old, he was performing for small change on the streets of nearby towns in the Mississippi Delta. At age 9, he moved in with Sonny Boy Williamson II to learn the instrument and Sonny Boy remained his hero for the rest of his life.

Around 1950, Mr. Cotton moved to West Memphis with Sonny Boy, which is where Howlin' Wolf heard him. Mr. Cotton played with Howlin' Wolf appearing in some of the recordings he made with Sam Phillips at Sun Records, in Memphis, in the early 1950s. In 1954, he also made four recordings under his own name for Sun. Mr. Cotton also played with Muddy Waters in Chicago where he contributed to classics like "Got my Mojo Working" and "Rock Me." In 1966, Mr. Cotton embarked on a solo career when he formed the James Cotton Blues Band which performed with popular acts like Janis Joplin, the Grateful Dead, Led Zeppelin, B.B. King, Santana, and many others. In 1977, Mr. Cotton reunited with Muddy Waters for the album "Hard Again," which won a Grammy Award for best ethnic or traditional recording.

His work influenced several major blues-rock groups of the era such as the Allman Brothers, the Paul Butterfield Blues Band, and the Electric Flag. He was much imitated but never duplicated. Mr. Cotton continued to play in concerts and on records well into his 70s and released some two dozen albums. Mr. Cotton moved from Chicago to Memphis in the 1990s, after the death of his first wife, Ceola and he settled in Austin in 2010. In 1997, his album "Deep in the Blues" won a Grammy for best traditional blues album and his 2013 album "Cotton Mouth Man" was nominated. Mr. Cotton also won several W.C. Handy International Blues Awards (known as the Blues Music Awards since 2006) long considered among the highest accolades for musicians working in Blues. Mr. Cotton was inducted into the Blues Hall of Fame in 2006.

Mr. Cotton is survived by his wife and manager, Jacklyn Hairston Cotton; his two daughters, Teresa Hampton and Marshall Ann Cotton; a son, James Patrick Cotton; and numerous grandchildren and great grandchildren. His was a life well lived.

TESTIMONY OF MNIKESA
WHITAKER-HAAHEIM ON THE
POSITIVE IMPACT OF THE AF-
FORDABLE CARE ACT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Ms. DeLAURO. Mr. Speaker, I rise today to share the testimony of one of my constituents—Mnikesa Whitaker-Haahaim. She is an English teacher who has won teacher of the year twice. She is also living with and dying

from a debilitating disease. These are her words:

"The debate about healthcare has turned into something of a spectacle—as if it exists apart from the flesh and bones that are experiencing the consequences of the decisions being made. I think it is exceedingly important to talk about the felt experience of illness.

The feeling like an elephant's sitting on my chest—daily—because I have pulmonary fibrosis. No, I have never smoked. Not cigarettes. Not anything. Ever. I am simply sick. The feeling of my leg bones splintering, waking me up with the pain, several times a night, several times a week. Each leg is splayed beneath me as if I'd fallen from a window. Of course that's not what happened. This is just what joints and muscles feel like as a part of my rare disease.

The feeling of having a widespread flu-like, bone-crushing ache that does not end. I don't have the flu. I have a rare, autoimmune disease. This is what my entire body feels like 90% of the time. The feeling of choking without warning, regularly on coffee. On water. On my own spit. This is what my disease feels like.

The feelings I'm talking about are what it is like to not be able to take a deep breath, ever, because over 70% of my lungs have turned to hardened, stony, scar tissue. The feeling of not even remembering what it is like to take a deep breath.

Because my particular disease is one that is categorized as autoimmune, it would be several months before we got the correct diagnosis; autoimmunity is notoriously difficult to diagnose.

And unless you are a specialized medical professional or happen to know someone who is afflicted by rheumatoid disorders, you have likely never heard of what I have: anti-synthetase syndrome. It is rare, progressive and aggressive. Often it is fatal, especially with the amount of lung damage that I have incurred.

When after over 2 years of chemotherapy, the progression of my pulmonary fibrosis and overall disease process was not successfully remaining stable, I had to go on supplemental oxygen. Within 6 months, I was getting so sick that I eventually had to medically retire at 36 years old; it was a heartbreaking decision.

I loved my job, and I was very good at it. Without the protections afforded to me through the Affordable Care Act, my oxygen, the cost of seeing my numerous specialists, paying for 14 medications, admissions to the hospital, and life-threatening emergency trips to the ER would be nothing short of financially catastrophic for my family.

A rare disease like mine baffles many doctors. It has not been uncommon for my caretakers to have to spend hours on the phone with insurance companies fighting for a drug that is literally thousands of dollars but necessary for my treatment.

When you have a rare illness, you often have to try new things. Insurance companies will unabashedly see you as a risk. Why? You are expensive, rare and dying. That is an unholy trinity.

But since the Affordable Care Act, my medications have been affordable. Access to care is NOT accessible if you cannot afford it, and what the ACA has done is create a safeguard

so that the care that my doctors have prescribed for one of their sickest patients is truly accessible to that patient because I can afford it.

I come from a family who has, for generations, always worked and always paid into "the system." There are next to no services available for a relatively young woman like me at Social Services; I know. I've checked. I am not old enough for a full teacher's pension, but do receive a small disability allowance.

I need you to understand that people like me are not asking for anything for free. I am willing to continue to pay for the quality healthcare that I have had. I am willing for there to be changes made to it.

I find it unconscionable, however, that decisions can be made regarding life and death without actual regard for the felt lives and actual deaths that you will be responsible for if you repeal the ACA.

I do not know the course that my disease will take. But I have the blood of some powerful ancestors flowing in me, and their fight for life continues in me as well. I am honored to do so in their memory and on behalf of the millions of Americans who do not have the words or the ability to speak for themselves yet are terrified of losing their affordable, solid coverage under the ACA."

Those were her words—and she is not alone in her fear of repeal. We owe it to Mnikesa and everyone like her across the country to protect their health care—and to reject this repeal bill.

THE DISTRICT OF COLUMBIA NATIONAL GUARD HOME RULE ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Ms. NORTON. Mr. Speaker, today I introduce the District of Columbia National Guard Home Rule Act, a bill that would give the mayor of the District of Columbia authority to deploy the D.C. National Guard, after consultation with the Commanding General of the D.C. National Guard, with the President retaining authority on federal matters. In local emergencies, including natural disasters and civil disturbances unrelated to national or homeland security, the mayor of the District should have the same authority that governors exercise over the National Guard in their states. Each governor—including the governors of three U.S. territories with Guards—has the authority to deploy the National Guard to protect his or her state or territory, just as local militia did historically.

The National Guards in the 50 states and territories operate under dual federal and local jurisdiction. Yet only the President currently has the authority to deploy the D.C. National Guard for both national and local purposes. Today, by far the most likely need for the D.C. National Guard here would be for natural disasters, such as hurricanes and floods, and to restore order in the wake of civil disturbances. The mayor, who knows the city better than any federal official and who works closely with federal security officials, should be able to call

on the D.C. National Guard for local natural disasters and civil disturbances, after consultation with the Commanding General of the D.C. National Guard. The President should be focused on national matters, including homeland security, not local D.C. matters. Homeland security authority, with respect to the D.C. National Guard, would remain the sole province of the President, along with the power to federalize the D.C. National Guard for federal matters at will. It does no harm to give the mayor authority to deploy the Guard for civil disturbances and natural disasters. However, it could do significant harm to leave the mayor powerless to act quickly. If it makes sense that governors would have control over the deployment of their National Guards, it makes equal sense for the mayor of the District, with a population the size of a small state, to have the same authority.

The mayor of the District, as chief executive, should have the authority to deploy the D.C. National Guard in instances that do not rise to the level of federal homeland security activities. My bill permits the mayor to only deploy the D.C. National Guard after consultation with the Commanding General of the D.C. National Guard. The bill is another important step toward completing the transfer of full self-government powers to the District. Congress began with the passage of the Home Rule Act of 1973, when it delegated most of its authority over District matters to an elected mayor and Council. The bill follows that model.

I urge my colleagues to support the bill.

PERSONAL EXPLANATION

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. VALADAO. Mr. Speaker, on Monday, March 20, 2017, I missed votes due to unavoidable flight delays. Had I been present, I would have voted YEA on roll call votes no. 173, 174 and 175.

SAN JACINTO COLLEGE NAMED 5TH BEST COMMUNITY COLLEGE IN THE NATION

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate San Jacinto College of Houston, TX, for being named the fifth best community college in the country by the Aspen Institute College Excellence Program.

Ten top-notch community colleges were nominated for the Aspen Prize for Community College Excellence Award for the schools' student learning, certificate and degree completion, employment and earnings for graduates and accessibility and success of minority and lower income students. San Jacinto was recognized because of its extreme focus on supporting and working with students to ensure they are the most equipped to find a job and

prepare for life after graduation. Between 2007 and 2015, the number of certificates and associate degrees San Jacinto College has awarded has increased by an impressive 140 percent. San Jacinto College works closely with local workforce to develop degree programs that match employment needs and their strong leadership is paying off for their students and our local money.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to San Jacinto College for being named the fifth best community college in the country. We are proud of their strong commitment to prepare students for life after graduation. Keep up the good work.

RECOGNIZING THE SERVICE OF THE U.S. COAST GUARD SECTOR ST. PETERSBURG AND HONORING THE LIFE OF ANDREW DILLMAN

HON. CHARLIE CRIST

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. CRIST. Mr. Speaker, I rise to honor the courageous men and women of the U.S. Coast Guard Sector St. Petersburg, located in Florida's 13th District, and a brave St. Petersburg resident, Andrew Dillman.

Last week, amid high winds and rough seas, the U.S. Coast Guard Sector St. Petersburg, led by its Commander, Captain Holly Najarian and Deputy Commander Randall Brown, responded to multiple search-and-rescue calls. Within a 12-hour timespan, they assisted 18 individuals in distress, seven of which were pulled from the water.

Pinellas County is a peninsula, on the peninsula of Florida. As such, we are fortunate to have three major Coast Guard Commands, Sector St. Petersburg, Station Sand Key, and Air Station Clearwater, that patrol our waters every day. The work they do is indispensable, and to those seven people pulled from the water last week, it was the difference between life and death. I salute the Coast Guard for their service, protecting our people, property, and national security along our coastline. And I will fight for them, providing the resources needed to carry out their critical mission. Their budget should be strengthened, not depleted or diminished.

Sadly, last week we were also reminded of the importance of the U.S. Coast Guard through tragedy. One of my constituents, Andrew Dillman, a brave young man and crewman for a local boat charter company, perished in the turbulent waters off Shell Key attempting to rescue a college student under his care. A powerful rip current overtook Andrew and Chinese student Jie Luo. I offer my deepest condolences to their families, and our prayers are with their loved ones during this most difficult time.

Mr. Speaker, putting service before self is a hallmark of the U.S. Coast Guard, and Mr. Dillman exhibited that same spirit with his actions. This willingness to sacrifice represents the best of who we are as human beings. We give thanks for their courage, may it inspire us to always be our brother's keeper.

I am humbled to have this opportunity to honor the service of our U.S. Coast Guard and the life of Mr. Andrew Dillman. May he rest in eternal peace.

PERSONAL EXPLANATION

HON. JAMES COMER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. COMER. Mr. Speaker, on March 20, 2017, I was unavoidably detained during Roll Call vote numbers 173, 174 and 175. Had I been present, I would have voted YEA on Roll Call No. 173, YEA on Roll Call No. 174, and YEA on Roll Call No. 175.

PERSONAL EXPLANATION

HON. PETER WELCH

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. WELCH. Mr. Speaker, due to my participation in a meeting with President Trump at the White House, I was unable to vote on Roll Call 129, 130, 131, 132, 133, 134, and 135. Had I been present, I would have voted:

Roll Call 129: "Nay"
Roll Call 130: "Nay"
Roll Call 131: "Nay"
Roll Call 132: "Aye"
Roll Call 133: "Nay"
Roll Call 134: "Aye"
Roll Call 135: "Aye"

CINCO RANCH STUDENTS WIN 3RD IN C-SPAN'S VIDEO COMPETITION

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Jayden Fitts and Keaton Urioste of Katy, TX, for winning third place in C-SPAN's national 2017 StudentCam competition.

Since 2006, C-SPAN has invited middle and high school students to produce short documentaries on an issue of national importance. This year students were asked to answer, "Your message to Washington: What is the most urgent issue for the new president and Congress to address in 2017?" Jayden and Keaton's documentary, "Putting Unemployment Out of Business," focused on America's unemployment problem and what can be done to fix it. Jayden and Keaton were awarded \$750 for their hard work. The two students are freshmen at Cinco Ranch High School.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Jayden and Keaton for winning third place in the 2017 StudentCam competition. We are very proud of them and look forward to their future successes.

RECOGNIZING LISA COHEN,
FOUNDER AND EXECUTIVE DI-
RECTOR OF THE WASHINGTON
GLOBAL HEALTH ALLIANCE

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. SMITH of Washington. Mr. Speaker, I rise to recognize Lisa Cohen, the Founder and Executive Director of the Washington Global Health Alliance. As Lisa steps down from her ten years of service to the organization, we acknowledge the successes of the WGHA under her leadership, and we thank her for her tireless service to the greater Puget Sound region.

WGHA was founded with the goal of facilitating collaboration between various health and globally-focused organizations—empowering them to more effectively face the most challenging global health issues. Under Lisa Cohen's leadership, the WGHA has done exactly that; it has channeled the resources of Washington's vibrant healthcare sector.

In the time that I have represented Washington's 9th District, I have had the privilege of attending many WGHA forums and healthcare advocacy meetings. In the past ten years, Lisa Cohen has moderated more than 100 panels and presented to over 50,000 people. WGHA now has over 70 members who, because of her commitment to collaboration, are now better able to serve the communities they touch. It has been an honor to watch WGHA as it has built an international network that achieves more in a more efficient manner.

Lisa Cohen has not only helped to set WGHA on a path to success, she has tirelessly served the greater Puget Sound community. Her list of accomplishments include channeling resources to many of those who are most at-risk in our community, mapping the state's global health community, co-founding Global to Local, and leading the Washington Global Health Fund and Global Health Nexus. As a huge proponent of collaboration, Lisa has helped to form Washington's organizations into a community, so that they can collectively tackle the world's most pressing issues.

Lisa Cohen's unique ability to bring people together has left our community better equipped to handle future health challenges. As she takes her next steps, I know she will continue to make a positive impact and help to make our world a better place.

Mr. Speaker, it is with great pleasure that I recognize the global health work that Lisa

Cohen has done in our community and wish her well in her future endeavors.

INTRODUCTION OF THE WATER IN-
FRASTRUCTURE TRUST FUND
ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. BLUMENAUER. Mr. Speaker, America's water systems are in crisis. The American Society of Civil Engineers 2017 report card graded our wastewater infrastructure a D+, while drinking water received a D. While our clean water needs are estimated to be nearly \$11 billion per year, appropriations for clean water infrastructure have averaged just \$1.4 billion per year over the past five years. Drinking water infrastructure is in worse shape—the Environmental Protection Agency (EPA) estimates that we need to invest over \$19 billion annually to ensure the provision of safe tap water, while Congress appropriates less than \$1 billion. Though most of our water and wastewater systems are 75 to 100 years old, these growing challenges are not due to age alone: federal investment has fallen more than 85 percent since 1977.

Our failure to maintain and improve our water infrastructure doesn't only result in a poor grade on paper, it has real and dangerous outcomes, like the ongoing lead crisis in Flint, MI or lead-tainted water in Portland Public Schools. Water infrastructure-related problems are not confined to attention-grabbing headlines. Last year alone, American communities suffered more than 250,000 water main breaks and saw overflowing combined sewer systems—causing contamination, property damage, disruptions in the water supply, and massive traffic jams. These problems will only increase. It is time to establish a dedicated trust fund for water infrastructure similar to the Highway Trust Fund.

In honor of Water Week, today, I'm introducing the Water Infrastructure Trust Fund Act. This bipartisan bill will provide a small, deficit-neutral source of revenue to help states replace, repair, and rehabilitate critical clean and drinking water facilities. Half of the trust fund revenue will be distributed to local governments as grants and loans through the existing Clean Water State Revolving Fund (CWSRF) for wastewater treatment construction, while the other 50 percent will be distributed through the existing Drinking Water State

Revolving Fund (DWSRF) to finance projects to meet federal drinking water standards.

The Water Infrastructure Trust Fund Act is a step in the right direction to addressing our growing water challenges, keeping our kids and families healthy and our communities safe, livable, and economically secure.

SUGAR LAND SENIOR REGENERON
STS FINALIST

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Bryon Xu of Sugar Land, TX, for being named a Regeneron Science Talent Search (STS) 2017 finalist.

Bryon was awarded \$100,000 for winning fourth place out of 1,749 high school seniors for his project, Direct Determination of Ocean Temperature Profiles from Seismic Oceanography. He developed a method of measuring ocean temperature that can fill in the gaps existing with current techniques, such as satellites and probes. The Regeneron STS award is based on students' originality and creative thinking, as well as their achievement and leadership. In his spare time, Bryon is a member of the Mu Alpha Theta club for mathematics, coaches a local Mathcounts team and tutors science. He has also developed a web app to help with Science Olympiad event.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Bryon Xu for winning fourth place in this esteemed competition. We are confident he will have a successful future.

PERSONAL EXPLANATION

HON. PETER WELCH

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 21, 2017

Mr. WELCH. Mr. Speaker, because of flight cancellations due to inclement weather, I was unable to vote on Roll Call 159, 160, and 161. Had I been present, I would have voted:

Roll Call 159: "Aye"

Roll Call 160: "Aye"

Roll Call 161: "Nay"

SENATE—Wednesday, March 22, 2017

The Senate met at 10:30 a.m. and was called to order by the Honorable TOM COTTON, a Senator from the State of Arkansas.

PRAYER

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

Let us pray.

Almighty and Eternal God, thank You for listening to our prayers. You are the high and lofty One, but You choose to dwell with those who have contrite hearts. Dwell with our lawmakers. May they meditate upon Your precepts and be guided by the light of Your Word.

Lord, give them the wisdom to seek Your help in the day of trouble and beyond. May the memories of what You have already done provide them with the confidence that the best is yet to come. Do for them immeasurably, abundantly, above all that they can ask or imagine, according to Your power, working in and through them.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 22, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM COTTON, a Senator from the State of Arkansas, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. COTTON thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

REPEALING AND REPLACING OBAMACARE

Mr. McCONNELL. Mr. President, we have all seen the headlines. We have all heard the heartbreaking stories. We have all watched as health insurance markets have edged closer to collapse, and we have noticed a common theme. ObamaCare is failing in Kentucky and around the country.

In my home State, insurance premiums increased by up to 47 percent. As insurers flee the market, nearly half of the counties in my State have only one option for an insurer on the exchange.

Many families' deductibles and out-of-pocket expenses have skyrocketed to a point that their plans are too expensive to actually use. In other words, they have health insurance but not necessarily healthcare. The legacy of ObamaCare is one of increased costs, diminishing choices, and broken promises.

In four elections in a row, Kentuckians have overwhelmingly rejected this failed law. The pain caused by ObamaCare is real for millions of Americans. Listen to this small business owner from Versailles. She wrote to my office asking for relief. Here is what she said: "The first year of ObamaCare, our monthly premiums tripled," she wrote, and now, "our current plan will be discontinued . . . at the end of the year."

"This is prohibitive for us. We are getting desperate and discouraged."

Unfortunately, stories like hers are hardly unique—not in Kentucky and not across America—because too many are suffering under ObamaCare. ObamaCare is a direct assault on the middle class, and it will continue to get worse unless we act.

Both in Congress and in the administration, we are working to fulfill our commitment to the American people. We remain committed to the repeal and replacement of ObamaCare with healthcare policies that actually work. When the House finishes its work on ObamaCare repeal legislation, I look forward to taking it up here in the Senate. The administration will continue working to deliver relief and stabilize health markets, as well. Americans are ready for a better way forward after the failure of ObamaCare, and I would urge all of my colleagues to work together so we can deliver it.

NOMINATION OF NEIL GORSUCH

Mr. McCONNELL. Mr. President, on another matter, as day 2 of the Neil Gorsuch Supreme Court confirmation

hearings continued, Senators and the American people were able to learn more about his experience as a jurist and his aptitude to serve on the High Court. We heard directly from Judge Gorsuch about his views on the role of a judge—to be fair and impartial, independent, and not beholden to one party over another. We heard directly from Judge Gorsuch about his views on the role of the Court to uphold the Constitution and interpret the laws as written, not legislating from the bench.

We saw him display a masterful knowledge of the law, along with independence, thoughtfulness, and just the kind of judicial temperament we expect in a Supreme Court Justice. News outlets across the country took notice. This is from a CNN report:

Supreme Court nominee Neil Gorsuch came to the Senate Judiciary Committee Tuesday prepared to deliver a clear message: I'm a judge, not a politician. . . . Sitting at a small table, he turned to listen to each Senator as they spoke, hour after hour, carefully writing notes before launching into his replies.

As CNN noted, the questions "never rattled him" and "he showed command of the law."

NPR took note of Judge Gorsuch's temperament saying: "He kept an even keel throughout the day, rarely betraying more than a hint of impatience or pique."

Here is one take from the Washington Post. It said:

Gorsuch is not easily flustered.

Gorsuch presented himself as the picture of a cool, calm, self-assured justice.

His face often broke into a relaxed smile. He appeared to be listening to every word every Senator said, and he rarely stumbled.

And here is another take from the Post:

After more than 10 years on the U.S. Court of Appeals for the 10th Circuit, [Judge Neil] Gorsuch was prepared for how to respond to questions about judicial independence and how a judge should consider a decision outside his personal political ideology.

These are observations made from outside viewers. Their insights reflect what we have been saying for weeks—that Judge Gorsuch is exceptionally qualified to serve on the Supreme Court.

I hope our Democratic friends take notice and give him the fair consideration he deserves, not invent more excuses not to. Because Judge Gorsuch has performed exceedingly well, some Democrats are desperately trying to come up with a reason to delay the process, just as they have done all year on other nominations.

The Judiciary Committee is continuing its work today. As it does so, I

am confident we will continue to see support grow for Judge Gorsuch.

CONGRESSIONAL REVIEW ACT RESOLUTION

Mr. MCCONNELL. Now, Mr. President, on one final matter, last night the Senate voted to overturn a harmful regulation that undermines Alaska's authority to manage its wildlife resources and shifts more power toward Washington.

Today, we will have yet another opportunity to bring Americans relief from heavyhanded regulations using a legislative tool provided by the Congressional Review Act.

That proposal would undo the so-called Volks rule, which is named for the 2012 Federal court case overturning an ill-advised Obama administration regulatory action on the same subject. It is a regulation that purports to look out for the workers' best interests, but it actually does little to achieve that outcome. The Volks rule merely empowers Washington bureaucrats and increases paperwork burdens instead.

As the Coalition for Workplace Safety pointed out, this regulation does "nothing to improve worker health and safety," it "directly contradicts both clear statutory language and two U.S. Court of Appeals rulings," and it also represents "one of the most egregious end runs around Congress' power to write the laws."

I heard from Kentuckians who are simply concerned by this overreaching regulation and called for Congress to end it. In one recent letter to my office, the Kentucky Roofing Contractors Association called for the repeal of the Volks rule because it "does nothing to improve workplace safety and could be used to impose costs on employers for inadvertent paperwork violations."

In fact, as they point out, it could even "divert resources away from efforts to improve work place safety and create jobs."

In another letter I recently received, a Lexington construction contractor said he needs his safety supervisors "constantly walking jobsites, identifying hazards and making sure our co-workers go home safely every night," but this regulation "forces me to choose allocating sources to preventing future accidents or auditing old paperwork."

That is our decision today: focusing on actual safety of employees or on more bureaucratic paper pushing.

Senator CASSIDY of Louisiana understands the challenges this regulation presents, and he has been a leader in working to protect American businesses from these consequences. I appreciate his efforts and look forward to the Senate passing it soon.

MEASURE PLACED ON THE CALENDAR—H.R. 1181

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk that is due a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1181) to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

The majority leader.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF LABOR—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to H.J. Res. 83.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to H.J. Res. 83, a joint resolution disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness."

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion to proceed.

The motion was agreed to.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF LABOR

The ACTING PRESIDENT pro tempore. The clerk will report the joint resolution.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 83) disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness."

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. CASSIDY. Mr. President, I rise with my colleagues to support H.J. Res. 83 and companion S.J. Res. 27, a resolution I introduced with 25 of my colleagues, under the Congressional Review Act, or CRA, to stop the Obama administration Department of Labor's regulation, known as the Volks rule, from expanding the statute of limitations for record-keeping violations. This regulatory scheme represents a backwards approach to workplace safety, and it is a blatant overreach by the Federal Government.

Under the Occupational Safety and Health Act, employers are required to record injuries and illnesses that occur in the work place and maintain those records for 5 years. The law provides for a 6-month period for which OSHA can issue citations to employers who fail to maintain the records properly. However, it was the practice of OSHA, based on their interpretation of the law, that they were able to issue citations regarding keeping those records properly for the entire 5-year period employers must keep those records.

Under this practice, OSHA took action against Volks Constructors, a firm in Prairieville, LA, in 2006 for record-keeping violations that occurred nearly 5 years earlier—again, record-keeping violations. This was well beyond the 6-month statute of limitations. Volks Constructors, located in Prairieville, is a heavy industrial contractor that provides manufacturing services and industrial specialties to the petrochemical and related industries. It has been in business for more than 40 years. Volks challenged OSHA in the D.C. Circuit Court of Appeals for those citations and won. The Circuit Court of Appeals issued a unanimous, three-judge opinion rebuking OSHA's attempt to file citations past the statute of limitations. One of the three judges was President Obama's Supreme Court nominee, Judge Merrick Garland.

The Volks ruling has since been upheld by the Fifth Circuit Court of Appeals. Let me read a few of the comments from the court's opinion: "We do not believe Congress expressly established a statute of limitations only to implicitly encourage the Secretary to ignore it."

Another comment: "The Act clearly renders the citations untimely, and the Secretary's argument to the contrary relies on an interpretation that is neither natural nor consistent with our precedents."

From Judge Garland's concurring opinion: "[B]ecause none of the challenged citations were issued within 6 months, 'flowing the occurrence of any violation,' I agree with my colleagues that the petition for review should be granted and the citation vacated."

After the court was clear in its ruling, OSHA, in order to negate such ruling and continue issuing citations beyond the 6-month statute of limitations, promulgated this regulation, the *Volks* rule.

This joint resolution must invalidate the *Volks* rule. The *Volks* rule is a clear violation of the court's ruling and is in direct contradiction of the 6-month statute of limitations. Only Congress can amend a Federal statute. Article I of the U.S. Constitution is clear. Members of the legislative branch write the law, not the Federal departments and agencies.

Overtaking the *Volks* rule will not—will not—decrease workplace safety. The rule only changes the window during which OSHA can issue citations for recordkeeping violations. This rule is about paperwork violations and not workers' health or safety.

The *Volks* rule also creates regulatory confusion for small businesses. By finalizing this unlawful regulation, the Obama administration created uncertainty for employers facing a confusing maze of recordkeeping standards and unwarranted litigation.

The U.S. Chamber of Commerce, the Association of General Contractors, the National Home Builders Association, the National Restaurant Association, the National Retail Association, along with more than 70 State and national organizations, all support this joint resolution.

I ask unanimous consent to have printed in the RECORD the Coalition for Workplace Safety's letter.

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

COALITION FOR WORKPLACE SAFETY,
March 10, 2017.

Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate,
Washington, DC.

Hon. JOHN CORNYN,
Majority Whip, U.S. Senate,
Washington, DC.

Hon. LAMAR ALEXANDER,
Chairman, Senate Committee on Health, Edu-
cation, Labor and Pensions, Washington,
DC.

Hon. JOHNNY ISAKSON,
Chairman, Senate Subcommittee on Employment
and Workplace Safety, Committee on
Health, Education, Labor and Pensions,
Washington, DC.

DEAR MAJORITY LEADER MCCONNELL, MAJORITY WHIP CORNYN, CHAIRMEN ALEXANDER AND ISAKSON: The undersigned groups strongly urge you to pass H.J. Res. 83/S.J. Res. 27, a Congressional Review Act (CRA) joint resolution of disapproval to invalidate the Obama Administration's OSHA regulation overturning the decision in *Volks* regarding the statute of limitations for recordkeeping violations.

At its core, the *Volks* Rule is an extreme abuse of authority by a federal agency that will subject millions of American businesses to citations for paperwork violations, while doing nothing to improve worker health and safety. Finalized on December 19, 2016, the rule attempts to extend to five years the explicit six month statute of limitations on

recordkeeping violations in the Occupational Safety and Health (OSH) Act of 1970. This regulation simultaneously represents one of the most egregious end runs around Congress' power to write the laws and a clear challenge to the judicial branch's authority to prevent an agency from exceeding its authority to interpret the law.

In 2012, citing the unambiguous language in the OSH Act, the U.S. Court of Appeals for the District of Columbia held that OSHA could not sustain citations against an employer for alleged recordkeeping violations that occurred more than six months before the issuance of the citation because, as the employer asserted, they were outside the six month statute of limitations set forth in the OSH Act. The court was unequivocal in its rebuke of OSHA. Judge Janice Rogers Brown expressed particular concern on the issue of the agency's overstepping its authority: "we were rightly troubled by the notion of being asked by an agency to expand that agency's enforcement authority when Congress had evidently not seen fit to do so." Judge Merrick Garland, in his concurrence, plainly rejected OSHA's rationale for issuing the fines, "the Secretary's contention—that the regulations that *Volks* was cited for violating support a 'continuing violation' theory—is not reasonable." The *Volks* decision has since been endorsed by the Fifth Circuit in the *Delek* decision, issued in December 2016, where the court found "its reasoning persuasive."

In response to the Court of Appeals ruling, OSHA promulgated this regulation specifically to negate the *Volks* case ruling and extend liability for paperwork violations beyond the six month window permitted under the Act. OSHA issued the final rule in the waning days of President Obama's Administration with an effective date of January 19, 2017. The Senate has until April 7 to pass H.J. Res. 83/S.J. Res. 27.

We urge you to help put a stop to OSHA's abuse of its authority and support swift passage of a joint resolution of disapproval for this burdensome, unlawful rule. Because the final rule directly contradicts both clear statutory language and two U.S. Courts of Appeals rulings, it must not be allowed to stand.

Thank you for your consideration of this request and for your continued efforts to rein in agency overreach and reduce the regulatory burden on America's job creators.

Sincerely,

Air Conditioning Contractors of America, American Bakers Association, American Coke and Coal Chemicals Institute, American Composites Manufacturers Association, American Farm Bureau Federation, American Feed Industry Association, American Foundry Society, American Fuel and Petrochemical Manufacturers, American Health Care Association, American Iron and Steel Institute, American Road and Transportation Builders Association, American Society of Concrete Contractors, American Subcontractors Association, Inc., American Supply Association, American Trucking Associations, Asphalt Roofing Manufacturers Association, Associated Builders and Contractors, Associated General Contractors, Associated Wire Rope Fabricators, Copper & Brass Fabricators Council, Inc., Corn Refiners Association, Distribution Contractors Association.

Flexible Packaging Association, Global Cold Chain Alliance, Independent Electrical Contractors, Industrial Minerals Association—North America, Institute of Makers of Explosives, International Dairy Foods Asso-

ciation, International Foodservice Distributors Association, International Franchise Association, International Warehouse Logistics Association, IPC-Association Connecting Electronics Industries, Leading Builders of America, Mason Contractors Association of America, Mechanical Contractors Association of America, Mike Ray, Motor & Equipment Manufacturers Association, National Association for Surface Finishing, National Association of Home Builders, National Association of Manufacturers, National Association of Professional Employer Organizations, National Association of the Remodeling Industry, National Association of Wholesaler-Distributors, National Automobile Dealers Association, National Center for Assisted Living, National Chicken Council, National Cotton Ginners' Association, National Council of Self-Insurers, National Demolition Association, National Electrical Contractors Association, National Federation of Independent Business, National Grain and Feed Association, National Lumber and Building Material Dealers Association, National Oilseed Processors Association, National Restaurant Association, National Retail Federation, National Roofing Contractors Association.

National School Transportation Association, National Tooling and Machining Association, National Turkey Federation, National Utility Contractors Association, Non-Ferrous Founders' Society, North American Die Casting Association, North American Meat Institute Plastics, Industry Association (PLASTICS), Power and Communication Contractors Association, Precision Machined Products Association, Precision Metalforming Association, Printing Industries of America, Retail Industry Leaders Association, Sheet Metal and Air Conditioning Contractors National Association, Shipbuilders Council of America, Southeastern Cotton Ginners Association, Inc., Texas Cotton Ginners' Association, The Association of Union Constructors (TAUC), Thomas W. Lawrence, Jr.—Safety and Compliance Management, Tile Roofing Institute, Tree Care Industry Association, TRSA—The Linen, Uniform and Facility Services Association, U.S. Chamber of Commerce, U.S. Poultry & Egg Association.

Mr. CASSIDY. Mr. President, I urge my colleagues to support this joint resolution and allow Congress to review the law and make changes, if needed. It is the right thing to do.

I ask unanimous consent that quorum calls during the consideration of H.J. Res. 83 be equally divided in the usual form.

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

Mr. CASSIDY. Mr. President, I yield the floor.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

NOMINATION OF NEIL GORSUCH

Mr. SCHUMER. Mr. President, yesterday Judge Neil Gorsuch went through over 11 hours of questioning in the Judiciary Committee. As expected, he used the opportunity to speak at length about his knowledge of case law, hiding behind precedents rather than giving an impression of his actual views. As expected, his supporters are saying that Judge Gorsuch was erudite, polished, homespun. But none of this matters compared to the real purpose of hearings: to find out a nominee's views and what kind of judge he will be, not how his repartee from the bench will sound.

For 11 hours, Judge Gorsuch looked like he was playing dodgeball with the Senate Judiciary Committee, bending over backward to avoid revealing anything that might constitute a judicial philosophy or give hints about his approach to the legal issues of our day. Those, to me, are far more important than any superficial impressions he may have left. He dodged questions on previous cases like *Citizens United*, *Roe v. Wade*, and *Brown v. Board*. He dodged general questions on dark money in politics, LGBTQ rights, and the constitutionality of a Muslim ban.

He did manage to wax poetic on the significance of a judge's robe and the humility it brings. He said it reminds us that "ours is a judiciary of honest black polyester." Well, if he were truly humbled, he would realize the augustness of this position and answer questions directly. Judge Gorsuch's testimony yesterday was replete with humble kinds of metaphors and homespun stories but pitifully short on substance, which is what really matters.

The hearings this week are starting to have the element of farce. The Republicans ask softball questions, while we Democrats endeavor to get the judge to offer a meaningful response on one—any legal issue but are met with constant refrains of "That is settled law" and "I can't prejudge" and "Gee, Senator, my personal views have no place here." Let me repeat. There is no legal precedent, rule, or logic for failing to answer questions that don't involve immediate and specific cases before the Court. Is Judge Gorsuch hiding behind this rhetoric because he does not want people to know his views?

After 4 days of this Kabuki theatre, the press will write that Judge Gorsuch was smooth and well-spoken, but I doubt that even at the end of the hearing process we will have any greater views of his jurisprudence. Will we know any better than we do today what kind of Justice he will be on our Nation's highest Court?

You know, we have seen this before. It was not all that long ago that another charming, polished, erudite judge named John Roberts came before the committee, impressing lawmakers while playing the role of a model ju-

rist. He displayed a similar reluctance to answer specific questions, but he assured us all that he was a judge who was free from the biases of politics and ideology, that, in his words, he simply "called balls and strikes." We were duped. Judge Roberts showed his true activist colors as soon as he got to the bench and dragged the Court sharply to the right, ruling consistently in favor of wealthy special interests and powerful corporations. The whole episode with Judge Gorsuch feels like a Roberts' rerun. If his voting record is any indication, according to the New York Times survey, he will be even more conservative than Justice Roberts.

This is not how the hearing process is supposed to work. Although it has become practice for Supreme Court Justices to elude specific questions, it is not in the best interests of our country to elevate a cipher to the Supreme Court. We don't want the qualifications for Senate confirmation to be an ability of skillful evasion. The hearing process cannot accomplish what it is designed to if the nominee refuses to engage on matters of legal substance.

If anyone doubts that Judge Gorsuch does not have strong views, that he is not simply a caller of balls and strikes, a *tabula rasa*, just look at the way he was chosen. He was supported and pushed by the Heritage Foundation and the Federalist Society. Do they just call balls and strikes, or do those two groups have an avowed interest in moving the judiciary far to the right? He was supported by billionaires like Mr. Anschutz who have a similar desire. Does anyone think the Federalist Society would choose someone who just called balls and strikes when they have been dedicated for a generation to moving the courts to the right? They have not endorsed a moderate judge in their history. Again, they are dedicated to moving the court far away from the mainstream.

If anyone doubts that Judge Gorsuch would be an activist judge with strong conservative views eschewing the interests of average people, just look at how he was selected—by the Federalist Society, by the Heritage foundation, not by average American jurists.

TRUMP CARE

Mr. President, on another matter, TrumpCare, as we speak, the House Republican leadership is desperately trying to whip enough votes to pass their bill tomorrow, making sweetheart deals to sway recalcitrant Members.

It is funny that all the changes House Republicans have made this past week don't even attempt to address the real problems with the bill: that 24 million fewer Americans will have coverage and that premiums will go up. In fact, the changes they are making to TrumpCare are even more cruel than their existing bill in an attempt to win conservative votes. Still, many of them don't think it is cruel enough yet. In

their rush, they included language in their managers' amendment that would exclude 7 million or so veterans from the eligibility for tax credits in the bill—7 million veterans. That is what happens when you try to rush a complicated bill like this through.

When Democrats were in the majority and working through healthcare, we debated the bill over the course of a whole year. We had one of the longest committee hearings and amendment processes in recent memory. Still, even then, Republicans criticized us for trying to jam it through. "Read the bill," they would chant.

Now Republicans are trying to do in 2 weeks what we spent 1 year on because the time was required. My friend the distinguished majority leader says he hopes to have TrumpCare brought up and passed through the Senate by the end of next week—no committee process, potentially no CBO score.

I guess Senate Republicans are negotiating a substitute bill behind closed doors right now to meet that accelerated, speedy, and reckless timeline. When you are talking about a drastic reformation of our healthcare system, one-sixth of our economy, that is breathtakingly irresponsible and rankly hypocritical. When will Democrats get to view the substitute bill? Will there be a CBO score before both Republicans and Democrats have to vote on it in the Senate? We don't know. But rushing it through in this fashion, as the majority leader promised, is unwise and unfair to Democratic Senators and, far more importantly, to the American people. It is also a direct contradiction to how then-Minority Leader MCCONNELL spoke about health reform in 2009. Here is what he said: "We shouldn't try to do it in the dark, and whatever final bill is produced should be available to the American public and to members of the Senate for enough time to come to grips with it, and there should be and must be a CBO score."

Well, Leader MCCONNELL, what was good enough for us back in 2009 should be good enough for you today.

I certainly hope Leader MCCONNELL follows his own advice from 2009 now that he is majority leader.

My Republican friends like to claim this bill isn't the end of the story on healthcare. They claim they can pass a third prong later on down the road. Republicans in the Senate and the House should know this: There is no third prong. It is a fantasy.

Any legislation outside of reconciliation requires 60 votes, and Democrats will not help Republicans repeal and replace the Affordable Care Act today, tomorrow, or 6 months from now. This bill, TrumpCare, Republicans, is your one shot.

I think that is why House Republicans have tried to jam some extra policy changes onto their bill—like the

Medicaid work requirement and the restrictions on abortion—because they know they won't be able to later on, and they need more conservative votes to pass this bill tomorrow.

This approach has a serious problem. There is a serious question as to whether these changes are budgetary changes or policy changes. If they are policy changes, they will not meet the Senate's standards of reconciliation, known as the Byrd rule, and can be stricken from the bill.

Of particular vulnerability, my Republican colleagues, are provisions like the Medicaid work requirement and the restrictions on abortion. House Republicans should hear this before they vote: Those provisions that you might think help you vote yes on the bill may not survive. Factor that into your vote.

Ahead of the vote tomorrow, I just want to say to my Republican colleagues—and I have sympathy, although I don't agree. I vehemently disagree. I know you feel caught between a rock and a hard place, between the prospect of failing to fulfill a shrill and unthought-through campaign pledge and a bill that would badly hurt millions of Americans, particularly your voters.

I say to them: There is a way out. Drop your efforts to repeal the Affordable Care Act, and Democrats will work with you on serious proposals to improve the existing law. Drop TrumpCare. Come to us with some ideas on how to improve the ACA, and we will sit down with you and try to figure out what is best for our country. You can avoid this disaster of a bill called TrumpCare, which will result in higher costs, less care, and 24 million fewer Americans with health coverage. Turn back before it is too late.

I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from West Virginia.

Mr. MANCHIN. Mr. President, first of all, I agree with my friend wholeheartedly. We are asking for a repair. It doesn't make any sense at all to go down the path of repealing until we make an effort to make this better and protect the people who are depending on us. With that, let's see what happens. We are all willing to sit down and work on both sides of the aisle to help improve it.

OPIOID ABUSE CRISIS

Mr. MANCHIN. Mr. President, I rise today because of the crisis we have with the country's opiate addictions—prescription drugs—in the Presiding Officer's wonderful State of Alaska, the State of West Virginia, and every other State in the Union.

West Virginia has the highest drug overdose death rate in the Nation due to prescription drug abuse. Just in 2016, West Virginia reported 818 overdose deaths, which is 4 times the number

that occurred in 2001 and is a nearly 13-percent increase just from 2015, when it was about 607. More than 700 West Virginians died from an opioid overdose last year, and 42,000 people in West Virginia, including 4,000 youth, sought treatment for illegal drug use, but they failed to receive it. There is no place for them to go.

The Presiding Officer and I have spoken about this, and I appreciate his willingness and openness to look at how we cure that. I have a bill called the LifeBOAT Act, which the Presiding Officer has been so graciously looking at. It is something that I believe would give us the funding mechanism, and it won't be a hardship. It also gives exemptions for people who have chronic pain from cancer and all the chronic illnesses that are out there. Basically, the opiate drugs that are sold on a day-to-day basis by the millions and millions—it is a one-penny revenue source, one penny per milligram. That would give us the funding mechanism we need in order to continue to have expanded services for addiction.

I have been involved in public service for quite some time, and 20 years ago, I would have thought anybody who has fooled with drugs, whether legal prescription or illicit drugs—it would be a criminal act and they should go to jail for it. Well, we have put people in jail for consumption for the last 20 years, and it hasn't cured one. So I have come to the conclusion, basically, in looking and talking to the experts, after we have had two decades of evaluating this, that it is an illness, and an illness needs treatment. We don't have the treatment centers, so we are letting people go untreated, and that is basically sinful in this country.

There are 2.1 million Americans who abuse or are dependent on opioids—2.1 million. I think to get the scope of how bad the situation is, and this epidemic, when you think about how over 200,000 people have died since 2000—200,000—any other catastrophic cause of death in this country would be of pandemic proportions, and we would do whatever it costs in order to get the National Institutes of Health to find a cure. We would. But with this, we kind of sit back idly.

According to the CDC, three out of four new heroin users abused prescription opiates before moving to heroin. It is a segue for people to move right into tougher, stronger, powerful drugs.

Heroin use has more than doubled among young adults ages 18 to 25 in the past decade, and 45 percent of the people who used heroin were also addicted to prescription opiate painkillers. Between 2009 and 2013, only 22 percent of Americans suffering from opioid addiction participated in any form of addiction treatment.

Think about the enormity of this epidemic. The United States of America, our great country, makes up only

about 4.6 percent of the world's population; yet we consume 80 percent of all opiates produced and consumed in the world. How did it happen? The Presiding Officer and I grew up in a time when this wasn't prevalent, but how did it happen?

I will tell you one thing: We have to cure it. It is ravaging and destroying every part of this great country. We are taking so many productive people out of the workforce because they are addicted. If you talk to your police and law enforcement anywhere in this country, they will tell you that 80 to 90 percent of all of the calls they make in the form of justice are due to opiate or drug use. It is horrible what it is costing us in real time, in real dollars, in real people's lives.

There is another bill I have out there, too, and I call it last chance. It really deals with this. If we know we have a problem—we have people whom we don't have in the workforce because three things keep you out of the workforce: You are either addicted or convicted or lack of skills. You have an addiction; you have been convicted of a crime, so you have a record; or you have a lack of skills or a combination of the three.

I can tell you that the addiction and conviction usually go hand in hand. People who are addicted often have a larceny or maybe even a felony on their record, and it is so hard for them to get back into the workforce. If you get them in a treatment center, there is no carrot to say: Stick with this because you are going to be clean.

It takes a lot of fortitude for a person to stay with the program when they have such an addiction and a craving. But if they know that at the end of that 1 year in a treatment center, there is a chance for them to expunge their record if it wasn't a violent crime, if it wasn't a sexual crime—but it was probably grand larceny, because usually they will steal from their family, and then once the family gets tough with them, they will steal from any type of extended family, and then they will steal from the neighborhood or anywhere they can get the money to support their habit.

What my bill says is that after 1 year in a certified treatment program, they complete another year of mentoring, helping other people get off and stay off and maybe not start, then they are able to, with their sponsors—people who say: Yes, they have completed this program; yes, they have mentored for 1 year—they can go before the arresting officers and the sentencing judge to see if they can get that expunged to give them a clean start. It is the Clean Start Act. I call it last chance, but officially it is called the Clean Start Act. It is one way to get this workforce in America producing again because if not, the only thing they have waiting for them is a minimum wage job, and

the skill sets most of them have are going to go unused and unproductive. So these are things we are working on.

When you look at the misuse and abuse of opiates and what it costs our country, think about this. This was in 2013, the last figures I have—an estimated \$78.5 billion in lost productivity, medical costs, and criminal justice cost. In 2013, it cost our country \$78.5 billion. So we are paying for it. It is like “Pay me now or pay me later.” We are paying for it.

That one penny on every milligram of opiates that are produced and consumed in this country would raise about \$1.5 to \$2 billion a year. I would hope it would raise none, but it would raise that much because of the amount of consumption we have. We consume 80 percent of all of the world’s opiates. With that, we can start creating treatment centers and curing people.

For the past year, I have been coming to the Senate floor to read letters from West Virginians and those struggling all throughout our country with opioid abuse. They all mention how hard it is to get themselves or their loved ones into treatment. Sometimes it takes months, and sometimes it never happens. Most of the time, it never happens. This problem stems from a lack of a system to help those who are looking for help. We need permanent funding. We talked about that. That is why I introduced the LifeBOAT Act.

Today I am going to read a letter from a mother from West Virginia—she is no different from a mother from Alaska, I can assure you—who lost her daughter to drug abuse after she struggled to get her into treatment facilities she desperately needed. This is Leigh Ann Wilson’s story.

On behalf of the families who have lost their children to addiction, I ask that any health law reforms contain a serious effort to ensure effective addiction treatment for all who need it, whatever it takes.

Just yesterday, the Boston Globe published a special report about my daughter, Taylor Leigh Wilson.

Leigh Ann’s daughter is named Taylor Leigh Wilson.

My youngest child was one of West Virginia’s promising young people, a former Girl Scout, Cabell Midland High School graduate and Marshall student who wanted to turn her love of books into a career as a librarian. But drugs destroyed her life despite her willingness, and months of effort, to get treatment.

Taylor’s overdose was the first—

You have to listen to this because you are just not going to believe what happened in Huntington, WV, on this day.

Taylor’s overdose was the first of 28 that would be reported in Huntington in the span of five hours on Aug. 15, 2016. The horror of that afternoon made national news. Then the reporters left. Our nightmare, though, was just beginning.

Taylor and I would spend the next 41 days trying to get help. We drove door to door in

search of inpatient treatment beds to isolate her from the heroin world. All we found were waiting lists; out-of-state centers that wouldn’t take West Virginia Medicaid; and doctors who discouraged Taylor from inpatient treatment, saying she could do without it.

Then Taylor put her name on Prester’s waiting list for Suboxone, a drug proven to reduce withdrawal symptoms. No one told her how long she might have to wait. Though evidence suggests that the combination of counseling and prescription drugs to reduce cravings can be very effective, our lawmakers have restricted the availability of this medication.

On September 28, 2016, Prester Center called to inform me that Taylor had been accepted into the Suboxone program.

That was September 28, and, as I told you, this overdose happened on August 15.

On September 28, Prester Center called to inform me that Taylor had been accepted in the suboxone program. I had to tell her that she had overdosed and died 3 days before. The next February I got a call from Prester Pinecrest following up on Taylor’s application for recovery housing and to see if she was still interested.

Before she passed away, Taylor herself told the Boston Globe reporter that the real story that needs to be told is why there are no treatment beds when our state has a crisis epidemic.

Your State, my State—almost every State in America has this.

Why must it be so hard to get addiction treatment in a state with the nation’s highest drug death rate—818 deaths last year, most of them from [legal prescription drugs]?

Think about how this epidemic has gotten to this proportion. We have a drug that is put on the market by the FDA. This is an organization, a Federal agency, that is supposed to make sure that we have for consumption a safety net built into it. So the FDA gives their stamp of approval: This is a product that can be used, and it should be of help. Then it goes to the DEA to find out who is allowed to dispense it without any type of education or any type of work to make sure that there is competency in our doctors who are prescribing it—or I might say overprescribing it. Then it goes to the doctor, who is the most trusted person outside of our family, who says: This is going to help you. This is good for you. This is what we are talking about—what is killing West Virginians and Americans every day.

If you need heart surgery, you have insurance providers around the State that would compete for your care. That is what she is saying. There is someone there; for any other treatment or any other need for treatment of any illness, we can find help, but not for this.

This has been such a silent killer that I know—and my family included. Everyone I talk to—anybody I talk to knows somebody in their immediate family or extended family or a close family friend. All of our young interns here know the same. They know peo-

ple. But we keep it quiet; especially if it’s in our family, we keep quiet because it is embarrassing. We don’t want anybody to know that we have failed as a family structure. Something fell apart for this to happen. Why would someone have to turn to drugs when they have a loving, caring family? We just don’t understand, so we keep quiet about it.

It isn’t a Democrat or Republican or liberal or conservative cause. This is a killer that has no boundaries; it attacks everybody. That is what I am saying. When you see a mother who is doing everything she can to get her daughter somewhere just to save her life and can’t get her in—we are talking about this one penny: What is a one-penny tax, Joe? I can’t vote for any new taxes.

I am not asking you to vote for a tax. I am asking you to look any of your constituents in the eye and say: We have a program that is lifesaving for you or your family member. God forbid if you ever need it, but we have it.

We don’t hesitate to put taxes on cigarettes. We didn’t hesitate. Everybody voted for taxes on cigarettes. Everybody has voted for taxes on alcohol. I am asking for one penny—one penny to save thousands and thousands of lives in America. I guarantee that there will not be one person to vote against it—a Republican or Democrat who would not vote for something that is going to put permanent funding for treatment centers in the most needed areas in America and saves people’s lives.

There aren’t enough resources to accommodate the addiction problem in the heroin capital of the United States, Taylor [herself told] a reporter. If no one changes it this whole city will go under.

Let me tell you what this city of Huntington is doing right now. I met with them last week when I was home. They are going to have a center of excellence starting with Marshall University, the city of Huntington, Calvert County, and the entire organization. All the policymakers are working together because this is something they are fighting every day. This center of excellence is built around this. We know we have a problem. We have people overdosing. We are trying to save lives. We are trying to get them clean, and we are trying to get them back into the workforce.

The center of excellence is going to start at conception for a mother who may be using and conceives a child. How do we get her clean? How does she have a healthy baby versus a drug-addicted baby?

We have Lily’s Place down there, and what they are doing in neonatal care is unbelievable. They are trying to get this baby weaned off the addiction that the mother passed on in her pregnancy. Then we want to make sure that mother goes back home with the baby in a

clean home because, if not, the cycle will continue. This is what the center of excellence is going to do.

The success we think we are going to have, starting at ground zero in Huntington, WV, will be able to be shared all over the country because they are going to take a holistic approach. You just can't say: I am going to treat the addict. I am going to treat the cause. It goes further than that. These children are being born to a drug-infested mother and a father or a person who is paternal or into a family that is still drug-infested. It does nothing but perpetuate the cycle. This is what we have to stop if we want to save the country.

Here is what I tell children, and I will tell all of our young interns. I go to schools and talk every day. I tell them that there is not another country that will take on the United States of America militarily. No one compares with the greatest military that the world has ever known, that history has ever recorded, the United States of America. It is not going to happen. Nobody can take on this great economy of ours—the greatest economy in the world, \$19 trillion, almost \$20 trillion GDP. The closest economy we have next to us is China, with an economy that is about half of ours, \$10.5 to \$11 trillion. Then it drops off the scale with Japan and then Russia. Russia is at \$2.5 to \$3 trillion. No one compares to the United States of America for the economy and military might we have as a superpower—the only superpower left in the world, the United States of America. We are the hope of the world, the United States of America.

I tell them: They don't think they have to fight you. They don't have to take over our economy. They think we will give it to them. They think we will give it to them because we have a lack of skill sets. Our education attainment is not as high as what they are doing, and our addiction problem means we will not be clean enough to be able to perform. They will just sit back and wait because time is on their side. They can sit back and wait for us to turn it all over. And you might be the last generation that lives in our country as the only superpower, the United States of America. God, I hope that doesn't happen, but we have to fight this. We just can't continue to keep talking about it.

We have a good piece of legislation. Think about this: I introduced this bill a year ago—introduced it to honor Jessie Grubb and her mom and dad. Her dad served in the State legislature with me. We have been friends for a long time. Jessie was 30 years old. She was a promising young girl. She got sexually molested when she was in college. She came home, hid it from them, was depressed, got started on—they gave her some pain pills, some drug suppressants so she could cope with it. She got addicted. She overdosed a few times.

She was trying to cure—she was 30 years old. She had gone to Michigan. She was in treatment. She had been clean for 6 months. She was a runner, an athlete. She was doing her first marathon.

She had a hip injury, and she went to the hospital. When she went to the hospital, her mom and dad went up there. So here was the mom, the dad, and the girl; they went to admissions. She said: I want you all to know, I am so proud that I am a recovering addict, and I am 6 months clean. I want to make sure you all know that. The parents reiterated it.

She goes into this, and there are no laws—nothing. They ask her all different types of questions: Are you allergic to penicillin—whatever it may be? They make sure that her chart is marked right, so that another attending physician or another attending nurse or the night shift or whatever looks and sees that they can't do that because it says she is allergic to that or they shouldn't give her this because of her condition.

She goes in and she gets treated and she has an infection. They want to treat the infection, so they put a port in to treat the infection because that is how she would be treated with that.

The discharging physician did not know she was a recovering addict. He saw a healthy young lady with an injury and knew that she was going to have pain, so he prescribed her some pain medication. He prescribed her 50 OxyContin on the afternoon she was discharged, and she overdosed and died by 1 in the morning.

Jessie's Law basically says that if the guardian or parent and if the patient both come in and identify their problem and they want you to mark their charts accordingly, that should be done. Pretty simple, right?

Let me tell you what has happened. For 1 year it has been stalled because of HIPAA privacy laws. All this was going on; 1 year was up, and I called David. They had written me a letter that said: Do you think anything will ever happen?

So we went back again and started working on it. Here's what we did to change it. I said: David, we are going to have to take the parents or guardians off of it. If the patient themselves asks for that, freely and willingly asks for that, we think that will pass muster, and all the different interest groups out there that are so concerned will basically accept that.

So we have that piece of legislation called Jessie's Law. God forbid, if someone has a constituent or a loved one and it is not known, they can lose that child, just like that.

These are all things that we are dealing with after the effects of addiction. Huntington, WV, and Marshall University are going to take on an effort that I think is heroic: How do we start from

the beginning, conception, and make sure that child doesn't grow up to be an addict, make sure that family can get clean enough, and make sure they can be given the responsibility to care for that child so that they can grow up not in an addicted environment? That is what we are trying to do. We are at ground zero.

I am hopeful for this great country and this new generation that we are counting on that they can keep themselves clean and still continue to be the hope of the world, and they truly are.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NOMINATION OF NEIL GORSUCH

Mr. GARDNER. Mr. President, over the past several days, the American people have had a chance to participate in the Supreme Court nomination process by watching Judge Neil Gorsuch, judge of the Tenth Circuit Court of Appeals, based in Denver, take questions from the Judiciary Committee. For several days now, there have been hearings, with the Judiciary Committee's meeting 12 hours yesterday or so and, the day before, there being a number of speeches from every member of the Judiciary Committee. I and Senator BENNET, my colleague from Colorado, had the great privilege of introducing Judge Gorsuch on Monday to the Senate Judiciary Committee.

I think what people across the country are seeing in this confirmation process is a judge who has a keen grasp of the law, a judge who understands the limits of power that are placed on the judicial branch, understands the role of the executive branch, understands the role of the legislative branch, and how he as a judge is supposed to rule when it comes to checking that balance of power.

We also see, of course, after 12 hours of questioning—everything from the kind of temperament he has to the kinds of decisions he would make—that he is an even-tempered individual who would serve this country well. So I come to the floor again to talk about my support for Judge Gorsuch.

Eleven years ago, this Chamber unanimously confirmed Judge Gorsuch through a voice vote for his position in 2006 on the Tenth Circuit Court. Judge Gorsuch has been described as a "brilliant legal mind" by the Denver Post and both liberal and conservative attorneys in Denver. He is a mainstream jurist who has the right temperament and the right view of judging in order to be on the Supreme Court, according to the Denver Post.

Moreover, Judge Gorsuch is a faithful and ardent defender of our Constitution, a judge who has, time and again, shown a fidelity to the separation of powers and the limited role of government that was envisioned and prescribed by our Founders.

It is no wonder that Judge Gorsuch has always enjoyed overwhelming bipartisan support. In fact, 12 of our current Senate colleagues, including minority leader Senator SCHUMER and Senators LEAHY, FEINSTEIN, and DURBIN, all of whom are on the Judiciary Committee, were in office in 2006 when Judge Gorsuch was unanimously confirmed to the Tenth Circuit. None of them opposed his confirmation—none of them.

Perhaps the best question for them today would be: Do you regret that decision 11 years ago? Did you not do enough work to know the nominee then?

When Senator GRAHAM held his committee hearing 11 years ago—the confirmation process—no one else showed up. It was an empty dais. If you tuned in to watch C-SPAN on Monday or Tuesday, you saw a different level of participation from the Judiciary Committee. What a difference a court makes. So I hope this process is one that will be shown to be fair to the American people—this process of getting to know Judge Gorsuch's temperament and his legal philosophy, but not 1 of the 12 Democratic Members who are here today and who were here in 2006 voted against him in 2006.

The approval of Judge Gorsuch was also in addition to a few other colleagues who have since left. We were joined at that time—Judge Gorsuch was supported at that time by then-Senator Barack Obama, by then-Senator Joe Biden, by then-Senator Hillary Clinton, and, at that point, by Senator John Kerry, all of whom participated in the confirmation process of Judge Gorsuch 11 years ago and all of whom did not oppose his nomination on the floor of the U.S. Senate. It shouldn't come as a surprise, if you have been paying attention to the confirmation process, to watch a mainstream consensus pick for the Supreme Court answer questions. From when the hearings began—of course, just a couple days ago—I think, since then, we have seen overwhelming bipartisan support emerge publicly in the Senate, once again, and we will see that emerge over the next several weeks.

Several of our colleagues from across the aisle have already indicated they believe Judge Gorsuch deserves an up-or-down vote, and I hope that will continue. A fair shake in this process is what we are asking for. I wholeheartedly agree with my colleagues from across the aisle that he deserves a fair shake and an up-or-down vote. Let's give him that fair shake. Let's give him that up-or-down vote. Let's

make sure the process remains fair, and let's give it in a timely fashion.

Let's also give the American people a fair shake. Let's not forget that Judge Gorsuch is their choice for the Supreme Court. The American people rejected the previous administration's nominee and instead chose Judge Gorsuch. We should respect the will of the American people.

Today, I would also like to speak about Judge Gorsuch's jurisprudence on the separation of powers and the administrative state. Under the previous administration, I, like many Coloradans and many of my distinguished Senate colleagues, grew worried as we watched continued administrative overreach. We watched 8 years of continued administrative overreach, agency overreach, and a judiciary that was ill-suited, or not inclined, to push back on the executive branch's unconstitutional overreach.

As James Madison warned us in *Federalist* No. 47, "The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed or elective, may justly be pronounced the very definition of tyranny."

It is, therefore, James Madison concluded, that the separation of powers must be a "sacred maxim of free government."

That is what we are seeing in this debate over the confirmation of Judge Gorsuch. Through his writing, Judge Gorsuch undoubtedly recognizes this sacred maxim of free government. The questions he is receiving and the answers he is giving talk about that sacred maxim of free government.

His body of work indicates, one, an understanding that there are clear constitutional limits to administrative agency power; two, it also demonstrates and illustrates a willingness to ensure agencies do not exceed their statutory authority; three, a genuine concern for the due process of regulated parties, which rightly requires these parties to receive clear notice on the scope of the regulations they must follow; and, four, a recognition that there are constitutional limits on the lawmaking responsibilities that Congress can delegate to the executive branch.

Remember, going back to the founding of our country and the arguments that took place over the type of government we should have, this Nation started first with the Articles of Confederation and this loose collection of States—States that were able to print their own money, States that were able to raise their own militia because they feared the power of tyranny; they feared the power of centralized government that the British monarch represented, but that loose Confederation wasn't working so our Founders realized they had to go back to the drawing

board to come up with something different.

So in the late 1700s—1787, 1788—we saw this great debate break out published across the pages of papers in New York and throughout the country as the anti-Federalists and the Federalists began debating what kind of a government we should have. We had to recognize that too much government was a bad thing, but we also recognized that when we were too loose with that government, then it wouldn't function either.

So James Madison and others who had gotten together recognized that we should put forward a different type of government, and they did so in the Constitution, but they did it amongst guidance by people like James Madison and *Federalist* No. 47. They did so understanding that one branch of our government wouldn't gain an unfair advantage over another branch of the government.

As the years since that debate in 1789 took place, we have seen that there has been a mission creep, so to speak; that there has been a branch overreach, as the executive branch has grown in power at the expense of the legislative branch. I wish I could say that was all the fault of the executive branch, but it certainly hasn't been. At times, the legislative branch has yielded too much power and too much authority. Instead of doing its job, the legislative branch has given that authority to the executive branch. Of course, the executive branch hasn't just pushed it away, saying: No, don't do that. They have taken it. Both Republicans and Democrats, over the past several years, have done exactly that, but it has hurt our balance of powers, and it has hurt that very idea enshrined in *Federalist* No. 47; that we have to make sure the same hands don't hold all the power of government, leading to that maxim of free government.

So a judge who understands and who will rule that there are clear constitutional limits to administrative agency power is an important philosophy. It is an important approach that a judge would have. A judge who is showing a willingness to ensure that agencies don't exceed their statutory authority—we need that in our Nation's Court. We need that on our Nation's High Court to restore the balance of power. We need someone with a genuine concern for due process, someone who recognizes that there are constitutional limits on lawmaking responsibilities that Congress can delegate to the executive branch. That is why it is important we talk about the views of Judge Gorsuch and the questions he is being asked because his views are rooted in the Constitution—very mainstream rules that are rooted in the Constitution, mainstream views that should ease any concerns our colleagues on the other side of the aisle may have about Judge Gorsuch.

As Judge Gorsuch explained in his famous concurring opinion on the deference given to administrative agencies interpretations, the so-called Chevron doctrine, he said:

We managed to live with the administrative state before Chevron. We could do it again. Put simply, it seems to me that in a world without Chevron very little would change—except perhaps the most important things.

That maxim of free government, that balance of power, the separation of powers, the limits on the administrative agency powers, it is something that I think we have to focus more time on, to restore the role we are supposed to play. We need to restore the role we are not just supposed to play but the role we are mandated by the Constitution to fulfill.

For these reasons, and many others I have shared on the floor, I look forward to working with my distinguished Democratic colleagues to make sure Judge Gorsuch gets that fair shake and that timely up-or-down vote and I certainly hope the bipartisan support he deserves.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Ms. WARREN. Madam President, during his campaign, President Trump talked a big game about standing up for workers and creating good, high-paying jobs, but so far, the Republicans haven't voted on a single piece of legislation to create jobs, to grow our economy, or to increase wages for middle-class families—not one single piece, no votes to create jobs, grow the economy, or increase wages for middle-class families—but they have been voting.

Two weeks ago, Senate Republicans voted along party lines, 49 to 48, to make it easier for companies that get big-time, taxpayer-funded government contracts to steal wages from their employees. They also made it easier for those companies to injure their workers without admitting liability. Today, we are voting to make it easier for employers in the most dangerous industries to hide the most serious injuries and illnesses their workers suffer on the job.

This isn't some burdensome new regulation. Large employers in the most dangerous industries have been required to record serious illnesses and injuries their employees suffer on the job since 1972, a few years after the Occupational Health and Safety Act was first passed in 1970.

The rule Republicans are trying to overturn today simply clarifies an em-

ployer's obligation to maintain accurate, up-to-date records on workplace illnesses and injuries for 5 years. The Occupational Safety and Health Administration—or OSHA, as most of us call it—at the Labor Department has been enforcing this requirement in every administration since 1972, Democratic and Republican. OSHA uses these data to determine how best to prioritize workplace inspections. Since OSHA resources are so scarce, they have only enough money to inspect each workplace once every 140 years. So they kind of pick and choose where to focus these days to make sure they are targeting their inspections at industries and in occupations where workers are at the highest risk of injury. The Department also uses these reports to publish yearly statistics on the workplace hazards that kill 4,800 people and injure another 3 million people—American workers hurt and killed every year.

Data show employers already vastly underreport workplace injuries and illnesses, and without this rule, underreporting will skyrocket. It will get harder for OSHA to hold employers accountable when they cut corners and endanger worker safety.

Today's vote is great news for the Republicans who will rake in campaign contributions from their buddies at the Chamber of Commerce. It is great news for giant corporations that are lobbying hard against this rule, but it is not great news for hard-working Americans. The people did not send us to Washington to work for companies that plump up their profits by skirting safety regulations.

The problem? This is just the beginning. Last week, President Trump proposed cutting the Department of Labor's budget by more than 20 percent. These cuts will take cops off the beat and send a clear signal to employers that they can cut corners on safety with impunity.

President Trump also proposed eliminating a 1970 program at OSHA that gives grants to nonprofits and community organizations that provide free training for workers on how to identify and prevent job hazards that could injure or kill them. These programs work, and now President Trump wants to cut them. That would mean the end of successful worker training programs like the Brazilian Worker Center's program in Allston, MA, that provides residential construction workers with life-saving fall protection training. It also would cut funding for a Massachusetts Coalition on Occupational Health and Safety program in Dorchester that gives teens working in the retail sector training on how to prevent workplace violence, including sexual assault. Please note how important this is—200,000 young workers are the victims of workplace sexual assault every single year. This is a training program

that was so successful that since it has been implemented, it has been replicated now nationwide. Yet the Trump administration wants to defund it.

Just yesterday, the Trump administration finalized a 60-day delay of a rule to protect 60,000 workers who are exposed to lethal, cancer-causing beryllium at work. This regulation saves about 100 lives every single year. Because the beryllium standards haven't been updated in 40 years, tens of thousands of workers are putting their lives at risk every single day. Americans who are exposed to beryllium on the job shouldn't have to wait another 60 days before they can get some protection so their jobs will not cause them lung cancer.

The pattern emerging is pretty clear. Republicans have no plans to improve the lives of American workers. Quite the opposite. Republicans are increasing the odds that workers will be injured or even killed.

When I came to the Senate floor 2 weeks ago to speak out against the repeal of the Fair Pay and Safe Workplaces Act, I said the debate on this vote was about whom Congress works for. Today's debate is no different. The Republicans are working for giant employers that don't want to follow the basic rules to keep their employees safe. This is shameful. This Congress should be working for the Americans who work for a living and just want to be able to do that without putting their lives at risk.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

OPIOD EPIDEMIC

Mr. NELSON. Madam President, there has been a lot of conversation from so many of our fellow Senators about the opioid crisis that has been devastating individuals and families across the country. We heard this particularly in New Hampshire as it was a topic of discussion last fall during the election. It was an opportunity to bring to the Nation's attention—because of the eyes being focused first on the New Hampshire primary—of a real opioid crisis.

What we also then discussed was that it was not just affecting a few States, it was affecting most of the States. That is the case with my State of Florida. Addiction to opioids has reached staggering levels, and the situation is only getting worse. In 2015, more than 33,000 Americans died from prescription opioid overdoses. That is 15 percent more people than had died just the previous year. I don't have the figures for last year, 2016.

So Florida is right there in that national trend. What Florida saw between 2014 and 2015 was a 22.7-percent increase. It is staggering because in that year, Florida suffered over 2,000 deaths from opioid overdoses. Earlier this month, our office interviewed a woman from Florida for yesterday's Committee on Aging's hearing.

She is caring for her 7-year-old grandson because his mother lost custody, was later incarcerated due to her drug addiction. Sadly, this story is all too familiar. The number of grandparents serving as the primary caretakers for their grandchildren is increasing, as was the case with the lady from Florida who testified at the Committee on Aging hearing this week. They are primary caretakers for their grandchildren. It is, in large part, because of the opioid epidemic.

In addition to the devastating loss of life and the challenges for the new caregivers, opioid abuse is straining local and State budgets. Just last month, the vice mayor of Palm Beach County sent a letter to the Governor urging him to declare a public health emergency in Florida citing the loss of life and financial impact—in this case to Palm Beach County.

Yesterday, several of my colleagues and I sent a letter to the majority leader of the Senate highlighting some of our concerns with the House of Representatives' healthcare bill that I call TrumpCare and how it is going to impact those with substance abuse disorders because one of the things we are most concerned about is how the proposed changes in Medicaid that they are going to vote on at the other end of the hall—right down here tomorrow, they are going to vote on the House of Representatives' healthcare TrumpCare bill.

The changes they make to Medicaid would prevent States from being able to respond to the opioid crisis because Medicaid plays a critical role in the fight against opioids, but changing the Medicaid Program to a block grant or a cap is going to shift costs to the States. The States are not going to pick up that additional cost. It is going to eliminate also some of the Federal protections, and it is only going to hurt our people who rely on Medicaid to help them as we are combating this opioid crisis because with less Federal funding, how are States like mine going to provide the necessary services to help individuals with substance abuse disorders?

Congress ought to be doing more to help with this crisis, not less. How many times have you heard a Senator, like this Senator, come to the floor and talk about the opioid epidemic? Yet we are just about to do it to ourselves if we pass this TrumpCare bill. Remember, last year, while so many of us, including this Senator, were early supporters of the Comprehensive Addic-

tion and Recovery Act of 2016—it was signed into law last year. The law takes a comprehensive approach to this opioid problem.

A few months ago, a lot of us, including this Senator, voted to provide additional funding to start implementing this crucial new law to fight opioid addiction. Despite this progress, the House tomorrow—probably, tomorrow night—is about to pass legislation that would completely undermine last year's bipartisan efforts to respond to the epidemic and to undercut healthcare for millions of people in this country.

Opioid abuse is a deadly, serious problem, and we cannot ignore it. We should be investing more resources into helping these people and their families, not cutting them at the time we need them the most.

Again, I make a plea. We made progress last year with the law. We passed the new law. We made progress, giving some additional funding. The crisis hasn't gone away. We still need to respond.

But at the very same time, what we see happening to the Medicaid Program—eliminating Medicaid as we know it, healthcare for the people who are the least fortunate among us—is that we are about to cut back on all that progress we have made on this opioid crisis. I hope that we will think better of this and not do it to ourselves.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. BROWN. Madam President, one thing has become clear in this country: Hard work just doesn't pay off like it used to. Over the last 40 years, GDP has gone up, corporate profits have gone up, and executive salaries have gone up all because of the productivity of American workers, but companies are not investing in their workers the way they did. Workers don't feel like institutions—whether it is government or big companies—work for them.

Again, GDP goes up, corporate profits go up, executive salaries go up, worker productivity goes up, but workers' wages do not. Actions like this today are the reason. Congress is voting to allow employers in our most dangerous industries to hide injuries to workers and to skirt worker protection laws.

This Occupational Safety and Health Administration, or OSHA, rule simply makes clear that it is the employer's responsibility to maintain accurate records of serious injuries that happen

on the job. The rule simply makes clear that it is the employer's responsibility to maintain accurate records of serious injuries that happen on the job.

It doesn't impose new costs. It doesn't affect small business. What it does is it holds companies accountable for maintaining their own records, as they have done for 40 years. These records are the most important tool we have to identify and root out the most dangerous workplace hazards. They are the basis for national statistics on workplace health and safety.

Two former Commissioners from the Bureau of Labor Statistics—one from the George Bush administration and one from the Barack Obama administration—have written to this body, warning us that killing this rule could undermine nearly a half century of worker safety information.

So a leading Republican and a leading Democrat have both written to this body saying: Don't do this; it will mean more workplace injuries.

I know people around here who have these kinds of jobs—where workplace injuries rarely are even a fact of life—may not think about this enough. Pope Francis exhorted his parish priests to go out and smell like the flock. People in this body need to go out and talk to workers more. Go to union halls, go to workplaces, listen to what workers are saying, listen to what union members are saying, and listen to what non-union members are saying about what these workplace safety rules mean.

Worse yet, this vote today will allow employers to falsify their safety records with impunity. Companies can avoid OSHA rules and inspections by underreporting—underreporting—harm to their workers, and they can avoid making a real investment to make their workplaces safer.

Over the past three decades, some of the worst offenders with dangerous workplaces hid injuries and kept fraudulent records. They hid injuries, and they kept fraudulent records. They claimed they were safe, while workers were being hurt on the job.

These requirements only apply to the most dangerous industries—industries where proper safety precautions could mean the difference between life and death or a permanent disability for these workers. We are talking about fall hazards, dangerous machines without proper guarding, workers handling dangerous chemicals without adequate washing stations.

Look at the poultry processing industry. These workers face serious health and safety problems. In many plants, workers process 140 chickens a minute, and they are at risk for disabling injuries.

Maybe people around here don't think much about people processing chickens. It is not a job that pays well. It is a job that is difficult. Frankly, people in this body don't know people

who do those jobs, by and large. They are handling 140 chickens a minute. They are at risk for disabling injuries.

We eat the chickens, but we don't see what happens when they are processed, and we are not paying attention to that. That is why it is so important we not vote for this rule change.

Too many employers fail to report these injuries. If OSHA isn't empowered to enforce recordkeeping, processing plants will be able to hide their safety violations and expose their workers to crippling injuries.

This CRA vote today is about workers' safety, period. Workers' safety is something so fundamental that it is hard to believe we are arguing about it.

In the United States of America in 2017, companies shouldn't be able to put workers' lives and safety at risk just so they can make more money. They shouldn't be able to put their workers' lives and safety at risk just to make more money, and we shouldn't be part of that effort to help those companies do that.

To my colleagues who are prepared to gut this rule, I ask: Would you be willing to work these jobs? Would my fellow Senators be willing to send their children to work in these dangerous industries while turning a blind eye to safety rules?

I think we know what the answers to those questions are. This is why Americans are losing their faith in our institutions.

Earlier this month, at the Glenn School in Columbus—which is named after my good friend, the late Senator John Glenn—I rolled out a plan to reinvest in the American worker, but instead of coming together to work on solutions, the Senate today is going in the wrong direction. We are debating a measure to give big corporations—which in many cases are more profitable than they have ever been—more ways to exploit American workers, more ways to evade the consequences, and more ways to pad their profits at the expense of everyday Americans.

American workers aren't just a cost to be minimized. Protections for workers' safety aren't a luxury you can cut. It is disgraceful that this body fails to understand this.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

WE THE PEOPLE

Mr. MERKLEY. Mr. President, the most important words in our Constitution are the first three words, "We the People." With those words, our Founding Fathers laid out the vision, the

principles, and the foundation for our new Nation's government. It would be, as President Lincoln so eloquently described, "a government of the people, by the people, and for the people." It would not be a government by and for the privileged. It would not be a government by and for the powerful. It would not be a government by and for the elite, and it certainly would not be an authoritarian government.

I believe it is more important than ever for us to recommit ourselves to that vision, a vision of a nation that measures successes, not at the boardroom table but at the kitchen tables of hard-working Americans across this land, the vision of a nation that derives its power and authority from the people.

In order to do that, we must resist President Trump's dangerous tilt toward authoritarianism. Throughout his candidacy and now within the walls of the White House, President Trump has viciously and repeatedly attacked the media. He has inflamed people's anger toward immigrants, toward religious minorities, toward refugees, and he has undermined or attacked individuals who publicly stand up to him and the shortcomings of his policies. These are four strategies used by authoritarian leaders from time immemorial to consolidate power. These are strategies that are incompatible with our constitutional "we the people" construction of government, and we must call out and resist these strategies.

President Trump's authoritarian leanings were there from the beginning. Like many figures throughout history, he rode into office as much on a cult personality as on the merits of his policies. It started with the nicknames and the unrestrained insults, calling opponents crooked and lyin' and phony, calling critics dumb as a rock, incompetent, crazy, or dishonest. He escalated the calls to toss out or hurt protesters at his rallies. At one point, he promised to pay the legal bills of a man arrested for punching a protester at a rally in North Carolina. Then there were the "lock her up" chants that he repeated himself, calling for imprisoning a political opponent. Threatening to throw your opponent in jail if you win is a strategy usually seen only with dictators.

Mr. Trump himself best summed up his populist cult personality when he said at one campaign event: "I could stand in the middle of Fifth Avenue and shoot somebody, and I wouldn't lose any voters, OK?" The scary thought is that he was probably not so far off the mark. This aggressive and unswerving loyalty is a challenge to our "we the people" democracy.

Let's take a look at Senior White House Policy Adviser Stephen Miller's declaration on Face the Nation last month. He said: "Our opponents, the media, and the whole world will soon

see as we begin to take further actions, that the powers of the President to protect our country are very substantial and will not be questioned."

That is an interesting statement to make: The President's powers will not be questioned. What a bold, un-American, authoritarian statement to make because here in America, our Nation, our national government, is premised on the concept that we can challenge our leaders. It is not only a privilege, it is a responsibility. Yet Mr. Trump has repeatedly attacked this fundamental American principle and those who exercise it.

Take, for instance, his attack on freedom of the press. Demosthenes, an ancient Greek statesman, orator, and legal scholar of the third century B.C. once said: "There is one safeguard known generally to the wise, which is an advantage and security to all, but especially to democracies as against despots—suspicion."

What Demosthenes was saying is that in a democracy we don't take the statements of our political leaders simply at face value. We test those statements against the facts to find our way to the truth. In the United States, a free and open press is how we exercise that suspicion and find our way to the truth.

Thomas Jefferson believed that. He said: "Our liberty depends on the freedom of the press." Our liberty depends upon the freedom of the press.

Benjamin Franklin echoed that belief when he said: "Freedom of speech is ever the Symptom as well as the Effect of a good Government."

John Adams wrote: "The liberty of the press is essential to the security of the state." It is so essential, in fact, that the Founding Fathers enshrined our commitment to a free and open press to the very First Amendment to the Constitution, that "Congress shall make no law . . . abridging the freedom of speech, or of the press." Yet what we have seen time and again from President Trump is an endless attack against the fourth estate, against the press. He said: "The media is very unfair. They're very biased." He complained on FOX News last August.

He attacked the New York Times in that same interview, not for the first or last time, saying: "You look at The New York Times, I mean the fail—I call it 'The Failing New York Times.'"

Apparently any news story critical of the President is now "fake news." He tweeted in February: "Any negative polls are fake news."

And when asked about leaks from the intelligence community during last month's press conference in the East Room, he said: "The leaks are absolutely real. The news is fake because so much of the news is fake."

His staff has gotten into the action, too, pushing at one point the Orwellian term, "alternative facts." During an

interview on NBC's Meet the Press, Kellyanne Conway said: "Sean Spicer, our press secretary, gave alternative facts," and, in the administration, "we feel compelled to go out and clear the air and put alternative facts out there."

The White House has taken their fight with the media so far as to block access to outlets they disagree with, banning outlets such as CNN, POLITICO, the New York Times, and Los Angeles Times from an off-camera press briefing last month.

But of all of President Trump's relentless attacks against the media, the most disturbing to me was when he tweeted in February: "The FAKE NEWS media (failing @nytimes, @NBCNews, @ABC, @CBS, @CNN) is not my enemy, it is the enemy of the American People!"

President Trump, I have a message for you: A free and open press is not the enemy of the American people. A free and open press is the salvation of our democratic Republic. It is an essential warrior in our Republic against fake news, charlatans, and those who would use fake news and attacks on the press to advance authoritarian government.

I thought my colleague from Arizona, Senator MCCAIN, made a very apt analysis when he said that suppressing free speech is how dictators "get started . . . when you look at history, the first thing that dictators do is shut down the press." Senator MCCAIN went on to say: "If you want to preserve democracy as we know it, you have to have a free and many times adversarial press."

So this is a major concern, this attack on the media, and particularly an attack on news organizations that work to vet their reporting before they share it with the American people. In other words, we are in the ironic situation that the very groups under attack by President Trump are the groups that work hardest to get true facts, actual facts, vetted facts, carefully fact-checked information to the American people. That is the foundation for a national dialogue: carefully vetted information so that we know when we read it, it is reliable. That is the type of news we need more of in this Nation.

Mr. Trump's authoritarian tactics aren't just limited to his war on the media. His second approach is to attack and scapegoat immigrants, religious minorities, and refugees ever since he stood in the lobby of Trump Tower and said:

When Mexico sends its people, they're not sending their best. . . . They're bringing drugs. They're bringing crime. They're rapists.

Since then President Trump has made it his mission to turn the American people against Mexican immigrants, to make them the enemy. He has talked about the "bad hombres"

flooding across our southern border, stealing our jobs, committing crimes, and murdering American citizens. In his mind, the people coming from Mexico are all dangerous, violent cartel members transporting an endless supply of drugs across our country in order to ruin America. But this storyline is completely at odds with the facts. First, drug cartels do not ship their products into our country through the backpacks of immigrants.

Recently I traveled with a congressional delegation to the U.S.-Mexico border to examine this issue. The experts on the border told our delegation that drugs come into the United States through freight, in trucks, and through tunnels—not through backpacks. What this means is that a proposal to build a wall, whether it is 20 feet high or 30 feet high, will be absolutely useless in diminishing the flow of drugs into our country.

I will tell you what else they told us. They said that an end zone defense does not work against drugs. If you want to stop the flow of drugs, you have to work carefully with regard to everything from the moment they are being manufactured or shipped into Mexico until they migrate north. That means you have to work in close cooperation with the security agencies of Mexico, with the police, and with the intelligence agencies of Mexico. That cooperation requires a very close coordination between respected partners, and disrespecting the partners of Mexico is the best way to damage the ability to intercept drugs that are coming into the United States.

We also know that the underlying premise of there being a flood of Mexican immigrants coming into our country is false. A 2015 study from the Pew Research Center found that between 2009 and 2014, there was a net outflow of 140,000 Mexican immigrants from the United States. They were migrating from the United States to Mexico, a net outflow. A more recent Pew Study determined that the number of undocumented Mexican immigrants in America has declined by more than 1 million since 2007. If you take the span during the Obama administration, there was an outflow, not an inflow—the exact opposite of the story line the President is presenting.

What about those violent crimes being committed by undocumented criminals? The data does not support the President. In fact, the New York Times reported that "several studies, over many years, have concluded that immigrants are less likely to commit crimes than people born in the United States." Between 1980 and 2010, among men aged 18 to 49, immigrants were one-half to one-fifth as likely to be incarcerated as those born in the United States.

When you look closer, the attacks on immigrants fall apart, as I have point-

ed out, but that is what authoritarian leaders do. They create a false enemy, and they use the perception of that enemy to generate hate and fear. They use that hate and fear to consolidate power. It is our responsibility as citizens, as the press in the United States, and as legislators to resist this authoritarian strategy of President Trump.

Another of his strategies is to attack religious minorities in our country and abroad. Take for instance his pledge on the campaign trail for a "total and complete" shutdown on Muslims entering the United States. As we know, Mr. Trump followed up on this approach after the election by asking Rudy Giuliani to help fashion a legal Muslim ban.

During a FOX News interview, Mr. Giuliani said:

Trump called me up. He said, Put a commission together. Show me the right way to do it legally.

To attempt to meet constitutional muster, Trump aimed his ban at immigrants from seven Muslim-majority nations.

Rudy Giuliani went on to say in that same FOX News interview:

What we did was we focused on, instead of religion, danger—the areas of the world that create danger for us, which is a factual basis, not a religious basis. Perfectly legal, perfectly sensible. And that's what the ban is based on.

But, as William Banks, the director of the Institute for National Security and Counterterrorism at Syracuse University, observed, "Since 9/11, no one has been killed in this country in a terrorist attack by anyone who emigrated from any of the seven countries."

The President's own Department of Homeland Security recently reported that citizens from the countries listed in the Muslim ban are "rarely implicated in U.S.-based terrorism." In fact, the report concluded that individuals who died in the pursuit of or who were convicted of terrorism were far more likely to be U.S.-born citizens than to be immigrants.

Here is the great irony and the tragedy of President Trump's effort to demonize Muslims: Instead of protecting the United States, he is damaging the security of the United States. His attacks feed perfectly into and therefore strengthen ISIS's recruiting strategy of claiming that the United States is at war with Islam. Video of his speeches and public statements, especially Trump's call for a Muslim ban, has already been featured in ISIS's recruiting tools. In addition, it weakens the Muslim leaders we are seeking to partner with in taking on ISIS. It undermines those leaders' support from their own countries in their cooperating with the United States.

Trump's strategy does double damage to American security, and I wish his impact against religious minorities stopped there. I wish it stopped long

before there because it is incompatible with the fundamental premise, the fundamental values of the United States of America, which is religious freedom. Yet, throughout the course of his campaign, he gave voice time and again to the views and opinions of White nationalists and anti-Semites. He did not directly attack the Jewish community, but his White nationalist rhetoric and actions have had the effect of doing it indirectly. When he needs news or information, he turns to the White nationalist Breitbart News—a fake news source which has infamously attacked American Jews with stories like “Bill Kristol: Republican spoiler, renegade Jew” and another one that attacked Anne Applebaum of the Washington Post, which read: “Hell hath no fury like a Polish, Jewish, American elitist scorned.”

But President Trump does not just tap into the Breitbart White nationalist themes; he brought the former executive chair of Breitbart, Steve Bannon, into the White House as his chief strategist and then appointed him to the Principals Committee of the National Security Council. This individual has no business being anywhere near the Capital of the United States and certainly not on the Principals Committee of the National Security Council. Bannon is a man who has not only been embraced by White supremacists for his views, but according to testimony from his ex-wife, he has said he does not want his children going to school with Jewish kids and had once asked a school administrator why there were so many Hanukkah books in the library.

If you think this theme has not had a real effect on our country, you are wrong. When Donald Trump was elected, the KKK and other White nationalist groups celebrated. They felt free to come out of the shadows. They felt bold enough to hold an annual White nationalist conference right here in Washington, DC, at the Ronald Reagan Building, steps from the White House, because they finally felt like they had one of their own in the Oval Office.

These nationalist groups are so emboldened that we have seen more than 100 bomb threats called in to Jewish community centers around the country since January. We have witnessed the desecration of Jewish headstones in cemeteries in St. Louis and in Philadelphia.

Last month the President, speaking to a roomful of State attorneys general, said he condemned these threats. I applaud him for condemning them. But then he turned around and said: “You have to be careful, because the reverse could be true.” What did he mean by that? Commentators have suggested that the President meant by “the reverse could be true” that the bomb threats, the Swastika graffiti, and the desecration of Jewish burial

sites might actually be the work of Jewish Americans to generate criticism of President Trump. There is no evidence of that, and I certainly do not believe it to be true. What I do believe is that a “blame the victim” tactic is reprehensible and in itself an anti-Semitic strategy.

The President has also dedicated a significant amount of time to trying to make the country fear refugees, to demonize refugees. Many of us grew up in a world in which Lady Liberty’s words of “give us your tired, your poor, your huddled masses yearning to breathe free” stirred our hearts because, unless you are 100 percent Native American, you are tied in through your parents, your grandparents, your great-grandparents, your ancestors. You are tied to those who immigrated to the United States, who came here, often fleeing persecution, often fleeing famine. This Nation gave them a place to stand and in which to build a new life and thrive and hand down a better, stronger nation to their children. That is a property of our history. That is a value deeply rooted in our hearts.

The President, instead, has dedicated his energy to attacking refugees, those, like our ancestors, who came here, fleeing persecution and fleeing famine, especially Syrian refugees, who are fleeing for their lives in search of a safe haven. He has falsely claimed they represent a “great Trojan horse” that threatens the safety of Americans. Mr. Trump says these victims of war have to be subjected to extreme vetting because we have no idea who these people are or where they come from. The fact is that we do know who they are. We know exactly where they come from because before they can come here as refugees, they already go through extreme vetting. It takes 18 months to 2 years of vetting, on average, before refugees are given tickets to come to the United States of America, and if at any point during that 18 to 24 months something does not add up, they do not get the tickets.

Now, if ISIS or another terrorist organization wants to get people who are dangerous into our country, they do not go through an 18- or a 24-month vetting process. No. They come on tourist visas or student visas or business visas. Going through the refugee process would be the worst possible way to do it.

As an analysis by the Migration Policy Institute reminded us in October of 2015, of the 784,000 refugees who have been resettled in our country since September 11, 2001, 3 have been arrested for planning terrorist activities. None of them got past the planning phase, and only one of those three was talking about potential attacks here in the United States. The others were talking about sending money and weapons to al-Qaida. In other words, no one has been injured by those 784,000 refugees.

These are just some of the pieces of the President’s authoritarian strategy to demonize groups, to create hate, to create fear, and to try to consolidate power. As a result of his activities, we have seen waves of hate crimes and violence and bigotry sweep across our Nation.

Latino and Latina students in our schools and in our classrooms have been forced to confront classmates’ bullying and taunts, chants of “build the wall” and “go back to your country,” and graffiti sprayed on walls to “build the wall higher.”

We have heard reports of verbal and physical attacks against people of the Muslim faith.

A woman at San Jose University lost her balance and choked when a man attempted to rip off her head scarf.

A Muslim student at the University of Illinois Urbana-Champaign campus reported having a knife pulled on her.

A Muslim teacher in Georgia found left on her desk a note that read that a head scarf is not allowed anymore and that she should hang herself with it.

Within the last 8 weeks, four mosques around the country have been burned to the ground.

Just recently, a man in Kansas went into a bar, hurled ethnic slurs at two Indian engineers, and shot them, killing one and seriously injuring the other.

As I mentioned earlier, since January, there have been more than 100 bomb threats against Jewish community centers.

Throughout history, we have seen this tactic used by an executive here, an executive there, by a dictator here, a dictator there, in country after country, to characterize minority communities as a threat to be feared in order to make the body politic afraid, to make them angry, and to make them willing to support authoritarian exercise of power.

What is our job? It is our job to expose this strategy, to call attention to this strategy, to address the myths that are used to instill fear and the falsehoods that are used to instill hatred. It is our job to oppose this authoritarian game plan in every way possible.

The third leg of President Trump’s authoritarian attacks are ones that go against public opposition to him and attack the protests of the people of the United States. What was the President’s response after millions of people in cities all around the country—and all around the world, for that matter—joined the women’s march to stand up for the fundamental values of peace, tolerance, and equality? His response was a rebuke and a dismissal. He tweeted:

Watched protests yesterday but was under the impression that we just had an election! Why didn’t these people vote?

Well, President Trump, they did vote, and they all voted overwhelmingly for your opponent, by a 3 million-vote margin.

We saw similarly disparaging responses from Republican lawmakers like the Facebook post from a State Senator in Mississippi who said:

So a group of unhappy liberal women marched in Washington, D.C. We shouldn't be surprised; almost all liberal women are unhappy.

After countless citizens around the country began showing up at townhall meetings to make their voices heard, what was his response? He dismissed these engaged citizens as "so-called angry crowds," and then he tweeted: "Professional anarchists, thugs and paid protesters are proving the point of the millions of people who voted to make America great again!"

I have held a lot of townhalls since January, many of them filled beyond capacity with regular citizens who are deeply distressed by what they are seeing in our country. At one townhall, more than 3,500 people showed up. We had so many people that the hundreds of folks who couldn't get in had to stand outside the building in the cold, listening. We took a speaker and put it in the window so those outside could hear, and they watched through the windows.

This is "we the people" government. This is American citizens saying: Your strategy, President Trump, is not OK. Your strategy to divide us into factions in America and to pit one faction against another, to demonize groups, to incite hate is just wrong.

I find it truly disheartening to see the President attacking citizens exercising their voice, which is often the most basic civic duty.

President Jefferson said there is a mother principle for our government, and the mother principle is that the actions of the government will only reflect the will of the people if each and every citizen has an equal voice. We know, in the modern day of campaign financing, some citizens and, indeed, often some noncitizens—that is, massive rich corporations—have a very loud voice compared to the average citizen. So citizens, to compensate, are saying: We are going to show up. We are going to take our time and our energy and we are going to join together and we are going to send a lot of emails to Capitol Hill, a lot of letters to Capitol Hill, but we are also going to show up in the parks and the streets to march in order to say this strategy, this authoritarian strategy, or this strategy to take away healthcare from millions of Americans is absolutely unacceptable. And the President somehow is living in a fantasy world where he thinks they are paid? I don't think so. I don't think this last weekend, when 800 people showed up at Redmond, OR, to my townhall, that a single one of them was paid—not a single one.

When we look across the country and we see the 7-year-old who wanted to be at a townhall because he doesn't want us to cut funding for PBS in order to build a wall, he wasn't paid, or the Muslim immigrant who risked his life for our Nation in Afghanistan as a military interpreter and now wants to know "Who is going to save me here," he wasn't paid.

American citizens are using their voice as designed in our "we the people" Constitution, but in the mind of our President and in the words of his adviser, Stephen Miller, his powers are very substantial and will not be questioned, not even by the citizens and voters of this great Nation.

Well, they are being questioned, massively, by citizens raising their voices in every possible way.

American citizens everywhere are deeply disturbed by what they are seeing unfold in our Nation. They fear we are headed down a dark and dangerous path that will betray the founding principles of our "we the people" government, and they have every right to be anxious and concerned.

There have been allusions made by a number of experts to Mr. Trump's actions and the early days of Vladimir Putin's regime and especially his relentless war with the media. All of these are reasons citizens are fired up, raising their voices to oppose the authoritarian tactics of this administration.

While the President seeks to dismiss the legitimacy of these voices, I stand here today to praise those Americans for standing up, for taking on their responsibility as citizens to create a powerful, courageous chorus, a public stand against the authoritarian strategy of President Trump—his strategy of attacking the media, his strategy of attacking immigrants, his strategy of attacking refugees, and his strategy of attacking religious minorities.

A friend sent me a message the other day saying:

I'm more devastated daily. I can't believe the Republicans are not stopping this, saying something. How can this be happening? Don't the Republicans see what's happening? I weep for my kids.

Millions of Americans across the country are feeling those same fears. It is up to all of us here, imbued with the awesome responsibility to speak for and represent the people of this Nation, to stand up against advancing authoritarianism. It is right for us to fight for a free, open democratic republic, with a "government of the people, by the people, for the people."

Mr. President, I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

Mr. BLUMENTHAL. Mr. President, I am here in the midst of a Judiciary Committee hearing on Supreme Court nominee Neil Gorsuch, showing, and in a way showcasing, the wonder of American justice. This hearing will proceed through the balance of the day with him as our witness, and then into tomorrow with others who will comment on his qualifications.

The showcasing of American justice really demonstrates how the rule of law serves our democracy and how we strive to appoint the best possible people—men and women, dedicated public servants—to the courts of our land to assure that the rule of law and American justice are second to none and as infallible in protecting individual rights as they can possibly be.

In a sense, I am here to talk about a rule that also serves American justice. It is a rule put forward by the Occupational Safety and Health Administration under the last administration. I am here to oppose H.J. Res. 83, which would repeal that rule. The rule is known as the OSHA injury record-keeping rule. It sounds very technical, obscure, and for most people it is, but there are nearly 3 million serious injuries reported every year at American workplaces.

For over 40 years; that is, four decades, Federal law has required employers with 11 or more employees in dangerous professions—poultry slaughtering, meat packing, steel mills, construction—which see the bulk of these injuries to keep active records of injury suffered in those workplaces and others like them that are considered dangerous.

Having accurate records is common sense for employers who want to know what is going right in their places of work and what is going wrong and how they can prevent workers from being hurt on the job because they don't want anybody hurt. Responsible employers want safe workplaces. It is really that simple. We all know injuries are bad for business and they cost time and money.

With those records, OSHA can also investigate companies and work to make them safer and ensure they comply with the law. In essence, they can look at the outliers—who are lawbreakers, who cares less about safety than profits—but also maybe employers who don't do as much as they could or would if they were better informed.

A misguided court ruling in 2012, after 40 years of the law prevailing, curtailed OSHA's ability to sanction employers concerning those records. The ruling limited OSHA's ability to sanction employers to just 6 months of the start of the investigation based on the records. Soon after that ruling, OSHA and the Obama administration

discovered it could not adequately investigate employers who provided an unsafe workplace, making them effectively immune from some safety laws.

After going through all the proper rulemaking, all of the steps that are necessary to make an administrative rule, all the channels and procedures, the last administration put forward a rule that responds to the court decision and allows OSHA to review those records for 5 years. That is essentially how things worked for 40 years. It worked well for 40 years, and it was simply reinstituted because the court decision was so crippling to the rule of law and American justice. That is the rule we are discussing today—a return to longstanding policy that existed for decades under Republican and Democratic administrations, dating back to the Presidency of Richard Nixon.

Putting aside the 40 years' worth of this rule working well, it does some very important things. It requires these large employers in dangerous industries to keep accurate records of serious work-related injuries and illnesses. It has no impact on a huge swath of the economy that is not considered dangerous. It doesn't apply to restaurants, offices, and many other workplaces, regardless of the number of employees they have; the rule impacts just the most dangerous industries in our economy and companies in that industry with more than 10 employees. It essentially prevents them from covering up injuries, maintaining fraudulent records concerning injuries, and willfully violating the law.

There are things the rule does not do. It imposes no new costs on employers. It imposes no new obligations. It simply returns to a policy that worked well for decades—I repeat, under both Democratic and Republican administrations, accepted by both—and it gives certainty to businesses. That is one of the great advantages in an economy and society where certainty for our job creators is very valuable.

Repealing this rule would lead to more dangerous workplaces and give unsafe companies an upper hand in competition. It would unlevel the playing field between the good guys and the bad guys in those industries. This rule would essentially eliminate requirements that employers keep proper records, as they know OSHA can do nothing to investigate. Repeal of the rule amounts to the Federal Government siding with the companies that see injuries on the job but in effect sweep them under the rug. Repeal promotes companies to keep false records—if they keep records at all—limiting enforcement and punishment of anyone who keeps two sets of books, which few would do. Repeal of this rule undermines companies that keep safe workplace records and are in competition with companies that are cutting corners. This has implications for tax-

payors. Many procurement processes seek information about companies' safety records, giving a leg up to the safer company, as should be the case. That is in taxpayers' interests. Repeal of the rule would take away this incentive to protect employees.

Repealing this rule is bad for taxpayers, is bad for Federal policy, particularly in those areas where the Federal Government is a purchaser and a consumer, because it deserves to know—and so do we all—which ones are the safe employers.

Former Obama and Bush administration officials oppose repeal of this rule. Dozens of health and safety groups warn against the spike in injuries that repeal may encourage in work-related injuries and illnesses. Labor organizations representing millions of workers nationwide and many Fortune 500 companies oppose this resolution and support the rule. Health and safety groups, labor organizations, Fortune 500 companies, and officials from the past two administrations all support the rule and oppose this resolution. It is truly bipartisan.

I urge my colleagues to unite across the aisle and resist the false and unfortunate arguments that are made in favor of this resolution. I urge colleagues to join me in opposing it because it will endanger workers in the most hazardous places in the workplace and the country.

Mr. President, I yield the floor.

Mr. FRANKEN. Mr. President, I rise today in opposition to a resolution that will roll back nearly 45 years of OSHA workplace safety enforcement precedents. We would be reversing a precedent that helps ensure every American worker heads home safely at the end of their shift.

This resolution is an effort by my Republican colleagues to overturn a rule issued by OSHA on December 16, 2016, entitled, "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness." As the title says, this rule provides employers with clarification on the requirements to timely report and record workplace injury and illnesses. This rule adds no new employer requirements that differ from 45 years of policy. The rule supports a practice that law-abiding businesses comply with and have operated under since passage of the Occupational Safety and Health Act of 1970. Passing this resolution and repealing this rule only creates a safe harbor for businesses that have broken the law in the last 5 years or don't intend to follow longstanding rules created to protect the safety and health of workers.

For nearly the last 45 years, OSHA has required employers, with the exception of small employers, to timely report workplace injury and illnesses to the Department of Labor and maintain a record of such incidents going

back at least 5 years. If an employer failed to do either, they could be cited and penalized. OSHA's rule issued last December simply maintains this longstanding practice.

This resolution aims to change that record keeping requirement, or lookback period, from 5 years to 6 months. So if an unscrupulous employer fails to report a worker injury or illness and OSHA doesn't discover the underreporting and cite the employer in the first 6 months after the incident occurred, the employer is able to get away with it and the data used to identify dangerous industries or worksites is lost.

Accurate injury and illness records are critical for the protection of workers and for OSHA to direct the most efficient use of their limited resources, and the more data they have, the better. With their current resources, OSHA is only able to inspect a workplace, on average, once every 140 years. That is clearly not sufficient, especially when over 4,800 workers were killed in 2015 and almost 3 million more suffered a serious workplace injury or illnesses. The OSHA reporting rule is critical for OSHA to conduct a thorough investigation, enforce accurate recordkeeping requirements, and focus limited resources on industries and bad actors that pose the greatest risk to worker safety.

Take, for instance, the Exel Corporation, a Pennsylvania warehouse and trucking company, which hired hundreds of foreign students on temporary visas, and was cited for numerous unrecorded injuries after some students were seriously injured on the job. Only after students fought for fair pay and safer working conditions and OSHA was able to conduct an investigation was it revealed that, for years, the company had withheld wages and willfully failed to record about half the serious injuries to student workers as well as other serious health and safety violations.

By the time DOL had completed their lengthy investigation, the Wage and Hour division recovered over \$200,000 in wages withheld from 1,028 foreign student workers. OSHA cited the company for dozens of unrecorded injuries, all of which occurred over the 6-month period before OSHA issued the violations, and a penalty of \$283,000. About two-thirds of the \$283,000 penalty was for unrecorded violations that occurred outside the 6-month statute of limitations window this CRA is proposing to codify.

In response, the Exel Corporation accepted all the penalties, agreed to pay half the total fine, and instituted a new corporate-wide program to fix their recordkeeping practices which added safety protections for roughly 40,000 workers at over 500 facilities nationwide.

None of those violations and the associated fine would have been allowed

if a narrower 6-month statute of limitations was in place as this resolution proposes to do. I think it is safe to say that Exel's new corporate-wide program that added protections for 40,000 workers in 500 facilities nationwide would not have been implemented either.

Efforts to repeal the OSHA reporting rule and 45 years of OSHA enforcement precedent, without even a hearing or vigorous debate, is reckless and runs contrary to any proworker vision. The change in longstanding OSHA precedent was prompted by a D.C. Circuit Court ruling in the 2012 *Volks Constructors v. Secretary of Labor* case. After that decision, OSHA revised its recordkeeping regulation to conform with guidance provided in a concurring opinion. If there is a legal disagreement regarding the authority of OSHA to cite employers for continuing violations, we should let the legal process conclude before any congressional or legislative action is taken.

The OSHA reporting rule is a fair occupational safety standard, and that is why every administration in the last 45 years, Democratic and Republican, has enforced the requirement this rule clarifies.

Opponents of the OSHA reporting rule and supporters of this CRA resolution claim that the OSHA rule would extend the statute of limitations on recordkeeping paperwork violations and that this CRA resolution is necessary to protect jobs, eliminate burdensome regulations and protect small business. None of that is accurate.

The OSHA reporting rule does not kill jobs; it creates no new employer obligations that are different from what they were required to uphold for nearly 45 years. And the rule does not cover small businesses.

What the rule does do is save employers from killing and maiming workers. It gives OSHA the tools it needs to identify dangerous industries, reckless employers, as well as punish those who break the law at the expense of worker health and safety and businessowners who obey the law.

No law-abiding business, which values the safety of its workers and the information used to make the workplace even safer, should be at a competitive disadvantage facing a competitor that underreports injuries and cuts corners at the expense of workers' safety.

The safety of the American worker and a level playing field for law abiding employers should not be a partisan issue. I encourage my colleagues on both sides of the aisle to join me, working Americans, and the millions of law-abiding businesses that strive to create a safe workplace and oppose this resolution. Vote no on H.J. Res. 83.

Mr. VAN HOLLEN. Mr. President, last year, the Occupational Safety and Health Administration clarified em-

ployers' continuing duty to keep records of work-related injuries and illnesses. Today the congressional majority is using the Congressional Review Act to both repeal this rule and prevent OSHA from doing anything similar. I support the rule and oppose the resolution to repeal it.

In 1970, Congress found that workplace injuries and illnesses result in lost production, lost wages, medical expenses, and disability compensation payments. In response, Congress enacted the Occupational Safety and Health Act of 1970 to ensure that employers provide workers with safe and healthful workplaces.

To carry out the law, Congress directed the Secretary of Labor to issue regulations requiring employers to make and maintain accurate records of work-related injuries and illnesses. In the legislative history of the law, the House Committee on Education and Labor found that State reporting requirements varied widely and concluded that Congress had an "evident Federal responsibility" to provide for "accurate, uniform reporting standards." The report of the Senate Committee on Labor and Public Welfare found that "full and accurate information is a fundamental precondition for meaningful administration of an occupational safety and health program."

In 1971, OSHA issued its first recordkeeping regulations. OSHA revised these regulations in 2001 to make the recordkeeping system easier to use.

OSHA's recordkeeping regulations require employers to keep records of certain injuries and illnesses in the workplace and to make that information available to employees, OSHA, and the Bureau of Labor Statistics. Employers must record work-related injuries and illnesses resulting in death, loss of consciousness, days away from work, restricted work activity or job transfer, medical treatment beyond first aid, or a diagnosis of a significant injury or illness by a doctor or other healthcare professional.

Accurate injury and illness records give employers information that they need. The records make employers more aware of the kinds of injuries and illnesses that occur and the hazards that contribute to them. That allows employers to identify and correct hazardous workplace conditions. Injury and illness records thus help employers to manage workplace safety and health more effectively.

Similarly, injury and illness records give workers information that they can use. Workers who are aware of the hazards around them are more likely to follow safe work practices and to report workplace hazards. That contributes to the overall level of safety and health in the workplace.

As the UAW said in its letter opposing the resolution to disapprove of the rule: "Accurate injury and illness

records are critically important for workers and their families. Having the necessary tools to collect complete and accurate data on work-related injuries and illnesses is a key component in reducing, mitigating, and eliminating hazards and deaths in the workplace."

Injury and illness records give OSHA an important source of information for smart enforcement. The records allow OSHA to focus its inspection on the hazards that the data reveal. The records allow OSHA to help identify the most dangerous types of worksites and the most common safety and health hazards.

As the American Public Health Association wrote: "Public health professionals understand the critical importance of accurate information to help identify hazards in order to develop and implement better health and safety protections. One important source of that information is the records some employers are required to keep on work-related injuries and illnesses. These records are invaluable for employers, workers and OSHA to monitor the cause and trends of injuries and illnesses. Such data is essential for determining appropriate interventions to prevent other workers from experiencing the same harm."

In 2012, in the case of *AKM LLC doing business as Volks Constructors v. Secretary of Labor*, the U.S. Court of Appeals for the District of Columbia Circuit held that the law does not permit OSHA to impose a recordkeeping obligation on employers that continues beyond the expiration of the law's 6-month statute of limitations. While OSHA disagreed with the court's ruling, it agreed that its recordkeeping regulations needed clarification. So OSHA issued its rule amending its recordkeeping regulations to clarify that the duty to make and maintain accurate records of work-related injuries and illnesses is an ongoing obligation. OSHA made clear that the duty to record an injury or illness continues, as long as the employer is required to keep records of the recordable injury or illness and does not expire just because the employer failed to create the necessary records when it was first required to do so.

The new rule adds no new compliance obligations. It does not require employers to make records of any injuries or illnesses for which records are not currently required to be made.

The rule clarifies that, if an employer fails to record an injury or illness within 7 days, the obligation to record continues on past the 7th day. If the employer records the injury on some later day, the violation ceases at that point, and OSHA would need to issue any citation within 6 months of the cessation of the violation.

Every Presidential administration since 1972 has supported OSHA's interpretation of the law.

Repealing the rule would lessen OSHA's enforcement ability. It would allow employers to get away with systematic underreporting of injuries over many years, and it would decrease worker safety.

As the AFL-CIO wrote in its letter opposing the resolution: "Without the new rule, it will be impossible for OSHA to effectively enforce recordkeeping requirements and assure that injury and illness records are complete and accurate. In the absence of enforcement, there is no question that the underreporting of injuries, already a widespread problem, will get much worse, undermining safety and health and putting workers in danger."

And as National Nurses United wrote: "By revoking OSHA's authority to enforce recordkeeping requirements, this Congressional Review Act (CRA) resolution denudes the agency of the tools necessary to identify and target patterns of workplace hazards The elimination of OSHA's ability to enforce rules on workplace safety records allows—and even incentivizes—employers to obscure ongoing workplace hazards."

Good decisionmaking relies on good information. OSHA's regulation helps to ensure that employers keep good records. The pending resolution to repeal that rule goes in the wrong direction, and thus I oppose the resolution and urge my colleagues to vote against it.

Mr. BLUMENTHAL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. MURRAY. Mr. President, when President Trump was running for office, he made a lot of promises to the American people. He promised the middle class he would stand up for them. He promised workers he would bring good jobs back to their communities, and he promised to drain the swamp of corporate lobbyists that muck up our democracy with dysfunction.

Well, we are just over 2 months into this Presidency, and all we have seen from this administration is a series of broken promises, whether it is Cabinet picks who are billionaires, Wall Street bankers, and corporate CEOs; or his plan to jam through a healthcare bill that the President himself admits will hurt middle- and working-class families; or his proposed budget, which guts everything from job-training programs to assistance for low-income families who pay their heating bills, to meals on wheels, which provides hot meals to low-income grandparents. It is clear

President Trump is standing with his billionaire and corporate lobbyist friends at the expense of the people he promised to stand up and fight for.

While we have made many improvements in our economy in the last 8 years, we have a lot of work left to do. Too many people in our country today are working multiple jobs trying to support their families and pay their bills, and they are still struggling to make ends meet. That is what we should be talking about today on the Senate floor—how to build an economy that works for everyone. We should be working together to make sure that people are making a decent wage to support their families, that corporations aren't getting rich at the expense of their workers, and that hard-working people aren't risking their lives in dangerous conditions at work.

Instead, what we are doing today is that my Republican colleagues, with the backing of President Trump, are trying to roll back a rule that protects workers and prevents work-related deaths and injuries. This rule allows the Occupational Safety and Health Administration, or OSHA—an agency whose sole purpose is to keep workers safe on the job—to accurately monitor and prevent workplace injuries and fatalities in our Nation's most dangerous industries.

Dangerous businesses have been recording serious workplace injuries and deaths for more than four decades, and this rule simply affirms the policy enshrined in the OSHA law itself of 1970 that these records have to be accurate—a precedent of keeping workers safe and monitoring dangerous workplaces.

After a recent court case put this important safety practice at risk, OSHA issued this rule to clarify their recordkeeping practices. This rule is not new. It does not impose added obligations or costs on employers, and it was actually suggested by the court in its decision. And it does not cover small businesses with 10 employees or fewer.

We should be trying to make workplaces safer, but in rolling back this rule, President Trump and my Republican colleagues are doing exactly the opposite. This is not something we should be playing politics with. Without this rule—if it is overturned today by the Senate Republicans—some of the most dangerous industries will then be able to hide worker injuries and keep falsified records of injuries and workplace deaths, and it will make it more difficult for OSHA to punish low-road companies that are putting their workers' lives in danger.

Every year, more than 4,800 workers are killed on the job in America, and 3 million more suffer serious injuries and illnesses. We have found that it is often the same companies that are repeat offenders. Without this rule, OSHA cannot sanction employers for keeping

fraudulent injury records for multiple years before OSHA walks in the door to conduct an inspection.

So many people in this country get up every day and go to work at tough, dangerous jobs to support their families and drive the economy. Those workers deserve to be able to trust that their employer isn't knowingly putting their life at risk. Without this rule, corporations and dangerous industries can take advantage of their workers, and OSHA will not have the tools it needs to stop it. We should not overturn this rule. If we do, recordkeeping will become elective.

This goes against everything President Trump promised to middle- and working-class families on the campaign trail. He promised to stand up for them, to bring back good, respectable jobs to their communities. Instead, he wants to allow his billionaire corporate friends to take advantage of workers and threaten their safety, and, unfortunately, it appears my Republican colleagues are now onboard.

Instead of doing President Trump's bidding, I urge my Republican colleagues to do what President Trump promised and start putting workers first by abandoning this deeply harmful effort.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NOMINATION OF NEIL GORSUCH

Mr. CORNYN. Mr. President, this week the Judiciary Committee has been considering the nomination of Judge Neil Gorsuch to fill the vacancy on the Supreme Court left by the death of the late Justice Antonin Scalia.

I think it has been a remarkable opportunity for the country—indeed, the world—to see not only somebody who is obviously very intelligent but very articulate and very committed to the basic principles that created this country, which were shaped in the framework of the Constitution.

Sometimes people forget that judges aren't legislators and legislators aren't judges and that we do have separate responsibilities. Indeed, the separation of powers between the President and the legislature and the judiciary is very important and for a good reason.

Judge Gorsuch has done a tremendous job for the last 2 days handling questions from both sides of the aisle with humility and with clarity.

I told him that I had hoped he would consider Chairman GRASSLEY's proposal that we have a camera in the Supreme Court courtroom.

Years ago, when I was on the Texas Supreme Court, we decided to have a single camera—which nobody, really, frankly noticed—in order to document and record the proceedings in the Supreme Court of Texas. It didn't turn into a sideshow. It wasn't the O.J. Simpson trial. People didn't misbehave because they were on camera. But it was a great opportunity for people to see their government and their elected officials in action.

Given the performance of Judge Gorsuch over the last couple of days and the benefits that accrue to the country as a result of learning more about his qualifications, his temperament, and his principles when it comes to judging, I hope more people will want to see that. We could all learn from it.

That would be good for our country, it would be good for the judiciary, and I think it would be good for America's standing in the world. We are in a vast minority of countries in the world when it comes to having an independent judiciary, and that is essential to our form of government and to who we are as Americans.

The country has learned a lot about Judge Gorsuch in the last few days. His career has been marked by a dedication to the law. In his decade on the bench interpreting the law, he has developed quite a record. As a matter of fact, he said that he had decided to participate in the decision of about 2,700 cases, and he has been reversed once. I find that remarkable. It is really almost hard to believe. He is clearly no extremist.

Some of our Democratic colleagues try to argue that he is not for the little guy but, as he so ably points out, he is for whoever the facts and the law say should win in a case. He doesn't view it as his role to put his thumb on the scales of justice and to predetermine a case or the outcome before the facts and the law have been applied. In short, he is not a politician. It would be totally inappropriate for a judge, given the fact that they are given lifetime tenure and they don't have to stand for election in front of the people—it would be entirely inappropriate for the judge to say: If I am confirmed, I will rule on this contentious issue this way or that way. That is not what judges do. That is what politicians do. That is why, when we stand for election, we go out and campaign and we tell people: This is what I believe in, and if you elect me, this is what I am going to do when I am elected into office. That is entirely appropriate for members of the legislative and executive branch because if the American people don't like what we are doing, they can fire us in the next election or, conversely and hopefully, if they like what we are doing, they will return us to office.

So as the judge pointed out, he said that judges actually would make "rot-

ten legislators," those are his words, not mine, because their job isn't to write the laws, it is to interpret them. They don't stand for election. They are not in intimate contact with the constituencies we all represent. Importantly, as I said at the outset, he did affirm his strong support of the separation of powers. Again, I think it is really important for everyone to acknowledge the different roles performed by different actors in our form of government. Legislators play one role, executive officers, the Presidents, and Governors in our State system play another role, and then the judiciary plays an entirely different, important but limited, role in our government.

One of our colleagues was complaining about the judge's decision in a case and that the so-called little guy lost in the case. Well, the judge said, while he didn't necessarily like the outcome, he felt bound by the facts and the law that Congress had actually passed to render a judgment as he did in that case. I pointed out, were it otherwise—were the judge untethered to any sort of deference to precedent, that he would basically be a loose cannon and making political decisions or deciding what the outcome would be before he worked through the facts and laws to determine what the appropriate outcomes should be. I pointed out, and the judge confirmed, that if in interpreting a statute, which the court did in that case, if Congress doesn't like the outcome, then it is within Congress's power to change the law, to change the statute which would mandate a different outcome in a future case.

He pointed out, appropriately, that the role of the judiciary is for neutral and independent judges to apply the law in the people's disputes. So he is aware of the limits and the important role of the judiciary in our form of government. He also made clear his judicial philosophy is based on nothing more and nothing less than a faithful interpretation of the text of our Constitution and laws. Now, sometimes you hear people talking about, well, we have a living Constitution. To me, that suggests there is something wrong with applying the text of our existing Constitution, which was passed through constitutional amendment or originally when the Constitution was ratified by the States.

It kind of raises an interesting question. If a judge isn't bound by the text of the Constitution or of a statute, what can he use? Does he use his own value judgments? Does he use his own policy preferences? Does he use his political agenda in order to do his or her job? Obviously, I hope we would all agree that would be inappropriate.

Judge Gorsuch has also talked about the role of judicial courage, meaning following the law and the facts wherever they may lead, even though the

judge, as a personal matter, may not agree with that or that may not be his personal preference. I know it sounds hard for those of us living in a political world, but actually judges do every day put their personal policy preferences aside and decide cases on the facts and the law. I believe it would be wrong of them and I believe a violation of their oath of office for them to do otherwise. What happens when there is a nominee like this who is so outstanding, so articulate, and so principled? Some of our colleagues across the aisle said: We are going to ask him some hypothetical questions. We are going to smoke him out and see if he will take the bait and prejudge some of these cases on controversial areas that will come before his Court or some other court. The judge—and I would expect nothing less—said it would compromise the independence of the judiciary and would be unethical for him to prejudge the outcome of some future case that might come before the Supreme Court. If you can imagine this, how would you feel if in a case before a court, the judge had already made a commitment to the outcome and you ended up on the short end of the stick? You wouldn't feel that was justice at all. You wouldn't feel that was fair at all. That is what the judge was doing in declining to head down that path to prejudge cases. In doing so, he followed the example of a number of previous nominees, people such as Justice Ginsburg and Justice Kagan, both nominated by Democratic Presidents. Knowing he can't answer, our colleagues have claimed they have no clue how Judge Gorsuch would perform his job and have used that as a pretext to oppose someone who is eminently qualified, but Judge Gorsuch has given them all they need. They have all the information they need in order to make an informed decision. He pledged to hear all sides of the case, to look at the merits, based on the law in question, and then and only then to come up with an unbiased and fair, impartial decision.

Can he do it? Well, the best evidence of "can he do it" is "has he done it" and the answer to that is yes. He has a decade of time on the bench, with hundreds of decisions, filled with millions of words, done in exactly the way he said he would do, to decide cases, based on the merits, in an unbiased and independent fashion.

So we have his record to judge him by, and his record is impeccable, which is the reason some of the critics have to go down this path of asking him hypothetical questions he can't ethically answer or otherwise claiming to be in the dark about his qualifications, temperament, and philosophy of judging.

It should come as no surprise that lawyers and academics and judges all across the political spectrum have spoken out in favor of the confirmation of

Judge Gorsuch, agreeing that he is an independent jurist, with integrity and the right temperament, intellect, and experience to serve on the Supreme Court.

He was introduced to the committee by both of his home State Senators, the junior Senator, a Republican, and the senior Senator, a Democrat, who called Judge Gorsuch a man with “a distinguished record of public service” and “outstanding integrity and intellect.” I couldn’t agree more.

Neal Katyal, a Solicitor General under President Obama, also spoke glowingly of Judge Gorsuch and provided a strong endorsement of his qualifications to serve on the bench. He was one of the first on the other side of the aisle to urge the Senate confirmation of Judge Gorsuch, citing his independence, his integrity, and his superb qualifications. The bipartisan recognition of Judge Gorsuch’s fitness for this high office is nothing new because a decade ago, 10 years ago, he was confirmed by the U.S. Senate by voice vote, essentially unanimously. Not one Member of the Senate opposed his confirmation, and the truth is, nothing has really changed since then. So you would think that if some of our colleagues across the aisle thought he was good enough to be confirmed as a circuit judge to the Tenth Circuit Court of Appeals, that they could have something they could point to if they were inclined to vote no, something that happened within the intervening 10 years, but I have to tell you, there is not much there for them, if anything. In fact, his opinions have rarely elicited dissent, and he has a rare record of reversal which I think is remarkable.

In truth, he is a great jurist, and that is clear by the evolving reasons coming from our friends on the other side of the aisle as to why they had some concern. First, we heard some Senate Democrats would fight a nominee who isn’t in the mainstream. Well, Judge Gorsuch passed that test with flying colors so they moved on. Next, they said they would oppose him because of his refusal to answer questions about issues that would come before the Court. As I said, not only do the ethics rules prohibit him from doing that, but the tradition set by Justices Ginsburg and Kagan rightfully dictated that he refuse to do so during the hearing. Now we hear from our Democratic colleagues that his vote must be delayed because of an ongoing FBI investigation that is completely unrelated to him. I think that is just an indication of how desperate they are to come up with a reason, any reason, to oppose this judge’s confirmation.

Watching Judge Gorsuch this week, it is clear our Democratic friends are finding it hard to come up with a reason to oppose his nomination. Indeed, they are struggling to do so, and they are desperate for an excuse to oppose

him, but they are not going to find a good excuse or a good reason.

I hope our colleagues will help us confirm this good man, this good judge for this office. I know our politics, when it comes to judicial confirmation, have become very contentious, but it wasn’t always that way. Back when President Clinton was in office, before President Bush 43, judges were confirmed routinely by an up-or-down vote of the majority of the U.S. Senate. Indeed, Justice Scalia, whose seat will be filled by Judge Gorsuch, was confirmed overwhelmingly. I think it was by 97 votes, if I am not mistaken. Justice Ginsberg, somebody from the opposite end of the ideological spectrum, was confirmed with 96 votes or thereabouts. So I hope it is a time we can get back to the traditions of the past, which means not filibustering mainstream nominees, as some of our colleagues across the aisle have threatened to do even before the hearing began.

I would ask them this. If you can’t vote for somebody like Judge Gorsuch, you are not going to be able to vote for any nominee from a Republican President because there simply isn’t anybody better qualified by virtue of his experience, his education, his training, and his temperament for this job. I hope they will reconsider.

I am happy to support his confirmation and urge all my colleagues to do so as well. If they can’t vote for his confirmation, at least allow us to have an up-or-down vote, without setting the bar at 60 votes, but making it a majority vote in the U.S. Senate, which has been the tradition in this body for many, many, many years, excepting the last 8 years during the George W. Bush administration.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

TRUMP CARE

Mr. MURPHY. Mr. President, the House is still on schedule to vote tomorrow on a reform of one-sixth of the American economy that the American public has not seen. This is, frankly, unprecedented—this rush job, this attempt to jam through a massive rewrite of the American healthcare system, intentionally done so fast that the American public cannot keep up with what is a truly disastrous piece of legislation. It is a train wreck. It is a dumpster fire. I cannot come up with enough words to describe how bad this legislation is going to be for the American public.

Bill Kristol, who is an icon of the conservative movement and who has

been arguing for the repeal and replacement of the Affordable Care Act since it was passed, tweeted out this:

This healthcare bill does not, A, lower costs; B, improve insurance; C, increase liberty; D, make healthcare better. So what is the point?

Frankly, many Americans, many healthcare professionals, and many consumers are asking the same question: What problem does this bill solve?

Whatever you want to call it—the American Health Care Act, TrumpCare, RyanCare—what problem does this bill solve other than a political problem?

Clearly, Republicans have a political problem. They have promised, for the last 6 years, to repeal the Affordable Care Act. Now they have control of the White House, the House, and the Senate, and they feel pressured to make good on that promise.

It does solve a political problem for the Republicans. The passage of this bill in the House or the Senate would allow my Republican friends to say: We told you we were going to repeal the Affordable Care Act, and—doggone it—we did it. But it does not solve any other problem in the American healthcare system. It makes the existing, remaining problems even worse. The Republicans know this because, for 6 years, we have heard criticism—relentless criticism—that the Affordable Care Act was rammed through the process, that it was passed without Members’ knowing what was in it, that it was shoved down the throats of the American people. Well, imagine our surprise when the replacement to the Affordable Care Act is being pushed through at absolutely light speed compared to the passage of the Affordable Care Act.

So we look at what happened when the Affordable Care Act was passed, and the HELP Committee that I sit on, the Finance Committee in the Senate, the Energy and Commerce Committee, and the Ways and Means Committee held dozens of hearings—dozens of committee meetings. The Health, Education, Labor, and Pensions Committee in the Senate alone debated hundreds of amendments and accepted 130 Republican amendments to the Affordable Care Act.

This time around, the HELP Committee isn’t even going to have a meeting on the replacement. The committees in the Senate aren’t going to have anything to do with this bill. The substitute language that Speaker RYAN has filed likely will not even get a CBO analysis before it is jammed through the House tomorrow. Why is that? Because Republicans are so fearful that the American public will have the time to take a look at this and realize what it is.

I don’t often say that Bill Kristol is right, but he is right when he says that this bill doesn’t lower costs, it doesn’t improve insurance, increase liberty, or

make healthcare better, so what is the point?

Here are three really simple ways to understand this bill. This bill is all about higher costs for consumers, all about less care for Americans, all in order to finance tax cuts for the rich. These are the three prongs of TrumpCare: higher costs, less care, and tax cuts for the rich. You don't have to spend a lot of time deep inside this bill to figure out what it is all about.

So costs go up, CBO says 15 to 20 percent, just in the first couple of years for a number of reasons, but primary amongst them is the fact that the help that you are going to get to afford insurance just dramatically decreases. For low-income Americans, here it is: You get \$1,200 less if you are 27, you get \$1,100 less if you are 40, and if you are 60, you get really hosed. If you are 60, good luck affording insurance. Your subsidy goes down by \$5,800. It gets even worse than that because this bill allows for the insurance companies to discriminate against older Americans by jacking up the ratios that you can charge older Americans versus younger Americans from 3 to 1 to 5 to 1, so the average low-income, sixtyish-year-old in this country will be paying about \$15,000 more out of pocket for healthcare.

What problem does that solve? Talking to people in Connecticut, I didn't hear a lot of my constituents who are in their fifties and sixties say: Let me tell you the problem with the American healthcare system. I am paying way too little. I need to be paying—if I could be paying \$13,000 more, that would scratch me where I itch.

Nobody says that the problem with the healthcare system today is that costs are too low. It is the opposite. Costs are too high. Yet the first prong of TrumpCare: higher costs. That is not me saying it; that is CBO saying it.

I will give my colleagues the exception to this because let's lay all of our cards out on the table. CBO does say that if you are young, healthy, and relatively affluent, you might get a lower rate. Let's be honest about that. So if you are young, healthy, and you are affluent, you might get a lower rate. But that is a sliver of the population compared to all of the people who are going to be paying higher rates, especially older people and especially low-income people, because the subsidies don't change if your income goes up, and because of the discrimination made legal in this bill, older people have to pay more.

So, basically, another way to think about this in terms of how costs are going up is the more you need healthcare, the less help you get. If you are low-income and you are older, you get less help. If you are younger and higher income, comparatively, you get more help from this bill. Again, that is not attacking a problem that I hear

about very often. People who need more help tend to need more help.

Here is the second chart. All of this is done in order to give a big tax cut. So here is the amount of tax cuts in this bill for people making \$10,000; here is the amount for people making \$20,000 to \$30,000; here is the amount of the tax cut one gets if you are at \$50,000 to \$60,000. We see a trend line. It is about the same amount if you are making \$10,000 up to about \$200,000. The amount of tax cut you get from this bill in that range is zero. But if you are making \$200,000 or more, well, here is where the money is, up to the point where people who are making the highest incomes in this country get over \$1 million in tax cuts.

It repeals some tax provisions in the Affordable Care Act that were used to finance the subsidies, but all of those tax provisions affect the very top income level earners. So there is a tax cut in this bill, but it gives you zero if you make less than \$200,000 a year. It gives you a lot if you are making more than \$200,000 a year.

Here is the last chart: less care. Here is what CBO says will happen if the Affordable Care Act remains. This is a really important line to look at here because part of the narrative, part of the explanation for this piece of legislation is that, in PAUL RYAN's words, ObamaCare is in a "death spiral," and Donald Trump says it is "collapsing."

The Congressional Budget Office—which is run by a man who was hand-picked by the Republican caucus in the House—the Congressional Budget Office says: No, actually, it is not collapsing; it is not in a death spiral. If we do nothing and allow the Affordable Care Act to remain—yes, over 10 years, the number of people without insurance will go up by a little bit, up to 28 million, but the death spiral happens if you pass TrumpCare. There is a death spiral coming into the American healthcare system. There is a humanitarian catastrophe that is about to hit us, but it only happens if you choose to pass this piece of legislation that is pending before the House of Representatives today.

Now, I hear this legislation can't pass the U.S. Senate because my Republican colleagues understand this. So I am not necessarily talking directly to my Republican colleagues here because I trust that they understand the collapse of the American healthcare system that occurs when, in a very short period of time, you create 24 million more uninsured people.

But, remember, Donald Trump said during the campaign that no one was going to lose healthcare. Republicans in the House said that everyone who is on healthcare today will get to keep it. CBO says that is not even close to true. In the first 2 years, 14 million people lose care, and eventually those who are uninsured goes to 52 million. The Pre-

siding Officer knows this, and my Republican colleagues here know this.

This 52 million, it is not that they are totally outside of the American healthcare system. If there is an emergency, they go to an emergency room, and the emergency room covers their care. That is the most inhumane way to run a healthcare system, to wait until you are so sick, so ill, that your cancer has ravaged your body so badly, you have to show up in the emergency room, but they will get that care—often the most expensive care—and we will all pay for it. Part of the reason that CBO says that rates will go up is because this 52 million gets their care from emergency rooms. The emergency rooms and the hospitals pass that cost along to private insurers, and everybody's premiums go up.

Here is another way to think of this. I know these numbers tend to get a little hard to digest, a little hard to understand as they get thrown around. Here is what 24 million people losing healthcare looks like. How many people is 24 million? Twenty-four million is the entire combined population of Alaska, Delaware, Hawaii, Idaho, Kansas, Maine, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Rhode Island, South Dakota, Vermont, West Virginia, and Wyoming. This isn't a minor shift in the number of people who will not have healthcare. This is a seismic change. The entire population of 17 States loses healthcare over the course of 10 years if this bill is passed.

By the way, let's be honest about who these people are. Yes, many of them will be people losing healthcare in the private marketplace. CBO says people who have private insurance will lose it because of this bill, either because their cost-sharing goes up and they can't afford it or because their employer might not offer it any longer. But a lot of this is in the Medicaid population, and you have to make a decision. The Medicaid population is, by and large, poor people, disabled people, elderly Americans, a lot of children, a lot of kids. The Members are going to have to make a decision about whether their conscience will be OK with 24 million. Most of them are pretty sick and disabled and pretty young—if you are OK with that many people losing coverage.

So PAUL RYAN is right; it is a three-pronged approach. The three prongs are higher costs, less care, in order to finance tax cuts for the rich. It doesn't solve any problem that exists today in the healthcare system, except for maybe, as I mentioned, that very narrow issue of young, healthy, affluent Americans. They will probably do a little bit better here. But everybody else does worse.

By the way, here is what CBO says is the reason why those young, affluent healthy Americans do better—because

you kick old people off of insurance. The only reason that premiums stabilize in years 3 and 4 and 5, according to CBO, is because this bill jettisons millions of older, relatively sicker Americans off of healthcare. So as you just kick old people off healthcare, then it gets a little bit cheaper for the younger people who remain.

So even the small percentage of Americans who, from a monetary standpoint, do a little bit better under this bill, they only do better because individuals who really needed care lose it under this approach.

This bill is moving really, really fast. It is moving really, really fast. Its impact is absolutely stunning. My hope is that it gets stuck somehow, that Senators of goodwill recognize, as Bill Kristol did in his tweet, that this bill doesn't actually solve any problems. Maybe they recognize that it looks an awful lot like the Affordable Care Act. For the Speaker's reputation as being a big ideas guy, there are no new ideas in this legislation. It is essentially just the Affordable Care Act dialed down from 10 to 3.5, making healthcare unaffordable for everybody. The subsidies are still there; they are just much less. The individual mandate is still there; it just applies it in a different, more cruel way. Instead of paying a penalty when you lose coverage, you now pay a penalty when you lose coverage and try to sign up again. It is the same concept; it is just the penalty applied at a different place, and the insurance requirements are there.

So there are no new ideas. If you were ideologically opposed to the Affordable Care Act, there is no reason why this solves any of your problems. And from a practical consideration, it raises costs, it doesn't improve insurance, and it kicks a lot of people off healthcare.

My final thought is this: I know this issue of healthcare has become probably the most partisan, in part because there are some real important philosophical questions at the heart of this debate. I don't apologize for the fact that I do believe that healthcare should be looked at as a human right. I really think that in this country, we give you access to education; we should give you access to healthcare as well. You are living in the most powerful, most affluent country in the world. You probably shouldn't die because you are not rich enough to afford access to a doctor. It seems like something we should be able to do for you. So there are some serious ideological differences because I know a lot of my Republican colleagues don't view it that way. They view healthcare as a commodity much more so than I do. But we have shown the ability to work together on healthcare and on some pretty controversial pieces of it.

At the end of 2016, just 2 months ago, we passed the 21st Century Cures Act.

That wasn't easy. That was \$6 billion of additional spending on medical research in this country. It included legislation that Senator CASSIDY and I wrote—the Mental Health Reform Act—that had some tough reforms on our insurance markets requiring insurance companies to cover more mental illness. We had to work through some very tough issues with Senator CORNYN, who opposed our legislation until we worked out issues he had, and then he became a supporter and champion of it. We had to work through some difficult issues, but we passed a big healthcare bill at the end of 2016, with Republicans and Democrats supporting it. Frankly, in the end, some progressive Democrats voted against it and some conservative Republicans voted against it. It wasn't without controversy even until that final vote. But we have shown the ability to be able to work together, so why don't we do the same thing here?

I submit there are still big problems in the healthcare system. The Affordable Care Act didn't solve every problem out there, and even some aspects of the Affordable Care Act have to be amended, have to be changed. But let's work together on ways to keep what is working in the Affordable Care Act and make improvements to the parts that aren't working as well. Let's move into territory that we haven't covered yet, like drug prices, and do something about that.

Donald Trump, the President of the United States, gave a speech earlier this week in which he told Americans that if you pass this legislation, drug prices will come "way, way, way down." That is his quote, that drug prices will come "way, way, way down." That is not in this bill. TrumpCare doesn't have anything that controls drug prices. Drug prices are not coming way, way, way down, but we could work together to try to make sure that happens. We could have a tough conversation about what we are willing to pay when it comes to drugs, whether we are willing to let the rest of the world free ride on the contribution of the United States to global research and development. That would be a very important discussion to have. I bet it wouldn't get all 100 of us, but it would allow for Republicans and Democrats to work together.

Instead of ramming this bill through this process, through the reconciliation process, which means you can do it without a single Democrat supporting it, let's sit together and try to work out a bipartisan approach to improving our healthcare system.

I know why Speaker RYAN is pushing this bill through so fast. He knows it doesn't solve any problems that exist in the American healthcare system. He knows that the only problem it solves is a political problem—a political problem created by the promise that Re-

publicans and this President made to repeal the Affordable Care Act. But because they are doing it so fast, so ham-handedly, the replacement is going to result in disaster for Americans. That is not me saying that. That is the Congressional Budget Office. That is Bill Kristol. That is Republicans and Democrats all across the country.

Whatever happens tomorrow in the House of Representatives, the Senate will have a chance to be the adults in this conversation. Senate Republicans will have a chance to take a big step back and start over, and they can start over in a partisan way, or they can start over by reaching out to Democrats and saying: Let's try to work this out together. We may not get to that point where we have a bipartisan agreement, but, boy, it would be nice if my Senate Republican colleagues would at least try because if they don't, then PAUL RYAN is right—there will be three prongs to what will be called TrumpCare, if it isn't already: higher costs for consumers, less care for Americans, all in order to finance a giant tax cut for the rich. This isn't what the American people thought they were getting, and we have a chance in the Senate to do so much better.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NATIONAL INSTITUTES OF HEALTH BUDGET AND PHARMACEUTICAL PRICES

Mr. DURBIN. Mr. President, last Thursday was a sunny, cold day in Chicago, but I looked forward to it because there was an event that I wouldn't miss. We have a hospital there known as the Rehab Institute of Chicago. It is one of my favorites, and we have some great hospitals. The Rehab Institute of Chicago literally focuses on people who have had serious accidents, strokes, injuries and who are trying to get rehabilitated so they can function and walk.

I really got to know this hospital years ago when I had a town meeting in Chicago and talked about our returning veterans from Iraq and Afghanistan. Many of them were coming home with serious injuries from roadside bombs and the types of injuries that can change your life.

A man came up to me, and his name was Ed Edmundson. He was from North Carolina. I was kind of surprised that he was at a Chicago town meeting. He explained to me that he heard about the town meeting because he had a son named Eric who was a disabled veteran

and was at the Rehab Institute of Chicago. It turns out that Eric was seriously wounded by a roadside bomb in Iraq, and during the course of the surgery afterward, there was an accident. The net result of it was that he had very limited mobility and he could no longer speak.

Eric, if I remember, was about 23 years old. He was married and the father of a little girl. Well, the VA did the best for him, and they finally came to his mom and dad and said: We can't do anything more. We need you to pick out a motorized wheelchair for Eric because he needs to be in a nursing home. His father said: He is 23 years old. He is not going to a nursing home. We are not quitting. His dad then set out to find the best hospital in the United States and came to the conclusion that the Rehab Institute of Chicago was the place.

So he came to invite me to come up and meet Eric at the hospital, which I did a couple of days later. Eric was there with his mom and dad, and he started the rehab. I went back to see him a week or so later to see how he was doing. His mom said, as I came into the room: Eric has a gift for you. I thought: A gift for me? The gift was that Eric, with a little help, was able to stand on his own feet. It was a breakthrough. Some people had said it would never happen again.

His dad said to me that Eric planned on Memorial Day to put on his full dress uniform from the Army and walk out of the front door of that hospital with a little help and show folks that they shouldn't have given up on him. They asked me if I could be there. I said: I will move Heaven and Earth; I will be there. I wasn't the only one. There were a lot of people there—the mayor, elected officials, and every TV camera in Chicago—as Eric Edmundson walked out of the front door of the Rehab Institute in Chicago.

You never forget those moments, do you? Here is a young man who risked his life for America, came back gravely injured, and through his father and mother's determination—and his own strength—he found the best place for treatment. This rehab institute does research to find ways that give people who have spinal injuries and other injuries another chance.

Well, last Thursday they opened up the new Rehab Institute of Chicago, and it is renamed. It is the Shirley Ryan AbilityLab. It is not a hospital. They call it an AbilityLab, and the reason is that they try to integrate research with actual doctors, clinicians, and patients all in the same place—not separate universities and hospitals and so forth. It is a bold idea. It is a new concept, but if anybody can pull it off, it is Dr. Joanne Smith, who heads up now the Shirley Ryan AbilityLab.

Do you know what I learned as I got out of the car to give the speech and to

cut the ribbon at this new research facility? I learned that the President of the United States, Donald Trump, had just announced his new budget. Do you know what was included in his new budget? A new spending line for the National Institutes of Health. That agency is the premier medical research agency in the world, and we are lucky to have it right here in the United States. We are lucky that Congress has given more money to NIH for biomedical research last year. Senator BLUNT, a Republican of Missouri, who heads up the subcommittee with Senator MURRAY of Washington, planned on giving more this year, and we are still trying.

Do you know what President Trump suggested for next year's budget for the National Institutes of Health? He suggested cutting their appropriation by \$5.8 billion. It is a \$32 billion appropriation. Cutting it by \$5.8 billion will bring the level of biomedical research in the United States of America down to the lowest point it has been in 16 years. That is President Trump's idea of a priority—the most dramatic cut in biomedical research in the last 16 years.

I announced it when I did the ribbon-cutting speech. First, I thanked all the folks at the Shirley Ryan AbilityLab, Dr. Smith, and Shirley and Pat Ryan. I told them if there is ever a time both political parties ought to come together and tell this President that you are just flat-out wrong, this is it. This is it because the medical research that is taking place in the National Institutes of Health is not just for those who are sick today but for those who may be diagnosed later today or tomorrow.

You know what the most frequently asked questions will be when you get that heartbreaking diagnosis? Doctor, is there anything you can do for me? Is there a medicine? Is there a procedure? Basically, is there any hope? If the NIH, or the National Institutes of Health, isn't properly funded and isn't doing its job, that answer is not always going to be a good one.

Young medical researchers don't get rich, but they love what they do. To keep them on the job doing what they should do with all of their talent and all of their skill and all of their education, we have to promise them that we are going to continue to fund medical research in a serious way, without the peaks and valleys.

President Donald Trump does not understand that. Mick Mulvaney, head of the Office of Management and Budget, who came up with this terrible budget, doesn't understand that. To them, they are just numbers on a page. We will just cut biomedical research to the lowest level in 16 years.

A few minutes ago I had a visit from some folks from Chicago, IL. They were with the National Multiple Sclerosis

Society. They come to see me each year. You will see them around the halls wearing their orange ties and orange scarves. They came to talk about multiple sclerosis, which for many of my close friends is a disabling disease they fight every day. It is a disease of the central nervous system. It interrupts the flow of information within the brain and between the brain and the body. Symptoms range from numbness to tingling, to blindness and paralysis. The progress, severity, and specific symptoms of MS of any one person can't be predicted.

The good news is that we are engaged in research that can make a difference, research that gives us hope. They talked to me about Donald Trump's cuts to the National Institutes of Health. I told them I was going to do everything in my power to restore that money so that the research continues.

Incidentally, there is another issue. It isn't just fighting the disease and doing the research. It is what is happening to the cost of the drugs that these people need to maintain their lives and that give them hope. In 2004 the average wholesale price of available MS disease-modifying therapies was \$16,000. By 2013, the average price had gone up to \$61,000. In 2017, the average price is up to \$83,600. All of the top 10 specialty medication classes, which include MS, increased in spending, and all had increases in the price of medication. Some of these drugs have been on the market for years, and now the pharmaceutical industry is driving the costs up across the board.

When we talk about healthcare in America, it is interesting how little time we spend talking about the cost of pharmaceuticals. But how wrong we are. When the head of Blue Cross in Chicago came to see me, she said: Senator, I will bet you didn't know last year Blue Cross Blue Shield spent more money in their hospitalization plans for pharmaceuticals and medications than they spent for inpatient hospital care for those who were covered—more money on drugs than inpatient hospital care.

So what did the Affordable Care Act, which is being debated, do about the price of pharmaceuticals? Almost nothing. What does the new Republican replacement plan do about the cost of pharmaceuticals? Almost nothing. Why? Why is there this hands-off attitude when it comes to an integral part of the cost of healthcare and an integral factor in the dramatic increases in the cost of healthcare? Because pharma has friends in high places.

Watch your television sets. There are two things to watch for, if you still watch television. The first thing is to watch for all the drugs that are advertised on television. Do you know how many countries in the world allow drugs to be advertised on television? Two. And one of them is the United States.

You see all these drugs being advertised that are going to allow you to be liberated, freed, and cured, and this and that and the other thing. Then, they run through all the disclaimers. This is the one I like the best: Be sure and tell your doctor if you have had a liver transplant: Oh, Doc, did I fail to mention I had a liver transplant?

That is the kind of thing they put on television. Why does a pharmaceutical company spend all that money advertising on television? They make money off of it.

Here is how. Americans walk into their doctor's office and say: I just saw this ad for this drug, and I think it is exactly what I need. Too many doctors, instead of taking 10 minutes to explain why it isn't the drug you need, take 1 minute to write out the script. So expensive drugs make it on the market and justify the advertising on television. That is one of the grim realities of what we are facing.

When it comes to the drugs and their pricing, we know what is happening. They are running up the costs of drugs on individuals, and they can't afford it any more. I just met with some of these MS patients, and one of them told me she had gone now for weeks without medication because, she said: Senator, it is \$6,000 I just don't have.

Well, we can do better than that. We should do better than that as a nation. We ought to make certain that we don't get swept away with the pharmaceutical companies and their advertising. Those are the other things you are going to see on television now. They are really beautifully done ads. They are talking about all of us wanting to survive and how the pharmaceutical industries are finding, through their research, good drugs to help us survive. I don't quarrel with that premise. That is right, but it turns out many of them are spending more money on advertising than they are on research. So this is big business. It is big profits. They are trying to protect them. It is driving up the cost of healthcare. People like my friends with multiple sclerosis are wondering how this will end and whether they will be able to pay for the treatment they desperately need.

If this means anything to those who are listening to this debate, if it means something to you or your family, you need to speak up—Democrat, Republican, Independent, Trump voter or not—you need to let this administration and this Congress know that medical research is a priority to you. If it is not, hold on tight because Donald Trump's budget is about to rip the heart out of the National Institutes of Health.

Whatever his ambition, whatever his goals, whatever his tweets, I could care less. When it comes to medical research, he is in for a fight.

TRUMPCARE

Mr. President, the Republicans promised, if they took a majority, the first thing they would do is get rid of ObamaCare. He is gone. It has to be gone too. Fifty-seven times—maybe more—in the House of Representatives, they voted to abolish ObamaCare. It didn't mean anything. He was still President then. He was going to veto whatever they passed, but they did it over and over and over. It was an article of faith, and they beat their chests and went across America saying: Get rid of ObamaCare.

Then the dog caught the bus. They got the majority in the House and the Senate, and all of those threats and promises about ObamaCare became reality. Then something else happened. People started saying to the Republican majority: And then what? What are you going to replace it with?

Well, it turns out for 6 years they have been writing speeches about abolishing ObamaCare instead of for 6 years writing plans and bills to replace it. So they slapped together a replacement plan, sent it over—I say that because it only took them a couple of weeks. They sent it over to the Congressional Budget Office, which is kind of like the umpire here, the referee, to take a look at it.

The Congressional Budget Office gave a report on the Republican replacement plan for the Affordable Care Act. This is what it said: Under TrumpCare—ObamaCare to TrumpCare—under TrumpCare, 24 million Americans will lose their health insurance; 14 million in the first year—24 million Americans out of a nation of what, 350 million, 360 million. That is a pretty large group.

We know what happens when people lose their health insurance. They still get sick. When they get sick, they go to the emergency room when it is too bad, and the emergency room takes care of them. Then the hospital, because the person does not have health insurance, chalks up the cost of that health to charity care and passes it along to everyone else with health insurance.

Under TrumpCare, seniors, rural communities, and lower and middle-income families will see their premiums and out-of-pocket costs soar, according to the Congressional Budget Office. Under TrumpCare, Medicare's solvency will shrink by 4 years. Medicare, you remember, is the program primarily for seniors started back in the 1960s to make sure that when you got to a point in life, age 65, you may not be working, no longer have insurance through your employer, the government Medicare plan would cover you.

Has it worked? Ask 60 million Americans who count on it. Yes. What about the results? Since the 1960s, people are living longer. We know Medicare works, but the cost of healthcare has

been going up, and we worried about its long-term solvency. It turns out the Affordable Care Act, which we passed, brought some savings to healthcare and added 10 years of solvency to Medicare.

Now, the Republicans want to repeal the Affordable Care Act, and it will reduce the solvency of Medicare by 4 years—4 years sooner Medicare will go insolvent. The fiscally conservative Republican Party has come up with an answer, which leads to sooner insolvency for Medicare. Under TrumpCare, \$880 billion in Federal Medicaid funding to States will be eliminated. What does it mean? Well, let me tell you the story of Judy.

Judy works at a motel in Southern Illinois. She is in her sixties. She is a hard-working lady. There is not a lazy bone in her body. She works in the hospitality room where you get the free breakfast at the motel. She is the one who smiles and cleans off the table and makes sure you are happy. I got to know her. Judy asked me about all of this stuff going on with affordable care. I asked her: Would you mind working with my office? Let's see what we can do for you.

It turns out that Judy, as hard as she works, makes a very low income. She qualified for Medicaid, which meant health insurance that did not cost her anything because her income was so low. She couldn't believe it. For the first time in her life—for the first time in her life she had health insurance—Medicaid—providing her health insurance. It was a good thing too because just shortly afterward she was diagnosed with diabetes. Now comes the proposal from the Republicans to remove so many people across America from Medicaid. Where does that leave Judy? Back where she started, working hard, with diabetes, a low income, and no health insurance. Terrible things can happen to you if you have diabetes and don't have some medical home or a doctor you can count on.

That is the reality of what TrumpCare will mean to Judy in Southern Illinois. One trillion dollars will be cut from programs that serve low- and middle-class families so the Republican approach can cut taxes for the wealthiest people in America. I am not making that up.

They are raising the premiums for working families to pay. They are cutting off seniors and others from Medicaid coverage so they can give tax breaks to the wealthiest superrich in America. It is going to cost us healthcare jobs across America. Downstate Illinois, those are good-paying jobs. The Illinois Hospital Association says we are going to lose them.

This Republican bill, TrumpCare, is bad for seniors, bad for middle-class families, bad for people with disabilities. It is not very good for kids. Half of the kids in America are born under

and taken care of by Medicaid. It is bad for the States, bad for just about everyone who is not healthy or wealthy. Yet the House Republican leadership is intent on moving forward with TrumpCare this week.

The President came to the House Republicans yesterday and said: If you don't support me on this vote, I am coming after your districts to defeat you.

This approach is going to increase premiums for seniors in one of the most fundamental ways. We said in our bill that we voted for that you could not have a disparity in premiums more than 3 to 1. So the premiums charged to a 20-year-old and the premiums charged to a 60-year-old could be no different than a 3-to-1 margin. The Republicans changed that and made it 5 to 1.

That is why the American Association of Retired Persons opposes TrumpCare and why seniors across the country are waking up to the reality that they are in for a jolt when it comes to the premiums they have to pay.

Senator SUSAN COLLINS of Maine, a Republican, has said: "This is not a bill I could support in its current form . . . it really misses the mark." As Senator COLLINS noted, this bill does not come close to achieving the goal of allowing low-income seniors to purchase health insurance.

Senator BILL CASSIDY, a Republican from Louisiana, said:

The CBO score was, shall we say, an eyepopper. . . . Can't sugarcoat it. . . . Doesn't look good.

Senator and Dr. CASSIDY, Republican from Louisiana, said that. He went on to say:

That's not what President Trump promised. . . . That's not what the Republicans ran on.

Senator TOM COTTON, Republican of Arkansas, said:

I'm afraid that if [House Republicans] vote for this bill, they're going to put the House majority at risk next year. . . . Just from a practical standpoint, I don't think this bill is going to reduce premiums for working Americans. . . . I think it's going to cost coverage for many Americans.

Why do we want to rush this process? It took us more than 2 years to write a bill, and it is still a bill that needs more work. I voted for it. To think that they can replace it in a matter of weeks, with this slap-dash approach, is not fair to America. It is not fair to people who count on health insurance for peace of mind and coverage when they desperately need it.

I see my friend on the floor. I am going to close. I released a report today, and it is one I am going to share across the board in Illinois before our delegation votes this week. This bill in Illinois means that 311,000 people I represent would lose their private health insurance. By 2020, the average enrollee

in Illinois would see their health insurance costs increase by over \$3,000—by 2026, almost \$5,000.

The impact is particularly severe for Illinoisans ages 55 to 64. They would see their costs of premiums increase by over 50 percent. Illinois hospitals, they are against it too. They know that a lot of downstate hospitals and inner-city hospitals can't survive this Republican replacement plan.

I will close with a letter from Christine McTaggart of Watseka, IL. Here is what she said to me: "I wake up every day since the election fearing that a complete repeal will happen and for me that translates into a death sentence."

Christine was originally diagnosed with stage IIIB inflammatory breast cancer in September of 2012. Given this type of aggressive cancer, her prognosis was poor. She went through 16 cycles—16—of chemotherapy, a bilateral mastectomy, 33 radiation treatments, failed reconstruction and chronic tissue issues, and thyroid cancer as well.

After all of that, in 2014, she learned her breast cancer was back. This time in her bones, stage IV. In her letter to me, Christine McTaggart of Watseka wrote:

When the Affordable Care Act became law, I had no idea my life would come to depend on policies such as pre-existing conditions not excluding you from coverage . . . and lifetime maximums being eliminated. If ACA were repealed, I would no longer have coverage as my chronic ongoing treatment has far exceeded the old lifetime maximums. . . . I would have to choose between bankruptcy for treatments I cannot afford and rolling the dice, waiting for death.

She ends with this:

I thank you for your tireless advocacy on this issue. . . . My life literally depends on it.

What we need to do is take repeal off the table, and this Senator will pull a chair up to the table. Let's make the Affordable Care Act work. Let's do it in a bipartisan way. Let's not look for a slam dunk for either political party. Let's try to do the right thing for America. We are not going to make the extremes in either political party happy, but if millions of Americans have health insurance and can find a way to pay for it, then we will do our job.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Louisiana.

Mr. CASSIDY. Mr. President, I ask unanimous consent that at 4:50 p.m. the remaining time on H.J. Res. 83 be yielded back and the joint resolution be read a third time and the Senate vote on the resolution with no intervening action or debate.

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

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, on the day of the news reporting the

World Meteorological Organization is declaring that 2016 was the hottest year ever recorded, and further declaring that the planet is now in what they call, "truly uncharted territory," I rise for my 161st "Time to Wake Up" speech, in this case to update my colleagues on the state of our oceans.

I am from the Ocean State. In January, the National Oceanic and Atmospheric Administration released a report with the U.S. Geologic Survey, the Environmental Protection Agency, researchers at Rutgers University, Columbia University, and the South Florida Water Management District.

The report updates global sea level rise estimates—perhaps not a big issue for Colorado but a big issue for Rhode Island. It made region-specific assessments for our American coastline. Based on updated peer-reviewed scientific literature, the report raised the previous upper range, or extreme, scenario for average global sea level in the year 2100 by an additional half a meter.

NOAA and its partners then tailored their findings to the U.S. coastline based on regional variations in ocean circulation and gravitational pull and local land conditions like erosion, subsidence, and groundwater depletion, all of which affect the local impacts of global sea level rise. They found that under the higher scenarios, all regions in the United States, except Alaska, can expect sea level rise higher than the global mean average. The news was particularly harsh for the western Gulf of Mexico and for the northeast Atlantic coast—Virginia through Maine, including my home State of Rhode Island.

Our coastal managers, like Rhode Island's Coastal Resources Management Council—the CRMC, we call them—are taking these new estimates seriously and incorporating the high scenario into their planning. Under the new scenario, the Northeast is expected to see 9 vertical feet of sea level rise by the end of the century. That means that a child born today in Providence, RI, at Women & Infants Hospital is likely to live long enough to see this 9-foot vertical sea level rise take place along our shores.

By the way, when you go up 9 feet, the shore goes back many, many hundreds of feet in many places. In Rhode Island, what CRMC is now planning for is between 9 and 12 vertical feet of sea level rise for our State. That is going to hit Rhode Island communities pretty hard.

Rhode Island's CRMC and our University of Rhode Island have developed together something called STORMTOOLS. It is an online research tool that projects the effects of this sea level rise and additional storm surge onto the State's coastal properties.

The tool actually now needs to be updated because it currently maxes out at 7 feet of sea level rise, which was the

previous high scenario. Now that we have raised it to 9 to 12 feet, they are going to have to go back and redo it.

This is what it looks like based on the 7-foot max. Here is 7 feet of sea level rise in Newport, RI. This is the harbor. This is downtown Newport. America's Cup Avenue, which runs right through there, will be taken out. Through this area are a lot of very successful businesses that appeal to the people who come to visit historic Newport, RI.

Through here, we have some of the most significant working wharves still in the Newport area. Then this area here, called The Point, is a historic section that goes back into the 18th and in some cases 17th centuries. These buildings, of course, will be flooded. There is the downtown Newport fire station in the middle of that as well, so it affects our safety infrastructure.

This is further up the bay in Rhode Island. This is Barrington here. This is the town of Warren. As you can see in the blue, there are a lot of places where homes and businesses go underwater just under the 7-foot scenario. Some of the stuff that goes underwater is pretty critical.

Here in this bluish part is the Warren wastewater treatment plant. You can't have a wastewater treatment plant that is under water, so that is a very significant investment for Warren to have to face.

I went to the Warren Town Hall not too long ago to meet with the manager and the folks who work there to hear from them about what they needed in order to accommodate this new risk.

Remember that the sea level rise that we are looking at here is just the floor that high tides and storms ride in on. In this simplified illustration, we can see a coastal city with sea level rise encroaching on its infrastructure. Then we add to that the king tides. When celestial bodies line up so the tides are stronger than usual and, therefore, higher than usual, they are called king tides. That is not a scientific term, but it is the lay term for them.

These king tides already push water into the streets of Miami and over the tops of the wharves of Boston on clear, sunny days—just from the tide. If you add on top of that a strong coastal storm, our city here does not stand a chance. Homes are destroyed, businesses are ruined, damages reach the billions, and lives perhaps are lost.

America's coastal communities are not prepared for the future. Part of that is because so many people are denying the prospect of this future, but also we haven't caught up.

Federal Emergency Management Agency flood maps are the things that guide flood insurance for most coastal property owners. FEMA's estimates, however, fall alarmingly short, we have discovered, for coastal communities

like those in Rhode Island, as the FEMA studies rely on outdated data and incomplete models. This means that people along America's coast who rely on these models can be lulled into a false sense of comfort if their home falls outside one of FEMA's high risk zones but, in actuality, is in harm's way. So Rhode Island officials are out right now trying to educate everyone living and working along our State's coast about the flooding dangers that are fueled by climate change.

It is not just State officials. Insurance and mortgage companies are starting to take these changes into account. Even the government-backed mortgage giant, Freddie Mac, is girding for broad housing losses from climate-driven flooding. Let me quote them: "The economic losses and social disruption may happen gradually," Freddie Mac says on its website, "but they are likely to be greater in total than those experienced in the housing crisis and great recession."

Think about that. That is pretty serious business, if you are saying that the housing damage and the consequent financial harm is going to be greater than the housing crisis and great recession that we just lived through.

Some effects of climate change may not even be insurable, Freddie Mac says, and unlike the 2008 housing crash, owners of homes that are literally under water—not just financially under water—would have little expectation of their homes' values ever recovering and, therefore, little incentive to keep making mortgage payments which would, in turn, add to steeper losses for lenders and for insurers. This is deadly serious economic business.

Shoreline counties are just 18 percent of the United States in land area, but they account for around 38 percent of the country's employment and 43 percent of our GDP. Each year, the sea and storms will take a higher toll on the roads, the bridges, the seawalls, the power and wastewater treatment plants, and the military facilities that serve that economically productive shore.

Despite all this, President Trump's proposed "America First" budget blueprint zeros out the Global Climate Change Initiative, ends U.S. contributions to international climate change programs, eliminates EPA programs that conduct climate change research and implement the Clean Power Plan, ends NOAA's coastal and marine management, research, and education grants and programs, including the sea grant cooperative research program, shifts NASA's Earth science budget, which includes climate research, out to deep space exploration, and cuts funding for the Department of Energy's Office of Science.

Obviously they don't like science very much.

The President's proposal—if enacted—would accelerate the grim future laid out in NOAA's sea level rise report and in Rhode Island's STORMTOOLS projections. As that grim future accelerates, it is actually science that gives us the headlights to perceive the oncoming threats. Cuts to CRMC of as much as 60 percent would cripple the STORMTOOLS project that provides Rhode Island our headlights.

The laws of thermodynamics will still govern the rise of our warming ocean waters. That is not going away. The laws of chemistry will still cause carbon dioxide to acidify seawater. That will not stop. The laws of biology will still affect vital coastal ecosystems and valuable ocean species and transmit the harms of climate change into those areas.

The laws of economics mean that this will all have a pretty bleak effect on the prosperity of Americans. All that it gains is that we will just be blinder to what is coming at us.

If the President were to forgo just one weekend at Mar-a-Lago, which POLITICO and the Washington Post estimate costs U.S. taxpayers \$2 to \$3 million each weekend, that money from one weekend could fund Rhode Island's entire sea grant program for a year, helping us guide offshore energy and commercial ocean development, protecting important fishing grounds and the State's vital fishing industry. That is economic effect in Rhode Island.

When the ocean starts lapping on the stairs of Mar-a-Lago, President Trump may be hard-pressed to continue denying what all of our scientific agencies are reporting and predicting. This graphic from the Boston Globe shows at 7 feet of sea level rise what is in store for the President's posh resort. The NOAA high scenario for that area actually projects for Florida's Atlantic coast sea level rise just over 8 feet by the end of the century—though this image understates the flooding that is going to take place at Mar-a-Lago in this century. That just shows 7 feet of sea level rise. An added foot of water not shown, plus that king tide problem I discussed, and storm surge—when you have a good wind kicking up, and it blows the surface of the ocean and raises the tide further—will all amplify these effects. Bye-bye, Mar-a-Lago.

It is time that we in Congress put fossil fuel interests aside. They have had their way with us quite long enough. It is time for us to start doing what is right by all of the Americans who live and work near the coast and will be facing this predicament in the real world.

If the President and this Congress remain beholden to this shameless, polluting industry, we will lose our chance to protect ourselves. It is time that we wake up to the reality of climate change, wake up to the reality of sea level rise, wake up to the reality of

ocean acidification, and start to do something about it.

We can't say we weren't warned. We are just rotten with fossil fuel money and will not listen.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, while the Senator from Rhode Island is still here, I was pleased to join with him in an article published in the New York Times not long ago. We don't agree on everything, but we do agree on this: Climate change is a serious problem, and it makes no sense to close nuclear power plants while they are safely operating and producing 60 percent of our carbon-free electricity in the United States.

So I thank him for his partnership on that article in the New York Times.

Mr. WHITEHOUSE. I appreciate the chairman saying that very much.

TVA

Mr. ALEXANDER. Mr. President, today I come to the floor to express my opposition once again to the possibility that the Tennessee Valley Authority—the TVA, as we call it—might raise our electric bills and waste more than \$1 billion buying electricity the region does not need by agreeing to purchase power from the Clean Line Energy Partners' proposed Plains & Eastern wind power transmission project.

Congress has a responsibility to conduct oversight of TVA's decisions and also to ensure that TVA is fulfilling its missions, as defined by the TVA Act. Although TVA does not receive any Federal funding from Congress, TVA is a Federal corporation, and its board members are nominated by the President of the United States and confirmed by the Senate.

The House Transportation and Infrastructure Committee and the Senate Environment and Public Works Committee, the committees responsible for the oversight of TVA, have held hearings to discuss TVA's budget and policies.

So as a U.S. Senator, today I am here to exercise my oversight responsibilities on TVA. Clean Line Energy Partners, a Texas-based company, is proposing to build giant, unsightly transmission towers from Oklahoma, through Arkansas, to Tennessee—known as the Plains & Eastern Clean Line—to carry comparatively more expensive, less reliable electricity to Tennessee and other Southeastern States.

For the first time ever, Federal eminent domain will be used over the objection of the State of Arkansas and both of Arkansas's U.S. Senators to acquire the land necessary for the transmission line. In order to move forward with the construction of a single 700-mile, high-voltage, direct current transmission line, Clean Line Energy Partners must find utilities in the

Southeast that are willing to purchase the power produced by an Oklahoma wind farm and transmitted by the Plains & Eastern Clean Line. For this reason, Clean Line Energy Partners and their supporters have been urging the Tennessee Valley Authority to agree to a long-term power purchase agreement for wind power.

In November, shortly after the election, the Southern Alliance for Clean Energy said: "We strongly encourage TVA's Board of Directors to immediately contract for at least 1,000 megawatts of wind power on the Plains and Eastern Clean Line." Why the rush, I would ask. The answer is this: Federal subsidies for wind power—subsidies that waste billions of dollars of taxpayer money each year—end after 2019. A petition being pushed by the Southern Alliance for Clean Energy urging TVA to purchase the power spells this out. They said: "Critical deadlines regarding the Federal production tax credit for wind power are fast approaching. . . . The time to contract for low-cost wind power is now."

So last December, I wrote to the TVA and said: "There should not be a rush to approve any proposal from Clean Line Energy Partners. This is a big, expensive decision and should be left to the new board next year."

While this decision should be left to a full TVA board when all of its members are confirmed, I don't know why either a board with three vacancies, which is what we have today, or a complete board with all of its members confirmed would even consider approving such a deal. A contract with Clean Line Energy Partners could cost TVA ratepayers more than \$1 billion over the next 20 to 30 years, the typical length of such an agreement. TVA would be disregarding its mission to provide low-cost power to the region if it were to contract for power the region doesn't need regardless of the source of the electricity.

In recent years, according to TVA, power demand throughout the Tennessee Valley has declined.

In 2013, TVA began working with its customers to develop a long-term plan to meet the region's power needs through 2033. In 2015, when TVA completed its Integrated Resource Plan, that plan concluded—this is TVA talking—that "there is no immediate need for new base load plants after Watts Bar Nuclear Unit 2 comes online and upgrades are completed at Browns Ferry Nuclear Plant." As a result of this conclusion, because TVA did not need power, TVA decided last year to sell the unfinished Bellefonte nuclear power plant.

For the foreseeable future, TVA has said it doesn't need any new baseload power and doesn't plan on any major new capital construction projects. This is good news for ratepayers because it means TVA can reduce debt and keep

electric rates low. So why would TVA announce that it doesn't need new power for the next 15 years, sell a nuclear power plant capable of producing reliable baseload power for the next 60 years, and then turn around and buy unreliable wind power that might only be available for 20 or 30 years until the turbines break down?

TVA is, generally speaking, on a very good path. Its leadership has made sound decisions that will benefit ratepayers and our region. To fulfill its mission to provide safe, clean, reliable, and affordable power for the region's homes and businesses—that is its mission—it has opened the first nuclear power reactor in the 21st century. And I may say, going back to Senator WHITEHOUSE's speech, nuclear power is emission free—no sulfur, no nitrogen, no mercury, no carbon. Nuclear power produces 60 percent of all of our carbon-free electricity. TVA is also placing pollution control equipment on all of its coal plants and is completing new natural gas plants. The TVA has done this while reducing its debt and reducing electric rates, which is good news for jobs and economic development in the region. Even if TVA did need more power, which it has said it does not, TVA should not agree to buy more wind power which is comparatively unreliable and expensive.

A look at TVA's previous experience with wind power illustrates how unreliable it can be, especially in our region. In 2001, TVA opened its first commercial-scale wind project in the Southeast. It is generous to say that it has been a failure. This project on Buffalo Mountain near Knoxville has the capacity to generate 27 megawatts of electricity; however, according to TVA, in 2016—last year—the Buffalo Mountain wind turbines produced only 4.3 megawatts on average. Capacity is 27 megawatts and generation was 4.3 megawatts—that is just 16 percent of their rated capacity. In other words, these turbines, which cost as much as \$40 million to build and must cost millions more over the life of the contract, produce little electricity and little value to TVA's ratepayers.

Wind usually blows at night when consumers are asleep and don't need as much electricity. Until there is some way to store large amounts of wind power, a utility still needs to operate gas, nuclear, or coal plants when the wind doesn't blow. For example, take a recent TVA peak summer day. On July 26, 2016, Tennessee Valley homes and businesses consumed 29,512 megawatts of electricity—nearly all of TVA's capacity of 33,000 megawatts of electricity. Part of TVA's capacity on that day included contracts for nearly 1,250 megawatts of electricity produced by wind power. However, at the peak demand during the day, when power is most urgently needed, those wind turbines with a rated capacity of 1,250

megawatts actually delivered only 185 megawatts of electricity. So on a day when the Tennessee Valley needed power the most, wind turbines provided less than 15 percent of their rated capacity and less than 1 percent of the total electricity needed to power our region's homes and businesses.

Not only is wind power unreliable, it can be more expensive than nuclear, which also produces zero emissions, or natural gas, which is low emission.

TVA is currently completing a new 900-megawatt natural gas plant for roughly \$975 million that will improve air quality in Memphis and be one of the most efficient natural gas plants in the world. Natural gas plants usually operate for at least 30 years and according to TVA can provide power in as little as 20 minutes to meet peak demand during hot summer afternoons and cold winter nights.

Last year, TVA opened the country's first nuclear power reactor in the 21st century, Watts Bar 2, at a cost of \$5 billion. Watts Bar 2 will safely provide 1,150 megawatts of power more than 90 percent of the time for the next 40, 60, and possibly even 80 years, all of it emission free, no sulfur, no nitrogen, no mercury, no carbon.

The point is, TVA has concluded that it doesn't need more power for the foreseeable future; therefore, its board should resist obligating TVA's ratepayers for any new large power contracts, much less contracts for comparatively expensive and unreliable wind power. Instead, TVA should continue to provide low-cost, reliable power to the region because that boosts economic development throughout the Tennessee Valley.

I thank the Presiding Officer, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Under the previous order, all remaining time for debate on H.J. Res. 83 has been yielded back.

The joint resolution was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. SASSE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. ISAKSON) and the Senator from Kentucky (Mr. PAUL).

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

The result was announced—yeas 50, nays 48, as follows:

[Rollcall Vote No. 93 Leg.]

YEAS—50

Alexander	Fischer	Perdue
Barrasso	Flake	Portman
Blunt	Gardner	Risch
Boozman	Graham	Roberts
Burr	Grassley	Rounds
Capito	Hatch	Rubio
Cassidy	Heller	Sasse
Cochran	Hoeven	Scott
Collins	Inhofe	Shelby
Corker	Johnson	Strange
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	

NAYS—48

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murphy	Wyden

NOT VOTING—2

Isakson Paul

The joint resolution (H.J. Res. 83) was passed.

The PRESIDING OFFICER. The majority leader.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move that the Senate proceed to executive session to consider Calendar No. 20, David Friedman to be Ambassador to Israel.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of David Friedman, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Israel.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of David Friedman, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Israel.

Mitch McConnell, Steve Daines, John Cornyn, Tom Cotton, Bob Corker, John Boozman, John Hoeven, James Lankford, Roger F. Wicker, John Barrasso, Lamar Alexander, Orrin G. Hatch, David Perdue, James M. Inhofe, Mike Rounds, Bill Cassidy, Thom Tillis.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call with respect to the nomination be waived.

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

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to S.J. Res. 34.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 16, S.J. Res. 34, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Protecting the Privacy of Customers of Broadband and Other Telecommunications Services."

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION

The PRESIDING OFFICER. The clerk will report the joint resolution.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 34) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Protecting the Privacy of Customers of Broadband and Other Telecommunications Services."

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Mr. President, I rise in support of my resolution of disapproval under the Congressional Review Act of

the FCC's broadband privacy restrictions. As chairman of the Senate Judiciary Committee's Privacy Subcommittee, I have spent more than a year closely examining this issue.

In February of 2015 the FCC, under then-Chairman Tom Wheeler, took the unprecedented step of reclassifying broadband providers as "common carriers" under title II of the Communications Act. In other words, on a 3-to-2 party-line vote, the FCC decided that internet service providers should be treated like telephone companies for regulatory purposes. The decision encroached on the Federal Trade Commission's jurisdiction to regulate ISP privacy policies, stripping these companies of their traditional privacy regulator.

Recognizing that his actions to impose net neutrality on ISPs created regulatory uncertainty, last spring Chairman Wheeler began to float the idea of implementing new FCC privacy rules. The FCC decided, again on a 3-to-2 party-line vote, to move forward with the rule change just before election day. The whole process was unsettling, to say the least.

The FCC ultimately decided to commandeer an area of regulatory authority for itself, without any meaningful check on this unilateral action. Once it initiated the bureaucratic power grab, it proceeded to establish new rules restricting the free speech of its regulatory target.

I submitted comments to the agency expressing my constitutional concerns about its proposed rule. I wasn't alone in doing so. Noted Harvard law professor Larry Tribe, hardly one to be confused for a conservative, did the same. But the rules were finalized nonetheless.

While the FCC recently took a step in the right direction by staying the application of the privacy rules, these midnight regulations are still hanging out there. Congress needs to repeal these privacy restrictions in order to restore balance to the internet ecosystem and provide certainty to consumers.

These regulations have altered the basic nature of privacy protection in the United States. For decades, the FTC policed privacy based on consumer expectations for their data, not bureaucratic preferences. These consumer expectations were just common sense: Sensitive data deserves more protection than nonsensitive data.

Unfortunately, the FCC rules dispensed with this commonsense regulatory approach. Under the new rules, what matters isn't what the data is but, rather, who uses it. This creates a dual-track regulatory environment where some consumer data is regulated one way if a company is using it under the FCC's jurisdiction and an entirely different way if its use falls under the FTC, or the Federal Trade Commission.

This is all confusing enough, but it gets worse. In the consumer technology sector, innovation is the name of the game. Companies are constantly rolling out new products and competing to win over consumers. By the same token, consumers are always on the lookout for the newest gadget or app. But the FCC's privacy order makes it increasingly difficult for consumers to learn about the latest product offerings from broadband providers. Instead of being notified about faster and more affordable alternatives for their family's home internet needs, under the FCC's privacy order, Arizonans might get left in the dark.

The FCC's heavyhanded data requirements restrict the ability of broadband providers to offer services tailored to their customers' needs and interests, and they lead to inconsistent treatment of otherwise identical data online. When a regulation diminishes innovation, harms consumer choice, and is just all-around confusing, it is a bad regulation. The FCC's privacy rule for ISPs is a bad regulation.

When it chose to impose needlessly onerous privacy regulations on broadband providers while leaving the rest of the internet under the successful FTC regime, the FCC unfairly picked one politically favored industry—the edge providers—to prevail over a different industry—broadband.

Repealing the FCC's privacy action is a crucial step toward restoring a single, uniform set of privacy rules for the internet. The FTC's privacy rules are the result of an ongoing, data-driven effort to understand and protect consumer expectations. That is the FTC. The FCC's rules, on the other hand, are the hasty byproduct of political interest groups and reflect the narrow preferences of well-connected insiders.

To sum all of this up, the FCC's midnight privacy rules are confusing and counterproductive. This CRA will get rid of it, pure and simple. But let me say what it won't do. Despite claims to the contrary, using this CRA will not leave consumers unprotected. That is because the FCC is already obligated to police the privacy practices of broadband providers under section 222 of the Communications Act, as well as various other Federal and State laws.

Both Chairman Wheeler and Chairman Pai agree on that point. Just last week, Chairman Pai wrote to my friends on the other side of the aisle confirming this legal fact.

This resolution will not disrupt the FCC's power, nor will it infringe on the FTC's jurisdiction elsewhere. Neither will it affect how broadband providers currently handle consumer data. Broadband providers are currently regulated under section 222, and they will continue to be after these midnight regulations are rescinded.

Passing this CRA will send a powerful message that Federal agencies can't

unilaterally restrict constitutional rights and expect to get away with it. I urge my colleagues to support this resolution of disapproval.

I yield back the remainder of my time.

THE PRESIDING OFFICER. The Senator from Florida.

MR. NELSON. Mr. President, we are talking about taking privacy rights away from individuals if we suddenly eliminate this rule. Do you want a large company that is an internet provider, that has all the personal, sensitive information because of what you have been doing on the internet—do you want that company to be able to use that for commercial purposes without your consent? That is the issue.

If you want to protect people's privacy, I would think you would want to require that an individual who has paid money for the internet provider to provide them with the internet—you go on the internet, and you go to whatever site you want. You do business. You do personal business. You do banking. You go on the internet and you buy things. You talk about your children's school, about when you are going to pick up your children, maybe what your children want to wear to school. You want to talk on the internet about anything that is personal. Do you want that internet provider to have access to that information to be used for commercial purposes without your consent? If you ask that question to the American people, they are going to give you a big, resounding no.

Should the internet provider use that information if you give your consent? Then that is fair game. If you give your consent so that they can alert you before a certain day—you might want to give a certain gift to your wife on her birthday, and they might have all that information, but maybe you don't want them to have the information about where your children go to school.

Personal, sensitive information is what we are talking about; therefore, the whole issue here is, do you want the internet provider to be able to use that information without the person's consent, or do you want the person to have to actually effectively opt-in in order to give the internet provider that consent? To me, this is a clear-cut case of privacy.

You can fancy it up, talking about FCC rules and so forth—and we have the author of the Telecom Act, Senator MARKEY, here, and he is going to talk about this and protections that were put in for telephones. But back then, remember, it was just you call from this number to this number on such and such a day for such and such a period of time. Even that was protected. But now—just think about this—we are talking about all the personal transactions that you do every day through the internet.

So I rise today in opposition to this resolution brought under the Congressional Review Act to disapprove the Federal Communications Commission's broadband consumer privacy rules. I would think that the distinguished Senator sitting in the Chair, who values privacy as he does—that this is going to be something he would be concerned about, as well as every other Senator in this Chamber, because you know that if you ask your constituents “Do you want your privacy invaded without your consent?” you know what the answer is going to be.

Americans care about their online privacy. They want to have control over how their personal information is exploited by third parties. In fact, a recent survey by the Pew Research Center found that 91 percent of adults feel they have lost control of how their personal information is collected and then used. That same study found that 74 percent of Americans believe it is very important that they be in control of who can get information about them, and a majority believe that their travels around the internet—the sites they visit and how long they spend in that location—are sensitive information that should be protected. I hope the Senators are going to pay attention to this because we are talking about sensitive, personal information.

Do you know that your geolocation is something that you are transmitting over the internet? Do you want your location and where you have been to be in the hands of somebody who could use that for commercial purposes? I don't think so. That is why this past October the FCC provided broadband subscribers with tools to allow them to have greater control over how their personal online information is used, shared, and then sold.

The FCC has been protecting telephone customers' privacy for decades, and it updated its longstanding privacy protections to protect the privacy of broadband customers. In fact, it is safe to say that what the FCC did last October was the most comprehensive update to its consumer privacy and data protection rules in decades.

The FCC put in place clear rules that require broadband providers to seek their subscribers' specific and informed consent before using or sharing sensitive personal information and give broadband customers the right to opt out of having their nonsensitive information used and shared if they chose to do so. The FCC also gave broadband subscribers additional confidence in the protection and security of their data by putting in place reasonable data security and breach notification requirements for broadband providers.

Simply put, the FCC decided to put American consumers—each one of us who pays these monthly fees for our broadband service—in the driver's seat of how their personal online data is

used and shared by the broadband provider to which they have been paying a monthly fee to use their service. Is that too much to ask? I don't think so.

Please understand that broadband providers know a lot about every one of us. In fact, it may be startling, the picture that your broadband provider can develop about your daily habits and then sell to the highest bidder.

Your home broadband provider can know when you wake up every day either by knowing the time each morning that you log on to the internet to check the weather and news of the morning or through a connected device in your home.

That provider may know immediately that you are not feeling well, that you kind of feel sick, assuming you peruse the internet, like most of us do, to get a quick check on your symptoms. In fact, your broadband provider may know more about your health and your reaction to illness than you are willing to share with your doctor. Think about that.

Personal privacy? If you let this go to the highest bidder, personal privacy of sensitive information is going to be out the window.

Your home broadband provider can build a profile about your listening and viewing habits given that today most of us access music, news, and video programming over broadband.

Your broadband provider may have a better financial picture of you than even your bank or your brokerage firm or your financial adviser because they see every website you visit across every device in your home and can build a thorough profile about you through these habits.

If you live in a connected home, the home of the future—and the future is now, by the way—they may know even more details about how you go about your day-to-day activities. Your mobile broadband provider knows how you move about through the day, your geolocation. They know through information about that geolocation and the internet activity. All of that is through—guess what—this mobile device. Don't you think this is connected to the internet? And that is not to mention the sort of profile a broadband provider can start to build about our children from their birth. It is a gold mine of data, the holy grail, so to speak.

It is no wonder that broadband providers want to be able to sell this information to the highest bidder without the consumer's knowledge or consent. And they want to collect and use this information without providing transparency or being held accountable. Is this what you want to inflict upon your constituents in your State by changing this rule about their personal, sensitive privacy? I don't think so. You better know what you are doing when you vote tomorrow. This vote is coming

about noon tomorrow. You better know.

As a country, we have not stood for this in the past, this kind of free utilization of information by entities that may want to have a unique look at who we are. We place stringent limits on the use of information by our doctors. We place stringent limits on our banks. When it comes to our children, I mean, that ought to be off-limits.

Broadband providers can build similar profiles about us and in fact may be able to provide more detail about someone than any one of those entities can. Passing this Senate resolution will take consumers out of the driver's seat and place the collection and use of their information behind a veil of secrecy, despite the rhetoric surrounding our debate today suggesting that eliminating these commonsense rules will better protect consumers' privacy online or will eliminate consumer confusion.

Don't fall for that argument, Senators. In fact, the resolution will wipe out thoughtful rules that were the product of months of hard work by the experts at the agency on regulating communications networks of all kinds. Those rules were crafted based upon a thorough record developed through an extensive multimonth rulemaking proceeding. The FCC received more than one-quarter of a million filings during this proceeding. They listened to the American people.

The agency received extensive input from stakeholders in all quarters of the debate, from the broadband providers and telephone companies to the public interest groups and from academics to individual consumers. We are going to wipe all of this away at noon tomorrow with a vote that you can do it by 50 votes in this Chamber? I don't think this is what the people want.

On top of this, the rules are based on longstanding privacy protections maintained by the FCC for telephone companies, as well as the work of and the principles advocated by the Federal Trade Commission and advocated by State attorneys general and others in protecting consumer privacy. The FCC rules put in place basic safeguards for consumers' privacy based on three concepts that are widely accepted as the basis for privacy regulation in the United States and around the world: notice, choice—individual choice, consumer choice—and security, those three. They are not the radical proposals that some would have you believe they are.

First, the rules require broadband providers to notify their customers about what types of information it collects about the individual customers, when they disclose or permit access to that information, and how customers can provide consent to that collection and disclosure.

Second, the rules give consumers choice by requiring broadband providers to obtain a customer's affirmative opt in; in other words, I give you my consent before you can use or share my sensitive personal information.

As I mentioned earlier, sensitive information includes a customer's precise geographic location—I don't think you want some people to know exactly where you are—your personal information, health, financial, information about your children, your Social Security number—how many laws do we have protecting Social Security numbers—the content you have accumulated on the web, web browsing, and application usage information.

For information considered nonsensitive, broadband providers must allow customers to opt out of use and sharing of such information. Broadband providers must provide a simple, persistently available means for customers to exercise their privacy choices.

Third, broadband providers are required to take reasonable measures to protect customers' information from unauthorized use, disclosure, or access. They must also comply with specific breach notifications. In other words, if somebody has busted the internet and stolen all of this information from the site, don't you think you ought to be notified that your personal information was hacked? Well, that is one of the requirements.

So then I ask my colleagues: What in the world is wrong with requiring broadband providers to give their paying customers clear, understandable, and accurate information about what confidential and potentially highly personal information those companies collect? What is wrong with getting their consent to collect that information from their subscribers?

What is wrong with telling customers how their information is collected when they use their broadband service? What is wrong with telling customers with whom they share this sensitive information? What is wrong with letting customers have a say in how their information is used? What is wrong with recognizing that information about a consumer's browsing history and app usage, sensitive and personal information, should be held to a higher standard before it is shared with others? What is wrong with all of that?

What is wrong with seeking a parent's consent before information about their children's activities or location is sold to the highest bidder? Do we as parents not go out of our way to protect our children's well-being and their privacy? Trying to overturn this rule is what is wrong.

What is wrong with protecting consumers from being forced to sign away their privacy rights in order to subscribe to a broadband service? I want your internet service. Do I have to sign away the rights to my private informa-

tion—private, sensitive information? What is wrong with making companies take reasonable efforts to safeguard the security of consumers' data?

What is wrong with making companies notify their subscribers when they have had a breach? Again, I ask my colleagues: What in the world is wrong with giving consumers increased choice, transparency, and security online?

Supporters of the joint resolution fail to acknowledge the negative impact this resolution is going to have on the American people. This regulation is going to wipe away a set of reasonable, commonsense protections. I want to emphasize that. Is it common sense to protect our personal, sensitive, private information? Of course it is. But we are just about—in a vote at noon tomorrow, with a majority vote, not a 60-vote threshold, a majority vote here—we are just about to wipe all of that out. It will open our internet browsing histories and application usage patterns up to exploitation for commercial purposes by broadband providers and third parties who will line up to buy your information.

It will create a privacy-free zone for broadband companies, with no Federal regulator having effective tools to set rules of the road for collection, use, and sale of that uniquely personal information of yours. It will tie the hands of the FCC because they cannot go back. Once this rule is overturned, they cannot go back and redo this rule. It will tie the hands of the Federal Communications Commission and eliminate the future ability to adopt clear, effective privacy and data security protections for you as a subscriber, in some cases even for telephone subscribers.

To be sure, there are those who disagree with the FCC's broadband consumer privacy rules. There is an avenue for those complaints. These same companies that are pushing the joint resolution have filed for reconsideration of the rule at the FCC, and there is a judicial system. That is the appropriate way. Go back and get the FCC to amend—if you all are so concerned—or let the judicial system work its will, but do not do it in one fell swoop in a majority rule in this body tomorrow at noon.

In fact, the critics of the FCC's rules have an open proceeding at the FCC in which they can argue on the record with an opportunity for full public participation to change and alter these rules.

If the FCC did it—you have a new FCC, a new Chairman, a new majority on the FCC—let them be the ones to amend the rules after all the safeguards of the open hearings, of the comment period, all of that. By contrast, what we are using here to invade our privacy is a blunt congressional instrument called the Congressional Re-

view Act. It means that all aspects of the rules adopted by the FCC must be overturned at once, including changes to the FCC's telephone privacy rules.

It would deny the agency the power to protect consumers' privacy online, and it would prevent the FCC—get this—prevent them, the FCC, the regulatory body that now has a new chairman and a new majority—it would prevent the FCC from ever adopting even similar rules. I don't think that is what we want to do because it does not make sense. That is exactly what we are about to do.

I also want to address the argument that the FCC rules are unfair to broadband providers because the same rules do not apply to other companies in the internet ecosystem. Supporters of this resolution will argue that the other entities in the internet ecosystem have access to the same personal information that the broadband providers do.

They argue that everyone in the data collection business should be on a level playing field. Well, I ask my colleagues whether they have asked their constituents that question directly. Do Americans really believe that all persons who hold data about them should be treated the same? I venture to guess that most Americans would agree with the FCC that companies that are able to build detailed particulars about you and build those particular pictures about your lives through unique insights because of what you do every day in their internet usage—shouldn't those companies be held to a higher standard?

In addition, the FCC's rules still allow broadband providers to collect and use their subscribers' information. The providers merely need to obtain consent from those activities when it comes to their subscribers' highly sensitive information.

The FCC also found that broadband providers, unlike any other companies in the internet ecosystem, are uniquely able to see every packet of information that a subscriber sends and receives—every packet of information that you send or receive over the internet while on their networks. So if you have a provider, they are on your iPhone, and you are using them, they are seeing everything. That is not the case if you go to Google because Google sees only what you do while you are on Google. But the internet provider, the pipe that is carrying your information—they see everything that you do.

Supporters of the joint resolution also hold out the superiority of the Federal Trade Commission's efforts on protecting privacy. They argue that there should be only one privacy cop on the beat. But, folks, that ignores reality. The FTC doesn't do everything. There are a number of privacy cops on the beat. Congress has given the FCC,

the FTC, the FDA, and NHTSA regulatory authority to protect consumers' privacy.

You had better get this clear because the FCC is the only agency to which Congress has given statutory authority to adopt rules to protect broadband customers' privacy. The FTC, the Federal Trade Commission, does not have the rulemaking authority in data security, even though commissioners at the FTC have asked Congress for such authority in the past. Given recent court cases, the FTC now faces even more insurmountable legal obstacles to taking action, protecting broadband consumers' privacy.

So don't be fooled by this argument that folks are telling you over here that it ought to be the FTC, the Federal Trade Commission. As many have pointed out, elimination of the FCC's rules will result in a very wide chasm, where broadband and cable companies have no discernible regulation while internet "edge" companies abide by the FTC enforcement efforts.

Without clear rules of the road, broadband subscribers will have no certainty of choice about how their private information can be used and no protection against its abuse—no protection, my fellow Americans, of your personal, sensitive, private data. That is why this Senator supports the FCC's broadband consumer privacy rules.

I want to encourage my fellow Senators: You had better examine what you are about to do to people's personal privacy before you vote to overturn this rule tomorrow.

I urge my colleagues to vote against the joint resolution.

Mr. President, I yield the floor.

THE PRESIDING OFFICER (Mr. TILLIS). The Senator from South Dakota.

ORDERS FOR THURSDAY, MARCH 23, 2017

Mr. THUNE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, March 23; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that the Senate resume consideration of S.J. Res. 34.

THE PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. THUNE. Mr. President, the internet has grown at an unbounded rate in the years since its inception, a phenomenon no one can argue with. Much of that growth can be attributed to the light-touch regulatory approach that the government adopted in the early days of the web.

As chairman of the Commerce Committee, which has jurisdiction over the internet, I have worked hard to promote policies that encourage the pri-

vate sector to invest in and grow the internet ecosystem as a whole. All of that is jeopardized, however, if government bureaucrats have the ability to overregulate the digital world. When it comes to overregulating the internet, one need look no further than the Democratic-controlled Federal Communications Commission under President Obama.

In a world that was turning away—it was literally turning away from the legacy telecommunication services and, instead, toward dynamic internet applications, the FCC found its role gradually diminishing. This is an inevitable and good byproduct, I might add, of a more competitive environment brought about by technological innovation and successful light-touch policies.

Yet the Obama FCC fought hard against this technological progress and, instead, pursued an aggressively activist and partisan agenda that put government edicts ahead of real consumer desires. Over the last 2 years, the FCC has made a stunning bureaucratic power grab. First, the FCC stripped away the Federal Trade Commission's authority to police internet providers and seized that for itself by recharacterizing such services as monopoly-era telecommunications.

Then in 2016, the FCC, which has little experience regulating internet privacy, decided to turn our country's privacy laws on their head by abandoning the time-tested enforcement approach of the FTC, the Federal Trade Commission. These actions by the FCC ignored both common sense and real world data and, instead, focused on hypothetical harms of the future.

Ignoring years of internet ecosystem precedent, where everyone was treated the same, the FCC's 2016 broadband privacy regulations would apply only to certain parts of the internet. This is a source of significant concern because at any particular time, consumers will not have reasonable certainty of what the rules are and how their privacy decisions will be applied.

Are you at home on Wi-Fi? At home on a smartphone? Using your smartphone on a friend's Wi-Fi? Using the Internet at a library? Each of these could have very different privacy implications for a consumer because of the FCC's piecemeal approach to privacy, leading to more confusion and uncertainty, not increased privacy protections, as promised.

In enacting these lopsided rules, the FCC seems to have gone out of its way to disregard established FTC practice by creating new regulations that differ significantly from the FTC's tried-and-true framework. The FTC's privacy regime is clear, easy to understand, and applies evenly throughout the marketplace. By contrast, the FCC's rules are complex, confusing, and often lead to the same data being treated inconsistently online.

The FCC's action would harm consumers in other ways as well. Even though no consumer wants to be in the dark about newer and cheaper services, the FCC's rules actually make it more difficult for customers to hear about new, innovative offerings from their broadband providers. And because the FCC imposed heavy-handed data requirements on these internet companies, they will have less ability to offer services that are tailored to their customers' needs and interests. Furthermore, the FCC unfairly distorted the marketplace when it imposed unnecessarily onerous privacy restrictions on broadband providers while leaving the rest of the internet under the strong and successful regime at the FTC.

When speaking about the economic opportunities the internet now affords us, President Obama's last FCC chairman declared that "government is where we will work this out."

"Government is where we will work this out."

Well, I couldn't disagree more. I believe the marketplace should be the center of the debate over how our digital networks would function, not the FCC. I believe consumers and job creators should be the ones deciding about new technologies, not the government.

The resolution before us today is the first step toward restoring regulatory balance to the internet ecosystem. The best way for that balance to be achieved is for there to be a single, uniform set of privacy rules for the internet—the entire internet—rules that appropriately weigh the need to protect consumers with the need to foster economic growth and continued online innovation.

The FCC is simply the wrong venue for that effort. Its statutory scope is too narrow, and it lacks institutional expertise on privacy. The current chairmen of the FCC and the FTC both recognize this, having jointly called for returning jurisdiction over broadband providers' privacy and data security practices to the FTC "so that all entities in the online space can be subject to the same rules."

For those reasons, I support the resolution before us that would provide congressional disapproval of the Obama administration's misguided and unfair attempts to regulate the internet, and I encourage my colleagues to support the resolution as well.

To those people who have heard that this resolution somehow results in the elimination of all online protections for consumers, I can assure you those claims are simply unfounded scare-mongering. If this resolution is enacted, it will repeal only a specific rulemaking at the FCC that has yet to be implemented. What we are talking about here hasn't even been implemented yet. It will not touch the FCC's underlying statutory authority. Indeed, the FCC will still be obligated to

police the privacy practices of broadband providers, as provided for in the Communications Act. The new chairman of the FCC confirmed this when he appeared before the Commerce Committee earlier this month. No matter what happens with this resolution, the FTC will continue to have its authority to police the rest of the online world.

It is my hope that once the Senate passes this resolution, the House will move quickly to take it up and send it to the President for his signature because, before our country can get back on the right track, we must first move past the damaging regulations adopted in the waning days of the Obama administration.

I thank Senator FLAKE for his leadership on this issue. Without his tireless efforts, we would not be here today, standing ready to move decisively toward a better future for the internet.

I urge my colleagues to support the resolution that we will vote on tomorrow at noon.

MORNING BUSINESS

COMMITTEE ON THE BUDGET

RULES OF PROCEDURE

Mr. ENZI. Mr. President, I ask unanimous consent that the rules of the Senate Committee on the Budget for the 115th Congress be printed in the RECORD.

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

RULES OF PROCEDURE

I. MEETINGS

(1) The committee shall hold its regular meeting on the first Thursday of each month. Additional meetings may be called by the chair as the chair deems necessary to expedite committee business.

(2) Each meeting of the committee, including meetings to conduct hearings, shall be open to the public, except that a portion or portions of any such meeting may be closed to the public if the committee determines by record vote in open session of a majority of the members of the committee present that the matters to be discussed or the testimony to be taken at such portion or portions—

(a) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(b) will relate solely to matters of the committee staff personnel or internal staff management or procedure;

(c) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(d) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense

that is required to be kept secret in the interests of effective law enforcement; or

(e) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(i) an act of Congress requires the information to be kept confidential by Government officers and employees; or

(ii) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person.

(f) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

(3) Notice of, and the agenda for, any business meeting or markup shall be provided to each member and made available to the public at least 72 hours prior to such meeting or markup.

II. CONSIDERATION OF BUDGET RESOLUTIONS

(1) If the chair of the committee makes proposed legislative text of a concurrent resolution on the budget available to all committee members by 12:00 p.m., five days prior to the start of a meeting or markup to consider the resolution, during that meeting or markup:

(a) it shall not be in order to consider a first degree amendment unless the amendment has been submitted to the chief clerk by 5:00 p.m. two days prior to the start of the meeting or markup, except that an amendment in the nature of a substitute offered by the chair of the committee shall not be required to be filed in advance, and

(b) it shall not be in order to consider a second degree amendment unless the amendment has been submitted to the chief clerk by 5:00 p.m. on the day prior to the start of the meeting or markup, and

(c) it shall not be in order to consider a side-by-side amendment unless the amendment has been submitted to the chief clerk by 5:00 p.m. on the day prior to the start of the meeting or markup, and the amendment is filed in relation to a particular first degree amendment that is considered by the committee.

(2) During consideration of a concurrent resolution on the budget, it shall not be in order to consider an amendment that would have no force or effect if adopted.

III. ORDER OF RECOGNITION

Those members who are present at the start of any meeting of the committee including meetings to conduct hearings, shall be recognized in order of seniority based on time served as a member of the committee. Any members arriving after the start of the meeting shall be recognized, in order of appearance, after the most junior member.

IV. QUORUMS AND VOTING

(1) Except as provided in paragraphs (2) and (3) of this section, a quorum for the transaction of committee business shall consist of not less than one-third of the membership of the entire committee: Provided, that proxies shall not be counted in making a quorum.

(2) A majority of the committee shall constitute a quorum for reporting budget resolutions, legislative measures or recommendations: Provided, that proxies shall not be counted in making a quorum.

(3) For the purpose of taking sworn or unsworn testimony, a quorum of the committee shall consist of one Senator.

(4)(a) The committee may poll—

(i) internal committee matters including those concerning the committee's staff, records, and budget;

(ii) steps in an investigation, including issuance of subpoenas, applications for immunity orders, and requests for documents from agencies; and

(iii) other committee business that the committee has designated for polling at a meeting, except that the committee may not vote by poll on reporting to the Senate any measure, matter, or recommendation, and may not vote by poll on closing a meeting or hearing to the public.

(b) To conduct a poll, the chair shall circulate polling sheets to each member specifying the matter being polled and the time limit for completion of the poll. If any member requests, the matter shall be held for a meeting rather than being polled. The chief clerk shall keep a record of polls; if the committee determines by record vote in open session of a majority of the members of the committee present that the polled matter is one of those enumerated in rule I(2)(a)–(e), then the record of the poll shall be confidential. Any member may move at the committee meeting following a poll for a vote on the polled decision.

V. PROXIES

When a record vote is taken in the committee on any bill, resolution, amendment, or any other question, a quorum being present, a member who is unable to attend the meeting may vote by proxy if the absent member has been informed of the matter on which the vote is being recorded and has affirmatively requested to be so recorded; except that no member may vote by proxy during the deliberations on Budget Resolutions unless a member is experiencing a health issue and the chair and ranking member agree to allow that member to vote by proxy on amendments to a Budget Resolution.

VI. HEARINGS AND HEARING PROCEDURES

(1) The committee shall make public announcement of the date, place, time, and subject matter of any hearing to be conducted on any measure or matter at least 1 week in advance of such hearing, unless the chair and ranking member determine that there is good cause to begin such hearing at an earlier date.

(2) At least 24 hours prior to the scheduled start time of the hearing, a witness appearing before the committee shall file a written statement of proposed testimony with the chief clerk who is responsible for circulating the proposed testimony to all members at the same time. The requirement that a witness submit testimony 24 hours prior to a hearing may be waived by the chair and the ranking member, following their determination that there is good cause for the failure of compliance.

VII. COMMITTEE REPORTS

(1) When the committee has ordered a measure or recommendation reported, following final action, the report thereon shall be filed in the Senate at the earliest practicable time.

(2) A member of the committee, who gives notice of an intention to file supplemental, minority, or additional views at the time of final committee approval of a measure or matter, shall be entitled to not less than 3 calendar days in which to file such views, in writing, with the chief clerk of the committee. Such views shall then be included in the committee report and printed in the same volume, as a part thereof, and their inclusions shall be noted on the cover of the report. In the absence of timely notice, the committee report may be filed and printed immediately without such views.

VIII. USE OF DISPLAY MATERIALS IN COMMITTEE

Committee members may use the electronic display system provided in the committee hearing room or physical graphic displays during any meetings or hearings of the committee. Physical graphic displays are limited to the following:

Charts, photographs, or renderings:

Size: no larger than 36 inches by 48 inches.

Where: on an easel stand next to the member's seat or at the rear of the committee room.

When: only at the time the member is speaking.

Number: no more than two may be displayed at a time.

IX. CONFIRMATION STANDARDS AND PROCEDURES

(1) Standards. In considering a nomination, the committee shall inquire into the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated. The committee shall recommend confirmation if it finds that the nominee has the necessary integrity and is affirmatively qualified by reason of training, education, or experience to carry out the functions of the office to which he or she was nominated.

(2) Information Concerning the Nominee. Each nominee shall submit the following information to the chief clerk, who will distribute to the chairman and ranking member at the same time:

(a) A detailed biographical resume which contains information concerning education, employment, and background which generally relates to the position to which the individual is nominated, and which is to be made public;

(b) Information concerning financial and other background of the nominee which is to be made public; provided, that financial information that does not relate to the nominee's qualifications to hold the position to which the individual is nominated, tax returns or reports prepared by federal agencies that may be submitted by the nominee shall, after review by the chair, ranking member, or any other member of the committee upon request, be maintained in a manner to ensure confidentiality; and,

(c) Copies of other relevant documents and responses to questions as the committee may so request, such as responses to questions concerning the policies and programs the nominee intends to pursue upon taking office.

(3) Report on the Nominee. After a review of all information pertinent to the nomination, a confidential report on the nominee may be prepared by the committee staff for the chair, the ranking member and, upon request, for any other member of the committee. The report shall summarize the steps taken and the results of the committee inquiry, including any unresolved matters that have been raised during the course of the inquiry.

(4) Hearings. The committee shall conduct a hearing during which the nominee shall be called to testify under oath on all matters relating to his or her suitability for office, including the policies and programs which he or she would pursue while in that position. No hearing or meeting to consider the confirmation shall be held until at least 72 hours after the following events have occurred: the nominee has responded to the requirements set forth in subsection (2), and, if a report described in subsection (3) has been prepared, it has been presented to the chairman and ranking member, and is available to other members of the committee, upon request.

50TH ANNIVERSARY OF THE VIETNAM WAR

Mr. KING. Mr. President, this month Togus VA Maine Healthcare System will observe the 50th anniversary of the Vietnam war by honoring veterans of the Vietnam war era and their families. Togus will welcome veterans, their families, and communities in a ceremony at the Togus Theater in Augusta on March 23, 2017, to commemorate their service and sacrifices and to thank them for dedicating both strength and service in defense of our freedom.

Throughout the war, the United States deployed nearly 3 million servicemembers to Vietnam. Over 58,200 Americans made the ultimate sacrifice, and more than 150,000 were wounded during the conflict. Our veterans selflessly served this country, and they deserve to be recognized for their unwavering patriotism, courage, and resilience that exemplifies the strength of the American spirit and our Nation's commitment to democracy worldwide.

Maine played a critical role in the war effort. Those who served in the Vietnam war represent the largest contingent of veterans in Maine, and their record of service has earned them our eternal gratitude. Nearly 48,000 soldiers from Maine served in Vietnam, and almost 350 Mainers lost their lives or went missing in action during the war.

For this observance of the 50th anniversary of the Vietnam war, I am proud to recognize the brave Americans who served, both overseas and here on the homefront. Their service makes this country great, and their countless personal sacrifices to protect our freedoms can never be fully repaid. It is my honor to express my gratitude to our veterans for their service during the Vietnam war and their many contributions to the State of Maine and our great Nation.

RECOGNIZING SMALL BUSINESS DEVELOPMENT CENTERS

Mr. RISCH. Mr. President, on behalf of myself and my colleague Senator SHAHEEN, I would like to recognize the contributions made to our Nation and its small businesses by the good work of America's small business development centers. As chairman and ranking member of the Senate Committee on Small Business and Entrepreneurship, Ranking Member SHAHEEN and I understand the impact that boosting small businesses makes, with 99.7 percent of all firms across America being small businesses and their employees making up 48 percent of the total workforce.

America's small business development centers provide small businesses across the country with high-quality, low- or no-cost consulting, and a variety of educational programs. These centers operate in all 50 States to sup-

port an established network of small businesses while encouraging new entrepreneurs to develop and execute their unique vision, helping innovators get their own small businesses up and running.

Small business development centers are successful because they provide the services of a large consulting firm on a locally scaled level in areas that may go unnoticed by other programs. They provide tailored, individualized attention to over 450,000 entrepreneurs a year, which resulted in \$6.9 billion in new sales in 2015. That same year, America's small business development centers aided in the creation of over 100,000 jobs, and the small businesses they serve averaged a growth rate of 15.5 percent, which is nearly eight times the national average.

One of many success stories that can be told is that of Velma, a marketing software firm in Nampa, ID. Founded in 2006, the firm focused on empowering loan officers to create stronger relationships through a customized direct email program. The recession of 2008 hit Velma hard, and in 2010, the company entered into the small business development centers business accelerator program. The structure of the program provided organizational discipline, and the firm pivoted to providing email marketing for mortgage companies. Since the firm began participating in the accelerator program, Velma has quadrupled its employees and created a sustained positive cash flow.

It is a privilege for my colleague and I to recognize America's Small Business Development Centers Day today, March 22, 2017, and we wish them continued success as they work to support the next generation of America's small business owners and entrepreneurs.

Mrs. SHAHEEN. Mr. President, as ranking member of the U.S. Senate Committee on Small Business and Entrepreneurship, it is a privilege to join Chairman RISCH as we celebrate the first ever Small Business Development Center Day, which will unite the more than 1,000 small business development centers, SBDCs, across the country with the hundreds of thousands of entrepreneurs they have assisted in their 37-year history.

Small businesses are the engine of our economy, creating two out of every three new jobs in the United States. As Chairman RISCH stated, since 1980, America's SBDCs have provided these small businesses with high-quality, low- or no-cost consulting, and a variety of educational programs across the country. Together with SBA's other resource partners—women's business centers, veterans business outreach centers, and SCORE chapters—SBDCs have enhanced the ability of America's small businesses to grow and create jobs.

To provide some context for what this means to our economy, the association representing SBDCs estimates that SBDC clients start a new business every 30 minutes, create a new job every 5 minutes, generate \$100,000 in new sales every 7.5 minutes, and raise \$100,000 in capital every 11 minutes. Job growth for SBDC clients is nearly 10 times greater than job growth for the average business.

Under the leadership of Dr. Richard Grogan, the New Hampshire SBDC State director, New Hampshire SBDCs have helped thousands of small business owners and entrepreneurs realize their dreams, start new businesses, and create jobs. Last year alone, New Hampshire SBDC counseled and trained more than 2,500 businesses and assisted in the formation of more than \$39 million in capital for New Hampshire's small businesses.

For example, NH SBDC has been instrumental for Julie Lapham, the founder and chief sales officer of a startup in Dover, NH, called Popzup. Popzup is a family-owned business that provides a new popcorn product for health-conscious consumers. As Julie explained it, her local SBDC helped to prepare her for a Shark Tank-style pitch competition in which she took home a first-prize award of \$10,000. They have helped her understand her financing options and continue to stay involved and support her company's growth.

I hope my colleagues will join me and Chairman RICH in celebrating SBDC Day and acknowledging their local SBDCs for their accomplishments and the role that they play in helping small businesses create jobs.

ADDITIONAL STATEMENTS

REMEMBERING PABLITA TA-NEZ-BAH ABEYTA

• Mr. UDALL. Mr. President, Ta-Nez-Bah means in Navajo "one who completes a circle." Ta-Nez-Bah was an apt middle name for Pablita Abeyta whose life encircled art, advocacy, and dedication to Native peoples.

Pablita Ta-Nez-Bah Abeyta was born in Gallup, NM, in 1953, to Narciso Haso-De Abeyta and Sylvia Ann (Shipley) Abeyta. Her father was Navajo and an internationally recognized painter and silversmith. Her mother was Anglo and a Quaker and an accomplished ceramist and weaver in her own right.

Pablita and her six siblings were raised in and around the arts and the traditions of the Navajo people. Each had an artistic talent. Her sister Elizabeth was a masterful sculptor and ceramic artist; her brother Tony is a highly acclaimed painter and jeweler; and her sister Alice Seely is a nationally recognized sculptor, painter, and jeweler.

Pablita attended the Institute for American Indian Arts in Santa Fe and received a masters in public affairs from the University of New Mexico in 1983.

She then headed off to Washington, DC, where she would combine advocacy and art the rest of her life and where she would play a key role in founding the Smithsonian Institution's National Museum of the American Indian, NMAI.

Pablita had a full career on Capitol Hill for many years until her retirement, always advocating for Native causes. She lobbied for the Navajo Nation; worked as a legislative aide to U.S. Representative Ben Nighthorse Campbell from Colorado; staffed the U.S. House Interior Committee's Office of Indian Affairs under my uncle, U.S. Representative Mo Udall; held a legislative liaison position at the Smithsonian Institute; and served as special assistant with the NMAI.

Pablita attended the first congressional hearing on NMAI in 1987, worked for its establishment through congressional legislation, and worked on its highly successful private fundraising drive. Her work was instrumental to starting and building the museum.

Pablita was also an accomplished sculptor. Inspired by the strength, beauty, and serenity of Native women, her sculptures have been described as "smooth, round and sensuous." Her artwork won many awards at the Santa Fe Indian Market, was included in a Smithsonian National Museum of American History exhibition, and is held in the permanent collection of the NMAI. Pablita commented of her sculptures that "... the female figures sing, talk, and reflect the seasons and Navajo spiritual ceremony. I am making a statement with my art about the importance of family, community and my heritage."

Pablita passed away January 31, 2017, at age 63. She completed many circles in her life, and I honor all that she accomplished.●

REMEMBERING WILSON M. HALONA

• Mr. UDALL. Mr. President, I wish to pay tribute to Wilson Miles Halona, an outstanding member of the Navajo Nation, a loving husband and father, and a courageous American veteran. Sadly, at age 95, he passed away February 28, 2017.

Mr. Halona was born January 1, 1922, in the Chuska Mountains near Tohatchi, NM. His maternal clan was the Ashiihi, Salt People Clan, and his paternal clan was To'hani, Near the Water People Clan. He was the son of sheep herders, Barney and Annie Halona. One of his sons tells the story of Mr. Halona's mother going into labor with him as she was herding sheep in the middle of winter. She

stopped to give birth, outside in the cold, and then went back to herding. He came from strong stock.

This is the second time I have had the privilege to honor Mr. Halona. The first was on November 20, 2012, at the Pueblo Indian Cultural Center in Albuquerque, New Mexico. Mr. Wilson was a World War II hero, but had not received the recognition he deserved. Almost 60 years after the war, his family worked to make sure he received the acknowledgment and medals he earned for his bravery and service.

Mr. Halona was part of the D-Day invasion. Serving in the Army, he and his fellow soldiers landed in Normandy, on Utah Beach, in July 1944. They were part of the third wave of American soldiers to land, and there were already many casualties scattered on the beach.

Mr. Halona was a gunner. As he and his battalion started moving inland, they encountered heavy gunfire from Germans who were dug into mountaintops along the beach in cement bunkers. The American troops returned the gunfire and fought for over 3 hours before they destroyed two German bunkers. Mr. Halona's battalion stopped further casualties and took control of the beachfront.

They headed to Brussels and then on to Bonn and Luxembourg, where the U.S. had established a military base. Winter came upon them, and they were snowed in for 4 months. After the snow cleared, the battalion moved to take over Munich, where they saw firsthand the death and destruction of the Holocaust. In Stuttgart, they drove out the Germans, captured Hitler's top generals, transferred them to jail in Nuremberg, and kept guard. Mr. Halona himself guarded Reichsmarschall Hermann Goering for several hours. Mr. Halona credited his Navajo traditions and prayers for helping him during and after the war.

When Mr. Halona was finally given the honors owed in 2012, he received the Good Conduct Medal, European-African-Middle Eastern Campaign Medal with one Silver Service Star, World War II Victory Medal, the Honorable Service Lapel Button WWII, and the Sharpshooter Badge with Rifle Bar Presentation. I was deeply honored that he asked me to present his medals.

Mr. Halona served the Navajo Nation with distinction as well. He was a member of the Navajo Nation Council for four terms and president of the Tohatchi chapter for eight terms. He was first appointed to the advisory board for the Navajo Housing Authority and then served as its first chair. He was instrumental in developing the housing authority—The Navajo Housing Authority was one of the first tribal housing authorities to be funded by the U.S. Department of Housing and Urban Development—and making sure

that Navajo people had better living conditions. He worked to develop the Indian Health Service within the Navajo Nation and to build schools on the reservation. He even helped create the Navajo rodeo association. Mr. Halona's service to his tribe stretched far and deep.

Mr. Halona was married to his wife, Ruby Arviso, from 1942 until her passing in 2013. He had 7 children, and is survived by 5, along with 16 grandchildren and 29 great-grandchildren.

Wilson Miles Halona lived a life of service to family, tribe, and Nation. I honor his life and his work.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries.

PRESIDENTIAL MESSAGE

NOTICE OF THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO SOUTH SUDAN THAT WAS DECLARED IN EXECUTIVE ORDER 13664 OF APRIL 3, 2014—PM 3

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13664 of April 3, 2014, with respect to South Sudan is to continue in effect beyond April 3, 2017.

The situation in and in relation to South Sudan, which has been marked by activities that threaten the peace, security, or stability of South Sudan and the surrounding region, including widespread violence and atrocities, human rights abuses, recruitment and use of child soldiers, attacks on peacekeepers and humanitarian workers, and obstruction of humanitarian operations, continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to

continue the national emergency declared in Executive Order 13664 with respect to South Sudan.

DONALD J. TRUMP.
THE WHITE HOUSE, March 22, 2017.

MESSAGE FROM THE HOUSE

At 12:31 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 305. An act to amend title 4, United States Code, to encourage the display of the flag of the United States on National Vietnam War Veterans Day.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1297. An act to amend the Homeland Security Act of 2002 to make technical corrections to the requirement that the Secretary of Homeland Security submit quadrennial homeland security reviews, and for other purposes.

H.R. 1353. An act to amend the Homeland Security Act of 2002 to require certain additional information to be submitted to Congress regarding the strategic 5-year technology investment plan of the Transportation Security Administration.

MEASURES REFERRED

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

H.R. 1297. An act to amend the Homeland Security Act of 2002 to make technical corrections to the requirement that the Secretary of Homeland Security submit quadrennial homeland security reviews, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1353. An act to amend the Homeland Security Act of 2002 to require certain additional information to be submitted to Congress regarding the strategic 5-year technology investment plan of the Transportation Security Administration; to the Committee on Commerce, Science, and Transportation.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 1181. An act to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-1032. A communication from the President of the United States, transmitting, pursuant to law, the Budget Blueprint of the United States Government for Fiscal Year

2018 received during adjournment of the Senate in the Office of the President of the Senate on March 16, 2017; referred jointly, pursuant to the order of January 30, 1975 as modified by the order of April 11, 1986; to the Committees on the Budget; and Appropriations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. 249. A bill to provide that the pueblo of Santa Clara may lease for 99 years certain restricted land, and for other purposes (Rept. No. 115-8).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Ms. BALDWIN (for herself and Mrs. CAPITO):

S. 693. A bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KING (for himself and Mr. CORNYN):

S. 694. A bill to amend the Internal Revenue Code of 1986 to increase the standard charitable mileage rate for delivery of meals to elderly, disabled, frail, and at risk individuals; to the Committee on Finance.

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

S. 695. A bill to avoid duplicative annual reporting under the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FISCHER (for herself, Mrs. McCASKILL, and Mr. HELLER):

S. 696. A bill to amend title 5, United States Code, to appropriately limit the authority to award bonuses to Federal employees; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DAINES:

S. 697. A bill to amend the Internal Revenue Code of 1986 to lower the mileage threshold for deduction in determining adjusted gross income of certain expenses of members of reserve components of the Armed Forces, and for other purposes; to the Committee on Finance.

By Ms. CANTWELL (for herself, Ms. MURKOWSKI, Mrs. MURRAY, and Mrs. FEINSTEIN):

S. 698. A bill to establish a national program to identify and reduce losses from landslide hazards, to establish a national 3D Elevation Program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MURPHY (for himself, Mr. TESTER, Mrs. MURRAY, Mr. MARKY, Mr. BLUMENTHAL, Ms. BALDWIN, Mr.

BENNET, Mr. SCHATZ, and Mr. FRANKEN):

S. 699. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to furnish mental and behavioral health care to certain individuals discharged or released from the active military, naval, or air service under conditions other than honorable, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. MURRAY (for herself, Ms. BALDWIN, Mr. BENNET, Mr. BROWN, and Mrs. GILLIBRAND):

S. 700. A bill to improve the reproductive assistance provided by the Department of Defense and the Department of Veterans Affairs to severely wounded, ill, or injured members of the Armed Forces, veterans, and their spouses or partners, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. GILLIBRAND (for herself, Mr. BLUMENTHAL, Mr. MORAN, Mrs. CAPITO, Mr. KING, and Ms. COLLINS):

S. 701. A bill to improve the competitiveness of United States manufacturing by designating and supporting manufacturing communities; to the Committee on Commerce, Science, and Transportation.

By Mr. RISCH (for himself, Mr. CRAPO, and Mr. PERDUE):

S. 702. A bill to amend the National Labor Relations Act and the Labor Management Relations Act, 1947 to deter labor slowdowns at ports of the United States, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 703. A bill to extend the authority of the Secretary of the Interior to carry out the Equus Beds Division of the Wichita Project; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. VAN HOLLEN (for himself and Mr. CARDIN):

S. Con. Res. 11. A concurrent resolution recognizing the life and legacy of Henrietta Lacks during Women's History Month; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 158

At the request of Mr. RUBIO, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 158, a bill to eliminate the payroll tax for individuals who have attained retirement age, to amend title II of the Social Security Act to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits under such title, and for other purposes.

S. 260

At the request of Mr. CORNYN, the names of the Senator from South Dakota (Mr. ROUNDS) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of S. 260, a bill to repeal the provisions of the Patient Protection and Affordable Care Act providing

for the Independent Payment Advisory Board.

S. 261

At the request of Mr. BLUNT, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 261, a bill to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A.

S. 266

At the request of Mr. HATCH, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 266, a bill to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

S. 382

At the request of Mr. MURPHY, his name was added as a cosponsor of S. 382, a bill to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters.

S. 407

At the request of Mr. CRAPO, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 407, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 425

At the request of Mr. CARDIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 425, a bill to amend the Internal Revenue Code of 1986 to improve the historic rehabilitation tax credit, and for other purposes.

S. 534

At the request of Mrs. FEINSTEIN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 534, a bill to prevent the sexual abuse of minors and amateur athletes by requiring the prompt reporting of sexual abuse to law enforcement authorities, and for other purposes.

S. 573

At the request of Mr. PETERS, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 573, a bill to establish the National Criminal Justice Commission.

S. 591

At the request of Mrs. MURRAY, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 591, a bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uni-

formed services who require assistance in everyday life, and for other purposes.

S. 636

At the request of Mrs. MURRAY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 636, a bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families.

S. 637

At the request of Mr. WYDEN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 637, a bill to amend titles XI and XVIII of the Social Security Act to provide greater transparency of discounts provided by drug manufacturers.

S. 672

At the request of Mr. CRUZ, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 672, a bill to require a report on designation of North Korea as a state sponsor of terrorism, and for other purposes.

S. 681

At the request of Mr. TESTER, the names of the Senator from Ohio (Mr. BROWN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 681, a bill to amend title 38, United States Code, to improve the benefits and services provided by the Department of Veterans Affairs to women veterans, and for other purposes.

S.J. RES. 17

At the request of Mr. CORNYN, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S.J. Res. 17, a joint resolution approving the discontinuation of the process for consideration and automatic implementation of the annual proposal of the Independent Medicare Advisory Board under section 1899A of the Social Security Act.

S.J. RES. 27

At the request of Mr. CASSIDY, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S.J. Res. 27, a joint resolution disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness".

S. CON. RES. 6

At the request of Mr. BARRASSO, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 88

At the request of Ms. STABENOW, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor

of S. Res. 88, a resolution expressing the sense of the Senate that the President and the Secretary of State should ensure that the Government of Canada does not permanently store nuclear waste in the Great Lakes Basin.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DAINES:

S. 697. A bill to amend the Internal Revenue Code of 1986 to lower the mileage threshold for deduction in determining adjusted gross income of certain expenses of members of reserve components of the Armed Forces, and for other purposes; to the Committee on Finance.

Mr. DAINES. Mr. President, since 2001 our Nation has frequently called upon members of the National Guard and Armed Forces Reserve to confront our enemies and protect our interests around the globe.

Without the contributions from the Guard and Reserve components, the joint force would be far less capable and unable to perform many critical tasks.

Often, members of the Guard and Reserve incur out-of-pocket expenses to travel to and from their training locations. There are many challenges that these servicemembers face, but subsidizing the cost of training with after-tax income should not be one of them.

This issue is particularly relevant to Montana. My home State is widely recognized as having one of the highest per capita veteran populations in the Nation, with many Montanans serving in the Guard or Reserve. The distances between homes and training sites can be challenging. As the son of a marine, I understand the costs associated with service.

With a deep appreciation for the commitment and sacrifice expected from members of Guard and Reserve, I offer the Tax Relief for Guard and Reserve Training Act. This bill lowers the mileage threshold from 100 to 50 for tax-deductible expenses. This change would put the Guard and Reserve on equal footing with most government and military travel regulations.

The Tax Relief for Guard and Reserve Training Act is a reasonable reform, specifically targeted at those who are often asked to shoulder burdens for the common good.

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

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

S. 697

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Tax Relief for Guard and Reserve Training Act".

SEC. 2. REDUCTION OF MILEAGE THRESHOLD FOR DEDUCTION IN DETERMINING ADJUSTED GROSS INCOME.

(a) IN GENERAL.—Subparagraph (E) of section 62(a)(2) of the Internal Revenue Code of 1986 is amended—

(1) by striking "100 miles" and inserting "50 miles", and

(2) by striking "for any period" and inserting "for any period (without regard to whether such period includes an overnight stay)".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2016.

SEC. 3. EXEMPTION FROM 2 PERCENT FLOOR ON MISCELLANEOUS ITEMIZED DEDUC- TIONS.

(a) IN GENERAL.—Subsection (b) of section 67 of the Internal Revenue Code of 1986 is amended—

(1) by striking "and" at the end of paragraph (11),

(2) by striking the period at the end of paragraph (12) and inserting "; and", and

(3) by adding at the end the following new paragraph:

"(13) the deductions allowed by section 162 which consist of expenses paid or incurred by the taxpayer in connection with the performance of services by such taxpayer as a member of a reserve component of the Armed Forces of the United States for any period (without regard to whether such period includes an overnight stay) during which such individual is more than 50 miles away from home in connection with such services."

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2016.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLU- TION 11—RECOGNIZING THE LIFE AND LEGACY OF HENRIETTA LACKS DURING WOMEN'S HIS- TORY MONTH

Mr. VAN HOLLEN (for himself and Mr. CARDIN) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 11

Whereas Henrietta Lacks, an African-American woman born on August 1, 1920, in Roanoke, Virginia, was raised by her grandfather on a tobacco farm in Clover, Virginia;

Whereas Henrietta Lacks married David "Day" Lacks in 1941 in Halifax County, Virginia, and they later moved to the Baltimore County, Maryland, community of Turner Station, to build a life for themselves and their 5 children, Lawrence, Elsie, David, Deborah, and Joseph (Zakariyya);

Whereas, in 1951, Henrietta Lacks, at the age of 31, was diagnosed with cervical cancer, and despite receiving painful radium treatments, Henrietta Lacks passed away on October 4, 1951;

Whereas medical researchers took samples of Henrietta Lacks' tumor during her treatment and the HeLa cell line from her tumor proved remarkably resilient;

Whereas Henrietta Lacks died 8 months after her cancer diagnosis, leaving behind her children, husband, and "immortal cells" that would change the world;

Whereas HeLa cells were the first immortal line of human cells, doubling every 24

hours, dividing and replenishing indefinitely in a laboratory, and successfully growing outside of the human body for longer than 36 hours;

Whereas Henrietta Lacks' cells are unique, grow by the millions, and are commercialized and distributed worldwide to researchers, resulting in advances in medicine;

Whereas the advances made possible by Henrietta Lacks' cells and the revenues the advances generated were not known to her family for more than 20 years;

Whereas an estimated 50,000,000 metric tons of HeLa cells have been distributed around the world to become the subject of more than 74,000 studies;

Whereas Henrietta Lacks' prolific cells continue to grow and contribute to remarkable advances in medicine, including the development of the polio vaccine, and drugs for treating the effects of cancer, HIV/AIDS, hemophilia, leukemia, and Parkinson's disease;

Whereas Henrietta Lacks' cells have been used in research that has contributed to the understanding of the effects of radiation and zero gravity on human cells;

Whereas Henrietta Lacks' immortal cells have informed research on chromosomal conditions, cancer, gene mapping, and precision medicine;

Whereas Henrietta Lacks' legacy has been recognized around the world through memorials, conferences, museum exhibitions, libraries, and print and visual media;

Whereas Henrietta Lacks and her family's experience is fundamental to modern bioethics policies and informed consent laws that benefit patients nationwide by building patient trust and protecting research participants;

Whereas the family of Henrietta Lacks entered the groundbreaking HeLa Genome Data Use Agreement in 2013 with the medical, scientific, and bioethics communities, giving the family a role in regulating HeLa genome sequences and discoveries;

Whereas Women's History Month is celebrated in March to pay tribute to the many contributions women have made to the United States; and

Whereas Henrietta Lacks and her immortal cells have made a significant contribution to global health, scientific research, quality of life, and patient rights: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress, during Women's History month—

(1) celebrates the life of Henrietta Lacks, an African-American woman who unknowingly changed the face of medical science, contributing to lasting, worldwide improvements in health;

(2) honors Henrietta Lacks as a hero of modern medicine for her contributions to the medical discoveries resulting from her HeLa cells, which helped make possible some of the most important medical advances of the last century; and

(3) recognizes the legacy of Henrietta Lacks, which has contributed to developments in bioethics and patient rights that benefit all of the people of the United States.

AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have 9 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Wednesday, March 22, 2017, at 10 a.m. in room 106 of the Dirksen Senate Office Building, to conduct a hearing on "The Promises and Perils of Emerging Technologies for Cybersecurity."

COMMITTEE ON ENVIRONMENT AND PUBLIC
WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on March 22, 2017, at 10 a.m. in room 406 of the Dirksen Senate office building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, March 22, 2017 at 10 a.m., to hold a hearing entitled "Flashing Red: The State of Global Humanitarian Affairs."

COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet, during the session of the Senate, to conduct a hearing entitled "Nomination of Alex Acosta to serve as Secretary of Labor" on Wednesday, March 22, 2017, at 9 a.m., in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON HOMELAND SECURITY

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, March 22, 2017, at 10 a.m. to conduct a hearing titled "Perspectives from the DHS Frontline: Evaluating Staffing Resources and Requirements."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate, on March 22, 2017, at 9:30 a.m., in room SH-216 of the Hart Senate Office Building, to continue a hearing entitled "The Nomination of the Honorable Neil M. Gorsuch."

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, March 22, 2017, at 10 a.m., in room SD-G50 of the Dirksen Senate Office Building.

SUBCOMMITTEE ON AIRLAND

The Subcommittee on Airland of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, March 22, 2017, at 3:30 p.m.

SUBCOMMITTEE ON OCEAN, ATMOSPHERE,
FISHERIES, AND COAST GUARD

The Committee on Commerce, Science, and Transportation is author-

ized to hold a meeting during the session of the Senate on Wednesday, March 22, 2017, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Brandy Boyce, be granted privileges of the floor for the remainder of the day.

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

Mr. MURPHY. Mr. President, I ask unanimous consent that Dr. Laura Willing, a health fellow in my office, be granted floor privileges for the remainder of the year.

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

Mr. NELSON. Mr. President, I ask unanimous consent that a detailee, Randolph Clark, and a fellow, Stacey Stern Albert, who have worked on this issue for the Commerce Committee, be granted floor privileges for the remainder of this session.

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

REPORTS OF COMMITTEES

The following reports of committees were submitted on March 21, 2017:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 19. A bill to provide opportunities for broadband investment, and for other purposes (Rept. No. 115-4).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 89. A bill to amend title 46, United States Code, to exempt old vessels that only operate within inland waterways from the fire-retardant materials requirement if the owners of such vessels make annual structural alterations to at least 10 percent of the areas of the vessels that are not constructed of fire-retardant materials and for other purposes (Rept. No. 115-5).

S. 96. A bill to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications (Rept. No. 115-6).

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

S. 140. A bill to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund (Rept. No. 115-7).

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 4355(a), appoints the following Senators to the Board of Visitors of the U.S. Military Academy: the Honorable KIRSTEN E. GILLIBRAND of New York (Committee on Armed Services) and the Honorable CHRISTOPHER MURPHY of Connecticut (Committee on Appropriations).

The Chair, on behalf of the Vice President, pursuant to Section 1295b(h) of title 46 App., United States Code, appoints the following Senators to the Board of Visitors of the U.S. Merchant Marine Academy: the Honorable GARY C. PETERS of Michigan (At Large) and the Honorable BRIAN SCHATZ of Hawaii (Committee on Commerce, Science and Transportation).

The Chair, on behalf of the Vice President, pursuant to 14 U.S.C. 194(a), as amended by Public Law 101-595, and further amended by Public Law 113-281, appoints the following Senators to the Board of Visitors of the U.S. Coast Guard Academy: the Honorable MARIA CANTWELL of Washington (Committee on Commerce, Science and Transportation) and the Honorable RICHARD BLUMENTHAL of Connecticut (At Large).

The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 6968(a), appoints the following Senators to the Board of Visitors of the U.S. Naval Academy: the Honorable JEANNE SHAHEEN of New Hampshire (Committee on Appropriations) and the Honorable BENJAMIN CARDIN of Maryland (At Large).

The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 9355(a), appoints the following Senators to the Board of Visitors of the U.S. Air Force Academy: the Honorable TOM UDALL of New Mexico (Committee on Appropriations) and the Honorable MAZIE K. HIRONO of Hawaii (Committee on Armed Services).

PROVIDING FOR CONGRESSIONAL
DISAPPROVAL OF A RULE SUB-
MITTED BY THE FEDERAL COM-
MUNICATIONS COMMISSION—Con-
tinued

ORDER FOR ADJOURNMENT

Mr. THUNE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senators SCHATZ and MARKEY.

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

The Senator from Hawaii.

Mr. SCHATZ. Thank you, Mr. President.

It is really a simple proposition and it is a scary one. As soon as this legislation is enacted, internet service providers can collect your browsing data and sell it without your permission. Right now there is a lot of conversation about who has jurisdiction, the FTC or the FCC, and who is more appropriate to govern internet privacy, whether this should be public sector or private sector, but the basic question is this for the pending legislation, Should ISPs, your internet service provider, be allowed to collect your browsing data without your permission and sell it? I think the answer for 98 percent of the public is a resounding no.

Right now there is a single Federal agency that has the authority to protect consumers and their privacy when it comes to data collected by ISPs, and that is the FCC, the Federal Communications Commission, but the Republicans are proposing that the Congress strip the FCC's ability to protect your privacy, and when they succeed, the American people will lose the very few Federal protections they have when it comes to online privacy.

Think about how much of your life is on line today—banking, health, your interactions with your kids, your kids' interactions with other kids. It is incredibly personal, and it is not just confidential information in a traditional sense or in a legal sense, it is really a complete picture of everything you are. That is why this is worth fighting about. It is worth protecting. That is why the FCC made these rules—to recognize that we live so much of our lives online and that in a lot of instances we don't really feel like we have a choice about whether we are going to engage in a contract to get broadband service. That is a necessity for many of us. Consumers deserve some basic protections, not only do the Republicans want to get rid of the FCC rule that basically says an ISP cannot collect your data and sell it for commercial purposes, but they want to do it in a way that will ensure that no Federal agency, not a single one, will have jurisdiction over privacy for consumers using broadband. They are trying to take the referee off the playing field and for good.

The problem is very simple. There are actually two agencies that could have jurisdiction over privacy online, but there was a Ninth Circuit Court decision that made a ruling that removes the jurisdiction of the Federal Trade Commission over online privacy in the broadband space. So of the two agencies, the FTC and FCC, the FTC, according to this Federal court, no longer has jurisdiction. Now it is on the FCC's side of the house, but if we repeal the FCC rule, the way the Congressional Review Act runs is that it will prevent us from ever addressing something "substantially similar" again. This isn't about agreeing or disagreeing with this rule. This isn't about whether you think the FCC or FTC ought to appropriately deal with this. This isn't a question about whether you think we should exercise our prerogatives in the public or private sectors. This is about whether you think nobody should have jurisdiction over your privacy online.

So what is the solution here?

Well, we should work with private sector leaders, the FCC, and the FTC to find a comprehensive approach to privacy online. That is what this legislative body should be doing. Instead of aggressively digging into this issue on behalf of consumers, we are actually blowing up the only thing we have,

which is this FCC rule. To repeat, by using the Congressional Review Act, Republicans are forever preventing the FCC from protecting your privacy if you use broadband.

I want to end by noting that 55 years ago this month, President Kennedy gave a seminal speech about consumer rights. He spoke about the march of technology, how it had outpaced old laws and regulations, and how fast that progress had occurred. He noted that in just a few decades supermarkets went from carrying 1,500 products to more than 6,000, doctors wrote 90 percent of their prescriptions for drugs that no one had even heard of 20 years before, but let's fast forward to the present day, and we have blown those numbers out of the water. The average supermarket carries 40,000 products; in 2015 alone, the FDA approved 51 new drugs; and of course we now have the internet, which in the United States grew from 148 million users to nearly 240 million in just 15 years. The next non-incremental change in technology in our lives will be the internet of things, in which we will have tens of billions of devices connected to each other and interacting with us whether we like it or not. So the march of technology goes on, but what stays the same is the bedrock principle that President Kennedy outlined; that consumers have the right to be safe, they have the right to be informed, they have the right to choose, and they have the right to be heard. Those rights are in jeopardy. The FCC took a small but important step, and now the Republicans are blowing that up.

Let me be clear. This is the single biggest step backward for online privacy in many years, and we have failed the American people when it comes to their privacy. We should be staring this problem in the face, but what we are doing tonight and tomorrow is making it worse. That is why I will vote no, and I will urge my colleagues to vote no on this resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Thank you, Mr. President.

We have a historic debate going on here in Congress. Yes, there is a lot of discussion about the Russians cracking into our elections using electronic technologies. We have a President of the United States who is contending that his predecessor in the White House wiretapped his apartment in the Trump Tower. We have stories about the compromise of websites all across America—this company, that company, millions of healthcare records, people's privacy compromised, front page, above the fold. This is huge. What is going on in our country when this new technology allows for such an invasion into the privacy of the President of the United States, of citizens all across our country?

These hearings are going on right now in rooms all across Capitol Hill. Everyone is concerned. Everyone is cross-examining witnesses, saying: How can this happen in our country? And then they are told: Oh, it is this new electronic technology which is out there. It allows for the ability to be able to crack into the privacy of Presidents and ordinary citizens. It makes it possible to make television sets that are purchased and then can be turned, from a remote distance, into a monitoring device just looking at you in your living room. How can this happen? What are the rules? Is there going to be any protection for the American people? So night after night, story after story, look at the compromise of the privacy, the security in our country, but out here on the Senate floor tonight we have the Republican response. The Republicans are saying to the American consuming public: You have no privacy. If you are at home, if you have Comcast or Verizon, if you have AT&T, and they are gathering all this information about you as your broadband provider, every site you go to, everything you are doing, everything your children are doing, what they are saying as of tonight, no privacy, no privacy if you have bandwidth. Everything is out there to be captured by these big broadband barons, and then they can sell it. They can sell it.

What is the Republicans' answer?

They say: Well, the internet thrives because of a light touch—a light touch. No, ladies and gentlemen, that is not what created what we have here today. We had to pass new regulations in 1996. I know, I was there. I was the Democrat on the committee in the House. There was no broadband—not one home in America had broadband in 1996. Can I say that again? Not one home in America in 1996 had broadband.

Today, for a 12-year-old, a 50-inch screen plugged into broadband, that is a constitutional right. It didn't exist in 1996 anywhere. Was it because it hadn't been invented, that people hadn't thought through broadband, they hadn't thought through what was possible? No. It was because these companies decided, because they were pretty much all monopolies, that they weren't going to deploy it. So we had to change the rules in order to unleash this revolution.

Now they are saying: Yes, but a light touch says no privacy protections. That would be bad. People don't really want privacy protections. That is not how I remember it when I was growing up.

When I was growing up, when the salesman knocked on the front door, you know what my mother would say? Don't answer the front door. We don't want the salesman in our living room. That is what my mom said. Now, is it different today? Is everyone saying:

Yes, come on in. Come into the kitchen. Come into the living room. Come into the bedroom. Come look at the kids who are sick. Come look at Grandma who is sick. We want you to see our house. We want you to know everything about us, Mr. Salesman.

Now the broadband provider knocks on the front door. The broadband provider says: I want to provide this great new service with a light touch. Let us go into the key rooms into your house—in your living room, in your bedroom—let us put in this broadband technology, but we are also going to gather all this information about every member of your family—your mother, your father, your children—and we are just going to gather it all, and then we are going to sell it to anybody we feel like selling it to.

Let me ask you this. Have the values of the American people changed in one generation or are they the same? Do people want total strangers to know everything about you, and you have no right to say no? None? Because that is what this debate is about tonight, ladies and gentlemen. It is all about whether the Republicans are going to take away the rights of people to protect their children, to protect their families from having all of this information which the broadband providers encourage people to put online to be then sold as a product. Did you go to a healthcare website to find out something about a disease a child in your family has? Well, that is now a product to be sold. There are plenty of insurance companies that would love to know all the people who have gone to that website to find out about that disease. Do you really want that? That is what this debate is all about. How much privacy are people entitled to in this country?

Are we going to give it to the broadband companies to determine that? That is what we are voting for tonight. They are saying: We need harmonization, meaning we need a standard which is voluntary—voluntary. The broadband companies decide what the level of privacy is. You subscribe to that company. You now have that level of privacy protection. What does that mean? That means if they don't want to provide any privacy protection, that is the standard. They are saying: Well, that law could then be enforced because they promised you no privacy. Now, if they violate that policy in any way, we could go after them. That really is what the Republican Party thinks about the private, most intimate information that ordinary families put online because there is only one company that knows everything, and that is the broadband provider, that is Verizon, Comcast, AT&T. Every other one of the thousands of websites, they know what is on their websites. They don't know what is on the other websites. Only one company, your broadband provider,

knows everything—has all of your information. Now what is the standard? What is the standard? The Republicans say: No standard. Don't worry about it.

Yes, the Federal Communications Commission put a new rule on the books. Yes, the Federal Communications Commission says that if they want to gather this information about your children, they have to get your permission in order to sell that information to somebody else. That is the rule right now. They gather information about your children. They have it. If they want to sell it, they have to get your permission. You have to check a box. Yes, take all of the information on my child's computer, and sell it. Sell it to people out there who want to know about my child.

That is the rule today. What they will say, as we vote tomorrow at noon-time, is no more permission from the parents—none, zero, zilch.

You are on your own, kids.

Sorry, parents. The Republican Senate decided you don't keep those protections. Why? Because it is a light touch. People really do not care about privacy in the modern era. It is kind of like—privacy? Get over it. You don't have any. Get over it. Get over it, say the Republicans. You don't have any privacy.

Now we are going to hear them shedding crocodile tears about all of the electronic hacking that goes on in the United States. But do you know that all of that combined is not even a thimble compared to the compromise of the privacy of 320 million Americans that is going to be possible after this rule is repealed tomorrow? It is the rule that gives American families the right to say: No, I don't want you gathering that information about my children. No, I don't want you to sell information about my children. That is gone. That is the vote the Republicans will cast tomorrow. The die is cast. They are all going to do it.

It is unbelievable to me that, in one generation, we have gone from people not letting the salesman into the living room to allowing one company to come in and gather every bit of information about every member of the family who is online all day long. It is amazing to me.

Do you want to know what I believe? I believe I have the same values that my grandmother had. I believe I have the same values as my mother had. I don't want anyone coming into my living room. My mother didn't want anyone coming into the living room. My grandmother didn't want anyone coming into the living room, and I am sure my great-grandmother in Ireland didn't want anyone coming into the living room to whom they did not give permission to come into the living room, especially when the kids were at home, but that is not the Republican view. The Republican view is: Oh, the

big broadband barons don't like it? That is great. That is fine.

What is next? Think about it. They can get the information about when all of your family members are online, where they went, who they were talking to, who they emailed. All of it is available to the broadband company. It is just a product to be sold to the highest bidder.

Who wants this information out there? You can make billions of dollars by selling this information to other companies that would love to data mine your family so that they can profile your kids, profile grandma—profile anybody in your family—just so they can start to send in information and try to sell you stuff.

Do we really want people to be able to sell this as a product? The privacy of America is for sale. Is that what we have reached—that we are monetizing privacy?

We are saying: Hey, we are just getting in the way of the entrepreneurial spirit of America. Do you know what? For our whole history, we have gotten in the way of the entrepreneurial spirit of America. The salesman knocks on the door, and you tell the salesman: Go away. You are not getting into our living room, Mr. Entrepreneur. We don't want you in our living room.

So there are two sides to this. Yes, you want the entrepreneurial spirit to thrive, but, simultaneously, you should have a right to say: No, Mr. Entrepreneur. I don't want your product. I don't want you in my living room. I don't want you to have access to all of the information of my children. Sorry, Mr. Entrepreneur. I am sure you could have made a fortune, but the fortune comes at too high of a price.

Ultimately, the founding principles of our society are that, yes, we are capitalists, but we are capitalists with a conscience. We understand that there should be limits to how far you can go in making a buck. There should be a limitation.

What the Grand Old Party wants to do is to roll back the broadband privacy rules that give you an ability, if you want, to say yes. You can just click and say yes to all of these companies. Take all of my information. Take all of grandma's information. Take all of the kids' information. You can just check that and say yes. That is in the law. Do you want to give up all of your privacy? Push "yes." Yet, under the existing law, you can also push "no." I don't want to give up my privacy. It should be the consumer's choice. It shouldn't be Big Congress's and Big Government's.

Big Government is now deciding you have no privacy. The government is moving in. Replacing Big Mother and Big Father is Big Government. Big Government is siding with Big Business and Big Broadband. That is what is happening here today, and it is leaving behind Big Mother and Big Father,

who care about their kids. They are taking away the authority that parents have had since the beginning of time up until now.

The broadband revolution now makes it possible to monetize privacy—to make money, to give entrepreneurs a chance through light touch regulation—which will create more jobs out there. Jobs for whom? Jobs for people who are learning about your kids, jobs for people who are learning about how to make money off of your kids, jobs for people who do not care about your kids. They care only about making a few more bucks.

How hard is this? Which business school do you have to go to to have a 3-by-5 card to figure this out? It is pretty simple, huh?

What is the job of the Senate? The job of the Senate is to ensure that we animate these technologies with human values, that we say to the inventor, to the entrepreneur: Oh, I love that whole idea of an automobile; that is fantastic. But do you know what? Why don't you build in some brakes? We are going to put up speed limits. We are going to have seatbelts. We are not going to allow you just to put it out on the road and just endanger the public or the passengers. We are going to have some rules.

It is great. Yes, invent that new medicine, but we are also going to say to you: Hey, do you know what? We are going to have a child's safety cap on top of that medicine so a kid cannot get access to it.

We balance it. We animate each new technology with the values that our parents had and that our grandparents brought from the old country. It does not change. It is always the same. The polling is 80 percent—Democrat, Republican, Independent, every ethnic group, every income group.

Do you know who does not like the rules? Entrepreneurs—entrepreneurs who want to monetize your privacy.

But it is always going to be at 80 percent, because what is, really, the differentiating issue? Why would a Republican mother want her kids to have their privacy compromised? You know that she does not. You know she does not. She doesn't even know that this debate is going on. She doesn't even know that, after they repeal this rule, it will be the Wild West.

So there are real rules. Again, it is the most important set of rules because it is the broadband provider. They get every bit of information. This is not just: Oh, I subscribed to this newspaper, and I am reading this newspaper. Oh, I am at Google. Oh, I am over here at ESPN sports. Oh, oh, oh. There are hundreds of thousands of websites, and that website knows only about what you did on that website. No, that is not what the broadband company knows. They know everything. They know everywhere you

went. That is why they want this repealed. Just think of how valuable that is. Just think of how much money they can make by selling all of that information about you and your family.

That is what we are debating tonight. We are debating a fundamental change in our country. Is it a heavy touch as opposed to a light touch to say that people's privacy—that the security of their families—should be protected? Then let's just shut down these hearings we are having and all of the crocodile tears being shed about what is happening in our society.

How can all of this happen?

We go into top secret briefings. We get told: Oh, they tapped into this. They cracked into that. People—Senators—sit there, and they “tsk, tsk” as to how terrible it is. Then, simultaneously, up here on the Senate floor, they say: Oh, by the way, we are just going to take away the right of a mother and father to say, “No, you cannot crack into the information that our family is putting online.” Oh, sure. You don't want to get into the way of an entrepreneur who can figure out how to make money off of that. Why would we care about that?

The absurdity of it all—the total absurdity of it all—is that all of these people who are “entrepreneurs” can get fabulously rich without compromising children's privacy, grandma's privacy.

For somebody in the family who has a disease and just wants to go to that website and find out about that disease all by himself and who does not want anybody else in the family to know, why can't he do that without wondering whether everyone else who went that website is now going to have that information sold? The phone company or the cable company will say: Oh, great. Let's go find the insurance company that is in this region that would want to know that that person might have that disease. You might not want to give him insurance, especially after the Affordable Care Act is repealed by the Republicans.

Who cares about that, right? You have no privacy. Get over it, say the Republicans. Get over it.

Just think if we applied that to phone calls. What if people said the phone company should be able to sell the number of the person and the name of the person whom you called? How would you feel about that? Would you like that to be a product? You called this person at this time for a half an hour. Then you called that person back again another half an hour later. Then you called him again at night. Would you like people to know that—just as a product—and get the name, the number, the time, and how long the call lasted? We have laws against that.

Would you like people to know which channels you are switching to? Say you have a satellite dish and are switching

from channel to channel, and at 11 o'clock at night, you are just going to stop on this channel. They know which channel you stopped on.

I passed a law back in 1999 that prohibits that information of which channel you stop on from ever being made public. You cannot sell that information. I am proud of that. Whose business is that? But it is there. They have it. They have that information.

Now we have reached a broadband revolution. Oh, isn't this great? Isn't this a fantastic revolution? Didn't it occur because there was a light touch? No, there was not a light touch. You see, we deregulated the telephone industry and the cable industry so that we could have the broadband revolution beginning in 1996.

But here is the paradox of deregulation. The paradox of deregulation is that you need more regulations in order to make sure that the competing companies can gain access to the capital markets to raise the money so as to finally put pressure on the telephone and cable companies to deploy broadband. That is the paradox of deregulation. You need more, so you open it up to more competitors who then wind up forcing these companies to finally deploy broadband even though they had it decades beforehand. Interesting, isn't it? It is the paradox of deregulation. You need more.

Even as we did that, we knew that we were going to need privacy laws because this aggregation of information is something that goes right to the heart of this kind of tension that exists in a capitalist society.

Some people say: No rules. You are interfering with my ability to make money.

That is what the car company said about airbags, and that is what the car company said about seatbelts: Do not mandate to have us put it in as it is going to undermine our product.

But, over time, mothers and fathers finally said: No, no, no. You cannot do that. I don't want the kids in the front seat with no seatbelts. I don't want people in our family in the backseat with no seatbelts.

The same thing is true with safety device after safety device. So privacy plays that role when we are talking about information.

Now, if the first step is broadband, no privacy, then, logically, they should support the whole idea that if you are on your iPhone and you have called 50 people today, it is a product. So all of those people you called should be information the telephone company can sell. What would the argument be from the other side? The other side would say, that is a light touch. That is a light touch. It is going to make it possible for the phone company to make more money. And believe me, they would make a lot of money if they could sell the information about who every American called all day long.

Well, they don't want to touch that because phones are still kind of sensitive. They don't want to go there. But broadband, that is different. Websites, that is different. For some reason, that is different because what you are doing on the website, what you are doing with your email in the modern era is what you do on your phone every day, right? It is what you do on your phone. So the goal has to be that we have the accountability for the Republicans as we do this, this evening.

President Trump is constantly railing about the fake violations of his privacy—totally fake violations of his privacy. You would think that a crime had been committed, but there wasn't. It never happened. But the way he yells about it, it is almost un-American for anyone to compromise the privacy of him or anybody else. But these are going to be very real compromises of the privacy of ordinary people in our country.

So I am just going to give to my colleagues the little Constitution that is now on the books to provide protections for all Americans. It is very simple. It requires the broadband company to, No. 1, get consumer consent before using or sharing subscribers' personal information—get your consent—No. 2, promote transparency by saying to the broadband company that they have to tell each consumer that they are actually collecting this information about them. They have to constantly be telling you that. No. 3 is to ensure that the broadband companies adopt data security protections and notify consumers if a breach occurs; that is, if all of this information is now wide open for God knows who—some hacker who has gained information—they have to put in the toughest possible security. Then, if it does get compromised, they have to tell the consumers immediately. They can't delay a month because it might be bad PR, 2 months because they are afraid it is going to affect their bottom line. They have to let people know that their personal information has been compromised.

So that is it. That is what is bugging them. That is what is bugging the Republicans. They want to make sure you don't keep these protections.

So what does that mean? Well, after we vote tomorrow, after the Republicans take these rules, these protections off the books, after the internet service providers, or the ISPs, get what they want, ISP will no longer stand for "internet service provider." It is going to stand for "information sold for profit." It is going to stand for "invading subscriber privacy." That is what ISP will stand for after tomorrow at noon-time, high noon—the end of privacy online, except for a light touch where it is voluntary. And we know these broadband companies are definitely voluntarily going to give the highest possible protections to American fami-

lies. We know that. Because if they wanted the highest possible protections, they have them right now. They want them off the books so they don't have to do anything. It will be voluntary.

So these broadband behemoths want to take control away from the subscribers and relentlessly collect and sell your sensitive information without permission. It could be about your health, about your finances, about your children. It can track your location, draw a map of where you shop, where you work, where you eat, where your children go to school, and then sell that information to data brokers.

That is going to be an incredibly profitable industry that the Republicans are opening up this week. Right now, they are drafting up their business plans, just a 3-by-5 card all across the country. They have already basically decided that the Republicans are going to have these votes; so let's get on with these new rules.

The broadband industry says that they are an unnecessary burden, but, in fact, this whole area is one that actually goes to the heart of who we are as Americans. I think that whether you are a very conservative person or a very liberal person, there should be a small core number of American values that brings us together, and I would put privacy in that group. We can fight over the Affordable Care Act. We can fight over how many new nuclear weapons we need. We can fight over gay marriage. We can fight over many, many issues—some of them religious, some of them just strategic in terms of what is best for our country moving forward—but how can we fight over your family's privacy? I don't understand the ideological differentiation that is artificially being created by the broadband companies' insisting that the Republicans repeal those privacy laws because all of this is now going to be done without your consent, without your permission.

If they wanted to document now how many times you search online for heart disease, breast cancer, opioid addiction treatments, and then sell that information to an insurance company, they are going to be able to do that. You are giving them permission just by subscribing. And you know what they say: Oh, the marketplace will work; you can just go to the other broadband providers in town. Oh, there is no other broadband provider in town? You are in rural America? Oh, sorry, you have to use our company. Oh, there are no rules if you want to use our company—no rules.

They will say: Well, let the marketplace sort it out. What marketplace? Maximum, in most places, there are two companies you can have broadband service from, and they are both going to say privacy protection is voluntary. So there is no privacy. It is all going to

happen without your consent, and they will just say: Oh, it is just so we can harmonize the rules. Yes, they are going to harmonize the rules. They are going to harmonize them so it is very efficient. You have the same non-existent voluntary guidelines that the broadband companies are going to put on the books.

So you should want to choose, yourself, what information Verizon—if it discloses information about your family—gets to disclose. You should decide that, not Verizon. You should decide that. What they really want is to allow AT&T to choose whether it protects consumers' sensitive information from breaches and unauthorized use, and guess what the broadband barons' choice is going to be? They are going to choose to pocket their profits and throw your privacy out the door.

Republicans want to sideline the Federal Communications Commission—our broadband privacy cop on the beat—and create an unregulated Wild West where internet providers can do whatever they want with your private information. They want to allow broadband companies to write their own privacy rules. That is like asking a burglar to program your security system. It makes no sense. Oh, come on in, Mr. Burglar, program my security system, and then you can do whatever you want in my living room when I am gone on vacation this weekend. Just take anything you want—any of my private information, any of my private furniture, anything you like in the house.

So we know the broadband industry—your wireless, your cable, your telecommunications provider. They can't self-regulate themselves. These same companies struggle to show up on time to install or to fix your service. You might have to wait all day to have the cable guy come and fix your cable system. They give you a range that goes like this: Well, we will be there between 9 in the morning and 5 in the afternoon; right? And now they are saying: You can trust us. We are going to protect your privacy. You know we are the cable company. You know we are the broadband company. You can trust us.

Do we really trust the broadband industry to determine what privacy protections they give to their customers? Strong broadband privacy rules mean that we don't have to do anything. That is their definition. Let's be clear. The big broadband barons want to monetize this. The subscribers have already given them money. It costs a lot of money to subscribe to broadband service so the kids can have a 50-inch screen that is plugged in to be able to see all of these things that are on the incredible multidimensional, multi-functional screens. We are already paying a fortune for it. But they say that is not enough. That is not enough. We

need, say the broadband companies, to ensure that we can also make more money, and then taking all that information by invading your privacy and selling it. Broadband providers want to do more than simply provide Americans access to the internet. They want to sell that privacy information to the highest bidder.

This brings us to the great divide between ISPs and those who wish to protect the free and the open internet. The 21st century broadband internet is not a luxury. It is an essential telecommunications service, just like telephone service. Just as telephone companies cannot sell information about Americans' phone calls, an internet service provider should not be allowed to sell sensitive consumer information without affirmative consent of that family.

In fact, by putting the broadband privacy rules on the books, the FCC did harmonize privacy protections. They harmonized broadband privacy protections with the privacy framework that has prevented telephone companies from mining and selling information about our phone conversations for decades. Yes, that is what they did at the FCC. They said: the same protections for broadband information as we have for phone company information when you are dialing the numbers of people all day long. That is how they harmonized it. They said that in the 21st century, broadband is the essential service that the phone was in the 20th century, and the information on both should be given the same level of protection. That is harmonization. That is a reflection of the revolution that took place in telecommunications in the 1996 Telecommunications Act. That is what they are trying to take off the books—the harmonization of the standards that go back to grandma and grandpa. They made sure in 1934, when the Communications Act was written, that those protections were there. But, somehow or other, in 2017, it is no longer important that people don't know whom you called, that people don't know whom you are online interacting with.

So why did they do it? Well, they did it because broadband and telephone services are essential telecommunications services that Americans rely upon to thrive in the modern economy. The Federal Communications Commission, last year, under Barack Obama, just made sure that you got the same privacy protections. Broadband and telephone companies should not be allowed to exploit their privileged positions as telecom gatekeepers to use, to share, to sell sensitive information about Americans' online activities or phone calls. Yet, here we are, chipping away fundamental broadband privacy protections from the American public.

Now, all of this begs the question: What other privacy protections are the

Republicans now going to put on the chopping block? Do they now oppose the FCC's rules preventing telephone companies from collecting, using, and selling sensitive information about Americans' phone calls? They certainly oppose the FCC's rules for preventing broadband companies from partaking in similar interests and practices.

Now, the broadband industry will tell us that these rules are unfair because they are different from the privacy rules for websites—Google, Facebook. Why should there be different rules? Well, every person out there knows what the difference between Google and the broadband provider is. Google is one app; it is not thousands of apps. So the whole argument is fallacious from the get-go. When you use Google, you understand what your relationship is with Google. When you use ESPN.com, you know what the relationship is with ESPN.com. But when you are using every service, now you are talking about the broadband companies. They are the only ones that know everything about you, what you are doing online, all day long, every single day. That is under the jurisdiction of the Federal Communications Commission, following along their supervision of the telephone industry, which they have had rules on the books to ensure that information can't be sold without your permission.

Why is this so important? It is important because in the 21st century, having broadband service is like having oxygen in your lungs. Everyone uses it. Everyone is using it all day long. Everyone's information is in the hands of these companies. People might as well stop breathing as to disconnect from their broadband provider. That is why we need strong rules—not self-regulation—to prevent the internet service providers from mining and selling our data without consent.

This is, for me, a historic fight to defend America's fundamental right to privacy. The broadband industry will say that if we don't take these rules off the books, subscribers will be confused. There will be one set of standards for the individual website and another set of standards for the entire broadband internet service provider industry. Frankly, consumers are only more confused about why we aren't doing more to tackle these important privacy issues. Consumers are confused about why we are spending time on the Senate floor taking away privacy protections. Consumers are confused about why we would allow broadband companies to sell their sensitive information to banks, to insurance companies, to advertisers, to anyone else willing to pay top dollar for your personal information without your consent. They are confused about why we would rescind the rules ensuring broadband providers adhere to the best data security practices protecting subscribers' sensitive

information from breaches and unauthorized use, when we know there are unauthorized hacks every single day. We are in a historic fight to defend America's fundamental right to privacy online, a fight to allow consumers, innovators, entrepreneurs, the millions of Americans all across this country who rely upon the internet to control their own information.

Instead of protecting our healthcare, instead of protecting our environment and protecting our privacy, Republicans want to give it all away to their friends and allies and big corporations. Those corporations don't care about consumer rights. They have one concern, and one concern only, and that is their bottom line. That is making money.

The cornerstone of our country is capitalism with a conscience—with a conscience. Massachusetts' unemployment rate is 3.2 percent. We are proud of that. We are a capitalist State. Massachusetts is proud to have one of the lowest unemployment rates in our country. We believe in capitalism, but we also believe we can have capitalism with a conscience. In this instance, it means the protection of the privacy of people online, from having that family's sacred, secret information compromised for a profit, with no ability—no ability, no right, none—for a family to say no. Take the broadband service or leave it. If you take it, you have no privacy.

The only people in this country who can protect those families are 100 Senators who will be voting tomorrow. I ask the Republican Senators, why would they strip this privacy protection from ordinary families? Why would they deny the right? All I can say is, overnight, all we can really say is we tried. We really tried to protect the privacy of Americans. That vote tomorrow will represent that show-down moment.

If we lose, please, out of good conscience, Republicans, just stop all this public concern about the compromise, the privacy, the President, the national security apparatus in our country. Believe me, the ordinary American is going to be made far more vulnerable tomorrow than anything any Russian entity is ever going to do. It is going to be what we did to ourselves, what we allowed to happen to our own citizens at the hands of their own United States Senate that is going to be a far greater threat to every ordinary family in our country.

I urge a "no" vote from my fellow colleagues on the Senate floor tomorrow. This goes right to the heart of whether we understand technology, we understand the responsibility we have for the American people, to protect them from the worst aspects of it.

There is a Dickensian quality to the internet: It is the best of technologies,

and it is the worst of technologies, simultaneously. This technology can enable. It can ennoble. We want that to be extracted from the internet. But it can also degrade. It can also debase. It is the job of the U.S. Senate to protect the American people from that aspect of the internet. Tomorrow, if the Republicans have their way, they will re-

move the protections of the privacy of Americans and allow for an expansion of the degrading and the debasing of the privacy that ordinary Americans are entitled to in our country.

I thank the Presiding Officer for giving me the opportunity to be here.

Mr. President, I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 7:07 p.m., adjourned until Thursday, March 23, 2017, at 9:30 a.m.

HOUSE OF REPRESENTATIVES—Wednesday, March 22, 2017

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 22, 2017.

I hereby appoint the Honorable RANDY HULTGREN to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

SURGE IN CITIZENSHIP APPLICATIONS

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

Mr. GUTIÉRREZ. Mr. Speaker, I have spoken here before about the surge in demand for citizenship we are seeing in the Fourth Congressional District of Illinois. Thousands who are eligible are taking the step to become citizens because they feel threatened by a President and administration that does not seem to think of immigrants, refugees, Muslims, or Latinos as human beings. So the one way to protect oneself and to protect one's family is to apply for citizenship if you are eligible.

Some days they are lined up out the door of my office. So full are our daily appointments, we had to add a Saturday citizenship workshop to accommodate all of the people who wanted to apply, and we will be adding additional workshops. At one workshop a couple of weeks ago, staff and volunteers worked with families to fill out the paperwork, assemble all of the evidence and fees for the application. In one day we helped 260 people fill out their citizenship applications.

I discovered something very important. People keep coming back to me and asking: What can I do to fight back? What can I do to help immigrant communities who are under siege by President Trump, "President" Bannon, and all the rest of the people who want to drive immigrants out of the country?

So I told them they could help others apply for citizenship, and they came in droves—hipsters with funky facial hair, women with pink knit hats they made for the Women's March, environmental and LGBTQ activists, union members, and just plain old folks from my district who are not themselves immigrants but who feel the solidarity with immigrants in their community.

You know what? This new group, after getting a little training, sat for a few hours with immigrant families, going over their histories, their stories, their reasons for being here, and their reasons for applying for U.S. citizenship. And they were pretty good at filling out government forms. They formed a bond. They got to know each other. They were helping each other accomplish a mutual goal, which is standing up to xenophobia and the Trump-Bannon era.

The citizens and the applicants to become citizens are both worried about Republicans taking away their health care and eliminating the environmental laws that have made the water we drink and the air we breathe so much safer. They worry about where women and girls will get healthcare services in cities like Chicago if Trump and his buddies defund Planned Parenthood, or what happens after the courts are stacked with judges who are so out of step with the modern era on gender and civil rights, consumer protections, women's health, and any of the other issues people care about.

Anyone who walked out of that citizenship workshop where 260 new citizenship applications were completed felt a sense of community and interconnectedness with one another. Now, it is sad to report that thousands of my constituents can't spend a Saturday morning applying for citizenship. Many of them are at legal clinics or law offices filling out papers to address the very fear that they will lose their homes, their savings, and their families if Trump's deportation force knocks on their door.

They are filling out, by the thousands, power of attorney documents and child custody papers in case they are grabbed off the street, in their

homes, or, worse yet, in their places of worship. It is heartbreaking. Moms and dads are making decisions about who their kids will go to live with if they get picked up and deported. Which relative, neighbor, or older sibling will be in charge if mom and dad are taken away?

Believe me, these kids know what is going on. The 5 million U.S. citizens who have parents at risk of deportation know that their government is a threat to their safety and their security. Their own government could come to the door and upend their lives at any moment, and their parents are preparing for the worst.

It is the humanity, the love, their striving for a better life that comes through in these parents who want what is best for their children and what was unavailable to them in some far-off country. These are very real people who have no legal avenues that allow them to live and work here legally, who have no options other than to hide or leave, who have been cut off from fully integrating into our society as citizens because Congress has been fighting over immigration reform. These are the people that Mr. Bannon, Mr. Sessions, and Mr. KING have been working together for years to get out of what they call their country so that our erratic new President can point to deportations and say that he is making America great again.

What is clear from the citizenship surge and all those who want to help is that America is not only great, not only kind, not only dedicated to the proposition that all men are created equal, but there are Americans and those who want to be Americans willing to stand up and resist when leaders take us in the wrong direction.

Mr. Speaker, you will see millions of Americans and aspiring Americans marching together in American cities across our great Nation on May 1, and when you do, you will see this bond and this shared humanity this coming May 1.

CUBA AND VENEZUELA

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to discuss two foreign policy areas that are important to our Nation, our region, and to my constituency in south Florida. Cuba and Venezuela are two countries in our hemisphere that

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

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

suffer under dictatorships and are avowed enemies of the United States.

In my native homeland of Cuba, we have seen human rights violations on the rise ever since the U.S. concessions to the Castro regime in December 2014. One example is the case of Dr. Eduardo Cardet of Holguin, Cuba, pictured here. He is a medical doctor and the leader of the Christian Liberation Movement who was savagely beaten in front of his wife and two children and has been imprisoned since November 2016. Just days ago he was sentenced to 3 years in prison.

Dr. Cardet is condemned and sentenced because he is the voice for change and a respected human rights leader. The truth is that Eduardo Cardet has been imprisoned because he is willing—and has been doing it—to tell anyone who would listen that the Cuban people do not approve of the Castro regime. For not supporting this vile Castro dictatorship and for speaking out against such cruelty and abuses, he was sentenced to 3 years.

Mr. Speaker, we cannot stand idly by as more and more prodemocracy leaders are being beaten and arrested on the island. The President and his new administration have committed to reversing some of the damage inflicted by the previous administration on the cause of freedom and democracy in Cuba. Our policy in Cuba should send a strong message throughout the hemisphere that the United States will no longer remain silent on these atrocities.

It is well known that Cuba has exposed, has exported its barbaric tactics to other countries in the hemisphere, namely, Venezuela. The Venezuelan people believe that there is no justice in their land. They believe that there is no respect for law in their country, and they are right.

And what about their economy?

Well, according to the International Monetary Fund, the inflation in Venezuela last year was around 800 percent—800 percent—and the inflation projection for this year is 1,600 percent. This is not sustainable, Mr. Speaker, especially when press reports are so visual when they show that Venezuelan people are scavenging for food. They don't have any money, and they are actually leaving their country in order to find food.

Venezuela has only a little over \$10 billion worth of foreign reserves, yet it owes \$7 billion in outstanding debt payments. This tells us, Mr. Speaker, that we have, sadly, not yet hit rock bottom in Venezuela and that the situation will get worse, which is why it is so important that we begin the process to bring democratic reforms to the country now in order to prevent a larger crisis that is looming in the future.

One way to achieve this, Mr. Speaker, is to impose sanctions on human rights violators. Mr. Speaker, more

targeted sanctions against those individuals who are responsible for the famine and the human rights violations that are ongoing in Venezuela are desperately needed.

Let's examine some of the individuals who I believe should be on the sanctions list. First off we have Maikel Moreno. This individual, months ago, used Venezuela's kangaroo courts and ratified the unjust sentence against political prisoner Leopoldo Lopez.

How was he rewarded by the Maduro regime?

He was appointed to be the president of the Supreme Justice Tribunal. Just appalling.

Next up is Marco Torres. Marco Torres is the Venezuelan Minister of Food. Let's examine his awful track record. The food shortages in Venezuela are rampant, and it is difficult for the people to feed themselves or their families. To make matters worse, Mr. Speaker, press reports indicate that Venezuelans are eating from trash in the street just to survive. The Venezuelan people deserve better.

Next we have Jose Vitoria Sosa, this gentleman right here. He is the director of the military prison of Ramo Verde. This decrepit character is responsible for the inhumane treatment and abusive tactics against human rights activist Leopoldo Lopez.

Lastly, Susana Barreiros Rodriguez. In 2015, she was the judge of the 28th Trial Circuit Court of Caracas who was the one who originally unjustly sentenced Leopoldo Lopez to jail.

We must provide a voice for those whose rights continue to be trampled, and take swift and decisive actions such as imposing sanctions on all of these regime officials and many more who facilitate those abuses.

When it comes to the tyranny in Cuba and in Venezuela, Mr. Speaker, we must have a clear vision and a clear understanding of the nature of these rogue regimes that do not respect the rule of law, do not respect freedom of expression, and do not respect any kind of human dignity.

HEALTHCARE TROJAN HORSE

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

Mr. POCAN. Mr. Speaker, when Queen Helen of Sparta was abducted by the Trojan prince Paris, Helen's jilted husband convinced his brother, a Greek king, to lead an expedition to retrieve her. He was accompanied by a fleet of more than a thousand ships. They crossed the sea to Troy and demanded Helen's return.

The siege, punctuated by all sorts of battles and skirmishes, lasted more than 10 years until one day when Odysseus had a bright idea. He said: Hey, guys, let's build a really massive wooden horse. Let's pretend like we have

given up and sailed our fleet behind some island, but really about 30 of us will hide inside the horse. We will have someone tell the Trojans that it is some kind of gift to Athena, the goddess of war, and they will haul it into their city. When they are asleep, we will all sneak out, open the gates for everybody else, and totally kill everybody in the city.

And that is the legend of the Trojan horse.

So what is the moral of that story and why am I reciting Greek lore on the floor of Congress today?

Well, because history has a way of repeating itself. Today we have our own Trojan horse, a so-called GOP healthcare bill, TrumpCare, that professes to be about health care but, in reality, is a Trojan horse to give tax breaks to the wealthiest in the country.

Let's take a serious look at it. We are told that it is the replacement to the Affordable Care Act, a bill that has offered insurance to over 20 million people in this country. Now that replacement is supposed to fix the problems of the Affordable Care Act and ensure health care for everyone, as promised by President Trump.

But the covert part of TrumpCare was that he got busted last week when the Congressional Budget Office, our nonpartisan agency that evaluates bills, said that, in reality, the bill does little to improve health care. In fact, it said 24 million people would lose access to health care, not gain it. And it said older Americans would pay more for health insurance than under the Affordable Care Act and get fewer subsidies, and that more people on Medicaid would lose access to health care as well.

So how can a supposed healthcare bill actually reduce health care?

Well, when it is only a pretend healthcare bill.

And what else did the CBO say?

Well, they said this bill also includes almost \$600 billion in tax cuts for the wealthiest individuals in our country, insurance companies, and Big Pharma.

It gets worse. Those tax cuts for the wealthy, just how bad are they?

Well, the 400 richest families in the country making more than \$300 million a year will get an annual tax cut of \$7 million each. So Charles Koch and Betsy DeVos get \$7 million a year while a retired farmer in Janesville, Wisconsin, in Speaker RYAN's district, earning \$26,000 a year may have to pay \$14,600 for the same health care she got under the Affordable Care Act, but the old cost was only about \$1,700. That is a 750 percent increase on low-income, older Americans so the richest can bank millions.

□ 1015

And the CBO said another tax cut in TrumpCare provides about \$275 billion

in tax breaks that only the top 2 percent of Americans can get, while 98 percent of us will never see a dime.

And who else gets tax cuts? Insurance companies get a tax break of about \$145 billion, drug companies get a tax break of \$25 billion, and medical device companies get a break of about \$20 billion. That is almost \$600 billion worth of tax cuts for the wealthy, and what do we get? Less health care for more money.

That is not a serious healthcare alternative. That is a tax cut for the wealthy disguised as health care, and you and I get to foot the bill.

That is what is called a Trojan horse. And you have to be especially careful these days because Trojans are a little bit different than they used to be, and they are only used when you get—well, the same thing this will do to America, Mr. Speaker.

IMPORTANCE OF CAREER AND TECHNICAL EDUCATION

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, recently, the House Education and the Workforce Subcommittee on Early Childhood, Elementary, and Secondary Education hosted a hearing to discuss the state of career and technical education in America, as well as changes that can be made to strengthen CTE and better prepare students of all ages for the workforce.

One of the biggest challenges facing career and technical education is the stigma associated with it. Through the years, we have seen wrongheaded claims that students involved in the trades lacked ambition. Those misplaced assumptions are slowly subsiding, but not soon enough.

CTE has established itself as a path that many high-achieving students choose in pursuit of industry certification and hands-on skills that they can use right out of high school, in training programs, or in college.

At this hearing, we heard from many knowledgeable witnesses, including Mike Rowe, the television host of the television show "Dirty Jobs." Mike shared his experience as a young student who didn't know what career path he wanted to follow. So, he looked no further than his local community college.

His eyes were open to hundreds of courses that he could afford to study. And Mike said: "That experience opened doors I didn't even know existed. But that same experience is precisely what thousands of kids are discouraged from pursuing every year."

Mr. Speaker, the reality is, a huge gap exists in communities nationwide. There are jobs out there, good family-

sustaining jobs, but the unemployed or underemployed are either ill-prepared or lack the appropriate training to fill these vacancies. The answer to this problem starts with career and technical education.

That is why last Congress I introduced Strengthening Career and Technical Education for the 21st Century Act. This bill, which passed the House in the fall by a vote of 405-5, aimed to close the skills gap by modernizing the Federal investment in career and technical education programs and connecting educators with industry stakeholders—the job creators.

I look forward to reintroducing similar legislation with my Career and Technical Education Caucus co-chair, Congressman JIM LANGEVIN from Rhode Island, later this month.

During the hearing, Mike Rowe described naysayers as viewing a job in the trades as a "vocational consolation prize." Well, Mr. Speaker, nothing could be further from the truth. We must change this stigma, this bias, and help encourage American students to study a career that they are interested in and that they are passionate about. The list is endless with career and technical education, and the jobs are out there.

HEALTH CARE CONCERNS

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

Mr. RUIZ. Mr. Speaker, today, I celebrate the birth of my twin daughters, Sky and Sage as they turn 2 years old.

Happy birthday, Sky; happy birthday, Sage. You both have made your mom, Monica, and me very, very happy. Because of you both, I am the happiest man on Earth. We love you very much, and I miss you very much when I am here in the people's House and you are in California in our family's house. The best feelings in the world are when I get home after a long week here and you two girls run up to me with open arms and you run into my arms screaming: Daddy, daddy, daddy. I will never forget those moments ever, and I thank you for them.

Mr. Speaker, my daughters mean the world to me, and my daughters' future and their health mean the world to me. And now, more than ever, I want to protect health care for Sky and Sage and for the millions of Americans across our great Nation.

I am an emergency physician, and I have spent my career caring for patients across the Nation from Boston to Pittsburgh and to the Coachella Valley where I grew up and which I now represent. Many of my patients, far too many, didn't have health insurance. And I have seen firsthand what it means for people when they don't have health coverage and can't afford care.

I know what uninsured patients look like. They are the senior who comes in

with emphysema and having to be intubated and put on a respiratory machine because they didn't have health insurance to see their doctor. It is the diabetic who comes in in a diabetic coma and spends 2 months in the ICU because they couldn't afford their insulin, or they couldn't see their doctor. Or that 60-year-old farmworker who had urinary problems and lower back pains, which scares me that he might have prostate cancer metastasized to the lumbar spine, and when asked when was the last time he saw a doctor, he said 6 years ago because that is when he lost his health insurance.

This Republican plan should be called the pain and suffering act or the pay more for less act, because that is what it will do. This bill will add 14 million more uninsured people within 1 year and 24 million more over the next decade.

We need to move beyond the Republican hyperpartisan ideology and listen to patients and their concerns. My patients in the emergency department ask me two of the most common questions, which are: Am I going to be okay? How much is this going to cost me?

I have never cared for an uninsured patient who chose to be uninsured. They didn't have health insurance because they couldn't afford it. And that includes the young, healthy patient who was in an unfortunate car accident and was left paralyzed. I never met a doctor who preferred their patients to be uninsured.

Yet, we know that the Republican bill's age tax—huge cuts to Medicaid—will reduce coverage and make millions more uninsured, increase costs of uncompensated care, while giving tax breaks to millionaires, raising out-of-pocket costs, and raising premiums and deductibles.

The age tax is astronomical. The CBO said that a senior at the age of 60, making about \$26,000, would have to pay about \$14,000 in premiums. That is nearly half of their income, leaving very little for food and housing and their other needs.

This bill also will make it harder for doctors and hospitals to care for patients, due to the Medicaid block granting and the cuts. That is why the American Medical Association, the American Hospital Association, the AARP, and many major provider organizations oppose this bill, because they also know firsthand the harm it would cause to patients. That is why AARP opposes this bill, because they know the harm it is going to cause to the elderly in our Nation.

Now, do PAUL RYAN and President Trump really know more about patient care and providing care than doctors, nurses, and hospitals? Do they know more about taking care of seniors than the AARP? No. We need to end this hyperpartisan, ideological charade that

puts the cost of health care on the shoulders of working families in order to give tax breaks to multimillionaires. We need to come together as one body to provide true health care, reduce the healthcare costs for millions of Americans, and provide the care that is needed.

REPEALING OBAMACARE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Mrs. ROBY) for 5 minutes.

Mrs. ROBY. Mr. Speaker, 7 years ago this week, in this Chamber, the House gave final passage to the Affordable Care Act, better known as ObamaCare.

I wasn't in Congress then. Many of us weren't. But for my fellow conservatives here today, that vote 7 years ago marked a decision point, or a moment of affirmation, to answer the call to public service and to help chart a better way for this country.

And for 7 years, we have made the case against ObamaCare. As the law has been implemented, that case has been largely made for us. Millions have been forced away from the healthcare plan and doctor they liked, despite being told otherwise.

This year alone, in Alabama, health insurance premiums are rising by 58 percent. That is on top of the already steep increases the past 2 years. Our average deductible for the supposedly affordable bronze plan is now \$6,000.

I have heard from countless constituents about the negative impact of ObamaCare. I have listened to their stories about how higher costs and fewer choices have made it that much harder to keep their families healthy and make ends meet.

And in response, I made a promise—the same promise President Trump and every conservative in Congress has made over and over: Give us the majority in the House and the Senate, give us a Republican in the White House, and we will repeal ObamaCare and replace it with reforms that work.

So, Mr. Speaker, I am pleased that we are finally in a position to deliver on that promise. The voters gave us what we asked of them, and it is only right that we keep our end of the bargain.

With the American Health Care Act, we begin the process of repealing ObamaCare once and for all. This bill dismantles the taxes, mandates, and entitlement spending that make up the core of ObamaCare. It cuts taxes on prescription drugs, over-the-counter medications, insurance premiums, and medical devices. It eliminates the individual and employer mandate penalties that have forced millions into expensive, inadequate plans. It replaces the ObamaCare entitlement with refundable tax credits so that people who don't receive insurance through work can put their own tax dollars toward a health plan of their choice.

Mr. Speaker, many people have asked why our plan to repeal and replace ObamaCare is a process. Why is this bill only one step and not the full package? It is an understandable question. For the last several years, Americans have been sold the false hope that government has a magic wand with which they can solve all of their problems. The truth is, of course, that it can't. It never can. And the only proof you need is ObamaCare itself.

That is why congressional Republicans and the Trump administration are taking a completely different approach than President Obama and the Democrats used 7 years ago. Instead of claiming we need to pass the bill so you can find out what is in it, we have worked in a transparent way. The bill text has been posted online for 3 weeks. It has gone through three separate committee markups, and will come to the House floor in regular order.

Instead of one giant bill like ObamaCare, we are using a more responsible, three-step process. First, we will repeal ObamaCare with all its taxes, mandates, and spending through budget reconciliation. Next, the Trump administration will use executive authority to weed out the more intricate ObamaCare policies one by one to stabilize the market and lower costs. And finally, Congress will move forward with legislation addressing more specific policies, such as allowing individuals to purchase insurance across State lines.

I believe this will ultimately lead to better, more stable healthcare policy that empowers patients, increases choices, and lowers costs.

Mr. Speaker, no bill is perfect. I am sure if every Member of this body came up with their ideal health reform bill, they would each be pretty different. It is supposed to be that way, because we all represent different districts in different parts of the country with different needs.

There may well be some changes made here in the House or in the Senate that can make the bill better. That is part of the process, so I certainly remain open to those.

But, Mr. Speaker, I am confident this bill puts us on a path toward lower cost and better care, and away from government-controlled health insurance. It represents our opportunity to undo the damage of ObamaCare and help American families like we said we would.

For 7 years, we have been promising, and this is our chance to deliver.

Mr. Speaker, I urge my colleagues to support the American Health Care Act and send it to the Senate, and get us one step closer to delivering on our promise.

□ 1030

LISTEN TO THE PEOPLE CONCERNING THE AMERICAN HEALTH CARE ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, the American Health Care Act, or TrumpCare, does one simple thing: This shortsighted Republican plan forces Americans to pay more to get less. It is nothing more than a tax break for the wealthiest at the expense of the most vulnerable.

Today, joining every major responsible group for providing health care to Americans—including the American Hospital Association, the AARP, the National Physicians Alliance, the American Medical Association, the Association of American Physicians and Surgeons, and the National Nurses United—a group representing over 150,000 registered nurses wrote to Congress urging us to oppose the American Health Care Act.

Registered nurses care for Americans in our most difficult hours. From our first breath of life to our final, nurses are integral to the delivery of health care in our country. More than any other profession, nurses see the personal effects of a flawed healthcare system in the hospital every single day.

I know, Mr. Speaker, because I was the first former registered nurse in the House. I have a firsthand, valuable perspective and insight that nurses have into our healthcare system. We should take their heed alongside the public outcry about the danger of this so-called replacement bill.

These are not paid protesters going to townhall meetings across this country. These are our constituents, participating democratically, telling their Representatives that they want to keep and improve the current law, not repeal and replace.

This proposed plan replaces nothing for the 24 million Americans who would lose coverage as a result of this ill-derived legislation.

In my district alone, President Obama's Affordable Care Act brought the uninsured rate down from 27.3 percent to 20.8 percent, and insured over 265,000 individuals who did not have coverage before. While the main safety net provider in my district, Parkland Memorial Hospital, provided \$1 billion in uncompensated care in 2015, Parkland and the other safety net providers face severe financial burdens in the House GOP proposal.

One of my main concerns with this bill is that it punishes people who get their coverage through Medicaid by capping and slashing the program. With 70 million Americans and 5.2 million Texans who currently rely on Medicaid, per capita caps on the program

would not meet the needs of the population, and the people would suffer.

People will live or die as a result of our decisions here on this floor, Mr. Speaker. There is no reason for the Republican leadership to rush this legislation without careful consideration, including the input of those who actually provide health care.

We need to listen to our constituents, our nurses, our doctors, our long-term care aides, and our hospitals. We must listen to the people. This bill will force Americans to pay more for their premiums, more for their care, more for their medicine, more out-of-pocket expenses and deductibles, all the while giving tax breaks directly to the wealthy.

Mr. Speaker, I urge my colleagues to consider the harmful effects of this bill. Your constituents are asking you to work with us to repair the Affordable Care Act, and we are ready to work.

Mr. Speaker, I include in the RECORD correspondence from National Nurses United.

NATIONAL NURSES UNITED,
Silver Spring, MD/Oakland, CA,
March 21, 2017.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the 150,000 Registered Nurse members of National Nurses United, we urge you to oppose the American Health Care Act when it comes to a vote on the floor of the House of Representatives.

Registered Nurses care for Americans in their most difficult hours. More than any other profession, we see the personal effects of a flawed healthcare system in the hospital every single day. Our primary responsibility is to protect the health and wellness of our patients by providing care at the bedside.

The American Health Care Act poses a mortal threat to the health and well-being of our patients, and to the health security of our country. Last week, the Congressional Budget Office reported that 24 million Americans will lose insurance coverage under the original legislative text. The plan would increase the number of uninsured people by 78% in 2020, and by 86% in 2026. This reality is in stark contrast to one of the key campaign promises made by the President this past year—instead of providing “insurance for everybody”, this healthcare bill will dramatically reduce the number of insured Americans. The President also promised not to cut Medicaid or Medicare, but the AHCA includes drastic cuts to both programs.

There is not a single aspect of this legislation that will benefit our patients who lack the health care services that they need. Specifically, the legislation will:

Eliminate the Prevention and Public Health Fund, which will worsen the health of our communities, spread infectious disease, and increase health system costs;

Phase out coverage for Medicaid expansion in Medicaid expansion states beginning in 2020, while preventing new states from receiving enhanced Federal Medical Assistance Percentage in order to expand Medicaid;

Institute a per capita cap for Medicaid, along with the option for states to use a block grant instead. Both options will reduce coverage for the most vulnerable, shift care from clinics to emergency rooms, increase

system costs for the chronically ill as they defer treatments because of cost, and unfairly shift the burden of costs to the states;

Empower individual states to determine eligibility, scope and benefits for Medicaid as per their own discretion, but there will be no increase in federal monies to cover expanded eligibility;

Eliminate funding to Planned Parenthood which will worsen women's health, and create burdens for women, families and society from unsafe pregnancies and other health conditions no longer treated;

Eliminate the definition of “essential benefits”—a move that makes all patients vulnerable to the distortions and marketing games of insurance companies;

Repeal the cost-sharing subsidies of the ACA, and destroy the ability of 80% of people currently buying insurance on the Exchanges to maintain coverage;

Open the door for junk insurance. The bill includes a penalty for lack of continuous coverage, creating a big incentive for patients to buy low-cost, no-coverage plans;

Fail to encourage low-cost coverage, because the legislation shifts thousands of dollars in spending from insurance company spending to the individual's out of pocket costs;

Reproduce the failed “high-risk pools” of the 1990's and 2000's, through the “Patient and Stability Fund”. It is inevitable that the number of eligible patients will overwhelm the resources of these high risk pools;

Repeal the Medicare Hospital Insurance Tax, which will reduce funding and destabilize for the Medicare program that our nation's seniors rely on;

Allow insurers to charge seniors five times the amount of a younger person. This revision will prove to be deadly for our nation's seniors, and it reveals the extent to which this reform will benefit the profit margins of insurance companies, at the expense of patients' lives.

Our experience at the bedside, coupled with analysis from health policy researchers, confirm our conclusion that this bill does not address the primary concerns of our patients: getting the care they need when they need it, without overwhelming financial burdens.

Over many years, with the notable exception of the passage of Medicare in 1965, the United States has built a patchwork health system around private insurance access, rather than genuine access to health care. This legislation, if enacted, will perpetuate this system while undermining gains made in the Affordable Care Act. Given the ultimate reductions in Medicaid, and the other reversals in the bill, there is literally nothing in this legislation that provides our patients with the care they need.

In order to effectively address the health system problems in this country, legislators must move beyond a private health insurance company dominated system. Health policy research, and the experience of every other wealthy nation, shows that a single-payer health care system is the most successful model to use. In the United States, Medicare is an example of how successful such a system can be. If the goal of our health system is to provide quality care for all Americans at the lowest cost possible, then we must transition to a single payer healthcare system—or Medicare For All.

The principal effect of the American Health Care Act, on the other hand, will be the loss of existing health coverage for tens of millions of people without any restraints on healthcare industry pricing practices.

This legislation will result in overwhelming health insecurity for the American people.

On behalf of registered nurses across the country, we urge the rejection of this flawed, and deadly, proposal. We urge you to instead support guaranteed healthcare for all, through an improved, expanded Medicare for All program.

Sincerely,

DEBORAH BURGER, RN,
President, NNU.
JEAN ROSS, RN,
President, NNU.

RECOGNIZING CAMPBELLSVILLE UNIVERSITY LADY TIGERS WOMEN'S BASKETBALL TEAM

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

Mr. COMER. Mr. Speaker, I rise to pay special recognition to the Campbellsville University Lady Tigers women's basketball team upon making the entire Commonwealth of Kentucky proud with another successful college basketball season. The Lady Tigers finished with a 28-7 record and appeared in their second NAIA Fab Four round in 3 years.

In their final four game in Billings, Montana, against Oklahoma City, two girls from my home county of Monroe had career highlights. Madison Clements hit six 3-pointers and Lauren Turner had nine assists. The Campbellsville University Lady Tigers are also coached by a Monroe County girl, Ginger High Colvin.

The Campbellsville University Lady Tigers have been one of the most dominant college girls basketball programs in the NAIA over the past 20 years. Campbellsville University is one of Kentucky's finest educational institutions, and I am very proud that Campbellsville is in the First Congressional District of Kentucky.

AMERICAN HEALTH CARE ACT DOESN'T HELP MENTAL HEALTH PATIENTS

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

Mr. KENNEDY. Mr. Speaker, a few months ago, a woman from my district walked into my office and told me about her daughter, a young lady diagnosed with acute mental illness at just 4 years of age.

A decade later, the stories that that young mom shared would split your heart: stories of countless ER visits, endless fights with insurers and courts, a little girl being boarded at a hospital for 21 days while they searched up and down the East Coast to find a bed where she could stay.

At 14 years old, she has now spent half of her life in residential care. But it was how her mother ended that story that has stuck with me. She looked me

in the eyes and told me that: “Compared to other people I know, we have been lucky.”

Mr. Speaker, that is not luck. This is a mental health system so broken that it is hard to recognize.

And how have our Republican colleagues followed up in response? They have offered a piece of legislation that is one of the largest assaults on our mental health system in recent history.

The GOP repeal bill will remove guaranteed behavioral health coverage for everyone covered under the Medicaid expansion. It will abandon those suffering from substance abuse disorder to fend for themselves in a country ravaged by opioid abuse. It will allow work requirements for care, forcing countless people to somehow choose between getting treatment and keeping their job. It will help insurers further skirt parity laws that require them to treat the mentally ill fairly. It will send out-of-pocket costs soaring for the most vulnerable among us.

Mr. Speaker, one in five Americans today suffer from mental illness. These brave men and women and their families that love them deserve more than the cheap luck of a broken system. They deserve more than the empty rhetoric of a bill that “might” cover or “could” cover the care that they need. They deserve an ironclad commitment from their government that we will have their back. This bill does not do that.

DON'T REPEAL AFFORDABLE CARE ACT—MAKE BIG FIXES

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

Ms. DELAURO. Mr. Speaker, the healthcare plan supported by President Trump and Speaker RYAN will raise premiums and deductibles.

Let's tell the truth here on the floor of the House of Representatives. It will raise premiums and deductibles. It will throw millions off of their insurance. It will shift the cost of health care to the States who are fiscally strapped today, causing a rationing of care at the State level. And, yes, it will cover less and less people and raise the insecurity that people have today about whether or not, if they get an illness or someone in their family does, they are going to have healthcare coverage.

The result is that working people, older Americans, will pay more; and, in fact, with older Americans, it will impose an age tax. The irony of this is that working people and older Americans are going to be paying for the tax breaks in this bill, tax breaks to millionaires and to billionaires. I will explain.

The nonpartisan Congressional Budget Office recently estimated that 14

million Americans will lose coverage in 2018; 24 million Americans will lose their insurance coverage by 2026. In my State of Connecticut, 220,300 individuals are projected to lose their health insurance by 2026.

Again, older Americans will be hit the hardest. They will see their premiums spike. Yes, it is an age tax. And the reckless cuts in this bill rob, in addition to this, it robs the Medicare trust fund, which people rely on, of over \$170 billion, shortening the life of that trust fund by years. Long-term care that older Americans rely on will be hurt, as well as folks who are disabled. And children will be hurt as well.

Over the next 10 years—and again, these are not my numbers, but the Joint Committee on Taxation estimates that two of the tax breaks in the repeal bill will provide \$275 billion in tax cuts to individuals who have an income over \$200,000, and nearly \$190 billion will go to tax cuts for health insurance companies.

Do we believe that they are hurting?

It is also going to provide a tax break for drug companies, for pharmaceutical companies.

Are they hurting today? No. They are reaping profits every single day. That is the case with medical device manufacturers as well.

While the wealthiest Americans and corporations reap the benefits of this Trump bill and Ryan bill, roughly 160 million households with incomes below that \$200,000 level will pay for the repeal of these taxes.

I have heard from thousands of my constituents about how the Affordable Care Act has positively impacted their lives. I have submitted testimony for the record from women in my district who depend on the Affordable Care Act to manage life-threatening illnesses, get back to work, get them the mental health services that they need.

Just think of that injustice when you think about Mnikesa Whitaker, whom I spoke to just 2 weeks ago. She has an autoimmune disease which is called scleroderma. I regret to say that this has put her life in danger, but she now has the protection because she is no longer threatened by preexisting conditions. In her words, she said: “I will die without the Affordable Care Act.”

We have a moral obligation not to let Mnikesa or others down. We have an obligation to older Americans and to the middle class of this country, to working people. The Affordable Care Act needs to be changed in critical ways. Premiums and deductibles are way too high and are putting too much strain on families who barely make enough to live on. We know that because their wages have not kept pace with rising costs. There is not enough competition in the marketplaces.

But instead of repealing the Affordable Care Act, we should be working

our hearts out to make the big fixes that are necessary. But my friends, that starts with defeating this wrong-headed bill.

□ 1045

LET'S COME TOGETHER TO MAKE MEANINGFUL PROGRESS

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

Mr. LAWSON of Florida. Mr. Speaker, the Republican plan to repeal and replace the Affordable Care Act is an exercise in smoke and mirrors.

This proposal would give tax breaks to wealthy Americans by burdening hardworking families with higher healthcare costs.

The Republican plan allows for soaring new healthcare costs for our seniors and shortens the life of the Medicare trust fund, endangering seniors and disabled Americans who depend on Medicare coverage.

The nonpartisan Congressional Budget Office estimates that if the Republican proposal became the law of the land, some 14 million people will be without healthcare insurance in 2018, and up to 24 million could lose their healthcare coverage by the year 2026. The CBO also found that average premiums for people buying insurance on their own would be 15 to 20 percent higher in 2018 and 2019 than they would under current law.

In my home district, the uninsured rate has gone from 18.7 percent to 14.9 percent since the Affordable Care Act was implemented, and 34,000 people have purchased coverage thanks to the ACA. Those people are now at risk of losing their healthcare coverage if the Republican plan becomes law. This is completely unacceptable to Floridians.

We know that the Affordable Care Act is not a perfect law, and there is a lot of room for improvement. That is what we should focus on in Congress right now: coming together to figure out ways to bring down healthcare costs, stabilize the market, and help ensure that more people can have access to the affordable health care they need and deserve.

We need to put aside the partisan bickering, roll up our sleeves, and get to work. It is a sad day in America when Members of Congress are unable to come together to do what is right for the American people. I will continue to fight to ensure that Floridians with preexisting conditions don't have to worry about losing their healthcare costs, and that young adults can stay on their family's insurance until they reach age 26.

I urge my colleagues to remember that no roads or bridges were ever built by Democrats or Republicans. No war was ever won by Democrats or Republicans. From Social Security to Medicare, to putting a man on the Moon

and tearing down the Berlin wall, none of these milestones in our history was accomplished by one particular political party. They are a result of public servants coming together to solve the great challenges of our time.

This is the challenge that lies before us: we must find a way to come together to make meaningful progress for the American people.

PEOPLE NEED BETTER HEALTH CARE

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

Mr. NADLER. Mr. Speaker, President Trump and Speaker RYAN have said that the Affordable Care Act that we have now is a disaster, that it is a calamity.

There are problems with it. For some people in some plans, premiums are too high.

So what do the Republicans want to do?

Raise the premiums.

For some people in some plans, deductibles are too high.

So what do the Republicans want to do?

Make the deductibles much higher.

Let's get away from the rhetoric about the Affordable Care Act and look at what the Republicans plan to do with the bill that we are going to be voting on presumably in the next few days: raise the premiums, raise the deductibles.

They say that you will not be disqualified for preexisting conditions and that you will still be able to get insurance, but not if you let your coverage lapse in 6 months. If you are laid off from your job and you lose your insurance and 6 months later you get insurance, no, you are going to have to pay a 30 percent higher premium in order to get coverage. So their guarantee is worth nothing.

What does the bill that we are going to be voting on do?

This bill would throw 24 million people off of coverage. Twenty four million Americans would lose their health care, the security of mind that they have now. This bill would destroy about 2 million jobs. This bill would force families to pay higher costs, higher premiums, higher deductibles.

The nonpartisan Congressional Budget Office estimates that a 50- or 60-year-old person making \$26,000 and who, under ObamaCare, is paying, after the subsidies, out of pocket \$1,700 a year for health insurance, will, under this new Republican bill, after the appropriate subsidies that this bill will give, pay not \$1,700, but \$14,000 on a pretax income of \$26,000.

So this bill will increase costs, throw 24 million people off of coverage, and impose an age tax. People above 50 years old will have to pay five times as

much as younger people for insurance, a very crushing age tax.

Why? Why do this?

Because they say people need more freedom to choose their health care.

People don't need more freedom to choose their health care. People need better health care. They need coverage. They need security. They need coverage that will take care of their health needs at a low cost. That is what they need.

The ObamaCare, the existing bill that we have, the Affordable Care Act, gives them that, not as well as it should. We should make improvements to it. It is not an improvement to throw 24 million people off of coverage, increase the cost, and institute a crushing age tax.

Why?

It is to give a tax benefit of \$2.8 billion to the richest 400 families in the United States. This bill would be the largest transfer of wealth from low- and mostly middle-income people to the top 1 percent in American history.

Let me just address one last thing. People are being bribed to vote for this bill. People are being bribed legally. Provisions are being put in the bill to say: Hey, if you vote for this bill, you will benefit, your State will benefit.

Okay. There is nothing wrong with that. It has been done before.

Let's take a look at one of those bribes, the so-called New York bribe. New York, along with 15 other States, takes advantage or utilizes a provision in the law that has been in the law since 1965 in Medicaid in which the State share of Medicaid is borne partially by the State and partially by local governments. Sixteen States have elected to do that.

This bill says that New York State only will be prohibited from sharing the burden of Medicaid with local governments. So \$2.3 billion will be shifted from various local governments onto the State's taxpayers, except for New York City. Upstate counties will lose their share. New York City will have to keep it. The State will have to bear the burden. So it is a \$2.3 billion increase for State taxpayers.

Now, eight Republicans, we are told, from upstate New York are going to vote for this bill just because of that. They don't like the bill in other respects, but because of that provision, which will relieve some of the burden from local counties, they are going to vote for the bill; and they say so. Representative COLLINS of New York said so. He would vote for that bill. He got a number of other people to agree. That is why the provision is in the bill.

Okay. But it is not going to happen. It is flatly unconstitutional. They are selling their votes for something that is never going to happen, and that is just wrong. This bill should not be approved. It is a sellout to the people of the entire country.

BUILD ON AFFORDABLE COVERAGE

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

Ms. CASTOR of Florida. Mr. Speaker, I am here today on the floor of the House to speak out on behalf of my neighbors back home in the State of Florida. I represent a district in the Tampa Bay area. Let me tell you, they are very concerned about the impact of this Republican healthcare bill.

What we know about the bill so far, based upon the report of the nonpartisan Congressional Budget Office, is that the Republican bill will rip coverage away from at least 24 million Americans. This is at a time when we have made such progress since the adoption of the Affordable Care Act.

Under the Affordable Care Act, about 20 million Americans have gained coverage, including about 1.7 million of my neighbors in Florida that went shopping on healthcare.gov and found an affordable option.

The Republican bill would take us backwards. It would also impose huge cost increases on everyone. Let me tell you, most people in America have their insurance through their employer. And under the Affordable Care Act—it hasn't been perfect—what we have seen in the State of Florida between the years 2010 and 2015 is the rate of increase for my neighbors who have their insurance through their jobs has been kept in check. The rate of increase has only been 1.3 percent. Before the adoption of the Affordable Care Act, the rate of increase was well over 8 percent.

Why is this happening?

If you have insurance through your job, you want other people to have insurance coverage. That is very important because, if more Americans don't have insurance coverage, they show up in the emergency room and that cost is passed along to those who have coverage or those on Medicare, or the hospital has to take on bad debt, or local governments have to raise taxes to cover that care.

Under this Republican bill, hold on to your wallet because that insurance coverage now will be unaffordable for millions of more Americans. If you have insurance through your job, like most people do, you are now going to end up picking up the cost of people that can no longer afford coverage.

If you are a little bit older, easing into Medicare—maybe you are 50 to 64—hold on to your wallet. There is a huge age tax in this Republican bill.

I will give you an example from a neighbor of mine back home. Her name is Kathy Palmer. She lives in Tampa. She works two part-time jobs. She works for an accountant. It is a small business. They cannot afford to provide insurance through their small business. She is also working to get her degree in

accountancy from the University of South Florida. Kathy has two part-time jobs. She is age 60. She is going to school to get a degree. She has a teenager in high school. She couldn't afford insurance coverage before the Affordable Care Act. When the Affordable Care Act was adopted, she could go shopping on healthcare.gov and get some tax credit help to help afford coverage.

Here is what happened to Kathy in December. She had heart pains. She thought she was having a heart attack. She went to the emergency room of one of our great local hospitals. Thank goodness, she did not have a heart attack.

Kathy almost had a heart attack, however, when she got the hospital bill later. The hospital bill was \$70,000. That would bankrupt her. Fortunately, she had coverage through the Affordable Care Act at healthcare.gov, and ultimately what she paid on that hospital bill was only \$179.

This story is repeated over and over again, and I simply do not understand why my Republican colleagues think it is wise to make coverage unaffordable and increase cost on all Americans.

Mr. Speaker, the other part of this bill that is kind of flying under the radar, but is quite insidious and rather unconscionable is the hatchet it takes to the 50-year guarantee that is provided to Americans under Medicaid.

Medicaid serves our neighbors with Alzheimer's. It pays about two-thirds of the cost of long-term care and skilled nursing, the cost of care for the disabled, many children, many pregnant women. It has been the law for about 50 years to ensure that, in the United States of America, if you have a child born with a complex medical condition or you have a parent or grandparent that has to go into a nursing home, that your family is not going to be impoverished. That is a valued decision we made 50 years ago.

In this bill, the Republican leadership intends to go back on our values and pull the rug out from under our families who rely on Medicaid services. They say: Oh, the States will be able to do this. The States will have all the flexibility in the world.

Well, flexibility is a canard for they are going to have less, and we are going to ration care.

Mr. Speaker, I urge my Republican colleagues to pull this bill, to build on affordable coverage, to build on the cost savings that we have made and the progress we have made for these families.

□ 1100

HEALTH CARE OUGHT TO BE A RIGHT AND NOT A PRIVILEGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from

Illinois (Mr. DANNY K. DAVIS) for 5 minutes.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, let me thank you for giving me the opportunity to once again express my opposition to the repeal-and-replace healthcare bill before us.

You know, it is my position that health care ought to be a right and not a privilege, especially in a country where we have the skill, the knowledge, and the technology to provide it.

Medicare and Medicaid opened up new opportunities for health care for seniors and large numbers of low-income, poor people in this country in the mid-1960s. As a matter of fact, before Medicaid and Medicare, some of them had never been able to acquire any professional medical help. As a matter of fact, they lived off remedies and concoctions and things that they had learned how to put together.

Now we come along with some help—Medicare, Medicaid—and the next big move was the Affordable Care Act, which was a long time coming, but it helped us move to the point where more than 20 million people were able to get health insurance who had never had it before, whose only outlet was to go to the emergency room of public hospitals and oftentimes sit sometimes for 2 or 3 days before they got service, before they got attention.

Now, here we come with something talking about repealing it, taking it away. How could we possibly want to go backwards, back to where millions of people are wondering every day whether or not they are going to be able to go to the doctor and get serviced if they are sick?

And so I say to my colleagues, especially those who have never had the experience of knowing hundreds of people with no care like I have, let's say: No, no, no. Forward ever, backwards never.

DON'T WALK THE PLANK

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

Ms. SCHAKOWSKY. Mr. Speaker, it was 7 years ago today that the Affordable Care Act passed and changed the lives of so many millions of Americans who previously couldn't get health care. But I think we knew even at the time that a big bill like this, a transformative piece of legislation like this, over time would require some changes, just as Social Security and Medicare have done.

The truth of the matter is, for 7 years, as we heard Republicans complaining about what was happening, we said: Let's sit down together, as Members of Congress, representatives of the people, and fix what we have got and build on the things that have made it possible for all these millions of people to have not only health care, but better health care.

Instead, what we heard over and over again is: Repeal ObamaCare; repeal ObamaCare. And I kind of feel like today what we have is, because they said that, then they feel like they have to fulfill a promise. But if you look at what they are offering, it really hurts so many Americans.

What I hope the American people will understand is that the so-called repeal-and-replace bill raises the cost of premiums and out-of-pocket costs. People are going to pay more and get less.

Twenty-four million people—that is just a start; it ends up being some 50 million people after some years—will lose their coverage altogether.

It represents the single largest transfer of wealth to the top richest Americans and corporations. We are talking about \$600 billion in tax relief. There is not a lot of talk about that. In many ways, this is a tax cut for the richest being masked as a healthcare bill.

Finally, I want to really focus in on what we call the age tax. Well, before I was a senior citizen myself, I have worked with older Americans in the State of Illinois, where I am from, and here in Congress as well.

So what is this age tax? This bill says that people who are between the age of 50—not very old—and 64, in other words, pre-Medicare, will be allowed to be charged five times more than young people for their health care. Actually, it allows the States even to go more than five times more for their health care. It will lower the subsidies.

As has been said many times, here is just an example. If you are 64 years old with an income of around \$26,500—which, by the way, is the median income for people that age, certainly not a wealthy person—you would pay, under this bill, the Republican bill, \$14,600 for premiums—think of that—as compared to \$1,700 today, an increase of \$12,900. So it is not surprising that the Congressional Budget Office predicts that many of those people will simply have to give up their health care.

The reason they want to charge them more is to entice younger people, who will then pay lower premiums, to actually get on the program. We are all for that. We want to make sure that young people get on. But people who are 50 to 64 are very likely, or more likely than young people, to have healthcare issues.

It is absolutely no wonder that so many organizations and forces are lining up in the United States to oppose this bill:

The American Medical Association, the doctors, and all the different subgroups of doctors, have written letters saying no to this repeal-and-replace.

The American Hospital Association, not only urban hospitals and hospitals in medically underserved areas, rural hospitals could go under.

The AARP, 35 million members strong, is absolutely dead set—they are

running ads; some people may have seen them on television—against this legislation.

The American Nurses Association, conservative think tanks are against it, and many Members of Congress are against it—and for good reason. One of our Republican Senators said to House Republicans: Don't walk the plank.

I would suggest they take that advice and vote "no."

KEEPING PROMISES

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

Mr. GAETZ. Mr. Speaker, the repeal and replacement of ObamaCare is about keeping promises and being worthy of the American people's trust.

We, for the third time in American history, have unified Republican control of the government: a Republican in the White House and Republican control of the House of Representatives and of the Senate. In the last five campaigns, one out of every four ads was about health care, so it is our turn to lead.

Here is what we know: ObamaCare today is failing. It is failing to meet the promises that were made that people could keep their doctor or keep their plan. It is failing to be affordable for those who see rising premiums, rising deductibles, no choices, no health care at all, and limited access.

As Republicans leading in this Chamber, we are on a rescue mission to save the American people from this disaster and to replace this law with something that works and gets us away from government-centered health care and moves us to patient-centered health care, doctor-centered health care.

You know, we believe in ownership societies where you ought to be able to own your own healthcare plan, own your own decisions about education and how you choose to prosper.

Today, the Rules Committee is contemplating amendments that should excite conservatives with generational changes that will unlock the potential of this great country.

State flexibility, for the first time, we really see the option for States like mine in Florida to step up and say we don't want the Federal Government involved in health care anymore. We want to take control over those who are vulnerable in our communities, and we want to innovate and come up with solutions that meet those challenges.

Work requirements, hardworking people in my district don't understand why they go to work every day but too often they are paying for entitlements for people who are able-bodied, childless, can work, and choose not to. That is wrong.

We are going to take up, on this floor, legislation that I suspect will have a work requirement for able-bodied,

childless adults for those States who choose to implement this bold conservative reform.

We also expect that there will be an end to the disaster of Medicaid expansion. Today in America, one out of every four people is on Medicaid. That is absolutely unsustainable. It means three of us have got to pay for the cost of our own health care and then a substantial portion of the cost of someone else's.

By ending Medicaid expansion for nonexpansion States, we put the country back on a path to prosperity—not government-centered health care, individual patient-centered health care where people can choose the plans that best meet their needs.

If we do this, if we meet this challenge with our historic opportunity to lead, then the American people will know that we are worthy of their trust. We are keeping our word, and we will repeal and replace health care.

RECESS

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

Accordingly (at 11 o'clock and 12 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

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

PRAYER

Dr. Tom Smiley, Lakewood Baptist Church, Gainesville, Georgia, offered the following prayer:

In the name that is above every name, in the name of the One by whom all things were created and by whom all things created are sustained, in the name of the One who was crucified for the sins of all people, raised on the third day, and who, upon His return, every knee will bow and every tongue confess is Lord, in the name of Jesus, my Savior and my Lord, today, I ask:

Draw near unto thyself the heart of any in this body who still remain far from You.

Give confidence and courage to all who govern from this House, to be unashamed of the Judeo-Christian ethic, which has led this Nation to prominence and prosperity above all other nations.

And Father, remind all, who by faith trust You that Your love wants what is best for us, Your wisdom knows what is best for us, and Your power will accomplish what is best for us.

In Jesus' name and God's people.
Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Mr. JEFFRIES) come forward and lead the House in the Pledge of Allegiance.

Mr. JEFFRIES led the Pledge of Allegiance as follows:

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

WELCOMING DR. TOM SMILEY

The SPEAKER. Without objection, the gentleman from Georgia (Mr. COLLINS) is recognized for 1 minute.

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize Dr. Tom Smiley, whose compassion and character have made him a true leader in Gainesville and northeast Georgia.

Dr. Smiley grew up in Gumbrecht, Georgia, where he received his call to preach. After graduating from Blue Mountain College in Mississippi, Pastor Tom attended Southeastern Baptist Theological Seminary and Columbia Theological Seminary, where he obtained his doctorate in ministry, with an emphasis on marriage and family ministry.

As senior pastor of Lakewood Baptist Church, Dr. Smiley has led the congregation—including my own family—for over 25 years. The vision for Lakewood is to be a regional church that raises up fully devoted followers of Christ who are trained and equipped to love and reach lost people, locally and globally.

In addition to his work at church, Pastor Tom has established himself as a successful writer, authoring three books: "Runaway Lives," "Angels All Around," and "Uncommon Common Sense."

Dr. Smiley is engaged with the Gainesville community at every level, and our neighbors have enjoyed his contributions as a Little League baseball and basketball coach, as well as the work that he does at the community YMCA branch.

Dr. Smiley is my pastor and friend, and in every aspect of his life, he leads with grace and devotion. I am proud to welcome him here to our Nation's Capitol in Washington, D.C.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. POE of Texas). The Chair will entertain up

to 15 further requests for 1-minute speeches on each side of the aisle.

OBAMACARE FAILED THE AMERICAN PEOPLE

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

Mr. WILSON of South Carolina. Mr. Speaker, ObamaCare has failed the American people destroying jobs. All across South Carolina, premiums have skyrocketed, small-business jobs have been terminated, and our State is now down to a single insurance provider on the exchange. This is not what families were promised 7 years ago.

With the American Health Care Act, House Republicans have delivered on the commitment to give Americans a healthcare system that increases choice, creates jobs, and puts the patient back in control. This bill protects those with preexisting conditions, returns power to the States, allows young adults to remain on their parents' insurance until they are 26, and increases consumer choice. This is a critical first step of three to repeal and replace ObamaCare.

I am grateful that the American Health Care Act is supported by the NFIB, the Susan B. Anthony List, Americans for Tax Reform, the U.S. Chamber of Commerce, the National Taxpayers Union, the Institute for Liberty, the Small Business and Entrepreneurship Council, and dozens of other advocates promoting creating jobs.

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

TRUMPCARE

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

Mr. CICILLINE. Mr. Speaker, Republicans are planning to vote tomorrow to pass TrumpCare.

This bill is a great deal for the superrich, it is a great deal for insurance companies, and it is a great deal for drug companies. But it is a bad deal for working men and women across our country.

TrumpCare will raise premiums, increase deductibles and out-of-pocket expenses.

TrumpCare ends coverage for 24 million people.

TrumpCare destroys 2 million jobs.

TrumpCare imposes an age tax on older Americans.

And TrumpCare cuts Medicaid by \$880 billion to give corporations and the wealthiest Americans a \$600 billion tax cut—the single largest transfer of wealth from working people to the rich in history. This is wrong.

The American people do not want this bill. They don't want to pay more for less.

Donald Trump promised that he would be a great champion for the middle class. It only took him 2 months in office to break that promise and sell out to the wealthy and the special interests. Shame on him and shame on anyone who votes to take away health coverage from working men and women to fund a big tax cut for folks who don't need it. The working people of this country deserve better.

AMERICAN HEALTH CARE ACT BRINGS MEDICAID ACCOUNTABILITY

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

Mr. PITTENGER. Mr. Speaker, I rise in support of the American Health Care Act and, specifically, the critically important reforms to Medicaid, in addition to the other great reforms that will bring cost-effective health care to this country.

For 50 years, Medicaid has been a blank check to the States with little accountability and rampant fraud. During my time in the North Carolina Senate, we found as much as 20 percent waste, fraud, and abuse in Medicaid.

In response, I have worked with SAS, a major technology firm, to develop accountability and oversight. North Carolina is now a leader in Medicaid fraud recovery.

Under the American Health Care Act, Medicaid replaces an open blank check with commonsense per capita or block grant allotments for each State. This incentivizes States to follow North Carolina's lead and clean out the bad actors exploiting eligibility and the providers taking advantage of Medicaid at the expense of America's most vulnerable.

Conservatives have championed these reforms for decades. Now is our opportunity to bring accountability to Medicaid.

I urge my colleagues to vote "yes" on this great reform.

UN-AMERICAN HEALTH CARE ACT TAKES US BACKWARD

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

Mr. HECK. Mr. Speaker, let's make this clear. The Un-American Health Care Act doesn't just repeal advances with ObamaCare, it takes us backward to a point worse off than we were before the Affordable Care Act.

It guts Medicaid, and will fail to meet existing needs, hurting vulnerable children, pregnant women, people with disabilities, and seniors needing long-term care, hurting them all.

It abandons Planned Parenthood services. Women with nowhere else to turn will lose access to critical services like pelvic exams and pap tests.

I am here today speaking on behalf of single mom Sherry, cancer survivor Marty, star student Kelty, and little Gracie and her devoted grandmother Donna.

We are all one voice saying we cannot afford to make the American healthcare system even worse than it was before ObamaCare. That is the path the un-American Health Care Act will carve. My friends, let's not go down that path. Vote "no."

REPUBLICAN HEALTHCARE BILL

(Ms. JUDY CHU of California asked and was given permission to address the House for 1 minute.)

Ms. JUDY CHU of California. Mr. Speaker, Republicans rushed their pay more for less healthcare bill through committees before CBO even had a chance to score it. And then, once they realized that 24 million people would lose coverage, they made late night additions just 2 days before the House is scheduled to vote.

Americans' health care is too important to be done on an artificial deadline. It is too important for people in my district like Rachel. Rachel is a hairdresser in her midthirties, who was finally able to get health coverage for her husband and three children, thanks to the ACA. But under the Republican plan, their coverage will be replaced by tax credits that don't even come close to meeting the healthcare costs for a family of five.

And there are millions just like her struggling to make ends meet. Instead of abandoning people like Rachel to give tax breaks to the wealthiest few, I urge Republicans to do what even Trump promised—provide health insurance for everybody. That starts with rejecting this bill.

PAY MORE AND GET LESS WITH TRUMPCARE

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

Mr. JEFFRIES. Mr. Speaker, under the Republican healthcare plan, TrumpCare, hardworking Americans will pay more and get less. Your premiums will increase. Your copays will increase. Your deductibles will increase. Your out-of-pocket costs will increase. But the quality of your health care will go down.

Tens of millions of Americans under TrumpCare will also lose their entire health coverage. And under the Republican healthcare plan, it will impose a draconian age tax on people between 50 and 64, some of whom will be forced to pay approximately \$14,000 per year.

Trump has said he is going to do health care in three phases. I have finally figured it out. Phase one, disease. Phase two, disaster. Phase three, destruction. Vote "no" against this reckless plan.

HARDWORKING AMERICA NEEDS A TAX BREAK

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

Mr. HIGGINS of New York. Mr. Speaker, tomorrow House Republicans will perpetrate a careless financial assault on good, hardworking America in exchange for a massive payoff to greedy insurance executives and their cronies. Yes, this vote is rigged against the good.

If you are 50 to 64 years old, you and your family get clobbered. More doughnut holes, more premiums, and less health care.

UnitedHealthcare, one of America's largest private insurers, is today under investigation for defrauding the Medicare program of billions of dollars. Your bill, in 17 words on page 67, rewards UnitedHealthcare, their executives and cronies, with a massive tax cut. UnitedHealthcare made \$83 billion last year, and their CEO was compensated with \$66 million. They don't need a break. Hardworking America does.

Your bill also allows UnitedHealthcare to charge five times more for older Americans, and imposes a 30 percent unemployment tax on the unemployed, all going to more profits for them and less health care for America.

STANDING AGAINST TRUMPCARE

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Mr. Speaker, during the last few weeks, my office has heard from literally hundreds of concerned Illinoisans about TrumpCare.

I have heard from a heart attack survivor, whose prescription medication would go from affordable to \$1,000 a day under this plan.

I have heard from Americans ages 50 to 64—I happen to be in that group—who are worried about paying an age tax of five times more than others.

Just in the last 24 hours, I have heard from two more groups that are standing against TrumpCare. And, no, they are not partisan political groups.

The first is the Illinois Health and Hospital Association, which represents more than 200 hospitals in the State of Illinois. They oppose TrumpCare because it means taking health coverage away from hundreds of thousands of Illinoisans, while killing the jobs of another 60,000 hardworking people in my State.

The second group is the National Farmers Union. They understand that TrumpCare's drastic cuts could force hundreds of rural hospitals to close their doors.

So I am left wondering, who exactly supports TrumpCare? Instead of throwing 24 million Americans off their cov-

erage, let's work across the aisle to improve health care for all, not just the richest among us.

□ 1215

AMERICAN HEALTH CARE ACT IS BAD FOR NEW YORK HOSPITALS

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, the GOP's awful, irresponsible healthcare bill will impose an age tax on older Americans, it will raise your premiums, and it will be absolutely disastrous to our Nation's hospitals.

In my district in New York, our hospitals serve millions of people every day, and their budgets are already stretched. The GOP healthcare bill will rip away health insurance for over 24 million Americans, forcing more people to get care in high-cost emergency rooms while, at the same time, cutting billions in Federal funding hospitals need to survive.

New York's hospitals will lose over \$1 billion in 2018 alone. With uncompensated care already skyrocketing, the 27 New York hospitals that are already on a financial distress watch list tell me they may not even be able to survive. That is why the Greater New York Hospital Association, the Healthcare Association of New York State, and other New York health groups are urging all of us to vote "no" on this terrible GOP bill.

OPPOSING THE GOP AMERICAN HEALTH CARE ACT REPEAL BILL

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

Ms. BLUNT ROCHESTER. Mr. Speaker, I know that I am new to the House, but I was elected by my constituents to reach across the aisle and get things done.

Sadly, instead of reaching across the aisle to work on commonsense fixes to the Affordable Care Act, some of my Republican colleagues have decided to push through a healthcare bill that, instead of increasing health coverage, actually takes it away from more than 24 million people and imposes an age tax.

In my State alone, this bill will cut Medicaid coverage for 60,000 individuals and result in a \$170 million loss of Federal funds at a time when my State is facing a major budget shortfall. Additionally, almost 22,000 individuals in my State will lose access to employer-sponsored insurance, and more than 6,000 individuals who are currently receiving coverage through our healthcare exchange will lose coverage as a result of this bill.

Mr. Speaker, given its impact on our Nation's working families and our

most vulnerable citizens, I believe passage of this bill would be an act of medical malpractice—pun intended. So I urge all of my colleagues to vote "no" on H.R. 1628.

WILL THOSE CHAMPIONING TRUMPCARE TRADE PLACES WITH THOSE WHOM IT HARMS

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

Ms. PINGREE. Mr. Speaker, since the Republicans in Washington have not held a single public hearing on TrumpCare, I asked my constituents directly for feedback at a Maine healthcare townhall. Not one of the hundreds of constituents spoke in support of the legislation. Instead, many said they will be among the millions of Americans who will lose their coverage under this bill.

One of those voices was Ed Saxby of Cape Elizabeth, pictured on the board next to me. Ed stood beside his wife and granddaughter as he bravely spoke about his own battle with cancer. He said that the odds of survival are against him because TrumpCare will take away the tax credits he needs to afford healthcare coverage as a retiree living on a fixed income.

Ed's wife, Jill, asked me if those who are championing TrumpCare would be willing to trade places with those whom it will harm.

I pose that question today to my Republican colleagues. If you can't answer in the affirmative, you should not be voting for this terrible bill.

TRUMPCARE BENEFITS THE SUPERRICH

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

Ms. TITUS. Mr. Speaker, the GOP's disastrous healthcare proposal is really just the largest transfer of wealth to the superrich in this Nation's entire history. In fact, it gives the top 1 percent of earners a windfall of tax breaks and subsidies.

The superrich are going to be able to buy a lot of things with this new money. It has been estimated they could buy: one Lamborghini, 26 Rolex watches, or 44 sets of Super Bowl tickets.

Thanks to this tax cut, in effect, you are shifting wealth from Main Street to Mar-a-Lago, from middle America to Mar-a-Lago, from my district to Mar-a-Lago. Forty-four thousand people in my district in southern Nevada will lose their health insurance according to the Center for American Progress.

Our President said, well, he didn't know—not our President. He is not my President. Anyway, he said he didn't know health care could be so complicated. Well, if you look at this bill,

it is really not very complicated. It is quite simple:

Premiums go up, benefits go down; deductibles go up, coverage goes down; prices go up, healthcare for women goes down.

Vote "no" on this bill.

RECOGNIZING FIREFIGHTERS AND FIRST RESPONDERS IN OVERLAND PARK, KANSAS

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

Mr. YODER. Mr. Speaker, I rise today to shed light on a recent eight-alarm fire in my district and to thank the firefighters and other first responders for making sure that no one was seriously hurt.

The fire on Monday destroyed an apartment complex and 22 neighboring homes. Amazingly though, no one was killed or seriously injured. Three firefighters were treated for their injuries while fighting the fire, and we wish them a speedy recovery.

It is a reminder of the risks that our first responders take every day, not knowing when they will have to answer the call, placing their lives on the line to protect us and our community.

We pray for the families who are displaced right now, who came home from work on Monday to find their homes gone. We also thank the Christ Lutheran Church and many other community organizations and partners that have come together to assist these families who have lost so much so unexpectedly.

Finally, Mr. Speaker, thank you to Overland Park Fire Department Chief Bryan Dehner and all of the firefighters in Kansas who came together to contain the largest fire in Overland Park history.

AMERICAN HEALTH CARE ACT MAKES US INSECURE

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

Mr. PANETTA. Mr. Speaker, I rise today in opposition to the American Health Care Act and the repeal of the Affordable Care Act.

Since the passage of the Affordable Care Act 7 years ago, in my district, the uninsured rate has dropped from 19 percent to 9 percent. In my district, there has been the creation and the funding of 6,500 jobs in local hospitals and rural healthcare clinics.

Yet, despite this progress in my community and across our country, the majority wants to replace the ACA with a quickly and carelessly crafted AHCA.

If the AHCA becomes law, in my district, 56,000 people will lose their

healthcare coverage. In Salinas, hard-working families will pay more than \$3,000 for healthcare coverage; and in Santa Cruz, low-income senior citizens will be stripped of \$10,000 worth of subsidies.

Yes, the ACA does have its faults, but we should come together to thoughtfully fix it. But it is not just about money; it is about people. And it is not just about people; it is about the security that the ACA provides people to live their daily lives.

Mr. Speaker, the AHCA makes us insecure, and that is why I am voting against it.

ACA AND THE STRONGER GENERATION

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

Ms. CLARK of Massachusetts. Mr. Speaker, the President and I do agree on one thing: designing a healthcare system is complicated.

But the effects of TrumpCare are as simple as they are devastating: 24 million hardworking Americans will lose their coverage; your healthcare costs and premiums will go up, and your coverage will go down; and for those of us between the ages of 50 and 64, we are about to be hit with an age tax just when we need coverage the most, just when we are trying to help with college tuition and save for our retirement. As we face an opiate crisis in this country that takes 120 American lives a day, TrumpCare will close the door on treatment for over 1 million Americans.

Our President tells us that he is a dealmaker. This is the ultimate bad deal for the American people, and we should reject this bill.

STAND AS PATRIOTS AGAINST TRUMPCARE

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

Ms. JACKSON LEE. Mr. Speaker, this morning I came in contact with two mothers of two young boys who are homebound with catastrophic illnesses. My heart broke as I listened to them say: The only way that I survive to see their happy face and I can work is because they have insurance through extensive Medicaid.

And so I come today to ask my friends on the other side of the aisle not to worry about threats about losing your office or your job. This is about patriotism and being an American. Vote against this horrible TrumpCare debacle that will create higher cost, less coverage, and an age tax that will hurt the old and devastate the young.

This is a time for the flag to be waved and for patriots to stand and to

be heard across America. Vote down TrumpCare not for self and selfishness, but really to be able to stand with those who cannot help themselves.

I wanted to embrace those mothers as a mother, as a grandmother, because we are giving life to those beautiful children, now 9 and 10, living because they got health care under the Affordable Care Act. Stand as a patriot against TrumpCare.

WINNERS IN TRUMPCARE BILL

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Mr. Speaker, I understand that major laws often have winners and losers. Unfortunately, I am struggling to figure out who wins under this healthcare plan.

We have seen who stands to lose: 24 million fewer people will have insurance; States will lose billions, forcing painful cuts to education and other services; California, alone, will lose \$6 billion in 2020 and much more in the years that follow; hospitals and clinics will have to cut back on services and investments.

So, who are the winners? It is hard to find any, except, of course, for insurance companies and millionaires who will get almost all of the tax relief included in this package.

Do Americans really think that we should pass a bill that cuts coverage in order to give millionaires an average tax cut of \$49,000?

We can do better. I hope we will.

BEWARE OF TRUMPCARE

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

Mr. CÁRDENAS. Mr. Speaker, I stand here with this simple explanation about what TrumpCare really means for Americans: You pay more for less care.

Twenty-four million Americans will lose the access to health care by losing their insurance. It is an age tax on older Americans; and it guts Medicaid that not only goes to seniors now, it goes to young people as well, young families.

But it is also a huge tax cut for millionaires.

If you look at TrumpCare, you realize the great supposed negotiator actually has a great reputation of being the great bankrupter.

What this TrumpCare will do: It will affect tens of millions of Americans, and it will put them into misery, take away the dignity of health care and put them in a place that no one should ever have to be: lacking the dignity of being able to see a doctor. This is going to send us back to the Dark Ages.

You probably think I am exaggerating, but when you look at these

facts, you realize that is just the truth. These are the facts.

Beware of what you are being sold. This is not going to help America.

□ 1230

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 22, 2017.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 22, 2017, at 9:12 a.m.:

That the Senate agreed to without amendment H.J. Res. 69.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 22, 2017.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 22, 2017, at 11:22 a.m.:

That the Senate passed without amendment H.R. 1228.

That the Senate passed with amendment H.R. 244.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

TERRORIST AND FOREIGN FIGHTER TRAVEL EXERCISE ACT OF 2017

Ms. MCSALLY. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 1302) to require an exercise related to terrorist and foreign fighter travel, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1302

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Terrorist and Foreign Fighter Travel Exercise Act of 2017”.

SEC. 2. EXERCISE ON TERRORIST AND FOREIGN FIGHTER TRAVEL.

(a) IN GENERAL.—In addition to, or as part of exercise programs currently carried out by the Department of Homeland Security, to enhance domestic preparedness for and collective response to terrorism, promote the dissemination of homeland security information, and test the security posture of the United States, the Secretary of Homeland Security, through appropriate offices and components of the Department and in coordination with the relevant Federal departments and agencies, shall, not later than one year after the date of the enactment of this Act, develop and conduct an exercise related to the terrorist and foreign fighter threat.

(b) EXERCISE REQUIREMENTS.—The exercise required under subsection (a) shall include—

(1) a scenario involving—
(A) persons traveling from the United States to join or provide material support or resources to a terrorist organization abroad; and

(B) terrorist infiltration into the United States, including United States citizens and foreign nationals; and

(2) coordination with relevant Federal departments and agencies, foreign governments, and State, local, tribal, territorial, and private sector stakeholders.

(c) REPORT.—Not later than 60 days after the completion of the exercise required under subsection (a), the Secretary of Homeland Security shall, consistent with the protection of classified information, submit an after-action report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate presenting the initial findings of such exercise, including any identified or potential vulnerabilities in United States defenses and any legislative changes requested in light of the findings. The report shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITION.—In this section, the term “material support or resources” has the meaning given such term in section 2339A of title 18, United States Code.

SEC. 3. EMERGING THREATS IN THE NATIONAL EXERCISE PROGRAM.

Subparagraph (A) of section 648(b)(2) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 748(b)(2)) is amended—

(1) in clause (v), by striking “and” at the end; and

(2) by adding after clause (vi) the following new clause:

“(vii) designed, to the extent practicable, to include exercises addressing emerging terrorist threats, such as scenarios involving United States citizens departing the United States to enlist with or provide material support or resources to terrorist organizations abroad or terrorist infiltration into the United States, including United States citizens and foreign nationals; and”.

SEC. 4. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Arizona (Ms. MCSALLY) and the gentleman from California (Mr. CORREA) each will control 20 minutes.

The Chair recognizes the gentlewoman from Arizona.

GENERAL LEAVE

Ms. MCSALLY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Arizona?

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 1302, the Terrorist and Foreign Fighter Travel Exercise Act.

This legislation furthers the efforts that I and several of my colleagues on the House Homeland Security Committee engaged in last Congress as members of the bipartisan Task Force on Combating Terrorist and Foreign Fighter Travel. For 6 months, our task force investigated our security vulnerabilities and the threat posed by ISIS. Our work produced 32 key findings and over 50 recommendations to make Americans safer.

In our findings, the task force found that the growing complexity and changing nature of the foreign fighter phenomenon may be creating unseen gaps in our defenses. Yet, it has been years since any large-scale stress test has been conducted on U.S. Government protection and prevention programs against terrorist travel.

The last major government exercise on terrorist travel occurred in 2009 when the Federal Emergency Management Agency, or FEMA, conducted an exercise focused on the aftermath of a national terrorist event outside of the United States and how to prevent subsequent efforts by the terrorists to enter the United States and carry out additional attacks. The objective of the exercise was to determine how government agencies at all levels would respond in such an environment.

However, the threat environment has changed considerably and relying on information gathered during an exercise that took place nearly a decade ago is simply unacceptable and puts American lives at risk.

The exercise conducted in 2009 also focused primarily on terrorists attempting to infiltrate the United States. However, our task force found that officials today should be just as concerned about Americans leaving the

country to train overseas with terrorist groups as foreign fighters and then come back.

The ability of these hardened fighters to return to the United States is a legitimate security threat to the homeland. Catching individuals who are looking to join the ranks and train with ISIS and other terrorist organizations prior to their initial departure is equally important and should be a goal for law enforcement as well.

As such, H.R. 1302 would require that the executive branch conduct an exercise to evaluate the Nation's preparedness against all phases of foreign fighter planning and travel. Carrying out such attacks would be beneficial in understanding how partners at all levels of government and abroad are currently responding to these scenarios.

We must take decisive action to defeat the threat of ISIS and other terrorist organizations. The findings of the exercise required by this legislation will identify weaknesses at home and abroad that may be exploited by terrorists and foreign fighters, particularly to infiltrate the United States to conduct attacks. These findings will also be provided to Congress and Federal law enforcement and intelligence officials to provide information on how we can best address these weaknesses.

Passage of the Terrorist and Foreign Fighter Travel Exercise Act today represents continued action by this body to fight against ISIS and ensure we keep Americans safe. I urge all Members to join me in supporting this commonsense, bipartisan bill.

Mr. Speaker, I urge all Members to join me in supporting this bill, and I reserve the balance of my time.

COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, March 10, 2017.

Hon. MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security,
Washington, DC.

DEAR CHAIRMAN MCCAUL: I write concerning H.R. 1302, the "Terrorist and Foreign Fighter Travel Exercise Act of 2017." This legislation includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite Floor consideration of H.R. 1302, the Committee on Transportation and Infrastructure will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I appreciate you working with us on the base text of the bill and request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest in the Congressional Record during House Floor consideration of the bill. I look forward to working with the Committee on

Homeland Security as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, March 15, 2017.

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

DEAR CHAIRMAN SHUSTER: Thank you for your letter regarding H.R. 1302, the "Terrorist and Foreign Fighter Travel Exercise Act of 2017." I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Transportation and Infrastructure will not seek a sequential referral on the bill.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing a sequential referral of this bill at this time, the Committee on Transportation and Infrastructure does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee on Transportation and Infrastructure represented on the conference committee.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security.

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

I rise in support of H.R. 1302, the Terrorist and Foreign Fighter Travel Exercise Act of 2017.

Every day, communities across this country are confronted by evolving threats. Since the beginning of the year, we have seen a number of bomb threats against Jewish Community Centers. A year and a half ago, a 21-year-old White gunman hoping to start a race war opened fire at the Emanuel AME Church in Charleston, South Carolina, killing nine of its parishioners. The year 2015 went on record as the year with most threats, reports of harassments, and vandalism against mosques in the United States.

In light of the emboldened White nationalist, anti-Semitic, and antigovernment movements, as well as ongoing threats from abroad, we must ensure that our first responders are prepared to respond to the evolving threats to our great country.

This bill will direct FEMA's national exercise program to design scenarios that include emerging terrorist threats. To be clear, the legislation does not require FEMA's national exercise program to focus exclusively on terrorist threats, but, rather, seeks to ensure that FEMA continues to develop exercises that are responsive to threats as they may emerge.

The bill also requires the Secretary of Homeland Security to carry out ex-

ercises related to terrorist threats domestically and abroad.

H.R. 1302 was passed unanimously and approved by the Committee on Homeland Security earlier this month and the full House in the last Congress, in July 2016.

Mr. Speaker, H.R. 1302 is common-sense legislation that will prepare first responders, as well as State and local government partners, for the challenges that lie ahead.

At this time, when first responder programs are slated for the chopping block under the administration's budget blueprint, it is more important than ever that Congress stand together to support them. Exercises like the ones authorized under this legislation contribute to our preparedness.

As such, I urge Members to support this bill once again.

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

Ms. MCSALLY. Mr. Speaker, I thank the gentleman from California (Mr. CORREA) on the Committee on Homeland Security for supporting this bill, and I urge the rest of my colleagues to support H.R. 1302.

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

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the House Committee on Homeland Security I rise in support of H.R. 1302, Terrorist and Foreign Fighter Travel Exercise Act of 2017 to require an exercise to terrorist and foreign fighter travel.

This bipartisan bill would expand the scope of the Federal Emergency Management Agency's National Exercise Program by requiring additional scenarios to address emerging terrorist threats.

Among the scenarios to be included are those involving U.S. citizens enlisting with or providing support to terrorists organizations abroad, as well as terrorist infiltration in the United States.

A nationwide exercise would be held within a year of enactment to evaluate the threat of individuals traveling from the United States to join a terrorist organization.

The exercise would also test scenarios involving terrorist infiltration into the U.S. by United States citizens and foreign nationals.

DHS would coordinate with other federal departments, foreign governments, state and local governments, and the private sector to conduct the exercise.

The growing complexity of the threat may be creating unseen gaps in our defenses, yet it has been years since any large-scale "stress test" has been conducted against terrorist travel.

Federal officials suspect that Todd Wolfe, an American citizen from Texas, planned to fly his family to Europe where he would meet up with an ISIS handler and take them all to Syria.

In March of 2014, Hanad Abdullahi Mohallim, an American from Minnesota, entered Syria at Tel Abyad and recruited other fellow Somali-Americans in Minnesota to leave the United States and join ISIS.

Also in 2014, Abdi Nur left the U.S. for Syria to join ISIS. He was later reported to have attempted to recruit other men here in the U.S. to join the terrorist organization.

We need to be gravely concerned about Americans leaving the country to train overseas with terrorist organizations who then return to the United States as foreign fighters.

I ask my colleagues to join me in supporting H.R. 1302.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Arizona (Ms. MCSALLY) that the House suspend the rules and pass the bill, H.R. 1302.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

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

The point of no quorum is considered withdrawn.

SECURING OUR AGRICULTURE AND FOOD ACT

Mr. DONOVAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1238) to amend the Homeland Security Act of 2002 to make the Assistant Secretary of Homeland Security for Health Affairs responsible for coordinating the efforts of the Department of Homeland Security related to food, agriculture, and veterinary defense against terrorism, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1238

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Securing our Agriculture and Food Act”.

SEC. 2. COORDINATION OF FOOD, AGRICULTURE, AND VETERINARY DEFENSE AGAINST TERRORISM.

(a) IN GENERAL.—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.) is amended by adding at the end the following new section:

“SEC. 528. COORDINATION OF DEPARTMENT OF HOMELAND SECURITY EFFORTS RELATED TO FOOD, AGRICULTURE, AND VETERINARY DEFENSE AGAINST TERRORISM.

“(a) PROGRAM REQUIRED.—The Secretary, acting through the Assistant Secretary for Health Affairs, shall carry out a program to coordinate the Department’s efforts related to defending the food, agriculture, and veterinary systems of the United States against terrorism and other high-consequence events that pose a high risk to homeland security.

“(b) PROGRAM ELEMENTS.—The coordination program required by subsection (a) shall include, at a minimum, the following:

“(1) Providing oversight and management of the Department’s responsibilities pursu-

ant to Homeland Security Presidential Directive 9—Defense of United States Agriculture and Food.

“(2) Providing oversight and integration of the Department’s activities related to veterinary public health, food defense, and agricultural security.

“(3) Leading the Department’s policy initiatives relating to food, animal, and agricultural incidents, and the impact of such incidents on animal and public health.

“(4) Leading the Department’s policy initiatives relating to overall domestic preparedness for and collective response to agricultural terrorism.

“(5) Coordinating with other Department components, including U.S. Customs and Border Protection, as appropriate, on activities related to food and agriculture security and screening procedures for domestic and imported products.

“(6) Coordinating with appropriate Federal departments and agencies.

“(7) Other activities as determined necessary by the Secretary.

“(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed as altering or superseding the authority of the Secretary of Agriculture relating to food and agriculture.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 527 the following new item:

“Sec. 528. Coordination of Department of Homeland Security efforts related to food, agriculture, and veterinary defense against terrorism.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. DONOVAN) and the gentleman from California (Mr. CORREA) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. DONOVAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

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

There was no objection.

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

I rise today in support of H.R. 1238, the Securing our Agriculture and Food Act, introduced by Congressman DAVID YOUNG of Iowa. This bill seeks to authorize the Department of Homeland Security’s food, agriculture, and veterinary defense program within the Office of Health Affairs.

Last year, the Subcommittee on Emergency Preparedness, Response, and Communications held a hearing to examine the potential devastating impacts of an intentional attack on, or a natural disruption of, U.S. agricultural or food production systems.

The food and agriculture sector is critically important to our Nation’s economy. U.S. food and agriculture accounts for roughly one-fifth of the Na-

tion’s economic activity, and contributed \$835 billion to the U.S. gross domestic product in 2014, and is responsible for 1 out of every 12 U.S. jobs.

Coming from Iowa and as a member of the Appropriations Subcommittee on Agriculture, Congressman YOUNG of Iowa knows all too well the importance of protecting this sector, which is vital to the economy and our way of life. I appreciate him introducing this bill of which I am pleased to be an original cosponsor.

I thank Chairman WALDEN of the Energy and Commerce Committee and Chairman CONAWAY of the Agriculture Committee for working with us to advance this bill.

Mr. Speaker, we also look forward to working with our Senate colleagues, who recently approved companion legislation without amendment in the Senate Homeland Security and Governmental Affairs Committee.

This bipartisan legislation passed the House last September by voice vote, and I urge all Members to join me once again in supporting this bill.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, March 16, 2017.

Hon. MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security,
Washington, DC.

DEAR CHAIRMAN MCCAUL: I write in regard to H.R. 1238, Securing our Agriculture and Food Act, which was referred in addition to the Committee on Energy and Commerce. I wanted to notify you that the Committee will forgo action on the bill so that it may proceed expeditiously to the House floor for consideration.

The Committee on Energy and Commerce takes this action with our mutual understanding that by foregoing consideration of H.R. 1238, the Committee does not waive any jurisdiction over the subject matter contained in this or similar legislation and will be appropriately consulted and involved as this or similar legislation moves forward to address any remaining issues within the Committee’s jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I would appreciate your response confirming this understanding with respect to H.R. 1238 and ask that a copy of our exchange of letters on this matter be included in your committee’s report on the legislation or the Congressional Record during its consideration on the House floor.

Sincerely,

GREG WALDEN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, March 16, 2017.

Hon. GREG WALDEN,
Chairman, Committee on Energy and Commerce,
Washington, DC.

DEAR CHAIRMAN WALDEN: Thank you for your letter regarding H.R. 1238, the “Securing our Agriculture and Food Act.” I appreciate your support in bringing this legislation before the House of Representatives,

and accordingly, understand that the Committee on Energy and Commerce will forego consideration of the bill.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing consideration on this bill at this time, the Committee on Energy and Commerce does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support a request by the Committee on Energy and Commerce for conferees on those provisions within your jurisdiction.

I will insert copies of this exchange in the report or in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, March 10, 2017.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security,
Washington, DC.

DEAR CHAIRMAN MCCAUL: Thank you for the opportunity to review H.R. 1238, "Securing our Agriculture and Food Act." As you are aware, the bill was primarily referred to the Committee on Homeland Security, while the Agriculture Committee received an additional referral.

I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner and, accordingly, I agree to discharge H.R. 1238 from further consideration by the Committee on Agriculture. I do so with the understanding that by discharging the bill, the Committee on Agriculture does not waive any future jurisdictional claim on this or similar matters. Further, the Committee on Agriculture reserves the right to seek the appointment of conferees, if it should become necessary.

I ask that you insert a copy of our exchange of letters into the Congressional Record during consideration of this measure on the House floor.

Thank you for your courtesy in this matter and I look forward to continued cooperation between our respective committees.

Sincerely,

K. MICHAEL CONAWAY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, March 10, 2017.

Hon. K. MICHAEL CONAWAY,
Chairman, Committee on Agriculture,
Washington, DC.

DEAR CHAIRMAN CONAWAY: Thank you for your letter regarding H.R. 1238, the "Securing our Agriculture and Food Act." I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Agriculture will forego consideration of the bill.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing consideration on this bill at this time, the Committee on Agriculture does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support a request by the Committee on Agriculture for conferees on those provisions within your jurisdiction.

I will insert copies of this exchange in the Congressional Record during consideration

of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL.

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

I rise in support of H.R. 1238, the Securing our Agriculture and Food Act.

Mr. Speaker, U.S. agriculture and agriculture-related business represents about 6 percent of our gross domestic product as of 2014. Protecting this industry, which contributes \$985 billion to our economy, from international and naturally occurring biological events is critical not only to the stability of our national economy, but also to the security of our national food supply and our human health.

This bill would clarify the responsibilities of the Department of Homeland Security's Assistant Secretary for Health Affairs as they relate to the DHS' responsibilities under the Homeland Security Presidential Directive 9, entitled: "The Defense of U.S. Agriculture and Food."

The bill includes language offered by Representative DONALD PAYNE, Jr., my colleague on the committee, directing the Assistant Secretary for Health Affairs to coordinate with all departmental components with responsibilities related to food and agriculture security and screening procedures. Such coordination will include Customs and Border Protection, which has historically struggled to maintain agriculture inspection staffing levels at ports of entry.

Mr. Speaker, agriculture and agriculture-related businesses constitute a major portion of California's economy. Agriculture plays an integral role in industries ranging from transportation and warehousing to finance and insurance, to accommodation and food services.

□ 1245

The cascading effects of national and international outbreaks compromise agriculture, food, and could have devastating effects on the State's economy.

I encourage my colleagues to support this bill to ensure the integrity of our agriculture industry and food supply.

I reserve the balance of my time.

Mr. DONOVAN. Mr. Speaker, I yield as much time as he may consume to the gentleman from Iowa (Mr. YOUNG).

Mr. YOUNG of Iowa. Mr. Speaker, I want to thank the chairman of the subcommittee for shepherding this through the committee as well as being a cosponsor. I appreciate that.

Mr. Speaker, in 2015, our Nation experienced the worst animal disease outbreak in our history, as highly pathogenic avian influenza wreaked havoc on turkey farmers and egg producers in the Midwest.

This naturally occurring outbreak revealed significant vulnerabilities and

coordination challenges between Federal, State, and local stakeholders in responding quickly to prevent the spread of avian influenza.

It also demonstrated the importance of having mitigation and response strategies and processes in place to ensure any naturally occurring outbreak or coordinated attack against our Nation's agricultural sector can be prevented quickly and be contained.

Maintaining the integrity of our agricultural and food supply system is imperative. The folks I talked to have great concerns about the safety and security of our homeland and our people, and their concerns are warranted.

The reality of living in this day and age is that it is just not the big cities that have to be prepared for a terror attack. All counterterrorism measures must reflect a universal understanding of potential vulnerabilities, which includes our agriculture and rural communities.

Farming and agriculture are not only the backbone of the Iowa economy, but of the entire Nation. Any attack on our food supply could have devastating consequences on our economy and our communities. It is essential that we take the proper steps against potential threats.

Now, the reality is agroterrorism and other high-risk events pose serious threats to our food, agriculture, and livestock industries across the United States. For that reason, I introduced, in a bipartisan fashion, the Securing Our Agriculture and Food Act together with Congressman DAN DONOVAN and Congressman DONALD PAYNE, Jr., the chairman and ranking member of the Homeland Security Subcommittee on Emergency Preparedness, Response, and Communications, to ensure our Nation has a plan and strategy to prepare for and respond to any high-risk event threatening our agricultural sector, our food supply, and, ultimately, our people.

The Securing Our Agriculture and Food Act requires the Secretary of Homeland Security, through the Assistant Secretary for Health Affairs, to lead the government's efforts to secure our Nation's food, agriculture, and our veterinary systems against terrorism and high-risk events.

This bipartisan bill also authorizes the Secretary to collaborate with other agencies to ensure food, agriculture, and animal and human health sectors receive the attention and are integrated into the DHS' domestic preparedness policy initiatives.

I appreciate the support of Subcommittee Chairman DONOVAN—thank you—and Ranking Member PAYNE as we work to better secure our agriculture and food sectors. I thank you both for elevating the importance of this issue.

I also want to thank the chairman and ranking members of the full committee and all their staff for their assistance in bringing this bill to the floor today in the House.

Mr. Speaker, I urge the passage of this bill.

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

Mr. Speaker, Securing Our Agriculture and Food Act passed the House in September of 2016, and the Senate companion bill was reported out of committee last week.

Passage of this measure will send a strong message about our commitment to protecting our Nation's food and agricultural sectors. As such, I urge my colleagues to support H.R. 1238.

I yield back the balance of my time.

Mr. DONOVAN. Mr. Speaker, I yield myself as much time as I may consume, and I once again urge my colleagues to support H.R. 1238.

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

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 1238, "Securing Our Agriculture and Food Act."

This bipartisan bill amends the Homeland Security Act of 2002 to make the Assistant Secretary of Homeland Security for Health Affairs responsible for coordinating the efforts for the DHS related to food, agriculture, and veterinary defense against terrorism.

The coordination program under the measure would include:

1. Overseeing and managing DHS's responsibilities under the presidential directive;
2. Integrating activities related to veterinary public health, food and agriculture security;
3. Leading the department's policy initiatives relating to food, animal, and agriculture incidents, as well as domestic preparedness for and collective response to agricultural terrorism; and
4. Coordinating with other parts of the federal government.

Agro-terrorism is defined as the deliberate introduction of an animal or plant disease for the purpose of generating fear, causing economic losses, or undermining social stability.

Killing livestock and plants or contaminating food can help terrorists cause economic crises in the agriculture and food industries.

Agriculture comprises the largest single sector in U.S. economy, making agro-terrorism an attractive opportunity for many terrorist organizations.

Attacks directed against the cattle, pork, or poultry industries or via the food chain pose the most serious danger for latent, ongoing effects and general socioeconomic and political disruption.

Food availability becomes a matter of immediate life and death in such circumstances, and significant national and global resources need to be dedicated to emergency relief efforts.

Any attacks of agro-terrorism would be particularly devastating for the citizens of Texas. In Texas, the largest source of agricultural revenue comes from the sale of beef cattle.

Texas produces roughly 20 percent of the nation's cattle and ranks first in the country in the value of cattle raised.

It is crucial that we have preparedness policies in place to quickly respond to events threatening U.S. agriculture or food production systems.

I ask my colleagues to join me in supporting H.R. 1238.

Mr. JOHNSON of Georgia. Mr. Speaker, I stand in strong support to H.R. 1238, the Securing Our Agriculture and Food Act of 2017.

Our nation's agricultural sector comprises a substantial portion of our economy. In my home state of Georgia, eggs, beef, poultry, peanuts, onions, and many other agricultural commodities allow for agriculture to be an almost \$14 billion industry. Furthermore, the food and fiber industry directly and indirectly results in a total economic impact of tens of billions of dollars annually and the creation of hundreds of thousands of jobs in Georgia. Moreover, agricultural industries serve as a vital backbone to the nutrition and nourishment of both America's citizens and consumers abroad.

Naturally, an industry as critical to the United States' stability as the country's food production must not be compromised by threats of sabotage or acts of terrorism.

Passing this bill will amend portions of the Homeland Security Act of 2002 (HSA) to allow the Department of Homeland Security to better protect America's agricultural sector. The reorganization of DHS resources outlined in this bill ensure that proper oversight and management of our nation's agriculture necessary to prevent a devastating attack on our agricultural sector.

The level of bipartisan cooperation and support for the Securing our Agricultural and Food Act reflects the importance of this bill to security and economic interests of American's citizens. The security of our nation's food supplies is not an issue defined by political party, nor is the concern only relevant to rural populations. All American's will suffer if we are unable to ensure the safety of the country's agricultural sector.

This bill provides security to a fundamental and often overlooked area of our economy and existence. We as lawmakers must ensure the preparedness of our Federal government to react to events of ecological sabotage and terrorism.

I strongly urge my colleagues to vote YES on the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. DONOVAN) that the House suspend the rules and pass the bill, H.R. 1238.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

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

DEPARTMENT OF HOMELAND SECURITY ACQUISITION INNOVATION ACT

Mr. DONOVAN. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 1365) to amend the Homeland Security Act of 2002 to require certain acquisition innovation, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1365

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of Homeland Security Acquisition Innovation Act".

SEC. 2. ACQUISITION INNOVATION.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended by adding at the end the following new section:

"SEC. 710. ACQUISITION INNOVATION.

"The Under Secretary for Management may—

"(1) designate an individual within the Department to manage acquisition innovation efforts of the Department;

"(2) test emerging acquisition best practices to carrying out acquisitions, consistent with the Federal Acquisition Regulation and Department acquisition management directives, as appropriate;

"(3) develop and distribute best practices and lessons learned regarding acquisition innovation throughout the Department;

"(4) establish metrics to measure the effectiveness of acquisition innovation efforts with respect to cost, operational efficiency of the acquisition program (including time-frame for executing contracts), and collaboration with the private sector, including small businesses; and

"(5) determine impacts of acquisition innovation efforts on the private sector by—

"(A) engaging with the private sector, including small businesses, to provide information and obtain feedback on procurement practices and acquisition innovation efforts of the Department;

"(B) obtaining feedback from the private sector on the impact of acquisition innovation efforts of the Department; and

"(C) incorporating such feedback, as appropriate, into future acquisition innovation efforts of the Department."

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 709 the following new item:

"Sec. 710. Acquisition innovation."

(c) INFORMATION.—Not later than 90 days after the date on which the Secretary of Homeland Security submits the annual budget justification for the Department of Homeland Security for each of fiscal years 2018 through 2022, the Secretary shall, if appropriate, provide information to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the activities undertaken in the previous fiscal year in furtherance of section 710 of the Homeland Security Act, as added by subsection (a) of this Act, on the following:

(1) Emerging acquisition best practices that were tested within the Department during such year.

(2) Efforts to distribute best practices and lessons learned within the Department, including through web-based seminars, training, and forums, during such year.

(3) Utilization by components throughout the Department of best practices distributed

by the Under Secretary of Management pursuant to paragraph (3) of such section 710.

(4) Performance as measured by the metrics established under paragraph (4) of such section 710.

(5) Outcomes of efforts to distribute best practices and lessons learned within the Department, including through web-based seminars, training, and forums.

(6) Any impacts of the utilization of innovative acquisition mechanisms by the Department on the private sector, including small businesses.

(7) The criteria used to identify specific acquisition programs or activities to be included in acquisition innovation efforts and the outcomes of such programs or activities.

(8) Recommendations, as necessary, to enhance acquisition innovation in the Department.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. DONOVAN) and the gentleman from California (Mr. CORREA) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. DONOVAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous materials on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 1365, the Department of Homeland Security Acquisition Innovation Act.

The bill allows DHS to designate a senior official to manage acquisition innovation efforts; test, develop, and distribute acquisition best practices throughout the Department; and establish performance metrics to evaluate the effectiveness of these efforts. Republican amendments at the committee markup strengthened the underlying bill by encouraging DHS to obtain feedback from the private sector and incorporate this feedback into future efforts.

As we have seen from numerous watchdog reports, the Federal Government's acquisition and contracting process is broken, cumbersome, and bureaucratic. DHS must continue to innovate to ensure the private sector can best support our critical homeland security needs. The Department has recently taken positive steps in using new contracting tools and collaborating with industry. This legislation supports those efforts and encourages their continued use.

I commend Oversight and Management Efficiency Subcommittee Ranking Member CORREA for all of his hard work on this legislation.

I urge all Members to join me in supporting this bill.

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

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

I rise in support of H.R. 1365, the Department of Homeland Security Acquisition Innovation Act.

When the Department of Homeland Security was established in 2002, it was understood that the mission of safeguarding the American people would be a complex one. Today, 15 years later, the ever-changing nature of the terrorist threat and its landscape has demanded that DHS be more innovative. In the past 3 years, the Department has actively worked to carry out its procurement process in new and innovative ways.

The Acquisition Innovations in Motion program, launched in 2015, is a framework for coordinated industry engagement in which opportunities, challenges, and strategies are discussed to identify acquisition solutions and foster greater efficiency and effectiveness.

A key component of this program is a Procurement Innovation Lab called PIL. PIL is a virtual testing environment that experiments with innovative techniques to assess whether they can be effectively integrated into DHS' procurement process. To date, PIL is credited with reducing award times, the integration of existing flexibilities that are in use in other portions of the Federal Government, and improved acquisition training.

Results, case studies, and lessons learned from the PIL process are regularly shared throughout DHS through webinars and the internal web portal. These activities facilitate a continuous learning culture that enhances the DHS mission of support.

I introduced this bill, H.R. 1365, to institutionalize DHS' acquisition innovation efforts by authorizing such activity by the Under Secretary of Management. Specifically, my legislation authorizes robust testing, development, and distribution of best practices and acquisitions throughout the Department, as well as performance metrics to measure the effectiveness of such efforts.

Enactment of this bill will help ensure that this successful acquisition management technique continues. This bill was unanimously approved by the Committee on Homeland Security earlier this month.

Mr. Speaker, DHS' approach to acquisitions not only accommodates the Department's unique mission, but it supports our responsibility to the management of taxpayer dollars.

This bill codifies a pathway to developing and implementing innovative approaches that serve the Department's acquisition challenges through collaboration and efficiency. To that end, it is vital that DHS continue to drive towards a more effective procurement process in support of its vital mission.

Mr. Speaker, I urge passage of H.R. 1365, and I yield back the balance of my time.

Mr. DONOVAN. Mr. Speaker, I once again urge my colleagues to support H.R. 1365, as amended.

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

Mr. MCCAUL. Mr. Speaker, I include in the RECORD the cost estimate on H.R. 1365:

MARCH 22, 2017.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1365, the Department of Homeland Security Acquisition Innovation Act.

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

Sincerely,

KEITH HALL.

Enclosure.

H.R. 1365

DEPARTMENT OF HOMELAND SECURITY
ACQUISITION INNOVATION ACT

As ordered reported by the House Committee on Homeland Security on March 8, 2017

H.R. 1365 would authorize the Department of Homeland Security (DHS) to promote the use of innovation in its acquisition programs. The legislation would direct DHS to provide information annually to the Congress on activities related to innovative acquisition practices. Based on information from DHS, CBO estimates that implementing H.R. 1365 would cost less than \$500,000 annually; such spending would be subject to the availability of appropriated funds.

Enacting the legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting H.R. 1365 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

H.R. 1365 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

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

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Homeland Security Committee, I rise in support of H.R. 1365, the "Department of Homeland Security Acquisition Innovation Act" which authorizes the DHS to expand the use of acquisition innovation.

This bipartisan bill will guarantee new acquisition methods and practices are considered to ensure taxpayers get the most for their money.

This bill would permit DHS's undersecretary for management to:

1. Designate an official to manage acquisition innovation;
2. Test and develop best practices that are consistent with acquisition rules and directives;
3. Measure how innovation in acquisition processes have affected cost, operational efficiency, the timeframe for executing contracts, and collaboration with small businesses and other private-sector companies; and
4. Obtain and incorporate feedback from the private sector.

From fiscal 2018 through 2022, DHS would provide Congress with information on acquisition innovation activities during the previous fiscal year, including:

1. Best practices that were tested, used and distributed, including through web-based seminars, trainings and forums;

2. Effects on the private sector, including small businesses;

3. Criteria to indemnify acquisition programs that would be appropriate for innovation; and

4. Recommendations for enhancing innovation at DHS.

Innovation is the American way and this bill makes sure the Department of Homeland Security finds new ways to do its job effectively and efficiently.

At the Tenth Annual Border Security Expo in Texas, officials from the Department of Homeland Security observed some of the latest innovations that can help to protect our border. This included 3D holographic images, portable biometric testing kits, and underground seismic signal detectors.

In Texas, U.S. Customs and Border Protection agents deter, detect, and interdict smuggling along the Texas/Mexico border through the deployment of an integrated network of detection and communication technologies.

In 2016, the Texas of Department of Public Safety provided direct assistance to U.S. Customs and Border Protection in the arrest of over 37,000 criminals deemed a high threat risk.

Frontline personnel securing our borders, protecting our airports, and defending our shores must have the tools to successfully accomplish their mission.

I ask my colleagues to join me in supporting H.R. 1365.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. DONOVAN) that the House suspend the rules and pass the bill, H.R. 1365, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

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

The point of no quorum is considered withdrawn.

□ 1300

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. POLIS. Mr. Speaker, I have a privileged resolution at the desk.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Whereas, in the United States' system of checks and balances, Congress has a responsibility to hold the executive branch of government to the highest standard of transparency to ensure the public interest is placed first;

Whereas, according to the Tax History Project, every President since

Gerald Ford has disclosed their tax return information to the public;

Whereas, tax returns provide an important baseline disclosure because they contain highly instructive information including whether the candidate can be influenced by foreign entities and reveal any conflicts of interest;

Whereas, Article I, section 9 of the Constitution states that no person holding any office of profit or trust under them, shall, without the consent of Congress, accept any present, emolument, Office or Title, of any kind whatever from any King, Prince, or foreign State;

Whereas, disclosure of the President's tax returns is important towards investigating Russian influence in the 2016 election, understanding the President's financial ties to the Russian Federation and Russian citizens, including debts owed and whether he shares any partnership interests, equity interests, joint ventures, or licensing agreements with Russia or Russian nationals, formally or informally associated with Vladimir Putin;

Whereas, The New York Times has reported that President Trump's close senior advisers, including Carter Page, Paul Manafort, Roger Stone, and General Michael Flynn, have been under investigation by the Federal Bureau of Investigation for their ties to the Russian Federation;

Whereas, Russian Deputy Foreign Minister Sergei Ryabkov told Interfax, a Russian media outlet, on November 10, 2016, that "there were contacts" with Donald Trump's 2016 campaign, and it has been reported that members of President Trump's inner circle were in contact with senior Russian officials throughout the 2016 campaign;

Whereas, General Michael Flynn, former national security adviser of President Trump, received almost \$68,000 in fees and expenses from Russian entities in 2015, including by an entity recognized by U.S. intelligence agencies as an arm of the Russian Government;

Whereas, FBI Director Comey stated in the Select Intelligence Committee hearing on the Russian interference with the November 2016 election that "there is no information to support those tweets," relating to President Trump's allegations that President Obama illegally wiretapped the Trump campaign;

Whereas, distracting investigators with dead-end leads and outrageous statements is a common tactic from those with a guilty conscience or in a deliberate effort to throw off investigators;

Whereas, according to his 2016 candidate filing with the Federal Election Commission, the President has 564 financial positions in companies located in the United States and around the world;

Whereas, according to The Washington Post, the Trump International Hotel in Washington, DC, has hired a "director of diplomatic sales" to generate high-priced business among foreign leaders and diplomatic delegations;

Whereas, the chairman on the Ways and Means Committee, Joint Committee on Taxation, and Senate Finance Committee have the authority to request the President's tax returns under section 6103 of the tax code;

Whereas, the Ways and Means Committee used IRC 6103 authority in 2014 to make public the confidential tax information of 51 taxpayers;

Whereas, the American people have the right to know whether or not their President is operating under conflicts of interest related to international affairs, tax reform, government contracts, or otherwise;

Now, therefore, be it resolved that the House of Representatives shall:

One, immediately request the tax return information of Donald J. Trump for tax years 2006 through 2015 for review in closed executive session by the Committee on Ways and Means, as provided under section 6103 of the Internal Revenue Code, and vote to report the information therein to the full House of Representatives;

Two, support transparency in government and the longstanding tradition of Presidents and Presidential candidates disclosing their tax returns.

The SPEAKER pro tempore. Does the gentleman from Colorado wish to present argument on the parliamentary question whether the resolution presents a question of the privileges of the House?

Mr. POLIS. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Colorado is recognized.

Mr. POLIS. Mr. Speaker, under rule IX, clause 1, questions of the privileges of the House and those affecting the rights of the House, its safety, dignity, and the integrity of its proceedings, that is the section we are talking about here today when we are talking about privilege.

Mr. Speaker, truly, there is nothing more of a threat to the very integrity of the legislative branch in the House than ignoring our duty to provide a check and balance on the executive branch.

To restore the dignity of the House inherent in rule IX, clause 1, we absolutely must use our authority to request that President Trump's tax returns are given to the American people. The American people demand to know the full scope of the President's financial background because there are legitimate concerns which, frankly, were worsened this very week by the hearing in the Select Intelligence Committee where the FBI and NSA testified there is an ongoing investigation to determine if there was coordination

between the President's campaign and Russia.

The Internal Revenue Code already has language that lays out a path for the Ways and Means Committee to obtain those tax returns and review them in a respectful manner; and, frankly, there is precedent for that provision being used. Fifty-one tax returns of Americans were requested the last time they used it.

The House needs to demonstrate that our Members are listening to the valid concerns about the integrity of the Republic. The House needs to show that we care about protecting our Constitution and our system of checks and balances.

When I look at the language, the privileges of the House, those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings, I can see nothing that fits that language more than this motion before you today.

Let's shine a light on the President's conflicts so we, as a Congress, and the American people can judge what is occurring, where the conflicts lie, whether his decisions are being made for himself or his business interests or foreign interests or for the greater good of the American people.

I call upon the Speaker to rule in favor of allowing this privileged resolution to move forward and for the President to disclose his tax returns immediately.

The SPEAKER pro tempore. Does any other Member wish to be heard on the question of order?

Mr. PASCRELL. Mr. Speaker, I do.

The SPEAKER pro tempore. The gentleman from New Jersey is recognized.

Mr. PASCRELL. Mr. Speaker, on a question of the privileges of the House under rule IX, clause 1, questions of the privileges of the House are those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings. Congressional oversight is a power granted by the Constitution in public law and in House rules.

Mr. Speaker, just 2 days ago, FBI Director James Comey confirmed that there was an investigation of Donald Trump's campaign's ties to the Russian agents.

We know that, following six bankruptcies, Donald Trump had trouble getting loans and financing for his real estate businesses. We know that German Bank Deutsche stepped in when Wall Street stopped lending, giving at least \$300 million in loans for those properties and, more personally, to his daughter, Ivanka, and son-in-law.

We know that Deutsche Bank has been fined for criminally transferring \$10 billion out of Russia. We also know that Donald Trump, Jr. said that the Trump organization saw money "pouring in from Russia" and that "Russians make up a pretty disproportionate cross-section of a lot of our assets."

We know that Donald Trump repeatedly attempted to secure trademarks in Russia—the record is the record—to develop real estate in Russia—the record is the record—and to sell products in Russia—the record is the record. We have seen how just two pages summarizing the President's 2005 tax returns, which many laughed off, showed that he paid a low rate of 25 percent. He has proposed tax changes that would significantly lower his own personal tax bill.

We need to see how the President—

The SPEAKER pro tempore. The gentleman will suspend.

The gentleman's remarks must be confined to the question of order.

The gentleman from New Jersey is recognized.

Mr. PASCRELL. Mr. Speaker, nothing could be more of a threat to the integrity of this House than ignoring our duty to fully examine the personal financial entanglements any President, and this President, may have had with Russian entities and individuals. If and when such conflicts are revealed, I do not want to say to our constituents that we had the power to review these conflicts, but, instead, we sat on our hands and did nothing. I, for one, do not want my integrity or the integrity of my colleagues in this body on both sides of the aisle to be demeaned by such a shameful failure.

To restore the dignity of the House, we must use our authority to request President Trump's tax returns to give the American people—the 75 percent who say "give it up,"—75 percent of the American people, the transparency they deserve.

The SPEAKER pro tempore. The gentleman's remarks must be confined to the question of order.

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

Mr. COHEN. Mr. Speaker.

The SPEAKER pro tempore. Does the gentleman from Tennessee wish to be heard on the question of order?

Mr. COHEN. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Tennessee is recognized.

Mr. COHEN. Mr. Speaker, Mr. POLIS and Mr. PASCRELL have made the point, and it is the same point I want to make. There is a shadow hanging over the United States of America, over our government, and over this House; and only we can lift it.

The Trump campaign said that if Hillary Clinton was the President with a Federal investigation overlooking her, which it looked like there was with Mr. Comey's comments before the election, that it would be unheard of, unprecedented, and the Government couldn't go on.

Well, there is a Federal investigation of the present President of the United States—something that has never happened before—and that has put a dark cloud that can only be lifted by show-

ing in the light of day what the President's involvements were with his income taxes, whom he owes money to. And if he doesn't owe money to people that have a conflict, that is good for the government because it relieves the President of any suspicion.

Like Caesar's wife, he should be beyond suspicion and beyond reproach, and, right now, there is a serious cloud. So I would ask the Chair to rule in favor of this motion so we can do our job to make the light shine on this government and on this House and give more respect for us.

I thank the Speaker who is an honorable man and I am proud to say is my friend.

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

The SPEAKER pro tempore. Does any other Member wish to be heard on the question of order?

PARLIAMENTARY INQUIRY

Mr. POLIS. Point of parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. POLIS. Mr. Speaker, how many Members must come before the Speaker establishing that this qualifies under the privileges of the House affecting the integrity of the House until the Speaker rules in our favor?

The SPEAKER pro tempore. The Chair is prepared to rule.

Mr. POLIS. Mr. Speaker, I hope that the Chair will rule favorably on behalf of the American people.

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

The SPEAKER pro tempore. The gentleman from Colorado seeks to offer a resolution as a question of the privileges of the House under rule IX.

As the Chair ruled on February 27, 2017; March 7, 2017; and March 15, 2017, the resolution directs the Committee on Ways and Means to meet and consider an item of business under the procedures set forth in 26 U.S.C. 6103 and, therefore, does not qualify as a question of the privileges of the House.

Mr. POLIS. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE

Ms. CHENEY. Mr. Speaker, I have a motion at the desk.

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

The Clerk read as follows:

Ms. Cheney moves that the appeal be laid on the table.

The SPEAKER pro tempore. The question is on the motion to lay the appeal on the table.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to lay the appeal on the table will be followed by 5-minute votes on the motion to recommit on H.R. 372 and passage of H.R. 372, if ordered.

The vote was taken by electronic device, and there were—yeas 230, nays 189, answered “present” 1, not voting 9, as follows:

[Roll No. 182]

YEAS—230

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

Williams
Wilson (SC)
Wittman
Womack

Woodall
Yoder
Yoho
Young (AK)

Young (IA)
Zeldin

NAYS—189

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

ANSWERED “PRESENT”—1

Sanford

NOT VOTING—9

Bishop (UT)	Payne	Sinema
Blackburn	Rush	Slaughter
King (IA)	Shuster	Tsongas

□ 1336

Mr. CRIST changed his vote from “yea” to “nay.”

Mr. HUNTER changed his vote from “nay” to “yea.”

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

A motion to reconsider was laid on the table.

COMPETITIVE HEALTH INSURANCE REFORM ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on the motion to recommit on the bill (H.R. 372) to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers, offered by the gentlewoman from Nevada (Ms. ROSEN), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 189, nays 233, not voting 7, as follows:

[Roll No. 183]

YEAS—189

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

NAYS—233

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

NOT VOTING—7

King (IA) Payne Slaughter
Maloney, Rush Tsongas
Carolyn B. Sinema

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1345

Mr. KING of New York changed his vote from “yea” to “nay.”

Mr. McEACHIN changed his vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 416, noes 7, not voting 6, as follows:

[Roll No. 184]

AYES—416

Abraham Clarke (NY) Flores
Adams Clay Fortenberry
Aderholt Cleaver Foster
Agular Clyburn Foxx
Allen Coffman Frankel (FL)
Amash Cohen Franks (AZ)
Amodei Cole Frelinghuysen
Arrington Collins (GA) Gabbard
Babin Collins (NY) Gaetz
Bacon Comer Gallagher
Banks (IN) Comstock Garamendi
Barletta Conaway Garrett
Barr Connolly Gibbs
Barragán Conyers Gohmert
Barton Cook Gonzalez (TX)
Bass Cooper Goodlatte
Beatty Correa Gosar
Bera Costa Gottheimer
Bergman Courtney Gowdy
Beyer Cramer Granger
Biggs Crawford Graves (GA)
Bilirakis Bishop (GA) Graves (LA)
Bishop (MI) Bishop (MO) Graves (MO)
Bishop (UT) Crowley Green, Al
Black Cuellar Green, Gene
Blackburn Cummings Griffith
Blum Curbelo (FL) Grijalva
Blumenauer Davidson Grothman
Blunt Rochester Davis (CA) Guthrie
Bonamici Davis, Danny Gutierrez
Bost Davis, Rodney Hanabusa
Boyle, Brendan DeFazio Harper
F. DeGette Harris
Brady (PA) Delaney Hartzler
Brady (TX) DeLauro Hensarling
Brat DelBene Herrera Beutler
Bridenstine Demings Hice, Jody B.
Brooks (AL) Dent Higgins (LA)
Brooks (IN) DeSantis Higgins (NY)
Brown (MD) DeSaulnier Hill
Brownley (CA) DesJarlais Himes
Buchanan Deutch Holding
Buck Diaz-Balart Hollingsworth
Buchohn Dingell Hoyer
Budd Doggett Hudson
Burgess Donovan Huffman
Bustos Doyle, Michael Huizenga
Butterfield F. Hultgren
Byrne Duffy Hunter
Calvert Duncan (SC) Hurd
Capuano Duncan (TN) Issa
Carbajal Jayapal Jackson Lee
Cárdenas Jeffries Jayapal
Carson (IN) Ellison Jenkins (KS)
Carter (GA) Emmer Jenkins (WV)
Carter (TX) Engel Johnson (GA)
Cartwright Eshoo Johnson (LA)
Castor (FL) Espallat Johnson (OH)
Castro (TX) Esty Johnson, E. B.
Chabot Evans Johnson, Sam
Chaffetz Farenthold Jones
Cheney Faso Jordan
Chu, Judy Ferguson Joyce (OH)
Cicilline Fitzpatrick Kaptur
Clark (MA) Fleischmann Katko

Keating Moolenaar Schneider
Kelly (IL) Mooney (WV) Schrader
Kelly (MS) Moore Schweikert
Kelly (PA) Moulton Scott (VA)
Kennedy Mullin Scott, Austin
Khanna Murphy (FL) Scott, David
Kihuen Murphy (PA) Sensenbrenner
Kildee Nadler Serrano
Kilmer Napolitano Sessions
Kind Neal Sewell (AL)
King (NY) Newhouse Shea-Porter
Kinzinger Noem Sherman
Knight Nolan Shimkus
Krishnamoorthi Norcross Shuster
Kuster (NH) Nunes Simpson
Kustoff (TN) O'Halleran Sires
Labrador O'Rourke Smith (MO)
LaHood Olson Smith (NE)
LaMalfa Palazzo Smith (NJ)
Lamborn Pallone Smith (TX)
Lance Palmer Smucker
Langevin Panetta Soto
Larsen (WA) Pascrell Speier
Larson (CT) Paulsen Stefanik
Latta Pearce Stewart
Lawrence Pelosi Stivers
Lawson (FL) Perlmutter Suozzi
Lee Perry Swallow (CA)
Levin Peters Takano
Lewis (GA) Peterson Taylor
Lewin Pingree Tenney
Lewis (MN) Pittenger Thompson (CA)
Lieu, Ted Lipinski Pocan Thompson (MS)
Lipinski LoBiondo Poe (TX)
LoBiondo Loeb sack Poliquin Thornberry
Loefgren Polis Tiberi
Long Posey Tipton
Loudermilk Price (NC) Titus
Love Quigley Tonko
Lowenthal Raskin Torres
Lowe Ratcliffe Trott
Lucas Reed Turner
Luetkemeyer Reichert Upton
Lujan Grisham, Renacci Valadao
M. Rice (NY) Vargas
Luján, Ben Ray Rice (SC) Veasey
Lynch Richmond Vela
MacArthur Roby Velázquez
Maloney, Sean Roe (TN) Visclosky
Carolyn B. Rogers (AL) Wagner
Maloney, Sean Rogers (KY) Walberg
Marchant Rohrabacher Walden
Marino Rokita Walker
Marshall Rooney, Francis Walorski
Massie Rooney, Thomas Walters, Mimi
Mast J. Walz
Matsui Ros-Lehtinen Wasserman
McCarthy Rosen Schultz
McCaul Roskam Weber (TX)
McClintock Ross Webster (FL)
McCollum Rothfus Welch
McEachin Rouzer Wenstrup
McGovern Roybal-Allard Westerman
McHenry Royce (CA) Williams
McKinley Ruiz Wilson (FL)
McMorris Ruppertsberger Wilson (SC)
Rodgers Russell Wittman
McNerney Rutherford Womack
McSally Ryan (OH) Woodall
Meadows Sánchez Yarmuth
Meehan Sanford Yoder
Meeks Sarbanes Yoho
Meng Scalise Young (AK)
Messer Schakowsky Young (IA)
Mitchell Schiff Zeldin

NOES—7

Fudge Heck Watson Coleman
Gallego Smith (WA)
Hastings Waters, Maxine

NOT VOTING—6

King (IA) Rush Slaughter
Payne Sinema Tsongas

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1352

Ms. ESHOO changed her vote from “no” to “aye.”
So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HASTINGS. Mr. Speaker, during rollcall Vote number 184 on H.R. 372, I mistakenly recorded my vote as "nay" when I should have voted "yea."

Mr. GALLEGO. Mr. Speaker, I cast a vote in error. On the rollcall Vote No. 184, I had intended to vote in the follow manner: rollcall Vote No. 184—Competitive Health Insurance Reform Act of 2017—"yes."

SMALL BUSINESS HEALTH FAIRNESS ACT OF 2017

Ms. FOXX. Mr. Speaker, pursuant to House Resolution 210, I call up the bill (H.R. 1101) to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 210, in lieu of the amendment recommended by the Committee on Education and the Workforce printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-9 is adopted and the bill, as amended, is considered read.

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

H.R. 1101

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Small Business Health Fairness Act of 2017".

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Rules governing association health plans.
- Sec. 3. Clarification of treatment of single employer arrangements.
- Sec. 4. Enforcement provisions relating to association health plans.
- Sec. 5. Cooperation between Federal and State authorities.
- Sec. 6. Effective date and transitional and other rules.

SEC. 2. RULES GOVERNING ASSOCIATION HEALTH PLANS.

(a) **IN GENERAL.**—Subtitle B of title I of the Employee Retirement Income Security Act of 1974 is amended by adding after part 7 the following new part:

"PART 8—RULES GOVERNING ASSOCIATION HEALTH PLANS

"SEC. 801. ASSOCIATION HEALTH PLANS.

"(a) **IN GENERAL.**—For purposes of this part, the term 'association health plan' means a group health plan whose sponsor is (or is deemed under this part to be) described in subsection (b).

"(b) **SPONSORSHIP.**—The sponsor of a group health plan is described in this subsection if such sponsor—

"(1) is organized and maintained in good faith, with a constitution and bylaws specifically stating its purpose and providing for periodic meetings on at least an annual basis, as a bona fide trade association, a bona fide industry association (including a rural electric cooperative association or a rural telephone cooperative association), a bona fide professional association, or a bona fide chamber of commerce (or similar bona fide business association, including a corporation or similar organization that operates on a cooperative basis (within the meaning of section 1381 of the Internal Revenue Code of 1986)), for substantial purposes other than that of obtaining or providing medical care;

"(2) is established as a permanent entity which receives the active support of its members and requires for membership payment on a periodic basis of dues or payments necessary to maintain eligibility for membership in the sponsor; and

"(3) does not condition membership, such dues or payments, or coverage under the plan on the basis of health status-related factors with respect to the employees of its members (or affiliated members), or the dependents of such employees, and does not condition such dues or payments on the basis of group health plan participation.

Any sponsor consisting of an association of entities which meet the requirements of paragraphs (1), (2), and (3) shall be deemed to be a sponsor described in this subsection.

"SEC. 802. CERTIFICATION OF ASSOCIATION HEALTH PLANS.

"(a) **IN GENERAL.**—The applicable authority shall prescribe by regulation a procedure under which, subject to subsection (b), the applicable authority shall certify association health plans which apply for certification as meeting the requirements of this part.

"(b) **STANDARDS.**—Under the procedure prescribed pursuant to subsection (a), in the case of an association health plan that provides at least one benefit option which does not consist of health insurance coverage, the applicable authority shall certify such plan as meeting the requirements of this part only if the applicable authority is satisfied that the applicable requirements of this part are met (or, upon the date on which the plan is to commence operations, will be met) with respect to the plan.

"(c) **REQUIREMENTS APPLICABLE TO CERTIFIED PLANS.**—An association health plan with respect to which certification under this part is in effect shall meet the applicable requirements of this part, effective on the date of certification (or, if later, on the date on which the plan is to commence operations).

"(d) **REQUIREMENTS FOR CONTINUED CERTIFICATION.**—The applicable authority may provide by regulation for continued certification of association health plans under this part.

"(e) **CLASS CERTIFICATION FOR FULLY INSURED PLANS.**—The applicable authority shall establish a class certification procedure for association health plans under which all benefits consist of health insurance coverage. Under such procedure, the applicable authority shall provide for the granting of certification under this part to the plans in each class of such association health plans upon appropriate filing under such procedure in connection with plans in such class and payment of the prescribed fee under section 807(a).

"(f) **CERTIFICATION OF SELF-INSURED ASSOCIATION HEALTH PLANS.**—An association health plan which offers one or more benefit options which do not consist of health insurance coverage may be certified under this part only if such plan consists of any of the following:

"(1) A plan which offered such coverage on the date of the enactment of the Small Business Health Fairness Act of 2017.

"(2) A plan under which the sponsor does not restrict membership to one or more trades and businesses or industries and whose eligible participating employers represent a broad cross-section of trades and businesses or industries.

"(3) A plan whose eligible participating employers represent one or more trades or businesses, or one or more industries, consisting of any of the following: agriculture; equipment and automobile dealerships; barbering and cosmetology; certified public accounting practices; child care; construction; dance, theatrical and orchestra productions; disinfecting and pest control; financial services; fishing; food service establishments; hospitals; labor organizations; logging; manufacturing (metals); mining; medical and dental practices; medical laboratories; professional consulting services; sanitary services; transportation (local and freight); warehousing; wholesaling/distributing; or any other trade or business or industry which has been indicated as having average or above-average risk or health claims experience by reason of State rate filings, denials of coverage, proposed premium rate levels, or other means demonstrated by such plan in accordance with regulations.

"SEC. 803. REQUIREMENTS RELATING TO SPONSORS AND BOARDS OF TRUSTEES.

"(a) **SPONSOR.**—The requirements of this subsection are met with respect to an association health plan if the sponsor has met (or is deemed under this part to have met) the requirements of section 801(b) for a continuous period of not less than 3 years ending with the date of the application for certification under this part.

"(b) **BOARD OF TRUSTEES.**—The requirements of this subsection are met with respect to an association health plan if the following requirements are met:

"(1) **FISCAL CONTROL.**—The plan is operated, pursuant to a trust agreement, by a board of trustees which has complete fiscal control over the plan and which is responsible for all operations of the plan.

"(2) **RULES OF OPERATION AND FINANCIAL CONTROLS.**—The board of trustees has in effect rules of operation and financial controls, based on a 3-year plan of operation, adequate to carry out the terms of the plan and to meet all requirements of this title applicable to the plan.

"(3) **RULES GOVERNING RELATIONSHIP TO PARTICIPATING EMPLOYERS AND TO CONTRACTORS.**—

"(A) **BOARD MEMBERSHIP.**—

"(i) **IN GENERAL.**—Except as provided in clauses (ii) and (iii), the members of the board of trustees are individuals selected from individuals who are the owners, officers, directors, or employees of the participating employers or who are partners in the participating employers and actively participate in the business.

"(ii) **LIMITATION.**—

"(I) **GENERAL RULE.**—Except as provided in subclauses (II) and (III), no such member is an owner, officer, director, or employee of, or partner in, a contract administrator or other service provider to the plan.

"(II) **LIMITED EXCEPTION FOR PROVIDERS OF SERVICES SOLELY ON BEHALF OF THE SPONSOR.**—Officers or employees of a sponsor which is a service provider (other than a contract administrator) to the plan may be members of the board if they constitute not more than 25 percent of the membership of the board and they do not provide services to the plan other than on behalf of the sponsor.

"(III) **TREATMENT OF PROVIDERS OF MEDICAL CARE.**—In the case of a sponsor which is an association whose membership consists primarily of providers of medical care, subclause (I) shall not apply in the case of any service provider described in subclause (I) who is a provider of medical care under the plan.

"(iii) **CERTAIN PLANS EXCLUDED.**—Clause (i) shall not apply to an association health plan

which is in existence on the date of the enactment of the Small Business Health Fairness Act of 2017.

“(B) **SOLE AUTHORITY.**—The board has sole authority under the plan to approve applications for participation in the plan and to contract with a service provider to administer the day-to-day affairs of the plan.

“(C) **TREATMENT OF FRANCHISE NETWORKS.**—In the case of a group health plan which is established and maintained by a franchiser for a franchise network consisting of its franchisees—

“(1) the requirements of subsection (a) and section 801(a) shall be deemed met if such requirements would otherwise be met if the franchiser were deemed to be the sponsor referred to in section 801(b), such network were deemed to be an association described in section 801(b), and each franchisee were deemed to be a member (of the association and the sponsor) referred to in section 801(b); and

“(2) the requirements of section 804(a)(1) shall be deemed met.

The Secretary may by regulation define for purposes of this subsection the terms ‘franchiser’, ‘franchise network’, and ‘franchisee’.

“SEC. 804. PARTICIPATION AND COVERAGE REQUIREMENTS.

“(a) **COVERED EMPLOYERS AND INDIVIDUALS.**—The requirements of this subsection are met with respect to an association health plan if, under the terms of the plan—

“(1) each participating employer must be—

“(A) a member of the sponsor,

“(B) the sponsor, or

“(C) an affiliated member of the sponsor with respect to which the requirements of subsection (b) are met,

except that, in the case of a sponsor which is a professional association or other individual-based association, if at least one of the officers, directors, or employees of an employer, or at least one of the individuals who are partners in an employer and who actively participates in the business, is a member or such an affiliated member of the sponsor, participating employers may also include such employer; and

“(2) all individuals commencing coverage under the plan after certification under this part must be—

“(A) active or retired owners (including self-employed individuals), officers, directors, or employees of, or partners in, participating employers; or

“(B) the beneficiaries of individuals described in subparagraph (A).

“(b) **COVERAGE OF PREVIOUSLY UNINSURED EMPLOYEES.**—In the case of an association health plan in existence on the date of the enactment of the Small Business Health Fairness Act of 2017, an affiliated member of the sponsor of the plan may be offered coverage under the plan as a participating employer only if—

“(1) the affiliated member was an affiliated member on the date of certification under this part; or

“(2) during the 12-month period preceding the date of the offering of such coverage, the affiliated member has not maintained or contributed to a group health plan with respect to any of its employees who would otherwise be eligible to participate in such association health plan.

“(c) **INDIVIDUAL MARKET UNAFFECTED.**—The requirements of this subsection are met with respect to an association health plan if, under the terms of the plan, no participating employer may provide health insurance coverage in the individual market for any employee not covered under the plan which is similar to the coverage contemporaneously provided to employees of the employer under the plan, if such exclusion of the employee from coverage under the plan is based on a health status-related factor with respect to the employee and such employee would,

but for such exclusion on such basis, be eligible for coverage under the plan.

“(d) **PROHIBITION OF DISCRIMINATION AGAINST EMPLOYERS AND EMPLOYEES ELIGIBLE TO PARTICIPATE.**—The requirements of this subsection are met with respect to an association health plan if—

“(1) under the terms of the plan, all employers meeting the preceding requirements of this section are eligible to qualify as participating employers for all geographically available coverage options, unless, in the case of any such employer, participation or contribution requirements of the type referred to in section 2711 of the Public Health Service Act are not met;

“(2) upon request, any employer eligible to participate is furnished information regarding all coverage options available under the plan; and

“(3) the applicable requirements of sections 701, 702, and 703 are met with respect to the plan.

“SEC. 805. OTHER REQUIREMENTS RELATING TO PLAN DOCUMENTS, CONTRIBUTION RATES, AND BENEFIT OPTIONS.

“(a) **IN GENERAL.**—The requirements of this section are met with respect to an association health plan if the following requirements are met:

“(1) **CONTENTS OF GOVERNING INSTRUMENTS.**—The instruments governing the plan include a written instrument, meeting the requirements of an instrument required under section 402(a)(1), which—

“(A) provides that the board of trustees serves as the named fiduciary required for plans under section 402(a)(1) and serves in the capacity of a plan administrator (referred to in section 3(16)(A));

“(B) provides that the sponsor of the plan is to serve as plan sponsor (referred to in section 3(16)(B)); and

“(C) incorporates the requirements of section 806.

“(2) **CONTRIBUTION RATES MUST BE NON-DISCRIMINATORY.**—

“(A) The contribution rates for any participating small employer do not vary on the basis of any health status-related factor in relation to employees of such employer or their beneficiaries and do not vary on the basis of the type of business or industry in which such employer is engaged.

“(B) Nothing in this title or any other provision of law shall be construed to preclude an association health plan, or a health insurance issuer offering health insurance coverage in connection with an association health plan, from—

“(i) setting contribution rates based on the claims experience of the plan; or

“(ii) varying contribution rates for small employers in a State to the extent that such rates could vary using the same methodology employed in such State for regulating premium rates in the small group market with respect to health insurance coverage offered in connection with bona fide associations (within the meaning of section 2791(d)(3) of the Public Health Service Act),

subject to the requirements of section 702(b) relating to contribution rates.

“(3) **FLOOR FOR NUMBER OF COVERED INDIVIDUALS WITH RESPECT TO CERTAIN PLANS.**—If any benefit option under the plan does not consist of health insurance coverage, the plan has as of the beginning of the plan year not fewer than 1,000 participants and beneficiaries.

“(4) **MARKETING REQUIREMENTS.**—

“(A) **IN GENERAL.**—If a benefit option which consists of health insurance coverage is offered under the plan, State-licensed insurance agents shall be used to distribute to small employers coverage which does not consist of health insur-

ance coverage in a manner comparable to the manner in which such agents are used to distribute health insurance coverage.

“(B) **STATE-LICENSED INSURANCE AGENTS.**—For purposes of subparagraph (A), the term ‘State-licensed insurance agents’ means one or more agents who are licensed in a State and are subject to the laws of such State relating to licensure, qualification, testing, examination, and continuing education of persons authorized to offer, sell, or solicit health insurance coverage in such State.

“(5) **REGULATORY REQUIREMENTS.**—Such other requirements as the applicable authority determines are necessary to carry out the purposes of this part, which shall be prescribed by the applicable authority by regulation.

“(b) **ABILITY OF ASSOCIATION HEALTH PLANS TO DESIGN BENEFIT OPTIONS.**—Subject to section 514(d), nothing in this part or any provision of State law (as defined in section 514(c)(1)) shall be construed to preclude an association health plan, or a health insurance issuer offering health insurance coverage in connection with an association health plan, from exercising its sole discretion in selecting the specific items and services consisting of medical care to be included as benefits under such plan or coverage, except (subject to section 514) in the case of (1) any law to the extent that it is not preempted under section 731(a)(1) with respect to matters governed by section 711, 712, or 713, or (2) any law of the State with which filing and approval of a policy type offered by the plan was initially obtained to the extent that such law prohibits an exclusion of a specific disease from such coverage.

“SEC. 806. MAINTENANCE OF RESERVES AND PROVISIONS FOR SOLVENCY FOR PLANS PROVIDING HEALTH BENEFITS IN ADDITION TO HEALTH INSURANCE COVERAGE.

“(a) **IN GENERAL.**—The requirements of this section are met with respect to an association health plan if—

“(1) the benefits under the plan consist solely of health insurance coverage; or

“(2) if the plan provides any additional benefit options which do not consist of health insurance coverage, the plan—

“(A) establishes and maintains reserves with respect to such additional benefit options, in amounts recommended by the qualified actuary, consisting of—

“(i) a reserve sufficient for unearned contributions;

“(ii) a reserve sufficient for benefit liabilities which have been incurred, which have not been satisfied, and for which risk of loss has not yet been transferred, and for expected administrative costs with respect to such benefit liabilities;

“(iii) a reserve sufficient for any other obligations of the plan; and

“(iv) a reserve sufficient for a margin of error and other fluctuations, taking into account the specific circumstances of the plan; and

“(B) establishes and maintains aggregate and specific excess/stop loss insurance and solvency indemnification, with respect to such additional benefit options for which risk of loss has not yet been transferred, as follows:

“(i) The plan shall secure aggregate excess/stop loss insurance for the plan with an attachment point which is not greater than 125 percent of expected gross annual claims. The applicable authority may by regulation provide for upward adjustments in the amount of such percentage in specified circumstances in which the plan specifically provides for and maintains reserves in excess of the amounts required under subparagraph (A).

“(ii) The plan shall secure specific excess/stop loss insurance for the plan with an attachment point which is at least equal to an amount recommended by the plan’s qualified actuary. The

applicable authority may by regulation provide for adjustments in the amount of such insurance in specified circumstances in which the plan specifically provides for and maintains reserves in excess of the amounts required under subparagraph (A).

“(iii) The plan shall secure indemnification insurance for any claims which the plan is unable to satisfy by reason of a plan termination. Any person issuing to a plan insurance described in clause (i), (ii), or (iii) of subparagraph (B) shall notify the Secretary of any failure of premium payment meriting cancellation of the policy prior to undertaking such a cancellation. Any regulations prescribed by the applicable authority pursuant to clause (i) or (ii) of subparagraph (B) may allow for such adjustments in the required levels of excess/stop loss insurance as the qualified actuary may recommend, taking into account the specific circumstances of the plan.

“(b) MINIMUM SURPLUS IN ADDITION TO CLAIMS RESERVES.—In the case of any association health plan described in subsection (a)(2), the requirements of this subsection are met if the plan establishes and maintains surplus in an amount at least equal to—

“(1) \$500,000, or

“(2) such greater amount (but not greater than \$2,000,000) as may be set forth in regulations prescribed by the applicable authority, considering the level of aggregate and specific excess/stop loss insurance provided with respect to such plan and other factors related to solvency risk, such as the plan’s projected levels of participation or claims, the nature of the plan’s liabilities, and the types of assets available to assure that such liabilities are met.

“(c) ADDITIONAL REQUIREMENTS.—In the case of any association health plan described in subsection (a)(2), the applicable authority may provide such additional requirements relating to reserves, excess/stop loss insurance, and indemnification insurance as the applicable authority considers appropriate. Such requirements may be provided by regulation with respect to any such plan or any class of such plans.

“(d) ADJUSTMENTS FOR EXCESS/STOP LOSS INSURANCE.—The applicable authority may provide for adjustments to the levels of reserves otherwise required under subsections (a) and (b) with respect to any plan or class of plans to take into account excess/stop loss insurance provided with respect to such plan or plans.

“(e) ALTERNATIVE MEANS OF COMPLIANCE.—The applicable authority may permit an association health plan described in subsection (a)(2) to substitute, for all or part of the requirements of this section (except subsection (a)(2)(B)(iii)), such security, guarantee, hold-harmless arrangement, or other financial arrangement as the applicable authority determines to be adequate to enable the plan to fully meet all its financial obligations on a timely basis and is otherwise no less protective of the interests of participants and beneficiaries than the requirements for which it is substituted. The applicable authority may take into account, for purposes of this subsection, evidence provided by the plan or sponsor which demonstrates an assumption of liability with respect to the plan. Such evidence may be in the form of a contract of indemnification, lien, bonding, insurance, letter of credit, recourse under applicable terms of the plan in the form of assessments of participating employers, security, or other financial arrangement.

“(f) MEASURES TO ENSURE CONTINUED PAYMENT OF BENEFITS BY CERTAIN PLANS IN DISTRESS.—

“(1) PAYMENTS BY CERTAIN PLANS TO ASSOCIATION HEALTH PLAN FUND.—

“(A) IN GENERAL.—In the case of an association health plan described in subsection (a)(2), the requirements of this subsection are met if the

plan makes payments into the Association Health Plan Fund under this subparagraph when they are due. Such payments shall consist of annual payments in the amount of \$5,000, and, in addition to such annual payments, such supplemental payments as the Secretary may determine to be necessary under paragraph (2). Payments under this paragraph are payable to the Fund at the time determined by the Secretary. Initial payments are due in advance of certification under this part. Payments shall continue to accrue until a plan’s assets are distributed pursuant to a termination procedure.

“(B) PENALTIES FOR FAILURE TO MAKE PAYMENTS.—If any payment is not made by a plan when it is due, a late payment charge of not more than 100 percent of the payment which was not timely paid shall be payable by the plan to the Fund.

“(C) CONTINUED DUTY OF THE SECRETARY.—The Secretary shall not cease to carry out the provisions of paragraph (2) on account of the failure of a plan to pay any payment when due.

“(2) PAYMENTS BY SECRETARY TO CONTINUE EXCESS/STOP LOSS INSURANCE COVERAGE AND INDEMNIFICATION INSURANCE COVERAGE FOR CERTAIN PLANS.—In any case in which the applicable authority determines that there is, or that there is reason to believe that there will be: (A) A failure to take necessary corrective actions under section 809(a) with respect to an association health plan described in subsection (a)(2); or (B) a termination of such a plan under section 809(b) or 810(b)(8) (and, if the applicable authority is not the Secretary, certifies such determination to the Secretary), the Secretary shall determine the amounts necessary to make payments to an insurer (designated by the Secretary) to maintain in force excess/stop loss insurance coverage or indemnification insurance coverage for such plan, if the Secretary determines that there is a reasonable expectation that, without such payments, claims would not be satisfied by reason of termination of such coverage. The Secretary shall, to the extent provided in advance in appropriation Acts, pay such amounts so determined to the insurer designated by the Secretary.

“(3) ASSOCIATION HEALTH PLAN FUND.—

“(A) IN GENERAL.—There is established on the books of the Treasury a fund to be known as the ‘Association Health Plan Fund’. The Fund shall be available for making payments pursuant to paragraph (2). The Fund shall be credited with payments received pursuant to paragraph (1)(A), penalties received pursuant to paragraph (1)(B); and earnings on investments of amounts of the Fund under subparagraph (B).

“(B) INVESTMENT.—Whenever the Secretary determines that the moneys of the fund are in excess of current needs, the Secretary may request the investment of such amounts as the Secretary determines advisable by the Secretary of the Treasury in obligations issued or guaranteed by the United States.

“(g) EXCESS/STOP LOSS INSURANCE.—For purposes of this section—

“(1) AGGREGATE EXCESS/STOP LOSS INSURANCE.—The term ‘aggregate excess/stop loss insurance’ means, in connection with an association health plan, a contract—

“(A) under which an insurer (meeting such minimum standards as the applicable authority may prescribe by regulation) provides for payment to the plan with respect to aggregate claims under the plan in excess of an amount or amounts specified in such contract;

“(B) which is guaranteed renewable; and

“(C) which allows for payment of premiums by any third party on behalf of the insured plan.

“(2) SPECIFIC EXCESS/STOP LOSS INSURANCE.—The term ‘specific excess/stop loss insurance’ means, in connection with an association health plan, a contract—

“(A) under which an insurer (meeting such minimum standards as the applicable authority may prescribe by regulation) provides for payment to the plan with respect to claims under the plan in connection with a covered individual in excess of an amount or amounts specified in such contract in connection with such covered individual;

“(B) which is guaranteed renewable; and

“(C) which allows for payment of premiums by any third party on behalf of the insured plan.

“(h) INDEMNIFICATION INSURANCE.—For purposes of this section, the term ‘indemnification insurance’ means, in connection with an association health plan, a contract—

“(1) under which an insurer (meeting such minimum standards as the applicable authority may prescribe by regulation) provides for payment to the plan with respect to claims under the plan which the plan is unable to satisfy by reason of a termination pursuant to section 809(b) (relating to mandatory termination);

“(2) which is guaranteed renewable and noncancellable for any reason (except as the applicable authority may prescribe by regulation); and

“(3) which allows for payment of premiums by any third party on behalf of the insured plan.

“(i) RESERVES.—For purposes of this section, the term ‘reserves’ means, in connection with an association health plan, plan assets which meet the fiduciary standards under part 4 and such additional requirements regarding liquidity as the applicable authority may prescribe by regulation.

“(j) SOLVENCY STANDARDS WORKING GROUP.—

“(1) IN GENERAL.—Within 90 days after the date of the enactment of the Small Business Health Fairness Act of 2017, the applicable authority shall establish a Solvency Standards Working Group. In prescribing the initial regulations under this section, the applicable authority shall take into account the recommendations of such Working Group.

“(2) MEMBERSHIP.—The Working Group shall consist of not more than 15 members appointed by the applicable authority. The applicable authority shall include among persons invited to membership on the Working Group at least one of each of the following:

“(A) A representative of the National Association of Insurance Commissioners.

“(B) A representative of the American Academy of Actuaries.

“(C) A representative of the State governments, or their interests.

“(D) A representative of existing self-insured arrangements, or their interests.

“(E) A representative of associations of the type referred to in section 801(b)(1), or their interests.

“(F) A representative of multiemployer plans that are group health plans, or their interests.

“SEC. 807. REQUIREMENTS FOR APPLICATION AND RELATED REQUIREMENTS.

“(a) FILING FEE.—Under the procedure prescribed pursuant to section 802(a), an association health plan shall pay to the applicable authority at the time of filing an application for certification under this part a filing fee in the amount of \$5,000, which shall be available in the case of the Secretary, to the extent provided in appropriation Acts, for the sole purpose of administering the certification procedures applicable with respect to association health plans.

“(b) INFORMATION TO BE INCLUDED IN APPLICATION FOR CERTIFICATION.—An application for certification under this part meets the requirements of this section only if it includes, in a manner and form which shall be prescribed by the applicable authority by regulation, at least the following information:

“(1) IDENTIFYING INFORMATION.—The names and addresses of—

“(A) the sponsor; and

“(B) the members of the board of trustees of the plan.

“(2) STATES IN WHICH PLAN INTENDS TO DO BUSINESS.—The States in which participants and beneficiaries under the plan are to be located and the number of them expected to be located in each such State.

“(3) BONDING REQUIREMENTS.—Evidence provided by the board of trustees that the bonding requirements of section 412 will be met as of the date of the application or (if later) commencement of operations.

“(4) PLAN DOCUMENTS.—A copy of the documents governing the plan (including any bylaws and trust agreements), the summary plan description, and other material describing the benefits that will be provided to participants and beneficiaries under the plan.

“(5) AGREEMENTS WITH SERVICE PROVIDERS.—A copy of any agreements between the plan and contract administrators and other service providers.

“(6) FUNDING REPORT.—In the case of association health plans providing benefits options in addition to health insurance coverage, a report setting forth information with respect to such additional benefit options determined as of a date within the 120-day period ending with the date of the application, including the following:

“(A) RESERVES.—A statement, certified by the board of trustees of the plan, and a statement of actuarial opinion, signed by a qualified actuary, that all applicable requirements of section 806 are or will be met in accordance with regulations which the applicable authority shall prescribe.

“(B) ADEQUACY OF CONTRIBUTION RATES.—A statement of actuarial opinion, signed by a qualified actuary, which sets forth a description of the extent to which contribution rates are adequate to provide for the payment of all obligations and the maintenance of required reserves under the plan for the 12-month period beginning with such date within such 120-day period, taking into account the expected coverage and experience of the plan. If the contribution rates are not fully adequate, the statement of actuarial opinion shall indicate the extent to which the rates are inadequate and the changes needed to ensure adequacy.

“(C) CURRENT AND PROJECTED VALUE OF ASSETS AND LIABILITIES.—A statement of actuarial opinion signed by a qualified actuary, which sets forth the current value of the assets and liabilities accumulated under the plan and a projection of the assets, liabilities, income, and expenses of the plan for the 12-month period referred to in subparagraph (B). The income statement shall identify separately the plan's administrative expenses and claims.

“(D) COSTS OF COVERAGE TO BE CHARGED AND OTHER EXPENSES.—A statement of the costs of coverage to be charged, including an itemization of amounts for administration, reserves, and other expenses associated with the operation of the plan.

“(E) OTHER INFORMATION.—Any other information as may be determined by the applicable authority, by regulation, as necessary to carry out the purposes of this part.

“(c) FILING NOTICE OF CERTIFICATION WITH STATES.—A certification granted under this part to an association health plan shall not be effective unless written notice of such certification is filed with the applicable State authority of each State in which at least 25 percent of the participants and beneficiaries under the plan are located. For purposes of this subsection, an individual shall be considered to be located in the State in which a known address of such individual is located or in which such individual is employed.

“(d) NOTICE OF MATERIAL CHANGES.—In the case of any association health plan certified

under this part, descriptions of material changes in any information which was required to be submitted with the application for the certification under this part shall be filed in such form and manner as shall be prescribed by the applicable authority by regulation. The applicable authority may require by regulation prior notice of material changes with respect to specified matters which might serve as the basis for suspension or revocation of the certification.

“(e) REPORTING REQUIREMENTS FOR CERTAIN ASSOCIATION HEALTH PLANS.—An association health plan certified under this part which provides benefit options in addition to health insurance coverage for such plan year shall meet the requirements of section 103 by filing an annual report under such section which shall include information described in subsection (b)(6) with respect to the plan year and, notwithstanding section 104(a)(1)(A), shall be filed with the applicable authority not later than 90 days after the close of the plan year (or on such later date as may be prescribed by the applicable authority). The applicable authority may require by regulation such interim reports as it considers appropriate.

“(f) ENGAGEMENT OF QUALIFIED ACTUARY.—The board of trustees of each association health plan which provides benefits options in addition to health insurance coverage and which is applying for certification under this part or is certified under this part shall engage, on behalf of all participants and beneficiaries, a qualified actuary who shall be responsible for the preparation of the materials comprising information necessary to be submitted by a qualified actuary under this part. The qualified actuary shall utilize such assumptions and techniques as are necessary to enable such actuary to form an opinion as to whether the contents of the matters reported under this part—

“(1) are in the aggregate reasonably related to the experience of the plan and to reasonable expectations; and

“(2) represent such actuary's best estimate of anticipated experience under the plan. The opinion by the qualified actuary shall be made with respect to, and shall be made a part of, the annual report.

“SEC. 808. NOTICE REQUIREMENTS FOR VOLUNTARY TERMINATION.

“Except as provided in section 809(b), an association health plan which is or has been certified under this part may terminate (upon or at any time after cessation of accruals in benefit liabilities) only if the board of trustees, not less than 60 days before the proposed termination date—

“(1) provides to the participants and beneficiaries a written notice of intent to terminate stating that such termination is intended and the proposed termination date;

“(2) develops a plan for winding up the affairs of the plan in connection with such termination in a manner which will result in timely payment of all benefits for which the plan is obligated; and

“(3) submits such plan in writing to the applicable authority.

Actions required under this section shall be taken in such form and manner as may be prescribed by the applicable authority by regulation.

“SEC. 809. CORRECTIVE ACTIONS AND MANDATORY TERMINATION.

“(a) ACTIONS TO AVOID DEPLETION OF RESERVES.—An association health plan which is certified under this part and which provides benefits other than health insurance coverage shall continue to meet the requirements of section 806, irrespective of whether such certification continues in effect. The board of trustees of such plan shall determine quarterly whether the requirements of section 806 are met. In any

case in which the board determines that there is reason to believe that there is or will be a failure to meet such requirements, or the applicable authority makes such a determination and so notifies the board, the board shall immediately notify the qualified actuary engaged by the plan, and such actuary shall, not later than the end of the next following month, make such recommendations to the board for corrective action as the actuary determines necessary to ensure compliance with section 806. Not later than 30 days after receiving from the actuary recommendations for corrective actions, the board shall notify the applicable authority (in such form and manner as the applicable authority may prescribe by regulation) of such recommendations of the actuary for corrective action, together with a description of the actions (if any) that the board has taken or plans to take in response to such recommendations. The board shall thereafter report to the applicable authority, in such form and frequency as the applicable authority may specify to the board, regarding corrective action taken by the board until the requirements of section 806 are met.

“(b) MANDATORY TERMINATION.—In any case in which—

“(1) the applicable authority has been notified under subsection (a) (or by an issuer of excess/stop loss insurance or indemnity insurance pursuant to section 806(a)) of a failure of an association health plan which is or has been certified under this part and is described in section 806(a)(2) to meet the requirements of section 806 and has not been notified by the board of trustees of the plan that corrective action has restored compliance with such requirements; and

“(2) the applicable authority determines that there is a reasonable expectation that the plan will continue to fail to meet the requirements of section 806,

the board of trustees of the plan shall, at the direction of the applicable authority, terminate the plan and, in the course of the termination, take such actions as the applicable authority may require, including satisfying any claims referred to in section 806(a)(2)(B)(iii) and recovering for the plan any liability under subsection (a)(2)(B)(iii) or (e) of section 806, as necessary to ensure that the affairs of the plan will be, to the maximum extent possible, wound up in a manner which will result in timely provision of all benefits for which the plan is obligated.

“SEC. 810. TRUSTEESHIP BY THE SECRETARY OF INSOLVENT ASSOCIATION HEALTH PLANS PROVIDING HEALTH BENEFITS IN ADDITION TO HEALTH INSURANCE COVERAGE.

“(a) APPOINTMENT OF SECRETARY AS TRUSTEE FOR INSOLVENT PLANS.—Whenever the Secretary determines that an association health plan which is or has been certified under this part and which is described in section 806(a)(2) will be unable to provide benefits when due or is otherwise in a financially hazardous condition, as shall be defined by the Secretary by regulation, the Secretary shall, upon notice to the plan, apply to the appropriate United States district court for appointment of the Secretary as trustee to administer the plan for the duration of the insolvency. The plan may appear as a party and other interested persons may intervene in the proceedings at the discretion of the court. The court shall appoint such Secretary trustee if the court determines that the trusteeship is necessary to protect the interests of the participants and beneficiaries or providers of medical care or to avoid any unreasonable deterioration of the financial condition of the plan. The trusteeship of such Secretary shall continue until the conditions described in the first sentence of this subsection are remedied or the plan is terminated.

“(b) **POWERS AS TRUSTEE.**—The Secretary, upon appointment as trustee under subsection (a), shall have the power—

“(1) to do any act authorized by the plan, this title, or other applicable provisions of law to be done by the plan administrator or any trustee of the plan;

“(2) to require the transfer of all (or any part) of the assets and records of the plan to the Secretary as trustee;

“(3) to invest any assets of the plan which the Secretary holds in accordance with the provisions of the plan, regulations prescribed by the Secretary, and applicable provisions of law;

“(4) to require the sponsor, the plan administrator, any participating employer, and any employee organization representing plan participants to furnish any information with respect to the plan which the Secretary as trustee may reasonably need in order to administer the plan;

“(5) to collect for the plan any amounts due the plan and to recover reasonable expenses of the trusteeship;

“(6) to commence, prosecute, or defend on behalf of the plan any suit or proceeding involving the plan;

“(7) to issue, publish, or file such notices, statements, and reports as may be required by the Secretary by regulation or required by any order of the court;

“(8) to terminate the plan (or provide for its termination in accordance with section 809(b)) and liquidate the plan assets, to restore the plan to the responsibility of the sponsor, or to continue the trusteeship;

“(9) to provide for the enrollment of plan participants and beneficiaries under appropriate coverage options; and

“(10) to do such other acts as may be necessary to comply with this title or any order of the court and to protect the interests of plan participants and beneficiaries and providers of medical care.

“(c) **NOTICE OF APPOINTMENT.**—As soon as practicable after the Secretary's appointment as trustee, the Secretary shall give notice of such appointment to—

“(1) the sponsor and plan administrator;

“(2) each participant;

“(3) each participating employer; and

“(4) if applicable, each employee organization which, for purposes of collective bargaining, represents plan participants.

“(d) **ADDITIONAL DUTIES.**—Except to the extent inconsistent with the provisions of this title, or as may be otherwise ordered by the court, the Secretary, upon appointment as trustee under this section, shall be subject to the same duties as those of a trustee under section 704 of title 11, United States Code, and shall have the duties of a fiduciary for purposes of this title.

“(e) **OTHER PROCEEDINGS.**—An application by the Secretary under this subsection may be filed notwithstanding the pendency in the same or any other court of any bankruptcy, mortgage foreclosure, or equity receivership proceeding, or any proceeding to reorganize, conserve, or liquidate such plan or its property, or any proceeding to enforce a lien against property of the plan.

“(f) **JURISDICTION OF COURT.**—

“(1) **IN GENERAL.**—Upon the filing of an application for the appointment as trustee or the issuance of a decree under this section, the court to which the application is made shall have exclusive jurisdiction of the plan involved and its property wherever located with the powers, to the extent consistent with the purposes of this section, of a court of the United States having jurisdiction over cases under chapter 11 of title 11, United States Code. Pending an adjudication under this section such court shall stay, and upon appointment by it of the Sec-

retary as trustee, such court shall continue the stay of, any pending mortgage foreclosure, equity receivership, or other proceeding to reorganize, conserve, or liquidate the plan, the sponsor, or property of such plan or sponsor, and any other suit against any receiver, conservator, or trustee of the plan, the sponsor, or property of the plan or sponsor. Pending such adjudication and upon the appointment by it of the Secretary as trustee, the court may stay any proceeding to enforce a lien against property of the plan or the sponsor or any other suit against the plan or the sponsor.

“(2) **VENUE.**—An action under this section may be brought in the judicial district where the sponsor or the plan administrator resides or does business or where any asset of the plan is situated. A district court in which such action is brought may issue process with respect to such action in any other judicial district.

“(g) **PERSONNEL.**—In accordance with regulations which shall be prescribed by the Secretary, the Secretary shall appoint, retain, and compensate accountants, actuaries, and other professional service personnel as may be necessary in connection with the Secretary's service as trustee under this section.

“SEC. 811. STATE ASSESSMENT AUTHORITY.

“(a) **IN GENERAL.**—Notwithstanding section 514, a State may impose by law a contribution tax on an association health plan described in section 806(a)(2), if the plan commenced operations in such State after the date of the enactment of the Small Business Health Fairness Act of 2017.

“(b) **CONTRIBUTION TAX.**—For purposes of this section, the term ‘contribution tax’ imposed by a State on an association health plan means any tax imposed by such State if—

“(1) such tax is computed by applying a rate to the amount of premiums or contributions, with respect to individuals covered under the plan who are residents of such State, which are received by the plan from participating employers located in such State or from such individuals;

“(2) the rate of such tax does not exceed the rate of any tax imposed by such State on premiums or contributions received by insurers or health maintenance organizations for health insurance coverage offered in such State in connection with a group health plan;

“(3) such tax is otherwise nondiscriminatory; and

“(4) the amount of any such tax assessed on the plan is reduced by the amount of any tax or assessment otherwise imposed by the State on premiums, contributions, or both received by insurers or health maintenance organizations for health insurance coverage, aggregate excess/stop loss insurance (as defined in section 806(g)(1)), specific excess/stop loss insurance (as defined in section 806(g)(2)), other insurance related to the provision of medical care under the plan, or any combination thereof provided by such insurers or health maintenance organizations in such State in connection with such plan.

“SEC. 812. DEFINITIONS AND RULES OF CONSTRUCTION.

“(a) **DEFINITIONS.**—For purposes of this part—

“(1) **GROUP HEALTH PLAN.**—The term ‘group health plan’ has the meaning provided in section 733(a)(1) (after applying subsection (b) of this section).

“(2) **MEDICAL CARE.**—The term ‘medical care’ has the meaning provided in section 733(a)(2).

“(3) **HEALTH INSURANCE COVERAGE.**—The term ‘health insurance coverage’ has the meaning provided in section 733(b)(1).

“(4) **HEALTH INSURANCE ISSUER.**—The term ‘health insurance issuer’ has the meaning provided in section 733(b)(2).

“(5) **APPLICABLE AUTHORITY.**—The term ‘applicable authority’ means the Secretary, except

that, in connection with any exercise of the Secretary's authority regarding which the Secretary is required under section 506(d) to consult with a State, such term means the Secretary, in consultation with such State.

“(6) **HEALTH STATUS-RELATED FACTOR.**—The term ‘health status-related factor’ has the meaning provided in section 733(d)(2).

“(7) **INDIVIDUAL MARKET.**—

“(A) **IN GENERAL.**—The term ‘individual market’ means the market for health insurance coverage offered to individuals other than in connection with a group health plan.

“(B) **TREATMENT OF VERY SMALL GROUPS.**—

“(i) **IN GENERAL.**—Subject to clause (ii), such term includes coverage offered in connection with a group health plan that has fewer than 2 participants as current employees or participants described in section 732(d)(3) on the first day of the plan year.

“(ii) **STATE EXCEPTION.**—Clause (i) shall not apply in the case of health insurance coverage offered in a State if such State regulates the coverage described in such clause in the same manner and to the same extent as coverage in the small group market (as defined in section 2791(e)(5) of the Public Health Service Act) is regulated by such State.

“(8) **PARTICIPATING EMPLOYER.**—The term ‘participating employer’ means, in connection with an association health plan, any employer, if any individual who is an employee of such employer, a partner in such employer, or a self-employed individual who is such employer (or any dependent, as defined under the terms of the plan, of such individual) is or was covered under such plan in connection with the status of such individual as such an employee, partner, or self-employed individual in relation to the plan.

“(9) **APPLICABLE STATE AUTHORITY.**—The term ‘applicable State authority’ means, with respect to a health insurance issuer in a State, the State insurance commissioner or official or officials designated by the State to enforce the requirements of title XXVII of the Public Health Service Act for the State involved with respect to such issuer.

“(10) **QUALIFIED ACTUARY.**—The term ‘qualified actuary’ means an individual who is a member of the American Academy of Actuaries.

“(11) **AFFILIATED MEMBER.**—The term ‘affiliated member’ means, in connection with a sponsor—

“(A) a person who is otherwise eligible to be a member of the sponsor but who elects an affiliated status with the sponsor,

“(B) in the case of a sponsor with members which consist of associations, a person who is a member of any such association and elects an affiliated status with the sponsor, or

“(C) in the case of an association health plan in existence on the date of the enactment of the Small Business Health Fairness Act of 2017, a person eligible to be a member of the sponsor or one of its member associations.

“(12) **LARGE EMPLOYER.**—The term ‘large employer’ means, in connection with a group health plan with respect to a plan year, an employer who employed an average of at least 51 employees on business days during the preceding calendar year and who employs at least 2 employees on the first day of the plan year.

“(13) **SMALL EMPLOYER.**—The term ‘small employer’ means, in connection with a group health plan with respect to a plan year, an employer who is not a large employer.

“(b) **RULES OF CONSTRUCTION.**—

“(1) **EMPLOYERS AND EMPLOYEES.**—For purposes of determining whether a plan, fund, or program is an employee welfare benefit plan which is an association health plan, and for purposes of applying this title in connection with such plan, fund, or program so determined to be such an employee welfare benefit plan—

“(A) in the case of a partnership, the term ‘employer’ (as defined in section 3(5)) includes the partnership in relation to the partners, and the term ‘employee’ (as defined in section 3(6)) includes any partner in relation to the partnership; and

“(B) in the case of a self-employed individual, the term ‘employer’ (as defined in section 3(5)) and the term ‘employee’ (as defined in section 3(6)) shall include such individual.

“(2) PLANS, FUNDS, AND PROGRAMS TREATED AS EMPLOYEE WELFARE BENEFIT PLANS.—In the case of any plan, fund, or program which was established or is maintained for the purpose of providing medical care (through the purchase of insurance or otherwise) for employees (or their dependents) covered thereunder and which demonstrates to the Secretary that all requirements for certification under this part would be met with respect to such plan, fund, or program if such plan, fund, or program were a group health plan, such plan, fund, or program shall be treated for purposes of this title as an employee welfare benefit plan on and after the date of such demonstration.”

(b) CONFORMING AMENDMENTS TO PREEMPTION RULES.—

(1) Section 514(b)(6) of such Act (29 U.S.C. 1144(b)(6)) is amended by adding at the end the following new subparagraph:

“(E) The preceding subparagraphs of this paragraph do not apply with respect to any State law in the case of an association health plan which is certified under part 8.”

(2) Section 514 of such Act (29 U.S.C. 1144) is amended—

(A) in subsection (b)(4), by striking “Subsection (a)” and inserting “Subsections (a) and (f)”; and

(B) in subsection (b)(5), by striking “subsection (a)” in subparagraph (A) and inserting “subsection (a) of this section and subsections (a)(2)(B) and (b) of section 805”, and by striking “subsection (a)” in subparagraph (B) and inserting “subsection (a) of this section or subsection (a)(2)(B) or (b) of section 805”; and

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

“(f)(1) Except as provided in subsection (b)(4), the provisions of this title shall supersede any and all State laws insofar as they may now or hereafter preclude, or have the effect of precluding, a health insurance issuer from offering health insurance coverage in connection with an association health plan which is certified under part 8.

“(2) Except as provided in paragraphs (4) and (5) of subsection (b) of this section—

“(A) In any case in which health insurance coverage of any policy type is offered under an association health plan certified under part 8 to a participating employer operating in such State, the provisions of this title shall supersede any and all laws of such State insofar as they may preclude a health insurance issuer from offering health insurance coverage of the same policy type to other employers operating in the State which are eligible for coverage under such association health plan, whether or not such other employers are participating employers in such plan.

“(B) In any case in which health insurance coverage of any policy type is offered in a State under an association health plan certified under part 8 and the filing, with the applicable State authority (as defined in section 812(a)(9)), of the policy form in connection with such policy type is approved by such State authority, the provisions of this title shall supersede any and all laws of any other State in which health insurance coverage of such type is offered, insofar as they may preclude, upon the filing in the same form and manner of such policy form with the applicable State authority in such other State, the approval of the filing in such other State.

“(3) Nothing in subsection (b)(6)(E) or the preceding provisions of this subsection shall be construed, with respect to health insurance issuers or health insurance coverage, to supersede or impair the law of any State—

“(A) providing solvency standards or similar standards regarding the adequacy of insurer capital, surplus, reserves, or contributions, or

“(B) relating to prompt payment of claims.

“(4) For additional provisions relating to association health plans, see subsections (a)(2)(B) and (b) of section 805.

“(5) For purposes of this subsection, the term ‘association health plan’ has the meaning provided in section 801(a), and the terms ‘health insurance coverage’, ‘participating employer’, and ‘health insurance issuer’ have the meanings provided such terms in section 812, respectively.”

(3) Section 514(b)(6)(A) of such Act (29 U.S.C. 1144(b)(6)(A)) is amended—

(A) in clause (i)(II), by striking “and” at the end;

(B) in clause (ii), by inserting “and which does not provide medical care (within the meaning of section 733(a)(2)),” after “arrangement,”, and by striking “title.” and inserting “title, and”; and

(C) by adding at the end the following new clause:

“(iii) subject to subparagraph (E), in the case of any other employee welfare benefit plan which is a multiple employer welfare arrangement and which provides medical care (within the meaning of section 733(a)(2)), any law of any State which regulates insurance may apply.”

(4) Section 514(d) of such Act (29 U.S.C. 1144(d)) is amended—

(A) by striking “Nothing” and inserting “(1) Except as provided in paragraph (2), nothing”; and

(B) by adding at the end the following new paragraph:

“(2) Nothing in any other provision of law enacted on or after the date of the enactment of the Small Business Health Fairness Act of 2017 shall be construed to alter, amend, modify, invalidate, impair, or supersede any provision of this title, except by specific cross-reference to the affected section.”

(c) PLAN SPONSOR.—Section 3(16)(B) of such Act (29 U.S.C. 102(16)(B)) is amended by adding at the end the following new sentence: “Such term also includes a person serving as the sponsor of an association health plan under part 8.”

(d) DISCLOSURE OF SOLVENCY PROTECTIONS RELATED TO SELF-INSURED AND FULLY INSURED OPTIONS UNDER ASSOCIATION HEALTH PLANS.—Section 102(b) of such Act (29 U.S.C. 102(b)) is amended by adding at the end the following: “An association health plan shall include in its summary plan description, in connection with each benefit option, a description of the form of solvency or guarantee fund protection secured pursuant to this Act or applicable State law, if any.”

(e) SAVINGS CLAUSE.—Section 731(c) of such Act is amended by inserting “or part 8” after “this part”.

(f) REPORT TO THE CONGRESS REGARDING CERTIFICATION OF SELF-INSURED ASSOCIATION HEALTH PLANS.—Not later than January 1, 2022, the Secretary of Labor shall report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate the effect association health plans have had, if any, on reducing the number of uninsured individuals.

(g) CLERICAL AMENDMENT.—The table of contents in section 1 of the Employee Retirement Income Security Act of 1974 is amended by in-

serting after the item relating to section 734 the following new items:

“PART 8. RULES GOVERNING ASSOCIATION HEALTH PLANS

- “801. Association health plans.
- “802. Certification of association health plans.
- “803. Requirements relating to sponsors and boards of trustees.
- “804. Participation and coverage requirements.
- “805. Other requirements relating to plan documents, contribution rates, and benefit options.
- “806. Maintenance of reserves and provisions for solvency for plans providing health benefits in addition to health insurance coverage.
- “807. Requirements for application and related requirements.
- “808. Notice requirements for voluntary termination.
- “809. Corrective actions and mandatory termination.
- “810. Trusteeship by the Secretary of insolvent association health plans providing health benefits in addition to health insurance coverage.
- “811. State assessment authority.
- “812. Definitions and rules of construction.”

SEC. 3. CLARIFICATION OF TREATMENT OF SINGLE EMPLOYER ARRANGEMENTS.

Section 3(40)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(40)(B)) is amended—

(1) in clause (i), by inserting after “control group,” the following: “except that, in any case in which the benefit referred to in subparagraph (A) consists of medical care (as defined in section 812(a)(2)), two or more trades or businesses, whether or not incorporated, shall be deemed a single employer for any plan year of such plan, or any fiscal year of such other arrangement, if such trades or businesses are within the same control group during such year or at any time during the preceding 1-year period;”; and

(2) in clause (iii), by striking “(iii) the determination” and inserting the following:

“(iii)(I) in any case in which the benefit referred to in subparagraph (A) consists of medical care (as defined in section 812(a)(2)), the determination of whether a trade or business is under ‘common control’ with another trade or business shall be determined under regulations of the Secretary applying principles consistent and coextensive with the principles applied in determining whether employees of two or more trades or businesses are treated as employed by a single employer under section 4001(b), except that, for purposes of this paragraph, an interest of greater than 25 percent may not be required as the minimum interest necessary for common control, or

“(II) in any other case, the determination”; and

(3) by redesignating clauses (iv) and (v) as clauses (v) and (vi), respectively; and

(4) by inserting after clause (iii) the following new clause:

“(iv) in any case in which the benefit referred to in subparagraph (A) consists of medical care (as defined in section 812(a)(2)), in determining, after the application of clause (i), whether benefits are provided to employees of two or more employers, the arrangement shall be treated as having only one participating employer if, after the application of clause (i), the number of individuals who are employees and former employees of any one participating employer and who are covered under the arrangement is greater than 75 percent of the aggregate number of all individuals who are employees or former employees of participating employers and who are covered under the arrangement.”

SEC. 4. ENFORCEMENT PROVISIONS RELATING TO ASSOCIATION HEALTH PLANS.

(a) CRIMINAL PENALTIES FOR CERTAIN WILLFUL MISREPRESENTATIONS.—Section 501 of the

Employee Retirement Income Security Act of 1974 (29 U.S.C. 1131) is amended by adding at the end the following new subsection:

“(c) Any person who willfully falsely represents, to any employee, any employee’s beneficiary, any employer, the Secretary, or any State, a plan or other arrangement established or maintained for the purpose of offering or providing any benefit described in section 3(1) to employees or their beneficiaries as—

“(1) being an association health plan which has been certified under part 8;

“(2) having been established or maintained under or pursuant to one or more collective bargaining agreements which are reached pursuant to collective bargaining described in section 8(d) of the National Labor Relations Act (29 U.S.C. 158(d)) or paragraph Fourth of section 2 of the Railway Labor Act (45 U.S.C. 152, paragraph Fourth) or which are reached pursuant to labor-management negotiations under similar provisions of State public employee relations laws; or

“(3) being a plan or arrangement described in section 3(40)(A)(i),

shall, upon conviction, be imprisoned not more than 5 years, be fined under title 18, United States Code, or both.”.

(b) CEASE ACTIVITIES ORDERS.—Section 502 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1132) is amended by adding at the end the following new subsection:

“(n) ASSOCIATION HEALTH PLAN CEASE AND DESIST ORDERS.—

“(1) IN GENERAL.—Subject to paragraph (2), upon application by the Secretary showing the operation, promotion, or marketing of an association health plan (or similar arrangement providing benefits consisting of medical care (as defined in section 733(a)(2))) that—

“(A) is not certified under part 8, is subject under section 514(b)(6) to the insurance laws of any State in which the plan or arrangement offers or provides benefits, and is not licensed, registered, or otherwise approved under the insurance laws of such State; or

“(B) is an association health plan certified under part 8 and is not operating in accordance with the requirements under part 8 for such certification,

a district court of the United States shall enter an order requiring that the plan or arrangement cease activities.

“(2) EXCEPTION.—Paragraph (1) shall not apply in the case of an association health plan or other arrangement if the plan or arrangement shows that—

“(A) all benefits under it referred to in paragraph (1) consist of health insurance coverage; and

“(B) with respect to each State in which the plan or arrangement offers or provides benefits, the plan or arrangement is operating in accordance with applicable State laws that are not superseded under section 514.

“(3) ADDITIONAL EQUITABLE RELIEF.—The court may grant such additional equitable relief, including any relief available under this title, as it deems necessary to protect the interests of the public and of persons having claims for benefits against the plan.”.

(c) RESPONSIBILITY FOR CLAIMS PROCEDURE.—Section 503 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1133) is amended by inserting “(a) IN GENERAL.—” before “In accordance”, and by adding at the end the following new subsection:

“(b) ASSOCIATION HEALTH PLANS.—The terms of each association health plan which is or has been certified under part 8 shall require the board of trustees or the named fiduciary (as applicable) to ensure that the requirements of this section are met in connection with claims filed under the plan.”.

SEC. 5. COOPERATION BETWEEN FEDERAL AND STATE AUTHORITIES.

Section 506 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1136) is amended by adding at the end the following new subsection:

“(d) CONSULTATION WITH STATES WITH RESPECT TO ASSOCIATION HEALTH PLANS.—

“(1) AGREEMENTS WITH STATES.—The Secretary shall consult with the State recognized under paragraph (2) with respect to an association health plan regarding the exercise of—

“(A) the Secretary’s authority under sections 502 and 504 to enforce the requirements for certification under part 8; and

“(B) the Secretary’s authority to certify association health plans under part 8 in accordance with regulations of the Secretary applicable to certification under part 8.

“(2) RECOGNITION OF PRIMARY DOMICILE STATE.—In carrying out paragraph (1), the Secretary shall ensure that only one State will be recognized, with respect to any particular association health plan, as the State with which consultation is required. In carrying out this paragraph—

“(A) in the case of a plan which provides health insurance coverage (as defined in section 812(a)(3)), such State shall be the State with which filing and approval of a policy type offered by the plan was initially obtained, and

“(B) in any other case, the Secretary shall take into account the places of residence of the participants and beneficiaries under the plan and the State in which the trust is maintained.”.

SEC. 6. EFFECTIVE DATE AND TRANSITIONAL AND OTHER RULES.

(a) EFFECTIVE DATE.—The amendments made by this Act shall take effect 1 year after the date of the enactment of this Act. The Secretary of Labor shall first issue all regulations necessary to carry out the amendments made by this Act within 1 year after the date of the enactment of this Act.

(b) TREATMENT OF CERTAIN EXISTING HEALTH BENEFITS PROGRAMS.—

(1) IN GENERAL.—In any case in which, as of the date of the enactment of this Act, an arrangement is maintained in a State for the purpose of providing benefits consisting of medical care for the employees and beneficiaries of its participating employers, at least 200 participating employers make contributions to such arrangement, such arrangement has been in existence for at least 10 years, and such arrangement is licensed under the laws of one or more States to provide such benefits to its participating employers, upon the filing with the applicable authority (as defined in section 812(a)(5) of the Employee Retirement Income Security Act of 1974 (as amended by this subtitle)) by the arrangement of an application for certification of the arrangement under part 8 of subtitle B of title I of such Act—

(A) such arrangement shall be deemed to be a group health plan for purposes of title I of such Act;

(B) the requirements of sections 801(a) and 803(a) of the Employee Retirement Income Security Act of 1974 shall be deemed met with respect to such arrangement;

(C) the requirements of section 803(b) of such Act shall be deemed met, if the arrangement is operated by a board of directors which—

(i) is elected by the participating employers, with each employer having one vote; and

(ii) has complete fiscal control over the arrangement and which is responsible for all operations of the arrangement;

(D) the requirements of section 804(a) of such Act shall be deemed met with respect to such arrangement; and

(E) the arrangement may be certified by any applicable authority with respect to its oper-

ations in any State only if it operates in such State on the date of certification.

The provisions of this subsection shall cease to apply with respect to any such arrangement at such time after the date of the enactment of this Act as the applicable requirements of this subsection are not met with respect to such arrangement.

(2) DEFINITIONS.—For purposes of this subsection, the terms “group health plan”, “medical care”, and “participating employer” shall have the meanings provided in section 812 of the Employee Retirement Income Security Act of 1974, except that the reference in paragraph (7) of such section to an “association health plan” shall be deemed a reference to an arrangement referred to in this subsection.

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

After 1 hour of debate, it shall be in order to consider the further amendment printed in House Report 115-51, if offered by the Member designated in the report, which shall be considered read and shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent.

The gentlewoman from North Carolina (Ms. FOXX) and the gentleman from Virginia (Mr. SCOTT) each will control 30 minutes.

The Chair recognizes the gentlewoman from North Carolina.

GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1101.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

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

I rise today in support of H.R. 1101, the Small Business Health Fairness Act of 2017.

Mr. Speaker, this week marks 7 years since ObamaCare was signed into law. We all remember the promises former President Obama and Washington Democrats made at the time.

Families were promised that their healthcare costs would go down. They were promised more choices and more competition. Small businesses and their employees were promised greater access to affordable health care.

But for 7 years, we have watched as all of those promises were broken. For 7 years, we have heard from families and small businesses across the country that have seen their healthcare costs skyrocket and their choices diminish.

Members of the House Education and the Workforce Committee recently heard from Scott Bollenbacher, an Indiana small-business owner with 11 full-time employees. The company has been forced to switch healthcare plans

twice now under ObamaCare, and their only viable option this year was a plan with a 78 percent premium increase.

Mr. Bollenbacher is one of countless small-business owners struggling to make ends meet under a failed government takeover of health care. Because of ObamaCare, 300,000 small-business jobs have been destroyed, including nearly 8,000 in my home State of North Carolina.

□ 1400

Additionally, an estimated 10,000 small businesses nationwide have closed their doors, and small business employees have lost \$19 billion each year in wages.

It should come as no surprise that, since 2008, the share of small businesses with fewer than 10 employees offering health coverage has dropped 36 percent. It is not that they don't want to; it is that onerous mandates and regulations have made it simply unaffordable to do so.

Fortunately, relief is on the way. This week we are not only moving to repeal ObamaCare, we are also advancing positive reforms that promote affordable coverage for working families, including the Small Business Health Fairness Act.

As its title implies, this important legislation is about fairness for small businesses and their employees. Today, small businesses are on an unfair playing field with larger companies and unions when it comes to health care. Large businesses have the ability to negotiate for more affordable healthcare costs for their employees, but small businesses do not have the same advantage. Because of their size, small businesses have limited bargaining power, which means their employees can end up paying more for health insurance.

With millions of Americans employed by a small business, it is long past time to level the playing field. That is exactly what this commonsense legislation is about. This bill would empower small businesses to band together through association health plans, or AHPs, to purchase high-quality health care at a lower cost for workers.

This bill represents a first step toward a more competitive health insurance market that crosses State lines. Under H.R. 1101, small businesses in different States could join together through a group health plan. These plans would have strong protections and solvency requirements to ensure workers can count on healthcare coverage when they and their families need it.

What does all of this mean: more choices, more freedom, and more affordable health care for working families and small-business owners like Scott Bollenbacher. This is a better way, one that stands in stark contrast to ObamaCare's failed approach. In-

stead of more mandates, this bill empowers individuals to access the high-quality, affordable healthcare plan that meets their needs.

I want to thank my colleague Representative SAM JOHNSON for championing, for years, the positive reforms in this bill.

I urge Members to vote "yes" on H.R. 1101 so we can level the playing field for small businesses and expand affordable health coverage for working families.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today we are considering a bill that purports to make it easier for small businesses to obtain coverage, and tomorrow we will vote on a bill that will take away health insurance coverage for 24 million Americans and force everyone else to pay more for less. So not only are we considering a bill today that will make things worse, we are considering it a day before we vote on ruining health security for working families in order to provide tax cuts for the wealthy.

As we debate the possible replacement of the Affordable Care Act, I think it is instructive that we look back at what the situation was before the ACA passed.

Listening to some, you would think that the costs weren't going up at all. In fact, costs were going through the roof before the ACA, and small businesses, particularly, were having spectacular cost increases—and that is until somebody got sick. At that point, you were unlikely to be able to afford any insurance at all.

Every year before the ACA, small businesses were dropping insurance right and left, particularly after somebody got sick. Also, before the Affordable Care Act, people with preexisting conditions couldn't get insurance. Women were paying more than men. Millions of people were losing their insurance every year.

Since then, the costs have continued to go up, but at the lowest rate in the last 50 years. People with preexisting conditions can get insurance at the standard rate. Small businesses can cover their employees through the Affordable Care Act at the average cost, whether or not anybody in their small business has cancer or diabetes. Women are not paying more than men. Instead of millions of people losing their insurance every year, 20 million more people have insurance.

In addition to that, families now enjoy strong consumer protections. The full name of the Affordable Care Act is the Patient Protection and Affordable Care Act. Now there are no caps on what an insurance company pays, and they can't cancel your policy for anything other than nonpayment.

Preventive services such as cancer screenings are available with no copay or deductible. Those up to 26 can stay on their parents' policy, and the doughnut hole is being closed.

The ACA did not cure every problem, but it went a long way to making Americans healthier and giving them some economic security. It could have gone further if, in the past 7 years, Republicans would have been willing to work with Democrats to build on the progress instead of forcing over 60 votes to repeal all parts of the Affordable Care Act.

If we do anything now, we ought to improve the situation, not make it worse. The Republican plan makes things worse. The CBO analysis concluded that 24 million fewer people will have insurance, and most of those that get insurance in the future will be paying more for policies that don't deliver as much.

For seniors, particularly, the costs will skyrocket. And, in fact, the prediction that the rates will go down in the future are a result of the conclusion that so few seniors will be able to buy insurance that they will no longer be in the insurance pool.

The insurance pool would be younger, and, therefore, the costs would go down. But that is only because seniors won't be able to afford the insurance. Therefore, the insurance pool will be younger and cheaper for those who can actually afford it, but that is not a good thing for seniors who need the insurance and can't afford it.

So today we are considering another failed policy. The association plan ideas have been studied for years, and it has been concluded that it is a bad idea. Under the Affordable Care Act, essentially everybody pays average. If you change that arithmetic so some can pay a little less, then arithmetic matters. Everybody else is going to pay a little more.

In the association plans, quite frankly, I will admit, they will always work for the few that can get into them. That is because, if you can draw out your own group, if they are healthier than average and can pay less, they will pay less and the association will work. But if you pull out a group and it turns out they are a little sicker than average and the bids come in above average, then the association will dissolve and everybody will go back into the insurance pool.

So if you can pull out a group, they will always pay less until somebody gets sick, and then everybody jumps back into the insurance pool. The higher cost groups will be left behind. The lower cost groups will segment out, and then the rates will go down for a few and up for everybody else.

This is exactly why the American Academy of Actuaries has said that expanding association plans "could result in unintended consequences such as

market segmentation that could threaten . . . viability and make it more difficult for high-cost individuals and groups to obtain coverage.”

One of the other problems is a lack of regulation. If a group is allowed to circumvent State regulations, that policy may be cheaper because the policy is not as good.

There are a lot of ways that you can save money. You can pull out a group of just young men and save on maternity benefits. That would be cheaper for them but more expensive for everybody else.

And what happens when a new spouse needs coverage and tries to get it as an optional benefit? They won't be able to afford it.

Workers and businessowners are likely to get fewer benefits under the association approach and will be disadvantaged compared to those in the regular pool getting comprehensive benefits.

This is exactly why Consumers Union has stated that the legislation is “likely . . . to provide minimal and nonuniform benefits.”

Mr. Speaker, this bill will make it easier to set up these kinds of associations and let them avoid State regulations, which could require solvency, nice solvency requirements, and consumer protections. The protections in this bill are not sufficient to protect consumers, and most States would require stronger capital requirements than the bill requires.

Much like the Republican replacement bill, this bill goes in the wrong direction, so I urge my colleagues to vote “no.”

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

Ms. FOXX. Mr. Speaker, I yield 6 minutes to the gentleman from Texas (Mr. SAM JOHNSON), the author of the bill.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I thank the gentlewoman for yielding.

I would like to start off by thanking Chairwoman FOXX and Chairman WALBERG for their strong support of my bill, the Small Business Health Fairness Act.

Mr. Speaker, the legislation before us today is on an issue that has long been near and dear to my heart: association health plans. Association health plans would allow small businesses to join together and provide healthcare coverage just like large corporations and unions do today.

Association health plans are also a central part of replacing ObamaCare with commonsense solutions.

You know, ObamaCare has been an absolute disaster. My constituents in Collin County, Texas, have shared with me their negative experiences with it since it became law nearly 7 years ago.

One of the groups hardest hit by ObamaCare is small businesses, the backbone of our economy. Since 2008,

over one-third of businesses with fewer than 10 employees offering health insurance have dropped insurance; and, you know, that is just wrong.

Because ObamaCare is failing, we need to repeal it and replace it with better solutions for the American people. One of these solutions is my association health plan bill.

What my bill does is simply allow small businesses to join together through trade or professional organizations. As we all know, the basic rule of insurance is the bigger the risk pool, the lower the cost.

Furthermore, my bill allows small businesses to join together across State lines. My bill would also free small businesses from costly and burdensome State and Federal requirements. This isn't anything different from what large employers and unions already do. My bill is simply about leveling the playing field for small businesses and their hardworking employees.

This bill also has wide support from the business community, including the United States Chamber of Commerce, the National Federation of Independent Business, the National Retail Federation, and the International Franchise Association.

Not everyone knows this, but I was a small-business owner myself between my time in the Air Force and coming to Congress. In fact, I established a home building business in north Texas from scratch, so I can understand where small businesses are coming from.

For example, Bob Gibbons and his wife own a commercial real estate business in my hometown of Plano, Texas. They have had a tough time obtaining good, affordable health insurance, a problem that has gotten worse since ObamaCare.

Bob sums up this entire issue pretty well in two sentences: “Why should someone's status as an employee give them preferential right to decent group health coverage? Entrepreneurs are penalized when they start a small business because they can't get comparable coverage.”

□ 1415

Bob's experience underscores the entire point behind the Small Business Health Fairness Act.

Mr. Speaker, I include Bob's letter in the RECORD, along with letters from the cities of Frisco, Richardson, and Anna in my district.

REATA COMMERCIAL REALTY, INC.,
Plano, TX, March 2, 2017.
Re Association Health Plans.

Hon. SAM JOHNSON,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE JOHNSON: I would like to register my support of your recently introduced bill, H.R. 1101, which would provide for association health plans. I am a small business owner in your district in

Plano, Texas. My wife and I have been on a roller coaster of health coverage over the years. We were covered by employer plans when I was an employee (pre-ACA). Then we had to negotiate for an individual plan when I started my own business (pre-ACA). Then we were again covered by an employer plan when my wife went to work (post-ACA). And now that she works with me, we must navigate the purchase of an individual plan again, but in the post-ACA failure environment.

I have always thought it was ridiculous that the only decent health coverage was available to employees of companies that provided it. Why should someone's status as an employee give them a preferential right to decent group health coverage? Entrepreneurs are penalized when they start a small business because they can't get comparable coverage.

I was thrilled when I ran into Gabi Pate at a Plano Chamber of Commerce Public Policy Committee meeting yesterday and heard you were trying to help. Association health plans would be a step in the right direction. At least then I could get in on a group plan through trade associations, a chamber of commerce or another qualified group. I truly hope that the bill will allow for portability of that health coverage, however, so I can leave the association if I choose and still have coverage.

Thank you for your leadership in this area. Please don't hesitate to contact me if you have any questions.

Sincerely,

BOB GIBBONS.

FRISCO CHAMBER OF COMMERCE,
Frisco, TX, March 22, 2017.

On behalf of the Frisco Chamber of Commerce in Frisco, Texas, I write in strong support of the Small Business Health Fairness Act. The Frisco Chamber of Commerce provides advocacy support for over 1,300 businesses of all sizes. We consistently hear from our small business members about the hardship in providing appropriate and adequate healthcare for their employees at an affordable price. This legislation will increase small businesses' bargaining power with health insurance providers and ensure a level playing field for smaller entities that want to help their workers and families with healthcare costs.

Locally owned small businesses are a huge contributor in the fabric of a business community. It is through the small and medium businesses that we see the greatest job growth. It is through the small and medium businesses that we see the greatest increase in retail spending in the local communities. However, while many see the benefit of a strong small business community, they have been neglected in being able to negotiate for competitive pricing in healthcare costs.

For these reasons, the Frisco Chamber of Commerce strongly supports the Small Business Health Fairness Act, which will allow small businesses the opportunity to band together to provide their employees with better, more affordable health insurance coverage. With rising medical costs being a top concern of both individuals and employers, the impact of this increased availability of affordable insurance would be significant.

Sincerely,

TONY FELKER,
President/CEO.

RICHARDSON, TEXAS,
CHAMBER OF COMMERCE,
Richardson, TX, March 21, 2017.

Re Association Health Plans.

Hon. SAM JOHNSON,
House of Representatives,
Washington DC.

DEAR CHAIRMAN JOHNSON: On behalf of the Richardson Chamber of Commerce, a 5-star chamber, I write in strong support of the Small Business Health Fairness Act. This legislation will increase small businesses' bargaining power with health insurance providers and ensure a level playing field for smaller entities that want to help their workers and families with health care costs. The Richardson Chamber of Commerce commends you for your longstanding leadership on this important issue to the small business community. With more than 650 member organizations, the Richardson Chamber of Commerce continues the goal of its founding fathers to serve as the cornerstone of economic and community development for the city of Richardson. In order to continue that growth, our small businesses must be allowed to offer affordable healthcare to their employees.

While the small business community's economic output is great, its negotiating power in the health care market is at a competitive disadvantage. The federal Employee Retirement Income Security Act, which currently permits large corporations and labor organizations to "self-insure" and offer insurance with certain exemptions from state law, does not provide small business with the same advantage. The law must be reformed to empower small employers with the ability to obtain and offer competitively priced health insurance.

For these reasons, the Richardson Chamber of Commerce and our member companies, strongly support the Small Business Health Fairness Act, which will allow small businesses the opportunity to band together to provide their employees with better, more affordable health insurance coverage. With rising medical costs being a top concern of both individuals and employers, the impact of this increased availability of affordable insurance would be significant.

The Richardson Chamber commends your efforts to provide small businesses with health care options in a thoughtful and constructive manner. We look forward to working with you on this key legislation.

Sincerely,

WILLIAM C. SPROULL,
President and CEO.

GREATER ANNA
CHAMBER OF COMMERCE,
Anna, TX, March 21, 2017.

Hon. SAM JOHNSON,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE JOHNSON: On behalf of the Greater Anna Chamber of Commerce and our more than 200 members, including a majority of small business, I would like to show our support of the H.R. 101, the Small Business Health Fairness Act. There are many small businesses in our community that cannot currently economically and efficiently afford healthcare for their employees. We hope this legislation will help ease that affordability on both our businesses and employees.

With better access to healthcare, employees could be more willing to work at these smaller businesses instead of only working for larger corporations. This will help our local community by keeping our employees

closer to their home, families and children's schools. Again, we support for Small Business Health Fairness Act and look forward to a better solution to our current healthcare problem.

Best Regards,

KEVIN HALL,
Executive Director,
Greater Anna Chamber of Commerce.

Mr. SAM JOHNSON of Texas. Mr. Speaker, by allowing small businesses to band together, they can collectively purchase more affordable health insurance for their employees.

Let's get this commonsense plan passed. Let's help those who power our economy be able to get the health care they want, need, and deserve for themselves and their workers.

Mr. Speaker, I urge all my colleagues to vote in favor of H.R. 1101.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. ESPAILLAT).

Mr. ESPAILLAT. Mr. Speaker, I rise today in opposition to H.R. 1101, the Small Business Health Fairness Act.

Mr. Speaker, the concept of association health plans, AHPs, is nothing new. Versions of this bill have been around for many years. They don't work.

Currently, AHPs are regulated by the States, ensuring the ability to protect consumers. H.R. 1101, however, will yank association health plans from the realm of State oversight by federally certifying them and holding them to few, if any, regulatory requirements. This would strip the States of the ability and fidelity to regulate beneficiary protections that exist to protect their citizens.

Federally certifying AHPs will allow selective choice of which benefits are provided and which persons can enroll. This is a complete and total disservice to all individuals and citizens in a State's health insurance market. Association health plans currently exist and operate in New York State, serving many thousands of beneficiaries and avail New Yorkers' protections, benefits guarantees, and avenues for appeal through the Department of Financial Services.

This bill does nothing to offer guaranteed affirmative coverage. It would permit preexisting conditions as a legitimate reason to exclude individuals. It has no minimum threshold for anything resembling essential health benefits, and it fails to offer a requirement for the actuarial value of the insurance product to cover total health costs.

What then remains is not a health plan. In fact, what remains is strikingly similar to what the American Health Care Act purports to offer millions of Americans: less coverage for those enrolled and more expense for those who are too sick, too old, and too poor to be approached by an AHP.

AHPs would lead to higher costs for seniors and individuals who are sicker and will dilute the risk pool of entire

States, leading to higher premiums and out-of-pocket expenses. Where the American Health Care Act will unilaterally hurt all Americans, H.R. 1101 would accomplish the same harm directed at the sickest and most underserved in a more prejudicial manner.

Mr. Speaker, I offered an amendment to this bill, which was germane, yet not made in order. My amendment would have protected the rights of the States to regulate association health plans, to include regulation of benefits, consumer protections, and rating restrictions. The goal of my amendment was to ensure that all States and their constituents have the same security and protections that my constituents have benefited from over the past 7 years: consumer protections against surprise billing and adverse selection, provider protection for prompt claim payment and preauthorization, protection for local and regional insurers so that large national insurance companies cannot cherry-pick the good risk.

I certainly believe and would hope that my colleagues on the other side of the aisle support program integrity and protecting our constituents, which is what my amendment would have made clear.

Lastly, I would like to be clear that I am supportive of increasing access to health care that is comprehensive and affordable for all Americans. The bill before us does not do that. The American Health Care Act certainly does not do that.

Mr. Speaker, I urge my colleagues to strongly oppose this rolling back of health care.

Ms. FOX. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. WALBERG), the chairman of the Subcommittee on Health, Employment, Labor, and Pensions.

Mr. WALBERG. Mr. Speaker, I rise today in support of H.R. 1101, the Small Business Health Fairness Act, a bill that will help people in Michigan and across the country by expanding affordable coverage for workers and their families.

I thank our colleague, Representative SAM JOHNSON of Texas, for introducing this legislation. I really enjoyed hearing the gentleman from Texas and his comments about this being common sense. Representative SAM JOHNSON of Texas defines common sense and patriotism. He has tirelessly championed this bill for years, and it is a pleasure to join him in pushing for these positive reforms.

Mr. Speaker, health care in this country has become simply unaffordable for far too many small businesses and working families. The Patient Protection and Affordable Care Act has proved to be an utter failure for most people in the United States. It is snowballing out of control and rolling over working families and small businesses.

Ninety-five percent of small businesses have reported increased health insurance costs over the past 5 years. A 2015 study by the National Federation of Independent Businesses found that the cost of health insurance is the principal reason that small businesses do not offer coverage.

As a result, since 2008, 36 percent of small businesses with fewer than 10 employees have stopped offering healthcare coverage to their employees. It is not that they don't want to offer healthcare benefits. The truth of the matter is that small businesses have been hit especially hard by the government takeover of health care. Under ObamaCare, the working families I speak to in my district are paying more for less and finding they have fewer options for coverage.

H.R. 1101 is a key part of the third phase of our efforts to reform our healthcare system so it works for all Americans. It aims to increase the negotiating power of small businesses so they can bring down health insurance costs for their employees.

Right now, small businesses are often on an unequal playing field with larger companies and unions. Because they have few employees, small businesses have limited bargaining power when it comes to negotiating for lower insurance costs for their workers.

The SPEAKER pro tempore (Mr. ROGERS of Kentucky). The time of the gentleman from Michigan has expired.

Ms. FOXX. Mr. Speaker, I yield an additional 15 seconds to the gentleman.

Mr. WALBERG. Mr. Speaker, this bill levels the playing field for small businesses, allowing them to band together through association health plans and negotiate the best deals to provide health care at a lower cost. It also represents an important step toward purchasing health insurance across State lines.

Today's vote is an immediate first step to help job creators provide affordable healthcare options to their employees and a transition toward a patient-centered healthcare system.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield 4 minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, again, as someone who was a small-business employer for 27 years and provided health benefits for my staff, I am acutely aware of the challenges in the small-business market which long predate passage of the Affordable Care Act and which is still something that we can do better in terms of helping folks deal with this issue, which, again, is so important because small businesses are the job creators in the American economy.

What I want to sort of point out is that this legislation, in my opinion, is just a complete misfire. Let's, first of

all, remind everyone that there are over 670 association health plans existing in America today.

The notion that the Affordable Care Act somehow is smothering or stifling association health plans is, in fact, just factually false. There are many that are in business, providing coverage, as has been said by some of the prior speakers, for people in industries like restaurants, et cetera. Again, we are not talking about some existential threat that is out there in terms of association health plans today.

The guts of this bill—and it is quite extraordinary coming from, again, the Republican Party—is to preempt State Governments from having any say over the solvency and the benefit design of plans that operate under association health plans.

Back in the 1990s, there was a spate of problems with association health plans going belly up because, again, there was no State insurance solvency standards to make sure that there were funds set aside to pay the bills of people who were employed in the businesses that these plans were set up to serve.

As a result, Congress acted. We basically said that the Federal Government was doing a lousy job in terms of protecting patients. And we gave States the ability, through their State insurance departments, to make sure that certain solvency standards were met and, as was stated earlier, that they weren't able to cherry-pick just the healthiest and leave the rest for the other segments of the health insurance industry.

As a result of the fact that we made this change, again, the State insurance commissioners all across America, Republican States and Democratic States, have weighed in. They sent a letter on February 28 pleading with Congress not to do this, not to pass this bill which eliminates their ability to protect the citizens of their States.

So this bill is actually an anti-states' rights bill because it is basically saying the Federal Government is just going to step in and wipe out the way in which these plans operate and just lead, again, a race to the bottom, the lowest threshold of protections for patients; and that is considered healthcare reform or somehow advancing the ball in terms of helping small businesses.

There are many other ways to deal with this issue, and this is not the right one. Again, this is not some new idea that we are debating. This has been back and forth over the years, in the 1990s and the early 2000s. It predates the Affordable Care Act by decades, and it is just an old chestnut that is being thrown out in the floor in the name of some idea to sound like we are doing something for small businesses.

Again, under the Affordable Care Act, we set up a 50 percent tax credit

for businesses that qualify for it to make health insurance affordable.

I did two townhalls back in my district. I had a plumber from the next town over who, again, took advantage of that 50 percent tax credit. He saved thousands of dollars in terms of providing health benefits for his small business.

We can expand that tax credit to get a wider universe of small businesses, and that is what we should be doing. We should be building on what is successful, again, not watering down existing patient protection and consumer protection laws that ensure that plans are actually going to have enough funds to pay the bills when people get sick or go to the hospital and certainly not be able to cherry-pick what benefits are considered essential or not.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield an additional 1 minute to the gentleman.

Mr. COURTNEY. Mr. Speaker, we should not be allowing health plans to decide we are not going to cover maternity or that they can pick and choose what essential benefits that, again, the rest of the universe of businesses have to provide now under the Affordable Care Act, which are, again, based on sound medical research, not political decisions or not just the whims of people who are running health plans, like association health plans.

Again, this is the wrong approach. This is, again, turning the clock backwards. It is not going to provide any protections, and it certainly is not responding to some existential threat of association health plans. There are 672 in operation today. Let's help them with programs like tax credits. Let's not just sort of turn that whole sector of the health insurance marketplace into the Wild West because it is patients who are going to lose. Our citizens are going to lose. We can do better than that as a Congress.

Mr. Speaker, again, I strongly urge a "no" vote on this measure.

Ms. FOXX. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. ROE), a distinguished colleague, a member of the committee, and the chair of the Veterans' Affairs Committee.

□ 1430

Mr. ROE of Tennessee. Mr. Speaker, I rise today in strong support of H.R. 1101, the Small Business Health Fairness Act, sponsored by my good friend and true American hero, SAM JOHNSON. I encourage all of my colleagues to do the same. This bill is an important tool to help empower small businesses to offer more affordable healthcare options to their employees.

Mr. Speaker, as a former small-business owner myself, I know that most

small-business owners want to do the right thing and offer health insurance to their employees. We did so in my practice.

But many of these businesses are struggling with the cost and complexities of offering health insurance to their employees. ObamaCare has exacerbated this problem for small businesses. Thousands of jobs and thousands of small businesses have closed.

We have a better way. We are going to start by passing the American Health Care Act, which will repeal many of ObamaCare's taxes and mandates and replace it with free market reforms.

But there is much more that can be done. Perhaps the only thing that has prevented ObamaCare from causing even more widespread damage was the success of ERISA, employer-sponsored health insurance.

We believe small businesses deserve the same protections that large businesses do, and that is why we are passing this legislation today. The Small Business Health Fairness Act takes positive steps toward creating a more competitive healthcare marketplace, lowering insurance costs for many small employers.

Mr. Speaker, why would anybody care if association health plans got together and allowed me to purchase insurance across a State line?

I have a community in my district where the State line on one side of the street is Bristol, Virginia, on the other side is Bristol, Tennessee. Why would it matter? Why couldn't I purchase that insurance across the State line if it helped my employees and lowered costs?

And, by the way, Mr. Speaker, the Affordable Care Act is working so well for consumers that 18 out of 23 of the co-ops went broke, leaving hundreds of thousands of people to search for insurance coverage.

For the past 8 years, House Republicans have engaged the administration and encouraged them to work with us to implement a more patient-centered healthcare system; but, instead of working with us on a common goal, they have layered on additional costs for small businesses.

I again want to encourage my colleagues to support H.R. 1101.

Mr. SCOTT of Virginia. Mr. Speaker, would the Chair advise us how much time is available on both sides?

The SPEAKER pro tempore. The gentleman from Virginia has 14½ minutes remaining, and the gentlewoman from North Carolina has 16¾ minutes remaining.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just wanted to point out a few letters that we have received, one from the Diabetes Association, which includes, in part: "The Associa-

tion has serious concerns that AHPs would lead to a two-tiered market, in which AHPs offer inadequate coverage to healthy groups only, while State-regulated plans provide adequate coverage with consumer protections but at an increasingly higher premiums. For these reasons, we urge you to oppose the Small Business Health Fairness Act of 2017, H.R. 1101."

We have also received a letter, Mr. Speaker, from the National Association of Insurance Commissioners. They said in their letter: "The legislation as written would eliminate all State consumer protections and solvency standards that ensure consumers receive the coverage for which they pay their monthly premium. These protections are the very core of a State regulatory system that has protected consumers for nearly 150 years . . . history has demonstrated that AHP-type entities have done more harm than good to small businesses."

Mr. Speaker, we also received a letter from The Main Street Alliance, which said: "In short, H.R. 1101 would result in higher premiums and poorer coverage for the most vulnerable small-business owners, would destabilize the small group market, and would lead small-business owners and employees to assume unnecessary financial risks."

We also heard from the Consumers Union: "Consumer's Union has long raised the inadequacies of AHPs . . . and urges Congress to reject them as likely to fragment the insurance risk pool and provide minimal and nonuniform benefits exempt from State benefit mandates."

We also heard from a long coalition of consumer groups, providers, and labor unions which said that this bill would just move backward to a two-tiered system that makes it harder to purchase comprehensible, affordable coverage for all but a minority of small businesses.

Mr. Speaker, I include in the RECORD these letters.

AMERICAN DIABETES ASSOCIATION,
March 21, 2017.

HON. PAUL RYAN,
Speaker, House of Representatives,
Washington, DC.

HON. NANCY PELOSI,
Democratic Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER RYAN AND LEADER PELOSI: On behalf of the nearly 30 million Americans living with diabetes and the 86 million more with prediabetes, the American Diabetes Association (Association) is writing to express our strong opposition to the Small Business Health Fairness Act (H.R. 1101). This legislation is nearly identical to legislation considered by previous Congresses and that last passed the House of Representatives in 2003. The Association opposed that legislation and writes now to express our strong concerns with this bill and the impact it will have for people with, and at risk for, diabetes.

The legislation would create federally certified association health plans (AHPs) with the goal of making coverage more affordable

for small businesses by allowing them to band together to purchase coverage on behalf of a larger insurance pool. We share the goal of making coverage more affordable, but not at the expense of required consumer protections, signed into law in 47 states, which ensure people with diabetes have access to the services and financial protection they need.

H.R. 1101 would broadly exempt AHPs from critical state benefit standards, solvency rules, and consumer protections, including requirements to cover health services essential to those with diabetes. Specifically, H.R. 1101 would confer on AHPs wide authority to:

Determine benefits to be covered: Other than requiring AHPs to meet limited federal requirements for ERISA-governed plans, H.R. 1101 would give AHPs broad discretion to omit important health benefits.

Determine eligibility for coverage: While H.R. 1101 would require AHPs to comply with ERISA non-discrimination provisions, the AHP board would retain sole discretion to approve applications for participation in the plan and to set premiums based on an employer's health care claims experience.

Maintain inadequate reserves: H.R. 1101 applies federally determined solvency standards that are weaker than state standards, exposing plan members to the risk of insolvency and unpaid medical bills.

Because AHPs would compete with state-regulated plans on an uneven playing field, they would likely cherry-pick healthy small employer groups, making the risk pool in the state-regulated market less healthy and more costly. In addition, those who obtain coverage through an AHP would likely have benefits that lack coverage for essential services and would expose them to higher out-of-pocket costs and potential plan insolvencies. In fact, numerous AHPs offered in the past have gone insolvent and left consumers uninsured and with unpaid medical bills.

The Association has serious concerns that AHPs would lead to a two-tiered market, in which AHPs offer inadequate coverage to healthy groups only, while state-regulated plans provide adequate coverage with consumer protections but at increasingly higher premiums. For these reasons, we urge you to oppose the Small Business Health Fairness Act of 2017, H.R. 1101.

If you have questions or would like to discuss this issue, please contact Rob Goldsmith, Director, Federal Government Affairs.

Sincerely,
LASHAWN MCIVER, MD, MPH,
Senior Vice President of Advocacy,
American Diabetes Association.

NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS & THE CENTER FOR INSURANCE POLICY AND RESEARCH,

February 28, 2017.

HON. VIRGINIA FOXX,
Chair, Committee on Education and the Workforce, House of Representatives, Washington, DC.

HON. ROBERT C. SCOTT,
Ranking Member, Committee on Education and the Workforce, House of Representatives, Washington, DC.

DEAR MADAME CHAIRWOMAN AND MR. RANKING MEMBER: The U.S. House Education and the Workforce Committee is once again scheduled to consider legislation that would allow a new category of health insurance company, "Association Health Plans (AHPs)," to form and operate outside the authority of state regulators and beyond the

reach of proven state consumer protections and solvency laws. This bill, H.R. 1101, would adversely impact consumers and the National Association of Insurance Commissioners (NAIC) urges you to oppose it.

The NAIC, which represents the nation's insurance regulators, shares the sponsors' concern for the growing number of small business owners and employees who cannot afford adequate coverage. However, the root cause of this problem is the steadily rising cost of healthcare merely reflected in premiums, and this legislation would do nothing to address that reality. In fact, we fear the legislation could actually increase the cost of insurance for many small businesses whose employees are not members of an AHP.

Even more troubling than prescribing a treatment that does not address the underlying disease, the legislation would actually harm consumers by further segmenting the small group market, eliminating critical state consumer protections, and could lead to increased fraud and plan failures. This legislation would encourage AHPs to "cherry-pick" healthy groups by designing benefit packages and setting rates so that unhealthy groups are disadvantaged. This, in turn, would make existing state risk pools even riskier and more expensive for insurance carriers, thus making it even harder for sick groups to afford insurance. In addition, the legislation as written would eliminate all state consumer protections and solvency standards that ensure consumers receive the coverage for which they pay their monthly premium. These protections are the very core of a state regulatory system that has protected consumers for nearly 150 years. As we have already seen in the past when such plans were allowed under federal law, consumers will be left with unpaid claims and nowhere to turn when they are harmed. A prior law along the lines of H.R. 1101 was repealed because it was found to harm consumers; the same mistake should not be made again.

We recognize that supporters of AHPs are well intentioned, looking for solutions to the same problems we are seeking to address, but history has demonstrated that AHP-type entities have done more harm than good to small businesses. A far broader approach to the existing problems—one that addresses healthcare spending, allows more innovation, and permits more state flexibility—is necessary to bring real relief to small businesses. The federal government and the states need to work with healthcare providers, insurers and consumers to implement effective reforms that will curb spending and make insurance more affordable to small businesses. Rehashing strategies that have failed would not be a step forward. It is time to move on and find more effective solutions.

Sincerely,

TED NICKEL,
NAIC President, Commissioner, Wisconsin Office of the Commissioner of Insurance.

ERIC A. CIOPPA,
NAIC Vice President, Superintendent, Maine Bureau of Insurance.

JULIE MIX MCPHEAK,
NAIC President-Elect, Commissioner, Tennessee Department of Commerce & Insurance.

DAVID C. MATTAX,
NAIC Secretary-Treasurer, Commissioner of Insurance, Texas Department of Insurance.

THE MAIN STREET ALLIANCE,
Washington, DC, March 8, 2017.

Chairwoman VIRGINIA FOXX,
Washington, DC.
Ranking Member BOBBY SCOTT,
Washington, DC.

DEAR CHAIRWOMAN FOXX, RANKING MEMBER SCOTT, AND MEMBERS OF THE HOUSE EDUCATION AND WORKFORCE COMMITTEE: On behalf of the Main Street Alliance, I write to express opposition to the "Small Business Health Fairness Act" (H.R. 1101). The Main Street Alliance is a national network of small business owners across the country. Access to affordable, high-quality health coverage has been a core concern for small businesses for years, and slowing the skyrocketing rate increases continues to be a top priority for our membership. Unfortunately, the proposed legislation would erode important gains in premium stabilization while causing our business owners to assume unnecessary financial risks.

As you may know, prior to the Affordable Care Act (ACA) small business owners paid substantially more on average for health coverage and received fewer comprehensive benefits than larger companies. They also experienced broad unpredictability in costs, with premiums varying wildly from year to year. One employee's expensive illness could cause the insurance rates for the whole firm to spike in subsequent years.

Critical market reforms instituted through the ACA addressed many of these concerns. Insurance companies in the individual and small-group market—including association health plans—can no longer charge small firms higher premiums based on their business sector, an employee's health status, age, or gender. Nor can they offer sub-par plans that exclude essential services, such as maternity care or pediatric care. Instead, they must now base their pricing on the cost of covering all individuals in the market, not just one firm. Participating in this larger risk pool means that small business owners, like their larger counterparts, are no longer vulnerable to sharp swings in their rates based on the health of a few employees. It also means that they can expect a basic quality assurance with any health plan they select.

H.R. 1101 would undermine these protections by allowing small employer groups and individuals to join together to obtain health insurance through an unregulated association health plan (AHP). These plans would be exempt from the ACA reforms identified above, along with any state laws. This would allow them to "cherry pick" good risk through the design of the benefit package or choice of service area. AHPs could also have limited risk simply due to the types of businesses that belong to the association. While AHPs may save money in the short-term by avoiding costs of consumer protections, enrollees would receive less robust coverage and may be left without important protections right when they need them the most.

Furthermore, the bill would destabilize the small group and individual market by exacerbating adverse selection, driving up costs for the most vulnerable enrollees. Under the proposed legislation, AHPs would compete with other small group and individual market plans. The proposed legislation would

allow employers with younger, healthier workforces to withdraw their employees from a state's small group market thus leaving behind small businesses with older and sicker employees. While the rates may drop for those businesses that belong to associations, which offer health coverage, premiums will increase for the remaining. This adverse selection would make it harder for higher-cost individuals or groups to obtain coverage.

Finally, the proposed legislation could expose employers and employees to financial ruin. The proposed legislation would allow certain AHPs to self-insure and accept insurance risk. Because of the current regulatory void, AHPs are not subject to state solvency requirements that are in place to ensure insurance companies have sufficient resources to avoid financial failure. As with unregulated multiple employer welfare arrangements, AHPs could experience bankruptcies—leaving millions of small employers and workers without health coverage due to insolvencies.

In short, H.R. 1101 would result in higher premiums and poorer coverage for the most vulnerable small business owners, would destabilize the small group market, and would lead small business owners and employees to assume unnecessary financial risks. The Main Street Alliance strongly urges you to oppose the legislation.

Please feel free to contact Michelle Sternthal, Policy Director for the Main Street Alliance, with any questions.

Sincerely,

AMANDA BALLANTYNE,
National Director.

CONSUMERSUNION,
March 21, 2017.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: We are writing today to oppose the Small Business Health Fairness Act (H.R. 1101) and the proposed rules for association health plans.

Today, small businesses are already able to join together to purchase coverage through Association Health Plans (AHPs). These AHPs are currently regulated by the states, just like other insurance in the small group market. H.R. 1101 would allow an AHP to be entirely exempt from state regulation by being self-insured or following the rules of a single state nationwide.

ConsumersUnion has long raised the inadequacies of AHPs as a solution to improving access and strengthening the health of insurance markets, and urges Congress to reject them as likely to fragment the insurance risk pool and to provide minimal and non-uniform benefits exempt from state benefit mandates. These plans would split the healthy from the sick and drive up costs for those who do not enroll in them.

As a non-partisan, independent organization that has advocated for the best consumer products and policies for more than 80 years, we believe that altering the rules for AHPs as proposed in this bill would undermine consumers' access to fairly priced, quality health coverage.

Our objections are that:

AHPs would be offered alongside other small group and individual market plans. However, they would operate under different rules. Past experience shows this is likely to lead to cherry-picking, adverse selection, and increased costs for sicker individuals and small businesses. Put another way, this would lead to health risk being segmented with the less healthy consumers excluded

from the AHP risk pool. A core, long-held ConsumersUnion principle is to support broad pooling of risk as fairer and more cost-effective for consumers. We do not support lower rates for healthiest consumers at the expense of older or sicker consumers.

This Act would undermine state consumer protection laws by restricting the ability of states to regulate AHPs. This loss of protections could lead to increased fraud, inadequate coverage and consumer-unfriendly benefit designs. In July 2003, Consumer Reports profiled similar plans in a story entitled *Phony Health Insurance*. The story noted that fraudulent sales and financial instability stifled consumers for \$65 million in unpaid medical bills.

This Act would give AHPs sole discretion to select what type of care they will and will not include in their products; this is a departure from current policy, which only permits AHPs that meet insurance standards set for the individual and small group market. Consumers who buy into these plans will lose the guarantees of care created by the ACA's essential health benefits and actuarial value requirements—likely unknowingly—and will have difficulty knowing what AHPs cover.

It is unlikely that these AHPs will be able to attract enough members to be able to negotiate more effectively with providers, compared to large insurers already operating in these states. Consequently, we do not believe that these designs will lower costs for consumers.

Multiple Employer Welfare Arrangements (MEWAs) once operated in a regulatory vacuum similar to the one proposed through H.R. 1101. Self-funded MEWAs had no clear regulatory authority, as initially it appeared that ERISA exempted them from state-level regulatory oversight. Multiple MEWA bankruptcies resulted, and consumers had limited avenue for redress. In the absence of clear regulatory authority over AHPs, insolvencies could leave millions of small employers and workers without health coverage or redress. Current state solvency standards have a 150 year track record of protecting consumers and should not be undermined.

We believe there are much better, time-tested ways to increase the availability, affordability, and accessibility of health insurance for consumers—approaches that rely on the wise and accepted insurance principles of broad pooling of risks and avoidance of risk selection—without resorting to the detrimental effects of H.R. 1101. We note that the National Association of Insurance Commissioners, as well as the American Academy of Actuaries, has similar, grave concerns about this Act.

Sincerely,

LAURA MACCLEERY,
Vice President, Consumer Policy and Mobilization, Consumer Reports.

LYNN QUINCY,
Associate Director, Health Policy, Consumer Policy and Mobilization, Consumer Reports.

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

Ms. FOXX. Mr. Speaker, I now yield 1½ minutes to the gentleman from Ohio (Mr. CHABOT), the distinguished chairman of the Small Business Committee.

Mr. CHABOT. Mr. Speaker, I want to thank the gentlewoman from North

Carolina for her leadership on this issue.

Mr. Speaker, I rise to voice my strong support for H.R. 1101, the Small Business Health Fairness Act. I thank my colleagues from Ways and Means and from the Education and the Workforce Committee for getting this great idea onto paper and moving this bill forward today.

As chairman of the House Small Business Committee, I am always very appreciative to see Members from across this body find solutions for small businesses. That is exactly what this bill is.

For virtually any one of us in this Chamber, it can be said that hundreds of thousands of our constituents depend on small businesses for their livelihoods. They have been looking to those same small businesses for options, as ObamaCare has done the opposite of what it was supposed to do and it has diminished choices for workers.

By allowing small businesses to join together through association health plans, the Small Business Health Fairness Act would give small business employees at least as many choices as those who happen to work for larger companies.

Association health plans have long been a solution suggested by small businesses that share their views with me and other members of the Small Business Committee. This bill puts that idea finally into action.

Mr. Speaker, in our current state of affairs, there are fewer and fewer healthcare options available for hardworking Americans. This bill addresses that problem for our hardest hit small businesses and communities.

While we begin the hard work of making health care not only affordable but worth buying at all, this bill is an important step in giving Americans the certainty and choices that they want. I would urge my colleagues on both sides of the aisle to support this bill.

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

Ms. FOXX. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. ALLEN), a member of our committee.

Mr. ALLEN. Mr. Speaker, I thank the chairwoman for her leadership on this important bill.

Mr. Speaker, today I rise in support of H.R. 1101, the Small Business Health Fairness Act.

Since 2008, the number of small businesses offering health insurance to its employees has dwindled nearly 36 percent. The culprit? Well, ObamaCare.

You know, the American people deserve choice. I have lived this reality. I owned and operated a small business for over 40 years back home in Georgia. I know how ObamaCare premium increases hurt and, in some cases, affect a business' ability to provide health care for its employees.

I believe the greatest gift God gave me as a small-business owner was the ability to give others a good job along with the dignity and respect they deserve to provide for their family, their community, their church, and, yes, this Nation.

All hardworking American small-business owners should be able to give their employees these same opportunities. For this reason, I am a strong supporter of the Small Business Health Fairness Act legislation, which would allow small businesses to band together and purchase health care for workers and their families at a lower cost.

Folks, this is innovation. This is what the small business community does. Small businesses are the backbone of America. I will fight for their strength and their survival.

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

Ms. FOXX. Mr. Speaker, I now yield 2 minutes to the distinguished gentleman from Michigan (Mr. MITCHELL), a member of the committee.

Mr. MITCHELL. I thank the gentlewoman from North Carolina for yielding me time.

Mr. Speaker, I rise in support of the Small Business Health Fairness Act. We have all talked a lot about our plan to repeal and replace ObamaCare. This legislation is a key component of our rescue mission for health care in America.

Small businesses have been hit particularly hard by ObamaCare's mandates, skyrocketing costs, and limited choices. Small-business owners, many of whom want to provide health care for their employees, have told me that they are struggling to do so because of ObamaCare.

This legislation would level the playing field for small businesses by allowing them to band together to increase bargaining power to lower costs. It would expand affordable care for families trying to secure health insurance through their employer and lower costs for small businesses with limited resources.

In addition, this bill includes strong protections for patients with pre-existing conditions, a top priority of mine and many of my colleagues as we work for healthcare reform in America.

Today we are acting on our promises to deliver relief from ObamaCare. We are returning power where it belongs, choice where it belongs: to patients and doctors, not Washington.

I urge you to support the Small Business Health Fairness Act.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bad idea in this plan has been exposed in one of the letters that I mentioned. I said there are a lot of consumer groups, and I just want to name the groups that signed the letter.

The American Nurses Association; the Alliance for Retired Americans; the American Cancer Society Cancer Action Network; the American Diabetes Association; the American Federation of State, County and Municipal Employees; the Association of Reproductive Health Professionals; Bazelon Center for Mental Health Law; Community Catalyst; Consumers Union; Families USA; International Union, United Automobile, Aerospace and Agricultural Implement Workers of America—the UAW; NARAL Pro-Choice America; the National Council of La Raza; the National Education Association; the National Institute for Reproductive Health; National Partnership for Women and Families; National Women's Health Network; Raising Women's Voices for the Health Care We Need; and the Service Employees International Union all oppose this legislation.

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

Ms. FOXX. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Minnesota (Mr. LEWIS), a member of our committee.

Mr. LEWIS of Minnesota. Mr. Speaker, I thank the gentlewoman from North Carolina for her leadership here and on the committee as well.

Mr. Speaker, I rise today in support of H.R. 1101, the Small Business Health Fairness Act.

It is amazing as a freshman in this body to watch this debate over what we are trying to do on this side when we know what has already transpired, what has been done:

The Affordable Care Act was going to lower our premiums \$2,500. That is what the President said. But they went up by \$4,800.

In my home State of Minnesota, we have seen back-to-back increases of 55 and 67 percent, 100,000 people thrown off their plan.

We have got 1,000 counties in this country with just one insurer.

The exchanges are imploding. As young, healthy people can't afford the premiums, they drop out, and the pools only have the older and the sicker.

We have job lock, where people trying to start a small business can't get the same tax advantages or purchasing power as those in big companies.

So what to do? We are going to stabilize the insurance markets through choice and competition, and that is what H.R. 1101 does. It lowers premiums. It enlarges pools. We do that. We must do that to save the health insurance markets and health care in America. That is the agenda of H.R. 1101. That is the agenda of what we are trying to do in global healthcare reform.

So today, as we debate how to fix health care in America, let us not forget the status quo and the debacle it is. So I stand and I urge my colleagues to

support this bill, and I further urge my colleagues to finish the job over what we are starting on real healthcare reform.

Mr. SCOTT of Virginia. Mr. Speaker, I just want to quote from another letter that we received from Blue Cross Blue Shield Association. They say: "We have very serious concerns that H.R. 1101 would create preferential rules that would allow an AHP to be entirely exempt from State regulation by being self-insured or follow the rules of a single State nationwide. Research clearly shows that creating special rules for AHPs and exempting them from State regulation would lead to major problems, including . . . increased insolvency risk . . . increased costs for older, sicker workers." Therefore, they are also in opposition to this legislation.

I include in the RECORD the entire letter.

BLUECROSS BLUESHIELD ASSOCIATION,
Washington, DC, March 7, 2017.

Hon. VIRGINIA FOXX,
Chair, Committee on Education and the Workforce, House of Representatives, Washington, DC.

Hon. ROBERT C. SCOTT,
Ranking Member, Committee on Education and the Workforce, House of Representatives, Washington, DC.

DEAR MADAM CHAIRWOMAN AND MR. RANKING MEMBER: The Blue Cross and Blue Shield Association shares your commitment to ensuring small employers are able to provide their employees with high quality, affordable health coverage. However, we are concerned that H.R. 1101, the "Small Business Health Fairness Act" would not accomplish this critical goal, as it does not reflect key principles that are essential to ensuring a viable private health insurance market: (1) all competitors should abide by the same set of rules; and (2) states should have clear authority to regulate.

Today, small businesses are able to join together to purchase coverage through association health plans (AHPs). AHPs are currently regulated by the states, just like other insurance in the small group market, and can be a good option for small employers who want to provide their employees with affordable coverage.

We have very serious concerns that H.R. 1101 would create preferential rules that would allow an AHP to be entirely exempt from state regulation by being self-insured or follow the rules of a single state nationwide. Research clearly shows that creating special rules for AHPs and exempting them from state regulation would lead to major problems, including:

Increased insolvency risk: The legislation as drafted would allow for some AHPs to be entirely exempt from state regulation, and instead operate under very limited federal rules and oversight. Past experiences with these kinds of arrangements left millions without health coverage and unpaid claims due to insolvencies.

Increased costs for older, sicker workers: Ultimately, H.R. 1101 would make it much harder for small employers with older, sicker workers to obtain coverage. This is because lower-cost groups would move to a more loosely regulated AHP with fewer benefit and rating rules, while older and/or high-cost groups would remain in traditional insurance plans.

Attached is a compendium of research findings, which provides overwhelming evidence that AHP legislation would make health insurance less accessible, less affordable and less secure for small employers and individual consumers.

We look forward to working with you on solutions that can be taken to improve access and affordability for small employers.

Sincerely,

ALISSA FOX,
Senior Vice President.

□ 1445

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

Ms. FOXX. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

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

Mr. Speaker, association plans will help the fortunate few who can get in so long as the members of that association remain healthier than average. But everybody else will pay more. Furthermore, these plans, when they are formed under the bill, will evade important State regulations that could improve solvency and provide important consumer protections.

This is not unlike the philosophy, I guess, on the other replace bill where 24 million fewer people will have insurance; the rest will pay more and get less; while millionaires benefit with huge tax cuts. In this, the fortunate few benefit to the expense of everybody else.

I would hope we would defeat the legislation.

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

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

Mr. Speaker, some of our colleagues on the other side of the aisle have spent a lot of their time extolling ObamaCare and indicating that we should just stay with what we have, but we all know that ObamaCare is failing.

Republicans are on a rescue mission. We truly do have a better way. As some of my colleagues have stated, we will be passing the American Health Care Act tomorrow. What we are doing here with this bill is something we could not include in that legislation that will round out what it is we want to do with keeping our promise in what we promised last year in our program called A Better Way.

Let me just talk a little bit about the failures of ObamaCare. As my colleagues have said, all the promises were broken: if you wanted to keep your doctor, you could keep your doctor; if you wanted to keep your healthcare plan, you could keep your healthcare plan. Those promises were the most obvious ones that went away. The cost of health care would be going down, and none of that happened.

Mr. Speaker, in addition to that, there is a 25 percent average increase in premiums this year for millions of

Americans trapped in ObamaCare, healthcare.gov exchanges. Nearly one-third of U.S. counties have only one insurer offering exchange plans; 4.7 million Americans were kicked off their healthcare plans by ObamaCare. There was \$1 trillion in new taxes, mostly falling on families and job creators; 18 failed ObamaCare co-ops out of 23, which my colleague from Tennessee so eloquently pointed out.

These were established as an alternative to the public option. Those healthcare co-ops collapsed, costing taxpayers nearly 1.9 billion and forcing patients to find new insurance; \$53 billion in new regulations requiring more than 176,800,000 hours of paperwork. ObamaCare regulations are driving up healthcare premiums and costing small-business employees at least \$19 billion annually.

As I said in the hearing that we had on this bill, the Democrats want a coercive system. Republicans want a system based on freedom.

Today we have an opportunity to make a real difference in the lives of hardworking men and women who are employed by small business. We have an opportunity to deliver much-needed relief to small-business owners who are trying to do the right thing and provide high-quality healthcare coverage for their employees. This legislation represents a truly positive reform that will help lower healthcare costs for working families and put small businesses on a fair and level playing field.

Small businesses are the backbone of our Nation's economy, and there is no reason why they should be at a disadvantage when it comes to finding an affordable healthcare plan. They should be treated in the same fashion as larger businesses and have the ability to craft healthcare plans that meet the needs of their employees. If we want to encourage small businesses to offer health care at a lower cost to workers, this is one commonsense step we can make.

Again, I thank our colleague, Congressman SAM JOHNSON, a true patriot and servant of this country, for his longtime support of this legislation.

I urge my colleagues to vote "yes" on H.R. 1101, the Small Business Health Fairness Act, which will help more Americans access high-quality, affordable health care.

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

Mr. COLLINS of Georgia. Mr. Speaker, I rise in support of H.R. 1101, the Small Business Health Fairness Act of 2017.

Small businesses are the backbone of our economy, providing economic opportunity and employment for millions of Americans across our country.

Too often, we have seen the economic engine stall due to intrusion and overregulation that come courtesy of the federal government. There are few places where this is more obvious than in the staggering health care costs

small businesses face, costs which ObamaCare have only driven up.

ObamaCare's burdensome mandates have driven premiums up and insurance providers out of the market, and small employers have found themselves increasingly unable to cover their employees. The big picture for small businesses is that the ACA has smothered patient choice and patient-centered care in the process of overregulating our job creators.

In the House, we are empowering small businesses to fight back by increasing their bargaining power with insurance providers and leveling the playing field that they share with larger companies. The Small Business Health Fairness Act will help lower health care costs for employees by allowing small businesses to join together through association health plans.

Ultimately, this bill will bring relief to American employees and their families by making insurance more affordable and accessible.

H.R. 1101 is an important step toward empowering small businesses to care for their employees while prioritizing the job creation that strengthens our communities. At the same time, this bill would contribute to a patient-centered, competitive, and low-cost health care system for all Americans. I am proud to support this legislation as we return choice to our businesses and loved ones.

The SPEAKER pro tempore. All time for debate on the bill has expired.

AMENDMENT NO. 1 OFFERED BY MS. HERRERA BEUTLER

Ms. HERRERA BEUTLER. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of section 6 the following:
(c) COORDINATION WITH EXISTING LAW.—Nothing in this Act shall require plans to become certified under section 802 of the Employee Retirement Income Security Act of 1974, as amended by this Act, or require plans that are not certified under such section to comply with the requirements under part 8 of such Act, except to the extent provided in section 809 of such Act.

The SPEAKER pro tempore. Pursuant to House Resolution 210, the gentlewoman from Washington (Ms. HERRERA BEUTLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. HERRERA BEUTLER. Mr. Speaker, I thank Chairwoman FOXX and the Committee on Education and the Workforce for their work on this important bill that will benefit small businesses and the families who work for them.

My amendment to the Small Business Health Fairness Act provides a straightforward clarification to ensure that existing association health plans can continue to operate and provide high-quality, affordable care to as many people as possible.

This amendment safeguards association health plans that have been successfully operating under State and Federal law—many of them for dec-

ades. We will be making certain that they would not inadvertently be disadvantaged by new Federal legislation or regulation or vulnerable to efforts to restrict access and limit choices.

Why do we need this amendment?

Because I fear what happened in my State will happen in others, where the insurance commissioner attempted to reject 42 out of about 60 association health plans. His office interpreted ObamaCare as giving him a mandate as justification for attempting to eliminate virtually all of these popular plans. By adopting my amendment, it will make crystal clear in the underlying bill that this won't be tolerated, and it will support both existing and future association health plans.

Talk to one of the nearly 400,000 individuals in my home State of Washington who get their care from an association plan, and you will find out why so many Washington businesses renew their plans every year.

Our State has been fortunate to have a robust AHP market that has become essential to providing cost-effective choices to small-business employers, thanks to bipartisan legislation enacted in the mid-1990s. In the case of one association plan operating in my State, roughly 40 percent of participating small-business employers did not previously offer health coverage.

My amendment is supported by the U.S. Chamber of Commerce. In its letter to me, which I include in the RECORD, the U.S. Chamber indicated that it shares my interest in making sure that State-based association health plans that currently exist are able to continue operating in accordance with existing State and Federal law. My amendment is also supported by the Association of Washington Business.

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
Washington, DC, March 20, 2017.

Hon. JAIME HERRERA BEUTLER,
House of Representatives,
Washington, DC.

DEAR CONGRESSWOMAN HERRERA BEUTLER: Thank you for your attention to the concerns raised by the Association of Washington Businesses regarding H.R. 1101, the "Small Business Health Fairness Act." The U.S. Chamber of Commerce has several state chambers of commerce members that provide state-based quality health care coverage to their member companies. The Chamber shares your interest in making sure that the state-based Association Health Plans that currently exist are able to continue to operate in accordance with existing state and federal law without being disadvantaged by this new federal legislation.

The Chamber appreciates your commitment to small businesses and to ensuring that current affordable coverage options continue to be available alongside new options in a nondiscriminatory and fair environment. Thank you for your dedication and efforts, and we look forward to continuing to work with you to advance the priorities and interest of business.

Sincerely,

RANDEL K. JOHNSON.

Ms. HERRERA BEUTLER. Mr. Speaker, I am confident that the underlying legislation before us today will improve the ability of small businesses to access affordable, high-quality health coverage in every State across the country. However, first, this body should, as clearly as possible, ensure that those States that already have successfully operating association health plans are not disrupted, which is what my amendment would do.

I urge my colleagues to support this amendment, and I thank the chairwoman for her work on this.

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

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent to claim the time in opposition, although I am not opposed to the amendment.

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

There was no objection.

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

Mr. SCOTT of Virginia. Mr. Speaker, I appreciate the intent of the amendment offered by the gentlewoman from Washington, which seems to allow health association plans that are currently in existence to continue to operate under existing State and Federal law. In fact, giving States the ability to regulate association plans is very important. That is why I oppose the underlying bill.

The amendment also points out another interesting fact, and that is associations currently exist under current law, and the underlying bill simply unravels most of the regulations that apply to them, and this amendment would at least maintain State regulations.

We know that this bill creates winners and losers. The winners are those who are young and healthy enough to be invited into an association. The losers are small businesses and employers who are older, sicker, or just have more costly health bills. There is no guarantee that plans under this legislation will have the standard level of benefits or consumer protections, and that is why I am disappointed that the majority failed to rule any Democratic amendments submitted to the Rules Committee in order, although each and every one was germane.

The gentleman from New York (Mr. ESPAILLAT), who is a member of the committee, offered an amendment that would have protected the ability of the States to regulate any association health plan, including regulation related to benefits, consumer protections, and rating restrictions. Representative TORRES from California offered an amendment to ensure that association plans cover 10 essential health benefits under the Patient Protection and Affordable Care Act.

One amendment was offered by Representatives SUSAN DAVIS of California

and SUZANNE BONAMICI from Oregon—both committee members—would have required association plans to provide for women's health benefits, including maternity care.

Representatives BONAMICI, DAVIS, and WILSON also offered an amendment to prevent this legislation from taking effect if it would lead to increased premiums for older workers. These older workers will not be able to get into the associations because they would increase average costs of the association, and the point of the association is to get away from high-cost enrollees like older Americans. So these older people will be left out of the pool with other older and sicker workers where they will necessarily be paying more.

It is simple arithmetic. Their amendment would have been particularly important because we know that the Republican replacement plan contains an age tax that will severely disadvantage older populations.

None of the Democratic amendments, although germane, were allowed under the rule, and there does not seem to be any earnest attempt to look to try to correct the shortcomings of the bill. So while I do not intend to oppose this amendment, I do not think the amendment is enough of an improvement of the bill, nor does it change the underlying fact that the legislation does not adequately protect small businesses, workers, and their families, nor does it help those left behind who are not invited into the association who will necessarily be paying more.

Mr. Speaker, if those on the other side of the aisle want to go on a rescue mission, they ought to improve things, not make things worse. For most Americans, this bill will make things worse, and, tomorrow, 24 million Americans will be left out while many others will be paying more for less while millionaires get huge tax cuts. That is not an improvement.

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

Ms. HERRERA BEUTLER. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentlewoman has 2½ minutes remaining.

Ms. HERRERA BEUTLER. Mr. Speaker, I would just like to say that part of the reason this underlying bill is so critical is because we just don't believe one size fits all. When it comes to health coverage, we need to make sure that there are many different options for families, individuals, and businesses. We are clarifying basically a technical change here that allows continued existing plans to operate.

Who can be opposed to existing plans operating and offering more options and more plans?

This is exactly what Republicans are doing right now. We are fighting to make sure that the families and the people we represent have those options

and their choices, that they can keep their doctor, that their health premiums will come down, that they can maybe get a plan through their work, or maybe they will be able to get into the individual market and self-insure—options—because one size does not fit all, which is why this bill is crucial and why my amendment to this bill makes it better. That is why we are going to move forward and make sure that more Americans have access to care—not just on paper—but care that gets them to in to the doctor, that gets them the care that they need, whether it is a specialist or a primary care doctor.

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

Mr. SCOTT of Virginia. Mr. Speaker, I would point out that when one size fits all, everybody can benefit; but when you start picking and choosing winners and losers, some will benefit and many others will lose. Under this bill, a fortunate few who get into association plans will benefit; everybody else loses.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the rule, the previous question is ordered on the bill, as amended, and on the amendment offered by the gentlewoman from Washington (Ms. HERRERA BEUTLER).

The question is on the amendment by the gentlewoman from Washington (Ms. HERRERA BEUTLER).

The amendment was agreed to.

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

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

□ 1500

MOTION TO RECOMMIT

Ms. SHEA-PORTER. Mr. Speaker, I have a motion to recommit at the desk.

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

Ms. SHEA-PORTER. I am opposed in its current form.

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

The Clerk read as follows:

Ms. Shea-Porter moves to recommit the bill H.R. 1101 to the Committee on Education and the Workforce, with instructions to report the same back to the House forthwith with the following amendment:

Page 15, after line 22, insert the following:

“(6) SUBSTANCE USE DISORDER TREATMENT.—Notwithstanding subsection (b), the plan provides for coverage for substance use disorder treatment, including opioid use disorder treatment, consistent with the substance use disorder services defined as an essential health benefit by the Secretary under subparagraph (E) of section 1302(b)(1) of the Patient Protection and Affordable Care Act (42 U.S.C. 18022(b)(1)).”

Ms. SHEA-PORTER (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Hampshire?

There was no objection.

The SPEAKER pro tempore. The gentlewoman from New Hampshire is recognized for 5 minutes.

Ms. SHEA-PORTER. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, I rise today on behalf of the families and communities across the Nation that are confronting a public health threat of our time: the heroin, fentanyl, and prescription opioid crisis.

This motion would simply ensure that the health insurance plans that today's bill would permit must still cover substance use disorder treatment, including for opioids, as an essential health benefit.

Under current law, we require insurers to cover this treatment. Before the Affordable Care Act, many insurers either didn't cover treatment at all or imposed onerous requirements that blocked people from getting needed care.

H.R. 1101 would roll back that guarantee. It would allow association health plans to return to the kind of skimpy coverage that left so many people struggling with an opioid disorder in dire straits at critical moments. We know there is often a narrow window of opportunity—after an overdose, for example—for someone to commit to treatment, and these are the moments when being able to make a single phone call can make all the difference.

This week's debate about health care is extremely important. Will we decide to work together to improve the American people's access to quality, affordable health care or weaken benefits and kick 24 million or more of our constituents off their plans? We all need to speak up on behalf of those whose lives have been turned around because they can now access health care.

As I talk to families, medical professionals, and law enforcement officials in my district, I hear stories that highlight the dramatic impact that improved access to coverage has had in making treatment a real option for people with substance use disorder. This week, we see that base of coverage is under serious threat. In fact, experts estimate that repealing the Affordable Care Act's coverage provisions would cause about 2.8 million Americans with a substance use disorder to lose some or all of their coverage. The quality of that coverage is also at risk.

Thanks to the Affordable Care Act, insurance must now cover treatment for behavioral health and substance use disorder, just the same as it would cover any other medical service. These parity protections mean insurers must

cover treatment for substance use disorder with comparable cost-sharing, with no surprises like annual visit limits, higher copays, or frequent preauthorization requirements and medical necessity reviews.

Badly needed facilities are opening because plans now cover these services. I recently visited a recovery home for pregnant women and new mothers in my district. They were able to open the doors this year in my hometown only because it could rely on Medicaid expansion. Legislation like H.R. 1101 would cause fewer people to have this coverage, meaning fewer facilities can open and treat.

Many of you know that my home State of New Hampshire is on the front lines of the heroin, fentanyl, and prescription opioid crisis. Our communities are struggling, and helping people get treatment is key to turning the tide. I have met people who couldn't be in a recovery facility without Medicaid expansion.

Today, Members of Congress can say to my constituents in New Hampshire and their constituents across this great Nation: we hear you. We know your sons and daughters, your nieces and nephews, your neighbors and friends are struggling, and we have your back.

We believe all Americans deserve good health insurance they can count on when they need it most. We aren't going to pull the rug out from under people who are about to turn their lives around.

I urge my colleagues to support this motion, which would not delay passage of the underlying bill.

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

Ms. FOXX. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 5 minutes.

Ms. FOXX. Mr. Speaker, this motion is nothing more than a last-ditch attempt to defeat a commonsense bill that will help expand access to affordable healthcare coverage for working families. In fact, this motion represents the same failed approach to health care we have experienced in recent years.

We have seen what happens when the Federal Government dictates the kind of health insurance individuals can and cannot buy. Healthcare costs skyrocket and patients have fewer choices.

While our Democrat colleagues offer a motion that doubles down on a failed approach to health care, my Republican colleagues and I are offering the American people a better way.

The Small Business Health Fairness Act is about empowering individuals, families, and small-business owners so more Americans have access to affordable healthcare coverage. By rejecting this motion and supporting the underlying bill, we can take an important

step in keeping our promise to deliver free-market, patient-centered healthcare solutions.

I urge my colleagues to vote "no" on the motion to recommit and "yes" on the Small Business Health Fairness Act.

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

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

There was no objection.

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

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

Ms. SHEA-PORTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; and the motion to suspend the rules and pass H.R. 1238.

The vote was taken by electronic device, and there were—yeas 179, nays 233, not voting 17, as follows:

[Roll No. 185]

YEAS—179

Adams	Doyle, Michael	Loebach
Aguilar	F.	Lofgren
Barragán	Duncan (TN)	Lowenthal
Beatty	Ellison	Lowe
Bera	Engel	Lujan Grisham,
Beyer	Eshoo	M.
Bishop (GA)	Espallat	Luján, Ben Ray
Blumenauer	Esty	Lynch
Blunt Rochester	Evans	Maloney,
Bonamici	Foster	Carolyn B.
Boyle, Brendan	Frankel (FL)	Maloney, Sean
F.	Fudge	Matsui
Brady (PA)	Gabbard	McCollum
Brownley (CA)	Gallego	McGovern
Bustos	Garamendi	McNerney
Butterfield	Gonzalez (TX)	Meeks
Capuano	Gottheimer	Meng
Carbajal	Green, Al	Moulton
Cárdenas	Green, Gene	Murphy (FL)
Cartwright	Grijalva	Nadler
Castor (FL)	Gutiérrez	Napolitano
Castro (TX)	Hanabusa	Neal
Chu, Judy	Hastings	Nolan
Cicilline	Heck	Norcross
Clark (MA)	Higgins (NY)	O'Halleran
Clarke (NY)	Himes	O'Rourke
Clay	Hoyer	Pallone
Cleaver	Huffman	Panetta
Cohen	Jackson Lee	Pascrell
Connolly	Jayapal	Pelosi
Conyers	Jeffries	Perlmutter
Cooper	Johnson (GA)	Peters
Correa	Johnson, E. B.	Peterson
Costa	Jones	Pingree
Courtney	Kaptur	Pocan
Crist	Keating	Polis
Crowley	Kelly (IL)	Price (NC)
Cuellar	Kennedy	Quigley
Cummings	Khanna	Raskin
Davis (CA)	Kihuen	Rice (NY)
Davis, Danny	Kildee	Rosen
DeFazio	Kilmer	Roybal-Allard
DeGette	Kind	Ruiz
Delaney	Krishnamoorthi	Ruppersberger
DeLauro	Kuster (NH)	Ryan (OH)
DelBene	Langevin	Sánchez
Demings	Larsen (WA)	Sarbanes
DeSaulnier	Lawson (FL)	Schakowsky
Deutch	Lee	Schiff
Dingell	Levin	Schneider
Doggett	Lewis (GA)	Schrader
	Lipinski	Scott (VA)

Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Smith (WA)
Soto
Speier
Suozi

Swalwell (CA)
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Vargas
Veasey
Vela
Velázquez

Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Lieu, Ted
McEachin
Moore
Nunes

Payne
Richmond
Rush
Sinema

Slaughter
Takano
Tsongas

Mullin
Murphy (PA)
Newhouse
Noem

Rooney, Thomas
J.
Ros-Lehtinen
Roskam

Tenney
Thompson (PA)
Thornberry
Tiberi

Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor

Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Westrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (IA)
Zeldin

NAYS—233

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte

Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Olson
Palazzo

Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Westrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—17

Bass
Brown (MD)

Carson (IN)
Clyburn

Larson (CT)
Lawrence

□ 1530

Mr. BISHOP of Michigan, Ms. GRANGER, Messrs. GOSAR, and YOUNG of Alaska changed their vote from “yea” to “nay.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. LARSON of Connecticut. Mr. Speaker, on March 22nd, 2017—I was not present for rollcall vote 185. If I had been present for this vote, I would have voted “yea.”

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. SCOTT of Virginia. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 236, noes 175, not voting 18, as follows:

[Roll No. 186]

AYES—236

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Cuellar
Culberson

Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Huizenga
Hultgren
Hunter

Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)

Adams
Aguilar
Barragán
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Español
Esty
Evans
Foster
Frankel (FL)

NOES—175

Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawson (FL)
Lee
Levin
Lewis (GA)
Lipinski
Loebach
Lofgren
Lowenthal
Lowe
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moulton
Murphy (FL)

Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarelli
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Torres
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—18

Bass
Brown (MD)

Carson (IN)
Clyburn

Fortenberry
Graves (GA)

Hudson
Lawrence
Lieu, Ted
Moore

Payne
Richmond
Rush
Sinema

Slaughter
Takano
Tsongas
Yoho

Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
DeLaney
DeLauro
DeBene
Demings
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael
F.
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Espallat
Esty
Evans
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Fox
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallagher
Gallego
Garamendi
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Hanabusa
Harper
Harris
Hartzler
Hastings
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hunter

Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawson (FL)
Lee
Levin
Lewis (GA)
Lewis (MN)
Lipinski
LoBiondo
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham,
M.
Luján, Ben Ray
MacArthur
Maloney
Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mitchell
Molenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal

Newhouse
Noem
Nolan
Norcross
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascarell
Paulsen
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Polis
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Russell
Rutherford
Ryan (OH)
Sánchez
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Swalwell (CA)
Taylor
Tennet
Thompson (CA)
Thompson (MS)

Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez

Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch

Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1539

Mr. CLEAVER changed his vote from "aye" to "no."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. YOHIO. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 186.

Mr. FORTENBERRY. Mr. Speaker, I was inadvertently detained. Had I been present, I would have voted "yea" on rollcall No. 186.

SECURING OUR AGRICULTURE AND FOOD ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1238) to amend the Homeland Security Act of 2002 to make the Assistant Secretary of Homeland Security for Health Affairs responsible for coordinating the efforts of the Department of Homeland Security related to food, agriculture, and veterinary defense against terrorism, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. DONOVAN) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 406, nays 6, not voting 17, as follows:

[Roll No. 187]

YEAS—406

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barragán
Barton
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer

Blunt Rochester
Bonamici
Bost
Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carter (GA)
Carter (TX)
Cartwright

Castor (FL)
Castro (TX)
Chabot
Chaffetz
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cohen
Cleaver
Coffman
Cohen
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney

Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
DeLaney
DeLauro
DeBene
Demings
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael
F.
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Espallat
Esty
Evans
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Fox
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallagher
Gallego
Garamendi
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Hanabusa
Harper
Harris
Hartzler
Hastings
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hunter

Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawson (FL)
Lee
Levin
Lewis (GA)
Lewis (MN)
Lipinski
LoBiondo
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham,
M.
Luján, Ben Ray
MacArthur
Maloney
Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mitchell
Molenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal

Newhouse
Noem
Nolan
Norcross
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascarell
Paulsen
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Polis
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Russell
Rutherford
Ryan (OH)
Sánchez
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Swalwell (CA)
Taylor
Tennet
Thompson (CA)
Thompson (MS)

Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez

Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch

Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—6

Amash
Gaetz

Garrett
Jones

Massie
Sanford

NOT VOTING—17

Bass
Brown (MD)
Carson (IN)
Clyburn
Higgins (LA)
Lawrence

Lieu, Ted
Loebuck
Lynch
Moore
Payne
Richmond

Rush
Sinema
Slaughter
Takano
Tsongas

□ 1547

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

HOOR OF MEETING ON TOMORROW

Mr. WOMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore (Mr. LEWIS of Minnesota). Is there objection to the request of the gentleman from Arkansas?

There was no objection.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

MARCH 21, 2017.

Hon. PAUL D. RYAN,
Speaker of the House of Representatives, U.S. Capitol, Washington, DC.

DEAR SPEAKER RYAN: Pursuant to section 803(a) of the Congressional Recognition for Excellence in Arts Education Act (2 U.S.C. 803(a)), I am pleased to reappoint the Honorable Debbie Dingell of Michigan to the Congressional Award Board.

Thank you for your consideration of this appointment.

Sincerely,

NANCY PELOSI,
Democratic Leader.

CONTINUATION OF NATIONAL
EMERGENCY WITH RESPECT TO
SOUTH SUDAN—MESSAGE FROM
THE PRESIDENT OF THE UNITED
STATES (H. DOC. NO. 115-25)

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13664 of April 3, 2014, with respect to South Sudan is to continue in effect beyond April 3, 2017.

The situation in and in relation to South Sudan, which has been marked by activities that threaten the peace, security, or stability of South Sudan and the surrounding region, including widespread violence and atrocities, human rights abuses, recruitment and use of child soldiers, attacks on peacekeepers and humanitarian workers, and obstruction of humanitarian operations, continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13664 with respect to South Sudan.

DONALD J. TRUMP.
THE WHITE HOUSE, March 22, 2017.

CONGRATULATIONS TO ORONO
GIRLS BASKETBALL

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

Mr. PAULSEN. Mr. Speaker, I want to congratulate the Orono girls basketball team for recently winning the Minnesota High School State Championship.

After falling short of high expectations to win it all last year, the Spartans bounced back this season with an impressive 27-4 record and the top seed, despite many thinking that they had missed their window. That didn't stop these girls though. They were determined to finish the job this season as they stormed through the playoffs. Led by senior Tori Andrew, the team played selflessly. Andrew, the only re-

turning starter from last season, made it a point to give her teammates the recognition that they deserved.

The Spartans went on to beat Winona 65-47 in the State title game.

Orono's resilience, Mr. Speaker, in response to the previous season, speaks highly of their character and their program led by Coach Lavesa Glover in her very first season with the team. These girls showed that they give their all in everything they do, whether it is for their team, their school, their families, or their community.

Mr. Speaker, we are so proud of the Orono girls basketball team. Congratulations on the State title.

RUSSIA AND TRUMP, SUBTLE
ENTRAPMENT

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

Ms. KAPTUR. Mr. Speaker, years from now, history books could well describe entrapment of a United States President by a foreign adversary. Allow me to update my colleagues on the Trump administration's foreign policy.

Recently, the State Department avoided committing Secretary Rex Tillerson to a NATO meeting next month with our tried and true allies in Europe. Yet, the administration has no problem flying Secretary Tillerson to Moscow to meet with Putin in April. This is no April Fools' joke. Since when is the Kremlin more important than our NATO partners? Never.

Several reports now say Trump's former campaign chair, Paul Manafort, secretly worked for a Russian billionaire to advance Putin's interests and undermine anti-Russian opposition across Europe. This contradicts assertions by the Trump administration and Manafort that he never worked for Russian interests. Congress needs to get to the bottom of these shady connections, and Paul Manafort should testify to the House Intelligence Committee, under oath.

Russia has consistently and unabashedly attempted to disrupt Democratic elections and promote propaganda in order to strengthen its own strategic interests.

The Trump administration is pushing our Nation to the verge of a national security crisis. How much leverage does Putin have over Trump and his associates? Our great Nation can't be their collateral damage.

BRAIN INJURY AWARENESS DAY

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today is Brain Injury Awareness Day, and I welcome those who are in Washington today to share their stories.

This is near and dear to my heart. I spent nearly 30 years in healthcare rehabilitation services, and this was one of my areas of practice and expertise. I served as a board member for the Brain Injury Association of Pennsylvania, and I helped form a brain injury support group for the patients and their families that I served.

The theme for this year's campaign is "Not Alone." This is a platform for educating the general public about the incidence of brain injury, and the needs of people with brain injuries and their families. The campaign also works to destigmatize the injury, empower those who have survived, and promote the many types of support that are available.

The need to raise awareness is great: more than 3.5 million children and adults sustain an acquired brain injury each year, but the incidence is unknown.

Mr. Speaker, everyone recovers at a different pace, but the support the patient receives can actually let them know that they are not alone in this fight.

OPPOSING AMERICANS LOSING
THEIR HEALTH CARE

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

Mr. CRIST. Mr. Speaker, I rise today in opposition to 24 million Americans losing their health insurance, including 60,000 residents in my home of Pinellas County, Florida. Florida is the number one State with Affordable Care Act enrollments—number one. We stand to lose the most with this repeal.

But what we are debating this week is far worse than just a repeal. It is how the new bill treats the least among us. Medicaid, which the poor and disabled depend on, would be devastated, leaving an estimated 3.5 million children and 720,000 disabled Americans without care.

There are a lot of people here today in the Nation's Capital in wheelchairs, trying to make this point to all of us. What could be more cruel than taking away health care for all of them?

This is a misguided proposal. We must work together to improve health care, bring down costs, expand access, and protect the most vulnerable in our society.

Mr. Speaker, people's lives are on the line with this vote tomorrow. Let's do the right thing. Reject this bill.

TAKE YOUR CRIMINALS BACK OR
LOSE VISAS

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

Mr. POE of Texas. Mr. Speaker, Florida Police Officer Andrew Widman was

murdered, shot in the face while trying to resolve a dispute. His death was preventable, however. The murderer of Officer Widman was an illegal immigrant and convicted felon. He did not belong here. He should have been sent back home to his native country, Cuba, after he served his sentence, but Cuba would not take him back.

Cuba is one of about 30 countries that refuse to take back their convicted citizens after they are legally ordered deported. Then, unfortunately, they are released back on our streets to commit more crimes. These days need to end. No more get-out-of-jail-free cards. There must be consequences to these nations that flaunt our laws.

My bill, the Timely Repatriation Act, restricts diplomatic visas to countries that deny or delay the repatriation of a foreign national whose removal has been legally ordered.

Take your criminals back or lose diplomatic visas.

And that is just the way it is.

SALUTING UNIVERSAL HEALTH CARE ACTION NETWORK

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, I rise today to salute the Universal Health Care Action Network, also known as UHCAN, for their energy and advocacy to protect the Affordable Care Act.

I was honored to join UHCAN in a town hall where we presented our message to men, women, families, and children from across central Ohio who were eager to organize. Do you know why? To save the health care for more than 22 million newly insured Americans, including nearly 1 million Ohioans, who gained coverage under the Affordable Care Act.

We heard personal stories, stories from Laura, Mindy, Rachel, and Kevin Rhodes—who was my guest at the joint session of Congress right here—on how the Affordable Care Act was saving their lives.

Mr. Speaker, yet, here we are tomorrow, on the seventh anniversary of the Affordable Care Act, preparing to repeal and replace it with Republican care; legislation which would push 24 million Americans off their healthcare coverage, and give massive tax breaks to 400 superwealthy families, while the rest of us, we pay more for less.

Mr. Speaker, I join my constituents and Americans across the country who oppose Republican care. Join me tomorrow and say “no.”

□ 1600

OPPOSE THE EFFORT TO REPEAL AND REPLACE

(Mr. SWALWELL of California asked and was given permission to address

the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Mr. Speaker, I rise in opposition of the effort to repeal and replace the Affordable Care Act.

Simply, my constituents will be stuck paying more. And if they are not losing their coverage, they will know somebody who is going to lose their coverage. And if they are over the age of 50 and not on Medicare yet, they are going to suffer a very cruel age tax.

I think not of politics when the President said some are going to pay a political price if they don't support this, I think about what they are going to pay at the doctor's office.

John Cameron of Dublin, California, told me that, before the Affordable Care Act, he could not get the double hip surgery that he needed. Because of it, he was able to get it last week. We need hardworking small-business owners like John to keep working and have affordable insurance.

Mr. Speaker, when this President put his name on a casino, he left its workers in the dust. When he put his name on a university, he left its students out in the cold. And when he puts his name on this healthcare plan, TrumpCare, he is going to leave all of us sicker and poorer.

ACCESS TO AFFORDABLE HEALTH CARE

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

Mr. VEASEY. Mr. Speaker, 7 years ago today, President Barack Obama signed the Affordable Care Act into law. Since then, the ACA has helped millions of Americans gain access to affordable healthcare insurance.

We all know what is at stake in this Republican bill. It is a bill that actually has a big old tax in it called the age tax that makes our seniors pay more.

In addition to that, it prohibits Medicaid reimbursement for Planned Parenthood, and Republicans are actively working hard to make access to reproductive care even tougher for low-income women.

Let me tell you this about Texas: In 2014, Planned Parenthood had 34 centers that served over 120,000 women. Additionally, these centers in my home State of Texas provided birth control to over 93,000 women, conducted over 134,000 STD tests, 16,000 pap smears, and 16,000 mammograms.

These crucial services allow women across Texas to take control of their own health care and help them plan for a family when they are ready.

Republicans claim that their replacement plan puts patients first, but limiting a woman's ability to seek care when she seems fit directly contradicts that goal.

COMPOUNDING DEVASTATING CUTS AND ACCESS TO HEALTH CARE

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

Mr. SUOZZI. Mr. Speaker, I rise in opposition to the Republicans' American Health Care Act and specifically the provision that purports to shift billions of Medicaid costs from New York's counties to the State.

In addition to the AHCA's age tax, increasing premiums, and millions losing their insurance, this provision will compound the devastating cuts and leave countless New Yorkers without access to health care while decimating New York State's finances.

This amendment requires the State to shoulder an additional \$2.3 billion on top of the \$1 billion cut proposed in the AHCA. Meanwhile, this proposal excludes New York City and only gives New York State 2 years to assume this burden.

As a former mayor, county executive, and former chairman of the New York State Commission on Property Tax Relief, I understand that New York counties shoulder a larger share of the Medicaid burden than in any other State. Asking the State to relieve some of this burden from the counties that they bear from the Medicaid cost is a worthwhile idea that should be further explored, but in conjunction with State officials.

The short turnaround time in the current proposal would cripple the State's budget, resulting in catastrophic cuts, and leaves countless New Yorkers without access to health care.

Additionally, marrying this proposal to the misguided Republican AHCA plan and excluding New York City prevents bipartisan cooperation. Rushing this amendment without debate or full consideration of the consequences and without a plan for implementation will negate any positives.

I call upon my Republican colleagues to work in a bipartisan manner on this critical issue.

HEALTH MATTERS

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

Mr. CLEAVER. Mr. Speaker, yesterday I spoke with a dynamic, impressive young woman, Maryn White, from Lee's Summit, Missouri.

Maryn is a 16-year-old sophomore at Lee's Summit West High School. When she was 10 years old, she was diagnosed with ulcerative colitis. Despite a lot of pain and a number of major surgeries, Maryn is active in her high school and is raising money for a cure.

Maryn was the winner of the Dream Factory of Kansas City. Instead of going on a cruise ship or some tour to an exotic place, she came to Washington to talk to people who are about

to vote on her health. She is absolutely infuriated that money is not going to the NIH to continue to do research for a cure.

There are thousands of similar stories all over the country. This is not a political matter, this is a matter of life and death for people all over this country.

Yes, I am saying that TrumpCare will make America ache again.

FOCUS OUR ATTENTION ON MAKING A DIFFERENCE

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

Mr. BLUMENAUER. Mr. Speaker, there was a television program some years ago that Monty Hall had: "Let's Make a Deal."

Well, up in the Rules Committee, we are acting out a congressional version of "Let's Make a Deal." People aren't dressing up like radishes and jumping up and down, but they are trying to contort the flawed Republican repeal of the Affordable Care Act into something that can somehow thread the needle and get votes through the House of Representatives. Well, Mr. Speaker, it is unfortunate.

This week we are commemorating the seventh anniversary of the passage of the Affordable Care Act. We don't need costumes and jumping up and down. It has reduced the uninsured rate to the lowest in our history. It has strengthened rural and small town hospitals across the country. It has extended coverage to people who otherwise would not have it. Repeal of this amazing accomplishment would be unprecedented. It would be sad, and it would be wrong.

I sincerely hope that we are going to be able to focus our attention on something that will make a difference, not forcing Americans to pay more for inferior coverage and deny it to many others.

OPPOSING TRUMPCARE

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

Mr. GENE GREEN of Texas. Mr. Speaker, I rise to speak against TrumpCare.

TrumpCare will take health insurance away from 24 million Americans. That is basically the amount of people that live in the State of Texas.

For the lucky ones who don't have their health care ripped away, TrumpCare forces families to pay increased out-of-pocket costs and higher deductibles and cuts the financial assistance they get today to afford their insurance.

It has a crushing age tax. TrumpCare forces Americans who are aged 50 to 64

to pay premiums five times higher than younger people pay for health insurance.

This, combined with a slash in financial assistance to help people pay for coverage, will literally mean that there will be people who now have to pay more for their premiums annually than they actually earn in a year. That is unacceptable.

TrumpCare cuts Medicare and will shorten the life of the program by 3 years. It is hard to find someone this bill helps, but the people that it will hurt can be counted in the millions.

I urge my colleagues to vote against this horrible plan and to work with us to expand access and lower cost.

THE IMPACT OF TRUMPCARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentlewoman from Washington (Ms. JAYAPAL) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Ms. JAYAPAL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Ms. JAYAPAL. Mr. Speaker, tomorrow we will be voting on the American Health Care Act. We are doing this in spite of the fact that we just found out that there is an even more dire and harsh plan. We still have not received the Congressional Budget Office's estimates of what that plan will do, but we do know that TrumpCare will throw at least 24 million people off of their health care.

Tonight, for the next hour, I am proud to help lead our Congressional Progressive Caucus Special Order hour with my distinguished members from the caucus.

I yield to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN).

Mrs. WATSON COLEMAN. Mr. Speaker, as the gentlewoman from New Jersey said, my colleagues and I will show and prove our true intentions in occupying our seats here in Congress.

We will have the chance to stand with the 24 million Americans who have health coverage thanks to the Affordable Care Act or cosign billion-dollar tax cuts to the wealthy. We will have the chance to reject the attacks on the health of women and older Americans or force Americans to pay more for less. We will have the chance to choose between what is best for all or what is best for some. We will choose between right and wrong.

Changes to the current law proposed in the un-American Health Care Act,

also known as TrumpCare, could result in cuts to benefits, increased costs, or reduced coverage for older Americans.

According to the 2016 Medicare Trustees Report, the Medicare part A trust fund is solvent until 2028. This is 11 years longer than predicted in 2009, due in large part to the changes made in the ACA.

Repealing the additional 0.9 percent payroll tax on high-income workers, as proposed in this new bill, would remove \$117.3 billion from the Hospital Insurance Trust Fund over the next 10 years. It would hasten the insolvency of Medicare by up to 4 years and diminish Medicare's ability to pay for services in the future.

Additionally, provisions of the un-American Health Care Act that create a per capita cap financing structure in the Medicaid program is equally dangerous. These provisions would endanger the health, safety, and care of millions of individuals who depend on the essential services provided through Medicaid.

The CBO found that the bill would cut Medicaid funding by \$880 billion over 2017 to 2026. Medicare and Medicaid must be protected and strengthened for older Americans and future generations.

Any healthcare legislation presented must take into consideration future generations of men and women who will take our seats in this Chamber, future generations that will produce our first woman President, future generations of women that hopefully will not have to fight against men meddling in their healthcare decisions.

This bill is a war on women, and, quite frankly, there is nothing pro-life about it. This bill attacks women's access to reproductive health care from every angle, undermining not just contraception access and abortion coverage, but also making it much harder for women to receive maternity coverage when they do give birth.

The abortion rate is at a historic low, and most analysts say the principal reason is that the ACA made contraception cheaper and easier to obtain. The CBO report was all-encompassing, but most strikingly pointed out a provision that would undermine Planned Parenthood, a critical provider for women's health care.

□ 1615

This provision would bar women on Medicaid from using their coverage to go to Planned Parenthood, immediately resulting in many of these women losing access to contraception and leading to closing of clinics nationwide.

The CBO estimated that 15 percent of women living in low-income and otherwise underserved areas would lose their access to services to prevent pregnancy. In short, local access to reproductive health care dries up.

In short, this is unacceptable. Just as I opened, I am going to close. Tomorrow my colleagues and I will show and prove our true intentions in occupying our seats here in Congress. We will have the chance to stand with the 24 million Americans who have healthcare coverage thanks to the Affordable Care Act, or cosign billion-dollar tax cuts to the wealthy as proposed under the Trump healthcare bill.

We will have the chance to reject the attacks on the health of women and the working families or force Americans to pay far more for far less, and we will have the chance to choose between what is best for all or what is best for some. Tomorrow, with the votes cast on this bill, we will get the chance to choose between right and wrong.

Ms. JAYAPAL. Mr. Speaker, I thank Mrs. WATSON COLEMAN for her excellent statement.

Mr. Speaker, it is my great pleasure to yield to the distinguished gentleman from Rhode Island (Mr. CICILLINE).

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

In a very short number of weeks here in Congress, she has already made her mark as a passionate advocate not only for her State, but in this important fight to protect access to affordable, quality health care, and she has been an extraordinary member of the Judiciary Committee. It has been an honor to serve with her, and I thank her for yielding and thank her for her great leadership.

Mr. Speaker, we are here to continue our fight to protect access to quality, affordable health care and to defeat TrumpCare.

TrumpCare will produce higher costs for our constituents, forcing families to pay higher premiums, higher deductibles, and higher out-of-pocket expenses.

It also will provide less Americans coverage. According to the nonpartisan Congressional Budget Office, 24 million Americans will lose their health insurance when TrumpCare becomes law.

Thirdly, it imposes a crushing age tax. TrumpCare allows individuals age 50 to 64 to pay premiums five times higher than others pay for health care, no matter how healthy they are.

It is higher premiums, higher deductibles, higher out-of-pocket expenses, 24 million people will lose insurance, older people will pay an age tax. And TrumpCare, in addition to all of those terrible things, shortens the life of the Medicare trust fund by 3 years and ransacks the funds that seniors depend on, particularly, to get their long-term care. And finally, the best estimates are that it will destroy nearly 2 million jobs in this country if passed.

So why is this happening? Why would someone construct a bill that does this?

Well, in large part, it is to finance an extraordinarily big tax cut, a tax cut for the wealthiest people in this country. The richest 400 families will receive a tax cut, each, of about \$7 million. Then there are tax cuts for drug companies, insurance company CEOs.

And to finance this tax cut, which totals \$600 billion over the decade, in order to finance that, this bill robs 24 million Americans of health insurance, cheats seniors out of the care that they deserve in nursing homes, imposes higher premiums and higher deductibles on working families, and imposes a crushing age tax on older Americans. This is wrong.

And, you know, the President ran on a campaign of helping working people and being for the middle class. This piece of legislation is a gift to the richest people in this country and the most powerful special interests and a betrayal of the promise to work for middle class and working families.

I want to end, with the indulgence of the gentlewoman from Washington, you know, we talk about these numbers, and they are staggering: 24 million, \$600 billion. Behind each of those numbers are real people whose lives will be affected by TrumpCare and by the repeal of the Affordable Care Act, individuals whose lives will be devastated, families who will be ruined because they no longer have access to the care that they need. In the richest, most powerful country in the world, this does not have to be the case, and I want to give you two examples.

Just this week I heard from Sara from, Woonsocket, Rhode Island. She wrote to me:

I am writing to you to encourage you to vote against the American Health Care Act proposed by Paul Ryan and the Republican Party. My brother has developmental disabilities and relies on Medicaid for insurance.

Experts who have reviewed this bill have determined that it will ultimately cut funding for people like my brother, but the working class in this country cannot afford the burden that this bill would impose. And the wealthiest among us do not need any more handouts from the Federal Government.

Please vote against this bill.

I had correspondence, again, with another constituent, who talks about the important services that the ACA provided to her family. She was heartbroken at the death of her son Anthony who passed away on August 9 due to an overdose, and she describes Anthony as a compassionate and deep person who, unfortunately, like many Americans, suffered from severe anxiety and depression. To deal with his condition, he started self-medicating with prescription drugs. After returning home from a sober house, he, unfortunately, relapsed and took some designer drugs that he had ordered online, causing him to overdose.

She called me just this week. Anthony's sister Cara also suffers from anxiety and depression, in part because of

the post-traumatic stress disorder that she suffered after discovering her brother who had died. Thanks to the ACA, she is able to receive coverage for critical mental health services since her mother doesn't have coverage through her employer.

Like many of my constituents, Cara relies on the coverage she has gained, and she writes:

I am worried for my future without my support system. The discontinuation of coverage would be detrimental to our efforts to combat mental health disorders and the opioid epidemic which continues to plague families and has been such a support to my family.

These are just two examples. We have millions of examples all across this country of people whose lives have been protected and saved and helped because of access to quality, affordable health care. This will undo all of that progress. We have to do everything we can to stop it.

Mr. Speaker, I thank the gentlewoman for yielding and for leading this Special Order hour tonight so we can continue to make sure the voices of the American people are heard and we defeat TrumpCare and protect access to affordable, quality health care in this country.

Ms. JAYAPAL. Mr. Speaker, I thank my good friend from Rhode Island for his incredible leadership on so many issues and for reminding us again that 24 million is just a number, but behind that number are all of the people and all of the stories that will be impacted.

Mr. Speaker, now it is my great honor to yield to the gentlewoman from California (Ms. JUDY CHU), my good friend, the chair of the Asian Pacific American Caucus here in the House.

Ms. JUDY CHU of California. Mr. Speaker, I rise today to voice my strong opposition to the American Health Care Act, or TrumpCare.

TrumpCare would result in 24 million people losing healthcare coverage. In my Pasadena, California, district, nearly 70,000 people will lose coverage. In Los Angeles County, about 1 million people will lose the coverage they have through Medicaid expansion.

Worst of all, this bill would result in skyrocketing healthcare costs, especially for older Americans. It would hurt people like my constituent Patty from Claremont. Patty is 62 and never had to worry about health care because her husband was a union member with a good job, but in one moment, Patty's life was turned upside down.

Last September, Patty's husband passed away, suddenly. In the blink of an eye, Patty was forced to find new insurance for herself and her 20-year-old son who suffers from a preexisting condition. She couldn't afford COBRA and is a few years away from being eligible for Medicare.

Well, thank goodness the ACA came along and she was finally able to get

affordable healthcare insurance. She was so relieved.

But what will happen to Patty's insurance under TrumpCare? We only have to look at the CBO's estimate that a 64-year-old making \$26,500 a year could see their health insurance premiums skyrocket from \$1,700 a year to \$14,600. That amounts to over half their income.

For Patty, these changes could mean thousands in out-of-pocket expenses for her hypertension medication, which she needs to take consistently or face life-threatening consequences. Patty would face a situation that so many older Americans would face: premiums that would rise by 20 to 25 percent by 2026. The premiums rise because, in this bill, the GOP created an age tax which allows older Americans to be charged five times more than younger Americans.

Now, in this bill, there is no concrete plan to help older Americans like Patty deal with the rising cost of premiums under TrumpCare. And certainly nothing in this bill will address the enormous deductibles or out-of-pocket costs that they will face if insurance companies can once again offer substandard plans with limited benefits. You know, so many people like Patty are just one accident away from losing coverage.

Why is she and 24 million other Americans going to suffer so that, in this bill, health insurance executives earning over \$500,000 can get a tax break? so that the wealthy can get \$600 billion wealthier? so that 400 of the Nation's richest families can get a \$7 million tax cut every year?

You know, the term "coverage loss" isn't some political tool. It has real life-threatening consequences for people of all ages and incomes across the country.

The bill before us today has been crafted behind closed doors. We have had no hearings on this legislation, and Republicans have not accepted a single Democratic amendment to the bill.

There are just too many American lives at stake. I urge my colleagues to oppose TrumpCare.

Ms. JAYAPAL. I thank the gentlewoman from California.

Now it is my tremendous honor to introduce and yield to the co-chair of the Progressive Caucus, the gentleman from Arizona (Mr. GRIJALVA), a dear friend and somebody that has been on the streets and been a leader on so many issues, from immigration reform to healthcare.

Mr. GRIJALVA. Mr. Speaker, I thank the gentlewoman for not only managing the time, but her leadership and great work in Congress.

Mr. Speaker, I rise to speak about the millions of Americans who will suffer under this oxymoron called TrumpCare. This bill will result in higher costs and less coverage for hard-

working Americans, especially the poor and the elderly. The only winners in this bill are the wealthy who are getting their \$600 billion tax cut.

Earlier this week, an official with the American College of Physicians put it best when he said:

In 38 years of advocating for doctors and patients, I have never seen a bill that will do more harm than the AHCA.

This is a powerful statement.

You know, Mr. Speaker, what I can't figure out is what problem this bill is trying to solve. If the Republicans were looking to cover fewer people, make insurance more expensive, and give tax cuts to the rich, then I guess this Republican bill is the answer.

Let's take a quick look at what this bill does or, as my Republican colleagues refer to it, promises kept.

First and foremost, 24 million Americans are going to lose coverage. Let me repeat that, 24 million. That is not only unacceptable, it is cruel.

And even for those lucky enough not to lose coverage, things are not going to be very good.

Under the Republican healthcare scheme, older Americans will be paying five times more. In what world does anyone think that it is a good idea to make health care even more expensive for the elderly? This is one of those crazy but true things about this bill. So this is what the GOP calls promises kept.

Well, let's take a moment to remember what promises were actually made. In an interview with "60 Minutes" in 2015, President Trump promised:

Everybody is going to be covered. I am going to take care of everybody. I don't care if it costs me votes or not, everybody is going to be taken care of much better than they are being taken care of now.

Then just 2 days before the election, Trump went to Sioux City, Iowa, and said:

I am going to protect and save your Social Security and your Medicare. You made a deal a long, long time ago.

□ 1630

So how does this repeal bill stack up with those promises? Premiums will spike 750 percent with far fewer tax credits to help shoulder that burden; 30 million Americans with preexisting conditions would lose the certainty of coverage they have enjoyed under ObamaCare; Medicare will be slashed by \$170 billion; Medicaid will be cut 25 percent. That is \$880 billion being ripped away from the most vulnerable Americans, resulting in 14 million people losing coverage immediately.

So who wins here with TrumpCare? The rich, who will reap \$600 billion in tax cuts at the expense of medical treatment for the most vulnerable and working folks in this country; Big Pharma is a winner who can now look forward to more obscene profits and less oversight; and, of course, the private health insurance companies, who,

once again, will be in total charge of America's health care.

Who loses? Hardworking, regular folks who simply can't afford to underwrite a tax cut for the rich at the expense of their health.

Take my constituent, Shawn, for example. He wrote me to share his ACA story. In 2006, Shawn was diagnosed with HIV and a rare heart condition, and his premiums skyrocketed from \$123 a month in 2005, all the way up to \$1,473 a month in 2012. That is an average increase of between 35 and 40 percent per year. At the same time, his deductible climbed to \$2,900, meaning his insurance wouldn't offer him a dime until he coughed up nearly \$3,000 first.

When ObamaCare kicked in in 2014, Shawn had at least a dozen plans to choose from. He selected a platinum plan which delivered better coverage than he previously had for only half the price that he had previously been paying. Let me repeat: because of ObamaCare, Shawn started paying half the price for a better plan. How was it better? As Shawn put it, he no longer faced lifetime caps; he had free wellness visits included in his coverage; instead of a nearly \$3,000 deductible, he now had just a small copay.

If the ACA is repealed, Shawn will be uninsured for the first time in his life. For the first time in 54 years, Shawn will be forced to pay out of his own pocket for lifesaving medications. His HIV medications alone cost nearly \$30,000 per year—that is three times as much as he pays right now for all of his medical expenses. If he is hospitalized for his heart condition—which has occurred already twice—he will incur tens of thousands of dollars in additional charges. In short, under the Republican's healthcare scheme, Shawn will be financially ruined.

Mr. Speaker, this is utterly unacceptable. The American people deserve access to affordable, accessible, and high quality health care. TrumpCare achieves the opposite. It is a bad deal and a threat to the well-being of our Nation and our people. Beyond that, it is shameful and inhumane.

Mr. Speaker, I urge my colleagues to oppose TrumpCare in its entirety and vote it down tomorrow.

Ms. JAYAPAL. Mr. Speaker, I thank Representative GRIJALVA.

I am so proud to introduce my colleague from Massachusetts, Representative JOE KENNEDY.

Two weeks ago, during the Energy and Commerce markup on TrumpCare, the gentleman actually forced Republican lawmakers to admit that the bill—their bill, the TrumpCare bill—would not guarantee essential healthcare benefits for the millions who are covered under Medicaid expansion, and, later, the gentleman went on to give an incredibly compelling speech about this bill not being an act of mercy but being an act of malice. I

hope that the gentleman is now going to tell the American people exactly why he said what he did.

Mr. Speaker, I yield to the gentleman from the State of Massachusetts (Mr. KENNEDY).

Mr. KENNEDY. Mr. Speaker, I want to thank my colleague for adding her voice on such an important issue before our country today and for leading our efforts here this afternoon on the House floor.

There are an awful lot of important components to this bill that we are debating now and that will supposedly come before us tomorrow afternoon. One of the critical pieces of it is how we are going to treat people suffering from mental illness.

Now, the bill itself does a number of things across insurance marketplaces and across Medicaid and Medicaid expansion, but I think it is critically important that we look at this through the framework of what health care is supposed to be all about. Health care, at least from my understanding, boils down to one simple principle. It is how we treat each other in our time of need and this commitment that we make as a country to each other, that, yes, I care about you and your family and want to make sure that you get the care that you need when you need it. Because with health care, at some point, I am going to need that same care as well: a loved one of mine, my children, my family members, and I hope that you would be there for me the same way that I would be there for you.

So if you look at this bill through that prism, one of the pieces that stands out is the fact that, for the Medicaid expansion population, about 11 million people across our country, this bill strips what is called the essential healthcare benefits from those 11 million people. Now, that is a bureaucratic term, but it means some of the most basic aspects of health care: maternal care and newborn care, preventive services, wellness, ambulatory care, and, yes, mental health services and addiction, behavioral health.

So what does that actually mean? It means that because of existing legislation, the Federal law, mental health parity, which says that if mental health benefits are, in fact, offered as part of a healthcare package, insurance package, that it has to be offered in the same way that physical health care is. You should treat your access to behavioral health care the same way we would treat access to health care if you needed cancer treatment or a broken leg. But the mental health parity law does not require mental health benefits to be offered at all. The Affordable Care Act, however, says that in order for a plan to be qualified, it does have to offer an essential health benefits package, included in that being access to mental health care.

So those two laws together work in tandem to have created a massive increase in access to behavioral health and mental health services, including, critically for the moment that we are in our country, access to opioid treatment.

What this bill does is strip those essential benefits, including access to addiction services and mental health care, from that essential benefits package and says to the States: Good luck, you can pay for them if you want to, providing nowhere near the sufficient funding to cover all of the demands that our Republican colleague says the funding will be there for.

Now, to make matters even more convoluted in this, it was clear, during the debate in our committee 2 weeks ago for 28 straight hours, that some of our colleagues actually thought these protections were maintained when we pointed out that, in fact, they were stripped. There was then a different version of this bill that was brought forth for consideration called the manager's amendment. That manager's amendment happened to reinstate those benefits, which was great, and I applaud my Republican colleagues for doing so, aside from the fact that they then realized that they included those benefits and they offered an amendment to strip them back out, just in the past 36 hours, recognizing that there was a bill that they thought offered these benefits—the package of essential health benefits—for 11 million people to begin with, they found out that it didn't, in fact, offer it; they fixed it and put them back in a bill, realized they did it inadvertently and took it out again and are now laying that bill supposedly before our consideration tomorrow.

If health care is, in fact, that commitment we make to each other in our time of need, how does this bill answer that question? The average cost of a birth in this country is roughly \$10,000. Medicaid itself pays for half of the births in our Nation. Maternal care and newborn care are covered under the essential health benefits, but not anymore for the Medicaid expansion population. For that population, having a child could very literally bring you to bankruptcy. That is the bill that this Republican Congress is putting forward for your consideration tomorrow.

That is one of the many reasons why I urge my colleagues to vote "no."

Ms. JAYAPAL. Mr. Speaker, I thank Representative KENNEDY so much. As the gentleman was talking, I was thinking about the simple rule that we are all better off when we are all better off. I appreciate everything that you just said.

Mr. Speaker, it is a great honor for me to yield to the gentleman from the great State of Minnesota (Mr. NOLAN).

Mr. NOLAN. Mr. Speaker, I thank the gentlewoman for that introduction.

I want to thank my colleagues for presenting their profound thoughts on this most important legislation that we will consider tomorrow. The simple truth is that what this bill does is it removes 24 million people and takes them away from having affordable health care and health insurance, while, at the same time, giving \$600 billion in tax cuts for the richest people in America. Some pundits have described it as one of the biggest transfers of wealth and travesties perpetuated upon the American people in American history.

I am calling upon the Republicans here in this Chamber and President Trump to withdraw this legislation, sit down in a bipartisan way—the way this Congress operated for several hundred years under open rules—and see what we can do to fix what is wrong with the American healthcare system, not do away with it and scrap it in the devastating manner that they have chosen to do so.

The simple truth is, as I said, this guts Medicaid, and it guts health care. Under this \$600 billion tax break, think about it, if you make \$1 million a year, every year you are going to get a \$67,000 a year tax cut. Imagine that. That is more money than the average person makes in America in a year, and they are going to get that every year going forward in perpetuity, while we are saying to a young family who is struggling maybe because someone in the family has cancer or maybe somebody got hurt or injured in an accident, oh, that is going to cost too much money to insure you, you are one of the 24 million who we are getting rid of.

What kind of a country is it that would do something like that? My colleague, Mr. KENNEDY, I thought, stated it so well. We are all in this together. That is what insurance does. Life is perilous at best. We don't know who is going to get sick. We don't know who is going to have an accident. It may be when you are elderly; it may be when you are young. That is what health care and health insurance is all about, coming together and making sure that we all are cared for and get the care that we need when we need it.

Senator KENNEDY talked about preventive care. If you can catch prostate cancer or if you can catch lung cancer at a stage I or a stage II level, you save a life. But you have to have insurance to go do that and see your doctor. If you don't have insurance, guess what? You don't get a diagnosis until it is at the third or fourth stage level, at which point it is too late, costs tremendous amounts of money to treat, and, most likely, the prospects for survival are not good.

Mr. Speaker, I call on the President and my colleagues, please, the President in particular, honor the promise that you made to the American people

in your campaign which resonated with enough people to get you elected President of the United States. Stand up for the elderly, stand up for urban and rural, stand up for all Americans, stand up for rural communities, and rural hospitals. Do the right thing, and let's open this process up so we can fix what needs fixing and stop this devastating attack by repealing and so-called replacing the Affordable Care Act.

Ms. JAYAPAL. Mr. Speaker, I thank the good gentleman from Minnesota for his tremendous work and for his words. As the gentleman spoke, I think about all the names that we could call this bill that is before us. We can call it TrumpCare, we can call it the pay more get less bill, and we can call it the broken promises bill. But I think what the gentleman's words have shown us is that this is a bill that is going to deeply affect 24 million Americans across the country and tear them off of their health care, and that is just not acceptable.

Mr. Speaker, I yield to the gentlewoman from California (Ms. BROWNLEY). It is a great honor to introduce my colleague who is a champion for so many issues.

Ms. BROWNLEY of California. Mr. Speaker, I thank the gentlewoman from Washington.

Mr. Speaker, after 7 years of demanding repeal and replace, the very best that the GOP could do was to put forward a bill to eliminate health care for 24 million Americans. Under TrumpCare, over 44,000 residents in my district will lose health care completely.

□ 1645

I want to talk about a different population that we don't address as often. Many of these residents are veterans and their families.

Paralyzed Veterans of America today reminded me that today many vets rely on Medicaid for their health care. TrumpCare undermines the safety net for our veterans and their dependents and their caregivers.

According to PVA, the total number of veterans without insurance dropped very sharply in recent years, yet TrumpCare cuts more than \$800 billion from the Medicaid program, which many veterans and our military families turn to for care. Worse, in their rush to rip health insurance away from tens of millions of Americans, the manager's amendment to TrumpCare could deny tax credits to millions of military veterans.

Mr. Speaker, veterans are among those that TrumpCare would hurt. There are thousands of veterans in my district and thousands of veterans in every district across our great country.

My colleagues on the other side of the aisle should think long and hard before they take this critical, life-saving care away from those who need

it most: our veterans who have served our country so bravely and so patriotically and whom we have made a solemn promise to.

Ms. JAYAPAL. Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON LEE), my colleague on both the Judiciary Committee and Budget Committee and a champion for people of color and folks across this country.

Ms. JACKSON LEE. Mr. Speaker, I am delighted to join the Congressional Progressive Caucus, on which I serve as a vice chair. I remember this experience less than a decade ago when we worked so hard to have the Affordable Care Act.

For many, you are seeing this poster for the first time. I think I need to give you a little journey down memory lane as we talk about why we are so vigorously opposing what would seem to be new and fresh ideas.

First of all, let me say the good thing about the Affordable Care Act is that it is not a respecter of economic standing as relates to the benefits of health insurance. We were able to grant every American the right to have insurance that did not penalize you for being a woman, penalize you for having a pre-existing condition. In fact, it did lower premiums.

We realize that in certain areas that is one of the beginning aspects of a bill that is only 7 years old, but one of the important points is that we have given you insurance that has more benefits than it ever had 10 years ago, 15 years ago. More importantly, working people who happen to be of low income and who are no less able or dignified or equal in this Nation now have insurance.

It is insurance. The underpinning of it is Medicaid, but it is insurance. It allows families, pregnant women, and children to have insurance, people who are working. Then, on the other side, it has help for the blind, the disabled, as well for those in nursing homes. Remember, people in nursing homes have worked. We give them the ability to live in dignity.

Unfortunately, to the contrary, what I am seeing now, just coming out of the Cloakroom, is a hustle and bustle of negotiations and meetings, going in and out of meetings, going to the White House, trying to corral these last votes. Some of these individuals want it to be made worse, and they are holding their ground.

But I tell you what is missing in all of this. What is missing is that what we did almost 10 years ago was have hundreds, maybe thousands, of hearings or townhall meetings in our districts. We had 79 bipartisan hearings in the House, 453 hearings in the Senate. In the House, we had over 181 witnesses and 239 considered amendments. We believed in listening to the American people, many of whom did not understand, but we wanted to get it out.

In the dark of night, this bill has come. There are amendments coming by the day. I will be leaving here and going to the Rules Committee to try to understand what is in the bill.

To the American people, what you can clearly see that is in the bill right now is that we are paying more for less. You are getting \$880 billion taken out of the Medicaid that is used to keep people whole after they have worked—those in nursing homes, the blind, the disabled, or other things that may have occurred—as well as those who are taking care of children and who are pregnant women. Twenty-four million will lose their insurance right now, today, as that bill is passed. Overall, in 2026, 52 million Americans will be uninsured. You can't be plainer than that.

Then what saddens me the most, besides the \$880 billion coming out of your insurance, they give a \$600 billion tax cut to 1 percent of the richest Americans, whom I would venture to say, getting \$57,000 per family, they would say to you: Take it back and help all of America.

The age tax, if you are 50 to 64, you are paying a penalty—not 85, but 50 to 64. They can't get rid of that. How are you going to pass a bill that penalizes?

I have indicated about \$880 billion for Medicaid. Then, of course, the tax relief for people who do not want it.

I say that your patriotism today is letting this see the light of day. Let's debate it and discuss it. Let's talk to States like Kentucky and West Virginia and those States that have taken expanded Medicaid. Let's talk to families, like I have just done today, with children who are only being taken care of with their catastrophic illnesses, with smiles on their face, and homebound, because they have Medicaid as their insurance.

That is why we oppose the TrumpCare bill. No matter how many backdoor meetings President 45 can take care of—I wish, maybe, it started earlier, before he attacked President Obama. But, in any event, with all of these meetings, we are still at a point where we don't know what the bill is doing for people that is good, but we do know what it is taking away from people. I just ask that we stop and do this right to save lives.

I thank the gentlewoman for her leadership.

Ms. JAYAPAL. Mr. Speaker, I yield to my colleague from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank my good friend for the excellent job she is doing in leading this Special Order.

I don't know about you, but the uninsured in my district are down to 3.8 percent. If you think I am going to let the Republicans take away near universal health care from my district, the District of Columbia, without a fight, just watch me, and watch my colleagues.

We had a healthcare townhall. Unlike some of the townhalls of my colleagues, there were not people jumping up saying: Why are you taking away my health care? Instead, they were people like Debbie.

Debbie is a lifetime sufferer of asthma. She also has diabetes. She reached her cap. That meant that the medicine she was on, which cost \$10,000 a month, would have to be paid by her. She worked every day. How many of you—how many of us—could pay \$10,000 a month, no matter what job we have? That, along with her diabetes, makes her a paradigm of the kind of person whose life and death depends on this bill.

I want to just say a few words not about all of the important information you have had, but about what I call the worst of the worst.

First, let me congratulate my Republican colleagues on doubling down on the number without health care because you double the number without health care. As we are rising with the number who have health care, you now turn downward. We can't possibly live with that, and I don't think the American people will allow you to get away with it.

I think about our hospitals, and people say: Why should we pay any attention to the hospitals? Well, when we get back in the era of uncompensated care, what you will have is the Federal Government will never compensate your hospital, so you will compensate your hospital. We are back in the era of free health care, except there is no such thing as free health care. You and I will be paying for it out of our pockets.

What they do to the tax credits is shameful. Flat tax credits, unrelated to the costs, replace the kind of tax credits we have in the Affordable Care Act, which are just, as you might expect, up and down according to the value of insurance.

What good is a flat tax credit unrelated to the cost of insurance or to your income? Do my Republican colleagues really think they are going to fool anybody with those kinds of replacements?

What is perhaps worst of the worst is the work requirement. You get sick, you can't afford to work, you have got to be on the Affordable Care Act, and you need Medicaid in order to do it. They tell you that you have got to go to work in order to—while you are sick, I guess—get your Medicaid. Get sick, go to work, and qualify for health care under the Republican plan.

Those are just some of the worst of the worst. I have got a whole list here, but I thought it important to focus on who gets hurt and why, and why we are simply not going to let that happen.

Ms. JAYAPAL. Mr. Speaker, Ms. NORTON is right: the uninsured rate in my home State of Washington got cut

more than half. So we are down to not quite as low as you, but 5.6, I think now, compared to over 13 percent before the Affordable Care Act.

I often get to co-chair this Special Order hour with my good friend, a brilliant colleague. Mr. Speaker, I yield to the gentleman from great State of Maryland (Mr. RASKIN).

Mr. RASKIN. Mr. Speaker, I thank Congresswoman JAYAPAL for her leadership on this Special Order.

I think the message is getting through to the American people: 24 million of us are about to lose health care if this legislation goes through.

In my home State of Maryland, 375,000 people are estimated to be on the chopping block in terms of their health insurance. In my district, the Eighth Congressional District—Montgomery, Frederick, and Carroll Counties—we could have 75,000 or 80,000 people lose their health care.

We were able to cut the uninsured rate in half with passage of the Affordable Care Act 7 years ago, and now they want to turn the clock back and take us in exactly the wrong direction.

If a foreign power like Russia, for example, tried to throw 24 million Americans off of their health care, we would consider it an act of sabotage, aggression, and war, but this is something that is happening inside the country. Nobody knows why they want to do that to older people with this age tax, why they want to do it to children, to people who have special health needs, to the sick.

It is also getting through that there is going to be \$600 billion that travels upwards in America through a tax break to the wealthiest Americans. That is \$600 billion that is moving upwards. This is not a healthcare plan, primarily. It is a wealth transfer plan, while we toss millions of our co-citizens to the curb.

Seven years ago, we passed the Affordable Care Act. Millions of Americans have gotten health care for the first time, dramatically improving public health in lots of different ways, making sure that people could not be denied insurance coverage because of a preexisting condition, making sure that people in their twenties could stay on their parents' plan, ending lifetime insurance limits, ending annual limits, requiring insurance plans to pay for preventive services like flu shots and cancer screenings and mammograms, dramatically improving the public health. This has been a great success.

Tom Paine once said you cannot "make a man unknow his knowledge, or unthink his thoughts." The American people know that we have made dramatic progress under the Affordable Care Act. We need to be moving more in the direction of covering more people and improving quality and reducing people's premiums and copays and deductibles.

This legislation, the repeal nightmare, goes in exactly the wrong direction. It jacks up everybody's premiums, increases the copays and deductibles, while throwing millions of people to the sidelines.

□ 1700

I want to make one final point, which is the message has gotten through. The public opinion polls are showing that the American people are turning sharply against this terrible repeal plan, which means here in Congress the organizers of the plan are getting increasingly desperate, and they are making deals.

One of the deals that they have made with some upstate Republicans apparently is colloquially known around here as the Buffalo bribe or the Kinderhook kickback or the Hudson hustle. Someone called it today the Empire State enticement or simply Niagara calls.

There are some Republicans in upstate New York who are very nervous about voting for this bill, so what they have extracted is a promise, a very special provision that doesn't apply to the other 49 States. It applies only in New York, and it would say that New York State alone cannot assess its counties to participate financially in the Medicaid system. There are lots of other States that do it, but only New York could not do it. It could not assess the counties, except it could assess any jurisdiction with more than 5 million people.

Gee, what do you think that is? Maybe New York City.

Now, the problem with this other than it being sordid and unseemly—this Buffalo bribery, this Hudson hustle—is that it is unconstitutional because the Federal Government can try to persuade States to do something by offering money, but it cannot extract a concession through coercion, and it cannot treat one State differently from every other State. It violates the principle of equal sovereignty.

I would just say, Congresswoman JAYAPAL, this legislation is not only reactionary, taking us back to a past nobody wants to go back to, and not only dangerous, but it is also unconstitutional because of the Buffalo bribe that is built into it.

Ms. JAYAPAL. Mr. Speaker, once again, it looks like we need to school our colleagues on the Constitution. I thank Mr. RASKIN for consistently doing that.

Now it is a great honor to yield to the gentlewoman from Connecticut (Ms. DELAURO), the dean of the congressional delegation, a champion for women and families, paid leave, and health care across our country.

Ms. DELAURO. Mr. Speaker, I am so honored to join my colleagues here tonight. I thank the gentlewoman for taking the lead in this effort.

There really is such an urgency to this debate and to what is happening on the floor of this House. I rise to voice my opposition to the repeal of the Affordable Care Act, but the urgency of the debate is because tomorrow, in this Chamber, in the people's House, House Republicans are prepared to vote on a healthcare plan which is supported by President Trump and by Speaker PAUL RYAN.

What is at stake on this vote tomorrow in this House? What happens to people in this country with this vote tomorrow?

There is real clarity here. We will see families pay higher premiums and higher deductibles. This plan will increase out-of-pocket costs to working Americans. In addition to that, older Americans will be faced with what has been described as an age tax. Those Americans who are 50 to 64 years old will pay premiums five times higher than what others pay for health coverage, no matter how healthy they are.

There will be less coverage because we are going to take away health care for 24 million hardworking Americans. And for older Americans, once again, something that they rely on in terms of healthcare coverage is what happens to Medicare. Well, Medicare and the trust fund for Medicare will have a shortened life by 2 or 3 years because it takes \$170 billion from the Medicare trust fund.

To do what? What does all of this mean? Who benefits from this legislation that my Republican colleagues want to pass tomorrow and who are strong-arming their own Members to vote for it? Who benefits?

Don't take my word for it, but the Joint Committee on Taxation estimates that two of the tax breaks in the repeal bill will give a \$275 billion tax cut to individuals with incomes over \$200,000; \$190 billion in tax cuts for insurance companies and drug companies who are making a fortune, for medical device manufacturers who are making a fortune.

And so what is the balance?

It is working Americans, older Americans who are going to pay increased costs for premiums and deductibles, and the wealthiest corporations and individuals are going to get a \$600 billion tax cut.

I will make one final comment because this is where the values of this Nation come into play, and when you think about a young woman in my district, Mnikesa Whitaker. She is 36 years old. She has an autoimmune disease known as scleroderma. She cannot breathe without an oxygen tank. She cannot work any longer at 36 years old. What she says to me is, without the Affordable Care Act, each day is one day less in her life. We cannot let the Mnikesa Whitakers all over this Nation down in order to be able to take care of tax cuts for the wealthiest Americans

and increase the costs to working Americans and older Americans.

We have an opportunity to say no tomorrow and defeat this Republican healthcare plan supported by the President and the Speaker of this House, which will only do great damage to the health care of the people of this great Nation.

Ms. JAYAPAL. Mr. Speaker, I thank my good colleague from Connecticut so much for that incredibly compelling testimony of why we cannot let this bill pass.

Let me summarize what you heard in this last hour from Members across our country who are terrified. Frankly, this plan—TrumpCare, the pay more get less plan, the broken promises plan—might actually pass. We have to make sure that it does not pass.

So, in summary, TrumpCare strips healthcare coverage from 24 million Americans. It cuts \$880 billion—that is almost a trillion dollars—from Medicaid expansion, and it gives \$600 billion in tax breaks to the wealthiest Americans and corporations while cutting benefits for seniors, working families, and the most vulnerable among us.

Frankly, we don't know everything it does because there have been amendments after amendments that have been passed today. We still don't know what the full impact of this bill is, yet they are pushing through a vote tomorrow if they can get enough votes to pass it.

TrumpCare is going to raise the cost of health care by about \$14,000 for those between the ages of 50 and 64. That is the age tax you have heard about on the floor tonight. And it is going to raise premiums for almost everyone. It puts a 30 percent penalty for getting health care to anyone who suffers any kind of a catastrophic event that throws you off of health care. If you lose your job and somehow you end up without health care for a couple months, you are going to have to pay 30 percent more in order to get your health care back.

You heard from Representative KENNEDY about mental health, you heard from Representative ELEANOR HOLMES NORTON about work requirements, and that is just a piece of what this TrumpCare bill does.

Tomorrow I will join my Democratic colleagues and hopefully enough Republican colleagues who know that our job is to make sure we provide health care for everyone across this country. Tomorrow I will vote "no" for the 24 million people who will lose their coverage. I will vote "no" for the almost 15 million people who will lose their coverage under Medicaid expansion alone. I will vote "no" for the millions of low-income women who rely on services from Planned Parenthood. I will vote "no" for the tens of thousands of people who will literally die each year

if the Republicans succeed in repealing the health care that we have now.

Let's be clear that the Republican majority has been passing legislation and voting to repeal the Affordable Care Act for 7 years, yet they could not come up with a plan that would, in fact, do what they promised, which is to make sure that we are covering more Americans at lower prices. As my friend, Representative RASKIN, said, this is not a healthcare plan. A healthcare plan would cover more people. This is a tax plan to take the benefits that working families were receiving on healthcare coverage across the country and convert it into tax benefits for the wealthiest, \$600 billion in tax benefits.

People around the country are calling in to say if you care about the American people and if you care about providing health care for all of us, this is a bad plan, you should not vote for it. And Republicans are hopefully listening to constituents across the country, to their Governors in Republican States, Republican Governors who have said how much Medicaid expansion has helped their States. They have asked and pleaded for people to keep what we have; to make it better, yes, but not to strip \$880 billion away.

Just recently, PAUL RYAN, the Speaker of our House, was quoted as saying that he has been dreaming about yanking health care away from the people who need it the most since he was "drinking at a keg."

This is what he said: "So Medicaid, sending it back to the states, capping its growth rate, we've been dreaming of this since I have been around—since you and I were drinking at the keg. . . ."

Well, I don't know what he was thinking about when he was drinking at the keg, but I can tell you that what we have been dreaming about as Democrats, as people who care about the health care of people across this country is that we cover people, that we don't put anyone in a position where they are one healthcare crisis away from bankruptcy, that we make sure that kids can get asthma inhalers, that we make sure that grandma and grandpa can go into the nursing home and get the care that they need. If we pass this bill tomorrow, those grandparents are not going to have the care that they need. Nursing homes are going to shut down. We are going to take away jobs from rural areas, rural hospitals across this country.

Mr. Speaker, today, as we close this Progressive Caucus Special Order hour, I say to my colleagues on the other side of the aisle that I believe we all have the interests of the American people at heart, and if we do, then I hope we will stop this TrumpCare bill from moving forward tomorrow.

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

CONGRESSIONAL TERM LIMITS

The SPEAKER pro tempore (Mr. MARSHALL). Under the Speaker's announced policy of January 3, 2017, the gentleman from Wisconsin (Mr. GALLAGHER) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. GALLAGHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the topic of my Special Order.

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

There was no objection.

Mr. GALLAGHER. Mr. Speaker, I was back in Green Bay, Wisconsin, the past week. Someone asked me: What is the biggest surprise you have encountered since being in Congress?

I said: I will give you a negative surprise and a positive surprise. The negative surprise was how much of our time is spent here in Congress doing things that really, in my opinion, have nothing to do with the hard task of legislating, running around to an endless series of meetings that distract us from the hard work of the floor of coming together and fixing problems.

I said: But on the positive side, I have been blown away by the quality of talent, the commitment to service, and just the incredible collection of experiences we have in the freshman class of the 115th Congress—on both sides of the aisle, by the way.

I think we have a unique opportunity to seize this moment and send a message to our citizens back home that we are ready to change politics as usual and we are ready to work together to get things done. So today we would like to speak about that in general and in particular about term limits, an idea whose time has come.

In my 10 years in the Marine Corps and during two deployments to Iraq, I saw brave young men and women from across this country working together, doing whatever it took to accomplish the very difficult mission.

□ 1715

I would submit that our constituents from across the country sent us here to accomplish a very difficult mission. They sent us here not to treat our time here as a career, but rather like a deployment, an act with a sense of urgency to get things done. And, my gosh, do we have a list of problems that we need to fix.

Our healthcare system in this country has failed the American people, the Federal debt and deficit continue to balloon, taxes are driving out businesses and jobs, and our foreign policy is in shambles right now. These issues aren't new, yet they never seem to get fixed. Why is that? Well, I would argue because Washington isn't working for

the American people. The people's House has become distracted and distorted from its original intention. It is up to us—the new Members of Congress—to fix that and restore the balance that the Founders and the Framers had in mind—the concept of the citizen legislator—people from all walks of life who would put aside their primary responsibility and come and embark on a season of service and then return home when that season was done.

Today, I am proud to be joined by my fellow freshmen Members of Congress who are going to speak about term limits. It is my honor to welcome a man who served his country for a career in uniform in the Air Force. He could have enjoyed a nice retirement and had some relaxing time, but he chose to step up and serve yet again in Congress.

Mr. Speaker, I yield to the gentleman from Nebraska (Mr. BACON), my distinguished colleague, the pride of Omaha, Nebraska, a general, now Congressman.

Mr. BACON. Mr. Speaker, I want to thank my friend from Wisconsin for organizing this. He is a wonderful freshman Member of the class.

I rise today in support of congressional term limits.

In 1846, when then-Congressman Abraham Lincoln was elected to the U.S. House of Representatives, he was part of a freshman class that made up one half of the 35th Congress. In other words, half of the Congress were new Members when he got elected. Today, in the 115th Congress, our freshmen class of 55 Members make up less than 20 percent of this body. But here is a more stark number.

In the last election, 97 percent of House incumbents won reelection—97 percent. Only 3 percent of the challengers defeated an incumbent. I was fortunate to be one of the exceptions to these overwhelming odds.

Since Abraham Lincoln, our country has grown, this institution has grown, and so has the length of time Members stay here. As a person who is new to Congress and is new to politics, I can tell you the reason why congressional favorability ratings are now at 8 percent. Our constituents feel that we have lost touch. The longer we stay here in Congress and don't cycle back to our home districts, the more out of touch we are perceived.

To restore America's trust in Congress, we must institute term limits. Our Forefathers intended the House of Representatives to be an arm of government closest to the people, and to be the purest embodiment of a representative democracy. Members of the people's House were to come from different walks of life and careers to better shape the direction of our great country. Members of Congress were to feel obligated to serve by a sense of civic duty rather than a desire to pursue a career in public office. We have lost sight of this intent.

The American people deserve new ideas from new faces here in Washington. This is the principal reason why I am here today with this great honor bestowed on me from the people of Nebraska's Second District. Congressional term limits would ensure that we send more successful farmers, successful teachers, business leaders, doctors, nurses, and veterans to Washington so that we can address problems with a firsthand perspective. We need more people in Congress who were successful prior to becoming a politician. We need to restore this House as the people's House.

Mr. GALLAGHER. Mr. Speaker, listening to my colleague's remarks, I was reminded of what another general, General Dwight D. Eisenhower, said: "You know, farming looks mighty easy when your plow is a pencil, and you're a thousand miles from the cornfield."

I think that sentiment was echoed by DON BACON, which is to say people who have actual experience dealing with hard problems are the best type of people to legislate on those problems from Congress.

Mr. Speaker, I am honored to welcome another distinguished colleague from Louisiana. We in Wisconsin are all honored to welcome a bunch of LSU fans to Lambeau Field. I won't rehash how that went, but it was a great coming together of two great sports fans. It was really a privilege for everyone there.

Mr. Speaker, I yield to the gentleman from Louisiana (Mr. JOHNSON), my colleague.

Mr. JOHNSON of Louisiana. Mr. Speaker, I thank my distinguished colleague, particularly for not recounting the events of that game. But we are here, Mr. Speaker, to talk about a very important issue to our country and to all of us.

Prior to my election to Congress last December, for nearly 20 years, I practiced primarily in the arena of constitutional law. I had the great privilege of litigating often high-profile cases around the country, defending religious liberty, the sanctity of human life, and traditional American values.

I deeply revere our matchless Constitution, and I fought to defend its application according to its plain language and its original intent. I believe our Founding Fathers were divinely inspired to draft our extraordinary founding documents just as they did and to establish for us the framework of a free Republic. It has been the model for, and the envy of, the other nations of the world since its creation.

America is different. America is exceptional. And we are, as the Gipper used to say, "the shining city upon a hill," citing scripture, and "the last, best hope of man on the Earth."

For all their merits, however, even the original provisions of the Constitution are sometimes appropriate for

modification by the people. The Founders understood this. They recognized that, in spite of their great wisdom, they could not foresee every future contingency and change in our society and our government. So they provided us an orderly process to amend our great Constitution.

I am one who believes the time has come to end a term limits provision, precisely because the form and function of so many aspects of our Federal Government have evolved today into something the Founders could never have imagined two centuries ago.

First, I believe the Founders assumed, I think they assumed that there would be a regular turnover of Federal officeholders. Why do we say that? Well, one of our seminal and foundational principles is the limitation and the separation of powers. It is one of the things that makes us unique in the way that we have set up our government.

The Founders incorporated terms of service and staggered service in the U.S. Senate. Of course, they could have instituted term limits back then, but I think they believed that it was unnecessary.

Look at the statistics of the Founders' era. The rate of reelection and return to Congress back then was roughly 50 percent. You just heard my learned colleague from Nebraska report to you here that the last election cycle, it is much, much higher. Now, in America, the rate of reelection and return to Congress is 97 percent. That is not something I think that the Founders would have ever imagined.

Today, we also have fewer and fewer marginal districts. Incumbents often win by landslides because they have such huge advantages in terms of growing financial support, modern media exposure, and constituent service operations.

Another modern phenomena is that studies show Members tend to support more and more government spending the longer they serve in Congress, and this is true across the political spectrum. That has created a real problem, because the Federal Government has grown so very large now as a result of all that spending. Its scope and power is just simply exponentially greater now than it was in the Founders' era.

At the same time, accountability has gradually decreased over the years as the growing bureaucracy has developed into a sort of fourth branch of government. Over the past several decades, a growing class of nameless, faceless bureaucrats have been allowed to absorb and handle more and more of the authority and to handle more and more of the contentious and most consequential issues that face our Nation.

The problem is the bureaucrats never have to face or answer to the voters. Many who have served in Congress for many decades have become part of

what we now refer to as America's professional political class. Those Members have gradually become more detached, and some have fully lost touch with the real concerns of the citizens they represent.

Due to the busy schedule here, Members of Congress now spend far more time in the beltway than they did in the founding era for certain. And one has to strive much harder now to be at home as often as necessary to keep in touch with the folks that all of us represent.

For many, when they are here a long time, their ideals tend to grow old with time, their energy often wanes, and ideas naturally get stale. There is much to be said for fresh faces.

In my home State of Louisiana, we instituted term limits in our State legislature several years ago. I had the honor of serving there for a short time before I came to Congress. And I can testify today, from my own experience, that the turnover process in the Louisiana legislature has been a very healthy thing for our State. There are new faces, new ideas, and new approaches to problems that have beset our State for generations.

As in a State legislature, a term limited Member of Congress would be more willing to do a number of things, including act quickly to fix problems, rather than merely manage them or delegate broad powers to the executive branch and the bureaucracy. They would be more willing to question bureaucracies and the old-established programs. And I think they would naturally enjoy greater independence. Logic simply tells us that term limits would also allow for a greater diversity of people, ideas, and backgrounds in Congress, naturally evolving this legislative body into one that more closely reflects the people and the actual demographics of our Nation, as I think the Congress did in the Founders' era.

Today, there is a real bipartisan disappointment about Congress and its dysfunction. Thankfully, our new President has taken determined steps toward addressing this issue. Some of these actions have already greatly upset Washington and the politically established. But these changes are important because the transparent and accessible government is the very basis of a democracy.

This is why I have made this one of my top priorities while in Congress. I congratulate all of my colleagues who joined me in that resolve. I truly believe the future of our government and how it is run depends upon how we handle important issues like this.

We need to look no further than our last Presidential election to see how out of touch the people believe that Washington can be. Polls say that between 75 and 80 percent of the American people right now support term limits for Congress, and I also believe

that it is the right move for our Nation. Desperate times call for desperate measures, and I think we have reached that point.

Let's give the people a chance to decide this important matter. Let's go through the constitutional amendment process. Let's put it to a vote of the elected representatives of the people. And let us return to the ideals of accountability, selfless public service, and the model of the citizen legislator.

I will continue to push for reforms in our government and combat corruption and D.C. cronyism as long as I am here. Our Founders intended our government was to be one of the people, by the people, and for the people, as Lincoln famously said. Imposing congressional term limits will help restore that foundational principle, and it will send a strong message to our children and future generations that America is still a country that puts national interests above personal agenda.

Mr. Speaker, I thank my colleague for bringing this to the floor tonight.

Mr. GALLAGHER. Mr. Speaker, I thank Mr. JOHNSON. And I just want to say that he and all the great citizens of the great State of Louisiana are welcome back any time to Lambeau Field. It was an honor to have him there.

Mr. Speaker, it is my honor to introduce a colleague from Pennsylvania's Eighth District, who served his country in the FBI. I am now honored to serve with him on the Homeland Security Committee, to which he brings an incredible wealth of experience. I think he is living proof of the necessity of embarking on term limits and implementing them now.

Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. FITZPATRICK).

Mr. FITZPATRICK. Mr. Speaker, I want to thank the gentleman from Wisconsin (Mr. GALLAGHER), my colleague, for his leadership on this issue, and to all the Members of our class who have joined together in the shared belief that this institution is one of, by, and for the people, not one belonging to a class of professional politicians or partisan elites. Since being sworn in earlier this year to serve the people of Bucks and Montgomery County, I have made it my mission to advance commonsense bipartisan government reform agenda that includes, perhaps, the single most important thing that I believe we need to do in this Nation, and that is institute term limits.

For 14 years, serving as an FBI agent, most of that time being in the political corruption units throughout the country, there was one commonality that I saw very frequently—there was an unmistakable correlation between the length of time in office and the instances of corruption, and that the lines that were very bright for elected officials coming into the system on day one weren't so bright in year 7, 8, or 9, and certainly not in year 15 or 20.

Even the most well-intended backbone individuals oftentimes can be corrupted by a system that has the power to change some people. Those lines become blurred over time. And it is with this background and these real-world experiences that myself and my colleagues are pushing this issue, in this House of Representatives, in this Chamber, for the 115th Congress.

I, myself, introduced House Resolution 7 on my first day, among other reform-minded measures, on my first day in Congress. This was a constitutional amendment that would, once and for all, set term limits for Members of the House and the Senate.

As tonight shows, there is a wide range of support for this need of reform. And, in a time of deep political division and distrust between citizens and their government at an all-time high, term limits can be the first step towards restoring the essential bond between the American people and Congress.

So I urge my colleagues to join us in transitioning power away from the political class here in Washington, D.C., and sending it back to its rightful place—in the hands of the American people.

□ 1730

I thank my colleague, Mr. FITZPATRICK, not only for his leadership on this issue, but on a host of issues related to congressional reform, whether it is no budget, no pay, or a series of other bills that he has introduced; and I look forward to working with him.

Mr. Speaker, just to show that this is an issue that transcends parties, that transcends ideological divide, I am honored to yield to my colleague from the great State of California (Mr. KHANNA).

Mr. KHANNA. Mr. Speaker, I thank Congressman GALLAGHER for his bipartisan leadership on the term limits initiative, and my friend General BERGMAN for his leadership on this issue.

I don't think term limits are a partisan issue. The Economist had an article that the turnover rate in the people's House is less than European monarchies. European nobility turnover is at a faster rate. Incumbency reelection is 96 percent. When folks say, "Why can't you just vote people out of office," it is not looking at the actual statistics. Ninety-six percent of folks here are reelected, and that is not what our Founders intended.

James Madison and Alexander Hamilton agreed: "The security intended to the general liberty consists in the frequent election and in the rotation of the Members of Congress."

They envisioned a place where people would come, serve, and go back home to their communities.

Thomas Jefferson said that people ought to live, lawmakers ought to live

under the laws that they pass. The only way we get back to our founding ideals is if we pass some version of term limits so that people do their public service, and then return to the communities where they reside.

This bill on term limits is really a move against political dynasty, and that is one thing that this election showed us people really were not for. They don't like the idea of a few families, or people connected, holding the reins of power.

Let me end with someone who I think summed this up so eloquently, which is Barbara Bush, our former First Lady. She said: "If we can't find more than two or three families to run for high office, that's silly, because there are great governors and great eligible people to run. And I think that the Kennedys, Clintons, Bushes, there are just more families than that."

This is from Barbara Bush, who understood the essence of democracy is to have new voices, new families, new ideas. That is why I hope that people across the aisle will support the initiative for term limits.

Mr. GALLAGHER. Mr. Speaker, I thank Congressman KHANNA for his comments. He gets at a really important point, which opponents of term limits will say: Well, we have term limits that occur naturally every 2 years. But as he pointed out, with a 94 percent incumbent reelection rate, and a turnover rate that is less than European monarchy, it isn't working that way, owing to the advantages of incumbency. So we need to take action right now. I thank him for his commitment to this. This really is a bipartisan issue.

I am now honored to yield time to my fellow Marine, the gentleman from Michigan (Mr. BERGMAN), a man who also served his country in uniform, and like General BACON before, could have easily decided to enjoy retirement, but felt the call to step up and serve his country again. He brings a wealth of experience, and it is my honor to serve with General—now Congressman—JACK BERGMAN. We are neighbors. We have territory that borders each other, and so far, we have avoided any land disputes.

Mr. BERGMAN. Mr. Speaker, I thank Congressman GALLAGHER for his leadership on this issue, and the leadership across the board here as a Member of what we—I think most of us smile when we say the freshman class, because when I look across the experience level of all of the freshman Congressmen, no matter Democrat or Republican, what this country is blessed to have today, as Members of this 115th Congress, are people who come here with the sense of mission, a sense of purpose, a sense that we know what we have here in this country.

We may have disagreements as to how we are going to get to where we

need to go, but we all agree that we need to go there. The question is: How do we do it?

One of the ways you create an environment where you have fresh ideas and fresh ways of looking at it is to change the people who are presenting and acting those ideas.

I find myself asking many times as we stand on the floor here: What would the Founders say if they were here today with us? How would they look at how we are enacting their vision of what it means to be a constitutionally-based Republic that is "We the People"? How would they react?

I think there are probably a few things that they could not have imagined. Twitter or Snapchat might be one of them—pick your way of communicating across the spectrum that we now have today as our reality. I am not saying those things are bad. They are just the new reality that we have.

So how do we take what was given to us as a framework and move it forward?

Well, again, my colleagues have all eloquently very well stated that they believe that we need to have a higher turnover in Congress. Term limits is going to be a very good first step in ensuring that we maintain the freshness of ideas.

When you look at the challenges that face our country, we know that there are people out there who have chosen not to run, for whatever reason, because of the fact that they view they can make more of a difference outside of Congress. That is too bad, because we need good people. We need them. We need them to be here, to be part of us.

One of the brutal realities as—author Jim Collins of "Good to Great," you know, he talks about facing the brutal realities. One of the brutal realities that I believe we have to face is the professional politician. That wasn't written about anywhere 240 years ago. It just occurred over time.

It is our responsibility—especially as a freshman class, you can feel the passion that we believe is the right passion to be put behind term limits to begin to make the change necessary. So we are all in this together. In fact, I am proud to be a member of the freshman class, and I am proud of the fact that we signed a commitment to civility a couple of months ago that put us in a position where we are finding our voice. And what you are hearing today from our colleagues is part of that voice says: We need to do some things a little differently.

So let's move forward; let's expand the debate; and let's make sure that we are inclusive in everyone who wants to get their opinion heard on this issue; and make sure that those who have questions about what we mean, we articulate it because in so many areas we have got big decisions to make. This is going to be a big one.

In the Marines, we accept the mission that is assigned; we plan and train for it, and then we execute it, and we get it right. And that doesn't mean we don't make a few tweaks in the process, but the bottom line is that we accomplish the mission.

Mr. Speaker, I would ask all of my colleagues to seriously consider getting behind support for term limits in the United States Congress.

Mr. GALLAGHER. I thank Congressman BERGMAN not only for his leadership in the freshman class, but a lifetime of leadership and a lifetime spent leading marines.

I ask my team here in Congress, whenever we are considering a difficult issue, to apply what I call the lance corporal test. In other words, how are the policies that we are debating today and how is the legislation that we are considering going to affect that lance corporal, that 19-year-old man or woman at the tip of the spear?

I think General BERGMAN has seen in his career how messy things can get at the tip of the spear when you are far removed from air-conditioned offices in Washington, D.C.

I believe having more people not only with military experience, but with experience from a wide range of occupations will allow us to more thoughtfully consider how our policies here, designed in Washington, D.C., have real impacts on the American people and, indeed, across the world.

I now yield to the gentleman (Mr. ARRINGTON) from Lubbock, Texas, to talk more about this issue. It has been great to work with the pride of Texas Tech, the pride of Lubbock, Texas.

Mr. ARRINGTON. Mr. Speaker, I thank my distinguished colleague for his leadership on this very important issue.

I have made the statement often when I ran for this office that I ran to change not only the course for this country, but the culture of Washington. It is my strong belief that we cannot change the course in any meaningful way without changing the culture.

So I want to, again, thank my colleague, MIKE GALLAGHER, for his leadership in rallying the freshman class, both Republicans and Democrats, on an issue that I think, because of this unique time in the history of our country, a time that I think calls for bold action, he is seizing the opportunity and heeding that call on behalf of our freshman class. And so I am deeply grateful for his courageous leadership.

Our country, the greatest experiment in liberty and democracy, was conceived by men of great principle; men who were committed to leading, to governing; and, yes—and I know this isn't popular—to compromising; making difficult decisions and putting the Nation's interest above their own personal interest. They were also men who

never envisioned a lifelong career in politics.

In 1819, only 1 percent of Representatives had served over 16 years. Now, 20 percent of Representatives have served over 16 years. The current scenario where Members of Congress serve for 15, 20, even 30 years, is inconsistent with the Founders' view of citizen statesmen. We need an environment that encourages politicians to do what is right not by their party or some special interest, and certainly not to secure their long-term career goals, but to do what is right for their fellow countrymen. Period.

I think passing legislation to implement term limits across the board is a good step in the right direction. I am grateful to be a part of this body and a part of this freshman class. It is such a unique time in our Nation's history.

We need to go big; we need to go bold; or we need to go home.

So thank you for the opportunity, Mr. Speaker, and my distinguished colleague.

Mr. GALLAGHER. I thank Congressman ARRINGTON for his comments. As he rightfully points out, the time is now for big and bold action. We have a unique window of opportunity here that we must seize. The American people gave us an opportunity to turn this country around, to really, in my opinion, save the country. But that is all it is: a fleeting opportunity. And what we do over the coming days and weeks will determine whether we get more of that opportunity.

I thank Congressman ARRINGTON for reminding us that this is just the first step; that the hard work is yet to come. We have to fight for this idea to implement it, and there is a lot of hard work ahead. I look forward to working with him on that.

I know there is a division of opinions on this issue, and there are some principled arguments against term limits.

I just remember talking with the man who held this seat before I did, Congressman Reid Ribble. He had spent his entire life in roofing, which was a nonstandard preparation for serving in Congress, but he decided to give up his successful private sector career to come here for a season of service and to work on behalf of the people of north-east Wisconsin.

□ 1745

He term-limited himself. I would debate this issue with him, and we went back and forth. Ultimately, he said something that stuck with me, and I think it is the most powerful argument for implementing term limits.

He said: Every day, I woke up, and I knew that I had one less day to make a difference in the people's House. One less day. And so every day, I woke up with a sense of urgency, wanting to fix problems and get things done on behalf of my constituents.

I just think about that whenever I consider this debate. I just think about, if all 535 Members of the House and the Senate woke up with that same sense of urgency, if we all woke up every day knowing we had one less day to make a difference, imagine what we could accomplish working together.

So, Mr. Speaker, I thank all of my colleagues who have spoken so eloquently on behalf of term limits, and I look forward to working with them.

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

U.S. POLICY TOWARDS KOSOVO

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from New York (Mr. ENGEL) for 30 minutes.

Mr. ENGEL. Mr. Speaker, an Olympic Gold Medal; groundbreaking international conferences on religious cooperation intolerance; membership in the World Bank, the IMF, and other international bodies; and recognition by more than 110 countries—these are only some of the accomplishments of the young nation of Kosovo.

The United States was among the first to recognize Kosovo, and today we are its strongest backer, and rightfully so. First recognized by President Bush, relations only deepened under President Obama. For that, Kosovo proudly has become the strongest supporter of the United States and Europe, sitting at an 85 percent approval rating.

This is not to say that Kosovo is a perfect country. We are not a perfect country. Corruption needs to be attacked in Kosovo. Judicial reform is progressing far too slowly. And official unemployment hovers at just above 30 percent. So there is hard work to be done. There is obviously a lot of work to do. But I have visited this country again and again and again and again; and every time, I see progress, and I know there is a bright future.

I have often said that, as an American, I can go all around the world, but I will never get greeted with more love and friendship than I will in Kosovo. People there truly love Americans and all things American.

The best way to help Kosovo is through continued, strong support, as the United States has done for many years. But too many impediments stand in the way, many of them coming from outside of Kosovo's borders.

For example, Kosovo wants what most countries across the region want, to become part of a secure and integrated Europe, membership in the European Union and in NATO. Yet, just five European holdouts stand in the way of this progress for Kosovo.

When it comes to United Nations membership, Kosovo's way forward is blocked by Serbia and its ally, Russia. In fact, Serbia seeks to block Kosovo

at almost every turn, and lately has been escalating tensions.

Both Serbia and Kosovo want to go to the European Union, and I support both of them getting into the European Union. But one of those countries shouldn't try to block another one, and Serbia has repeatedly tried to make it difficult for Kosovo to get into the EU and to get other things as well.

Serbia recently sent into Kosovo's north a propaganda train emblazoned with the words, Serbia is Kosovo, written in 21 languages to foment discord among Kosovo's small Serbian population. It pushed the building of a wall in Metrovica, a tiny city straddling the cleavages of Kosovo's interethnic divide. While that wall has now come down, the scars remain.

Serbia has continued to deny justice to the loved ones of hundreds of victims of its campaign of ethnic cleansing, including three American citizens, the Bytyqi brothers. And there are all kinds of insults, from a train and other things, giving propaganda against Kosovo by Serbia pushed to the Serbian-Kosovo border that helps to escalate tensions rather than bring them down.

As a result of a Serbian INTERPOL arrest warrant, French authorities recently detained former Kosovo Prime Minister Ramush Haradinaj, who has already been acquitted twice by an international tribunal.

We in the United States have this wonderful thing of no double jeopardy. If you go to trial and you are acquitted, you cannot be tried on the same thing again. That isn't true of many countries.

So Ramush Haradinaj was accused of war crimes, went to The Hague, spent many weeks and months there, was acquitted, and then was recharged again, and had to go back to The Hague to have another trial on which he was again acquitted. Now, Serbia has manipulated INTERPOL to try to get a third trial on essentially the same matter for Ramush Haradinaj again. This, to me, is unconscionable and shows tremendous bad faith on the part of the Serbian Government.

Serbia also fought Kosovo's membership in UNESCO, ultimately a self-defeating act, because among Kosovo's most cherished historical cultural institutions are its 13th century Serbian Orthodox churches. Kosovo did not get into UNESCO. It failed by three votes, and again the Serbian interruption played a major role in preventing them from getting into UNESCO. The United States fought to have Kosovo into UNESCO, but ultimately lost by three votes.

Kosovo and Serbia have sat down across the negotiating table in talks facilitated by the European Union. Those talks showed some progress that resulted in an agreement calling for normalization. I even nominated, at

that time, the Prime Ministers of Kosovo and Serbia, along with the EU's former policy head, Baroness Catherine Ashton, for the Nobel Peace Prize.

Unfortunately, today, I question these successes. What kind of normalization involves stoking tensions among a neighbor's minority population and standing in the way of international integration? That is what Serbia is doing to Kosovo, and it should be stopped.

In terms of Ramush Haradinaj, trying to try him again, I don't know why the Government of Serbia seems intent on rekindling 20- and 30-year-old Balkan wars. They were terrible things that happened in war and terrible things that happened on both sides, but the man was found innocent twice. This is nothing more than bad faith on the part of the Serbian Government and harassment.

It might come as a surprise to you, Mr. Speaker, but 9 years on, as a free and independent country, Kosovo still has no army. That is right. A sovereign nation-state without an army. It has a small, lightly armed security force, but nothing resembling the large Russian-equipped Serbian military just next door.

Earlier this month, Kosovo took a small step toward establishing its army. Legislation was submitted to parliament. Like the legislative process here in the United States, the introduction of a bill is only the opening note on a much larger and longer sheet of music, a score which involves consultation with regional partners, the international community, domestic minorities, and NGOs.

We all know how this process works. There is back and forth, there is give and take. Supporters and opponents alike are welcome into the arena and all positions are heard. The process accounts for everybody's concerns in some way or another.

So what is in this proposal? What would Kosovo's army look like? It would be multiethnic, just as the Kosovo security force and the Kosovo police are now. It would partner with Western countries and hopefully NATO in pursuit of greater regional and international stability. It would be defensive and nonthreatening to Kosovo's neighbors. Mr. Speaker, it would be exactly what the United States wants to see in a partner.

Yet, while Kosovo slowly moves to set up its small defensive force, Serbia is beefing up its military with full Russian backing. It is taking deliveries of T-72 tanks, MiG-29 fighters, and S-300 anti-aircraft missile systems, courtesy of Moscow and Vladimir Putin.

So I am a little confused, Mr. Speaker. Kosovo, a country we support and which supports us, wants what every other country in the world has: a basic army in which its citizens can serve their nation, and probably serve along-

side our own military if given the chance.

What do we do? We offer rebukes and diplomatic threats, and we make it clear that we don't support Kosovo having an army at this time. That is absolutely absurd and is a position that we ought to change, and change quickly. Yet Russian weapons and materiel are pouring into Serbia, courtesy of Vladimir Putin; and as far as I can tell, the United States has stood in silence.

Regardless, Mr. Speaker, America's relation with Kosovo is strong and the future is bright. We need to stay on that course. Kosovo is a young country. I have been there many, many times. It is not even 10 years old.

We know better than anyone that building a democracy is hard work. Sometimes you will face setbacks. Sometimes you need a helping hand. That is why American support is more important than ever. That is why the United States should work to deepen our ties, enrich our mutual understanding, and continue to bring stability to the entire Balkan region. That is the way to a more prosperous, democratic, and multiethnic Kosovo; and that is the way for the United States to see a Balkan region free, at peace, and part of the whole of Europe.

Meanwhile, France should send Ramush Haradinaj home. Enough is enough already. We cannot stand for any more of this nonsense.

The United States should stand by Kosovo. Kosovo is a free and independent country. For many years, they were fed all kinds of lies about the United States during the old Communist regime in the fifties, sixties, and seventies. You know what? The people of Kosovo didn't believe a word of it.

So I would say to my colleagues and to my friends and to all of our American citizens: When you visit Kosovo, you will know and you will be proud to be an American because people come up to you in the street and want to touch you, want to talk to you, want to do everything and be everything American. Those are the kinds of friends that we need.

America does much for many, many people around the world, many, many nations, and sometimes we feel it is not appreciated—but not in Kosovo. Everything the United States has helped that country with is appreciated from everyone, from the Prime Minister to the President, to people in government, to the average people in the street.

I very often have people coming up to me in the street wanting to talk to me. They recognize me. They say: Thank you. Thank you to America for standing by us in our independence. Thank you to America for being strong and keeping us strong.

So those are the kinds of friends I want to have. Those are the kind of people I want to have.

So I would say to the people of Kosovo and the Government of Kosovo: The United States stands by you and always will stand by you.

I would say to the Government of Serbia: We support the aspirations of the Serbian people to enter the European Union, but Serbia ought to stop doing what it is doing to block Kosovo. Serbia ought to stop its belligerent moves against Kosovo.

Both countries should go into the European Union—and eventually, NATO—and each one should not stop each other. They should help each other.

HEALTH CARE

Mr. ENGEL. Mr. Speaker, I want to spend the next couple of moments talking about a subject that is very near and dear to everyone's heart, and that is health care. I want to do it because tomorrow we have a big healthcare vote here in the Congress, and I think it is very important that we all very clearly lay out what we really feel should happen.

Last week, as part of the Energy and Commerce Committee, I was up for about 28 hours in a row marking up a bill that was done all night long. At the time when we marked it up, we thought it was a bit silly because the bill hadn't been scored by the Congressional Budget Office, so we had no idea what it cost. It was like buying a pig in a poke. How could you decide whether something is good or not when you don't even know what the cost is? Since we obviously don't have unlimited funds, if something costs more money, we have to pull it out of someplace else.

□ 1800

So we voted on a bill. Unfortunately, it was a strict party-line vote, and the bill passed. Shortly thereafter, a few days later, the Congressional Budget Office scored it; and I think it was, frankly, from my vantage point, a disaster for the bill.

Now, what I think that this Congress should be doing is I think that we should make tweaks and fix the Affordable Care Act, or ObamaCare. There are many, many good things in ObamaCare, in the healthcare bill, in the healthcare act, that has now been here for many, many years. But there are also some problems with it.

You know, every major bill that has been passed by this Congress and signed into law needed some tweaks, needed some changes, because you pass a law with good intention, but sometimes it doesn't work out exactly as you wanted it to work out. So you need to change things, you need to make improvements. When you see what is working, what is not working, that is what you do.

That is what this Congress should do with ObamaCare. We should say where

premiums are going up or where certain jurisdictions only have one insurance company and, therefore, there is no competition, we can figure out ways to fix it. We can figure out ways to tweak it. That is what the American people would want us to do. The American people would want us to work together and would want us to work in a bipartisan fashion to try to fix what was wrong with ObamaCare.

Now, there are many wonderful things about ObamaCare. First of all, everyone knows it eliminated the so-called preexisting condition problem, where before, when you changed jobs and you went to a new insurance company, the insurance company said, "Sorry, you have had cancer for 3 years and you have been treated; we are not going to treat you for cancer because it is a preexisting condition," or a heart attack or whatever it is. That was basically unconscionable.

And millions of people couldn't get help because they changed a job and, therefore, changed a healthcare plan. That was changed in ObamaCare. And that was a very, very important thing because an insurance company can now no longer deny you coverage because of a preexisting condition.

Also, as everybody knows, children up to 26 years old can now stay and be insured under their parents' insurance plans. That was a very good plus of ObamaCare, or of the Affordable Care Act.

And there were other very, very important, good things. We had more people being covered than ever before. People who had never had health coverage got it now because of the Affordable Care Act.

So what do we see now? We see, instead of trying to put it together in a bipartisan fashion, trying to fix it, we have this bill which passed the Energy and Commerce Committee and passed the Ways and Means Committee and supposedly is going to be on the floor tomorrow if they can round up the votes. They are having difficulty rounding up the votes.

And what do we see when we look at this new bill that they are asking us to vote for? Let me tell you what we see.

If this bill would ever come into law, we would have much less coverage than ever before. Many people would lose their healthcare coverage, and we would have a smaller population actually being covered for health care.

We call it TrumpCare, and TrumpCare will take away health care from 24 million hardworking Americans. That is not acceptable.

Why shouldn't we be working together to improve ObamaCare? Why do we need a new plan that will insure 24 million less people than we insure now? It is bizarre. It makes no sense whatsoever.

We also feel, when we analyze it—and this is, again, what the Congressional

Budget Office tells us—there are higher costs. TrumpCare forces families to pay increased out-of-pocket costs and higher deductibles.

So what does that all mean?

It means you pay more and you get less. That is a pretty bad deal. I don't think anybody wants that deal. I think Democrats and Republicans, alike, don't want that deal. I think Americans don't want that deal. We want it the opposite way. We would like to pay less and get coverage. But what TrumpCare does to the Affordable Care Act, you pay more and you get less.

If that weren't bad enough, an analysis of it finds that there is a crushing age tax. TrumpCare forces Americans between the ages of 50 and 64 to pay premiums which are five times higher than what others pay for health coverage, no matter how healthy they are. Talk about discrimination.

If you are a 50-year-old that is in good health, why should you have to pay five times more premium than what others pay for health coverage? Doesn't sound like a very good idea to me.

And then you say: How do they get the money to pay for whatever? Well, it steals from Medicaid and Medicare. TrumpCare ransacks the Medicaid funds that allow seniors to get the long-term care they need and shortens the life of the Medicare trust fund by 3 years. Again, pretty bad deal for me.

And you say: Well, who benefits from this? If this is something that people are going to have to pay more and get less coverage, it is discriminatory for people ages 50 to 64. It hurts middle class people making \$30,000, \$40,000, \$50,000, \$60,000 a year, hurts them and hurts seniors, knocks seniors out. Well, who does it help?

Well, guess what? TrumpCare ransacks the Medicaid funds that allow seniors to get the long-term care they need. I said that before. But what does it do? It lowers tax cuts for the rich. So the rich get more tax cuts—I am sorry. It doesn't lower it. It gives the rich more tax cuts.

So it is really kind of nice, I suppose, when you have a billionaire President, it is nice to help the rich—but not at the expense of middle class America.

So when you look at this plan, it is a pretty bad plan for the middle class, pretty bad. So if you didn't like ObamaCare, you are going to dislike TrumpCare even more.

If it is passed, once it is passed, we are going to see, again, premiums rise, millions of people thrown out of insurance, and less coverage, but the very wealthy will get a nice, juicy tax break.

So, you know who used to steal from the rich and give to the poor? This is stealing from the poor and giving to the rich. It is really disgraceful.

So I call on my colleagues on both sides of the aisle. Let's defeat

TrumpCare because it doesn't help anybody, and let's put our heads together. We have enough talent in this place on both sides of the aisle, and that is what the American people want us to do. They want us to put our heads together. They want us to work together and come up with a plan that aids the largest amount of people at the lowest possible cost.

It won't be easy. It will be very difficult. But we should do it together, not jam TrumpCare down our throat, not tell people about false promises when you know people are going to be thrown off.

If you say: Well, you know what? It is going to be cheaper. Well, it is cheaper if you throw off all the sick people and you don't give them insurance, and you throw off all the seniors and you don't help them. Well, of course it is cheaper because all the people that are sick and really need the help won't get it. And after all, what is insurance about? Insurance is there just in case you get sick.

So I am very chagrined about this new bill. I hope it gets defeated tomorrow. I hope that we then go back to the drawing board and come up with a program that will help the American people, not a program that helps Democrats or a program that helps Republicans, but a program that helps Americans, because we are all in this together.

The bill proposed by my Republican colleagues called TrumpCare is not a bill for Americans that will aid them with help when they get sick. As Americans, I do believe that health care should be a right, not a luxury. I believe that the richest country that the world has ever known can give its citi-

zens health care. I believe in the single-payer health care.

But even if it is not single-payer, let's take the original Affordable Care Act, keep what is good, enhance what is good and what needs to be corrected and changed. Let's do it. That is what the American people want. That is what the American people demand, and we should do nothing less.

This bill ought to be defeated tomorrow. Let's go back to the drawing board and come up with something we can be proud of.

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

RECESS

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

Accordingly (at 6 o'clock and 11 minutes p.m.), the House stood in recess.

□ 2352

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia) at 11 o'clock and 52 minutes p.m.

REPORT ON RESOLUTION WAIVING A REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report

(Rept. No. 115-56) on the resolution (H. Res. 221) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, and providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PAYNE (at the request of Ms. PELOSI) for March 20 through today on account of medical condition.

BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on March 21, 2017, she presented to the President of the United States, for his approval, the following bill and joint resolution:

H.R. 1362. To name the Department of Veterans Affairs community-based outpatient clinic in Pago Pago, American Samoa, the Faleomavaega Eni Fa'aua'a Hunkin VA Clinic.

H.J. Res. 42. Disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants.

ADJOURNMENT

Mr. SESSIONS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 53 minutes p.m.), under its previous order, the House adjourned until tomorrow, March 23, 2017, at 9 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first quarter of 2017, pursuant to Public Law 95-384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO KOSOVO, SRI LANKA, AND GEORGIA, EXPENDED BETWEEN FEBRUARY 17 AND FEBRUARY 26, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Peter Roskam	2/18	2/20	Kosovo		469.71		(3)				469.71
Hon. David Price	2/18	2/20	Kosovo		469.71		(3)				469.71
Hon. Adrian Smith	2/18	2/20	Kosovo		469.71		(3)				469.71
Hon. Gerry Connolly	2/18	2/20	Kosovo		469.71		(3)				469.71
Jeff Billman	2/18	2/20	Kosovo		469.71		(3)				469.71
Justin Wein	2/18	2/20	Kosovo		469.71		(3)				469.71
Hon. Peter Roskam	2/20	2/24	Sri Lanka		1,002.75		(3)				1,002.75
Hon. David Price	2/20	2/24	Sri Lanka		1,002.75		(3)				1,002.75
Hon. Adrian Smith	2/20	2/24	Sri Lanka		1,002.75		(3)				1,002.75
Hon. Gerry Connolly	2/20	2/24	Sri Lanka		1,002.75		(3)				1,002.75
Jeff Billman	2/20	2/24	Sri Lanka		1,002.75		(3)				1,002.75
Justin Wein	2/20	2/24	Sri Lanka		1,002.75		(3)				1,002.75
Hon. Peter Roskam	2/24	2/26	Georgia		683.20		(3)				683.20
Hon. David Price	2/24	2/26	Georgia		683.20		(3)				683.20
Hon. Adrian Smith	2/24	2/26	Georgia		683.20		(3)				683.20
Hon. Gerry Connolly	2/24	2/26	Georgia		683.20		(3)				683.20
Jeff Billman	2/24	2/26	Georgia		683.20		(3)				683.20
Justin Wein	2/24	2/26	Georgia		683.20		(3)				683.20
Committee total					12,933.96						12,933.96

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

872. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Andrew E. Busch, United States Air Force, and his advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

873. A letter from the Chairman, Federal Financial Institutions Examination Council, transmitting the Council's Joint Report to Congress, pursuant to 12 U.S.C. 331(e); Public Law 104-208, Sec. 2222(e); (110 Stat. 3009-415); to the Committee on Financial Services.

874. A letter from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting the Bureau's 2017 annual report to Congress on the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. 1692m(a); Public Law 90-321, Sec. 815(a) (as amended by Public Law 111-203, Sec. 1089(1)); (124 Stat. 2092); to the Committee on Financial Services.

875. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's interim final rule — Open Licensing Requirement for Competitive Grant Programs [Docket ID: ED-2015-OS-0105] (RIN: 1894-AA07) received March 20, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

876. A letter from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's report entitled "Annual Report to Congress on the Use of Mandatory Recall Authority" for FY 2016, pursuant to Sec. 206(f) of the FDA Food Safety Modernization Act of 2011, Public Law 111-353; to the Committee on Energy and Commerce.

877. A letter from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the FY 2016 Compounding Quality Act Annual Report as required by the Compounding Quality Act; to the Committee on Energy and Commerce.

878. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Presiding Officer for an Appeal and Informal Hearing; Technical Amendments [Docket No.: FDA-2017-N-0011] received March 21, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

879. A letter from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the 2016 ADUFA Financial Report, pursuant to Animal Drug User Fee Act of 2003, as amended; to the Committee on Energy and Commerce.

880. A letter from the Acting Secretary, Bureau of Legislative Affairs, Department of State, transmitting the Department's Alternative Fuel Vehicle (AFV) program report for FY 2016, pursuant to 42 U.S.C. 13218(b)(1); Public Law 102-486, Sec. 310 (as amended by Public Law 109-58, Sec. 705); (119 Stat. 817); to the Committee on Energy and Commerce.

881. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory

Commission, transmitting the Commission's NUREG revision — Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Licenses of Broad Scope [NUREG-1556, Volume 11, Revision 1] received March 20, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

882. A letter from the Division Chief, FOIA Public Liaison, Bureau for Management, Office of Management Services, Information and Records Division, U.S. Agency for International Development, transmitting the Agency's final rule — Freedom of Information Act Regulations (RIN: 0412-AA89) received March 20, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

883. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 150916863-6211-02] (RIN: 0648-XF009) received March 20, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

884. A letter from the Secretary, Judicial Conference of the United States, transmitting the Conference's proposed "Criminal Judicial Procedure, Administration, and Technical Amendments Act of 2017"; to the Committee on the Judiciary.

885. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Corps' Upper Ohio Navigation Study, PA Final Feasibility Report and Integrated Environmental Impact Statement for October 2014 (revised August 2016), pursuant to 33 U.S.C. 549a; Public Law 91-611, Sec. 216; (84 Stat. 1830) (H. Doc. No. 115-22); to the Committee on Transportation and Infrastructure and ordered to be printed.

886. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Corps' Princeville, North Carolina, Flood Risk Management Integrated Feasibility Report and Environmental Assessment for September 2015 (revised April 2016), pursuant to 33 U.S.C. 549a; Public Law 91-611, Sec. 216; (84 Stat. 1830) (H. Doc. No. 115-23); to the Committee on Transportation and Infrastructure and ordered to be printed.

887. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Corps' Lower Willamette River Environmental Dredging and Ecosystem Restoration Integrated Feasibility Study and Environmental Assessment for July 2015 (H. Doc. No. 115-20); to the Committee on Transportation and Infrastructure and ordered to be printed.

888. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Corps' Puget Sound Nearshore Ecosystem Restoration Final Feasibility Report and EIS report for September 2016 (H. Doc. No. 115-21); to the Committee on Transportation and Infrastructure and ordered to be printed.

889. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Corps' Navigation Improvements Diomedes, Alaska Final Interim Feasibility Report and Environmental Assessment for August 2015 (H. Doc. No. 115-24); to the Committee on Transportation and Infrastructure and ordered to be printed.

REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLATTE: Committee on the Judiciary. H.R. 1215. A bill to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system; with an amendment (Rept. 115-55, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. SESSIONS: Committee on Rules. House Resolution 221. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, and providing for consideration of motions to suspend the rules (Rept. 115-56). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 1215 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DEFAZIO:

H.R. 1664. A bill to amend the Internal Revenue Code of 1986 to index the gas and diesel tax and rebuild our roads, bridges, and transit systems; to the Committee on Ways and Means, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RODNEY DAVIS of Illinois (for himself and Mrs. BUSTOS):

H.R. 1665. A bill to ensure that Administrator of the Federal Emergency Management Agency considers severe local impact in making a recommendation to the President for a major disaster declaration; to the Committee on Transportation and Infrastructure.

By Mr. JONES (for himself, Mr. DUNCAN of Tennessee, Mr. GARAMENDI, Mr. YOUNG of Alaska, Ms. LEE, Mr. MASSIE, Ms. SPEIER, and Mr. CLEAVER):

H.R. 1666. A bill to prohibit the availability of funds for activities in the Islamic Republic of Afghanistan, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARINO (for himself, Mr. GOODLATTE, Mr. CONYERS, and Mr. CICILLINE):

H.R. 1667. A bill to amend title 11 of the United States Code in order to facilitate the resolution of an insolvent financial institution in bankruptcy; to the Committee on the Judiciary.

By Mr. JODY B. HICE of Georgia (for himself and Mr. LOWENTHAL):

H.R. 1668. A bill to establish the Bureau of Land Management Foundation as a charitable and nonprofit corporation to encourage, accept, obtain, administer, and use private gifts, devises, and bequests for the benefit of activities and services of the Bureau of Land Management, and for other purposes; to the Committee on Natural Resources.

By Mr. DELANEY (for himself, Mr. RODNEY DAVIS of Illinois, Mr. AGUILAR, Mr. BARR, Mr. BERA, Mrs. BUSTOS, Ms. GABBARD, Mr. GOTTHEIMER, Ms. HANABUSA, Mr. HECK, Ms. KELLY of Illinois, Mr. KUSTER of New Hampshire, Mr. LOEBSACK, Mr. SEAN PATRICK MALONEY of New York, Mr. MCKINLEY, Mr. MOULTON, Mr. NORCROSS, Mr. PETERS, Mr. POLIS, Mr. RUPPERSBERGER, Mr. SCHNEIDER, Ms. SINEMA, Mr. SOTO, and Mrs. TORRES):

H.R. 1669. A bill to establish the American Infrastructure Fund, to provide bond guarantees and make loans to States, local governments, and infrastructure providers for investments in certain infrastructure projects, and to provide equity investments in such projects, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DELANEY (for himself, Mr. YOHIO, Mr. AGUILAR, Mr. BERA, Mrs. BUSTOS, Ms. GABBARD, Ms. HANABUSA, Ms. KELLY of Illinois, Ms. KUSTER of New Hampshire, Mr. LANGEVIN, Mr. SEAN PATRICK MALONEY of New York, Ms. MCCOLLUM, Mr. MCKINLEY, Mr. MOULTON, Mr. NORCROSS, Mr. PERLMUTTER, Mr. POLIS, Mr. QUIGLEY, Mr. RUPPERSBERGER, Ms. SINEMA, and Mr. SOTO):

H.R. 1670. A bill to eliminate the incentive for corporations to continue to hold accumulated earnings offshore, to invest in domestic infrastructure, to provide for international tax reform, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARLETTA (for himself and Mr. McCAUL):

H.R. 1671. A bill to amend the Internal Revenue Code of 1986 to require the provision of social security numbers as a condition of receiving the health insurance premium tax credit; to the Committee on Ways and Means.

By Mr. CICILLINE (for himself, Mr. REED, Mr. RYAN of Ohio, Mr. POCAN, Ms. MATSUI, Ms. DELAURO, Mr. DOGGETT, Ms. BROWNLEY of California, Mr. SCHRADER, Mrs. BUSTOS, and Mr. GARAMENDI):

H.R. 1672. A bill to improve the competitiveness of United States manufacturing by designating and supporting manufacturing communities; to the Committee on Financial Services.

By Mr. CONYERS (for himself, Mr. GRIJALVA, Ms. JACKSON LEE, Mrs. LAWRENCE, Ms. MCCOLLUM, Mr. POCAN, Mr. EVANS, Mr. ELLISON, Ms. MOORE, Ms. NORTON, Ms. GABBARD, Mrs. BUSTOS, Ms. JAYAPAL, Mr. JOHN-SON of Georgia, Ms. SCHAKOWSKY, Mr.

MCGOVERN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. WELCH, Mr. HUFFMAN, Mr. NADLER, Ms. CLARKE of New York, Mr. RASKIN, and Mr. BEN RAY LUJAN of New Mexico):

H.R. 1673. A bill to establish a trust fund to provide for adequate funding for water and sewer infrastructure, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, Ways and Means, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself, Mr. ZELDIN, and Mr. SUOZZI):

H.R. 1674. A bill to amend and reauthorize certain provisions relating to Long Island Sound restoration and stewardship; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELBENE (for herself, Ms. BONAMICI, Mr. CARTWRIGHT, Ms. LEE, Ms. NORTON, Mr. SMITH of Washington, Mr. KILMER, Mr. HECK, and Mr. GRIJALVA):

H.R. 1675. A bill to establish a national program to identify and reduce losses from landslide hazards, to establish a national 3D Elevation Program, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL (for himself, Mr. REED, and Mr. CARTER of Georgia):

H.R. 1676. A bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine; to the Committee on Energy and Commerce.

By Mr. ENGEL (for himself, Mr. ROYCE of California, Ms. ROS-LEHTINEN, Mr. DEUTCH, Mr. KINZINGER, Mr. CICILLINE, Mr. POE of Texas, Mr. KILDEE, Mr. MESSER, Mr. SUOZZI, Mr. TED LIEU of California, Mrs. MCMORRIS RODGERS, and Mr. BEYER):

H.R. 1677. A bill to halt the wholesale slaughter of the Syrian people, encourage a negotiated political settlement, and hold Syrian human rights abusers accountable for their crimes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FRANKEL of Florida (for herself and Mr. WEBSTER of Florida):

H.R. 1678. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act concerning the statute of limitations for actions to recover disaster or emergency assistance payments, and for

other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GRAVES of Louisiana (for himself and Mr. SIREN):

H.R. 1679. A bill to ensure that the Federal Emergency Management Agency's current efforts to modernize its grant management system includes applicant accessibility and transparency, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. KNIGHT (for himself and Mr. LAWSON of Florida):

H.R. 1680. A bill to amend the Small Business Act to improve the women's business center program, and for other purposes; to the Committee on Small Business.

By Mr. LARSEN of Washington (for himself, Ms. DELBENE, Ms. JACKSON LEE, Ms. MCCOLLUM, Mr. RUSH, Ms. TITUS, Mr. HECK, Mr. MCGOVERN, and Ms. SINEMA):

H.R. 1681. A bill to improve the reproductive assistance provided by the Department of Defense and the Department of Veterans Affairs to severely wounded, ill, or injured members of the Armed Forces, veterans, and their spouses or partners, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATTA (for himself and Mr. WELCH):

H.R. 1682. A bill to clarify that no express or implied warranty is provided by reason of a disclosure relating to voluntary participation in the Energy Star program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SEAN PATRICK MALONEY of New York (for himself, Mr. GALLAGHER, Mr. WALZ, Mr. COOK, Ms. CLARKE of New York, Ms. PINGREE, Ms. NORTON, Mr. CONNOLLY, Mr. CICILLINE, Mr. JONES, Ms. SCHAKOWSKY, Mr. SERRANO, Ms. MATSUI, Mr. SIREN, Mrs. LOWEY, Ms. JUDY CHU of California, Mr. COLE, Mr. BISHOP of Georgia, Mr. DEUTCH, Mr. SABLON, Mr. QUIGLEY, Ms. SLAUGHTER, Mr. GARAMENDI, Ms. BROWNLEY of California, Mr. COLLINS of New York, Mr. RYAN of Ohio, Mr. HIMES, Mr. WEBSTER of Florida, Ms. KELLY of Illinois, Mr. LEVIN, Mr. RUIZ, Mr. CURELO of Florida, Mr. POCAN, Ms. LOFGREN, Mr. CÁRDENAS, Mr. TAKANO, Miss RICE of New York, Mr. LARSON of Connecticut, Mr. DONOVAN, Mr. COOPER, Mr. LOEBSACK, Mr. JEFFRIES, Mr. FASO, Mr. CRAMER, Mr. VALADAO, Mr. ROKITA, Ms. KUSTER of New Hampshire, Mr. THOMPSON of California, Mr. SUOZZI, Mr. KILDEE, Mr. PALLONE, Ms. PLASKETT, Ms. STEFANIK, Mr. NEAL, Ms. TENNEY, and Ms. SÁNCHEZ):

H.R. 1683. A bill to require the Secretary of the Treasury to mint coins in commemoration of the National Purple Heart Hall of Honor; to the Committee on Financial Services.

By Mr. NADLER (for himself and Mr. ENGEL):

H.R. 1684. A bill to direct the Administrator of the Federal Emergency Management Agency to provide technical assistance to common interest communities regarding eligibility for disaster assistance, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. O'ROURKE (for himself and Mr. BOST):

H.R. 1685. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to furnish mental and behavioral health care to certain individuals discharged or released from the active military, naval, or air service under conditions other than honorable, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PAULSEN (for himself and Mr. THOMPSON of California):

H.R. 1686. A bill to amend the Internal Revenue Code of 1986 to extend the limitation on the carryover of excess corporate charitable contributions by regulated public utilities; to the Committee on Ways and Means.

By Mr. POLIQUIN:

H.R. 1687. A bill to amend the Internal Revenue Code of 1986 to lower the mileage threshold for deduction in determining adjusted gross income of certain expenses of members of reserve components of the Armed Forces, and for other purposes; to the Committee on Ways and Means.

By Ms. SANCHEZ (for herself and Mr. ROE of Tennessee):

H.R. 1688. A bill to avoid duplicative annual reporting under the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER (for himself, Ms. MAXINE WATERS of California, and Mr. FITZPATRICK):

H.R. 1689. A bill to protect private property rights; to the Committee on the Judiciary.

By Ms. TENNEY (for herself, Mr. TAKANO, Mr. CORREA, Ms. GABBARD, Mr. FASO, Mr. JONES, Mr. BANKS of Indiana, Mr. COFFMAN, Mr. COLLINS of New York, and Ms. SINEMA):

H.R. 1690. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report regarding performance awards and bonuses awarded to certain high-level employees of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. THOMPSON of California (for himself, Mr. COOK, Mr. SCHIFF, and Mr. AGUILAR):

H.R. 1691. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received from State-based earthquake loss mitigation programs; to the Committee on Ways and Means.

By Mrs. TORRES (for herself, Mr. ENGEL, and Ms. CLARKE of New York):

H.R. 1692. A bill to address the problem of illegal firearm trafficking to Mexico; to the Committee on the Judiciary.

By Mr. BROOKS of Alabama (for himself and Mr. LIPINSKI):

H. Con. Res. 37. Concurrent resolution expressing the sense of Congress that Congress and the President should prioritize the reduction and elimination, over a reasonable period of time, of the overall trade deficit of the United States; to the Committee on Ways and Means.

By Mr. CUMMINGS (for himself, Mr. EVANS, Ms. NORTON, Mrs. WATSON COLEMAN, Mr. BLUMENAUER, Ms. WASSERMAN SCHULTZ, Mrs. DINGELL, Mr. CLAY, Mr. RUPPERSBERGER, Mr. NADLER, Mr. HASTINGS, Mr. RYAN of

Ohio, Ms. SLAUGHTER, Mr. JOHNSON of Georgia, Mrs. BEATTY, Mr. ELLISON, Mr. BISHOP of Georgia, Mr. COHEN, Ms. ADAMS, Mr. LEWIS of Georgia, Mr. SMITH of Washington, Ms. CASTOR of Florida, Mr. LYNCH, Mr. RICHMOND, Mr. DANNY K. DAVIS of Illinois, Mr. LARSEN of Washington, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DELANEY, Ms. KELLY of Illinois, Mr. BUTTERFIELD, Mr. CLEAVER, Mr. SARBANES, Ms. BROWNLEY of California, Mr. MEEKS, Ms. JUDY CHU of California, Ms. PLASKETT, Ms. ROYBAL-ALLARD, Mr. DAVID SCOTT of Georgia, Ms. DEGETTE, Ms. MCCOLLUM, Mr. RUSH, and Mr. RASKIN):

H. Con. Res. 38. Concurrent resolution recognizing the life and legacy of Henrietta Lacks during Women's History Month; to the Committee on Energy and Commerce.

By Mr. TROTT (for himself, Mr. SCHIFF, Mr. VALADAO, Ms. SPEIER, Mr. PALLONE, Ms. JUDY CHU of California, Ms. JACKSON LEE, Mr. BILIRAKIS, Mr. SARBANES, Mr. ROYCE of California, Mr. ENGEL, Ms. CLARK of Massachusetts, Mr. MCGOVERN, Mr. CARBAJAL, Ms. ESHOO, and Mr. COSTA):

H. Res. 220. A resolution expressing the sense of the House of Representatives regarding past genocides, and for other purposes; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

11. The SPEAKER presented a memorial of the Legislature of the State of Arizona, relative to House Concurrent Memorial 2005, urging the United States Environmental Protection Agency to extend the comment period for and revise Docket Number EPA-HQ-SFUND-2015-0781; which was referred to the Committee on Energy and Commerce.

12. Also, a memorial of the Legislature of the State of South Dakota, relative to House Concurrent Resolution No. 1014, expressing the strongest support for, and unity with, the State of Israel and recognizing Jerusalem, as Israel's undivided capital; which was referred to the Committee on Foreign Affairs.

13. Also, a memorial of the Legislature of the State of Arizona, relative to House Memorial 2001, urging the United States Congress to repeal the Affordable Care Act's Health Insurance Tax; which was referred jointly to the Committees on Ways and Means and Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DEFAZIO:

H.R. 1664.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1, Clause 3, and Clause 18 of the Constitution.

By Mr. RODNEY DAVIS of Illinois:

H.R. 1665.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. JONES:

H.R. 1666.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8 of the United States Constitution which grants Congress the authority to make rules for the government and regulation of the land and naval forces.

By Mr. MARINO:

H.R. 1667.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause "to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes;"

Article I, Section 8, clause 4 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause "to establish . . . uniform Laws on the subject of Bankruptcies throughout the United States;"

Article I, Section 8, clause 9 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause "to constitute Tribunals inferior to the Supreme Court;"

Article I, Section 8, clause 18 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof;" and

Article III of the United States Constitution, in that the legislation defines or affects powers of the Judiciary that are subject to legislation by Congress.

By Mr. JODY B. HICE of Georgia:

H.R. 1668.

Congress has the power to enact this legislation pursuant to the following:

Article IV, section 3, clause 2 and Article I, section 8, clause 18

By Mr. DELANEY:

H.R. 1669.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. DELANEY:

H.R. 1670.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. BARLETTA:

H.R. 1671.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1—The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

By Mr. CICILLINE:

H.R. 1672.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. CONYERS:

H.R. 1673.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of Article I.

By Ms. DELAURO:

H.R. 1674.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 and Article 1, Section 8, Clause 18 of the United States Constitution

By Ms. DELBENE:

H.R. 1675.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18.

By Mr. ENGEL:

H.R. 1676.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 of the Constitution.

By Mr. ENGEL:

H.R. 1677.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution.

By Ms. FRANKEL of Florida:

H.R. 1678.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. GRAVES of Louisiana:

H.R. 1679.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. KNIGHT:

H.R. 1680.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. LARSEN of Washington:

H.R. 1681.

Congress has the power to enact this legislation pursuant to the following:

As described in Article 1, Section 1 "all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

By Mr. LATTA:

H.R. 1682.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 1683.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8

By Mr. NADLER:

H.R. 1684.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution.

By Mr. O'ROURKE:

H.R. 1685.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 section 8 of article 1 of the Constitution.

By Mr. PAULSEN:

H.R. 1686.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. POLIQUIN:

H.R. 1687.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 grants Congress the power "to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United State."

By Ms. SANCHEZ:

H.R. 1688.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 7

By Mr. SENSENBRENNER:

H.R. 1689.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Ms. TENNEY:

H.R. 1690.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. THOMPSON of California:

H.R. 1691.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §1

By Mrs. TORRES:

H.R. 1692.

Congress has the power to enact this legislation pursuant to the following:

Article 1: Section 8: Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 38: Mr. BLUM.

H.R. 44: Mr. TAYLOR.

H.R. 159: Mr. CICILLINE and Mr. RASKIN.

H.R. 160: Mr. DESAULNIER and Ms. NORTON.

H.R. 179: Mr. BISHOP of Georgia, Mr. BRADY of Pennsylvania, and Mr. STIVERS.

H.R. 308: Mr. ARRINGTON.

H.R. 314: Mr. WITTMAN.

H.R. 350: Mr. RATCLIFFE.

H.R. 371: Mr. CARTWRIGHT, Ms. NORTON, and Mr. PANETTA.

H.R. 392: Mr. CALVERT, Mr. COLE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. NOLAN, Mr. POLIS, and Mr. LARSON of Connecticut.

H.R. 463: Mr. JOYCE of Ohio and Mr. ROSKAM.

H.R. 530: Mr. GRIJALVA.

H.R. 544: Mr. PETERS and Mr. DEFazio.

H.R. 548: Mr. POLIQUIN.

H.R. 553: Mr. GRIFFITH and Mr. RENACCI.

H.R. 620: Mr. CORREA and Mr. COLLINS of Georgia.

H.R. 632: Mr. MOULTON.

H.R. 644: Mr. YOUNG of Iowa.

H.R. 676: Mrs. CAROLYN B. MALONEY of New York, Mr. ESPAILLAT, and Ms. BARRAGAN.

H.R. 721: Mr. POLIS and Mr. BABIN.

H.R. 747: Mr. KILDEE, Mr. CONYERS, and Mr. HUNTER.

H.R. 756: Mr. FORTENBERRY, Mr. YOUNG of Iowa, Mr. RUPPERSBERGER, and Mr. DAVID SCOTT of Georgia.

H.R. 772: Mr. RUTHERFORD.

H.R. 799: Mr. WENSTRUP and Mr. WILSON of South Carolina.

H.R. 804: Mr. LARSON of Connecticut and Mrs. DAVIS of California.

H.R. 810: Mr. GUTIERREZ, Ms. WASSERMAN SCHULTZ, Mrs. TORRES, and Mr. QUIGLEY.

H.R. 830: Mr. DIAZ-BALART.

H.R. 849: Mr. WALBERG, Mr. SAM JOHNSON of Texas, Mr. COURTNEY, Mr. JODY B. HICE of Georgia, Mr. O'HALLERAN, Mr. PETERS, and Ms. BROWNLEY of California.

H.R. 855: Mr. GRIJALVA and Mr. KILMER.

H.R. 873: Mr. WALZ.

H.R. 881: Mr. OLSON.

H.R. 891: Mr. JORDAN and Mr. CRAWFORD.

H.R. 909: Mr. BROWN of Maryland.

H.R. 914: Mr. LYNCH.

H.R. 918: Mr. BUCHANAN.

H.R. 919: Mr. LAWSON of Florida and Mrs. CAROLYN B. MALONEY of New York.

H.R. 966: Mr. CARTWRIGHT.

H.R. 973: Mr. AMODEI.

H.R. 986: Mr. EMMER.

H.R. 1001: Mr. PETERS, Mr. KIND, and Mr. COURTNEY.

H.R. 1005: Mr. KATKO and Ms. SHEA-POR-TER.

H.R. 1017: Ms. LOFGREN.

H.R. 1046: Mr. KIND.

H.R. 1071: Ms. KUSTER of New Hampshire.

H.R. 1116: Mr. JENKINS of West Virginia, Mr. PETERSON, Mr. MARSHALL, Mr. MCKINLEY, Mr. CRAMER, and Mr. RENACCI.

H.R. 1130: Mr. ABRAHAM.

H.R. 1136: Mr. LONG, Mr. HUDSON, and Mr. MOOLENAAR.

H.R. 1144: Mr. HUFFMAN.

H.R. 1148: Mr. RUTHERFORD.

H.R. 1149: Mr. GRAVES of Georgia.

H.R. 1186: Mr. CARTWRIGHT.

H.R. 1225: Mr. LONG.

H.R. 1243: Mr. AGUILAR and Mr. KIHUEN.

H.R. 1272: Mrs. WATSON COLEMAN.

H.R. 1316: Mr. WITTMAN.

H.R. 1339: Mr. LEWIS of Minnesota.

H.R. 1361: Mr. MOORE.

H.R. 1406: Mr. RASKIN, Mr. COHEN, Mr. SOTO, Mr. CLEAVER, Mrs. DEMINGS, and Mr. QUIGLEY.

H.R. 1409: Mr. BLUMENAUER, Mr. MCKINLEY, and Mr. KENNEDY.

H.R. 1426: Mr. CRAMER.

H.R. 1436: Mr. FARENTHOLD.

H.R. 1444: Mr. CHABOT and Mr. RENACCI.

H.R. 1450: Mr. WITTMAN.

H.R. 1456: Ms. KUSTER of New Hampshire, Mr. GENE GREEN of Texas, and Mr. DEFazio.

H.R. 1473: Mr. RUSH, Mr. DEFazio, and Mr. ELLISON.

H.R. 1483: Mrs. McMORRIS RODGERS.

H.R. 1488: Mr. QUIGLEY.

H.R. 1515: Mr. KATKO.

H.R. 1525: Mr. YOHO.

H.R. 1542: Mr. KHANNA, Mr. SARBANES, Mr. WITTMAN, Mr. RYAN of Ohio, Mr. SOTO, Mr. BLUM, and Mr. BISHOP of Georgia.

H.R. 1552: Mr. JODY B. HICE of Georgia.

H.R. 1555: Ms. MOORE, Mr. MOONEY of West Virginia, and Mr. BRADY of Pennsylvania.

H.R. 1580: Mr. COLLINS of New York.

H.R. 1588: Mr. KHANNA.

H.R. 1613: Mr. STIVERS.

H.R. 1656: Mr. PETERS.

H.J. Res. 6: Mr. LUCAS and Mr. FERGUSON.

H.J. Res. 53: Mr. CARBAJAL.

H.J. Res. 56: Mr. MOONEY of West Virginia.

H.J. Res. 59: Mr. GRAVES of Louisiana, Mr. FARENTHOLD, and Mr. GRAVES of Georgia.

H. Con. Res. 13: Mr. VELA, Mr. HASTINGS, Mr. CUELLAR, Mr. GRAVES of Georgia, Mr. SIRE, Mr. ZELDIN, Mr. VISCLOSKEY, and Mr. BRAT.

H. Con. Res. 20: Miss RICE of New York.

H. Res. 30: Mr. MOULTON, Mr. CARSON of Indiana, Mr. EVANS, Mr. GOTTHEIMER, Mr. CRIST, Mr. COLLINS of New York, Mrs.

DEMINGS, Mr. BARR, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Ms. JACKSON LEE.

H. Res. 46: Mr. PETERS.

H. Res. 54: Mr. CÁRDENAS.

H. Res. 78: Ms. ADAMS.

H. Res. 128: Mr. SESSIONS, Mr. PAULSEN, Mr. GRIJALVA, Mr. TIPTON, and Mr. HUDSON.

H. Res. 184: Ms. PINGREE, Ms. WASSERMAN SCHULTZ, Mr. KENNEDY, Ms. SPEIER, Mr. PASCRELL, Ms. CLARKE of New York, Ms. FRANKEL of Florida, and Mr. PANETTA.

PETITIONS, ETC.

Under clause 3 of rule XII,

30. The SPEAKER presented a petition of the House Standing Committee on Banking and Insurance of the House of Representatives of the Commonwealth of Kentucky, relative to a Resolution, urging Congress to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act; which was referred to the Committee on Financial Services.

EXTENSIONS OF REMARKS

TRIBUTE TO SYLVIA BARNARD—
CALIFORNIA'S 24TH CONGRES-
SIONAL WOMAN OF THE YEAR

HON. SALUD O. CARBAJAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 22, 2017

Mr. CARBAJAL. Mr. Speaker, I rise today in honor of Women's History Month. Every year, we dedicate the month of March to give special recognition to the accomplishments and sacrifices made by America's women. I consider it an honor to highlight the extraordinary women who are making a difference in my district. I would like to recognize one outstanding woman: Sylvia Barnard, of Santa Maria, California.

After facing incredible challenges in her early life, Sylvia has risen to not only empower herself, but other women facing similar difficulties in our community. Once a single mother on welfare at nineteen years old, Sylvia decided that pursuing a higher education was the best way to ensure a better life for her and her daughter and went on to get her Bachelor's Degree from the University of California, Santa Barbara (UCSB). Wanting to help other single mothers, Sylvia used her education from UCSB to write a book titled "One Mother to Another." Her book focuses on the importance of determination, resilience, and the positive impact of higher education.

Currently, she passionately dedicates herself to leading The Good Samaritan Shelter, which gives support to the homeless and other vulnerable populations, serving almost 2,000 people per year. The agency also helps veterans, parolees, mothers fighting addictions, and those in rehabilitation. As the Executive Director, Sylvia has grown the small agency from a shelter that had only eight rooms to one that now has over fifteen rooms for people to escape living on the street.

Sylvia began working at the Great Samaritan Shelter over sixteen years ago as a grant writer, and about ten years ago took the helm of the organization. Under the helm of her leadership, the shelter is now the largest homeless shelter provider for the Santa Maria area.

She has gone above and beyond the call of duty and is a force of light and positivity for vulnerable communities in Santa Maria. I ask all Members to join me today in honoring an exceptional woman of California's 24th Congressional District, Sylvia Barnard, for her incredible service to her community.

HONORING MS. LEONA EGELAND
RICE

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 22, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Leona Egeland Rice upon her retirement after over four decades of public service and leadership in California. Ms. Rice has served our state as a teacher, an elected official, and an advocate for quality healthcare.

A native of Tucson, Arizona, Ms. Egeland Rice came to California to earn a master's degree in education at San Jose State University. She stayed in California as she began her family and her career as a science teacher. While political issues always interested her, Ms. Egeland Rice first became personally involved in the public sphere through her instrumental role in the campaign to build a new sewage treatment plan to prevent ocean pollution.

After the success of her first community organizing experience, Ms. Egeland Rice found a new passion for local involvement. She worked with the Santa Clara County Supervisor's office to ensure women were appointed to boards and commissions in the county. In 1974, she launched her first campaign for the California State Assembly and won with over 57 percent of the vote. When she took office, only one other woman served in the State Assembly. Ms. Egeland Rice later led the charge to change members' title from "Assemblyman" to "Assembly Member" to reflect the body's growing diversity.

During her three terms in the Assembly, Ms. Egeland Rice successfully championed important legislation to improve children's welfare, public health, and access to healthcare across the state. After leaving the State Assembly, Ms. Rice became Chief Deputy Director for the California Department of Human Services, where she established an office in Los Angeles and worked on maternal and children's health.

Ms. Egeland Rice returned to Northern California to spend time with her family in 1998. There she began working with The Doctors Company, a physician-owned insurance company. She helped lead the company's growth over the past two decades, and served as Senior Vice President of Government Relations as well as Executive Director of the company's charitable foundation. As The Doctors Company expanded beyond California, Ms. Egeland Rice developed partnerships with other state governments. Furthermore, she championed the Corporate Charitable program and implemented an Employee Charitable Gift Matching program.

Mr. Speaker, Leona Egeland Rice has served as a dedicated and influential teacher,

public servant, and business leader in our community for over four decades. Therefore, it is fitting and proper that we honor Ms. Egeland Rice here today and extend our best wishes for an enjoyable retirement.

PERSONAL EXPLANATION

HON. LOUISE MCINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 22, 2017

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed Roll Call vote numbers 176, 177, 178, 179, 180 and 181. Had I been present, I would have voted Aye on votes 178 and 181. I would have voted Nay on votes 176, 177, 179 and 180.

IN RECOGNITION OF ANN ARBOR'S
BOY SCOUT TROOP 4 IN THE
CENTENNIAL YEAR OF ITS
FOUNDING

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 22, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Ann Arbor's Boy Scout Troop 4 in the year of its centennial. Boy Scout Troop 4 has been a pillar of the Ann Arbor community and has contributed to the well-being of southeast Michigan through its century of activism and service.

Founded in March 1917 with an original membership of ten boys and three adult leaders, Boy Scout Troop 4 has provided Ann Arbor youth with skills and experience while serving the community at large. The group expanded rapidly during the 1920s and 30s and established itself as a key part of Ann Arbor civic life. The troop has continued to build on its early success and has collectively served over 1,800 boys from Ann Arbor and the surrounding areas since its founding, including over 150 that have achieved the rank of Eagle Scout. Today, Troop 4 continues to remain active in Ann Arbor through projects like Scouting for Food, which provides nutrition to needy individuals, as well as staffing local events like Kerrytown Bookfest and the Saline Celtic Festival. Additionally, the troop hosts camping events and trips for scouts around the state. These initiatives equip the Boy Scouts with experience and ability to become leaders in the community.

Troop 4's long and distinguished history of service has helped create generations of civic-minded individuals who have the skills and experience that will serve them throughout their lives. Through projects like restoring the St. Helena Light Station and visits to cultural institutions like the Cranbrook Institute and the

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

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

Jackson Space Institute, the leadership and members of Troop 4 have continued to build on its historic legacy and the accomplishments of its alumni. It is my hope that Troop 4 continues to serve as a model for activism and help inspire leadership and a spirit of service in the community in the coming years.

Mr. Speaker, I ask my colleagues to join me in honoring Ann Arbor's Boy Scout Troop 4 on its centennial in recognition of the troop's distinguished history. The troop has played a key role in the growth and development of the state through its service projects and cultivation of a new generation of community leaders.

TRIBUTE TO DAWN ADDIS—CALIFORNIA'S 24TH CONGRESSIONAL WOMAN OF THE YEAR

HON. SALUD O. CARBAJAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 22, 2017

Mr. CARBAJAL. Mr. Speaker, I rise today in honor of Women's History Month. Every year, we dedicate the month of March to give special recognition to the accomplishments and sacrifices made by America's women. I consider it an honor to highlight the extraordinary women who are making a difference in my District. I would like to recognize one outstanding woman: Dawn Addis, of Morro Bay, California.

Dawn saw the need for women in San Luis Obispo County to rise together and vocalize their demand for equal rights, which led to her becoming the co-founder and co-organizer of the Women's March San Luis Obispo (SLO). Her hard work and dedication granted San Luis Obispo County residents the opportunity to participate in the single biggest one-day demonstration in our nation's history. Dawn offered her community a platform to join a larger movement and have their voices be heard.

Because of Dawn's leadership, about 10,000 people marched in unity through the streets of downtown San Luis Obispo. She also ensured that the march remained peaceful and non-violent by working with the San Luis Obispo Police Chief. She worked from various community members to organize a successful, inclusive and safe event. The response from San Luis Obispo citizens about restoring their hope for the future was a testimony for the importance of Dawn's work.

Dawn's leadership empowered women from across San Luis Obispo County and allowed them to take part in a larger national conversation. I ask all Members to join me today in honoring an exceptional woman of California's 24th Congressional District, Dawn Addis, for her incredible service to her community.

MEMPHIS COMMERCIAL APPEAL OP-ED

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 22, 2017

Mr. COHEN. Mr. Speaker, I include in the RECORD the following op-ed I recently wrote for the Memphis Commercial Appeal:

Last year, then-candidate Donald Trump condescendingly said to African Americans, "You live in your poverty, your schools are no good, you have no jobs . . . What the hell do you have to lose?"

We now know the answer: a lot. Changes at the Department of Justice (DOJ), alone, are alarming. Instead of serving its traditional role as guardian of civil rights, DOJ is in full retreat. It has reversed course on voting rights, abandoning opposition to a Texas voter ID law in which a federal court found 600,000 registered voters did not have IDs necessary to vote.

Instead of protecting citizens from police who illegally discriminate against African Americans, Attorney General Jefferson Beauregard Sessions III has stated he does not favor the type of consent decrees used in Baltimore and Chicago to remediate conditions.

Sessions has also rolled back President Obama's efforts to phase out private prisons. African Americans not only make up a disproportionate share of the U.S. prison population, but appear more likely to be sent to private prisons, where the DOJ Inspector General has warned there are more security incidents than in public prisons.

Sessions has threatened to thwart the will of voters in states that have legalized marijuana. African Americans are three times more likely than whites are to be arrested for marijuana, despite usage being virtually the same.

The new Education Secretary thinks HBCUs, "are the real pioneers when it comes to school choice." This is ignorant of segregation that necessitated the creation of HBCUs. Betsy DeVos has an education record that does not bode well for public schools, which have provided a path for African Americans to achieve the American Dream.

The new HUD Secretary, Dr. Ben Carson, said within days of assuming office that slaves were "immigrants," a comment that bewildered many, including the NAACP. The President's recently-released budget proposal cuts \$6 billion from this agency that so many rely on.

The outlook for a minimum wage increase under this Administration is nil. The President's first pick to head the Department of Labor opposed a raise, despite there not having been one since 2009. According to the Economic Policy Institute, 35 percent of African-American workers would benefit from a minimum wage increase.

Critical programs that help the most vulnerable such as Meals on Wheels, heating and energy assistance, and nutrition aid to women and children (WIC) would be drastically cut or eliminated in the President's budget. In addition, the budget eliminates Community Development Block Grants and HOME programs that provide affordable housing for low-income residents. Legal Services Corporation, which helps those who cannot afford legal representation, and the Minority Business Development Agency, which helps promote minority-owned businesses, would be eliminated. Massive cuts to

these vital programs would be devastating to Memphis.

While these cuts would have a disproportional impact on African Americans, most cuts will affect all those who are economically disadvantaged and in need of government assistance.

Republicans are also rushing a health care plan that takes from low and middle-income families and gives to the rich. According to the non-partisan Congressional Budget Office, 24 million more Americans would be uninsured by 2026 under this plan. Insurance costs for citizens over 50 years of age would increase dramatically, and financial assistance would be drastically cut for those in need. All while millionaires and billionaires receive massive tax breaks.

During Black History Month, Trump showed his ignorance of the African American experience when he suggested Frederick Douglass was alive. His cabinet is on pace to have the fewest African Americans of any administration in recent memory.

While some African Americans have enjoyed prosperity and acceptance, it is undeniable that African Americans still suffer from vestiges of slavery and Jim Crow. Discrimination and institutional racism have held so many back and left many in need of government relief. Over the last half century, much of America's progress has been measured by how it has dealt with its original sin of slavery. Civil rights, voting rights, advances in health care, public education, social justice and ladders of opportunity to enter the middle class have been markers by which we have judged presidential administrations. Sadly, this administration is failing on all counts.

CONGRATULATING JERRY ANDERSON FOR HIS INTRODUCTION INTO THE OHIO ASSOCIATED PRESS HALL OF FAME

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 22, 2017

Mr. LATTA. Mr. Speaker, I want to recognize WTOL's Emmy Award-winning anchor, Jerry Anderson, for his election to the Ohio Associated Press Hall of Fame. For more than 40 years, Jerry has served Northwest Ohio as a valued and trustworthy face on the local news, and this honor is well deserved.

In 1974, Jerry Anderson started his career in Bowling Green on the radio airwaves for WFOB. Jerry began his television news career in 1980, and he has become one of the top media members in the region. Jerry was awarded an Emmy for Outstanding News Anchor in the NATAS region in 2001.

With a career that has touched on local, regional, and national news, Jerry covered countless important events to the people of Toledo and surrounding areas. So far in his career, Jerry has brought four national political conventions, the inaugurations of three presidents, and Pope John Paul II's visit to Detroit into the living room of families in Northwest Ohio.

A proud Ohioan, Jerry should also be celebrated for support of local charitable efforts, including earning his certification as an auctioneer so he may volunteer for more than 20 charity auctions annually. Jerry also donates

numerous hours as an emcee at community events to help raise funding for local schools, disadvantaged families, and individuals with disabilities.

Mr. Speaker, the Ohio Associated Press Hall of Fame recognizes broadcasters that have "served with exceptional distinction and honor in the field of journalism." When you think of the upstanding work he has done for over four decades, it's clear those words describe Jerry Anderson. Once again, congratulations to Jerry on this high honor.

TRIBUTE TO NANCY WEISS—CALIFORNIA'S 24TH CONGRESSIONAL WOMAN OF THE YEAR

HON. SALUD O. CARBAJAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 22, 2017

Mr. CARBAJAL. Mr. Speaker, I rise today in honor of Women's History Month. Every year, we dedicate the month of March to give special recognition to the accomplishments and sacrifices made by America's women. I consider it an honor to highlight the extraordinary women who are making a difference in my District. I would like to recognize one outstanding woman: Nancy Weiss, of Santa Barbara, California.

After graduating from Boston University, Nancy attended the Culinary Institute with the hope of becoming one of the nation's best chefs. Soon after graduating from the Culinary Institute, she went to work for chef Gabino Sotelino. Nancy quickly became the head chef of a restaurant in Arizona, but wanted to create a place of her own. She opened an upscale pizzeria called Pop's, and two years after the opening her restaurant was featured on a PBS television special titled "Great Chefs of the West."

Now, Nancy is the Director of Food Services for the Santa Barbara School District (SBUSD), and she has revolutionized food service for our students to an incredibly high standard. She has eradicated fried foods, high fructose corn syrup, and frozen entrees from the menu to give students the healthiest choices for their daily meals. Nancy has also made an enormous mark on making public school cafeterias more environmentally friendly by banning Styrofoam trays.

Nancy is dedicated to the health of her students, and guarantees that every fruit and vegetable are sourced from local Santa Barbara farmers. Nancy has also enlisted a fleet of six food trucks to serve students at elementary schools without a cafeteria, and two preschool sites without meal programs. Nancy wants to ensure that our students can eat well during the summer months, and has expanded her responsibilities to include serving Santa Barbara's kids over school vacations.

She has gone above and beyond the call of duty and has led the way for current and future Food Service Directors. I ask all Members to join me today in honoring an exceptional woman of California's 24th Congressional District, Nancy Weiss, for her incredible service to her community.

DUNK CITY

HON. FRANCIS ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 22, 2017

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today in honor of Florida Gulf Coast University with their return into March Madness for a second year in a row. The Eagles scored a big win against the No. 3 seed North Florida on Sunday. This is the third NCAA Tournament appearance for the Eagles since 2013.

I applaud the Florida Gulf Coast Eagles and Head Coach Dooley for their victory. There is a reason why FGCU is known as Dunk City—now go shut down more shot clocks.

THE NATIONAL ENDOWMENT FOR THE ARTS AND ITS IMPACT IN THE THIRTIETH DISTRICT OF TEXAS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 22, 2017

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, the National Endowment for the Arts was established in 1965 as an investment in our shared culture as a nation. President Lyndon Johnson at the signing ceremony for the National Foundation on the Arts and the Humanities Act stated that "In the long history of man, countless empires and nations have come and gone. Those which created no lasting works of art are reduced today to short footnotes in history's catalog." I could not agree with this statement more.

Over the past five years, the NEA has provided grants totaling more than \$1.4 million to local artists and organizations within the thirtieth district of Texas. In return, these artists and organizations have shared their unique forms of expression throughout the region by creating programs focused on uniting communities around art, bringing arts awareness to underserved areas, and strengthening arts education programs in our local schools.

In his first budget request, the President has proposed to eliminate the NEA. I believe the elimination of this agency would be a grave mistake that would have a negative economic, educational, and cultural impact on countless urban and rural communities across the country.

Programs such as the Dallas City of Learning, which provides a summer education program for more than 35,000 students, would not be as successful as they are today without support from the NEA. Countless performances, exhibitions, and festivals would be affected by this disastrous policy proposal.

Mr. Speaker, I rise today to strongly oppose the President's budget proposal which calls for eliminating funding to the National Endowment for the Arts. We must ensure that arts programs across the country are funded so that future generations will understand the culture of our time instead of this great period being a mere footnote in history.

HONORING MILFORD "BUDDY" BOSTICK

HON. BILL FLORES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 22, 2017

Mr. FLORES. Mr. Speaker, I rise today to honor Milford "Buddy" Bostick of Waco, Texas, who passed away on January 4, 2017.

Buddy Bostick selflessly served our nation and Central Texas in so many ways, and he will be missed greatly.

Buddy was born on May 18, 1918 in McLennan County, Texas. He graduated from Moody High School and later attended Baylor University, where he started his journalism career as a radio announcer for WACO Radio. Here Buddy planted the seeds of what would become a successful career in media broadcasting.

Upon graduating, Buddy worked as a radio announcer in Tennessee and Arkansas before eventually returning to Texas. He served his country during World War II as part of the Army Air Corps and upon returning home he continued to pursue his goal of owning his own radio station. He would ultimately do so much more. In 1955, Buddy obtained a license to launch KWTX-TV in Waco and two years later he launched KBTX-TV in Bryan. Since their founding, these two CBS affiliates have provided news and entertainment to hundreds of thousands of families throughout Central Texas. In fact, KBTX was one of the first stations capable of color transmission, and was the first in the Brazos Valley to use color news film.

Buddy would go on to establish other television and radio stations across Texas and even into Louisiana. Then, in the 1970s he and a business partner purchased a controlling interest in the local Bellmead State Bank, changed the name to American Bank, and expanded it to a second location.

Buddy took a risk at the time when he chose to establish a television station in a town with a population of just 20,000. The media landscape in the 1950's was dominated by radio and newspapers. Yet Buddy had a vision and the desire to invest in a new form media to serve the public. In this endeavor, he was the epitome of a businessman and entrepreneur. Above all, he was a family man. He met his wife, Virginia, while attending Baylor University, and they were married for 74 years before she passed away in 2014. They are survived by their two daughters, Ellen and Martha, and ten grandchildren and great-grandchildren. Buddy was often quoted saying, "nothing lasts forever." Though I am confident that one thing will—Buddy Bostick's legacy will have an impact for generations to come.

My wife, Gina, and I offer our deepest and heartfelt condolences to the entire Bostick family. We also lift up the family and friends of Buddy in our prayers.

As I close, I ask that all Americans continue to pray for our country, for our military men and women, who protect us abroad, and for our first responders, who protect us here at home.

TRIBUTE TO SUZANNE CURTIS—
CALIFORNIA'S 24TH CONGRES-
SIONAL WOMAN OF THE YEAR

HON. SALUD O. CARBAJAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 22, 2017

Mr. CARBAJAL. Mr. Speaker, I rise today in honor of Women's History Month. Every year, we dedicate the month of March to give special recognition to the accomplishments and sacrifices made by America's women. I consider it an honor to highlight the extraordinary women who are making a difference in my District. I would like to recognize one outstanding woman: Suzanne Curtis, of San Luis Obispo, California.

Suzanne is one of the quiet heroes of her community by selflessly contributing her time and resources over several years to the local American Red Cross and victims of fires. She is a Volunteer Coordinator of the San Luis Obispo chapter of the American Red Cross, and is tirelessly working to aid victims of natural disasters. Last year, San Luis Obispo County faced a devastating fire that consumed nearly 4,000 acres and forced residents to evacuate their homes. During the Chimney Fire, Suzanne was instrumental to securing people shelter and ensuring and assisting in their recovery from the disaster.

She continues to help natural disaster victims by serving as the local Red Cross Disaster Action Team dispatcher. In this capacity, she aids community members affected by house fires, earthquakes, and flooding. Her dedication to San Luis Obispo County's disaster victims is volunteered, and Suzanne gives most of her free time to working on behalf of others and protecting her fellow community members' safety.

As a retired U.S. Army Chief Warrant Officer, Suzanne continues to be a passionate supporter of our troops and local veterans. She is always willing to extend a helping hand to those who need it. She set up a scholarship specifically for women veterans at Cuesta College, which is the sole funding available for them.

Suzanne has been a champion for natural disaster victims and selflessly works for those who need it most. I ask all Members to join me today in honoring an exceptional woman of California's 24th Congressional District, Suzanne Curtis, for her incredible service to her community.

IN RECOGNITION OF HENRI
LANDWIRTH, FOUNDER OF DIG-
NITY U WEAR

HON. JOHN H. RUTHERFORD

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 22, 2017

Mr. RUTHERFORD. Mr. Speaker, I rise today to ask the United States House of Representatives to join me in recognizing an extraordinary leader, Mr. Henri Landwirth, for the incredible impact he has had on countless individuals not only in Jacksonville but also across the country.

Born March 7, 1927, in Belgium, Henri Landwirth, along with his family, was arrested for being Jewish. He spent five years in a concentration camp and survived the Holocaust. At 18, Henri immigrated to the United States with only a Torah and a little money. Soon after his arrival, he joined the United States Army and served during the Korean War.

Following his military service, Landwirth used his G.I. benefits to take a course in hotel management and began work in a New York City hotel. He used every opportunity to work hard and advance through every job in the business and eventually moved to Florida to own his own hotel.

He enjoyed a successful career in the hotel industry and became a philanthropist starting the Fanny Landwirth Foundation in 1985 in memory of his mother. The mission of the Fanny Landwirth Foundation is "to enrich, educate and empower underserved children and families" by supporting basic needs such as food, shelter, clothing and education.

A trip to Jacksonville's Sulzbacher Center for the homeless and his memory of having no clothes when he was incarcerated at Auschwitz led him to found Dignity U Wear, which to date has provided over 9 million pieces of clothing valued at over \$160 million to those in need.

Henri once said, "From the darkness of concentration camps grew many compassionate courageous and generous souls." Henri Landwirth's vision to become a courageous and generous soul has been proven true in the thousands of people he's helped over the years. His unwavering commitment and dedication to his community is immeasurable.

Mr. Speaker, I applaud Henri Landwirth for his strong leadership and unyielding commitment to philanthropy and our community.

PERSONAL EXPLANATION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 22, 2017

Mr. BLUMENAUER. Mr. Speaker, had I voted, I would have voted "no" on passage of H.R. 1259, the VA Accountability First Act of 2017 (Roll Call No. 168). This bill contains provisions that infringe on the collective bargaining and due process rights of Veterans Affairs' employees. Should this legislation become public law, it would have a damaging effect on patient care and VA recruitment, limiting the agency's efficiency.

IN SUPPORT FOR RECOGNITION OF
WORLD WATER DAY

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 22, 2017

Mr. JOHNSON of Georgia. Mr. Speaker, every year on March 22nd we recognize World Water Day. It highlights drinking water is a basic right denied to many.

According to the United Nations fact sheet for World Water Day of 2017, a source of

drinking water contaminated with feces, which puts them at risk of contracting cholera, dysentery, typhoid and polio. Unsafe water, poor sanitation and 842,000 deaths each year." This is a reality for people around the world including here in the United States.

Flint, Michigan has been without clean drinking water for almost two years. There were high levels of lead in the water supply which is contributing to a growing number of chronic illnesses in the region. It was not until this month that the EPA awarded funds to repair the pipe system in the city of Flint to hopefully decrease the amounts of lead. Unfortunately, Flint is not the only city struggling in this capacity. Last year, Reuters published an article that announced thousands of other cities had dangerous levels of lead in their water systems. This is an unacceptable reality that cannot remain ignored. The health of Americans, especially children and the elderly will remain at risk daily if this problem remains unchecked.

Under Trump's new executive order, "Restoring the Rule of Law, Federalism, and Economic Growth by reviewing the 'Waters of the United States' Rule," rolls back the landmark environmental rule that allows the government to limit the amount of pollution that enters into our streams, rivers, and wetlands. Originally the rule protected 60 percent of water sources in the U.S.; however, under this administration, whose primary concern seems to be protecting big business and corporations, these water sources are at risk.

As Members of Congress, we must take steps to protect our water supply as a matter of public health. We need to address the situations in cities where lives are in danger due to contaminated water, both in the U.S. and around the world.

REGARDING THE LIFE OF JESSE
O. ADCOCK

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 22, 2017

Mr. PALAZZO. Mr. Speaker, I rise today to honor the life and memory of Jesse O. Adcock who passed away this past Thursday, March 16, 2017. Mr. Adcock was born on March 8, 1924 in Neshoba County, MS, in the Arlington Community.

During World War II Mr. Adcock joined the U.S. Army Air Corps, and was assigned to the Eighth Air Force. While there he flew 35 missions in the B-17 and was awarded the Purple Heart and other distinguished decorations for his heroic service. He also served in the Berlin Airlift prior to retiring from the Air Force in 1967.

Mr. Adcock returned home to Mississippi and entered the real estate business in Biloxi. He became involved in several business and civic associations including the Mississippi Realtors Association, Biloxi Businessman's Club and the Gulf Coast Apartment Association. He built and owned several apartment complexes, and the successful business he started over 50 years ago continues to operate today.

Mr. Adcock was very involved with politics and government at all levels and was appointed to serve on the Mississippi Medicaid

Commission by Governor William Waller. He later served as the commission's chairman.

Mr. Adcock was not only interested in serving his state, but his faith community as well. He was a member of First Baptist Church of Biloxi and served in various leadership positions until moving to Hattiesburg in 1994, where he became an active member of Venture Church.

Mr. Adcock's service to his nation, state and community will always be remembered and I am proud to recognize his life of service before the United States Congress.

RECOGNITION OF INTERNATIONAL DAY FOR THE ELIMINATION OF RACIAL DISCRIMINATION

HON. HENRY C. "HANK" JOHNSON, JR.
OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES
Wednesday, March 22, 2017

Mr. JOHNSON of Georgia. Mr. Speaker, yesterday was International Day for the Elimination of Racial Discrimination. It is no secret that hate and racism are very much still alive today. Society is often racist and prejudiced against minority individuals, because of the color of their skin or where they come from. Men and women are denied jobs, migrant status, or even killed because of racial discrimination. The Southern Poverty Law Center's Hate Group Map indicates that the number of hate groups has grown for two years in a row. The SPLC map also demonstrates that currently there are more than 900 organizations in existence whose primary purpose is to drive a narrative of hate, discrimination, and intimidation. Additionally, a Pew research study showed racial tensions are perceived to have worsened by 38 percent of people since President Obama's first term. The same study indicated that African-Americans are about twice as likely as whites to feel that it is in fact discrimination that is preventing the success of Black Americans. The FBI's 2016 hate crime report reveals that hate crimes against Muslims grew by 67 percent in just one year.

This administration's rhetoric has encouraged behavior that is aggressive and intolerant. This is not reflective of America and our values. We must be diligent in our efforts to minimize and eliminate racial discrimination from all facets of society and our political narrative.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this infor-

mation, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, March 23, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 27

12 noon

Committee on the Judiciary

Business meeting to consider the nominations of Neil M. Gorsuch, of Colorado, to be an Associate Justice of the Supreme Court of the United States, and Rod J. Rosenstein, of Maryland, to be Deputy Attorney General, and Rachel L. Brand, of Iowa, to be Associate Attorney General, both of the Department of Justice.

SD-226

MARCH 28

9:30 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine fostering economic growth, focusing on the role of financial companies.

SD-538

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the United States' increasing dependence on foreign sources of minerals and opportunities to rebuild and improve the supply chain in the United States.

SD-366

Committee on the Judiciary

To hold hearings to examine protecting young athletes from sexual abuse.

SD-226

10:30 a.m.

Committee on Foreign Relations

To hold hearings to examine the view from Congress, focusing on United States policy on Iran.

SD-419

2:15 p.m.

Committee on Energy and Natural Resources

Subcommittee on Energy

To hold hearings to examine the cybersecurity threats to the United States electric grid and technology advancements to minimize such threats, including S. 79, to provide for the establishment of a pilot program to identify security vulnerabilities of certain entities in the energy sector.

SD-366

2:30 p.m.

Committee on Armed Services

To receive a closed briefing on Department of Defense worldwide policy and strategy and the Fiscal Year 2017 Defense Supplemental Budget Request.

SVC-217

Committee on Environment and Public Works

Subcommittee on Fisheries, Water, and Wildlife

To hold hearings to examine S. 518, to amend the Federal Water Pollution Control Act to provide for technical assistance for small treatment works, S. 675, to amend and reauthorize certain provisions relating to Long Island Sound restoration and stewardship, and an original bill entitled, "Water Infrastructure Flexibility Act of 2017".

SD-406

MARCH 29

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine closing the skills gap and boosting United States competitiveness.

SD-G50

Committee on Environment and Public Works

To hold hearings to examine cleaning up our nation's Cold War legacy sites.

SD-406

10:15 a.m.

Committee on Foreign Relations

Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues

To hold hearings to examine United State-Mexico relationship, focusing on advancing security and prosperity on both sides of the border.

SD-419

10:30 a.m.

Committee on Appropriations

Subcommittee on Department of Defense

To hold hearings to examine a review of the defense health program and military medicine funding.

SD-192

2:15 p.m.

Committee on Armed Services

Subcommittee on Readiness and Management Support

To hold hearings to examine the health of the Department of Defense industrial base, and its role in providing readiness to the warfighter.

SR-232A

Committee on Foreign Relations

Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy

To hold hearings to examine American leadership in the Asia-Pacific, focusing on security issues.

SD-419

2:30 p.m.

Committee on Appropriations

Subcommittee on State, Foreign Operations, and Related Programs

To hold hearings to examine civil society perspectives on Russia.

SD-192

Committee on Commerce, Science, and Transportation

To hold hearings to examine the nomination of Jeffrey A. Rosen, of Virginia, to be Deputy Secretary of Transportation.

SD-G50

Committee on Homeland Security and
Governmental Affairs

Subcommittee on Federal Spending Over-
sight and Emergency Management

To hold hearings to examine the effect of
borrowing on Federal spending.

SD-342

Committee on Indian Affairs

To hold an oversight hearing to examine
native youth, focusing on promoting
diabetes prevention through healthy
living.

SD-628

Special Committee on Aging

To hold hearings to examine the arc of
Alzheimer's, focusing on preventing
cognitive decline in Americans to as-
suring quality care for those living
with the disease.

SD-106

3 p.m.

Committee on Small Business and Entre-
preneurship

To hold hearings to examine how small
businesses confront and shape regula-
tions.

SR-428A

3:30 p.m.

Committee on Armed Services

Subcommittee on Airland

To hold hearings to examine Air Force
modernization.

SR-222

MARCH 30

2:30 p.m.

Committee on Energy and Natural Re-
sources

To hold hearings to examine the poten-
tial for infrastructure improvements to
create jobs and reduce the cost of liv-
ing through all-of-the-above energy
and mineral production in Alaska.

SD-366

APRIL 6

9:30 a.m.

Committee on Armed Services

To hold hearings to examine United
States Southern Command and United
States Northern Command.

SD-G50

SENATE—Thursday, March 23, 2017

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Lord God of Heaven and Earth, today teach our lawmakers to do things Your way, embracing Your precepts and walking in Your path. Make them peaceful and powerful instruments for goodness in our Nation and world. Remind them that the narrow and difficult road leads to life and few find it, but You honor those who honor You.

As our Senators receive guidance from You and follow Your leading, replace anxiety with calm, confusion with clarity, and despair with hope. Give them attentive hearts and open minds as they seek to find in the diversity of ideas what is best for our Nation and world. May peace become the hallmark of their work.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. HELLER). The majority leader is recognized.

TERROR ATTACK IN THE UNITED KINGDOM

Mr. MCCONNELL. Mr. President, I would like to start by taking a moment to offer sincere condolences to our friends in the United Kingdom who lost loved ones in yesterday's horrific terror attack. Our prayers are with those who were severely injured, as well, and we wish them a swift and full recovery.

This act of terror occurred on the 1-year anniversary of the devastating attack in Brussels, and as Prime Minister May pointed out, the location of the attack seems to be no coincidence. "The terrorist chose to strike at the heart of the [the UK's] capital city," Prime Minister May said yesterday, "where people of all nationalities, religions and cultures come together to celebrate the values of liberty, democracy and freedom of speech."

I know I speak on behalf of my colleagues when I say that our thoughts are also with those who were in Parliament at the time of the attack, serving their country much in the same way that we do in this Chamber every day.

Of course, I want to also acknowledge the law enforcement personnel and first responders who courageously put their lives on the line for their fellow citizens. We know that the capable security services of the British, working in cooperation with our own, will continue to investigate whether this was a radicalized individual actor or a terrorist connected to an ISIL external operation.

Our friends face difficult days ahead as they begin to heal from this senseless act, but as they do so, we want them to know that the United States stands with them as a friend, as a cherished ally and as a united partner against terror.

CONGRESSIONAL REVIEW ACT RESOLUTION

Mr. MCCONNELL. Now, Mr. President, on the business before the Senate today, recently a Washington Post article noted that Congress has undertaken the "most ambitious regulatory rollback since Reagan." Already, we passed 10 resolutions under the Congressional Review Act to end Obama administration regulations that slow economic growth, threaten jobs, and hold our country back. As one study estimates, our action to overturn these regulations could save Americans nearly \$4 billion and more than 4 million hours of paperwork.

This week, we have continued our regulatory relief efforts, and today we will have an opportunity to send another to the President's desk. This resolution would overturn a costly and confusing Federal communications rule. The regulation in question makes the internet an uneven playing field, increases complexity, discourages competition, innovation, and infrastructure investment. President Obama's own legal mentor has expressed serious doubts about the rule's constitutionality under the First Amendment.

Senator FLAKE has long been a leader on tackling this issue. Last year he voiced his worries about the regulations in a letter to the FCC and held a hearing regarding the legality of such regulations. Now he has sponsored a CRA resolution that will allow us to overturn the regulations and protect consumers. As Senator FLAKE has pointed out:

The FCC's midnight regulation does nothing to protect consumer privacy. It is unnecessary, confusing and adds yet another innovation-stifling regulation to the internet.

That is why he proposed this CRA resolution, which he has explained "empowers consumers to make informed choices on if and how their data can be shared."

I thank my friend from Arizona for taking on this important issue and putting forth legislation to address it. I look forward to the Senate passing it soon.

NOMINATION OF NEIL GORSUCH

Mr. MCCONNELL. Mr. President, this week Supreme Court nominee Judge Neil Gorsuch came before the Senate Judiciary Committee for his confirmation hearing. Senators from both sides had the opportunity to ask him questions. Both they and the American people were able to learn more about Judge Gorsuch, about the type of jurist he has been and will continue to be, about his character and temperament, and about his aptitude to serve on the Supreme Court.

His answers reflected what we have all come to find about the judge over the past several weeks. He has sterling credentials and a reputation as a fair and impartial jurist. He is also known to be a gifted writer, who is smart, kind, humble, and independent.

As I mentioned yesterday, his impressive testimony has caught the attention of publications, news outlets, and commentators from across the country and across the political spectrum. In a panel discussion just yesterday, an MSNBC commentator noted Judge Gorsuch's "masterful performance"—one that he called a "tour de force."

Another panelist and NBC correspondent had a complimentary view of the nominee, as well, noting that "in terms of character, in terms of professionalism, [and in terms of] integrity, there wasn't, I would argue, anything, or hardly anything there to criticize Gorsuch on."

The Wall Street Journal noted that Gorsuch "stressed his independence" throughout the hearing. The Detroit news echoed these observations and has urged the Senate to confirm him. It editorialized that "[a]fter two days of often hostile hearings, Supreme Court nominee Neil Gorsuch is proving himself an even-tempered, deeply knowledgeable nominee who should be confirmed by the Senate."

The paper also noted that Judge Gorsuch is "[eminently] qualified" and

that he “is coming across in the hearings as the very image of a thoughtful jurist. He displayed an impressive depth of knowledge, and admirable patience. And he’s carefully followed past practice of judicial nominees in refusing to say how he’d rule on specific issues.”

His independence is really without question at this point. The American Bar Association, which awarded Judge Gorsuch its highest rating of unanimously “well qualified,” recently submitted testimony to the Judiciary Committee. Here is what the Bar Association had to say about Judge Gorsuch’s independence:

Our evaluation process provided an excellent opportunity to gain a glimpse at whether Judge Gorsuch is a judge who ascribes to the concept of an independent judiciary. Based on the writings, interviews, and analyses we scrutinized to reach our rating, we discerned that Judge Gorsuch believes strongly in the independence of the judicial branch of government, and we predict that he will be a strong but respectful voice in protecting it.

The ABA went on:

As one interviewee noted with alacrity, “Judge Gorsuch has ‘grit,’ which he gets from being a multi-generation Westerner.” Another stated, “He is dedicated to the constitutional doctrine of separation of powers and to the independence of the judiciary.” Yet another observed, “In addition to his outstanding academic credentials and brilliant mind, Judge Gorsuch’s demeanor and written opinions during his tenure on the Tenth Circuit Court of Appeals demonstrate that he believes unwaveringly in the rule of law and judicial independence. In my opinion, he is exceptionally well qualified to serve as a justice of the Supreme Court of the United States.” We agree.

I certainly agree with that. This is from the American Bar Association, an organization that the Democratic leader and former Democratic chairman of the Judiciary Committee have deemed the gold standard for evaluating nominees. In addition, the assistant Democratic leader acknowledged yesterday that Judge Gorsuch is “very gifted” and “has a great background and service as judge.”

But despite the Judge’s outstanding performance, his exceptional background, and the extensive support he has received from people of all political leanings, we know that some Senate Democrats will continue trying to come up with any reason to delay the confirmation process. It is not the first time we have seen our friends across the aisle engage in obstructionist tactics. In fact, we just saw a historic level of obstruction when it came to confirming the President’s Cabinet.

We know that our colleagues are under a great deal of pressure from the far left. We know some of these groups are calling for them to “resist.” We know that even more than 4 months after the election, some on the far left simply refuse to accept the outcome of last year’s election.

Well, it is past time to move on from that mindset and return to the serious business of governing. One way we can do so is by confirming Judge Gorsuch as the next Supreme Court Justice without delay. He is a proven jurist. He is an outstanding intellect. He has earned the respect and admiration of so many—Democrats, Independents, and Republicans alike. He is also unquestionably independent.

Today we will hear even more praise for Judge Gorsuch as witnesses come before the Judiciary Committee. I urge my colleagues to show him the fair consideration he deserves and, ultimately, to come together in supporting his nomination in the days ahead.

REPEALING AND REPLACING OBAMACARE

Mr. MCCONNELL. Mr. President, today marks the seventh anniversary of ObamaCare becoming law. In the years since, millions of Americans lost their plans and their doctors. They saw the cost of their premiums and deductibles soar. They watched their choices disappear as insurers were forced out of the marketplace. Former President Bill Clinton called ObamaCare the “craziest thing in the world.” He was right. It was a direct attack on the middle class. These failed policies are affecting real people every day. Americans expected the law to deliver on its promises, but instead they have paid more and received less. ObamaCare has been a flawed system from the start. Over the past 7 years, things have gotten progressively worse.

Our Nation cannot continue on this trajectory as ObamaCare continues to unravel at every level, leaving Americans to pick up the pieces. On this seventh anniversary of ObamaCare’s enactment, Americans deserve a better way forward. Thankfully, we finally have a Congress and a President who are committed to delivering much needed reform.

The legislation currently before the House will help bring relief. It will repeal and replace ObamaCare, which is exactly what we promised the American people we would do. Instead of forcing Americans to buy something they may not want, like ObamaCare does, this bill gives Americans the freedom to choose what type of coverage is right for them.

I look forward to the House passing that bill soon, and we look forward to taking it up in the Senate, where there will be a robust amendment process. Then, I look forward to collaborating with my colleagues to pass it. It is important, however, to remember that this bill is only one part of a three-pronged strategy to bring relief. The administration is already working to fix the damage 7 years of ObamaCare has done to the health markets across the country, and we will continue to

consider further legislation in Congress to bring more competition and reform.

It is time to move on from 7 years of ObamaCare’s broken promises and unyielding attacks on the middle class. The status quo is not an option. So let’s work together to get this done.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUB- MITTED BY THE FEDERAL COM- MUNICATIONS COMMISSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S.J. Res. 34, which the clerk will report.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 34) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to “Protecting the Privacy of Customers of Broadband and Other Telecommunications Services.”

The PRESIDING OFFICER (Mr. STRANGE). If no one yields time, time will be charged equally.

The Senator from Maryland.

END RACIAL AND RELIGIOUS PROFILING ACT

Mr. CARDIN. Mr. President, I rise today to talk about a bill that I have introduced. I have introduced it in prior Congresses. But I think it is particularly important in this Congress. It is the End Racial and Religious Profiling Act of 2017. I am proud to have many of my colleagues as cosponsors of this legislation, including Senators BALDWIN, BLUMENTHAL, BOOKER, BROWN, CANTWELL, COONS, DUCKWORTH, DURBIN, FEINSTEIN, FRANKEN, GILLIBRAND, HARRIS, HEINRICH, HIRONO, KAINE, MARKEY, MENENDEZ, MERKLEY, MURPHY, MURRAY, SANDERS, STABENOW, UDALL, VAN HOLLEN, WYDEN, and WARREN.

In the House of Representatives, the bill’s principal sponsor is Congressman CONYERS. It is needed now more than ever before. I say that for many reasons, one of which is that we have seen a large increase in hate crimes in our community. Yesterday I was on the phone with a father from Harford County, MD, whose son was the victim of a hate episode related to that person’s religion and ethnic background.

We have seen in our community a large increase in hate crimes against the Jewish community. There have been a lot of bomb threats that have been called into Jewish schools and to

the Jewish Community Centers. We have seen physical attacks and the desecration of cemeteries. So the minority community feels threatened.

That has been escalating as a result of the actions of our President and his Executive orders. The Executive orders—he has issued two now that are dealing with the immigrant community—do raise the temperature in our community and the concern in our community that people are being threatened because of their religion, threatened because of their ethnic background, threatened because of their status as part of an immigrant community.

All of that has added to the concerns in America today. The legislation that I have introduced would make it illegal for discriminatory policing—for police to use as an indicator for their actions a person's race, religion, or ethnic background.

Discriminatory policing is against our values. Quite frankly, it is not what we stand for as a nation. We don't target people because of their religion. I will always remember that shortly after the Trayvon episode, I met with community activists in Baltimore. Many told me examples of how they were with their parents when the police stopped them randomly, for no reason at all, but solely because of the person's race and how communities felt threatened as a result of it.

It is not what we stand for as a nation. It turns communities against police, rather than working with the police. It is a waste of resources. It does not work. It can be deadly as we have seen in too many communities in our Nation. In my own city of Baltimore, we had the episode concerning Freddie Gray, who died in police custody.

I went to Sandtown, where Freddie Gray came from, shortly after that episode and met with the community, and I heard comparable stories about how good community activists felt like they were betraying their community if they worked with the local police, because they said the system was just stacked against their community and their race.

So let me, if I might, quote from the Department of Justice report on the Freddie Gray case. Our congressional delegation asked for a pattern or practice investigation. In part of that investigation, they came out with this finding:

There is overwhelming statistical evidence of racial disparities in Baltimore Police Department's (BPD's) stops, searches, and arrests. . . . BPD officers subject African-Americans to a disproportionate number of pedestrian and vehicles stops on Baltimore streets and search African-Americans disproportionately during these stops. . . . The policing practices that cause the racial disparities in BPD's stops, searches, and arrests, along with evidence suggesting intentional discrimination against African-Americans, undermine the community trust that is

central to effective policing. . . . Indeed, we heard from many community members who were reluctant to engage with the officers because of their belief that the Department treats African-Americans unfairly. . . . These concerns were acknowledged by BPD leadership and officers, who explained that lack of trust—particularly in many of Baltimore's African-American communities—inhibit officers' efforts to build relationships that are a key component of effective policing. . . .

I say that because racial profiling—discriminatory profiling—is ineffective and is counterproductive. It actually makes communities less safe. I have the honor of being the Special Representative for Anti-Semitism, Racism and Intolerance in the OSCE, or the Organization for Security and Cooperation in Europe's Parliamentary Assembly.

In that capacity, I have identified four major areas of concern within the 57 countries that represent the OSCE, including the United States. Those priorities are discriminatory actions against the Muslim community, the rise of anti-Semitism, the concerns of discrimination against the immigrant community, and also the concerns on discriminatory policing.

Discriminatory policing is very much engaged in our concerns about the rise of anti-Semitism, racism, and intolerance. Now, I want to make it clear: The overwhelming majority of people in law enforcement are good people. They are professionals. They are trying to do their job. They are against racial profiling. But we need to protect the professionalism within the police departments and establish a national policy against racial profiling.

My legislation is supported by over 1,150 organizations. Let me just, if I might, mention a couple of those, by quoting their leaders. Wade Henderson, president and CEO of the Leadership Conference on Civil and Human Rights, who supports this legislation said:

Discriminatory profiling is wrong, fosters distrust between law enforcement and the communities they serve and puts public safety at risk. Racial profiling infringes on civil liberties and squanders resources that should be used instead to catch criminal perpetrators. We urge his colleagues to join Senator Cardin and stand for effective law enforcement by supporting [this legislation].

Jennifer Bellamy, the ACLU legislative counsel, who also supports this legislation, said:

For centuries, discriminatory profiling practices have harmed communities of color. It is not enough to be 'against' racism and racial profiling, we need national leaders to end discriminatory practices. We know that profiling of any kind is ineffective and diverts law enforcement's time, money, and energy away from actual threats. The time is now to end racial profiling once and for all.

Then, lastly, Hilary Shelton, the director of the NAACP Washington Bureau and the senior vice president for policy and advocacy said:

This important legislation takes concrete steps to put an end to the insidious practice of profiling individuals by federal, state and local levels based on physical attributes or an individual's religion. It is difficult for our faith in the American criminal justice system not to be challenged when we cannot walk down the street, drive down an interstate, go through an airport, or even enter into our own homes without being stopped merely because of the color of our skin, who we are perceived to be, or what we choose to wear.

I could mention many of the other groups and many other quotes. This legislation is pretty straightforward. It establishes a national uniform standard against discriminatory profiling at all levels of law enforcement—State, local Federal.

For example, it tells us that we can't use as descriptors a person's race. We can do so when we are using it to describe a particular crime, but not as a predictor of future crimes. Let me close by quoting from Ron Davis, the former police chief of East Palo Alto, CA, where he said:

[T]here exists no national, standardized definition for racial profiling that prohibits all uses of race, national origin, and religion, except when describing a person. Consequently, many state and local policies define racial profiling as using race as the "sole" basis for a stop or any police action. This definition is misleading in that it suggests using race as a factor for anything other than a description is justified, which it is not. Simply put, race is a descriptor not a predictor. To use race along with other salient descriptors when describing someone who just committed a crime is appropriate.

That is what this legislation does. It establishes a national definition. It prohibits it in any form of policing in our country. It provides for training. It provides Federal grants for best practices. It requires the Attorney General to issue reports. It is legislation that is needed in our country.

Former Attorney General Eric Holder adopted it at the national level, and he said:

In this Nation, security and liberty are—at their best—partners, not enemies, in ensuring safety and opportunity for all. . . . In this Nation, the document that sets forth the supreme law of the land—the Constitution—is meant to empower, not exclude. . . . Racial profiling is wrong. It can leave a lasting scar on communities and individuals. And it is, quite simply, bad policing—whatever city, whatever state.

The 14th Amendment to the U.S. Constitution guarantees "equal protection of the laws" to all Americans. Racial and discriminatory profiling is abhorrent to those principles, and it should be ended once and for all.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent that I be permitted to speak as in morning business.

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

TRUMP CARE

Mrs. MURRAY. Mr. President, I want to start by addressing the news last

night that Republican leaders have decided to try to make their awful TrumpCare legislation even worse. TrumpCare wasn't enough of a give-away to insurance companies, and it didn't do enough harm to women, seniors, and people with preexisting conditions, so Republican leaders decided to double down in efforts to appeal to their extreme conservative base.

They are now claiming that they can take away essential health benefits like maternity care, mental health care, and preexisting conditions through the reconciliation process, but here are the facts: Republican leaders know, just as Democrats do, that measures to take away these critically important protections cannot survive the reconciliation process and could never get 60 votes in the Senate. They are simply trying to sell conservatives a bill of goods today in the rush to jam this through, but the more they scramble, the more harmful this bill gets for patients and families and the worse it will be for any House Republican who will be held accountable for their votes on it.

As we all know, today marks 7 years since the Affordable Care Act was signed into law. While some here in Congress may view this as an ideal opportunity to ram through a reckless, harmful repeal of the law, I, for one, think about today a little differently.

I remember 7 years ago, standing with a young constituent of mine from Seattle, Marci Owens, as we watched President Obama sign the Affordable Care Act into law. I had met Marci when she was about 11 years old, in the midst of some of the most heated moments of the healthcare reform debate, and to this day, I will never forget the story she told me about her mom, who all of a sudden had become sick, was forced to miss work, and because of that, she lost her job and lost her health insurance. Ultimately, because she wasn't even able to see a doctor or get any care, she died as a result of her illness.

I took that story with me, along with countless other stories of families unable to access care, pay for medication, or see a doctor. I used them as motivation as my colleagues and I worked tirelessly to pass the Affordable Care Act.

Just last month, I was proud to have Marci, who is now 18, attend President Trump's joint address to Congress as my guest. Today, Marci is still sharing her story and advocating for affordable healthcare, as well as transgender rights. She, along with millions of others across the country, is once again standing up, speaking out, and making it clear that we cannot go backward.

I come to the Senate floor to share some of the stories of families in my home State of Washington who are worried, who are afraid, and whose lives will be at risk if President Trump

and Republicans take us down this dangerous path to repeal, people whose voices need to be heard more than ever.

I want to make it very clear why we are here and what is at stake. The House Republican TrumpCare bill would have a profoundly negative impact on the lives and the well-being and the financial security of people across the country, people who are truly terrified about the uncertain path forward. Yet, for having such a profound impact, Republicans are seemingly doing everything they can to limit public discussion on TrumpCare. This bill was rushed through four House committees without a single public hearing, no testimony, no expert view. House Republicans voted the bill out of two of these committees without a CBO score, without knowing how many people would be impacted.

In the Senate this week, every Senate Democrat on the Health, Education, Labor, and Pensions Committee called on the chairman to allow for a hearing to talk about this bill, but he refused. He ignored the request, and he held a hearing on other health policy instead. That the Health Committee—the Health Committee—has not been allowed to hold a single hearing to talk about and debate TrumpCare is appalling and shameful.

Not to be outdone, of course, the majority leader, instead of committing to give all Senators time to review and evaluate the bill, has now said the bill will go straight to the floor for a vote as soon as next week, prompting even Members of his own party to come out against this plan.

In all, these efforts are unprecedented. They are wrong, and they speak volumes about the kind of bill they are trying to ram through, because we now know many of the facts of the bill.

This bill will kick 24 million people off their coverage. It will cause premiums to skyrocket. Seniors will pay more for their care. It will put at risk those who are struggling with mental illness and substance use disorders, including opioid addiction. It would end Medicaid as we know it.

Predictively, it attacks women's constitutionally protected healthcare and rights. It defunds Planned Parenthood and puts insurance companies back in charge of other critical parts of women's healthcare, including maternity care, cancer screenings, and contraception. This bill undermines women's access to healthcare and women's ability to make their own healthcare decisions in virtually every way a piece of legislation could.

I oppose this bill in the strongest terms. I am going to be doing everything I can to fight back against it, and I know Senate Democrats will as well.

Families across the country are looking to us, and they have nowhere else

to turn. Like many of my colleagues, I have constituents coming up to me constantly when I am at home, asking me what is going to happen if TrumpCare becomes law. They are bravely sharing deeply personal stories about their health, their families, and their fears—something they should not have to do. They deserve to be heard.

Erin Zerba from my home State of Washington deserves to be heard. She has been a teacher for 19 years and teaches in two rural school districts, but because of her part-time standing in both districts, she is ineligible for insurance. If it weren't for the Medicaid expansion under the Affordable Care Act, she would have no options.

As Erin puts it, she is "terrified" to learn that Medicaid would be gutted under TrumpCare. She has multiple disabilities, including autism and Ehlers-Danlos syndrome. She has had repeated surgeries following a difficult pregnancy. The medication she has to take every day is very expensive. There is no generic form. She is one of those millions of people.

I have to say that we are going to fight back in every way we can because the TrumpCare bill that is being rushed through the House with giveaways being given to Senators for their votes is not the way we take care of people in this country. I am deeply worried about the process of this bill.

I see the Democratic leader on the floor, and I know how important it is for him to speak. I just want to say, as the ranking member on the Health Committee, it is appalling to me that we have had no hearings, no expert witnesses, no markup. We have not seen this bill, and it is being rushed through. It will impact every single American and deserves the time of day, not some created chaos and deadline timeline that was created simply to fulfill a campaign promise and not to do the right thing for the American people.

Mr. President, I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

THANKING THE SENIOR SENATOR FROM WASHINGTON

Mr. SCHUMER. Mr. President, first, I would like to thank the senior Senator from the State of Washington, the ranking member of the Health Committee, for her outstanding work on this issue. She knows this issue better than just about anybody in this Chamber. She is passionate and also fact-driven about her views and has had great influence on this Chamber.

I hope my colleagues on the other side of the aisle will review what she said. To rush through a bill for a campaign promise—a bill that is fraught with problems and difficulty, many of which will probably not come to light until after the bill comes to the floor—is the wrong thing to do. I thank the

senior Senator from the State of Washington.

TERROR ATTACK IN LONDON

Mr. President, first, I want to just say a few words. My heartfelt condolences go to the families of the victims in London.

Terrorism strikes everywhere. It was so close to the symbol of Great Britain—Parliament, Big Ben, a place we have all seen in pictures and some of us have had the opportunity to see in person. It reminds us that the scourge of terrorism needs to be eradicated in any way we can. I am committed to that, and I know the 100 Members of this Senate body are as well.

Our hearts go out to those who were lost.

NOMINATION OF NEIL GORSUCH

Mr. President, now I will move on to the subject I wish to speak about at length this morning, and that is Judge Gorsuch.

I have had the opportunity these past 3 days to watch Judge Neil Gorsuch in the Judiciary Committee and to review his credentials and record on the Tenth Circuit and before that.

I would particularly like to recognize the outstanding work done by every Democratic member of the Judiciary Committee. They were outstanding in questioning Judge Gorsuch despite his lack of candor and desire to answer. I would like to particularly call out our exceptional ranking member, Senator FEINSTEIN, who has done a wonderful job leading that committee.

I have thought long and hard about his nomination and what it means for the future of the Supreme Court and for the future of our country. What is at stake is considerable. The decisions we make here in the Senate over the next few weeks about Judge Gorsuch, as on any Supreme Court nominee, will echo through the lifetime tenure of that judge, through a generation of Americans.

Discussions of the Supreme Court can get wonky and technical, with invocations of precedent and canons of interpretation. What is at stake, however, is not at all abstract; it is real and it is concrete for Americans, whose lives, health, happiness, and freedoms are on the line at the Supreme Court. Closely divided decisions recently have meant the difference between the ability to marry the person you love or not, the ability to have your right to vote protected or not, the ability to make personal choices about your own healthcare or not. The Supreme Court matters a great deal. It matters for workers who want to protect both their lives and their jobs, for employees who need to be able to seek redress for discrimination, and for parents who want their kids to get a fair shake in the education system.

It is with all this in mind that I have come to a decision about the current nominee. After careful deliberation, I

have concluded that I cannot support Judge Neil Gorsuch's nomination to the Supreme Court. His nomination will face a cloture vote. He will have to earn 60 votes for confirmation. My vote will be no, and I urge my colleagues to do the same.

To my Republican friends who think that if Judge Gorsuch fails to reach 60 votes, we ought to change the rules, I say: If this nominee cannot earn 60 votes—a bar met by each of President Obama's nominees and George Bush's last two nominees—the answer isn't to change the rules, it is to change the nominee.

This morning, I would like to lay out the reasons I will be voting no on this nomination.

First, Judge Gorsuch was unable to sufficiently convince me that he would be an independent check on a President who has shown almost no restraint from Executive overreach.

Second, he was unable to convince me that he would be a mainstream Justice who could rule free from the biases of politics and ideology. His career and judicial record suggest not a neutral legal mind but someone with a deep-seated conservative ideology. He was groomed by the Federalist Society and has not shown 1 inch of difference between his views and theirs.

Finally, he is someone who almost instinctively favors the powerful over the weak, corporations over working Americans. There could not be a worse time for someone with those instincts.

Judge Gorsuch's opportunity to disabuse us of all these objections was in the hearing process, but he declined to answer question after question after question with any substance. Absent a real description of judicial philosophy, all we have to judge the judge on is his record.

First, I want to address the first issue I raised, that of judicial independence. It is so clear that at this moment in our history, our democracy requires a judge who is willing to rule against this President. This administration seems to have little regard for the rule of law and is likely to test the Constitution in ways it hasn't been challenged in decades. It is absolutely the case that this Supreme Court will be tried in ways that few courts have been tested since the earliest days of the Republic when constitutional questions abounded.

The President himself has attacked individual judges and the credibility of the judiciary at large. The President has attacked a three-judge panel of the Ninth Circuit and said if they didn't decide with him, they would be responsible for the next terrorist act. I have never heard any President in my lifetime or read about any President in previous history who dared do that. We are in uncharted territory with this President and with judicial independence. It requires a strong independent

backbone. Judge Gorsuch has shown none. Senators on the Judiciary Committee rightly asked Judge Gorsuch direct questions about this issue. I did so myself in my meeting with the judge. While the judge repeatedly asserted his independence, he could not point to anything in his record to guarantee it. Judge Gorsuch offered the Judiciary myriad platitudes on this point. "No man is above the law," he said. He said he was "disheartened" by the President's attacks on the judiciary. The President, for his sake, said that Judge Gorsuch didn't mean him, and everyone left it at that.

If Judge Gorsuch had an ounce of courage, had shown a scintilla of an ability to be independent, he would have said: No, Mr. President. No, President Trump, I did mean you. Instead, he just tells us in general that he is demoralized, disheartened. Telling us is not the same as showing us. He is asking us to take him at his word, but his record suggests that he has long been someone who has advocated extreme deference to assertions of broad Presidential power.

That leads me to my second point; that Judge Gorsuch was unable to convince me that he would be a neutral judge, free of ideology and bias. The hearings this week were an opportunity for Judge Gorsuch to explain his record, to tell us how he thinks and how his judicial philosophy does not fundamentally advantage the powerful. Instead, we got banalities and platitudes. We didn't get any real answers to any real questions about what he thinks about the law and why. He refused to answer general questions on dark money in politics, LGBTQ rights, the constitutionality of the Muslim ban. I couldn't believe it, when I asked him: Is a law that bans Muslims, a law that just said all Muslims are banned from the U.S. unconstitutional, he couldn't even answer that. He refused to say whether he agreed with Supreme Court decisions in seminal cases like *Brown v. Board*, *Roe v. Wade*, *Griswold v. Connecticut*, despite the fact that his predecessors, Justices Roberts and Alito, said they agreed with those cases.

He refused to answer questions about the emoluments clause, a section of the Constitution that prohibits foreign corruption of U.S. officials. Instead of an umpire calling balls and strikes in baseball, what we really saw was a well-trained expert in dodgeball.

My friend, the ranking member of the committee, said it best. "What worries me," she told the nominee, "is that you have been very much able to avoid any specificity like no one I have ever seen before."

Let me repeat. There is no legal standard, rule, or even logic for failing to answer questions that don't involve immediate and specific cases that are or could come before the Court. It is

evasion, just evasion, plain and simple, and it belies a deeper truth about this nominee.

If anyone doubts that Judge Gorsuch doesn't have strong views, that thinks he would be a neutral judge calling balls and strikes as Judge Roberts once put it, just look at the way he was chosen. He was supported and pushed forward by the Heritage Foundation and the Federalist Society, and groomed by billionaire conservatives like Mr. Anschutz. President Trump simply picked someone from off their list.

President Trump sought the advice and consent from the Federalist Society instead of from the U.S. Senate. Does anyone think the Federalist Society would choose someone who just called balls and strikes? Does anyone think they would put on their list a neutral, moderate judge when they haven't ever supported anyone but judicial conservatives, almost all hard-right judicial conservatives in their history? The Federalist Society has been dedicated for a generation to influence the courts to favor corporations and special interests. If anyone doubts that Judge Gorsuch could be an activist judge with views eschewing the interests of average people, look at how he was selected—by a group that is not neutral, a group that has been dedicated to changing the judiciary and placing activist, hard-right judges on the bench. Now that he is nominated, look at how much money, dark, secret, undisclosed money—it is a good bet from the very corporations Judge Gorsuch has been defending his whole career. If he were so neutral, would they be spending this money? I doubt it.

Anyone groomed by the Federalist Society will not call balls and strikes. Their views are best foretold by the ideology of the people who groomed them. To say Judge Gorsuch has no ideology whatsoever is absurd. He just will not admit it to the American people. To say he is just neutral in his views is belied by his history since his college days and by his own judicial record. He even tried to deny it. In the hearings, Judge Gorsuch repeated the hollow assertion that judges don't have parties or politics. He said there are no Democratic judges or Republican judges, but if that were true, we wouldn't be here, would we? If that were true, if the Senate were merely evaluating a nominee based on his or her qualifications, Merrick Garland would be seated on the Supreme Court right now. Merrick Garland is not a Justice. We all know why. We all know my friends across the aisle held the Supreme Court seat open for over 1 year in hopes that they would have the opportunity to install someone hand-picked by the Heritage Foundation and the Federalist Society to advance the goal of Big Money interests entrenching their power in the Court.

They don't even mind that this nomination is moving forward under a cloud of an FBI investigation of the President's campaign. The Republicans held a Supreme Court seat open for a year under a Democratic President who was under no investigation but now are rushing to fill the seat for a President whose campaign is under investigation. It is unseemly and wrong to be moving so fast on a lifetime appointment in such circumstances.

Finally, Judge Gorsuch came into this hearing with a record that raises deep concerns about whether he would consider fairly the plight of the average citizen before the interests of powerful special interests. I examined his record. I saw a judge who repeatedly decided with insurance companies that wanted to deny disability benefits to employees. I saw a judge who, in unemployment discrimination, sided with employers the great majority of the time. I saw a judge who, on the issue of money and politics, seems to be in the same company as Justices Thomas and Scalia, willing to restrict the most commonsense contribution limits.

In the hearings, Judge Gorsuch did nothing to explain his philosophy, did nothing to assuage those concerns. We will just have to go by his record, a record that shows time and time again his rulings favor the already powerful over ordinary Americans.

Judge Gorsuch ruled against a teacher, Grace Hwang, who, having been through two bouts of cancer, was advised by her doctors not to return to the college campus during a flu epidemic lest she put her life at risk. She was fired for taking sick leave. Judge Gorsuch, true to form, voted to uphold that dismissal. Her daughter Katherine told us last week:

This decision to protect her health cost my mom her job. When Judge Gorsuch issued his ruling, he didn't think about the impact that this had on our family. The law calls for "reasonable accommodation for those who are disabled."

Judge Gorsuch ignored the human cost.

Judge Gorsuch ruled against a truck-driver, Alfonse Maddin, who had to make a similar choice between his employer and his life. I met with him. He told me a harrowing story of being stuck in the cab of a tractor-trailer with frozen brakes, no heat, temperatures outside dipping to 27 below zero. He had a choice, leave the trailer with broken brakes and drive the cab to safety or stay in the trailer and freeze to death. He radioed his company to explain his predicament. They told him that the cargo was the most important thing; he couldn't leave it. Rather than risk the lives of other motorists on a freezing highway by driving a trailer with frozen brakes, Mr. Maddin struggled to unhitch his trailer and drive his cab to safety—returning later for it once he was not at risk of dying from

the cold. For that, his company fired him. He sued. Seven judges heard this case as it went through appeal. Only one, Judge Gorsuch, in dissent, ruled against him. Judge Gorsuch used an exceptionally technical and illogical reading of the statute to reach the absurd conclusion that Mr. Maddin was obligated to risk his life to protect his cargo.

Mr. Maddin said that Judge Gorsuch's nomination to the Supreme Court gives him "pause for concern" because he "demonstrated a willingness to artfully diminish the humane element that encompassed the issue."

Judge Gorsuch also ruled against a parent of a severely autistic child, Luke, who sought what the Individuals with Disabilities in Education Act guarantees him—the right to an education that met his needs. Jeff Perkins, Luke's father, is testifying before the Judiciary Committee today. Their story is powerful. Judge Gorsuch ruled that Luke was not entitled to attend a specialized school because he was able to make more than de minimis progress in the normal educational system.

Just yesterday, the Supreme Court unanimously—including Justice Alito and so many others who are so conservative—rejected Judge Gorsuch's interpretation of the IDEA. The Court held that "when all is said and done, a student offered an educational program providing 'merely more than a de minimis progress from year to year can hardly be said to have been offered an education at all.'" That puts Judge Gorsuch's interpretation of the IDEA law to the right of even Justice Thomas—a very difficult feat.

Whom we put on the bench, their basic judgment, matters. While I do not think that the personal views and experiences should bear on the decisions of day-to-day cases, there is a reason we don't program computers to decide cases. We do not want judges with ice water in their veins. What we want and need are judges who understand the litigants before them and bring a modicum—at least a modicum—of human judgment into the courtroom. You can call this trait empathy or mercy. I think it falls in the category of common sense. It is common sense that necessarily comes from each person's own, unique life experience. Even Judge Gorsuch acknowledged this when he told the committee "I am not an algorithm." Yet he wouldn't tell us how, as a human—a nonalgorithm—he would uniquely approach a case.

When it comes to the application of the law, that empathy, that mercy, that "humane element" of common sense—as Alfonse Maddin, the truck-driver, put it—is the most important judicial trait of them all because ultimately the law is abstract, but the people and situations are real. The task of

the judge is to apply those abstract legal doctrines to very humane and sometimes very messy situations. It is a hard thing to do to bring fairness and justice to a world that is too short on both.

I am reminded of the words spoken by Portia, the great lawyer in "The Merchant of Venice," who spoke of the blessings and necessity of mercy in applying the law.

He said:

The quality of mercy is not strain'd,
It droppeth as the gentle rain from heaven
Upon the place beneath. It is twice blest:
It blesseth him that gives and him that
takes.

'Tis mightiest in the mightiest; it becomes
The thron-ed monarch better than his crown;
His sceptre shows the force of temporal
power,

The attribute to awe and majesty,
Wherein doth sit the dread and fear of kings;
But mercy is above this sceptred sway,
It is enthroned in the hearts of kings,
It is an attribute to God himself.

Judge Gorsuch told us he is not God, and that is true, but his humanity does not excuse him from the attribute of mercy. Instead, his humanity should require it.

Alphonse Maddin sought the mercy of the law. The Hwang family sought the mercy of the law. Luke, the autistic child whose school was failing him, sought the mercy of the law. The man who had the power to see plain sense in their cases, who could rule in their favor and right the wrongs that had been done to them as other judges had done in each of those cases—Judge Neil Gorsuch—said no.

I am voting no on Gorsuch for Alphonse Maddin and workers across the country, for the Hwang family and others who do not want to choose between their health and providing for their children, and for the Perkins family, who loves their children just as they are and wants for them no fewer than the opportunities afforded to every other child in America.

The American people deserve someone who sees average litigants as more than incidental consequences of precedent, when that precedent produces an absurd result, whose view of the law is not so cold and so arid so as to wring out every last drop of humanity and common sense. It requires only the bare minimum of judicial decency to rule the right way in the cases I have mentioned, and Judge Gorsuch did not.

That is all the evidence my colleagues should need to vote no, and I urge them and will urge them in the days ahead to do so.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, today, we are truly in a historic fight, a fight to protect one of the most treasured and revered American values—our right to privacy. Make no mistake, our privacy has never been more in danger, and the American public knows it.

The American public knows its privacy is in danger when a smart TV can listen to its most intimate living room conversations—your conversations with your children, with your parents, with your spouse.

The American public knows its privacy is in danger when it seems that every day there is a hack on the databases of one of our country's largest companies—Yahoo!, Target, Home Depot, JPMorgan Chase.

The American public knows its privacy is in danger when the Russian surveillance machine—firing on all cylinders—hacks the U.S. election, threatening to undermine our sacred democratic system.

The American public knows its privacy is in danger when both Chambers of Congress hold countless hearings, launch investigations, and receive briefings on the rapidly growing cybersecurity threat to our Nation and the impact both on our national security and to the public.

The American public wants us to do more to protect its privacy. The American public wants us to do more to protect its sensitive information. Yet what do the Republicans in Congress want to do today on the Senate floor? They want to make it easier for Americans' sensitive information to be used, shared, and sold without their permission.

Today, the Republicans are seeking a vote on a Congressional Review Act resolution that would allow Comcast, Verizon, Charter, AT&T, and other broadband companies to take control away from consumers and relentlessly collect and sell their sensitive information without the consent of that family.

That is sensitive information about your health, about your finances, even about your children. They want to track your location and draw a map of where you shop, where you work, where you eat, where your children go to school, and then sell that information to data brokers or anyone else who wants to make a profit off of you.

They want to document how many times you search online for heart disease, breast cancer, opioid addiction treatments, or AIDS treatment, and then sell that information to your insurance company. They want to know what games your teenagers play or shows they watch so they can then target ads to your family—and all of this done without your consent.

What the Republicans are bringing to the floor today is going to basically change the definition of "ISP"—internet service provider—to "information sold for profit." It will stand for "invading subscriber privacy."

President Trump, himself, is outraged about fake violations of his own privacy, but we should all be alarmed by this very real violation of privacy that will occur today if the Senate de-

cides to roll back these important consumer protections.

Here on the Senate floor, the Republicans are fighting to make it easier for your broadband provider to use and sell that same type of information—remarkably detailed and sensitive dossiers of information about you, your kids, your parents, your grandparents—320 million Americans.

The Republicans are trying to rescind the Federal Communications Commission's broadband privacy rules, which simply require your cable, wireless, or telephone company provider to obtain consumer consent before using or sharing subscribers' personal information; promote transparency by disclosing what they collect about internet and wireless users; and adopt data security protections and notify consumers if a breach occurs.

That is it. That is what this whole debate is all about—whether consumers, not the broadband providers, have control over their sensitive information.

The big broadband companies and their Republican allies say we need a light touch regulatory framework to protect Americans' broadband privacy—a light touch approach, like with the Federal Trade Commission, which does not prescribe actual privacy rules. The Federal Trade Commission only enforces the privacy policies companies create for themselves, and then they bring an enforcement action if a company violates its own very low standards, but if Comcast's or AT&T's or Verizon's policy is that you have no privacy, there is nothing for anyone to enforce. It would be impossible for the internet service provider to violate its own nonexistent or very low privacy protections.

Let's be clear here. When the broadband behemoths say "light touch," they mean "hands off." They mean hands off their ability to monetize captive consumers' sensitive information.

Let's be clear. When the big broadband barons and their Republican allies are firing their opening salvo in the war on net neutrality, they want broadband privacy protections to be the first victim.

When Republicans say we need to harmonize regulations, they really mean self-regulation. Self-regulation is the ultimate dream of the Republicans, who are beholden to those special interests. They really want to allow broadband companies to write their own privacy rules.

Is this really what the American public wants—a harmonized, light-touch approach to protecting their sensitive information from their broadband providers? Does the American public really want us to allow our broadband companies to ignore reasonable data security practices, making consumers' sensitive information more vulnerable to breaches and unauthorized access?

This resolution does just that. The internet service providers even oppose following reasonable data security practices.

We should know better. The American public wants us to strengthen our privacy protections, not weaken them. The American people do not want their sensitive information collected, used, and sold by any third party, whether that be your broadband provider or a hacker.

At its core, this debate is about our values—our values as a people, our values as a society. While technology has certainly changed, our core values have not changed as a country. For generations, we have valued the right to choose whom we let into our homes, whom we communicate with, whom we share our most sensitive secrets with, but now the Republicans and the broadband industry are telling us that we must forgo those rights just because our homes are connected to the internet and our phones are connected to the internet.

With many Americans across the country having only a couple of broadband providers, at most, to choose from, they will not have the option of changing service providers if their privacy protections are not transparent or robust. And throughout it all, while the internet service providers monetize your personal information, the monthly bill will continue to show up for the service that is siphoning off your sensitive information.

My colleagues, we know the attack on the free and open internet is coming. Net neutrality is on the chopping block, and this is the first step in ensuring that the few and the powerful control the internet. We must stop this today, so I urge my colleagues to join with me.

The fundamental principle here is that every person should have the knowledge that information is being gathered about their families when they use the internet; second, that they have notice from the company that that information is going to be resold to a third party, to someone else, not to the broadband company; and third, that you have the right to say no, that you do not want that information about your family member to be resold.

When we were all younger and the salesman came to the front door and knocked, your mother told you to tell the salesman that they could not come into the house because the privacy of your family did not warrant allowing a stranger into your home. The broadband companies now say: Well, we are in your home, and we are wired in every room, and we now have the right to take all of the information of your family and sell it. What sites do your children go on? What sites do you go on to look for help for the disease that someone in your family might have?

Now the broadband companies say they are coming right through the front door. They are going into every room in your house. The American people have the right to say what they have always said: No, you cannot take those secrets of our family. You cannot take how we use that information.

So this vote that we are about to take in the next couple of hours on the Senate floor goes right to the heart of who we are.

We now hear more about the Russians, and we hear more about companies whose information has been hacked. Then the Republicans are crying their crocodile tears about the compromise of privacy of people in our country, and then they come to the floor and take all of the information online in the family and allow it to be sold as a product. That is just fundamentally wrong. It goes contrary to the values of our country.

I urge very strongly a “no” vote from the Members of the Senate. Just remember: This is the privacy vote of all time on the Senate floor—of all time—because there has never been anything like the internet going into our homes. No one should be allowed to take all of that information and just sell it without getting their permission.

Mr. President, I urge a “no” vote on this resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, before he leaves the floor, I just want to commend my colleague from Massachusetts for an excellent presentation. He has really outlined A to Z with respect to what this issue is all about. I commend him, and I also commend the ranking member of the committee, Senator NELSON, our colleague from Florida, for his excellent job.

Before he leaves the floor, picking up on the remarks of our colleague from Massachusetts, I am particularly struck by the fact that I have always thought that it is a classic conservative principle to empower the individual—to empower the individual to make fundamental choices about what would be important to them and their family and their wallets and all of the activities that are central to the life of a working class family.

What we have been touching on—very eloquently by my colleague from Massachusetts—is we are going to be voting in a little bit to strip rights from individuals, to retreat from that classic conservative principle of empowering individuals and families to make decisions.

I think, for all of the reasons that my colleague from Massachusetts has talked about and that Senator NELSON has been talking about, this idea of stripping from individuals the right to make these fundamental decisions and allowing the gatekeepers of the inter-

net to collect, share, and profit from personal information of consumers without their consent is an extraordinary mistake for our country at this time.

I serve on the Senate Select Committee on Intelligence. I think, for many people, these issues have, in effect, converged with respect to privacy policy as it relates to the private marketplace, which is what this ill-advised proposal that we are going to vote on today is all about.

We are constantly offered up ideas that suggest that you really are faced with what amounts to a flawed set of choices. In the intelligence area, we are consistently told: Well, you just have to give up a little bit of liberty to have security. And the reality is that liberty and security are not mutually exclusive. Smart policies give us both. They give us security and liberty. Unfortunately, around here, we are coming up with policies, like weakening strong encryption, that are reducing both—reducing security and reducing liberty. I think what we are dealing with here on this ill-advised resolution in the Senate, with respect to the FCC rule, is yet another set of false choices—that you can either have internet access or privacy. They are not mutually exclusive. Just as we can have security and liberty, we can have internet access and privacy for all of the reasons that my friend from Massachusetts has been outlining.

Now, the FCC acted on the responsibility given to them by the Congress to protect browsing history—arguably the most intimate, personal information imaginable. Browsing history makes what the Senate did in the past with metadata look like small potatoes. Browsing history is really a picture into your personal life. I have appreciated the support of my colleagues for making sure that in the intelligence field, without court oversight, you couldn't get access to people's browsing history.

The Congress, in effect, told the Federal Communications Commission to protect browsing history, favorite applications, and even locations of American broadband users, and the FCC acted on it. Before that time, there were no rules in place outlining how an internet service provider—those are the ISPs that we always hear Senators talking about—may use, share, or even sell their customers' private information. So, just as the FCC has done for wireline phone customers, the FCC said it was going to keep up with the evolution of telecommunications networks by ensuring privacy protections would apply to broadband internet use. This struck a lot of us as just common sense. Again, building on the conservative principle of empowering the individual, the judgment was that by creating what are called “opt-in” consent agreements, where the consumer

makes an affirmative decision about what they want—it is not what government wants, it is not what big companies want, it is what the consumer wants. The judgment was that by creating this opt-in consent agreement, the consumer would get a clear understanding of what the broadband provider knows about them from, for example, their computer or from their smartphone.

The big internet service providers are in a unique position to see where information flows over the networks and can see more of Americans' data than probably anybody else in what we might call the internet ecosystem. The websites we visit, what we look for, what time we are online—all of this, even our location—would be considered highly personal and highly sensitive information.

The responsibility of the internet service provider is to protect consumer privacy. It is compounded by the fact that the majority of broadband consumers have only one option for fast internet service to their home. There is only one company offering them service. So it seems to me what we are talking about—what Senator MARKEY has outlined—really looks like bad news for folks in rural areas where they are only going to have one provider, and, frankly, I think in a lot of metropolitan areas, particularly where there are modest-income individuals.

Without these protections in place, most consumers are left with the choice of giving up their browsing history for an internet service provider to sell to the highest bidder or to have no internet at all. So think about what that means for, say, an older person.

By the way, under what is being considered in the other body on healthcare, people between 50 and 64 aren't going to have a lot of extra money laying around. Those are people who are going to get clobbered—clobbered—by the healthcare bill that is being considered in the House today.

What is being considered in the House today—talking about the wallets of people between 50 and 64—would allow the insurance companies to charge people who are pre-Medicare five times as much as younger people. So they are already going to be paying thousands of dollars more out-of-pocket. Now, given what may happen in this body, we would have consumers left with the choice of giving up their browsing history for an internet service provider to sell to the highest bidder or have no internet at all. So we are socking it to them in terms of their healthcare premiums, and then we are socking it to them in terms of essential communications as well.

I just think this is unacceptable and certainly contrary to the whole notion of classic conservatism, empowering the individual. And it is certainly taking away these rights from folks in

rural America—most of my towns in Oregon have populations of under 10,000 people. This proposal that is being discussed here is going to strip consumers of basic rights that are practically a requirement for economic success in the 21st century.

I am going to close by picking up on another point that I think Senator MARKEY said very well, and I believe I heard Senator NELSON, our ranking member, touch on as well. It looks to me like a subject that should not be in controversy: basic transparency and accountability for the individual, and individual empowerment. It shouldn't be controversial. It shouldn't be a contentious matter. My colleague and I served in the other body for a number of years, and we built coalitions of people all across the political spectrum around the principles we are advocating today. Providing transparency and empowering the individual shouldn't be a contentious issue.

Under these regulations, internet service providers can still collect and use their subscribers' information. The rules simply ensure that internet service providers receive consent—receive permission from an empowered consumer—that it is OK to reuse or sell their information, and the companies would provide the consumers an explanation of how their data is collected and where it is shared. These rules are about transparency, plain and simple. Customers, especially those, as I have indicated, who are captive to one internet service provider, deserve to know how their internet service provider is using their data.

The broadband privacy rules are not some kind of attack on monetizing consumer data, but simply a recognition of the importance of consumer consent.

I will close by saying that more and more in this area, the American people are getting presented false choices. They are being told, as I see on the Intelligence Committee, that you have to give up some of your liberty to have your security. Those are false choices. They are not mutually exclusive. Everyone in America, everyone paying attention to this debate ought to know that they have a right to both. Don't ever, ever let a politician tell you that you have to give up some of your liberty to have your security. You have a right to vote, and it is our job, colleagues on both sides of the aisle, to come up with policies that do both.

Today, we ought to make sure that people aren't presented with another false choice—that to have Internet access you have to give up your privacy rights. You can have both, and the Federal Communications Commission has sought to come up with a sensible policy to do that.

So I join my colleagues, particularly my friend from Massachusetts, who knows so much about this field, and

our terrific ranking minority member, Senator NELSON, in urging colleagues to oppose a harmful resolution that, in my view, turns class conservatism on its head and strips consumers of their rights in a truly ill-advised manner.

I yield the floor.

Mr. VAN HOLLEN. Mr. President, I oppose the resolution to repeal the Federal Communications Commission's rule to protect consumers from having their data sold by internet service providers, or ISPs, without their permission.

Passing this resolution of disapproval would represent yet another victory for big business and a defeat for hard-working Americans who use the internet to do their job, connect with friends, or read the news.

The internet started as a system to facilitate communication among academic and military networks. In 1995, less than 1 percent of the world used it. Today more than 87 percent of Americans and more than 40 percent of the world's population use the internet.

Today the internet has become nearly indispensable. Increasingly, our toasters, refrigerators, and cars can connect to the internet, but legislation has been slow to keep up with technology. Every website we visit and every link we click leaves an unintended trail that tells a story about our lives. ISPs can collect information about our location, children, sensitive information, family status, financial information, Social Security numbers, web browsing history, and even the content of communications. ISPs sell this highly sensitive and highly personal data to the highest bidder without any consent or knowledge.

Recognizing that telecommunications companies have little incentive to tell consumers what they are doing with their personal data, the FCC promulgated a rule to make sure that consumers can protect their privacy through transparency, choice, and data security. The rule's name explains its purpose: "Protecting the Privacy of Customers of Broadband and Other Telecommunications Services." The FCC rule would not stop companies from selling consumers' information, but the rule would require ISPs to get consumers' consent before using, disclosing, or allowing others to access this information.

As former FCC Chairman Wheeler said, "It's the consumers' information. How it is used should be the consumers' choice."

With this resolution, Congressional Republicans are telling 9 out of 10 Americans that they should not be able to decide how private corporations collect, disclose, and sell their personal data. This resolution puts the special interests of data users above those of consumers. I oppose the resolution.

Mr. WYDEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, what is the parliamentary situation? Are we in morning business?

The PRESIDING OFFICER. The Senate is considering S.J. Res. 34.

CALLING FOR THE APPOINTMENT OF A SPECIAL PROSECUTOR

Mr. LEAHY. Mr. President, I have been privileged to serve in this body for more than 42 years, and I thank my native State of Vermont for that.

When I joined the Senate, our country was still crawling out of an intractable war—a war which came to an end with a vote in the Senate Armed Services Committee in April of 1975. Since then, I have seen our country slide into new wars. I have seen scandals that have consumed this town and our Nation. I have seen horrific terrorist attacks that have shaken our country to its core, from Oklahoma City to 9/11, and others. All of these events, in different ways, have tested our country. But I have never seen a threat to our democratic institutions like I see today.

There is still much we do not know about Russian interference in the 2016 Presidential election, but what we do know is deeply disturbing. Last night, reports indicated that there is evidence that certain Trump officials coordinated the release of hacked documents with Russian officials. And on Monday the FBI Director confirmed that the FBI has been investigating possible collusion between the Trump campaign and Russia since July of last year.

Already, the Intelligence Community has made public its conclusion that Russian President Putin waged a multifaceted influence campaign to delegitimize Secretary Clinton and help Donald Trump win the Presidency. Worse, he intended to undermine public faith in our democratic process. What is even worse is that this interference did not end on November 8, election day. It is ongoing. That—whether you are a Republican or a Democrat—should concern every American.

According to the Intelligence Community, President Putin will continue using cyber-attacks and propaganda campaigns to undermine our future elections. This is nothing less than an attack on our democracy. It should outrage all Americans, no matter what their political affiliation, and we need to know all the facts.

Frankly, my experience here tells me we need a thorough, independent investigation. We need to send a clear message to President Putin that America,

our country—the country that the Presiding Officer and I revere—will not tolerate future efforts to manipulate our most sacred democratic process, our elections.

All of us here know that President Trump is not going to lead such an investigation. He is not going to deliver this message. The President, unfortunately, spent much of the 2016 campaign supportive of President Putin. Then-Candidate Trump refused to call on Russia to stop meddling in our election, saying: “I’m not going to tell Putin what to do.” He even encouraged Russian hacking on live television, pleading: “Russia, if you’re listening, I hope you’ll be able to find the 30,000 emails that are missing.” It is unprecedented. No candidate, in my memory, of either party has ever called on another country to interfere in our elections that way.

This was occurring as the President was claiming to have had no role in weakening the Republican Party’s official position on Russia’s incursion into Ukraine. Of course, we have now learned that this was false, and his campaign played a central role in softening his party’s stance on Russia.

I do not know why the President is so enthralled with President Vladimir Putin, a man who has shown such disregard for personal rights, even as he has made himself one of the wealthiest people in the world. It may be simply because Russia is heavily invested in the Trump brand. Years before the President denied having any financial relationships with the Russians, his son admitted that Russians own a disproportionate share of Trump assets, saying: “We see a lot of money pouring in from Russia.” Now, just how invested Moscow is in Trump is not known. The President broke with precedent of both Republicans and Democrats and did not release his tax returns. But I imagine there would be quite a sigh of relief if the only secret in the President’s full tax returns were that he did not pay his share of taxes and paid far less than the average American.

The President, though, is not the only one in his administration incapable of telling the truth when it comes to Russia. His Attorney General provided testimony that was not true before the Senate Judiciary Committee in response to questions from me and Senator FRANKEN about Russian contacts, and we know his first National Security Advisor, Michael Flynn, resigned after lying to Vice President PENCE about his conversations with the Russian Ambassador.

President Trump’s former campaign chairman, Paul Manafort, also resigned after questions were raised about his extensive activities in Russia and Ukraine. Of course, now it has been reported that Mr. Manafort earned \$10 million per year for secret work on behalf of Putin.

Another former adviser, Roger Stone, had early warning of the release of hacked documents. He has admitted to having conversations with “Guccifer 2.0,” the Russian-connected hacker responsible for the cyber-attack on the Democratic National Committee.

They say that where there is smoke there is fire. There is so much smoke here that it is getting hard to breathe. The President unfortunately continues to make matters worse. This week alone, he continued his untruth about President Obama personally ordering a wiretap of Trump Tower, something everybody knows is not true. I think members of his own administration’s inner circle are embarrassed every time he persists in this.

On Monday, the President ramped up his own influence campaign to undermine the integrity of this investigation, tweeting “fake news” as the Director of the FBI prepared to testify under oath in the House of Representatives.

Now, I have no reason to doubt the integrity of the FBI’s investigation thus far, but I have every reason to believe it is eventually going to be at risk. That is why we need somebody independent—independent of the Congress, independent of the administration. We need an independent special prosecutor to lead this investigation and to ultimately decide whether there is sufficient evidence to prosecute. A special prosecutor would not report to the Attorney General, who himself is a witness to this investigation. And a special prosecutor, unlike the Attorney General or even the FBI Director, cannot be fired by the President.

I have thought long and hard about this. I went on my experience here with administrations beginning with President Gerald Ford straight through to today. It takes a lot of thought to call for a special prosecutor, but this is one where we need it, where the American people have to have somebody they can trust outside Republicans, Democrats, and the Congress, and certainly outside the administration.

Our Nation is at a precipice. We can either confront what happened in our election and get to the bottom of it with an independent investigation and make sure it never happens again. Or we can just pretend this is another Washington scandal and allow it to be filtered through a familiar partisan lens. That would be a terrible mistake. In all my years here, I have never seen a time when another country—one that has shown its animosity toward us—has tried to interfere in our elections. If Russia can get away with interfering with our elections, what else can they interfere with in our democratic Nation? They do not share the ideals we do. They do not allow free elections. They do not allow freedom of expression. They do not allow their people to speak out. Why would anyone think

that they would have America's interests at heart?

Today we have a counterintelligence investigation into the campaign of a sitting President. There is evidence that this campaign colluded with a foreign adversary to impact our Presidential election. This is not normal. We must not treat it as such. I would feel this way no matter who had won the election—no matter if they were Democrat or Republican, because it goes beyond one party.

President Putin's goal last year was to undermine our democratic institutions—to corrode American's trust and faith in government, something that has sustained us through two World Wars, through a Civil War, through all the other problems this Nation has faced. That trust should sustain us long after every one of us in this body are gone.

This is a responsibility that we as Senators have to our great Nation: not to think of ourselves for the moment, but to think where this Nation is 10 years, 20 years, 30 years, and 100 years from now. We must do that. We owe that to the American people. Republicans and Democrats alike, we owe it to the American people. We take an oath to uphold our Constitution.

We come here, all of us—and I have great respect for every Senator here in both parties—we come here hoping to do the best for our Nation. Our Nation is in peril. All of us would stand together if we had an adversary attack us. All of us would stand together if somebody declared war on us. We have done that in the past. We did that after Pearl Harbor. We did that other times in our Nation's history. Well, because this is done quietly behind the scenes, it is a great attack on us.

As I said, President Putin's goal last year was to undermine our democratic institutions—to corrode Americans' trust and faith in our government, no matter who is President. If we do not get to the bottom of Russian interference, he will no doubt be successful. And if anybody doubts it, if he is successful, he will try it again.

That is why we should stand united and call for a truly independent investigation. The American people deserve nothing less. We can sit here and talk about this bill and that bill, but it is so rare that we have something overriding. This is overriding. Let's have an independent investigation. This Senator is willing to accept that whichever way it goes.

I see our distinguished majority leader on the floor.

I will yield the floor.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 12:15 p.m. today there be 10 minutes of debate, equally divided in the usual form,

remaining on S.J. Res. 34; further, that following the use or yielding back of that time, the joint resolution be read a third time and the Senate vote on the resolution with no intervening action or debate; finally, notwithstanding rule XXII, following disposition of the joint resolution, the Senate vote on the motion to invoke cloture on Executive Calendar No. 20, David Friedman to be Ambassador to Israel.

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

If no one yields time, the time will be charged equally.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BLUMENTHAL. Mr. President, the rules that the Federal Communications Commission recently promulgated—and when I say “recently,” it was October, only months ago—expanded the concept of privacy and consumer protection as applied to broadband. Now we are on the verge of rescinding those rules through S.J. Res. 34.

This resolution is a direct attack on consumer rights, on privacy, on rules that afford basic protection against intrusive and illegal interference with consumers' use of social media sites, websites, that often they take for granted. Many Americans simply don't stop to think about how broadband providers, as the carriers of all internet traffic, are also able to collect and use consumer data, to put together a detailed picture of who they are, what they do, where and when they buy things, where they go, what they like to do—all of it an array of data that people assume is private, all of it freely available to those internet providers.

Even when data is encrypted, our broadband providers can piece together significant amounts of information about us—including private information, medical conditions, financial problems—based on online activity. It is a mine that can be used—more valuable than a gold mine—because that information can be sold and bought and used again so that privacy becomes a completely evanescent and illusory feature of our lives.

Consumers wanting to switch broadband providers are often hit with hefty termination fees, and they have to experience a lapse in Internet service at home—something that most simply don't have the luxury to do or endure in today's connected society

where internet is accessible. They have no meaningful choice about how to safeguard broadband privacy. They have one choice if they want speeds above 25 megabits per second. That is why I applauded those rules when they were promulgated by the FCC back in October, finalizing broadband privacy protections. I applauded them because signing up for the internet should not mean you sign away your rights to privacy.

Just as telephone networks must obtain consumer approval before selling customer information, broadband providers ought to be required to obtain consumers' affirmative consent before selling their sensitive browsing or app usage data to advertisers. The FCC rules that this resolution would decimate, utterly destroy, essentially seek to protect that privacy interest. The only way the FCC's broadband privacy rules protect consumers is through an affirmative opt-in consent. That is the only real protection that works.

These rules also prohibit pay-for-privacy schemes that would require consumers to waive their privacy protections as a precondition to receiving service. They establish data security and breach notification standards for broadband providers.

They also have important national security implications. Just last week, the Department of Justice indicted four individuals, including Russian spies, for hacking into Yahoo! systems in 2014 and obtaining access to at least 500 million Yahoo! accounts. According to the indictment, these Russian intelligence officers spied on U.S. Government officials and private sector employees of financial companies. One defendant also exploited the data for financial gain.

Without clear rules of the road, broadband subscribers will have no certainty or choice about how their private information can be used, no protection against abuse, and no assurance that security standards will be bolstered against that kind of attack that the Russians and their spies launched.

The FTC doesn't have jurisdiction over the security and privacy practices of broadband, cable, and wireless carriers. If the Ninth Circuit's recent decision in *FTC v. AT&T* is upheld, adopting a “status-based” instead of “activity-based” interpretation of the FTC's common carrier exemption, the FTC's jurisdiction and ability to impose privacy and security obligations would be even further curtailed.

Critics also say that the FCC's broadband privacy rules would unfairly create a separate regulatory regime for “edge providers,” websites such as Google or Facebook. If that is their real concern, why haven't they focused their efforts on ensuring that the FTC has meaningful rulemaking authority so that it can implement privacy and data security rules over such websites?

In closing, I have long supported giving the FTC authority to adopt its own rules governing the privacy and security of websites. Giving the FTC authority to adopt new rules would help ensure our privacy, keep our privacy safe no matter where we go on the internet or how we connect. However, I don't see any of our colleagues, in supporting this resolution, rushing to accomplish these goals.

We should all remember that consumers need control over their own information and how it is used. This resolution would subvert and sabotage that control.

All too often, Americans take for granted privacy until it is lost. Once it is lost, rarely can it be recovered. Once that information becomes public, privacy is irreparably damaged.

Today's vote, if it succeeds, will deprive Americans of important baseline privacy standards that they expect and demand the government to provide. Few Americans are aware of this vote today. Many will be aware of its consequences. It will do extraordinary damage to privacy, if it is approved.

I urge my colleagues to reject it and to help preserve American privacy.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

PATIENT PROTECTION AND AFFORDABLE CARE ACT

Ms. HARRIS. Mr. President, I rise to celebrate the anniversary of one of the most significant legislative achievements in American history, the passage of the Patient Protection and Affordable Care Act, also known as ObamaCare.

I rise in strong opposition to the American Health Care Act, a callous and carelessly written bill that would roll back progress and strip health insurance from millions of Americans.

I rise on behalf of people like Chrystal from my home State of California. You see, I know Chrystal. She works in my dentist's office. In early 2011, just after I was elected attorney general of California, I went in for a checkup. It had been a while since I had seen her. Chrystal asked me how I had been, and I asked her how she had been, and then she shared with me great news. She was pregnant.

As a dental hygienist, she was working for a few different dentists and wasn't on the payroll of any of them as a full-time employee. This was before the ACA was in place, so Chrystal was on private insurance with only basic coverage, just enough to cover her annual exams.

When Chrystal found out she was pregnant, she went to her insurance company to apply for prenatal coverage. She was denied. When I asked her why, she told me that they said she had a preexisting condition. So you can imagine I asked her: Are you OK? What is wrong? What is the preexisting condition?

She told me she was pregnant.

When she applied to another healthcare company for insurance, again, she was denied. Why? Preexisting condition. What was it? She was pregnant.

So this young woman was forced to go into her sixth month of pregnancy before she received a sonogram. Instead, thankfully, there was a free clinic in San Francisco, so she could get her prenatal care.

Thank God she had a strong and beautiful baby boy. His name is Jackson. They are both doing well today.

Thank God that situation is no longer the reality for millions of Americans.

I share Chrystal's story to remind us what America's healthcare system looked like only a few years ago.

We should not forget that before the ACA, 48 million Americans lacked health insurance. That is more people than the entire country of Canada.

Before the ACA, when these people got sick, they had three choices: Go without treatment, go to the emergency room, or go broke.

Before the ACA, 129 million people—almost one out of every two Americans—could be denied insurance coverage because of preexisting conditions. And the minute you got sick, your insurer could dig up some flimsy reason to drop your coverage. You could be denied coverage for chemotherapy or insulin if you had cancer or diabetes. You could be denied prenatal coverage if you were pregnant, like Chrystal. You could even be denied health coverage if you were a victim of domestic violence.

Before the ACA, healthcare costs were crushing low-income and middle-class Americans. Premiums—which, of course, are those monthly bills that we all pay for our insurance—were going up and up. Sky-high medical bills were the No. 1 reason Americans went broke, causing them to sell their homes, their cars, and even pawn their jewelry to pay off their debts.

One of the worst things about facing the healthcare system without coverage before the ACA was that it left you feeling utterly alone. Most Americans know what I am talking about: that knot in your stomach when you know there is something wrong with your health or the health of your child or your parent, but you are not sure what it is, whether it can be fixed or whether your insurance will cover it, and the frustration, the anger as you try to make sense of the fine print and

codes on the medical bill that has so many zeros.

How many of us have walked into an emergency room with a loved one and felt time just stop? Maybe it was with your child who was running a fever or having trouble breathing. Maybe your partner is being rushed in with a possible heart attack. All you will know is that something is wrong. All you know is that you are overwhelmed and scared, and you know that you should not also have to fight on the phone with an insurance company or wonder if a doctor will even see you at all. That is how millions and millions of Americans experienced our healthcare system.

It was not right or fair. So the ACA set out to make things better, and 7 years ago today, President Barack Obama signed the Affordable Care Act into law. It finally extended good, affordable health insurance to Americans like Chrystal all across the Nation. Vice President Biden was absolutely right when, at the time, he said that it was a "big"—and then I will not quote the next word; let's call it blanking—"deal."

It is a shame that people have been playing politics with this law and with America's health. The former Speaker of the House said that the ACA would be "Armageddon." A Republican Presidential candidate who now sits in the Cabinet called the ACA—and these are his actual words—"the worst thing that has happened in this nation since slavery."

Earlier this month, the President of the United States tweeted that the ACA is "a complete and total disaster." Well, I say: Tell that to the people of California because when a State wants to make the ACA work, it works—whether that is California or Kentucky, and real people living real lives know it.

For example, I recently heard from Myra from Sherman Oaks, CA, who was diagnosed with an aggressive form of breast cancer. She wrote:

Before ObamaCare, my husband and I lived under constant stress due to our lack of good health insurance.

But, because of the ACA, Myra told me:

We had a Silver Blue Shield plan that covered . . . well over a million dollars in bills to date. I am happy to report I am now well, but without insurance, I was facing a death sentence. Without the ACA, we would certainly have had to sell our home to pay my bills and try to figure out how to make ends meet.

She wrote that it covered well over a million dollars. That is what the ACA does.

Here is how Cindy of from Oakley, CA, has experienced real life. She wrote:

My daughter was diagnosed with an eating disorder at 13 years old and I can directly thank the excellent care received at Kaiser Northern California for her good health

today at age 17. Without the ACA and the mental health parity it helps provide . . . I would not have had treatment options available to me.

Again, coverage for mental health treatment—that is what the ACA does.

Honoree, a single mom from Samoa, CA, living with a spinal cord injury that has kept her from working for 3½ years, wrote to me and said:

I wanted to let you know that I love ObamaCare! My healthcare has steadily improved since the ACA was enacted. . . . I can't tell you how AMAZING it felt to get my teeth cleaned and cared for after waiting more than a decade.

I walked around for weeks saying, "thanks, ObamaCare!" whenever I sensed how good my teeth felt.

I would be saddened to see the ACA get scrapped. It's made a huge difference in our lives. Actually, I'd be more than saddened, I'd be very scared.

Again, this is testimony about the ACA, in this case about dental coverage and improved healthcare. That is what the ACA does.

I will state that I believe there is a huge disconnect between the over-the-top criticism of the ACA and the law's actual impact. There is a disconnect between the politics and how people are actually living and thriving under the ACA. In fact, in a recent poll, one in three Americans didn't even realize that the ACA and ObamaCare were actually the same thing, and they are. So, everybody, let's be clear about this. The Affordable Care Act is ObamaCare, and ObamaCare is the Affordable Care Act.

We all know, of course, that there are ways to improve the ACA, but ending it is not the answer. The truth is that the ACA has largely done what it was supposed to do—expand, protect, and reduce—expand coverage, protect consumers, and reduce the pace of rising healthcare costs. Thanks to the ACA and Medicaid expansion, 20 million more Americans have health insurance. That is the population of the entire State of New York. Thanks to the ACA, premiums are going up at the slowest rate in half a century. Thanks to the ACA, doctors are innovating and providing better preventive care, from keeping people out of the hospital to delivering healthier babies. Thanks to the ACA, insurers cannot set lifetime limits on your care, meaning your insurance company won't tell you in the middle of a cancer treatment that they have paid all they ever will. Thanks to the ACA, millions of underserved Americans in rural towns and in cities and everywhere in between have access to care for the first time. Thanks to the ACA, young people can stay on their parents' insurance until they are 26. Thanks to the ACA, 55 million women have insurance that works—mammograms, checkups, and birth control with no copays. When you pick up your prescription at the pharmacy and see that the bill is zero dollars,

well, that is the ACA. And thanks to the ACA, you can't be discriminated against if you have a preexisting condition, including that preexisting condition called being a woman.

Of course, navigating the healthcare system is still daunting, but things are better. There are now some rules of the road to keep insurance companies from taking advantage of you during some of life's most vulnerable moments. Because of the ACA, because of ObamaCare, you can sleep a little easier at night and know that your care will be there when you need it.

Let's fast-forward to today. Today, we mark the seventh anniversary of this historic life-changing law. But all that it covers and protects could also be ripped away, and that is because of the American Health Care Act, the Republican healthcare plan on the House side. That is what it will do—rip it all away.

They have done their best to mislead folks about their plan. They have criticized objective news reports, and they even questioned the Congressional Budget Office—which, as we know, is, by the way, a nonpartisan, independent office which crunched the numbers and found that this new plan would cause millions of Americans to lose insurance coverage.

Before we leap on to this new bill, let's all ask some key questions. Let's all take a good look at what this plan really would and would not do.

First, will this bill provide insurance for everybody, as President Trump promised? Well, the answer is no. In fact, the independent Congressional Budget Office says that under the GOP plan, 24 million Americans will lose their health insurance by the end of the decade. That is equal to the population of 15 States combined.

Who are these people? These are middle-class families, our Nation's teachers, veterans, truckdrivers, nurses, and farmers. These families include those who struggle with opioid addiction, have a child that needs support for autism, or have an aging parent who needs a nursing home. This bill threatens them all.

Let's ask: Will the plan help the folks who need care most? The answer is no. The House Republican plan's flat tax credits are based only on age, with no consideration of income level. So what that means is that a 40-year-old cashier making \$10,000 gets the exact same amount as the 40-year-old banker making \$74,000 a year. It doesn't matter whether you live in downtown Manhattan or the Cleveland suburbs or rural Alaska.

Let's ask: Will monthly costs go down for low-income and middle-class families who are stretched horribly thin right now? The answer is no. According to that same independent analysis, the Republican plan will immediately increase American families'

premiums by 15 to 20 percent, with higher deductibles and out-of-pocket costs after that. In the next decade, a person in their fifties could see their insurance costs go up 850 percent. Their insurance costs can go up 850 percent.

Let's ask: What about our seniors—will their monthly costs go down? Sadly, the answer is no. The Republican plan lets insurers charge seniors five times as much as other Americans, meaning that high cholesterol your doctor diagnosed could cost you \$3,200 more a month.

Let's ask: Will all women still have access to affordable family planning? The answer is no. This new bill will give Americans choice in healthcare, but the women of America will not have choice. The bill denies women tax credits if they get a plan that covers abortions. It prohibits Planned Parenthood from providing care for millions on Medicaid. Some 2.5 million patients choose Planned Parenthood every year, including roughly 1 million in California. They should be able to see the provider they choose and trust.

Let's ask: Will this new plan protect Medicaid, as President Trump promised? Well, the answer is no. Medicaid covers many people whose jobs don't offer healthcare, and it also pays for half of all the births in this Nation. It supports people with disabilities and children with special needs. Most people don't realize that Medicaid is the primary payer for treatment of opioid addiction and substance abuse. But this new plan being offered by House Republicans would roll back Medicaid coverage and cut nearly \$1 trillion in Medicaid benefits over the next decade.

Let's ask: Does the plan put American families ahead of insurance companies? The answer, tragically, is no. Under this plan, if you lose your job and it takes more than 2 months to find another, you will be charged a 30-percent penalty on top of the monthly costs you are already paying. That money goes right into the insurance company's pockets.

So, by now, you are probably wondering: Who exactly does this bill help? Well, here is your answer. It gives millionaires a \$50,000 average tax cut every year. It gives the top 0.1 percent in this country a \$195,000 tax cut every year. It gives insurance companies a \$145 billion tax break over the next decade. The President and the Speaker want you to believe that this plan is good for American families, but under their bill, the only thing that gets healthier are the insurance companies' bottom line.

As far as California is concerned, this bill would devastate our families. Here are the facts, and, frankly, here is the fight. Over 5 million Californians have received insurance through the Affordable Care Act. I say they are worth fighting for.

Since the ACA went into effect, California's uninsured population has been cut almost in half, from 17 percent to about 7 percent. I say they are worth fighting for.

Medi-Cal went from covering 8.5 million Americans to 13.5 million today. One in two children are covered under Medicaid. I say they are worth fighting for.

The community clinics and health centers that so many Californians rely on would be cut back or closed. I say they are worth fighting for.

A UC Berkeley study estimates that repealing the ACA would cost California up to 200,000 jobs, everyone from home healthcare aides and janitors to workers in retail, restaurants, and accounting. I say they are worth fighting for.

I rise today to emphasize that it is really important that we understand the everyday consequences of this bill. We are talking about real people. If you are a farmer in the Central Valley on Medicaid, you can lose that coverage. If you are a Los Angeles senior with diabetes, you may no longer be able to afford coverage on the individual market. If you are a family in Shasta County with a child dealing with a prescription drug addiction, substance abuse treatment likely will not be covered. If you are a couple in Humboldt County with an ailing parent, your request for home health services could be denied. These are the kinds of Californians and the kinds of Americans who this plan would hurt.

When these folks wake up at 3 a.m. worrying about an ache or pain or their next chemo appointment, when they wake up with that concern and that thought at 3 a.m., I promise you, they are not thinking about that through the lens of being a Republican or a Democrat. They think about themselves as fathers, mothers, parents, daughters and sons, and grandparents. They worry about their health needs and how their health needs will affect not only themselves but their loved ones. These concerns are not about politics. These are universal concerns, and we have all been there.

It is because all of us share these concerns and because all of us would be badly harmed by this new plan that this bill is opposed by the American Medical Association, the American Hospital Association, the American Nurses Association, the American Heart Association, the American Cancer Society, the American Diabetes Association, and the AARP. They are the most respected medical and patient advocacy groups in this country, and they know what is at stake.

Ultimately, I believe this bill is not just about medicine or math; I believe this is about morals. The plan that the House is voting on today is a values statement, and it is not a good one. As our former President said about the

ACA, this is more than just about healthcare; it is about the character of our country, and it is about whether or not we look out for one another.

I think we need to take a good, hard look in the mirror and ask: Who are we as a country? Are we a country that cuts the deficit by cutting care for our most vulnerable?

Let's look in the mirror and ask: Are we a country that gives tax breaks to insurers while giving higher medical bills to patients?

Are we a country that tells seniors and cancer patients and women "You are on your own"?

Are we a country that sees healthcare as a privilege for a few or a right for all?

I believe that is what we have to decide.

The ACA is not perfect. It can be strengthened, and I am willing to work with anyone who will work in good faith to do that, but it is time to stop playing politics with public health.

Our government has three main functions: public safety, public education, and public health. We shouldn't be turning these responsibilities into partisan issues. Instead, we should be figuring out how to improve the lives of all Americans, whether we are Democrats, Republicans, or Independents.

People are counting on us, people like one of my constituents in Kern County—a woman who is suffering from lung disease, who said:

We are not asking for much . . . decent healthcare. . . . Don't take it away. . . . Make it better.

I say to my colleagues: Do not take away American people's healthcare. Let's make it better.

I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). Under the previous order, there will now be 10 minutes of debate, equally divided in the usual form, prior to a vote on S.J. Res. 34.

The majority whip.

Mr. CORNYN. Madam President, speaking of the vote that we will be having in just a few minutes, for the last several weeks, this Chamber has worked very hard to undo harmful rules and regulations that had been put forward by the Obama administration, at the last moment, as he was headed out the door. These are rules that hurt job creators and stifle economic growth.

The FCC privacy rules are just another example of burdensome rules that hurt more than they help and serve as another example of the government's picking winners and losers. They unnecessarily target internet service providers and, ultimately, make our internet ecosystem less efficient by adding more redtape.

The bottom line is that the FCC privacy rules are bad regulations that need to be repealed.

I should also note that this Congressional Review Act vote will not change

the entire online privacy protections that consumers currently enjoy, and it will not change statutory privacy protections under the Communications Act. It will repeal something that was done unilaterally by President Obama and his administration, as I said, following the ending of his term, as they were headed out the door.

I thank the junior Senator from Arizona, Senator FLAKE, for his work on this CRA and moving it forward.

I urge all of my colleagues to support this resolution of disapproval.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Madam President, today, we will vote on a resolution that will take away privacy protections from the American people. By voting for this resolution, Congress is ignoring the fact that people want more protections online, not fewer.

In 2016, Pew did a study to determine the state of privacy in the United States, and the center found "Americans express a consistent lack of confidence about the security of everyday communication channels and the organizations that control them."

Pew found that this is especially true when it comes to the internet. People no longer trust organizations—public or private—to protect the data they collect.

Today, we are going to make that worse. That is because broadband providers know our complete browsing history. Think about that for a second. They know everything we do online, everything we search for on a daily basis. Think about how personal that information is, how it paints a picture of who we are. It is totally reasonable for broadband providers to have to ask customers for their consent before they take that information—our browsing history, what we do online—and sell it to a third party.

That will no longer be the case after the Republicans vote for this bill and it is enacted into law. Broadband providers will be able to take your browsing history and sell it without your permission. The FCC spent months on this rule, and by using the CRA to get rid of it, Congress is taking away the FCC's authority to do anything like it ever again. That will mean there is no Federal agency—not the FTC, not the FCC—that will even have jurisdiction over the issue of privacy for broadband providers.

What is the solution here? We should work with the private sector, the FCC, and the FTC to find a comprehensive solution together.

At a time when data collection and use is increasing exponentially, Republicans should not be rolling back protections for consumers. This is yet another repeal without replace.

Fifty-five years ago this month, President Kennedy gave a seminal

speech about consumer rights. He spoke about the march of technology—how it had outpaced old laws and regulations and how fast that progress had occurred. That progress is only getting faster. The next massive technological change will be the “internet of things,” in which we will have tens of billions of devices connected to each other and interacting with us whether we like it or not.

As technology marches on, what stays the same is the bedrock principle that President Kennedy outlined, which is that consumers have a right to be safe, a right to be informed, a right to choose, and a right to be heard. Those rights are in jeopardy. The FCC took a small but important step, but the Republicans are walking it back.

Let me be clear. This is the single biggest step backward in online privacy in many years. I urge a “no” vote.

I ask unanimous consent all time be yielded back.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Under the previous order, the joint resolution having been read the third time, the question is, Shall the joint resolution pass?

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent; the Senator from Georgia (Mr. ISAKSON) and the Senator from Kentucky (Mr. PAUL).

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

The result was announced—yeas 50, nays 48, as follows:

[Rollcall Vote No. 94 Leg.]

YEAS—50

Alexander	Fischer	Perdue
Barrasso	Flake	Portman
Blunt	Gardner	Risch
Boozman	Graham	Roberts
Burr	Grassley	Rounds
Capito	Hatch	Rubio
Cassidy	Heller	Sasse
Cochran	Hoeven	Scott
Collins	Inhofe	Shelby
Corker	Johnson	Strange
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	

NAYS—48

Baldwin	Cardin	Duckworth
Bennet	Carper	Durbin
Blumenthal	Casey	Feinstein
Booker	Coons	Franken
Brown	Cortez Masto	Gillibrand
Cantwell	Donnelly	Harris

Hassan	McCaskill	Schumer
Heinrich	Menendez	Shaheen
Heitkamp	Merkley	Stabenow
Hirono	Murphy	Tester
Kaine	Murray	Udall
King	Nelson	Van Hollen
Klobuchar	Peters	Warner
Leahy	Reed	Warren
Manchin	Sanders	Whitehouse
Markey	Schatz	Wyden

NOT VOTING—2

Isakson Paul

The joint resolution (S.J. Res. 34) was passed, as follows:

S.J. RES. 34

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Federal Communications Commission relating to “Protecting the Privacy of Customers of Broadband and Other Telecommunications Services” (81 Fed. Reg. 87274 (December 2, 2016)), and such rule shall have no force or effect.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of David Friedman, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Israel.

Mitch McConnell, Steve Daines, John Cornyn, Tom Cotton, Bob Corker, John Boozman, John Hoeven, James Lankford, Roger F. Wicker, John Barrasso, Lamar Alexander, Orrin G. Hatch, David Perdue, James M. Inhofe, Mike Rounds, Bill Cassidy, Thom Tillis.

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

The question is, Is it the sense of the Senate that debate on the nomination of David Friedman, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Israel shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. ISAKSON) and the Senator from Kentucky (Mr. PAUL).

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

The yeas and nays resulted—yeas 52, nays 46, as follows:

[Rollcall Vote No. 95 Leg.]

YEAS—52

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Johnson	Shelby
Corker	Kennedy	Strange
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Crapo	Manchin	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Menendez	Young
Ernst	Moran	
Fischer	Murkowski	

NAYS—46

Baldwin	Gillibrand	Peters
Bennet	Harris	Reed
Blumenthal	Hassan	Sanders
Booker	Heinrich	Schatz
Brown	Heitkamp	Schumer
Cantwell	Hirono	Shaheen
Cardin	Kaine	Stabenow
Carper	King	Tester
Casey	Klobuchar	Udall
Coons	Leahy	Van Hollen
Cortez Masto	Markey	Warner
Donnelly	McCaskill	Warren
Duckworth	Merkley	Whitehouse
Durbin	Murphy	Wyden
Feinstein	Murray	
Franken	Nelson	

NOT VOTING—2

Isakson Paul

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 46.

The motion is agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of David Friedman, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Israel.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I would like to talk about U.S. support for Israel. It used to be that U.S. support for Israel was bipartisan. One of the most deeply disappointing realities in Washington today is that this support is becoming characterized as increasingly partisan. That is because—what happened was Republicans came out against one of President Obama’s signature foreign policy achievements, the Iran nuclear deal.

That opposition came in the face of consensus among national security experts across the political spectrum, both here and in Israel, that this deal was good for the security of Israel. Ultimately, what happened is, it politicized our foreign policy in the Middle East to the point that what would have otherwise been a bipartisan vote for a bipartisan consensus Ambassador to the country of Israel from the United States, will now be confirmed along mostly party lines.

People will look at this confirmation and say: U.S. support for Israel now exists largely on a partisan basis. Let's be clear. It does not. I support every penny that goes to Israel. I think it is critical that the country maintains its qualitative military edge in the region, and I take a backseat to no one in my personal or professional passion for the United States-Israel relationship.

That is why I cannot support Mr. Friedman's nomination to be the U.S. Ambassador to Israel. He has radical views. He has made outrageous and offensive statements on a wide range of issues.

Here is a sampling of his past comments. Mr. Friedman has said that the State Department is anti-Semitic. He has said that President Obama is an anti-Semite. He has said that the two-state solution solves a "nonexistent problem." Mr. Friedman has called for Israeli citizens who are Arabs to be stripped of their civil rights. He has lobbed one of the worst words in Jewish history at large parts of the American Jewish community, calling them "kapos," which is a term for the Jews who worked for the Nazis in concentration camps. These are more than just provocative statements by Mr. Friedman; they are lies.

For decades, the United States has stood firm as an honest broker of peace. We have said to both sides that they can trust us to help end this conflict, and that is based on the principle that the United States is passionate about peace in Israel but dispassionate about how we get there. Mr. Friedman is not objective about how we get there. On the contrary, he is very passionately for settlements, and he is very passionately against the two-state solution, which means he is basically against decades of bipartisan U.S. foreign policy.

Just a few months ago, the organization he led advertised that they have a new program that will train students to "successfully delegitimize the notion of a two-state solution." This group is actively working to take the two-state solution off the table.

I understand that the Senate is not fully aligned on U.S. foreign policy when it comes to Israel. I understand we have our disagreements. We may disagree on whether a two-state solution is best, on where our Embassy should be located, and on how to approach the peace process, but there are some things we ought to be able to agree upon: that our Ambassador to Israel should not be more involved in Israel's politics than our own, that our Ambassador to Israel should not be so provocative that they wouldn't even be welcome at the negotiating table, and that our Ambassador should not be the kind of person who uses language to fuel violence, hate, and instability. That means we should be able to agree that our Ambassador to Israel cannot be Mr. Friedman.

I urge my colleagues to join me in voting no to support U.S.-Israel relations and reject Mr. Friedman's confirmation.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, the Middle East poses some of the most difficult diplomatic challenges faced by our Nation. The region is troubled, unstable, sometimes dangerous. Conflicts span over centuries. Peace throughout the region seems distant and far away. And the problematic powers, like Iran, Syria, Hezbollah, and Russia, promote their own interests in the area, sometimes violently, and those interests are often contrary to ours.

The United States is deeply involved throughout the region. Israel is America's staunchest ally in the Middle East and one of our closest friends on the world stage. The United States has had and will continue to have a special relationship with Israel, and our country will continue to protect and aid Israel to help secure her survival.

I am a strong supporter of Israel. I believe that a qualitative military edge is necessary for the safety of Israel, and I have always voted to support military aid. I have also been a strong supporter of the two-state solution. A peaceful resolution between Israel and the Palestinian people would help heal the source of many of the insecurities facing Israel, but peace has eluded Israel and the Palestinians for decades. Mutual distrust runs deep. Tensions are high between Israel and many of its neighbors.

For all these reasons, the ambassadorship to Israel is one of the State Department's most important diplomatic posts and one of the most sensitive. Since Israel became a nation, the post has been held by 18 of some of our most experienced, skilled, and knowledgeable diplomats. The vast majority were career Foreign Service officers. Many served in both Republican and Democratic administrations. All had significant international and government experience prior to their appointment.

The Ambassador to Israel must be able to thread the needle between Israel and its neighbors. He or she needs to have the confidence, respect, and trust of powers throughout the region. He or she must be seen as an honest broker and have the temperament and finesse to defuse conflict while able to stand one's ground and have the capacity to find common interests and common ground.

However, with David Friedman, the President has put forth a nominee who has no diplomatic experience whatsoever, no government or international experience, who is known for his offensive statements toward Jewish groups and others with whom he disagrees, and who has repeatedly expressed ex-

treme policy views—views antagonistic to any realistic peace process with the Palestinians. Mr. Friedman is not a seasoned diplomat; he is the President's bankruptcy lawyer. President Trump and Mr. Friedman clearly have a lot of experience with bankruptcy, but it is hard to think of a pair of personalities less suited to diplomacy in a volatile region.

Mr. Friedman has vocally opposed a two-state solution—a cornerstone of U.S. foreign policy for peace in the region since President Ronald Reagan. He not only supports but has generously funded Israeli settlements—settlements long considered as an obstacle to peace by the United States and deemed illegal by much of the international community.

Mr. Friedman's intemperate remarks have been widely reported. He lashed out that liberal Jews "suffer a cognitive disconnect in identifying good and evil." He said that the State Department has "[a] hundred-year history of anti-Semitism" and that President Obama is "an anti-Semite." Most horrific, he said:

J-Street supporters . . . are far worse than kapos—Jews who turned in their fellow Jews in the Nazi death camps. . . . They are just smug advocates of Israel's destruction delivered from the comfort of their secure American sofas—it's hard to imagine anyone worse.

Five former U.S. Ambassadors to Israel, serving under both Democratic and Republican administrations, called Mr. Friedman "unqualified" to assume the role of chief diplomat to Israel.

Twenty-nine Holocaust scholars objected to his "kapo" remarks. The historical record shows, they said, "that kapos were Jews whom the Nazis forced, at the pain of death, to serve them in the concentration and extermination camps. . . . These Jews faced terrible dilemmas, but ultimately were made into unwilling tools of Nazi brutality. . . . To brand one's political opponents, members of one's own community, as kapos, merely for engaging in legitimate debate, is historically indefensible and is a deeply disturbing example of the abuse of the Holocaust and its victims for present political gain."

A group of Holocaust survivors called his use of "kapo"—and I quote a group of Holocaust survivors—"slanderous, insulting, irresponsible, cynical and immensely damaging to our people."

More than 600 rabbis wrote that his remarks were "the very antithesis of the diplomatic behavior Americans expect from their ambassadors."

While Mr. Friedman apologized during his confirmation hearing for his abusive language, I don't believe it erases his past behavior and suddenly qualifies him for the job.

This post should be earned over time, through actions and words that demonstrate without question that the

nominee has the right judgment, temperament, and skills. Mr. Friedman has not come close to demonstrating that. We should not risk confirming him to this important post. We have seen how distracting and destructive hotheadedness is at the seat of power.

During his confirmation hearing, Mr. Friedman also walked back his positions on a two-state solution and Israeli settlements, which prompted the committee chair to wryly ask him why he even wants the Ambassador position if he has to “recant every single strong belief you’ve had.”

I am a strong supporter of Israel. I want to see the State of Israel prosperous and secure forever into the future. I believe in the right of the Palestinians to self-determination, to chart their own course and their destiny. I want to see peace between Israel and the Palestinians and between Israel and her neighbors. That is what the vast majority of Americans want. The United States has a strong national interest in securing this peace. The last thing we need is another active military conflict in the Middle East, which could draw in U.S. forces. That is why over 40 years U.S. policy has held that the only realistic path to peace is through a two-state solution. The Palestinians are entitled to a homeland. A two-state solution is the only viable path forward for Israel.

As Secretary Kerry said, “If the choice is one state, Israel can either be Jewish or democratic. It cannot be both.”

Given Mr. Friedman’s past staunch support for a one-state solution and expansion of Israeli settlements, is he really ready and able to embrace and put forward opposing policy positions? Can he ever be viewed by the Palestinians and the international community as an honest broker?

I am under no illusion about how difficult it will be to achieve peace between Israel and the Palestinians. Many Presidents and able diplomats have tried and failed to achieve settlement. But the United States must continue to do its best to reach an accord. Above all, we should not make the current situation worse. We need a steady hand in the Middle East.

I am not convinced that Mr. Friedman is qualified for this job, with no diplomatic experience and a history of extreme positions and intemperate language. His contrition is too little, too late. I am worried that by ignoring these huge red flags with his nomination, we run the risk of a diplomatic incident that could needlessly increase risk of conflict in the region. Therefore, I must vote no on this nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I rise today to talk about President Trump’s

selection of David Friedman to serve as the U.S. Ambassador to Israel.

Our relationship with Israel is of tremendous importance. We are strong allies, and we have a strong military, diplomatic, economic, and cultural relationship with the State of Israel. As a Jew, the importance of that relationship is something that I feel in my bones, and as a Senator, working to make our relationship with Israel stronger is a major priority. I strongly believe that part of strengthening that relationship is doing everything we can to help make progress toward a peaceful resolution of the Israeli-Palestinian conflict. Helping to resolve that conflict has consistently been one of the top diplomatic priorities of the United States.

There are very important implications in this selection for the Israeli people, the Palestinian people, the Middle East region, and even beyond. We need an Ambassador who can rise to the challenge, someone who can bring the parties together for negotiations and be regarded as legitimate in the eyes of all parties. Mr. Friedman is not that man.

Mr. Friedman’s past conduct demonstrates that he lacks the tools one needs to be a good diplomat. For starters, diplomacy is about choosing your words carefully. It is about reasoning with those with whom you disagree. Diplomacy means not resorting to insults and to name-calling when you have a disagreement, which is something that Mr. Friedman has done time and time and time again.

In an op-ed he penned for the newspaper *Arutz Sheva*, Mr. Friedman called supporters of the American Jewish Organization *J Street* “far worse than kapos.”

Now, for those who don’t share the history, I was born in 1951, and I grew up with the holocaust and the stories of the holocaust pounded into my head, and I know what “kapos” are. It is the term that refers to Jews who collaborated with the Nazis—with the Gestapo, the guards at the concentration camps during the holocaust. When asked to repudiate his statement on *J Street*, Mr. Friedman refused, and in fact doubled down, stating “They’re not Jewish, and they are not pro-Israel.” For those who don’t know, *J Street* is a pro-Israel organization dedicated to the two-state solution—a goal that is shared by successive U.S. administrations, both Democratic and Republican. The two-state solution is the only way to keep Israel a Jewish State and a democracy.

Mr. Friedman’s smearing of our fellow Jews—my fellow Jews, many of whom are members of *J Street*, this is a calumny. This should be a disqualifier for someone seeking to represent the United States in the State of Israel. Mr. Friedman’s statement shows that he lacks understanding of

history—of our history, the history of the Jewish people—it shows he is intolerant of opposing views, and he is profoundly insensitive. That is probably why so many of my fellow Jews have reached out to me, have urged me to reject his nomination.

Mr. Friedman’s offensive remarks don’t stop there. He regularly insults those with whom he disagrees. He even called me a clown and a moron after I pointed out the anti-Semitic stereotypes evoked in the Trump campaign’s final ad. As I told Mr. Friedman when we met in my office, I have been called a moron before—that kind of thing happens in campaigns all the time—but as I also reminded him, part of being a diplomat is being diplomatic.

Now, while I have serious concerns with Mr. Friedman’s temperament, my biggest issue with this nominee is his lack of commitment to the peace process. For example, right after being nominated to serve as Ambassador, Mr. Friedman stated that he “looked forward to doing this from the U.S. embassy in Israel’s eternal capital, Jerusalem.”

It has been a longstanding policy of the United States to recognize Tel Aviv as the capital of Israel. This policy has been viewed by successive administrations as important for helping maintain regional stability and peace with Israel and its neighbors. An abrupt change in this tradition would make it more difficult for the United States to play the role of arbiter, to achieve peace and security between the Israelis and the Palestinians. At a time when we need to reduce tensions in the region, Mr. Friedman was sending the exact wrong message. What I find even more troubling is Mr. Friedman’s support for settlement building. Successive U.S. administrations have recognized that new settlements are barriers to peace. Mr. Friedman has served as president and has been actively fundraising for the American Friends of Beit El, the nonprofit that supports the expansion of that settlement—expansion which is illegal under international law, an expansion deep inside of Palestinian territory.

How can we possibly help advance peace between the two parties with a man who believes there ought to be more settlements—one of the very things that observers on both sides of this conflict recognize as a significant obstacle to peace. The Israeli-Palestinian conflict has remained intractable for far too long, proving a hardship—a tragedy—for Israelis and Palestinians both and impacting regional and even global security. I believe—I am convinced that a just and lasting agreement between the two parties on a two-state solution, though very difficult, can and must be achieved. Confirming David Friedman as Ambassador of the United States to Israel will only serve to make that job more

difficult, if not impossible, and in my mind would be a tragedy.

I urge my colleagues to vote no on the Friedman nomination.

I thank the Presiding Officer.

Mr. LEAHY. Mr. President, Senate will soon vote on the nomination of David Friedman to be U.S. Ambassador to Israel.

I oppose his nomination.

Mr. Friedman has made a career of derogatory and inflammatory statements about U.S. policy in the Middle East, about former U.S. officials, about the Palestinians, and about American Jews who have views that differ from his own.

He has written falsely that President Obama and Secretary Kerry engaged in "blatant anti-Semitism," that liberal American Jews are "far worse than kapos," and that they "suffer a cognitive disconnect in identifying good and evil."

He has accused the State Department of a "hundred-year history of anti-Semitism," apparently because diplomats in both Republican and Democratic administrations have not always agreed with the actions of some of Israel's leaders.

Those comments alone should disqualify him for this sensitive position.

Mr. Friedman has also raised millions of dollars for Israeli settlers and bragged about leading the effort to remove the two-state solution from the Republican Party's platform.

Regarding the two-state solution, he wrote that it is "an illusion that serves the worst intentions of both the United States and the Palestinian Arabs." That renunciation of longstanding U.S. policy should also, by itself, disqualify him for the job of Ambassador to Israel.

Mr. Friedman is certainly entitled to his own views as a private citizen, even if they are offensive and counter to U.S. interests and values. But can anyone honestly say that this nominee is qualified or suited to represent the American people in Israel?

Five former U.S. Ambassadors to Israel, who served under Republican and Democratic Presidents going back as far as President Reagan, say the answer is no.

An alliance as longstanding as ours with Israel, which has far-reaching consequences for the entire Middle East, requires effective daily management by an experienced diplomat who not only has knowledge of the region but the temperament and appreciation of our short- and long-term interests.

I do not see how anyone could conclude that Mr. Friedman possesses the requisite temperament or objectivity. The record is devoid of evidence that he appreciates the critical distinction between the interests of the United States and the parochial interests of an extreme constituency in Israel that he has fiercely advocated for over the course of his long career.

Mr. Friedman's confirmation hearing provided him the opportunity to assuage concerns about his divisiveness, including the many disparaging remarks he has made and his close identification with and support for, the Israeli settler movement.

During the hearing, he disavowed his past undiplomatic statements, saying he was speaking as a private citizen.

Mr. Friedman's remarkable confirmation conversion falls far short of convincing evidence that changing his title to "Ambassador" will cause him to divorce his life's work and objectively serve the interests of the American people.

We all want what is best for the American people. We also share a desire to find a viable solution to the Israeli-Palestinian conflict that protects the rights and security of both peoples.

Neither goal can be achieved by pursuing policies that further inflame tensions and erode the role of the United States as an honest broker for peace.

There are any number of qualified Americans who could capably support that role. Mr. Friedman is not among them.

Mr. VAN HOLLEN. Mr. President, our Ambassador to Israel is one of our most consequential diplomatic posts. Israel is our greatest friend and ally in the Middle East and one of our closest partners in the world. The bonds between our peoples have been unbreakable from Israel's beginning. Israel is a bastion of democracy and prosperity in a violent and unstable region, where Israel faces relentless threats to its security. It is imperative that our Ambassador to Israel have an even temperament, the utmost of integrity, and the ability to forge unity across entrenched divisions.

I have a profound and steadfast commitment to Israel and to the Jewish community. That is why I am so concerned with David Friedman's nomination to become Ambassador to Israel.

Mr. Friedman appears to have few, if any, of the qualities needed for this position. He is an extraordinarily polarizing figure who has expressed views far outside of the longstanding bipartisan consensus on Israel. His body of published work makes clear his extreme positions. Mr. Friedman has asserted that Israel cannot trust the majority of American Jews. He has accused the entire State Department—an institution he now seeks to join—of anti-Semitism. He has called our coalition allies and partners in the fight against the Islamic State "cowards," "hypocrites," and "freeloaders." Given his radical and divisive rhetoric, I do not believe that he is capable of forging unity at home or stability abroad.

Furthermore, Mr. Friedman has written that he does not believe in a two-state solution. For decades, through Democratic and Republican adminis-

trations alike, the United States and the international community have held that the two-state solution is the only way to achieve a just and lasting peace between Israelis and Palestinians. Mr. Friedman's position on the two-state solution, coupled with his offensive statements, led five former U.S. Ambassadors to Israel to urge the Senate not to confirm him.

Shimon Peres, one of Israel's greatest leaders, once said, "Our problem is not to submit to the differences but to overcome them." Americans and Israelis deserve nothing less than an Ambassador who lives up to this ethos, one who seeks to strengthen Israel by advancing peace in the region. Given Mr. Friedman's public statements, I doubt that he can be that person. For these reasons, I cannot support his nomination.

Mr. FRANKEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. ROUNDS. Mr. President, I ask unanimous consent that notwithstanding rule XXII, at 2:15 p.m., the Senate vote on the Friedman nomination and that, if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action with no intervening action or debate.

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

Mr. ROUNDS. Mr. President, I ask unanimous consent to speak as in morning business for a period of 10 minutes.

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

PATIENT PROTECTION AND AFFORDABLE CARE ACT

Mr. ROUNDS. Mr. President, I rise to discuss the Patient Protection and Affordable Care Act, commonly known as ObamaCare, on its seventh anniversary of being signed into law by our previous President, Barack Obama.

Looking back at what has happened to healthcare over the past 7 years, there isn't a whole lot of good news to report. Since that time, Americans have been hit with hundreds of billions in new taxes, healthcare costs have risen exponentially, and families have struggled with fewer options and reduced access to healthcare services.

Just in the last year, healthcare premiums have gone up 25 percent for the typical ObamaCare plan. That number is even higher in my home State of South Dakota where premiums have increased 37 percent. ObamaCare has also driven health insurance companies

to completely leave the marketplace, leaving Americans with fewer insurance options. Again, I will use my own State as an example. Under ObamaCare, the number of companies offering insurance in the individual market in South Dakota has dropped from 13 to a mere 2 today. While this is unfortunate, we are better off than folks in Alaska, Alabama, Oklahoma, South Carolina, and Wyoming, all of whom have no options at all, as only one insurer offers plans in those exchanges. This is also the case for more than 1,000 counties across the Nation, basically one-third of all the counties in total.

As a result of these skyrocketing costs and reduced options, the number of Americans enrolling in ObamaCare continues to drop dramatically. Projections continue to be millions fewer than predicted. Between 2016 and 2017, nearly a half-million fewer Americans signed up for the exchange. All of this has barely moved the number of uninsured South Dakotans between 2010, when ObamaCare was enacted, and today. So the health insurance market was crippled, premiums have skyrocketed for hard-working families, and our economy has suffered tremendously under the ACA, only to have the same number of insured and uninsured individuals in my home State as before we started.

Nationwide, Americans are rejecting ObamaCare in record numbers. We saw this rejection of ObamaCare repeatedly over the past 7 years, when the American people elected into office candidates who at least in part ran on the platform of repealing ObamaCare. ObamaCare's higher taxes, fees, and penalties on businesses and investors have also taken a toll. Meanwhile, consumers who are facing higher premiums and deductibles have less to spend on goods and services. With one-sixth of our economy tied to healthcare, this has been detrimental to growth and to opportunity. It has also been easy to see how the healthcare industry has rejected ObamaCare over the past 7 years, with many insurers pulling out of the market and in other places the markets collapsing altogether. This limits competition and leaves little room in the healthcare industry, which is why ObamaCare is failing to control the cost of healthcare in our country. Cost control is a crucial component in providing truly affordable healthcare, and that begins with the elimination of ObamaCare's added bureaucracy and paperwork. We must get government out of the way and allow competitive markets to work once again, and that is what we are seeking to do with ObamaCare's replacement, which is expected to receive a vote in the House later today.

Since we started the process of repealing and replacing ObamaCare, my

office has received a number of calls and emails from South Dakotans who have expressed concerns. I want to make it clear to them and to all Americans that during the period in which we transition away from ObamaCare and toward a more affordable, competitive system, we understand that the continuation of coverage is an essential component. We plan to include a number of items that are very important to the American public: guaranteed renewal of coverage, portability of coverage for those who change jobs or leave the workforce by retiring, and a ban on lifetime limits, because if you bought insurance, you shouldn't run out of insurance.

The provisions of the Indian Health Care Improvement Act which were included in ObamaCare should be included in our plans. There should be no exclusions on preexisting conditions if one maintains insurance from policy to policy, without lapses, and we should include provisions to allow children to remain on their families' plans until they are at least the age of 26.

We understand that there is a way to retain all of these positive provisions which are vital to ensuring continued health insurance coverage for all American families who want it, while also providing a fair and open marketplace that provides a strong, healthy, competitive market. This, in turn, will bring affordable, efficient health insurance with innovative products that will actually help to control the cost of care. That is what the GOP alternative, while still far from perfect, is seeking to do. One thing we do know is that the end result will be better than ObamaCare.

As a father and a grandfather, I understand how important it is to have access to affordable healthcare. No one should be priced out of healthcare coverage for one's family. But our current system is simply not working. After 7 years of ObamaCare, the American people are dealing with higher healthcare premiums, fewer options, more taxes, and reduced access to care. Health providers are struggling with more bureaucracy, with more time spent filling out paperwork instead of caring for patients, and being frustrated by ObamaCare's crippling new regulations.

As I have said from time to time, ObamaCare is a rapidly sinking ship, and there is simply no hope for a recovery. On its seventh anniversary, it is hurting more people than it is helping, and it must be repealed and replaced before it totally crumbles under its own weight.

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Maryland.

Mr. CARDIN. Mr. President, I rise as the ranking Democrat on the Senate Foreign Relations Committee to comment on the nomination of Mr. Fried-

man to be the U.S. Ambassador to Israel. Shortly, we will be having that vote.

I consider the U.S.-Israel relationship to be a strategic anchor for the United States in the Middle East and one of our most important relationships with any country. Since the creation of the State of Israel, support for this relationship has been bipartisan, bicameral, and supported by successive U.S. administrations. This bilateral relationship is also sustained by the deep bonds of friendship between the people of our two countries. This relationship has benefited Israel and has benefited the United States.

Given the range of strategic challenges across the globe that our country faces and the unprecedented instability and violence embroiled in the Middle East today, it is critical that we take steps to unify support for the U.S.-Israel relationship across the political spectrum. Thus, I believe it is vital that the U.S. Ambassador to Israel be seen as a unifying figure in this enduring relationship.

I really do believe that there is broad understanding and support in the Senate and the House for the special relationship between the United States and Israel—Israel, the only true democracy in the Middle East, a country that we can rely on for important intelligence information and that has an economy which is similar to ours. It is a country that has enjoyed a special relationship with the United States since 1948, when Harry Truman recognized Israel after the historic vote at the United Nations.

Following extensive consideration of Mr. Friedman's record and taking into account his statements during his nomination hearing, I have concluded that his past record would make it very difficult for him to serve as that unifying force. For that reason, I am unable to support his nomination as America's top diplomat in Israel.

I appreciate Mr. Friedman's efforts before the committee to express regret for his substantial record of divisive, inflammatory, and offensive statements. Unfortunately, I believe the body of Mr. Friedman's published works, not to mention his public statements, will compromise his effectiveness in representing the United States and all Americans, as well as the Government of Israel and all Israelis.

Taken together, Mr. Friedman's statements and affiliations make it clear that he does not believe a two-state solution is necessary for a just and lasting peace. I am concerned that Mr. Friedman's history on this issue, in which he calls the two-state solution a scam, will undermine his ability to represent the United States as a credible facilitator of the peace process. There is simply no realistic, sustainable prospect for lasting peace between the Israelis and the Palestinians other

than as two states, living side by side, with security.

I thank Chairman CORKER for the manner in which this nomination was handled before the Senate Foreign Relations Committee. I think we had ample opportunity, and I thank Chairman CORKER for that, but I do urge my colleagues to reject this nominee.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate, notwithstanding the previous order, move to the rollcall vote now.

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

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

Mr. DURBIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. ISAKSON) and the Senator from Kentucky (Mr. PAUL).

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

The result was announced—yeas 52, nays 46, as follows:

[Rollcall Vote No. 96 Ex.]

YEAS—52

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Johnson	Shelby
Corker	Kennedy	Strange
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Crapo	Manchin	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Menendez	Young
Ernst	Moran	
Fischer	Murkowski	

NAYS—46

Baldwin	Duckworth	Klobuchar
Bennet	Durbin	Leahy
Blumenthal	Feinstein	Markey
Booker	Franken	McCaskill
Brown	Gillibrand	Merkley
Cantwell	Harris	Murphy
Cardin	Hassan	Murray
Carper	Heinrich	Nelson
Casey	Heitkamp	Peters
Coons	Hirono	Reed
Cortez Masto	Kaine	Sanders
Donnelly	King	Schatz

Schumer	Udall	Whitehouse
Shaheen	Van Hollen	Wyden
Stabenow	Warner	
Tester	Warren	

NOT VOTING—2

Isakson Paul

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

PROTOCOL TO THE NORTH ATLANTIC TREATY OF 1949 ON THE ACCESSION OF MONTENEGRO

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 1, treaty document No. 114-12, Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The treaty will be stated.

The senior assistant legislative clerk read as follows:

Treaty document No. 114-12, Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the Treaties Calendar No. 1, treaty document No. 114-12, Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro.

Mitch McConnell, Cory Gardner, Steve Daines, John Barrasso, Joni Ernst, Bob Corker, John Cornyn, Lindsey Graham, Jeff Flake, James M. Inhofe, Roy Blunt, David Perdue, John McCain, Pat Roberts, Tom Cotton, Jerry Moran, Mike Rounds.

Mr. MCCONNELL. Mr. President, for the information of Senators, we will have the cloture vote on this treaty on Monday night at 5:30 p.m.

The PRESIDING OFFICER. The Senator from Massachusetts.

(The remarks of Mr. MARKEY pertaining to the introduction of S. 708 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER (Mr. CASIDY). The Senator from Connecticut.

AMERICAN HEALTH CARE ACT

Mr. MURPHY. Mr. President, at this hour, we still don't know what the House of Representatives is going to do. They are amending and changing and modifying the reform of one-sixth of America's economy under the cover of darkness, trying to secure the votes necessary to fulfill a political promise. We await their decision as to how much havoc they wreak.

I wanted to come down to the floor today to address for a moment the exceptional process that is occurring right now, as we speak, in the House of Representatives and to talk about one of the reported changes they are considering before sending the product over to the Senate.

Just to review for a minute, Speaker RYAN likes to talk about his approach to healthcare as a three-pronged approach. Well, the Congressional Budget Office, headed by a gentleman hand-picked by the Republican House conference, agrees that it is a three-pronged approach; they just have a little bit different interpretation of those three prongs.

First, they say higher costs—15 to 20 percent spikes in premiums for everybody right off the bat and then dramatically higher costs, especially for older people, sicker people, and poorer people. If you are young and if you are relatively affluent and healthy, you may make out a little bit better under this proposal, but if you are not in that category, you are going to pay a lot higher costs and get less care.

This is the headline from the CBO report: 24 million people lose health coverage. That is catastrophic. That is the total population of 17 U.S. States. We just kick them off health insurance without anywhere to go other than our emergency rooms.

Remember, all of this is in order to finance a giant tax cut for the rich. I had a chart up here yesterday that showed that in this bill, if you make zero to \$200,000, you get no tax cut, but if you make over \$200,000, you get a nice, healthy tax cut. It could be up to \$7 million on average for some of the wealthiest taxpayers. So there will be higher costs for everybody, except for maybe a very small slice of the population, but with less care. I mean, it is a nightmare when it comes to the number of people who lose care under this bill, all in order to finance tax cuts for the wealthy.

That is the background on what TrumpCare is and what the American Health Care Act is. People hate it. I mean, people hate it. There is a new poll out by Quinnipiac University that shows stunning numbers. The approval numbers for this bill are under 20 percent.

Republicans kicked the living you know what out of the Affordable Care

Act, and they never got its approval ratings down to under 20 percent, as has happened to the American Health Care Act in its third week of existence. That is pretty impressive, for 18 percent of Americans to approve of a bill that has only been out there for a few weeks. And it is not because they don't know anything about it; over 50 percent of Americans don't like it, 18 percent support it, and 56 percent don't support it. Across demographic groups, across age groups, everybody hates this thing because they get it. They are not dumb. They know that this is taking healthcare from them and passing along higher costs to them in order to finance a tax cut for the rich. It is pretty simple. People really didn't need a lot of time to understand it.

Republicans in the House know that as this thing hangs out there, it is getting less popular. It is hard to get less popular than 18 percent. Those are tough numbers to do worse than. The reason Republicans are racing this bill through the process is because they know how deeply unpopular it is because they know it is a scam. They know it is essentially just taking healthcare from Americans and forcing them to pay more in order to finance a tax cut for the rich.

What is happening today in the House is they are blowing up their rules in order to push a bill through that no one will have looked at. It is possible that they are going to file a gigantic reform to the entire American healthcare system and then call a vote on it within hours. Come on.

In 2009 and 2010, Republicans were blistering critics of Democrats, who they said were forcing the Affordable Care Act through the process too quickly. But in 2009 and 2010, the House held 79 bipartisan hearings and mark-ups on the health reform bill over the period of an entire year. House Members spent nearly 100 hours in hearings, heard from 181 witnesses from both sides of the aisle, considered 239 amendments, and accepted 121 amendments.

This bill was introduced 2 weeks ago. The first time the American public ever looked at it was 2 weeks ago, and the House is rushing it through today. Two weeks. Fourteen days. Twenty days. Not a year. Not 79 hearings. Not 100 hours of hearings. And we are talking about bringing it up before the Senate for a vote next week, with 20 hours of debate on a reordering of one-sixth of the American economy.

It is really extraordinary how this bill is getting jammed through the process because Republicans know that every day it hangs out there, more people figure out what it is—a massive transfer of wealth from regular, ordinary Americans, through less care and higher costs, to the very rich and also insurance companies and drug companies, which get a big tax cut.

On today's modification of the bill, the talk today is that in order to make the bill a little bit meaner and a little bit crueler, the House is going to remove from the underlying law the requirement that insurance companies cover a basic set of what are called essential benefits. This change is being demanded by the very, very conservative wing of the House Republican conference. They call themselves the Freedom Caucus. This is a group of sort of the most radical Members in the House of Representatives. They are demanding that these essential healthcare benefits be stripped out of the law in order to get their votes.

Let's talk about what these essential healthcare benefits are. Basically the law now says that if you are offering an insurance plan and you want to call it health insurance, then you have to actually offer to cover healthcare. So the essential healthcare benefits—what every plan today has to offer in order to be able to call itself insurance in this country—are ambulatory patient care, which means outpatient care, emergency care, hospitalizations; pregnancy, maternity, and newborn care; mental health and substance abuse care; prescription drugs; rehabilitation if you get injured; lab services; tests; chronic disease management—management for diabetes or heart and liver conditions; and pediatric services, services for kids. That is it. Those are the essential healthcare benefits.

Frankly, if you are buying a health insurance plan, wouldn't you expect that it would cover your emergency care if you were to go to an emergency room? If you are buying healthcare in this country, what good is it if it doesn't cover a hospitalization when you get very sick? If you are buying an insurance plan in this country, don't you think it is going to cover your kids when they need basic pediatric services?

So what is happening now is something different from healthcare reform in the House of Representatives. What is happening now is a radical rethink of what healthcare insurance is. If all of a sudden health insurers don't need to cover the cost of your hospitalizations, don't need to cover mental illness at all, don't need to cover addiction coverage at all, then is it really insurance any longer? If it is not covering that list of things, what is it covering?

CBO has an answer for this. CBO says that if there is an insurance plan that doesn't cover this list of benefits, they won't count it as insurance. So when they are giving you the numbers of people who will have insurance or not have insurance after this bill, the non-partisan Congressional Budget Office says: We don't really count it as insurance if it doesn't cover basic stuff, such as hospitalizations, outpatient services, prescription drugs, and pediatric services.

So what is happening now in the House of Representatives is really a radical rethink of healthcare insurance. Under the law they are contemplating passing, healthcare insurance wouldn't need to cover anything. You could buy an insurance plan, pay your premium, and then be told that it doesn't cover your kid when he gets diagnosed with schizophrenia, that it doesn't cover your daughter when she gets in an accident and has to go to the emergency room, that it doesn't cover your spouse when they get really sick and are hospitalized for 3 days. What kind of coverage would that be any longer if it didn't cover that list of things?

Let's be honest. This would be a massive transfer of cost to individuals. The No. 1 prong of TrumpCare is higher costs. If insurance companies don't need to cover any of these things anymore but you still have to buy them, then it is just a massive shift of costs to individuals because, remember, TrumpCare penalizes you if you don't buy insurance.

The Affordable Care Act did the same thing, admittedly. The Affordable Care Act said: If you don't buy insurance, you are going to pay a penalty. But that is why the Affordable Care Act said that insurance has to really be insurance. It has to cover stuff because if we are going to require you to buy it or we are going to penalize you if you don't buy it, then insurance should really be insurance.

Well, TrumpCare penalizes you if you don't buy insurance. You would pay a massive penalty. For a lot of people, the penalty could be \$5,000 if they don't buy insurance. But now the change they are considering in the House of Representatives means the insurance product you will be forced to buy won't cover diddly.

By the way, when your insurance company doesn't cover it and you have to pick up the cost, it is going to cost you way more money. Everybody has probably seen a bill from a hospital. Let's say you had to go in and get a colonoscopy. You get your bill, and you always sort of scratch your head because you see two numbers—you see the number the hospital bills and then you see the number your insurance company pays. Often, the number the insurance company pays is like one-third of what that hospital billed. Why is that? It is because the insurance company is negotiating with the hospital on behalf of thousands of patients, so they get that price way, way down. The insurance company only pays a fraction of the cost that is billed. If you don't have insurance coverage for it, if all of a sudden it is not a benefit in your plan because the American Health Care Act told insurance companies they didn't have to cover a hospitalization, then you will pay that higher price. You don't get

the insurance company discount. You will pay that higher number. That is going to bankrupt people.

The families in my State, when their child gets hooked on heroin, they are going to find a way to pay for that care so that their child doesn't become another statistic, another one of the 900 who died in my State last year from overdoses. They are going to do everything possible to get that child care for that addiction. They will mortgage their house, they will sell their house, they will drain their savings account, they will sell off every possession they have to make sure their child does not die from an overdose and so that child gets the care they need. If their insurance company won't cover it, then they will do everything necessary to cover it, and you will have a rapid increase in the number of people whose lives are ruined, who go bankrupt because of their medical costs—something that doesn't happen right now because the Affordable Care Act gives you real subsidies to afford care. It gives you real help to be able to buy insurance, and it requires that insurance companies actually provide you with insurance.

This is an extraordinary thing that is happening in the U.S. House of Representatives right now. Nobody likes this bill. Healthcare experts think it is a joke. The American public has roundly rejected it. It is getting meaner and crueler every day in order to round up the votes necessary to get it passed. Why? Because this bill is not about solving any problem in the healthcare system. It doesn't solve a single problem. Again, except for this narrow group of younger, healthier, affluent people whose premiums will be a little bit less, everybody else is worse off. It only solves one problem, a political problem—the promise that the Republicans made to repeal the Affordable Care Act. But they didn't spend any time thinking about how to actually do it. So they are stuck now with an awful bill that nobody likes, that doesn't solve a single problem, and that is getting meaner and meaner every single day.

It was bad enough, and now this bill is frankly getting into some really radical territory—talking about totally rethinking insurance and letting insurance companies offer you a product that covers nothing and then it requires you to buy it. Think about that. We are going to require you to buy insurance, but the insurance isn't going to cover anything. TrumpCare, the American Health Care Act—whatever you want to call it—has three prongs: higher costs, less care, and tax cuts for the rich.

We will have an opportunity here in the Senate to get this right. As to the House of Representatives, I don't know if they are going to pass this. I don't know if it is going to fall apart. But we will have a chance to get this right.

Republicans and Democrats coming together, we can admit together that there are still a lot of things that are wrong in our healthcare system.

In the Affordable Care Act, there are some good parts of it, but other parts need improvement. We can come together and decide to tackle this problem—the high drug costs, whatever it may be—together and reject this partisan, rushed approach in the House of Representatives. It does nothing except give us higher costs and less care in order to finance tax cuts for the wealthy.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RUSSIA

Mr. REED. Mr. President, I rise today to discuss the deep and growing concerns about Russia's interference in the United States' 2016 Presidential election and the implications of Russia's broader malign activities for our national security.

On Monday, we learned from FBI Director Comey that there is an investigation into Russian interference in the 2016 Presidential election and whether associates of then-candidate and now-President Donald Trump were communicating with Moscow. It is absolutely essential that Congress and the American people get clear and comprehensive answers on, first, what happened; second, what are Russia's strategic goals and intentions for further interference in democratic processes here and in Europe; and third, what we need to do to counter this threat going forward. That is why I have repeatedly called for an independent, transparent, special counsel to investigate the legal aspects of Russian efforts to influence our election and a bipartisan select committee within the Senate to look at all aspects of Russia's destabilizing activities here and around the world.

I am concerned that the politicization of the issue of Russia's interference in our elections and its hostile actions against Western institutions and values is diverting our attention from what otherwise should be recognized as a clear and potent threat to America's security. We need to focus on what is critical: Russia is attacking American democracy as part of an even broader assault on our cornerstone NATO alliance and the post-Cold War international order.

The threat posed by Russia's actions is not merely "fake news," as serious as that phenomenon may be, but a very real, very strategic threat to U.S. in-

terests. Russia is testing America and the transatlantic community across multiple fronts.

Today, I will highlight just how broad and fundamental this threat from Russia really is.

What should be clear to everyone is that last year Russia engaged in a systematic and strategic effort to influence the U.S. Presidential election. While we do not know all the details of Russia's involvement, we know that in January the U.S. intelligence community—including the CIA, the FBI, and the Office of the Director of National Intelligence, or the ODNI—issued its assessment that Russia engaged in bold and unprecedented efforts to influence and undermine trust in the U.S. Presidential election.

Among the January intelligence report's findings were the following: first, that President Putin, in their words, "ordered an influence campaign in 2016 aimed at the U.S. presidential election."

The intelligence community also found that "Russia's goals were to undermine public faith in the U.S. democratic process, denigrate Secretary Clinton, and harm her electability and potential presidency."

The report further found that Russia's influence campaign was multifaceted and included covert intelligence operations such as cyber espionage against U.S. political organizations like the Republican National Committee and the Democratic National Committee. It combined the release of hacked information with overt propaganda efforts through Russian government agencies, state-funded media, third-party intermediaries, and paid social media actors, or, as they are referred to, trolls.

Another key finding was that Russia's influence efforts in the 2016 U.S. Presidential election reflect—in the words of the intelligence community—"a significant escalation" compared to previous information operations.

The intelligence community also warned that these Russian activities, including "cyber-enabled disclosure operations" likely represent a "New Normal" in Russian conduct toward the United States and our allies and partners.

The intelligence community further assessed that Russia will use the lessons learned from the 2016 U.S. Presidential election to influence future elections in the United States and overseas. We do not have to look very far for evidence supporting this conclusion.

Russia is alleged to have targeted an April 2016 referendum in the Netherlands on a partnership agreement between the European Union and Ukraine, which was overwhelmingly rejected by Dutch voters. This year, Russia is openly intervening in France's Presidential election to be held in

April. For example, Russia has loaned tens of millions of dollars to the far-right National Front Party in France, whose leader, Marine Le Pen, has defended Russia's annexation of Crimea and criticized international sanctions against Russia.

Germany, which holds parliamentary elections in September, has also been targeted by Russian hackers and trolls—straight out of the Kremlin playbook we saw used here last year. Russia is attempting to steadily erode the integrity and western orientation of multiple Eastern European countries through a variety of state and state-controlled or state-influenced activities. These coordinated and focused Russian operations threaten to undermine the European cohesion which underpins the post-Cold War international order. This pattern of Russian interference will only intensify with time if it goes unchallenged.

Russia's malign activities also threaten our core security relationships with our transatlantic allies and partners. The NATO alliance has been the bedrock of our security relationship with our European allies. Since the end of the Cold War in the early 1990s, countries in Central and Eastern Europe have aspired to integrate more closely with the West, whether militarily through NATO membership or economically within the European Union, or both. But President Putin rejects the post-Cold War international order and seeks to reestablish a Russian sphere of influence over his immediate neighbors by weakening democracy, collective security, and economic cooperation across the region.

In pursuit of this strategic goal, Putin has demonstrated a willingness to use all tools at his disposal, including cyber hacking, disinformation, propaganda, economic leverage, corruption, and even military force, to violate the sovereignty of Russia's neighbors and undermine support for their further integration into Europe.

Since 2008, in neighboring Georgia, Russia has occupied two regions and recognized their independence, which the international community widely condemns as a violation of Georgia's territorial integrity. Georgia's aspirations since the 2008 Bucharest Summit to join the NATO Alliance have been on hold.

In Ukraine, Russia's illegal annexation of Crimea and its continuing support to Russian-led separatists in eastern Ukraine are part of Putin's strategy of destabilizing the Kyiv government and blocking Ukraine's further integration westward. Putin has repeatedly used influence operations to hide the presence of "little green men" on Ukrainian soil, to spread disinformation about Ukrainian political leaders, and to influence financially corrupt Ukrainian oligarchs to support Russia. Putin is also using

propaganda and other activities to try to break western unity in support of the United States and EU sanctions intended to pressure Russia to comply with its commitments under the Minsk agreements for ending the conflict in Ukraine. It is critically important to maintain, and potentially strengthen, these sanctions to change Russia's aggressive behavior and get to a peaceful political settlement to end the fighting in Ukraine.

In Montenegro, it appears that Russia has added political assassination as a potential weapon to block an Eastern European country from pursuing membership in NATO. Last month, the British press reported that "Russian nationalists" under the direction of Russian intelligence officials plotted to assassinate then-Prime Minister Djukanovic during Montenegro's elections in October. According to these reports, Montenegrin authorities foiled the assassination attempt just hours before the plot was to be carried out. This attempted coup d'etat represents a new and dangerous level of interference by Russia to discourage Montenegro and others from further integrating with the West.

As some of my colleagues have read in the February 14th New York Times article, Russia has fielded a missile system that violates the Intermediate-Range Nuclear Forces, or INF, Treaty—a ground-launched intermediate-range nuclear missile that threatens all of NATO. The INF Treaty was signed by President Reagan and Mikhail Gorbachev in 1987. This landmark treaty dramatically reduced Cold War nuclear tensions by eliminating an entire class of ground-launched ballistic and cruise missiles that could have struck Moscow or Berlin in less than 10 minutes.

Now Russia has moved nuclear-capable, short-range, ground-launched Iskander missiles to Kaliningrad, a Russian enclave between Poland and Lithuania. The Iskander missile's range threatens German borders—something not seen since the 1980s. The Iskander deployment runs counter to a detente that has been in place since 1989, when President Bush reduced U.S. conventional forces in Europe—and Russia did the same—in order to relieve destabilizing tension in the region and lessen the risk of escalation or miscalculation. Furthermore, Russian aggression goes beyond the violations of the INF Treaty and the Iskander missile.

During the 2014 invasion of Crimea, Russia practiced snap nuclear exercises to test the readiness of its Armed Forces to send a signal that there was a nuclear backstop to the invasion. More disturbingly, by invading Ukraine, Russia violated the Budapest Memorandum, a multilateral commitment in which Ukraine and three other former Soviet states pledged to trans-

fer to Russia the nuclear weapons they retained after the collapse of the Soviet Union in return for Russian recognition of their sovereignty.

Besides unilaterally reneging on its Budapest commitments, in 2014 Russia has pulled out of the DOD and DOE—Department of Defense and Department of Energy—Cooperative Threat Reduction Programs, which secured nuclear materials at storage sites and national borders. Russia has some of the largest stockpiles of nuclear materials in the world that are vulnerable to insider threats. In 2016, Russia suspended its participation in the agreement with the United States to convert 34 metric tons of weapons-grade plutonium for use as fuel for reactors.

Since the very beginning of the Cold War, nonproliferation and arms control agreements between Russia and the United States have always received a high priority from both countries, regardless of how relations in other areas went up or down. Russia's recent actions call into question whether this can continue.

Russian actions in Syria pose a further challenge to stability in the Middle East and the broader international community. Russia's military operations to prop up the murderous Assad regime belies Moscow's claim that it intervened to fight violent extremists, including ISIS and al-Qaida. Russia has provided significant political, economic, and military support to Syrian President Bashar al-Assad, even as he has slaughtered tens of thousands of Syrian civilians and used chemical weapons against his own people. Russia has repeatedly exercised its veto power in the U.N. Security Council on behalf of the Syrian regime in defiance of international standards and U.S.-led peace efforts, and, just last month, Russia vetoed a U.N. Security Council resolution seeking to punish Syria for using chemical weapons.

For all of these reasons, we must recognize that Russia's alarming interference in our election is only one aspect of a much broader and dangerous threat to our core national security interests. Russia's malign behavior needs to be investigated fully and in a manner that is free of political considerations. We need answers to key questions, including:

What are Russia's overall strategic security goals, and how do Russian influence activities in Europe and the United States advance those goals?

What are the tools of Russia's influence? How has Russia used, or continues to use, those tools in influencing campaigns in Europe? How do Russian activities in Europe compare to what was evident in the U.S. Presidential elections last year?

How has Russia used influence activities in concert with other unconventional warfare tactics and operational activities—for example, to support proxy forces in Ukraine and elsewhere?

What is the threat these Russian influence activities pose to U.S. democratic institutions? To NATO? To the European Union? To the post-Cold War liberal order and value system?

What are the weaknesses and vulnerabilities in the United States and European countries that Russia is successfully exploiting and magnifying?

Finally, how can the U.S. Government counter and deter Russia's influence activities, and what capabilities, structures, and other resources are needed for these purposes?

An investigation of these questions would best be conducted by an independent, transparent, outside body appointed in a bipartisan manner. However, if Congress cannot reach consensus to make that happen, then, as a ranking member on the Senate Armed Services Committee, I intend to work with the chairman to undertake the necessary effort within the committee and across the Senate. I believe we can work in a bipartisan fashion on this critical threat to our national security. I look forward to shedding light on this issue and examining what we need to do as a country to defend ourselves against and deter Russian malign influence.

As a final point, we are focused, of course, on what happened in 2016—and it is a topic of daily discussions and newspaper articles—but one of the most sobering factors is that we have an election in process right now for 2018. If it demonstrates the same interference, Russia could have an effect on that election. Indeed, there are indications that they are actually probing State election systems—the names of voters, how the States calculate and vote. Nothing has been established that would suggest they attempted to influence that activity, but the simple probing suggests that we have much to do to protect ourselves going forward—indeed, as much as looking back and finding out what went on in the 2016 election.

For these reasons, and many more, we have to work together, as I suggested and encouraged, in a bipartisan way to get at the answers—not just to look backward but to protect ourselves going forward.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

TERROR ATTACK IN LONDON

Mr. HATCH. Mr. President, before I begin my remarks on the Supreme Court nomination, I want to just say a word about the terrorist attack in London yesterday.

I was devastated to hear that two Utahans, Kurt and Melissa Cochran, were victims in yesterday's attack. While Melissa is recovering, I was heartbroken to hear that Kurt has since passed away from his injuries.

I just want to offer our most sincere condolences to the Cochrans and ensure that we help them in any way we can.

I know all our prayers are with the victims and with their families, friends, and loved ones.

NOMINATION OF NEIL GORSUCH

Mr. President, it is with great disappointment that I rise to address the treatment of Judge Neil Gorsuch by my colleagues on the other side of the aisle.

Today marks the close of his confirmation hearing, which began on Monday. This hearing was extraordinarily thorough, examining just about every facet of his record and his life.

The nominee himself delivered an outstanding performance, enduring more than 20 hours of intense questioning over 2 very long days. He displayed an impressive command of the law and the kind of intelligence one expects of someone with such stellar credentials. He showed the proper understanding of the role of a judge in our constitutional system of self-government: to apply, not make, the law. He demonstrated this crucial quality both in his affirmative answers and in the times he had appropriately refused to prejudge issues that might come before him. Throughout, his demeanor was serious, thoughtful, and humble. These qualities have defined his service as a judge for the last decade and will serve him well on the U.S. Supreme Court.

As for my fellow Senators, many of them approached this hearing the right way, posing questions that gave us real insight into the nominee's record and judicial philosophy. Thanks to their hard work, Judge Gorsuch has now been vetted as extensively as any nominee to come before the Senate in the whole length of my service here. I thank them for their careful work and good judgment.

In particular, I want to single out my friend and colleague Senator GRASSLEY. As chairman of the Judiciary Committee, he was charged with the monumental task of planning and executing the whole endeavor. He performed admirably, and we all owe him our sincere gratitude. He is one of the best people here, and he is totally honest and decent.

Regretfully, I feel compelled to contrast that responsible approach of many of my colleagues with the actions of a number on the other side of the aisle. Frankly, some of the treatment of Judge Gorsuch has made me ill. In him, we have a man who is superbly qualified and who quite obviously understands how his job is to say

what the law is, not what he wishes it might be. In fact, I do not believe any fair examination of the whole of his record on the bench can reasonably yield any meaningful clues as to what his policy views are. He is the kind of nominee whom, in an ideal world, we should be able to confirm by universal acclamation. Yet that is not the sort of treatment we are seeing—far from it.

Instead, we see a desperate campaign being waged against him to derail his nomination at all costs. This is the sort of approach that has long been advocated for by many far-left activists intent on attacking in their belligerent ways and stacking the courts with ideologues committed to imposing liberal policies without respect for what the law and the Constitution actually command.

As someone with great respect for all of my colleagues—even those with whom I often disagree—I had hoped they would resist the siren song of their activist base and give Judge Gorsuch a fair shake. Unfortunately, I see many of them falling prey to the temptations of this scorched-earth approach. Whatever their motivation—be it the outcome of the Garland nomination, the apparent unwillingness to accept the results of the election, or the desire for judges to push their political agenda—many of them appear willing to employ tactics they used to recognize, rightly, as inappropriate and even dangerous. In doing so, they threaten to inflict lasting damage on the judiciary, the Senate, and our politics more broadly.

Consider their demand that Judge Gorsuch answer politically charged hypotheticals about potential future cases. For decades, nominees of both parties have refused to comply, so much so that the practice is then referred to as the “Ginsburg standard,” after current Justice Ginsburg, and they had been quite right to do so. To offer an advisory opinion that is inconsistent with the Constitution's allocation of powers—which give judges the authority to decide only actual cases and controversies, not offer broad advisory opinions—is inconsistent with the core characteristic of the judicial process, which considers issues in the particular legal and factual context of an individual case and gives parties the opportunity to make their arguments in full, and it asks judges to prejudice themselves when they should be arbiters, raising serious due process concerns for future litigants who deserve a fair hearing.

Having participated in 14 confirmation hearings for Supreme Court nominees, I fully understand the temptation to ask these kinds of questions. Indeed, I have seen many Senators of both parties fall prey to the temptation, only to have a nominee politely respond about how it would be inappropriate to answer.

It is one thing to make the occasional mistake of this variety and move on. I have seen it happen countless times, but that is not what happened this week. Instead, I witnessed many of my colleagues devote almost their entire half hour rounds to posing these sorts of inappropriate questions. When Judge Gorsuch responded appropriately and explained his inability to answer—oftentimes with an extensive explanation of the rationale for doing so—he was lambasted by some of my colleagues for his refusal to engage in this dangerous practice.

Worse yet, these harsh attacks came from Senators who I have seen gladly embrace the very same answer from nominees in the past. What they once demanded, they now reject. What they once avoided, they now embrace. Simply put, it is hard not to interpret their attacks as hypocrisy of the highest order.

This is a completely illegitimate line of attack on Judge Gorsuch, and it should be repudiated forcefully.

Consider also the way in which some of my colleagues misrepresented Judge Gorsuch's record. It involved just a few simple steps. First, cherry-pick one of the judge's opinions in which a sympathetic victim lost; next, gloss over the legal issues at hand that mandated the outcome Judge Gorsuch reached; then, fail to mention how he was often joined in these opinions by his colleagues appointed by Presidents Clinton and Obama; after that, fail to mention the many times Judge Gorsuch ruled in favor of litigants similar to the one who lost in the case at hand; finally, make a wild assertion and accusation about how that case shows how Judge Gorsuch is biased against "the little guy."

We should call these phony attacks for what they are: bogus attempts to mischaracterize his record intentionally.

Any fair analysis of the record Judge Gorsuch has established on the bench can lead to only one conclusion: He is the type of judge who will reach the result commanded by the best reading of the law, free from any political agenda.

He follows his oath to do justice without respect to persons. As Judge Gorsuch himself rightfully put it, quoting Justice Scalia, "If you're going to be a good and faithful judge, you have to resign yourself to the fact that you're not always going to like the conclusions you reach. If you like them all the time, you're probably doing something wrong."

There will always be times when the law produces a result we disagree with. That is a simple fact of life. Sometimes that is our fault for not writing the law better, but the appropriate response is to change the law, not to demand that a judge ignore the law to reach a result we like.

As legislators, it is, by definition, our responsibility to change the law to

produce better, more just results. If my colleagues think a law like the Religious Freedom Restoration Act is producing bad results, it is their right to try to change it. They can count on me fighting tooth and nail to protect religious liberty, but at least they will be doing their job as lawmakers, not shirking it and demanding that unelected judges do their dirty work, nor impugning the honor of good judges like Judge Gorsuch who refuse to ignore the law on behalf of a political agenda.

In Judge Gorsuch, we have a Supreme Court nominee as fine as I could ever imagine. He is the type of man we all should be clamoring to step into the late Justice Scalia's big shoes. But instead of the best traditions of the advice and consent process that many of us have tried to live up to, what is he treated to? Hypocritical attacks on the very judicial independence that my colleagues on the other side of the aisle claim to prize above all else, misleading attacks that distort his record, and now a promise to filibuster his nomination by the minority leader. My gosh, what have we come to around here?

I remember when Justice Ginsburg went through with only three votes against her and not much debate, and she refused to answer any of the questions that my friends on the other side were demanding of Judge Gorsuch and of other Republican judges. Frankly, I stuck up for her and felt that that was the right thing for her. I have great respect for her because of the way she handled those proceedings and others as well. We didn't do this in earlier years. It has become so radical around here and so political around here that we are besmirching the very people who have become the judges in this land and are doing such a good job.

This is a travesty of the highest order. Judge Gorsuch is a brilliant, decent man who has devoted his life to serving his country. He has done exactly what we want as a careful judge for more than a decade. What does he get when nominated to the highest Court in the land? He gets his name dragged through the mud. He gets baited with questions we all know he cannot answer, that nobody can answer. If they are not trick questions, they are certainly improper, and then he is attacked for not answering. He gets his record mischaracterized and is accused of cruelty and hardness of heart. He gets the kind of treatment that leads him to regret putting his family through what ought to be a dignified process.

It is time to stop this madness, stop the dishonest attacks. Instead, let's have a debate worthy of the world's greatest deliberative body and confirm this absolutely outstanding nominee.

If my friends on the other side would treat somebody as respectable and

highly prized and praised as Judge Gorsuch and treat them the way he was treated in some instances in these hearings, may we bar the door on the next nominee of this administration. That will be Armageddon, I guess, and we can't let this body descend into that sort of catastrophe.

I will insist on our nominees being people of the highest order, like Judge Gorsuch, people who will make us all proud, people who will respect both sides but who will enforce the law, and people who, when it becomes time to change the law, can properly make that decision and have the guts to do it. There aren't many cases that have to be changed, however. All I can say is there are some that both sides wish would be changed, and on both sides.

All I can say is this: I hope our colleagues will treat this President's nominees with greater respect. I have always tried to treat their nominees with great respect, and I helped get them through. Justice Ginsburg had only three votes against her, if I recall correctly. It was very few votes. There are judges who are now on the bench who I couldn't support, but I didn't stop them from having a vote up or down. Frankly, there are judges on the Circuit Court of Appeals whom we allowed to come up and whom I personally would not have approved as a President or otherwise but who were picked properly by the Democratic President and who had enough good recommendations on their side to sit on the bench. I think that is what has made this country a great country—that we understand that there are different points of view, not just in politics, but with regard to the law itself. And all of us have to understand that and realize that when somebody's elected President, that person, whether he or she, deserves to have fair consideration of the judicial nominees.

It is no secret that President Obama put almost 50 percent of the Federal bench on the bench, and he had a lot of up-and-down votes on them. Yes, there were some notable differences and notable debates, but by and large, the President got whomever he wanted. And I have to say that in the past, Republican Presidents generally got whomever they wanted. But in the intervening number of years since *Roe v. Wade*, we have had nothing but big problems that I think have resulted in the denigration of the bench and which should never have occurred.

I hope my colleagues, all of whom I deeply admire and like, will take some of these things into consideration and treat Judge Gorsuch with the true and deliberate respect that he deserves. I hope they can bring themselves to vote for him because he is truly a wonderful man, a great father, a wonderful husband to his wife, a tremendous person from the West, a fly fisherman, a fellow whom every one of his law clerks deeply loves, and a person who, by any

measure, is one of the brightest judges in the country today. I can't really think of anybody who would be brighter than he is or any better than he is.

So Donald Trump picked one of the best people, if not the best person in America, for this job, and I hope my colleagues on the other side will recognize that in spite of their dislike, and sometimes even hatred, for Donald Trump, this is important. And it is important that we start handling these matters with greater dignity, greater fairness. When we really do disagree, fine; let's have a debate and battle on it, and let the chips fall where they may. But not all of these deserve to be in that category, and certainly Judge Gorsuch does not deserve to be in that category. He is an absolutely outstanding person.

The PRESIDING OFFICER. The Senator from Michigan.

RUSSIA AND CALLING FOR THE APPOINTMENT OF A SPECIAL PROSECUTOR

Mr. PETERS. Mr. President, sovereign nations across the globe are brought together by different unifying forces. It can be a shared heritage, language, religion, or outside historical forces that led to borders drawn decades or centuries ago.

As a nation, we are unique. We are diverse in every sense of the word, but even in these polarizing times, we are overwhelmingly unified. We are unified by our belief in democracy, free enterprise, and economic opportunity. We are all entrusted in nurturing the ideas enshrined in our Constitution—the idea that our system of democratic government enables us to work toward a more perfect union. At a time when the promise of democracy is receding for far too many around the world, we must do everything we can to uphold our country's free and fair elections, the foundation of our democracy.

Our elections should serve as a global benchmark for the peaceful transition of power. As President Reagan said, we must be “the shining city upon the hill,” and we must lead by example. Our elections require a strong and steady commitment from our newly naturalized citizens; from families whose families fought in the Revolutionary War; from volunteers who cover 16-hour shifts to keep polling locations open; from country, city, and township clerks.

The preservation of free and fair elections requires a strong commitment from our highest elected official in the land. As Americans, we look to the President of the United States to safeguard our democracy from foreign adversaries.

When we are presented with clear and mounting evidence that the Russian Government, at the personal discretion of Russian President Vladimir Putin, orchestrated a campaign to undermine this most fundamental institution and interfere in our election, we should ex-

pect nothing less than a clear and forceful response from the White House that this kind of behavior is simply unacceptable. Unfortunately, what we have seen from President Trump and the White House so far amounts to little more than confusion, evasion, and a whole lot of smoke.

President Trump has spoken time and again about wanting to build closer ties with Russia. On the campaign trail, he frequently fawned over Putin's strength as a leader. In 2013, he asked his Twitter followers, “Do you think Putin will be going to The Miss Universe Pageant in November in Moscow—if so, will he become my new best friend?”

While I don't believe that Putin attended the pageant, the nature of the Putin-Trump relationship remains an open question. It confuses me and quite frankly alarms me that President Trump speaks so fondly of a man who brutally cracks down on his political opponents and journalists at home while stirring up conflict and aggressions abroad.

Make no mistake, Vladimir Putin is no friend of the United States or of the American people. Our Nation's intelligence agencies agree with high confidence that his government orchestrated a campaign to undermine the integrity of our recent election, and Putin has sought at every turn to destabilize the international order that has kept the American people and our allies secure for decades.

Russia's interference in our election was not an isolated incident. It is part of a broader effort to undermine the NATO alliance and weaken western democracies. I heard from our French and German allies at the Munich Security Conference last month about their concerns that Russia will continue to engage in disinformation campaigns in European elections. As we aspire to be the free-market driven, democratic “city upon a hill,” Putin's government works to sow chaos globally in an effort to further consolidate power in his nationalist, self-enriching regime.

These attempts to destabilize Russia's neighbors and rivals are not limited to cyber space and computer code. These provocations involve military aircraft, ships, nuclear capable missiles, heavy artillery, drones, and efforts to redraw international borders.

As a member of the Senate Armed Services Committee, I believe that the highest duty of Congress is to keep Americans safe. Russia's dangerous and unprofessional military provocations not only place American servicemembers and NATO allies at risk, they endanger civilian lives and raise the specter of escalating regional conflict.

Just last month, Russian aircraft flew within a few hundred feet of the USS *Porter* in international waters in a dangerous mock attack—an action the ship's captain called out as “unsafe and unprofessional.”

Last summer, while on a congressional delegation to meet with NATO allies, I heard directly from Estonian leaders about Russia's blatant disregard for their sovereignty. Russian forces kidnapped a border guard in Estonian territory and sentenced him behind closed doors to 15 years in prison, in what a top European Union official called “a clear violation of international law.”

We have seen the Russians fly reconnaissance and fighter jets in international airspace, with their transponders switched off in order to avoid detection—at one point, nearly colliding in midair with a passenger airplane. NATO has been forced to scramble jets almost 800 times—let me repeat that: 800 times—in 2016 alone, just to respond to Russia's encroachments on NATO airspace.

As the President speaks glowingly about Putin, Mr. Putin returns the favor by deploying a dangerous new cruise missile, in clear violation of the Reagan-era Intermediate-Range Nuclear Forces Treaty. Simultaneously, a Russian spy ship has been spotted lurking off the U.S. coast, trying to gather intelligence information near the Navy's primary east coast submarine base.

We are also seeing Russia undertake the largest military buildup in the Arctic since the end of the Cold War and at a pace faster than we ever, ever saw during the Soviet era.

Russia is reopening defunct military outposts and building new ones all across the polar region. There are 13 new Russian airfields that are scheduled to open by the end of this year. The Russian military recently staged an exercise in the Arctic region with well over 12,000 troops.

As the Russians build up their forces in the Arctic, the United States is falling behind. Our principal maritime force in the Arctic is the U.S. Coast Guard, but they have only one heavy icebreaker, the *Polar Star*, that is capable of keeping Arctic shipping lanes open or conducting search and rescue missions year-round. A new icebreaker to replace the *Polar Star* is still a few years away.

In contrast, the Russians have over 40 icebreakers in their fleet, many of them nuclear, with plans for three new icebreakers underway. At a time when we should be investing in our Arctic capabilities, the Trump administration has been considering deep cuts to the Coast Guard's budget.

Russia's expansionist activities and military probing are not occurring in a vacuum. The numerous threats and provocations that I have outlined occur as Russia continues to wage war in eastern Ukraine in the wake of their illegal annexation of Crimea, destabilizing the opportunity for the Ukrainian people to chart their own political and economic destiny. There

are 10,000 people who have lost their lives in this conflict as a direct result of Russian aggression.

Last year, as I traveled with my Senate colleagues to Estonia, the Czech Republic, and Ukraine, I learned firsthand about the efforts in these countries to strengthen their civil institutions and root out corruption, build lasting partnerships, and stand up to Russian provocations. While they are doing their part, they continue to look to the United States for global leadership.

This year, U.S. troops deployed to Eastern Europe to demonstrate our ironclad commitment to our NATO allies, where they were welcomed with open arms. We are working with our partners in Iceland to enhance their capabilities to detect and respond to a recent increase in Russian submarine patrols.

I am also proud to stand with the airmen of the 127th Wing of the Michigan Air National Guard, who deployed from my State to build on their long record of successful cooperation with our partners in Latvia.

When the Kremlin is threatening our allies, buzzing our Navy warships, and meddling in foreign elections, now is not the time to call into question the commitment or the resolve of the United States of America.

Vladimir Putin's world view is shaped by his time in the KGB during the Cold War. He is committed to projecting Russian strength, both at home and abroad, through intimidation and aggression. Strength is what he respects. If Putin's provocations are not met with a strong response, they will continue and likely escalate, putting American interests and the American people at risk.

Top officials in the Trump administration have been dispatched to crisscross Europe and reassure the world of our commitments to global security. I joined Vice President PENCE and Secretary Mattis in Germany last month for the annual Munich Security Conference.

They spoke of America's commitment to NATO and the international order, which was built from the ashes of World War II, in an apparent attempt to reassure our nervous allies, but our allies are not trying to understand the aims of the Mattis administration or the Pence administration. They are trying to determine if President Trump will stand behind NATO and the institutions that have served as a counterweight to Russian aggression for decades.

The American people are also watching the White House, and they deserve to know that those who serve at the highest levels of government will always have America's best interests at heart. But every week we are faced with mounting evidence that the Trump administration and the Trump

campaign have ties to Russia and are working to cover up their interactions with Russian officials.

Earlier this week, in testimony before the House Intelligence Committee, FBI Director Comey announced that the FBI was "investigating the nature of any links between individuals associated with the Trump campaign and the Russian Government and whether there was any coordination between the campaign and Russia's efforts." This bears repeating. The FBI Director has confirmed that there is an active investigation into coordination between a Presidential campaign and a foreign adversary. This is just the latest development in a long string of disturbing revelations about President Trump's associates.

Ousted campaign chairman Paul Manafort has a deep web of business and political connections to Russian interests. Other campaign advisers have backed off previous claims that they never spoke with Russian officials. In fact, the coverup of these interactions has already resulted in the first resignation from the Trump administration.

Not long after President Obama imposed sanctions on the Russian officials and military intelligence agencies that were responsible for interfering in our election, former National Security Advisor Michael Flynn had a secret, off-the-record discussion with Russian Ambassador Kislyak, in which he discussed lifting these sanctions under the incoming Trump administration.

Top officials at the Justice Department clearly warned the White House that Mr. Flynn was vulnerable to Russian blackmail. He resigned only after it became clear that he misled the public and the Vice President about the substance of these off-the-record conversations.

But it doesn't just end there.

The Attorney General, at best, misled the Judiciary Committee during his confirmation hearings about his record of contact with Russian officials. He testified under oath that he "did not have communications with the Russians" during the campaign. When it became clear that he had actually met with the Russian Ambassador at least twice last year, including in a one-on-one meeting in the final weeks of the campaign, he was forced to recuse himself from the Justice Department's criminal investigation into this very, very serious issue.

It has been my experience that, when people are caught covering up their meetings and contacts with someone, they usually have something to hide. If you have nothing to hide, there is no reason for a coverup.

The serious national security implications of the Trump administration's potential ties with Russia cannot be overstated. This is a time when we need to make clear that Russian ag-

gression will not stand. Instead, the President has attempted to distract the public through unsubstantiated allegations about the wiretapping of Trump Tower—an allegation that has been refuted by FBI Director Comey and others. President Trump continues to double down by calling into question the motives of those who want assurances about integrity in our elections.

Let me be clear. This is not about partisan politics. When there is so much smoke, there is probably some fire somewhere. If another country is infiltrating our government and political institutions or if Vladimir Putin has favors to cash in from officials at the highest levels of government, that is a serious problem.

Russia has endangered our service members, threatened our allies, illegally annexed Crimea, engaged in war crimes in their bombing of Aleppo, and actively worked to undermine our democracy. These revelations are only adding more smoke to the Russia fire, and it is clear we need a special prosecutor to investigate.

The American people expect this investigation to be free from any political interference or influence or bias. We need someone to cut through the smoke and clear the air. An independent special prosecutor should be appointed to examine Russia's campaign to interfere in our election as well as any association or coordination between the Trump campaign and Russia.

I also believe that the time has come to create an independent, nonpartisan commission to fully investigate Russian interference. Earlier today, I cosponsored legislation introduced by Senator CARDIN that would create such a commission and provide it with the necessary subpoena power to get the answers that the American people clearly deserve.

This is not about Democrats or Republicans or about relitigating the 2016 election. This is about our national security. This commission, modeled after the 9/11 Commission, would provide a comprehensive report on what occurred last year and make recommendations as to how we can best defend the integrity of future elections.

This is about how we move forward together. This is about how we maintain the independence of our government from foreign influence and instill faith in Americans that the White House is truly working for them.

This is about moving past months of coverups and finally extinguishing this smoldering Russian fire or proving that all of this smoke is, truly, just a series of misunderstandings.

This issue shakes the foundations of our democracy, but our Union has survived harder challenges than this.

At a time when the public's trust in government is called into question, we must do everything we can to restore

faith in the integrity and the impartiality of our institutions.

Just as we, as Americans, are unified in our faith in democracy and economic opportunity, we are unified in our belief in the rule of law. Just as we must show strength abroad through our military and our alliances, we must show strength at home by rooting out corruption and protecting our democratic process.

All of us—Democrats and Republicans, Congress and the White House, our diplomats and our military—must send a clear, unified message to authoritarian leaders in Moscow and everywhere else that threats levied against the United States will never be tolerated and that there will be a price to pay for making them.

The American people expect us to keep them safe while strengthening our Republic against enemies, both foreign and domestic. It is our duty to prove that we are up to the job.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

TRIBUTE TO IVORY GERHARDT CYRUS

Mr. SULLIVAN. Mr. President, as my colleagues know, I have been coming to the floor week after week to recognize an Alaskan who has made a difference in his or her community. As I have said repeatedly—I am a little biased, of course—I have the honor of living in the most beautiful State in the country, but it is our people who truly make it special. They are resilient, kind, and giving. And it is the next generation that is going to continue to make my State the best place in the world to live.

This week I would like to introduce my colleagues to 18-year-old Ivory Gerhardt Cyrus, this week's Alaskan of the Week. Ivory lives in Kiana, a beautiful, close-knit Inupiat village of less than 400 people on the banks of the Kobuk River in Northwest Alaska. Like many villages in Alaska, there are no roads in and out. People travel to Kotzebue, which is the closest hub city—it is not very much of a city but a big village—about 40 miles away by plane or snow machine, boat, or sometimes dog team. That is where Ivory was raised—in Kiana—and where, against many odds, she has strived.

Ivory was born with fetal alcohol spectrum disorder, which made getting through school a challenge. She was at times misunderstood, at times bullied, and many didn't know how to deal with her properly.

About 120 kids each year are diagnosed with fetal alcohol spectrum dis-

order in Alaska. When she was in middle school, Ivory began committing herself to helping them by speaking out about her own experiences and by advocating the way students with behavioral issues are treated in school. She was an advocate for them.

Now she is an honor roll high school senior, graduating this spring, and along the way, she has become a State of Alaska trainer for fetal alcohol spectrum disorder. She gave a presentation at an international conference recently on disability and diversity, and she was named one of five recipients of the 27th annual Women of Achievement and Youth Awards in Alaska.

This is what I find most impressive about Ivory: She is passing a message of hope and service on to her peers. She started a group, encouraging the members of the group to do one positive thing each day. The name of the group is appropriately entitled "One Positive Thing," or "OPT." That message has spread throughout her community, and now villages in Kiana are remembering to do one positive thing each day for themselves, their families, and their community. Last year, she held her first OPT conference in Kiana for youth all across the region. This year, that conference—the next OPT conference, One Positive Thing—will be held on April 7 and 8.

Ivory is an exceptional young woman. She is going to go on to do exceptional things. Next fall, she plans on attending the University of Alaska Anchorage where she plans to continue to do one positive thing each day and will bring that positive attitude to the students at UAA. She is going to continue to encourage others to do that as well.

I congratulate her for all of her accomplishments, for being our Alaskan of the Week, and congratulations to her parents, Jean and Tom, for the wonderful job they have done in raising this exceptional young lady.

Ivory gives us all hope for the future.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

UNITED STATES-COSTA RICA BILATERAL RELATIONSHIP

Mr. CARDIN. Mr. President, today I wish to recognize the productive partnership between the United States and Costa Rica. I recently had the chance to meet with President Guillermo Solís, and I can attest that this is a bilateral relationship strengthened by Costa Rica's unwavering support for democracy and human rights, comprehensive economic relations, and a deep-rooted commitment to security and the environment. Since 1851, the United States has enjoyed formal diplomatic relations with Costa Rica, one of Latin America's most enduring democracies, and the close cooperation between our two countries is an example of how international engagement consistently advances U.S. national interests and national security.

In recent years, Costa Rica has become one of the United States' most strategic security partners in Central America. In 2016, in response to the challenges of increasing cocaine trafficking in the region, President Solís's administration developed a security strategy that sets aggressive goals to expand its capacity to control Costa Rica's sovereign airspace and maritime territory. Last year, Costa Rica seized more than 24,000 kilos of cocaine that were ultimately bound to the United States. Despite a difficult fiscal situation, Costa Rica is projected to increase its investment in security by 20 percent in 2017. I commend the Obama administration's decision to donate two Island-class cutters to the Costa Rican Coast Guard, which will greatly boost Costa Rica's capacity to combat the narcotics trade. This also serves as a reminder of the strategic value of the State Department's security cooperation at a time when the Trump administration is proposing shortsighted cuts to our foreign assistance budget.

Additionally, I want to call attention to Costa Rica's collaboration with the United States in addressing the humanitarian challenges related to individuals fleeing violence in Guatemala, El Salvador, and Honduras. Between 2013 and 2016, the number of migrants from these three countries who have requested asylum in Costa Rica more than quadrupled, a dramatic increase that reflects the urgency of the situation in Central America. In a clear demonstration of President Solís's leadership on these issues, Costa Rica and the United States signed an agreement with the United Nations High Commissioner for Refugees, UNHCR, to establish a relocation and processing facility in Costa Rica for up to 200 at-risk migrants at a time from Guatemala, El Salvador, and Honduras. This critical screening provides immediate protection for those most vulnerable and opens opportunities for these individuals to be relocated to third countries.

Our joint agreement with UNHCR is but one example of U.S. and Costa Rican collaboration at multilateral fora. Costa Rica has consistently voted with the United States at the United Nations on critical issues related to Syria, North Korea, and Ukraine. In the past year, Costa Rica has also used its voice and vote at the Organization of American States to express concern about the growing challenges to democracy and human rights in Venezuela.

Furthermore, in August 2016, Costa Rica's commitment to human rights was on display when it became the first country to ratify the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance—an important step toward a more just and egalitarian society within the Americas. The convention reinforces international standards on all forms of discrimination, reaffirms the commitment of member states of the OAS to the complete and unconditional eradication of racism, and takes a step forward in the legal definition of contemporary forms of racism.

As a champion of environmental stewardship, Costa Rica has made great strides to develop renewable energy. Costa Rica recently set an ambitious carbon neutrality goal for 2021 and is well positioned to achieve this important objective. The country recently ran 75 days straight on renewable power, and, with continued foreign investment and U.S. diplomatic assistance, Costa Rica is on its way to becoming a carbon-neutral nation. I am hopeful that our diplomatic mission to Costa Rica will continue to support the country's interest in being a leader in the fight against climate change. Helping Costa Rica realize innovations in its power sector helps foster a broader strategic partnership with an important neighbor in our hemisphere.

At a moment characterized by the Trump administration's isolationist rhetoric, it is critically important to recognize that the United States is safer when we cooperate with other countries in the region to fight the battle against organized crime and illegal drug-trafficking. At the same time, Costa Rica's cooperation with the United Nations to support orderly and lawful migration, its collaboration with its neighbors in the region, and its efforts to promote human rights regionally are worthy of our commendation. Costa Rica is a true partner of the United States, and it is imperative that we continue to strengthen and expand the cooperation between our two countries to promote more security, prosperity, and stability in Central America and across the hemisphere.

TRIBUTE TO BARBARA VACHON

Mr. CASEY. Mr. President, today I wish to honor Barbara Vachon, who re-

tired this March after 16 years of service to the Senate. For as long as I have been in the Senate, with just a 2-month exception, Barb has served as my executive assistant and my right hand.

Barb's service to the Senate began in 2001, when her friend Trecia called and offered her a temporary position in Senator Jim Jeffords' office. In New Hampshire at the time, Barb decided she would take a chance and try out life in Washington, DC. Barb thought she was coming down to Washington for a 2-month assignment, answering phones and staffing the front office until the office could hire someone right out of college, but Barb quickly became an invaluable member of Senator Jeffords' team. Eventually, she became the Senator's executive assistant, working alongside him every day until his retirement from the Senate in 2007.

Barb's first year in the Senate included Senator Jeffords switching parties, 9/11, and the anthrax and ricin scares. Any one of these events might have given a different person a reason to leave the Senate, but Barb stayed and worked as hard as ever. When Senator Jeffords retired in 2007, Barb helped Senator BERNIE SANDERS' office learn the ways of the Senate for 2 months, after which she joined my office.

From day 1, Barb was always the person who made the trains run on time in my office. Barb had the challenging and sometimes impossible task of keeping my day on schedule, while at the same time juggling phone calls, personal notes, briefing memos, and any number of inquiries that came across her desk. There were even a few times where she managed to track down particularly old and rare library books at my request. No matter the task at hand, Barb approached her work with good humor and a can-do attitude that impressed everyone.

Barb's contributions in my Senate office are immeasurable, but I thought it was worth trying to quantify some of the ways in which she has served the people of Pennsylvania and our Nation. During her decade of service to Pennsylvania, Barb welcomed more than 200 ambassadors, dignitaries, and administration officials to my office, drafted more than 500 letters, and greeted over 1,000 Pennsylvanians at my "Keystone Coffees." She acted as a mentor and support system for all my staff members, and befriended everyone she worked with in the Senate. Everyone, from the Capitol Police officers she passed on her 3-block commute, to the photographers in the Senate Photo Studio who patiently waited while Barb shepherded our constituents for photos, knows how valued Barb was to our team and to me personally.

Having been in the Senate long before I was, Barb understood how to balance the everyday needs in the office with the overall goals we set for our-

selves when we first began our service here. Barb provided everyone in my office, myself included, with the important perspective that is often lost here in the Senate: it is easy to get bogged down in details or small problems, but the work we do here is important, lasting, and honorable. Barb never lost sight of how fortunate we are to work in this institution, and I know our team is grateful to have always had that reminder.

It is hard to imagine my office without Barb, but I know she will enjoy her retirement, whether she is home in New Hampshire or traveling the world. I wish her and her children, Heather and Michael, well in this new chapter.

ADDITIONAL STATEMENTS

TRIBUTE TO LESLIE CARTNER

• Mr. DAINES. Mr. President, this week, I have the distinct honor of recognizing Leslie Cartner, commander of the Yellowstone Battalion of the U.S. Naval Sea Cadet Corps in Billings. Leslie's devotion to the Yellowstone Battalion, the only Sea Cadet organization in the State of Montana, has been outstanding. In the next few weeks, Leslie will complete her tenure as Yellowstone Battalion Commander and transfer responsibility for the Sea Cadet program to another capable Montanan.

In 1962, Congress chartered the U.S. Naval Sea Cadet Corps. Today there are over 380 Sea Cadet units and nearly 9,000 young Americans participating in the program. In the Yellowstone Battalion, under Leslie's leadership, the cadets have been trained in drill and ceremony, first aid, inspection procedures, and taught the basics of fighting a fire while onboard a ship. In addition to learning introductory level Navy skills, the cadets have received character-building instruction in avoiding substance abuse and prevention of bullying and harassment. One of the instructors for the Yellowstone Battalion, Navy veteran George Blackard, described Leslie as the driving force behind the local Sea Cadet program and "the one who really got it off the ground." I strongly share George's appreciation for the work Leslie has done to enhance the program and her commitment to helping build the next generation of leaders.

From Libby to Ekalaka, Montanans are doing great things to strengthen their communities. A thank you for a job well done, I tip my cap to Leslie.

Good job, Sailor.●

TRIBUTE TO DOUG GRIFFIN

• Ms. HASSAN. Mr. President, today I wish to ask my colleagues to join me in recognizing and congratulating Doug Griffin of Newton, NH, for being named

an "Advocate of the Year" by the Addiction Policy Forum. After Mr. Griffin lost his daughter Courtney to an opioid overdose in September 2014, he became a passionate advocate, determined to increase awareness of the opioid epidemic in the State of New Hampshire. Granite Staters and Americans impacted by this urgent crisis owe him a debt of gratitude for his work, and I am grateful that the Addiction Policy Forum has honored him with this distinction.

Mr. Griffin has been a leader in calling for easier access to naloxone, Narcan, for families at risk of an overdose, even testifying on the issue before the New Hampshire State Legislature. My colleagues in the U.S. Senate remember Mr. Griffin from his testimony on the rise of opioid-related deaths and the importance of passing the Comprehensive Addiction and Recovery Act last year. In addition to his role as cochair of the Addiction Policy Forum's families committee, Mr. Griffin has spearheaded several local efforts in the Granite State, including hosting a monthly church service for people with substance use disorders and their families, a club for young students to raise awareness of the dangers of opioids, and a project to create a farm-based sober living facility for those in recovery.

New Hampshire has benefited greatly from Mr. Griffin's devotion and leadership. On behalf of my colleagues and the U.S. Congress, I thank Mr. Griffin for all the advocacy work he has done and continues to do. I congratulate him again on being named one of the Addiction Policy Forum's "Advocates of the Year".

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 10:33 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 305. An act to amend title 4, United States Code, to encourage the display of the flag of the United States on National Vietnam War Veterans Day.

H.R. 1228. An act to provide for the appointment of members of the Board of Directors of the Office of Compliance to replace members whose terms expire during 2017, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

At 12:20 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 372. An act to restore the application of Federal antitrust laws to the business of health insurance to protect competition and consumers.

H.R. 1101. An act to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees.

H.R. 1238. An act to amend the Homeland Security Act of 2002 to make the Assistant Secretary of Homeland Security for Health Affairs responsible for coordinating the efforts of the Department of Homeland Security related to food, agriculture, and veterinary defense against terrorism, and for other purposes.

The message also announced that pursuant to section 803(a) of the Congressional Recognition for Excellence in Arts Education Act (2 U.S.C. 803(a)), the Minority Leader reappoints the Honorable DEBBIE DINGELL of Michigan to the Congressional Award Board.

MEASURES REFERRED

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

H.R. 372. An act to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers; to the Committee on the Judiciary.

H.R. 1101. An act to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees; to the Committee on Health, Education, Labor, and Pensions.

H.R. 1238. An act to amend the Homeland Security Act of 2002 to make the Assistant Secretary of Homeland Security for Health Affairs responsible for coordinating the efforts of the Department of Homeland Security related to food, agriculture, and veterinary defense against terrorism, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, March 23, 2017, she had presented to the President of the United States the following enrolled bill:

S. 305. An act to amend title 4, United States Code, to encourage the display of the flag of the United States on National Vietnam War Veterans Day.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-1033. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Further Delay of Effective Dates for Five Final Regulations Published by the Environmental Protection Agency Between December 12, 2016 and January 17, 2017" (FRL No. 9960-28-OP) received during adjournment of the Senate in the Office of the President of the Senate on March 16, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1034. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Andrew E. Busch, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-1035. A communication from the Chairman, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the Council's 2016 Annual Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-1036. A communication from the Executive Director, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Annual Update of Filing Fees" (RIN1902-AF35) (Docket No. RM17-00006-000) received in the Office of the President of the Senate on March 15, 2017; to the Committee on Energy and Natural Resources.

EC-1037. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Further Delay of Effective Dates for Five Final Regulations Published by the Environmental Protection Agency Between December 12, 2016 and January 17, 2017" (FRL No. 9960-28-OP) received during adjournment of the Senate in the Office of the President of the Senate on March 16, 2017; to the Committee on Environment and Public Works.

EC-1038. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Technical Correction to the National Ambient Air Quality Standards for Particulate Matter" (RIN2060-AS89) (FRL No. 9958-29-OAR) received during adjournment of the Senate in the Office of the President of the Senate on March 16, 2017; to the Committee on Environment and Public Works.

EC-1039. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Limited Federal Implementation Plan; Prevention of Significant Deterioration Requirements for Fine Particulate Matter (PM_{2.5}); California; North Coast Unified Air Quality Management District" (FRL No. 9960-32-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on March 16, 2017; to the Committee on Environment and Public Works.

EC-1040. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Further Delay of Effective Date for the Final Rule Entitled 'Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act' Published by the Environmental Protection Agency on January 13, 2017" (RIN2050-AG82) (FRL No. 9959-57-OLEM) received during adjournment of the Senate in the Office of the President of the Senate on March 16, 2017; to the Committee on Environment and Public Works.

EC-1041. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Delay of Effective Date for Partial Approval and Partial Disapproval of Attainment Plan for the Idaho Portion of the Logan, Utah/Idaho PM_{2.5} Nonattainment Area Published by the Environmental Protection Agency on January 4, 2017" (FRL No.

9960-35-Region 10) received during adjournment of the Senate in the Office of the President of the Senate on March 16, 2017; to the Committee on Environment and Public Works.

EC-1042. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; El Paso Carbon Monoxide Limited Maintenance Plan" (FRL No. 9957-56-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on March 16, 2017; to the Committee on Environment and Public Works.

EC-1043. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New Mexico; Albuquerque/Bernalillo County; Inspection and Maintenance Program Error Correction" (FRL No. 9957-41-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on March 16, 2017; to the Committee on Environment and Public Works.

EC-1044. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Louisiana; Volatile Organic Compounds Rule Revision and Stage II Vapor Recovery" (FRL No. 9958-60-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on March 16, 2017; to the Committee on Environment and Public Works.

EC-1045. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Alabama: Final Authorization of State Hazardous Waste Management Program Revisions" (FRL No. 9959-14-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on March 16, 2017; to the Committee on Environment and Public Works.

EC-1046. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Georgia; Atlanta; Requirements for the 2008 8-Hour Ozone Standard" (FRL No. 9957-89-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on March 16, 2017; to the Committee on Environment and Public Works.

EC-1047. A communication from the Director of Congressional Affairs, Office of New Reactors, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Consolidated Guidance About Materials Licenses" (NUREG-1556, Volume 11, Rev. 1) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Environment and Public Works.

EC-1048. A communication from the Chair of the Medicaid and CHIP Payment and Access Commission, transmitting, pursuant to law, a report entitled "2017 Report to Congress on Medicaid and CHIP"; to the Committee on Finance.

EC-1049. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, trans-

mitting, pursuant to law, a financial report for fiscal year 2016 relative to the Biosimilar User Fee Act of 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-1050. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a financial report relative to the Animal Generic Drug User Fee Act for fiscal year 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-1051. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a financial report relative to the Animal Generic Drug User Fee Act for fiscal year 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-1052. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year 2016 Compounding Quality Act Annual Report"; to the Committee on Health, Education, Labor, and Pensions.

EC-1053. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year 2016 Annual Report to Congress on the Use of Mandatory Recall Authority Submitted Pursuant to Section 206 of the FDA Food Safety Modernization Act, Public Law 111-353"; to the Committee on Health, Education, Labor, and Pensions.

EC-1054. A communication from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "340B Drug Pricing Program Ceiling Price and Manufacturer Civil Monetary Penalties; Delay of Effective Date" (RIN0906-AA89) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-1055. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "Open Licensing Requirement for Competitive Grant Programs" (RIN1894-AA07) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-1056. A communication from the Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Competitive and Noncompetitive Non-formula Federal Assistance Programs - Specific Administrative Provisions for the Veterinary Services Grants Program" (RIN0524-AA70) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1057. A communication from the Chairman of the National Transportation Safety Board, transmitting, pursuant to law, the Board's Fiscal Year 2016 Annual Report on the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1058. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Air Traffic Service (ATS) Routes; Southwest Oklahoma" ((RIN2120-AA66)

(Docket No. FAA-2015-3835)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1059. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airspace Designations; Incorporation by Reference Amendments" ((RIN2120-AA66) (Docket No. FAA-2016-8926)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1060. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Wessington Springs, SD" ((RIN2120-AA66) (Docket No. FAA-2016-9193)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1061. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of VOR Federal Airways V-235 and V-293 in the Vicinity of Cedar City, Utah" ((RIN2120-AA66) (Docket No. FAA-2016-9265)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1062. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Air Traffic Service (ATS) Routes; Eastern United States" ((RIN2120-AA66) (Docket No. FAA-2016-0986)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1063. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class E Airspace; Farmington, MO; and Amendment of Class E Airspace for the Following Missouri Towns; Ava, MO; Cameron, MO; Chillicothe, MO; Farmington, MO; and Festus, MO" ((RIN2120-AA66) (Docket No. FAA-2016-6986)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1064. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Weed, CA" ((RIN2120-AA66) (Docket No. FAA-2016-9320)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1065. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Iron Mountain,

MI" ((RIN2120-AA66) (Docket No. FAA-2016-6271)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1066. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Grand Chenier, LA" ((RIN2120-AA66) (Docket No. FAA-2016-6661)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1067. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace for the following Ohio Towns; Findlay, OH; Ashland, OH; Celina, OH; Circleville, OH; Columbus, OH; Defiance, OH; Hamilton, OH; Lima, OH; and London, OH" ((RIN2120-AA66) (Docket No. FAA-2016-8839)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1068. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and E Airspace for the following Texas Towns: Houston Sugar Land, TX; Alice, TX; Bay City, TX; Breham, TX; Burnet, TX; Falfurrias, TX; Graford, TX; and Hamilton, TX" ((RIN2120-AA66) (Docket No. FAA-2016-85053)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1069. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Santa Rosa, CA" ((RIN2120-AA66) (Docket No. FAA-2016-6967)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1070. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Willows, CA" ((RIN2120-AA66) (Docket No. FAA-2016-9138)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1071. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; St. Petersburg, FL" ((RIN2120-AA66) (Docket No. FAA-2017-0015)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1072. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amend-

ment of Class E Airspace for the Paragould, AR" ((RIN2120-AA66) (Docket No. FAA-2016-8835)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1073. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Barter Island, AK" ((RIN2120-AA66) (Docket No. FAA-2016-9173)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1074. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Mapleton, IA" ((RIN2120-AA66) (Docket No. FAA-2016-8834)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1075. A communication from the Chief of Staff, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Connect America Fund; ETC Annual Reports and Certifications" ((RIN3060-AF85) (FCC 17-12)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1076. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-6896)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1077. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9298)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1078. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-6893)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1079. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters Deutschland GmbH (Previously Eurocopter Deutschland GmbH) Helicopters" ((RIN2120-AA64) (Docket No. FAA-2015-0674)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1080. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Helicopters Deutschland GmbH (Previously Eurocopter Deutschland GmbH) Helicopters" ((RIN2120-AA64) (Docket No. FAA-2017-0155)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1081. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-3984)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1082. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-7423)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1083. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-4225)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1084. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters" ((RIN2120-AA64) (Docket No. FAA-2017-0169)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1085. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bell Helicopter Textron" ((RIN2120-AA64) (Docket No. FAA-2017-0154)) received in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1086. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Learjet Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9388)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1087. A communication from the Management and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; United Instruments, Inc. Series Altimeters" ((RIN2120-AA64) (Docket No. FAA-2016-9345)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1088. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2012-0004)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1089. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2016-9510)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1090. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Milwaukee, WI" ((RIN2120-AA66) (Docket No. FAA-2016-9491)) received during adjournment of the Senate in the Office of the President of the Senate on March 17, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1091. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pilatus Aircraft Ltd. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9357)) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-12. A concurrent resolution adopted by the Legislature of the State of South Dakota expressing support for, and unity with, the State of Israel; to the Committee on Foreign Relations.

HOUSE CONCURRENT RESOLUTION NO. 1014

Whereas, the United States has long supported a negotiated settlement leading to a sustainable two-state solution with the democratic, Jewish state of Israel and a demilitarized, democratic Palestinian state living side-by-side in peace and security; and

Whereas, United Nations Security Council Resolution 2334 claims "the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law and a major obstacle to the achievement of the two-state solution and a just, lasting and comprehensive peace"; and

Whereas, by referring to the "4 June 1967 lines" as the basis for negotiations, United Nations Security Council Resolution 2334 effectively states that the Jewish Quarter of the Old City of Jerusalem and the Western Wall, Judaism's holiest site, are "occupied territory," thereby equating these sites with outposts in the West Bank that the Israeli government has deemed illegal; and

Whereas, passage of United Nations Security Council Resolution 2334 effectively lends legitimacy to efforts by the Palestinian Authority to impose its own solution through international organizations and through unjustified boycotts or divestment campaigns against Israel, and will require the United States and Israel to take effective action to counteract the potential harmful impact of United Nations Security Council Resolution 2334; and

Whereas, the Obama Administration's decision not to veto United Nations Security Council Resolution 2334 is inconsistent with long-standing United States policy and makes direct negotiations more, not less, challenging; and

Whereas, Israel has been granted her lands under and through the oldest recorded deed, as recorded in the Old Testament scriptures held sacred and revered by Jews and Christians alike, as presenting the acts and words of God; and

Whereas, the claim and presence of the Jewish people in Israel has remained constant throughout the past four thousand years of history; and

Whereas, the legal basis for the establishment of the modern state of Israel was a binding resolution under international law, which was unanimously adopted by the League of Nations in 1922 and subsequently affirmed by both houses of the United States Congress; and

Whereas, this resolution affirmed the establishment of a national home for the Jewish people in the historical region of the land of Israel, including the areas of Judea, Samaria, and Jerusalem; and

Whereas, Article 80 of the United Nations Charter 22 recognized the continued validity of the rights granted to states or peoples which already existed under international instruments, and therefore the 1922 League of Nations resolution remains valid, and the six hundred fifty thousand Jews currently residing in the areas of Judea, Samaria, and eastern Jerusalem reside there legitimately; and

Whereas, Israel declared its independence and self-governance on May 14, 1948, with the goal of reestablishing its God-given and legally recognized lands as a homeland for the Jewish people; and

Whereas, the United States, having been the first country to recognize Israel as an independent nation and as Israel's principal ally, has enjoyed a close and mutually beneficial relationship with Israel and her people; and

Whereas, there are increasing incidents of anti-Semitism around the world, including across the United States reflected in official hate crime statistics; and

Whereas, the international boycott, divestment, and sanctions movement is one of the main vehicles for spreading anti-Semitism and advocating for the elimination of the Jewish State; and

Whereas, the dramatic increase in boycott, divestment, and sanctions campaign activities on college campuses around the country has resulted in increased animosity and intimidation against Jewish students, negatively impacting student programming re-

lated to the State of Israel and politics in the Middle East; and

Whereas, leaders of the boycott, divestment, and sanctions movement say their goal is to eliminate Israel as the home of the Jewish people; and

Whereas, messaging at anti-Israel rallies has adopted the boycott, divestment, and sanctions slogan: "from the river to the sea Palestine will be free" which means that there would be no Israel between the Jordan River and Mediterranean Sea and that the State of Israel will cease to exist; and

Whereas, Israel is the greatest friend and ally of the United States in the Middle East and the values of our two nations are so intertwined that it is impossible to separate one from the other; and

Whereas, a strong and independent Israel supports our long cherished beliefs of democracy and liberty which we believe is the right of all mankind; and

Whereas, there are those in the world who have continually sought to destroy Israel, from the time of its inception as a state, and those same enemies of Israel also hate, and seek to destroy, the United States; and

Whereas, the promise of the God of Israel, who is the Creator acknowledged in our own Declaration of Independence and referenced by our own Founding Fathers in the creation of our nation, is that He will bless those who bless Israel. Let it be known that the State of South Dakota openly blesses Israel with our friendship and that we stand in support of the Israeli people and celebrate our many culture ties and gratitude for our cordial and mutually beneficial relations since 1948, a friendship that continues to strengthen with each passing year: Now, therefore, be it

Resolved, By the House of Representatives of the Ninety-Second Legislature of the State of South Dakota, the Senate concurring therein, that the Legislature calls on Congress and President Donald J. Trump to oppose and counteract United Nations Security Council Resolution 2334 against Israel by all means necessary; and be it further

Resolved, That South Dakota stands proudly with Israel and thanks our only Middle East democracy, for Israel's cordial and mutually beneficial relationship with the United States and with the state of South Dakota. We stand in support of Israel in its legal, historical, moral, and God-given right of self-governance and self-defense of the entirety of its own lands. We recognize that Israel is neither an attacking force nor an occupier of the lands of others, and that peace in the Middle East for us, is contingent on a whole and united Israel; and be it further

Resolved, That the chief clerk of the House of Representatives prepare copies of this resolution and forward them to the President of the United States, the speaker and clerk of the United States House of Representatives, the president and secretary of the United States Senate, and the Israeli Embassy in Washington, D.C., for transmission to the proper authorities in the State of Israel.

POM-13. A concurrent resolution adopted by the Legislature of the State of South Dakota expressing support for, and unity with, the State of Israel; to the Committee on Foreign Relations.

HOUSE CONCURRENT RESOLUTION NO. 1014

Whereas, the United States has long supported a negotiated settlement leading to a sustainable two-state solution with the democratic, Jewish state of Israel and a demilitarized, democratic Palestinian state living side-by-side in peace and security; and

Whereas, United Nations Security Council Resolution 2334 claims “the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law and a major obstacle to the achievement of the two-state solution and a just, lasting and comprehensive peace”; and

Whereas, by referring to the “4 June 1967 lines” as the basis for negotiations, United Nations Security Council Resolution 2334 effectively states that the Jewish Quarter of the Old City of Jerusalem and the Western Wall, Judaism’s holiest site, are “occupied territory,” thereby equating these sites with outposts in the West Bank that the Israeli government has deemed illegal; and

Whereas, passage of United Nations Security Council Resolution 2334 effectively lends legitimacy to efforts by the Palestinian Authority to impose its own solution through international organizations and through unjustified boycotts or divestment campaigns against Israel, and will require the United States and Israel to take effective action to counteract the potential harmful impact of United Nations Security Council Resolution 2334; and

Whereas, the Obama Administration’s decision not to veto United Nations Security Council Resolution 2334 is inconsistent with long-standing United States policy and makes direct negotiations more, not less, challenging; and

Whereas, Israel has been granted her lands under and through the oldest recorded deed, as recorded in the Old Testament scriptures held sacred and revered by Jews and Christians alike, as presenting the acts and words of God; and

Whereas, the claim and presence of the Jewish people in Israel has remained constant throughout the past four thousand years of history; and

Whereas, the legal basis for the establishment of the modern state of Israel was a binding resolution under international law, which was unanimously adopted by the League of Nations in 1922 and subsequently affirmed by both houses of the United States Congress; and

Whereas, this resolution affirmed the establishment of a national home for the Jewish people in the historical region of the land of Israel, including the areas of Judea, Samaria, and Jerusalem; and

Whereas, Article 80 of the United Nations Charter 22 recognized the continued validity of the rights granted to states or peoples which already existed under international instruments, and therefore the 1922 League of Nations resolution remains valid, and the six hundred fifty thousand Jews currently residing in the areas of Judea, Samaria, and eastern Jerusalem reside there legitimately; and

Whereas, Israel declared its independence and self-governance on May 14, 1948, with the goal of reestablishing its God-given and legally recognized lands as a homeland for the Jewish people; and

Whereas, the United States, having been the first country to recognize Israel as an independent nation and as Israel’s principal ally, has enjoyed a close and mutually beneficial relationship with Israel and her people; and

Whereas, there are increasing incidents of anti-Semitism around the world, including across the United States reflected in official hate crime statistics; and

Whereas, the international boycott, divestment, and sanctions movement is one of the

main vehicles for spreading anti-Semitism and advocating for the elimination of the Jewish State; and

Whereas, the dramatic increase in boycott, divestment, and sanctions campaign activities on college campuses around the country has resulted in increased animosity and intimidation against Jewish students, negatively impacting student programming related to the State of Israel and politics in the Middle East; and

Whereas, leaders of the boycott, divestment, and sanctions movement say their goal is to eliminate Israel as the home of the Jewish people; and

Whereas, messaging at anti-Israel rallies has adopted the boycott, divestment, and sanctions slogan: “from the river to the sea Palestine will be free” which means that there would be no Israel between the Jordan River and Mediterranean Sea and that the State of Israel will cease to exist; and

Whereas, Israel is the greatest friend and ally of the United States in the Middle East and the values of our two nations are so intertwined that it is impossible to separate one from the other; and

Whereas, a strong and independent Israel supports our long cherished beliefs of democracy and liberty which we believe is the right of all mankind; and

Whereas, there are those in the world who have continually sought to destroy Israel, from the time of its inception as a state, and those same enemies of Israel also hate, and seek to destroy, the United States; and

Whereas, the promise of the God of Israel, who is the Creator acknowledged in our own Declaration of Independence and referenced by our own Founding Fathers in the creation of our nation, is that He will bless those who bless Israel. Let it be known that the State of South Dakota openly blesses Israel with our friendship and that we stand in support of the Israeli people and celebrate our many culture ties and gratitude for our cordial and mutually beneficial relations since 1948, a friendship that continues to strengthen with each passing year: Now, therefore, be it

Resolved, By the House of Representatives of the Ninety-Second Legislature of the State of South Dakota, the Senate concurring therein, that the Legislature calls on Congress and President Donald J. Trump to oppose and counteract United Nations Security Council Resolution 2334 against Israel by all means necessary; and be it further

Resolved, That South Dakota stands proudly with Israel and thanks our only Middle East democracy, for Israel’s cordial and mutually beneficial relationship with the United States and with the state of South Dakota. We stand in support of Israel in its legal, historical, moral, and God-given right of self-governance and self-defense of the entirety of its own lands. We recognize that Israel is neither an attacking force nor an occupier of the lands of others, and that peace in the Middle East for us, is contingent on a whole and united Israel; and be it further

Resolved, That the chief clerk of the House of Representatives prepare copies of this resolution and forward them to the President of the United States, the speaker and clerk of the United States House of Representatives, the president and secretary of the United States Senate, and the Israeli Embassy in Washington, D.C., for transmission to the proper authorities in the State of Israel.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRASSLEY, from the Committee on the Judiciary, without amendment:

S. 178. A bill to prevent elder abuse and exploitation and improve the justice system’s response to victims in elder abuse and exploitation cases (Rept. No. 115–9).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. MCCAIN for the Committee on Armed Services.

Air Force nominations beginning with Brig. Gen. Tony D. Bauernfeind and ending with Brig. Gen. Mark E. Weatherington, which nominations were received by the Senate and appeared in the Congressional Record on March 9, 2017. (minus 1 nominee: Brig. Gen. Mark D. Camerer)

Air Force nominations beginning with Col. Dagvin R. M. Anderson and ending with Col. David H. Tabor, which nominations were received by the Senate and appeared in the Congressional Record on March 9, 2017.

Army nomination of Maj. Gen. Paul A. Ostrowski, to be Lieutenant General.

Army nomination of Lt. Gen. Sean B. MacFarland, to be Lieutenant General.

Army nomination of Brig. Gen. Francisco A. Espallat, to be Major General.

Army nomination of Col. Jeffrey A. Roach, to be Brigadier General.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. CORNYN (for himself and Ms. KLOBUCHAR):

S. 704. A bill to provide that members of the Armed Forces performing services in the Sinai Peninsula of Egypt shall be entitled to tax benefits in the same manner as if such services were performed in a combat zone; to the Committee on Finance.

By Mr. HATCH (for himself, Mr. FRANKEN, Mr. BLUNT, and Ms. KLOBUCHAR):

S. 705. A bill to amend the National Child Protection Act of 1993 to establish a national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes; to the Committee on the Judiciary.

By Mr. FRANKEN:

S. 706. A bill to amend title 38, United States Code, to improve the treatment of medical evidence provided by non-Department of Veterans Affairs medical professionals in support of claims for disability compensation under the laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans’ Affairs.

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

S. 707. A bill to amend the Internal Revenue Code of 1986 to ensure that pass-through businesses do not pay tax at a higher rate than corporations; to the Committee on Finance.

By Mr. MARKEY (for himself, Mr. RUBIO, Mr. BROWN, and Mrs. CAPITO):

S. 708. A bill to improve the ability of U.S. Customs and Border Protection to interdict fentanyl, other synthetic opioids, and other narcotics and psychoactive substances that are illegally imported into the United States, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON:

S. 709. A bill to prohibit the Administrator of the Federal Emergency Management Agency from taking administrative action to recover certain payments for disaster or emergency assistance, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MANCHIN (for himself and Mrs. CAPITO):

S. 710. A bill to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving Jennings Randolph Dam; to the Committee on Energy and Natural Resources.

By Mr. THUNE (for himself, Mr. CARDIN, and Mr. ROBERTS):

S. 711. A bill to amend the Internal Revenue Code of 1986 to provide for S corporation reform, and for other purposes; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself, Mr. TESTER, Mr. KING, Mr. KAINE, Ms. HASSAN, Mr. CASEY, Ms. BALDWIN, Mr. VAN HOLLEN, Mrs. MURRAY, Mr. DURBIN, Mrs. FEINSTEIN, Mr. SANDERS, Mr. UDALL, Ms. HIRONO, Mrs. SHAHEEN, Mr. WARNER, Mr. BROWN, and Mr. MANCHIN):

S. 712. A bill to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. 713. A bill to establish the Mountains to Sound Greenway National Heritage Area in the State of Washington; to the Committee on Energy and Natural Resources.

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. 714. A bill to amend Public Law 103-434 to authorize Phase III of the Yakima River Basin Water Basin Water Enhancement Project for the purposes of improving water management in the Yakima River basin, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 715. A bill to direct the Secretary of Agriculture to release on behalf of the United States the condition that certain lands conveyed to the City of Old Town, Maine, be used for a municipal airport, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. PORTMAN (for himself, Mr. RUBIO, Mrs. CAPITO, Mr. ISAKSON, Mr. BARRASSO, and Mr. LEE):

S. 716. A bill to require that any debt limit increase be balanced by equal spending cuts over the next decade; to the Committee on the Budget.

By Mr. SULLIVAN (for himself, Ms. HEITKAMP, Mrs. SHAHEEN, Ms. MURKOWSKI, Mrs. CAPITO, Mr. CORNYN, and Mr. DAINES):

S. 717. A bill to promote pro bono legal services as a critical way in which to empower survivors of domestic violence; to the Committee on the Judiciary.

By Mr. PETERS (for himself, Mr. CASSIDY, Mr. BOOZMAN, and Mr. FRANKEN):

S. 718. A bill to amend the Higher Education Act of 1965 to make college affordable and accessible; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WHITEHOUSE (for himself, Mr. DAINES, Mr. PETERS, Ms. DUCKWORTH, and Mr. GARDNER):

S. 719. A bill to establish a grant program at the Department of Homeland Security to promote cooperative research and development between the United States and Israel on cybersecurity; to the Committee on Homeland Security and Governmental Affairs.

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

S. 720. A bill to amend the Export Administration Act of 1979 to include in the prohibitions on boycotts against allies of the United States boycotts fostered by international governmental organizations against Israel and to direct the Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. UDALL (for himself, Mr. WHITEHOUSE, and Mr. CARPER):

S. 721. A bill to require the disclosure of certain visitor access records; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CORKER (for himself, Mr. MENENDEZ, Mr. RUBIO, Mr. CARDIN, Mr. COTTON, Mr. CASEY, Mr. CRUZ, Mr. BENNET, Mr. RISCH, Mr. COONS, Mr. SULLIVAN, Mr. BLUMENTHAL, Mr. YOUNG, and Mr. DONNELLY):

S. 722. A bill to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. LEE (for himself, Mr. HATCH, Mrs. FISCHER, Mr. SASSE, Mr. COONS, Mr. RUBIO, Mr. FLAKE, and Mr. GARDNER):

S. Res. 92. A resolution expressing concern over the disappearance of David Sneddon, and for other purposes; to the Committee on Foreign Relations.

By Mrs. SHAHEEN (for herself and Mr. MCCAIN):

S. Res. 93. A resolution congratulating the European Union on the 60th anniversary of the signing of the Treaty of Rome, which established the European Economic Community and laid the foundation for decades of European peace and prosperity; to the Committee on Foreign Relations.

By Mr. PORTMAN (for himself and Ms. HARRIS):

S. Res. 94. A resolution designating March 2017 as "National Read Aloud Month"; to the Committee on the Judiciary.

By Mr. CASEY (for himself and Mr. ISAKSON):

S. Res. 95. A resolution designating March 22, 2017, as "National Rehabilitation Counselors Appreciation Day"; to the Committee on the Judiciary.

By Mr. CASEY (for himself, Mr. ISAKSON, and Ms. HASSAN):

S. Res. 96. A resolution designating March 25, 2017, as "National Cerebral Palsy Awareness Day"; considered and agreed to.

By Mr. SHELBY (for himself and Ms. KLOBUCHAR):

S. Res. 97. A resolution authorizing the printing of a collection of the rules of the committees of the Senate; considered and agreed to.

ADDITIONAL COSPONSORS

S. 168

At the request of Mr. WICKER, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 168, a bill to amend and enhance certain maritime programs of the Department of Transportation.

S. 170

At the request of Mr. RUBIO, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 170, a bill to provide for nonpreemption of measures by State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 301

At the request of Mr. LANKFORD, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 301, a bill to amend the Public Health Service Act to prohibit governmental discrimination against providers of health services that are not involved in abortion.

S. 372

At the request of Mr. PORTMAN, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 372, a bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to require the provision of advance electronic information on shipments of mail to U.S. Customs and Border Protection and for other purposes.

S. 389

At the request of Mr. WYDEN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 389, a bill to amend the Internal Revenue Code of 1986 to ensure that kombucha is exempt from any excise taxes and regulations imposed on alcoholic beverages.

S. 394

At the request of Mr. ROUNDS, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 394, a bill to amend chapter 44 of title 18, United States Code, to provide that a member of the Armed Forces and the spouse of that member shall have the same rights regarding the receipt of firearms at the location of any duty station of the member.

S. 425

At the request of Mr. CARDIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 425, a bill to amend the Internal Revenue Code of 1986 to improve the historic rehabilitation tax credit, and for other purposes.

S. 448

At the request of Mr. BROWN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 448, a bill to amend title XVIII of the Social Security Act to provide for treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program.

S. 479

At the request of Mr. BROWN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 479, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 486

At the request of Mr. CASEY, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 486, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 512

At the request of Mr. BARRASSO, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 512, a bill to modernize the regulation of nuclear energy.

S. 534

At the request of Mrs. FEINSTEIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 534, a bill to prevent the sexual abuse of minors and amateur athletes by requiring the prompt reporting of sexual abuse to law enforcement authorities, and for other purposes.

S. 537

At the request of Mr. FRANKEN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 537, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 573

At the request of Mr. PETERS, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 573, a bill to establish the National Criminal Justice Commission.

S. 591

At the request of Mrs. MURRAY, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a co-

sponsor of S. 591, a bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes.

S. 604

At the request of Mr. HATCH, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 604, a bill to allow certain State permitting authority to encourage expansion of broadband service to rural communities, and for other purposes.

S. 605

At the request of Mr. DAINES, the name of the Senator from Idaho (Mr. RUSCH) was added as a cosponsor of S. 605, a bill to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 and the Federal Land Policy and Management Act of 1976 to discourage litigation against the Forest Service and the Bureau of Land Management relating to land management projects.

S. 623

At the request of Mr. RUBIO, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 623, a bill to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes.

S. 668

At the request of Mr. CARPER, the names of the Senator from Maryland (Mr. CARDIN), the Senator from California (Mrs. FEINSTEIN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 668, a bill to nullify the effect of the recent Executive order regarding border security and immigration enforcement.

S. 681

At the request of Mr. TESTER, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 681, a bill to amend title 38, United States Code, to improve the benefits and services provided by the Department of Veterans Affairs to women veterans, and for other purposes.

S. 697

At the request of Mr. DAINES, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 697, a bill to amend the Internal Revenue Code of 1986 to lower the mileage threshold for deduction in determining adjusted gross income of cer-

tain expenses of members of reserve components of the Armed Forces, and for other purposes.

S. 699

At the request of Mr. MURPHY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 699, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to furnish mental and behavioral health care to certain individuals discharged or released from the active military, naval, or air service under conditions other than honorable, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself and Ms. KLOBUCHAR):

S. 704. A bill to provide that members of the Armed Forces performing services in the Sinai Peninsula of Egypt shall be entitled to tax benefits in the same manner as if such services were performed in a combat zone; to the Committee on Finance.

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

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

S. 704

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sinai Service Recognition Act".

SEC. 2. TREATMENT OF CERTAIN INDIVIDUALS PERFORMING SERVICES IN THE SINAI PENINSULA OF EGYPT.

(a) IN GENERAL.—For purposes of the following provisions of the Internal Revenue Code of 1986, a qualified hazardous duty area shall be treated in the same manner as if it were a combat zone (as determined under section 112 of such Code):

(1) Section 2(a)(3) (relating to special rule where deceased spouse was in missing status).

(2) Section 112 (relating to the exclusion of certain combat pay of members of the Armed Forces).

(3) Section 692 (relating to income taxes of members of Armed Forces on death).

(4) Section 2201 (relating to members of the Armed Forces dying in combat zone or by reason of combat-zone-incurred wounds, etc.).

(5) Section 3401(a)(1) (defining wages relating to combat pay for members of the Armed Forces).

(6) Section 4253(d) (relating to the taxation of phone service originating from a combat zone from members of the Armed Forces).

(7) Section 6013(f)(1) (relating to joint return where individual is in missing status).

(8) Section 7508 (relating to time for performing certain acts postponed by reason of service in combat zone).

(b) QUALIFIED HAZARDOUS DUTY AREA.—For purposes of this section, the term "qualified hazardous duty area" means the Sinai Peninsula of Egypt, if as of the date of the enactment of this section any member of the Armed Forces of the United States is entitled to special pay under section 310 of title

37, United States Code (relating to special pay; duty subject to hostile fire or imminent danger) for services performed in such location. Such term includes such location only during the period such entitlement is in effect.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the provisions of this section shall take effect on June 9, 2015.

(2) WITHHOLDING.—Subsection (a)(5) shall apply to remuneration paid after the date of the enactment of this Act.

By Mr. MARKEY (for himself,
Mr. RUBIO, Mr. BROWN, and Mrs.
CAPITO):

S. 708. A bill to improve the ability of U.S. Customs and Border Protection to interdict fentanyl, other synthetic opioids, and other narcotics and psychoactive substances that are illegally imported into the United States, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. MARKEY. Mr. President, I rise to speak again today about the epidemic of deadly, illicit fentanyl plaguing our Nation and how, through bipartisan legislation I have introduced today, we can help to stop this dangerous opioid from flowing into our country from abroad.

I want to start by providing some basic information about fentanyl. What is fentanyl? Well, fentanyl is a synthetic opioid that is 50 times stronger than heroin and 100 times more powerful than morphine. Although pharmaceutical fentanyl can be misused, the current fentanyl epidemic in our country is being fueled by illicitly manufactured fentanyl and illicit versions of chemically similar compounds known as fentanyl analogs.

Fentanyl, in its powder form, is often mixed with other illegal drugs like heroin or it is disguised in pill form to resemble an opioid painkiller like OxyContin. Many drug users overdose on fentanyl because they have no idea it is cut into whatever substance they are injecting or whatever pills they are swallowing. They simply do not realize just how deadly fentanyl is.

In fact, just a few salt-size grains of fentanyl can kill an adult. Where does illicit fentanyl come from? According to the Drug Enforcement Administration, Mexico is the primary source for illicit fentanyl trafficked into the United States. Distributors in China are the principal source of the precursor chemicals, the chemical building blocks used to manufacture fentanyl in Mexico and elsewhere.

China is also a source of finished product illicit fentanyl coming into the United States. Why is illicit fentanyl trafficking increasing? Well, we are in the midst of an opioid epidemic that has begun with the overprescription and resulting abuse of prescription opioids like OxyContin. When users found those pills too expensive to sustain their addiction, they turned to cheaper heroin.

Now they are turning to even cheaper and more powerful fentanyl, which has become an extremely lucrative product for drug dealers and drug cartels. According to the DEA, a kilogram of heroin can be purchased from Colombia for about \$6,000 and then sold on the wholesale drug market for \$80,000—purchased for 6,000, sold for \$80,000. By comparison, a kilogram of pure fentanyl can be purchased from China for less than \$5,000 and then sold on the market for \$80,000 as well.

Because it is so potent that 1 kilogram of fentanyl can be cut with agents like talcum powder or caffeine, resulting in 24 kilograms of product to be sold, that means that one \$5,000 kilogram of fentanyl actually reaps a whopping profit in the neighborhood of \$1.6 million.

What has been the impact of the fentanyl epidemic on the United States? Well, the DEA is so concerned about fentanyl that in March of 2015, it issued a nationwide alert that highlighted the drug as a threat to health and public safety. Between 2014 and 2015, overdose deaths in the United States from synthetic opioids, principally illicit fentanyl, increased 72 percent.

In 2015, there were more than 9,500 such overdose deaths in the United States. Last year, it is estimated that my home State of Massachusetts suffered more than 2,000 opioid-related overdose deaths, largely fueled by the deadly rise of illicit fentanyl. In fact, Massachusetts ranked second notionally per capita in synthetic opioid deaths, which includes fentanyl, with the number of deaths between 2014 and 2015 increasing by 109 percent.

Massachusetts authorities are now finding fentanyl in 74 percent of the State's opioid overdose deaths. If those figures hold up, that means last year there will have been roughly 1,500 fentanyl-related deaths in Massachusetts in 2016. If the fentanyl epidemic were to hit the entire Nation as hard as it is hitting Massachusetts, the country would lose almost 75,000 people each year to fentanyl. Think about that. Those are more deaths than the United States suffered in the entire Vietnam war.

Fentanyl is the Godzilla of opioids. It will overrun communities and lay them to waste, unless we take action now to stop it. So how do we stop it? There is no easy solution to a crisis caused by a drug that is so small, so powerful, so profitable that those who traffic in it just want to make money, but we know we must act.

First, we need to raise awareness of the dire threat fentanyl poses to our Nation. We need to educate the public about it. We need to elevate the issues to the highest levels of our government and the governments of the countries from which it comes. To help with that effort, last week, the Senate adopted a

bipartisan sense of the Senate resolution on fentanyl trafficking that I introduced with Senator RUBIO from Florida. I thank him for his partnership on that resolution. I thank Senators TOOMEY, SHAHEEN, KING, JOHNSON, and NELSON for adding their support.

The resolution calls on our government to use its broad diplomatic and law enforcement resources in partnership with Mexico and China to disrupt the trafficking of fentanyl. We are seeing the signs of some progress. In October of 2015, China added 116 synthetic chemicals, including 6 fentanyl products, to its list of controlled chemical substances. In February of 2017, China agreed to make carfentanil, a powerful fentanyl analogue, and three other fentanyl analogues illegal.

Earlier this month, I led a group of 10 Senators in urging Secretary of State Tillerson to secure the votes of the 53 member nations of the U.N. Commission on Narcotic Drugs in favor of the scheduling of the fentanyl precursors. Last week, the Commission voted unanimously in favor of controlling these substances. This international cooperation is expected to yield meaningful dividends in the fight against illicit fentanyl.

Fentanyl will require us to build bridges to our international partners, not walls. Indeed, I recently visited Mexico, where I met with law enforcement officials at the border, on the front lines of the smuggling and trafficking of narcotics into the United States. That is why today, Senators RUBIO, BROWN, CAPITO, and I introduced legislation to help this front line of drug detection at the border. It is called the INTERDICT Act. It provides badly needed high-tech equipment and other resources to U.S. Customs and Border Protection to help it detect and interdict illicit fentanyl being trafficked into the United States.

Here is how it works. There are two principal ways drugs like fentanyl are trafficked into the United States. First, coming from Mexico, they are smuggled across the southwest border of the United States. They are hidden in vehicles, beneath false floors, behind hidden compartments, and elsewhere. The drugs are also carried into the United States by people, sometimes hidden in the hollowed-out heels of their shoes.

Second, illegal fentanyl is also purchased online from overseas vendors in China and elsewhere—often on the dark web—and then shipped to Mexico or directly to the United States through the mail or express consignment carriers.

Fentanyl shipped this way is often concealed inside legitimate goods, with fentanyl suppliers using various methods to mislabel shipments. For example, some conceal the powder in those small silica packages that say “do not eat” placed alongside everyday items.

Others gift wrap shipments or label them as household products like laundry detergent to avoid detection.

Customs and Border Protection has many different methods it uses to find contraband being smuggled into the United States at the border or through the mail. These include drug-sniffing dogs, various kinds of scanners, fiber-optic scopes, and physical searches. When Customs and Border Protection finds a suspicious substance using those and other methods, it has had success identifying it as an illicit drug like fentanyl with the help of high-tech, handheld chemical screening devices.

So anytime Customs and Border Protection finds a suspicious powder, pill, or liquid, it can use a handheld device—really something that looks and feels like a Nintendo Game Boy—to conduct a test, in the field, with real-time results. That means narcotics like illicit fentanyl can be detected, identified, and seized quickly and on the spot. Those rapid results provide vital information for law enforcement officers to continue their investigation and, if appropriate, proceed with seizure and arrest. Not only does the use of this technology disrupt the flow of the drugs into the country, it protects the health and safety of law enforcement officials from exposure to dangerous substances like illicit fentanyl.

Often, Border Patrol agents don't know what the powdery substance they have uncovered is and whether it poses a threat to them. That is especially alarming with illicit fentanyl, given its strength.

Exposure to a small amount by contact with the skin or through inhalation can be fatal. Increased use of these high-tech devices will provide important protections for our law enforcement officers on the front lines. The INTERDICT Act also provides for additional equipment back in Customs and Border Protection laboratories, including more scientists who analyze and interpret test results.

The INTERDICT Act ensures that Customs and Border Patrol will have hundreds of additional portable chemical screening devices available at international ports of entry and mail and express consignment facilities and additional equipment and personnel available in their laboratories so that they can provide support during all operational hours.

Again, I thank Senator RUBIO, Senator BROWN, and Senator CAPITO for working together on a bipartisan basis so we can give these additional tools to fight this fentanyl epidemic. I urge all my colleagues to support this bill to fight the scourge of illicit drugs. It knows no political, geographic, or socioeconomic boundaries. It is the epidemic of our time.

Mr. President, I yield the floor.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 92—EXPRESSING CONCERN OVER THE DISAPPEARANCE OF DAVID SNEDDON, AND FOR OTHER PURPOSES

Mr. LEE (for himself, Mr. HATCH, Mrs. FISCHER, Mr. SASSE, Mr. COONS, Mr. RUBIO, Mr. FLAKE, and Mr. GARDNER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 92

Whereas David Louis Sneddon is a United States citizen who disappeared while touring the Yunnan Province in the People's Republic of China as a university student on August 14, 2004, at the age of 24;

Whereas David had last reported to family members prior to his disappearance that he intended to hike the Tiger Leaping Gorge in the Yunnan Province before returning to the United States and had placed a down payment on student housing for the upcoming academic year, planned business meetings, and scheduled law school entrance examinations in the United States for the fall;

Whereas People's Republic of China officials have reported to the Department of State and the family of David that he most likely died by falling into the Jinsha River while hiking the Tiger Leaping Gorge, although no physical evidence or eyewitness testimony exists to support this conclusion;

Whereas there is evidence indicating that David did not fall into the river when he traveled through the gorge, including eyewitness testimonies from people who saw David alive and spoke to him in person after his hike, as recorded by members of David's family and by embassy officials from the Department of State in the months after his disappearance;

Whereas family members searching for David shortly after he went missing obtained eyewitness accounts that David stayed overnight in several guesthouses during and after his safe hike through the gorge, and these guesthouse locations suggest that David disappeared after passing through the gorge, but the guest registers recording the names and passport numbers of foreign overnight guests could not be accessed;

Whereas Chinese officials have reported that evidence does not exist that David was a victim of violent crime, or a resident in a local hospital, prison, or mental institution at the time of his disappearance, and no attempt has been made to use David's passport since the time of his disappearance, nor has any money been withdrawn from his bank account since that time;

Whereas David Sneddon is the only United States citizen to disappear without explanation in the People's Republic of China since the normalization of relations between the United States and China during the administration of President Richard Nixon;

Whereas investigative reporters and non-governmental organizations with expertise in the Asia-Pacific region, and in some cases particular expertise in the Asian Underground Railroad and North Korea's documented program to kidnap citizens of foreign nations for espionage purposes, have repeatedly raised the possibility that the Government of the Democratic People's Republic of Korea (DPRK) was involved in David's disappearance; and

Whereas investigative reporters and non-governmental organizations who have reviewed David's case believe it is possible that the Government of North Korea was involved in David's disappearance because—

(1) the Yunnan Province is regarded by regional experts as an area frequently trafficked by North Korean refugees and their support networks, and the Government of the People's Republic of China allows North Korean agents to operate throughout the region to repatriate refugees, such as prominent North Korean defector Kang Byong-sop and members of his family who were captured near the China-Laos border just weeks prior to David's disappearance;

(2) in 2002, North Korean officials acknowledged that the Government of North Korea has carried out a policy since the 1970s of abducting foreign citizens and holding them captive in North Korea for the purpose of training its intelligence and military personnel in critical language and culture skills to infiltrate foreign nations;

(3) Charles Robert Jenkins, a United States soldier who deserted his unit in South Korea in 1965 and was held captive in North Korea for nearly 40 years, left North Korea in July 2004 (one month before David disappeared in China) and Jenkins reported that he was forced to teach English to North Korean intelligence and military personnel while in captivity;

(4) David Sneddon is fluent in the Korean language and was learning Mandarin, skills that could have been appealing to the Government of North Korea after Charles Jenkins left the country;

(5) tensions between the United States and North Korea were heightened during the summer of 2004 due to recent approval of the North Korean Human Rights Act of 2004 (Public Law 108-333) that increased United States aid to refugees fleeing North Korea, prompting the Government of North Korea to issue a press release warning the United States to "drop its hostile policy";

(6) David Sneddon's disappearance fits a known pattern often seen in the abduction of foreigners by the Government of North Korea, including the fact that David disappeared the day before North Korea's Liberation Day patriotic national holiday, and the Government of North Korea has a demonstrated history of provocations near dates it deems historically significant;

(7) a well-reputed Japanese non-profit specializing in North Korean abductions shared with the United States its expert analysis in 2012 about information it stated was received "from a reliable source" that a United States university student largely matching David Sneddon's description was taken from China by North Korean agents in August 2004; and

(8) commentary published in the Wall Street Journal in 2013 cited experts looking at the Sneddon case who concluded that "it is most probable that a U.S. national has been abducted to North Korea," and "there is a strong possibility that North Korea kidnapped the American": Now, therefore, be it—

Resolved, that the Senate—

(1) expresses its ongoing concern about the disappearance of David Louis Sneddon in Yunnan Province, People's Republic of China, in August, 2004;

(2) directs the Department of State and the intelligence community to jointly continue investigations and to consider all plausible explanations for David's disappearance, including the possibility of abduction by the Government of the Democratic People's Republic of Korea;

(3) urges the Department of State and the intelligence community to coordinate investigations with the Governments of the People's Republic of China, Japan, and South Korea and solicit information from appropriate regional affairs and law enforcement experts on plausible explanations for David's disappearance;

(4) encourages the Department of State and the intelligence community to work with foreign governments known to have diplomatic influence with the Government of the Democratic People's Republic of Korea to better investigate the possibility of the involvement of the Government of the Democratic People's Republic of Korea in David Sneddon's disappearance and to possibly seek his recovery; and

(5) requests that the Department of State and the intelligence community continue to work with and inform Congress and the family of David Sneddon on efforts to possibly recover David and to resolve his disappearance.

SENATE RESOLUTION 93—CONGRATULATING THE EUROPEAN UNION ON THE 60TH ANNIVERSARY OF THE SIGNING OF THE TREATY OF ROME, WHICH ESTABLISHED THE EUROPEAN ECONOMIC COMMUNITY AND LAID THE FOUNDATION FOR DECADES OF EUROPEAN PEACE AND PROSPERITY

Mrs. SHAHEEN (for herself and Mr. MCCAIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 93

Whereas 6 European countries signed the Treaty of Rome on March 25, 1957, creating the European Economic Community, which established a customs union and common market among the signatory countries in order to foster economic cooperation and interdependence;

Whereas the United States welcomed and supported this European economic integration, recognizing that this kind of union would promote interdependence and therefore prevent future war and conflict;

Whereas this economic integration has broadened and evolved into the European Union, a unique political and economic union covering much of the European continent and based on the principles of rule of law and representative democracy, which has pursued common policies in economic, security, diplomatic, and political areas and has helped bring unprecedented peace and stability to Europe and its neighbors;

Whereas European integration has been essential in opening and expanding markets, strengthening the rule of law and respect for basic freedoms, and fostering democracy in Europe itself, both in European Union members and aspiring nations;

Whereas, since World War II, the United States has firmly supported and been an active partner in the European integration project, working with Europe to rebuild its war-torn continent through the Marshall Plan and to create an Atlantic security alliance built on shared values and ideals, the North Atlantic Treaty Organization (NATO), to permanently prevent the kind of conflict we had just endured;

Whereas the United States and Europe have since engaged in a close and robust Transatlantic partnership, constructed on a

strong foundation of shared values and commitment to democracy, freedom and the rule of law, to the benefit of the United States, Europe, and the rest of the world;

Whereas a strong United States-European Union partnership has helped build our mutual economies, ensured unprecedented peace in Europe, and remains essential to creating a freer, safer, and more prosperous and more interconnected world;

Whereas the Transatlantic economy is the world's largest and wealthiest market and the single most important driver of global economic growth and prosperity, with the United States and European Union together accounting for over half of the world's gross domestic product (GDP), generating \$5,500,000,000,000 in yearly commercial sales and employing up to 15,000,000 workers in domestic jobs on both sides of the Atlantic;

Whereas mutual investment is the backbone of the Transatlantic economy, and the United States and Europe are each other's primary source and destination for Foreign Direct Investment (FDI);

Whereas the United States and the European Union are each other's largest trading partners, and United States-European Union trade totaled approximately \$687,000,000,000 during 2016, almost double the level at the beginning of the century;

Whereas the Transatlantic economy drives innovation, with the United States and European Union investing more in mutual Research and Development than any other 2 international partners and collaborating across areas of science and technology, including marine and Arctic science, transportation and energy technologies, and health research;

Whereas this historic partnership goes far beyond economic and commercial ties, and the United States and the European Union work together to promote peace and stability, protect human rights, foster democracy and sustainable development, combat global threats like terrorism, and eradicate disease and poverty;

Whereas the United States and the European Union have developed numerous mechanisms to strengthen the Transatlantic relationship and to improve communication and collaboration among our respective governments, including annual European Union-United States Summit meetings and the Transatlantic Legislators' Dialogue, which facilitates meetings between members of the European Parliament and the United States Congress on issues of mutual concern;

Whereas, despite representing approximately 12 percent of the world's population, the United States and the European Union together provide more than three-quarters of official development assistance worldwide and have established an ongoing Development Dialogue to improve the quality and effectiveness of development aid;

Whereas the United States and the European Union collaborate to promote peace and stability and prevent conflict around the world, working together to address conflicts including those in Syria and Ukraine and confront global security challenges like terrorism, nuclear weapons proliferation, transnational crime, and cybercrime;

Whereas, in pursuit of an integrated, free, and peaceful Europe, the United States and the European Union have worked together to promote peace, stability, and prosperity in the Balkans and to advance their cooperation with and integration into institutions like NATO and the European Union.

Whereas, in response to its annexation of Crimea and continued aggression in the sov-

ereign nation of Ukraine, the United States and the European Union imposed and have maintained sanctions to increase the diplomatic and financial costs on the Russian Federation for its illegal actions;

Whereas, in the face of ongoing threats from terrorism, the United States and the European Union cooperate closely to target terrorist financing, secure transportation and borders, provide mutual assistance with cross-border investigations and extraditions, and share information; and

Whereas leaders on both sides of the Atlantic have long recognized the value of and expressed their commitment to the Transatlantic partnership, including—

(1) President John F. Kennedy, who said in 1962 that “we do not regard a strong and united Europe as a rival but as a partner,” and asserted that the United States believed “that a united Europe will be capable of playing a greater role in the common defense, of responding more generously to the needs of poorer nations, of joining with the United States and others in lowering trade barriers, resolving problems of commerce, commodities, and currency, and developing coordinated policies in all economic, political, and diplomatic areas”;

(2) President Ronald Reagan, who addressed the European Parliament in 1985 “to reaffirm to the people of Europe the constancy of the American purpose” and to state that “America remains . . . dedicated to the unity of Europe” and “is at your side today, because, like you, we have not veered from the ideals of the West—the ideals of freedom, liberty, and peace”;

(3) President Barack Obama, who stated in a 2016 address in Germany that “the United States, and the entire world, needs a strong and prosperous and democratic and united Europe . . . because Europe's security and prosperity is inherently indivisible from our own” and recognized that “Europe helps to uphold the norms and rules that can maintain peace and promote prosperity around the world”; and

(4) Vice President Mike Pence, who asserted that “our two continents share the same heritage, the same values and above all, the same purpose to promote peace and prosperity through freedom, democracy and the rule of law” and reiterated that the United States “will stand with Europe, today and every day,” while traveling in Europe in February 2017: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the European Union and its member states on the 60th anniversary of the historic signing of the Treaty of Rome;

(2) commends the European Union for its critical role in spreading peace, prosperity, and stability throughout Europe and worldwide, as well as its close and enduring partnership with the United States;

(3) recognizes the challenges the European Union, its Transatlantic partners, and the broader global community continue to face, including an unprecedented migration and refugee crisis, increased Russian aggression and interference, violent extremism, and the rise of nationalist and populist sentiment; and

(4) affirms the desire of the United States Government to strengthen the Transatlantic partnership with the European Union and its member states.

SENATE RESOLUTION 94—DESIGNATING MARCH 2017 AS “NATIONAL READ ALOUD MONTH”

Mr. PORTMAN (for himself and Ms. HARRIS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 94

Whereas medical experts have concluded that reading aloud is the “single most important” activity in which parents can participate in order to prepare their children to read and learn;

Whereas recent research has concluded that, by 3 years of age, there is a gap in early brain development between children whose parents read to them and children whose parents do not;

Whereas Congress has highlighted the importance of early childhood literacy by including funding for State comprehensive literacy plans and targeted funds toward early childhood education programs in the Every Student Succeeds Act (Public Law 114-95; 129 Stat. 1802);

Whereas, in 2013, Read Aloud 15 MINUTES launched a decade-long national campaign highlighting the importance of reading aloud to children, starting from birth; and

Whereas Read Aloud 15 MINUTES now has more than 21 National Leadership Partners and 10,000 grassroots partners, including day care facilities, schools, libraries, health centers, and rotary clubs in all 50 States: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 2017 as “National Read Aloud Month”; and

(2) encourages parents and guardians to read to their children for 15 minutes every day because of the developmental benefits that activity has for children.

SENATE RESOLUTION 95—DESIGNATING MARCH 22, 2017, AS “NATIONAL REHABILITATION COUNSELORS APPRECIATION DAY”

Mr. CASEY (for himself and Mr. ISAKSON) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 95

Whereas rehabilitation counselors conduct assessments, provide counseling, support families, and plan and implement rehabilitation programs for individuals in need of rehabilitation;

Whereas the purpose of professional organizations for rehabilitation counseling and education is to promote the improvement of rehabilitation services available to individuals with disabilities through quality education for counselors and rehabilitation research;

Whereas various professional organizations have vigorously advocated for up-to-date education and training and the maintenance of professional standards in the field of rehabilitation counseling and education, including—

(1) the National Rehabilitation Association;

(2) the Rehabilitation Counselors and Educators Association;

(3) the National Council on Rehabilitation Education;

(4) the National Rehabilitation Counseling Association;

(5) the American Rehabilitation Counseling Association;

(6) the Commission on Rehabilitation Counselor Certification;

(7) the Council of State Administrators of Vocational Rehabilitation; and

(8) the Council on Rehabilitation Education;

Whereas, in March of 1983, the president of the National Council on Rehabilitation Education testified before the Subcommittee on Select Education of the Committee on Education and Labor of the House of Representatives and was instrumental in bringing to the attention of Congress the need for qualified rehabilitation counselors; and

Whereas credentialed rehabilitation counselors provide a higher quality of service to individuals in need of rehabilitation and the development of an accreditation system for rehabilitation counselors supports the continued education of rehabilitation counselors: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 22, 2017, as “National Rehabilitation Counselors Appreciation Day”; and

(2) commends—

(A) rehabilitation counselors for their dedication and hard work in providing counseling to individuals in need of rehabilitation; and

(B) professional organizations for their efforts in assisting individuals who require rehabilitation.

SENATE RESOLUTION 96—DESIGNATING MARCH 25, 2017, AS “NATIONAL CEREBRAL PALSY AWARENESS DAY”

Mr. CASEY (for himself, Mr. ISAKSON, and Ms. HASSAN) submitted the following resolution; which was considered and agreed to:

S. RES. 96

Whereas a group of permanent disorders of the development of movement and posture that are attributed to nonprogressive disturbances that occur in the developing brain is referred to as “cerebral palsy”;

Whereas cerebral palsy, the most common motor disability in children, is caused by damage to 1 or more specific areas of the developing brain, which usually occurs during fetal development before, during, or after birth;

Whereas the majority of children who have cerebral palsy are born with cerebral palsy, but cerebral palsy may be undetected for months or years;

Whereas 75 percent of individuals with cerebral palsy also have 1 or more developmental disabilities, including epilepsy, intellectual disability, autism, visual impairment, or blindness;

Whereas, according to information released by the Centers for Disease Control and Prevention—

(1) the prevalence of cerebral palsy is not changing over time; and

(2) an estimated 1 in 323 children has cerebral palsy;

Whereas approximately 764,000 individuals in the United States are affected by cerebral palsy;

Whereas, although there is no cure for cerebral palsy, treatment often improves the capabilities of a child with cerebral palsy;

Whereas scientists and researchers are hopeful for breakthroughs in cerebral palsy research;

Whereas researchers across the United States conduct important research projects involving cerebral palsy; and

Whereas the Senate can raise awareness of cerebral palsy in the public and the medical community: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 25, 2017, as “National Cerebral Palsy Awareness Day”;

(2) encourages each individual in the United States to become better informed about and aware of cerebral palsy; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Executive Director of Reaching for the Stars: A Foundation of Hope for Children with Cerebral Palsy.

SENATE RESOLUTION 97—AUTHORIZING THE PRINTING OF A COLLECTION OF THE RULES OF THE COMMITTEES OF THE SENATE

Mr. SHELBY (for himself and Ms. KLOBUCHAR) submitted the following resolution; which was considered and agreed to:

S. RES. 97

Resolved, That a collection of the rules of the committees of the Senate, together with related materials, be printed as a Senate document, and that there be printed 250 additional copies of such document for the use of the Committee on Rules and Administration.

AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have 7 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Thursday, March 23, 2017 at 10 a.m. in 325 Russell Senate Office Building.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, March 23, 2017, at 9:30 a.m., in open session.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, March 23, 2017 at 9:30 a.m. to conduct a hearing entitled “Nomination of Mr. Jay Clayton to be a Member of the Securities and Exchange Commission.”

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate, on March 23, 2017, at 9:30 a.m., in room SH-216 of the Hart Senate Office Building, to continue a hearing entitled “The Nomination of the Honorable Neil M. Gorsuch.”

SELECT COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during

the session of the 115th Congress of the U.S. Senate on Thursday, March 23, 2017 from 2 p.m., in room SH-219 of the Senate Hart Office Building.

SUBCOMMITTEE ON PERSONNEL

The Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, March 23, 2017, at 2:30 p.m., in open session.

SUBCOMMITTEE ON AVIATION OPERATIONS, SAFETY, AND SECURITY

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Thursday, March 23, 2017, at 10 a.m. in room 253 of the Russell Senate Office Building.

The Committee will hold Subcommittee Hearing on "FAA Reauthorization: Perspectives on Improving Airport Infrastructure and Aviation Manufacturing."

PRIVILEGES OF THE FLOOR

Mr. WYDEN. Mr. President, I ask unanimous consent that the technology fellow on my staff, Christopher Soghoian, be granted privileges of the floor for the remainder of this Congress.

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

Mr. UDALL. Mr. President, I ask unanimous consent that a member of my staff, Tannis Fox, be granted floor privileges for the remainder of the 115th Congress.

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

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Democratic leader and ranking member of the Senate Committee on Armed Services, pursuant to the provisions of Public Law 114-328, appoints the following individuals to serve as members of the National Commission on Military, National, and Public Service: Alan Khazei of Massachusetts and Mark Gearan of New York.

The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 6968(a), appoints the following Senator to the Board of Visitors of the U.S. Naval

Academy: the Honorable JAMES LANKFORD of Oklahoma (Committee on Appropriations).

NATIONAL CEREBRAL PALSY AWARENESS DAY

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 96, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 96) designating March 25, 2017, as "National Cerebral Palsy Awareness Day."

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

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

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

The resolution (S. Res. 96) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

AUTHORIZING THE PRINTING OF A COLLECTION OF THE RULES OF THE COMMITTEES OF THE SENATE

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 97, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 97) authorizing the printing of a collection of the rules of the committees of the Senate.

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

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon

the table with no intervening action or debate.

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

The resolution (S. Res. 97) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR MONDAY, MARCH 27, 2017

Mr. SULLIVAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, March 27; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of Executive Calendar No. 1, the Montenegro treaty; further, that the filing deadline for first-degree amendments under rule XXII for the cloture motion filed during today's session of the Senate be at 3:30 p.m. on Monday, March 27; and finally, that notwithstanding the provisions of rule XXII, the cloture vote occur at 5:30 p.m.

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

ADJOURNMENT UNTIL MONDAY, MARCH 27, 2017, AT 3 P.M.

Mr. SULLIVAN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:54 p.m., adjourned until Monday, March 27, 2017, at 3 p.m.

CONFIRMATION

Executive nomination confirmed by the Senate March 23, 2017:

DEPARTMENT OF STATE

DAVID FRIEDMAN, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ISRAEL.

HOUSE OF REPRESENTATIVES—Thursday, March 23, 2017

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

PRAYER

Pastor Bob MacGregor, City Harvest Church, Vancouver, Washington, offered the following prayer:

Lord, we come today with thanksgiving for the work of Your grace in establishing this at work called America.

Known around the world as the Nation of opportunity, many fight to become a part of us and few desire to leave because You, Lord, have made us great.

Our Founding Fathers understood this by experience and by the Scriptures "that except the Lord builds the House, they labor in vain who build it." So it has been our deep conviction from our conception to daily appeal to You for wisdom to guide the leaders of this great Nation.

So, once again, we ask for the wisdom to protect all our citizens, provide opportunity for all, help our poor, care for our elderly, secure our families, educate our children, and make our economy strong.

We pray for unity in this endeavor. May righteousness exalt us through all our laws. This we ask respectfully in Jesus' name.

Amen.

THE JOURNAL

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

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

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

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

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

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

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Mississippi (Mr. KELLY) come for-

ward and lead the House in the Pledge of Allegiance.

Mr. KELLY of Mississippi led the Pledge of Allegiance as follows:

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

WELCOMING PASTOR BOB MACGREGOR

The SPEAKER. Without objection, the gentlewoman from Washington (Ms. HERRERA BEUTLER) is recognized for 1 minute.

There was no objection.

Ms. HERRERA BEUTLER. Mr. Speaker, it is my great honor to introduce my pastor and dear friend, Bob MacGregor, as our guest chaplain this morning.

Pastor Bob is the lead pastor of City Harvest Church in Vancouver, Washington, my home church. City Harvest is a thriving church that greatly impacts our community by caring for the needy and supporting mission work.

Pastor Bob and his wife, Sue, have four daughters and eight grandchildren. They have been married for 38 years and share a burden to help build marriages and families of ministers who face the demands of ministry life.

It is my great pleasure to welcome Pastor Bob and thank him as he has blessed us this morning with his prayer.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WOMACK). The Chair will entertain up to five further requests for 1-minute speeches on each side of the aisle.

SERGEANT FIRST CLASS CHRISTOPHER ROBINSON WAS TRULY THE BEST OF THE BEST

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

Mr. KELLY of Mississippi. Mr. Speaker, I am humbled today to rise in memory of Army Sergeant First Class Christopher Lee Robinson. He paid the ultimate sacrifice while defending our Nation on March 25, 2006, during Operation Enduring Freedom in Afghanistan.

Sergeant Robinson was wounded during an ambush in Helmand province, Afghanistan, while conducting joint

and multinational combat operations. Master Sergeant Reese Robbins, his friend, was also wounded during the attack. At the time of his death, Sergeant Robinson was the first Mississippi National Guard soldier to die in Afghanistan.

Sergeant Robinson was assigned to the 2nd Battalion, 20th Special Forces Group, Mississippi Army National Guard in Jackson, Mississippi. He followed in the footsteps of his father, George Robinson, who also served in the Army.

Retired Sergeant Major Mike Patterson served with Sergeant Robinson throughout most of his military career. Sergeant Major Patterson said Sergeant Robinson consistently displayed bravery by volunteering for hard deployments and dangerous missions. He also says Sergeant Robinson had the ability to handle combat in a very deliberate way, yet remain compassionate for people and the unintended consequences that war thrusts upon human beings.

He is survived by his wife, Tamara, and their children, Savannah and Patrick. Sergeant Robinson devoted his life to the safety of our Nation. He will always be remembered for his service and deep love for friends and family and this country.

The first sentence of the NCO creed states: "No one is more professional than I." The level of competence and professionalism that Sergeant Robinson maintained throughout his life, in and out of uniform, shows that he lived by that creed every day of his life.

As a Special Forces Green Beret soldier, Sergeant First Class Robinson was truly the best of the best.

BRAIN RESEARCH IS CRITICAL

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

Mr. MCNERNEY. Mr. Speaker, I rise today in support of Federal investment into brain research.

Congress' commitment to fund basic brain-related research and scientific discovery is critical to developing our capabilities to treat over 1,000 diseases and disorders that directly or indirectly affect 100 million Americans every year. Estimates put the economic burden of these diseases at over \$760 billion a year. Addiction, traumatic brain injury, Alzheimer's, and other afflictions can only be overcome through increasing our understanding of how the brain works.

Basic science is the foundation upon which all health advances are built. Federal agencies, such as the NIH, NSF, and DOD, are essential in advancement of brain research, as well as for so many scientific endeavors. Congress enacted the 21st Century Cures Act that provided support for a wide range of biomedical research efforts.

I call upon my colleagues to stand with me in support of brain research into the new Congress. I also beseech my Republican colleagues to withdraw this terrible bill and work across the aisle to find a healthcare plan that will serve all Americans.

USDA FOOD PROGRAMS ARE CRITICAL

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this week, the House Committee on Agriculture's Subcommittee on Nutrition hosted a hearing to examine USDA's three commodity distribution programs: the Emergency Food Assistance Program, the Commodity Supplemental Food program, and the Food Distribution Program on Indian Reservations.

Committee members heard from a panel of witnesses representing each of these programs who explained how the programs differ, interact, and work together to meet the nutrition needs of America's most vulnerable citizens.

Mr. Speaker, as chairman of this subcommittee, I know Federal nutrition programs are vital to ensuring that all Americans have healthy foods within reach, whether low-income populations, the elderly, or those living in areas with strained access to nutritious foods. Along with SNAP, these programs support agriculture and lessen the effects of poverty on our most vulnerable citizens.

As we begin to work on the next farm bill, we will continue to identify ways to work alongside State and local organizations to help provide safe, nutritious food for those who need it most. I thank our witnesses for sharing their time and their expertise to help strengthen these programs.

REJECT TRUMPCARE

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

Mr. TONKO. Mr. Speaker, our first duty here is to the American people. I rise to call on my colleagues to fulfill that duty and reject TrumpCare.

President Trump made big promises on health care during his campaign. TrumpCare proves those promises were empty. He promised a plan that would cover everyone. TrumpCare would

cover even fewer people than were covered before the Affordable Care Act.

He promised better coverage. TrumpCare guts basic healthcare standards. Many TrumpCare plans won't be worth the paper they are printed on.

He promised cheaper coverage. TrumpCare breaks that promise, driving up premiums, deductibles, and out-of-pocket costs for everyone. It also hits our Nation's seniors with a devastating age tax or perhaps a senior tax that will literally price many seniors out of the healthcare market.

Mr. Speaker, TrumpCare is a tax break for millionaires parading as a healthcare plan. It will do unimaginable harm to our rural hospitals and our economy. The bill was written in secret. It was rushed through this Chamber. And it represents a big-time broken promise. I urge my colleagues to reject TrumpCare.

HONORING SECOND LIEUTENANT MAAX CURTIS HAMMER, JR.

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

Mr. BOST. Mr. Speaker, I rise today to honor a southern Illinois native who flew planes in Southeast Asia more than 75 years ago. This hero finally returned home this week for burial.

Second Lieutenant Maax Curtis Hammer, Jr., died when his plane crashed in what was then Burma in 1941. Hammer was part of the Flying Tigers, a group of volunteer pilots who helped the British and Chinese defend against Imperial Japan.

His remains returned to Carbondale, Illinois, this week, via dignified transport from Hawaii, where he had been buried for 67 years in a grave marked "Unknown."

Maax, it has been a long time. With heavy heart, we welcome you home to southern Illinois, and we thank you for your service.

THE AMERICAN PEOPLE ARE WATCHING

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

Ms. VELÁZQUEZ. Mr. Speaker, today House Republicans are preparing to vote to rip away health care from 24 million Americans, 2.7 million of them in New York. In my district, 122,000 people will lose coverage, including 12,700 children. Those who do retain coverage will pay more for less, with deductibles and premiums skyrocketing.

This is what House Republicans plan to put on the floor today. It is a plan that benefits the healthy and the wealthy while hurting everyone else. If

you have a preexisting condition and your coverage lapses, under TrumpCare, get ready to pay more.

Are you a senior? Good luck affording medical coverage if TrumpCare becomes law. You are going to pay the insurance company five times more than younger people.

Mr. Speaker, the American people see this for what it is, a direct assault on the vulnerable in order to give a tax cut to the wealthy and the healthy. Reject TrumpCare.

THINK ABOUT YOUR CONSTITUENTS

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

Mr. DEUTCH. Mr. Speaker, the GOP health repeal bill rips coverage from 24 million Americans.

So I ask my colleagues: Can you imagine what it is like to gasp for air, your chest tightening and your lungs burning from asthma, worrying that you might black out because you cannot get enough oxygen?

This week a constituent of mine from Fort Lauderdale told me: Thanks to the Affordable Care Act, I am finally able to breathe.

The ACA dropped her asthma medicine costs from \$600 per month to \$10. Without the ACA, she cannot afford to breathe.

Can you imagine your medication within reach but you can't afford to use it? If you take your medicine when you need it, if you help yourself breathe now, you can't afford it next month.

As you jog up the Capitol steps for this vote today, as you take for granted every easy breath you take today, think about your constituents who rely on their health care for their next breath and vote "no."

CONCERNS ABOUT THE HEALTHCARE BILL

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

Ms. PLASKETT. Mr. Speaker, I rise today in strong opposition to the Republican healthcare bill.

There is concern with the would-be effects of this legislation, and rightfully so. But if anyone wants to see a real-life example of the detrimental impact of block granting Medicaid, look no further than across the water to the U.S. Virgin Islands, or any of the territories. It is a grim outlook because we experience it every day.

Caps on Medicaid have proven to be a fiscal disaster for our budget. Unlike States in the mainland, where Federal Medicaid spending is open-ended, to Virgin Islanders, we can only access

Federal dollars up to an annual ceiling because we were not included in the ACA mandate.

Cuts to Medicaid affect all of you, every individual.

As a result of what has happened in the Virgin Islands, 30 percent of our population is uninsured and hospitals have been left to pick up the bill. If you or your child is ill, you go to the hospital, whether you can take care of the bill or not. This situation places a tremendous burden on our hospitals, creating uncompensated care costs in the tens of millions of dollars.

We have to make tough choices of removing people from Medicaid, which means loss to elderly and individuals. We ask that you reject this bill.

□ 0915

WAIVING REQUIREMENT OF
CLAUSE 6(a) OF RULE XIII WITH
RESPECT TO CONSIDERATION OF
CERTAIN RESOLUTIONS RE-
PORTED FROM THE COMMITTEE
ON RULES, AND PROVIDING FOR
CONSIDERATION OF MOTIONS TO
SUSPEND THE RULES

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 221 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 221

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of March 27, 2017.

SEC. 2. It shall be in order at any time through the calendar day of March 26, 2017, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

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

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), my dear friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, yesterday, the Rules Committee met for some 13 hours, maybe a little bit more, where we were tasked with the opportunity to bring forth from the Republican Conference the new bill that is to replace the Affordable Care Act. That discussion involved us taking testimony from the chairman of the Ways and Means Committee, KEVIN BRADY; the chairman of the Energy and Commerce Committee,

GREG WALDEN; and the chairman of the Budget Committee, Mrs. BLACK. It also involved three other ranking members for those committees. They assembled up in the Rules Committee.

We had a very vigorous and open debate about the bill, about the effects of the bill, about the things which were occurring within the Republican majority dealing with the United States Senate and dealing with the President of the United States. All three are necessary to agree upon a bill if we are to sign it into law.

There was a vigorous demand from Democrats to know more information, and I believe I forthrightly attempted to answer those questions. We did not have all the pieces of the puzzle together. We recognized that by the evening hour. So by 11 p.m. last night, upon my consultation with Ranking Member MCGOVERN, I made a decision that we would not stay up during the evening, we would ask that we would come back today. So we did not actually complete our work last night.

I am here today because last night the Rules Committee issued a rule that would be a same-day rule. The issues really don't change. The facts of the case really don't change. Information is necessary for us to make an informed decision. That is a change.

I have told the gentleman, Mr. MCGOVERN. I have told the gentleman, the former Speaker, the leader of the Democrat Party, Ms. PELOSI. I have told Mr. HOYER in a direct dialogue that we had that I would do my best to make sure that we answer the questions that would be necessary. The gentleman, Mr. MCGOVERN, who very ably represents his party, understood that I did not have all the answers that I needed.

So we are here today with the opportunity to say we are going to do a same-day rule. We are going to try to pass this rule. We are going to try to explain what we are doing. We are going to allow my team, our Republican Conference, to get back together today because they, too, want to know what is the final deal.

That is what my conference is doing right now. They are in this building, several hundred Members of Congress, talking, debating, understanding, listening, compromising, yes, on a way that we can approach a chance to change what we see as one of the most devastating pieces of legislation to the economy, to the healthcare system, and, quite honestly, to the standing of America as the greatest country in the world. We think we have to make changes.

But today we are here right now to say that we don't have all those answers. A complete agreement was not available by the time I chose to end the matter last night in the Rules Committee. So rather than staying up all night, we are here today. We will be

back here today. This is not the debate about the bill. More information is needed. An agreement is needed from my party. And when we reach that agreement, I will then come back.

But make no mistake about it, Mr. Speaker, my party intends to bring forth an agreed-to bill that we will be able to show to the American people, and we will own it. We are very capable of saying that we believe that market forces, we believe that free right of individuals, we believe that free physicians and opportunities exist and abound, and we will bring that to the floor, and we will openly debate it.

Much is being said about a Congressional Budget Office report that has caused much fear. Unrightly? No, I can't say that. But it is certainly explainable.

Mr. Speaker, I will start right now. The bottom line is that there are some 30 million people who are uninsured in the United States of America, 30 million people who did not find a home or chose not to take a government-provided available system that is called the Affordable Care Act. Even more people included within that are paying a penalty of several thousand dollars rather than taking that healthcare system, that availability. So we believe the right thing to do is not to force anybody, not to have mandates, not to penalize people, but, rather, to make available to them opportunities where it is their decision about what they would do.

The corresponding facts of the case are real simple. The Congressional Budget Office said: Fine, if you don't force people to do it, then some 24 million people won't do it within the next 7 years.

Well, there are 30 million people today that do not have it and not taking it. So to go from 30 million to 24 million will be a very interesting task for us to understand.

Mr. Speaker, no freedom is free. But if we engage in telling the American people that Washington, D.C., knows better than they do, then that is a false promise—is a false promise that our friends, the Democrats, tried and actually failed at.

So Republicans, in order to put together their plan—yes, even with the consequences of a “CBO report that say there will be 24 million people who are uninsured,” that is probably right, because they chose not to accept what would be an equal opportunity for them to take what might be called a tax credit that equals some \$8,000 for a family of four, allowing them straight up to purchase their own health care for their family. But if they choose not to do it, that is their business.

Mr. Speaker, one of my attributes is I come from Dallas, Texas. And Dallas, Texas, for all the great things that we have about us, we think that some of the great things come from the way we

believe. We deeply believe we are in some ways a very open city. We have many different thought processes, many people, but we respect each other and don't try to tell each other what to do. It creates a flourishing environment about ourselves where, when we get in trouble, we stick together; when we see trouble, we ban together. But we tend not to tell each other what to do in our own lives. That is one thing that I think makes us a little bit different. We do not count on government to do the things that we should do for ourselves.

That is part of the freedom model that I buy off on and part of what we are offering—the Republican Party—today for the American people rather than mandates, dictates, fines, the IRS and all sorts of other government organizations that we could throw in a person's way simply to tell them what to do. We reject that notion. We will, as quickly as possible, bring about a bill that we can explain, that we will own, and that we will pass.

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

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

Mr. Speaker, I thank the gentleman from Texas (Mr. SESSIONS), my friend, for yielding me the customary 30 minutes.

Mr. Speaker, we aren't here to debate the government healthcare repeal plan. We aren't here to debate that because Republican leadership and the White House are huddled behind closed doors as we speak, making deals that will have very real, very serious, very dangerous consequences for millions of Americans.

Instead, we are here to debate a martial law rule that will allow Republicans to rush their bill with its brand-new backroom deals to the floor today without any proper deliberation. As a matter of fact, it would let them rush any bill to the floor today, or any day through Monday.

It is a blanket martial law rule that lasts past the weekend—not specific to their healthcare bill, and not even specific to the topic of health care.

What other bills could they be contemplating considering?

We saw the Buffalo bribe is already in the manager's amendment, but this rule lets them bring up any other bill before the public has a chance to even know what it is. Maybe something on the Russia investigation, perhaps? I have seen a lot of news on that lately. Or maybe we will give President Trump's friend Putin a Congressional Gold Medal. It is the least the Republicans could do after his help with the election.

But let's talk about what we have learned so far in the press. We first learned from news reports last night that Republicans were considering changes to the bill that would kill the

essential health benefits in current law. Now, let me say that again. Essential, as in "absolutely necessary; extremely important," as defined by the dictionary.

And, sure enough, we reported out this martial law rule in the dark of night, which will allow Republicans to bring the new and unimproved version of the bill—again, now with even more backroom deals—to the Rules Committee later today, or in the dead of night, and take it straight to the floor. Apparently, there is no time to even have it sit for 1 day so that Members can read it, let alone get analysis from the nonpartisan experts at CBO.

Are they hoping that if they move quickly enough, no one will figure out what they are up to?

Well, let me lay it out for everybody. Essential health benefits require insurance plans to cover basic essential benefits, such as emergency services, maternity care, mental health care and substance abuse treatment, pediatric services, and prescription drugs.

Now, The New York Times this morning pointed out that this late-breaking Republican proposal could lead to plans that cover aromatherapy, but not chemotherapy.

I mean, really? Are Republicans seriously contemplating making a change this massive without hearings? Without a markup? No CBO estimate of the impact? No chance to read the bill?

I have seen a lot in my years here, but this is truly unbelievable. You guys take my breath away.

□ 0930

That is not even considering the already dangerous bill we were supposed to be down here considering right now. Let me just make it clear what that bill actually is.

First, it is a massive tax cut for millionaires and billionaires, paid for by taking health insurance away from 24 million people, period. Anyone who takes 5 minutes to look at any unbiased analysis of the bill knows that this is true: massive tax cuts for the well-off at the expense of 24 million people.

Now, let me paint a picture of how big that number is:

Twenty-four million people is basically the entire population of the country of Australia.

It is more people than live in the States of Kansas, New Mexico, Nebraska, West Virginia, Idaho, Hawaii, New Hampshire, Maine, Rhode Island, Montana, Delaware, South Dakota, North Dakota, Alaska, Vermont, Wyoming, and the District of Columbia, combined.

You know how I know this bill is a tax giveaway for the wealthy, and it is not a healthcare bill? Because, according to the nonpartisan Congressional Budget Office—and this is truly incredible—it would actually result in more

people uninsured than if the Affordable Care Act were simply repealed. Let that sink in for a minute.

Second, their bill would cause people to pay more in terms of out-of-pocket expenses, and in return, they will get lower quality health insurance. That is right. Republicans are asking people to pay more for less coverage. In particular, lower income and older Americans will see their costs skyrocket—those people who can least afford to pay more.

Third point, and this is a big one, the bill guts Medicaid and Medicare. Now, don't take it from me. The AARP said: "This bill would weaken Medicare's fiscal sustainability, dramatically increase healthcare costs for Americans aged 50 to 64, and put at risk the health care of millions of children and adults with disabilities, and poor seniors who depend on the Medicaid program for long-term services and supports and other benefits." That is the AARP.

In fact, Americans aged 50 to 64 will pay premiums five times higher than what others pay for health coverage no matter how healthy they are. This bill is an age tax, plain and simple, and Republicans are cutting \$880 billion from Medicaid. That is a 25 percent cut in funding.

All this to give tax cuts to the rich and to corporations. The bill must look like a cruel joke to the most vulnerable among us.

Representative MO BROOKS, a member of the Republican Conference said just the other night: "Quite frankly, I'm persuaded that this Republican healthcare bill . . . long-term, is a detriment to the future of the United States of America."

Finally, even before imposing martial law last night, this process was horrendous. The Republican majority rushed their bill through the committee process without any hearings—none, zero—just holding marathon markups where no Democratic amendments were accepted—none, not one. They didn't even wait for a CBO score.

Then, when the score finally came, it showed that the bill would kick 24 million people off their insurance. Did they stop then? No, of course not.

Yesterday, in the Rules Committee, we rushed ahead with a cobbled-together manager's amendment—I am sorry, four cobbled-together manager's amendments since the originals had errors and, again, no CBO score on the updated bill.

Didn't my colleagues learn their lesson from last week?

And even worse, the main manager's amendment, which we received just 36 hours before our meeting, is so full of backroom deals, as I mentioned, like the Buffalo bribe, a cynical—likely unconstitutional—agreement with wavering New York Republicans who know the Republican healthcare plan would devastate New York.

And now they are saying: Don't worry. If you don't like this bill, it is just step one of three. You will get another chance to vote on health care during step three. Never mind that they can't give us the full slate of bills that are part of this mysterious step three.

Or maybe I should just take Republican Senator COTTON's word for it. He said: "There is no three-step plan. That is just political talk. It's just politicians engaging in spin."

Republican TED CRUZ from my colleague's State of Texas called the third prong of this three-bucket strategy "the sucker's bucket." The sucker's bucket—that is your own Member calling you a sucker if you vote for this.

We heard testimony all day yesterday and well into the night about how disastrous this bill would be for hard-working Americans. We heard about how countless major health organizations oppose this plan, from the American Medical Association to the American Hospital Association, to the National Rural Health Association, to the AARP, to the American Society of Addiction Medicine, to the National Alliance on Mental Illness, and I could go on and on and on and on.

This reverse Robin Hood will steal from the working class and give to the wealthy. Under the Republican plan, \$2.8 billion in tax breaks will go to the 400 richest families in America each year. My colleagues on the other side of the aisle seem to be rushing this through in hopes that no one will figure out that it is a tax break for the rich masquerading as a healthcare bill.

Now we find ourselves on the floor debating a martial law rule that will take that reckless process from light speed to warp speed. Let me just remind my colleagues again that we are talking about people's lives here. I am pretty sure the middle class Americans, whom Republicans claim to be helping would be okay with delaying this reckless bill for a little while to give us a chance to find out what the impacts will be.

Mr. Speaker, this process is beyond the pale. I am honestly still stunned that we are even here debating a martial law rule on legislation of this magnitude when changes to people's basic, essential health benefits are being contemplated without so much as a single hearing, let alone a CBO score. And again, we have no real clue what Republicans will be bringing to the floor later today.

I am just going off what I read in the news since we haven't gotten any actual updates from the other side of the aisle, but this rule would allow them to bring anything to the floor today or tomorrow or Saturday or Sunday or Monday—literally anything.

Will there be a new bill? Who knows.

Will it even be on health care? Beats me.

What mysterious changes are they contemplating that are so broad they can't even narrow their martial law authority down to the topic of health care?

Please, please, I would ask my colleagues to slow down. Be thoughtful. This is not a game. You don't get extra points for being fast. This healthcare repeal affects millions upon millions upon millions of Americans.

Don't jam a disastrous bill through the House with patched-up fixes. Wait for a revised CBO score. Listen to what members of your own Conference are saying. Or better yet, don't do this at all. Let's go back to the drawing board.

It is clear Republicans never really had a plan to replace the Affordable Care Act. Don't pretend you did and then make our most vulnerable pay the consequences.

This is a sad day. This is a sad day for this institution, but it is even a sadder day for the American people.

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

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

Mr. Speaker, the chance for us to be here today means that a lot of people are going to have a lot of opinions, and I appreciate the gentleman having an opinion. He knows what we are doing. So do the American people.

The American people are watching TV, and they are seeing where Republicans are huddling together and pushing this activity of health care, debating ideas right, really, before the American people, really, hundreds of TV shows.

I have been on 15 or 20 myself where I am saying that the Republican replacement or repeal of ObamaCare is something we are taking our time to discuss. We are taking our time to make sure our colleagues understand it. We are taking time to be thoughtful. Otherwise, we would have just rushed it through.

In fact, we took some 13 hours last night, yesterday, at the Rules Committee to do exactly that. Ms. PELOSI spent 3 hours before the Rules Committee, essentially talking about things that—we see things differently. She thinks she sees things differently than we do, and that is okay. It gave her a chance to have a debate opportunity. This is what this is all about. It does not bother me at all.

GENERAL LEAVE

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

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

There was no objection.

Mr. SESSIONS. Mr. Speaker, we want Members to have a chance to have their thoughts and ideas on the record, to take their time to be

thoughtful about what we are doing. And it does matter.

Mr. Speaker, at this time I yield 5 minutes to the gentleman from Collinsville, Illinois (Mr. SHIMKUS), a gentleman whom I came to Congress with in the 105th Congress. The gentleman is from the 15th District of Illinois and served our country as a veteran. He was a West Point graduate, and he is a really good guy.

Mr. SHIMKUS. Mr. Speaker, this is an important day, and I have great friends on the other side of the aisle. We debated aggressively, and, in fact, I see one of my colleagues from California. We spent 27½ hours dealing with our committee of jurisdiction's markup of the bill.

It has been a long time since ObamaCare was passed, 7 years, and those of us on our side said: Well, we didn't keep the insurance plan they said we were able to keep, we didn't get to keep the doctor that they promised we could have, we didn't save the \$2,500 a month that was promised would be the savings if we passed ObamaCare.

So I would argue, we have been very patient—7 years—and I think the public has been very patient. The public has judged ObamaCare through a couple of election cycles and has claimed failure. So we are on, as we call it, a rescue mission, because right now premiums have increased 25 percent, on average, across the country; one-third of U.S. counties have only one insurer; 4.7 million Americans were kicked off their health plan; and \$1 trillion in new taxes.

Out of the 23 ObamaCare CO-OPs—I love co-ops. I am from rural America. We believe in co-ops. They are not-for-profits. Out of the 23 ObamaCare CO-OPs, 18 failed. It shows you it is not working: \$53 billion in new regulation costs; 176 million hours of paperwork.

So what do we do? Republicans believe in transparency. We believe in markets. We believe in competition. We believe in what we are calling cooperative federalism: returning power to the States.

We are seeing that in part of the Medicaid proposals, allowing the engines of our country, the States—some have been very, very successful in reforming the Medicaid programs, providing first-dollar coverage, and some have not. Hopefully, they will learn from the other States.

We also want to empower the individuals in the individual markets. One-size-fits-all, mandatory—you have to have one of only four plans—has destroyed the individual market.

So 7 years is too long to wait. I appreciate us moving aggressively. Time is of the essence. We are on a rescue mission, and this is just another path in the process of repealing and replacing ObamaCare.

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

I have a lot of respect for my colleague from Illinois, but let me just say to him that the Republican plan is not a rescue mission. It is a full-fledged attack on the middle class—a rescue plan for the rich, maybe, slamming the middle class with a tax hike.

Ripping away coverage and undermining Medicare is not a rescue mission, I assure you. I have seen the townhalls around the country. They want nothing to do with your rescue plan.

Rescuing something you sabotaged, offering Americans a plan that costs more and covers less, going after essential services—please, that is not what the American people want.

To my colleague from Texas, the distinguished chairman of the Rules Committee, he is assuring us that Republicans are huddled somewhere. Well, I have got news for him. I have been reading press reports that Republicans have canceled their 9 a.m. Conference meeting. As I understand it, one Republican Member told the reporter that that move “tells me it’s panic time.”

□ 0945

Another Republican source is quoted as saying: This is such a disaster. Representative MASSIE said: Frankly, it is not very well thought out.

So I don’t think people are huddling. I think people are dispersed, and so it makes me even more wary about what we are going to see later today.

By the way, all we are asking is that we actually see the bill. We had a Rules Committee hearing yesterday on a bill that, quite frankly, will not be the bill we are going to consider later today or tomorrow or Saturday or Sunday or Monday.

We are talking about health care that affects millions and millions of people, and nobody in this Chamber has seen what we are going to vote on. This is ludicrous. How can this be? What are you thinking? Do this right. There is no rush. You don’t get extra points for being fast.

When we read about some of the compromises that are being talked about—going after essential services that basically help the most vulnerable in this country, services like mental health treatment, treatments for opiate addiction, maternity care—essential benefits are being compromised or being taken away. So what will end up happening is you will get up and say: Yeah, we will sell you insurance. It will be cheap, but you get no coverage. Nothing is covered.

That is not what the American people want.

Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. LOWEY), the distinguished ranking member of the Committee on Appropriations.

Mrs. LOWEY. Mr. Speaker, today House Republicans and President

Trump will try to keep a political promise to repeal the Affordable Care Act, despite the plainly obvious and harmful impact this bill would have on hardworking Americans.

It is really sad that, after 7 years, my friends on the other side of the aisle still don’t have a bill that they are publicizing, that we can read, that we can carefully analyze. It is sad that we can’t work together on this.

This Republican bill would raise premiums while increasing out-of-pocket costs, forcing Americans to pay more for less coverage, attack women’s health, threaten retirement savings, force those over age 50 to pay thousands more because of the age tax, and cause 14 million Americans to lose health insurance next year.

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

Mr. MCGOVERN. Mr. Speaker, I yield 30 seconds to the gentlewoman from New York.

Mrs. LOWEY. Mr. Speaker, In my district alone, 76,700 would lose coverage, including nearly more than 5,000 children and nearly 18,000 adults with employer-sponsored coverage.

This isn’t health reform. It is a political game. Lives are at stake. I hope we vote “no” on this bill.

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

I am delighted that the distinguished gentlewoman from New York (Mrs. LOWEY) came down. She, not unlike many of those in her party, are intensely interested in making sure that the American people are going to get the opportunity to have something that I have always said is equal to or better than.

The bottom line is that families on ObamaCare, or the Affordable Care Act, today—and that includes almost every single Member of Congress, including myself and my family—did not get what we were told would happen. Much of the Affordable Care Act was not even decided and developed until after the bill was put together, and we knew that ahead of time. They told us it is going to take a couple of years for us to put this together. Right now, here, today, only about 24 out of 100 physicians across this country even accept ObamaCare.

The Republican plan is not simple, but it is easy to understand, and that is this: We allow every single person to stay on ObamaCare 2017, 2018, and 2019. That is undeniably in the bill, and they know that.

We are allowing every single American that does not, today, receive the tax benefit, the benefit that goes back to World War II, an untaxed benefit by employers—we are allowing every single American family to be able to receive a tax credit. You cannot use both. You cannot double-dip into another system. But we are allowing every single one of those families that,

today, was completely excluded or chose not to take ObamaCare to receive a tax credit.

That tax credit for families is important because, today, they are paying after-tax dollars if they choose to get health care. And tomorrow what we will do is allow up to \$8,000 for a family of four—that is \$8,000 for a tax credit for a family—effective in November of a year to be able to, before they purchase their health care in January, to designate the first \$8,000 to the healthcare plan of their choice. Well, that obviously doesn’t fly well either because the Democrats want to tell people what they have to have.

Most families don’t need many things that are covered. Why should they pay for that? Oh, because the Democratic Party, Washington, D.C., says you have to. These are essential items.

No, no, no. A family will be able to make their own decisions and not pay for what they don’t need.

So, Mr. Speaker, there always are at least two sides of the story. And it is true that what the Republican Party is going to do is allow people to make their own choice, but to give them the tools necessary. And if a family decides to do that, then they can; if they decide not to, they don’t have to. Just like what is happening today where people are required to get health care but 30 million people are uninsured, figure that one out, Mr. Speaker.

I reserve the balance of my time.

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

The gentleman from Texas (Mr. SESSIONS) says the Republican bill is simple and easy to understand. My question is: Where the hell is it? Maybe it is under the table. We haven’t seen it.

Every time we get the bill, it changes. So maybe they ought to start with giving us the bill so people know what the bill would do.

Mr. Speaker, I want to point out to my colleagues, this is a new analysis from the Tax Policy Center and the Urban Institute’s Healthy Policy Center that shows just how dramatically these tax cuts benefit the wealthy at the expense of the middle class and working class families. This bill really is a giveaway to the rich. This chart clearly illustrates that disparity.

The rich would benefit greatly from the tax cuts in the bill, with a family making more than \$200,000 receiving a \$5,680 tax cut, and a family making more than a million dollars a year getting a \$51,410 break on their taxes. That is too high to even fit on the chart. Meanwhile, families making less than \$50,000 will be paying the price.

This bill really is a massive giveaway to the well-off and to the wealthy. This is going to hurt the middle class. This is not what the American people want.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I never thought in coming to Congress that I would be voting on legislation that would take away health insurance from 24 million Americans, including my own constituents.

The Speaker said that this legislation is an act of mercy. I think it is merciless. Every human being has a spark of divinity in them, and we dishonor that with this legislation. It is not worthy of the American people. There is less coverage, higher costs, elimination of essential services—not only for what people need day to day but for the unexpected. That is what insurance is all about.

There is a crushing age tax for people between the ages of 50 and 64. What has happened to the GOP? Is it now “get older people”?

This does not deserve one vote in the House of Representatives. It is shameful, and it is immoral.

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

We have at least two different sides up here, and people are entitled to believe whatever they want to believe. I am entitled to the same opinion of myself, also.

There are also a set of answers and facts that need to be given, evidently, and that is, in fact, we do make changes in the bill to ObamaCare. We do.

Mr. Speaker, the law, the way it was written, we have virtually few 30-year-olds to 45-year-olds that actually pay for ObamaCare, the people we were told who needed it the most. The reason why is because it was dictated from Washington how to rate the coverage. In rating that coverage, it became so illogically expensive for a young person to pay an astronomical amount for their insurance, and even many times a higher value for their deductible, to where 30-year-olds, 35-year-olds, 36-year-olds, 37-year-olds chose simply not to take the policy offered.

So what do Republicans do? It is real simple. Here is what Republicans do: They allow the States the flexibility to determine what might be called a rating.

And it is true that, now, people will be rated based upon their own actuarial experience of where they are in life, their age. Mr. Speaker, it is true that a 25-year-old, 30-year-old, 35-year-old needs less necessary intricate and expensive health care. And it is actuarially true that the older that we get—I celebrated my birthday yesterday. I get it. I am getting older, and I probably am a little more expensive at the doctor in things that I need, especially into my future.

So what we did is we said where you have that rating system, we will allow more money through the tax credit system to adjust that so that a 50- to 64-year-old will not be at a disadvantage because those, too, are the people we want in the healthcare plan.

So we are actually going to add, by making it actuarially sound and attractive, a whole bunch of younger people; and we are going to recognize this balance, and we are going to provide more of an incentive to balance out for those who are older. That makes sense.

It is also reality based, Mr. Speaker. But to say that someone is going to be paying more without us recognizing that and doing something about it would not be a fair argument.

I reserve the balance of my time.

□ 1000

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. KHANNA).

Mr. KHANNA. Mr. Speaker, I thank the gentleman for his leadership and for yielding me the time.

When the President campaigned, he said he wanted more benefits, more coverage, and lower premiums. Since he got to the White House, he said, well, health care is complicated; and they have tried to create a bill with the Republicans cobbling every special interest group and every faction.

But the President knows it doesn't have to be complicated. He knows the solution. In 2000, he wrote that the Canadian plan, single-payer plan, helps Canadians live longer and healthier than Americans. There are fewer medical lawsuits, less loss of labor to sickness, and lower cost to companies paying for medical care for their employees.

He wrote further that, “We, as a Nation, need to reexamine the single-payer plan;” and he advocated for a single-payer plan.

Mr. President, what has changed?

You know what the solution is. If you are serious about health care, work with people like Senator SANDERS, Congressman WELCH, and others, and offer a real solution to the American people.

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

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, we have heard this legislation described as a rescue mission and an act of mercy. Don't insult the intelligence of the American people. This bill is the cruelest and most immoral piece of legislation I have seen since I arrived in Congress. It will rip insurance from 24 million hardworking Americans, including 60,000 Rhode Islanders. It will put \$600 billion in tax breaks into the hands of the powerful, wealthy special interests.

This is not a healthcare bill. This is a tax-cut bill. Let's call it what it is. It is going to produce higher costs, higher premiums, and more out-of-pocket expenses. It imposes a crushing age tax on older Americans. It ransacks funds that seniors rely on for long-term care,

and it will destroy nearly 2 million jobs.

All of this harm to the American people, to settle a political score, and to reward your friends and wealthy special interests. Shame on President Trump and shame on the Republican Party for doing this to the American people.

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

What a shame the gentleman was not here to vote for the Affordable Care Act when it took hold several years ago, and he would have known this is a bad deal.

Mr. Speaker, even the American people cannot be fooled. The American people saw ObamaCare, the Affordable Care Act, waste billions of dollars simply to try and put together a computer system.

Mr. Speaker, the American people understand it was a tax bill. It is about using the IRS, and they were going to add 17,000 employees, literally, to beat the brains out of the American people to force them into having health care from Washington.

Mr. Speaker, no wonder Republicans won the majority several years ago. No wonder Republicans have saved the American people not only from the IRS, but from the massive taxes that were embedded within this huge government takeover of our healthcare system.

The bottom line is that my colleagues have not yet met a tax they wouldn't be for. They have not yet built and grown these massive government organizations to the tune that they want to force the American people to do things. And they are having a difficult time understanding today why the American people—if given a choice and an opportunity and an advantage that would be fair for all Americans to have a tax credit, why that is something that people really want to see.

Mr. Speaker, Mr. Trump may or may not have contemplated every single part of the healthcare issue, but I will tell you what he did understand. And that is, draining the swamp from a system that takes away your freedom, that saps the economic growth and vitality of this country, and that empowers the Internal Revenue Service is a bad idea.

Mr. Speaker, having to qualify by going through the IRS to look at your records first to determine whether you qualify for a subsidy should be an embarrassment, and it was seen that way by the American people. Mr. Speaker, to guess at how much money and work you would have during the year, and then if you are wrong, pay up, was a system that did not work because many physicians across this country and many hospitals simply do not take ObamaCare. They are acting like it was a gift from God.

Mr. Speaker, it did not work, and it does not work. The Republican Party is

going to find a way, and we are going to get our act together, and we are going to gleefully go and do the right thing. It is a process, Mr. Speaker. It is a long process. It actually does take the House, the Senate, and the President, and we are going to get our job done.

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

The SPEAKER pro tempore. The gentleman from Massachusetts has 10 minutes remaining. The gentleman from Texas has 3 minutes remaining.

Mr. MCGOVERN. Mr. Speaker, let me just say that I feel bad for the gentleman from Texas for having to defend this lousy rule and this lousy bill all by himself. We have so many speakers here, we don't have enough time to accommodate them all.

Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, since the ACA was enacted, California's uninsured rate has dropped by 54 percent. Over 263,000 people have gained coverage in the three counties in my district. But now my Republican colleagues want us to pass a replacement bill that will strip away health care for 24 million Americans.

TrumpCare guts the Medicare program and creates a new, pre-broken system that rations health care for more than 76 million Americans. In my district alone, more than 64,000 people will lose coverage because of the provisions of the Republican replacement bill. It will take money away from our hospitals and eliminate 4,000 jobs in San Joaquin County alone. Working and middle class families will be forced to pay more for less. This will increase healthcare costs and decrease the quality of coverage available. Americans deserve access to quality healthcare coverage and health care that they can afford.

I ask my Republican colleagues to withdraw this terrible bill and work across the aisle, for once, to improve the ACA that benefits all Americans. I strongly oppose this bill and urge my colleagues to vote "no."

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

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. Mr. Speaker, we are here to discuss the rule for voting on TrumpCare, or RyanCare, or whatever they are calling it today, based on whoever is willing to put their name to it. But we learned upon arrival at work that the rules are that there are no rules.

It is "Lord of the Flies Day" here in the House of Representatives. They want to make us vote on a bill that no one has even read. No one can find it. Anything goes. The whole process has been a disaster, a debacle, a mockery of

democracy—no hearings, no witnesses, no experts, no process, no deliberation, and now no bill even.

But the American people are saying "no way." The polls show people are turning dramatically against that wreck of legislation that is missing in Washington today.

Yesterday, we heard about the Buffalo Bribe, the Hudson Hustle, the Kinderhook Kickback, every manner to try to round up votes from Members who know their political careers are in danger for going anywhere near this bill.

What do they propose to do?

What we know is they want to kick 24 million Americans off their health care, destroy Planned Parenthood, and transfer \$600 billion up the wealth ladder in the United States.

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

Mr. MCGOVERN. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Maryland.

Mr. RASKIN. This legislation, however it turns out today, will crash the system, which is what their chief strategist, Steve Bannon, has said he wants to do. If a foreign power like the Russians proposed to do this to America, we would consider it an act of aggression and war against the American people.

This bill is not a rescue mission, as they say. It is a wrecking ball, and we should put it to bed once and for all today.

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

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Mr. Speaker, and to my friends on the Republican side, you have got the perfect bill. It cuts taxes, \$800 billion, largely at the high end. It cuts 24 million people off of health care. And it ends the Medicaid entitlement.

What is the problem?

Bring your bill up here. Now, what you have is not a healthcare bill. You have a tax-cut bill masquerading as a healthcare bill, and your hesitation is the collateral damage that you are going to do to the people who voted for you will become clear. To the hospitals in rural America we need, that damage will become clear. To the people age 50 to 64, who are going to get hammered, hammered at a point in their life when, more than ever, they need health care, you are going to stick it to them. The people who supported you, the people who believed in you are the people you are turning your back on.

I say, bring your bill up here. Vote it. Take ownership of what it is you are doing. I welcome your courage in telling rural America that they don't matter.

The SPEAKER pro tempore. Members are advised to direct their remarks to the Chair.

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

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. Mr. Speaker, I am compelled to come to the floor this morning to urge my Republican colleagues to stop hiding the TrumpCare bill. The American people and their Representatives deserve to know what is in the bill.

But here is what we know so far. It rips coverage away from millions of our neighbors back home. It is a massive tax or cost increase for people's insurance, whether you have it through healthcare.gov or through your private employer. It imposes a significant age tax on our older neighbors back home. It cuts Medicare and shortens the life of the Medicare trust fund. It breaks the fundamental guarantee we have with our neighbors back home who are Alzheimer's patients, children with complex conditions, the disabled, under Medicaid, all to give a massive tax break to the wealthiest people in America.

That is a failure in vision and a failure in values, and this bill should be hidden forever.

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

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, this merciless bill, ironically called a healthcare bill, would be disastrous for this country's health, and especially harmful to the people in my home State of New York.

It will not expand access to health care, as promised. It will, instead, rip away healthcare insurance from 24 million people, including 2.7 million in New York City, people who already have health care. And it will not make premiums more affordable, as promised. It will, instead, raise premiums across this Nation. Premiums in New York would go up an estimated \$1,000 next year alone.

It cuts all Federal funding for a year for Planned Parenthood clinics, which serve women in need across this country. And to make an already bad bill even worse, this bill cuts nearly \$5 billion in funding for New York's hospitals that serve some of our most vulnerable people.

Voting for this bill is voting to cause sure and certain harm to millions of Americans. I urge a "no" vote.

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

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, we are considering a bill so bad it was kept under lock and key, hidden from Democrats and those Republicans who would not pledge allegiance to it; a bill that

was so destructive that no witness would come to defend or explain it in all-night committee sessions; a bill jammed through this House, logically, you would expect this special rule to jam it through today.

What is at stake here is not only the crumbling and destruction of health care, but it is the crumbling of our democracy.

Our Republican colleagues need to remember that this is Washington, not Moscow. This is Congress, not the Duma.

We deserve a fair consideration of this bill open to discussion because of its impact on millions of Americans who will lose their access to a family physician. These heavyhanded tactics reflect the fear of the American public getting an opportunity to look thoroughly at this bill and understand what it does to each family affected.

Mr. Speaker, I urge rejection of the rule.

□ 1015

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Speaker, today the Republicans are doing something that goes against what was promised in the campaign, and that was that everyone would have insurance, the insurance would be better, and it would cost less. But, instead, we are going in the opposite direction. Less people are going to have insurance; 24 million are being kicked off. It is going to cost more for the insurance, and you are going to get less insurance coverage than what you are paying for. It is a total disaster what they are trying to do here.

Today, they are going to meet with the Freedom Caucus at 11:30, I understand, over at the White House. So the bill is going to get worse. Can you imagine that?

If you have got fooled the first time, don't get fooled again. If someone tells you something that you know is not true or that you thought was true and you find out it is not true, don't fall for it again, Members. It is time for change in America.

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

Mr. Speaker, I include in the RECORD the article from today's New York Times titled, "Late GOP Proposal Could Mean Plans That Cover Aromatherapy But Not Chemotherapy."

[From the New York Times, Mar. 23, 2017]

LATE G.O.P. PROPOSAL COULD MEAN PLANS THAT COVER AROMATHERAPY BUT NOT CHEMOTHERAPY

(By Margot Sanger-Katz)

Most Republicans in Congress prefer the type of health insurance market in which everyone could "choose the plan that's right for them."

Why should a 60-year-old man have to buy a plan that includes maternity benefits he'll

never use? (This is an example that comes up a lot.) In contrast, the Affordable Care Act includes a list of benefits that have to be in every plan, a reality that makes insurance comprehensive, but often costly.

Now, a group of conservative House members is trying to cut a deal to get those benefit requirements eliminated as part of the bill to repeal and replace the Affordable Care Act moving through Congress. (The vote in the House is expected later today.)

At first glance, this may sound like a wonderful policy. Why should that 60-year-old man have to pay for maternity benefits he will never use? If 60-year-old men don't need to pay for benefits they won't use, the price of insurance will come down, and more people will be able to afford that coverage, the thinking goes. And people who want fancy coverage with extra benefits can just pay a little more for the plan that's right for them.

But there are two main problems with stripping away minimum benefit rules. One is that the meaning of "health insurance" can start to become a little murky. The second is that, in a world in which no one has to offer maternity coverage, no insurance company wants to be the only one that offers it.

Here is the list of Essential Health Benefits that are required under the Affordable Care Act:

Ambulatory patient services (doctor's visits)

Emergency services

Hospitalization

Maternity and newborn care

Mental health and substance abuse disorder services, including behavioral health treatment

Prescription drugs

Rehabilitative and habilitative services and devices

Laboratory services

Preventive and wellness services, and chronic disease management

Pediatric services, including oral and vision care

The list reflects some lobbying of the members of Congress who wrote it. You may notice that dental services are required for children, but not adults, for example. But over all, the list was developed to make insurance for people who buy their own coverage look, roughly, like the kind of coverage people get through their employer. A plan without prescription drug coverage would probably be cheaper than one that covers it, but most people wouldn't think of that plan as very good insurance for people who have health care needs.

Under the Republican plan, the government would give people who buy their own insurance money to help them pay for it. A 20-year-old who doesn't get coverage from work or the government, for example, would get \$2,000. If the essential health benefits go away, insurance companies would be allowed to sell health plans that don't cover, say, hospital care. Federal money would help buy these plans.

But history illustrates a potential problem.

In the 1990s, Congress created a tax credit that helped low-income people buy insurance for their children. Quickly, it became clear that unscrupulous entrepreneurs were creating cheap products that weren't very useful, and marketing them to people eligible for the credit. Congress quickly repealed the provision after investigations from the Government Accountability Office and the Ways and Means Committee uncovered fraud.

Mark Pauly, a professor of health care management at the Wharton School of the

University of Pennsylvania, who tends to favor market solutions in health care, said that while the Obamacare rules are "paternalistic," it would be problematic to offer subsidies without standards. "If they're going to offer a tax credit for people who are buying insurance, well, what is insurance?" he said, noting that you might end up with the government paying for plans that covered aromatherapy but not hospital care. "You have to specify what's included."

A proliferation of \$1,995 plans that covered mostly aromatherapy could end up costing the federal government a lot more money than the current G.O.P. plan, since far more people would take advantage of tax credits to buy cheap products, even if they weren't very valuable.

There's another reason, besides avoiding fraud, that health economists say benefit rules are important. Obamacare requires insurers to offer health insurance to people who have preexisting illnesses at the same price as they sell them to healthy people, and the Republican bill would keep this rule. But if an insurance company designs a plan that attracts a lot of sick people, it will be very expensive to cover them, and the insurance company will either lose money or end up charging extremely high prices that would drive away any healthy customers.

Sherry Glied, the dean of the Robert F. Wagner Graduate School of Public Service at New York University, who helped work on the essential health benefits in the Obama administration, raised the example of mental health benefits. Parents of adolescents with schizophrenia will be sure to buy insurance that covers only mental health services. Other parents won't care about that benefit.

The result: Any company offering such benefits will end up with a lot of customers requiring expensive hospitalizations, while its competitors that drop them will get healthier customers who are cheaper to insure. If mental health services are optional, no insurance company will want to offer them, lest all the families with sick children buy their product and put them out of business.

And then healthy people who develop mental illness, or drug addiction, will also learn that their illness isn't covered. The result could be a sort of market failure: "If you don't require that these benefits are required, they often just get knocked out of the market altogether," she said.

Before Obamacare passed, there were few federal standards for health insurance bought by individuals, and it was not uncommon to find plans that didn't include prescription drug coverage, mental health services or maternity care. But plans tended to cover most of the other benefits. That was in a world where health insurers could discriminate against sick people. In that era, insurers in most states could simply tell the mother of a mentally ill child that she couldn't buy insurance. That made it less risky for insurers to offer mental health benefits to everyone else.

David Cutler, a professor at Harvard who helped advise the Obama administration on the Affordable Care Act, said he thinks the kind of insurance products that would be offered under the proposed mix of policies could become much more bare-bones than plans before Obamacare. He envisioned an environment in which a typical plan might cover only emergency care and basic preventive services, with everything else as an add-on product, costing almost exactly as much as it would cost to pay for a service out-of-pocket.

"Think of this as the if-you-have-rheumatoid-arthritis-you-should-pay-\$30,000 provision," he said. Such a system would mean that Americans with costly problems—cancer, opioid addiction, H.I.V.—would end up paying a substantially higher share of their medical bills, while healthy people would pay lower prices for insurance that wouldn't cover as many treatments.

There is most likely a middle way. Republican lawmakers might be comfortable with a system that shifts more of the costs of care onto people who are sick, if it makes the average insurance plan less costly for the healthy. But making those choices would mean engaging in very real trade-offs, less simple than their talking point.

Mr. MCGOVERN. Mr. Speaker, I would be delighted if we had actual text to look at right now, but, instead, we are forced to rely on news reports, and what I am reading in the news is not good.

The article that I just included in the RECORD also quotes a Harvard professor who says: "Think of this as the if-you-have-rheumatoid-arthritis-you-should-pay-\$30,000 provision."

The article says that we could go back to a world where insurers could simply tell the mother of a mentally ill child that she couldn't buy insurance. It is ironic that the Republicans want to take away a woman's choice about a pregnancy, and then it looks like they are going to take away any insurance she needs for prenatal care or maternity care.

What are we doing here, Mr. Speaker? What will we be asked to vote on later today? If these sorts of dangerous ideas are being considered, we, the American people, deserve to know. Twenty-four million people are going to lose their insurance under the proposal the Republicans are considering. People will pay more and get less. There will be huge tax cuts for the rich. Again, we don't even have the final text. This is awful. This is unacceptable.

I will remind my colleagues that this is about the American people. Put the people of this country ahead of your party, ahead of your ideology, and ahead of this President who just discovered that health care is complicated.

This is a life-or-death issue for many in this country. Health care is very personal. Don't take it away from people. Let's work in a bipartisan way to make the improvements in the Affordable Care Act that we all know need to be made, but don't just tear apart a healthcare system that is providing an additional 20 million Americans health insurance.

Please don't do this. Slow down. Provide us the text of the bill. Let's have hearings. Let's bring the American people into the Congress and listen to what they have to say. Listen to what your own constituents have been saying to you in townhalls. They don't want what you are selling here today. They don't want your rescue plan.

They want health care for themselves and their families, and that is what they deserve.

So, please, vote down this martial law rule and go back to the drawing board.

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

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

Seven years ago, Mr. Speaker, this town was abuzz with this new healthcare plan, the Affordable Care Act, that was signed by the President of the United States. We were promised an enormous opportunity to make health care better.

Mr. Speaker, fortunately, the American people had a chance to make a decision, and the American people—after watching and seeing not only people incapable of putting databases together, incapable of understanding marketplaces, and incapable of understanding the limits of the American people's real need to understand and to have a better healthcare system—gave up on ObamaCare, the Affordable Care Act. They gave up on it because, after 7 long years, they understood it simply didn't equal what they were sold.

The Republican Party is selling what we believe in, and this is the beginning of that sell. It is a beginning of an understanding for most Members of this body and the American people to understand you can keep your own doctor and you can keep your own healthcare plan, but you, too, can make your own decisions. You can become a consumer.

Oh, my gosh, somebody from Washington isn't going to tell us exactly what to do? Let's scare everybody; let's make them think that the American people can't make their own decisions without the IRS or Washington telling them what to do.

I understand there are some frustrations. I get that. I can be frustrated; I am not. It is true last week I held a townhall meeting in Dallas, Texas. It is true a bunch of people yelled and screamed at me. They simply wanted to know: Yes or no, yes or no.

Mr. Speaker, policy is not like that in our country. The Republican Party does owe people thoughts, ideas, and plans. We will have the bill, and when we do it, we will own it, and we will be proud of it.

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

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

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

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

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

The yeas and nays were ordered.

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to without amendment a joint resolution of the House of the following title:

H.J. Res. 83. Joint Resolution disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness".

The message also announced that pursuant to section 9355(a) of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the U.S. Air Force Academy:

The Senator from New Mexico (Mr. UDALL) (Committee on Appropriations).

The Senator from Hawaii (Ms. HIRONO) (Committee on Armed Services).

The message also announced that pursuant to section 4355(a) of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the U.S. Military Academy:

The Senator from New York (Mrs. GILLIBRAND) (Committee on Armed Services).

The Senator from Connecticut (Mr. MURPHY) (Committee on Appropriations).

The message also announced that pursuant to section 1295b(h) of title 46 App., United States Code, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the U.S. Merchant Marine Academy:

The Senator from Michigan (Mr. PETERS) (At Large).

The Senator from Hawaii (Mr. SCHATZ) (Committee on Commerce, Science and Transportation).

The message also announced that pursuant to section 194(a) of title 14, United States Code, as amended by Public Law 101-595, and further amended by Public Law 113-281, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the U.S. Coast Guard Academy:

The Senator from Washington (Ms. CANTWELL) (Committee on Commerce, Science and Transportation).

The Senator from Connecticut (Mr. BLUMENTHAL) (At Large).

The message also announced that pursuant to section 6968(a) of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the U.S. Naval Academy:

The Senator from New Hampshire (Mrs. SHAHEEN) (Committee on Appropriations).

The Senator from Maryland (Mr. CARDIN) (At Large).

RECESS

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

Accordingly (at 10 o'clock and 22 minutes a.m.), the House stood in recess.

□ 2005

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 8 o'clock and 5 minutes p.m.

COMMUNICATION FROM THE
CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 23, 2017.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 23, 2017, at 1:36 p.m.:

That the Senate passed without amendment S.J. Res. 34.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 221;

Adopting House Resolution 221, if ordered; and

Agreeing to the Speaker's approval of the Journal, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

WAIVING A REQUIREMENT OF
CLAUSE 6(a) OF RULE XIII WITH
RESPECT TO CONSIDERATION OF
CERTAIN RESOLUTIONS RE-
PORTED FROM THE COMMITTEE
ON RULES, AND PROVIDING FOR
CONSIDERATION OF MOTIONS TO
SUSPEND THE RULES

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 221) waiving a require-

ment of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, and providing for consideration of motions to suspend the rules, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 233, nays 185, not voting 11, as follows:

[Roll No. 188]

YEAS—233

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

Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman

Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder

Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—185

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

NOT VOTING—11

Brady (TX)	Meeks	Takano
Jeffries	Payne	Tsongas
Lieu, Ted	Rush	Webster (FL)
Meadows	Slaughter	

□ 2044

Messrs. GONZALEZ of Texas and VELA changed their vote from "yea" to "nay."

Messrs. SMITH of New Jersey, CALVERT, KNIGHT, Mrs. McMORRIS RODGERS, Messrs. POLIQUIN, and LAHOOD changed their vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 227, noes 189, not voting 13, as follows:

[Roll No. 189]

AYES—227

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

Wittman
Womack
Woodall

Yoder
Yoho
Young (AK)

NOES—189

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

NOT VOTING—13

Diaz-Balart	Meeks	Takano
Franks (AZ)	Olson	Tsongas
Hartzler	Payne	Webster (FL)
Jeffries	Rush	
Lieu, Ted	Slaughter	

□ 2051

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I yield to the gentleman from California (Mr.

MCCARTHY), my friend, for the purpose of inquiring of the majority leader the schedule for tomorrow.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

Members are advised that votes are now expected in the House tomorrow, March 24, 2017. I know this is a change from our previously announced schedule. Members should be prepared for multiple vote series, the first of which will be as early as 10 a.m.

Mr. HOYER. Mr. Speaker, I thank the gentleman.

May I ask, do you know when the Rules Committee will meet, Mr. Majority Leader?

I yield to the gentleman.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

The Rules Committee will meet tomorrow morning. I anticipate a short amendment will be posted as early as tonight. It is our expectation the Rules Committee will meet tomorrow morning to report the rule providing for consideration of H.R. 1628, the American Health Care Act.

Upon adoption of that rule, the House will proceed with general debate on the measure and final passage.

Mr. HOYER. Mr. Speaker, I thank the gentleman.

Mr. Leader, if the Rules Committee meets, say, at 9 a.m., and you said the earliest vote at 10 a.m., obviously, a lot of our Members are focused on what time they have to be here to make sure they make a vote, and you said the earliest would be 10, but if you have the Rules Committee reporting out, would it be perhaps closer to 10:30?

Mr. Speaker, I yield to my friend.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

I anticipate the Rules Committee meeting earlier than 9 a.m. tomorrow.

Mr. HOYER. Mr. Speaker, can the gentleman tell us how long you anticipate the debate on the bill itself would be? Obviously, I am asking that in the context of when can Members believe that we may be concluding tomorrow's business?

Mr. Speaker, I yield to my friend.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

It is our anticipation to be done in the afternoon, but the gentleman may know better how long it will take based upon as we move through during the day.

Mr. HOYER. Mr. Speaker, I am not going to tell the gentleman, but it was a good fishing trip that the gentleman was on.

I thank the gentleman, but my assumption is that Members can be relatively confident, based upon what we are going to do and what you are going to do, to be out of here somewhere before 5 p.m. tomorrow; is that correct?

Mr. Speaker, I yield to my friend.

Mr. MCCARTHY. Mr. Speaker, I don't want to grab the exact time, but it is

our anticipation, after the Rules Committee meets, that we come down and have a rules vote. We will have hours of debate, and then we will proceed with the vote, and as orderly as we can get done, we will get done by the afternoon as early as possible.

Mr. HOYER. Mr. Speaker, I appreciate the gentleman's information, and I yield back the balance of my time.

THE JOURNAL

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 202, noes 197, answered "present" 4, not voting 26, as follows:

[Roll No. 190]

AYES—202

Abraham	Davis (CA)	Huffman
Aderholt	Davis, Danny	Huizenga
Allen	DeLauro	Hultgren
Amodei	DelBene	Hunter
Arrington	Demings	Johnson (GA)
Bacon	Dent	Johnson (LA)
Banks (IN)	DesJarlais	Johnson, Sam
Barletta	Deutch	Jones
Barr	Diaz-Balart	Kelly (MS)
Barton	Doggett	Kelly (PA)
Bilirakis	Donovan	Kildee
Bishop (UT)	Duncan (SC)	King (IA)
Black	Duncan (TN)	King (NY)
Blackburn	Dunn	Kinzinger
Blumenauer	Ellison	Krishnamoorthi
Bonamici	Emmer	Kuster (NH)
Brady (TX)	Engel	Kustoff (TN)
Brat	Esty	Labrador
Bridenstine	Farenthold	LaMalfa
Brooks (AL)	Ferguson	Lamborn
Brooks (IN)	Fleischmann	Lipinski
Bucshon	Flores	Long
Budd	Fortenberry	Loudermilk
Byrne	Foster	Love
Calvert	Frankel (FL)	Lowenthal
Carter (TX)	Frelinghuysen	Lowey
Castro (TX)	Gabbard	Lucas
Chabot	Gaetz	Luetkemeyer
Chaffetz	Gallagher	Lujan Grisham,
Cheney	Garamendi	M.
Chu, Judy	Garrett	Marchant
Ciilline	Gonzalez (TX)	Marino
Clay	Granger	Massie
Cole	Guthrie	McCarthy
Collins (NY)	Harper	McCaul
Comstock	Harris	McClintock
Cook	Hartzler	McCollum
Cooper	Heck	McHenry
Correa	Hensarling	McMorris
Cramer	Higgins (LA)	Rodgers
Crawford	Higgins (NY)	McNerney
Culberson	Himes	McSally
Davidson	Hollingsworth	Meadows

Meng	Rooney, Thomas	Smucker
Messer	J.	Soto
Mitchell	Rosen	Speier
Mooney (WV)	Rothfus	Stefanik
Mullin	Royce (CA)	Stewart
Murphy (FL)	Ruppersberger	Suozzi
Nadler	Russell	Taylor
Napolitano	Rutherford	Thornberry
Newhouse	Scalise	Titus
Nunes	Schneider	Torres
O'Rourke	Schweikert	Trott
Olson	Scott, Austin	Vela
Palazzo	Scott, David	Wagner
Pascrell	Sensenbrenner	Walorski
Perlmutter	Sessions	Walters, Mimi
Peters	Shea-Porter	Walz
Pingree	Sherman	Wasserman
Pocan	Shimkus	Schultz
Polis	Shuster	Welch
Quigley	Simpson	Westerman
Ratcliffe	Sinema	Williams
Roby	Smith (NE)	Womack
Rogers (KY)	Smith (NJ)	Yarmuth
Rohrabacher	Smith (TX)	Young (IA)
Rooney, Francis	Smith (WA)	Zeldin

NOES—197

Adams	Gallagher	Neal
Aguilar	Gibbs	Noem
Amash	Gosar	Norcross
Babin	Gottheimer	O'Halleran
Barragán	Gowdy	Pallone
Bass	Graves (GA)	Palmer
Beatty	Graves (LA)	Panetta
Bera	Graves (MO)	Paulsen
Bergman	Green, Al	Pearce
Beyer	Green, Gene	Pelosi
Biggs	Griffith	Peterson
Bishop (GA)	Grothman	Poe (TX)
Bishop (MI)	Gutiérrez	Poliquin
Blum	Hanabusa	Posey
Blunt Rochester	Hastings	Price (NC)
Bost	Herrera Beutler	Raskin
Boyle, Brendan	Hice, Jody B.	Reed
F.	Hill	Renacci
Brady (PA)	Holding	Rice (NY)
Brown (MD)	Hoyer	Roe (TN)
Brownley (CA)	Hudson	Rogers (AL)
Buchanan	Hurd	Rokita
Buck	Jayapal	Ros-Lehtinen
Burgess	Jenkins (KS)	Roskam
Butterfield	Jenkins (WV)	Rouzer
Capuano	Johnson (OH)	Roybal-Allard
Carbajal	Johnson, E. B.	Ruiz
Cárdenas	Jordan	Ryan (OH)
Carson (IN)	Joyce (OH)	Sánchez
Carter (GA)	Kaptur	Sanford
Cartwright	Katko	Sarbanes
Castor (FL)	Keating	Schakowsky
Clark (MA)	Kelly (IL)	Schiff
Clarke (NY)	Kennedy	Schrader
Cleaver	Khanna	Scott (VA)
Coffman	Kihuen	Sewell (AL)
Collins (GA)	Kilmer	Sires
Comer	Kind	Smith (MO)
Conaway	Knight	Stivers
Connolly	LaHood	Swalwell (CA)
Conyers	Lance	Tenney
Costa	Langevin	Thompson (CA)
Costello (PA)	Larsen (WA)	Thompson (MS)
Courtney	Larson (CT)	Thompson (PA)
Crist	Latta	Tiberi
Crowley	Lawrence	Tipton
Cuellar	Lawson (FL)	Upton
Cummings	Lee	Valadao
Curbelo (FL)	Levin	Vargas
Davis, Rodney	Lewis (GA)	Veasey
DeFazio	Lewis (MN)	Velázquez
DeGette	LoBlundo	Visclosky
Delaney	Luján, Ben Ray	Walberg
Denham	Lynch	Walden
DeSantis	Maloney, Sean	Walker
DeSaulnier	Marshall	Waters, Maxine
Dingell	Mast	Watson Coleman
Doyle, Michael	Matsui	Weber (TX)
F.	McEachin	Wenstrup
Duffy	McGovern	Wilson (FL)
Eshoo	McKinley	Wittman
Espallat	Meehan	Woodall
Evans	Meeks	Yoder
Faso	Moolenaar	Yoho
Fox	Moore	Young (AK)
Franks (AZ)	Moulton	
Fudge	Murphy (PA)	

ANSWERED "PRESENT"—4

Lofgren	Richmond
Rice (SC)	Tonko

NOT VOTING—26

Bustos	Jeffries	Reichert
Clyburn	Lieu, Ted	Ross
Cohen	Loeb sack	Rush
Fitzpatrick	MacArthur	Slaughter
Gohmert	Maloney,	Takano
Goodlatte	Carolyn B.	Tsongas
Grijalva	Payne	Turner
Issa	Perry	Webster (FL)
Jackson Lee	Pittenger	Wilson (SC)

□ 2101

So the Journal was approved.

The result of the vote was announced as above recorded.

WATER

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

Mr. POE of Texas. Mr. Speaker, yesterday was World Water Day.

When we are thirsty, we walk 3 feet to the nearest faucet or grab a bottle of water out of the refrigerator. Sadly, there are almost 800 million people who lack access to clean drinking water.

It is unacceptable that in the year 2017 there are women who are still forced to walk miles to obtain water from polluted rivers. These rivers are not clear springs. Instead, they are rivers infected with waste, parasites, and other insects.

That is why my friend Representative BLUMENAUER and I filed and Congress passed the Senator Paul Simon Water for the World Act. It helps USAID focus on safe drinking water, better sanitation, hygiene in schools, and clinics in villages for poor people throughout the world.

USAID's goal is to give 10 million people sustainable access to clean water by next year. They are well on their way to achieving this.

Clean water saves lives, and Americans should be proud of what they are doing in helping people worldwide to have that clean water.

And that is just the way it is.

RIISING IN STRONG OPPOSITION TO THE AMERICAN HEALTH CARE ACT

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

Mr. LANGEVIN. Mr. Speaker, I rise in strong opposition to the Republican effort to gut the Affordable Care Act.

Twenty million people, including 100,000 Rhode Islanders, receive health coverage under the ACA. Because of the proposed plan to repeal the ACA that the Republicans are proposing, they are now threatened with losing that coverage.

Instead of working in a bipartisan manner to improve the law, this bill

will eliminate coverage for 24 million people, while drastically increasing healthcare costs on hardworking middle class Americans.

Over the next 5 years, Rhode Island officials estimate Medicaid cuts would cost the State \$595 million to make sure that 75,000 low-income adults don't lose coverage.

Now, this is a burden that my State or others cannot afford to bear, and it will decimate services and supports for low- and middle-income adults, children, seniors, and especially people with disabilities.

Mr. Speaker, we are better than this as a country. Americans' health will be jeopardized if consumer protections and comprehensive coverage developed under the ACA are cast aside in a partisan push to repeal.

Let's not do this. Let's join together instead and make improvements to the ACA to make it better. Let's not work against us to repeal it.

I urge my colleagues to oppose this unconscionable bill.

LET'S GO BACK TO THE DRAWING BOARD FOR A BETTER HEALTHCARE BILL

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

Mr. BERA. Mr. Speaker, I stand here not as a Member of the Congress, but as a doctor. And as a doctor, health care is about taking care of patients.

That is why the bill that might come before us is a bad bill. It raises the cost of care for many people. It makes millions of folks lose their health insurance. It raises the cost on elderly patients. There is an age tax in there.

This is a bad bill. Let's go back to the drawing board. Let's come together as Democrats and Republicans, and let's make sure health care is available and affordable for every American.

I don't want to go back to the days where I would see a patient who may have cancer and I couldn't take care of them because they didn't have that healthcare coverage.

Let's go back to the drawing board. This is a bad bill. You guys know it is a bad bill. Let's do this, and let's come up with a better bill.

SPEAKING IN SUPPORT OF THE AFFORDABLE CARE ACT

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

Ms. JACKSON LEE. Mr. Speaker, I think the American people have seen the scrambling and the unraveling today, the seventh anniversary of the Affordable Care Act which allowed more than 20 million people to achieve opportunities and access to health care that many have never had.

Throughout America, the Affordable Care Act provided hardworking Americans access to wellness care, hospitalization, care that they could not have before because it eliminated the barrier for those who had preexisting disease.

Now, tomorrow we will be debating this fast-moving, thoughtless, and devastating legislation that will see, in 2026, some 52 to 54 million Americans without insurance and undermine the opportunity for those in nursing homes, disabled, the blind, and many others, children, that are in great need of health care eliminated.

So I don't know what the purpose of this bill is tomorrow, but we will be here to debate it and hopefully defeat it, because I believe that the quality of life for all Americans truly is based upon their access to good, strong health care. That is what the Affordable Care Act is, helping rural hospitals, providing hospital resources for uncompensated care.

So, Mr. Speaker, tomorrow we will be debating a bill that, hopefully, will be defeated because it will not save lives.

ADDRESSING HEALTHCARE CHALLENGES

The SPEAKER pro tempore (Mr. MAST). Under the Speaker's announced policy of January 3, 2017, the gentleman from Georgia (Mr. WOODALL) is recognized until 10 p.m. as the designee of the majority leader.

Mr. WOODALL. Mr. Speaker, I appreciate your agreeing to be down here with me tonight. I came down to talk about health care, but I actually have a personal story I want to tell before that begins, right there in the middle of the realm of health care, a friend of mine back home in Georgia. His name is Jon Richards.

Mr. Speaker, you have folks like Jon Richards in your district, people who just believe that, if only they work hard enough and long enough, they can make things better for their entire community. Jon is one of those folks. And what I love most about Jon is he looks for those things that other folks aren't doing.

You know, there are those folks back home. Everybody wants that glamorous job. Everybody wants to do that thing that comes with the perks or the fringe benefits. Jon Richards was attracted to those jobs that he knew would matter, that he knew needed to get done but other folks weren't filling those shoes.

Mr. Speaker, I tell you this about Jon because Jon was diagnosed with liver cancer; and as is always true when you have a friend get diagnosed with cancer, you believe that they are going to be better. I learned this week that Jon has been moved to hospice and isn't getting better.

Mr. Speaker, Jon was one of the first folks to give me even the time of day

when I thought about seeking this opportunity to serve. Jon was the first person there every Saturday morning when breakfast was getting started for the Gwinnett County Republican Party, and he was the last one to leave when the Young Republicans down at the University of Georgia were finishing up.

It was young people that were his passion, Mr. Speaker. Jon saw a Republican Party that he worried was going to become more closed. He worked to open it up. Jon saw a Republican Party that was getting grayer. He was working with young people who were our future. Jon saw a Republican Party that had an opportunity to make a difference, and he seized that opportunity every single day.

In 2014, Mr. Speaker, the entire State of Georgia, Georgia Republican Party, named Jon Richards the Volunteer of the Year. Truth be told, he would have won that honor every single year, you just can't give it to somebody over and over again. I think Jon appreciated that.

If you go back and try to look for pictures of Jon so you can put a name with a face, Mr. Speaker, you are likely not to see too many. He was also the guy who had the camera around his neck taking pictures of everybody else, making sure that everybody else had something to remember the day by, making sure that everybody else was involved and appreciated, making sure everybody else was served.

□ 2115

I have known Jon Richards for a long time. I have never known him to do a single thing to benefit himself. Time and time and time again, he did the things that others wouldn't do. Time and time and time again, he would pull me aside and say: ROB, I know how we can be better together.

There is no replacement for Jon Richards—not in our county, not in our State, not in my life.

Mr. Speaker, I haven't had much experience saying good-bye to folks over the years. I have been extremely blessed in that way. But I hope that you will join me as you say your prayers tonight in praying for my friend in hospice, Jon Richards, and for his family as he enters what will be a very long weekend for him.

Mr. Speaker, Jon would be the first one to be standing outside these doors pushing us forward on healthcare reform, and he would be doing it because he sees the human condition that is affected by health care. He sees the families that have expectations, families to whom promises have been made, families to whom promises have been broken. And he knows that we can do better.

Mr. Speaker, what he and I would often sit and talk about is that there are challenges in this country that absolutely, positively have to be addressed. I have friends on the right, I

have friends on the left, and I often believe that if we could just sit down in a room together, we would solve them if we could agree on what the problem was.

Mr. Speaker, I have a chart here. You can't see it from where you sit, but it shows you where America gets its healthcare coverage. I bring this up because that is the crux of the healthcare debate that we are having here. About 46 percent of Americans, Mr. Speaker, get their coverage from their employer. When the President was pushing the Affordable Care Act in 2009 and 2010, he was talking about the uninsured Americans, and surely we can do more for those families who don't have access to health care. But 46 percent of Americans had access to health care, had it through their employer, were not seeking help or improvement, but in an effort to make a difference for the small percentage of Americans who are uninsured, the President and my friends on the Democratic side of the aisle chose to reregulate all health care across the country.

It wasn't just the lie of the year, as the newspaper *PolitiFact* called it, *Pinochios*—if you like your doctor, you can keep it; if you like your doctor, you can keep it. It wasn't just that that promise was broken; it is that folks who weren't seeking any help at all got caught up in this net of a new Federal regulatory scheme.

Mr. Speaker, about 46 percent of Americans get their health insurance from their employer. About 17 percent of Americans are on Medicare. We have got another 17 percent of Americans that are on Medicaid or CHIP or those safety net programs. Even here today, after the passage of the Affordable Care Act, 8 percent of Americans are uninsured. Now, we have folks who are in the exchanges—they are represented here—that is about 12.4 percent of the population. We have folks who are on Medicaid represented here; that is about 11.3 percent of the population. And we have folks who don't have any insurance at all.

Mr. Speaker, if we would come together to solve the problem for folks who didn't have access to health care, I believe we could have found a solution together. Instead, what we tried to do was reregulate the entire healthcare system, even for all of the Americans who were perfectly happy with their care. And it didn't work.

You don't have to take my word for it, Mr. Speaker. I can quote from my big newspaper back home in my district, *The Atlanta Journal-Constitution*: "Aetna to pull out of Georgia's ObamaCare insurance marketplace."

Many counties in Georgia now, Mr. Speaker, only have one insurer to choose from. Humana has announced it is pulling out.

Union Leader in New Hampshire: "Another ACA failure Bad idea keeps getting worse."

Over in Kaiser Health News in Arkansas: "Largest U.S. Health Insurer Pulls Out of Health Exchanges in Georgia, Arkansas."

From *The Washington Post*: "Aetna chief executive says ObamaCare is in a 'death spiral.'"

And from the *Courier-Tribune* in North Carolina: "Blue Cross projects \$400 million loss in NC on ACA in just two years."

Mr. Speaker, while we can argue about whether we correctly identified the problem to begin with, while we can argue about whether or not we crafted the right solution to begin with, what is undisputed is that the Affordable Care Act is failing, and it is taking American families down with it. That is not just the newspapers talking, Mr. Speaker.

I will quote from former President Barack Obama. In August of last year, he says: "Despite this progress"—he is talking about the progress of the ACA—"too many Americans still strain to pay for their physician visits and prescriptions, cover their deductibles, or pay their monthly insurance bills; struggle to navigate a complex, sometimes bewildering system; and remain uninsured."

Twenty million Americans remain uninsured. After all of the President's efforts, he still recognized in August of last year there was much more to be done because the efforts that he tried failed.

Governor Mark Dayton, a Democrat from Minnesota, in October of last year, he says: "The reality is the Affordable Care Act is no longer affordable. . . ."

The aspiration was that premiums would come down by \$2,500, but the reality is that premiums were going up by double digits, and in some cases triple digits. The Affordable Care Act is no longer affordable.

And former President Bill Clinton, in October of last year, Mr. Speaker, he said: "So you've got this crazy system where all of a sudden 25 million more people have health care and then the people who are out there busting it, sometimes 60 hours a week, wind up with their premiums doubled and their coverage cut in half. It's the craziest thing in the world."

There is a group of people, mostly small-business owners and employees, who make just a little too much money to qualify for Medicaid expansion or for the tax incentives who can't get affordable health insurance premiums in a lot of places.

Mr. Speaker, I don't believe health care is a partisan issue. Regulation and how we use it may be a partisan issue. Federal control of whether we should use it may be a partisan issue, but providing Americans access to health care is an American issue, and every one of these Democrats I have just cited recognize the failures of the current sys-

tem. I don't say that, Mr. Speaker, to try to point the finger of blame. I say it because either we believe that everything is working just great and we should all pack our bags and head back home to the district, or we believe that there are American families in crisis that are calling on us to serve them.

You can't see this map, Mr. Speaker, but it shows some of that crisis. In just 1 year, from 2016 to 2017, Mr. Speaker, the number of counties in America that only have one insurer to choose from quintupled. I will say that again. In just 1 year, from 2016 to 2017, so severe is the death spiral of the exchanges across the country, the number of American counties that no longer have choices and are limited to a single insurer has increased 500 percent.

Mr. Speaker, the number of counties that only have one insurer is represented here in the color of orange. You see it in 2016, you see it in 2017. Five entire States, Mr. Speaker, in a healthcare system that was designed to provide consumers with choices, have no choice of insurer whatsoever. I say that because we have gotten wrapped around the political axle here, Mr. Speaker, as if somehow if you are on the Republican side of the aisle, you cannot recognize that the Affordable Care Act achieved any successes whatsoever, and if you are on the Democratic side of the aisle, you can't recognize that the Affordable Care Act has failed anyone in any way whatsoever. Both of those positions are nonsense.

I tell you that if you have spent a trillion dollars on this program—and you have—I hope a family has been helped. I know some families that have been helped. But I also know families that have been crushed. We need to repeal the Affordable Care Act for those families that have been crushed, and we need to replace the Affordable Care Act for those families that have been helped because that help is rapidly eroding.

Mr. Speaker, I want you to think about the thought, the idea that is the Affordable Care Act. The idea is we are going to provide these choices, and then we are going to provide these government subsidies, and folks are going to have access to health care for the very first time. It is a wonderful idea: provide choice, provide support, provide access. The reality is, though, Mr. Speaker, with those choices, with those subsidies, with that offer of access, almost 20 million Americans said: Forget it, I am out.

Now, you remember this whole plan was put together where the IRS comes and fines you if you are out. So what began as an idea that said, "We are going to provide you with choice, we are going to provide you with support, and that is going to get you your access," 20 million Americans have decided that plan has so failed them, they

would rather pay the IRS a penalty to the tune of \$4 billion last year—rather, pay the IRS a penalty than access the Affordable Care Act. That is a failure. It is a failure.

Who is it failing most, Mr. Speaker?

If you look at those folks who are in this almost 20 million pool, 45 percent of them are age 35 or younger. I don't fall under the age category of 35 and under, Mr. Speaker, but I can tell you that folks who are 35 and under cost less to take care of than folks who are my age bracket and older. So if you are going to try to craft a national insurance system, you need these people who are 35 and under to be involved—enthusiastically involved. Rather than getting involved with the choices and with the subsidies to get the access, 20 million Americans have said: It is not for me. I will pay the fine instead.

Most of them young people. If we can't agree that that is a failure, Mr. Speaker, if we can't agree that the system can't stand in that way, we are going to have a tough time finding a solution.

What you heard so often today about the solution that is being proposed in this body is that older Americans are getting the toughest end of the deal. There is a little truth to that, Mr. Speaker.

What the Affordable Care Act did is it said you have young, healthy people; you have older people who are likely to be sicker. The law of the land at the time was that the cost spread between the youngest and the oldest could be 500 percent, 5 times more for the oldest, highest risk people than the youngest, lowest risk people.

Sure, it is insurance, right?

Older cars, different pricing than newer cars. Houses with sprinkler systems, different prices than houses without sprinkler systems. It is just actuarial experience.

But the Affordable Care Act says we are going to compress that from one to five, a 500 percent spread, down to one to three, a 300 percent spread. What that did was lower rates below the actuarial experience for older Americans—that was great for older Americans—and, at the same time, raise rates for younger Americans, which forced all the younger Americans out of the marketplace, which then raised rates for all Americans.

I will quote from Grace-Marie Turner. She is the president of the Galen Institute. She testified in front of the Committee on the Budget this year on this issue. She said this, Mr. Speaker: "... young people purchasing individual policies in or out of the exchanges are required to pay much more for their policies than their actuarially-expected costs because of the law's required 3:1 age rating band. Forcing the young to pay more drives costs up for everyone.

"The average 64-year-old consumes six times as much health care, in dollar value, as the average 21-year-old."

□ 2130

Insurance is about experience. There is a 1 in 100 chance of something bad happening to you, you pay 1 one-hundredth of the price of that bad episode, 100 of you get in the pool together, you share the risk.

Actuarially, a 64-year-old consumes six times more health care than a young person. But we compressed that to three times in terms of the billing.

Dr. Turner goes on to say this: "Under the ACA's age-rating requirements, insurers cannot charge their oldest policyholders more than three times the price they charge their youngest customers."

If every customer were to remain in the insurance market, this would have the net effect of increasing premiums for 21-year-olds by 75 percent, and reducing them for 64-year-olds by 13 percent. Now, think about this. This is the system that we have created.

If you can get the young people to stay in the system—which you cannot—the young people are paying rates 75 percent higher than they should so that older Americans can pay premiums 13 percent lower than they should. But we are losing all the young people because 77 percent is forcing these folks out. They are not dumb folks. They are making good choices about their own self-interests. If their insurance prices are too high, they reject the insurance.

An individual in my district, Mr. Speaker, from Buford, Georgia, wrote to me and said: ROB, I am a full-time student with a part-time job that doesn't offer health or dental insurance. I can't get health insurance through my parents because they are on Medicare. I shop for health plans, but most are out of my budget. I shouldn't have to pay a fine if a healthcare plan is not in my budget. There should be alternatives to this plan. Please help.

Say young people don't want insurance. I don't believe that is true. I do think young people believe they are going to live forever and they are never going to get sick. But they do worry about that rainy day, forbid the thought, should something bad happen. But you can't buy a policy you can't afford, and we have priced these young people out of the marketplace.

When we price young people out of the marketplace, rates go up for everybody. When rates go up for everybody, more young people drop out of the marketplace. And that death spiral that Aetna's CEO recognized, grows faster and faster. Which brings us to the solution that we are working on here together.

I don't know what you thought of President Trump when you first met him, Mr. Speaker. I don't know what you thought of the campaign and how things were going to transpire in these first 60 days of a new administration.

But I think a lot of folks in my district imagined the President as a take-it-or-leave-it kind of guy, my-way-or-the-highway kind of guy. I think you would agree with me that nothing could be further from the truth in our experience.

This is what he tweeted out. As you know, that is our new method of communication here in Washington, D.C. This is what he tweeted out when this House dropped its healthcare bill. He said: "Our wonderful new healthcare bill is now out for review and negotiation. ObamaCare is a complete and total disaster—is imploding fast."

It is out for review and negotiation. And those weren't just words, Mr. Speaker. You have seen it. You have seen it going on this week. You have seen it going on even to the eleventh hour. The President has never said: My way or the highway. He has brought people in from every end of the political spectrum to work with them on their ideas, to work to see what we could do more for children, more for the near elderly, more for families, how do we get the incentives in the right place. Day in and day out, 16, 17, 20 hours a day, the President has been working to make this better.

I could not feel better about the process. I don't believe any particular party has a monopoly on good ideas. I don't believe any particular Member has a monopoly on good ideas. I believe we work best when we work collaboratively. And I am so proud of our President for embracing exactly that—the art of a deal.

Mr. Speaker, there are four main parts of our replacement plan, four main parts.

Number one, Medicaid reforms to allow States the freedom to run their own Medicaid programs.

I serve on the Rules Committee with LIZ CHENEY from Wyoming. I promise you, the rural nature in the low-population area of Wyoming means she needs a very different Medicaid program than the high-density, high-population area of metro Atlanta that I serve.

So often, the State programs dictated by the Federal Government lock States in to a one-size-fits-all solution. Or the States can come begging to Washington, D.C., for an exception or an exemption or a waiver. You shouldn't have to come beg Washington, D.C., to best serve your constituents, Mr. Speaker. We give folks the flexibility to run these State-based programs to serve the most vulnerable of State populations.

Number two, a patient and State stability fund.

Mr. Speaker, the challenge at any insurance pool is what do you do with the sickest of the individuals in that pool. If I buy insurance today and I am not yet sick, well, now I am in the insurance pool and I am paying for whatever

my actuarial risk is. But forbid the thought if somebody has already gotten sick, they have been fighting illness their entire life, they are trying to run their small business, and they show up to buy a new insurance policy, they have struggled mightily throughout my lifetime to get access to coverage.

Now, in 1996, President Bill Clinton and Speaker of the House, Newt Gingrich, right here on this very floor of the House, passed a bill that abolished preexisting conditions for every federally regulated plan. Those are the plans that the big companies use, like Coca-Cola, Home Depot, or Walmart. All of those plans, those big employer-based plans, the Federal Government abolished preexisting conditions in those plans decades ago.

But States have moved a little bit slower. And the mechanism that many States are trying to use as high-risk pools to say that when folks find themselves ailing and trying to find insurance for the first time, perhaps they need a different kind of medical home, perhaps they need a different incentivize to get into the insurance pool. These high-risk pools are funded in order to make insurance available, accessible, and affordable for folks who have preexisting conditions and are outside the insurance pool today. We have got to get them on the inside. We provide money to do that.

Personal tax credits, Mr. Speaker. Refundable, advanceable personal tax credits. What we say in this bill is, you don't have to pick a plan off of an ObamaCare exchange that isn't right for you and your family. You don't have to wait for the government to approve what your choices are. You can pick any plan, anywhere that serves your needs that you believe is best for your family. And if you are a middle-income or low-income American, we will help you defray the cost of that insurance policy.

Now, everybody has got skin in the game. There is no free lunch here, Mr. Speaker. Everybody has to have skin in the game. We are putting people in charge of their own choices. But if you are a 63-year-old couple and your kids have left the house, we ask: Do you need to buy a policy that covers maternity care? Is it important to you that you have a policy that covers pediatric care? Or, because you are in that older American status, you are in that age bracket where the actuaries say you are likely to consume six times more health care dollarwise than young people do should you be able to pick and choose those benefits so that you get the policy that provides the best value for you and your family. These personal tax credits go to the individual, so the individual can make choices about what is best for them.

And it creates health savings accounts. Oh, Mr. Speaker, I did not understand the economics of health care

until I got my first medical savings account. I thought health care costs \$50 a visit, because that is what my copay was.

When I got my first medical savings account, my insurer sent me a list. And they said: ROB, if you want to go to the doctor for a CT scan, you can go to this one down the road that charges \$200, or you can go to this one down the road that charges \$2,000. You just do whatever you think is best.

I went and looked last night, Mr. Speaker. If you want to go in for a CT scan in Washington, D.C.—we have fabulous hospitals here—you can go to George Washington University right down the street here in Foggy Bottom, and if you have a United plan, the cost is going to be \$1,500 for your CT scan. If instead of driving west to George Washington University, you drive north to Howard University, you can go to Howard University hospital and get the same CT scan for \$200.

Mr. Speaker, I can't bring down health insurance costs unless I bring down healthcare costs. And I can't bring down healthcare costs unless we have transparency in healthcare pricing so that you and I and 300 million Americans become more active consumers of these products. Health savings accounts give us that opportunity.

But I can't solve all of our healthcare problems in one bill. And shame on this Congress for having created the expectations across a decade of stuffing giant bills through this body at one time, that we have come to set expectations that we can do everything for everybody in a single bill. We can't. And even if we could, we shouldn't. Taking issues one at a time leads to better legislating.

So we have a three-phase approach here, Mr. Speaker.

First, we are going to pass the American Health Care Act, which repeals the Affordable Care Act taxes and penalties, it replaces the mandates with policies that will stabilize markets and increase individual choices. We are going to do that tomorrow morning.

Then comes the administrative action: What can we do through the White House?

You will remember when they passed the Affordable Care Act, they delegated much of that authority to the Secretary of Health and Human Services. Today, that Secretary is my good friend from across the river in Georgia, Dr. Tom Price. So the second phase is for Dr. Tom Price to grab ahold of those dials that he has at Health and Human Services and make those changes that will encourage choice and lower prices, stabilize markets.

And then third, we are going to come back to this body, back to this floor, back to the United States Senate and pass stand-alone legislation that authorizes association health plans, that promotes competition in insurance,

that deals with the IPAB repeal, and on and on. In fact, we have begun that this week, Mr. Speaker.

There are two legislative processes. There is the process where you can pass something in the Senate with 51 votes. That is called reconciliation. And there is the process where you have to deal with the filibuster in the Senate. That is for everything else.

Mr. Speaker, right now, we are still getting the rust out of the gears here in this body. There are lots of new Members here. We have got a chance to pass a bill tomorrow morning that can move through the Senate with 51 votes. But then we are going to be back.

Like I say, we have started this week. We have already passed, in a bipartisan way, legislation to increase competition in the insurance market and legislation to allow small businesses to band together so that they can provide better plans at lower costs to their constituents.

Mr. Speaker, there is some suggestion that fixing a failing ObamaCare, an ObamaCare that is in a death spiral, is somehow a partisan issue. Again, as I began, I said there are folks on the Republican side who sometimes say nothing good ever happened in ObamaCare and folks on the Democratic side who sometimes say nothing bad ever happened.

But the truth is, 20 different times, this Republican-controlled House passed bills that President Obama signed into law to fix problems in the Affordable Care Act—20 different times. One of the first bills I voted on when I came to Congress was one of those bills. The President signed it into law.

The Affordable Care Act—I don't need to go through the whole history with you, Mr. Speaker. You remember. It was jammed through the Senate on Christmas Eve. It moved through the House on a Sunday night at midnight with no amendments and no changes. It was not ready for prime time. It needed these fixes. And even with these fixes, the death spiral continues.

But we needn't say to one another that collaborating to solve a failing ObamaCare system is anathema to what anyone believes. We have done it not once, not twice, but 20 times during the Obama Presidency alone.

Mr. Speaker, I will close with this tonight. It is a Kaiser Family Foundation study. They went to folks who have policies in the Affordable Care Act exchange system, and they said: Are you better off today than you were before the passage of the Affordable Care Act?

Again, these are folks who have enrolled in the Affordable Care Act.

What they found is it is about 50/50. It is just this small red and green sliver, Mr. Speaker, of the entire healthcare market in this country, just this small sliver that enrolled in the

Affordable Care Act. Again, almost twice as many people rejected the Affordable Care Act, are paying penalties to the IRS, and are staying out of the system as got into the system. But of those people who got into the system, about 80 percent of which are receiving Federal subsidies to stay in the system, only about half said that they are better off today than they were before.

That is \$1 trillion that we have spent—borrowed from our children and spent—to reform health care for 300 million Americans even though most Americans valued the plan they had, created a system where more Americans opted out and decided to pay a penalty than agreed to take the free health care that was being offered. And of those who agreed to take the health care, more than half of them believe things were better before.

□ 2145

Mr. Speaker, I will stipulate, if it is valuable, that folks who passed the Affordable Care Act before you and I got here were trying to do the best they could to serve their constituency the best they know how, but it didn't work. Insurers are leaving the plan. Families are losing their policies. Premiums are skyrocketing double and even triple digits annually.

We can do better. We can do better, and we have an opportunity to start that process tomorrow. I regret that even the word "ObamaCare" has become so toxic that it divides people even upon its mention. But families are being caught in that divide. Families are being caught in the political crossfire as we discuss this.

The President has said: Send me a bill because I want to put a stop to that uncertainty. I want to put a stop to that insecurity. I want to put the American healthcare system back on track.

We can do it together tomorrow.

America needs us to do it together tomorrow, and I hope that we will.

Mr. Speaker, thank you so much for agreeing to be here with me during this time tonight, and thank you for agreeing to keep my friend Jon Richards in your prayers as you lay your head down this evening.

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

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1228. An act to provide for the appointment of members of the Board of Directors of the Office of Compliance to replace members whose terms expire during 2017, and for other purposes.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 305. An act to amend title 4, United States Code, to encourage the display of the flag of the United States on National Vietnam War Veterans Day.

ADJOURNMENT

Mr. WOODALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 47 minutes p.m.), the House adjourned until tomorrow, Friday, March 24, 2017, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

890. A letter from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits received March 22, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

891. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Energy Conservation Standards for Ceiling Fans [Docket No.: EERE-2012-BT-STD-0045] (RIN: 1904-AD28) received March 22, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

892. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedure for Walk-in Coolers and Walk-in Freezers [Docket No.: EERE-2014-BT-TP-0054] (RIN: 1904-AD72) received March 22, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

893. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedures for Central Air Conditioners and Heat Pumps [Docket No.: EERE-2016-BT-TP-0029] (RIN: 1904-AD71) received March 22, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

894. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedures for Compressors [Docket No.: EERE-2014-BT-TP-0054] (RIN: 1904-AD43) re-

ceived March 22, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

895. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Efficiency Standards for the Design and Construction of New Federal Low-Rise Residential Buildings' Baseline Standards Update [EERE-2016-BT-STD-0003] (RIN: 1904-AD56) received March 22, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

896. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Clarification of When Products Made or Derived From Tobacco Are Regulated as Drugs, Devices, or Combination Products; Amendments to Regulations Regarding "Intended Uses"; Further Delayed Effective Date; Request for Comments [Docket No.: FDA-2015-N-2002] (RIN: 0910-AH19) received March 22, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

897. A letter from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's FY 2016 Biosimilar User Fee Act Financial Report, pursuant to the Biosimilar User Fee Act of 2012; to the Committee on Energy and Commerce.

898. A letter from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's FY 2016 Generic Drug User Fee Amendments Financial Report, pursuant to the Generic Drug User Fee Amendments of 2012; to the Committee on Energy and Commerce.

899. A letter from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's FY 2016 Prescription Drug User Fee Act Financial Report, pursuant to the Prescription Drug User Fee Act of 1992 as amended; to the Committee on Energy and Commerce.

900. A letter from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's FY 2016 Prescription Drug User Fee Performance Report, pursuant to the Prescription Drug User Fee Act; to the Committee on Energy and Commerce.

901. A letter from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's 2016 Medical Device User Fee Amendments Financial Report, pursuant to the Medical Device User Fee Amendments of 2012; to the Committee on Energy and Commerce.

902. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fatty Acids, Montan-Wax, Ethoxylated; Tolerance Exemption [EPA-HQ-OPP-2016-0337; FRL-9958-10] received March 22, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

903. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cyantraniliprole; Pesticide Tolerances [EPA-HQ-OPP-2014-0357; FRL-9958-53]

received March 22, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

904. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cloquintocet-mexyl; Pesticide Tolerances [EPA-HQ-OPP-2016-0299; FRL-9959-11] received March 22, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

905. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Aspergillus flavus* AF36; Amendment to an Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2016-0566; FRL-9959-92] received March 22, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

906. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Isoamyl acetate; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2016-0378; FRL-9956-02] received March 22, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

907. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Octadecanoic acid, 12-hydroxy-, homopolymer, ester with a, a', a''-1,2,3-propanetriyltris[ω-hydroxy-poly(oxy-1,2-ethanedyl)]; Tolerance Exemption [EPA-HQ-OPP-2016-0617; FRL-9958-97] received March 22, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

908. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Polyglycerol polyricinoleate; Tolerance Exemption [EPA-HQ-OPP-2016-0606; FRL-9959-12] received March 22, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

909. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Efficiency Standards for the Design and Construction of New Federal Low-Rise Residential Buildings' Baseline Standards Update [Docket No.: EERE-2016-BT-STD-0003] (RIN: 1904-AD56) received March 22, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

910. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report on U.S. support for Taiwan's participation as an Observer at the 69th World Health Assembly and in the work of the World Health Organization, as provided in the Act to Address the Participation of Taiwan in the World Health Organization (P.L. 108-235), Sec. 1(c), pursuant to 22 U.S.C. 290 note; Public Law 108-235, Sec. 1(c); (118 Stat. 658); to the Committee on Foreign Affairs.

911. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a notification of a qualifying export to Australia of defense articles and defense services, pursuant to Arti-

cle 12(3) of the Treaty Between The Government of The United States of America and the Government of Australia Concerning Defense Trade Cooperation, and Sec. 126.16(o) of the International Traffic in Arms Regulations; to the Committee on Foreign Affairs.

912. A letter from the Associate General Counsel, Department of Agriculture, transmitting a notification of a nomination and designation of acting officer, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

913. A letter from the Board Secretary, Railroad Retirement Board, transmitting the Board's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McCAUL: Committee on Homeland Security. H.R. 1282. A bill to amend the Homeland Security Act of 2002 to establish Acquisition Review Boards in the Department of Homeland Security, and for other purposes; with an amendment (Rept. 115-57). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. CLARKE of New York (for herself and Mr. FITZPATRICK):

H.R. 1693. A bill to amend the Small Business Act to add reporting requirements for certain small business concerns, and for other purposes; to the Committee on Small Business.

By Mr. CHAFFETZ (for himself, Mr. DESANTIS, Mr. RUSSELL, Mr. DUNCAN of Tennessee, Mr. MASSIE, Mr. FARENTHOLD, Mr. COMER, Mr. BLUM, and Mr. ISSA):

H.R. 1694. A bill to require additional entities to be subject to the requirements of section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. GOODLATTE (for himself, Mr. CONYERS, Ms. BASS, Mr. BIGGS, Mrs. BLACKBURN, Mr. BUCK, Mr. CHABOT, Ms. JUDY CHU of California, Mr. CICILLINE, Mr. COLLINS of Georgia, Mr. DESANTIS, Mr. DEUTCH, Mr. FARENTHOLD, Mr. FRANKS of Arizona, Mr. GAETZ, Mr. GOHMERT, Mr. GOWDY, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. JOHNSON of Louisiana, Mr. JORDAN, Mr. KING of Iowa, Mr. LABRADOR, Mr. TED LIEU of California, Mr. MARINO, Mr. NADLER, Mr. POE of Texas, Mr. RATCLIFFE, Mrs. ROBY, Mr. SENSENBRENNER, and Mr. SMITH of Texas):

H.R. 1695. A bill to amend title 17, United States Code, to provide additional responsibilities for the Register of Copyrights, and

for other purposes; to the Committee on the Judiciary.

By Mr. REICHERT (for himself and Mr. KIND):

H.R. 1696. A bill to amend the Internal Revenue Code of 1986 to provide for S corporation reform, and for other purposes; to the Committee on Ways and Means.

By Mr. ROSKAM (for himself, Mr. VARGAS, Mr. ZELDIN, and Mr. SHERMAN):

H.R. 1697. A bill to amend the Export Administration Act of 1979 to include in the prohibitions on boycotts against allies of the United States boycotts fostered by international governmental organizations against Israel and to direct the Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROYCE of California (for himself, Mr. ENGEL, Mr. MCCARTHY, and Mr. HOYER):

H.R. 1698. A bill to expand sanctions against Iran with respect to the ballistic missile program of Iran, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, the Judiciary, Ways and Means, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARR (for himself, Ms. SINEMA, Ms. SEWELL of Alabama, Mr. POLIQUIN, Mr. KUSTOFF of Tennessee, and Miss RICE of New York):

H.R. 1699. A bill to amend the Truth in Lending Act to modify the definitions of a mortgage originator and a high-cost mortgage, to amend the Secure and Fair Enforcement for Mortgage Licensing Act of 2008 to modify the definition of a loan originator, and for other purposes; to the Committee on Financial Services.

By Ms. ADAMS (for herself and Mr. BACON):

H.R. 1700. A bill to amend the Small Business Act to reauthorize the SCORE program, and for other purposes; to the Committee on Small Business.

By Mr. CARTWRIGHT (for himself, Mr. BRIDENSTINE, Mrs. BUSTOS, Mr. JONES, Mr. LANCE, Mr. MCKINLEY, Mr. OLSON, and Mr. RICE of South Carolina):

H.R. 1701. A bill to prohibit the use of Federal funds for the costs of painting portraits of officers and employees of the Federal Government; to the Committee on Oversight and Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EVANS (for himself and Mrs. RADEWAGEN):

H.R. 1702. A bill to amend the Small Business Act to improve the small business development centers program, and for other purposes; to the Committee on Small Business.

By Mr. GRIFFITH:

H.R. 1703. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to determining the intended use of drugs and devices; to the Committee on Energy and Commerce.

By Mr. HUDSON:

H.R. 1704. A bill to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILMER (for himself and Mr. COLLINS of Georgia):

H.R. 1705. A bill to amend the Immigration and Nationality Act to modify the provisions governing employment of nonimmigrants under section 101(a)(15)(H)(i)(b) of that Act to prevent the transfer of knowledge from United States workers for the purpose of facilitating their jobs being moved abroad; to the Committee on the Judiciary.

By Ms. LOFGREN (for herself and Mr. PASCRELL):

H.R. 1706. A bill to authorize the Secretary of Education to provide grants for education programs on the history of the treatment of Italian Americans during World War II; to the Committee on Education and the Workforce.

By Ms. LOFGREN (for herself and Mr. PASCRELL):

H.R. 1707. A bill to apologize for the treatment of Italian Americans during World War II; to the Committee on the Judiciary.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. BLUMENAUER, Mr. HASTINGS, Ms. TSONGAS, Mr. ENGEL, and Mr. QUIGLEY):

H.R. 1708. A bill to prohibit the sale of a firearm to, and the purchase of a firearm by, a person who is not covered by appropriate liability insurance coverage; to the Committee on the Judiciary.

By Ms. PLASKETT:

H.R. 1709. A bill to amend title 1, United States Code, to provide for a definition of the term "State" and to include territories therein, and for other purposes; to the Committee on the Judiciary.

By Mr. POLIS (for himself and Mr. REED):

H.R. 1710. A bill to amend the Higher Education Act of 1965 to make education affordable and accessible; to the Committee on Education and the Workforce.

By Mr. QUIGLEY (for himself, Ms. SHEA-PORTER, Mr. COHEN, Ms. CLARK of Massachusetts, Mr. GRIJALVA, Mr. SERRANO, Ms. VELÁZQUEZ, Ms. SPEIER, Mr. RASKIN, Mr. BLUMENAUER, Mr. EVANS, Mr. THOMPSON of Mississippi, Mr. CARSON of Indiana, Ms. MCCOLLUM, Mr. HASTINGS, and Mr. DANNY K. DAVIS of Illinois):

H.R. 1711. A bill to require the disclosure of certain visitor access records; to the Committee on Oversight and Government Reform.

By Mrs. ROBY (for herself, Ms. TITUS, Mr. WALZ, and Mr. ZELDIN):

H.R. 1712. A bill to direct the Secretary of Veterans Affairs to establish a grant program to improve the monitoring of mental health and substance abuse treatment programs of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. RUSELL (for himself, Mr. PALMER, and Mr. MCCLINTOCK):

H.R. 1713. A bill to amend title 49, United States Code, to terminate the essential air service program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SERRANO:

H.R. 1714. A bill to amend the Small Business Act to provide for the inclusion of unmarried women in the criteria for awarding a grant to a women's business center; to the Committee on Small Business.

By Mr. THOMPSON of Mississippi:

H.R. 1715. A bill to authorize the Secretary of the Interior to conduct a special resource study of the Medgar Evers House, located in Jackson, Mississippi, and for other purposes; to the Committee on Natural Resources.

By Ms. VELÁZQUEZ (for herself, Mr. SOTO, Mr. BLUMENAUER, Ms. MCCOLLUM, Ms. JACKSON LEE, Mr. BROWN of Maryland, Mr. DANNY K. DAVIS of Illinois, Mr. HUFFMAN, Mr. MCGOVERN, and Mr. COHEN):

H.R. 1716. A bill to prohibit any hiring freeze from affecting the Environmental Protection Agency; to the Committee on Oversight and Government Reform.

By Mr. WELCH (for himself and Mr. CRAMER):

H.R. 1717. A bill to amend the Public Health Service Act to revise the amount of minimum allotments under the Projects for Assistance in Transition from Homelessness Program; to the Committee on Energy and Commerce.

By Ms. PLASKETT:

H.J. Res. 91. A joint resolution proposing an amendment to the Constitution of the United States regarding Presidential election voting rights for residents of all United States territories and commonwealths; to the Committee on the Judiciary.

By Ms. PLASKETT:

H. Con. Res. 39. Concurrent resolution recognizing and commemorating the 100th anniversary of the Virgin Islands of the United States becoming a part of the United States; to the Committee on Natural Resources, and in addition to the Committees on Foreign Affairs, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOHO (for himself, Mr. MOONEY of West Virginia, Mr. JONES, Mr. SCHRADER, Mr. GRAVES of Louisiana, Mr. MITCHELL, Mr. HASTINGS, Mr. THOMAS J. ROONEY of Florida, Ms. FRANKEL of Florida, Mr. KILDEE, Mr. CRAMER, and Mr. GIBBS):

H. Con. Res. 40. Concurrent resolution expressing the sense of Congress that all direct and indirect subsidies that benefit the production or export of sugar by all major sugar producing and consuming countries should be eliminated; to the Committee on Ways and Means, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHAFFETZ (for himself, Mr. GRIJALVA, Mr. O'HALLERAN, Mr. YOUNG of Alaska, and Mr. PEARCE):

H. Res. 222. A resolution expressing support for designation of May 5, 2017, as "National Day of Awareness for Missing and Murdered Native Women and Girls"; to the Committee on Natural Resources.

By Mr. YOHO (for himself, Mr. MARINO, Mr. KELLY of Pennsylvania, Mr. CONNOLLY, Mr. ROGERS of Alabama, and Mr. BERA):

H. Res. 223. A resolution calling on the People's Republic of China (PRC) to cease its retaliatory measures against the Republic of Korea in response to the deployment of the

U.S. Terminal High Altitude Area Defense (THAAD) to U.S. Forces Korea (USFK), and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CUMMINGS:

H. Res. 224. A resolution recognizing the 150th Anniversary of Howard University and its contributions to the United States; to the Committee on Education and the Workforce.

By Mr. KILDEE:

H. Res. 225. A resolution expressing the sense of the House of Representatives on Trumpcare, also known as the American Health Care Act of 2017; to the Committee on Energy and Commerce.

By Ms. LEE (for herself and Mr. CONYERS):

H. Res. 226. A resolution expressing the sense of the House of Representatives regarding United States efforts to promote Israeli-Palestinian peace; to the Committee on Foreign Affairs.

By Ms. PLASKETT:

H. Res. 227. A resolution amending the Rules of the House of Representatives to permit Delegates and the Resident Commissioner to the Congress to cast votes in the Committee of the Whole House on the state of the Union; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XII,

14. The SPEAKER presented a memorial of the Senate of the State of Alaska, relative to Senate Resolution No. 4, Supporting the Alaska Congressional delegation in protecting the state's right to manage wildlife within its borders; which was referred to the Committee on Natural Resources.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. CLARKE of New York:

H.R. 1693.

Congress has the power to enact this legislation pursuant to the following:

the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. CHAFFETZ:

H.R. 1694.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. GOODLATTE:

H.R. 1695.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 8

By Mr. REICHERT:

H.R. 1696.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Clause I of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. ROSKAM:

H.R. 1697.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. ROYCE of California:

H.R. 1698.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. BARR:

H.R. 1699.

Congress has the power to enact this legislation pursuant to the following:

(According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.)

By Ms. ADAMS:

H.R. 1700.

Congress has the power to enact this legislation pursuant to the following:

“Article 1, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution of the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.”

By Mr. CARTWRIGHT:

H.R. 1701.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. EVANS:

H.R. 1702.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mr. GRIFFITH:

H.R. 1703.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. HUDSON:

H.R. 1704.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution.

By Mr. KILMER:

H.R. 1705.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Ms. LOFGREN:

H.R. 1706.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all laws that shall be necessary and proper for carrying into execution the foregoing powers, and all powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Ms. LOFGREN:

H.R. 1707.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all laws that shall be necessary and proper for carrying into execution the foregoing powers, and all powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1708.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. PLASKETT:

H.R. 1709.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 and Article IV, Section 3 of the United States Constitution.

By Mr. POLIS:

H.R. 1710.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. QUIGLEY:

H.R. 1711.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

By Mrs. ROBY:

H.R. 1712.

Congress has the power to enact this legislation pursuant to the following:

Under Article 5 of the United States Constitution, seen below, this legislation falls within Congress's Constitutional Authority:

Article 5:

“The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.”

By Mr. RUSSELL:

H.R. 1713.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. SERRANO:

H.R. 1714.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8, Clauses 3 and 8 of the United States Constitution.

By Mr. THOMPSON of Mississippi:

H.R. 1715.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of Section 3 of Article IV of the Constitution: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Ms. VELÁZQUEZ:

H.R. 1716.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. WELCH:

H.R. 1717.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. PLASKETT:

H.J. Res. 91.

Congress has the power to enact this legislation pursuant to the following:

Article V of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 20: Ms. ESHOO.

H.R. 83: Mr. FARENTHOLD.

H.R. 103: Mr. CORREA and Mr. JONES.

H.R. 354: Mr. ARRINGTON.

H.R. 367: Mr. LOUDERMILK and Mr. RUSSELL.

H.R. 392: Ms. BASS and Mr. LAMALFA.

H.R. 400: Mr. ARRINGTON.

H.R. 408: Mr. WITTMAN.

H.R. 442: Mr. BANKS of Indiana.

H.R. 534: Mr. MEEHAN.

H.R. 553: Miss GONZÁLEZ-COLÓN of Puerto Rico and Mr. FERGUSON.

H.R. 564: Mr. BACON, Mr. SANFORD, and Mr. DONOVAN.

H.R. 644: Mr. WALKER and Mr. ARRINGTON.

H.R. 696: Ms. KUSTER of New Hampshire.

H.R. 721: Mr. JOHNSON of Ohio.

H.R. 747: Mr. LATTA and Mr. BEYER.

H.R. 754: Ms. BROWNLEY of California, Mr. BISHOP of Utah, Mr. GOTTHEIMER, and Ms. ROSEN.

H.R. 757: Ms. SCHAKOWSKY and Mr. BISHOP of Georgia.

H.R. 771: Mr. RASKIN and Ms. BARRAGÁN.

H.R. 778: Mr. NOLAN.

H.R. 781: Mr. BABIN and Mr. ARRINGTON.

H.R. 795: Mr. FASO, Mr. YODER, and Mr. WALBERG.

H.R. 800: Mr. WALZ.

H.R. 820: Mr. DESJARLAIS.

H.R. 849: Mr. GRAVES of Georgia.

H.R. 866: Ms. SHEA-PORTER.

H.R. 901: Ms. NORTON.

H.R. 918: Mr. RUTHERFORD.

H.R. 947: Ms. BARRAGÁN.

H.R. 959: Mr. POCAN.

H.R. 966: Ms. JAYAPAL.

H.R. 997: Mr. ROUZER.

H.R. 1002: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 1005: Miss GONZÁLEZ-COLÓN of Puerto Rico.

H.R. 1022: Mr. PALLONE.

H.R. 1038: Mr. MARSHALL.

H.R. 1054: Ms. SCHAKOWSKY, Ms. ESHOO, and Ms. GABBARD.

H.R. 1058: Ms. KUSTER of New Hampshire and Mr. KINZINGER.

H.R. 1089: Ms. NORTON and Mr. PETERS.

H.R. 1112: Mr. PETERS.

H.R. 1116: Mr. BISHOP of Utah and Mr. BACON.

H.R. 1130: Mr. CARTER of Georgia.

H.R. 1136: Mr. VALADAO, Mr. GRAVES of Georgia, and Mr. COFFMAN.
 H.R. 1155: Mr. HASTINGS.
 H.R. 1196: Mr. SCHWEIKERT.
 H.R. 1203: Mr. ARRINGTON.
 H.R. 1205: Mr. VISCLOSKEY, Mr. NORCROSS, Mr. BARR, Mr. YOUNG of Alaska, Mr. GOHMERT, and Mr. CAPUANO.
 H.R. 1231: Mr. MULLIN.
 H.R. 1236: Mr. SERRANO, Mr. VEASEY, and Mr. PALLONE.
 H.R. 1267: Mrs. COMSTOCK.
 H.R. 1299: Mr. PALLONE.
 H.R. 1304: Mr. ARRINGTON.
 H.R. 1318: Mr. CARTWRIGHT, Mr. POCAN, Mr. KENNEDY, Mr. HECK, Mr. SWALWELL of California, and Mr. LEWIS of Georgia.
 H.R. 1346: Mr. SCHNEIDER.
 H.R. 1358: Mr. LEVIN, Ms. SEWELL of Alabama, and Mr. CAPUANO.
 H.R. 1361: Miss RICE of New York.
 H.R. 1384: Mr. RYAN of Ohio.
 H.R. 1393: Mr. MITCHELL.
 H.R. 1456: Mr. CALVERT, Mr. CLAY, Mr. LIPINSKI, Mr. LANCE, Mr. GUTIÉRREZ, Mr. KILDEE, Ms. SPEIER, Mr. LANGEVIN, Ms. JENKINS of Kansas, Mr. DEUTCH, Mr. SCHIFF, Mr. ELLISON, Mr. SIRES, and Mr. GALLEG0.
 H.R. 1457: Mr. LOUDERMILK.

H.R. 1516: Mr. GALLEG0.
 H.R. 1528: Mr. TAKANO.
 H.R. 1540: Mr. GROTHMAN, Mr. BARR, Mrs. BLACKBURN, Mr. ISSA, and Mr. ROUZER.
 H.R. 1566: Ms. DELBENE and Mr. RASKIN.
 H.R. 1611: Mr. MEEKS and Mr. ELLISON.
 H.R. 1612: Ms. TSONGAS, Mr. RUSH, and Mr. HUFFMAN.
 H.R. 1626: Mr. ISSA and Mr. ROUZER.
 H.R. 1664: Mr. BARLETTA, Mr. CAPUANO, Mr. DESAULNIER, Mr. HUFFMAN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. LARSEN of Washington, Mrs. NAPOLITANO, Mr. NADLER, Mr. NOLAN, Ms. NORTON, Mr. PAYNE, Mr. SIRES, and Ms. WILSON of Florida.
 H.R. 1671: Mr. DUNCAN of South Carolina and Mr. MCKINLEY.
 H.R. 1672: Ms. TENNEY.
 H.R. 1674: Mr. COURTNEY, and Mr. HIMES.
 H.J. Res. 1: Mr. HILL.
 H.J. Res. 2: Mr. CALVERT, Mr. HILL, and Mr. TURNER.
 H.J. Res. 17: Mr. ALLEN.
 H.J. Res. 48: Mr. WALZ and Mr. KIND.
 H. Res. 28: Mr. O'ROURKE, Mr. HIMES, Mr. HASTINGS, and Ms. KUSTER of New Hampshire.
 H. Res. 172: Mr. SCHIFF, Ms. HANABUSA, and Ms. SEWELL of Alabama.

H. Res. 184: Mr. GRIJALVA, Mr. CARBAJAL, Ms. BONAMICI, Mr. THOMPSON of California, Mr. SOTO, Ms. GABBARD, Mr. DESAULNIER, Mrs. CAROLYN B. MALONEY of New York, Mr. BEYER, Mr. LANGEVIN, Ms. MENG, Mrs. LOWEY, Ms. ESHOO, and Mr. LOWENTHAL.

H. Res. 186: Mr. MICHAEL F. DOYLE of Pennsylvania.

H. Res. 188: Mr. DIAZ-BALART and Ms. JACKSON LEE.

H. Res. 217: Ms. CLARKE of New York.

H. Res. 220: Mr. LEVIN and Mr. CÁRDENAS.

PETITIONS, ETC.

Under clause 3 of rule XII,

31. The SPEAKER presented a petition of the City Council of Broken Arrow, OK, relative to Resolution 992, urging all United States Senators to Reintroduce the Marketplace Fairness/Digital Parity Act into the United States Senate during its 2017 session; which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

IN MEMORY OF MR. ROBERT
"BUDDY" O. LAMPI, II

HON. THOMAS J. ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. THOMAS J. ROONEY of Florida. Mr. Speaker, I rise today to honor the life of Robert O. Lampi II, better known as Buddy, of Pahokee, Florida, who passed away on March 10th in Okeechobee, Florida at the age of 71.

Buddy Lampi's life was greatly influenced by his love of music. An accomplished instrumentalist and an exceptionally talented trumpet player, his passion led him to pursue a lifelong career as a Band Director. Over the 40 years that he proudly held this position, he shared his love for music with thousands of students and inspired them to challenge themselves and always strive to reach their full potential. Buddy was a graduate of the University of Miami, and like his father, a member of the Florida Band Master's Association.

Outside of the classroom, music remained an important part of his life. He was a member of the Okeechobee First United Methodist Church where he regularly sang with the choir. In his spare time, Buddy enjoyed golfing and fishing. We are deeply saddened by his loss and know that his passion for music will live on in the many students he inspired.

Mr. Speaker, my thoughts and prayers are with Mr. Lampi's family, especially his wife Peggy, and loved ones as they mourn his passing. He will be greatly missed.

3D SYSTEMS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize 3D Systems for winning the 2016 Business Recognition Award from the Jeffco EDC.

Founded in 1986, 3D Systems provides comprehensive 3D products and services, including printers, print materials, on-demand parts services and digital design tools. Its advanced applications produce equipment used on the factory floor to the operating room including precision healthcare capabilities such as simulation, Virtual Surgical Planning, and printing of medical, dental and other surgical instruments and devices. As a leader in 3D solutions, 3D Systems has spent its 30-year history enabling professionals and companies to optimize their designs, transform their workflows, bring innovative products to market and drive new business models.

Recently, 3D Systems relocated and expanded its operations into a 70,000 square-

foot facility in unincorporated Jefferson County where it expects to almost double the number of employees and bring millions in new capital investment.

I extend my deepest congratulations to 3D Systems for this well-deserved recognition from the Jeffco EDC.

TRIBUTE TO THE HON. ANTHONY
C. "TONY" BEILENSEN

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. SHERMAN. Mr. Speaker, I rise tonight to pay tribute to our colleague and friend, Congressman Anthony C. "Tony" Beilenson, who, from 1977 to 1997, represented with distinction in the House of Representatives a Los Angeles-area district.

Joining me in this statement are my colleagues: NANCY PELOSI, DANA ROHRBACHER, MAXINE WATERS, KEN CALVERT, ANNA ESHOO, LUCILLE ROYBAL-ALLARD, ZOE LOFGREN, BARBARA LEE, GRACE NAPOLITANO, MIKE THOMPSON, SUSAN DAVIS, ADAM SCHIFF, LINDA SÁNCHEZ, JIM COSTA, DORIS MATSUI, JERRY MCNERNEY, JACKIE SPEIER, JUDY CHU, JOHN GARAMENDI, KAREN BASS, AMI BERA, JULIA BROWNLEY, TONY CÁRDENAS, JARED HUFFMAN, ALAN LOWENTHAL, SCOTT PETERS, RAUL RUIZ, ERIC SWALWELL, MARK TAKANO, JUAN VARGAS, PETE AGUILAR, MARK DESAULNIER, TED LIEU, NORMA TORRES, NANETTE BARRAGÁN, SALUD CARBAJAL, LUIS CORREA, RO KHANNA, and JIMMY PANETTA.

Tony was widely admired for his integrity, thoughtfulness, and effectiveness as a statesman and is fondly remembered for his warmth, caring, and engaging personality. To our great sadness, Tony passed away on March 5, 2017.

Tony was born in New Rochelle, New York on October 26, 1932, and grew up in the New York City area. After obtaining a law degree from Harvard in 1957, Tony moved to Los Angeles to work in entertainment law. Soon after arriving in California, he sought out public service. In 1962, he was elected to the California State Assembly, and in 1966 to the State Senate, where he served until 1977. During his tenure in the Legislature, Tony rose to become chairman of the Senate Finance Committee and authored more than 200 laws, many of which served as models for laws in other states and at the federal level.

In the U.S. House of Representatives, Tony served for nine terms on the Rules Committee and was the second most senior minority member at the time of his retirement. He also spent several terms on the Budget Committee and the Intelligence Committee, where he served as its chairman in 1989 and 1990.

Tony was an outspoken and tireless advocate for the causes he believed in. He co-

chaired the House's Population Coalition, which advocated for strategies to help slow world population growth and improve maternal health. Serving at a time when efforts were in full swing to curb ballooning federal deficits and growing debt, Tony was a rare member who spoke out in favor of unpopular proposals. He introduced legislation to increase the excise tax on gasoline and called for steps to reduce spending on even the most popular programs. He believed that every federal program and tax benefit, no matter how popular, should be under consideration for cuts.

Tony had a great affinity for the natural world and worked to save open space and protect critical habitats and endangered species. He was a leader in efforts to protect the world's remaining African elephants and rhinoceroses.

Tony's crowning environmental achievement was the establishment of the Santa Monica Mountains National Recreation Area. The formation of this park helped guarantee that tens of thousands of acres of land in the Los Angeles metropolitan area would remain natural havens of open space and continue to benefit the millions of people who live in Los Angeles and Ventura Counties. Tony authored the 1978 legislation that established the recreation area as a unit of the National Park System, and throughout his entire tenure in the House, he fought tirelessly for funding to acquire the recreation area's park land and to promote the area's success.

After Tony retired, Congress passed legislation to name the recreation area's principal visitor center in his honor. This center, named the Anthony C. Beilenson Interagency Visitor Center, is located in the heart of the Santa Monica Mountains and orients visitors to the many features and offerings of the publicly accessible federal, state, local and privately owned lands within the recreation area.

Tony also secured funding over a period of years to create a 160-acre recreational park and a 60-acre wildlife refuge in the Sepulveda Flood Control Basin in the San Fernando Valley. A park there is also named in his honor.

While Tony was a Harvard-trained lawyer with an impressive legislative record, he was a self-effacing person who gave ample credit to those involved in his causes and accomplishments. He will be remembered for his ability to debate difficult and divisive issues in a highly respectful manner.

We send our condolences to his wife Dolores, sons Adam and Peter, daughter Dayna, and nine grandchildren.

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

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

RED ROCKS COMMUNITY COLLEGE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Red Rocks Community College as the 2016 winner of the Genesis Award from the Jeffco EDC.

The Genesis Award recognizes an innovative and collaborative individual, city or organization that has significantly contributed to Jefferson County's economic vitality.

Since 1969, Red Rocks Community College has delivered a high-quality education to an eclectic mix of students of all ages, incomes and backgrounds. Serving approximately 14,000 annual students, Red Rocks provides a convenient setting with formats ranging traditional classroom, online, self-paced, and weekend classes and campuses in both Lakewood and Arvada. Today, Red Rocks offers more than 150 programs and 650 courses leading to two-year degrees or professional certificates.

Recently, Red Rocks expanded its campus in Arvada by adding 50,000 square feet for health careers, technologies, and science programs. The \$22.5 million expansion enables the community college to respond to the growing workforce needs of the service area and provide access for students interested in the health and science industry.

I extend my deepest congratulations to Red Rocks Community College for this well-deserved recognition from the Jeffco EDC.

HONORING THE LIFE OF MR.
CHARLES ANTON GIRARDI

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. COSTA. Mr. Speaker, I rise today to honor the life and career of Mr. Charles Girardi. Mr. Girardi dedicated his life to being an educator and coach to many students, both in his home state of South Dakota as well as Merced and Fresno County. Throughout his life, he left a lasting legacy by teaching and inspiring his students to become positive role models.

Charles Girardi, known to many as Chuck, was born in Delcarbon, Colorado and grew up in Lead, South Dakota. In his youth, Mr. Girardi was an active and gifted athlete. He was an especially talented basketball player, which earned him an athletic scholarship to the University of South Dakota, Vermillion. In 1944, he enlisted in the United States Navy and served in the Pacific until the end of World War II. Mr. Girardi was awarded medals in the Asiatic-Pacific Area Campaign and World War II Victory for his honorable service. He returned to the University of South Dakota shortly after being honorably discharged in 1946 to continue his studies and play basketball. He later transferred to Fresno State and played basketball for the Bulldogs. Mr. Girardi was also a member of the Sigma Alpha Epsilon Fraternity.

Mr. Girardi earned his bachelor's degree from Fresno State in 1950 and obtained his master's from Black Hills State College in Spearfish, South Dakota. He returned to Fresno after being encouraged by his former Fresno State coach to return for an opening coaching position. Mr. Girardi taught and coached at Roosevelt High School until 1974, when he began to work as an educator and coach at Merced College. During his career, he touched the lives of many students and took great pride in the accomplishments of his players.

After retiring, Mr. Girardi enjoyed spending time with his family and playing golf. He also spent several months with his wife at their cabin in Black Hills, South Dakota, enjoying the familiar weather and his childhood environment.

Mr. Girardi is survived by his loving children, Cindy, Cathy, Janelle, Guido and Mike, his sister Olga Nelson, and his grandchildren Michael, Stephen, Alexa, Austin, Frank, Xavier, and Sabrina. He was preceded in death by his devoted wife Mary Lou, his brothers George and Joseph, and his parents Giorgio and Angelina. He will be dearly missed.

Mr. Speaker, I urge my colleagues to join me in honoring the life and career of Mr. Chuck Girardi, a truly celebrated and inspirational individual in his community. As an educator and coach in Merced and Fresno County, his commitment to education will be appreciated for years to come.

TRIBUTE TO SHERYL LYNETTE
BRANCH MAXWELL

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor Sheryl Lynette Branch Maxwell, the 33rd Anniversary Honoree of The Daughters of Sunset in Sikeston, Missouri. Fondly known throughout the State of Missouri as "Ms. Sherry," Sheryl has continuously served the underprivileged and special needs youth and adults of the 8th Congressional District since 1979. Under Ms. Sherry's watchful hand, a program called Kids' Beat has grown tremendously. Kids Beat provides a safe and educational surrounding for underprivileged and special needs children, and has grown to cover 30 counties in Missouri. Ms. Sherry has also worked as Special Project Coordinator for the New Madrid County Health Department. In this role, Sheryl helped limited resource residents and partnered with outside groups to generate additional resources for the program. Sheryl has been named to advisory committees for three concurrent Missouri governors and spearheaded programs for the Lincoln University Cooperative Extension. Ms. Sherry even has a day named after her. January 20, 2013 was declared "Ms. Sherry Day" by the City of St. Louis and St. Louis County.

At Cornerstone Baptist Church, Ms. Sherry served her community as a choir president, Sunday school teacher, church secretary and youth leader. Whether she is raising money for those less fortunate or counseling some-

one through a rough time, Ms. Sherry has shown true leadership throughout our community.

Today, I am honored to announce Ms. Sherry as the 33rd Anniversary Honoree of The Daughters of Sunset. Their mission is "Making a Difference," and I cannot think of a more deserving recipient than Sheryl Maxwell. Thank you, Ms. Sherry, for making a difference in the 8th Congressional District of Missouri.

PRIMUS AEROSPACE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Primus Aerospace for winning the 2016 Business Recognition Award from the Jeffco EDC.

Primus Aerospace is a leading provider of high-precision, high-complexity machined components, kits and subassemblies for the aerospace, defense and space industries. Founded in 1999, Primus serves aerospace customers in North America, Europe and Asia with diversified and complex machined products, assembly services and engineering support. Primus focuses on core principles of increased automation, unique capability, and extraordinary flexibility to their customers while offering a broad array of manufacturing services including machining, assembly, testing, design support, welding, grinding, and finishing.

Primus works hard to add new value every year to customers by continually expanding their services, improving their processes, and maintaining a strategy focused on our customers' needs. This company continues to excel, exemplified by its ability to hire 30 new employees in 2016.

I extend my deepest congratulations to Primus Aerospace for this well-deserved recognition from the Jeffco EDC.

PERSONAL EXPLANATION

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. KING of Iowa. Mr. Speaker, I missed three votes due to a meeting at the White House with President Trump. Had I been present, I would have voted YEA on Roll Call No. 182, NAY Roll Call No. 183, and YEA on Roll Call No. 184.

RECOGNIZING THE SERVICE OF
THE U.S. ARMY AIR FORCE 2ND
LIEUTENANT JOHN DONALD
MUMFORD

HON. CHARLIE CRIST

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. CRIST. Mr. Speaker, I rise today to honor a fallen hero who made the ultimate

sacrifice for his country. Lost on the battlefields of Europe during World War II, the remains of Army Air Force 2nd Lieutenant. John Donald Mumford have finally returned home to St. Petersburg, Florida.

On June 6, 1944, the same morning U.S. forces stormed the beaches at Normandy, 2nd Lt. Mumford bravely led a squadron of B-17 Flying Fortress bombers on a successful air raid over Germany. Returning to base, his plane was attacked by 10 Nazi warplanes, sent crashing into Ukrainian farmland. A mortally wounded 2nd Lt. Mumford was last reported seen by Romanian villagers in 1944, 73 years ago.

Cold War tensions prevented the timely recovery of 2nd Lt. Mumford's body. But the historical office at the Department of Defense never gave up. They began anew the search for 2nd Lt. Mumford's remains, and from 2007 to 2016, the POW/MIA Accounting Agency investigated the alleged crash site, ultimately finding proof of a downed WWII-era U.S. aircraft. With help from Ukrainian Armed Forces and local farmers, they uncovered the remains of 2nd Lt. Mumford.

Mr. Speaker, the United States of America never leaves a fallen soldier behind. When brothers Ronald and Lynn Woolums stood on the Tampa International Airport tarmac last week to accept the remains of their uncle, 2nd Lt. John Donald Mumford, it represented a proud tradition that defines who we are as a people.

I want to express my gratitude for the Defense Department's investigation team who made this day possible. 2nd Lt. Mumford is an American hero, and his family should beam with pride at his sacrifice. And what an amazing story to pass along from generation to generation—we honor our men and women in uniform by never forgetting.

Mr. Speaker, we salute Army Air Forces 2nd Lieutenant John Donald Mumford, and all the men and women who have given their lives protecting the freedoms we so dearly cherish. God bless our troops, and God bless America.

NEW TERRAIN BREWERY

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize New Terrain Brewery for winning the 2016 Business Recognition Award from the Jeffco EDC.

In 2016, New Terrain Brewery opened on Table Mountain Parkway featuring a 2,000-square-foot taproom, an outdoor beer garden, and a 15,000 square foot production facility with a thirty-barrel brew house. The New Terrain team brings their curiosity to the science of beer making, working to produce small batch, high quality, and creative beers. With the motto of "what if we try this way", the team continues to create, innovate and explore new terrain.

I extend my deepest congratulations to New Terrain Brewery for this well-deserved recognition from the Jeffco EDC.

IN RECOGNITION OF ALTERNATIVES FOR GIRLS' 30TH ANNIVERSARY ON THE DATE OF ITS 2017 ROLE MODEL DINNER

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Alternatives for Girls on the date of its 2017 Role Model dinner. Alternatives for Girls provides critical outreach and support to at-risk youth to help them grow strong and make positive choices to improve their lives.

Founded in 1987 to provide shelter and care for at-risk girls in Detroit, Alternatives for Girls began as an all-volunteer organization that operated a five-bed emergency shelter in a Detroit-area church. As a result of the organization's success and impact, AFG has grown significantly in an attempt to fulfill its mission to empower and improve the lives of disadvantaged young women. Today, Alternatives for Girls has over 50 employees and operates multiple services on behalf of Detroit's at-risk youth. These include after-school programs for young women in elementary school, several shelter programs to provide stable homes and counseling, and outreach services to help teens and young women engaged in high-risk activities like gang involvement and drug use. This comprehensive approach to supporting young women in need has been effective in empowering these individuals to make positive choices and create a brighter future for themselves.

Over the past 25 years, AFG has served over 105,000 at-risk girls, women and family members. Additionally, 99 percent of the young women participating in AFG's Prevention Program have graduated high school and gone on to college. These results underscore the impact that AFG's multidisciplinary and evidence-based approaches to reducing harmful behavior have had for at-risk youth involved in the program. Additionally, AFG's outreach efforts have been critical to raising awareness of the issues these young women face and driving action in state and local government. The progress that AFG has made in improving the lives of young girls has been remarkable and inspiring, and it is my hope that the organization continues its critical work in the coming years.

Mr. Speaker, I ask my colleagues to join me in honoring Alternatives for Girls' 30th anniversary on the date of its 2017 Role Model Dinner. The efforts of the group have impacted the lives of countless young women in metro Detroit.

CELEBRATING THE 50TH ANNIVERSARY OF CAMBRIA COUNTY FARM BUREAU

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. SHUSTER. Mr. Speaker, I rise today to congratulate the Cambria County Farm Bu-

reau in Pennsylvania's 9th and 12th Congressional Districts for reaching a huge milestone: its 50th Anniversary.

The Cambria County Farm Bureau is a grassroots organization consisting of members from the local agricultural community who help develop and implement policy for the Pennsylvania Farm Bureau.

Since its founding in 1967, the Cambria County Farm Bureau has been instrumental in providing legislative outreach and information and services for area farmers and rural families. It plays a critical role in representing the local agricultural industry on a wide variety of issues impacting it at the federal and state levels.

Cambria County has a rich tradition of farming that is being upheld today by hundreds of local farms that help feed and nourish the citizens of Pennsylvania, our nation, and those around the world.

The Cambria County Farm Bureau will be celebrating its 50th Anniversary with a dinner in Carrolltown on March 29th that includes guest speakers Vincent "Zippy" Duvall, President of the American Farm Bureau Federation and Rick Ebert, President of Pennsylvania Farm Bureau.

As such, it is with great pleasure that I congratulate the Cambria County Farm Bureau and its dedicated members on this 50th Anniversary milestone, and wish them an even brighter future.

PERSONAL EXPLANATION

HON. LOUISE MCINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed Roll Call vote numbers 182, 183, 184, 185, 186 and 187. Had I been present, I would have voted Aye on votes 183, 184, 185 and 187. I would have voted Nay on votes 182 and 186.

ADAPT

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize ADAPT as the 2016 winner of the Genesis Award from the Jeffco EDC.

The Genesis Award recognizes an innovative and collaborative individual, city or organization that has significantly contributed to Jefferson County's economic vitality.

The Alliance for the Development of Additive Processing Technologies (ADAPT) is a research and development organization dedicated to the development of next-generation data and advanced technologies for additive manufacturing technologies. Their technology helps industry and government qualify, standardize, assess, and optimize advanced manufacturing processes and parts. Industry partners such as Faustson Tools, Ball Aerospace & Technologies Corporation, and Lockheed-

Martin Space Systems came together to help support and secure a grant from the Colorado Office of Economic Development and International Trade (OEDIT) to establish ADAPT in December 2015. This world-class program is headquartered at Colorado School of Mines where students and post-doctoral researchers specifically work to improve nickel-based and titanium-based alloy 3D printing with work from Mines students and post-doctoral researchers.

I extend my deepest congratulations to ADAPT for this well-deserved recognition from the Jeffco EDC.

H.R. 1252, THE DHS ACQUISITION
AUTHORITIES ACT OF 2017

HON. MICHAEL T. MCCAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. MCCAUL. Mr. Speaker, I include in the RECORD the cost estimate from the Congressional Budget Office regarding H.R. 1252. The cost estimate was not available at the time of the filing of the Committee report.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 22, 2017.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1252, the DHS Acquisition Authorities Act of 2017.

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

Sincerely,

MARK P. HADLEY
(For Keith Hall).

Enclosure.

H.R. 1252—DHS Acquisition Authorities Act of 2017

H.R. 1252 would specify which offices in the Department of Homeland Security (DHS) headquarters have responsibility for acquisition programs. Based on information from DHS, CBO estimates that implementing H.R. 1252 would cost less than \$500,000 annually; such spending would be subject to the availability of appropriated funds.

Enacting the legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting H.R. 1252 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

H.R. 1252 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

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

IN RECOGNITION OF CAROL GOSS
FOR RECEIVING THE ALTERNATIVES FOR GIRLS' ROLE
MODEL AWARD

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Carol Goss, community activist and recipient of the Alternatives for Girls' 2017 Role Model award. Ms. Goss has helped revitalize the city of Detroit and the surrounding area through her work with the Skillman Foundation and other community organizations.

Ms. Goss has been an outstanding advocate for vulnerable women and children. After receiving a Master's in Social Work from the University of Michigan, Ms. Goss worked for the Stuart Foundation and W.K. Kellogg Foundation as a program manager in support of child welfare efforts. In 1998, Ms. Goss joined the Skillman Foundation, an organization that provides grants to support education, safety and youth development initiatives on behalf of children in Detroit. After distinguishing herself as a senior program officer, Ms. Goss was named President and CEO of the foundation, where she served until 2013. After her retirement from the Skillman Foundation, Ms. Goss participated in Harvard's Advanced Leadership Initiative and continues to serve on the boards of directors of several nonprofits, including the Detroit Children's Fund and Safe Routes to Schools the National Partnership.

Ms. Goss's work has impacted countless lives around the country. During her tenure at the Skillman Foundation, Ms. Goss was responsible for spearheading the Good Neighborhoods Initiative, a ten-year, \$100 million effort to improve outcomes for children and revitalize six neighborhoods in Detroit. This program leveraged public-private partnerships to expand access to high-quality youth development initiatives in these neighborhoods. This comprehensive, evidence-based offering played a critical role in providing resources to those in need and helped revitalize the city. It is my hope that Ms. Goss continues to build on this success through her continued involvement in Detroit-area nonprofit organizations.

Mr. Speaker, I ask my colleagues to join me in honoring Carol Goss for receiving the Alternatives for Girls' 2017 Role Model Award. Ms. Goss's impactful leadership has played an instrumental role in providing opportunity and improving the well-being of Detroit's residents.

RECOGNIZING THE LIFE OF FALLEN
MISSISSIPPI SOLDIER MA-
RINE CORPORAL (CPL) DUSTIN
JEROME LEE

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of fallen Mississippi Marine Corporal (CPL) Dustin Jerome Lee who paid the ultimate sacrifice while defending

our nation on March 21, 2007, during Operation Iraqi Freedom III. CPL Lee died from wounds he received during a mortar attack while on a combat mission in Fallujah, Anbar Province, Iraq.

CPL Lee was assigned to the Third Recon Battalion, II Marine Expeditionary Force. Prior to his deployment, CPL Lee was assigned to Headquarters Battalion, Marine Corps Logistics Base in Albany, Georgia. After graduating from Quitman High School in 2004, he joined the Marines. CPL Lee was described as a dutiful son who led a Christian life, and always looked for the good in people. CPL Lee's friends say he always wanted to serve his country.

CPL Lee also had great skills working with animals. While in Iraq, CPL Lee served as the Patrol Explosive Detector Dog handler. Lex, a Military Working Dog, was wounded in the mortar attack that killed CPL Lee. His parents, Jerome and Rachel Lee, were allowed to adopt the bomb-sniffing dog with help from U.S. Representative WALTER JONES (R-NC). After Lex's retirement from military service, he was taken to VA hospitals and retirement homes to comfort veterans. CPL Lee's bond with Lex and his expert dog-handling skills will forever be remembered at the Marine Corps Logistics Base Albany, where the kennel has been named in his honor.

At his funeral, more than 100 members of The Patriot Guard attended along with local high school ROTC members. Law enforcement officers traveled from all across Mississippi to pay their respects. CPL Lee's commander, Colonel Chris Halliday described CPL Lee as a special person who fit into the Marine Corps and its commitment to excellence and dedication to the country.

AMERICAN HEALTH CARE
PROPOSAL

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Ms. PINGREE. Mr. Speaker, on behalf of my constituent, Jill Job Saxby, I'd like to include in the RECORD her proposal for evaluating the ethics of any health care plan that potentially risks access to care for millions of Americans. I submit that the American Health Care Act does not fulfill these considerations and I urge my colleagues to take seriously the ethical implications of their vote.

Under this proposal, will more of the most vulnerable Americans be able to access quality, affordable health care?

Health care is a basic and universal human need, which, if denied, harms persons and diminishes the community. The most vulnerable are those with the least power, status and resources in society. In the case of health care, the most vulnerable are those who suffer poorer health and shorter life expectancy because of poverty and social inequities that create barriers to accessing quality medical care and all the other contributors to good health (clean environment, healthy food, paid sick leave, reliable child-care and transportation). The most vulnerable would also include those with pre-existing conditions and lack of access to preventive care.

The Golden Rule Test: Am I willing to trade places with those whose lives will be most profoundly affected by this proposal?

The Golden Rule is found in all major world religions. It rests on the moral assertions that: 1) every human life has inherent worth and dignity and 2) because we are all in relationship with one another, my actions (or inactions) towards others have moral consequences for myself and for the larger community.

The Golden Rule requires us to respond to suffering not merely with charity, but with justice. Charity is given by those who can afford it, out of surplus. Justice requires living in right-relationship with all persons, at all times. A just proposal will decrease social inequities and assure a single standard of care, with equal accessibility, to all persons.

Does this proposal treat health care as a fundamental human need giving rise to a human right to care and alleviation of suffering?

Health care is a basic and universal human need. Meeting that need is a precursor to a person's ability to exercise and enjoy the inalienable rights that our nation has recognized from the beginning: life, liberty and the pursuit of happiness.

There is a compelling ethical argument to be made that health care, by its very nature, should not be treated as a commodity to be bought and sold. We already recognize this in some of our long-standing public policies: We do not allow the purchase and sale of human organs for transplant. We have strict rules governing human clinical trials. We provide charity care. We restrict the freedom of sellers by regulating providers' education and licensing. We protect buyers with privacy laws. Such laws recognize that health care intersects with a dimension of human existence that is universally worthy of protection against the forces of the free market.

Therefore, we must ask: how does it address the downside of free market forces, especially rising inequality? Who benefits? Who loses? Does it prioritize profits (a market good) or human health/alleviation of suffering (a common good and a human right)?

CHURCH RANCH PROPERTIES

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Church Ranch Properties as the 2016 winner of the Pioneer Award from the Jeffco EDC.

The Pioneer Award is given each year to a Jefferson County company that is a leader within its industry and has contributed significant and sustained growth to Jefferson County's economy.

Founded in 1869, Westminster-based Church Ranch Properties has decades of construction and finance experience. The company has filled a much-needed economic gap in the metro north area and continues to be actively engaged in high-quality development projects in cities such as Westminster, Arvada, Broomfield, and throughout Jefferson County.

I extend my deepest congratulations to Church Ranch Properties for this well-deserved recognition from the Jeffco EDC.

H.R. 1294, THE REDUCING DHS ACQUISITION COST GROWTH ACT

HON. MICHAEL T. MCCAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. MCCAUL. Mr. Speaker, I include in the RECORD the cost estimate from the Congressional Budget Office regarding H.R. 1294. The cost estimate was not available at the time of the filing of the Committee report.

U.S. CONGRESS,

CONGRESSIONAL BUDGET OFFICE,

Washington, DC, March 22, 2017.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1294, the Reducing DHS Acquisition Cost Growth Act.

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

Sincerely,

MARK P. HADLEY
(For Keith Hall).

Enclosure.

H.R. 1294—Reducing DHS Acquisition Cost Growth Act

H.R. 1294 would specify procedures to be followed by the Department of Homeland Security (DHS) if it fails to meet certain timelines or other performance parameters for its major acquisition programs. Based on information from DHS, CBO estimates that the new administrative procedures would cost less than \$500,000 annually; such spending would be subject to the availability of appropriated funds.

Enacting the legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting H.R. 1294 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

H.R. 1294 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

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

IN RECOGNITION OF FREDERIC B. PRESBREY

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. KEATING. Mr. Speaker, I rise today in recognition of Frederic B. Presbrey on the occasion of his retirement from the Housing Assistance Corporation in Hyannis, Massachusetts.

Frederic, or Rick as he is known to friends, family, and colleagues, founded the Housing Assistance Corporation in December of 1974 with the intention of finding and securing housing for those who need it most. Rick's advocacy has not only helped to create five shelter

programs and 484 units of affordable housing across the Cape and Islands but led to the establishment of the Consumer Education Department. This department has been instrumental in educating first-time home buyers since 1990. In addition, Rick created the Housing Consumer Education Center to give Massachusetts residents access to housing counselors for vital information on buying, owning, developing or renting real estate. Further, Rick's astute leadership has led to the creation of over thirty programs and services aimed not only at helping individuals find housing but also to maintain secure, safe, and stable homes.

Rick has shaped how we on Cape Cod and in the Commonwealth view housing needs. He has personally worked with state, local, and federal officials and other community stakeholders to help resolve numerous housing concerns and has served as an invaluable resource for policymakers and home seekers alike.

Mr. Speaker, I am proud to honor Frederic B. Presbrey for his service and achievements on this occasion. I ask that my colleagues join me in wishing him a happy retirement and many more years of health and happiness.

DOWN RIVER EQUIPMENT

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Down River Equipment for winning the 2016 Business Recognition Award from the Jeffco EDC.

For more than 30 years, Down River Equipment has been manufacturing and distributing a full line of high-quality river equipment including rafts, catarafts, inflatable kayaks, stand up paddleboards and canoes. Based in Wheat Ridge, Down River Equipment is known for their quality frames that are 100 percent made in Colorado along with their dry boxes, tables, pumps and a variety of cargo gear. Owned by sports enthusiasts and operated by an experienced and knowledgeable staff, the company is known for their craftsmanship and passion. In particular, they specialize in custom fabrication, distribution and retail of equipment for all types of river adventures.

I extend my deepest congratulations to Down River Equipment for this well-deserved recognition from the Jeffco EDC.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI SOLDIER ARMY SERGEANT FIRST CLASS (SFC) CHRISTOPHER LEE ROBINSON

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Army Sergeant First Class (SFC) Christopher Lee Robinson who paid the ultimate sacrifice while defending our

nation on March 25, 2006, during Operation Enduring Freedom. SFC Robinson was wounded during an ambush in Helmond Province, Afghanistan. Master Sergeant Reese Robbins, a Pelahatchie resident, who was injured during the attack, accompanied Robinson's body back to the United States. SFC Robinson was the first Mississippi National Guard soldier to die in Afghanistan.

SFC Robinson was assigned to the 27th Battalion, 20th Special Forces Group, Mississippi Army National Guard, Jackson, Mississippi. SFC Robinson, a Madison County resident, joined the Army after graduating from Madison-Ridgeland High School in 1987. He followed in the footsteps of his father, George Robinson, who also served in the Army. SFC Robinson was previously deployed with his Special Forces unit to Haiti, Honduras and Panama among other countries.

"We once again are painfully reminded of the high cost of freedom," Major General (ret.) Harold Cross, Adjutant General of the Mississippi National Guard, said. "Chris was one of our state's and nation's finest, and he will be greatly missed."

He is survived by his wife, Tamara Robbins and their children Savannah and Patrick. "He just loved everything about military service," Tamara said. "He wanted to do something for our country. There was never a question about it. Our children are so proud of him."

SFC Robinson devoted his life to the safety of our nation. He will always be remembered for his service and deep love for family and friends.

"Chris consistently displayed bravery by volunteering for hard deployments and dangerous missions," said Sergeant Major (ret.) Mike Patterson, who served with SFC Robinson. "Chris had the ability to handle combat in a very deliberate way, yet remain compassionate for people and the unintended consequences of war thrust upon human beings."

The first sentence in The Creed of the Non-commissioned Officer, "No one is more professional than I", describes the level of competence and professionalism that Chris maintained throughout his life in and out of uniform.

As a Special Forces, Green Beret soldier, SFC Robinson was truly the best of the best.

IN RECOGNITION OF CINDY ESTRADA FOR RECEIVING THE ALTERNATIVES FOR GIRLS' ROLE MODEL AWARD

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Cindy Estrada, Vice President of the United Auto Workers and recipient of the Alternatives for Girls' 2017 Role Model award. Ms. Estrada has fought tirelessly for working Americans for her entire career and spearheaded many community programs to benefit working men and women.

Ms. Estrada began her career as labor organizer after graduating from the University of Michigan. After successful assignments as an organizer for Detroit-based Mexican Industries

and the United Farm Workers, Ms. Estrada was appointed to the UAW International Union's organizing staff in 2000. After overseeing development and implementation of UAW organizing strategy for several years, Ms. Estrada was elected as UAW vice president in 2010 and reelected to a second term in 2014. She currently leads the General Motors Department of UAW, negotiating on behalf of approximately 48,500 union workers. Ms. Estrada has brought a lifetime of experience championing working families to this role, as well as a deep understanding of the challenges workers face in competing in a global marketplace.

Ms. Estrada's efforts have led to better pay and working conditions for tens of thousands of American workers. In addition to leading the contract negotiations with major automotive suppliers like Johnson Controls and Dana Incorporated, Ms. Estrada has also worked on behalf of the 17,000 UAW-represented workers employed by the State of Michigan. These campaigns have resulted in real gains for workers, including providing for increased pay and robust health benefits. Ms. Estrada is known for her tough negotiating ability, and her tenacity has served as a model for labor relations in the automotive industry. She is dedicated to ensuring workers' voices are represented at the negotiating table and forging consensus that protect their interests. It is my hope that Ms. Estrada is able to continue to lead the UAW in working constructively to ensure that American workers and manufacturing prosper in the coming years.

Mr. Speaker, I ask my colleagues to join me in honoring Cindy Estrada for receiving the Alternatives for Girls' 2017 Role Model Award. Ms. Estrada has dedicated her career to championing social justice for all people and is deserving of this prestigious award.

FEDERAL EXPRESS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Federal Express for winning the 2016 Business Recognition Award from the Jeffco EDC.

Founded in 1965, Federal Express—or FedEx—is a leader in e-commerce and business solutions. The company has air, ground and sea networks covering more than 220 countries and territories, linking more than 99 percent of the world's GDP.

Recently, FedEx became the first company to locate to the Verve Innovation Park at the Rocky Mountain Metropolitan Airport (RMMA). The 216,000 square foot build-to-suit distribution center occupies 26 acres and will bring more than \$16 million in new capital investment and 144 jobs to unincorporated Jefferson County.

I extend my deepest congratulations to Federal Express for this well-deserved recognition from the Jeffco EDC.

CENTRAL HIGH SCHOOL STUDENTS ATTEND INAUGURATION

HON. BRENDAN F. BOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I rise today to recognize a group of ambitious students from Central High School in Philadelphia, Pennsylvania. Since Central High School was chartered in 1836 and opened in 1838, it has established a reputation and a rich history that sets it apart from other high schools in Pennsylvania and throughout the United States.

Central High School offers many prestigious academic opportunities for their students, including the International Baccalaureate Program, Advanced Placement courses, and dual enrollment programs. They value curiosity, high academic achievement, inclusive extracurricular activities and service, which are essential to cultivating a student's overall positive experience. The school's dedication to building a cohesive path for their students is, in part, why I was grateful for the privilege to provide several Central High School students with the unique opportunity to attend the presidential inauguration on January 20, 2017.

The inauguration welcomed Avery Adeshigbin, Romie Azor, David Bango, Chris Bruch, Monet Bunch, Jasmine Duong, Sh-Mya Durham, Darnell Faison, Michael Granovskiy, Lindsay Holmes, Kayla Jaquay-Davis, Morgan Mifflin, Tamika Miles, Han Nguyen, Sorya Noun, Aliyyah Ouattara, Sundus Pervaz, Aniyah Pinkney, Kristian Rhim, Bruno Sauli, Kejsi Shahaj, Sahmir Thompson, Krystal Torres, Tiffany Tran, David Weihe, Marguerite Faison, William Graham, Michael Horwits, Ashley Zeserman, and Patrick Elgert.

The hard work these students put towards their academics and their unwavering commitment to civic engagement is inspiring. I hope their curiosity and tenacity persists in future endeavors and they continue to make an important difference throughout my home state of Pennsylvania.

H.R. 1249, THE DHS MULTIYEAR ACQUISITION STRATEGY ACT OF 2017

HON. MICHAEL T. MCCAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. MCCAUL. Mr. Speaker, I include in the RECORD the cost estimate from the Congressional Budget Office regarding H.R. 1249. The cost estimate was not available at the time of the filing of the Committee report.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 22, 2017.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1249, the DHS Multiyear Acquisition Strategy Act of 2017.

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

Sincerely,

MARK P. HADLEY,
(For Keith Hall, Director).

Enclosure.

H.R. 1249—DHS Multiyear Acquisition Strategy Act of 2017

H.R. 1249 would require the Department of Homeland Security (DHS), within one year of enactment, to submit to the Congress a report on the department's comprehensive strategy for acquisitions. The act would direct the Government Accountability Office to review that report within 180 days of its submission. Based on information from DHS and the cost of similar activities, CBO estimates that the reports required by H.R. 1249 would cost about \$1 million in fiscal year 2018 and less than \$500,000 in 2019; such spending would be subject to the availability of appropriated funds.

Enacting the legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting H.R. 1249 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

H.R. 1249 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

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

METRO WEST HOUSING SOLUTIONS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Metro West Housing Solutions for winning the 2016 Chairman's Choice Award from the Jeffco EDC.

Metro West Housing Solutions (MWHS) was established in 1974 as the Lakewood Housing Authority (LHA) to address the community's shortage of sufficient, decent, safe, affordable and sanitary homes for its residents. During the 1970s and 1980s, the LHA developed affordable housing programs for Lakewood residents including: implementation and management of the Section 8 program, purchase of dilapidated property and rehabilitation for sale to first time home buyers, and acquisition of affordable rental options.

In the late 1990s and 2000s, the organization continued to grow into a multi-faceted developer, property manager, and service producer. LHA began managing its own properties, acquiring and rehabbing apartment complexes, and developing its own newly constructed apartment communities.

In 2008, LHA rebranded as Metro West Housing Solutions to reflect its evolving mission. Today, MWHS remains a fiscally responsible, well respected non-profit and is known locally and nationally for its housing and service delivery. Current projects include the City-Scape at Belmar, Lamar Station Crossing and 5800 W. Alameda.

I extend my deepest congratulations to Metro West Housing Solutions for this well-deserved recognition from the Jeffco EDC.

IN RECOGNITION OF THE HONORABLE JOHN GILCREST O'ROURKE

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. VALADAO. Mr. Speaker, I rise today to honor the life and accomplishments of the Honorable John Gilcrest O'Rourke, a former judge and active member of the community in Hanford, California, who sadly passed away on March 9, 2017 at the age of 82.

Mr. O'Rourke was born January 11, 1935 in Hanford, California. After graduating from Lemoore High School, he went on to attend the University of Notre Dame in South Bend, Indiana. While a student at Notre Dame, Mr. O'Rourke met his wife, Joan, and the couple married January 3, 1959. The couple had five children, Peggy, John, Katie, Ellen, and Thomas.

In 1956, after graduating from the University of Notre Dame, Mr. O'Rourke was commissioned an Ensign in the U.S. Navy. While in the U.S. Navy, he served as a Fuel Quality Control Officer in Guam, sailed on a destroyer in the Pacific during Eniwetok atomic testing, and conducted patrol operations in the Strait of Formosa in Taiwan. After twenty-seven dedicated years of service, Mr. O'Rourke retired from the U.S. Navy as Captain, U.S. Navy Reserves.

John's successful legal career began at the University of California Hastings College of Law, San Francisco in 1960. He was admitted to the State Bar of California in 1965 and began his law practice as an attorney with Clawson and Jennings in Hanford and Lemoore. He was appointed and elected District Attorney, County of Kings in 1966, and served until 1979. Mr. O'Rourke left his judgeship to serve in private practice until 1985, when he was later sworn in as a Judge of the Municipal Court for the County of Kings. He was later sworn in as a judge in the Superior Court in 2001 for the county and state. While serving as a Judge, Mr. O'Rourke was known for his strong belief in the law, the Constitution and personal responsibility. In 2003, he retired the only way he knew how, and immediately began participating in the California Retired Judge Program, having last sat on the bench in December of 2016.

John was truly a staple of the community and was known for his visibility and activity in Hanford. He felt his status as a judge gave him a greater obligation to give back to his community, and he was often seen scrubbing pots, making pancakes, and cleaning up at events and fundraisers. John held leadership positions across the community, where he was a Minister and lector for St. Brigid's Parish, a Grand Knight of the Knights of Columbus, a Rotarian, school parent volunteer for McCarthy School, Hanford High volunteer, and a member of the YMCA Board, among many others. Despite his many great achievements and long list of volunteer work, above all Mr. O'Rourke was known for being humble.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in honoring the life and achievements of Mr. John Gilcrest O'Rourke. My thoughts and prayers are with his family and friends during this difficult time.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI SOLDIER MARINE CORPS FIRST LIEUTENANT (1LT) THERREL SHANE CHILDERS

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Marine Corps First Lieutenant (1LT) Therrel Shane Childers who paid the ultimate sacrifice while defending our nation on March 21, 2003, during Operation Iraqi Freedom III. 1LT Childers was killed during an assault on a pumping station in Iraq. He was the first American casualty in Operation Iraqi Freedom III.

1LT Childers grew up in a military family in Harrison County, Mississippi. After high school, 1LT Childers enrolled in the Marine Enlisted Commissioning Education Program at The Citadel, The Military College of South Carolina. Seven months after his death, a memorial service and parade were held there. 1LT Childers' family members donated money from the Shane Childers Memorial Fund to the university that day.

1LT Childers was described as a born leader. 1LT Childers also served in the 1991 Gulf War. At the time of his death, 1LT Childers was assigned to the 1st Battalion, 5th Marine Regiment, 1st Marine Division, Camp Pendleton, California.

1LT Childers devoted his life to the defense of our country. His leadership on the battlefield will always be remembered.

FIREARM RISK PROTECTION ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise today to reintroduce the Firearm Risk Protection Act, innovative legislation to promote safe gun ownership I first introduced in 2013.

Too often, our communities are left looking for answers after horrific tragedies inflicted with dangerous firearms. Every day, 48 children and teens die from gun violence, and too often because of preventable accidents.

A requirement to carry liability insurance is a market-based solution that would hold gun owners responsible for the risk their firearms present, and create incentives for responsible gun safety practices.

The Firearm Risk Protection Act would harness the power of insurance markets to allow professional actuaries to determine the risk presented by each gun and gun owner. Just as with car insurance, higher-risk owners or

firearms would face higher premiums, while responsible owners could qualify for reduced rates.

As gun violence continues to claim lives across the country, Congress should look for new ways to promote gun safety and prevent future tragedies. I hope my colleagues will join me to support this forward-thinking legislation.

GUNSLINGER CUSTOM PAINT

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Gunslinger Custom Paint for winning the 2016 Business Recognition Award from the Jeffco EDC.

In 2003, Gunslinger Custom Paint was founded by Jeff Theisen and Dave Call as a sister company to Pearl Auto Body. Theisen and Call founded Gunslinger with the purpose of creating impressive, eye-catching designs that combine custom paint with unique fabrication concepts to meet the needs and desires of motorcyclists. Using nationally known designers, airbrush artists and pin strippers, Gunslinger ensures excellence and creativity and can range from innovative, wild designs to more mild designs with custom colors and effects. The company is known for its cutting-edge artwork and is a Tier 1 supplier for the largest motorcycle company in the United States. Recently, Gunslinger added a third facility on Pine Ridge Road in Golden.

I extend my deepest congratulations to Gunslinger Custom Paint for this well-deserved recognition from the Jeffco EDC.

RECOGNIZING DEPUTY CHIEF DANIEL PEREZ JR.

HON. JIMMY PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. PANETTA. Mr. Speaker, I rise to recognize Deputy Chief Daniel Perez Jr. on the occasion of his retirement from the Salinas' Sheriff office after serving the public for 32 years. An outstanding officer and citizen, Deputy Chief Daniel Perez Jr. has dedicated much of his life to safeguarding the community of Salinas County. In addition to his time as an officer of the law, Daniel Perez is a strong voice in many nonprofit organizations and within his own community.

Dan was born and raised in Salinas and is a graduate of Alisal High School. He has a degree from Hartnell College in Criminal Justice, a Bachelor's Degree in Organizational Behavior from the University of San Francisco, and a Master's Degree in Human Resources from Chapman University. He is a graduate of the POST Supervisory Leadership Institute and POST Command College. He's received several awards and recognitions throughout his 32-year career.

Deputy Chief Dan Perez began his law enforcement career in 1984 with the Monterey

Co. Sheriff's Dept. as a Level II Reserve deputy working patrol, and special events. He was hired full-time as a Patrol Deputy in May of 1995. He attended the Alameda County Police Academy in Pleasanton, CA., graduating No. 2 overall in his class. During his career at MCSO, he worked out of the Salinas, and King City stations. He attained the rank of Corporal/FTO, and also worked as a Coroner's Investigator. He was on the Sheriff's SWAT team and Riot Control Team. He worked for the Sheriff's Office until February 1, 1992.

Dan joined the Salinas Police Department on February 2, 1992. He's held many assignments in his career to include patrol officer, field training officer, and SWAT team member. He was promoted to Police Corporal in 1993 and Police Sergeant in 1995. In addition to patrol, he's been the sergeant of the Violence Suppression Unit, Personnel and Training Unit, and Traffic Unit.

He was promoted to Lieutenant in 2001 and later to Police Commander in 2005. He has managed units and programs in all three divisions of the police department: Patrol, Investigations, and Administration. He served as an Area Commander, Tactical Commander, and Incident Commander throughout these assignments. He was then promoted to Deputy Chief in 2013, and is currently the Investigations Division Chief.

Dan has been active in the community throughout his entire career. He has volunteered his time towards programs and committees such as explorers, school yearbook committees, and youth and high school football, basketball, and baseball programs. He sat on the board of directors of three local non-profit agencies: The Salinas Police Activities League (PAL), Sun Street Centers, and Second Chance Youth and Family Services.

Mr. Speaker, it is my pleasure to recognize the dedication and hard work Deputy Chief Daniel Perez Jr. has done for others during his time serving with the Salinas Police Department. I ask my distinguished colleagues to join me in recognizing the selflessness service of Deputy Chief Daniel Perez Jr. and to congratulate him on his well-earned retirement. I extend my personal appreciation to Deputy Chief Daniel Perez Jr. for his service to his community.

HONORING INDUCTION OF RICHARD CHILDRESS INTO THE NASCAR HALL OF FAME

HON. TED BUDD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. BUDD. Mr. Speaker, I rise today to honor the racing legend Richard Childress upon his induction into the NASCAR Hall of Fame.

Richard Childress' iconic career began 50 years ago when he bought his 1947 Plymouth for \$20 at the age of 17. That simple moment in time was a pinpoint in history that would ignite Childress' passion for motorsports leaving an imprint on NASCAR fans across the country. As a driver, Mr. Childress laid claim to (6)

top 5 and (76) top 10 finishes. In 1981, Mr. Childress climbed out of the driver's seat and into the owner's role full time.

Beginning as a one-man operation, Childress has grown his organization to more than 500 employees. His cars have compiled over 100 victories and 2,588 major series starts. In 1981 he kicked his team's performance into overdrive when he paired up with late great Dale Earnhardt, who was part of the inaugural NASCAR Hall of Fame class. The duo would become known as one of the most successful partnerships in NASCAR, winning a total of six Cup championships together. Mr. Childress has a total 11 Cup Championships and counting, putting him second on the all-time list for owners.

Childress' legacy is not exclusive to NASCAR. Following his racing career, he remains an active member of the North Carolina community. In 2008, the Childress family began working with Wake Forest Baptist Medical Center and subsequently founded the Childress Institute for Pediatric Trauma after discovering that pediatric trauma was the number one killer of children in the United States.

Mr. Childress' contributions and accomplishments to the sport and his community deserve to be celebrated and honored. Mr. Childress' induction into the NASCAR Hall of Fame not only speaks to his incredible achievements in stock car racing, but also to his character, business acumen, and his drive to succeed and win. Mr. Speaker, please join me today in congratulating Richard Childress and his entire family and organization on his induction into the NASCAR Hall of Fame.

TRIBUTE TO BRENDA GALVEZ— CALIFORNIA'S 24TH CONGRES- SIONAL WOMAN OF THE YEAR

HON. SALUD O. CARBAJAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. CARBAJAL. Mr. Speaker, I rise today in honor of Women's History Month. Every year, we give special recognition to the accomplishments and sacrifices made by America's women. I consider it an honor to highlight the extraordinary women who are making a difference in my District. I would like to recognize one outstanding woman, Brenda Galvez, of Los Alamos, California.

Brenda serves her community as a bilingual translator for the Orcutt Union School District at several school sites, but plays a particularly important role at Olga Reed School in Los Alamos, where she has been part of the staff for several years and is beloved by both parents and students. Los Alamos is an agricultural community and leans on Brenda to serve as a liaison between the schools and Spanish speaking parents.

Her expertise is utilized at Special Education IEP meetings, where having a translator for the parents and service providers is vital for student success. Brenda continues to aid her community by being the sole founder of Padres en Acción, a committee whose mission is to keep Spanish speaking parents informed about school matters.

Brenda goes above and beyond by also helping on the school playgrounds, the administration offices, and the cafeterias. There is no doubt that Brenda embodies the credo of her school district "where a dedicated staff means kids come first."

She serves as an instrumental lifeline to the Los Alamos community and has selflessly served her students. I ask all Members to join me today in honoring an exceptional woman of California's 24th Congressional District, Brenda Galvez, for her incredible service to her community.

IN RECOGNITION OF DR. ROSEMARY SARRI FOR RECEIVING THE ALTERNATIVES FOR GIRLS' ROLE MODEL AWARD

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Dr. Rosemary Sarri, a distinguished scholar and recipient of the Alternatives for Girls' 2017 Role Model award. Ms. Sarri's groundbreaking social science research has contributed to a better understanding of criminal justice and child welfare while helping advance social welfare policies that benefit Michigan families.

After receiving her doctorate in Social Work and Sociology from the University of Michigan, Dr. Sarri was named an assistant professor at the University in 1962. Throughout her career, Dr. Sarri was recognized as a leading expert on social policy and poverty among families and children. Her research has focused on the long-term impact of incarceration on individuals, as well as the effects of poverty on families and children. In addition to having published extensive research on these issues, Dr. Sarri has consulted with numerous nonprofits, think tanks and national governments, including those of Australia and South Korea. She also has extensive international teaching experience, including training faculty at schools of social work in China.

Dr. Sarri's work had transformed our understanding of family welfare and has allowed us to enact policies that target the underlying factors that create poverty and modernize criminal justice to reduce recidivism. She has worked with the Michigan Department of Human Services as well as the Michigan Collaborative on Juvenile Justice to translate her research into actionable policy at the state level. Additionally, Dr. Sarri has received many accolades for her innovative research, including the University of Michigan Distinguished Faculty Achievement Award and the National Association of Social Workers' Presidential Award for Research. Dr. Sarri continues to hold a position with the University of Michigan's Institute for Social Research, and her research has inspired a new generation of scholars in the fields of social work and family policy.

Mr. Speaker, I ask my colleagues to join me in honoring Dr. Rosemary Sarri for receiving the Alternatives for Girls' 2017 Role Model Award. Dr. Sarri's scholarship and real-world

impact has benefited Michigan's families while advancing knowledge in a variety of disciplines.

PERSONAL EXPLANATION

HON. BRENDA L. LAWRENCE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mrs. LAWRENCE. Mr. Speaker, unfortunately, on March 22, 2017, I was not able to cast my votes during the second series. Had I been in attendance, I would have voted:

YES on the Democratic Motion to Recommit on H.R. 1101

NO on H.R. 1101—Small Business Health Fairness Act of 2017

YES on H.R. 1238—Securing our Agriculture and Food Act

HONORING THE LIFE OF CONGRESSMAN ELIGIO "KIKI" DE LA GARZA

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. CUELLAR. Mr. Speaker, I rise today along with Congressman FILEMON VELA Jr. and Congressman VICENTE GONZALEZ to commemorate the life of Congressman Eligio "Kiki" de la Garza of Texas' 15th district.

Congressman de la Garza was born on September 22nd, 1927, in Mercedes, Texas and raised in Mission, Texas. When he was 17 years old, he enlisted in the United States Navy, where he served during the final months of World War II. Upon his return home, he enrolled in Edinburg Junior College, and later transferred to St. Mary's University in San Antonio. Eventually, he would serve during the Korean War as a second lieutenant with the Army's 37th Division Artillery. After his service, he went on to earn a law degree from St. Mary's University in San Antonio.

At 24 years old, Congressman de la Garza was elected to the Texas House of Representatives. He was an important leader in his community, who served as delegate in the Texas House for six consecutive terms. In 1965, Congressman de la Garza was elected to the United States House of Representatives, where he spent the next 32 years advocating for civil rights, food security, affordable health care, and access to education for all citizens. He was first a member, and later the chairman of the U.S. House Agricultural Committee. He and his committee crafted legislation focused on rural economic development, improved nutrition, and environmental protection. His legislative programs often brought together farmers, ranchers, consumers, and other interest groups. During his career in the House of Representatives, he also advocated for improved U.S. and Mexico relations including the North American Free Trade Agreement. For his efforts, he later received the Order of the Aztec Eagle, the highest honor Mexico can give to non-citizens.

Congressman de la Garza was a pioneer who paved the way for more Hispanics to participate in our nation's legislative process. For a time, he was the only Hispanic member of the Texas House, and later became the second Hispanic member of Congress from the state of Texas. His dedication to the Hispanic community is evident in his role as a founding member of the Congressional Hispanic Caucus. Congressman de la Garza was an inspiration for the Hispanic community, and has empowered others to become active in our legislative process.

His memory will be honored by his family, his friends, and the communities which he served. He is survived by his loving wife of 63 years, Lucille, as well as his three children, eight grandchildren, and one great-grand child. He will also continue to be honored at the University of Texas Rio Grande Valley, where they have the E. "Kiki" de la Garza Endowed Scholarship Fund.

Mr. Speaker, we are honored to have the opportunity to remember the legacy of Congressman Eligio "Kiki" de la Garza. His dedication to his country, and his community, will not be forgotten.

H.R. 1259, VA ACCOUNTABILITY FIRST ACT OF 2017

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. CONNOLLY. Mr. Speaker, the VA Accountability First Act of 2017 (HR 1259) represents an attack on collective bargaining at federal agencies and an attempt to dismantle the Civil Service Reform Act of 1978 (CSRA, Pub. L. 95-454). The VA Accountability First Act of 2017 would strip Department of Veterans Affairs (VA) employees of personnel procedures that they developed through collective bargaining with the VA. It would also close the window of notice provided to employees facing adverse personnel actions from 37 to only 10 days. By infringing on activities authorized by the CSRA, this bill would make it easier to fire an employee without good cause.

We should remember that one-third of VA employees are veterans themselves. H.R. 1259, as written, would harm some of the very people we are trying to assist. The elimination of merit-based principles for workers facing adverse action could allow management to target the same whistleblowers who are trying to help us eliminate waste, fraud, and abuse at the VA.

The bill guts the right of VA employees to use union protest mechanisms to effectively address hostile actions. The current grievance procedure is granted by statute and included in the contract negotiations between labor and management. The bill proposes a rushed management-run appeals process that does not allow good employees who are treated unfairly enough time to develop the requisite supporting information to defend their jobs. The reduced timeframe for agency review would be even more severe for medical professionals facing adverse actions related to

professional conduct or competence, particularly because their cases typically involve complex medical issues.

H.R. 1259 also strips front-line employees of their rights to appeal to the Merit System Protection Board (MSPB) by reducing the adjudication period following their dismissal and removal from the payroll. Employees lose 80 percent of the time at the MSPB and would now only have seven days to prepare their case for the United States Court of Appeals for the Federal Circuit.

A thoughtful approach to these issues at the VA would strike a balance of promoting employee accountability and protecting employee rights. Unfortunately, this bill does not strike that balance, and so eviscerates employee protections that it could discourage whistleblowers from exposing waste, fraud, and abuse at the VA. I strongly oppose the VA Accountability First Act because of the destructive effects it would have on the VA workforce and veterans alike.

IN RECOGNITION OF THE JOHN CHAMPE HIGH SCHOOL WIND EN- SEMBLE

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize the John Champe High School Wind Ensemble on participating in the 2017 Music for All National Festival. Their dedication, hard work, and perseverance, along with the guidance and direction of their esteemed band director, Jonathan Phillips, helped earn John Champe High School its first appearance in the Music for All National Festival.

The Music for All is one of the nation's largest and most influential organizations, and only a mere 59 high school and middle school concert band and percussion ensembles from across the nation were selected to perform at the 2017 festival. Despite the fact that the John Champe High School Wind Ensemble is still in its nascent, as John Champe High School only opened in Aldie, Virginia, in 2012, they have the honor and unique distinction of being the first ensemble from Loudoun County to be invited to perform at this festival. Furthermore, in five years, the band program at John Champe has blossomed from 26 students who were in the inaugural marching band in 2012 to 230 students today. The John Champe Knights have also earned the distinction of Virginia Honor Band three times and 19 students successfully auditioned into the All-District Band this year.

Mr. Speaker, I ask that my colleagues join me in congratulating the John Champe High School Wind Ensemble on participating in the 2017 Music for All National Festival. I am proud to represent these students and wish them all the best in their future endeavors.

CONGRATULATING DR. LOREN P. GRESHAM ON HIS RETIREMENT FROM SOUTHERN NAZARENE UNIVERSITY

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. MARCHANT. Mr. Speaker, I rise today to recognize Dr. Loren Gresham on his retirement from Southern Nazarene University (SNU). For the past 50 years, Dr. Gresham has devoted his time and efforts to providing students a top tier education in a Christ-centered environment.

Dr. Gresham has demonstrated a lifetime passion for education, including his own. Before becoming the President of SNU, Loren received a number of degrees. Loren earned his Bachelor of Arts degree at Pasadena College (now Point Loma Nazarene University) in 1962 and went on to receive his Master of Arts degree in international relations from the University of Southern California. In 1964, Loren married former Pasadena College classmate, Linda Brown, and together they have one child, Suzanne.

In 1967, Loren moved to Bethany, Oklahoma where he became a professor of political science at Bethany Nazarene College. He became a Fulbright Scholar and was granted leave for the 1970–71 academic year to conduct research in New Zealand. During his time as a professor, Loren continued to pursue his higher education studies at the University of Oklahoma and earned a Ph.D. in political science in 1973.

At Bethany Nazarene College, Dr. Gresham pursued his lifelong interest in the sport of basketball. He became assistant coach and later the head coach of the men's team. Under his leadership, the team achieved remarkable success including a national championship in 1981 in the National Association of Intercollegiate Athletics (NAIA) defeating the University of Alabama in Huntsville. As President of SNU, Dr. Gresham has continued this tradition of competition as an active advocate of the 18 SNU women and men's athletic teams.

By 1985, Dr. Gresham became provost of Bethany Nazarene College and four short years later, in 1989, the board of trustees named Dr. Gresham the president of the institution, now called Southern Nazarene University. Currently, Dr. Gresham is the longest serving president among the eight Nazarene institutions of higher education in North America. Additionally, he is the longest tenured president serving at any college or university in the state of Oklahoma.

During Dr. Gresham's presidency at SNU, the institution has had 28 consecutive years of balanced budgets, and last fall's total enrollment was the all-time high in SNU's school history. During Dr. Gresham's tenure, SNU has been ranked the number one "Best College" in Oklahoma and one of "The 50 Most Affordable Private Colleges" in the nation by Money (2016). Dr. Gresham is also credited with raising the needed funds for operating, endowment, and capital projects. The funds raised have gone to many programs that will educate the next generation of SNU leaders

and enhance student life such as campus beautification projects, construction of new living centers, major upgrades to athletic facilities, and the establishment of a online campus and a satellite campus in Tulsa, Oklahoma, among others.

Dr. Gresham has served in many professional organizations to help improve education for students and educators across the nation. He has chaired the NAIA Council of Presidents as well as serving on the Board of Directors for the National Association of Independent Colleges and Universities. He has chaired the Council of Christian Colleges and Universities Board of Directors, an organization that represents more than 111 Christian colleges and universities across the nation.

Dr. Gresham's wife, Linda, has also served extensively on campus ministries. Linda and Dr. Gresham have a clear passion for education and love for SNU. Together, they founded The Gresham Leadership Grant to recruit outstanding young leaders to SNU. This highly selective first-year grant is awarded to students who have clearly demonstrated leadership in their community, church, and school and possess exemplary character in all aspects of their lives.

Mr. Speaker, on behalf of the 24th District of Texas, I would like to thank Dr. Gresham for his 50 years of commitment and leadership to Southern Nazarene University. Dr. Gresham's work ethic, values, and integrity have set an example for those in higher education. I ask all my distinguished colleagues to join me in wishing Dr. Gresham continued success as he enjoys his retirement.

CONGRATULATIONS TO THE SHIRLEY RYAN ABILITYLAB, THE FUTURE OF THE REHABILITATION INSTITUTE OF CHICAGO ON THE OPENING OF THEIR NEW FACILITY

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise to congratulate the Rehabilitation Institute of Chicago (RIC) on the opening of their new state of the art facility, the Shirley Ryan AbilityLab, opening on March 25, 2017.

RIC has been named the "No. 1 Rehabilitation Hospital in America" by U.S. News & World Report for 26 consecutive years. Their new facility will be the first research hospital in which clinicians, scientists, innovators, and technologists work together in the same space, surrounding patients, discovering new approaches and, applying research in real time.

The Shirley Ryan AbilityLab will significantly expand RIC's overall footprint of 1.2 million square feet, of which 800,000 are dedicated to clinical research. Their inpatient capacity will grow by 40 percent increasing their total beds to 242. The facility growth will include outpatient and research space along with expanding to five translational Ability Labs. RIC's applied research and therapeutic space will integrate patients in the process of discovery

and innovation, providing the highest quality medical care and state-of-the art equipment for patients with Brain; Spinal Cord; Nerve, Muscles & Bone; Cancer; and Pediatric conditions.

RIC's dedication to providing the best rehabilitation care in the world and conducting cutting edge research in my Congressional District is resulting in medical discoveries and innovations that benefit patients all over the world. For that, Mr. Speaker, I applaud RIC and congratulate them as they open the Shirley Ryan AbilityLab.

RECOGNIZING THE 30TH ANNIVERSARY OF BELOVED DALLAS RESTAURANT WILLIAMS CHICKEN

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, it is with great pride and a watering mouth that I celebrate the 30th anniversary of the most famous chicken restaurant in all of North Texas—Williams Chicken. What started as one 'chicken spot' in 1987 has now become a successful chain with over 40 stores including 20 franchises, and in addition to being responsible for the best wings you can find in the Dallas area, it boasts 500 employees.

Williams Chicken's amazing growth and story is due to the entrepreneurial spirit of its founder and CEO, Hiawatha Williams. Williams Chicken's humble beginnings are only as humble as Mr. William's start himself, coming from a small Texas town then going to Paul Quinn College in Dallas. After learning the ropes of the industry at a nationwide fast-food corporation, Williams left to found Williams Chicken, to serve great food to the great people of Dallas.

Mr. William's story of entrepreneurship is an inspiration to business leaders in the greater Dallas community—but it is particularly important to the African-American community. Not only has he created a successful business, but he has chosen to practice his give-back spirit by conducting major outreach in edu-

cation, youth programs, and corporate philanthropy. He and his restaurant have shown many young people in Dallas that it is possible to create a successful and meaningful business.

Though he can be found in numerous magazines and on TV often, Williams will be the first to say his kind family, his wife Doris and his two adult sons who work in the business, are the ones who keeps him reinforced. Mr. Speaker, Hiawatha Williams is an impressive man with an incredible business, and the taste of his chicken is only outweighed by his taste for the community.

RECOGNIZING THE IMPORTANCE OF THE SUMMIT OF HOPE

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to recognize the Summit of Hope, an event organized by the Illinois Department of Corrections, the Illinois Department of Public Health, and local organizations throughout Illinois. The Summit of Hope is designed to help former inmates reintegrate into society and succeed as citizens once they've served their time in prison, promoting public safety and reducing recidivism in the process.

All too often, former inmates do not have access to the tools they need to succeed in our society. Without access to employment or housing, they in too many cases return to prison.

The Summit of Hope is a large community expo designed to provide individuals on parole or probation with access to the tools they need. Services provided at the event range from voter registration, to counseling, to job training, to health screenings and beyond. By providing access to these services, organizers are ensuring that these individuals have every opportunity to succeed and reintegrate in our society. I am grateful for the extraordinary efforts of Mr. Marcus King, Community Outreach Administrator for the Illinois Department of Corrections' Office of Constituent Services. Mr. King is a driving force behind this and

other Summit of Hope events around the state of Illinois, and his impact on reducing recidivism cannot be overstated.

I also want to note the important efforts of Ms. Brandi Vigil, a full-time faculty member with Loyola University's Department of Criminal Justice and Criminology. Ms. Vigil and Loyola University have helped make the Summit of Hope a reality.

I am honored to have a Summit of Hope event take place in the 9th Congressional District of Illinois, and I hope that this and future events help make our communities safer and equip former inmates with the tools they need to succeed.

BMW EXPORTS EXCEED \$9 BILLION

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 23, 2017

Mr. WILSON of South Carolina. Mr. Speaker, a recent article in Charleston's The Post and Courier titled "S.C. BMW sets pace for U.S. auto exports," details the remarkable production levels coming out of BMW's South Carolina plant with exports of over \$9 billion.

"The BMW manufacturing plant in South Carolina maintained its position as the nation's leading exporter of vehicles, sending \$9.53 billion worth of cars and SUVs to foreign countries in 2016—most of them through the Port of Charleston."

The president and CEO of BMW Manufacturing, Knudt Flor, said in a statement, "We had a record-breaking production and export year in 2016, and these new export figures reinforce BMW's commitment to South Carolina and the United States."

Governor Henry McMaster accurately indicated that "there's no overstating the value BMW has brought to South Carolina since opening its doors in Spartanburg County over 20 years ago. The fact that the same facility that represented such a commitment to our state is now the leading automotive exporter in the country is something that all South Carolinians should be proud of."

HOUSE OF REPRESENTATIVES—Friday, March 24, 2017

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

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Dear Lord, we give You thanks for giving us another day.

We are at the end of a difficult week filled with long days of work on legislation of great import for all Americans.

May Your peace descend upon this assembly. May wisdom and good faith rule the day, and may each Member proceed, with the help of Your grace, on the day's proceedings.

We all thank You that we have the privilege to serve in the people's House.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

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

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

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

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

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. KILDEE led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

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

REMEMBERING TOM FRIEDKIN

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

Mr. OLSON. Mr. Speaker, a man loved throughout Houston, throughout Texas, throughout America, and throughout our world, Tom Friedkin put on his angel wings and flew to Heaven last week.

Tom was the force behind Houston's largest private company, Gulf States Toyota. Tom put an "open for business" sign up in 1969. Thirty years later, Tom was inducted into the Texas Business Hall of Fame.

Tom's brain made him a billionaire, but his heart was worth much, much more. Tom took that heart to Tanzania to protect elephants from being poached and killed. Tom's foundation signed a 30-year agreement with Tanzania to make it a better country.

A legend Texans love, Bum Phillips, would say this about Tom Friedkin: Tom, you may not be in a class by yourself, but whatever class you are in, it don't take long to call the roll.

God bless you, Tom.

HEALTHCARE BILL OUGHT TO BE REJECTED

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

Mr. KILDEE. Mr. Speaker, well, here we are. Today is the day when this House will vote on whether or not access to health care is a fundamental right in this country or should be limited to those of means who can afford it, whether access to lifesaving preventative care is something that Americans ought to be able to depend upon.

Now, we haven't seen the final language of the bill—it is still being worked on—although we are voting on it today, but here is what we know:

It will result in higher costs.

It will force families to pay higher premiums and higher out-of-pocket costs.

It will provide less coverage; and, in fact, just in the last couple of days, even less coverage, by eliminating essential health benefits like preventative care, like hospitalization, like prescription drugs. Somebody might have a healthcare card, but it won't provide them health care when they need it.

It will have a crushing age tax. If you are 50 to 64 years of age, get ready. You will pay enormously higher costs as a result of this ill-conceived piece of legislation.

This steals from Medicare, undoes the promise.

This is a bad piece of legislation. It ought to be rejected.

THANKING ANDY LEUNG FOR HIS SERVICE

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to thank a very special member of my team, Andy Leung, who is an intern in my office.

Andy comes to us through the Congressional Internship Program for Individuals with Intellectual Disabilities. This is a unique program designed to give students with varying intellectual disabilities an opportunity to gain congressional work experience. It is part of George Mason University's LIFE Program. To date, 150 congressional offices from the House and Senate have participated in this wonderful program.

Mr. Speaker, Andy is a part of our team, and we look forward to the hours he spends with us each week. He quickly settled into the office, and he is always in great spirits.

Andy is hardworking and curious. He is interested in the projects the full-time staff are working on. He loves picking up the flags from the Capitol, and we are truly fortunate to have such a dedicated intern.

I would like to thank Andy for his service and thank his employment assistant and the Congressional Internship Program for Individuals with Intellectual Disabilities for making this possible.

TRUMPCARE IS A PRESCRIPTION FOR DISASTER

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

Ms. MCCOLLUM. Mr. Speaker, TrumpCare is a disaster for children, families, seniors, and people with disabilities.

The bill we are considering today has been strong-armed through this House with no public hearings. Today as we vote, we don't have an updated estimated cost from the Congressional Budget Office, but here is what we do know:

Under TrumpCare, families will pay more for their insurance premiums and their deductibles.

Under TrumpCare, older Americans will be forced to pay higher insurance premiums, five times higher than what others pay.

Under TrumpCare, health care for vulnerable children, seniors, and people with disabilities will be rationed.

Unbelievably, TrumpCare even attacks the solvency of Medicare. It will be weakened by giving big tax breaks to billionaires.

TrumpCare was made even worse overnight. Now insurance companies will be able to sell policies that exclude basic health care like cancer screening and preventative care and even some hospitalizations.

Mr. Speaker, this is not a healthcare bill. It is a prescription for disaster. I urge my colleagues to strongly oppose TrumpCare.

AMERICAN HEALTH CARE ACT IS A WAY FORWARD

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

Mr. LAMALFA. Mr. Speaker, as we contemplate the American Health Care Act, here are a few things we do know:

The Affordable Care Act, as it is called, has driven premiums for working families up and up each year. There are fewer choices of plans, especially in rural America, and 8 million and rising people are choosing not to opt to be enrolled at all, paying the penalty instead.

Premiums will keep going up, as projected. Even more will drop out, and more will pay the penalty instead. More will become uninsured.

This death spiral is not choice; it is not an American value.

Mr. Speaker, as the American Health Care Act moves forward, we know the Democrats will not be helpful, as they are clinging to the failing ACA at all costs. We know that middle-income families are begging us for relief and more choices. We know this bill represents the best chance to achieve cost relief, actual choices, while also keeping the commitment under Medicaid to children in need with reauthorizing the bipartisan SCHIP later this year.

More affordable options come about with unshackling what the ACA has wrought. It is this or that.

Mr. Speaker, we must keep this dialogue, this option, this bill, the American Health Care Act, as a way forward to bring choices and relief to Americans who have worked for the American Dream and are feeling like they are losing it.

Let's keep our pledge and help President Trump keep his pledge by taking this one of three important steps with the American Health Care Act.

TAX CUTS FOR MILLIONAIRES

(Mr. HASTINGS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. HASTINGS. Mr. Speaker, I say good morning to America.

This is not a health bill that we are readying ourselves to vote on. It is a tax bill for wealthy people.

I just left the Committee on Rules. We started our session there at 7 this morning. I have in hand a closed rule that will allow for 4 hours of debate. Later on this afternoon, the Republicans will accomplish what they set out to do.

The bill provides \$274.9 billion in tax cuts for the highest income Americans. Over half of the tax cuts in the bill go to millionaires. In the year 2020, 61 percent of the cuts go to those earning more than a million dollars.

At the same time, Republicans cut Medicaid by more than \$880 billion. That is money for poor people that will not have those benefits. Republicans cut Medicaid by that amount for working families.

Donald Trump's people and his Cabinet will do very well.

AMERICA CAN DO BETTER

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

Mr. LEVIN. Mr. Speaker, this is the Republican bill: a trillion dollars in lost health care for millions; at the same time, a trillion dollars in tax breaks, mostly for the very wealthy and corporations.

The Republican majority says their bill is to provide patient-centered health care, but for patients there is no healthcare center when there is no insurance.

The Republican bill robs millions of needed insurance for their health and, in many cases, would rob them of their life.

The Republican plan would create death panels for numerous unknown Americans.

This is not our America. America can do better. We must.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1628, AMERICAN HEALTH CARE ACT OF 2017

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 115-58) on the resolution (H. Res. 228) providing for consideration of the bill (H.R. 1628) to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017, which was referred to the House Calendar and ordered to be printed.

PROVIDING FOR CONSIDERATION OF H.R. 1628, AMERICAN HEALTH CARE ACT OF 2017

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 228 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 228

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1628) to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017. All points of order against consideration of the bill are waived. The amendments specified in section 2 of this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) four hours of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Budget or their respective designees; and (2) one motion to recommit with or without instructions.

SEC. 2. The amendments referred to in the first section of this resolution are as follows:

(a) The amendment printed in part A of the report of the Committee on Rules accompanying this resolution modified by the amendment printed in part B of that report.

(b) The amendment printed in part C of the report of the Committee on Rules accompanying this resolution modified by the amendments printed in part D and part E of that report.

The SPEAKER pro tempore (Mr. WOMACK). The gentleman from Texas is recognized for 1 hour.

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

GENERAL LEAVE

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

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

There was no objection.

□ 0915

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

This rule is a fair rule that adequately provides both sides of the aisle with ample time to debate the merits of the underlying legislation. In fact, the Rules Committee thought it was so important that ample time be provided to this debate, that we are provided 4 hours of general debate on the underlying bill.

Mr. Speaker, in honor of our former President, Ronald Reagan, I wear

brown today. The former President, when he was President, believed that wearing brown was good luck to him and good luck for the things which he was undertaking. So, in honor of Ronald Reagan, I, too, wear my brown jacket today.

Mr. Speaker, it has become abundantly clear that ObamaCare has failed the American people. Our Nation's healthcare system today is broken and only getting worse under the current law, known as the Affordable Care Act, or ObamaCare.

Simply put, ObamaCare is collapsing, and it is collapsing fast. Options and choices are disappearing for consumers, and an anticompetitive marketplace has been created that firmly harms patients.

How bad is it? Nearly one-third of all U.S. counties currently have only one insurer offering plans on their State's exchanges. That is a government-created monopoly, Mr. Speaker, and that kills the free market, meaning no choices for the American people and higher costs are what the American consumer and the healthcare market are finding.

And it is only continuing to get worse. As more and more insurers leave the marketplace, prices will continue to rise, forcing healthy individuals to make economic decisions not to purchase health care, creating a self-defeating spiral of rising costs and less options. That is why we must act, and act today, which is what we are doing.

It is no wonder that in such a government-controlled system that premiums have increased by an average of 25 percent on the ObamaCare exchanges this year alone. And it is no wonder that some 19.2 million taxpayers chose to outright pay the individual mandate penalty or claimed an exemption. What this means is that ObamaCare is not a good option to these 19.2 million people.

Mr. Speaker, the American people, I believe, sent us to Washington, D.C., to fix this issue. They are telling us directly: this must be fixed now. And people certainly outside of Washington resent the Federal Government telling them how to purchase health care and what that healthcare marketplace would look like. But we really do not have to tolerate this. We do not have to agree that we will accept the status quo.

Mr. Speaker, I believe the American people are smart. I believe the American people want independence, they love freedom, and they want to know that they can make their own choices, because they believe they make better choices than a one-size-fits-all plan out of Washington, D.C.

What brings us here today, however, most assuredly, is a broken system. So, Republicans offer today H.R. 1628, the American Health Care Act of 2017, which will eliminate Washington's one-

size-fits-all healthcare policy for the American people. It dismantles the disastrous ObamaCare taxes that are strangling the working middle class and diminishing America's economic prowess. We will end this with the opportunity to vote today to change the status quo.

It eliminates the onerous employer and individual mandates. It prohibits health insurers from denying coverage and helps young adults access health care by getting back into the marketplace while stabilizing and restoring the free market opportunities for all Americans.

Mr. Speaker, the American people are counting on Washington getting it right this time. What does getting it right mean? Getting it right means giving them the opportunity to exit a bad system and to have a better chance at a new system.

This rule provides House Republicans with the opportunity to restore exactly that—a better healthcare plan to provide the middle class and low-income families who have been left behind on either side of the aisle, and it gives them an opportunity to have tax advantages in the employer marketplace.

Mr. Speaker, today, we will be dissecting this into three separate areas. We will have Members of the Republican majority here to explain that and the bill.

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

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

Mr. Speaker, I want to thank the gentleman from Texas (Mr. SESSIONS), my friend, for yielding me the customary 30 minutes.

Mr. Speaker, the majority is rushing to congratulate itself for finally having a bill to repeal the Affordable Care Act. For 7 years, Republicans had nothing to actually replace the law with, but that didn't stop them from making one empty political promise after another.

And after all that, what do we have in front of us today? This bill will take away health care from 24 million hard-working Americans. It forces families to pay higher premiums and deductibles, increasing out-of-pocket costs. It is a crushing age tax, forcing Americans age 50 to 64 to pay premiums five times higher than what others pay for health coverage, no matter how healthy they are. Not to mention the \$880 billion cut to Medicaid or the fact that it steals from Medicare, shortening the life of the Medicare trust fund by 3 years and ransacking funds that seniors depend on to get the long-term care they need.

I don't see anything there to be excited about. But then again, I come from the old-fashioned school of thought that we should actually take care of our fellow citizens as they grow older, rather than tossing them off the ship without a life preserver.

It is no wonder that after developing such an ill-conceived and far-reaching bill on the fly, the majority has had to try and jam this legislation through our Chamber.

First, they rushed this bill through the committee process without holding a single hearing, and without the benefit of a nonpartisan Congressional Budget Office score outlining its costs and impacts.

Then the majority came out of a back room somewhere and filed four managers' amendments in the dark of night to try to appease the conservative and moderate holdouts, including the infamous Buffalo bribe. The Republican leadership has been trying to strong-arm their conference into voting for this bill all week, and nobody knows how today's vote will go. The only thing we do know is that this is a terrible bill that is only getting worse, not better.

This thing has been a mess from beginning to end. Now, I know our President prides himself on his negotiating skills, but this seems more like the art of no deal to me, no matter what the final vote tally looks like.

That brings us to this early morning, when we met at 7 a.m. in the Rules Committee to report out this rule, which rewrites the bill to make it far worse.

Last night, we were presented with a provision, concocted in some back room, that boggles the mind with its cynicism. So what is this mysterious grand bargain that will appease the Republican Conference and finally buy Speaker RYAN enough votes to pass this disaster of a bill? Well, Mr. Speaker, it is so cartoonishly malicious that I can picture someone twirling their mustache as they drafted it in their secret Capitol lair last night.

Republicans are killing the requirements that insurance plans cover essential health benefits—essential health benefits. Now, perhaps you are wondering: What are these so-called essential benefits? Well, I will give you a partial list: emergency room trips, maternity care, mental health care and substance abuse treatment, and prescription drugs. These are the types of exotic, extravagant benefits that Republicans apparently don't think are important for working Americans to be able to afford.

It would be literally unbelievable if we weren't here considering it right now, Mr. Speaker. Now, I have been awake since before dawn—thanks to our Rules Committee meeting—so I know that this isn't a nightmare. We are actually voting on a bill with a backroom deal, made in the dark of night, that would take away any guarantee that plans would cover these basic essential benefits.

And, of course, we have no idea what the costs will be or how many people it will affect. We can't know those things

until we get an analysis from the non-partisan Congressional Budget Office, which, obviously, we will not have before we vote on this reckless legislation.

And that is the real problem. Because every time you come out of a back room, this bill gets worse. For the sake of our country, maybe we should consider putting locks on the back rooms you huddle in.

President Trump keeps talking about crowd size. My colleagues across the aisle keep talking about page size. This morning, in the Rules Committee, Republicans kept saying that the fifth manager's amendment is only 4 pages long. How bad could it be?

Well, they need to stop worrying about size and pay more attention to how this bill will affect regular, working Americans. These 4 pages are the worse 4 pages on this planet because of the terrible consequences it will have on real people. It will be devastating for millions and millions of Americans.

So, Mr. Speaker, instead of rushing this horrendous bill, patched together with backroom deals, to the floor and voting on it just hours after seeing the final product, we should be working together in a bipartisan way to improve people's lives, and certainly not putting them at risk. My colleagues seem too concerned about winning at any cost to stop and think about the consequences for millions upon millions of Americans. This is a lousy bill.

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

Mr. SESSIONS. Mr. Speaker, I yield 10 minutes to the gentleman from Lewisville, Texas (Mr. BURGESS), a distinguished member of the Rules Committee, a gentleman who sits on both the Energy and Commerce and the Rules Committee. He is quite literally the most knowledgeable person on health care in the United States Congress.

Mr. BURGESS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, we all know why we are here—the problems that exist within the Affordable Care Act. It is simply not working for the American people—limited choice, costs going up, and millions without access to care. Unfortunately, these are not just talking points, but real issues affecting real Americans.

The Affordable Care Act has damaged the individual market. It has driven insurers away from offering coverage. Now, we are seeing one-third of all United States counties with only one insurer. And among the plans that have chosen to remain in the markets, there have been widespread, double-digit premium increases.

The individual markets are a death spiral and are failing to live up to the promises made 7 years ago—that Americans would be able to receive affordable health care. As we knew then, and

we know now, this was an empty promise that has left an estimated 19.2 million Americans without coverage. What is worse, these individuals are forced to pay the individual mandate penalty or seek a hardship exemption because of the costs to purchase and use health insurance.

Nine months ago, Mr. Speaker, we began our Better Way plan to save the Nation's healthcare system and to bring relief to the American people. This plan, which served as the blueprint for the American Health Care Act, laid out the policies to stabilize the collapsing insurance markets and to repeal the more burdensome Affordable Care Act taxes and mandates that have hindered innovation and limited access to care. So let's take a look at what the American Health Care Act does.

First and foremost, it provides immediate relief to the State insurance markets. As Republicans, we know that one-size-fits-all works for no one and certainly did not work for the individual markets. The States should have the flexibility to support their insurance markets and ensure that plans can continue to provide options for coverage.

To do this, we relaxed two of the egregious market regulations that were imposed under the Affordable Care Act: the mandate that premiums cannot vary for younger and older Americans by more than a 3-to-1 ratio, and the mandate creating fixed actuarial values for plans.

The mandate limiting a plan's ability to set premiums by age has driven up the cost for coverage for younger and healthier Americans and has pushed away those seeking coverage by the millions. Of the 19.2 million Americans who have sidestepped the individual mandate, it estimated that as many as 45 percent of these individuals are under the age of 35. Without these younger Americans seeking coverage, the markets have further plunged into death spirals, as insurers hike up premiums year after year.

To change this, we are relaxing the ratio to 5-to-1. It will lower premium costs and provide necessary opportunities to stabilize the markets.

Additionally, we are repealing the actuarial values mandate to provide insurers with additional flexibility to offer more coverage options.

□ 0930

To further supplement these efforts, we are establishing the Patient and State Stability Fund. This fund provides States with \$100 billion over 10 years to promote innovative solutions to lower cost and increase access to health care for unique patient populations in each State. The goal is simple: to provide States with maximum flexibility as to how they address the cost of care for their citizens.

The Congressional Budget Office estimated that a combination of the Stability Fund and other proposed changes to the market would reduce premiums by 10 percent by calendar year 2026. We all want patients to have access to high-quality, affordably priced coverage. The Patient and State Stability Fund can help to lower costs.

In Medicaid, in addition to supporting the insurance market, the American Health Care Act provides needed reforms to the Medicaid program. Without changes, the Medicaid expansion alone is expected to cost \$1 trillion over the next decade. Medicaid desperately needs reform so that States can continue to provide coverage to children, people with disabilities, and other vulnerable groups.

To address these concerns, the American Health Care Act first phases out the Medicaid expansion, the expansion that has crippled State budgets and limited States' ability to ensure that resources will continue to be available for those vulnerable populations.

Additionally, our bill helps further bend the Medicaid cost curve by shifting programs toward per capita allotments. The per capita allotments, an idea that originated during the Clinton administration, will set limits on the annual cost for growth for per capita expenditures for which the States will receive matching funds from the Federal Government.

The American Health Care Act increases the amount of flexibility that States have in managing their Medicaid programs. The bill scales back the Affordable Care Act mandates that have limited a State's ability to tailor their plans to the needs of their beneficiaries. States can and should be trusted to manage the needs of their beneficiaries, and this bill allows States to do that.

Additionally, the bill before us today furthers the goal of providing the States with greater flexibility in managing their Medicaid programs by providing States with the option to implement two additional opportunities: work requirement and block grants for Medicaid.

This time around we chose to engage our State counterparts in the discussion and listen—listen—to their input as we designed this bill. At the top of their list were the desire to see the work requirement built in and the opportunity to work with Medicaid as a block grant.

We don't tell them what to do. They are given the permission to do what they feel is best for their citizens. Republicans trust the States and trust the Governors and the elected leaders in those States.

Finally, the American Health Care Act provides additional resources to bolster State safety net providers. The bill provides increases in the community health center funding, offers enhanced funding to support safety net

providers in States that did not expand Medicaid, and ends the cuts to the disproportionate share hospital payments.

We are committed, Mr. Speaker, to ensuring that our local providers can continue to deliver lifesaving care. The American Health Care Act turns this commitment into action. For millions of Americans in rural and medically underserved areas, these actions will provide needed relief that was undercut by the Affordable Care Act.

Let me just say, Mr. Speaker, it has been an interesting process. We had a 27½-hour markup in the Energy and Commerce Committee. We have had over 15 or 16 hours in the Rules Committee. This bill has been almost talked to death. I want to just acknowledge that I appreciate the input of the administration. I appreciate the fact that the directive to us last night was to put our pencils down and turn our papers in. It is time, Mr. Speaker.

This is a good bill. The rule deserves our support. The underlying bill deserves our support.

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD a letter from the AARP; a letter from the National Rural Health Association; a letter from the American Society of Addiction Medicine; and a letter from the American Medical Association—all strongly opposed to the Republican bill.

AARP,
March 7, 2017.

Hon. GREG WALDEN,
*Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.*

Hon. KEVIN BRADY,
*Chairman, Committee on Ways and Means,
House of Representatives, Washington, DC.*

Hon. FRANK PALLONE,
*Ranking Member, Committee on Energy and
Commerce, House of Representatives, Wash-
ington, DC.*

Hon. RICHARD NEAL,
*Ranking Member, Committee on Ways and
Means, House of Representatives, Wash-
ington, DC.*

DEAR CHAIRMEN AND RANKING MEMBERS: AARP, with its nearly 38 million members in all 50 States and the District of Columbia, Puerto Rico, and U.S. Virgin Islands, is a nonpartisan, nonprofit, nationwide organization that helps people turn their goals and dreams into real possibilities, strengthens communities and fights for the issues that matter most to consumers and families such as healthcare, employment and income security, retirement planning, affordable utilities and protection from financial abuse.

We write today to express our opposition to the American Health Care Act. This bill would weaken Medicare's fiscal sustainability, dramatically increase health care costs for Americans aged 50-64, and put at risk the health care of millions of children and adults with disabilities, and poor seniors who depend on the Medicaid program for long-term services and supports and other benefits.

MEDICARE

Our members and older Americans believe that Medicare must be protected and strengthened for today's seniors and future generations. We strongly oppose any changes to current law that could result in cuts to

benefits, increased costs, or reduced coverage for older Americans. According to the 2016 Medicare Trustees report, the Medicare Part A Trust Fund is solvent until 2028 (11 years longer than pre-Affordable Care Act (ACA)), due in large part to changes made in the ACA. We have serious concerns that the American Health Care Act repeals provisions in current law that have strengthened Medicare's fiscal outlook, specifically, the repeal of the additional 0.9 percent payroll tax on higher-income workers. Repealing this provision could hasten the insolvency of Medicare by up to 4 years and diminish Medicare's ability to pay for services in the future.

PRESCRIPTION DRUGS

Older Americans use prescription drugs more than any other segment of the U.S. population, typically on a chronic basis. We are pleased that the bill does not repeal the Medicare Part D coverage gap ("donut hole") protections created under the ACA. Since the enactment of the law, more than 11.8 million Medicare beneficiaries have saved over \$26.8 billion on prescription drugs. We do have strong concerns that the American Health Care Act repeals the fee on manufacturers and importers of branded prescription drugs, which currently is projected to add \$25 billion to the Part B trust fund between 2017 and 2026. AARP believes Congress must do more to reduce the burden of high prescription drug costs on consumers and taxpayers and is willing to work with you on bipartisan solutions.

INDIVIDUAL PRIVATE INSURANCE MARKET

About 6.1 million older Americans age 50-64 currently purchase insurance in the non-group market, and nearly 3.2 million are currently eligible to receive subsidies for health insurance coverage through either the federal health benefits exchange or a state-based exchange (exchange). We have seen a significant reduction in the number of uninsured since passage of the ACA, with the number of 50-64 year old Americans who are uninsured dropping by half.

Affordability of both premiums and cost-sharing is critical to older Americans and their ability to obtain and access health care. A typical senior seeking coverage through an exchange has a median annual income of under \$25,000 and already pays significant out-of-pocket costs for health care. We have serious concerns that the bill under consideration will dramatically increase health care costs for 50-64 year olds who purchase health care through an exchange due both to the changes in age rating from 3:1 (already a compromise that requires uninsured older Americans to pay three times more than younger individuals) to 5:1 and reductions in current subsidies for older Americans.

Age rating plus premium increases equal an unaffordable age tax. Our previous estimates on the age-rating change showed that premiums for current coverage could increase by up to \$3,200 for a 64-year-old, while reducing premiums by only about \$700 for a younger enrollee. Significant premium increases for older consumers will make insurance less affordable, will not address their expressed concern of rising premiums, and will only encourage a small increase in enrollment numbers for younger persons. In addition, the bill proposes to change current subsidies based on income and premium levels to a flatter tax credit. The change in structure will dramatically increase premiums for older consumers. We estimate that the bill's changes to current law's tax credits could increase premium costs for a

55-year-old earning \$25,000 by more than \$2,300 a year. For a 64-year-old earning \$25,000 that increase rises to more than \$4,400 a year, and more than \$5,800 for a 64-year-old earning \$15,000. When we examined the impact of both the tax credit changes and 5:1 age rating, our estimates find that, taken together, premiums for older adults could increase by as much as \$3,600 for a 55-year-old earning \$25,000 a year, \$7,000 for a 64-year-old earning \$25,000 a year and up to \$8,400 for a 64-year-old earning \$15,000 a year. In addition to these skyrocketing premiums, out-of-pocket costs could significantly increase under the bill with the elimination of cost sharing assistance in current law. The cost sharing assistance has provided relief on out-of-pocket costs (like deductibles and certain benefits) for low-income individuals who are some of the most financially vulnerable marketplace participants.

MEDICAID AND LONG-TERM SERVICES AND SUPPORTS

AARP opposes the provisions of the American Health Care Act that create a per capita cap financing structure in the Medicaid program. We are concerned that these provisions could endanger the health, safety, and care of millions of individuals who depend on the essential services provided through Medicaid. Medicaid is a vital safety net and intergenerational lifeline for millions of individuals, including over 17.4 million low-income seniors and children and adults with disabilities who rely on the program for critical health care and long-term services and supports (LTSS, i.e., assistance with daily activities such as eating, bathing, dressing, managing medications, and transportation).

Of these 17.4 million individuals: 6.9 million are ages 65 and older (which equals more than 1 in every 7 elderly Medicare beneficiaries); 10.5 million are children and adults living with disabilities; and about 10.8 million are so poor or have a disability that they qualify for both Medicare and Medicaid (dual eligibles). Dual eligibles account for almost 33 percent of Medicaid spending. While they comprise a relatively small percentage of enrollees, they account for a disproportionate share of total Medicare and Medicaid spending.

Individuals with disabilities of all ages and older adults rely on critical Medicaid services, including home and community based services (HCBS) for assistance with daily activities such as eating, bathing, dressing, and home modifications; nursing home care; and other benefits such as hearing aids and eyeglasses. People with disabilities of all ages also rely on Medicaid for access to comprehensive acute health care services. For working adults, Medicaid can help them continue to work; for children, it allows them to stay with their families and receive the help they need at home or in their community. Individuals may have low incomes, face high medical costs, or already spent through their resources paying out-of-pocket for LTSS, and need these critical services. For these individuals, Medicaid is a program of last resort.

In providing a fixed amount of federal funding per person, this approach to financing would likely result in overwhelming cost shifts to states, state taxpayers, and families unable to shoulder the costs of care without sufficient federal support. This would result in cuts to program eligibility, services, or both—ultimately harming some of our nation's most vulnerable citizens. In terms of seniors, we have serious concerns about setting caps at a time when per-beneficiary spending for poor seniors is likely to increase in future years. By 2026, when

Boomers start to turn age 80 and older, they will likely need much higher levels of service—including HCBS and nursing home—moving them into the highest cost group of all seniors. As this group continues to age, their level of need will increase as well as their overall costs. We are also concerned that caps will not accurately reflect the cost of care for individuals in each state, including for children and adults with disabilities and seniors, especially those living with the most severe disabling conditions.

AARP is also opposed to the repeal of the six percent enhanced federal Medicaid match for states that take up the Community First Choice (CFC) Option. CFC provides states with a financial incentive to offer HCBS to help older adults and people with disabilities live in their homes and communities where they want to be. About 90 percent of older adults want to remain in their own homes and communities for as long as possible. HCBS are also cost effective. On average, in Medicaid, the cost of HCBS per person is one-third the cost of institutional care. Taking away the enhanced match could disrupt services for older adults and people with disabilities in the states that are already providing services under CFC.

AARP has concerns with the removal of the state option in Medicaid to increase the home equity limit above the federal minimum. This takes away flexibility for states to adjust a Medicaid eligibility criterion based on the specific circumstances of each state and its residents beyond a federal minimum standard.

Although we cannot support the American Health Care Act, we are pleased that the bill does not repeal some of the critical consumer protections included in the Affordable Care Act, such as guaranteed issue, prohibitions on preexisting condition exclusions, bans on annual and lifetime coverage limits and allowing families to keep children on their policies until the age of 26. Also, AARP does support restoring the 7.5 percent threshold for the medical expense deduction which will directly help older Americans struggling to pay for health care, particularly the high cost of nursing homes and other long-term services and supports.

We look forward to working with you to ensure that we maintain a strong health care system that ensures robust insurance market protections, controls costs, improves quality, and provides affordable coverage to all Americans.

Sincerely,

JOYCE A. ROGERS,
Senior Vice President,
Government Affairs.

VOTE NO TO THE AMERICAN HEALTH CARE ACT

The National Rural Health Association urges a NO vote on the American Health Care Act (AHCA).

Rural Americans are older, poorer and sicker than other populations. In fact, a January 2017 CDC report pronounced that life expectancies for rural Americans have declined and the top five chronic diseases are worse in rural America. The AHCA does nothing to improve the health care crisis in rural America, and will lead to poorer rural health outcomes, more uninsured and an increase in the rural hospital closure crisis.

Though some provisions in the modified AHCA bill will improve the base bill, including increased tax credits for Americans between the ages of 50 and 64 who would have seen their premiums skyrocket under the current plan, the National Rural Health Association is concerned that the bill still falls

woefully short in improving access and affordability of health care for rural Americans. Additionally, the new amendments to freeze Medicaid expansion enrollment as of Jan. 1, 2018, and reduce the Medicaid per-capita growth rate will disproportionately harm rural America.

The AHCA will hurt vulnerable populations in rural Americans, leaving millions of the sickest, most underserved populations in our nation without coverage, and further escalating the rural hospital closure crisis. According to the Wall Street Journal, the “GOP health plan would hit rural areas hard . . . Poor, older Americans would see the largest increase in insurance-coverage costs.” The LA Times reports “Americans who swept President Trump to victory—lower-income, older voters in conservative, rural parts of the country—stand to lose the most in federal healthcare aid under a Republican plan to repeal and replace the Affordable Care Act.”

Let's be clear—many provisions in the ACA failed rural America. The lack of plan competition in rural markets, exorbitant premiums, deductibles and co-pays, the co-op collapses, lack of Medicaid expansion, and devastating Medicare cuts to rural providers—all collided to create a health care crisis in rural America. However, it's beyond frustrating that an opportunity to fix these problems is squandered, and instead, a greater health care crisis will be created in rural America.

Congress has long recognized the importance of the rural health care safety net and has steadfastly worked to protect it. And now, much of the protections created to maintain access to care for the 62 million who live in rural America are in jeopardy. We implore Congress to continue its fight to protect rural patients' access to care. Three improvements are critical for rural patients and providers:

1. Medicaid—Though most rural residents are in non-expansion states, a higher proportion of rural residents are covered by Medicaid (21% vs. 16%).

Congress and the states have long recognized that rural is different and thus requires different programs to succeed. Rural payment programs for hospitals and providers are not ‘bonus’ payments, but rather alternative, cost-effective and targeted payment formulas that maintain access to care for millions of rural patients and financial stability for thousands of rural providers across the country. Any federal health care reform must protect a state's ability to protect its rural safety net providers. The federal government must not abdicate its moral, legal, and financial responsibilities to rural, Medicaid eligible populations by ensuring access to care.

Any federal health care reform proposal must protect access to care in Rural America, and must provide an option to a state to receive an enhanced reimbursement included in a matching rate or a per capita cap, specifically targeted to create stability among rural providers to maintain access to care for rural communities. Enhancements must be equivalent to the cost of providing care for rural safety net providers, a safeguard that ensures the enhanced reimbursement is provided to the safety net provider to allow for continued access to care. Rural safety net providers include, but not limited to, Critical Access Hospitals, Rural Prospective Payment Hospitals, Rural Health Clinics, Indian Health Service providers, and individual rural providers.

2. Market Reform—Forty-one percent of rural marketplace enrollees have only a sin-

gle option of insurer, representing 70 percent of counties that have only one option. This lack of competition in the marketplace means higher premiums. Rural residents average per month cost exceeds urban (\$569.34 for small town rural vs. \$415.85 for metropolitan).

Rural Americans are more likely to have obesity, diabetes, cancer, and traumatic injury; they are more likely to participate in high risk health behaviors including smoking, poor diet, physical inactivity, and substance abuse. Rural Americans are more likely to be uninsured or underinsured and less likely to receive employer sponsored health insurance. Rural communities have fewer health care providers for insurers to contract with to provide an adequate network to serve the community.

Any federal health care reform proposal must address the fact that insurance providers are withdrawing from rural markets. Despite record profit levels, insurance companies are permitted to cherry pick profitable markets for participation and are currently not obliged to provide service to markets with less advantageous risk pools. Demographic realities of the rural population make the market less profitable, and thus less desirable for an insurance company with no incentive to take on such exposure. In the same way that financial service institutions are required to provide services to underserved neighborhoods, profitable insurance companies should be required to provide services in underserved communities.

3. Stop Bad Debt Cuts to Rural Hospitals—Rural hospitals serve more Medicare patients (46% rural vs. 40.9% urban), thus across-the-board Medicare cuts do not have across the board impacts. A goal of the ACA was to have hospital bad debt decrease significantly. However, because of unaffordable health plans in rural areas, rural patients still cannot afford health care. Bad debt among rural hospitals has actually increased 50% since the ACA was passed. According to MedPAC “Average Medicare margins are negative, and under current law they are expected to decline in 2016” has led to 7% gains in median profit margins for urban providers while rural providers have experienced a median loss of 6%.

If Congress does not act, all the decades of efforts to protect rural patients' access to care, could rapidly be undone. The National Rural Health Association implores Congress to act now to protect rural health care across the nation.

AMERICAN SOCIETY OF
ADDICTION MEDICINE,
Rockville, MD, March 8, 2017.

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

Hon. RICHARD NEAL,
Ranking Member, Committee on Ways and Means, House of Representatives, Washington, DC.

Hon. GREG WALDEN,
Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.

Hon. FRANK PALLONE,
Ranking Member, Committee on Energy and Commerce, House of Representatives, Washington, DC.

DEAR CHAIRMAN BRADY, CHAIRMAN WALDEN, RANKING MEMBER NEAL AND RANKING MEMBER PALLONE: On behalf of the American Society of Addiction Medicine (ASAM), the nation's oldest and largest medical specialty society representing more than 4,300 physicians and allied health professionals who

specialize in the treatment of addiction, I am writing to share our views on the American Health Care Act (AHCA) that is being considered by the Ways and Means and Energy and Commerce committees.

ASAM is very concerned that the AHCA's proposed changes to our health care system will result in reductions in health care coverage, particularly for vulnerable populations including those suffering from the chronic disease of addiction, and we cannot support the bill in its current form.

More than 20 million Americans currently have health care coverage due to the Affordable Care Act (ACA), including millions of Americans with addiction. This coverage is a critical lifeline for persons with addiction, many of whom were unable to access effective treatment before the ACA's expansion of Medicaid eligibility to low-income adults, and its requirement that Medicaid expansion plans and plans sold in the individual and small group market provide essential health benefits (EHB) including addiction treatment services at parity with medical and surgical services.

We are concerned that rolling back the Medicaid expansion, sunseting the EHB requirements for Medicaid expansion plans, and capping federal support for Medicaid beneficiaries will reduce coverage for and access to addiction treatment services, changes that will be particularly painful in the midst of the ongoing opioid epidemic. Moreover, while the AHCA retains the EHB requirements for private plans, it repeals the ACA's actuarial value requirements for those plans. We are concerned that this could result in insurers offering addiction treatment benefits in name only due to higher costs and/or less robust benefits.

The Medicaid expansion in particular has led to significant increases in coverage and treatment access for persons with addiction. In states that expanded Medicaid, the share of people with addiction or mental illness who were hospitalized but uninsured fell from about 20 percent in 2013 to 5 percent by mid-2015 and Medicaid expansion has been associated with an 18.3 percent reduction in unmet need for addiction treatment services among low-income adults. Rolling back the Medicaid expansion and fundamentally changing Medicaid's financing structure to cap spending on health care services will certainly reduce access to evidence-based addiction treatment and reverse much or all progress made on the opioid crisis last year.

To be sure, ASAM supports flexibility in the Medicaid program and has supported several states' applications for 1115 waivers to transform their addiction treatment systems to offer all levels of care described by The ASAM Criteria; Treatment Criteria for Addictive, Substance-Related, and Co-Occurring Conditions. However, ASAM has seen for decades how states underfund addiction treatment services and waste federal dollars on inefficient and ineffective care when they are left to decide how to manage their federal Medicaid dollars without mandates for parity and accountability to cover appropriate care. Based on this experience, we commended the Congress for requiring accountability for the \$1 billion in funding sent to the states to combat the opioid epidemic authorized by 21st Century Cures. This funding is an additional lifeline to suffering communities, but it will come to an end while patients will continue to need treatment for the chronic disease of addiction. When it does, the Medicaid program must continue to fund appropriate addiction treatment at parity with medical and surgical services.

ASAM has long advocated for broad access to high-quality, evidence-based, individualized and compassionate treatment services for persons suffering from the chronic disease of addiction. The critical need for access to this type of care has been heightened and highlighted by our nation's ongoing epidemic of opioid addiction and related overdose deaths. The ACA's Medicaid expansion, EHB requirements for addiction treatment coverage, and extension of parity protections to the individual and small group market have surely reduced the burden of this epidemic and saved lives. As you consider this legislation, we hope that parity protections will continue to apply individual, small and large group plans as well as Medicaid plans through the transition. Finally, throughout this process, we implore you to keep in mind how your decisions will affect the millions of Americans suffering from addiction who may lose their health care coverage entirely or see reductions in benefits that impede access to needed treatment.

Sincerely,

R. JEFFREY GOLDSMITH,
MD, DLFAPA, DFASAM,
*President, American
Society of Addiction
Medicine.*

AMERICAN MEDICAL ASSOCIATION,
Chicago, IL, March 22, 2017.

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

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

DEAR SPEAKER RYAN AND LEADER PELOSI: Due to projections that enactment of the American Health Care Act (AHCA) will result in millions of Americans losing health insurance coverage, the American Medical Association (AMA) must express our opposition to the proposal currently before the House of Representatives. The need to stabilize the individual insurance market and make other improvements in the Affordable Care Act is well understood. However, as physicians, we also know that individuals who lack health insurance coverage live sicker and die younger than those with adequate coverage. We encourage all members of Congress to engage in an inclusive and thorough dialogue on appropriate remedies. We cannot, however, support legislation that would leave health insurance coverage further out of reach for millions of Americans.

Earlier this year, we shared with Congress key health reform objectives that we believe are critical to improving the health of the nation. Among these objectives are ensuring that those currently covered do not lose their coverage, maintaining market reforms, stabilizing and strengthening the individual insurance market, ensuring that low and moderate-income patients are able to secure affordable and adequate coverage, and ensuring that Medicaid and other critical safety net programs are maintained and adequately funded. While we appreciate that the bill's authors have made efforts to maintain some market reforms and that regulatory efforts are underway to strengthen the individual insurance market, as a whole the legislation falls short of the principles we previously outlined.

Health insurance coverage is critically important. Without it, millions of American families could be just one serious illness or accident away from losing their home, business, or life savings. The AMA has long supported the availability of advanceable and

refundable tax credits, inversely related to income, as a means to assist individuals and families to purchase health insurance. The credits proposed under the AHCA are significantly less generous for those with the greatest need than provided under current law. The reduced purchasing power with the AHCA tax credits will put insurance coverage out of reach for millions of Americans.

We also remain deeply concerned with the reduction of federal support for the Medicaid program and the resulting significant loss of coverage. Medicaid expansion has provided access to critical services, including mental health and substance abuse treatment, for millions. Not only will the AHCA force many states to roll back coverage to these millions of previously ineligible individuals, but the significant reduction in federal support for the program will inevitably have serious implications for all Medicaid beneficiaries, including the elderly, disabled, children, and pregnant women, as well.

We also continue to be concerned about provisions that eliminate important investments in public health, and those that inappropriately insert the federal government into personal decisions about where Americans are allowed to access covered health care services.

We continue to stand ready to work with Congress on proposals that will increase the number of Americans with quality, affordable health insurance coverage but for the reasons cited above, urge members to oppose the American Health Care Act.

Sincerely,

JAMES L. MADARA, MD.

Mr. MCGOVERN. Mr. Speaker, I just want to say to my colleague from Texas, he said this bill was talked to death. It was talked to death by politicians. There were no hearings on this bill, so no experts came to testify, and none of these people who are now writing to us in opposition had the opportunity to be able to come before us and tell us how awful this bill is.

Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. HASTINGS), a distinguished member of the Rules Committee.

Mr. HASTINGS. Mr. Speaker, today is a sad day for this institution.

Why are we here? Well, after 13 hours at the Rules Committee on Wednesday, did we report to the floor the Republicans' replacement to the Affordable Care Act? No.

And why not? Because the legislation was not extreme enough. It didn't hurt enough people. It didn't make enough people uninsured. It didn't give a large enough tax break to the wealthiest among us.

That 13-hour exercise yielded nothing except to reveal the callous depths of the Republican Party's attempt to deprive health care from 24 million people.

So after my friends on the other side of the aisle added yet another manager's amendment, bringing the total to five, and after stripping away essential health benefits, we are here this morning to push this extreme, dangerous, and callous bill under martial law.

But why are we really here? Is this bill actually about improving health

care in this country? By my estimation, and by the analysis of virtually every healthcare group—Mr. MCGOVERN has introduced some of them: hospitals, medical organizations, and the nonpartisan Congressional Budget Office—the answer is a flat-out, resounding no.

Premiums are going to rise. Millions upon millions of people will lose health coverage. Essential benefits will be stripped away, and 400 of the wealthiest Americans will get a substantial tax cut, while Medicaid is being cut by \$880 billion.

Mr. Speaker, during that 13-hour marathon meeting that yielded nothing but a rule allowing Republicans to continue to ram this measure through Congress, I quoted from Scripture, from the King James Bible, Matthew 25:45. It says:

Then shall He answer them, saying, Verily, I say unto you, inasmuch as you did it not to one of the least of these, you did it not to me.

My friends on the other side of the aisle often cite Scripture in their legislative motivations. I ask them now: How does cutting the benefits from the least among us, while showering more wealth upon the wealthiest among us, square with these teachings?

In addition, Mr. Speaker, I noted to them that we hear from them all the time about liberty. So I noted that, in the Preamble to the Constitution, the document that guides our great Nation and that we all swear an oath to uphold, that we are entrusted to also, and I quote from the Preamble, “promote the general welfare.” I also note for you that this charge is placed before the first mention of the word “liberty.”

Does stripping away of essential health benefits, which include maternity and newborn care, pediatric services, and emergency services, promote the general welfare?

Does cutting \$880 billion from Medicaid promote the general welfare?

Does ensuring that, by 2026, 56 million people under the age of 64 will be left without coverage promote general welfare?

Finally, Mr. Speaker, in the debate at committee on this shameful bill, I answered the Republican charge that this bill was about freedom when I quoted a verse from Janis Joplin’s “Me and Bobby McGee.” What she was saying is: “Freedom’s just another word for nothin’ left to lose.”

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

Mr. MCGOVERN. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Florida.

Mr. HASTINGS. Mr. Speaker, if this extreme bill becomes law, a bill which has been rushed through Congress, amended without care, brought before us without hearings, without a CBO score, without thoughtful consider-

ation, without a Democratic amendment being approved, and without a clue, I fear—indeed, I know—that the American people will find themselves with nothing left to lose when it comes to their and their family’s health care, which is the most perverse and wretched kind of freedom as you may have ever seen.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman from Florida very much. In fact, the gentleman is correct. We had an opportunity to quote the Bible, Janis Joplin, and ZZ Top when we were doing our hearings. We had so much time with each other, and I enjoyed the hours and hours that we had to debate these essential items.

But the other side of the story is essential health benefits are not being done away with. They are being transferred entirely to States. States have asked for the ability to manage their own money, and manage their own people’s benefits of what would be required in the States. So in no way should a person take away, well, we just did away with it. In fact, we transferred the authority and the responsibility of essential health benefits to the States because Governors have been asking for this.

Mr. Speaker, I want to take just a moment to explain what I believe is at the heart of the legislation and really, in reality, the key to fixing health care. It is the second part of this.

We heard the gentleman from Lewisville, Texas, Dr. BURGESS, speak about the Energy and Commerce portions. I now would like to take a minute to talk about the portions that come directly out of the Ways and Means Committee.

The gentleman, Mr. BRADY, from The Woodlands, Texas, today, spoke about many of these; but at the heart of it, 170 million Americans currently receive their health care through an employee-employer tax advantage or tax benefits, an untaxed benefit whereby people who have an employer who can provide their health care, it is not taxed—pretaxed to the employee, allowing them to have a good healthcare system. Well, all the while, millions of Americans pay higher premiums out of their pockets in the individual market. Those are people that do not have an employer who is able to help them. So that is not fair. That does not help these people.

What we are doing here is putting together an addition of, really, a great Republican idea; and it takes the important step to provide the same tax-free benefits for those employer-sponsored plans that we will give to regular employees, and it is called a tax credit. This tax credit is going to work because it allows every single American that does not receive the tax benefit at work to get it for themselves.

Who is this? Well, quite honestly, it is small-business owners; it is low-in-

come workers; it is entrepreneurs. It includes, really, a lot of real estate agents and people that work for a small business, maybe heating and air-conditioning systems like we have all across this country. It will give their families an opportunity.

How much money? Well, we will provide them between \$2,000 and \$14,000 a year for their families to be able to have these opportunities to purchase a nongovernment healthcare plan, meaning that, as they would go to the marketplace, we are going to help these people through a tax credit available January 1, providing them with an opportunity to purchase health care on a benefit basis.

Why is this important? It saves money because what it does, it creates two things: a family then has an insurance plan, including a healthcare component that goes to the hospitalization; and secondly, it gives them an opportunity to have their own doctor or healthcare plan that they choose. This is important because many of these people end up in the hospital in the most expensive kind of way we can provide health care: at the emergency room.

So this gives these families parity in the marketplace. We believe that that is important and is another part of this Republican healthcare plan.

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

Mr. MCGOVERN. Mr. Speaker, I hear my friend talking about what came out of the Ways and Means Committee. I will tell you what came out of Ways and Means Committee: a \$1 trillion tax cut for the wealthy.

Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. POLIS), a distinguished member of the Rules Committee.

Mr. POLIS. Mr. Speaker, look, first of all, this rather outrageous Republican healthcare bill still will cost 24 million Americans their healthcare insurance; and if you are lucky enough not to be one of those 24 million Americans, the nonpartisan Congressional Budget Office, the head of which was appointed by a Republican, says it will also increase the cost by 15 or 20 percent for those who are lucky enough to keep their insurance.

In addition to that, it has a crushing age tax that forces people aged 50 to 64 to pay premiums five times higher than what other Americans pay for health care.

As if that age tax wasn’t enough, in this new amendment, which most of us only saw for the first time at 6:30 this morning, they increased the Medicare tax for another 5 years by 1 percent, so Americans will have to pay even more in taxes.

The last manager’s amendment, which we just got the information on, actually would increase the deficit by over \$150 billion more than their original bill, somehow without covering even one additional American.

□ 0945

So what is going on here?

They are creating a bill that has more taxes with this manager's amendment, creating a bill that costs the American people more and reduces the deficit more, and then pawns off the hard decisions to the States, without giving them enough to maintain the essential benefits that Americans rely on, like prescription drugs, rehabilitative care, and mental health services.

They are not giving the States enough money to maintain those. And then they are saying: But you, States, be the bad guys and you guys make the cut so we in Washington can pat ourselves on the back and look good, even while we increase the deficit by more than \$150 billion more than the original healthcare bill that was introduced last week and even though we maintain the age tax that forces people between the age of 50 and 64 to pay up to five times more than other Americans.

This is simply the wrong way to go. Sometimes you need to reboot, restart, get together, look at real ideas that Democrats and Republicans have put on the table to reduce costs and expand coverage. That is what this discussion should be about. Yet, to do that, we need to defeat this rule now and go back to the starting point.

Mr. SESSIONS. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. BYRNE), a distinguished member of the Rules Committee.

Mr. BYRNE. Mr. Speaker, 7 years ago yesterday, the Affordable Care Act, or ObamaCare, became law. Since then, this law has resulted in canceled plans, higher premiums, fewer choices, increased deductibles, and less freedom for the American people.

Don't just take my word for it. Former Democratic President Bill Clinton said this about ObamaCare:

"... the people who are out there busting it, sometimes 60 hours a week, wind up with their premiums doubled and their coverage cut in half, and it's the craziest thing in the world."

I tend to agree with President Clinton on this. ObamaCare is crazy. But for far too many Americans, it is the crazy reality they face every day.

So today is about a rescue mission. Today is about bringing relief to the families who are struggling under this failed law. Today it is about passing the American Health Care Act.

ObamaCare is on a collision course with disaster. If Congress were to sit back and do nothing, ObamaCare would implode. This would leave millions of Americans with no insurance and the overall insurance market in a dangerous condition for the rest of us. So Congress must act.

That is where the American Health Care Act comes into play. This bill repeals ObamaCare along with its costly taxes and burdensome mandates. By doing this, we can lower premiums for hardworking Americans.

Most importantly, this bill gives Americans the freedoms, choices, and control they desperately want and deserve.

So, Mr. Speaker, the vote today is for the family in Monroeville who can't afford their premiums. The vote is for the small-business owner in Daphne who had his plan canceled. The vote is for the mother in Mobile whose deductible is too high. The vote is for the people in southwest Alabama and across all of America who are struggling under ObamaCare.

This is our chance. This is the bill. We have got to get this done.

Mr. MCGOVERN. Mr. Speaker, I would respond to the gentleman from Alabama with the words of another Alabama Member, Congressman MO BROOKS, who this morning said:

This is one of the worst bills I've seen in my 30 years in Congress.

Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Speaker, today is the day. In hearing my friends on the other side of the aisle describe their efforts to improve health care, I just wonder if we have the right bill on the floor. Because looking at all the external analysis—the CBO, which I know you want to discount, but there are many other organizations—what do they say about this legislation?

It is a terrible bill. It increases costs that Americans will bear. Despite the fact that we hear about decreasing premiums, all the reports say that this will increase premiums and increase out-of-pocket costs that Americans will have to put out in order to protect themselves from disease.

It will provide less coverage. Twenty-four million Americans will lose coverage. But even for those who might be able to have health insurance without essential benefits assured, that will just be a health insurance card, but not access to an emergency room, not access to maternal care, not access to prescription drugs, not access to hospitalization. Basically you will be able to get diagnosed, but you won't get health care.

This is a terrible bill. We ought to reject it today.

Mr. SESSIONS. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. WOODALL), who will be describing the third piece of this, and that is the putting together of the piece from the Budget Committee.

Mr. WOODALL. Mr. Speaker, I appreciate all the hard work the Rules Committee chairman has done in this bill. Mr. Speaker, I have the great pleasure of serving on the Rules Committee, but I am the designee to the Budget Committee.

This whole process that we are going through is a Budget Committee process. It is called reconciliation. And as folks have talked about it, they have

talked about what the Ways and Means Committee has done and what the Energy and Commerce Committee did. But then those two bills come together in the Budget Committee, and we move the process forward.

I can't help but notice my colleagues' frustration with the amendments that have been made to this bill along the way. Generally, we celebrate amendments that are made along the way because they improve the work product. We do them together.

I point here, Mr. Speaker, to a tweet that the President sent out the day the healthcare bill was introduced. The President said:

"Our wonderful new HealthCare Bill is now out for review and negotiation."

And that was true. It was out for review so everyone could read it, and it was out for negotiation so that everyone could improve it.

We did that in the Budget Committee. We had four motions to instruct that passed in the Budget Committee to provide Medicaid flexibility, to make sure the tax credits were targeted to the right populations, to ensure that able-bodied, working Americans had those incentives to both get health care and be able to go back to work.

Now, every committee didn't have that experience. As my colleagues have asked for a bipartisan process, you will remember that the Energy and Commerce Committee spent 10 hours debating the title of the bill. They spent 10 hours debating Democratic amendments to change the title of the bill. Folks, we have opportunity after opportunity to make things better, but it is incumbent upon us to choose that opportunity to make things better.

So often we get wrapped around the partisan action. Folks let that opportunity slip away. I am glad that we didn't do that.

Mr. Speaker, when I talk about what we did in the Budget Committee to make it better, I am talking about focusing on the real problems. There is not a member in this body that doesn't understand that what is contributing to the ObamaCare death spiral is that young people are not enrolling. Young people are not enrolling.

More Americans rejected ObamaCare and filed for an exemption or agreed to pay the penalty than enrolled in ObamaCare. I don't care how big your heart was when you passed the bill, you have to concede that wasn't what you intended. And we can do better.

My friends are talking about the essential health benefits plan today. Young people are particularly sensitive to that. They are price sensitive in that way. We are talking in the Budget Committee about how to preserve that flexibility for States to design plans that are right for them.

How many times today have we heard folks say that prices are going to

increase for Americans between the age of 54 and 64?

I have heard it at least a dozen times. At the same time, my friends are demanding that every healthcare plan in the State of Georgia cover maternity benefits for those women between the age of 54 and 64. At the same time, my friends are demanding that every plan in Georgia cover pediatric benefits for those empty nesters between 54 and 64. That doesn't make sense. It doesn't make sense. We in Georgia know it doesn't make sense, and we can do better.

Mr. Speaker, 45 percent of the almost 20 million people who rejected the Affordable Care Act and agreed to pay the fine or file an exemption instead were under the age of 35. There is not a serious thinker in this room who believes we can solve the insurance crisis in this country without getting these folks back into the marketplace. And that is what we did in the Budget Committee. That is what we have done throughout this entire amendment process, and that is what the amendments we considered in the Rules Committee this morning did as well.

Mr. Speaker, since the passage of the Affordable Care Act, many States have had to pass a lot of legislation in order to conform their plans to new one-size-fits-all Federal mandates. But that is not the story. The story is that, at the same time, States were passing their own benefit mandates to serve their constituency better.

Mr. Speaker, Chairman SESSION'S State of Texas passed a mandate that orally administered anticancer medication be covered. The gentleman from Texas has seen those groups in his office. He has seen those families struggling. And what Texas said is: To respond to our people, we are going to require every plan sold in the State of Texas cover these issues.

In my home State, Mr. Speaker, we created a commission to look at annually how to add more benefits, change those benefits, make sure we are being responsive to folks in the best way that we can.

The gentleman from Colorado, his State did the very same thing. They required coverage for acupuncture services. They required the selling of child-only plans. They required coverage for fetal alcohol syndrome. We do these things collaboratively, and we do these things together.

Mr. Speaker, I urge passage of the rule and passage of the underlying legislation.

Mr. MCGOVERN. Mr. Speaker, I notice the gentleman from Georgia relied on a tweet from Donald Trump for his facts in explaining the bill. I might suggest a more scholarly source, maybe, like, beginning with the Congressional Budget Office, which says that 24 million people will lose their health coverage as a result of the bill.

I will also point to the Quinnipiac poll that says only 17 percent of the American people approve of what my Republican friends are doing. Seventeen percent is lower than Trump's rating. That is quite an accomplishment.

Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, it has been hard keeping up with all the changes over the last 24 hours. This process has been far from transparent.

The CBO released a revised score last night that said that the changes made to appease the Freedom Caucus will cost about \$200 billion more without doing or adding anything to increase coverage.

So how is that possible?

The latest edition to this healthcare disaster, the elimination of minimum essential benefits, is something that I want to focus on very briefly.

This change hits women especially hard. Insurance companies will no longer have to cover maternity care, provide direct access to an OB/GYN, or cover preventative services like cancer screening or birth control.

Mr. Speaker, do we call this a mommy tax? Is this a mommy tax to finance a millionaire tax cut?

I don't know.

Earlier this week, I gave my colleagues the opportunity to demonstrate their commitment to women's health in a related bill, and, Mr. Speaker, they didn't even allow a vote. I hear my colleagues claiming that these changes are about choice. Forcing women to pay more for the care they need is a choice I think we could do without.

Mr. Speaker, I urge opposition to this healthcare disaster.

Mr. SESSIONS. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. COLE), the vice chairman of the Rules Committee.

Mr. COLE. Mr. Speaker, I thank the gentleman from Texas for his remarkable leadership in this important debate.

Seven years ago, I was on this floor and I heard that, if you liked your plan, you could keep it. I heard, if you liked your doctor, you could keep that doctor. And I heard that healthcare costs were going to drop by \$2,500 per family. None of it was true.

I sit here now and look at my State, and I know what is happening next year. The rates on the ObamaCare exchanges are going up by 69 percent. We are down to a single provider. That is what 7 years ago brought us.

Today we have a chance to do something different, and everybody from my State will do something different. They will vote for a plan that actually does what it says it is going to do. Number one, they will be able to actually have plans that are designed by Oklahomans, not by bureaucrats in Wash-

ington, D.C. They will be able to have a tax credit, if they are not already insured under Medicaid or Medicare or from their employer. They will be able to have an individual tax credit to purchase a plan that they design, that they like. They will be free of the mandates of ObamaCare, free to make their own decisions, free of the mandates that require them to buy insurance products that they simply don't need.

I have got a lot of people in my district that are in their fifties and sixties. Some of them might like to have children again, but they are not likely to have children again, and they mostly don't want maternity care.

So it is a pretty simple choice for us. It is a choice to be free and make our own decisions. It is a choice to design our own plans. It is a choice to have Federal assistance where we need it, but to be used under our direction. It is an easy choice.

I urge the passage of this rule, and I urge the passage of the underlying legislation.

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Mr. MCGOVERN. Mr. Speaker, I include in the RECORD a statement from NETWORK, the lobby for Catholic Social Justice; a letter from the National Alliance on Mental Illness; a letter from the Mental Health Liaison Group; and an article in the New York Times entitled "Late GOP Proposal Could Mean Plans That Cover Aromatherapy but Not Chemotherapy."

DEAR REPRESENTATIVE: NETWORK Lobby for Catholic Social Justice urges you to vote NO on the American Health Care Act (AHCA). This legislation fails to protect access to quality, affordable healthcare for vulnerable communities. It would widen the gaps in our society by making massive cuts to Medicaid, giving large tax breaks to the very wealthiest families and corporations, and threatening the health security of American families.

Our faith teaches that access to healthcare is an essential human right that is necessary to protect the life and dignity of every person. The bill would drastically increase the number of people without health insurance—and I know that behind those numbers are millions of stories of families facing medical bankruptcy, forgoing treatment, and losing loved ones who could have been saved by preventative care.

The AHCA cuts Medicaid spending—an essential source of care for millions of children, seniors, people with disabilities, and people experiencing poverty in our nation—and a per-capita cap would force states to ration care. The legislation would also increase costs for older and sicker patients and burden low- and moderate-income families with much higher premiums by cutting \$312 billion of financial assistance for people purchasing health insurance on the individual market. This is far from the Gospel mandate to care for our most vulnerable sisters and brothers.

For any replacement to the ACA to be sufficient, it must meet these 10 conditions—a Ten Commandments of Healthcare if you will—and the AHCA breaks nine of 10 commandments:

1. Thou shalt provide affordable insurance and the same benefits to all currently covered under the Affordable Care Act. AHCA fails.

2. Thou shalt continue to allow children under the age of 26 to be covered by their parents' insurance.

3. Thou shalt ensure that insurance premiums and cost sharing are truly affordable to all. AHCA fails.

4. Thou shalt expand Medicaid to better serve vulnerable people in our nation. AHCA fails.

5. Thou shalt not undercut the structure or undermine the purpose of Medicaid, Children's Health Insurance Program (CHIP), and Medicare funding. AHCA fails.

6. Thou shalt create effective mechanisms of accountability for insurance companies and not allow them to have annual or lifetime caps on expenditures. AHCA partial fail.

7. Thou shalt not allow insurance companies to discriminate against those with pre-existing conditions. AHCA partial fail.

8. Thou shalt not allow insurance companies to discriminate against women, the elderly, and people in poverty. AHCA fails.

9. Thou shalt provide adequate assistance for people enrolling and using their health coverage. AHCA fails.

10. Thou shalt continue to ensure reasonable revenue is in the federal budget to pay for life-sustaining healthcare for all. AHCA fails.

At its heart, this bill has lost sight of community and the common good. Its biggest problem is that it lacks the awareness that it is community which makes healthcare effective. Healthcare is not just about the individual—it is a communal good. The hyper individualism evident in the AHCA is sucking the life out of our nation. Just focusing on one's individual self is contrary to our Catholic faith and contrary to our Constitution. We will track the vote and score it in our 2017 voting record.

This dangerous legislation is not the faithful way forward and must be rejected. Stand by Gospel principles and vote NO on the AHCA.

Sincerely,

SR. SIMONE CAMPBELL, SSS,
*Executive Director, NETWORK Lobby
for Catholic Social Justice.*

NATIONAL ALLIANCE ON
MENTAL ILLNESS,
Arlington, VA, March 8, 2017.

Re The American Health Care Act.

Hon. GREG WALDEN,
*Chairman, House Energy and Commerce Committee,
House of Representatives, Washington, DC.*

Hon. FRANK PALLONE,
*Ranking Member, House Energy and Commerce Committee,
House of Representatives, Washington, DC.*

DEAR CHAIRMAN WALDEN AND RANKING MEMBER PALLONE: NAMI is the nation's largest grassroots mental health organization dedicated to building better lives for the millions of Americans affected by mental illness. On behalf of our nonprofit, nonpartisan organization, I am writing to express our views on the American Health Care Act (AHCA), which seeks to repeal and replace the Affordable Care Act (ACA).

The mental health crisis in our nation is well documented. Half of all Americans with mental illness go without treatment. Last year, Congress passed significant bipartisan legislation to address the crisis in our nation's mental health system. However, ad-

ressing the mental health needs in our country relies on a foundation of affordable, quality health coverage with fair and equal coverage of mental health and substance use conditions. Thus, the importance of Medicaid and insurance safeguards for individuals living with mental illness cannot be overstated. Unfortunately, the proposed reforms in the AHCA threaten to undermine the historic progress being made to improve mental health and substance use care.

RESTRUCTURING MEDICAID THREATENS MENTAL HEALTH CARE

Medicaid is the single largest payer of mental health and substance use services in the United States. Medicaid is also the largest funding source for the country's public mental health system. One in five of Medicaid's nearly 70 million beneficiaries have a mental health or substance use disorder diagnosis.

NAMI is deeply concerned with proposed provisions to convert Medicaid financing into a per capita cap model. This would limit federal funding to a lump sum for all enrollees and, instead of providing more flexibility, would shift financial risk for health care costs—including unexpected costs, such as promising new innovations in treatment—to states. Current estimates are that the per capita cap provisions would shift an alarming \$370 billion in Medicaid costs to states over the next ten years. In the face of budget shortfalls, states will be forced to cut people from coverage, reduce health benefits and access to care, and/or reduce already low provider payments, escalating our nation's healthcare workforce crisis.

The AHCA would set per capita caps for Medicaid at current funding levels, adjusted for medical inflation. Funding for mental health and substance use services is already inadequate in Medicaid programs and, under this model, could not be improved without cutting other health care. Further, the deep reductions in federal Medicaid funding would mean that people with mental illness will face even more desperate circumstances when trying to access critical mental health care.

FREEZING MEDICAID EXPANSION PUTS LIVES AT RISK

Nearly 1 out of 3 people covered by Medicaid expansion lives with a mental health or substance use condition. Medicaid expansion has proven to be a lifeline that helps people with mental illness who typically fall through the cracks. Medicaid expansion provides coverage to people with mental health conditions who are too sick to navigate the traditional Medicaid application process, who are just stable enough not to qualify for disability (often because they are coming out of a psychiatric hospital), or who have first symptoms of a serious mental illness.

NAMI strongly urges the Committee to take further steps to preserve enrollment in Medicaid expansion, rather than the proposed end to new enrollment in 2020. Expanded eligibility has brought mental health treatment and the hope of recovery to millions affected by mental illness. It is helping keep people healthier and productive in their communities. Congress should not abandon this important means of improving coverage for and access to critical mental health treatment.

NAMI also urges the Committee to reject provisions in the AHCA that would lock enrollees out of Medicaid expansion should they experience a lapse of coverage of more than one month. This is a high price to pay for forgetting to pay a premium while in the

hospital or experiencing severe symptoms of mental illness. Denying coverage only serves to further de-stabilize lives with costly consequences for individuals, families and communities.

Finally, NAMI is very concerned that the AHCA removes the requirement for Medicaid expansion plans to cover essential health benefits, including mental health and substance use treatment. Congress' significant commitment to mental health and substance use services in recent legislation should not be jeopardized by making these vital services optional in Medicaid. Our country can ill afford to weaken coverage at a time when the need for mental health and substance use treatment is so high.

CONTINUING INSURANCE SUBSIDIES AND PROTECTIONS

To help Americans afford quality health insurance, NAMI strongly urges the Committee to continue current levels of federal support, tied to income, to purchase health care coverage. Without assistance tied to income, more people with mental illness will be unable to afford coverage for mental health care. This threatens their overall health, resulting in more costly and difficult-to-treat conditions and denying people the chance to reach and maintain recovery and a stable life in the community.

NAMI appreciates that the Committee included essential insurance safeguards in the AHCA. These safeguards include protecting Americans from losing or being denied coverage because of pre-existing health conditions. This also includes continuing to allow young adults to remain on their parent's health insurance plans to age 26 and banning annual and lifetime caps for insurance coverage.

Cutting corners in health coverage will keep people from getting the treatment they need and will push people with mental illness into costly emergency rooms, hospitals and jails. Making the investment early in affordable, quality mental health care promotes recovery and reduces the high long-term financial burden to taxpayers in avoidable disability, criminal justice involvement and hospital care.

NAMI urges the Committee to maintain coverage and services for people with mental illness by preserving financial help based on income, removing the proposed per capita cap financing model for Medicaid and protecting expanded Medicaid eligibility. We appreciate the challenges in reforming America's health coverage and look forward to working with you to improve mental health coverage and care for children and adults throughout our nation.

Sincerely,

MARY GILBERTI, J.D.,
Chief Executive Officer, NAMI.

MENTAL HEALTH LIAISON GROUP,
March 17, 2017.

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

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

DEAR SPEAKER RYAN AND DEMOCRATIC LEADER PELOSI: The Mental Health Liaison Group (MHLG) wishes to express our serious concerns about the provisions of the American Health Care Act (AHCA) that would restructure the Medicaid program and end the Medicaid expansion, as well as provisions of that legislation that would significantly reduce the Federal premium assistance that

enrollees receive from the Federal government to maintain continuous insurance coverage, and impose a significant penalty for not maintaining continuous coverage. We are also very concerned that the legislation would eliminate required coverage for prevention and treatment of mental illness and substance use disorders under state Medicaid managed care and alternative benefit programs, as Medicaid is the major source of Federal funding in every state for mental health and substance use services.

The MHLG is a coalition of dozens of national organizations representing consumers, family members, mental health and substance use treatment providers, state behavioral health agencies, advocates, payers, and other stakeholders committed to strengthening Americans' access to mental health and substance use services and programs.

The elimination of Medicaid expansion under the AHCA would leave without coverage the 1.3 million childless, non-pregnant adults with serious mental illness who were able, for the first time, to gain coverage under Medicaid expansion. It would also leave uncovered the 2.8 million childless, non-pregnant adults with substance use disorders who also gained coverage under expansion for the first time. These are populations that Congress promised and worked to serve with the passage of 21st Century Cures and the Comprehensive Addiction and Recovery Act (CARA) of 2016, respectively. And it is important to remember that untreated mental health and substance use disorders intensify and serve to increase the number of co-morbid medical conditions in those populations, thereby multiplying total Medicaid program costs.

Medicaid is the single largest payer for behavioral health services in the United States, accounting for about 26 percent of behavioral health spending, and is the largest source of funding for the country's public mental health system. The Congressional Budget Office estimates the Medicaid provisions of the AHCA would reduce Medicaid funding over 10 years by \$880 billion, or about 25 percent. With an estimated 14 million people—one in five of Medicaid's 70 million enrollees—living with mental illness or substance use disorders and depending heavily on Medicaid services, allowing states to determine whether those services should be covered could very well leave many low-income Americans without access to medically necessary prevention and treatment services.

Medicaid covers a broad range of behavioral health services at low or no cost, including but not limited to psychiatric hospital care, case management, day treatment, evaluation and testing, psychosocial rehabilitation, medication management, as well as individual, group and family therapy. In three dozen states, Medicaid covers essential peer support services to help sustain recovery. Additionally, because people with behavioral health disorders experience a higher rate of chronic physical conditions than the general population, Medicaid's coverage of primary care is critical to help this population receive needed treatment for both their behavioral health and physical health conditions.

In states that have expanded Medicaid and which have been particularly hard hit by the opioid crisis, such as Kentucky, Maine, Pennsylvania, Ohio, and West Virginia, Medicaid pays between 35 to 50 percent of medication-assisted treatment for substance use disorders. CARA and 21st Century Cures were to increase payment for those services, but the elimination of mandated coverage under

Medicaid would likely result in state cost shifting, so that CARA moneys (should they be appropriated) and moneys provided under 21st Century Cures for prescription opioid addiction prevention and treatment services would supplant, rather than supplement, the existing Medicaid coverage of services in the states.

Similarly, converting Medicaid into a per capita cap block grant program or a simple block grant program will shift significant costs to states over time. Ultimately, states will be forced to reduce their Medicaid rolls, benefits, and already low payment rates to an already scarce workforce of behavioral health providers. Mental health and substance use disorder treatments and programs will be at high risk because, even though they are cost-effective, they are intensive and expensive. Furthermore, the elimination of the ACA's required Medicaid managed care coverage of mental health and substance use disorder services and the long-term reduction of real funding dollars will leave states and managed care plans no alternative but to reduce or eliminate services in order to balance state Medicaid budgets and operate within managed care organizations' capitated rates.

In addition, these cuts will hit children with serious emotional disorders, as well as adults with mental illness. Fifty percent of Medicaid beneficiaries are children. Seventy-five percent of mental conditions emerge by late adolescence. The loss of Medicaid-covered mental and substance use disorder services for adults would result in more family disruption and out-of-home placements for children, significant trauma which has its own long-term health effects, and a further burden on a child welfare system that is struggling to meet the current demand for foster home capacity. In addition, we estimate \$4 to \$5 billion in Medicaid assistance will be lost by schools for specialized instructional support services, including mental and behavioral health services.

More directly, the rollback of the maximum eligibility level for children ages 6 to 19 from 133 percent of the Federal Poverty Level to 100 percent FPL will undoubtedly have the result of reducing access to mental health and substance use disorder services, and critical Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) services, for those older children. This is a particularly problematic change since 5 percent (1.2 million) of adolescents between the ages of 12 and 17 had substance use disorders in 2015 and EPSDT screening is the most effective early identifier for emergent mental health issues.

AHCA CHANGES TO PRIVATE INSURANCE COVERAGE

If Medicaid is not to provide the avenue for recovery for individuals with mental illness or substance use disorders, then the private insurance market may have to serve as an alternative, but the \$2,000 to \$4,000 refundable tax credits provided under the AHCA to subsidize insurance premiums constitute a significant reduction in the advance premium tax credits paid under the ACA, which averaged 72 percent of gross premiums. Further, the 30 percent premium surcharge required under AHCA to be imposed for a failure to maintain continuous coverage will likely hit hardest the lowest-income enrollees who will be struggling to maintain premium payments for coverage. It will be particularly destructive for those enrollees whose serious mental illness or substance use disorders may render them cognitively impaired and thus unable to maintain pre-

mium payment schedules until they recover, when the sizeable surcharge will leave them unable to pick up coverage. For the foregoing reasons, these provisions of the AHCA leave us very concerned for the continued well-being of the individuals with serious mental illness and substance use disorders we have been better able to serve since the implementation of the ACA's expanded coverage.

We urge you to continue to protect these vulnerable Americans' access to and coverage of vital mental health and substance use disorder care and services, and to not reverse the recent progress made with the enactment of key mental health and substance use disorder prevention and treatment reforms under the 21st Century Cures Act and CARA.

Sincerely,

American Art Therapy Association, American Association of Child & Adolescent Psychiatry, American Association for Marriage and Family Therapy, American Association for Geriatric Psychiatry, American Association on Health and Disability, American Dance Therapy Association, American Foundation for Suicide Prevention, American Nurses Association, American Psychiatric Association, American Psychoanalytic Association (APsAA), American Psychological Association, American Society of Addiction Medicine, Anxiety and Depression Association of America, Association for Ambulatory Behavioral Healthcare, Association for Behavioral Health and Wellness, Bazelon Center for Mental Health Law, Campaign for Trauma-Informed Policy and Practice, Children and Adults with Attention-Deficit Hyperactivity Disorder (CHADD), Clinical Social Work Association, Clinical Social Work Guild 49-OPEIU.

Depression and Bi-Polar Support Alliance, Eating Disorders Coalition, EMDR International Association, Global Alliance for Behavioral Health and Social Justice, International Certification & Reciprocity Consortium (IC&RC), The Jewish Federations of North America, Mental Health America, National Association for Children's Behavioral Health, The National Association of County Behavioral Health and Developmental Disability Directors (NACBHDD), The National Association for Rural Mental Health (NARMH), National Association of Social Workers, National Association of State Mental Health Program Directors (NASMHPD), National Alliance on the Mental Illness (NAMI), National Council for Behavioral Health, National Disability Rights Network, National Federation of Families for Children's Mental Health, National Health Care for the Homeless Council, National Register of Health Service Psychologists, No Health Without Mental Health (NHMH), School Social Work Association of America, Trinity Health of Livonia, Michigan, Young Invincibles.

[From the New York Times, Mar. 23, 2017]
LATE G.O.P. PROPOSAL COULD MEAN PLANS THAT COVER AROMATHERAPY BUT NOT CHEMOTHERAPY

(By Margot Sanger-Katz)

Most Republicans in Congress prefer the type of health insurance market in which everyone could "choose the plan that's right for them."

Why should a 60-year-old man have to buy a plan that includes maternity benefits he'll never use? (This is an example that comes up a lot.) In contrast, the Affordable Care Act includes a list of benefits that have to be in every plan, a reality that makes insurance comprehensive, but often costly.

Now, a group of conservative House members is trying to cut a deal to get those benefit requirements eliminated as part of the bill to repeal and replace the Affordable Care Act moving through Congress. (The vote in the House is expected later today.)

At first glance, this may sound like a wonderful policy. Why should that 60-year-old man have to pay for maternity benefits he will never use? If 60-year-old men don't need to pay for benefits they won't use, the price of insurance will come down, and more people will be able to afford that coverage, the thinking goes. And people who want fancy coverage with extra benefits can just pay a little more for the plan that's right for them.

But there are two main problems with stripping away minimum benefit rules. One is that the meaning of "health insurance" can start to become a little murky. The second is that, in a world in which no one has to offer maternity coverage, no insurance company wants to be the only one that offers it.

Here is the list of Essential Health Benefits that are required under the Affordable Care Act:

- Ambulatory patient services (doctor's visits)
- Emergency services
- Hospitalization
- Maternity and newborn care
- Mental health and substance abuse disorder services, including behavioral health treatment
- Prescription drugs
- Rehabilitative and habilitative services and devices
- Laboratory services
- Preventive and wellness services, and chronic disease management
- Pediatric services, including oral and vision care

The list reflects some lobbying of the members of Congress who wrote it. You may notice that dental services are required for children, but not adults, for example. But over all, the list was developed to make insurance for people who buy their own coverage look, roughly, like the kind of coverage people get through their employer. A plan without prescription drug coverage would probably be cheaper than one that covers it, but most people wouldn't think of that plan as very good insurance for people who have health care needs.

Under the Republican plan, the government would give people who buy their own insurance money to help them pay for it. A 20-year-old who doesn't get coverage from work or the government, for example, would get \$2,000. If the essential health benefits go away, insurance companies would be allowed to sell health plans that don't cover, say, hospital care. Federal money would help buy these plans.

But history illustrates a potential problem.

In the 1990s, Congress created a tax credit that helped low-income people buy insurance for their children. Quickly, it became clear that unscrupulous entrepreneurs were creating cheap products that weren't very useful, and marketing them to people eligible for the credit. Congress quickly repealed the provision after investigations from the Government Accountability Office and the Ways and Means Committee uncovered fraud.

Mark Pauly, a professor of health care management at the Wharton School of the University of Pennsylvania, who tends to favor market solutions in health care, said that while the Obamacare rules are "paternalistic," it would be problematic to offer

subsidies without standards. "If they're going to offer a tax credit for people who are buying insurance, well, what is insurance?" he said, noting that you might end up with the government paying for plans that covered aromatherapy but not hospital care. "You have to specify what's included."

A proliferation of \$1,995 plans that covered mostly aromatherapy could end up costing the federal government a lot more money than the current G.O.P. plan, since far more people would take advantage of tax credits to buy cheap products, even if they weren't very valuable.

There's another reason, besides avoiding fraud, that health economists say benefit rules are important. Obamacare requires insurers to offer health insurance to people who have pre-existing illnesses at the same price as they sell them to healthy people, and the Republican bill would keep this rule. But if an insurance company designs a plan that attracts a lot of sick people, it will be very expensive to cover them, and the insurance company will either lose money or end up charging extremely high prices that would drive away any healthy customers.

Sherry Glied, the dean of the Robert F. Wagner Graduate School of Public Service at New York University, who helped work on the essential health benefits in the Obama administration, raised the example of mental health benefits. Parents of adolescents with schizophrenia will be sure to buy insurance that covers only mental health services. Other parents won't care about that benefit.

The result: Any company offering such benefits will end up with a lot of customers requiring expensive hospitalizations, while its competitors that drop them will get healthier customers who are cheaper to insure. If mental health services are optional, no insurance company will want to offer them, lest all the families with sick children buy their product and put them out of business.

And then healthy people who develop mental illness, or drug addiction, will also learn that their illness isn't covered. The result could be a sort of market failure: "If you don't require that these benefits are required, they often just get knocked out of the market altogether," she said.

Before Obamacare passed, there were few federal standards for health insurance bought by individuals, and it was not uncommon to find plans that didn't include prescription drug coverage, mental health services or maternity care. But plans tended to cover most of the other benefits. That was in a world where health insurers could discriminate against sick people. In that era, insurers in most states could simply tell the mother of a mentally ill child that she couldn't buy insurance. That made it less risky for insurers to offer mental health benefits to everyone else.

David Cutler, a professor at Harvard who helped advise the Obama administration on the Affordable Care Act, said he thinks the kind of insurance products that would be offered under the proposed mix of policies could become much more bare-bones than plans before Obamacare. He envisioned an environment in which a typical plan might cover only emergency care and basic preventive services, with everything else as an add-on product, costing almost exactly as much as it would cost to pay for a service out-of-pocket.

"Think of this as the if-you-have-rheumatoid-arthritis-you-should-pay-\$30,000 provision," he said. Such a system would mean

that Americans with costly problems—cancer, opioid addiction, H.I.V.—would end up paying a substantially higher share of their medical bills, while healthy people would pay lower prices for insurance that wouldn't cover as many treatments.

There is most likely a middle way. Republican lawmakers might be comfortable with a system that shifts more of the costs of care onto people who are sick, if it makes the average insurance plan less costly for the healthy. But making those choices would mean engaging in very real trade-offs, less simple than their talking point.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. VISCLOSKEY).

Mr. VISCLOSKEY. Mr. Speaker, I rise in opposition to the rule and the underlying legislation.

I believe that the purpose of any healthcare legislation should be to improve the well-being of our Nation's citizens and to allow for access to quality and affordable health care for all. I think, particularly, the gentlemen from Massachusetts and Florida ably describe why today's legislation fails those tests. I would add that it will also jeopardize the healthcare coverage of over 429,000 Hoosiers currently enrolled in Indiana's expansion of Medicaid, the Healthy Indiana Plan.

Further, I believe it is disingenuous that, if this bill is successful, the House will have pushed numerous adverse consequences until after the next congressional election.

Congress should work to improve the Affordable Care Act. Congress should work to ensure affordable pharmaceutical products. Congress should act for the health concerns still facing ordinary Americans. But today's legislation does no such thing.

I find it unacceptable, and I urge my colleagues to oppose the legislation.

Mr. Speaker, I rise in strong opposition to the American Health Care Act.

I believe that the purpose of any health care legislation should be to improve the health and well-being of our nation's citizens, and to allow for access to quality and affordable health care for all.

That is why in the 111th Congress I was proud to support the Affordable Care Act. As a result of this landmark legislation, 19 million people in the United States now have health insurance coverage who did not before, and over nine-in-ten individuals in my home state of Indiana now have health insurance.

Regrettably, according to the nonpartisan Congressional Budget Office, the legislation we are considering today will leave approximately 14 million more Americans without health care insurance by 2018, and this number will continue to rise to an estimated 24 million by 2026.

I am especially concerned that the American Health Care Act will jeopardize the health care coverage of the over 429,000 Hoosiers currently enrolled in Indiana's expansion of Medicaid, also known as the Healthy Indiana Plan.

Further, I believe it is especially disingenuous that if this bill passes today, this institution will have pushed the financial cuts to programs like the Healthy Indiana Plan conveniently until after the next congressional election.

The Act before us also would negatively impact the health of millions of women and men who receive the medical services provided by Planned Parenthood. Additionally, it would not improve the well-being of our nation's elderly by allowing providers to charge older enrollees up to five times as much as younger individuals.

Finally, I would note with great concern that a provision was just added to the American Health Care Act today that would remove the requirement that insurers cover life-saving, essential health benefits, including maternal and pediatric services, rehabilitative therapy, and mental health and substance abuse treatment.

Congress should work to improve the Affordable Care Act and address important health concerns facing ordinary Americans, such as the rising cost of prescription drugs. But today's bill does no such thing.

It is unacceptable and I urge my colleagues to oppose this legislation.

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

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, we have heard a lot of rhetoric about how this bill would supposedly fix our healthcare system. President Trump said that his plan would provide insurance for everybody. That is not the bill before us today.

The last-minute backroom changes have only made a bad bill worse. Republicans stuck in a provision to strip away essential health benefits for American families.

The list of services in jeopardy is long, devastating, and cruel, services like emergency services, hospitalization, prescription drugs, preventive care, and many other guarantees.

These are basic health services that every person in the country deserves, like my constituent Elizabeth, whose daughter is guaranteed pediatric care to treat her type 1 diabetes because of these essential benefits. Without coverage, out-of-pocket costs would add up to more than her entire year's salary.

I can't stand here and allow my Republican colleagues to say they are saving people from ObamaCare while they are stripping away essential care for families like Elizabeth's. I urge my colleagues to oppose this bill.

Mr. SESSIONS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I just want to take a second to summarize this rule because people have been asking about it.

It is a closed rule. The only amendments allowed are amendments offered by people who wrote the bill. Those

amendments are fixes to fixes to fixes to fixes in their bill and, in the words of Trump, sad.

I would just say, you know, usually when you have a lousy process you have a lousy bill, and that is why only 17 percent of the American people support what my Republican friends are doing.

I yield 1 minute to the gentleman from Texas (Mr. CASTRO).

Mr. CASTRO of Texas. Mr. Speaker, I come from the State, Texas, that has the highest percentage of people who have absolutely no healthcare coverage, who use the emergency room as their health provider, and who also have serious health challenges.

For Texans, if this bill passes, it means that the following things will no longer be in their insurance policy or they will be charged jacked-up fees for them: outpatient care; emergency room trips; in-hospital care; pregnancy, maternity, and newborn care; mental health and substance abuse disorder services; prescription drugs; rehabilitative services and habilitative services; lab tests; preventative services; and pediatric services.

It should also be noted that, with this bill, about 660,000 Texans would lose their healthcare coverage.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me time.

Mr. Speaker, this is a bad joke on America. Here we are, the choice act:

The choice is get sick or go broke.

The choice is more coverage for average Americans or more tax cuts for the rich, higher costs for families.

Twenty-four million people, at least, lose their coverage under the choice act, or TrumpCare.

That is a bad joke. That is a bad choice.

Here is something: discrimination against older Americans. They have five times the cost of younger Americans under TrumpCare, under their choice act.

This hurts Medicare.

There are no savings in this bill—that was what the whole thing was all about—but instead, we get less coverage for average Americans. We get many people cut off their coverage, but we get big tax cuts for the rich.

This is a bad joke. This bill should be defeated. This rule should be defeated.

Mr. MCGOVERN. Mr. Speaker, I would like to inquire of the gentleman from Texas, if I can.

I know he has a few more speakers than he did yesterday, but we have a ton over here, and if there is additional time that he could share with us, we would appreciate it.

Mr. SESSIONS. Mr. Speaker, we are going to keep moving on. We were allocated the same amount of time. I guess the answer would be no.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. KELLY).

Ms. KELLY of Illinois. Mr. Speaker: "Of all the forms of inequality, injustice in healthcare is the most shocking and inhumane."

Dr. King spoke these words because the health of our fellow Americans is a moral imperative. What we have before us today is a morally corrupt bill: morally corrupt because it claws away health insurance from 24 million Americans, morally corrupt because it leaves nearly 1 million of my fellow Illinoisans without health insurance, morally corrupt because 240,000 Illinois kids will no longer have the safety and security of their current coverage.

When you cast your vote today, know that you own its aftermath here, forward. Will you cast your vote for party or will you cast your vote to do what is best in the lives of the people you represent?

Think of the last senior whose hand you shook at a townhall. Think of the last child you hugged at a school visit. Does this bill do right by them? Will they be better off?

If you have any doubt, vote "no." Vote "no," and kill this bad bill.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, I rise today in strong opposition to this misguided and shortsighted pay-more-for-less bill, also known as TrumpCare.

In all my time in Congress, I have never seen such blatant disregard for the interests of the American people.

Twenty-four million hardworking Americans will lose their coverage.

TrumpCare will raise premiums, while reducing critical premium subsidies that millions depend on. Meanwhile, deductibles and out-of-pocket expenses will go up.

Particularly hurt will be the Americans aged 50 to 64 who will have to pay five times more than others for health coverage, no matter how healthy they may be themselves.

TrumpCare then goes on to ransack the Medicaid funds that older Americans rely on for long-term care, and it shortens the life of the Medicare trust fund by 3 years.

North Carolina consumers in the insurance marketplace, many of them insured for the first time, would face the second highest healthcare cost increases in the entire country, an average of over \$7,500. Again: mainly older, poorer North Carolinians. For example, a 64-year-old resident making \$22,000 a year would see a premium spike of over \$14,000. That is over half of his income.

After years of trying to destroy the ACA, is this the best that Speaker RYAN and President Trump can come up with? Defeat this bill.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. Mr. Speaker, I rise in strong opposition to the Republican effort to gut the Affordable Care Act, an effort that will result in millions of people across the country and tens of thousands of my constituents in Rhode Island to lose their health coverage, and it will ultimately result in costs rising.

Before the ACA was passed, the House held 79 hearings over the course of a year. Today's Republican plan was pushed through three committees without a single hearing and with substantial changes being made behind closed doors in the dead of night.

Mr. Speaker, I am a veteran of many healthcare debates, and I can tell you this is not how sound policy is made, especially policy that will have real consequences for hardworking Americans.

Since the passage of the ACA, I have had faith that Republicans and Democrats could come together to strengthen the law and further improve healthcare for all Americans. There is still that opportunity to come together, Mr. Speaker, but the rule, along with the underlying bill, has shaken that faith.

Supporting the rule means putting ideology above the well-being of the American people. This does not have to be a zero-sum game. I know that we can come together.

Let's defeat this rule and the bill. Come together in a bipartisan way to fix the problems of the ACA.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from Hawaii (Ms. GABBARD).

Ms. GABBARD. Mr. Speaker, people in my home State of Hawaii and all across the country are in desperate need of serious healthcare reform to bring down costs and increase access to quality care.

The legislation before us, though, is not the answer. It perpetuates the problems. It is a handout to insurance and pharmaceutical companies that literally pulls the rug out from those who are most needy and most vulnerable in our communities.

While corporations rake in over \$600 billion in tax breaks, many low-income Americans will see their coverage drop completely.

Medicaid, a program that one in five Americans depend on for basic care, would be slashed by hundreds of billions of dollars, shifting costs to already-strained State and local governments.

Our kupuna, our seniors, could see their premiums increase up to five times more than young, healthy people under these new age rating rules in this bill.

Simply put, we need a healthcare system that puts people before profits. I urge my colleagues strongly to vote "no" against this legislation.

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD the CBO score for

the underlying bill and the first four manager's amendments. We just got it last night, and it is already out-of-date given the fifth manager's amendment that was just submitted late last night.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 23, 2017.

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

DEAR MR. SPEAKER: At your request, the Congressional Budget Office and the staff of the Joint Committee on Taxation (JCT) have prepared an estimate of the direct spending and revenue effects of H.R. 1628, the American Health Care Act, as posted on the website of the House Committee on Rules on March 22, 2017, incorporating manager's amendments 4, 5, 24, and 25.

As a result of those amendments, this estimate shows smaller savings over the next 10 years than the estimate that CBO issued on March 13 for the reconciliation recommendations of the House Committee on Ways and Means and the House Committee on Energy and Commerce. The estimated effects on health insurance coverage and on premiums for health insurance are similar to those estimated for the committees' recommendations.

EFFECTS ON THE FEDERAL BUDGET

CBO and JCT estimate that enacting H.R. 1628, with the proposed amendments, would reduce federal deficits by \$150 billion over the 2017–2026 period; that reduction is the net result of a \$1,150 billion reduction in direct spending, partly offset by a reduction of \$999 billion in revenues (see Tables 1 and 2). The provisions dealing with health insurance coverage would reduce deficits, on net, by \$883 billion (see Table 3); the noncoverage provisions would increase deficits by \$733 billion, mostly by reducing revenues.

Pay-as-you-go procedures apply because enacting the legislation would affect direct spending and revenues. CBO and JCT estimate that enacting the legislation would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

EFFECTS ON HEALTH INSURANCE COVERAGE

CBO and JCT estimate that, in 2018, 14 million more people would be uninsured under the legislation than under current law. The increase in the number of uninsured people relative to the number under current law would reach 21 million in 2020 and 24 million in 2026 (see Table 4). In 2026, an estimated 52 million people under age 65 would be uninsured, compared with 28 million who would lack insurance that year under current law.

EFFECTS ON PREMIUMS

H.R. 1628, with the proposed amendments, would tend to increase average premiums in the nongroup market before 2020 and lower average premiums thereafter, relative to projections under current law. In 2018 and 2019, according to CBO and JCT's estimates, average premiums for single policyholders in the nongroup market would be 15 percent to 20 percent higher under the legislation than under current law. By 2026, average premiums for single policyholders in the nongroup market would be roughly 10 percent lower than under current law.

UNCERTAINTY SURROUNDING THE ESTIMATES

The ways in which federal agencies, states, insurers, employers, individuals, doctors, hospitals, and other affected parties would respond to the changes made by the legislation are all difficult to predict, so the esti-

mates in this report are uncertain. But CBO and JCT have endeavored to develop estimates that are in the middle of the distribution of potential outcomes.

COMPARISON WITH THE PREVIOUS ESTIMATE

On March 13, 2017, CBO and JCT estimated that enacting the reconciliation recommendations of the House Committee on Ways and Means and the House Committee on Energy and Commerce (which were combined into H.R. 1628) would yield a net reduction in federal deficits of \$337 billion over the 2017–2026 period. CBO estimates that enacting H.R. 1628, with the proposed amendments, would save \$186 billion less over that period. That reduction in savings stems primarily from changes to H.R. 1628 that modify provisions affecting the Internal Revenue Code and the Medicaid program.

Over the 2017–2026 period, modifications to provisions affecting the Internal Revenue Code that are not directly related to the law's insurance coverage provisions would reduce JCT's estimate of revenues by \$137 billion. Reducing the threshold for determining the medical care deduction on individuals' income tax returns from 7.5 percent of income to 5.8 percent would reduce revenues by about \$90 billion. Other changes include adjusting the effective dates and making other modifications to the provisions that repeal or delay many of the changes in the Affordable Care Act, which would reduce revenues by \$48 billion.

A number of changes to the Medicaid program would reduce CBO's estimate of savings by \$41 billion over the 2017–2026 period. The reduction would result from revising the formula for calculating the per capita allotments in Medicaid to allow for faster growth of the per capita cost of aged, blind, and disabled enrollees. The effects of changing that formula would be offset somewhat by the effects of three other provisions that would increase savings: reducing the per capita allotment in Medicaid for the state of New York in proportion to any financing the state receives from county governments; providing states the option to make eligibility for Medicaid conditional on satisfying work requirements for enrollees who are not single parents of children under age 6 or who are not pregnant or disabled; and allowing states to receive a block grant for Medicaid coverage of children and some adults instead of funding based on a per capita cap.

Other smaller changes resulting from the manager's amendments would reduce savings by an estimated \$8 billion over the period.

Compared with the previous version of the legislation, H.R. 1628, with the proposed amendments, would have similar effects on health insurance coverage: Estimates differ by no more than half a million people in any category in any year over the next decade. (Some differences may appear larger because of rounding.) For example, the decline in Medicaid coverage after 2020 would be smaller than in the previous estimate, mainly because of states' responses to the faster growth in the per capita allotments for aged, blind, and disabled enrollees—but other changes in Medicaid would offset some of those effects.

The legislation's impact on health insurance premiums would be approximately the same as estimated for the previous version.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

KEITH HALL,
Director.

Mr. MCGOVERN. This analysis confirms that the Republicans will give a

trillion-dollar tax break to the wealthiest people in this country, and they will kick 24 million Americans off their health insurance.

I will say that is why we are packed with speakers on this side, and there is probably only a couple of people on the gentleman's side, because we are standing with the American people who are outraged by this bill.

Mr. Speaker, I yield 1 minute to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, last night we watched the President and the House Republicans scramble to achieve political points at the expense of the American people, working through the night. Imagine if they worked this hard on a jobs bill or a bill that raised family incomes or a bill to rebuild our infrastructure. But instead they are trying to pass a tax cut for the rich disguised as a healthcare bill, a bill that will require us to provide big, gigantic tax cuts.

To do that, they impose higher costs on families, higher premiums, higher deductibles. They strip 24 million hard-working Americans from health care, including 60,000 Rhode Islanders. They impose a crushing age tax. They steal from Medicare, and they will destroy nearly 2 million jobs, all so they can give the wealthiest Americans and the most powerful special interests a big, huge tax cut.

Shame on President Trump. Shame on the Republicans.

This is wrong for our country. We can do better than this. We need to protect access to health care, not rob millions of Americans from health care.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, the healthcare proposal proposed by President Trump and Speaker RYAN raises premiums and deductibles. It imposes an age tax on older Americans, making their health care unaffordable. It throws millions—24 million—Americans off of their insurance. It shifts the cost of health care to the States, and it covers less and less people.

□ 1015

It raises people's fears and insecurities about what this will do if they get sick. It ends maternity care. It is quite outrageous when it tells you that you can't go for emergency services any longer. It would allow insurance companies to, once again, reimpose lifetime limits and annual caps. It allows insurance companies to charge women 48 percent more for the same insurance that any man would pay for.

So why would you be for this? Why? Who benefits? Who benefits?

We are going to provide 400 of the richest families in this Nation with a \$7 million tax cut every year. Those are not my words. Take a look at what

Families USA says. Take a look at what the Center on Budget and Policy Priorities says about that.

Working people and older Americans are going to pay for a tax cut for the richest people in this Nation. Older Americans are going to be hit the hardest. Not only are they going to get an age tax, but they are going to shift \$170 billion out of the Medicare trust fund—a lifeline for older Americans.

Do you know what? It makes me believe that this is the case: What does the GOP stand for? Get Old People.

That is what this bill does. That is what people are going to vote "yes" for today. Let me just say this: We have an obligation. We have an obligation to the people of this country to vote "no" today on this misrepresented bill.

Mr. SESSIONS. Mr. Speaker, I yield 1 minute to the gentlewoman from Wyoming (Ms. CHENEY), who is the favorite daughter of Wyoming and serves on the Rules Committee.

Ms. CHENEY. Mr. Speaker, there are a lot of charges and allegations being made about what this bill would do, and the reality, Mr. Speaker, is we are living today in the world that they have created on the other side of this aisle. We are living today in a world with skyrocketing costs, plummeting choices, and broken promises across the board.

When you talk about the situation with respect to women in particular, when you talk about what is going to happen with maternity care and with child care, Mr. Speaker, there is a fundamental difference between what they believe on that side of the aisle and what we believe over here.

What we believe over here is that every American—every individual, and in that, we Republicans include women—we think women ought to have the right to make their own choices and their own decisions about care. We know that the kinds of insurance—the so-called insurance—that has been provided under ObamaCare means that women have been denied access to things like maternity care. When you can only get a policy with a \$6,000 deductible, that is not care and that is not insurance.

This bill today is fundamental to being able to keep our promises to the American people, to being able to ensure that we have returned authority, we have returned power, and, yes, resources into the hands of individuals so people in Wyoming—in my home State—and all across this country can make their own healthcare decisions and no longer be forced to purchase things they don't want, don't need, and can't use to get coverage.

Mr. MCGOVERN. Mr. Speaker, I yield 30 seconds to the gentlewoman from New Hampshire (Ms. KUSTER).

Ms. KUSTER of New Hampshire. Mr. Speaker, all due respect to my colleague from Wyoming, it is not liberty

for a woman to be forced to go to work within weeks of having a child. That is what this bill would do.

Mr. Speaker, it is not liberty for people over 50 years old to be required to pay increased fees and increased expenses simply to go to the hospital, and it is not liberty to have their essential health benefits stripped away. They might not even be able to go to a hospital. It is not liberty for 7 million veterans to have a vets tax, to have their benefits stripped away from an amendment that was introduced in the middle of the night. That is not liberty. Vote "no" on this bill.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank my friend from Massachusetts for yielding me this time.

The Hippocratic Oath says "primum non nocere"; "first, do no harm."

This bill violates the Hippocratic Oath in all respects. Twenty-four million people losing their health care, our friend from Wyoming thinks that is a choice?

A string of benefits required to be covered by insurance companies to protect consumers, to protect our loved ones when they get ill, vitiated. Maybe that is popular in some parts of this country, but I don't know where they are. This bill will unravel health care for all Americans. It is the wrong path to take, and I urge defeat of this legislation in its entirety.

PARLIAMENTARY INQUIRY

Ms. KAPTUR. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state her parliamentary inquiry.

Ms. KAPTUR. Mr. Speaker, I want to ask why the Democratic microphone is turned off. This happened to me the other day when the Republican microphone was on over there.

The last two speakers we have not been able to hear as well as we heard Ms. CHENEY, and I want to know why that is.

I hope somebody hears my plea and that the Parliamentarian will take care of this problem. This debate is too important to have our microphones at a lower scale.

The SPEAKER pro tempore. The Chair has heard the complaint and will look into it.

The Chair advises that he has had no problem hearing from each of the speakers that have gone to the well or from the leadership tables today.

The gentleman from Texas has 3½ minutes remaining and the gentleman from Massachusetts has 3½ minutes remaining in this debate on the rule.

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

Mr. MCGOVERN. Mr. Speaker, I yield 30 seconds to the gentleman from Florida (Mr. CRIST).

Mr. CRIST. Mr. Speaker, this bill we are talking about takes about \$880 billion out of Medicaid. Medicaid is for the poor, and Medicaid is for the disabled. We are in Lent. It is supposed to be the holiest time. I want to read to you from Matthew 25, verse 45: Whatever you do to the least of my brothers, you do unto Me.

Think about that before you vote for this bill. Please vote against it. God bless.

Mr. SESSIONS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Pasco, Washington (Mr. NEWHOUSE), who is a member of the Rules Committee.

Mr. NEWHOUSE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, under the ACA, 5 to 6 million Americans were kicked off their healthcare plans, including 300,000 of my fellow Washingtonians who lost coverage despite repeated promises they could keep their plans. A majority of Americans have faced skyrocketing costs, reduced access to quality care, and fewer choices for their families. I believe we can and we must do better.

Under this bill, Americans will have health care that fits individual and family needs instead of federally mandated, one-size-fits-all coverage that is simply unaffordable for far too many people. This bill strengthens and guarantees access for the most vulnerable in our communities.

The ACA has failed. I made a promise to the thousands of my constituents who have told me of the devastation this law has wreaked on their lives that I would not forget them. Americans in every election since 2010 have said loud and clear the same thing, and it is time that we listened.

Mr. Speaker, the American Health Care Act is the first major step in keeping that promise, and I think that we need to take it.

Mr. MCGOVERN. Mr. Speaker, I yield 30 seconds to the gentleman from California (Mr. PANETTA).

Mr. PANETTA. Mr. Speaker, I rise today in opposition of what has become basically the complete repeal of the ACA. Don't get me wrong. I have talked to small-business owners, and I have talked to patients who have talked about the expenses of the ACA. But I have also heard from people in my district on the central coast of California how much it has benefited them, including 65,000 people who now have coverage under Medicaid and 25,000 people who have gained it through the marketplace.

If the AHCA becomes law, we are not making it cheaper, and we are not making it more accessible. Instead, all that is happening is that they are fulfilling a campaign promise.

Mr. Speaker, we must make sure that the ACA is here. We cannot take it away. We must make sure that we pro-

vide care, we provide coverage, and we provide the covenant that we promised our constituents.

Mr. SESSIONS. Mr. Speaker, I reserve the balance of my time, and I am prepared to close.

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

Mr. Speaker, I include in the RECORD a letter from 87 patient and provider organizations, including the Cystic Fibrosis Foundation, which is strongly opposed to this bill.

MARCH 20, 2017.

Hon. MITCH MCCONNELL,
Senate Majority Leader,
Washington, DC.

Hon. PAUL RYAN,
Speaker of the House,
Washington, DC.

DEAR LEADER MCCONNELL AND SPEAKER RYAN: The undersigned organizations write to express grave concern about proposals put forth in the American Health Care Act (AHCA) to alter the fundamental structure and purpose of Medicaid, a vital source of health care for patients with ongoing health needs.

We feel compelled to speak out against proposals to phase out Medicaid expansion and implement per capita caps, which threaten the ability of Medicaid to provide critical health care services to many of our most vulnerable citizens. These proposals aim to achieve cost savings of approximately \$880 billion, according to the Congressional Budget Office, at the expense of tens of millions of patients who rely on Medicaid for life-sustaining care. While we appreciate the opportunities we have had to work with your staff, we cannot support the Medicaid provisions in this bill and cannot accept policies that prioritize cutting costs by limiting patients' access to care.

MEDICAID IS CRITICAL FOR PATIENTS

Medicaid is a crucial source of coverage for patients with serious and chronic health care needs. Pregnant women depend on Medicaid, which covers roughly 50 percent of all births including many high-risk pregnancies. Medicaid covers cancer patients: nearly one-third of pediatric cancer patients were enrolled in Medicaid in 2013 and approximately 1.52 million adults with a history of cancer were covered by Medicaid in 2015. Over fifty percent of children and one-third of adults living with cystic fibrosis rely on Medicaid to get the treatments and therapies they need to preserve their health. Nearly half of children with asthma are covered by Medicaid or CHIP and adults with diabetes are disproportionately covered by Medicaid as well. The patients we represent are eligible for Medicaid through various pathways, including through income-related and disability criteria.

REJECT PER CAPITA CAPS

The proposal to convert federal financing of Medicaid to a per capita cap system is deeply troubling. This policy is designed to reduce federal funding for Medicaid, forcing states to either make up the difference with their own funds or cut their programs by reducing the number of people they serve and the health benefits they provide.

For patients with ongoing health care needs, this means that Medicaid may no longer cover the care and treatments they need, including breakthrough therapies and technology. In order to save money, the per capita caps are set to grow more slowly than expected Medicaid costs under current law.

As the gap between the capped allotment and actual costs increases over time, states will be forced to constrain eligibility, reduce benefits, lower provider payments, or increase cost-sharing. Moreover, by capping the federal government's contribution to Medicaid in this manner, states will be less able to cover the cost of new treatments. This could be devastating for people with serious diseases, for whom groundbreaking treatments represent a new lease on life. For people with cystic fibrosis, cancer, and other diseases, new therapies can be game changers that improve quality of life and increase life expectancy. In fact, we have already seen Medicaid programs respond to current budget constraints by using clinically inappropriate criteria to restrict access to therapies old and new. A per capita cap will only exacerbate the downward pressure on Medicaid budgets and will further reduce access to these therapies for patients.

Pairing financing reforms with increased flexibility, as has often been proposed, would further undermine Medicaid's role as a safety net for patients. Without current guardrails provided by federal requirements—coupled with reduced federal funding—states will have the authority to reduce benefits and eligibility as they see fit and to impose other restrictions, such as waiting periods and enrollment caps. These policies have serious implications for patients—for a person with cancer, enrollment freezes and waiting lists could mean a later-stage diagnosis when treatment costs are higher and survival is less likely. For a person with diabetes, this would risk the ability to adequately manage the disease. Many of our patients rely on costly services that will be quickly targeted for cuts if states are given such flexibility, so it is imperative that current federal safeguards remain in place.

MAINTAIN MEDICAID EXPANSION

While the AHCA has been described as preserving Medicaid expansion for those already enrolled in coverage, we are concerned that estimates show that eliminating the enhanced match for any enrollee with even a small gap in coverage would actually result in millions of people losing coverage. By eliminating the enhanced federal match for any enrollee with a gap in coverage, eventually states will be on the hook for billions of dollars to continue covering this population—an insurmountable financial hurdle. Additionally, seven states have laws that would effectively end Medicaid expansion immediately or soon thereafter when the expansion match rate is eliminated. Nearly half of adults covered by the Medicaid expansion are permanently disabled, have serious physical or mental conditions—such as cancer, stroke, heart disease, arthritis, pregnancy, or diabetes—or are in fair or poor health. Repealing Medicaid expansion will leave these patients without coverage they depend upon to maintain their health.

The proposed financing reforms are a fundamental shift away from Medicaid's role as a safety-net for some of the most vulnerable members of our society. Repealing Medicaid expansion would leave millions without the health care they rely on. Our organizations represent and provide care for millions of Americans living with ongoing health care needs who rely on Medicaid and we cannot support policies that pose such a grave risk to patients.

We hope that we can continue our dialogue as you move forward in this process to arrive at solutions that provide all Americans with high-quality, affordable care regardless of an

individual's income, employment status, health status, or geographic location.

Sincerely,

ADAP Advocacy Association; AIDS Action Baltimore; The AIDS Institute; Alpha-1 Foundation; Alport Syndrome Foundation; ALS Association; American Academy of Pediatrics; American Behcet's Disease Association; American Congress of Obstetricians and Gynecologists; American Diabetes Association; American Lung Association; American Parkinson Disease Association; American Society of Hematology; American Thoracic Society; Amyloidosis Support Groups Inc.; ARPKD/CHF Alliance; Arthritis Foundation; Batten Disease Support & Research Association; Bladder Cancer Advocacy Network.

Bridge the Gap—SYNGAP Education and Research Foundation; Bronx Lebanon Hospital Center Department of Family Medicine; CADASIL Together We Have Hope Non-Profit; Cancer Support Community; Child Neurology Foundation; Children's Cause for Cancer Advocacy; Children's Dental Health Project; Chronic Illness and Disability Partnership; Community Access National Network; Congenital Adrenal Hyperplasia Research Education & Support Foundation, Inc.; COPD Foundation; Cure HHT; Cutaneous Lymphoma Foundation; Cystic Fibrosis Foundation; Cystinosis Research Network; debra of America; Endocrine Society; Fibrous Dysplasia Foundation; First Focus Campaign for Children.

FORCE: Facing Our Risk of Cancer Empowered; Foundation for Prader-Willi Research; Friedreich's Ataxia Research Alliance (FARA); Genetic Alliance; Hannah's Hope Fund; Hide & Seek Foundation for Lysosomal Disease Research; Hispanic Health Network; Hope for Hypothalamic Hamartomas; Huntington's Disease Society of America; Immune Deficiency Foundation; The International Pemphigus and Pemphigoid Foundation; Kids v Cancer; Latino Commission on AIDS; LFS Association (Li-Fraumeni Syndrome Association); Liver Health Connection; March of Dimes; Medicare Rights Center; MLD Foundation.

Moebius Syndrome Foundation; Muscular Dystrophy Association (MDA); NASTAD (National Alliance of State & Territorial AIDS Directors); National Alliance on Mental Illness; National Coalition for Cancer Survivorship; National Health Law Program; National Hemophilia Foundation; National Multiple Sclerosis Society; National Organization for Rare Disorders; National Patient Advocate Foundation; National Tay-Sachs & Allied Diseases Association (NTSAD); National Urea Cycle Disorders Foundation; National Viral Hepatitis Roundtable; NBIA Disorders Association; Needle Exchange Emergency Distribution (NEED); Parent Project Muscular Dystrophy (PPMD); Parkinson Alliance; The PCD (Primary Ciliary Dyskinesia) Foundation; Polycystic Kidney Disease Foundation; Pulmonary Fibrosis Foundation.

PXE International; Rett Syndrome Research Trust; Scleroderma Foundation; The Sudden Arrhythmia Death Syndromes Foundation; T1D Exchange; Trisomy 18 Foundation; Tuberous Sclerosis Alliance; United Way Worldwide; VHL Alliance; Wilson Disease Association; Wishes for Elliott; Advancing SCN8A Research.

Mr. MCGOVERN. Mr. Speaker, I would say to my colleagues that this is a sad day for this institution. This process has been awful. But this is even a sadder day for the American people.

I remind my colleagues that we are supposed to care about one another, es-

pecially the most vulnerable in our society. In this era of Trump, Washington has become a mean place. It is a place where it has become unfashionable to worry about the poor, about older Americans, and about those who struggle.

There is absolutely no justification for giving huge tax breaks to billionaires—\$1 trillion in tax breaks to millionaires and billionaires, and at the same time throwing 24 million people off of health care and denying millions more essential healthcare protections.

Twenty-four million people—my Republican colleagues have lost their human ability to feel what that means. That is the entire population of Australia.

Mr. Speaker, I have a great deal of respect for my colleagues, but when I look at this bill and I read this bill, I have to wonder: What are you thinking? How could you do this?

I have come to the conclusion there are only two reasons—there are only two ways you can vote for this bill. One is you don't know what is in the bill; or two is you have to have a heart of stone, because this bill is shameful. It is going to hurt people. It is going to hurt your constituents.

Withdraw this bill or vote "no" on this bill, but this bill cannot become law. The health care and healthcare protections for the American people are too important.

Mr. Speaker, I urge all my colleagues—both Democrats and Republicans—reject this. Vote "no."

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

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

Mr. Speaker, I want to begin by thanking our colleagues, the gentleman from Massachusetts leading the Rules Committee, and his ranking members as they came from each of the committees, some 50 hours' worth of hearings and markups, including some 16 hours in the Rules Committee to not only talk about and vet, but to understand more clearly what we would be voting on.

Mr. Speaker, today is a bill that is a compromise bill, no doubt about it. I had my own plan and I had my own ideas. I took 2 years to get involved in this process. It is difficult to write a healthcare bill. But it didn't have to be my bill; it had to be a bill that we could all work together on.

President Trump has been a part of that. President Trump took time out of his schedule to do this. It is important to the American people. President Trump, more than any single Member of Congress, gave the message to the American people about what was necessary and what he would do. He is going to live up to that, and we should, too.

Mr. Speaker, the bottom line to this whole thing is we are going to present

a Republican plan, and we are going to stand behind what we sell. It is better for the American people. But make no mistake about it: we are transferring power, authority, and responsibility not just to States, but also to the American people. It will be up to them to make determinations about their own health care because, for the first time, we will allow some 50 million Americans to have a tax equity, an opportunity to use tax credits that will be available to families anywhere from \$2,000 for an individual to \$14,000 for a family.

□ 1030

This will empower people who have not found a fair shot at the tax advantages it will give them: small-business owners; the American people; the average worker in this country, including those who work two or three different jobs; as well as those who are uninsured. We believe it is a better shot, an opportunity. We are willing to put our name on it and behind it.

For these reasons, Mr. Speaker, I urge us to move forward. There will be 4 hours of debate that remain in this opportunity. For that reason, I urge my colleagues to support this rule and the underlying bill.

Ms. JACKSON LEE. Mr. Speaker, I rise in opposition to the rule governing House consideration of H.R. 1628, the "American Health Care Act of 2017," better known as "Trumpcare."

I oppose the rule, and the underlying legislation, for the following reasons:

1. The rule under consideration is brought pursuant to "martial law" rule passed yesterday which suspends the normal House procedure and allows for same day consideration, debate, and vote of legislation that will adversely affect the lives of everyone in America except for the top 1 percent;

2. The underlying bill is less than 2 weeks old and has not had a single hearing in any of the Committees of jurisdiction; and

3. The underlying bill does not reflect the input of nearly half the Members of this body because the legislation was drafted in secret, marked up in a single overnight session, and brought to the floor without incorporating a single amendment or idea proposed by the minority.

Mr. Speaker, none of us here has had a meaningful opportunity to review the bill, "Trumpcare 2.0" we are being asked to vote on.

This bill has undergone significant revision from the one marked up just last week by the Budget Committee of which I am a member.

Trumpcare 2.0 no doubt contains many sweeteners and olive branches granted by the Administration and House Republican leaders in backroom deals in a last ditch effort to secure the necessary votes of Republican members to take away health care from 24 million Americans, many of whom are among the most vulnerable persons in society.

None of these changes to the bill before us has been scored by the Congressional Budget Office so we do not know exactly how many more millions of Americans will be hurt.

But what is unlikely to change is that 14 million Americans will lose Medicaid coverage and more than 52 million persons will be uninsured by 2026 under this Republican plan.

In addition to terminating the ACA Medicaid expansion, the “Trumpcare” converts Medicaid to a per-capita cap that is not guaranteed to keep pace with health costs starting in 2020.

The combined effect of these policies is to slash \$880 billion in federal Medicaid funding over the next decade.

In short, Trumpcare represents a clear and present danger to the financial and health security of American families, and to the very stability of our nation's health care system overall.

We should follow regular order in the consideration of all legislation, but especially in a matter with great importance to the American people that could impact nearly 300 million people.

For these reasons, I believe the House should reject this rule and the underlying bill.

Instead of trying to enact the largest transfer of wealth from the bottom 99 percent to the top 1 percent in history, House Republicans should work with Democrats to strengthen the Affordable Care Act which has and continues to make life-affirming differences for the better in the lives of more than 300 million Americans.

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

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

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

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

The yeas and nays were ordered.

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

Adopting the resolution, if ordered;

Suspending the rules and passing H.R. 1365; and,

Agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 236, nays 186, not voting 7, as follows:

[Roll No. 191]

YEAS—236

Abraham	Blackburn	Chaffetz
Aderholt	Blum	Cheney
Allen	Bost	Coffman
Amash	Brady (TX)	Cole
Amodei	Brat	Collins (GA)
Arrington	Bridenstine	Collins (NY)
Babin	Brooks (AL)	Comer
Bacon	Brooks (IN)	Comstock
Banks (IN)	Buchanan	Conaway
Barletta	Buck	Cook
Barr	Bucshon	Costello (PA)
Barton	Budd	Cramer
Bergman	Burgess	Crawford
Biggs	Byrne	Culberson
Bilirakis	Calvert	Curbelo (FL)
Bishop (MI)	Carter (GA)	Davidson
Bishop (UT)	Carter (TX)	Davis, Rodney
Black	Chabot	Denham

Dent	King (IA)	Rohrabacher
DeSantis	King (NY)	Rokita
DesJarlais	Kinzinger	Rooney, Francis
Diaz-Balart	Knight	Rooney, Thomas J.
Donovan	Kustoff (TN)	Ros-Lehtinen
Duffy	Labrador	Roskam
Duncan (SC)	LaHood	Ross
Duncan (TN)	LaMalfa	Rothfus
Dunn	Lamborn	Rouzer
Emmer	Lance	Royce (CA)
Farenthold	Latta	Russell
Faso	Lewis (MN)	Rutherford
Ferguson	LoBiondo	Sanford
Fitzpatrick	Long	Scalise
Fleischmann	Loudermilk	Schweikert
Flores	Love	Scott, Austin
Fortenberry	Lucas	Sensenbrenner
Fox	Luetkemeyer	Sessions
Franks (AZ)	MacArthur	Shimkus
Frelinghuysen	Marchant	Shuster
Gaetz	Marino	Simpson
Gallagher	Marshall	Smith (MO)
Garrett	Massie	Smith (NE)
Gibbs	Mast	Smith (NJ)
Gohmert	McCarthy	Smith (TX)
Goodlatte	McCaul	Smucker
Gosar	McClintock	Stefanik
Gowdy	McHenry	Stewart
Granger	McKinley	Stivers
Graves (GA)	McMorris	Taylor
Graves (LA)	Rodgers	Tenney
Graves (MO)	McSally	Thompson (PA)
Griffith	Meadows	Thornberry
Grothman	Meehan	Tiberi
Guthrie	Messer	Tipton
Harper	Mitchell	Trott
Harris	Moolenaar	Turner
Hartzler	Mooney (WV)	Upton
Hensarling	Mullin	Valadao
Herrera Beutler	Murphy (PA)	Wagner
Hice, Jody B.	Newhouse	Walberg
Higgins (LA)	Noem	Walden
Hill	Nunes	Walker
Holding	Olson	Walorski
Hollingsworth	Palazzo	Walters, Mimi
Hudson	Palmer	Weber (TX)
Huizenga	Paulsen	Webster (FL)
Hultgren	Pearce	Wenstrup
Hunter	Perry	Westerman
Hurd	Pittenger	Williams
Issa	Poe (TX)	Wilson (SC)
Jenkins (KS)	Poliquin	Wittman
Jenkins (WV)	Posey	Womack
Johnson (LA)	Ratcliffe	Woodall
Johnson (OH)	Reed	Yoder
Johnson, Sam	Reichert	Yoho
Jones	Renacci	Young (AK)
Jordan	Rice (SC)	Young (IA)
Joyce (OH)	Roby	Zeldin
Katko	Roe (TN)	
Kelly (MS)	Rogers (AL)	
Kelly (PA)	Rogers (KY)	

NAYS—186

Adams	Clyburn	Evans
Aguilar	Cohen	Foster
Barragán	Connolly	Frankel (FL)
Bass	Conyers	Fudge
Beatty	Cooper	Gabbard
Bera	Correa	Galleo
Beyer	Costa	Garamendi
Bishop (GA)	Courtney	Gonzalez (TX)
Blumenauer	Crist	Gottheimer
Blunt Rochester	Crowley	Green, Al
Bonamici	Cuellar	Green, Gene
Boyle, Brendan F.	Cummings	Grijalva
Brady (PA)	Davis (CA)	Gutiérrez
Brown (MD)	Davis, Danny	Hanabusa
Brownley (CA)	DeFazio	Hastings
Bustos	DeGette	Heck
Butterfield	DeLaney	Himes
Capuano	DeLauro	Hoyer
Carbajal	DelBene	Huffman
Cárdenas	Demings	Jackson Lee
Carson (IN)	DeSaulnier	Jayapal
Cartwright	Jeffries	Black
Castor (FL)	Dingell	Blackburn
Castro (TX)	Doggett	Blum
Chu, Judy	Doyle, Michael F.	Bost
Ciulline	Ellison	Brady (TX)
Clark (MA)	Engel	Brat
Clarke (NY)	Eshoo	Bridenstine
Clay	Españillat	Brooks (IN)
Cleaver	Esty	Buchanan

Kind	Nadler	Scott (VA)
Krishnamoorthi	Napolitano	Scott, David
Kuster (NH)	Neal	Serrano
Langevin	Nolan	Sewell (AL)
Larsen (WA)	Norcross	Shea-Porter
Larson (CT)	O'Halleran	Sherman
Lawrence	O'Rourke	Sinema
Lawson (FL)	Pallone	Sires
Lee	Panetta	Slaughter
Levin	Pascarell	Smith (WA)
Lewis (GA)	Pelosi	Soto
Lipinski	Perlmutter	Speier
Loeb	Peters	Suozi
Loeb	Peterson	Swalwell (CA)
Lofgren	Pingree	Thompson (CA)
Loudermilk	Pocan	Thompson (MS)
Lowe	Polis	Titus
Lujan Grisham, M.	Price (NC)	Tonko
Lujan, Ben Ray	Quigley	Torres
Lynch	Raskin	Vargas
Maloney	Rice (NY)	Veasey
Carolyn B. Maloney	Richmond	Vela
Sean Maloney	Rosen	Velázquez
Matsui	Roybal-Allard	Visclosky
McCollum	Ruiz	Walz
McEachin	Ruppersberger	Wasserman
McGovern	Ryan (OH)	Schultz
McNerney	Sánchez	Waters, Maxine
Meeks	Sarbanes	Watson Coleman
Meng	Schakowsky	Welch
Moore	Schiff	Wilson (FL)
Moulton	Schneider	Yarmuth
Murphy (FL)	Schrader	

NOT VOTING—7

Higgins (NY)	Payne	Tsongas
Johnson (GA)	Rush	
Lieu, Ted	Takano	

□ 1054

Messrs. O'HALLERAN, SCHNEIDER, and Mrs. TORRES changed their vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—aye 230, noes 194, not voting 5, as follows:

[Roll No. 192]

AYES—230

Abraham	Bucshon	Dent
Aderholt	Budd	DeSantis
Allen	Burgess	DesJarlais
Amodei	Byrne	Diaz-Balart
Arrington	Calvert	Donovan
Babin	Carter (GA)	Duffy
Bacon	Carter (TX)	Duncan (SC)
Banks (IN)	Chabot	Duncan (TN)
Barletta	Chaffetz	Dunn
Barr	Cheney	Emmer
Barton	Coffman	Farenthold
Bergman	Cole	Faso
Biggs	Collins (GA)	Ferguson
Bilirakis	Collins (NY)	Fitzpatrick
Bishop (MI)	Comer	Fleischmann
Bishop (UT)	Comstock	Flores
Black	Conaway	Fortenberry
Blackburn	Cook	Fox
Blum	Costello (PA)	Franks (AZ)
Bost	Cramer	Frelinghuysen
Brady (TX)	Crawford	Gaetz
Brat	Culberson	Gallagher
Bridenstine	Curbelo (FL)	Garrett
Brooks (IN)	Davidson	Gibbs
Buchanan	Davis, Rodney	Goodlatte
Buck	Denham	Gowdy

Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur

Marchant
Marino
Marshall
Mast
McCarthy
McCauley
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer

NOES—194

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

Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Español
Esty
Evans
Foster
Frankel (FL)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren
Lowenthal
Lowe
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean

Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Massie
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halloran
O'Rourke
Pallone
Panetta
Pascarelli
Pelosi
Perlmutter
Peters
Peterson
Pingree

Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires

NOT VOTING—5

Lieu, Ted
Payne
Rush
Takano
Tsongas

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1102

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DEPARTMENT OF HOMELAND SECURITY ACQUISITION INNOVATION ACT

The SPEAKER pro tempore (Ms. FOXX). The unfinished business is the question on suspending the rules and passing the bill (H.R. 1365) to amend the Homeland Security Act of 2002 to require certain acquisition innovation, and for other purposes, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. DONOVAN) that the House suspend the rules and pass the bill, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Mrs. BLACK. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 424, noes 0, not voting 5, as follows:

[Roll No. 193]

AYES—424

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei

Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barragán

Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs

Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael
F.
Duffy

Duncan (SC)
Duncan (TN)
Dunn
Knight
Ellison
Emmer
Engel
Eshoo
Español
Esty
Evans
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Fox
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Hanabusa
Harper
Harris
Hartzler
Hastings
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (IA)

King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowe
Lucas
Luetkemeyer
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
MacArthur
Maloney,
Carolyn B.
Maloney, Sean

Pocan	Shakowsky	Titus	Buchanan	Higgins (LA)	Quigley	Hastings	Luján, Ben Ray	Rogers (AL)
Poe (TX)	Schiff	Tonko	Bucshon	Himes	Ratcliffe	Herrera Beutler	Lynch	Rokita
Poliquin	Schneider	Torres	Bustos	Hollingsworth	Reed	Hice, Jody B.	MacArthur	Ros-Lehtinen
Polis	Schrader	Trott	Byrne	Huffman	Rice (SC)	Higgins (NY)	Maloney,	Rosen
Posey	Schweikert	Turner	Calvert	Huizenga	Roby	Hill	Carolyn B.	Roskam
Price (NC)	Scott (VA)	Upton	Carter (TX)	Hultgren	Rogers (KY)	Holding	Maloney, Sean	Rouzer
Quigley	Scott, Austin	Valadao	Castro (TX)	Hunter	Rohrabacher	Hoyer	Mast	Roybal-Allard
Raskin	Scott, David	Vargas	Chabot	Issa	Rooney, Francis	Hudson	Matsui	Ryan (OH)
Ratcliffe	Sensenbrenner	Veasey	Chaffetz	Johnson (LA)	Rooney, Thomas J.	Hurd	McEachin	Sánchez
Reed	Serrano	Vela	Cheney	Johnson, Sam	Ross	Jackson Lee	McGovern	Sanford
Reichert	Sessions	Velázquez	Chu, Judy	Kelly (MS)	Rothfus	Jayapal	McKinley	Sarbanes
Renacci	Sewell (AL)	Visclosky	Cicilline	Kelly (PA)	Royce (CA)	Jeffries	McSally	Schakowsky
Rice (NY)	Shea-Porter	Wagner	Clay	Kildee	Ruiz	Jenkins (KS)	Meehan	Schiff
Rice (SC)	Sherman	Walberg	Collins (NY)	King (IA)	Ruppertsberger	Jenkins (WV)	Moore	Schrader
Richmond	Shimkus	Walden	Comer	King (NY)	Russell	Johnson (GA)	Moulton	Scott (VA)
Roby	Shuster	Walker	Comstock	Knight	Rutherford	Johnson (OH)	Napolitano	Serrano
Roe (TN)	Simpson	Walorski	Conyers	Krishnamoorthi	Scalise	Johnson, E. B.	Neal	Sewell (AL)
Rogers (AL)	Sinema	Walters, Mimi	Cook	Kuster (NH)	Schneider	Jones	Noem	Sires
Rogers (KY)	Sires	Walz	Cooper	Kustoff (TN)	Schweikert	Jordan	Nolan	Soto
Rohrabacher	Slaughter	Wasserman	Correa	Labrador	Scott, Austin	Joyce (OH)	Norcross	Stivers
Rokita	Smith (MO)	Schultz	Cramer	LaHood	Scott, David	Kaptur	O'Halloran	Swalwell (CA)
Rooney, Francis	Smith (NE)	Waters, Maxine	Crawford	LaMalfa	Sensenbrenner	Katko	Pallone	Thompson (CA)
Rooney, Thomas J.	Smith (NJ)	Watson Coleman	Cuellar	Lamborn	Sessions	Keating	Palmer	Thompson (MS)
Ros-Lehtinen	Smith (TX)	Weber (TX)	Culberson	Latta	Shea-Porter	Kelly (IL)	Panetta	Thompson (PA)
Rosen	Smith (WA)	Webster (FL)	Curbelo (FL)	Lawson (FL)	Sherman	Kennedy	Paulsen	Tiberi
Roskam	Smucker	Welch	Davidson	Lewis (MN)	Shimkus	Khanna	Payne	Tipton
Ross	Soto	Wenstrup	Davis (CA)	Lipinski	Shuster	Kihuen	Pearce	Turner
Rothfus	Speier	Westerman	Davis, Danny	Long	Simpson	Kilmer	Pelosi	Upton
Rouzer	Stefanik	Williams	Davis, Rodney	Loudermilk	Sinema	Kind	Perlmutter	Valadao
Roybal-Allard	Stewart	Wilson (FL)	DeLauro	Lowenthal	Slaughter	Kinzinger	Peters	Vargas
Royce (CA)	Stivers	Wilson (SC)	DelBene	Lowe	Smith (MO)	Lance	Peterson	Veasey
Ruiz	Suozzi	Wittman	Demings	Luetkemeyer	Smith (NE)	Langevin	Pingree	Velázquez
Ruppertsberger	Swalwell (CA)	Womack	Dent	Lucas	Smith (NJ)	Larsen (WA)	Pittenger	Visclosky
Russell	Taylor	Woodall	DesJarlais	Lujan Grisham, M.	Smith (TX)	Larson (CT)	Poe (TX)	Walberg
Rutherford	Tenney	Yarmuth	Deutch	Marchant	Smith (WA)	Lawrence	Poliquin	Waters, Maxine
Ryan (OH)	Thompson (CA)	Yoder	Doggett	Marino	Smucker	Lee	Price (NC)	Watson Coleman
Sánchez	Thompson (MS)	Yoho	Donovan	Marshall	Speier	Levin	Raskin	Weber (TX)
Sanford	Thompson (PA)	Young (AK)	Duncan (SC)	Massie	Stefanik	Lewis (GA)	Reichert	Wilson (FL)
Sarbanes	Thornberry	Young (IA)	Duncan (TN)	McCarthy	Stewart	LoBiondo	Renacci	Woodall
Scalise	Tiberi	Zeldin	Dunn	McCauley	Suozzi	Loeb sack	Rice (NY)	Yoder
	Tipton		Emmer	McClintock	Taylor	Richmond	Richmond	Yoho
			Engel	McHenry	Tenney	Lofgren	Roe (TN)	Young (AK)
			Esty	McMorris	Thornberry	Love		
			Farenthold	Rodgers	Titus			
			Faso	McNerney	Torres			
			Ferguson	Meadows	Trott			
			Fleischmann	Meeks	Vela			
			Fortenberry	Meng	Wagner			
			Foster	Messer	Walden			
			Frankel (FL)	Mitchell	Walker			
			Frelinghuysen	Moolenaar	Walorski			
			Gabbard	Mooney (WV)	Walters, Mimi			
			Gallego	Mullin	Walz			
			Garamendi	Murphy (FL)	Wasserman			
			Garrett	Murphy (PA)	Schultz			
			Gibbs	Nadler	Webster (FL)			
			Goodlatte	Newhouse	Welch			
			Gottheimer	Nunes	Wenstrup			
			Gowdy	O'Rourke	Westerman			
			Granger	Olson	Williams			
			Graves (MO)	Palazzo	Wilson (SC)			
			Grothman	Pascarell	Wittman			
			Guthrie	Perry	Womack			
			Harper	Pocan	Yarmuth			
			Harris	Polis	Young (IA)			
			Heck	Posey	Zeldin			
			Hensarling					

NOT VOTING—5

Lieu, Ted
Payne

Rush
Takano

Tsongas

□ 1111

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 218, nays 201, answered “present” 1, not voting 9, as follows:

[Roll No. 194]

YEAS—218

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon

Banks (IN)
Barletta
Barton
Bilirakis
Bishop (UT)
Black
Blackburn

Blumenauer
Bonamici
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)

Adams
Aguilar
Amash
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bishop (GA)
Bishop (MI)
Blum
Blunt Rochester
Bost
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Buck
Burgess
Butterfield
Capuano
Carbajal

NAYS—201

Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Clark (MA)
Clarke (NY)
Clever
Clyburn
Coffman
Cohen
Collins (GA)
Conaway
Connolly
Costa
Costello (PA)
Courtney
Crist
Crowley
Cummings
DeFazio
DeGette
Delaney
Denham
DeSantis
DeSaunier
Diaz-Balart

Dingell
Doyle, Michael
F.
Duffy
Ellison
Eshoo
Españillat
Evans
Fitzpatrick
Flores
Foxy
Franks (AZ)
Fudge
Gaetz
Gallagher
Gonzalez (TX)
Gosar
Graves (GA)
Graves (LA)
Green, Al
Green, Gene
Griffith
Grijalva
Gutiérrez
Hanabusa
Hartzler

ANSWERED “PRESENT”—1

Tonko

NOT VOTING—9

Budd
Cárdenas
Cole

Gohmert
Lieu, Ted
McCollum

Rush
Takano
Tsongas

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1117

So the Journal was approved.

The result of the vote was announced as above recorded.

AMERICAN HEALTH CARE ACT OF 2017

Mrs. BLACK. Mr. Speaker, pursuant to House Resolution 228, I call up the bill (H.R. 1628) to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to House Resolution 228, the amendments specified in section 2 of House Resolution 228 shall be considered as adopted, and the bill, as amended, is considered read.

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

H.R. 1628

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “American Health Care Act of 2017”.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—ENERGY AND COMMERCE**Subtitle A—Patient Access to Public Health Programs**

Sec. 101. The Prevention and Public Health Fund.

Sec. 102. Community health center program.

Sec. 103. Federal payments to States.

Subtitle B—Medicaid Program Enhancement

Sec. 111. Repeal of Medicaid provisions.

Sec. 112. Repeal of Medicaid expansion.

Sec. 113. Elimination of DSH cuts.

Sec. 114. Reducing State Medicaid costs.

Sec. 115. Safety net funding for non-expansion States.

Sec. 116. Providing incentives for increased frequency of eligibility redeterminations.

Subtitle C—Per Capita Allotment for Medical Assistance

Sec. 121. Per capita allotment for medical assistance.

Subtitle D—Patient Relief and Health Insurance Market Stability

Sec. 131. Repeal of cost-sharing subsidy.

Sec. 132. Patient and State Stability Fund.

Sec. 133. Continuous health insurance coverage incentive.

Sec. 134. Increasing coverage options.

Sec. 135. Change in permissible age variation in health insurance premium rates.

TITLE II—COMMITTEE ON WAYS AND MEANS**Subtitle A—Repeal and Replace of Health-Related Tax Policy**

Sec. 201. Recapture excess advance payments of premium tax credits.

Sec. 202. Additional modifications to premium tax credit.

Sec. 203. Premium tax credit.

Sec. 204. Small business tax credit.

Sec. 205. Individual mandate.

Sec. 206. Employer mandate.

Sec. 207. Repeal of the tax on employee health insurance premiums and health plan benefits.

Sec. 208. Repeal of tax on over-the-counter medications.

Sec. 209. Repeal of increase of tax on health savings accounts.

Sec. 210. Repeal of limitations on contributions to flexible spending accounts.

Sec. 211. Repeal of medical device excise tax.

Sec. 212. Repeal of elimination of deduction for expenses allocable to medicare part D subsidy.

Sec. 213. Repeal of increase in income threshold for determining medical care deduction.

Sec. 214. Repeal of Medicare tax increase.

Sec. 215. Refundable tax credit for health insurance coverage.

Sec. 216. Maximum contribution limit to health savings account increased to amount of deductible and out-of-pocket limitation.

Sec. 217. Allow both spouses to make catch-up contributions to the same health savings account.

Sec. 218. Special rule for certain medical expenses incurred before establishment of health savings account.

Subtitle B—Repeal of Certain Consumer Taxes

Sec. 221. Repeal of tax on prescription medications.

Sec. 222. Repeal of health insurance tax.

Subtitle C—Repeal of Tanning Tax

Sec. 231. Repeal of tanning tax.

Subtitle D—Remuneration From Certain Insurers

Sec. 241. Remuneration from certain insurers.

Subtitle E—Repeal of Net Investment Income Tax

Sec. 251. Repeal of net investment income tax.

TITLE I—ENERGY AND COMMERCE**Subtitle A—Patient Access to Public Health Programs****SEC. 101. THE PREVENTION AND PUBLIC HEALTH FUND.**

(a) IN GENERAL.—Subsection (b) of section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11), as amended by section 5009 of the 21st Century Cures Act, is amended—

(1) in paragraph (2), by adding “and” at the end;

(2) in paragraph (3)—

(A) by striking “each of fiscal years 2018 and 2019” and inserting “fiscal year 2018”; and

(B) by striking the semicolon at the end and inserting a period; and

(3) by striking paragraphs (4) through (8).

(b) RESCISSION OF UNOBLIGATED FUNDS.—Of the funds made available by such section 4002, the unobligated balance at the end of fiscal year 2018 is rescinded.

SEC. 102. COMMUNITY HEALTH CENTER PROGRAM.

Effective as if included in the enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114–10, 129 Stat. 87), paragraph (1) of section 221(a) of such Act is amended by inserting “, and an additional \$422,000,000 for fiscal year 2017” after “2017”.

SEC. 103. FEDERAL PAYMENTS TO STATES.

(a) IN GENERAL.—Notwithstanding section 504(a), 1902(a)(23), 1903(a), 2002, 2005(a)(4), 2102(a)(7), or 2105(a)(1) of the Social Security Act (42 U.S.C. 704(a), 1396a(a)(23), 1396b(a), 1397a, 1397d(a)(4), 1397bb(a)(7), 1397ee(a)(1)), or the terms of any Medicaid waiver in effect on the date of enactment of this Act that is approved under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for the 1-year period beginning on the date of the enactment of this Act, no Federal funds provided from a program referred to in this subsection that is considered direct spending for any year may be made available to a State for payments to a prohibited entity, whether made directly to the prohibited entity or through a managed care organization under contract with the State.

(b) DEFINITIONS.—In this section:

(1) PROHIBITED ENTITY.—The term “prohibited entity” means an entity, including its affiliates, subsidiaries, successors, and clinics—

(A) that, as of the date of enactment of this Act—

(i) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(ii) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in family planning services, reproductive health, and related medical care; and

(iii) provides for abortions, other than an abortion—

(I) if the pregnancy is the result of an act of rape or incest; or

(II) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself; and

(B) for which the total amount of Federal and State expenditures under the Medicaid program under title XIX of the Social Security Act in fiscal year 2014 made directly to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity, or made to the entity and to any affiliates, subsidiaries, successors, or clinics of the entity as part of a nationwide health care provider network, exceeded \$350,000,000.

(2) DIRECT SPENDING.—The term “direct spending” has the meaning given that term under section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

Subtitle B—Medicaid Program Enhancement**SEC. 111. REPEAL OF MEDICAID PROVISIONS.**

The Social Security Act is amended—

(1) in section 1902 (42 U.S.C. 1396a)—

(A) in subsection (a)(47)(B), by inserting “and provided that any such election shall cease to be effective on January 1, 2020, and no such election shall be made after that date” before the semicolon at the end; and

(B) in subsection (1)(2)(C), by inserting “and ending December 31, 2019,” after “January 1, 2014,”;

(2) in section 1915(k)(2) (42 U.S.C. 1396n(k)(2)), by striking “during the period described in paragraph (1)” and inserting “on or after the date referred to in paragraph (1) and before January 1, 2020”; and

(3) in section 1920(e) (42 U.S.C. 1396r–1(e)), by striking “under clause (i)(VIII), clause (i)(IX), or clause (ii)(XX) of subsection (a)(10)(A)” and inserting “under clause (i)(VIII) or clause (ii)(XX) of section 1902(a)(10)(A) before January 1, 2020, section 1902(a)(10)(A)(i)(IX),”.

SEC. 112. REPEAL OF MEDICAID EXPANSION.

(a) IN GENERAL.—Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is amended—

(1) in section 1902 (42 U.S.C. 1396a)—

(A) in subsection (a)(10)(A)—

(i) in clause (i)(VIII), by inserting “and ending December 31, 2019,” after “2014,”;

(ii) in clause (ii)(XX), by inserting “and ending December 31, 2017,” after “2014,”; and

(iii) in clause (ii), by adding at the end the following new subclause:

“(XXIII) beginning January 1, 2020—

“(aa) who are expansion enrollees (as defined in subsection (nn)(1)); or

“(bb) who are grandfathered expansion enrollees (as defined in subsection (nn)(2));”; and

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

“(nn) EXPANSION ENROLLEES.—In this title:

“(1) IN GENERAL.—The term ‘expansion enrollee’ means an individual—

“(A) who is under 65 years of age;

“(B) who is not pregnant;

“(C) who is not entitled to, or enrolled for, benefits under part A of title XVIII, or enrolled for benefits under part B of title XVIII;

“(D) who is not described in any of subclauses (I) through (VII) of subsection (a)(10)(A)(i); and

“(E) whose income (as determined under subsection (e)(14)) does not exceed 133 percent of the poverty line (as defined in section 2110(c)(5)) applicable to a family of the size involved.

“(2) GRANDFATHERED EXPANSION ENROLLEES.—The term ‘grandfathered expansion enrollee’ means an expansion enrollee who—

“(A) was enrolled under the State plan under this title (or under a waiver of such plan) as of December 31, 2019; and

“(B) does not have a break in eligibility for medical assistance under such State plan (or waiver) for more than one month after such date.

“(3) APPLICATION OF RELATED PROVISIONS.—Any reference in subsection (a)(10)(G), (k), or (gg) of this section or in section 1903, 1905(a), 1920(e), or 1937(a)(1)(B) to individuals described in subclause (VIII) of subsection (a)(10)(A)(i) shall be deemed to include a reference to expansion enrollees (including grandfathered expansion enrollees).”; and

(2) in section 1905 (42 U.S.C. 1396d)—

(A) in subsection (y)(1), in the matter preceding subparagraph (A)—

(i) by inserting “and that has elected to cover newly eligible individuals before March 1, 2017” after “that is one of the 50 States or the District of Columbia”; and

(ii) by inserting after “subclause (VIII) of section 1902(a)(10)(A)(i)” the following: “who, for periods after December 31, 2019, are grandfathered expansion enrollees (as defined in section 1902(nn)(2))”; and

(B) in subsection (z)(2)—

(i) in subparagraph (A), by inserting after “section 1937” the following: “and, for periods after December 31, 2019, who are grandfathered expansion enrollees (as defined in section 1902(nn)(2))”; and

(ii) in subparagraph (B)(ii)—

(I) in subclause (III), by adding “and” at the end; and

(II) by striking subclauses (IV), (V), and (VI) and inserting the following new subclause:

“(IV) 2017 and each subsequent year is 80 percent.”.

(b) SUNSET OF ESSENTIAL HEALTH BENEFITS REQUIREMENT.—Section 1937(b)(5) of the Social Security Act (42 U.S.C. 1396u-7(b)(5)) is amended by adding at the end the following: “This paragraph shall not apply after December 31, 2019.”.

SEC. 113. ELIMINATION OF DSH CUTS.

Section 1923(f) of the Social Security Act (42 U.S.C. 1396r-4(f)) is amended—

(1) in paragraph (7)—

(A) in subparagraph (A)—

(i) in clause (i)—

(I) in the matter preceding subclause (I), by striking “2025” and inserting “2019”; and

(ii) in clause (ii)—

(I) in subclause (I), by adding “and” at the end;

(II) in subclause (II), by striking the semicolon at the end and inserting a period; and

(III) by striking subclauses (III) through (VIII); and

(B) by adding at the end the following new subparagraph:

“(C) EXEMPTION FROM REDUCTION FOR NON-EXPANSION STATES.—

“(i) IN GENERAL.—In the case of a State that is a non-expansion State for a fiscal year, subparagraph (A)(i) shall not apply to the DSH allotment for such State and fiscal year.

“(ii) NO CHANGE IN REDUCTION FOR EXPANSION STATES.—In the case of a State that is an expansion State for a fiscal year, the DSH allotment for such State and fiscal year shall be determined as if clause (i) did not apply.

“(iii) NON-EXPANSION AND EXPANSION STATE DEFINED.—

“(I) The term ‘expansion State’ means with respect to a fiscal year, a State that, as

of July 1 of the preceding fiscal year, provides for eligibility under clause (i)(VIII) or (ii)(XX) of section 1902(a)(10)(A) for medical assistance under this title (or a waiver of the State plan approved under section 1115).

“(II) The term ‘non-expansion State’ means, with respect to a fiscal year, a State that is not an expansion State.”; and

(2) in paragraph (8), by striking “fiscal year 2025” and inserting “fiscal year 2019”.

SEC. 114. REDUCING STATE MEDICAID COSTS.

(a) LETTING STATES DISENROLL HIGH DOLLAR LOTTERY WINNERS.—

(1) IN GENERAL.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended—

(A) in subsection (a)(17), by striking “(e)(14), (e)(14)” and inserting “(e)(14), (e)(15)”; and

(B) in subsection (e)—

(i) in paragraph (14) (relating to modified adjusted gross income), by adding at the end the following new subparagraph:

“(J) TREATMENT OF CERTAIN LOTTERY WINNINGS AND INCOME RECEIVED AS A LUMP SUM.—

“(i) IN GENERAL.—In the case of an individual who is the recipient of qualified lottery winnings (pursuant to lotteries occurring on or after January 1, 2020) or qualified lump sum income (received on or after such date) and whose eligibility for medical assistance is determined based on the application of modified adjusted gross income under subparagraph (A), a State shall, in determining such eligibility, include such winnings or income (as applicable) as income received—

“(I) in the month in which such winnings or income (as applicable) is received if the amount of such winnings or income is less than \$80,000;

“(II) over a period of 2 months if the amount of such winnings or income (as applicable) is greater than or equal to \$80,000 but less than \$90,000;

“(III) over a period of 3 months if the amount of such winnings or income (as applicable) is greater than or equal to \$90,000 but less than \$100,000; and

“(IV) over a period of 3 months plus 1 additional month for each increment of \$10,000 of such winnings or income (as applicable) received, not to exceed a period of 120 months (for winnings or income of \$1,260,000 or more), if the amount of such winnings or income is greater than or equal to \$100,000.

“(ii) COUNTING IN EQUAL INSTALLMENTS.—For purposes of subclauses (II), (III), and (IV) of clause (i), winnings or income to which such subclause applies shall be counted in equal monthly installments over the period of months specified under such subclause.

“(iii) HARDSHIP EXEMPTION.—An individual whose income, by application of clause (i), exceeds the applicable eligibility threshold established by the State, may continue to be eligible for medical assistance to the extent that the State determines, under procedures established by the State under the State plan (or in the case of a waiver of the plan under section 1115, incorporated in such waiver), or as otherwise established by such State in accordance with such standards as may be specified by the Secretary, that the denial of eligibility of the individual would cause an undue medical or financial hardship as determined on the basis of criteria established by the Secretary.

“(iv) NOTIFICATIONS AND ASSISTANCE REQUIRED IN CASE OF LOSS OF ELIGIBILITY.—A State shall, with respect to an individual who loses eligibility for medical assistance under the State plan (or a waiver of such plan) by reason of clause (i), before the date

on which the individual loses such eligibility, inform the individual of the date on which the individual would no longer be considered ineligible by reason of such clause to receive medical assistance under the State plan or under any waiver of such plan and the date on which the individual would be eligible to reapply to receive such medical assistance.

“(v) QUALIFIED LOTTERY WINNINGS DEFINED.—In this subparagraph, the term ‘qualified lottery winnings’ means winnings from a sweepstakes, lottery, or pool described in paragraph (3) of section 4402 of the Internal Revenue Code of 1986 or a lottery operated by a multistate or multijurisdictional lottery association, including amounts awarded as a lump sum payment.

“(vi) QUALIFIED LUMP SUM INCOME DEFINED.—In this subparagraph, the term ‘qualified lump sum income’ means income that is received as a lump sum from one of the following sources:

“(I) Monetary winnings from gambling (as defined by the Secretary and including monetary winnings from gambling activities described in section 1955(b)(4) of title 18, United States Code).

“(II) Income received as liquid assets from the estate (as defined in section 1917(b)(4)) of a deceased individual.”; and

(ii) by striking “(14) EXCLUSION” and inserting “(15) EXCLUSION”.

(2) RULES OF CONSTRUCTION.—

(A) INTERCEPTION OF LOTTERY WINNINGS ALLOWED.—Nothing in the amendment made by paragraph (1)(B)(i) shall be construed as preventing a State from intercepting the State lottery winnings awarded to an individual in the State to recover amounts paid by the State under the State Medicaid plan under title XIX of the Social Security Act for medical assistance furnished to the individual.

(B) APPLICABILITY LIMITED TO ELIGIBILITY OF RECIPIENT OF LOTTERY WINNINGS OR LUMP SUM INCOME.—Nothing in the amendment made by paragraph (1)(B)(i) shall be construed, with respect to a determination of household income for purposes of a determination of eligibility for medical assistance under the State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) (or a waiver of such plan) made by applying modified adjusted gross income under subparagraph (A) of section 1902(e)(14) of such Act (42 U.S.C. 1396a(e)(14)), as limiting the eligibility for such medical assistance of any individual that is a member of the household other than the individual (or the individual's spouse) who received qualified lottery winnings or qualified lump-sum income (as defined in subparagraph (J) of such section 1902(e)(14), as added by paragraph (1)(B)(i) of this subsection).

(b) REPEAL OF RETROACTIVE ELIGIBILITY.—

(1) IN GENERAL.—

(A) STATE PLAN REQUIREMENTS.—Section 1902(a)(34) of the Social Security Act (42 U.S.C. 1396a(a)(34)) is amended by striking “in or after the third month before the month in which he made application” and inserting “in or after the month in which the individual made application”.

(B) DEFINITION OF MEDICAL ASSISTANCE.—Section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)) is amended by striking “in or after the third month before the month in which the recipient makes application for assistance” and inserting “in or after the month in which the recipient makes application for assistance”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply to medical assistance with respect to individuals whose

eligibility for such assistance is based on an application for such assistance made (or deemed to be made) on or after October 1, 2017.

(c) **UPDATING ALLOWABLE HOME EQUITY LIMITS IN MEDICAID.**—

(1) **IN GENERAL.**—Section 1917(f)(1) of the Social Security Act (42 U.S.C. 1396p(f)(1)) is amended—

(A) in subparagraph (A), by striking “subparagraphs (B) and (C)” and inserting “subparagraph (B)”;

(B) by striking subparagraph (B);

(C) by redesignating subparagraph (C) as subparagraph (B); and

(D) in subparagraph (B), as so redesignated, by striking “dollar amounts specified in this paragraph” and inserting “dollar amount specified in subparagraph (A)”.

(2) **EFFECTIVE DATE.**—

(A) **IN GENERAL.**—The amendments made by paragraph (1) shall apply with respect to eligibility determinations made after the date that is 180 days after the date of the enactment of this section.

(B) **EXCEPTION FOR STATE LEGISLATION.**—In the case of a State plan under title XIX of the Social Security Act that the Secretary of Health and Human Services determines requires State legislation in order for the respective plan to meet any requirement imposed by amendments made by this subsection, the respective plan shall not be regarded as failing to comply with the requirements of such title solely on the basis of its failure to meet such an additional requirement before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of the session shall be considered to be a separate regular session of the State legislature.

SEC. 115. SAFETY NET FUNDING FOR NON-EXPANSION STATES.

Title XIX of the Social Security Act is amended by inserting after section 1923 (42 U.S.C. 1396r-4) the following new section:

“**ADJUSTMENT IN PAYMENT FOR SERVICES OF SAFETY NET PROVIDERS IN NON-EXPANSION STATES**

“**SEC. 1923A.** (a) **IN GENERAL.**—Subject to the limitations of this section, for each year during the period beginning with fiscal year 2018 and ending with fiscal year 2022, each State that is one of the 50 States or the District of Columbia and that, as of July 1 of the preceding fiscal year, did not provide for eligibility under clause (i)(VIII) or (ii)(XX) of section 1902(a)(10)(A) for medical assistance under this title (or a waiver of the State plan approved under section 1115) (each such State or District referred to in this section for the fiscal year as a ‘non-expansion State’) may adjust the payment amounts otherwise provided under the State plan under this title (or a waiver of such plan) to health care providers that provide health care services to individuals enrolled under this title (in this section referred to as ‘eligible providers’) so long as the payment adjustment to such an eligible provider does not exceed the provider’s costs in furnishing health care services (as determined by the Secretary and net of payments under this title, other than under this section, and by uninsured patients) to individuals who either are eligible for medical assistance under the State plan (or under a waiver of such plan) or have no health insurance or health plan coverage for such services.

“(b) **INCREASE IN APPLICABLE FMAP.**—Notwithstanding section 1905(b), the Federal

medical assistance percentage applicable with respect to expenditures attributable to a payment adjustment under subsection (a) for which payment is permitted under subsection (c) shall be equal to—

“(1) 100 percent for calendar quarters in fiscal years 2018, 2019, 2020, and 2021; and

“(2) 95 percent for calendar quarters in fiscal year 2022.

“(c) **ANNUAL ALLOTMENT LIMITATION.**—Payment under section 1903(a) shall not be made to a State with respect to any payment adjustment made under this section for all calendar quarters in a fiscal year in excess of the \$2,000,000,000 multiplied by the ratio of—

“(1) the population of the State with income below 138 percent of the poverty line in 2015 (as determined based the table entitled ‘Health Insurance Coverage Status and Type by Ratio of Income to Poverty Level in the Past 12 Months by Age’ for the universe of the civilian noninstitutionalized population for whom poverty status is determined based on the 2015 American Community Survey 1-Year Estimates, as published by the Bureau of the Census), to

“(2) the sum of the populations under paragraph (1) for all non-expansion States.

“(d) **DISQUALIFICATION IN CASE OF STATE COVERAGE EXPANSION.**—If a State is a non-expansion for a fiscal year and provides eligibility for medical assistance described in subsection (a) during the fiscal year, the State shall no longer be treated as a non-expansion State under this section for any subsequent fiscal years.”.

SEC. 116. PROVIDING INCENTIVES FOR INCREASED FREQUENCY OF ELIGIBILITY REDETERMINATIONS.

(a) **IN GENERAL.**—Section 1902(e)(14) of the Social Security Act (42 U.S.C. 1396a(e)(14)) (relating to modified adjusted gross income), as amended by section 114(a)(1), is further amended by adding at the end the following:

“(K) **FREQUENCY OF ELIGIBILITY REDETERMINATIONS.**—Beginning on October 1, 2017, and notwithstanding subparagraph (H), in the case of an individual whose eligibility for medical assistance under the State plan under this title (or a waiver of such plan) is determined based on the application of modified adjusted gross income under subparagraph (A) and who is so eligible on the basis of clause (i)(VIII) or clause (ii)(XX) of subsection (a)(10)(A), a State shall redetermine such individual’s eligibility for such medical assistance no less frequently than once every 6 months.”.

(b) **INCREASED ADMINISTRATIVE MATCHING PERCENTAGE.**—For each calendar quarter during the period beginning on October 1, 2017, and ending on December 31, 2019, the Federal matching percentage otherwise applicable under section 1903(a) of the Social Security Act (42 U.S.C. 1396b(a)) with respect to State expenditures during such quarter that are attributable to meeting the requirement of section 1902(e)(14) (relating to determinations of eligibility using modified adjusted gross income) of such Act shall be increased by 5 percentage points with respect to State expenditures attributable to activities carried out by the State (and approved by the Secretary) to increase the frequency of eligibility redeterminations required by subparagraph (K) of such section (relating to eligibility redeterminations made on a 6-month basis) (as added by subsection (a)).

SEC. 117. PERMITTING STATES TO APPLY A WORK REQUIREMENT FOR NONDISABLED, NONELDERLY, NONPREGNANT ADULTS UNDER MEDICAID.

(a) **IN GENERAL.**—Section 1902 of the Social Security Act (42 U.S.C. 1396a), as previously amended, is further amended by adding at the end the following new subsection:

“(oo) **WORK REQUIREMENT OPTION FOR NON-DISABLED, NONELDERLY, NONPREGNANT ADULTS.**—

“(1) **IN GENERAL.**—Beginning October 1, 2017, subject to paragraph (3), a State may elect to condition medical assistance to a nondisabled, nonelderly, nonpregnant individual under this title upon such an individual’s satisfaction of a work requirement (as defined in paragraph (2)).

“(2) **WORK REQUIREMENT DEFINED.**—In this section, the term ‘work requirement’ means, with respect to an individual, the individual’s participation in work activities (as defined in section 407(d)) for such period of time as determined by the State, and as directed and administered by the State.

“(3) **REQUIRED EXCEPTIONS.**—States administering a work requirement under this subsection may not apply such requirement to—

“(A) a woman during pregnancy through the end of the month in which the 60-day period (beginning on the last day of her pregnancy) ends;

“(B) an individual who is under 19 years of age;

“(C) an individual who is the only parent or caretaker relative in the family of a child who has not attained 6 years of age or who is the only parent or caretaker of a child with disabilities; or

“(D) an individual who is married or a head of household and has not attained 20 years of age and who—

“(i) maintains satisfactory attendance at secondary school or the equivalent; or

“(ii) participates in education directly related to employment.”.

(b) **INCREASE IN MATCHING RATE FOR IMPLEMENTATION.**—Section 1903 of the Social Security Act (42 U.S.C. 1396b) is amended by adding at the end the following:

“(aa) The Federal matching percentage otherwise applicable under subsection (a) with respect to State administrative expenditures during a calendar quarter for which the State receives payment under such subsection shall, in addition to any other increase to such Federal matching percentage, be increased for such calendar quarter by 5 percentage points with respect to State expenditures attributable to activities carried out by the State (and approved by the Secretary) to implement subsection (oo) of section 1902.”.

Subtitle C—Per Capita Allotment for Medical Assistance

SEC. 121. PER CAPITA ALLOTMENT FOR MEDICAL ASSISTANCE.

Title XIX of the Social Security Act is amended—

(1) in section 1903 (42 U.S.C. 1396b)—

(A) in subsection (a), in the matter before paragraph (1), by inserting “and section 1903A(a)” after “except as otherwise provided in this section”; and

(B) in subsection (d)(1), by striking “to which” and inserting “to which, subject to section 1903A(a),”; and

(2) by inserting after such section 1903 the following new section:

“SEC. 1903A. PER CAPITA-BASED CAP ON PAYMENTS FOR MEDICAL ASSISTANCE.

“(a) **APPLICATION OF PER CAPITA CAP ON PAYMENTS FOR MEDICAL ASSISTANCE EXPENDITURES.**—

“(1) **IN GENERAL.**—If a State has excess aggregate medical assistance expenditures (as defined in paragraph (2)) for a fiscal year (beginning with fiscal year 2020), the amount of payment to the State under section 1903(a)(1) for each quarter in the following fiscal year shall be reduced by $\frac{1}{4}$ of the excess aggregate medical assistance payments (as defined in

paragraph (3)) for that previous fiscal year. In this section, the term ‘State’ means only the 50 States and the District of Columbia.

“(2) EXCESS AGGREGATE MEDICAL ASSISTANCE EXPENDITURES.—In this subsection, the term ‘excess aggregate medical assistance expenditures’ means, for a State for a fiscal year, the amount (if any) by which—

“(A) the amount of the adjusted total medical assistance expenditures (as defined in subsection (b)(1)) for the State and fiscal year; exceeds

“(B) the amount of the target total medical assistance expenditures (as defined in subsection (c)) for the State and fiscal year.

“(3) EXCESS AGGREGATE MEDICAL ASSISTANCE PAYMENTS.—In this subsection, the term ‘excess aggregate medical assistance payments’ means, for a State for a fiscal year, the product of—

“(A) the excess aggregate medical assistance expenditures (as defined in paragraph (2)) for the State for the fiscal year; and

“(B) the Federal average medical assistance matching percentage (as defined in paragraph (4)) for the State for the fiscal year.

“(4) FEDERAL AVERAGE MEDICAL ASSISTANCE MATCHING PERCENTAGE.—In this subsection, the term ‘Federal average medical assistance matching percentage’ means, for a State for a fiscal year, the ratio (expressed as a percentage) of—

“(A) the amount of the Federal payments that would be made to the State under section 1903(a)(1) for medical assistance expenditures for calendar quarters in the fiscal year if paragraph (1) did not apply; to

“(B) the amount of the medical assistance expenditures for the State and fiscal year.

“(b) ADJUSTED TOTAL MEDICAL ASSISTANCE EXPENDITURES.—Subject to subsection (g), the following shall apply:

“(1) IN GENERAL.—In this section, the term ‘adjusted total medical assistance expenditures’ means, for a State—

“(A) for fiscal year 2016, the product of—

“(i) the amount of the medical assistance expenditures (as defined in paragraph (2)) for the State and fiscal year, reduced by the amount of any excluded expenditures (as defined in paragraph (3)) for the State and fiscal year otherwise included in such medical assistance expenditures; and

“(ii) the 1903A FY16 population percentage (as defined in paragraph (4)) for the State; or

“(B) for fiscal year 2019 or a subsequent fiscal year, the amount of the medical assistance expenditures (as defined in paragraph (2)) for the State and fiscal year that is attributable to 1903A enrollees, reduced by the amount of any excluded expenditures (as defined in paragraph (3)) for the State and fiscal year otherwise included in such medical assistance expenditures and includes non-DSH supplemental payments (as defined in subsection (d)(4)(A)(ii)) and payments described in subsection (d)(4)(A)(iii) but shall not be construed as including any expenditures attributable to the program under section 1928. In applying subparagraph (B), non-DSH supplemental payments (as defined in subsection (d)(4)(A)(ii)) and payments described in subsection (d)(4)(A)(iii) shall be treated as fully attributable to 1903A enrollees.

“(2) MEDICAL ASSISTANCE EXPENDITURES.—In this section, the term ‘medical assistance expenditures’ means, for a State and fiscal year, the medical assistance payments as reported by medical service category on the Form CMS-64 quarterly expense report (or successor to such a report form, and including enrollment data and subsequent adjust-

ments to any such report, in this section referred to collectively as a ‘CMS-64 report’) for which payment is (or may otherwise be) made pursuant to section 1903(a)(1).

“(3) EXCLUDED EXPENDITURES.—In this section, the term ‘excluded expenditures’ means, for a State and fiscal year, expenditures under the State plan (or under a waiver of such plan) that are attributable to any of the following:

“(A) DSH.—Payment adjustments made for disproportionate share hospitals under section 1923.

“(B) MEDICARE COST-SHARING.—Payments made for medicare cost-sharing (as defined in section 1905(p)(3)).

“(C) SAFETY NET PROVIDER PAYMENT ADJUSTMENTS IN NON-EXPANSION STATES.—Payment adjustments under subsection (a) of section 1923A for which payment is permitted under subsection (c) of such section.

“(4) 1903A FY 16 POPULATION PERCENTAGE.—In this subsection, the term ‘1903A FY16 population percentage’ means, for a State, the Secretary’s calculation of the percentage of the actual medical assistance expenditures, as reported by the State on the CMS-64 reports for calendar quarters in fiscal year 2016, that are attributable to 1903A enrollees (as defined in subsection (e)(1)).

“(c) TARGET TOTAL MEDICAL ASSISTANCE EXPENDITURES.—

“(1) CALCULATION.—In this section, the term ‘target total medical assistance expenditures’ means, for a State for a fiscal year and subject to paragraph (4), the sum of the products, for each of the 1903A enrollee categories (as defined in subsection (e)(2)), of—

“(A) the target per capita medical assistance expenditures (as defined in paragraph (2)) for the enrollee category, State, and fiscal year; and

“(B) the number of 1903A enrollees for such enrollee category, State, and fiscal year, as determined under subsection (e)(4).

“(2) TARGET PER CAPITA MEDICAL ASSISTANCE EXPENDITURES.—In this subsection, the term ‘target per capita medical assistance expenditures’ means, for a 1903A enrollee category and State—

“(A) for fiscal year 2020, an amount equal to—

“(i) the provisional FY19 target per capita amount for such enrollee category (as calculated under subsection (d)(5)) for the State; increased by

“(ii) the applicable annual inflation factor (as defined in paragraph (3)) for fiscal year 2020; and

“(B) for each succeeding fiscal year, an amount equal to—

“(i) the target per capita medical assistance expenditures (under subparagraph (A) or this subparagraph) for the 1903A enrollee category and State for the preceding fiscal year, increased by

“(ii) the applicable annual inflation factor for that succeeding fiscal year.

“(3) APPLICABLE ANNUAL INFLATION FACTOR.—In paragraph (2), the term ‘applicable annual inflation factor’ means, for a fiscal year—

“(A) for each of the 1903A enrollee categories described in subparagraphs (C), (D), and (E) of subsection (e)(2), the percentage increase in the medical care component of the consumer price index for all urban consumers (U.S. city average) from September of the previous fiscal year to September of the fiscal year involved; and

“(B) for each of the 1903A enrollee categories described in subparagraphs (A) and (B) of subsection (e)(2), the percentage in-

crease described in subparagraph (A) plus 1 percentage point.

“(4) DECREASE IN TARGET EXPENDITURES FOR REQUIRED EXPENDITURES BY CERTAIN POLITICAL SUBDIVISIONS.—

“(A) IN GENERAL.—In the case of a State that had a DSH allotment under section 1923(f) for fiscal year 2016 that was more than 6 times the national average of such allotments for all the States for such fiscal year and that requires political subdivisions within the State to contribute funds towards medical assistance or other expenditures under the State plan under this title (or under a waiver of such plan) for a fiscal year (beginning with fiscal year 2020), the target total medical assistance expenditures for such State and fiscal year shall be decreased by the amount that political subdivisions in the State are required to contribute under the plan (or waiver) without reimbursement from the State for such fiscal year, other than contributions described in subparagraph (B).

“(B) EXCEPTIONS.—The contributions described in this subparagraph are the following:

“(i) Contributions required by a State from a political subdivision that, as of the first day of the calendar year in which the fiscal year involved begins—

“(I) has a population of more than 5,000,000, as estimated by the Bureau of the Census; and

“(II) imposes a local income tax upon its residents.

“(ii) Contributions required by a State from a political subdivision for administrative expenses if the State required such contributions from such subdivision without reimbursement from the State as of January 1, 2017.

“(d) CALCULATION OF FY19 PROVISIONAL TARGET AMOUNT FOR EACH 1903A ENROLLEE CATEGORY.—Subject to subsection (g), the following shall apply:

“(1) CALCULATION OF BASE AMOUNTS FOR FISCAL YEAR 2016.—For each State the Secretary shall calculate (and provide notice to the State not later than April 1, 2018, of) the following:

“(A) The amount of the adjusted total medical assistance expenditures (as defined in subsection (b)(1)) for the State for fiscal year 2016.

“(B) The number of 1903A enrollees for the State in fiscal year 2016 (as determined under subsection (e)(4)).

“(C) The average per capita medical assistance expenditures for the State for fiscal year 2016 equal to—

“(i) the amount calculated under subparagraph (A); divided by

“(ii) the number calculated under subparagraph (B).

“(2) FISCAL YEAR 2019 AVERAGE PER CAPITA AMOUNT BASED ON INFLATING THE FISCAL YEAR 2016 AMOUNT TO FISCAL YEAR 2019 BY CPI-MEDICAL.—The Secretary shall calculate a fiscal year 2019 average per capita amount for each State equal to—

“(A) the average per capita medical assistance expenditures for the State for fiscal year 2016 (calculated under paragraph (1)(C)); increased by

“(B) the percentage increase in the medical care component of the consumer price index for all urban consumers (U.S. city average) from September, 2016 to September, 2019.

“(3) AGGREGATE AND AVERAGE EXPENDITURES PER CAPITA FOR FISCAL YEAR 2019.—The Secretary shall calculate for each State the following:

“(A) The amount of the adjusted total medical assistance expenditures (as defined in subsection (b)(1)) for the State for fiscal year 2019.

“(B) The number of 1903A enrollees for the State in fiscal year 2019 (as determined under subsection (e)(4)).

“(4) PER CAPITA EXPENDITURES FOR FISCAL YEAR 2019 FOR EACH 1903A ENROLLEE CATEGORY.—The Secretary shall calculate (and provide notice to each State not later than January 1, 2020, of) the following:

“(A)(i) For each 1903A enrollee category, the amount of the adjusted total medical assistance expenditures (as defined in subsection (b)(1)) for the State for fiscal year 2019 for individuals in the enrollee category, calculated by excluding from medical assistance expenditures those expenditures attributable to expenditures described in clause (iii) or non-DSH supplemental expenditures (as defined in clause (ii)).

“(ii) In this paragraph, the term ‘non-DSH supplemental expenditure’ means a payment to a provider under the State plan (or under a waiver of the plan) that—

“(I) is not made under section 1923;

“(II) is not made with respect to a specific item or service for an individual;

“(III) is in addition to any payments made to the provider under the plan (or waiver) for any such item or service; and

“(IV) complies with the limits for additional payments to providers under the plan (or waiver) imposed pursuant to section 1902(a)(30)(A), including the regulations specifying upper payment limits under the State plan in part 447 of title 42, Code of Federal Regulations (or any successor regulations).

“(iii) An expenditure described in this clause is an expenditure that meets the criteria specified in subclauses (I), (II), and (III) of clause (ii) and is authorized under section 1115 for the purposes of funding a delivery system reform pool, uncompensated care pool, a designated state health program, or any other similar expenditure (as defined by the Secretary).

“(B) For each 1903A enrollee category, the number of 1903A enrollees for the State in fiscal year 2019 in the enrollee category (as determined under subsection (e)(4)).

“(C) For fiscal year 2016, the State’s non-DSH supplemental and pool payment percentage is equal to the ratio (expressed as a percentage) of—

“(i) the total amount of non-DSH supplemental expenditures (as defined in subparagraph (A)(ii)) and payments described in subparagraph (A)(iii) for the State for fiscal year 2016; to

“(ii) the amount described in subsection (b)(1)(A) for the State for fiscal year 2016.

“(D) For each 1903A enrollee category an average medical assistance expenditures per capita for the State for fiscal year 2019 for the enrollee category equal to—

“(i) the amount calculated under subparagraph (A) for the State, increased by the non-DSH supplemental and pool payment percentage for the State (as calculated under subparagraph (C)); divided by

“(ii) the number calculated under subparagraph (B) for the State for the enrollee category.

“(5) PROVISIONAL FY19 PER CAPITA TARGET AMOUNT FOR EACH 1903A ENROLLEE CATEGORY.—Subject to subsection (f)(2), the Secretary shall calculate for each State a provisional FY19 per capita target amount for each 1903A enrollee category equal to the average medical assistance expenditures per capita for the State for fiscal year 2019 (as calculated

under paragraph (4)(D)) for such enrollee category multiplied by the ratio of—

“(A) the product of—

“(i) the fiscal year 2019 average per capita amount for the State, as calculated under paragraph (2); and

“(ii) the number of 1903A enrollees for the State in fiscal year 2019, as calculated under paragraph (3)(B); to

“(B) the amount of the adjusted total medical assistance expenditures for the State for fiscal year 2019, as calculated under paragraph (3)(A).

“(e) 1903A ENROLLEE; 1903A ENROLLEE CATEGORY.—Subject to subsection (g), for purposes of this section, the following shall apply:

“(1) 1903A ENROLLEE.—The term ‘1903A enrollee’ means, with respect to a State and a month and subject to subsection (i)(1)(B), any Medicaid enrollee (as defined in paragraph (3)) for the month, other than such an enrollee who for such month is in any of the following categories of excluded individuals:

“(A) CHIP.—An individual who is provided, under this title in the manner described in section 2101(a)(2), child health assistance under title XXI.

“(B) IHS.—An individual who receives any medical assistance under this title for services for which payment is made under the third sentence of section 1905(b).

“(C) BREAST AND CERVICAL CANCER SERVICES ELIGIBLE INDIVIDUAL.—An individual who is entitled to medical assistance under this title only pursuant to section 1902(a)(10)(A)(ii)(XVIII).

“(D) PARTIAL-BENEFIT ENROLLEES.—An individual who—

“(i) is an alien who is entitled to medical assistance under this title only pursuant to section 1903(v)(2);

“(ii) is entitled to medical assistance under this title only pursuant to subclause (XII) or (XXI) of section 1902(a)(10)(A)(ii) (or pursuant to a waiver that provides only comparable benefits);

“(iii) is a dual eligible individual (as defined in section 1915(h)(2)(B)) and is entitled to medical assistance under this title (or under a waiver) only for some or all of medicare cost-sharing (as defined in section 1905(p)(3)); or

“(iv) is entitled to medical assistance under this title and for whom the State is providing a payment or subsidy to an employer for coverage of the individual under a group health plan pursuant to section 1906 or section 1906A (or pursuant to a waiver that provides only comparable benefits).

“(2) 1903A ENROLLEE CATEGORY.—The term ‘1903A enrollee category’ means each of the following:

“(A) ELDERLY.—A category of 1903A enrollees who are 65 years of age or older.

“(B) BLIND AND DISABLED.—A category of 1903A enrollees (not described in the previous subparagraph) who are eligible for medical assistance under this title on the basis of being blind or disabled.

“(C) CHILDREN.—A category of 1903A enrollees (not described in a previous subparagraph) who are children under 19 years of age.

“(D) EXPANSION ENROLLEES.—A category of 1903A enrollees (not described in a previous subparagraph) for whom the amounts expended for medical assistance are subject to an increase or change in the Federal medical assistance percentage under subsection (y) or (z)(2), respectively, of section 1905.

“(E) OTHER NONELDERLY, NONDISABLED, NON-EXPANSION ADULTS.—A category of 1903A enrollees who are not described in any previous subparagraph.

“(3) MEDICAID ENROLLEE.—The term ‘Medicaid enrollee’ means, with respect to a State for a month, an individual who is eligible for medical assistance for items or services under this title and enrolled under the State plan (or a waiver of such plan) under this title for the month.

“(4) DETERMINATION OF NUMBER OF 1903A ENROLLEES.—The number of 1903A enrollees for a State and fiscal year, and, if applicable, for a 1903A enrollee category, is the average monthly number of Medicaid enrollees for such State and fiscal year (and, if applicable, in such category) that are reported through the CMS-64 report under (and subject to audit under) subsection (h).

“(f) SPECIAL PAYMENT RULES.—

“(1) APPLICATION IN CASE OF RESEARCH AND DEMONSTRATION PROJECTS AND OTHER WAIVERS.—In the case of a State with a waiver of the State plan approved under section 1115, section 1915, or another provision of this title, this section shall apply to medical assistance expenditures and medical assistance payments under the waiver, in the same manner as if such expenditures and payments had been made under a State plan under this title and the limitations on expenditures under this section shall supersede any other payment limitations or provisions (including limitations based on a per capita limitation) otherwise applicable under such a waiver.

“(2) TREATMENT OF STATES EXPANDING COVERAGE AFTER FISCAL YEAR 2016.—In the case of a State that did not provide for medical assistance for the 1903A enrollee category described in subsection (e)(2)(D) during fiscal year 2016 but which provides for such assistance for such category in a subsequent year, the provisional FY19 per capita target amount for such enrollee category under subsection (d)(5) shall be equal to the provisional FY19 per capita target amount for the 1903A enrollee category described in subsection (e)(2)(E).

“(3) IN CASE OF STATE FAILURE TO REPORT NECESSARY DATA.—If a State for any quarter in a fiscal year (beginning with fiscal year 2019) fails to satisfactorily submit data on expenditures and enrollees in accordance with subsection (h)(1), for such fiscal year and any succeeding fiscal year for which such data are not satisfactorily submitted—

“(A) the Secretary shall calculate and apply subsections (a) through (e) with respect to the State as if all 1903A enrollee categories for which such expenditure and enrollee data were not satisfactorily submitted were a single 1903A enrollee category; and

“(B) the growth factor otherwise applied under subsection (c)(2)(B) shall be decreased by 1 percentage point.

“(g) RECALCULATION OF CERTAIN AMOUNTS FOR DATA ERRORS.—The amounts and percentage calculated under paragraphs (1) and (4)(C) of subsection (d) for a State for fiscal year 2016, and the amounts of the adjusted total medical assistance expenditures calculated under subsection (b) and the number of Medicaid enrollees and 1903A enrollees determined under subsection (e)(4) for a State for fiscal year 2016, fiscal year 2019, and any subsequent fiscal year, may be adjusted by the Secretary based upon an appeal (filed by the State in such a form, manner, and time, and containing such information relating to data errors that support such appeal, as the Secretary specifies) that the Secretary determines to be valid, except that any adjustment by the Secretary under this subsection for a State may not result in an increase of the target total medical assistance expenditures exceeding 2 percent.

“(h) REQUIRED REPORTING AND AUDITING OF CMS-64 DATA; TRANSITIONAL INCREASE IN FEDERAL MATCHING PERCENTAGE FOR CERTAIN ADMINISTRATIVE EXPENSES.—

“(1) REPORTING.—In addition to the data required on form Group VIII on the CMS-64 report form as of January 1, 2017, in each CMS-64 report required to be submitted (for each quarter beginning on or after October 1, 2018), the State shall include data on medical assistance expenditures within such categories of services and categories of enrollees (including each 1903A enrollee category and each category of excluded individuals under subsection (e)(1)) and the numbers of enrollees within each of such enrollee categories, as the Secretary determines are necessary (including timely guidance published as soon as possible after the date of the enactment of this section) in order to implement this section and to enable States to comply with the requirement of this paragraph on a timely basis.

“(2) AUDITING.—The Secretary shall conduct for each State an audit of the number of individuals and expenditures reported through the CMS-64 report for fiscal year 2016, fiscal year 2019, and each subsequent fiscal year, which audit may be conducted on a representative sample (as determined by the Secretary).

“(3) TEMPORARY INCREASE IN FEDERAL MATCHING PERCENTAGE TO SUPPORT IMPROVED DATA REPORTING SYSTEMS FOR FISCAL YEARS 2018 AND 2019.—For amounts expended during calendar quarters beginning on or after October 1, 2017, and before October 1, 2019—

“(A) the Federal matching percentage applied under section 1903(a)(3)(A)(i) shall be increased by 10 percentage points to 100 percent;

“(B) the Federal matching percentage applied under section 1903(a)(3)(B) shall be increased by 25 percentage points to 100 percent; and

“(C) the Federal matching percentage applied under section 1903(a)(7) shall be increased by 10 percentage points to 60 percent but only with respect to amounts expended that are attributable to a State's additional administrative expenditures to implement the data requirements of paragraph (1).

“(i) FLEXIBLE BLOCK GRANT OPTION FOR STATES.—

“(1) IN GENERAL.—In the case of a State that elects the option of applying this subsection for a 10-fiscal-year period (beginning no earlier than fiscal year 2020 and, at the State option, for any succeeding 10-fiscal-year period) and that has a plan approved by the Secretary under paragraph (2) to carry out the option for such period—

“(A) the State shall receive, instead of amounts otherwise payable to the State under this title for medical assistance for block grant individuals within the applicable block grant category (as defined in paragraph (6)) for the State during the period in which the election is in effect, the amount specified in paragraph (4);

“(B) the previous provisions of this section shall be applied as if—

“(i) block grant individuals within the applicable block grant category for the State and period were not section 1903A enrollees for each 10-fiscal year period for which the State elects to apply this subsection; and

“(ii) if such option is not extended at the end of a 10-fiscal-year-period, the per capita limitations under such previous provisions shall again apply after such period and such limitations shall be applied as if the election under this subsection had never taken place;

“(C) the payment under this subsection may only be used consistent with the State

plan under paragraph (2) for block grant health care assistance (as defined in paragraph (7)); and

“(D) with respect to block grant individuals within the applicable block grant category for the State for which block grant health care assistance is made available under this subsection, such assistance shall be instead of medical assistance otherwise provided to the individual under this title.

“(2) STATE PLAN FOR ADMINISTERING BLOCK GRANT OPTION.—

“(A) IN GENERAL.—No payment shall be made under this subsection to a State pursuant to an election for a 10-fiscal-year period under paragraph (1) unless the State has a plan, approved under subparagraph (B), for such period that specifies—

“(i) the applicable block grant category with respect to which the State will apply the option under this subsection for such period;

“(ii) the conditions for eligibility of block grant individuals within such applicable block grant category for block grant health care assistance under the option, which shall be instead of other conditions for eligibility under this title, except that in the case of a State that has elected the applicable block grant category described in—

“(I) subparagraph (A) of paragraph (6), the plan must provide for eligibility for pregnant women and children required to be provided medical assistance under subsections (a)(10)(A)(i) and (e)(4) of section 1902; or

“(II) subparagraph (B) of paragraph (6), the plan must provide for eligibility for pregnant women required to be provided medical assistance under subsection (a)(10)(A)(i); and

“(iii) the types of items and services, the amount, duration, and scope of such services, the cost-sharing with respect to such services, and the method for delivery of block grant health care assistance under this subsection, which shall be instead of the such types, amount, duration, and scope, cost-sharing, and methods of delivery for medical assistance otherwise required under this title, except that the plan must provide for assistance for—

“(I) hospital care;

“(II) surgical care and treatment;

“(III) medical care and treatment;

“(IV) obstetrical and prenatal care and treatment;

“(V) prescribed drugs, medicines, and prosthetic devices;

“(VI) other medical supplies and services; and

“(VII) health care for children under 18 years of age.

“(B) REVIEW AND APPROVAL.—A plan described in subparagraph (A) shall be deemed approved by the Secretary unless the Secretary determines, within 30 days after the date of the Secretary's receipt of the plan, that the plan is incomplete or actuarially unsound and, with respect to such plan and its implementation under this subsection, the requirements of paragraphs (1), (10)(B), (17), and (23) of section 1902(a) shall not apply.

“(3) AMOUNT OF BLOCK GRANT FUNDS.—

“(A) FOR INITIAL FISCAL YEAR.—The block grant amount under this paragraph for a State for the initial fiscal year in the first 10-fiscal-year period is equal to the sum of the products (for each applicable block grant category for such State and period) of—

“(i) the target per capita medical assistance expenditures for such State for such fiscal year (under subsection (c)(2));

“(ii) the number of 1903A enrollees for such category and State for fiscal year 2019, as determined under subsection (e)(4); and

“(iii) the Federal average medical assistance matching percentage (as defined in subsection (a)(4)) for the State for fiscal year 2019.

“(B) FOR ANY SUBSEQUENT FISCAL YEAR.—The block grant amount under this paragraph for a State for each succeeding fiscal year (in any 10-fiscal-year period) is equal to the block grant amount under subparagraph (A) (or this subparagraph) for the State for the previous fiscal year increased by the annual increase in the consumer price index for all urban consumers (all items; U.S. city average) for the fiscal year involved.

“(C) AVAILABILITY OF ROLLOVER FUNDS.—The block grant amount under this paragraph for a State for a fiscal year shall remain available to the State for expenditures under this subsection for the succeeding fiscal year but only if an election is in effect under this subsection for the State in such succeeding fiscal year.

“(4) FEDERAL PAYMENT AND STATE RESPONSIBILITY.—The Secretary shall pay to each State with an election in effect under this subsection for a fiscal year, from its block grant amount under paragraph (3) available for such fiscal year, an amount for each quarter of such fiscal year equal to the enhanced FMAP described in the first sentence of section 2105(b) of the total amount expended under the State plan under this subsection during such quarter, and the State is responsible for the balance of funds to carry out such plan.

“(5) BLOCK GRANT INDIVIDUAL DEFINED.—In this subsection, the term ‘block grant individual’ means, with respect to a State for a 10-fiscal-year period, an individual who is not disabled (as defined for purposes of the State plan) and who is within an applicable block grant category for the State and such period.

“(6) APPLICABLE BLOCK GRANT CATEGORY DEFINED.—In this subsection, the term ‘applicable block grant category’ means with respect to a State for a 10-fiscal-year period, either of the following as specified by the State for such period in its plan under paragraph (2)(A)(i):

“(A) 2 ENROLLEE CATEGORIES.—Both of the following 1903A enrollee categories:

“(i) CHILDREN.—The 1903A enrollee category specified in subparagraph (C) of subsection (e)(2).

“(ii) OTHER NONELDERLY, NONDISABLED, NON-EXPANSION ADULTS.—The 1903A enrollee category specified in subparagraph (E) of such subsection.

“(B) OTHER NONELDERLY, NONDISABLED, NON-EXPANSION ADULTS.—Only the 1903A enrollee category specified in subparagraph (E) of subsection (e)(2).

“(7) BLOCK GRANT HEALTH CARE ASSISTANCE.—In this subsection, the term ‘block grant health care assistance’ means assistance for health-care-related items and medical services for block grant individuals within the applicable block grant category for the State and 10-fiscal-year period involved who are low-income individuals (as defined by the State).

“(8) AUDITING.—As a condition of receiving funds under this subsection, a State shall contract with an independent entity to conduct audits of its expenditures made with respect to activities funded under this subsection for each fiscal year for which the State elects to apply this subsection to ensure that such funds are used consistent with this subsection and shall make such audits available to the Secretary upon the request of the Secretary.”

Subtitle D—Patient Relief and Health Insurance Market Stability

SEC. 131. REPEAL OF COST-SHARING SUBSIDY.

(a) IN GENERAL.—Section 1402 of the Patient Protection and Affordable Care Act is repealed.

(b) EFFECTIVE DATE.—The repeal made by subsection (a) shall apply to cost-sharing reductions (and payments to issuers for such reductions) for plan years beginning after December 31, 2019.

SEC. 132. PATIENT AND STATE STABILITY FUND.

The Social Security Act (42 U.S.C. 301 et seq.) is amended by adding at the end the following new title:

“TITLE XXII—PATIENT AND STATE STABILITY FUND

“SEC. 2201. ESTABLISHMENT OF PROGRAM.

“There is hereby established the ‘Patient and State Stability Fund’ to be administered by the Secretary of Health and Human Services, acting through the Administrator of the Centers for Medicare & Medicaid Services (in this section referred to as the ‘Administrator’), to provide funding, in accordance with this title, to the 50 States and the District of Columbia (each referred to in this section as a ‘State’) during the period, subject to section 2204(c), beginning on January 1, 2018, and ending on December 31, 2026, for the purposes described in section 2202.

“SEC. 2202. USE OF FUNDS.

“(a) IN GENERAL.—Subject to subsection (b), a State may use the funds allocated to the State under this title for any of the following purposes:

“(1) Helping, through the provision of financial assistance, high-risk individuals who do not have access to health insurance coverage offered through an employer enroll in health insurance coverage in the individual market in the State, as such market is defined by the State (whether through the establishment of a new mechanism or maintenance of an existing mechanism for such purpose).

“(2) Providing incentives to appropriate entities to enter into arrangements with the State to help stabilize premiums for health insurance coverage in the individual market, as such markets are defined by the State.

“(3) Reducing the cost for providing health insurance coverage in the individual market and small group market, as such markets are defined by the State, to individuals who have, or are projected to have, a high rate of utilization of health services (as measured by cost) and to individuals who have high costs of health insurance coverage due to the low density population of the State in which they reside.

“(4) Promoting participation in the individual market and small group market in the State and increasing health insurance options available through such market.

“(5) Promoting access to preventive services; dental care services (whether preventive or medically necessary); vision care services (whether preventive or medically necessary); or any combination of such services.

“(6) Maternity coverage and newborn care.

“(7) Prevention, treatment, or recovery support services for individuals with mental or substance use disorders, focused on either or both of the following:

“(A) Direct inpatient or outpatient clinical care for treatment of addiction and mental illness.

“(B) Early identification and intervention for children and young adults with serious mental illness.

“(8) Providing payments, directly or indirectly, to health care providers for the provi-

sion of such health care services as are specified by the Administrator.

“(9) Providing assistance to reduce out-of-pocket costs, such as copayments, coinsurance, premiums, and deductibles, of individuals enrolled in health insurance coverage in the State.

“(b) REQUIRED USE OF INCREASE IN ALLOTMENT.—A State shall use the additional allocation provided to the State from the funds appropriated under the second sentence of section 2204(b) for each year only for the purposes described in paragraphs (6) and (7) of subsection (a).

“SEC. 2203. STATE ELIGIBILITY AND APPROVAL; DEFAULT SAFEGUARD.

“(a) ENCOURAGING STATE OPTIONS FOR ALLOCATIONS.—

“(1) IN GENERAL.—To be eligible for an allocation of funds under this title for a year during the period described in section 2201 for use for one or more purposes described in section 2202, a State shall submit to the Administrator an application at such time (but, in the case of allocations for 2018, not later than 45 days after the date of the enactment of this title and, in the case of allocations for a subsequent year, not later than March 31 of the previous year) and in such form and manner as specified by the Administrator and containing—

“(A) a description of how the funds will be used for such purposes;

“(B) a certification that the State will make, from non-Federal funds, expenditures for such purposes in an amount that is not less than the State percentage required for the year under section 2204(e)(1); and

“(C) such other information as the Administrator may require.

“(2) AUTOMATIC APPROVAL.—An application so submitted is approved unless the Administrator notifies the State submitting the application, not later than 60 days after the date of the submission of such application, that the application has been denied for not being in compliance with any requirement of this title and of the reason for such denial.

“(3) ONE-TIME APPLICATION.—If an application of a State is approved for a year, with respect to a purpose described in section 2202, such application shall be treated as approved, with respect to such purpose, for each subsequent year through 2026.

“(4) TREATMENT AS A STATE HEALTH CARE PROGRAM.—Any program receiving funds from an allocation for a State under this title, including pursuant to subsection (b), shall be considered to be a ‘State health care program’ for purposes of sections 1128, 1128A, and 1128B.

“(b) DEFAULT FEDERAL SAFEGUARD.—

“(1) IN GENERAL.—

“(A) 2018.—For allocations made under this title for 2018, in the case of a State that does not submit an application under subsection (a) by the 45-day submission date applicable to such year under subsection (a)(1) and in the case of a State that does submit such an application by such date that is not approved, subject to section 2204(e), the Administrator, in consultation with the State insurance commissioner, shall use the allocation that would otherwise be provided to the State under this title for such year, in accordance with paragraph (2), for such State.

“(B) 2019 THROUGH 2026.—In the case of a State that does not have in effect an approved application under this section for 2019 or a subsequent year beginning during the period described in section 2201, subject to section 2204(e), the Administrator, in consultation with the State insurance commissioner, shall use the allocation that would

otherwise be provided to the State under this title for such year, in accordance with paragraph (2), for such State.

“(2) REQUIRED USE FOR MARKET STABILIZATION PAYMENTS TO ISSUERS.—Subject to section 2204(a), an allocation for a State made pursuant to paragraph (1) for a year shall be used to carry out the purpose described in section 2202(2) in such State by providing payments to appropriate entities described in such section with respect to claims that exceed \$50,000 (or, with respect to allocations made under this title for 2020 or a subsequent year during the period specified in section 2201, such dollar amount specified by the Administrator), but do not exceed \$350,000 (or, with respect to allocations made under this title for 2020 or a subsequent year during such period, such dollar amount specified by the Administrator), in an amount equal to 75 percent (or, with respect to allocations made under this title for 2020 or a subsequent year during such period, such percentage specified by the Administrator) of the amount of such claims.

“SEC. 2204. ALLOCATIONS.

“(a) APPROPRIATION.—For the purpose of providing allocations for States (including pursuant to section 2203(b)) under this title there is appropriated, out of any money in the Treasury not otherwise appropriated—

“(1) for 2018, \$15,000,000,000;

“(2) for 2019, \$15,000,000,000;

“(3) for 2020, \$10,000,000,000;

“(4) for 2021, \$10,000,000,000;

“(5) for 2022, \$10,000,000,000;

“(6) for 2023, \$10,000,000,000;

“(7) for 2024, \$10,000,000,000;

“(8) for 2025, \$10,000,000,000; and

“(9) for 2026, \$10,000,000,000.

The amount otherwise appropriated under the previous sentence for 2020 shall be increased by \$15,000,000,000, to be used and available under subsection (d) only for the purposes described in paragraphs (6) and (7) of section 2202(a).

“(b) ALLOCATIONS.—

“(1) PAYMENT.—

“(A) IN GENERAL.—From amounts appropriated under subsection (a) for a year, the Administrator shall, with respect to a State and not later than the date specified under subparagraph (B) for such year, allocate, subject to subsection (e), for such State (including pursuant to section 2203(b)) the amount determined for such State and year under paragraph (2).

“(B) SPECIFIED DATE.—For purposes of subparagraph (A), the date specified in this subparagraph is—

“(i) for 2018, the date that is 45 days after the date of the enactment of this title; and

“(ii) for 2019 and subsequent years, January 1 of the respective year.

“(2) ALLOCATION AMOUNT DETERMINATIONS.—

“(A) FOR 2018 AND 2019.—

“(i) IN GENERAL.—For purposes of paragraph (1), the amount determined under this paragraph for 2018 and 2019 for a State is an amount equal to the sum of—

“(I) the relative incurred claims amount described in clause (ii) for such State and year; and

“(II) the relative uninsured and issuer participation amount described in clause (iv) for such State and year.

“(ii) RELATIVE INCURRED CLAIMS AMOUNT.—For purposes of clause (i), the relative incurred claims amount described in this clause for a State for 2018 and 2019 is the product of—

“(I) 85 percent of the amount appropriated under subsection (a) for the year; and

“(II) the relative State incurred claims proportion described in clause (iii) for such State and year.

“(iii) **RELATIVE STATE INCURRED CLAIMS PROPORTION.**—The relative State incurred claims proportion described in this clause for a State and year is the amount equal to the ratio of—

“(I) the adjusted incurred claims by the State, as reported through the medical loss ratio annual reporting under section 2718 of the Public Health Service Act for the third previous year; to

“(II) the sum of such adjusted incurred claims for all States, as so reported, for such third previous year.

“(iv) **RELATIVE UNINSURED AND ISSUER PARTICIPATION AMOUNT.**—For purposes of clause (i), the relative uninsured and issuer participation amount described in this clause for a State for 2018 and 2019 is the product of—

“(I) 15 percent of the amount appropriated under subsection (a) for the year; and

“(II) the relative State uninsured and issuer participation proportion described in clause (v) for such State and year.

“(v) **RELATIVE STATE UNINSURED AND ISSUER PARTICIPATION PROPORTION.**—The relative State uninsured and issuer participation proportion described in this clause for a State and year is—

“(I) in the case of a State not described in clause (vi) for such year, 0; and

“(II) in the case of a State described in clause (vi) for such year, the amount equal to the ratio of—

“(aa) the number of individuals residing in such State who for the third preceding year were not enrolled in a health plan or otherwise did not have health insurance coverage (including through a Federal or State health program) and whose income is below 100 percent of the poverty line applicable to a family of the size involved; to

“(bb) the sum of the number of such individuals for all States described in clause (vi) for the third preceding year.

“(vi) **STATES DESCRIBED.**—For purposes of clause (v), a State is described in this clause, with respect to 2018 and 2019, if the State satisfies either of the following criterion:

“(I) The ratio described in subclause (II) of clause (v) that would be determined for such State by substituting ‘2015’ for each reference in such subclause to ‘the third preceding year’ and by substituting ‘all such States’ for the reference in item (bb) of such subclause to ‘all States described in clause (vi)’ is greater than the ratio described in such subclause that would be determined for such State by substituting ‘2013’ for each reference in such subclause to ‘the third preceding year’ and by substituting ‘all such States’ for the reference in item (bb) of such subclause to ‘all States described in clause (vi)’.

“(II) The State has fewer than three health insurance issuers offering qualified health plans through the Exchange for 2017.

“(B) **FOR 2020 THROUGH 2026.**—For purposes of paragraph (1), the amount determined under this paragraph for a year (beginning with 2020) during the period described in section 2201 for a State is an amount determined in accordance with an allocation methodology specified by the Administrator which—

“(i) takes into consideration the adjusted incurred claims of such State, the number of residents of such State who for the previous year were not enrolled in a health plan or otherwise did not have health insurance coverage (including through a Federal or State health program) and whose income is below 100 percent of the poverty line applicable to

a family of the size involved, and the number of health insurance issuers participating in the insurance market in such State for such year;

“(ii) is established after consultation with health care consumers, health insurance issuers, State insurance commissioners, and other stakeholders and after taking into consideration additional cost and risk factors that may inhibit health care consumer and health insurance issuer participation; and

“(iii) reflects the goals of improving the health insurance risk pool, promoting a more competitive health insurance market, and increasing choice for health care consumers.

“(c) **ANNUAL DISTRIBUTION OF PREVIOUS YEAR’S REMAINING FUNDS.**—In carrying out subsection (b), the Administrator shall, with respect to a year (beginning with 2020 and ending with 2027), not later than March 31 of such year—

“(1) determine the amount of funds, if any, from the amounts appropriated under subsection (a) for the previous year but not allocated for such previous year; and

“(2) if the Administrator determines that any funds were not so allocated for such previous year, allocate such remaining funds, in accordance with the allocation methodology specified pursuant to subsection (b)(2)(B)—

“(A) to States that have submitted an application approved under section 2203(a) for such previous year for any purpose for which such an application was approved; and

“(B) for States for which allocations were made pursuant to section 2203(b) for such previous year, to be used by the Administrator for such States, to carry out the purpose described in section 2202(2) in such States by providing payments to appropriate entities described in such section with respect to claims that exceed \$1,000,000; with, respect to a year before 2027, any remaining funds being made available for allocations to States for the subsequent year.

“(d) **AVAILABILITY.**—Amounts appropriated under subsection (a) for a year and allocated to States in accordance with this section shall remain available for expenditure through December 31, 2027.

“(e) **CONDITIONS FOR AND LIMITATIONS ON RECEIPT OF FUNDS.**—The Secretary may not make an allocation under this title for a State, with respect to a purpose described in section 2202—

“(1) in the case of an allocation that would be made to a State pursuant to section 2203(a), if the State does not agree that the State will make available non-Federal contributions towards such purpose in an amount equal to—

“(A) for 2020, 7 percent of the amount allocated under this subsection to such State for such year and purpose;

“(B) for 2021, 14 percent of the amount allocated under this subsection to such State for such year and purpose;

“(C) for 2022, 21 percent of the amount allocated under this subsection to such State for such year and purpose;

“(D) for 2023, 28 percent of the amount allocated under this subsection to such State for such year and purpose;

“(E) for 2024, 35 percent of the amount allocated under this subsection to such State for such year and purpose;

“(F) for 2025, 42 percent of the amount allocated under this subsection to such State for such year and purpose; and

“(G) for 2026, 50 percent of the amount allocated under this subsection to such State for such year and purpose;

“(2) in the case of an allocation that would be made for a State pursuant to section

2203(b), if the State does not agree that the State will make available non-Federal contributions towards such purpose in an amount equal to—

“(A) for 2020, 10 percent of the amount allocated under this subsection to such State for such year and purpose;

“(B) for 2021, 20 percent of the amount allocated under this subsection to such State for such year and purpose; and

“(C) for 2022, 30 percent of the amount allocated under this subsection to such State for such year and purpose;

“(D) for 2023, 40 percent of the amount allocated under this subsection to such State for such year and purpose;

“(E) for 2024, 50 percent of the amount allocated under this subsection to such State for such year and purpose;

“(F) for 2025, 50 percent of the amount allocated under this subsection to such State for such year and purpose; and

“(G) for 2026, 50 percent of the amount allocated under this subsection to such State for such year and purpose; or

“(3) if such an allocation for such purpose would not be permitted under subsection (c)(7) of section 2105 if such allocation were payment made under such section.”.

SEC. 133. CONTINUOUS HEALTH INSURANCE COVERAGE INCENTIVE.

Subpart I of part A of title XXVII of the Public Health Service Act is amended—

(1) in section 2701(a)(1)(B), by striking “such rate” and inserting “subject to section 2710A, such rate”;

(2) by redesignating the second section 2709 as section 2710; and

(3) by adding at the end the following new section:

“SEC. 2710A. ENCOURAGING CONTINUOUS HEALTH INSURANCE COVERAGE.

“(a) **PENALTY APPLIED.**—

“(1) **IN GENERAL.**—Notwithstanding section 2701, subject to the succeeding provisions of this section, a health insurance issuer offering health insurance coverage in the individual market shall, in the case of an individual who is an applicable policyholder of such coverage with respect to an enforcement period applicable to enrollments for a plan year beginning with plan year 2019 (or, in the case of enrollments during a special enrollment period, beginning with plan year 2018), increase the monthly premium rate otherwise applicable to such individual for such coverage during each month of such period, by an amount determined under paragraph (2).

“(2) **AMOUNT OF PENALTY.**—The amount determined under this paragraph for an applicable policyholder enrolling in health insurance coverage described in paragraph (1) for a plan year, with respect to each month during the enforcement period applicable to enrollments for such plan year, is the amount that is equal to 30 percent of the monthly premium rate otherwise applicable to such applicable policyholder for such coverage during such month.

“(b) **DEFINITIONS.**—For purposes of this section:

“(1) **APPLICABLE POLICYHOLDER.**—The term ‘applicable policyholder’ means, with respect to months of an enforcement period and health insurance coverage, an individual who—

“(A) is a policyholder of such coverage for such months;

“(B) cannot demonstrate that (through presentation of certifications described in section 2704(e) or in such other manner as may be specified in regulations, such as a return or statement made under section 6055(d))

or 36B of the Internal Revenue Code of 1986), during the look-back period that is with respect to such enforcement period, there was not a period of at least 63 continuous days during which the individual did not have creditable coverage (as defined in paragraph (1) of section 2704(c) and credited in accordance with paragraphs (2) and (3) of such section); and

“(C) in the case of an individual who had been enrolled under dependent coverage under a group health plan or health insurance coverage by reason of section 2714 and such dependent coverage of such individual ceased because of the age of such individual, is not enrolling during the first open enrollment period following the date on which such coverage so ceased.

“(2) LOOK-BACK PERIOD.—The term ‘look-back period’ means, with respect to an enforcement period applicable to an enrollment of an individual for a plan year beginning with plan year 2019 (or, in the case of an enrollment of an individual during a special enrollment period, beginning with plan year 2018) in health insurance coverage described in subsection (a)(1), the 12-month period ending on the date the individual enrolls in such coverage for such plan year.

“(3) ENFORCEMENT PERIOD.—The term ‘enforcement period’ means—

“(A) with respect to enrollments during a special enrollment period for plan year 2018, the period beginning with the first month that is during such plan year and that begins subsequent to such date of enrollment, and ending with the last month of such plan year; and

“(B) with respect to enrollments for plan year 2019 or a subsequent plan year, the 12-month period beginning on the first day of the respective plan year.”

SEC. 134. INCREASING COVERAGE OPTIONS.

Section 1302 of the Patient Protection and Affordable Care Act (42 U.S.C. 18022) is amended—

(1) in subsection (a)(3), by inserting “and with respect to a plan year before plan year 2020” after “subsection (e)”; and

(2) in subsection (d), by adding at the end the following:

“(5) SUNSET.—The provisions of this subsection shall not apply after December 31, 2019, and after such date any reference to this subsection or level of coverage or plan described in this subsection and any requirement under law applying such a level of coverage or plan shall have no force or effect (and such a requirement shall be applied as if this section had been repealed).”

SEC. 135. CHANGE IN PERMISSIBLE AGE VARIATION IN HEALTH INSURANCE PREMIUM RATES.

Section 2701(a)(1)(A)(iii) of the Public Health Service Act (42 U.S.C. 300gg(a)(1)(A)(iii)), as inserted by section 1201(4) of the Patient Protection and Affordable Care Act, is amended by inserting after “(consistent with section 2707(c))” the following: “or, for plan years beginning on or after January 1, 2018, as the Secretary may implement through interim final regulation, 5 to 1 for adults (consistent with section 2707(c)) or such other ratio for adults (consistent with section 2707(c)) as the State involved may provide”.

SEC. 136. ESSENTIAL HEALTH BENEFITS DEFINED BY THE STATES.

Section 1302 of the Patient Protection and Affordable Care Act (42 U.S.C. 18022) is amended—

(1) in subsection (a)(1), by striking “by the Secretary”; and

(2) in subsection (b)—

(A) in paragraph (1), by striking “paragraph (2)” and inserting “paragraphs (2) and (6)”; and

(B) by adding at the end the following new paragraph:

“(6) ESSENTIAL HEALTH BENEFITS FOR PLAN AND TAXABLE YEARS BEGINNING ON OR AFTER JANUARY 1, 2018.—For plan years and taxable years beginning on or after January 1, 2018, each State shall define the essential health benefits with respect to health plans offered in such State, for the purposes of section 36B of the Internal Revenue Code of 1986.”

Subtitle E—Implementation Funding

SEC. 141. AMERICAN HEALTH CARE IMPLEMENTATION FUND.

(a) IN GENERAL.—There is hereby established an American Health Care Implementation Fund (referred to in this section as the “Fund”) within the Department of Health and Human Services to carry out sections 121, 132, 202, and 214 (including the amendments made by such sections).

(b) FUNDING.—There is appropriated to the Fund, out of any funds in the Treasury not otherwise appropriated, \$1,000,000,000 for Federal administrative expenses to carry out the sections described in subsection (a) (including the amendments made by such sections).

TITLE II—COMMITTEE ON WAYS AND MEANS

Subtitle A—Repeal and Replace of Health-Related Tax Policy

SEC. 201. RECAPTURE EXCESS ADVANCE PAYMENTS OF PREMIUM TAX CREDITS.

Subparagraph (B) of section 36B(f)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

“(iii) NONAPPLICABILITY OF LIMITATION.—This subparagraph shall not apply to taxable years beginning after December 31, 2017, and before January 1, 2020.”

SEC. 202. ADDITIONAL MODIFICATIONS TO PREMIUM TAX CREDIT.

(a) MODIFICATION OF DEFINITION OF QUALIFIED HEALTH PLAN.—

(1) IN GENERAL.—Section 36B(c)(3)(A) of the Internal Revenue Code of 1986 is amended—

(A) by inserting “(determined without regard to subparagraphs (A), (C)(ii), and (C)(iv) of paragraph (1) thereof and without regard to whether the plan is offered on an Exchange)” after “1301(a) of the Patient Protection and Affordable Care Act”, and

(B) by striking “shall not include” and all that follows and inserting “shall not include any health plan that—

“(i) is a grandfathered health plan or a grandmothered health plan, or

“(ii) includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest).”

(2) DEFINITION OF GRANDMOTHERED HEALTH PLAN.—Section 36B(c)(3) of such Code is amended by adding at the end the following new subparagraph:

“(C) GRANDMOTHERED HEALTH PLAN.—

“(i) IN GENERAL.—The term ‘grandmothered health plan’ means health insurance coverage which is offered in the individual health insurance market as of October 1, 2013, and is permitted to be offered in such market after January 1, 2014, as a result of CCIIO guidance.

“(ii) CCIIO GUIDANCE DEFINED.—The term ‘CCIIO guidance’ means the letter issued by the Centers for Medicare & Medicaid Services on November 14, 2013, to the State Insurance Commissioners outlining a transitional policy for non-grandfathered coverage in the individual health insurance market, as sub-

sequently extended and modified (including by a communication entitled ‘Insurance Standards Bulletin Series—INFORMATION—Extension of Transitional Policy through Calendar Year 2017’ issued on February 29, 2016, by the Director of the Center for Consumer Information & Insurance Oversight of such Centers).

“(iii) INDIVIDUAL HEALTH INSURANCE MARKET.—The term ‘individual health insurance market’ means the market for health insurance coverage (as defined in section 9832(b)) offered to individuals other than in connection with a group health plan (within the meaning of section 5000(b)(1)).”

(3) CONFORMING AMENDMENT RELATED TO ABORTION COVERAGE.—Section 36B(c)(3) of such Code, as amended by paragraph (2), is amended by adding at the end the following new subparagraph:

“(D) CERTAIN RULES RELATED TO ABORTION.—

“(i) OPTION TO PURCHASE SEPARATE COVERAGE OR PLAN.—Nothing in subparagraph (A) shall be construed as prohibiting any individual from purchasing separate coverage for abortions described in such subparagraph, or a health plan that includes such abortions, so long as no credit is allowed under this section with respect to the premiums for such coverage or plan.

“(ii) OPTION TO OFFER COVERAGE OR PLAN.—Nothing in subparagraph (A) shall restrict any health insurance issuer offering a health plan from offering separate coverage for abortions described in such subparagraph, or a plan that includes such abortions, so long as premiums for such separate coverage or plan are not paid for with any amount attributable to the credit allowed under this section (or the amount of any advance payment of the credit under section 1412 of the Patient Protection and Affordable Care Act).

“(iii) OTHER TREATMENTS.—The treatment of any infection, injury, disease, or disorder that has been caused by or exacerbated by the performance of an abortion shall not be treated as an abortion for purposes of subparagraph (A).”

(4) CONFORMING AMENDMENTS RELATED TO OFF-EXCHANGE COVERAGE.—

(A) ADVANCE PAYMENT NOT APPLICABLE.—Section 1412 of the Patient Protection and Affordable Care Act is amended by adding at the end the following new subsection:

“(f) EXCLUSION OF OFF-EXCHANGE COVERAGE.—Advance payments under this section, and advance determinations under section 1411, with respect to any credit allowed under section 36B shall not be made with respect to any health plan which is not enrolled in through an Exchange.”

(B) REPORTING.—Section 6055(b) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(3) INFORMATION RELATING TO OFF-EXCHANGE PREMIUM CREDIT ELIGIBLE COVERAGE.—If minimum essential coverage provided to an individual under subsection (a) consists of a qualified health plan (as defined in section 36B(c)(3)) which is not enrolled in through an Exchange established under title I of the Patient Protection and Affordable Care Act, a return described in this subsection shall include—

“(A) a statement that such plan is a qualified health plan (as defined in section 36B(c)(3)),

“(B) the premiums paid with respect to such coverage,

“(C) the months during which such coverage is provided to the individual,

“(D) the adjusted monthly premium for the applicable second lowest cost silver plan (as

defined in section 36B(b)(3)) for each such month with respect to such individual, and

“(E) such other information as the Secretary may prescribe.”.

(C) OTHER CONFORMING AMENDMENTS.—

(i) Section 36B(b)(2)(A) of such Code is amended by striking “and which were enrolled” and all that follows and inserting “, or”.

(ii) Section 36B(b)(3)(B)(i) of such Code is amended by striking “the same Exchange”

and all that follows and inserting “the Exchange through which such taxpayer is permitted to obtain coverage, and”.

(iii) Section 36B(c)(2)(A)(i) of such Code is amended by striking “that was enrolled in through an Exchange established by the State under section 1311 of the Patient Protection and Affordable Care Act”.

(b) MODIFICATION OF APPLICABLE PERCENTAGE.—Section 36B(b)(3)(A) of such Code is amended to read as follows:

“In the case of household income (expressed as a percentage of the poverty line) within the following income tier:	Up to Age 29		Age 30-39		Age 40-49		Age 50-59		Over Age 59	
	Initial %	Final %	Initial %	Final %	Initial %	Final %	Initial %	Final %	Initial %	Final %
Up to 133%	2	2	2	2	2	2	2	2	2	2
133%-150%	3	4	3	4	3	4	3	4	3	4
150%-200%	4	4.3	4	5.3	4	6.3	4	7.3	4	8.3
200%-250%	4.3	4.3	5.3	5.9	6.3	8.05	7.3	9	8.3	10
250%-300%	4.3	4.3	5.9	5.9	8.05	8.35	9	10.5	10	11.5
300%-400%	4.3	4.3	5.9	5.9	8.35	8.35	10.5	10.5	11.5	11.5

“(ii) AGE DETERMINATIONS.—

“(I) IN GENERAL.—For purposes of clause (i), the age of the taxpayer taken into account under clause (i) with respect to any taxable year is the age attained by such taxpayer before the close of such taxable year.

“(II) JOINT RETURNS.—In the case of a joint return, the age of the older spouse shall be taken into account under clause (i).

“(iii) INDEXING.—In the case of any taxable year beginning in calendar year 2019, the initial and final percentages contained in clause (i) shall be adjusted to reflect—

“(I) the excess (if any) of the rate of premium growth for the period beginning with calendar year 2013 and ending with calendar year 2018, over the rate of income growth for such period, and

“(II) in addition to any adjustment under subclause (I), the excess (if any) of the rate of premium growth for calendar year 2018, over the rate of growth in the consumer price index for calendar year 2018.

“(iv) FAILSAFE.—Clause (iii)(II) shall apply only if the aggregate amount of premium tax credits under this section and cost-sharing reductions under section 1402 of the Patient Protection and Affordable Care Act for calendar year 2018 exceeds an amount equal to 0.504 percent of the gross domestic product for such calendar year.”.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to taxable years beginning after December 31, 2017.

(2) ADVANCE PAYMENT NOT APPLICABLE TO OFF-EXCHANGE COVERAGE.—The amendment made by subsection (a)(4)(A) shall take effect on January 1, 2018.

(3) REPORTING.—The amendment made by subsection (a)(4)(B) shall apply to coverage provided for months beginning after December 31, 2017.

(4) MODIFICATION OF APPLICABLE PERCENTAGE.—The amendment made by subsection (b) shall apply to taxable years beginning after December 31, 2018.

SEC. 203. SMALL BUSINESS TAX CREDIT.

(a) IN GENERAL.—Section 45R of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(j) SHALL NOT APPLY.—This section shall not apply with respect to amounts paid or incurred in taxable years beginning after December 31, 2019.”.

(b) DISALLOWANCE OF SMALL EMPLOYER HEALTH INSURANCE EXPENSE CREDIT FOR PLAN WHICH INCLUDES COVERAGE FOR ABORTION.—Subsection (h) of section 45R of the Internal Revenue Code of 1986 is amended—

(1) by striking “Any term” and inserting the following:

“(1) IN GENERAL.—Any term”; and

(2) by adding at the end the following new paragraph:

“(2) EXCLUSION OF HEALTH PLANS INCLUDING COVERAGE FOR ABORTION.—

“(A) IN GENERAL.—The term ‘qualified health plan’ does not include any health plan that includes coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest).

“(B) CERTAIN RULES RELATED TO ABORTION.—

“(i) OPTION TO PURCHASE SEPARATE COVERAGE OR PLAN.—Nothing in subparagraph (A) shall be construed as prohibiting any employer from purchasing for its employees separate coverage for abortions described in such subparagraph, or a health plan that includes such abortions, so long as no credit is allowed under this section with respect to the employer contributions for such coverage or plan.

“(ii) OPTION TO OFFER COVERAGE OR PLAN.—Nothing in subparagraph (A) shall restrict any health insurance issuer offering a health plan from offering separate coverage for abortions described in such subparagraph, or a plan that includes such abortions, so long as such separate coverage or plan is not paid for with any employer contribution eligible for the credit allowed under this section.

“(iii) OTHER TREATMENTS.—The treatment of any infection, injury, disease, or disorder that has been caused by or exacerbated by the performance of an abortion shall not be treated as an abortion for purposes of subparagraph (A).”.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2019.

(2) DISALLOWANCE OF SMALL EMPLOYER HEALTH INSURANCE EXPENSE CREDIT FOR PLAN WHICH INCLUDES COVERAGE FOR ABORTION.—The amendments made by subsection (b) shall apply to taxable years beginning after December 31, 2017.

“(A) APPLICABLE PERCENTAGE.—

“(i) IN GENERAL.—The applicable percentage for any taxable year shall be the percentage such that the applicable percentage for any taxpayer whose household income is within an income tier specified in the following table shall increase, on a sliding scale in a linear manner, from the initial percentage to the final percentage specified in such table for such income tier with respect to a taxpayer of the age involved:

SEC. 204. INDIVIDUAL MANDATE.

(a) IN GENERAL.—Section 5000A(c) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(B)(iii), by striking “2.5 percent” and inserting “Zero percent”, and

(2) in paragraph (3)—

(A) by striking “\$695” in subparagraph (A) and inserting “\$0”, and

(B) by striking subparagraph (D).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

SEC. 205. EMPLOYER MANDATE.

(a) IN GENERAL.—

(1) Paragraph (1) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by inserting “(\$0 in the case of months beginning after December 31, 2015)” after “\$2,000”.

(2) Paragraph (1) of section 4980H(b) of the Internal Revenue Code of 1986 is amended by inserting “(\$0 in the case of months beginning after December 31, 2015)” after “\$3,000”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2015.

SEC. 206. REPEAL OF THE TAX ON EMPLOYEE HEALTH INSURANCE PREMIUMS AND HEALTH PLAN BENEFITS.

Section 4980I of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(h) SHALL NOT APPLY.—No tax shall be imposed under this section with respect to any taxable period beginning after December 31, 2019, and before January 1, 2026.”.

SEC. 207. REPEAL OF TAX ON OVER-THE-COUNTER MEDICATIONS.

(a) HSAs.—Subparagraph (A) of section 223(d)(2) of the Internal Revenue Code of 1986 is amended by striking “Such term” and all that follows through the period.

(b) ARCHER MSAs.—Subparagraph (A) of section 220(d)(2) of the Internal Revenue Code of 1986 is amended by striking “Such term” and all that follows through the period.

(c) HEALTH FLEXIBLE SPENDING ARRANGEMENTS AND HEALTH REIMBURSEMENT ARRANGEMENTS.—Section 106 of the Internal Revenue Code of 1986 is amended by striking subsection (f) and by redesignating subsection (g) as subsection (f).

(d) EFFECTIVE DATES.—

(1) DISTRIBUTIONS FROM SAVINGS ACCOUNTS.—The amendments made by subsections (a) and (b) shall apply to amounts paid with respect to taxable years beginning after December 31, 2016.

(2) REIMBURSEMENTS.—The amendment made by subsection (c) shall apply to expenses incurred with respect to taxable years beginning after December 31, 2016.

SEC. 208. REPEAL OF INCREASE OF TAX ON HEALTH SAVINGS ACCOUNTS.

(a) HSAS.—Section 223(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking “20 percent” and inserting “10 percent”.

(b) ARCHER MSAS.—Section 220(f)(4)(A) of the Internal Revenue Code of 1986 is amended by striking “20 percent” and inserting “15 percent”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions made after December 31, 2016.

SEC. 209. REPEAL OF LIMITATIONS ON CONTRIBUTIONS TO FLEXIBLE SPENDING ACCOUNTS.

(a) IN GENERAL.—Section 125 of the Internal Revenue Code of 1986 is amended by striking subsection (i).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

SEC. 210. REPEAL OF MEDICAL DEVICE EXCISE TAX.

Section 4191 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(d) APPLICABILITY.—The tax imposed under subsection (a) shall not apply to sales after December 31, 2016.”.

SEC. 211. REPEAL OF ELIMINATION OF DEDUCTION FOR EXPENSES ALLOCABLE TO MEDICARE PART D SUBSIDY.

(a) IN GENERAL.—Section 139A of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: “This section shall not be taken into account for purposes of determining whether any deduction is allowable with respect to any cost taken into account in determining such payment.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

SEC. 212. REDUCTION OF INCOME THRESHOLD FOR DETERMINING MEDICAL CARE DEDUCTION.

(a) IN GENERAL.—Subsection (a) of section 213 of the Internal Revenue Code of 1986 is amended by striking “10 percent” and inserting “5.8 percent”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

SEC. 213. REPEAL OF MEDICARE TAX INCREASE.

(a) IN GENERAL.—Subsection (b) of section 3101 of the Internal Revenue Code of 1986 is amended to read as follows:

“(b) HOSPITAL INSURANCE.—In addition to the tax imposed by the preceding subsection, there is hereby imposed on the income of every individual a tax equal to 1.45 percent of the wages (as defined in section 3121(a)) received by such individual with respect to employment (as defined in section 3121(b)).”.

(b) SECA.—Subsection (b) of section 1401 of the Internal Revenue Code of 1986 is amended to read as follows:

“(b) HOSPITAL INSURANCE.—In addition to the tax imposed by the preceding subsection, there shall be imposed for each taxable year, on the self-employment income of every individual, a tax equal to 2.9 percent of the amount of the self-employment income for such taxable year.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to remuneration received after, and taxable years beginning after, December 31, 2022.

SEC. 214. REFUNDABLE TAX CREDIT FOR HEALTH INSURANCE COVERAGE.

(a) IN GENERAL.—Section 36B of the Internal Revenue Code of 1986 is amended to read as follows:

“SEC. 36B. REFUNDABLE CREDIT FOR COVERAGE UNDER A QUALIFIED HEALTH PLAN.

“(a) ALLOWANCE OF PREMIUM TAX CREDIT.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this subtitle for the taxable year the sum of the monthly credit amounts with respect to such taxpayer for calendar months during such taxable year which are eligible coverage months appropriately taken into account under subsection (b)(2) with respect to the taxpayer or any qualifying family member of the taxpayer.

“(b) MONTHLY CREDIT AMOUNTS.—

“(1) IN GENERAL.—The monthly credit amount with respect to any taxpayer for any calendar month is the lesser of—

“(A) the sum of the monthly limitation amounts determined under subsection (c) with respect to the taxpayer and the taxpayer’s qualifying family members for such month, or

“(B) the amount paid for a qualified health plan for the taxpayer and the taxpayer’s qualifying family members for such month.

“(2) ELIGIBLE COVERAGE MONTH REQUIREMENT.—No amount shall be taken into account under subparagraph (A) or (B) of paragraph (1) with respect to any individual for any month unless such month is an eligible coverage month with respect to such individual.

“(c) MONTHLY LIMITATION AMOUNTS.—

“(1) IN GENERAL.—The monthly limitation amount with respect to any individual for any eligible coverage month during any taxable year is 1/2 of—

“(A) \$2,000 in the case of an individual who has not attained age 30 as of the beginning of such taxable year,

“(B) \$2,500 in the case of an individual who has attained age 30 but who has not attained age 40 as of such time,

“(C) \$3,000 in the case of an individual who has attained age 40 but who has not attained age 50 as of such time,

“(D) \$3,500 in the case of an individual who has attained age 50 but who has not attained age 60 as of such time, and

“(E) \$4,000 in the case of an individual who has attained age 60 as of such time.

“(2) LIMITATION BASED ON MODIFIED ADJUSTED GROSS INCOME.—The credit allowed under subsection (a) with respect to any taxpayer for any taxable year shall be reduced (but not below zero) by 10 percent of the excess (if any) of—

“(A) the taxpayer’s modified adjusted gross income (as defined in section 36B(d)(2)(B)), as in effect for taxable years beginning before January 1, 2020) for such taxable year, over

“(B) \$75,000 (twice such amount in the case of a joint return).

“(3) OTHER LIMITATIONS.—

“(A) AGGREGATE DOLLAR LIMITATION.—The sum of the monthly limitation amounts taken into account under this section with respect to any taxpayer for any taxable year shall not exceed \$14,000.

“(B) MAXIMUM NUMBER OF INDIVIDUALS TAKEN INTO ACCOUNT.—With respect to any taxpayer for any month, monthly limitation amounts shall be taken into account under this section only with respect to the 5 oldest individuals with respect to whom monthly limitation amounts could (without regard to this subparagraph) otherwise be so taken into account.

“(d) ELIGIBLE COVERAGE MONTH.—For purposes of this section, the term ‘eligible cov-

erage month’ means, with respect to any individual, any month if, as of the first day of such month, the individual meets the following requirements:

“(1) The individual is covered by a health insurance coverage which is certified by the State in which such insurance is offered as coverage that meets the requirements for qualified health plans under subsection (f).

“(2) The individual is not eligible for—

“(A) coverage under a group health plan (within the meaning of section 5000(b)(1)) other than coverage under a plan substantially all of the coverage of which is of excepted benefits described in section 9832(c), or

“(B) coverage described in section 5000A(f)(1)(A).

“(3) The individual is either—

“(A) a citizen or national of the United States, or

“(B) a qualified alien (within the meaning of section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641)).

“(4) The individual is not incarcerated, other than incarceration pending the disposition of charges.

“(e) QUALIFYING FAMILY MEMBER.—For purposes of this section, the term ‘qualifying family member’ means—

“(1) in the case of a joint return, the taxpayer’s spouse,

“(2) any dependent of the taxpayer, and

“(3) with respect to any eligible coverage month, any child (as defined in section 152(f)(1)) of the taxpayer who as of the end of the taxable year has not attained age 27 if such child is covered for such month under a qualified health plan which also covers the taxpayer (in the case of a joint return, either spouse).

“(f) QUALIFIED HEALTH PLAN.—For purposes of this section, the term ‘qualified health plan’ means any health insurance coverage (as defined in section 9832(b)) if—

“(1) such coverage is offered in the individual health insurance market within a State (within the meaning of section 5000A(f)(1)(C)),

“(2) substantially all of such coverage is not of excepted benefits described in section 9832(c),

“(3) such coverage does not consist of short-term limited duration insurance (within the meaning of section 2791(b)(5) of the Public Health Service Act),

“(4) such coverage is not a grandfathered health plan (as defined in section 1251 of the Patient Protection and Affordable Care Act) or a grandfathers health plan (as defined in section 36B(c)(3)(C) as in effect for taxable years beginning before January 1, 2020), and

“(5) such coverage does not include coverage for abortions (other than any abortion necessary to save the life of the mother or any abortion with respect to a pregnancy that is the result of an act of rape or incest).

“(g) SPECIAL RULES.—

“(1) MARRIED COUPLES MUST FILE JOINT RETURN.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), if the taxpayer is married (within the meaning of section 7703) at the close of the taxable year, no credit shall be allowed under this section to such taxpayer unless such taxpayer and the taxpayer’s spouse file a joint return for such taxable year.

“(B) EXCEPTION FOR CERTAIN TAXPAYERS.—Subparagraph (A) shall not apply to any married taxpayer who—

“(i) is living apart from the taxpayer’s spouse at the time the taxpayer files the tax return,

“(ii) is unable to file a joint return because such taxpayer is a victim of domestic abuse or spousal abandonment,

“(iii) certifies on the tax return that such taxpayer meets the requirements of clauses (i) and (ii), and

“(iv) has not met the requirements of clauses (i), (ii), and (iii) for each of the 3 preceding taxable years.

“(2) DENIAL OF CREDIT TO DEPENDENTS.—

“(A) IN GENERAL.—No credit shall be allowed under this section to any individual who is a dependent with respect to another taxpayer for a taxable year beginning in the calendar year in which such individual's taxable year begins.

“(B) COORDINATION WITH RULE FOR OLDER CHILDREN.—In the case of any individual who is a qualifying family member described in subsection (e)(3) with respect to another taxpayer for any month, in determining the amount of any credit allowable to such individual under this section for any taxable year of such individual which includes such month, the monthly limitation amount with respect to such individual for such month shall be zero and no amount paid for any qualified health plan with respect to such individual for such month shall be taken into account.

“(3) COORDINATION WITH MEDICAL EXPENSE DEDUCTION.—Amounts described in subsection (b)(1)(B) with respect to any month shall not be taken into account in determining the deduction allowed under section 213 except to the extent that such amounts exceed the amount described in subsection (b)(1)(A) with respect to such month.

“(4) COORDINATION WITH ADVANCE PAYMENTS OF CREDIT.—With respect to any taxable year—

“(A) the amount which would (but for this subsection) be allowed as a credit to the taxpayer under subsection (a) shall be reduced (but not below zero) by the aggregate amount paid on behalf of such taxpayer under section 1412 of the Patient Protection and Affordable Care Act for months beginning in such taxable year, and

“(B) the tax imposed by section 1 for such taxable year shall be increased by the excess (if any) of—

“(i) the aggregate amount paid on behalf of such taxpayer under such section 1412 for months beginning in such taxable year, over

“(ii) the amount which would (but for this subsection) be allowed as a credit to the taxpayer under subsection (a).

“(5) SPECIAL RULES FOR QUALIFIED SMALL EMPLOYER HEALTH REIMBURSEMENT ARRANGEMENTS.—

“(A) IN GENERAL.—If the taxpayer or any qualifying family member of the taxpayer is provided a qualified small employer health reimbursement arrangement for an eligible coverage month, the sum determined under subsection (b)(1)(A) with respect to the taxpayer shall be reduced (but not below zero) by $\frac{1}{2}$ of the permitted benefit (as defined in section 9831(d)(3)(C)) under such arrangement for each such month such arrangement is provided to such taxpayer.

“(B) QUALIFIED SMALL EMPLOYER HEALTH REIMBURSEMENT ARRANGEMENT.—For purposes of this paragraph, the term ‘qualified small employer health reimbursement arrangement’ has the meaning given such term by section 9831(d)(2).

“(C) COVERAGE FOR LESS THAN ENTIRE YEAR.—In the case of an employee who is provided a qualified small employer health reimbursement arrangement for less than an entire year, subparagraph (A) shall be applied by substituting ‘the number of months

during the year for which such arrangement was provided’ for ‘12’.

“(6) CERTAIN RULES RELATED TO NON-QUALIFIED HEALTH PLANS.—The rules of section 36B(c)(3)(D), as in effect for taxable years beginning before January 1, 2020, shall apply with respect to subsection (f)(5).

“(7) INFLATION ADJUSTMENT.—

“(A) IN GENERAL.—In the case of any taxable year beginning in a calendar year after 2020, each dollar amount in subsection (c)(1), the \$75,000 amount in subsection (c)(2)(B), and the dollar amount in subsection (c)(3)(A), shall be increased by an amount equal to—

“(i) such dollar amount, multiplied by

“(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined—

“(I) by substituting ‘calendar year 2019’ for ‘calendar year 1992’ in subparagraph (B) thereof, and

“(II) by substituting for the CPI referred to in section 1(f)(3)(A) the amount that such CPI would have been if the annual percentage increase in CPI with respect to each year after 2019 had been one percentage point greater.

“(B) TERMS RELATED TO CPI.—

“(i) ANNUAL PERCENTAGE INCREASE.—For purposes of subparagraph (A)(ii)(II), the term ‘annual percentage increase’ means the percentage (if any) by which CPI for any year exceeds CPI for the prior year.

“(ii) OTHER TERMS.—Terms used in this paragraph which are also used in section 1(f)(3) shall have the same meanings as when used in such section.

“(C) ROUNDING.—Any increase determined under subparagraph (A) shall be rounded to the nearest multiple of \$50.

“(8) RULES RELATED TO STATE CERTIFICATION OF QUALIFIED HEALTH PLANS.—A certification shall not be taken into account under subsection (d)(1) unless such certification is made available to the public and meets such other requirements as the Secretary may provide.

“(9) REGULATIONS.—The Secretary may prescribe such regulations and other guidance as may be necessary or appropriate to carry out this section and section 1412 of the Patient Protection and Affordable Care Act.”

(b) ADVANCE PAYMENT OF CREDIT.—Section 1412 of the Patient Protection and Affordable Care Act is amended by adding at the end the following new subsection:

“(f) APPLICATION TO CERTAIN PLANS.—The Secretary and the Secretary of the Treasury shall prescribe such regulations as each respective Secretary may deem necessary in order to establish and operate the advance payment program established under this section for individuals covered under qualified health plans (whether enrolled in through an Exchange or otherwise) in such a manner that protects taxpayer information (including names, taxpayer identification numbers, and other confidential information), provides robust verification of all information necessary to establish eligibility of taxpayer for advance payments under this section, ensures proper and timely payments to appropriate health providers, and protects program integrity to the maximum extent feasible.”

(c) INCREASED PENALTY ON ERRONEOUS CLAIMS OF CREDIT.—Section 6676(a) of the Internal Revenue Code of 1986 is amended by inserting “(25 percent in the case of a claim for refund or credit relating to the health insurance coverage credit under section 36B)”

(d) REPORTING BY EMPLOYERS.—Section 6051(a) of such Code is amended by striking

“and” at the end of paragraph (14), by striking the period at the end of paragraph (15) and inserting “, and”, and by inserting after paragraph (15) the following new paragraph:

“(16) each month with respect to which the employee is eligible for coverage described in section 36B(d)(2) in connection with employment with the employer.”

(e) COORDINATION WITH OTHER TAX BENEFITS.—

(1) CREDIT FOR HEALTH INSURANCE COSTS OF ELIGIBLE INDIVIDUALS.—Section 35(g) of such Code is amended by adding at the end the following new paragraph:

“(14) COORDINATION WITH HEALTH INSURANCE COVERAGE CREDIT.—

“(A) IN GENERAL.—An eligible coverage month to which the election under paragraph (11) applies shall not be treated as an eligible coverage month (as defined in section 36B(d)) for purposes of section 36B with respect to the taxpayer or any of the taxpayer's qualifying family members (as defined in section 36B(e)).

“(B) COORDINATION WITH ADVANCE PAYMENTS OF HEALTH INSURANCE COVERAGE CREDIT.—In the case of a taxpayer who makes the election under paragraph (11) with respect to any eligible coverage month in a taxable year or on behalf of whom any advance payment is made under section 7527 with respect to any month in such taxable year—

“(i) the tax imposed by this chapter for the taxable year shall be increased by the excess, if any, of—

“(I) the sum of any advance payments made on behalf of the taxpayer under section 7527 and section 1412 of the Patient Protection and Affordable Care Act, over

“(II) the sum of the credits allowed under this section (determined without regard to paragraph (1)) and section 36B (determined without regard to subsection (g)(4)(A) thereof) for such taxable year, and

“(ii) section 36B(g)(4)(B) shall not apply with respect to such taxpayer for such taxable year.”

(2) TRADE OR BUSINESS DEDUCTION.—Section 162(l) of such Code is amended by adding at the end the following new paragraph:

“(6) COORDINATION WITH HEALTH INSURANCE COVERAGE CREDIT.—The deduction otherwise allowable to a taxpayer under paragraph (1) for any taxable year shall be reduced (but not below zero) by the amount of the credit allowable to such taxpayer under section 36B (determined without regard to subsection (g)(4)(A) thereof) for such taxable year.”

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2019, in taxable years ending after such date.

SEC. 215. MAXIMUM CONTRIBUTION LIMIT TO HEALTH SAVINGS ACCOUNT INCREASED TO AMOUNT OF DEDUCTIBLE AND OUT-OF-POCKET LIMITATION.

(a) SELF-ONLY COVERAGE.—Section 223(b)(2)(A) of the Internal Revenue Code of 1986 is amended by striking “\$2,250” and inserting “the amount in effect under subsection (c)(2)(A)(ii)(I)”.

(b) FAMILY COVERAGE.—Section 223(b)(2)(B) of such Code is amended by striking “\$4,500” and inserting “the amount in effect under subsection (c)(2)(A)(ii)(II)”.

(c) CONFORMING AMENDMENTS.—Section 223(g)(1) of such Code is amended—

(1) by striking “subsections (b)(2) and” both places it appears and inserting “subsection”, and

(2) in subparagraph (B), by striking “determined by” and all that follows through “‘calendar year 2003’” and inserting “determined by substituting ‘calendar year 2003’

for 'calendar year 1992' in subparagraph (B) thereof.'

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 216. ALLOW BOTH SPOUSES TO MAKE CATCH-UP CONTRIBUTIONS TO THE SAME HEALTH SAVINGS ACCOUNT.

(a) **IN GENERAL.**—Section 223(b)(5) of the Internal Revenue Code of 1986 is amended to read as follows:

“(5) **SPECIAL RULE FOR MARRIED INDIVIDUALS WITH FAMILY COVERAGE.**—

“(A) **IN GENERAL.**—In the case of individuals who are married to each other, if both spouses are eligible individuals and either spouse has family coverage under a high deductible health plan as of the first day of any month—

“(i) the limitation under paragraph (1) shall be applied by not taking into account any other high deductible health plan coverage of either spouse (and if such spouses both have family coverage under separate high deductible health plans, only one such coverage shall be taken into account),

“(ii) such limitation (after application of clause (i)) shall be reduced by the aggregate amount paid to Archer MSAs of such spouses for the taxable year, and

“(iii) such limitation (after application of clauses (i) and (ii)) shall be divided equally between such spouses unless they agree on a different division.

“(B) **TREATMENT OF ADDITIONAL CONTRIBUTION AMOUNTS.**—If both spouses referred to in subparagraph (A) have attained age 55 before the close of the taxable year, the limitation referred to in subparagraph (A)(iii) which is subject to division between the spouses shall include the additional contribution amounts determined under paragraph (3) for both spouses. In any other case, any additional contribution amount determined under paragraph (3) shall not be taken into account under subparagraph (A)(iii) and shall not be subject to division between the spouses.”

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 217. SPECIAL RULE FOR CERTAIN MEDICAL EXPENSES INCURRED BEFORE ESTABLISHMENT OF HEALTH SAVINGS ACCOUNT.

(a) **IN GENERAL.**—Section 223(d)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(D) **TREATMENT OF CERTAIN MEDICAL EXPENSES INCURRED BEFORE ESTABLISHMENT OF ACCOUNT.**—If a health savings account is established during the 60-day period beginning on the date that coverage of the account beneficiary under a high deductible health plan begins, then, solely for purposes of determining whether an amount paid is used for a qualified medical expense, such account shall be treated as having been established on the date that such coverage begins.”

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply with respect to coverage beginning after December 31, 2017.

Subtitle B—Repeal of Certain Consumer Taxes

SEC. 221. REPEAL OF TAX ON PRESCRIPTION MEDICATIONS.

Subsection (j) of section 9008 of the Patient Protection and Affordable Care Act is amended to read as follows:

“(j) **REPEAL.**—This section shall apply to calendar years beginning after December 31, 2010, and ending before January 1, 2017.”

SEC. 222. REPEAL OF HEALTH INSURANCE TAX.

Subsection (j) of section 9010 of the Patient Protection and Affordable Care Act is amended to read as follows:

“(j) **REPEAL.**—This section shall apply to calendar years beginning after December 31, 2013, and ending before January 1, 2017.”

Subtitle C—Repeal of Tanning Tax

SEC. 231. REPEAL OF TANNING TAX.

(a) **IN GENERAL.**—The Internal Revenue Code of 1986 is amended by striking chapter 49.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to services performed after June 30, 2017.

Subtitle D—Remuneration From Certain Insurers

SEC. 241. REMUNERATION FROM CERTAIN INSURERS.

Paragraph (6) of section 162(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(I) **TERMINATION.**—This paragraph shall not apply to taxable years beginning after December 31, 2016.”

Subtitle E—Repeal of Net Investment Income Tax

SEC. 251. REPEAL OF NET INVESTMENT INCOME TAX.

(a) **IN GENERAL.**—Subtitle A of the Internal Revenue Code of 1986 is amended by striking chapter 2A.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after December 31, 2016.

The **SPEAKER** pro tempore. The bill shall be debatable for 4 hours equally divided and controlled by the chair and ranking minority member of the Committee on the Budget or their respective designees.

The gentlewoman from Tennessee (Mrs. BLACK) and the gentleman from Kentucky (Mr. YARMUTH) each will control 2 hours.

The Chair recognizes the gentlewoman from Tennessee.

GENERAL LEAVE

Mrs. BLACK. Mr. Speaker, I ask unanimous consent that all Members have 7 legislative days in which to revise and extend their remarks on H.R. 1628, the American Health Care Act of 2017.

The **SPEAKER** pro tempore. Is there objection to the request of the gentlewoman from Tennessee?

There was no objection.

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

I rise today to speak in favor of the American Health Care Act, a bill that repeals many of the worst aspects of ObamaCare, and begins to repair the damage caused by the law by bringing choice, competition, and patient-centered solutions back into our healthcare system.

Standing here today in the House debating this bill is a proud moment for me. I was working as a nurse in Nashville in the 1990s when, fresh off of the failure of HillaryCare, the Clinton administration pushed out a single-payer pilot program in Tennessee called TennCare.

As the story goes, Vice President Gore and the Democratic Governor sketched out a program on a napkin while sitting in a local bar. I saw firsthand the negative impact of government-run health care on patient care. I saw the costs rise, and the quality of care fall. I saw the burdens being placed on doctors, patients, hospitals, and care providers. I saw patients faced with fewer choices and more regulation. And I saw the devastating impact that TennCare was having on our State's budget, gobbling up so much State spending that other priorities like education and infrastructure were getting squeezed.

I couldn't sit idly by while this was happening in my State, so I decided to get involved in public service, and it is what inspired me to run for office at the very beginning. And when, in 2009 and 2010, I saw the same principles being debated and eventually implemented on the national level, I thought my experience in Tennessee would be valuable to the national debate. I told the people in my district that, if elected to Congress, I would fight to repeal and replace ObamaCare.

In 2011, I sponsored the first piece of legislation that repealed a part of ObamaCare. And today, we take the largest step yet in rescuing the American people from the damage that has been done by ObamaCare.

We are united in our goal to repeal ObamaCare and replace it with patient-centered health care. Right now, ObamaCare is imploding. We were promised premiums that would decrease by \$2,500; instead, average family premiums in the employer market have soared by \$4,300.

We were promised healthcare costs would go down; instead, deductibles have skyrocketed.

We were promised we could keep our doctor, and keep our health insurance plans; instead, millions of Americans have lost their insurance and the doctors that they liked.

In short, the Affordable Care Act was neither affordable, nor did it provide the quality of care that the American people deserve.

The American Health Care Act is a first step in our efforts to deliver patient-centered healthcare reform. This bill returns to the American people freedom and choice in their healthcare decisions. It gets government out of the relationship between patients and their doctors—where it has never belonged—and puts people back in charge of their own health care. It brings the free market principle of competition to an industry that has long been dominated by government intervention.

Today we are faced with a stark choice: Do we vote to continue the damage ObamaCare is doing to our country and our constituents, or do we vote to go down another path, a better way of doing health care in this country?

While no legislation is perfect, this bill does accomplish some important reforms. It zeros out the mandates. It repeals taxes. It repeals the subsidies. It allows people to choose health insurance plans that are unique to their families, instead of purchasing a one-size-fits-all plan that is mandated by some Washington bureaucrat, and it modernizes Medicaid, a once-in-a-lifetime entitlement reform.

Ending Medicaid's open-ended funding structure will play an important role in addressing the future budget deficits and our growing national debt. I applaud my colleagues who have stayed in this fight and continue to make this bill better.

The members of the Budget Committee, which I chair, outlined four principles they believed would improve the bill. Those principles led to significant changes to allow more State flexibility in Medicaid and ensure that tax credits truly served the people they are meant to serve.

Others fought to eliminate Federal ObamaCare regulations that drive up the cost of health care for all Americans and give those powers back to the States. At the same time, we also ensure that States have the resources to provide maternity and newborn care and treatment for mental health and substance abuse.

I agree with these changes, and I applaud my colleagues for the work to make sure that we truly reverse the damage ObamaCare is doing to our healthcare system and our economy.

ObamaCare's legacy is clear: more government, less choice, and higher costs. Our vision for health care in America is the opposite: more freedom, more choice, and lower costs. Put simply, the American Health Care Act is a good first step, but it is only a first step.

My good friend and our former colleague, Dr. Tom Price, will use his position as Secretary of Health and Human Services to address some of the regulatory burden of ObamaCare through administrative action. We have voted already and will continue to vote on individual pieces of legislation to implement even more patient-centered, free market reforms that we cannot address through reconciliation.

In fact, we just passed two bills already this week. One would allow small businesses to join together to purchase insurance, and the other would increase competition by tearing down antitrust regulations. That bill received 416 votes. This shows that these bills are commonsense measures that include bipartisan support.

The day is finally here where we have an opportunity to fulfill that promise that we have made to the American people. I, for one, cannot sit idly by and let this opportunity go to waste. Campaigning is easy compared to governing, but our constituents did not

elect us to do what is easy. They elected us to do what is right.

I urge my colleagues to join me in voting "yes" on the American Health Care Act, to rescue the American people from ObamaCare.

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

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

Mr. Speaker, after 7 years of campaigning against the Affordable Care Act, congressional Republicans have finally produced what they cynically describe as a replacement plan.

Sadly, however, this bill will unravel all of the progress we made under the ACA, including expanding access to health insurance to 22 million Americans and improving the quality of coverage and care for tens of millions more.

It nearly doubles the amount of uninsured people in this country, guts Medicaid by almost \$900 billion, and weakens the Medicare trust fund.

□ 1130

That was bad enough. But the last-minute changes to this bill are astonishing and appalling. This legislation now allows insurers to end coverage for prescription drugs, mental health, maternity and newborn care, preventive care, emergency room visits, hospitalizations, outpatient care, rehab visits, lab services, and pediatric care. That is not progress. That is not a fix. That is a potential health crisis for every American.

My Republican colleagues are well aware of this. Why else would they have drafted this bill and these last-minute changes in secret? Why else would complicated legislation affecting the lives of millions be sent to the floor just 2 weeks after it was introduced with no congressional hearings, not a single one, on a bill that impacts the health care of nearly every American family? Why else would they rush the bill to the floor without an updated Congressional Budget Office estimate of how much coverage and care will be lost by their backroom deal that ends consumer protections?

I get it. I wouldn't want to, nor would I know how to justify giving nearly \$1 trillion in tax cuts to corporations and the wealthy paid for by threatening the health and well-being of millions of American families.

Who is getting these huge windfalls?

Companies like Amgen, with annual profits of more than \$3 billion; Medtronic, with annual profits of more than \$6 billion; and Gilead Sciences, with \$13 billion in profits in 2016 alone.

When the CBO released its report last week showing that 24 million hard-working Americans will be left without healthcare coverage by 2026 if we pass this bill, that premiums will rise 15 to 20 percent next year, that people will pay thousands of dollars more in

deductibles and out-of-pocket costs, and that older Americans will be priced out of the market by an age tax, I thought for sure it was dead on arrival, that there was no way my Republican colleagues would walk this plank. But here they are, and they are trying to take millions of American families with them.

Fourteen million Americans will lose health coverage next year if this bill is approved. Twenty-one million Americans will lose coverage in the next 3 years alone, wiping out all of the coverage gains from the ACA in just 3 years. For pretty much everyone else in the individual market, deductibles and other costs will be higher. And for lower-income individuals, out-of-pocket costs will be much higher.

Insurance companies will again be able to sell plans that offer much less financial protection, and we will return to the days when millions of people in this country will live in fear that they are always one serious illness or accident away from bankruptcy.

This bill will result in the largest transfer of wealth from struggling families to the well-off in our Nation's history, giving \$1 trillion in tax breaks to millionaires, billionaires, and corporations. It is Robin Hood in reverse, but this is far worse because access to life-saving care is being stolen.

I don't say that casually. I have met people, constituents of mine, whose lives have been saved because of the Affordable Care Act.

This is from one of my constituents:

"My name is Kevin Schweitzer. I am 62 years old and I'm a lifelong resident of Louisville, Kentucky.

"I worked hard, took risks and built a successful small business that I sold at age 59. My wife and I were excited about our prospects as we headed into early retirement. As a retiree too young for Medicare, I purchased health insurance on the open market. Less than a year later, I was diagnosed with lymphoma. I have undergone multiple scans and 2 cycles of chemo. I am winning the battle so far, but since this disease is in my blood I will be fighting it for the rest of my life.

"A cancer diagnosis is a life-changing event that not only attacks the body, but the mental stress is just as tough to deal with. Thanks to ObamaCare, I've been able to rest easier knowing that my illness wouldn't bankrupt my family and that I'll be able to provide for my wife even after I'm gone."

I also heard from a young woman named Sarah Adkins. She suffers from chronic kidney disease. Sarah was able to get health insurance because of the ACA. On January 9, 2011, it saved her life. One of her kidneys shut down and almost went septic. If she didn't have coverage, she would have waited or not gone to the hospital at all. The doctor told her that if she had arrived at the ER an hour later, she would have died.

Mr. Speaker, the health of my constituents Kevin Schweitzer and Sarah Adkins is at stake in this debate. They, and the hundreds of other constituents I have heard from who have serious and chronic health conditions, will need high-quality, affordable health coverage for the rest of their lives. Under this bill, they will get less coverage, it will cost more, and eventually they will be priced out of the market, leaving them nowhere to turn for the care they need.

And that is not all. Because of the last-minute changes to this bill, insurers will be able to sell stripped-down coverage to weed out people with pre-existing conditions. They will be able to refuse, for example, to offer coverage for chemotherapy drugs and cancer treatments, insulin pumps, hospital stays, and prescription drugs that treat chronic conditions across the board. Basically, if you have a serious health problem, the care you need may not be available to you at all.

When the American people were promised by President Trump and Republican congressional leadership that their existing coverage would be preserved and that everybody would have insurance and it would be less expensive and much better, they, understandably, believed they would be treated much better than this. None of those promises are in this bill. In fact, the opposite of every one of those promises is what is in this bill. Those were promises made to every family in our congressional districts, and this bill fails them at every turn.

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

Mrs. BLACK. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Speaker, I remind the gentleman from Kentucky that every promise made to the American people in support of ObamaCare was rapidly broken. We are now, at this moment in time, watching the death throes of ObamaCare.

More people are paying the State tax penalty or claiming hardship exemptions than are buying ObamaCare policies. In a third of our counties, there is no choice left at all. You get one provider. Soon, we are warned, some regions will have no providers at all. Premiums soared an average of 25 percent last year, and this year we are warned it could be 40 percent or more.

Critics cite the CBO estimate that 24 million Americans will lose their coverage. It is important to understand their reasoning there. The CBO believes that people won't buy health insurance unless we force them to buy health insurance. In fact, people won't buy health insurance that is not a good value for them, and, clearly, ObamaCare isn't.

We replace it with a vigorous buyer's market where plans across the country

will compete to offer consumers better services at lower prices tailored to their own needs and wants. And we assure these plans are within their financial reach with \$90 billion of additional support that the CBO simply ignores.

The AHCA's biggest achievement is to replace coercion with choice for every American. It ends the individual mandate that forces Americans to buy products they don't want. It ends the employer mandate that has trapped many low-income workers in part-time jobs. It begins to restore consumers' freedom of choice, the best guarantee of quality and value in any market. It allows Americans to meet more of their healthcare needs with pretax dollars. It relieves the premium base of the enormous cost of preexisting conditions by moving them to a block-granted assigned risk pool.

Mr. Speaker, ObamaCare is collapsing, premiums are skyrocketing, and providers are fleeing. This may well be our last off-ramp on this road to ruin.

Mr. YARMUTH. Mr. Speaker, I remind my colleague that his vote for this bill will result in 38,200 people from his congressional district in California losing health care and coverage.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Ms. LEE), a distinguished member of the Budget Committee.

Ms. LEE. Mr. Speaker, I rise in strong opposition to H.R. 1628, which is a bill to take away health care from 24 million Americans.

Whether you believe it or not, health care is a basic right. This shameful bill steals from those who can least afford it, including seniors, veterans, people living with HIV, children, and the disabled. It would, yes, rip away health care from 24 million people. It would reduce benefits, make families pay more for less, and transfer \$600 billion in tax cuts to the very wealthy. This is outrageous.

Access to women's health is denied by defunding Planned Parenthood. Medicaid, as we know it, will end. Healthcare costs for working families and seniors will skyrocket. And now it eliminates essential health benefits like maternity, mental health, and emergency care.

This is not a health bill. It is a tax giveaway to the wealthy.

Let me tell you, as a woman of faith, I am appalled and I am saddened by the hypocrisy displayed in this bill by people who say they are religious. I want to remind you—in the Scriptures, the Book of Mark, chapter 12:31, we are reminded to love your neighbor as yourself.

This bill shows disdain for the most vulnerable and would lead to death and destruction and disease for millions of Americans.

I hope Republicans remember to love their neighbor as themselves today and

vote "no" on this mean-spirited bill. Let's defeat this harmful and morally bankrupt bill. This is a matter of life and death, and the American people deserve better.

Mrs. BLACK. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. JOHNSON), a member of the Budget Committee.

Mr. JOHNSON of Ohio. Mr. Speaker, the American people spoke loudly and clearly last November. In fact, they have been speaking loudly and clearly ever since this fatally flawed bill called ObamaCare was signed into law. And now we are hours away from the vote that the American people have been waiting years for.

This vote can be distilled down to simply this, and each Member of this body must ask themselves this simple question: Are they willing to allow ObamaCare to remain the law of the land? Or are we going to begin to restore healthcare decisions to the American people and their doctors?

Those who choose to vote against the American Health Care Act, regardless of how they attempt to justify it, will be voting to keep ObamaCare in place. This is an inescapable fact that will remain long after the smoke and spin and handwringing from political pundits following this vote has gone and disappeared, regardless of how the votes go.

There is no such thing as perfect legislation in a body of 435 men and women representing 435 different parts of the Nation.

There is consensus among the American people that this law should be repealed and replaced, and today the people's House will either acknowledge the will of the people or we will defy it.

Mr. YARMUTH. Mr. Speaker, I remind my colleague that his vote for this bill will result in 40,500 people from his congressional district in Ohio losing health coverage and care.

Mr. Speaker, I yield 1½ minutes to the gentleman from Massachusetts (Mr. MOULTON), a distinguished member of the Budget Committee.

Mr. MOULTON. Mr. Speaker, I would also like to remind the gentleman from Ohio that the latest poll put the will of the American people at 17 percent in favor of this bill.

I would like to read a message from my Republican constituent:

"The American Health Care Act would strain the fiscal resources necessary to support the Commonwealth's continued commitment to universal health coverage."

This constituent is the Republican Governor of Massachusetts, who knows that TrumpCare destroys our ability to ensure access to quality, affordable healthcare coverage.

Another Republican in my State, Governor Mitt Romney, worked with the Democratic legislature to create the Nation's first system to provide affordable, comprehensive health care.

RomneyCare wasn't perfect, but Republicans and Democrats worked together to improve it, and they created a system with higher approval ratings than TrumpCare or even ObamaCare.

We can do this. Health care should not be partisan. It should be about investing in our people, in our families, and in our future so that Americans can live healthy, productive lives. But that is not what this Republican TrumpCare bill does.

Michael is a constituent from Gloucester, the old fishing city. He was prescribed OxyContin by his doctors, and then became addicted. But he was able to enter a treatment program through Medicaid, the kind of program that will be cut by TrumpCare. He is now back at work as an electrician, and he says that the Affordable Care Act saved his life.

I am a veteran, and I get my health care at the VA. Sometimes it takes me weeks to get an appointment. If this Republican bill passes, it will throw 8 million veterans off private health care, forcing them into the VA, and creating even longer wait times. That is no way to treat those who have put their lives on the line for our country.

Perhaps it's no surprise that this bill is being jammed down the throats of Congress and the American people like a dead fish.

Nobody wants it and it will make a lot of people sick.

What we should be doing here in Washington is coming together as Republicans and Democrats to have an open, honest debate, and improve the health care system.

Everyone says Congress doesn't work—don't prove them right.

I urge my colleagues to vote no on this terrible bill and to instead come to the table like we did in Massachusetts.

Mrs. BLACK. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. LEWIS), who is a distinguished member of the Budget Committee.

□ 1145

Mr. LEWIS of Minnesota. Mr. Speaker, I rise today in support of the American Health Care Act, and I ask the other side: Just what is it you are trying to preserve by voting "no?"

Premiums rising double digits for years for the last 7 years? In my home State of Minnesota, back-to-back premium increases of 50 to 67 percent?

Young, healthy people being priced out of the insurance market, 8 million in 2014, choosing to pay the penalty instead of buying insurance?

That is the genesis of the death spiral in the insurance markets. That is what this bill is trying to correct.

Deductibles, copays—I had a deductible on my own individual policy, a skyrocketing deductible. There are deductibles of \$13,000. That is not health care. That is not even access.

Drug formularies being tightened to save money, so people are denied pre-

scription drugs, a prescription drug tax; thousands of Minnesotans losing their plans, 100,000 when a big insurer dropped out; 1,000 counties with one insurer—that is what you are trying to preserve on the other side, people voting "no" on this bill?

Emergency State legislation trying to prop up MNSure in my home State because it is failing, and \$1 trillion in taxes and spending that is bankrupting the country—that is what the other side is trying to preserve.

Those voting "no" on this bill, we have a choice today. You can embrace the status quo and see the markets spiral out of control completely, or you can vote for change and do the right thing.

Mr. YARMUTH. Mr. Speaker, I remind my colleague that his vote for this bill will result in 50,200 people from his congressional district in Minnesota losing health coverage and care.

I yield 1½ minutes to the gentleman from New York (Mr. JEFFRIES), a distinguished member of the Budget Committee.

Mr. JEFFRIES. Mr. Speaker, the Trump Presidency has been characterized by chaos, crisis, and confusion, and this Republican healthcare debacle has been no different.

The American people clearly understand that TrumpCare will be an unmitigated disaster. Under TrumpCare, working families will pay more and get less. Under TrumpCare, premiums will increase. Under TrumpCare, copays will increase. Under TrumpCare, deductibles will increase. Under TrumpCare, out-of-pocket expenses will increase.

Under TrumpCare, 24 million hard-working Americans will lose their health coverage. Under TrumpCare, individuals between the age of 50 and 64 will pay a regressive age tax.

Health care is a matter of life and death; that is why we take it so seriously. TrumpCare will lead to increased death, disease, and destitution, and that is why we oppose this horrible piece of legislation.

Mrs. BLACK. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. ARRINGTON) who is a member of the Budget Committee.

Mr. ARRINGTON. Mr. Speaker, ObamaCare's disastrous effects over the last several years have wreaked havoc on our small businesses, broken the backs of middle and working class families, and have had a disproportionately negative impact on rural America. Those are the folks who I represent in west Texas.

While the current bill before us is far from perfect—and let's be honest, there is no such thing as perfect legislation—it reverses course and takes us in the right direction. It repeals the mandates and restores freedom to individuals and markets.

It repeals about \$1 trillion of taxes. It reduces deficit spending by over \$100

billion, making it the largest entitlement reform since the 1960s. It rolls back regulations, gives maximum flexibility to States, and begins to defederalize health care.

For 7 years now, Republicans have promised the American people that if we were given control of the Presidency and the House and the Senate, then we would repeal and replace ObamaCare. And now that we are given the opportunity to govern and to keep our promises and to deliver results for the American people, we can't let perfect be the enemy of good.

The debate is now closing. We have two choices. We either pass a good but imperfect bill, or we leave ObamaCare in place. That is an unacceptable alternative.

As leaders, we have a moral obligation to do something, to not stand idly by while the people suffer under a system that is failing them.

If we are going to restore the greatness of America and transfer power back to the people, we need more than policy solutions, even perfect policy solutions. We need the political will and the courage to lead.

This is a rescue mission, Mr. Speaker, and it isn't without risk; but I have faith in the President and his team. I have faith in our States and the free markets, and, above all, Mr. Speaker, I have faith in the American people.

Mr. YARMUTH. Mr. Speaker, I remind my colleague that his vote for this bill will result in 60,400 people from his congressional district in Texas losing health coverage and care.

I yield 2 minutes to the gentleman from New York (Mr. HIGGINS), a distinguished member of the Budget Committee and the Ways and Means Committee.

Mr. HIGGINS of New York. Mr. Speaker, this never needed to be an ideological fist fight. Democrats were always willing to take into account serious and constructive alternatives to the law that we have today that make it better, to make it affordable, more affordable for the American people.

But this bill is a blatant takeover from the American people of money and protection. If you are 50 to 64 years old, you get clobbered. If you are 64 years old, you make \$26,000 a year, according to the Republican-led Congressional Budget Office, your premiums go from \$1,700 a year to \$14,000 a year.

Fact: UnitedHealthcare is one of the largest private health insurers in America.

Fact: UnitedHealthcare will have \$200 billion in revenues this year, and they paid their chief executive officer \$66 million in compensation in 2014.

Fact: UnitedHealthcare is under investigation today by the Department of Justice for stealing billions of dollars from the Medicare program.

Fact: The Republican health bill, on page 67, in 7 words, gives

UnitedHealthcare, their high-paid executives, and all of their cronies, a massive tax cut to continue to screw the American people.

Mr. Speaker, we can do much better. We are prepared to do much better. But this is a financial assault on good, hardworking Americans who want to do one thing at the end of the day, after paying too much money for health care throughout the year, and that is, when they need their health care, it is available to them and their family.

Mrs. BLACK. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. FASO), a distinguished member of the Budget Committee.

Mr. FASO. Mr. Speaker, I wanted to point out to my colleagues that a fundamental change is being made with the new health law we have before us, and that is, we are, for the first time, equalizing the treatment of people who do not have employer-provided health care.

Those of us who have employer-provided health care, 170 million Americans, that is not a taxable event for them. It is not a taxable event where they have to pay tax at the end of the year on the value of that employer-provided health care.

And yet, if you are the person who does not have employer-provided health care, if you are the husband and wife with two kids making 45 or \$50,000, and your employer does not provide health care, you receive absolutely no tax subsidy through the Tax Code.

This bill, through the advance refundable tax credits, will, for the first time, give someone the choice to buy health care and give them the opportunity and the means to buy health care that they previously have not had. It is not a markedly important distinction, frankly, from the Affordable Care Act, where you only could buy the health care through an exchange-approved policy.

This policy, under this legislation today, will allow someone the flexibility and the freedom to buy a policy of their choosing, not one dictated by Washington. So that is a fundamental important distinction between the status quo and what this legislation would offer.

Mr. Speaker, and my colleagues, I urge support for the bill. It is not perfect, as we all know, but it is something that is long overdue.

I would also point out that the numbers that my colleague from Kentucky uses are really based upon fantasy. Those numbers are simply incorrect, and the people of our State and our country will have health care under the provisions of this bill, and we will work hard to ensure that they do.

Mr. YARMUTH. Mr. Speaker, I remind my colleague that his vote for this bill will result in 65,800 people from his congressional district in New York losing health coverage and care.

I yield 2 minutes to the gentlewoman from Washington (Ms. DELBENE), a distinguished member of the Budget Committee and the Ways and Means Committee.

Ms. DELBENE. Mr. Speaker, if Republicans crafted legislation that lived up to the promise of insurance for everybody, they would have broad bipartisan support. But that is not what they did.

This bill threatens massive disruption and chaos, not only to our healthcare system, but to middle class families, families who sit at their kitchen table trying to figure out how to pay their mortgage, buy groceries, and also get health coverage for their kids. This Republican bill does nothing to help them.

In their rush to check a political box, Republicans have crafted legislation that does nothing but hurt working Americans, and, in the last 24 hours, it has gone from bad to worse.

Make no mistake, the changes made in the 11th hour to appease the most extreme Members of Congress have put lifesaving care even further out of reach.

Some may use alternative facts, but this is reality, and the reality is that their bill robs \$75 billion from Medicare, forces older Americans to pay five times more than others, and shifts \$312 billion in out-of-pocket costs onto middle class families.

But this is about more than numbers. It is about people like Rachel, from Kirkland, Washington, who suffered a heart attack and blood clot at the age of 35. She now depends on frequent tests, medications and doctors' visits to stay healthy. Thankfully, it is all covered by her insurance.

Rachel told me: "I'm horrified by the talking point that equates repealing the Affordable Care Act with getting freedom back. For me, the loss of the ACA gives me nothing but the freedom to die sooner and worry more."

I am not voting against this bill because it is a Republican bill. I am voting "no" for families like Rachel's.

Health care doesn't need to be a partisan issue, and I stand ready and willing to work on commonsense solutions that expand coverage and reduce costs. But I was sent here to make my constituents' lives better. This bill does not do that. I encourage my colleagues to vote "no."

Mrs. BLACK. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. GAETZ) who is a distinguished member of our Budget Committee.

Mr. GAETZ. Mr. Speaker, I rise to repeal the disaster that is ObamaCare. ObamaCare functions as a wet blanket over the American economy, stopping businesses from growing, and impairing the rights of individuals to make their own decisions about health care.

Mr. Speaker, I specifically implore my conservative colleagues to vote for

this bill and give us a chance to get out from under this disastrous law. This legislation represents \$1 trillion in tax cuts, \$1.15 trillion in spending cuts, \$150 billion in deficit reduction; defunding Planned Parenthood.

How long have we been fighting to defund Planned Parenthood?

Close the illegal alien loophole that allows people to enroll in ObamaCare, only to check their status in this country subsequently.

We install work requirements. I don't think people that are able to work but choose not to should expect us to go borrow money from China to pay for their health care. Installing those work requirements is fundamental to bold conservative reform.

Block grants for States so that finally they can be liberated from the oppressive hand of the Federal Government, and also blocking States from additional Medicaid expansion.

We have been engaging in these conservative fights for years, and finally, today, we have got the chance to put a win on the board; and so I am joining our President, our Speaker, and many conservatives in this Congress in voting for the American Health Care Act.

When we win, when we do this, not only do we enhance our economy, not only do we free up opportunities for broader prosperity in America, but we allow people to be in charge of health care, and we move from a government-centered system to a patient-centered system. That was the promise we made in the elections, and that is the promise I intend to keep by voting for this bill.

Mr. YARMUTH. Mr. Speaker, I remind my colleague that his vote for this bill will result in 56,000 people from his congressional district in Florida losing health coverage and care.

I yield 1¼ minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), a distinguished member of the Budget Committee.

□ 1200

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I stand in opposition to the Republican pay more for less care act, under which Americans will suffer from higher healthcare costs, less coverage, a crushing age tax, and a ransacking of the Medicare trust fund, which our seniors depend on for long-term care.

Under the age tax, Americans aged 50 to 64 will be forced to pay five times higher premiums than others, no matter how healthy they are. Under TrumpCare, a 64-year-old with an income of \$26,500 in the individual market will pay \$12,900 more in their premiums every year under this bill.

In addition, TrumpCare will take away health care from 24 million hardworking Americans and will force families to pay higher premiums and deductibles. In fact, for families enrolled in the ACA marketplace, premiums are expected to increase by 15 to 20 percent.

It will also punish millions of people who experience a lapse in coverage by forcing them to pay a 30 percent higher premium each month in order to receive care.

Tell that to Suzanne Boyd from Sunrise, Florida, who, with two daughters heading to college, lost her husband to lung cancer and then lost the insurance coverage she had through her employer. Thankfully, she was able to obtain coverage under the ACA for \$192 a month with subsidies rather than a 30 percent Republican sick tax for getting a life-threatening illness.

Yet this bill apparently isn't harmful enough for the far-right extremists in the Republican Party, whom Republican leadership has tried to appease by cutting the ACA essential health benefits like mental health, maternity, and emergency services.

Mr. Speaker, this bill is like taking a sledgehammer to a clock that is moving a little slow rather than working on precision fine tuning instead. It is an immoral piece of legislation. As a breast cancer survivor, I urge every Member to stand with my sister survivors all across the country, who number in the millions, to make sure that you don't devastate our health and make sure that we don't have our lives threatened.

Mrs. BLACK. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. ROKITA), who is the vice chair of the Budget Committee.

Mr. ROKITA. Mr. Speaker, I thank the chairwoman.

I am really proud, Mr. Speaker, of the Budget Committee. We did great work last week, and everyone was heard: six motions on the Republican side, six motions on the Democratic side, and the debate was civil. Tones weren't raised; theatrics, by and large, weren't employed; and we made the bill better. That was the process the week before that when the committees of jurisdiction had this legislation.

It is my hope that, as we pass this bill off the floor of the House—and it is a bill being passed off the floor of the House and not into law right now—and as it goes to the Senate, that the bill will continue to be improved. That is the legislative process.

I am very proud of the members of the staff of the Budget Committee for being a major part of that process and starting that process. We did good work. You don't have to pass this bill to find out what is in it as we had to with ObamaCare. This process will continue.

I am very pleased, also, that we have Medicaid block grants, or lump sum payments to the States, that are available now to cover at least our able-bodied children and adults. It is a huge step forward in letting States have the flexibility they need to decide who really needs this assistance, how they should get it, and what they should get in terms of health care.

This is good legislation. This is what we were sent to do, and we are keeping our promises to the American people by passing this legislation.

Mr. Speaker, I urge all my colleagues to vote "yes."

Mr. YARMUTH. Mr. Speaker, I remind my friend from Indiana that his vote for this bill will result in 37,900 people from his congressional district losing health coverage and care.

Mr. Speaker, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE), who is a distinguished member of the Budget Committee.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I rise today in opposition to TrumpCare, the Republican plan to cut Medicare and Medicaid, increase healthcare costs, and take health care away from tens of millions of Americans, all while providing the largest transfer of wealth from working families to our Nation's richest, and all of this in the name of choice and freedom. But we all know that, under this bill, that is just code for survival of the fittest, economic Darwinism.

Mr. Speaker, let me bring this a little closer to home for me. Thanks to TrumpCare, 36,700 of my constituents covered by the ACA's Medicaid expansion now stand to lose this lifesaving coverage. Here is one of them, constituent Maura McGrath, a 17-year-old with Down syndrome.

Maura's parents, Joe and Rita, know firsthand why Medicaid is so important. Medicaid has been critical to keeping their daughter alive and saving their family from bankruptcy. Even though Joe and Rita both work, the cost of Maura's care is too expensive to afford on their own, not to mention that Rita is a breast cancer survivor and Joe suffers from Parkinson's disease. Medicaid provides the McGraths peace of mind knowing Maura will receive the care that she needs and they aren't alone to fend for themselves, given the tough hand they have been dealt.

Mr. Speaker, for Maura and everyone in my district, say "no" to TrumpCare.

Mrs. BLACK. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. HIGGINS).

Mr. HIGGINS of Louisiana. Mr. Speaker, I rise unscripted and in passionate support of freedom. I have heard many statements with words like "fact" and details of the minutia of these plans. I will share with you a fact.

Two hundred years ago, my ancestral forefather was born. He was a young, poor Irishman born into indentured servitude. He heard a whisper of a land born across the sea, a land where a man could own his own property, a land where a man could keep the toil of his labor. So he garnered his courage, he saved his money, and he booked pas-

sage on a cargo vessel converted to carry human beings. According to the letter unearthed by my sainted mother, his sleeping berth measured 2 by 2 by 5.

What could have driven my ancestral forefather—and yours, Mr. Speaker—indeed, all of America? What drove our ancestral forefathers to come to this land? Freedom. Freedom drove us, and it is freedom for which I stand.

The Affordable Care Act, known as ObamaCare, is 8,000 pages—8,000 pages—of regulation and taxation. There is not a man or a woman amongst us, from sea to shining sea, who believes this body can produce 8,000 pages of freedom. The American Health Care Act is 124 pages of reasonable legislation based upon the best input of free market principles.

A vote against the American Health Care Act is a vote against freedom. It is a vote against 124 pages of reasonable legislation, and it is a vote for 8,000 pages of ObamaCare.

Mr. Speaker, I urge my colleagues to vote "yes" for the American Health Care Act.

Mr. YARMUTH. Mr. Speaker, I remind my colleague that the gentleman's vote for this bill will result in 50,100 people from his congressional district in Louisiana losing health coverage and care.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from Washington (Ms. JAYAPAL), who is the distinguished vice ranking member of the Budget Committee.

Ms. JAYAPAL. Mr. Speaker, I thank the distinguished gentleman for yielding and for his tremendous leadership.

Mr. Speaker, this reckless Republican plan is a betrayal of the American people. How is it a betrayal?

Callously stripping 24 million people of health care is a betrayal.

Putting an age tax on people aged 50 to 64 who will pay up to \$14,000 more in annual premiums is a betrayal.

Gutting essential benefits like maternity care, prescription drug coverage, emergency services, and fundamentally destroying protections for Americans with preexisting conditions is a betrayal.

Slashing Medicaid by \$880 billion and stripping the safety net for our seniors, our kids, and people with disabilities is a betrayal.

The burden of all of this, Mr. Speaker, will fall on the States, who will have to come up with billions of dollars.

Mr. Speaker, this bill is not about freedom or choice. This bill is a travesty, and the American people will pay the price.

This is not a healthcare bill. The only people who benefit are millionaires, billionaires, and insurance companies, who will get \$1 trillion in tax benefits while working Americans pay more and get nothing.

Mr. Speaker, this bill is pure greed, and real people will suffer and die from it. Vote “no,” and protect our care.

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

Mr. Speaker, I want to recognize that our Members on the other side of the aisle are sharing some data on the coverage of per congressional district based on a study that was conducted by the Center for American Progress, which is a left-leaning organization to begin with. The Center for American Progress employs a flawed methodology for estimating this coverage. In fact, their foundational numbers are actually based on CBO’s coverage estimates, estimates that the CBO itself has established are not infallible.

These coverage numbers only take into account plans that they consider comprehensive major medical policies. This is a term that is used in the very law that we are trying to dismantle today. These coverage estimates do not account for things that we have in our bill, such as HSA plans that allow purchase with tax credits, and many medical plans.

So the AHCA increases freedom for Americans to purchase the kind of coverage that works for them, not the narrowly defined coverage that we see that the Federal Government likes.

Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. MCCLINTOCK), who is a member of our committee.

Mr. MCCLINTOCK. Mr. Speaker, I simply want to underscore what the chairwoman has already laid out.

When my friend from Kentucky says that his constituents will lose coverage, he is basing it on two premises. He is ignoring the \$90 billion of additional funds that we freed up in the Budget Committee to assure that nobody will face sticker shock as we make this transition.

Second, he assumes that the only reason that people buy insurance is if we force them to buy it. The reality is many are refusing to buy ObamaCare policies even when they are faced with these crushing tax policies. The AHCA replaces this heavyhanded and failing bureaucratic nightmare.

Ultimately, we are going to be judged not on polls or fairy tales, but on whether the vast majority of Americans have a better experience with this new consumer-driven market than they had with the bureaucratized, one-size-fits-all ObamaCare system. That system has already been weighed in the balance and found wanting by the American people, and I am here to stake my reputation on the prediction that they will find better policies with better services at lower costs when they are restored the freedom to be consumers in a marketplace with a supportive tax structure that assures that these policies are within the financial reach of every American family.

Mr. YARMUTH. Mr. Speaker, I remind my colleague that his vote for this bill will result in 38,200 people from his congressional district in California losing health coverage and care.

Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. CARBAJAL), who is a distinguished member of the Budget Committee.

Mr. CARBAJAL. Mr. Speaker, before I came to Congress, I worked in local government as a county supervisor. One of my proudest achievements during that time was working in a bipartisan way to create a program that reduced the rate of uninsured children in our county by over 90 percent—all before the Affordable Care Act was signed into law. Since the Affordable Care Act, I saw firsthand the direct and positive impact of this legislation over the past 7 years to communities and families across the central coast.

The Affordable Care Act meant Sarah, from Lompoc, could open her small business and afford insurance coverage for her two children.

It meant that Kathleen, in San Luis Obispo, who was diagnosed with ovarian and breast cancer, that her \$500,000 medical bill was covered by her healthcare plan.

It meant that Adrienne, from Buellton, now could afford to pay for her husband’s nursing facility, as his debilitating disease prevents her from being able to physically care for him.

Repealing legislation that has improved the quality of life not only for Sarah, Kathleen, and Adrienne, but for the over 20 million Americans who have gained health insurance under the Affordable Care Act, would be callous, cruel, and irresponsible.

Instead of taking away health care from 24 million Americans, let’s work together to create a more equitable, affordable, and accessible healthcare system for all.

□ 1215

Mrs. BLACK. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Speaker, I want to make clear that I agree with what every Republican speaker has said thus far on the need to repeal and replace the Affordable Care Act. I want to say how much I admire the Speaker and the leadership team, President Trump and his team, Chairwoman BLACK, and others on the Budget Committee for what they have brought to bear.

My simple question is one of timing. What I tell my boys consistently is: If you don’t know, you don’t go.

One of the things that I think we have to really look at in this bill is one of process. It does do a lot of good things, as has been pointed out by the Republican speakers, but it still leaves in place community rating. It leaves in place the architecture, I think, of a flawed bill that came with the Affordable Care Act.

The question is: Can we build on top of that to do the very good things that are talked about in this bill, or do we take just a little bit more time to make certain that we have it right?

I think that when you look at this notion of lowering premiums, look at it like rent control in New York. Rent control in New York has done a lot of good for some folks, but it has hurt a lot of others in the process.

The question we fundamentally have to ask ourselves is: At this juncture, can we make the changes necessary?

Mr. YARMUTH. Mr. Speaker, I mention to my colleague that his vote against this bill will result in 56,600 people from his congressional district in South Carolina losing health coverage and care.

Mr. Speaker, I yield 1¾ minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the distinguished gentleman of the Budget Committee for his leadership.

Our mothers and our doctors have warned us about poison pills. Well, let me say that, this morning, the Republicans are giving to the American people a poison meal that would affect my friend, the senior citizen, with \$175 billion being taken away from Medicare; a poison meal that will affect a young child who is being seen by a doctor.

The Children’s Hospital Association, including the Texas Children’s Hospital, has said to vote “no” on this bill because 30 million children will have no health insurance.

This will impact working families making \$31,000 a year. They will have to pay \$4,000 more out of pocket. In 2026, under pay more for less, \$52 million Americans will be uninsured.

This poison meal is getting worse and worse.

Then, in the dark of night, what did they do?

They took away hospitalization. They took away pregnancy, maternity, and newborn care. They took away mental health and substance abuse care.

Those States that are experiencing the opioid abuse and epidemic, what are they going to do?

They have threatened community health centers. They are closing rural hospitals.

What is this disaster of TrumpCare?

It is injuring my good friend who is sitting there in the hospital room. It is injuring Anna Nunez. It is injuring small businesses who say that they can live better under the Affordable Care Act, and the youngster that is a junior in college who said she would not be alive had it not been for the Affordable Care Act.

More than half of the American people—and it is growing—are against this bill done in the dark of night. It is the poison meal that is keeping those who

need health insurance away from health insurance.

I ask my colleagues to vote “no.” Don’t feed the American people a poison meal.

Mr. Speaker, as a member of the Budget Committee and the representative of a congressional district that has benefited enormously from the Affordable Care Act, I rise in strong and unyielding opposition to H.R. 1628, the so-called “American Health Care Act,” which more accurately should be called “Trumpcare, the Pay More For Less Act.”

Seven years ago yesterday, March 23, 2010, President Barack Obama signed into law the landmark Affordable Care Act passed by the Democratic controlled 111th Congress.

Seven years later, the verdict is in on the Affordable Care Act; the American people have judged it a success and are adamantly opposed to any effort to repeal a law that has brought to more than 20 million Americans the peace of mind and security that comes with knowing they have access to affordable, high quality health care.

Before the passage of the Affordable Care Act, 17.1 of Americans lacked health insurance; today nearly nine of ten (89.1%) are insured, which is the highest rate since Gallup began tracking insurance coverage in 2008.

Because of the Affordable Healthcare Act:

1. insurance companies are banned from discriminating against anyone, including 17 million children, with a preexisting condition, or charging higher rates based on gender or health status;

2. 6.6 million young-adults up to age 26 can stay on their parents’ health insurance plans;

3. 100 million Americans no longer have annual or life-time limits on healthcare coverage;

4. 6.3 million seniors in the “donut hole” have saved \$6.1 billion on their prescription drugs;

5. 3.2 million seniors now get free annual wellness visits under Medicare, and

6. 360,000 Small Businesses are using the Health Care Tax Credit to help them provide health insurance to their workers;

7. Pregnancy is no longer a pre-existing condition and women can no longer be charged a higher rate just because they are women.

We are becoming a nation of equals when it comes to access to affordable healthcare insurance.

The President and congressional Republicans call this enviable record of success a “disaster.”

The American people do not agree and that is why they reject overwhelmingly (56%–17%) this Republican attempt to repeal the Affordable Care Act according to the latest Quinnipiac poll.

Americans know a disaster when they see one and they see one in the making: it is called “Trumpcare,” masquerading as the “American Health Care Act,” which will force Americans to “pay more for less.”

And they are right to be alarmed at what they see.

This “Pay-More-For-Less” bill is a massive \$900 billion tax cut for the wealthy, paid for on the backs of America’s seniors, the vulnerable, the poor, and working class households.

This “Robin Hood in reverse” bill is unprecedented and breathtaking in its audacity—no

bill ever tried to give so much to the rich while taking so much from the poor and working class.

Trumpcare represents the largest transfer of wealth from the bottom 99% to the top 1% in American history.

This callous Republican scheme gives gigantic tax cuts to the rich, and pays for it by taking insurance away from 24 million people, leaving 52 million uninsured, and raising costs for the poor and middle class.

In addition, Republicans are giving the pharmaceutical industry a big tax repeal, worth nearly \$25 billion over a decade without demanding in return any reduction in the cost of prescription and brand-name drugs.

To paraphrase Winston Churchill, of this bill, it can truly be said that “never has so much been taken from so many to benefit so few.”

The Pay-More-For-Less plan destroys the Medicaid program under the cover of repealing the Affordable Care Act Medicaid expansion.

CBO estimates 14 million Americans will lose Medicaid coverage by 2026 under the Republican plan.

In addition to terminating the ACA Medicaid expansion, the bill converts Medicaid to a per-capita cap that is not guaranteed to keep pace with health costs starting in 2020.

The combined effect of these policies is to slash \$880 billion in federal Medicaid funding over the next decade.

The cuts get deeper with each passing year, reaching 25% of Medicaid spending in 2026.

These steep cuts will force states to drop people from Medicaid entirely or ration care for those who most need access to comprehensive coverage.

The Pay-More-For-Less plan undermines the health care safety net for vulnerable populations.

Currently, Medicaid provides coverage to more than 70 million Americans, including children, pregnant women, seniors in Medicare, people who are too disabled to work, and parents struggling to get by on poverty-level wages.

In addition to doctor and hospital visits, Medicaid covers long-term services like nursing homes and home and community-based services that allow people with chronic health conditions and disabilities to live independently.

To date, 31 states and D.C. have expanded Medicaid eligibility to low-income adults, which, when combined with the ACA’s other coverage provisions, has helped to reduce the nation’s uninsured rate to the lowest in history.

Trumpcare throws 24 million Americans off their health insurance by 2026 according to the Congressional Budget Office.

Low-income people will be hit especially hard because 14 million people will lose access to Medicaid by 2026 according to CBO.

Trumpcare massively shifts who gets insured in the nongroup market.

According to CBO, “fewer lower-income people would obtain coverage through the nongroup market under the legislation than current law,” and, “a larger share of enrollees in the nongroup market would be younger people and a smaller share would be older people.”

The projected 10% reduction in premiums is not the result of better care or efficiency—it is

in large part the result of higher-cost and older people being pushed out of a market that is also selling plans that provide less financial protection.

People with low incomes suffer the greatest losses in coverage.

CBO projects the uninsured rate for people in their 30s and 40s with incomes below 200% of poverty will reach 38% in 2026 under this bill, nearly twice the rate projected under current law.

Among people aged 50–64, CBO projects 30% of those with incomes below 200% of poverty will be uninsured in 2026.

Under current law, CBO projects the uninsured rate would only be 12 percent.

Being uninsured is not about “freedom.”

Speaker Ryan has argued that people will happily forgo insurance coverage because this bill gives them that “freedom.”

The argument makes as much sense as the foolish claim that slaves came to America as “immigrants” seeking a better life.

The freedom to be uninsured is no freedom at all to people in their 50s and 60s with modest incomes who simply cannot afford to pay thousands of dollars toward premiums.

They do not really have a choice.

The claim of our Republican friends that Trumpcare provides more freedom to all Americans calls to mind the words of Anatole France:

“The law, in its majestic equality, forbids the rich as well as the poor to sleep under bridges, to beg in the streets, and to steal bread from the market.”

Trumpcare raises costs for Americans nearing retirement, essentially imposing an “Age Tax.”

The bill allows insurance companies to charge older enrollees higher premiums than allowed under current law, while reducing the size of premium tax credits provided.

Again, these changes hit low-income older persons the hardest.

A 64-year-old with an income of \$26,500 buying coverage in the individual market will pay \$12,900 more toward their premiums in 2026, on average.

Trumpcare raises costs for individuals and families with modest incomes, particularly older Americans.

A recent analysis found that in 2020, individuals with incomes of about \$31,000 would pay on average \$4,000 more out of pocket for health care—which is like getting a 13% pay cut.

And the older you are, the worse it gets.

An analysis by the Urban Institute estimates that for Americans in their 50s and 60s, the tax credits alone would only be sufficient to buy plans with major holes in them, such as a \$30,000 deductible for family coverage and no coverage at all of brand-name drugs or many therapy services.

Another reason I oppose the Trumpcare bill before us is because its draconian cuts in Medicaid funding and phase-out of Medicaid expansion put community health centers at risk.

Community health centers are consumer-driven and patient-centered organizations that serve as a comprehensive and cost effective primary health care option for America’s most underserved communities.

Community health centers serve as the health care home for more than 25 million patients in nearly 10,000 communities across the country.

Across the country, 550 new clinics have opened to receive 5 million new patients since 2009.

Community health centers serve everyone regardless of ability to pay or insurance status:

1. 71% of health center patients have incomes at or below 100% of poverty and 92% have incomes less than 200% of poverty;

2. 49% of health center patients are on Medicaid; and

3. 24% are uninsured;

4. Community health centers annually serve on average 1.2 million homeless patients and more than 300,000 veterans.

Community health centers reduce health care costs and produce savings—on average, health centers save 24% per Medicaid patient when compared to other providers.

Community health centers integrate critical medical and social services such as oral health, mental health, substance abuse, case management, and translation, under one roof.

Community health centers employ nearly 190,000 people and generate over \$45 billion in total economic activity in some of the nation's most distressed communities.

Community health centers serve on the front lines of public health crises such as the Zika virus and the opioid epidemic.

Mr. Speaker, community health centers are on the front lines of every major health crisis our country faces, from providing access to care (and employment) to veterans to addressing the opioid epidemic to responding to public health threats like the Zika virus.

We should be providing more support and funding to community health centers, not making it more difficult for them to serve the communities that desperately need them by slashing Medicaid funding.

Trumpcare Republican plan leaves rural Americans worse off.

Mr. Speaker, health insurance has historically been more expensive in rural areas because services cost more and it is hard to have a stable individual market with a small population.

Under the Affordable Care Act, premium subsidies are tied to local costs, which helps keep premium costs down.

But they are not under the Republican plan.

So, under the Republican plan residents in rural areas, who tend to be older and poorer, will pay much more and get much less health insurance.

At the end of the day, Mr. Speaker, the powerful and compelling reasons to reject Trumpcare lies in the real world experiences of the American people.

Let me briefly share with you the positive, life affirming difference made by the Affordable Care Act in the lives of just three of the millions of Americans it has helped.

Joan Fanwick: "If Obamacare is repealed, I don't know if I'll live to see the next President"

"After nearly a decade of mysterious health scares, I was diagnosed with an autoimmune disorder called Sjogren's Syndrome last year, when I was a junior at Temple University.

"It's a chronic illness with no known cause or cure, and without close medical surveillance

and care, it can lead to life-threatening complications (like the blood infections I frequently experience).

"For me, having this disorder means waking up every morning and taking 10 different medications.

"It also means a nurse visiting my apartment every Saturday to insert a needle into the port in my chest, so I can give myself IV fluids throughout the week.

"Without insurance, my medical expenses would cost me about \$1,000 per week—more than \$50,000 per year. And that doesn't even include hospitalizations.

"My medical bills aren't cheap under Obamacare, but I can afford them.

"Under Obamacare, insurance companies aren't allowed to cut you off when your costs climb so right now, the most I personally have to pay out of pocket is \$1,000 per year."

Brian Norgaard: "I am a small business owner and leadership trainer who Obamacare has helped tremendously."

Brian Norgaard, a Dallas, Texas resident, called my office to express his opposition to Trumpcare and to offer share how the Affordable Care Act has helped small business owners like himself:

"I am a small business owner and leadership trainer who Obamacare has helped tremendously.

"My wife and I both own small businesses in the Dallas, Texas area and as a result of the huge savings we received after paying lower [healthcare] premiums under Obamacare, we were able to reinvest those savings into both of our businesses and the community.

"And the healthcare we received was quality, at that."

Ashley Walton: "For cancer survivors, we literally live and die by insurance"

Ashley Walton was 25 when a mole on her back turned out to be melanoma.

She had it removed, but three years later she discovered a lump in her abdomen.

She was then unemployed and uninsured, and so she put off going to a doctor.

She tried to buy health insurance. Every company rejected her.

Ashley eventually became eligible for California's Medicaid program, which had been expanded under the Affordable Care Act.

The 32-year-old Oakland resident credits her survival to the ACA.

Without it, "I would likely be dead, and my family would likely be bankrupt from trying to save me."

Before any of our Republican colleagues supporting this bill cast their vote, I urge them to reflect on the testimony of Joan, Brian, and Ashley, and to on this question posed by a constituent to Sen. COTTON of Arkansas at a recent town hall:

"I've got a husband dying and we can't afford—let me tell you something.

"If you can get us better coverage than this [Obamacare], go for it.

"Let me tell you what we have, plus a lot of benefits that we need.

"We have \$29 per month for my husband. Can you beat that? Can you?

With all the congestive heart failures, and open heart surgeries, we're trying. \$29 per month. And he's a hard worker.

\$39 for me."

I urge all Members to reject Trumpcare, one of the most monstrously cruel and morally bankrupt legislative proposals ever to be considered in this chamber.

To paraphrase a famous former reality television personality, "believe me, Trumpcare is a disaster."

We should reject it and keep instead "something terrific" and that is the Affordable Care Act, regarded lovingly by millions of Americans as "Obamacare."

MARCH 24, 2017.

Re Changes to the Affordable Healthcare Act.

THE PRESIDENT OF THE UNITED STATES OF AMERICA,
The White House,
Washington, DC.

GREETINGS MR. PRESIDENT: Today is a very crucial and important day for the residents of the City of Houston's District D, where I serve as the elected City Council Member, which also falls under Congressional Districts 18 and 7. As a local elected official whose mother is on a fixed income, this will not only impact her but many other senior citizens who I represent.

In the news, we see how the Affordable Healthcare Act is proposed to be changed. Under the new revisions to the healthcare bill, which is called The American Health Care Act, about \$337 Billion will be cut from the current plan over a 10 year period causing 24 million Americans, including Democrats, Republicans, Independents, poor and the middle class, to lose their healthcare. This proposed health care bill is receiving criticism from the health care providers, some conservatives and a united Democratic Party. The Congressional Budget Office even showed how this current proposed plan will negatively impact everyone. What is most concerning to me in regards to this program is the impact that it will have on our senior citizens.

52% of my District is made up of Senior Citizens who are on fixed incomes. These seniors will have to pay more for their health care under this proposed American Health Care Act. In no way is this acceptable. I am an advocate for my seniors and I refuse to quietly sit back while this is being considered.

I have encouraged everyone to reach out to their Members of Congress to let them know that this isn't something that we stand for and to work on their behalf to vote this item down today.

Sincerely,

DWIGHT BOYKINS,
Houston City Counsel,
District D.

Mrs. BLACK. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. GROTHMAN), who is also a member of the Budget Committee.

Mr. GROTHMAN. Mr. Speaker, I would encourage my colleagues to vote for the bill. The reason I ask you to vote for the bill is kind of like the reverse: What is going to happen if this bill fails?

If this bill fails, you won't be able to have the huge increase in funding in HSAs, a free-market, patient-centered tax provision which is going to help many people and particularly allow flexibility for older married couples.

If this bill doesn't pass, we are going to continue to levy fines on young people who don't want health insurance, as so many people have not had when they are young. We will continue to levy fines on small business that can't afford health insurance.

If this bill fails to pass, we are not going to allow States to put work requirements on Medicaid. Quite frankly, Medicaid, in many ways, is a more generous policy than the one that people who do work are able to afford through their insurers.

If this bill doesn't pass, we won't be able to stop the bleeding on Medicaid funding. We are approaching a \$20 trillion debt. Of course, the bulk of that spiraling debt is caused by mandatory spending, of which Medicaid is one of the worst parts.

Finally, for the first time in years, we are passing a law that will make a significant dent in that mandatory spending.

If this bill isn't passed, we prevent putting a provision in here requiring documentation of citizenship for Medicaid. Right now, we are becoming the healthcare provider for the world. We cannot afford to become the healthcare provider of the world.

Under this bill, we are providing funds, seed money for high-risk pools for States, which will hold down insurance costs, which is the underlying problem we have here.

If this bill doesn't pass, we continue to fund abortion providers. I think this is the best bill in decades for those of us who wish we would stop funding these organizations.

We are providing assistance for people who can't get insurance through their employer. It is high time the Tax Code provided equality for people who get insurance from their employer and those who don't.

Finally, if we don't pass this bill, we don't end ObamaCare.

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

Mrs. BLACK. Mr. Speaker, I yield an additional 30 seconds to the gentleman.

Mr. GROTHMAN. Already a third of the counties only have one provider. If we don't pass this bill now, we are going to go into the next year and we are going to find a lot of people who think they have ObamaCare but have nothing because there will be no providers left.

We have got to step in to save those people and provide insurance in those counties in which ObamaCare will leave no insurance companies remaining.

Mr. YARMUTH. Mr. Speaker, I remind my colleague that his vote for this bill will result in 44,600 people from his congressional district in Wisconsin losing health coverage and care.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY), a distinguished member of the Budget Committee and the Energy and Commerce Committee.

Ms. SCHAKOWSKY. Mr. Speaker, I sincerely ask my Republican colleagues: Did you really come here to take health care away from 24 million people?

Over 40,000 people in my district will lose their coverage.

Did you come to Congress to make insurance more expensive for my constituent, Mary, who has a preexisting condition and now pays half of what she used to pay for insurance because of the tax credits she got from ObamaCare?

Did you come to Congress to impose a crippling age tax on Americans 50 to 60 years old?

Your bill would increase their premiums an average of \$8,000 a year. According to the Congressional Budget Office, within 10 years, nearly 30 percent of those 50-to 64-year-olds would be without any insurance.

Did you really come to Congress to take nursing home and home care away from the elderly and the disabled?

Did you get elected in order to take health care from mothers?

Your bill would kick them off of Medicaid if they don't find a job 60 days after they give birth.

We have heard over and over that patients need choices and should be empowered to choose the care that they want. But, apparently, that doesn't apply to women. The bill would block millions of women from choosing Planned Parenthood, a trusted healthcare provider to 2.5 million patients every year.

The American people are not clamoring for you to repeal ObamaCare. Only 17 percent of Americans say that you should vote to repeal ObamaCare. The average American overwhelmingly wants you to vote "no."

Mrs. BLACK. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. MARSHALL), who is a physician.

Mr. MARSHALL. Mr. Speaker, Kansas voters sent me to fix health care. Doing nothing is not an option. I cannot sit here idly while the ACA destroys and bankrupts America's healthcare system.

This bill eliminates nearly a trillion dollars of taxes. This bill eliminates funding for Planned Parenthood. This bill will save many hospitals in Kansas from closing by increasing funding for Medicare patients. This bill allots \$100 billion for high-risk pools. This bill specifies another \$15 billion specifically for maternity coverage, which is near and dear to my heart; newborn care; mental health care; and substance abuse disorders.

Mr. Speaker, this is the best bill that we can get through this process. I am excited to be part of it. This is the first chapter of a new book, with many more chapters to come. We will fix health care.

Mr. YARMUTH. Mr. Speaker, I remind my colleague that his vote for

this bill will result in 50,000 people from his congressional district in Kansas losing health coverage and care.

Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, in concluding the presentation from the Budget Committee, I just have to say that the bill we are considering today is a mess. It is not a healthcare bill at all.

This bill is driven by a desire to cut taxes for the wealthiest Americans and many wealthy corporations by nearly \$1 trillion in all. It is paid for by making health care unaffordable for millions of people.

This is irresponsible. It is not what the American people want, it is not what they deserve, and it is certainly not what they can afford.

We are not the only ones opposing this legislation. It is opposed by an amazing array of American organizations and individuals, including the American Medical Association, the American Hospital Association, the American Nurses Association, the National Rural Health Association, AARP, the National Disability Rights Network, the American Diabetes Association, American Cancer Society, and Easterseals, virtually every healthcare and consumer advocacy group, Governors from both sides of the aisle, and a growing list of our Republican colleagues.

Mr. Speaker, I thank the Budget Committee staff for the incredible job they have done throughout this process.

Mr. Speaker, I reserve the balance of my time, and I ask unanimous consent that the gentleman from New Jersey (Mr. PALLONE), chairman of the Energy and Commerce Committee, control the balance of my time.

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

There was no objection.

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

Mr. Speaker, I want to remind my fellow colleagues that, currently, when we look at the access to care for people, one-third of our counties only have one provider; two-thirds of our counties only have two providers. In my State of Tennessee, there are 14 counties where they will have no insurance provider on the marketplace. So when we talk about people losing their insurance, they are losing their insurance by not having access to even purchase the insurance.

One of my former colleagues, the gentleman from Minnesota, asked: What are my colleagues on the other side of the aisle trying to preserve?

I want to point to this chart here to ask that question, because these are the broken promises of ObamaCare.

Why are you trying to preserve something where they say premiums will decrease by \$2,500, and we see the average

family premiums have soared by \$4,300, making insurance unaffordable for many families?

Another broken promise: the cost of health care will go down.

We see some deductibles that have gone up as much as 60 percent. In my own State, they have gone up by 63 percent, making coverage unaffordable.

You can keep your doctor—70 percent of the plans consist of narrow networks, which means they cannot keep their doctor. I cannot tell you the number of people who have called me because their doctor was not on their inept plan.

Finally, “middle class Americans won’t see a tax increase.” This was a promise by former President Obama. ObamaCare penalties were put in place, so people are receiving a tax penalty.

These are the broken promises that the other side of the aisle wants to continue to protect. As opposed to that, we want a system that is going to be open with patient care and give affordability so people can get the services that they want with a cost that they can afford.

I also thank the Budget Committee for the work that they have done, and all the staff that have worked endless hours to make it possible for this to be here on the floor today.

Mr. Speaker, I yield 30 minutes to the gentleman from Oregon (Mr. WALDEN), and I ask unanimous consent that he may control that time.

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

There was no objection.

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

After 7 years, we have heard the stories of our constituents, patients, friends, and family who have suffered under ObamaCare. We have heard from those who have benefited in some respects.

I think of the struggles of constituents like Indra from Bend, Oregon. She lost her private insurance and her preferred doctor. When she went to look for a new plan under ObamaCare, she found the plans were too expensive, and she went without insurance for almost 2 years. See, her story should not be lost in this debate either.

□ 1230

Then there is April. Last fall, she found out her insurer would not be offering her plan this year. The most comparable plan available would raise her monthly premium by \$564 per month, bringing her total monthly premium to \$1,503.

You see, there is a whole other group of Americans out there who are suffering these effects of ObamaCare. The American Health Care Act represents a better way for patients like Indra and April all across our country. Our plan will rescue and revitalize the market and lower costs and increase flexibility

for patients to choose. They will have more choices for health care and keep a health insurance plan that works for them and for their family.

This legislation creates the Patient and State Stability Fund. Now, this is an innovative approach to give States the financing and flexibility to repair the damage done to the insurance markets by ObamaCare and meet the unique needs of their citizens. More importantly, we provide an additional \$15 billion, Mr. Speaker, to States devoted for maternity coverage. We heard from people who said we need to do more in this area: newborn care, mental health, and substance disorders.

We are also taking action to strengthen Medicaid. We want to put Medicaid on a sustainable path so it can better care for those it was intended to serve, a path through this per capita program for States that, frankly, was at one time embraced by Democrats, including President Clinton.

The most vulnerable in our communities need this help. It represents the most substantive reform to the Medicaid program since its creation and will restore power to our States and local communities and governments where they can make better decisions than a one-size-fits-all here in Washington. We want to give our States more control in how they manage these people that they are closest to.

In closing, I want to thank our colleagues and the President of the United States and the Vice President and Secretary Price. They have worked day in and day out, tirelessly, without hesitation, to help get to the best policy possible here and to work and listen to our colleagues, as we have all done, to craft the best bill we can, given the constraints under which we must operate.

The end result highlights the diverse ideas of our Conference that come from the American people and the determination that we share to save this market and make it work again.

Remember, we are talking about a narrow slice of the insurance market, that driven by ObamaCare, that, last year, there were 225 counties in America where, if you were looking for insurance on that exchange, you had one option. This year, it is 1,022 counties. That is one out of every three in America. And that was before Humana pulled out and other companies said this market is about gone.

We need to fix this market. That is what this legislation seeks to do.

Mr. Speaker, I want to thank our terrific staff that has worked day and night to get us to this point. We know there is a lot more work to do. This should not be taken in isolation as the only healthcare reform on our list. We are going to go after the cost drivers. We are going to go after prescription costs. We are going to go after hospital costs.

Wherever it is in the health system, if you have nothing to hide, you won’t have to fear our investigations. But we are going to get costs down. We are going to get costs down.

The American Health Care Act is just the first step in our mission to rescue the American people from the failures of the underlying law. We know they are there. We are going to fix this. We are committed to it.

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

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

Mr. Speaker, I remind my colleague, my chairman, GREG WALDEN, that his vote for this bill will result in 64,300 people from his congressional district in Oregon losing health coverage and care.

Mr. Speaker, President Trump and congressional Republicans are not leveling with the American people when they say no one will be worse off under this repeal bill. TrumpCare dismantles the health and economic security that millions of hardworking Americans have gained over the last 7 years, and it should be defeated.

There is a reason this bill was hatched up in the back rooms only to be finalized last night, and that is because congressional Republicans did not want the American people to see what was in it.

TrumpCare provides less coverage, fewer protections, and higher costs.

TrumpCare is Robin Hood in reverse, taking benefits and financial assistance from hardworking, middle class Americans and our most vulnerable in order to give tax breaks to the wealthiest and the corporations.

TrumpCare cuts a combined \$1 trillion from Medicare and Medicaid. These cuts are devastating, Mr. Speaker.

TrumpCare will ration care for the 76 million Americans who rely on Medicaid, including seniors with long-term care needs, Americans with disabilities, pregnant women, and vulnerable children.

I fear for seniors, Mr. Speaker, those in nursing homes. When States get less money, what will they do? They will give less money to nursing homes. We will go back to the days that I remember in New Jersey when nursing homes were terrible places, where there weren’t enough nurses, where there were fires because of lack of maintenance of the nursing home.

Working families are going to pay more for less. They will see their premiums and deductibles skyrocket. My GOP colleagues talk about high deductibles and copays. Well, you ain’t seen nothing yet.

You are going to see that this repeal repeals the limits on deductibles and copays that exist under the current law. Out-of-pocket costs are going to go through the roof. The deductibles

will go even higher. The copays will go even higher. The out-of-pocket costs will go even higher.

And the bottom line is Americans between the ages of 50 and 64 will pay an age tax and be forced to pay premiums five times higher than what younger people pay for their coverage.

I have heard my colleagues on the other side say, well, that is only fair. Well, I don't think it is fair that seniors should have to pay a lot more, that those between 50 and 64 should have to pay a lot more.

Also, TrumpCare leaves the sickest and vulnerable Americans at the mercy of insurance companies, allowing them to charge a 30 percent penalty or sick tax to those who are unable to maintain continuous coverage. So if you fail to pay your insurance for a month and then you want to get it again, even if you have a preexisting condition, which is often the case, you are going to pay a 30 percent penalty, or sick tax. I don't think that is very fair.

Last night, in order to garner votes from the extreme right in their party, House Republicans added a provision that eliminates protections for essential health benefits. Now, maybe people don't understand that, but let me explain it.

The ACA ensured that, when a consumer purchased health insurance on the individual market or gained coverage through Medicaid expansion, their plan would cover 10 critical, essential benefits.

TrumpCare eliminates this guarantee, meaning that unscrupulous insurance companies can sell skeletal plans, junk insurance, without benefits for hospitalization, maternity care, mental health, drug treatment services, and Americans won't even know what they are getting. They won't realize that they have worthless insurance until they get sick and it is too late.

The bottom line is this bill should be defeated for so many reasons because so many more people will not have health insurance, because their costs are going to go up, and because they won't even know what insurance they are buying. We are going to go back to the old days of the Wild West when insurance companies could sell whatever junk insurance they want and the public won't even know what they are getting. It is a disaster for the American people.

I urge my colleagues to vote "no," and I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield myself 20 seconds.

The irony of that argument is it was just a year or so ago that every Member of this House who was here at the time and the Senate, by a unanimous vote, agreed to waive the essential benefits he just listed off for the employment market between 51 and 100—and, by the way, those essential benefits don't apply to the large group market—so this has already been done.

I yield 1½ minutes to the gentleman from Texas (Mr. BARTON), the vice chairman of the full committee.

Mr. BARTON. Mr. Speaker, I supported this bill when it came out of the Energy and Commerce Committee 2 or 3 weeks ago, and I want to thank Chairman WALDEN for his excellent leadership.

As he knows, I had some concerns about the bill at the time. I didn't think it addressed all the problems that we needed to address.

At the start of this week, I was a "no" vote—a friendly "no" vote, but I was a "no" vote. Our Republican leadership in the House and the President and his senior advisers continued to involve themselves in constructive discussions with people like myself. Yesterday they agreed to put back in the repeal of the essential health benefits provision, and that is a big win for conservative values, so I am now a "yes" vote.

My friends on the left seem to think the only way to get a benefit is to have the Federal Government mandate it and then have the Federal Government pay for it. I am here to tell you, Mr. Speaker, that markets work. If we create a healthcare market where people can choose their insurance that fits their needs, there will be plans that provide for every so-called essential health benefit. But there will also be plans that provide for specific markets of young people without children or elderly couples or whatever it is.

Mr. Speaker, markets work, and you don't have to mandate benefits for those markets to work.

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

Mr. WALDEN. Mr. Speaker, I yield an additional 15 seconds to the gentleman from Texas.

Mr. BARTON. Mr. Speaker, we always want to score a touchdown. Sometimes we take a field goal. What we don't want to do today is take a safety.

Vote for this bill. Let's send it to the other body and continue to work to improve it. It is a good bill. Please vote "yes."

Mr. PALLONE. Mr. Speaker, I remind my colleague that, in Mr. BARTON's case, his vote for this bill will result in 64,900 people from his congressional district in Texas losing health coverage and care.

I yield 2 minutes to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, the American people are very smart. They listen up. They kind of knit their eyebrows together. They listen to the debate. They want the facts, and then they make up their mind. What our colleagues on the other side of the aisle have brought forward today is a disaster for the American people, and the American people know it.

You have 17 percent of the American people that are for your plan, and the reason why? They know there are going to be higher costs. Families are going to have to pay more and get less—pay more for their premiums, more for their deductibles, and more in their out-of-pocket costs.

You are taking health care away from 24 million Americans. That is more than the entire population of Australia. Who comes to Congress to hurt people?

The promise of the Affordable Care Act was no one—no one ever again—will be able to take away your insurance the way the insurance companies did 7-plus years ago. Now it is only the Republican Party that can take away Americans' insurance.

There isn't one developed country in the world that has your plan. It is a combination of all kinds of things to get votes.

What free markets? What are you talking about? There is hypocrisy here because you all have the Affordable Care Act insurance. Every single Member of Congress does. So I guess it is good enough for you but it is not good enough for your constituents.

This is a matter of life and death. You are playing with people's lives. It is a profound issue. This doesn't deserve one vote in the House of Representatives. Vote it down.

The SPEAKER pro tempore. The Chair would remind all Members to direct their remarks to the Chair.

Mr. WALDEN. Mr. Speaker, I yield myself 10 seconds before I yield to the gentleman from Michigan.

I would just suggest that the American people are very smart. Unfortunately, under ObamaCare, 19.2 million Americans said: I am not going to buy ObamaCare. I am going to pay a penalty to the IRS instead.

You see, we are trying to fix it so they will want to buy it.

I yield 2 minutes to the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Mr. Speaker, you know, there is an old Upton family quote that my grandfather would always say: Was you always perfect? No, none of us are.

And you know what? This is not a perfect bill. That is for sure. But ObamaCare is broken. One out of three counties has only one provider, and it looks like it is going to get worse as other major insurance companies are on the verge of pulling the plug.

Nearly two dozen of the nonprofit CO-OPS have already gone belly up. In my home State, folks saw their premiums increase by nearly 17 percent. Some States have had premium increases of more than 100 percent. Most had double-digit increases, many over 20 percent, and some forecast 40 to 50 percent increases come fall if nothing happens.

The calls on both sides of the aisle have often used the R word—on this

side, “replace”; on your side, the Democratic side, “repair.” Let’s both agree. The status quo is not acceptable. But this, this bill, is the only train leaving the station. Is it going to improve if it gets to the Senate? Of course it will. We should all work for that goal.

For me, I worked with Medicaid expansion States like Michigan providing a reasonable transition until 2020 and then grandfathering all those folks until they are off. Some of my colleagues called to end Medicaid expansion even this year. They want total repeal.

□ 1245

What would total repeal mean? Total repeal would mean taking away the ability of HHS to provide flexibility to the States to administer this critical program. It would mean taking away insurance for young kids on their parents’ policies. It would reinstall a cap on insurance. And, yes, it would allow insurance companies to discriminate against those with preexisting illnesses.

This bill still allows all of those important protections to stay in place. A number of us will continue to work with HHS to provide even more flexibility to States like Michigan. This has to be a key component of moving forward.

At the end of the day, I would like to think that we could work together on a bipartisan basis. High premiums and a lack of access impact us all. Let’s work together. You can’t get to second base unless you get to first.

Mr. PALLONE. Mr. Speaker, I remind my colleague from Michigan that his vote for this bill will result in 43,500 people from his congressional district in Michigan losing health coverage and care.

Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Speaker, when people look at these bills, they want to know what they are going to pay. What this bill does is simple—you pay more and you get less. That is the bottom line—pay more and get less.

The President promised better health care for more people at a lesser cost. But my Republican colleagues can no longer claim with any credibility that their plan achieves these goals.

Twenty-four million people will lose coverage. People 50 to 64 will be hit with an age tax and pay premiums five times higher than everybody else. Deductibles will go up. And protections that make sure insurance companies offer minimum value will be thrown out.

Again, the Republican bill, TrumpCare—pay more, get less—but it gives billionaires a tax break. That is really important; isn’t it? With the Affordable Care Act, we set out to give Americans more affordable, higher quality health care.

Is the law perfect? No. We should be working together to tweak the law. We should be working together to improve the law, not putting in a clunker like this bill, which will roll back the time on people’s coverage. Roll back the time, give people less coverage, and let them pay more. That is not what the American people want. I urge my colleagues to vote “no.”

Mr. WALDEN. Mr. Speaker, I yield 1½ minutes to the gentleman from Mississippi (Mr. HARPER), the chairman of the House Administration Committee, and a valuable member of the Energy and Commerce Committee.

Mr. HARPER. Mr. Speaker, ObamaCare has failed. Contrary to what was promised, premiums have gone up and there are fewer health insurance options. This bill addresses a crisis that before now had no end in sight.

Not only does this bill work to solve the problems we see in the private insurance market, it addresses one of our Nation’s most vital programs—Medicaid. This program is a critical lifeline for hundreds of thousands of Mississippians.

Medicaid is a safety net program that was designed for children, the elderly, pregnant mothers, and the disabled. This bill will refocus attention back on the program’s initial goals, but will modernize it to better serve these patients.

We should move decisionmaking authority down to those who are best positioned to address these problems. A program run primarily by the States with assistance from the Federal Government will best be able to help those who need it most.

By giving States more tools to address costs, this bill will allow States to explore ways to make accepting Medicaid more attractive to providers, leading to better health outcomes. Without addressing the current problems facing the Medicaid program, it will not survive. This bill puts Medicaid on a path to sustainability. An insolvent safety net will harm those it intends to help.

This is our moment. We have a historic opportunity to enact the biggest entitlement reform in our lifetime. We have a chance to save Medicaid.

I urge my colleagues to vote for this bill.

Mr. PALLONE. Mr. Speaker, I remind my colleague from Mississippi that his vote for this bill will result in 69,600 people from his congressional district losing health coverage and care.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN), the ranking member of the Health Subcommittee.

Mr. GENE GREEN of Texas. Mr. Speaker, this is outrageous. TrumpCare will rip health insurance from 24 million Americans, almost as

many people who live in the State of Texas.

TrumpCare is a direct assault on the President’s promise to the American people. It will saddle families across the country with massive health costs. It will lead to higher premiums, less benefits, and more people uninsured.

Under this bill, premiums increase 15 to 20 percent in each of the next 2 years. It will particularly be terrible for the near-elderly Americans because TrumpCare allows insurance companies to charge them five times higher than what others would pay for coverage. It destroys protections for Americans with preexisting conditions. It guts the essential benefits so consumers won’t know what coverage they have. Plans would not have to cover things like emergency care, hospitalization, or even prescription drugs.

What do you do when you leave people with that? Junk plans that are insurance in name only. What is the point of having insurance if it doesn’t cover anything?

For those who aren’t one of the 24 million who lose insurance, many will be left with plans that are more expensive but don’t have to cover things like prescription drugs or mental health and substance abuse.

This bill will make it harder for people to get treatment. It will destroy the Medicaid program, the bedrock of our social safety net that insures 74 million Americans, including children, pregnant women, and one in seven seniors on Medicare.

TrumpCare harms Medicare. It will make the program insolvent 3 years earlier, directly causes part B premiums to go up \$8.7 billion, and takes away funds that seniors depend on for long-term care. It is impossible to overstate how terrible TrumpCare will be for the American people.

This is a dangerous bill. It is opposed by physician groups and hospital associations.

I urge my colleagues to vote “no.”

Mr. WALDEN. Mr. Speaker, I yield 1½ minutes to the gentleman from Kentucky (Mr. GUTHRIE), the former head of the Medicaid task force.

Mr. GUTHRIE. Mr. Speaker, about 7 years ago, I was on the floor talking on the Affordable Care Act. And I remember talking about, I had just left the State Senate, and bringing up that my colleagues are in Frankfort and they are doing work on the budget; and, in the future, it is going to make it more difficult for them to pass budgets because of the expansion in Medicaid, and that is coming to pass. It will be in the next budget session they have to deal with moving forward, if we don’t address this situation.

So people keep talking about a rush process. Over a year ago, we put together a Medicaid task force, met with groups of people, met with Governors,

we took a lot of information, and put together a plan that addresses the needs of Medicaid. Medicaid is growing. It will be over a \$1 trillion program within 10 years if we don't deal with it. It is going to implode. So we actually worked to put it on a sustainable budget. It is growing. People talk about cuts to Medicaid. Only in Washington, D.C., is slowing the growth of a program looked at as a cut. So we have worked hard to move that forward.

The other thing I want to talk about is, last year, small businesses were going to be hit by the minimum essential benefits. Small businesses were saying: We like our plans, and we want to keep it. We are going to have our prices go up, and we are not going to be able to afford to provide coverage.

So we all came together, bipartisan, to address that to exempt the small-business plans for those programs. It passed by voice vote in the House, unanimous consent in the Senate, and signed by then-President Obama.

So the question is, if small businesses can design and keep their own plans, I think individuals can, too.

I agree with my friend from California that the American people are smart. I disagree with my other colleague who says: They will buy things, and they won't even know what is in it.

They are smart, and I urge support for this bill.

Mr. PALLONE. Mr. Speaker, I remind my friend from Kentucky that his vote for this bill will result in 44,000 people from his congressional district losing health coverage and care.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Speaker, President Trump promised his healthcare plan would be "much better health care at a much lower cost." Secretary of Health and Human Services Tom Price even promised "nobody will be worse off financially." In reality, of course, the TrumpCare bill will leave just about everybody worse off, with less care at a higher cost.

This bad bill would rip health insurance money away from millions of people—24 million over 10 years, and 14 million next year alone.

Americans who are lucky enough to hold on to coverage if this bill becomes law will pay more for it in premiums, deductibles, and other out-of-pocket costs, especially people age 50 and up.

Mr. Speaker, the deals that were cut last night to win more Republican votes for TrumpCare would be even more devastating. Trips to the emergency room, mental health and substance abuse treatment, maternity care both before and after birth, prescription drugs, lab tests, and more essential services could be cut.

Apparently, some people don't think these services deserve guaranteed health insurance. They would let insur-

ers sell skimpy plans that don't even cover patients' basic needs.

Democrats believe we can, and should, work together to improve the ACA, not to work on a misguided bill that would gut it.

We owe this to folks like Amanda Miller of Denver. Amanda changed jobs last year. During her period of unemployment, she and her husband decided the smart thing to do was to get coverage to fill the gap. Thank God they did.

Shortly after that, she and her husband got into a serious car accident. Amanda walked away unscathed, but her husband was badly injured. She could see more of his skull than she could see of his scalp. Luckily, there were some nurses in a car behind them, and they stabilized him and took him to the emergency room.

Their hospital bill of \$16,000 was paid in full, thanks to Amanda's coverage through the ACA. What do we say to Amanda? Can we guarantee her better insurance and a better financial situation? I don't think so.

Let's defeat this bill, and let's start working towards a good one that will cover everybody.

Mr. WALDEN. Mr. Speaker, I yield 1½ minutes to the gentleman from Indiana (Mr. BUCSHON).

Mr. BUCSHON. Mr. Speaker, when ObamaCare was debated 7 years ago, I wrote my Member of Congress to urge him to vote against what I saw as a government takeover of our healthcare system.

At that time, I was a practicing physician, and I could foresee the disastrous consequences of this law and what it would do to patients across this country, including my own. And I wasn't alone.

Citizens from every corner of America stood up and demanded that Congress reject the ObamaCare bill, but we were ignored. Since then, out-of-pocket costs for families have skyrocketed, patient-choice has evaporated, and ObamaCare has inched closer to the brink of collapse.

In that time, those same Americans who fought against passage of ObamaCare have delivered Republican majorities in the House, in the Senate, and put a Republican in the White House. They did so, in part, based on our promises to repeal and replace ObamaCare.

And here we stand, 7 years after ObamaCare passed, with the opportunity to finally deliver on that promise, and to bring relief to patients across this country who haven't been able to find the care they were promised at a cost they can afford.

It is an opportunity for us to fulfill our promise to our constituents. Let's be clear: a vote against this bill today is a vote for preservation of the ObamaCare disaster, a vote to keep critical healthcare decisions in the

hands of bureaucrats in Washington, D.C., and a vote against the largest entitlement reform in a generation.

I urge all of my colleagues to do the right thing and vote for this bill.

Mr. PALLONE. Mr. Speaker, I remind my colleague from Indiana that his vote for this bill will result in 37,800 people from his congressional district losing health coverage and care.

Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE).

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, for the last 7½ years, Republicans have promised Americans something better than the ACA. Instead, today, they are giving us something much worse.

Twenty-four million people lose their insurance? Stripping away guaranteed benefits? Putting maternity, mental health, and pediatric care at risk? Shame on you.

Pitting the elderly against children, the disabled, and the mentally ill in the Medicaid program? Placing a tax penalty on veterans? Charging a crushing age tax on 50- to 64-year-olds, forcing them to pay five times more than what others pay? Shame on you.

This isn't a healthcare bill. This is a tax cut bill masquerading as a healthcare bill. This bill does nothing to lower premiums, copays, or deductibles.

You cut taxes by almost \$1 trillion for corporations and the rich, while ransacking Medicaid and the Medicare trust fund. That is shameful.

Americans will not forget who did this to them today.

Mr. WALDEN. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. FLORES), a real leader on the Energy and Commerce Committee.

□ 1300

Mr. FLORES. Mr. Speaker, we have heard numerous comments from the left extolling the virtues of ObamaCare, and I think it is instructive to hear the words of a former Democratic President that is beloved by the left. Here is what he said less than 6 months ago: "So you've got this crazy system where all of a sudden 25 million more people have health care and then the people who are out there busting it, sometimes 60 hours a week, wind up with their premiums doubled and their coverage cut in half. It's the craziest thing in the world."

Mr. Speaker, hardworking American families in my district, they don't want crazy. They want the American Health Care Act, a sane plan that gives them their freedom back.

In a few minutes, Mr. Speaker, you are going to hear somebody from the other side say that a bunch of my constituents are going to lose coverage. That is absolutely false. Those constituents are getting their freedom back to choose whether or not they

want healthcare coverage and what kind of healthcare coverage they want. I say vote "yes."

Mr. PALLONE. Mr. Speaker, I remind my colleague from Texas that his vote for this bill will result in 61,900 people from his congressional district losing health coverage and care.

Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Mr. Speaker, over the last few days, 110 organizations have written to me in opposition to TrumpCare. You know who they are: AARP, American Hospital Association, American Heart Association, American Medical Association, American Academy of Physicians, American Academy of Pediatrics, American Psychiatric Association, National Association of School Nurses, Alliance for Retired Americans, American Federation of Teachers, National Association of School Psychologists, National School Boards Association, National Education Association, the Children's Defense Fund, March of Dimes, the National Committee to Preserve Social Security and Medicare, the American College of Physicians North Carolina Chapter, North Carolina Society of Addiction Medicine, Consumers Union, United Steelworkers, AFL-CIO, Families USA, Center for American Progress, National Association of Pediatric Nurse Practitioners, and the list goes on and on.

Mr. Speaker, I include in the RECORD a list of entities opposing TrumpCare.

1. AARP
2. American Hospital Association
3. American Heart Association
4. American Medical Association
5. American Academy of Physicians
6. American Academy of Pediatrics
7. American Psychiatric Association
8. National Association of School Nurses
9. Alliance for Retired Americans
10. American Federation of Teachers
11. National Association of School Psychologists
12. National School Boards Association
13. National Education Association
14. Children's Defense Fund
15. March of Dimes
16. National Committee to Preserve Social Security and Medicare
17. American College of Physicians North Carolina Chapter
18. North Carolina Society of Addiction Medicine
19. North Carolina AIDS Action Network
20. Consumers Union
21. SEIU
22. United Steelworkers
23. AFL-CIO
24. Families USA
25. Center for American Progress
26. Southern HIV/AIDS Strategy Initiative
27. National Association of Pediatric Nurse Practitioners
28. Children's Hospital Association
29. National Rural Health Association
30. American Lung Association
31. ACLU
32. National Urban League
33. Black Women's Health Imperative
34. Communications Workers of America

35. International Brotherhood of Teamsters
36. National Rural Education Association
37. National Association of Social Workers
38. National Association of Pediatric Nurse Practitioners
39. Lutheran Services in America
40. NETWORK Lobby for Catholic Social Justice
41. Children's Dental Health Project
42. Family Voices
43. First Focus Campaign for Children
44. American Psychological Association
45. National Council for Behavioral Health
46. National Hemophilia Foundation
47. American Congress of Obstetricians and Gynecologists
48. American Sexual Health Association
49. Big Cities Health Coalition
50. National Women's Law Center
51. Human Rights Campaign
52. Partnership for America's Children
53. Friends Committee on National Legislation
54. National Partnership for Women & Families
55. Planned Parenthood Action Fund
56. National Center for Learning Disabilities
57. Save Medicaid in Schools Coalition
58. HIV Medicine Association
59. Drug Policy Alliance
60. League of Conservation Voters
61. Natural Resources Defense Council
62. Green Latinos
63. Green For All
64. Safe Climate Campaign
65. Climate Reality Project
66. Center for Reproductive Rights
67. Interfaith Disability Advocacy Collaborative
68. International Federation of Professional and Technical Engineers
69. Trust for America's Health
70. AIDS United
71. AFSCME
72. Cystic Fibrosis Foundation
73. AASA, The School Superintendents Association
74. Accelify
75. American Foundation for the Blind
76. Association of Assistive Technology Act
77. Programs Association of Educational Service Agencies
78. Association of School Business Officials International
79. Association of University Centers on Disabilities
80. Autistic Self Advocacy Network
81. Center for American Progress Center for Public Representation
82. Clearinghouse on Women's Issues
83. Colorado School Medicaid Consortium
84. Conference of Educational Administrators of Schools and Programs for the Deaf
85. Council for Exceptional Children
86. Council of Administrators of Special Education
87. Disability Rights Education & Defense Fund
88. Division for Early Childhood of the Council for Exceptional Children (DEC)
89. Health and Education Alliance of Louisiana
90. Healthy Schools Campaign
91. Higher Education Consortium for Special Education
92. Judge David L. Bazelon Center for Mental Health Law
93. LEAnet, a national coalition of local education agencies
94. Learning Disabilities Association of America
95. Lutheran Services in America Disability Network

96. Michigan Association of Intermediate School Administrators
97. Michigan Association of School Administrators
98. National Association of Pediatric Nurse Practitioners
99. National Association of State Directors of Special Education (NASDSE)
100. National Association of State Head Injury Administrators
101. National Black Justice Coalition
102. National Center for Learning Disabilities
103. National Disability Rights Network
104. National Down Syndrome Congress
105. National Health Law Program
106. National Respite Coalition
107. Paradigm Healthcare Services
108. School Social Work Association of America
109. School-Based Health Alliance
110. Society for Public Health Education
111. Teacher Education Division of the Council for Exceptional Children

Mr. BUTTERFIELD. What is it about this, Mr. Speaker, that you don't understand?

You are wrong on this. Don't let your base push you over the cliff on this bill.

Mr. WALDEN. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Indiana (Mrs. BROOKS).

Mrs. BROOKS of Indiana. Mr. Speaker, I appreciate the passion I have heard from colleagues on both sides of the aisle and from Hoosiers on all sides of this issue. The issue of health care is personal for people, and it should be. But today, health care isn't personal. Under ObamaCare, healthcare coverage has been a one-size-fits-all approach.

I have heard from so many of my constituents in my more than 4 years in Congress about how ObamaCare has cost them and their families—lost doctors, higher premiums and deductibles, and a lack of options for coverage.

As an example of just one of those Hoosiers, Lon told me his premiums and deductibles doubled last year when he lost his healthcare plan. He has had to change his insurance 3 times in 3 years. That is not how healthcare coverage should work.

The American Health Care Act makes healthcare coverage more personal for every American. This bill empowers you, and every American, to choose the best health care for you and your family. It empowers our Governors and our State legislatures to meet the individual healthcare needs of their citizens, including the people struggling to make ends meet and the most vulnerable: the elderly, pregnant moms, kids, and people with disabilities.

I applaud our Hoosier Governor Holcomb, who wrote a letter to Congress with other Governors from around the country who support this bill, he, too, believes it is in the best interest of Hoosiers. I agree and I urge my colleagues to join me in support of the American Health Care Act.

Mr. PALLONE. Mr. Speaker, I remind my colleague from Indiana that her vote for this bill will result in

37,700 people from her congressional district losing health coverage and care.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. CASTOR), the vice ranking member of our committee.

Ms. CASTOR of Florida. Mr. Speaker, my neighbors back home in Florida work very hard for their health coverage. When they pay their hard-earned copayments and premiums, they expect something meaningful in return: real health care. That is what the Affordable Care Act provided; not just a piece of paper, but real health services, an end to discrimination against pre-existing conditions, and all sorts of other consumer protections.

But in the middle of the night last night, the Republicans turned back the clock. They have eliminated from the basic health insurance policy coverage for emergency room visits, hospitalization, prescription drugs, and more.

They have really embraced the moniker of pay more for less. And on top of it, remember, this bill rips health insurance away from millions of our neighbors back home. It raises costs on hardworking Americans, especially our older neighbors. It is practically an age tax, if you are over 50 years old. It breaks that fundamental guarantee that has existed for 50 years, that if your family is struck with an Alzheimer's diagnosis, a child with a complex condition, a handicap, that you are not going to live your remaining years in poverty, all the while, taking your tax dollars and shifting it to millionaires and billionaires and corporations.

TrumpCare is a recipe for disaster. It is a fundamental violation of the values we share as Americans, and it should meet its demise today.

Mr. WALDEN. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. COLLINS), a real leader on our committee.

Mr. COLLINS of New York. Mr. Speaker, today is a historic day, make no mistake about it. The American Health Care Act changes the trajectory of health policy in this country. Here are just a few of the highlights:

This bill eliminates the individual mandate penalty; eliminates the employer mandate penalty; eliminates the ObamaCare subsidies in 2020; eliminates ObamaCare tax increases; eliminates insurance mandates so we can lower premiums; provides refundable tax credits for individuals and families who do not get their health insurance through their employer or the government, and allows them to choose the health care that works for them; almost doubles the contribution limits for health savings accounts; provides \$115 billion for the Patient and State Stability Fund to lower patient cost and stabilize the insurance market; and enacts the most significant re-

forms to Medicaid in history, ensuring that Medicaid is sustainable and available for the most vulnerable among us for generations to come.

The American Health Care Act is a monumental step toward freedom, choice, and individual responsibility in health care.

Mr. Speaker, I will proudly vote for this bill today, and I urge all of my colleagues to do the same.

Mr. PALLONE. Mr. Speaker, I remind my colleague from New York that his vote for this bill will result in 58,000 people from his congressional district losing healthcare coverage and care.

Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES. Mr. Speaker, this is a terrible bill. It is a terrible bill. It is wrong for the country.

Why would the President, why would the leadership on the Republican side here in Congress, why would they choose as the first order of business taking healthcare coverage away from 24 million Americans?

It is wrongheaded. It is immoral. It is inhumane. It makes no sense. It is wrong for America.

In the people's House, we need to vote it down.

Mr. WALDEN. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Speaker, for 7 years, I have heard story after story from people in my district about how the Affordable Care Act is anything but affordable.

Families and small businesses are paying more for less, and insurers are dropping out of the marketplaces, leaving behind fewer options. Government-run health care isn't working, and we are repealing and replacing ObamaCare like we promised our constituents we would do.

The American Health Care Act is the first step of a three-step process to repair our broken healthcare system. This bill moves power away from Washington and puts doctors and patients at the center of their healthcare decisions. It reforms and strengthens Medicaid and gives States the flexibility to innovate and best meet the needs of their citizens.

This patient-centered approach will bring costs down, increase choice and competition, and provide important protections for patients with pre-existing conditions.

Mr. Speaker, these are the types of things we promised, and doing nothing is not an option. May I remind my colleague from the other side of the aisle: I have seen those numbers. My constituents will not simply walk away and do nothing just because the other side says that they will be uncovered. Now they will have a choice. Those thousands of people will not walk

away. They will choose something better for them. There will be thousands of people that have insurance that covers their needs, and not what, Mr. Speaker, my colleague says they will do. They are not that stupid. They won't walk away.

Mr. PALLONE. Mr. Speaker, I remind my colleague from Michigan that his vote for this bill will result in 39,500 people from his congressional district losing health coverage and care.

Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, since the implementation of the ACA, over 3.9 million women age 18 to 64 have gained health coverage through Medicaid. The ACA ended gender rating, meaning that the insurance companies cannot charge women more than they charge men for the same coverage. TrumpCare also eliminates Medicaid funding for Planned Parenthood, reducing access to health care for women. Millions of women rely on Planned Parenthood for both routine and life-saving care, such as preventative services, family planning, and preventing unwanted pregnancies. When the GPO strips Planned Parenthood funding, health care of women will suffer.

TrumpCare and its Medicare cuts also hurts seniors. Older Americans account for over 60 percent of Medicare spending. Insurance companies will now be able to charge more based on their age, which will increase premiums by thousands.

Mr. Speaker, watching Republicans sell this bill is like buying a used car from a guy with a crooked smile, even they don't believe in it. I ask my Republican colleagues to withdraw this horrible bill and work with Democrats to improve the ACA instead of trying to sell this atrocity.

Mr. WALDEN. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. CARTER), our resident pharmacist on the committee.

Mr. CARTER of Georgia. Mr. Speaker, I am joyous to be here today on such a historical day. You see, for the past 7 years, I have practiced in ObamaCare, I have practiced under ObamaCare, and I have practiced in that setting; and I can tell you that what it promised, it has not delivered on.

There has not been increased accessibility, no. Instead of that, we have got five States in our country that only have one plan to offer. We have a third of the counties in our country that only have one plan to offer. We have 16 counties in Tennessee that don't even have a plan, and now we are going to have the opportunity to have access. Now we are going to have choice.

We have also been told about affordability. Well, let's talk about affordability. We see what ObamaCare did. It increased premiums 25 percent this

year alone; 50 percent in seven States. That is unsustainable.

What is our plan going to do?

It is going to give affordability. It is going to give competition. We are going to have choices.

And what else?

It is going to remove red tape. It is going to remove the barriers between healthcare professionals and patients. It is going to empower patients. That is what health care in America is about: people making healthcare decisions with their healthcare practitioners. That is what we are going to do. That is what this does.

The two worst things that ObamaCare did to the healthcare system in America, first of all, is it took the free market out of America. It took the free market out of health care in America. It also expanded Medicaid, a safety net program that was intended for the aged, the blind, the disabled, children, and mothers, and extended it to able-bodied adults—something that it was never intended to do.

Mr. Speaker, I look forward to hearing how many people in my district are going to be empowered now from the gentleman from New Jersey.

Mr. PALLONE. Mr. Speaker, I remind my colleague from Georgia that his vote for this bill will result in 62,800 people from his congressional district losing health coverage and care.

Mr. Speaker, I yield 1 minute to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Mr. Speaker, those of us who support the Affordable Care Act know that the work of improving health care and making it more affordable and accessible is never done. It matters. It really matters to the mothers and fathers we represent and to the children that they love. But this bill, stripping 24 million Americans of health care, a \$1 trillion tax cut to the wealthiest among us, making people 50 to 64 pay five times as much as other Americans, obviously, is a giant step backwards.

One of those Americans is Linda from Burlington. She left an abusive marriage, but had to leave her health care behind. The Affordable Care Act rescued her, and she has gone on to revive her life and her future.

□ 1315

Our community hospitals that do so much good in our communities have gone from red ink to black ink by the help that the Medicare expansion provided.

It is a sad day for this institution. We did all of this without hearing from a single patient, a single doctor, a single person. We had no hearings.

Mr. Speaker, can we do better than that?

Mr. WALDEN. Mr. Speaker, I yield 2 minutes to the gentlewoman from North Carolina (Ms. FOXX), the chairwoman of the Education and the Workforce Committee.

Ms. FOXX. Mr. Speaker, skyrocketing cost, diminished choices for patients, small businesses destroyed, fewer jobs, and lower wages, that is ObamaCare's legacy. That is what Democrats imposed on our country.

We believe the American people deserve a better way, and that is what this legislation will deliver. The American Health Care Act puts the American people back in control of their health care. It restores choices, protects the most vulnerable, encourages lower healthcare costs, empowers States, and frees families and small businesses from costly taxes and mandates.

Let's keep our promise to provide a better way on health care by voting "yes" on the American Health Care Act.

Mr. Speaker, I ask the gentleman from Oregon (Mr. WALDEN) to engage in a brief colloquy.

Health sharing ministries play an increasingly important role in the lives of many Americans, particularly in the devastating wake of ObamaCare. In recent days, constituents have expressed concerns about the future of these healthcare plans, particularly as it relates to whether they would be considered credible coverage under the bill's continuous coverage provisions.

Will Chairman WALDEN work with me, as the bill moves forward, to ensure we address the concerns of those who benefit from health sharing ministries?

Mr. WALDEN. Will the gentlewoman yield?

Ms. FOXX. I yield to the gentleman from Oregon.

Mr. WALDEN. Mr. Speaker, I would be delighted to work with the gentleman from North Carolina.

Health care sharing ministries are a vital part of our healthcare system. They are a shining example of how communities can come together without government mandates or dictates to provide innovative healthcare solutions.

I look forward to working with Chairwoman FOXX on these concerns that have been raised and will work with the Senate to get repeal and replacement of ObamaCare to the President's desk.

Mr. PALLONE. Mr. Speaker, I remind my colleague from North Carolina that her vote for this bill will result in 80,600 people from her congressional district losing health coverage and care.

I yield 1 minute to the gentleman from New Mexico (Mr. BEN RAY LUJAN).

Mr. BEN RAY LUJAN of New Mexico. Mr. Speaker, my Republican colleagues have called TrumpCare everything from an act of mercy to a rescue mission. Now, I might live at the end of a long dirt road, but I didn't fall off the turnip truck yesterday and neither did the American people.

Congressional Republicans are jamming their catastrophic bill that will take health insurance away from 24 million Americans, raise your premiums, raise your deductibles, raise your out-of-pocket costs, and will slap a crushing age tax on those over the age of 50.

Republicans in Congress promised they would lower costs, but this mess raises costs on families. Not only does the CBO tell us premiums will increase 15 to 20 percent, but TrumpCare will allow insurance companies to increase deductibles and out-of-pocket costs.

Under the guise of State flexibility, Republicans say they are shifting responsibilities to States. Here is what that means: TrumpCare will force States to raise taxes and ration care. It will repeal the requirement for insurance plans to cover doctor visits, emergency room care, prescription drug coverage, and even mental health services.

Everyone is entitled to their own opinions but not their own facts. The fact is TrumpCare will raise your premiums, raise your deductibles, and hurt millions of hardworking families.

I urge my colleagues to vote "no."

Mr. WALDEN. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. MURPHY), our resident psychologist who does a remarkable job on mental health care issues and all of these healthcare issues.

Mr. MURPHY of Pennsylvania. Mr. Speaker, in my district over the time span since the Affordable Care Act, ObamaCare, was passed, I fielded many, many a call from persons who said they could not afford health care. In some of those instances, even though a person was able to afford the premium, they could not afford the deductible.

A gentleman aged 55 and his wife said they would have to pay \$27,000 out of pocket between premium deductibles and copays before they could use their first benefits. He was one of the 19.2 million Americans who chose to pay the fine rather than get on the Affordable Care Act, ObamaCare. We suspect that many more will continue on with saying they would rather pay a fine or find a way out rather than continue to pay for it if this continues on as is.

In the past, we have been battling many things under this with regard to mental health care. The past administration attempted to strip the protected drug class status for lifesaving psychiatric medications. We fought back on that. We also worked together, however, in a bipartisan way to make sure we had assured things for mental health care.

This bill has several provisions which are extremely important. It has \$100 billion which States may use to help in their stabilization fund to fund mental health care. There is another \$15 billion focused on mental health care. There is \$500 billion for substance abuse. Funding will be in there.

My hope is that States make a decision. It is in their hands with the passage of this bill so they can make the right choice to continue mental health care, and I trust they will do that.

Mr. PALLONE. Mr. Speaker, I remind my colleague from Pennsylvania that his vote for this bill will result in 37,100 people from his congressional district losing health coverage and care.

I yield 1 minute to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Mr. Speaker, a resounding “no” to TrumpCare, President Trump’s broken promise to our great America. There is no disputing the devastation this bill will cause for America’s working families.

TrumpCare will rip health insurance away from 24 million people.

It will raise costs for consumers and lower standards of care, with premiums rising and deductibles increasing by an average of \$1,500.

TrumpCare will eliminate required mental health and addiction benefits, jeopardizing recovery for millions of Americans in the midst of this opioid epidemic.

It imposes a crushing new age tax on seniors and those approaching retirement, amounting to tens of thousands of dollars.

TrumpCare steals from Medicare, and it cuts Medicaid by \$339 billion, mercilessly putting children, the elderly, the disabled, and our most vulnerable at risk.

It does all this to give a \$1 trillion tax cut to millionaires, billionaires, and corporations.

The American people overwhelmingly reject this bill.

Defeat TrumpCare. Vote “no.”

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

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Ms. CLARKE).

Ms. CLARKE of New York. Mr. Speaker, I rise today in strong opposition to this sham American Health Care Act.

I am from Brooklyn, and in Brooklyn we know: Men lie; women lie; the numbers don’t. Here are the numbers:

This reckless and destructive bill leaves 24 million Americans without coverage. It will cause the uninsured rate for my district to skyrocket over 12 percent and leave over 400,000 Brooklynites without coverage.

Because of age discrimination in this bill, the age tax, it will put our seniors in the terrible position of having to choose between eating, visiting their doctors, or purchasing medication.

Which one do you, Mr. Speaker, suggest they choose?

I also vehemently oppose the Empire State kickback language put in this bill as an attempt to get Republican votes. This language is a dressed up earmark that specifically targets New York City. It targets my home.

This would further reduce Medicaid funds for New York by an additional \$2 billion. The trade-off, raising city taxes to cover the gap.

For most Americans, Medicaid benefits are not the end goal but rather [provides] temporary support, but for our seniors Medicaid can mean the difference between nursing home care, family home care and dying alone.

I urge my colleagues to consider the harmful real life impact of this legislation and to oppose it. Brooklyn Resists . . . America must resist.

Thank you and I yield the balance of my time.

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

Mr. PALLONE. Mr. Speaker, may I inquire how much time remains on both sides?

The SPEAKER pro tempore (Mr. COLLINS of Georgia). The gentleman from New Jersey has 68 minutes remaining, and the gentleman from Oregon has 65½ minutes remaining.

Mr. PALLONE. Mr. Speaker, what did the Chair say?

The SPEAKER pro tempore. One hour and eight minutes remaining.

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. Mr. Speaker, I am disheartened by what Congress is doing here today.

My number one goal has always been to ensure Iowans have access to quality, affordable care. This legislation does not do that. It implements an age tax, raising costs on older Americans. It cuts nearly \$900 billion from the elderly, nursing homes, and disabled children.

This is unacceptable. Exactly those who need health coverage the most—middle class families, people with disabilities, and those who are less fortunate—are the ones who lose out in this Republican bill.

I remain committed to working to improve healthcare coverage so it works better for Iowans and all Americans. We cannot go back to a time when Iowa families had to choose between putting food on the table and getting medical care for their children. Unfortunately, that is just what this bill does.

I urge my colleagues to vote this bill down.

Mr. WALDEN. Mr. Speaker, if I could get an indication in terms of the amount we are down on each side here? I think we were allocated a half an hour.

The SPEAKER pro tempore. Is the gentleman referring to the time in which he is acting as the designee of the gentlewoman from Tennessee on behalf of the Committee on Energy and Commerce?

Mr. WALDEN. Yes.

The SPEAKER pro tempore. The gentleman from Oregon has 9½ minutes remaining in the Energy and Commerce portion of this debate.

Mr. WALDEN. Mr. Speaker, and the minority side? Or is that what is remaining split equal?

The SPEAKER pro tempore. The gentleman will suspend.

The gentleman from Kentucky has not assigned designees on the basis of committee affiliation. The rule provides for four total hours of debate.

Mr. PALLONE. Mr. Speaker, could we just ask the total because then maybe we can figure it out on the minority side?

The SPEAKER pro tempore. The Chair has provided the total time remaining for the minority. So that is the total time we are working back off of. The Chair will consult with the gentleman on the committee time.

The gentleman from Oregon has 9½ minutes remaining in the Energy and Commerce time.

Mr. PALLONE. What is the total time remaining currently?

The SPEAKER pro tempore. There are 67 minutes remaining for the gentleman from New Jersey as the designee of the gentleman from Kentucky. That is 1 hour and 7 minutes.

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

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. SCHRADER).

Mr. SCHRADER. Mr. Speaker, after all these late nights and backroom deals, here we are. This version of the bill was just dropped on our lap this morning, so we ought to take a careful look at what is in front of us.

First of all, the bill defunds access to preventative health care and wellness. All the programs that we made progress on will be gone.

It shortchanges the Medicare trust fund. Seniors might be paying thousands more than they are now to get the care they need.

It returns us to a system with skimpy benefits without serious coverage for maternity care and mental health.

Most dramatically, the bill dismantles the Medicaid system as we know it, which has been a success across much of the country.

In Oregon, children and families finally have access to care that fits their needs. People living with disabilities are leading productive lives now. Hospitalizations and emergency room visits have been cut in half, and costs are down.

We are all going to do this—take health care away from 24 million Americans, 14 million just this next year—and not going to save any more money than under the original ACA?

Look, I know there are parts of the ACA that need fixing. While millions of people got coverage for the first time, premiums are still too high in the individual market. That is only 5 percent.

Vote “no” on this bill, and let’s make the system better.

□ 1330

Mr. WALDEN. Mr. Speaker, I don't believe I have any other speakers, so I will continue to reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. KENNEDY).

Mr. KENNEDY. Mr. Speaker, 5 years ago, I got the phone call everyone dreads. My wife had collapsed at work and was being rushed to an emergency room. It is a moment that is painfully familiar to far too many. Time stops. You fight to push your breath down your throat. Your brain gets stuck in that highlight reel of worst-case scenarios. You are terrified.

Fortunately, we were among the lucky ones. Lauren was okay. Most critically, our health coverage gave us the support that we needed to be able to focus on the one thing that mattered most, her recovery.

For families in America, that is the simple expectation of our country's healthcare system, a commitment that our society makes to care for one another in our time of deepest need because our health is our great equalizer.

No matter your power or privilege, no one among us escapes our time here on Earth without watching someone we love fight for their life. So we fortify this social contract, not just out of sympathy for the suffering, but so that it is there for us, too, when we need its sturdy brace.

"Blessed are the merciful, for they shall be shown mercy."

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

Mr. PALLONE. Mr. Speaker, I yield to the gentlewoman from California (Ms. LOFGREN) for a unanimous consent request.

Ms. LOFGREN. Mr. Speaker, I rise in opposition to this terrible bill that will hurt my constituents in California.

Mr. Speaker, each one of us was elected by our constituents to stand up for them here in Washington. Today, I will stand up for people who live in the 19th Congressional District by voting no on this terrible bill.

It's small wonder that polling shows only 19 percent of Americans are in favor of this bill. With the bill, 24 million fewer Americans will have health care insurance. Families will pay increased out of pocket costs with higher deductibles.

Incredibly, it allows insurance companies to penalize people older than 50 by allowing them to charge 5 times more for insurance than younger Americans.

It hurts Seniors in other ways too. . . . by shortening the life of the medicare trust funds, by increasing costs for medicine for medicare recipients and by smashing the safety net for nursing home care which the Medicaid program provides.

Incredibly, it also has a special penalty for veterans, by barring veterans from receiving tax credits if they are nominally eligible for VA care, even if there is no room for them at the VA.

Let's stand together for our hardworking Americans all over our country and in our own districts by voting no on this poorly crafted bill that cuts taxes for the richest Americans and leaves regular Americans on the short end of the stick when it comes to health care.

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. CÁRDENAS).

Mr. CÁRDENAS. Mr. Speaker, I rise today to urge my colleagues to own up to their bad bill. It is clear this is not what the American people deserve or what the American people are asking for.

This legislation guts Medicaid. It steals from Medicare. It crushes our seniors and our working families. And just when you thought it couldn't get worse, they went after veterans and their children.

What's more, this bill means insurance companies won't cover new mothers, newborn babies, and prescription drugs. The Republicans are making health care for Americans worse and worse and worse.

The Republicans have secretly wheeled and dealt in back rooms at the expense of millions of Americans in our great country, while giving tax breaks to millionaires and billionaires.

Mr. Speaker, I urge my colleagues to own up to this bill and oppose it for the sake of the American people.

God bless us.

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

One of the great tragedies of this debate is some of the scare tactics we have heard. And to listen to the gentleman from California talk about how removing essential benefits from the Federal mandate from the law is going to cause all that to happen is tragic because he, on March 25 of 2015, cosponsored legislation that did precisely that, removed the same Federal mandates for workers in the 51-100 pool of employees for employers. He said it was too much of a mandate then on those businesses, when they provide insurance.

So every Member of the House who was here then, and every Senator, including the Democrat leader of the Senate at the time, voted for that, passed unanimously.

By the way, the Congressional Budget Office said that those regulations that we are pulling back here would have made nongroup premiums 27 percent to 30 percent higher in 2016, than they otherwise would have been. So we are basically taking what CBO said is a good policy and implementing it here once again.

Last time, in 2015, that was bipartisan. It was a voice vote. Today, you would think the world was falling around us, the sky was falling. Yet, everybody who was here in 2015 said, that is okay, it is the right thing to do because it will lower premiums, like CBO said, by 27 to 30 percent.

So we thought what was good for those in the work world, for everybody who is insured through a large group plan, which is about 155 million Americans—they don't live under this mandate, yet they have all those services and benefits—that that would make sense to lower premiums for individuals on the ObamaCare exchange, because what I hear is, premiums are too high, deductibles go up.

Nobody sees this thing coming down. We are making changes here because those exchanges are collapsing. We want to bring the premiums down. We want to make the changes that will bring them down. CBO says doing this on essential benefits would have resulted in nongroup premiums 27 to 30 percent lower than they would have otherwise been. They basically say they would be higher in 2016 than they would have otherwise been. So we are taking that, using that and saying: let's drive them down; let's get premiums down.

It is unfortunate that you were willing to do that 2 years ago. It was bipartisan. Today, it is some extraordinary thing we are doing that is bad. It is not. We want to get lower premiums.

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

Mr. PALLONE. Mr. Speaker, Chairman WALDEN is completely mischaracterizing the bill that was led by Mr. CÁRDENAS.

I yield 1 minute to the gentleman from California (Mr. RUIZ).

Mr. RUIZ. Mr. Speaker, the majority of my patients in the emergency department are age 50 and older. This bill's age tax will devastate Americans ages 50 to 64 who have worked their whole lives, planned for retirement, and now are wondering how they will make ends meet.

The age tax will force older Americans to pay premiums up to five times higher than others, no matter how healthy they are, no matter how responsibly they have lived, making coverage too expensive, and forcing them to be uninsured.

For example, Rex, from my district, wrote me that he was worried about choosing between affordable insurance or saving for his retirement. Insurance for older Americans like Rex will be too expensive, leaving them uninsured when they need coverage the most.

Under this bill, a 64-year-old like Rex, with an income of \$26,500, in the individual market, will pay up to \$14,000 for health insurance. That is more than half of their income on premiums alone, leaving little for food, for medicine, rent, and other basic necessities.

I stand with our older Americans, and I urge everyone, Democrats and Republicans, to stand with older Americans. Put ideology, partisanship, and politics aside and do the right thing.

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

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. PETERS).

Mr. PETERS. Mr. Speaker, I came to Congress ready to help improve our healthcare system. And as our colleagues on Chairman WALDEN's side have pointed out, there are some insurance markets that aren't providing the choice and the low cost that consumers want, so let's fix them.

But that is not what this bill does. This bill takes away health insurance from 24 million Americans, including 37,000 people in my district in San Diego. And the last-minute changes made will cost the Federal Government even more money, without increasing coverage or reducing premiums. Is that really the best we can do?

The only reason we are in this mess is because the Speaker of the House only ever sought 218 Republican votes. That is why we are left with a bill that is opposed by doctors, nurses, hospitals, and just about everyone because it makes the problems in our healthcare systems worse, not better. That is what happens when you never even reach out to the other side.

Whether this bill dies today, or in the Senate, I hope we can get to work together, Republicans and Democrats, to do better for the American people.

Mr. WALDEN. Mr. Speaker, I yield myself 30 seconds.

Actually, we did reach out to Democrats. We have always reached out to Democrats. The vice chair of the Committee held lunches with Democrats to say: How can we work together on this? And we were told: No, we can't work with you on this particular measure. I hope we can. I agree, there is a lot we need to do together. It is what the American people expect.

We have had these individual conversations out of the bright lights of the cameras. Let's get together. Let's get this done. A lot hangs in the balance.

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

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Mr. Speaker, today, the House will vote on a bill that will take us back in our Nation's history. My family has worked for decades for affordable quality health care for every American. It took a long time to achieve the progress we have made today.

We began with Social Security, then we created Medicare, developed the National Institutes of Health, the children's healthcare program, and many other efforts that have helped every single one of our communities across this country.

Hearing after hearing, amendment after amendment, the Affordable Care Act was eventually developed. Coverage was expanded. Costs were low-

ered. Certainty was brought to uncertainty.

Let me remind you that before the Affordable Care Act, many had to decide between bankruptcy and death. Children hit lifetime caps. Cancer and being a woman were preexisting conditions where it costs too much money for premiums, or you couldn't get them at all.

Millions now have coverage who didn't, lifesaving screenings, preventative care, and, today, we are talking about taking it back by eliminating essential services. Please vote "no" for America's heart and soul.

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

Mr. PALLONE. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I think it is very telling that the gentleman from Oregon has no more speakers on his side for what they claim to be a very significant bill, and it certainly is significant; but the reason for that, in my opinion, is because this Republican bill is hurting real people.

Don't tell the real people, don't tell the Americans in my district or the rest of the country who are coming to your doors and going to your legislative offices and calling you by the thousands to tell you not to pass this bill, don't tell them your answer that I hear over and over again: Well, trust us. Trust us.

The problem is we have to look at the bill that is before us today. This is a terrible bill. Millions of people, 24 million people, are going to lose their insurance. Many more are going to pay a lot more out of pocket with higher deductibles and higher copays.

And the worst part of all is you are allowing the insurance companies to sell junk insurance that doesn't even cover their care; it doesn't even necessarily provide any coverage.

So I ask my colleagues on the other side, think of the people. Think about your heart. Think about what this really means. And if you look at it, you will know that this is a bad bill and should be defeated.

Vote "no." I urge my colleagues to vote "no."

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

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

Mr. Speaker, here is what I would say: What you have heard from the other side is everything is working perfectly; leave it alone.

Democrats created ObamaCare. Democrats created the exchange. They said: We are going to tell you the kind of insurance you have to buy; we are going to force you to buy it, or you will answer to the IRS and pay a penalty. They mandated that.

Then they came back and said: Well, that didn't work so well, so we had better get rid of the essential benefits for

the workers and employers, 51-100 employees in a company; we are going to take that off because that will drive up premiums. And they voted unanimously to do that. Today, they come back and say: Oh, that would be horrible. But they did it before, so they were for it before they were against it.

But let me talk about what really matters here. First of all, there is lot of scare tactics out there by a lot of high-paid organizations. The first is, we preserve your right as a citizen to acquire health insurance regardless of your health condition.

□ 1345

So here is the deal: preexisting conditions, we protect that; lifetime caps, we protect that so that insurance companies can't go over the top of you; keep your kids on until they are 26, we protect that. Those were good things. We agree in a bipartisan way those should be protected. We do that.

But we also recognize that 19.2 million Americans looked at the Democrats' healthcare exchanges and plans, went the other direction, and said no. They have walked with their wallets and their feet and said: I don't like what you are selling and I can't afford what you are selling. I will even pay the IRS \$600 or \$700 not to take ObamaCare.

Meanwhile, Mr. Speaker, the insurers have said that the way the Democrats created the insurance markets all over the country, we can stay in them. We are losing too much money, and we are out.

That is why in one out of three counties today in America you only have one choice, and that is called a monopoly. We are trying to fix this market so people will have choices that are affordable. We are trying to make sure people have access to coverage they want and can afford. This is the first step, not the last step, toward fixing this market.

I look at it like we have poured the foundation. Construction projects are a little messy when you are just pouring the foundation. Now we are going to put up the walls, we are going to put the roof on, and we are going to build this out in multiple steps throughout this year and next.

Meanwhile, we provide complete coverage. We do all the protections ObamaCare continues in its support for people while we fix the market and allow it to come back. We have timed this out. I know there are some on my side of the aisle who wanted to get rid of those protections, and we brought them around or they are going to vote "no." But we said: No; we have to have those protections in place—existing conditions, no more lifetime caps, keeping your kids on until they are 26.

We have a product here that needs to go to the next step. We will all work on it and continue to make it better as we

go forward. But if we do nothing and let it fail today, these markets are going to get worse and worse under the Democrats' ObamaCare plans, and people won't have a choice in States and counties all over America.

I wish we could join together today and put forward a bipartisan vote to save these markets and help our constituents going forward. Mr. Speaker, we owe it to them. They have asked for it for 7 years. Let's get it done.

Mr. Speaker, I urge support for this legislation, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield the balance of my time to the gentleman from Massachusetts (Mr. NEAL), and I ask unanimous consent that he be allowed to control that time.

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

There was no objection.

Mrs. BLACK. Mr. Speaker, I yield 30 minutes to the gentleman from Texas (Mr. BRADY), and I ask unanimous consent that he may control that time.

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

There was no objection.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, last month, President Trump stood right here in this room and said to Congress: ObamaCare is collapsing. He called on us to take decisive action to protect all Americans.

Today we have a choice to make: will we answer the President's call to action and pass this legislation to repeal and replace ObamaCare? Or will we allow ObamaCare to remain fully in place and deny our constituents the relief they urgently need?

I, for one, refuse to allow my constituents in Texas to suffer ObamaCare's impacts any longer. For the past 7 years, we have watched ObamaCare fail Americans on every single promise, and throughout this time, as the Obama administration turned a deaf ear to the American people, House Republicans were listening. We were listening to all those facing severe premium increases, people like Lauren in my district, in my hometown of The Woodlands. Lauren recently emailed me to say that her premiums this year have gone up by nearly 70 percent. Now they are \$900 a month.

We were listening to all those who can no longer see the doctor of their choice or access the care they need at an affordable price, people like Elizabeth from Conroe, Texas, another constituent of my mine. Her family pays about \$800 a month in healthcare premiums, yet they can no longer see any of the doctors they know and trust. This includes the primary care doctor

that Elizabeth and her husband have been seeing for over a decade. It includes her children's longtime pediatrician. All of these doctors are now out of reach, thanks to ObamaCare.

That is the thing with this law. It has helped some, no doubt, but far more people have been hurt, people like Lauren and Elizabeth, who are paying significantly more for significantly less access to health care.

It doesn't have to be this way. After 7 years of listening carefully to the American people, we have now arrived at this moment of decisive action. With the American Health Care Act, we have the best opportunity since ObamaCare's enactment to repeal this harmful law, clear the deck, and begin over with a step-by-step process to deliver a healthcare system based on what patients and families truly want and need, not what Washington thinks is best.

This bill gets us off to an excellent start. First, it delivers swift relief to the American people by immediately repealing ObamaCare's most harmful provisions. The individual mandate—the tax penalty—is gone. The employer mandate tax penalty is gone. Nearly \$900 billion in ObamaCare tax hikes that have driven up costs and reduced access to care for families, patients, and jobs, those tax hikes are gone.

From here, the American Health Care Act takes significant action to replace ObamaCare with patient-focused solutions that expand choice, lower costs, and enhance competition. This is where we reclaim control of health care from Washington and put it back where it belongs—with patients, families, and States.

We expand health savings accounts, making them more flexible and more user-friendly. We protect health coverage for the more than 150 million Americans who receive it through their job. We deliver the largest entitlement reform in decades, giving power to States to improve and streamline Medicaid so they can better serve the needs of local patients and families.

For low- and middle-income Americans who don't receive coverage through work or a Federal program, we offer an advanceable, refundable tax credit that people can use immediately to help purchase coverage that is tailored to their needs. These tax credits provide a conservative, free-market alternative to inefficient ObamaCare subsidies that exist today. They deliver support to low- and middle-income Americans. At the same time, they will encourage real competition and choice in the health insurance market.

Finally, as a committed pro-life conservative, I am pleased to say this bill defunds Planned Parenthood while funding the community health centers for women's truly needed health care, and takes vital action to protect the right to life. No Federal funding can be

used for elective abortions. The language is crystal clear.

The American Health Care Act represents a critical first step in our multiphase effort to tear down ObamaCare and reinstate patient-focused solutions that help all Americans. But we know there is more work to do. ObamaCare was a massive government takeover of health care. To fully uproot the law, it is going to take a sustained, coordinated, and relentless effort from both Congress and the administration. Fortunately, we have incredible partners in President Trump and Secretary Price at the Department of Health and Human Services. They are already beginning work on the next phases of the process, stripping away ObamaCare's regulations so we can enact additional free-market solutions. These include consensus conservative proposals, such as allowing insurance to be sold across State lines.

But to see success in the next phases, we have to take the first step today. We have to pass the American Health Care Act, deliver immediate relief to the American people, and provide a conservative path forward.

In closing, I thank all the leaders in the House who worked hard to craft the bill before us today: Chairman GREG WALDEN, Chairman DIANE BLACK, and so many others.

I also want to offer my gratitude to everyone from the Congressional Budget Office, the Joint Committee on Taxation, and the House Office of Legislative Counsel who provided analysis and support as we developed this legislation.

I would like to give a special thanks to Emily Murry, Stephanie Parks, and all of our hardworking staff on the Ways and Means Committee.

At the end of the day, on this day, we will have our first true vote to repeal ObamaCare. History will record where we stand. This is a clear choice. We can stand with President Trump and more freedom for Americans to buy health care they choose, or stand with ObamaCare and more government that gets in the way. I proudly stand with President Trump and more freedom for the American people.

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

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

Recently, President Trump said: Who knew that health care could be so complicated?

Well, 70 years ago, Harry Truman knew how complicated it could be when he first proposed national health insurance. Lyndon Johnson knew more than 50 years ago when he proposed, successfully, Medicare and Medicaid. Richard Nixon knew when he proposed the individual mandate. Bob Dole knew when he proposed the individual mandate. In Massachusetts, Mitt Romney knew when he proposed the individual mandate.

Mr. Speaker, recently, within the last week, the great on-the-street writer, Jimmy Breslin, died. Amongst the great columns and the great books he wrote, one of them that he wrote that will be with us in a timeless manner was "The Gang That Couldn't Shoot Straight."

That is what this institution has been like for the last 10 days. There were caucuses and there were conferences. People were running back and forth with new CBO scores and coming back to the floor with new proposals. Members are put in the position of being offered special arrangements so that they might be brought over the goal line—that, after 61 times they have voted in this House to try to repeal the Affordable Care Act.

Well, here is what we have in front of us this afternoon: a CBO score says that 24 million Americans will see either an increase in premiums or they will lose their insurance, there will be an imposition of an age tax on older Americans, and a tax cut of \$1 trillion. This bill has gone from bad to worse.

If that wasn't enough, to get the votes to pass the bill, they want to cut prescription drug benefits, mental health benefits, hospital benefits, and maternity care; and, yes, every one of us in this institution knows a family who is struggling with a loved one's addiction, and they want to roll back that benefit.

Recently, the conservative columnist Bill Kristol tweeted:

The healthcare bill doesn't, A, lower costs that they have; B, it doesn't improve insurance; C, it doesn't increase liberty; D, it doesn't make health care better. So what is the point?

Here is the point: it is a \$1 trillion tax cut so that they can change the baseline for their tax cuts that are coming down the road. That is what this is about.

Now, the President said he wanted an insurance plan that covered all members of the American family. What they are offering up today is a plan that cuts health insurance for 24 million American family members. It does not increase coverage, it does not lower costs, and it does not strengthen consumer protections.

So what does it do?

Sadly enough, back to the old argument that we have had in this institution for years: a \$1 trillion tax cut for the people at the top and special interests.

The former speaker here a minute ago, the chairman of the Energy and Commerce Committee, spoke about perfection. I was here when this legislation was authored, and I helped to write it. I can tell you this right now: we knew it was not about perfection, but we subscribed to the idea, as was the case with Social Security, Medicare, and Medicaid, that we would improve it as time went on. We would fix

it so that all members of the American family might benefit from the basic notion of access and affordability as it relates to health care.

So what do we have here?

\$839 billion of cuts to Medicaid, which is now long-term care for members of the American family.

Do you know why?

Sixty percent of Medicaid dollars go to nursing home care, and they want to cut \$839 billion to provide a \$1 trillion tax cut. Let me tell you, members of the American family can understand that.

In Massachusetts, where proudly I can say 100 percent of the children in our State are covered, 97 percent of the adults in Massachusetts are covered. And guess what? It polls regularly in the high seventies as to consumer satisfaction. A Republican Governor of Massachusetts has advised them to go slowly and to go carefully, that this is not the path that they want to travel down, as well as other Governors across the country who happen to be a Republican.

□ 1400

The hard truth here today is they are asking the American family to pay more to get less. Dozens of Republicans have said so today.

Secretary Mnuchin recently said that "there will be no absolute tax cut for the upper class." I hope that the Republican Conference confers with Secretary Mnuchin so that they might get their facts straight on this issue.

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

Mr. BRADY of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. TIBERI), the chairman of the Health Subcommittee, who played an invaluable role in solutions to lower healthcare costs for Americans.

Mr. TIBERI. Mr. Speaker, I thank the gentleman for his leadership in this important matter, and I echo his words with respect to the staff, Emily Murry and her team, as well as Whitney Daffner and Abby Finn in my office.

Mr. Speaker, like the chairman, I had a front row seat in 2009 and 2010 to the passage of the Affordable Care Act and a front row seat to all the promises made about this wonderful bill called the Affordable Care Act.

Then, over the last 6 years, like the chairman, I heard from my constituents and fellow Ohioans. I heard about their sad ObamaCare stories of a road of broken ObamaCare promises.

There was a lady east of Columbus who had cancer. She was a survivor. Fast-forward to a few years ago. She gets cancer again and finds out that the oncologist that she had, she could no longer have. He was not in the network. She could not go to the hospital in her community. She had to go 60 miles away.

Or there is the small-business owner and his wife and family on the indi-

vidual market and now on the exchange not getting employer-provided health care and, therefore, not getting the benefit. They saw their plan price quadruple in the last several years. Mr. Speaker, we are going to take care of that person and give them a tax credit so they have the ability, just like employer-provided employee's health care.

In Ohio, last year, our CO-OP collapsed. We had 20,000 people without health care. Many saw bills not being paid. Twenty counties in my State had one provider and fewer choices.

Broken promises. Constituents can't keep their doctor, can't keep their hospital. Constituents saw emergency room visits go up. It was supposed to go down under the Affordable Care Act. Premiums and deductibles are going up, not down, in my district.

One promise wasn't broken, and that is a government-mandated, one-size-fits-all Washington plan that many of my constituents didn't want and others couldn't afford. That was their ObamaCare.

We can do better, and in this bill we do. In one step, in the first step, more steps to come, we begin creating a patient-centered healthcare system that will not only put more power in the hands of our constituents, but it will also drive down healthcare costs.

Remember what they said in Ohio newspapers in my State about ObamaCare: a tough pill to swallow, a nightmare, very taxing, just more red tape. These aren't my words, Mr. Speaker; these are hardworking Ohioans' words. They deserve better. They deserve more choices. They deserve better access, the access and the choices they want for them and their families.

We begin, Mr. Speaker, with this bill. We don't end here. There is much more to do. We are putting the people's power back in their hands, not in Washington's hands. Today, it is time for us to deliver.

Mr. NEAL. Mr. Speaker, I would remind my friend—and he is my friend—from Ohio that his vote will result in 39,500 people losing their healthcare coverage if this legislation prevails.

Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. LEVIN), who was a substantive and major player in the development of the ACA when it was passed.

Mr. LEVIN. Mr. Speaker, I thank Mr. NEAL for his work and that of all of us on the committee on the Democratic side.

As CBO has said, under this bill, 24 million Americans would lose their health insurance next year, and 24 million over the next decade.

Today, most are invisible, but they would become seen and heard at emergency rooms, with no other place to go with more serious illnesses because of no preventive care.

They are people 50 to 64 with far higher premiums; mothers without access to affordable maternity care; elderly evicted from nursing homes, losing coverage from Medicaid, the largest source of long-term care in our Nation; and lives lost that could have been saved. I repeat: lives lost that could have been saved.

I remember some time ago I met a woman who had health insurance through her job. She contracted breast cancer and received treatment but then lost her job and insurance. Then the ACA covered her. She looked straight at us and said that, without further treatments, she would not be alive today.

Under this bill, a trillion dollars is lost for health care, and there will be a trillion dollars in tax cuts, mostly for the very wealthy and corporations.

This is not America. I repeat: This is not America.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. SMITH), the chairman of the Human Resources Subcommittee.

Mr. SMITH of Nebraska. Mr. Speaker, I rise today in support of H.R. 1628, the American Health Care Act of 2017. This legislation is the first step in a process to unravel ObamaCare's taxes and mandates and provide relief to the American people.

To understand the extent of ObamaCare's failures and their impact on hardworking Americans and their families, just look at the rapid collapse of ObamaCare's Consumer-Operated and Oriented Plans, or CO-OPs.

The story of these failed ObamaCare CO-OPs began in my home State of Nebraska, with the abrupt collapse of CoOpportunity Health, which left 120,000 Nebraskans and Iowans without health insurance. I repeat: It left 120,000 Nebraskans and Iowans without health insurance.

CoOpportunity Health was the first ObamaCare CO-OP to collapse, but it wasn't long before 18 more followed suit, closing their doors and leaving hundreds of thousands more without health insurance. Only 4 of the 23 CO-OPs created under ObamaCare actually remain, and these remaining 4 will likely face the same fate as they continue to struggle with dire financial challenges.

Americans were falsely promised, if they liked their insurance, they could keep it. After complying with ObamaCare's mandates, many Nebraskans could not even keep the insurance this law created.

One of my constituents in western Nebraska, Pam, who is self-employed, lost her insurance four times under ObamaCare. Prior to ObamaCare's implementation, she had a plan she liked and that actually covered her pre-existing condition. She was forced off of that original plan when ObamaCare began and then lost her coverage three

more times through no fault of her own.

For Pam and millions of others across the country, ObamaCare has severely limited options for affordable care. This is simply unsustainable. Constituents in rural districts like mine are being hit the hardest by ObamaCare's dwindling insurance markets. Because of ObamaCare, Nebraskans are down to only two insurers from which to choose, and other rural areas are down to only one or even zero providers on their exchanges.

Adding insult to injury, according to the Obama administration's own report on the individual market, 2017 premiums in Nebraska increased by 51 percent.

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

Mr. BRADY of Texas. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. SMITH of Nebraska. Mr. Speaker, places like Oklahoma are experiencing premium increases of 69 percent, and it is only projected to get worse if we do not act.

Doing nothing is certainly not an option. We must come together to rescue this rapidly collapsing healthcare system. Let's come together to do right by the American people.

I urge passage of this bill.

Mr. NEAL. Mr. Speaker, I would remind my colleague that his vote for this bill will result in 50,000 people in his congressional district in Nebraska losing their health coverage and care.

Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. LEWIS), a giant in terms of the morality of our time and a good friend and individual who helped write the Affordable Care Act, as well.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my friend for yielding.

Mr. Speaker, I rise to oppose this bill.

As elected Representatives, we have a mission, an obligation, and a mandate to fight for each and every American.

I ask you, Mr. Speaker: Who will stand for the American people? Who will speak up for those who have been left out and left behind?

Mr. Speaker, I have said it time and time again: Health care is a right. It is not a privilege reserved for a wealthy few, for what does it profit this body to pass this bill and lose our soul?

This bill is a shame. It is a disgrace.

Mr. Speaker, today my heart breaks for the disabled, for women, for seniors, and for working families. My heart aches for those who are living paycheck to paycheck. My heart mourns for innocent little children whose very lives depend on if their families can pay the bills.

This is the right and wrong of it. This is the heart and soul of the matter.

We cannot abandon our principles, Mr. Speaker. We cannot forget our val-

ues. I have fought too hard and too long to back down now.

I will fight any bill that turns the clock back to a darker time. I will fight every single attempt to turn a deaf ear, a blind eye, and a cold shoulder to the sick, to our seniors, and to working families.

Mr. Speaker, I will fight every day, every hour, every minute, and every second. I oppose this bill with every breath and every bone in my body. We must not give up. We cannot—I will not—give in, not today, not tomorrow, not never, ever.

On this bill, there is only one option, and that option is to vote "no." We can do better. Mr. Speaker, we must do better. Vote "no" on this bill.

Mr. BRADY of Texas. Mr. Speaker, I first would remind my friend from Georgia that nearly 700,000 Georgians have chosen to either pay a fine or exempt themselves from ObamaCare because it has failed them so badly.

And to my friend from Michigan, 420,000 Michiganders, more than half, chose to exempt themselves from ObamaCare rather than accept that failed health care.

Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota, (Mr. PAULSEN), a key member of the Ways and Means Committee.

Mr. PAULSEN. Mr. Speaker, today we are taking a very important step to lift the burden of the Affordable Care Act off of the backs of the American people. A key component of this is repealing the burdensome mandates and tax increases that were imposed to help fund this failed law. This includes the medical device tax, a senseless policy that placed an excise tax on lifesaving medical technology.

What did this achieve? A loss of 30,000 high-paying American jobs, less research and development, canceled projects, and postponed expansions. Most importantly, it hurt patients.

There is good news. Just a few years ago, in 2015, we came together on a bipartisan basis and suspended the tax for 2 years. We are seeing positive results. Companies are now hiring again, we have increased research and development, and we have new investments in facilities coming online.

We need to permanently repeal this onerous tax or it is going to start up again. Voting "yes" today means permanent repeal of the medical device tax.

Mr. Speaker, I am also encouraged to see several provisions I have authored to enhance and expand the use of health savings accounts and flexible spending accounts that are included in this legislation today.

HSAs and FSAs are now more popular than ever and used by 20 million Americans. It is time to remove the restrictions on HSAs that were imposed in ObamaCare so that we can make them more accessible and easier to use

and empower Americans to take more control of their healthcare decisions.

Expanding HSAs will help us also begin to address the rising costs of health care. One recent study showed that, when a large employer switched their employees over to an HSA plan, it lowered their healthcare spending by an average of \$900 per employee over a 5-year period. That is real savings, Mr. Speaker.

Let's support a better way forward to lower healthcare costs for patients and put them back in control of their healthcare decisions.

□ 1415

Mr. NEAL. Mr. Speaker, I remind my colleague that his vote for this bill will result in 49,200 people in his congressional district in Minnesota losing their healthcare coverage and care.

Mr. Speaker, I include in the RECORD a letter from Governor Charlie Baker of Massachusetts that relates to the debate we are having today.

OFFICE OF THE GOVERNOR, COMMONWEALTH OF MASSACHUSETTS, STATE HOUSE,

Boston, MA, March 21, 2017.

DEAR DELEGATION MEMBER: Health care is once again at the forefront of national and state policy discussions; I know we all share the goal of ensuring access to quality, affordable health care coverage for the people of Massachusetts. With Congress set to take up the American Health Care Act (AHCA) imminently, I wanted to share with you my administration's analysis of the potential effects this bill would have on our state.

The Congressional Budget Office (CBO) released its score of the AHCA on March 13. This analysis is broadly consistent with concerns we have raised, with you and others, regarding the bill's impact on the state and its residents' access to affordable healthcare. Applying CBO's assumptions to Massachusetts results in at least \$1 billion of reduced federal revenue beginning in 2020, and we estimate reduced revenue of \$1.3 billion in 2021, and \$1.5 billion in 2022, with likely a greater annual impact in the years that follow.

Specifically, our estimate extrapolated from the CBO analysis of a \$1.5 billion impact for FY 2022 includes \$1.3 billion of annual MassHealth federal revenue losses and \$200 million in annual reduced federal subsidies for private insurance through the Connector.

Several key areas of concern for Massachusetts were not included in the CBO analysis and could further impact the Commonwealth's budget. For example, the CBO estimate does not address 1115 waiver payments that we believe this bill would put at risk. By FY22, the Commonwealth estimates an additional \$425–475 million per year of reduced federal revenue in potential elimination of 1115 payments not captured under the per capita targets, including federal matching funds for a state-run ConnectorCare Wrap subsidy.

The actual experience for these and other factors is significantly dependent on how the U.S. Department of Health and Human Services implements the legislation and unpredictable factors in the future (e.g., pharmaceutical growth).

In addition to reduced federal revenue for Medicaid, the CBO also projects a reduction in employer-sponsored health insurance of 7

million people nationwide as a result of the repeal of the federal Employer Mandate. This would exacerbate a trend that Massachusetts has seen over the last several years. Massachusetts repealed the Chapter 58 Fair Share Contribution in 2013 in order to comport with the ACA. My administration has proposed reinstating an employers' shared responsibility for the costs of health care. This would be increasingly important if the federal Employer Mandate were repealed, as the AHCA proposes.

The Commonwealth does have certain protections in place that could mitigate the impact of some of these changes. Massachusetts retains its individual health insurance mandate, reducing the likelihood that many people would drop out of the insurance market due to the repeal of the federal mandate. Massachusetts also has protective insurance coverage laws that would not be superseded by the federal legislation.

The AHCA includes a provision that would prevent Medicaid from reimbursing Planned Parenthood for providing important health services such as cancer screenings. My administration opposes this provision, and has already committed to funding these services with state dollars if it should pass.

During conversations with governors across the country, the Trump Administration has expressed a general openness to providing greater state flexibility with respect to health care, including through a letter issued by HHS Secretary Price on March 14 to states. Our administration will pursue additional flexibilities to stabilize our markets and ensure continued coverage for residents and we urge you to support these efforts by leading discussions in Congress to ensure the people of Massachusetts continue to have access to a quality health care system.

Overall, our analysis indicates that the AHCA would increasingly strain the fiscal resources necessary to support the Commonwealth's continued commitment to universal health care coverage. I hope this information is helpful to you as Congress takes up the American Health Care Act.

My administration and I will continue to stay in touch with you as we work together to ensure access to quality, affordable health coverage for all Massachusetts residents.

Sincerely,

CHARLES D. BAKER,
Governor.

Mr. NEAL. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT), who played a major role in the substantive contribution he made to writing the ACA.

Mr. DOGGETT. Mr. Speaker, TrumpCare is big on Trump, but it is weak on care. After falsely promising that there would be coverage for everyone for less and better, TrumpCare only cares about huge tax breaks for the superrich and special interests, like the totally unjustified \$28 billion windfall for the pharmaceutical industry that they grab right out of the Medicare trust fund so that premiums will go up. Those earning \$1 million within a single year get 79 percent of a \$230 billion tax break, but there is no genuine relief for middle class taxpayers.

Removing the essential health benefits provisions will only enable insurers to exclude the very healthcare protections that folks thought they were getting when they paid their premiums.

Insurance plans will not just be skinny, they will be a sham; a provision that at the very time you need the care, it won't be there. Many certificates of insurance will become as worthless almost as a diploma from Trump University.

This Republican bill targets our veterans by denying them tax credits. For millions of people who are just a few years too young to qualify for Medicare, their premiums will go through the roof. It will cost thousands of dollars more in order to get insurance. Yes, the Republicans have been divided and factionalized. They are divided between those who want nothing care and those who want little care. But, mostly, they don't seem to care how many millions of people lose their health insurance.

Mr. President, this is not the art of the deal. It is the art of the steal, of taking away insurance coverage from families that really need it to provide tax breaks for those at the very top. Those who understand health care, the professionals, say reject this bill, and it should be rejected.

Mr. BRADY of Texas. Mr. Speaker, I remind my friend from Texas that 2 million Texans eligible, forced into ObamaCare and getting deep subsidies, have said: No thanks. ObamaCare has failed me.

Two out of three Texans eligible.

Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. REED), a key member of our Committee on Ways and Means.

Mr. REED. Mr. Speaker, I rise today in support of this legislation. I ask my colleagues on the other side of the aisle—as I stood in front of town halls and I listened to thousands of folks across my district say what we should be working on is fixing the Affordable Care Act to a T, I have heard my colleagues on the other side of the aisle say: It is not perfect; we need to repair it.

Yet, today we take the first step in this endeavor by the legislation that is before us, and all we hear is how bad this legislation is. All we hear today, Mr. Speaker, is how bad this first step in this journey for the American people we need to go on when it comes to American health care is.

I don't hear rhetoric saying let us talk about phase 2, let us talk about phase 3, where we can come together as Democrats and Republicans for the people we represent.

The American people are lost in this bickering that we have here in this Chamber today, but I don't forget their voice. I am not going to forget the voice of the constituents that came to me as small-business owners saying: You are putting me out of business with these insurance premiums. They are going through the roof.

I won't forget the faces of the people who are saying: My copays are going

through the roof. My deductibles are higher. I don't have coverage that I had 7 years, 8 years ago before ObamaCare.

Mr. Speaker, I implore all of us in this Chamber to work together for the American people as a whole. The American people want freedom. They don't want mandates. They want to choose the insurance that works best for them. They want to access their doctors that they select. They want to have the promise that was made to them, that they could have their insurance and keep it going forward honored and respected by this institution. That is what our legislation starts today.

Not a soul on our side of the aisle says the issue of health care will go away because of the first step we take today, because we have to do better for the American people when it comes not only to health insurance, but for health care in America. I know we can, and I want to be a voice to say let us join together to get this done for the American people.

Mr. NEAL. Mr. Speaker, I remind my colleague that his vote for this bill today will result in 68,300 people from his congressional district losing their health coverage and care.

Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. THOMPSON), a very thoughtful member of the Committee on Ways and Means who also helped to write the ACA.

Mr. THOMPSON of California. Mr. Speaker, I rise in opposition to this bad bill. It is not a step toward fixing the ACA, this is a step toward destroying health care. It was bad when it ripped health care away from 24 million Americans. It was bad when it created an age tax, forcing seniors to pay five times that of what other people pay. It was bad when it forced hardworking Americans to pay higher premiums and deductibles while billionaires get a trillion dollars' worth of tax cuts. And it was bad when it shortened the life of Medicare.

But today it got worse. Today Republicans gutted coverage for emergency services, prescription drugs, hospitalization, mental health coverage, and preventative coverage. This bill also prevents millions of veterans from getting health care. This is a truly bad bill. It will cost millions of Americans their health care. It will force them to pay more for fewer benefits, and it gives the richest Americans a huge tax cut. This is a tax-cut bill, not a healthcare bill. The American people deserve much better. I urge everyone to vote "no" on this bad bill.

Mr. BRADY of Texas. Mr. Speaker, I remind my friend from California, 1.5 million Californians forced into ObamaCare and given generous subsidies found a way to exempt themselves because ObamaCare failed.

Mr. Speaker, I am proud to yield 3 minutes to the gentleman from Pennsylvania (Mr. KELLY), a small-business-

man and a key member of our committee.

Mr. KELLY of Pennsylvania. Mr. Speaker, I am proud to stand today in support of this bill. I have been told that this is a rookie mistake. I understand that. We have been working 7 years to undo that rookie's mistake. That is why we are here today. A rookie who didn't know what he was doing, but lectured to us, told us: This is what you have to do; and if you do this, you can keep your doctor, you can keep your health plan, you can just stay on board, and we are going to insure millions of you.

Nothing could be further from the truth. The big thing was you are going to save \$2,300 on your premiums. He forgot to tell everybody but the people who were actually in that business. Incredible. Incredible.

Now, this isn't about me, and it is not about you. This is about people. We are in the people's House. Let me just read to you a couple letters from the people who I represent back home. By the way, out of the seven counties I represent, five have one insurer, and the rest of them got out because they couldn't stand to try and work under this onerous law.

Let me tell you what Amanda says: I am very happy to hear that you are working to repeal the Affordable Care Act. I just got an up-close-and-personal look at how dysfunctional it is while trying to shop for my own plan. It is hard enough to start a business in this country due to so many rules, regulations, and confounding taxes. This law makes it even harder. And I don't think the government should make me buy coverages I simply don't need. I know my situation, and I should be able to buy whatever I want without incurring four-figure tax penalties.

Jason says to me: Dear MIKE, I am a self-employed father of four feeling the hurtful effects of ObamaCare. For years there has been so much talk from Republicans about repealing ObamaCare. I am paying yet more money for less coverage. We are really feeling the effects of this in my family in our budget. My kids are going to bed hungry after dinner. We desperately need relief and now, not next year. I enthusiastically pulled the lever for Donald Trump and for you, and we are counting on you to make some real change in D.C. Please keep up the fight, and do it quickly.

So this is not about MIKE, it is not about John, it is not about any of us. What it is about is taking care of the people that we were sent here to represent. They are Republicans and they are Democrats, who some people could care less about any of us, but they expected us to do something for them. We are sitting here today because this law is so bad. If it was so good, we wouldn't have to worry, but it is bad, with a capital B.

Now, I have got to tell you, growing up, as a young kid, as it got toward Christmas—and I say this to my friends, by the way, on our side—I used to make a list right before Christmas. I put on that list everything I wanted. You know what, Mr. Speaker? Come Christmas morning, I never got everything I wanted, but I was so thankful for everything I got.

We have to deliver today. We have to keep a promise today to the American people. We have to backtrack on a rookie mistake 7 years ago and make it better for the American people, not just for Republicans, not just for Democrats, not just for those who vote blue or red, but for those who expect us to do what we are supposed to do in the people's House. This is not the Republican House or the Democrat House, this is the people's House.

Isn't it time for all of us to come together to get this done?

We have a marvelous opportunity, but we could lose it. I ask you all and I urge you all to please vote for this act.

Mr. NEAL. Mr. Speaker, I remind my colleague and my friend that with his vote for this bill, 41,400 people from his congressional district in Pennsylvania will lose their healthcare coverage.

Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. LARSON), who is from an adjacent district and a close friend and a long-time member of the Committee on Ways and Means and an individual who also contributed mightily to the development and writing of the Affordable Care Act.

Mr. LARSON of Connecticut. Mr. Speaker, I associate myself with Mr. NEAL's remarks, and especially him framing this issue from the outside about the arc of history.

As we have witnessed in this Chamber time and again, dating back to Franklin Delano Roosevelt, when you look at the impact of 24 million people, you have to look at your colleagues on the other side of the aisle and say: Are you frozen in the ice of your indifference to what impacts the daily lives of people who have showed up at our forums and the forums that you have conducted?

The sheer humanity of what is taking place across this country cries out for a solution. Yet all we have heard, as Mr. NEAL said, is the helter-skelter back and forth of who is winning politically, what is happening with the Freedom Caucus, what is going to—if Trump loses, is RYAN out?

The American people don't care about that. They care about their families. And this is the institution that we were sent to to work on their behalf. It is up to us to come together and work on behalf of the American people.

This is not a healthcare bill. This is a tax bill. We are going to work on that later on, but we shouldn't start by saying that we are going to have a transfer of wealth in this Chamber from people who are begging and pleading and

showing up at the townhalls and asking for our help, and our answer is a transfer of wealth in a tax bill. Everybody wants to know why we are taking this up first and not taxes. Because it is a tax bill, that is why.

□ 1430

Mr. BRADY of Texas. Mr. Speaker, I would remind my friend from Connecticut that 190,000 residents in Connecticut, two out of three eligible for ObamaCare, believed it failed them so badly they paid a tax or exempted themselves.

Mr. Speaker, I yield 2 minutes to the gentlewoman from South Dakota (Mrs. NOEM), who has weighed in in such a key way on health care.

Mrs. NOEM. Mr. Speaker, it is no surprise that the Democrats today are upset, that they are complaining that they don't like this bill, because their number one goal all along, and I have heard them say it to me in conversations over the years, their number one goal was to go to a single-payer system. They wanted government-run health care, and we are on the track to that today.

In fact, in my home State of South Dakota, at one time, we had 17 options and companies that people could shop for their healthcare policies from. Today we have two.

We are well down our road now to giving them exactly what they want. They hate this bill because it puts people back in control of their own health care. It doesn't let some bureaucrat in Washington, D.C., decide what treatment they can get in the future. It lets people decide that with their doctors.

This is a vote, today, for freedom for people who have lived under the bureaucracy of the Federal Government not giving them options on how to take care of themselves and their families.

Rising costs, shrinking options, increasing bureaucracy under ObamaCare has taken healthcare control away from patients, away from people, away from families struggling to pay their bills; and, against their best and own common sense and household budgets, they are forced to pay \$10,000, \$15,000, \$20,000 more per year for health coverage, health coverage which has a deductible so high that they don't even utilize it then because they can no way meet the \$6,500 deductible, \$10,000 deductible, \$12,000 deductible. So they don't even use it at all if they do have it. Their stories are reflected in all the data that we have seen.

One hundred percent of the healthcare options on healthcare.gov in South Dakota have seen double-digit rate increases. Meanwhile, the number of providers families have to choose from has gotten much, much worse.

We have a responsibility to eliminate ObamaCare's individual and employer mandates, which today's legislation does. It also abolishes the taxes that

were included in ObamaCare, up to \$1 trillion of taxes that were put on health care in order to pay for the bill, which will be eliminated as well.

If left in place, the health insurance tax alone will raise costs on families up to \$5,000 over the next decade.

Bipartisan congressional Members have repeatedly opposed taxpayer funding of abortions, and that is fixed in this bill as well.

When we talk about health care, we are talking about something very personal, which is why I want patients put back in control.

Mr. NEAL. Mr. Speaker, I would remind my colleague that her vote for this bill will result in 63,000 people in South Dakota losing their healthcare coverage and care.

Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER), a visionary, certainly, a forward-looking individual who also helped to write the ACA.

Mr. BLUMENAUER. Mr. Speaker, it has come to this: considering hopelessly flawed legislation that the Republicans have had 7 years to prepare for and still couldn't do it right. It may still pass, but it is never going to be enacted because most people are figuring it out. They don't like it and they are being heard. That is why this bill has been stalled and the Republicans have been forced to twist the legislation in this fashion.

But the bottom line remains: TrumpCare will cost more for people who need it the most. It will hurt older and lower-income people in order to create tax cuts for people who need them the least. TrumpCare will destabilize health insurance and will slowly but surely destroy Medicaid.

It didn't have to be that way, but as long as people continue speaking out and fighting back with us, it won't be in the future, and we can have a new era in health care and in politics.

With their help, it will be.

Mr. BRADY of Texas. Mr. Speaker, I remind my dear friend from Oregon, 153,000 Oregonians eligible for ObamaCare with generous subsidies said thank you, but no thank you.

Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. RICE), my good friend and a key member of the Ways and Means Committee.

Mr. RICE of South Carolina. Mr. Speaker, I stand in strong support of the American Health Care Act and urge my colleagues to vote in favor of the bill.

ObamaCare was built on broken promises. President Obama said you could keep your policy, keep your doctor, and it would bring down the cost of the insurance for a family of four by \$2,500 per year.

It is time for the lies to stop. Let me share with Members the shameful reality of ObamaCare in South Carolina.

It turns out you couldn't keep your doctor. In fact, the Medical University

of South Carolina is not an accepted provider under ObamaCare in South Carolina. That is right. South Carolinians cannot go to the Medical University of South Carolina if they are covered by ObamaCare exchange policies.

It turns out you couldn't keep your policy. It is hard to believe, but more South Carolinians had their plans canceled by ObamaCare than have enrolled in the exchanges. 237,000 South Carolinians' policies were canceled in ObamaCare.

It turns out South Carolinians did not see a \$2,500 reduction in their healthcare premiums. In fact, premiums have increased by double digits every year since the exchange opened; and this year, premiums increased 28 percent and deductibles 26 percent.

I submit to you that if you have a health insurance policy with \$6,000 in deductibles and copays so high you can't afford to use your policy, regardless of the fact that statistics say you are covered, you are not covered.

206,000 South Carolinians have signed up for ObamaCare—4 percent of the population. Ninety-six percent of South Carolinians are not on ObamaCare. Three times as many people in South Carolina have chosen to pay the mandate penalty rather than to pick up ObamaCare policies.

Mr. Speaker, President Obama promised South Carolinians we would have many competitive plans to choose from, but after only 3 years of Obama's damage to our healthcare system, only one provider remains, and they are threatening to pull out.

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

Mr. BRADY of Texas. Mr. Speaker, I yield an additional 15 seconds to the gentleman from South Carolina.

Mr. RICE of South Carolina. The CEO of a major hospital in South Carolina stated, the way it is going right now, it is probably going to implode in the next year or two. Our State's director of insurance, last year, said companies have given their best shot and can't sustain this business model, can't make a profit. The Affordable Care Act has not worked, does not work, and cannot work under this structure in South Carolina.

Mr. NEAL. Mr. Speaker, I would remind my colleague that his vote for this bill will result in 70,000 people in his congressional district in South Carolina losing their healthcare coverage.

Mr. Speaker, I now yield 1½ minutes to the gentleman from Wisconsin (Mr. KIND), who is a thoughtful member of the Ways and Means Committee and lucky enough to have been educated in the Commonwealth of Massachusetts.

Mr. KIND. Mr. Speaker, we face a truly historic day today in the United States Congress. For the first time in our Nation's history, we have a Congress working with an administration

offering the American people a healthcare reform bill that, instead of reducing the number of uninsured in this country, increases the uninsured by 24 million people, including 431,000 in my home State of Wisconsin.

And we understand why. It is a simple explanation. This is a tax cut bill for the most wealthy in the guise of healthcare reform. That is unfortunate because it is a missed opportunity of fixing what isn't currently working in the healthcare system.

If we wanted to be honest with the American people today, we would admit that there are important, good features of the Affordable Care Act that should remain and we should not end. But there are things that need to be fixed, and we have to stay focused on reducing healthcare costs for all Americans. Let's continue to work on delivery system reform and payment reform so we get better results at a better price.

But a bill before us that increases the uninsured by 24 million, that delivers huge tax breaks to the most wealthy, that applies a new older American tax, especially in rural areas like mine in Wisconsin, and that robs money from the Medicare trust fund is not only a missed opportunity, it is bad legislation.

I encourage my colleagues to vote "no." We can do better. We must do better.

Mr. BRADY of Texas. Mr. Speaker, I remind my good and thoughtful friend that 290,000 Wisconsinites that chose not to get ObamaCare were willing to pay a tax to stay out of a failed healthcare system.

I am proud to yield 2 minutes to the gentlewoman from Indiana (Mrs. WALORSKI), a new member of our committee who is doing tremendous things in health care.

Mrs. WALORSKI. Mr. Speaker, I rise today in strong support of the American Health Care Act.

Yesterday marked 7 years since the ObamaCare law was signed into law. For 7 years, we have seen the same pattern: rising premiums, dwindling options, broken promises, and a collapsing system.

In the State of Indiana, four insurers left the ObamaCare exchange just this year in the past 3 months, forcing 68,000 Hoosiers to shop for a new plan, making it even harder for them to choose and keep their doctor.

But today we have the opportunity to repeal ObamaCare and replace it with a patient-centered system, lowering costs, increasing choices, and providing real protection.

This legislation dismantles ObamaCare's burdensome taxes, mandates, and the job-killing medical device tax.

It gives individuals and families access to quality, affordable health care through refundable tax credits and expanded health savings accounts.

It provides resources for States to tailor solutions to the needs of their citizens, protecting women's health, addressing the opioid crisis.

It gives States flexibility to implement innovative reforms.

It allows my home State to continue building on its patient-centered Healthy Indiana Plan.

It protects patients with preexisting conditions and ensures a stable transition so no one has the rug pulled out from underneath them.

With the American Health Care Act, we are delivering on our promise and acting on the policies of President Trump. This bill is just the first step in a three-part effort to repair our Nation's healthcare system. Coupled with administrative actions and additional legislation, the AHCA will lower costs and build a marketplace with real choices instead of a one-size-fits-all plan.

Mr. Speaker, 7 years of ObamaCare is long enough. Seven years of families seeing their premiums rise, plans canceled, and doctors dropped is enough. Today we can deliver on our promise and put our bold solutions into decisive action. The AHCA is a bill 7 years in the making. I urge my colleagues to join me in supporting it.

Mr. NEAL. Mr. Speaker, I remind my colleague that her vote for this bill will result in 42,000 people in her congressional district in Indiana losing their healthcare coverage and care.

I include in the RECORD a letter from Republican Governor Snyder of the State of Michigan raising his concerns about this legislation.

STATE OF MICHIGAN,
EXECUTIVE OFFICE,
Lansing, MI, March 21, 2017.

Hon. SANDY LEVIN,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE LEVIN: As Congress considers legislation to repeal and replace the Affordable Care Act and reform Medicaid, I want to ensure you are aware of the impact that changes may have on beneficiaries in Michigan who rely on these programs for access to care and overall health. I also want to provide my perspective on priorities for federal health reform and highlight how they have been utilized at the state level to drive meaningful reform that has increased access to cost-effective care.

In its current form, the American Health Care Act (AHCA) shifts significant financial risk and cost from the federal government to states without providing sufficient flexibility to manage this additional responsibility. The proposed legislation reduces federal resources that our state relies on to assist 2.4 million Michiganders enrolled in traditional Medicaid and the Healthy Michigan Plan, our state's innovative Medicaid expansion program.

The current federal debate has largely focused on the Medicaid expansion population, including over 650,000 childless adults and parents that are enrolled in the Healthy Michigan Plan. However, half of all children in Michigan are served by traditional Medicaid each year and roughly 67,000 of them currently reside in your district. Moreover,

more than 338,000 individuals with disabilities receive their health care and support services through Medicaid and an estimated 22,000 of these individuals reside in your district. Altogether, there are 1.75 million children, seniors, pregnant women and disabled individuals served by traditional Medicaid in Michigan, and roughly 119,000 of them reside in your district. As you know, these are our state's most vulnerable citizens, friends and neighbors. The proposed AHCA will adversely impact them.

While reforming the nation's health care system is vital, it is imperative that gains in health coverage and access to care are maintained. These ideas are not mutually exclusive.

In Michigan, innovative approaches to improving quality and value are being utilized to support each individuals' personal responsibility for their health. This has resulted in significant reductions of nearly 50% in uncompensated care, a dramatic decrease in the number of individuals using the emergency room as a regular source of care, and nearly 85% of enrollees taking part in annual primary or preventive care visits. As drafted, the AHCA would eliminate coverage from the 49,000 individuals enrolled in the Healthy Michigan Plan in your district, as Michigan taxpayers assume responsibility over time for up to \$800 million in additional costs. This cost shift will trigger a provision in Michigan law ending the Healthy Michigan program.

I believe Medicaid reform is necessary, however, that reform must be approached deliberately to ensure that state flexibility and innovation are valued, Michigan providers remain strong, and our most vulnerable citizens do not fall through the cracks. Ideally, this would be done by removing prescriptive program requirements that require states to seek waivers when implementing innovative ideas. Instead, states would be given performance based outcomes with federal involvement only when performance is lacking.

If Congress moves forward in passing the proposed AHCA, which shifts financial risk to state taxpayers, my administration and the Michigan Legislature must possess the flexibility necessary to manage that risk. The Trump Administration may provide additional flexibility to states, however, I am concerned that federal agencies may encounter limitations in federal statute. Ultimately, Michigan cannot rely solely on the promise of future action without seeing all of the tools that will be at our disposal to manage the program.

In addition, under the proposed AHCA, I remain concerned about the affordability of insurance coverage in the individual market. I am particularly concerned about the impact this legislation may have on older Michiganders who could see significant cost increases.

I welcome the opportunity to partner with you to provide greater federal budget predictability and improve health outcomes of Michiganders, which in turn relieves pressure on other social programs. I have worked with other Governors to develop a proposal to accomplish these objectives while also preserving coverage for Michiganders, and I hope this can serve as a blueprint for you as we work together to accomplish these goals.

I look forward to continuing our partnership to help Michiganders lead healthy and productive lives.

Sincerely,

RICK SNYDER,
Governor.

Mr. NEAL. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL), who is a well-regarded member of the Ways and Means Committee. I think it is fair to say that everybody in this institution looks forward to his time when he gets up to speak.

Mr. PASCRELL. Mr. Speaker, the question I get asked is: What the heck were they thinking about?

Let me tell you what they are thinking about. Medicaid is the source of 25 percent of all projected public and private spending for drug abuse treatment. It is about \$8 billion.

Let's consider James Suber from my hometown of Paterson, New Jersey. Mr. Suber began seeking treatment when New Jersey expanded its Medicare program and provided more comprehensive access to treatment.

At least New Jersey got it half right.

Each morning Mr. Suber receives treatment at Paterson Counseling Center, which allows him to go to work as a cleaner at Well of Hope, another treatment center in Paterson serving the homeless.

Without the treatment he receives through Medicaid, he wouldn't be working. He would be using the emergency department at St. Joseph's hospital, the most expensive part of the hospital. Or maybe he wouldn't have survived.

So, Mr. Speaker, for the life of me, I don't understand why we would jeopardize treatment for James and the millions of other Americans facing similar challenges. What were they thinking?

Will this bill improve Medicaid? Nope.

Will this bill increase the number of Americans with health coverage? Nope.

Will it lower costs on the exchanges? Nope.

Will this bill bolster employer coverage? No.

Will coverage now provide more access to care, a promise time and time again by Mr. Trump, himself? No.

Will it strengthen Medicare? No.

□ 1445

Mr. Speaker, it is obvious. We know we are trying to change things and make them better.

We changed Medicare. We did it together.

We changed Medicaid. We did it together.

We changed a lot of things together, but you chose the only lonely path.

Mr. BRADY of Texas. Mr. Speaker, I remind my good friend from New Jersey that 314,000 residents of New Jersey said "no thank you" to ObamaCare because it failed them.

I yield 2 minutes to the gentleman from Michigan (Mr. BISHOP), a new member of the committee, who dove into this issue with great thoughtful and conscientious work.

Mr. BISHOP of Michigan. Mr. Speaker, I rise today in support of the American Health Care Act, and I want to thank the chairman for his leadership on this measure.

Mr. Speaker, I came to Washington, D.C., to make a difference. When it comes to health care, it is readily apparent that ObamaCare does not work for most Americans. We know for a fact, as we are standing here today, that the current system is collapsing upon itself.

Our Nation has endured 7 long years of this mess, and today we have the obligation and the responsibility to act. I have heard many critics of this proposal, but I was raised to do what is right, to be a part of the solution, and not sit idly by on my hands as a spectator and watch Rome burn.

I came to Congress to make a difference, to find solutions to the many issues that vex our country. I came here to reduce the size and scope of an unwieldy government, to get government out of the way of everyday citizens. I came here to address spending, a \$20 trillion debt in this country, to bring back free-market principles. I came here to defend the Constitution and our founding principles, and turn power back to the States and to the people.

All that said, every single one of these principles can be found in this bill. The American Health Care Act reduces spending and cuts the taxes that have strangled businesses and individuals for the last 7 years. It represents the first real entitlement reform in the 52-year history of Medicaid. It deletes Federal mandates that rob citizens of their individual liberty.

Mr. Speaker, this bill may not be perfect, but it is a dramatic step in the right direction. And before I am lectured as to unsubstantiated facts and fear tactics as to how this is going to impact my State, I would suggest to you that 420,000 Michiganders eligible for Medicare said "thanks, but no thanks" to the broken promise of affordable health care.

And that is why, Mr. Speaker, I am going to vote for this bill, and I would ask my colleagues to support it.

Mr. NEAL. Mr. Speaker, I would remind my colleague that his vote for this bill will result in 38,200 people from his congressional district in Michigan losing their healthcare coverage, and 313,123 people in the State of Michigan, indeed, did sign up for the Affordable Care Act.

Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. CROWLEY), a long-time friend, a very sound member of the committee, and also the well-regarded chairman of the Democratic Caucus.

Mr. CROWLEY. Mr. Speaker, this bill is a bad policy built on horrible process. Twenty-four million Americans will lose their coverage if this bill be-

comes law. Premiums and out-of-pocket expenses will skyrocket, especially for older Americans because of the age tax, as hardworking Americans are forced to subsidize tax cuts for the wealthy.

It is no wonder this bill was crafted in the dead of night behind closed doors. It is so bad, even Members of the Republican Party are rejecting this bill, but President Trump and Republican leadership insisted they need to repeal ObamaCare at any cost, even if the price will be making health care out of reach for veterans, for seniors, and many of the hardest-working Americans.

So the majority made it worse, and then they made it worse again. Now they have taken away the bare minimum requirements for insurance like covering emergency room visits or prescription drugs. It will crush any protections for preexisting conditions. There is no guarantee the treatment you need for your condition will even be covered under this bill. Imagine that: healthcare coverage that doesn't cover your health. Insurance that insures absolutely no peace of mind for what life may bring you.

This body blow to critical health protections was done just to win votes, like so many of the other provisions and political favors, like the Empire State kickback, the Buffalo bribe, and the Syracuse sellout. I call it simply a political ploy.

That provision, which will cut \$2 billion from only New York State, has been blasted by newspapers from The Buffalo News to Newsday on Long Island. They have called it a train wreck. They have called it bloody money. Like everything else in this bill, it represents the worst kind of backroom, shady maneuvering.

This bill is bad for New York, bad for the democratic system, and bad for America. My colleagues on the other side of the aisle should be ashamed of themselves. I know many of you are. But this bill is appalling, and I urge everyone in this Chamber to vote it down. And, Mr. Chairman, I know that 2.7 million New Yorkers will lose their health care if this bill becomes law.

Mr. BRADY of Texas. I remind my friend from New York, nearly four out of five New Yorkers said "no" to ObamaCare because it failed them.

Mr. Speaker, I yield 1 minute to the gentleman from Iowa (Mr. KING), my dear friend.

Mr. KING of Iowa. Mr. Speaker, I want to thank the chairman for yielding to me.

Seven years ago today, I brought the first repeal of ObamaCare here to this Congress. Forty words, to rip it out by the roots as if such act had never been enacted. I would like to be here today passing the full repeal of ObamaCare. We are not, but this is the first bite at

the repeal apple in a process to hopefully get all of this thing done in one day.

If I thought we could do it all in one bite, I would stand for that, but instead, here is what we have got. We have got a \$1 trillion tax cut. We have got a \$1.15 trillion spending cut. We have got a \$150 billion deficit reduction. We have got a bill that eliminates the employer mandate, eliminates the individual mandate, and it eliminates Federal mandates in the essential health benefits package of those 10 mandates—that I despise, by the way.

It expands health savings accounts—doubles them—it allows for us to pass selling insurance across State lines, and it enables catastrophic health insurance. That is a pretty good list, and that is the list of things that I am going to support here when this goes up for a vote.

Mr. Speaker, I urge its adoption.

Mr. NEAL. Mr. Speaker, I remind my colleague that his vote for this bill will result in 40,900 people from his congressional district in Iowa losing healthcare coverage. I also want to thank the gentleman for being the first speaker on the Republican side to acknowledge that this is a tax cut.

Mr. Speaker, I yield 1 minute to the gentleman from Chicago, Illinois (Mr. DANNY K. DAVIS), a distinguished member of the Ways and Means Committee and my friend.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise in strong opposition to this draconian, Dracula-inspired health bill. It is not really a health bill at all. As a matter of fact, it is a tax cut for the wealthiest individuals in our country. This bill will decimate all of the public health gains that professional health personnel and activists have fought for the last 50 years.

This bill will take out the opportunity for those low- and moderate-income individuals who fall between the gap created by Medicaid and nothing. They are the least of those in our society. And when you take away health care for that group of individuals, history will not regard you well.

I believe that the best way to measure the effectiveness of a society is by how well it treats its young, how well it treats its old, and how well it treats those who have difficulty caring for themselves.

I will vote “no.” I urge us all to do so.

Mr. BRADY of Texas. Mr. Speaker, I remind my good friend from Illinois, half a million Illinoisans have said “no” to ObamaCare because it failed them.

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

Mr. NEAL. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. SÁNCHEZ), the vice chair of the Democratic Caucus, and a very strong performer on the Ways and Means Committee.

Ms. SÁNCHEZ. Mr. Speaker, I rise today in opposition to the Republican’s so-called healthcare bill.

It pains me to even call it a healthcare bill because it is actually a massive tax cut for insurance CEOs that provides nearly zero healthcare benefits for the American people.

In fact, TrumpCare ensures that 24 million Americans will lose their health insurance coverage. Seniors will be charged more, and insurance companies will once again dictate the health of the American people. On the very day that the majority tax cuts for the rich come into effect, on January 1, 2018, at least 40,000 of my own constituents would immediately lose their health care.

But that is not all. The Republican idea of health coverage will leave millions of Americans without the basic health services that they expect and that they deserve. That means that the monthly premium you pay won’t cover all of the services you will need to get better if you get sick. The Republican healthcare plan won’t cover your emergency room visit, the X-rays, or even the prescription drugs you need to recover.

Heaven forbid if you need prenatal or pediatric care, too. Basically, under this plan, one illness is enough to bankrupt a family for a lifetime. If you asked anyone on the street, no one in America would call this health insurance. Yet, my Republican colleagues hail this as choice—the choice to go bankrupt if you get sick or, God forbid, have an accident.

So, Mr. Speaker, I have to ask: How many Republicans are left who actually support the bill? Who wants to kick thousands of people off of Medicaid, reduce care for the disabled, and strip children of their health care because that is exactly what you are going to do if you vote for this bill. It does the exact opposite of what you, your party, and President Trump have promised the American people.

This bill doesn’t provide better, cheaper health care for everyone. And guess what? Everybody knows that. By voting for this bill, you will literally force millions of Americans to pay more for less and jeopardize the health of our country for generations.

So if you vote to break all of the promises you made to the American people, then you are going to own it, and you are going to be responsible for whatever happens. Vote down this bill.

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

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentlewoman from Alabama (Ms. SEWELL), a valued member of the Ways and Means Committee.

Ms. SEWELL of Alabama. Mr. Speaker, for 7 years, our Republican colleagues have railed against the Affordable Care Act, but is this the best they can offer now: TrumpCare? The Repub-

lican bill, TrumpCare, is a bad deal for Americans, and it is a bad deal for Alabamians.

By every matrix, cost, coverage, and care, it is a bad deal. On cost, TrumpCare will cost more and give us less. For Alabama hospitals, TrumpCare will mean a \$97 million increase in uncompensated cost care, and it is an age tax for seniors. Seniors will pay five times more than the young for their health insurance.

On coverage, TrumpCare will mean 24 million Americans and 243,000 Alabamians will lose their healthcare coverage. On quality of care, TrumpCare will mean that essential benefits will be lost: essential benefits like rehabilitative care, mental health, and preventive services.

Mr. Speaker, what is clear, TrumpCare is not a healthcare bill. It is a tax-cut-for-the-wealthy bill—\$600 billion in tax cuts. So I say to you, my Republican colleagues know what they are against, the Affordable Care Act. But what are they for? What are they for? I ask all of you.

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

Mr. NEAL. Mr. Speaker, might I inquire as to how much time remains?

The SPEAKER pro tempore. The gentleman from Massachusetts has 5¾ minutes remaining under this committee time allocation.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. CHU), a new member on the Ways and Means Committee, and a very thoughtful Member of Congress.

□ 1500

Ms. JUDY CHU of California. Mr. Speaker, my constituent Patty never had to worry about health care. Her husband had insurance through his job. But last year, Patty’s husband passed away suddenly. Overnight, Patty found herself without health coverage for herself and her 20-year-old son, who had a preexisting condition.

Even though she was grieving over the sudden loss of her husband, Patty couldn’t afford COBRA and had less than a month to find health care for her family. Thank goodness she was able to get coverage through the ACA.

Under TrumpCare, Patty could have her life upended all over again. Patty is 62 years old, and TrumpCare would cause premiums for people over 60 to increase by more than \$6,000 a year, making insurance unaffordable. And under the age tax created in this bill, insurance companies could charge Patty five times as much as a young person. She could see skyrocketing costs for her hypertension and doctor’s visits.

TrumpCare is a bad deal for Americans like Patty.

Mr. Speaker, I urge my colleagues to vote a resounding “no” to this downright cruel bill.

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

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, this so-called health bill is actually just mostly targeted for tax cuts for the wealthiest among us.

Let's look at it this way: a millionaire will get a \$30,000-a-year tax cut. A 64-year-old senior who earns \$30,000 a year—that is all he earns, just the tax cut the millionaire gets—they will see their premium go from \$1,700 a year, to \$15,000 a year. That is half their income.

They are going to have a choice: give up their house so they can buy health insurance or don't buy health insurance, pray you don't have a health emergency, and go bankrupt or die. Those are great choices.

This says a lot about the values of the Republican leadership and their obsession. Instead of fixing the problems with the Affordable Care Act, they want to kill it. It says a lot about their values. They are pathetic.

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

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentleman from Arizona (Mr. O'HALLERAN).

Mr. O'HALLERAN. Mr. Speaker, I rise in strong opposition to the so-called American Health Care Act. I am alarmed at the real consequences this bill will have on rural Arizona and rural America.

These communities will be disproportionately harmed by this bill. In Coconino County, a 40-year-old making \$30,000 a year will go from a \$2,400 payment to a \$6,000 payment.

Getting away from my script for a second, I spent many years on the west side of Chicago looking at what the core side of poverty looks like night after night, family after family, in our cities and our towns in this wonderful America. I know a little bit about math, and I know that 20 million people insured is better than 24 million people uninsured.

Please vote "no."

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

Mr. NEAL. Mr. Speaker, I yield 30 seconds to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, this is not a healthcare bill. This is a wealth care bill.

Unfortunately, President Trump, when he spoke in Louisville, said we had to pass this bill to get the big tax cuts. It is about wealth care. It is the Ebenezer Scrooge law of this Congress.

The insurance you will get with the amendments made will be as worthless as the degree from Trump University. We do not need wealth care, but we need health care.

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

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

In closing, I want to make sure the people of America understand what we are doing here in about 1 hour. We heard during the course of a Presidential campaign the promise that everything was going to be covered and we would be tired of winning.

If winning means that 24 million Americans are going to lose their healthcare coverage, if winning means imposing an age tax on seniors, if winning means higher out-of-pocket costs for working Americans, and if winning means robbing \$75 billion from the Medicare trust fund, we don't want to be part of that victory lap.

This isn't about one person making up alternative facts. Our statements today have been based upon the CBO, the National Rural Health Association, the American Medical Association, the American Association of Retired Persons, and the March of Dimes.

This bill has fewer covered, weaker protections, and higher costs. Let's call this what it is today; it is a \$1 trillion tax cut for the richest amongst us.

The Republicans are now facing the art of the ordeal. They have a bad plan, and they know it. They have scrambled for the last week to try to figure out how to stitch it together, and it hasn't worked.

For those across this country, think of the following: no maternity care, fewer hospital visits, no mental health services for those families who are struggling with a family member who has an opiate addiction, which is the crisis of our time.

This is more of the same: tax cuts for the wealthiest amongst us and healthcare cuts for everyone else.

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

Mr. BRADY of Texas. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, do you want to know how bad ObamaCare is?

Twice as many Americans have exempted themselves, have paid a fine, or found another way out of ObamaCare for everyone who took it.

I am a conservative, and I am proud of the conservative win in this bill. I am proud of the \$1 trillion in tax relief on our small businesses, our patients, and our families. I am proud of the more than \$1 trillion of spending cuts that Washington cannot afford nor sustain. I am proud of the first reforms in Medicaid since the program was created in giving States back control of that plan, including the option of a work requirement.

I am proud to repeal ObamaCare mandates that have forced Americans into health care they can't afford and don't want. I am proud to defund Planned Parenthood once and for all. And I am proud of the \$150 billion of deficit reduction.

This is a clear choice, and we will stand where we stand today: the choice between President Trump and more freedom or ObamaCare and less freedom. I stand with President Trump.

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

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

I include in the RECORD a letter dated March 7, 2017, from Dr. Thomas Price, the Secretary of Health and Human Services, who sent a letter of support for the American Health Care Act to Chairmen WALDEN and BRADY.

THE SECRETARY OF
HEALTH AND HUMAN SERVICES,
Washington, DC, March 7, 2017.

Hon. GREG WALDEN,
Chairman, Committee on Energy & Commerce,
Washington, DC.

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

DEAR CHAIRMAN WALDEN AND CHAIRMAN BRADY: On behalf of the Trump Administration, I am writing in support of the reconciliation recommendations recently released for consideration by your Committees. Together, they align with the President's goal of rescuing Americans from the failures of the Affordable Care Act. These proposals offer patient-centered solutions that will provide all Americans with access to affordable, quality healthcare, promote innovation, and offer peace of mind for those with pre-existing conditions.

Your legislative proposals are consistent with the President's commitment to repeal the Affordable Care Act; provide advanceable, refundable tax credits for Americans who do not already receive such tax benefits through health insurance offered by their employers; put Medicaid on a sustainable path and remove burdensome requirements in the program to better target resources to those most in need; empower patients and put healthcare dollars and decisions back into their hands by expanding the use of health savings accounts; ensure a stable transition away from the Affordable Care Act; and protect people with pre-existing conditions.

Achieving all of the President's goals to reform healthcare will require more than what is possible in a budget reconciliation bill, as procedural rules on this type of legislation prevent inclusion of key policies such as selling insurance across state lines, lowering drug costs for patients, providing additional flexibility in Medicaid for states to manage their programs in a way that best serves their most vulnerable citizens, or medical legal reforms. Your proposals represent a necessary and important first step toward fulfilling our promises to the American people. We look forward to working with you throughout the legislative process, making necessary technical and appropriate changes, and ensuring eventual arrival of this important bill on the President's desk.

Yours truly,

THOMAS E. PRICE, M.D.,
Secretary.

Mrs. BLACK. Mr. Speaker, I include in the RECORD a letter that comes from 24 of our Governors in support of the repeal of ObamaCare, and I would like to read just two quick paragraphs out of the letter:

"We support efforts to Reform the system.

“To provide access to affordable and quality health care, we must reform the system. We support a plan that gives state governments maximum flexibility to reform Medicaid and the system surrounding it. The states are more effective, more efficient and more accountable to the people. What works in one state may not work in another location, and true reform will allow states to recognize and meet the unique needs of the people all across America.

“We recognize that a vote in the House of Representatives is the first step in the Repeal, Replace and Reform process. The members of the United States Senate will undoubtedly make additional improvements before final approval by the President. We also recognize that the Secretary of Health and Human Services is committed to working with state leaders to provide maximum flexibility for true reform.”

MARCH 24, 2017.

Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate,
Washington, DC.

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

DEAR LEADER MCCONNELL AND SPEAKER RYAN: Thank you for your service to our country. Please allow us to offer our thoughts about the pending vote on the American Health Care Act. Americans want personalized, patient-centered healthcare that treats them as individuals not a statistic, and that demands we repeal Obamacare, replace it, and reform the system.

WE SUPPORT THE REPEAL OF OBAMACARE

Obamacare is collapsing. If we do nothing, people will lose access to health care coverage. As it stands now, one-third of the counties nationwide have only a single insurance carrier. Americans in these areas have essentially no choices, while they watch their premiums rise dramatically. The Congressional Budget Office estimates that 28 million Americans will lose coverage over the next decade if changes are not made to the Affordable Care Act.

As the Affordable Care Act continues to deteriorate, and as insurance premiums skyrocket across the nation, opposition to this failed policy grows. Governor Mark Dayton (D-MN) said, “the Affordable Care Act is no longer affordable.” Similarly, Bill Clinton called ObamaCare, “. . . the craziest thing in the world,” adding that people “wind up with their premiums doubled and their coverage cut in half.” The President and Congress must act now to repeal the Affordable Care Act to protect the citizens we serve in the states.

WE SUPPORT EFFORTS TO REPLACE OBAMACARE

Most Americans receive their health insurance coverage through their employer or through Medicare. These individuals will not see a direct change from the repeal of Obamacare. For those Americans who do not receive coverage through their employer, Medicare or Medicaid, we support a refundable tax credit they can use to obtain affordable health care coverage within the marketplace.

WE SUPPORT EFFORTS TO REFORM THE SYSTEM

To provide access to affordable and quality health care, we must reform the system. We

support a plan that gives state governments maximum flexibility to reform Medicaid and the system surrounding it. The states are more effective, more efficient and more accountable to the people. What works in one state may not work in another location, and true reform will allow states to recognize and meet the unique needs of people all across America.

We recognize that a vote in the House of Representatives is the first step in the Repeal, Replace and Reform process. The members of the United States Senate will undoubtedly make additional improvements before final approval by the President. We also recognize that the Secretary of Health and Human Services is committed to working with state leaders to provide maximum flexibility for true reform.

Governors are pleased to have an administration and a Congress willing to collaborate with the states to address the legitimate needs of our people. We have compassion for those concerned about the uncertainty surrounding the changes. This is why it is imperative that the Congress act quickly on Repeal, Replace and Reform.

This is a multi-stage process. There is much more work to be done, and process can only begin with a vote in the House of Representatives. With this in mind, we humbly request that you vote to repeal and replace ObamaCare and to reform the system going forward. Thank you.

Sincerely,

Governor Scott Walker, Wisconsin; Governor Robert Bentley, Alabama; Governor Rick Scott, Florida; Governor C.L. “Butch” Otter, Idaho; Governor Eric Holcomb, Indiana; Governor Terry E. Branstad, Iowa; Governor Sam Brownback, Kansas; Governor Matt Bevin, Kentucky; Governor Paul R. LePage, Maine; Governor Phil Bryant, Mississippi; Governor Eric R. Greitens, Missouri; Governor Pete Ricketts, Nebraska; Governor Christopher T. Sununu, New Hampshire; Governor Doug Burgum, North Dakota; Governor Ralph Torres, Northern Mariana Islands; Governor Mary Fallin, Oklahoma; Governor Henry McMaster, South Carolina; Governor Dennis Daugaard, South Dakota; Governor Bill Haslam, Tennessee; Governor Gary R. Herbert, Utah; Governor Matthew H. Mead, Wyoming.

Mrs. BLACK. Mr. Speaker, I include in the RECORD a list of groups supportive of the American Health Care Act. We have many groups, from conservative groups to pro-life groups, to industry groups; and among those would be several insurance providers, such as Blue Cross Blue Shield, Anthem, and others.

GROUPS SUPPORTIVE OF THE AMERICAN HEALTH CARE ACT CONSERVATIVES

American Legislative Exchange Council
Americans for Tax Reform
Association of Mature American Citizens
Center of the American Experiment
Citizens Against Government Waste
Independent Women's Voice
Institute for Liberty
Log Cabin Republicans
Market Institute
National Taxpayers Union—Key Vote
Obamacare Repeal Coalition
Six Degrees Project
Small Business & Entrepreneurship Council
Taxpayers Protection Alliance
PRO-LIFE GROUPS
American Center for Law and Justice

Catholic Medical Association
Concerned Women for America
Faith & Freedom Coalition—Key Vote
National Right to Life—Key Vote
Susan B. Anthony List

INDUSTRY

Advanced Medical Technology Association (AdvaMed)
America's Health Insurance Plans (AHIP)
American Benefits Council
American Builders and Contractors
American College of Cardiology
American Supply Association
Anthem Insurance
Associated General Contractors of America—Key Vote
Blue Cross Blue Shield
Consumer Healthcare Products Association
Corporate Health Care Coalition
Employers Council on Flexible Compensation
ERISA Industry Committee (ERIC)
Food Marketing Institute
Health Leadership Council
HSA Council
International Franchise Association (IFA)
Medical Device Manufacturers Association (MDMA)
National Association of Manufacturers (NAM)
National Association of Wholesale Distributors (NAW)—Key Vote
National Business Group on Health
National Club Association
National Council of Chain Restaurants
National Federation of Independent Businesses—Key Vote
National Grocers Association
National Restaurants Association
National Retail Federation—Key Vote
National Roofing Contractors Association
One Nation Health
Self-Insurance Institute of America, Inc.
The Association of Chief Human Resource Officers (HR Policy)
US Chamber of Commerce—Key Vote

Mrs. BLACK. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. HENSARLING), the chair of the Financial Services Committee.

Mr. HENSARLING. Mr. Speaker, tragically, I receive correspondence every week like this. I heard from Rita in east Texas, who writes me:

Since ObamaCare took effect, my insurance no longer covers my colonoscopies as preventative care. I now pay \$1,000 and more out of pocket versus \$100 outpatient fee.

I heard from Frances in the Dallas area near where I live. A few years ago she was tragically diagnosed with tonsil cancer. The good news is she had a good policy; \$600-a-month premium and a maximum out of pocket of \$3,500. But thanks to ObamaCare, her insurance company dropped her twice, and she wrote:

They dropped me again because they are leaving the Dallas market.

Her premiums and deductibles doubled. She lost her oncologist, and she writes that this is all because of ObamaCare, the Affordable Care Act.

I heard from Tonya in Van Zandt County, in my district:

We had five family members covered by insurance at around \$800 a month until ObamaCare. Our insurance premiums skyrocketed to \$1,500 a month, equivalent to a house payment, with a \$15,000 deductible,

and we cannot see the doctors that know our medical history. Repeal it. I should not be forced to pay for something I cannot use. This has been a nightmare.

Mr. Speaker, ObamaCare has been a nightmare. It is collapsing as we speak. People are losing their coverages. Insurance plans are pulling out of States and counties. Tens of millions of our fellow countrymen have been forced to buy health insurance plans they cannot afford, they do not want, and that do not work for them.

Right here, right now, we have a choice: failed ObamaCare or the American Health Care Act that begins the process of providing Americans with guaranteed access to quality, affordable, patient-centered health care.

It clearly advances the cause of freedom, and all Members should support it and end the nightmare of ObamaCare.

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent that I be allowed to manage the balance of the time remaining.

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

There was no objection.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as we talk about the Affordable Care Act, I think it is important to remind ourselves of the situation before it passed: costs were going through the roof, those with preexisting conditions could not get insurance, women were paying more than men, and every year millions of people were losing their insurance.

We passed the Affordable Care Act. Since then, the costs have continued to go up, but at the lowest rate in 50 years. Those with preexisting conditions can get insurance at the standard rate. Women are no longer paying more than men. Instead of millions of people losing their insurance every year, more than 20 million more people now have insurance.

The full name of the Affordable Care Act is the Patient Protection and Affordable Care Act.

Now your coverage can't be canceled if your insurance company decides that it has paid too much. Preventive services, such as cancer screenings, are free with no copays and deductibles. We are closing the doughnut hole. Those under 26 can stay on their parents' policies.

We also funded community health centers, made investments in education to produce more doctors, nurses, and other professionals. Through all of that, the Medicare trust fund is more solvent than it was before.

Still, the law is not perfect. But if we are going to make any changes, we ought to improve the law, not make it worse.

Incredibly this bill makes it worse. Now, the CBO has separated promises and press releases from reality. Twen-

ty-four million fewer people will have insurance, and the Republicans call this choice in freedom to be uninsured. Most everybody else will pay more and get fewer benefits. All of those consequences will occur if the proposal actually works.

□ 1515

A number of States have done what this bill tries to do, and that is cover people with preexisting conditions without universal coverage. All of those attempts failed.

So the question we must ask is: Who will be better off if this bill passes? Certainly not older people who will face the bill's age tax. Certainly not veterans who will lose benefits. Certainly not senior citizens in nursing homes and people with disabilities because Medicaid is cut. Even the solvency of the Medicare trust fund will be worse.

But millionaires will get tax cuts.

Mr. Speaker, we have been hearing a lot of complaints and shortcomings about the Affordable Care Act, but if we are going to make any changes, we should improve it. Unfortunately, this bill makes things worse: 24 million will lose their insurance, most everybody else will pay more and get less. This bill should be defeated.

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

Mrs. BLACK. Mr. Speaker, it is now my honor to yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE), the distinguished chairman of the Judiciary Committee.

Mr. GOODLATTE. Mr. Speaker, I want to tell you why I am supporting this legislation, the American Health Care Act.

Kaye, from Roanoke, contacted me about President Obama's promise that she could keep her health care. She shared that she received a letter from her insurer stating that her policy was going to increase by \$600 per month—increase by \$600 per month. Since she wasn't of age to be on Medicare but wasn't working because she was at home caring for her sick husband, she was frustrated with her situation.

Kaye couldn't afford the extra money she owed on top of the bills for her husband's medical treatment. She told me: "So I will now have to pay the fine, drop my insurance, and hope I do not get sick."

I told Kay I would vote to repeal and replace ObamaCare.

A nurse from Warren County wrote to me: "The care that I give my patients is founded on their ability to choose their course of care. We advocate every day for our patients to have more choices in their care, and it will be very painful for us to deny them those options and to deny them care." She asked me to stand against ObamaCare, and I told her I would.

Susan, from Bedford County, told me her health insurance premium in-

creased 156 percent and her deductible increased 766 percent in just 2 years. She asked how we could make her pay such high rates. I told Susan I would vote to repeal ObamaCare.

Mr. Speaker, I told my constituents that I would stand for them to repeal this law that has hurt their ability to get the affordable care they want and need. Passing the American Health Care Act is the first step in repealing ObamaCare and replacing it with solutions that put patients first. I urge my fellow Members to support this bill.

ObamaCare has failed far too many in the Sixth District of Virginia. The status quo cannot continue.

Mr. SCOTT of Virginia. Mr. Speaker, I remind my distinguished colleague from Virginia that his vote for this bill will result in 56,100 more people from his congressional district in Virginia losing health care.

Mr. Speaker, I yield 1 minute to the gentleman from the Mariana Islands (Mr. SABLÁN).

Mr. SABLÁN. Mr. Speaker, I oppose the American Health Care Act because it fails to increase coverage for 3.8 million Americans in the insular areas: American Samoa, Guam, the U.S. Virgin Islands, Puerto Rico, and my own district, the Mariana Islands.

President Trump promised, "Everybody's going to be taken care of much better than they're taken care of now," but that is not happening. Instead of taking the opportunity to take care of all Americans, the American Health Care Act ignores the insular areas:

We are not included in the new Medicaid per capita funding proposal. As a matter of fact, in a year, we would see our Medicare funding reduced by 68 percent.

We are not included in the new Patient and State Stability Fund. And the new tax credit for insurance premiums is actually a new cost, an unfunded Federal mandate, imposed by Congress on territorial governments.

Everyone in this Chamber wants affordable, quality health care for all Americans. This bill fails to do that. So let us begin again. Let us work together on legislation to reach the goal the President has set and many of us share: insurance for everyone, not just the rich.

Mrs. BLACK. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Florida (Mr. DUNN).

Mr. DUNN. Mr. Speaker, I rise to repeal ObamaCare by supporting the American Health Care Act. We are here to take health care back from the bureaucrats and give it to the people.

The previous administration enacted ObamaCare, and we saw its effects: higher premiums, less choice, lost coverage, and broken promises. The deductibles are so high it is like not having insurance at all.

The people who sent me to Congress sent me with strict orders: End this

law. And on the American Health Care Act, I can report, it does.

With this bill, the Federal Government no longer forces you to buy a product you can't use and don't want. The individual mandate is gone, so is the job-killing employer mandate. Gone are a host of taxes on prescription meds, over-the-counter drugs, insurance premiums, and lifesaving medical devices.

It ends ObamaCare's Medicaid expansion, and it puts Medicaid on a budget and focuses State efforts on those people truly in need. This is the biggest entitlement reform in a generation.

Of course the bill is not perfect. There is more to do. But I spent 30 years as a surgeon. In medicine, as in life, you do not get to choose the perfect option. You learn not to make perfect the enemy of great.

With this vote we decide whether ObamaCare is our healthcare future or not. We can live with its failures and broken promises or create a market-based system that actually lowers the cost of health care and serves patients, not bureaucrats.

So I support the American Health Care Act, Mr. Speaker, and I urge that all Members do the same.

Mr. SCOTT of Virginia. Mr. Speaker, I remind my colleague that his vote for this bill will result in 63,900 people from his congressional district in Florida losing healthcare coverage and care.

I yield 1 minute to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, in a few minutes, the American people will see clearly what each and every Member of this House is made of. Will we vote to willfully strip healthcare coverage for 24 million Americans, older Americans, working Americans, Americans with chronic illness and developmental disabilities and now, incredibly, we even know, Americans who wore the uniform of this Nation?

In a few minutes, we will see who will vote to raid the Medicare trust fund in order to cut Medicare taxes for the rich, and we will see who will vote to cut Medicaid's coverage for patients struggling with the curse of opioid addiction.

Mr. Speaker, this is not just a vote. This is a gut check of who we are as people and whether our purpose, as elected officials, is to serve the public interest or, rather, feckless special interests.

Show the Nation that we care more about people than politics, that we care more about the long arc of American history toward justice rather than the short news cycle of who is up and who is down in Washington.

Make no mistake: History is watching this vote. Vote "no."

Mrs. BLACK. Mr. Speaker, I yield 1½ minutes to the gentleman from Louisiana (Mr. ABRAHAM), who is a family

practitioner and knows a little about medicine.

Mr. ABRAHAM. Mr. Speaker, as a practicing physician in the Louisiana and Mississippi delta, I have some of the best patients, but some of the poorest. They can't afford to see me because they can't afford ObamaCare, increased costs, skyrocketing premiums, high deductibles. I can't cure a disease if I can't see the patient. The cost is just too high for ObamaCare.

We have heard about Medicaid expansion here today. That is a second-class insurance for first-class people. I can't get my patients to see a specialist. They have to go to the hospital. They have to go to the emergency room. Prices go through the roof.

I have heard my colleagues on the other side of the aisle reference the Hippocratic Oath. With all due respect, I don't think they would know what the Hippocratic Oath says if their life depended on it. Guess what? It does. Google it.

Let me educate you. Let me educate our colleagues. It says I will always seek a path to a cure for all diseases. ObamaCare will not let me do that.

We have got to do better. We cannot cram people into a healthcare system that has failed just so politicians can thump their chest and have some type of mysterious victory that is hollow and very, very small.

We need to pass this American Health Care Act. ObamaCare has failed. It is a sham of an insurance. Americans deserve better. We deserve better as Americans. My patients deserve better.

Mr. SCOTT of Virginia. Mr. Speaker, I remind my colleague that his vote for this bill will result in 51,700 people in his district losing their coverage and care.

Mr. Speaker, I include in the RECORD a letter from the American Academy of Family Physicians, the American Academy of Pediatrics, the American College of Physicians, the American Congress of Obstetricians and Gynecologists, and the American Osteopathic Association in opposition to the legislation.

[From the American Academy of Family Physicians, American Academy of Pediatrics, American College of Physicians, The American Congress of Obstetricians and Gynecologists, American Osteopathic Association, Mar. 7, 2017]

AMERICA'S FRONT LINE PHYSICIANS EXPRESS SERIOUS CONCERNS WITH THE AMERICAN HEALTH CARE ACT

WASHINGTON, DC—After the release of the two budget reconciliation bills today, the physician leaders of our organizations, representing over 500,000 physicians and medical students, visited with members of the House of Representatives to urge that they "First, do no harm" to our patients by rolling back key coverage, benefits and consumer protections as required under current law, including the Affordable Care Act. We are concerned that by rushing to a mark-up tomorrow in the Energy and Commerce and Ways and Means Committees, there will be insuffi-

cient time to obtain non-partisan estimates of this legislation's impact by the Congressional Budget Office, or for medical organizations like ours and other key stakeholders in the health care community to offer substantive input on the bill.

During our meetings with members of the House of Representatives today, we shared our joint principles for health care reform. They reflect our collective expertise, and represent the health care needs patients present to our members every day. We urge Representatives to utilize these principles to evaluate any legislation to modify current law, and ensure that patients and providers are not adversely affected. While each of our organizations individually are still reviewing the changes proposed by the American Health Care Act, released just hours ago, we share a concern that it will not meet our principles because it will likely result in less access to coverage and higher costs for millions of patients.

We urge House Speaker Paul Ryan (R-WI) and the chairs of these two committees to reconsider the decision to move forward with mark-up, and instead allow the time needed for a thorough review of the bill to ensure that it meets our overarching principle, "First, do no harm" to patients.

ABOUT THE AMERICAN ACADEMY OF FAMILY PHYSICIANS

Founded in 1947, the AAFP represents 124,900 physicians and medical students nationwide. It is the only medical society devoted solely to primary care. Family physicians conduct approximately one in five office visits—that's 192 million visits annually or 48 percent more than the next most visited medical specialty. Today, family physicians provide more care for America's underserved and rural populations than any other medical specialty. Family medicine's cornerstone is an ongoing, personal patient-physician relationship focused on integrated care. To learn more about the specialty of family medicine, the AAFP's positions (5 page PDF) on issues and clinical care, and for downloadable multi-media highlighting family medicine, visit www.aafp.org/media. For information about health care, health conditions and wellness, please visit the AAFP's award-winning consumer website, www.FamilyDoctor.org (www.familydoctor.org).

ABOUT THE AMERICAN ACADEMY OF PEDIATRICS

The American Academy of Pediatrics is an organization of 66,000 primary care pediatricians, pediatric medical subspecialists and pediatric surgical specialists dedicated to the health, safety and well-being of infants, children, adolescents and young adults. For more information, visit www.aap.org and follow us on Twitter @AmerAcadPeds.

ABOUT THE AMERICAN COLLEGE OF PHYSICIANS

The American College of Physicians is the largest medical specialty organization in the United States. ACP members include 148,000 internal medicine physicians (internists), related subspecialists, and medical students. Internal medicine physicians are specialists who apply scientific knowledge and clinical expertise to the diagnosis, treatment, and compassionate care of adults across the spectrum from health to complex illness. Follow ACP on Twitter and Facebook.

ABOUT THE AMERICAN CONGRESS OF OBSTETRICIANS AND GYNECOLOGISTS

The American College of Obstetricians and Gynecologists (The College), a 501(c)(3) organization, is the nation's leading group of physicians providing health care for women.

As a private, voluntary, nonprofit membership organization of more than 57,000 members. The College strongly advocates for quality health care for women, maintains the highest standards of clinical practice and continuing education of its members, promotes patient education, and increases awareness among its members and the public of the changing issues facing women's health care. The American Congress of Obstetricians and Gynecologists (ACOG), a 501(c)(6) organization, is its companion.

ABOUT THE AMERICAN OSTEOPATHIC
ASSOCIATION

The American Osteopathic Association (AOA) represents more than 129,000 osteopathic physicians (DOs) and osteopathic medical students; promotes public health; encourages scientific research; serves as the primary certifying body for DOs; and is the accrediting agency for osteopathic medical schools. Visit DoctorsThatDo.org to learn more about osteopathic medicine.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Ms. FUDGE).

Ms. FUDGE. Mr. Speaker, what is a life worth? What does it cost to save the life of a sick child or a senior citizen?

For all of the rhetoric about freedom and choices, this bill sends a clear message to every American as to where Republican priorities lie. Tax breaks to the wealthy have been deemed more valuable than lifesaving care.

They are telling hardworking families that insurance that only benefits the wealthy, the healthy, and the young is more important than access to nursing homes, to pediatric care, mental health services, substance abuse treatment, and the overall peace of mind that, if you get sick, you can afford care.

Speaker RYAN calls this "an act of mercy." This is by no means merciful, Mr. Speaker. Mercy is caring for the sick, the poor, for our elders. Mercy is extending a hand to those in need. This is heartless.

Human decency demands a "no" vote on TrumpCare. Vote "no."

Mrs. BLACK. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CONAWAY), the chairman of the Agriculture Committee.

Mr. CONAWAY. Mr. Speaker, we are faced with an unenviable choice of the fact that there is infinite demand for health care. There is no top on the amount of healthcare cost necessary to provide all the health care that we want for everybody in this country, and we have limited resources within which to do that.

The real question is: Does ObamaCare take up that task by asking government to make those hard choices, or do we as individuals and families and caregivers make those harder choices for ourselves?

I believe that the bill that we will get to vote on today moves us toward that direction. This isn't about health care, per se; this is about how do you pay for it.

Insurance is not a magic bullet anywhere across the spectrum. Insurance is simply a scheme in which we risk-manage together. We put a certain amount of money into a bucket, assuming not all of us will suffer the risks that we want to cover. If we do, we have got to put more money in; if we don't, then the system works.

This is about having to confront that choice that there is way too much cost for the amount of resources that are available in any of these circumstances, and it is hard.

Many of my constituents ask: Why did Republicans spend 6 years railing against ObamaCare and not have the fix available on Inauguration Day? Well, this is Exhibit A. This is hard stuff. Even among Republicans, we have got more than 218 votes among us, and we can't agree among ourselves necessarily what ought to go forward.

But I do know this, that we are down to the final choice: Do we keep ObamaCare and the failure that is confronting us and will continue to be there, or do we take a chance on moving toward something different, moving toward freedom, moving toward choice, giving States back the opportunity to decide for their indigent population how they should take care of them?

I don't think anybody in Washington, D.C., can come up with a plan that fixes that for all 50 States. I trust my colleagues in Austin to make that happen far better than anybody I would trust in D.C., and this bill moves that direction, and that is the right direction for us to go.

This is a hard choice, but for me it is relatively straightforward. You keep ObamaCare with a "no" vote. You move toward a brighter future for health care in this country and the way we pay for it, who pays for it, and how we get that done by a "yes" vote. I encourage my colleagues to vote "yes" on this bill.

Mr. SCOTT of Virginia. Mr. Speaker, I remind my colleague that his vote for this bill will result in making things worse by 58,600 people in his district losing their healthcare coverage and care.

Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. WILSON).

Ms. WILSON of Florida. Mr. Speaker, I would like to begin by asking my Republican colleagues one simple question: Don't you have constituents who get sick and need insurance?

Everyone gets sick, rich and poor, Black and White, men, women, and children.

Having insurance gives us peace of mind. It helps ensure that a medical crisis is not exacerbated by a financial crisis. It often makes a difference between life and death. If the Affordable Care Act is repealed, your constituents and millions of people will be kicked

off the insurance roll, and that is a shame. They will suffer, and their families will suffer.

I have health insurance, and so does every Member of Congress. We even have a clinic and doctors at our disposal right here in this Capitol.

Doesn't every American deserve the same treatment as Members of Congress?

Instead of moving backwards, Republicans should partner with Democrats to amend and strengthen the existing law. By working together, we can create a plan that works for all Americans, not just the Members of Congress. Vote "no." Vote "no."

Ms. KAPTUR. Mr. Speaker, the Affordable Care Act needs to be repaired, not repealed. In 2010, Democrats passed health care reform in an effort to move toward health insurance for all Americans. Though we have made progress and more work to do, we cannot move America backward. Tens of thousands of people in northern Ohio and millions across America will lose insurance if TrumpCare becomes law.

This bill is cruel. It will take away care from some of our most vulnerable citizens like those who suffer from opioid addiction, mental illness or have disabilities. This bill will undermine Medicare and cut \$28 billion from Ohio's Medicaid program, the majority of which is spent on nursing home care. If Republicans succeed in repealing the Medicaid expansion, one in four Ohio hospitals would close according to the Ohio Hospital Association.

Our goal should be to make our health care system better, not worse. This merciless bill is not a health care bill. This bill is an \$800 billion tax cut for corporations and the very rich. How that giveaway provides better health care to working and middle-class families is beyond me.

For Lent I gave up chocolate, I recommend the Republicans try giving up tax cuts to the rich!

Let me share a story about a young man in Ohio who was diagnosed with an extremely rare form of cancer one month before his 26th birthday.

Once he turned 26 he lost coverage under his parent's health care policy.

But after visiting an Ohio Jobs and Family Services office, he learned about his eligibility for the Ohio Medicaid expansion, which allowed him to receive the cancer treatment he needed to survive.

Frankly, without the Affordable Care Act's multi-layered protections, he would be dead.

The Affordable Care Act and its Medicaid expansion has allowed him to return to finish law school.

This bill shifts the burden of health costs to the working and middle class, all so the rich can have a trillion dollar tax cut. A tax cut for the super rich doesn't help working people and seniors pay for health care. Astoundingly, the falsely labeled, so called "health" bill actually rewards billionaires and corporations with hundreds of billions in tax giveaways.

This bill does nothing to control costs for health insurance. Millions will lose coverage. It will actually result in higher costs too all while undermining Medicare and slashing Medicaid.

Congress ought to repair not repeal the ACA. We cannot move backward. This GOP bill is cruel and some of our most challenged citizens like the mentally ill or disabled will lose care. Premiums for those over 50 could increase by 5 fold. As the old saying goes; "this dog won't hunt."

Ohio embraced the ACA and 866,000 people were finally able to receive health care coverage. What will this poorly conceived Republican tax giveaway bill do to Ohio:

1. About 47,000 people will lose health insurance because they are insured through the ACA in Ohio's 9th district.

2. The district's uninsured rate has gone from 13.3% to 7.0% since the ACA was implemented. This 6.3 percentage point drop in the uninsured rate could be reversed if the ACA is entirely or partially repealed.

3. 318,900 individuals in the district who now have health insurance that covers preventive services like cancer screenings and flu shots without any co-pays, coinsurance, or deductibles stand to lose this access if the Republican Congress eliminates ACA provisions requiring health insurers to cover important preventive services without cost-sharing.

4. 370,700 individuals in the district with employer-sponsored health insurance are at risk of losing important consumer protections like the prohibition on annual and lifetime limits, protection against unfair policy rescissions, and coverage of preexisting health conditions, if the ACA is entirely or partially repealed.

This Republican bill, hastily prepared, should be defeated. It is cruel, will leave millions of our fellow citizens bankrupt and destitute, and if implemented, will be responsible for more death and illness coast to coast. Vote no on TrumpCare.

Mr. LYNCH. Mr. Speaker, I rise in strong opposition to H.R. 1628, the American Health Care Act of 2017.

Mr. Speaker, I have received countless visits, calls, letters and emails from constituents about this bill. I have heard from hospitals, doctors, patients, nurses, parents of children with serious illnesses, researchers and the list goes on. They have one thing in common: they are afraid of what TrumpCare could do to their patients and to their families.

H.R. 1628 will not bring down health care costs or improve access. Indeed, by slashing Medicaid by \$880 billion, it will force States to ration care for our most vulnerable populations. In Massachusetts, this cut will put the health of 1.9 million people at risk, including 650,000 children, 170,000 seniors and 280,000 people with disabilities. My state is also being hit hard by the opiate addiction crisis and cutting Medicaid will cripple our ability to address that problem. It is also a disgrace that the funding being cut out of Medicaid is being handed over to insurance companies and the wealthiest Americans in a \$1 trillion tax break for the rich.

TrumpCare slashes \$175 billion from the Medicare Trust Fund, cutting its solvency by three years and hurts seniors by letting insurance companies charge older Americans five times more than they do young ones. The yearlong bar on reimbursements to Planned Parenthood for non-abortion services means that women will have to go without health screenings, pre-natal care and well-woman

visits. And according to the C.B.O., 24 million Americans will no longer have health insurance coverage.

All this begs the question, how does this bill provide better care for Americans?

But you do not have to take my word for it when I say that this bill will hurt Americans. Groups like the American Medical Association, the American College of Physicians, the American Academy of Pediatrics and the American Nurses Association, just to name a few, are urging Congress to stop TrumpCare. These are the men and women who are out there on the front lines everyday treating and healing our fellow Americans.

To make things worse, TrumpCare is being rushed to the floor with minimal deliberation. It was introduced less than three weeks ago and we have not held a single hearing or heard from a single expert witness on it. Now we are being asked to vote on it despite receiving the newest version of the manager's amendment late last night. This is not the regular order and transparency that the Republicans promised.

Mr. Speaker, this bill pushes the cost of health care onto those who can least afford it while providing massive tax cuts for the wealthy. I urge my fellow members to defeat this misguided bill and let us begin the serious work of making real improvements in the Affordable Care Act for all Americans.

Mrs. BEATTY. Mr. Speaker, I rise today to express my opposition to TrumpCare and my strong support for the Affordable Care Act.

Since the ACA was enacted seven years ago, more than 20 million Americans have gained access to affordable and high quality health insurance, including nearly one million Ohioans.

We thought 129 million Americans with pre-existing conditions would be able to keep their health care coverage. We thought 105 million Americans would no longer have to worry about annual or lifetime limits. Yet, we are here today winding back the clock on all the progress we have made based on a bill that wasn't released to the public until last night.

What's the rush to pass a bill that affects so many people without letting the public view it? What's the rush to pass a bill that affects so many people without a new CBO score?

Mr. Speaker, we know that TrumpCare will cause Americans to pay more for less coverage. We know that TrumpCare will provide a massive tax cut to the super rich 400 families and leave the other 99.9 percent of people behind. We know that TrumpCare will cause 24 million Americans to lose their health insurance, including tens of thousands of my constituents in the Third Congressional District of Ohio. We know that TrumpCare will slash Medicaid funding by \$880 billion. We also know that TrumpCare will put 13 million children, people with disabilities and adults just one emergency visit away from financial catastrophe.

Mr. Speaker, these cuts hurt people all across the country. TrumpCare will not make healthcare more affordable.

Democrats believe healthcare is a right, not a privilege. I join my colleagues in fighting for affordable healthcare for all Americans. I will vote no, and urge all my colleagues to vote no as well.

Mr. SMITH of New Jersey. Mr. Speaker, while the Affordable Care Act has been in effect since 2010, it has only provided actual access to health insurance benefits through the exchange and Medicaid expansion for a little over 3 years—beginning in 2014.

In that short period of time, however, serious problems and flaws have been exposed, yet in recent months the law's systemic problems have been trivialized or ignored by many.

Today, buying an insurance policy on the exchanges with high premiums, high copays, and most importantly, exceedingly high deductibles make the actual utilization of health benefits far costlier than originally advertised.

Americans were told repeatedly that the ACA would save up to \$2,500 in premium payments per family per year. President Obama said: "I will sign a universal health care bill into law by the end of my first term as president that will cover every American and cut the cost of a typical family's premium by up to \$2,500 a year."

That didn't happen—not even close.

Nationwide, since 2016, gross premiums before subsidies in the Bronze-priced tier rose a whopping 27 percent, silver 24 percent and gold 32 percent.

That should come as no surprise. As early as August 2012, Politifact found President Obama's promise to be untrue and labeled the statement a "promise broken" in a Politifact report entitled: NO cut in premiums for typical family.

Health insurance consumers were promised they could keep their insurance plan if they liked it and keep their trusted doctors as well. That didn't happen either.

As a matter of fact, several million were kicked off insurance plans they were very satisfied with—like my wife and I—only to be forced into an Obamacare plan that we didn't want and was more expensive.

Also, in New Jersey—like much of the nation—insurance companies are pulling out of the exchanges. Insurers continue to exit the individual market and the exchange has experienced a net loss of 88 insurers. Today, five states only have one insurer option. At home, last year five insurance carriers offered plans on the New Jersey exchange, today only two remain. The exodus of insurance companies from the individual market is an unsustainable and ominous trend.

Mr. Speaker, almost twice as many Americans have paid the financial penalty—pursuant to what is euphemistically called the "individual mandate"—for not buying a health insurance plan—or have received an exemption from the individual mandate as those who have actually purchased a plan through the exchange. By the numbers that means 19.2 million taxpayers either paid the individual mandate penalty or claimed an exemption, compared to 10.3 million individuals who paid for plans on the Obamacare exchanges.

Obamacare also increased taxes by about one trillion dollars.

For example, beginning in 2020, a new 40% excise tax on employer provided comprehensive health insurance plans is scheduled to take effect. Any plan provided by an employer exceeding \$10,200 for individuals and \$27,500 for families will be taxed at 40 percent for

each dollar above those numbers. According to the Kaiser Family Foundation this so-called Cadillac tax will hit 26 percent of employers by 2020.

According to the IRS, approximately 10 million families took advantage of the chronic care tax deduction which is now been redefined out of reach for many. New taxes combined with skyrocketing premiums, copays and deductibles underscores the need for serious review, reevaluation and reform.

That said Mr. Speaker, I remain deeply concerned—and will vote no today—largely because the pending bill cuts Medicaid funding by an estimated \$839 billion over ten years according to the Congressional Budget Office (CBO), rolls back Medicaid expansion, cancels essential health benefits such as maternity and newborn care, hospitalization, pediatric services, and mental health and substance use treatment, and includes “per capita caps”—all of which will likely hurt disabled persons, the elderly and the working poor.

For years, I have supported Medicaid expansion as a meaningful way of providing access to health care for struggling individuals and families living above the poverty line but still poor despite being employed—80 percent of all Medicaid enrollees in New Jersey are families with at least one working adult in 2017.

Although more than 800,000 children are served by Medicaid in my state, the bulk of Medicaid funds are spent assisting the disabled and the elderly. In New Jersey approximately 74 percent of all Medicaid spending goes directly to assist persons with disabilities and senior citizens. Two out of every five people in nursing homes are on Medicaid.

According to the New Jersey Department of Human Services, in New Jersey total enrollment in Medicaid in February 2017 was 1.77 million people. Of that a significant number are newly enrolled under Medicaid expansion—663,523 “newly eligible.”

These people are in need and deserve our support. Current law provides states that opted to embrace Medicaid Expansion—like New Jersey—95 percent of the costs for the “newly enrolled.” The federal share drops to 90 percent by 2020.

The proposed American Health Care Act continues Medicaid expansion however only until 2020. Those enrolled before December 31, 2019 would be grandfathered in at the 90 percent match rate but the federal-state match formula would then be reduced to a range between 75 percent–25 percent to 50 percent–50 percent or any new enrollee.

What does that mean?

The United States Conference of Catholic Bishops wrote each of us on March 17th: “. . . it is our assessment that some provisions are commendable (and they reference the pro-life safeguards and other noteworthy provisions in the bill) . . . while others present grave challenges that must be addressed before passage . . . millions of people who would be eligible for Medicaid under current law will be negatively impacted due to reduced funding from the per capita cap system proposed in the legislation, according to the CBO. Those struggling families who currently receive Medicaid coverage from the recent expansion will see dramatic changes through the

AHCA as well, without clear indication of affordable, adequate coverage to replace their current options. Many states begin their legislative sessions every cycle by attempting to overcome major deficits. State and local resources are unlikely to be sufficient to cover the gaps that will be created in the health care system as financial responsibility is further shifted to the states. Congress must rework the Medicaid-related provisions of the AHCA to fix these problems and ensure access for all, and especially for those most in need.”

A letter led by the Consortium For Citizens with Disabilities, and signed by over 60 organizations states:

“Dramatic reductions in federal support for Medicaid will force states to cut services and/or eligibility that puts the health and wellbeing of people with disabilities at significant risk. In fact, people with disabilities are particularly at risk because so many waiver and home- and community-based services are optional Medicaid services and will likely be the first services cut when states are addressing budgetary shortfalls. The health, functioning, independence, and wellbeing of 10 million enrollees living with disabilities and, often, their families, depends on funding the services that Medicaid provides. Likewise, Medicaid Expansion provides coverage for millions of people with disabilities and their caregivers who previously fell into healthcare coverage gaps. For many people with disabilities, being able to access timely, needed care is a life or death matter. The drastic cuts to Medicaid that will result from per capita caps and the ultimate elimination of Medicaid Expansion will endanger millions.”

Autism Speaks, a leading autism awareness, science, and advocacy group, further articulated another concern, that “the choice of 2016 as a baseline year for per capita caps may prevent states from addressing the needs of children with autism. In July 2014 the Center for Medicaid and CHIP Services issued an informational bulletin clarifying Medicaid coverage of services to children with autism, including benefit requirements for the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) program. Although EPSDT is a mandatory Medicaid program, few states in 2016 funded autism services at the required standard of care. Locking in 2016 as a baseline year can only perpetuate this historic underfunding of EPSDT benefits.”

Ms. ROYBAL-ALLARD. Mr. Speaker, for my constituents and all Americans, Trumpcare would result in higher costs, less coverage, a crushing age tax for persons 50 to 64, a shorter Medicare life span, and the ransacking of the Medicaid funds that enable seniors to get the long term care they need. And last night, Republicans added a provision that would prohibit our veterans who are eligible to receive VA care from receiving any tax credits to help pay for their care outside the VA, even if they are not enrolled in the VA.

In my congressional district, the uninsured rate dropped from 31.7 to 17.5 percent due to Obamacare.

Among my constituents who benefited are a young mother from Bell Gardens, California, and her 15-month-old daughter, Olivia, who was born with Down Syndrome.

Because of Obamacare’s Medicaid expansion in California, Olivia was able to have her

congenital heart defect repaired shortly after birth. She is now being followed by a cardiologist to ensure her ongoing care for a healthy heart.

Obamacare’s Medicaid expansion also makes it possible for baby Olivia to receive early intervention and physical therapy services to enhance and accelerate her development.

Olivia’s mom is terrified that if Trumpcare passes, her daughter may not be able to receive these services, which help her remain healthy and make it possible for her to reach critical developmental milestones.

Republicans like to call Obamacare a failed disaster. That is simply one more example of their “alternative facts.”

The Republican Trumpcare bill before us is the disaster waiting to unfold for countless families like Olivia’s, and millions of Americans across our country.

I urge my colleagues to vote no on behalf of the American people.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in strong opposition to H.R. 1628, the American Health Care Act, which not only seeks to repeal the Patient Protection and Affordable Care Act, but reform entitlements, redistribute wealth, and strip coverage from millions of people.

The American Health Care Act would reduce coverage for Americans while increasing out-of-pocket costs for the sickest and the elderly. Health plans would fail to meet the needs of Americans with chronic or complex conditions. The bill also eliminates protections against annual and lifetime caps. With a last-minute manager’s amendment to repeal the Essential Health Benefits, the ten coverage rules set up by the Affordable Care Act, this ruthless bill has gotten even worse.

The Affordable Care Act required insurers to cover ten “Essential Health Benefits” from maternity care, mental health, and prescription drugs, to hospitalization and outpatient care. If this is repealed, comprehensive health insurance will become virtually unavailable in the individual market. This means that individuals with pre-existing conditions would not be protected. Younger and healthier people benefit, older and sicker people suffer.

While the new additions to this measure are startling, the original bill is just as shocking. Slashing and capping the Medicaid program will ration care and give tax breaks to the wealthy. This bill cuts \$880 million from Medicaid and then caps the program so that it cannot expand and contract as needed. By the end of 2019, the Medicaid expansion program will freeze and this bill will shift costs to states for the elderly, children, individuals with disabilities, and low-income adults.

This bill will kick 24 million people off their health insurance by 2026, and 7 million people will lose their employer-based coverage. While the Affordable Care Act subsidies were based on income and when premiums rose, the federal subsidy also rose to pay for premium costs, the American Health Care Act replaces those subsidies with a fixed credit amount. The age-based tax credits are a refundable tax credits that is larger for older individuals, however, it allows insurers to charge older enrollees five times more than a younger enrollee.

MEMORANDUM

To: Interested Members.
 From: House Judiciary Committee Democratic Staff.
 Re: Constitutionality of Faso-Collins Amendment.
 Date: March 24, 2017.

The Faso-Collins amendment, incorporated into the Manager's amendment, would violate Constitutional limits on the Federal Spending Power, the Due Process and Equal Protection Clauses and the Tenth Amendment (reserving all undelegated powers to the States). Requiring New York State to change how its counties fund its portion of Medicaid expenses is not related to a legitimate Federal interest, no rational Federal purpose has been proffered for the provision, and it would severely intrude on traditional state prerogatives.

If the Faso-Collins amendment were ever enacted, it quickly would be invalidated by the Federal courts. The irony of this "buyout" is that the "payment" supposedly being delivered in exchange for votes—the unconstitutional provision—is the legislative equivalent of a check on a closed bank account, which will never deliver the promised benefits.

For the last 51 years, New York State has chosen to fund a portion of its share of the Medicaid Program by using funds from county property taxes. Fifteen other States structure Medicaid funding through a similar legally authorized system.

The Faso-Collins amendment specifies that any State that had an allotment of Disproportionate Share Hospital (DSH) funds that was more than 6 times the national average, and that requires subdivisions with populations of less than 5,000,000 to contribute toward Medicaid costs, shall have its reimbursement reduced by the amount of contributions by such subdivisions. (This effectively limits the application to New York State, and carves out New York City.) Under the amendment, New York State is at risk of losing \$2.3 billion of its \$32 billion in Federal Medicaid funds.

This provision is unconstitutional, and could be struck down for several reasons:

Violation of Limits on Spending Power—Article I of the Constitution grants Congress spending power to "provide for the . . . general Welfare." In *South Dakota v. Dole*, 483 U.S. 203 (1987), the Supreme Court held that any spending condition imposed on the States must be related to the Federal interest in that particular project or program and that Congress cannot coerce the States into compliance with the Federal government's objectives. In *NFIB v. Sebelius*, 132 S. Ct. 2566 (2012), the Supreme Court found provisions of the Affordable Care Act which required all States to comply with the law's Medicaid expansion violated this spending authority, noting the "Constitution has never been understood to confer upon Congress the ability to require the States to govern according to Congress' instructions." The Faso-Collins language does not appear to be related to any Federal interest in the use or allocation of Federal Medicaid funds: it does not further Medicaid's purposes and has nothing to do with ensuring the proper disbursement of Federal funds. Indeed, because the provision applies to counties in a single State—and leaves the very same system undisturbed in 15 other States—it could not possibly be justified by any legitimate Federal interest.

An additional line of Supreme Court cases, including *New York v. United States*, 505 U.S. 144, 167, 172 (1992), has held that conditions

on Federal grants must be "reasonably related to the purpose of the [Federal] expenditure" because otherwise "the spending power could render academic the Constitution's other grants and limits of Federal authority." Likewise, in *Massachusetts v. United States*, 435 U.S. 444, 461 (1978), the Supreme Court noted that it has "repeatedly held that the Federal Government may impose appropriate conditions on the use of Federal property or privileges and may require that State instrumentalities comply with conditions that are reasonably related to the Federal interest in particular national projects or programs." Under these precedents, the Faso-Collins language would be held to be an arbitrary exercise of Federal power which intrudes on only one particular State's sovereign tax powers, and is unrelated to any Federal interest or purpose in the Medicaid Program.

As Yale Law School Professor Abbe Gluck wrote in a post on the Balkinization blog today, the Faso-Collins "amendment is likely unconstitutional. The protection from federal interference of the internal functions of a state government is one of the bedrocks of state sovereignty protected by the limitations on Congress's powers in Article I of the Constitution and the reservation of power to the states in the Tenth Amendment." She further reasoned that "Even if one could argue that this is an exercise of the federal spending power under Article I, for Congress to legally use that power, the conditions on a state's use of federal funding have to be tied to a reasonable federal purpose . . . It is hard to see a reasonable federal purpose here other than garnering more GOP votes for the struggling repeal bill." (available at <https://ballkin.blogspot.com/2017/03/is-gop-aca-repealer-unconstitutional-on.html?m=1>)

Violation of Due Process and Equal Protection—Under the Fifth Amendment, the Federal government is not permitted to deprive its citizens of equal protection or due process of law. Those clauses have been interpreted on numerous occasions to prevent the government from discriminating between the treatment of the sovereign States absent a rational basis. For example, in *Helvering v. David*, 301 U.S. 619, 640 (1937), the Supreme Court warned that Congress does not possess the right to demonstrate a "display of arbitrary power" in its treatment of the various States. In this regard, in 2009, when an earlier Senate version of the Affordable Care Act sought to provide special treatment for Nebraska with respect to Medicaid reimbursements, 13 Republican State attorneys general wrote to Congress (available at <http://www.law.columbia.edu/sites/default/files/microsites/career-servicesfiles/Letter%20to%20the%20Honorable%20Nancy%20Pelosi%20and%20the%20Honorable%20Harry%20Reid.pdf>) asserting the provision was unconstitutional (the provision was ultimately dropped). In the case of the Faso-Collins language, there is no legitimate policy justification for developing a special rule limiting Medicaid funds for New York as compared to all other States, including 15 States which have sharing agreements with their counties. Nor has a justification been offered for why New York City should be excluded from the application of the special rule. As such, it is clear that the provision is discriminatory, "arbitrary" and has no rational basis.

Abrogation of Tenth Amendment Principles—The Tenth Amendment provides in relevant part that powers not delegated to the Federal government or prohibited to the States are reserved for the States. This has

Mr. Speaker, the public has spoken about this so-called "replacement" bill. People will live or die as a result of this legislation. This bill will force Americans to pay more for their premiums, more for their care, more on out-of-pocket expenses and deductibles; all the while giving tax breaks directly to the wealthy. The Republican leadership has rushed this bill to the floor without any consideration and I urge you all to consider its harmful effects. Your constituents are asking you to work with us to repair the Affordable Care Act. Work with us.

Mr. AL GREEN of Texas. Mr. Speaker, although Trumpcare is a terrible Healthcare plan, it is a terrific Wealthcare plan.

Trumpcare is terrific Wealthcare because in the final analysis, it allows the 400 richest families to get \$7 million a year ad infinitum, \$7 million a year forever.

In the final analysis, 79% of the cuts become Wealthcare dollars for the very rich, not healthcare dollars for the very poor.

In the final analysis, it sacrifices \$1 trillion from Medicare and Medicaid to enrich the lives of millionaires and billionaires.

In the final analysis, it provides more money for Wealthcare and less money for Healthcare.

Mr. Speaker, Trumpcare is more Wealthcare and less Healthcare.

Mr. CONYERS. Mr. Speaker, I've been here a while and it's hard for me to recall a time when we've voted on something so obviously and willfully harmful to children, seniors and working Americans.

This bill strips healthcare from 24 million people.

It requires some seniors to pay 100 percent or more of their income in premiums.

This legislation dramatically cuts Medicaid, directly contradicting President Trump's claim not to.

In Michigan, HALF of all children rely on Medicaid.

In my district alone, 56,000 people will lose coverage, including 16,000 children.

Let's be clear: if we pass this bill, children, seniors, and working people will suffer and some will die, so that the wealthy can get a tax cut.

Healthcare is a right, not a privilege. That's why I support a single-payer, Medicare-for-All plan, and why I will be voting "no" on this mean spirited legislation.

Mr. Speaker, as Ranking Member on the House Judiciary Committee, I include in the RECORD a legal analysis prepared by committee staff that concludes that the provision of H.R. 1628 that requires New York State to change how its counties fund the State's portion of Medicaid expenses is not related to a legitimate Federal interest, that no rational Federal purpose has been proffered for the provision, and that it would severely intrude on traditional state prerogatives. As such, this provision would violate Constitutional limits on the Federal Spending Power, the Due Process and Equal Protection Clauses and the Tenth Amendment (reserving all undelegated powers to the States) and would likely be held unconstitutional if challenged in court.

been read to prevent the federal government from “commandeering” the states to serve its own purposes. In *Printz v. United States*, 521 U.S. 898 (1997), the Supreme Court held that Congress cannot commandeer State officers to implement Federal policy—in that case requiring criminal background checks for handgun purchases pursuant to the Brady Handgun Violence Prevention Act. The Faso-Collins language commandeers New York State government to facilitate the partisan political ends of a faction in the U.S. Congress, which would seem well outside the proscriptions of *Printz*. In fact, by essentially ordering New York to reorganize its internal affairs, the Faso-Collins amendment may run even further afield of Tenth Amendment principles than was the case in *Printz* given the lack of a Federal purpose and the interference with the core sovereign function of how a State chooses to use its taxing power.

It is of particular constitutional concern that the Faso-Collins provision directly interferes with New York’s internal decisions about how to structure its own tax and spending policies, and how to allocate those responsibilities between the State and its subdivisions—which is a core function of a sovereign entity protected by the Tenth Amendment (and potentially Article IV §4 of the Constitution, which provides that the “United States shall guarantee to every State in this Union a Republican Form of Government.”). This is constitutionally significant because in *Reynolds v. Sims*, 377 U.S. 533, 575 (1964), the Supreme Court held that political subdivisions such as counties and cities “have been traditionally regarded as subordinate governmental instrumentalities created by the State to assist in the carrying out of State governmental functions.” In *Hunter v. City of Pittsburgh*, 207 U.S. 161, 178 (1907), the Court noted that these subdivisions are “created as convenient agencies for exercising such of the governmental powers of the state, as may be entrusted to them” and that the “number, nature, and duration of powers conferred upon these [entities] and the territory over which they shall be exercised rests in the absolute discretion of the state.” The Faso-Collins amendment purports to invoke Federal power to displace New York’s sovereign exercise of this “absolute discretion” and, for that reason, violates the Constitution. As Chief Justice John Marshall long ago explained in *Gibbons v. Ogden*, 22 U.S. 1, 198–200 (1824), the States’ “power of taxation is indispensable to their existence. . . . In imposing taxes for State purposes, [States] are not doing what Congress is empowered to do. Congress is not empowered to tax for those purposes which are within the exclusive province of the States.”

OFFICE OF THE ATTORNEY GENERAL,
STATE OF SOUTH CAROLINA,
December 30, 2009.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

The undersigned state attorneys general, in response to numerous inquiries, write to express our grave concern with the Senate version of the Patient Protection and Affordable Care Act (“H.R. 3590”). The current iteration of the bill contains a provision that affords special treatment to the state of Nebraska under the federal Medicaid program. We believe this provision is constitutionally

flawed. As chief legal officers of our states we are contemplating a legal challenge to this provision and we ask you to take action to render this challenge unnecessary by striking that provision.

It has been reported that Nebraska Senator Ben Nelson’s vote, for H.R. 3590, was secured only after striking a deal that the federal government would bear the cost of newly eligible Nebraska Medicaid enrollees. In marked contrast all other states would not be similarly treated, and instead would be required to allocate substantial sums, potentially totaling billions of dollars, to accommodate H.R. 3590’s new Medicaid mandates. In addition to violating the most basic and universally held notions of what is fair and just, we also believe this provision of H.R. 3590 is inconsistent with protections afforded by the United States Constitution against arbitrary legislation.

In *Helvering v. Davis*, 301 U.S. 619, 640 (1937), the United States Supreme Court warned that Congress does not possess the right under the Spending Power to demonstrate a “display of arbitrary power.” Congressional spending cannot be arbitrary and capricious. The spending power of Congress includes authority to accomplish policy objectives by conditioning receipt of federal funds on compliance with statutory directives, as in the Medicaid program. However, the power is not unlimited and “must be in pursuit of the ‘general welfare.’” *South Dakota v. Dole*, 483 U.S. 203, 207 (1987). In *Dole* the Supreme Court stated, “that conditions on federal grants might be illegitimate if they are unrelated to the federal interest in particular national projects or programs.” *Id.* at 207. It seems axiomatic that the federal interest in H.R. 3590 is not simply requiring universal health care, but also ensuring that the states share with the federal government the cost of providing such care to their citizens. This federal interest is evident from the fact this legislation would require every state, except Nebraska, to shoulder its fair share of the increased Medicaid costs the bill will generate. The provision of the bill that relieves a single state from this cost-sharing program appears to be not only unrelated, but also antithetical to the legitimate federal interests in the bill.

The fundamental unfairness of H.R. 3590 may also give rise to claims under the due process, equal protection, privileges and immunities clauses and other provisions of the Constitution. As a practical matter, the deal struck by the United States Senate on the “Nebraska Compromise” is a disadvantage to the citizens of 49 states. Every state’s tax dollars, except Nebraska’s, will be devoted to cost-sharing required by the bill, and will be therefore unavailable for other essential state programs. Only the citizens of Nebraska will be freed from this diminution in state resources for critical state services. Since the only basis for the Nebraska preference is arbitrary and unrelated to the substance of the legislation, it is unlikely that the difference would survive even minimal scrutiny.

We ask that Congress delete the Nebraska provision from the pending legislation, as we prefer to avoid litigation. Because this provision has serious implications for the country and the future of our nation’s legislative process, we urge you to take appropriate steps to protect the Constitution and the rights of the citizens of our nation. We believe this issue is readily resolved by removing the provision in question from the bill, and we ask that you do so.

By singling out the particular provision relating to special treatment of Nebraska, we

do not suggest there are no other legal or constitutional issues in the proposed health care legislation.

Please let us know if we can be of assistance as you consider this matter.

Sincerely,

Henry McMaster, Attorney General, South Carolina; Rob McKenna, Attorney General, Washington; Mike Cox, Attorney General, Michigan; Greg Abbott, Attorney General, Texas; John Suthers, Attorney General, Colorado; Troy King, Attorney General, Alabama; Wayne Stenehjem, Attorney General, North Dakota; Bill Mims, Attorney General, Virginia; Tom Corbett, Attorney General, Pennsylvania; Mark Shurtleff, Attorney General, Utah; Bill McCollum, Attorney General, Florida; Lawrence Wasden, Attorney General, Idaho; Marty Jackley, Attorney General, South Dakota.

Mr. NADLER. Mr. Speaker, for seven years, the Republicans have tried and failed to repeal the Affordable Care Act. So now, with a Republican-controlled House, a Republican-controlled Senate, and a Republican in the White House, what have they presented us to vote on today? Republicans complained that premiums were skyrocketing, so they offer a bill that raises premiums. They complained that deductibles were too high, so they propose allowing insurance companies to charge more. They complained that too many people were losing their insurance, so they have embraced a plan that will take away health care from 24 million Americans.

This bill imposes a devastating age tax on older Americans and does next to nothing to protect Americans with pre-existing conditions. It gives nearly \$900 billion in tax cuts to the insurance companies and the wealthy, while refusing coverage for services as basic as hospitalization. It’s simple: Americans will pay more and get less under this bill.

In New York, 2.7 million people will lose insurance and the state will lose \$4.6 billion in Medicaid funding. Compounding those cuts is a cynical so-called deal several upstate Members made to secure their votes on this bill. Under the bill, New York State, and ONLY New York State, will no longer be allowed to ask counties to provide a portion of state Medicaid funding.

Don’t be fooled—this is no deal at all for New York and will actually gut the State’s Medicaid program, forcing hundreds of hospitals to close and rationing health care for millions of New Yorkers.

But my colleagues who have traded their vote for this provision have made an empty bargain. This provision is flatly unconstitutional and will never be enacted. They are giving away health insurance for millions of New Yorkers for an empty promise.

My Republican colleagues claim we need to pass this bill to give people “freedom” to buy health insurance. Let me tell you, freedom to buy health insurance and actually being able to afford health insurance are two very different things.

They keep talking about “access” to health care. Access is not coverage. When they talk about access and freedom, they are conceding that this bill does nothing to ensure that Americans have affordable, comprehensive health insurance to cover them no matter what their health care needs are.

The Republicans so clearly believe that Americans just need freedom to buy insurance, that when asked what a pregnant

woman should do if her state no longer requires insurance companies to cover maternity care, OMB Director Mick Mulvaney said she can “figure out a way to change the state [she] lives in.” How callous are my Republican colleagues to believe that is a real option for Americans?

This bill is a cowardly, cynical effort to lower taxes on the rich and dismantle Medicare and Medicaid as we know it. I urge my colleagues to oppose this bill.

Mr. MESSER. Mr. Speaker, in Indiana, we keep life simple. We love God, country, family, and basketball. And, this time of year, during March Madness, not necessarily in that order. Certain principles are sacred, like you do what you said you were going to do. Some want to make today's debate complicated, but the truth is it's pretty simple. For seven years we've told the American people we would repeal Obamacare. Today we have an opportunity to do that. It's not a perfect bill—no bill is. But President Trump has said this is our best and only chance to get this done.

There is some strong policy in this bill. It cuts taxes by hundreds of billions of dollars and government by hundreds of billions. It keeps pre-existing condition prohibitions and lets 26-year-olds stay on their parents' health plans. Most importantly, however, it unshackles American families from a government forced mandate costing them thousands of dollars each year. This bill represents an enormous change away from an era of taxes, mandates, penalties, and government bureaucrats defining what health insurance plan you are allowed to purchase, and into an era where the patient, the consumer, is back in charge.

Despite today's rhetoric, the choice is clear: you can vote to keep Obamacare or vote to end it. It's really that simple. I urge my colleagues to support the bill, keep your promise, and do what you said you would do.

Ms. NORTON. Mr. Speaker, never before, in more than two centuries of American history, has Congress taken back benefits and replaced them with a package that, in turn, reduces benefits in use by the American people. The effect on the District of Columbia would be particularly disappointing because the Affordable Care Act (ACA) has brought the city to virtual universal coverage (only 3.4 percent not covered). Moreover, most Americans, including D.C. residents, get their coverage through their employers. The untold story about Trumpcare is its effect not only on the ACA, but the harmful effects it could have on the one-sixth of the U.S. economy that is accounted for by healthcare costs.

The reason Americans oppose Trumpcare is its take-backs: 24 million people would lose coverage; premiums and deductibles would increase; essential coverage for maternity care, prescription drugs, and emergency room visits would end; healthy pre-Medicare elderly would be charged five times what others pay; and instead of lengthening the Medicare Trust Fund, Trumpcare would shorten it by three years. The most devastating effect of repeal would be felt by the lowest-income Americans who benefit from the Medicaid expansion in the ACA with the end of the Medicaid expansion in 2020. Seventy-four percent of Americans, including 54 percent of Republicans, oppose cutting Medicaid funding.

I urge my colleagues to join the American people in voting no: recent polls show only 17 percent of the American people support the Republican Trumpcare bill.

Ms. PELOSI. Mr. Speaker, on March 25, 1966—51 years ago, this past Saturday—Dr. King spoke these words: “Of all the forms of inequality, injustice in health is the most shocking and the most inhuman because it often results in physical death.”

We came to this floor to fight TrumpCare last week with the moral force of Dr. Martin Luther King's words in our heart. Affordable health care is a civil right; a fundamental right for every American. As we remember Dr. King's wisdom, as we debated this bill: we did so in tribute to our colleague BOBBY RUSH's late wife, Carolyn Rush. Carolyn was active in the civil rights movement, and she was a champion for Americans' health care. Her funeral was Saturday, the 51st anniversary of Dr. King's words. We were proud to honor Carolyn Rush's memory by saving the Affordable Care Act from repeal and protecting the health of the American people.

Speaker RYAN called this bill an “act of mercy.” There is no mercy here. Indeed, inequality and inhumanity is exactly what TrumpCare has in store for the American people.

Sister Simone Campbell said: “This is not the faithful way forward and must be rejected.” The Catholic Health Association wrote: “We strongly encourage the full House to reject this ‘replacement’ bill.” As the United Methodist Church said, opposing TrumpCare: “People will die because of efforts like this to roll back health care.” Lutheran Services in America said TrumpCare “will jeopardize the health care and long term services and supports of millions of Americans.” The Episcopal Church says TrumpCare “falls woefully short of our spiritual calling to care for the ‘least of these,’ as well as the noble values upon which our great nation was founded.”

Rather than an act of mercy, TrumpCare is a moral monstrosity that will devastate seniors, children and hard-working Americans. I grant our Republican friends their position. I respect them and their constituents who sent them here. But I do not accept the wrong priorities in TrumpCare—tax cuts for the rich at the expense of tens of millions of working families across America.

TrumpCare spotlights the difference in the priorities of the Democrats and Republicans in Congress—whether we in Congress believe in a public role in meeting the needs of the American people. It is about governance itself. Trumpcare is consistent with the Ryan budget that destroys the Medicare guarantee. It is a step forward in the long-standing Republican belief that Medicare should “wither on the vine,” that Medicaid should be shrunken; that Social Security should be privatized.

If you believe we have a role and a responsibility to protect the health and wellbeing of the American people, you must reject the bill before us now. Here's how TrumpCare hurts the American people:

1. Higher Costs—TrumpCare forces families to pay higher premiums and deductibles, increasing out-of-pocket costs.

2. Less Coverage—TrumpCare will take away health care from 24 million hard-working Americans.

3. Key Protections Gutted—TrumpCare eradicates Essential Health Benefits, such as maternity, prescription drug and emergency coverage—functionally destroying protections for Americans with pre-existing conditions.

4. A Crushing Age Tax—TrumpCare forces Americans aged 50–64 to pay premiums five times higher than what others pay for health coverage, no matter how healthy they are.

5. Steals from Medicare—TrumpCare shortens the life of the Medicare Trust Fund and ransacks funds that seniors depend on to get the long-term care they need.

Republicans' bill would increase costs and cut coverage for millions of Americans, while leaving coverage for Members of Congress untouched. And as bad as TrumpCare was already, in the middle of the night Republicans made it even worse.

TrumpCare would make being a woman a pre-existing condition again. Stripping guaranteed maternity care is a pregnancy tax, pure and simple. Under Trumpcare, Americans will be forced to pay extra for hospital coverage; prescription drug coverage; rehab, pregnancy, maternity, newborn and pediatric care. When Republicans eradicate essential health benefits, they are destroying the protections for Americans with pre-existing conditions—no matter if they are covered through the marketplace or their employer.

If Republicans have their way, families, seniors, vulnerable children, Americans with disabilities, people struggling to overcome addiction and the sick will lose their health care. Rural hospitals will be closed and nearly 2 million jobs will be destroyed across America. Millions of veterans will lose access to tax credits for health care. All of this to give another massive tax for the richest in America.

TrumpCare is a billionaire's tax cut disguised as a health care bill. It is Robin Hood in reverse—one of the largest transfers of wealth from working families to the rich in our history. We honor the vision of our founders, who risked everything to advance the right to life, liberty and the pursuit of happiness; a healthier life, and the liberty to pursue your happiness.

Today, as we fight to preserve affordable health care as the right of every American, not a privilege for the few, we fight for children like Zoe Madison Lihn. Zoe was born with a congenital heart defect in May 2010. She faced her first—of three heart surgeries—at 15 hours old. By six months old, Zoe was halfway to the lifetime limit her insurer placed on her care. She faced a grim future; not only using up her lifetime limit by pre-school, but carrying a pre-existing condition that will require attention and care for the rest of her life. Thanks to the Affordable Care Act, Zoe is protected. But TrumpCare puts her future in danger—higher costs, less care.

I began with Dr. Martin Luther King, and I will end with Pope Francis, who spoke of Dr. King in his speech to Congress. As Pope Francis said: “Health is not a consumer good but a universal right, so access to health services cannot be a privilege.” Our responsibility to the sick and the hurt is biblical. It is fundamental to who we are. Today, let us declare once again that affordable health care must be the right of every American—not the privilege of the few. For the sake of our values, to

honor our responsibilities, to protect the health of the American people, I urged my colleagues to vote no on this moral monstrosity—the TrumpCare bill.

Ms. BONAMICI. Mr. Speaker, I rise in opposition to the American Health Care Act—TrumpCare—and to express my relief that it was removed from consideration before a vote. This proposal would have been a disaster for Oregonians and Americans. People would pay more and get less, and if they couldn't afford to pay more, they'd be out of luck.

Many would face a future without health insurance, or with inadequate coverage. The bill was especially bad for seniors, whose rates would have increased significantly.

Without coverage, working families are a cancer diagnosis or a heart attack away from economic ruin. When I worked at Legal Aid, many clients were struggling to repay medical debt after getting sick with no insurance or insurance that didn't cover their needs. We can't go back to the days when medical debt forced people into bankruptcy.

At my recent town hall meeting in McMinnville, Oregon a woman told me that her father-in-law suffered a massive stroke. Without coverage under the ACA, their family wouldn't have been able to afford the helicopter transport to Portland or his care at a rehabilitation facility.

Astoundingly, the TrumpCare bill also eliminated essential health benefits; several important consumer protections the Affordable Care Act added to insurance. By removing these benefits, TrumpCare would not cover many critical services, like mental health care, emergency room services, and maternity care. This change in the bill, added late at night in a desperate but unsuccessful attempt to gain more support from conservatives, would mean that people would once again buy insurance policies that would not cover their needs.

Additionally, TrumpCare made meaningless the ACA guarantee that people with pre-existing conditions cannot be discriminated against or denied coverage. With TrumpCare, people with pre-existing conditions would face insurmountable bills if unexpected illness or injuries occur.

Finally, women would stand to lose significantly under TrumpCare. Women who get life-saving cancer screenings and care at Planned Parenthood would have to find a new provider. Without insurance plans covering maternity care, women would struggle to get prenatal care—or simply go without. New mothers without insurance could face \$50,000 in bills after a cesarean section.

I was strongly opposed to TrumpCare because it was terrible policy for Oregonians and Americans. I will continue to do everything in my power to protect Oregonians from the pay more, get less policies that are currently under consideration by the leadership of the House of Representatives.

Americans need the stability of knowing they will have affordable health care coverage. I stand ready to work with all of my colleagues on policies that improve access to affordable health care for everyone.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 1628 is postponed.

RECESS

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

Accordingly (at 3 o'clock and 31 minutes p.m.), the House stood in recess.

□ 1630

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 4 o'clock and 30 minutes p.m.

TERRORIST AND FOREIGN FIGHTER TRAVEL EXERCISE ACT OF 2017

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on suspending the rules and passing the bill (H.R. 1302) to require an exercise related to terrorist and foreign fighter travel, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Arizona (Ms. MCSALLY) that the House suspend the rules and pass the bill.

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

A motion to reconsider was laid on the table.

ADJOURNMENT FROM FRIDAY, MARCH 24, 2017, TO MONDAY, MARCH 27, 2017

Mr. BERGMAN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday, March 27, 2017, when it will convene at noon for morning-hour debate and 2 p.m. for legislative business.

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

There was no objection.

SPENDING AUTHORITY FOR HOUSE AUTHORIZING COMMITTEES

(On-budget amounts, in millions of dollars)

	FY 2017	2017–2026
Agriculture:		
Current Law	BA 17,118	716,540
	OT 16,788	707,615
Resolution Change	BA 0	0
	OT 0	0

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PAYNE (at the request of Ms. PELOSI) for March 23 on account of medical condition.

PUBLICATION OF BUDGETARY MATERIAL

AGGREGATES, ALLOCATIONS, AND OTHER BUDGETARY LEVELS OF THE FISCAL YEAR 2017 BUDGET RESOLUTION RELATED TO LEGISLATION REPORTED BY THE COMMITTEE ON THE BUDGET

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, March 24, 2017.

Mr. Speaker, pursuant to section 4001(b)(2) of the Concurrent Resolution on the Budget for Fiscal Year 2017 (S. Con. Res. 3, 115th Congress), I hereby submit for printing in the Congressional Record the 302(a) allocations to the authorizing committees of the House consistent with that concurrent resolution.

Section 4001(b)(2) of S. Con. Res. 3 authorized the House Committee on the Budget to file 302(a) allocations consistent with the budgetary levels established in S. Con. Res. 3. This filing authority was necessary because there was no joint statement of managers accompanying S. Con. Res. 3. Under section 301(e)(2)(F) of the Congressional Budget Act of 1974, the allocations are to be included in the report accompanying the budget resolution.

These allocations are enforced by section 302(f) of the Congressional Budget Act of 1974, which prohibits the consideration of legislation that would cause the applicable allocation of new budget authority to be exceeded for the budget year, fiscal year 2017, or for the total period of fiscal years 2017 through 2026.

These aggregates, allocations, and other budgetary levels apply to bills, joint resolutions, and amendments thereto or conference reports thereon, considered by the House subsequent to this filing.

Associated tables are attached. If there are any questions on these aggregates, allocations, and other budgetary levels in the concurrent resolution on the budget for fiscal year 2017, please contact Jim Bates, Chief Counsel of the Budget Committee.

Sincerely,
DIANE BLACK,
Chairman, Committee on the Budget.

FISCAL YEAR 2017 BUDGET TOTALS
(On-budget amounts, in millions of dollars)

	FY 2017	2017–2026
Appropriate Level		
Budget Authority	3,308,000	n.a.
Outlays	3,264,662	n.a.
Revenues	2,682,088	32,351,660

n.a. = Not applicable because annual appropriations acts for fiscal years 2019–2026 will not be considered until future sessions of Congress.

SPENDING AUTHORITY FOR HOUSE AUTHORIZING COMMITTEES—Continued

(On-budget amounts, in millions of dollars)

		FY 2017	2017–2026
Total	BA	17,118	716,540
	OT	16,788	707,615
Armed Services:			
Current Law	BA	158,746	1,842,682
	OT	159,079	1,839,456
Resolution Change	BA	0	0
	OT	0	0
Total	BA	158,746	1,842,682
	OT	159,079	1,839,456
Financial Services:			
Current Law	BA	13,125	100,422
	OT	1,652	– 47,968
Resolution Change	BA	0	0
	OT	0	0
Total	BA	13,125	100,422
	OT	1,652	– 47,968
Education & Workforce:			
Current Law	BA	383	49,072
	OT	– 5,026	18,899
Resolution Change	BA	0	0
	OT	0	0
Total	BA	383	49,072
	OT	– 5,026	18,899
Energy & Commerce:			
Current Law	BA	457,733	6,015,424
	OT	447,493	6,015,912
Resolution Change	BA	0	– 1,000
	OT	0	– 1,000
Total	BA	457,733	6,014,424
	OT	447,493	6,014,912
Foreign Affairs:			
Current Law	BA	36,154	310,990
	OT	30,599	295,396
Resolution Change	BA	0	0
	OT	0	0
Total	BA	36,154	310,990
	OT	30,599	295,396
Oversight & Government Reform:			
Current Law	BA	118,066	1,359,052
	OT	116,351	1,324,818
Resolution Change	BA	0	0
	OT	0	0
Total	BA	118,066	1,359,052
	OT	116,351	1,324,818
Homeland Security:			
Current Law	BA	2,392	24,890
	OT	2,217	25,797
Resolution Change	BA	0	0
	OT	0	0
Total	BA	2,392	24,890
	OT	2,217	25,797
House Administration:			
Current Law	BA	38	341
	OT	9	106
Resolution Change	BA	0	0
	OT	0	0
Total	BA	38	341
	OT	9	106
Natural Resources:			
Current Law	BA	5,503	60,044
	OT	5,826	62,006
Resolution Change	BA	0	0
	OT	0	0
Total	BA	5,503	60,044
	OT	5,826	62,006
Judiciary:			
Current Law	BA	27,330	134,953
	OT	13,561	142,304
Resolution Change	BA	0	0
	OT	0	0
Total	BA	27,330	134,953
	OT	13,561	142,304
Transportation & Infrastructure:			
Current Law	BA	74,386	733,930
	OT	16,301	175,727
Resolution Change	BA	0	0
	OT	0	0
Total	BA	74,386	733,930
	OT	16,301	175,727
Science, Space & Technology:			
Current Law	BA	101	1,017
	OT	101	1,017
Resolution Change	BA	0	0
	OT	0	0
Total	BA	101	1,017
	OT	101	1,017
Small Business:			
Current Law	BA	0	0
	OT	0	0
Resolution Change	BA	0	0
	OT	0	0
Total	BA	0	0
	OT	0	0

SPENDING AUTHORITY FOR HOUSE AUTHORIZING COMMITTEES—Continued
(On-budget amounts, in millions of dollars)

		FY 2017	2017–2026
Veterans Affairs:			
Current Law	BA	1,217	109,461
	OT	7,017	117,667
Resolution Change	BA	0	0
	OT	0	0
Total	BA	1,217	109,461
	OT	7,017	117,667
Ways & Means:			
Current Law	BA	1,058,819	15,224,020
	OT	1,057,533	15,218,580
Resolution Change	BA	0	–1,000
	OT	0	–1,000
Total	BA	1,058,819	15,223,020
	OT	1,056,533	15,217,580

PUBLICATION OF BUDGETARY MATERIAL

REVISIONS TO THE AGGREGATES AND ALLOCATIONS OF THE FISCAL YEAR 2017 BUDGET RESOLUTION

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, March 24, 2017.

Mr. Speaker, I hereby submit for printing in the Congressional Record revisions to the budget allocations and aggregates established by S. Con. Res. 3, the Concurrent Resolution on the Budget for fiscal year 2017. S. Con. Res. 3 permits the Chairman of the Committee on the Budget to adjust the appropriate allocations, aggregates, and functional levels established by that resolution for legislation related to health care by the

amounts provided in such legislation for that purpose.

These adjustments are designated for H.R. 1628, the American Health Care Act of 2017, as reported by the Committee on the Budget on Monday, March 20, 2017.

These revisions represent an adjustment for purposes of budgetary enforcement. These revised allocations and aggregates are to be considered as the aggregates and allocations established in the budget resolution, pursuant to S. Con. Res. 3. Pursuant to section 4003 of S. Con. Res. 3, the adjustments apply only while H.R. 1628 is under consideration or upon its enactment.

Sincerely,

DIANE BLACK,
Chairman,
Committee on the Budget.

TABLE 2—REVISION TO COMMITTEE ALLOCATIONS *

(Authorizing committee 302(a) allocations—(On-budget amounts, in millions of dollars))

House Energy and Commerce	2017		2017–2026 Total	
	Budget authority	Outlays	Budget authority	Outlays
Current Allocation	457,733	447,493	6,014,424	6,014,912
Adjustment for H.R. 1628	–6,300	–6,700	–1,202,800	–1,216,600
Revised Allocation	451,433	440,793	4,811,624	4,798,312

* The score for H.R. 1628 does not allocate the changes in direct spending by committee. For purposes of this adjustment, the changes to direct spending are allocated to the House Energy and Commerce Committee.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on March 23, 2017, she presented to the President of the United States, for his approval, the following bill:

H.R. 1228. To provide for the appointment of members of the Board of Directors of the Office of Compliance to replace members whose terms expire during 2017, and for other purposes.

ADJOURNMENT

Mr. BERGMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 31 minutes p.m.), under its previous order, the House adjourned until Monday, March 27, 2017, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

914. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Minority and Women Outreach Program (RIN: 2590-AA87) received March 23, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

915. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 150916863-6211-02] (RIN: 0648-XE878) received March 23, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

916. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's tem-

TABLE 1—REVISION TO ON-BUDGET AGGREGATES

(Budget aggregates—(On-budget amounts, in millions of dollars))

	Fiscal year	
	2017	2017–2026
Current Aggregates:		
Budget Authority	3,308,000	1
Outlays	3,264,662	1
Revenues	2,682,088	32,351,660
Adjustment for H.R. 1628:		
Budget Authority	–6,300	1
Outlays	–6,700	1
Revenues	–6,600	–893,500
Revised Aggregates:		
Budget Authority	3,301,700	1
Outlays	3,257,962	1
Revenues	2,675,488	31,458,160

¹ Not applicable because annual appropriations acts for fiscal years 2019–2026 will not be considered until future sessions of Congress.

porary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2016 Commercial Accountability Measures and Closure for South Atlantic Greater Amberjack [Docket No.: 100812345-2142-03] (RIN: 0648-XE896) received March 23, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

917. A letter from the Acting DDA for Regulatory Programs, NMFS, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Russian River Estuary Management Activities [Docket No.: 160929897-7222-02] (RIN: 0648-BG37) received March 23, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. SESSIONS: Committee on Rules. House Resolution 228. Resolution providing for consideration of the bill (H.R. 1628) to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017 (Rept. 115-58). Referred to the House Calendar.

Mr. SMITH of Texas: Committee on Science, Space, and Technology. H.R. 1430. A bill to prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible (Rept. 115-59). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BROOKS of Alabama:

H.R. 1718. A bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, Natural Resources, the Judiciary, House Administration, Rules, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESAULNIER (for himself, Mr. KING of New York, Mr. POLIS, Mr. MCGOVERN, Ms. ESHOO, Mr. LANGEVIN, Mr. LOWENTHAL, Ms. MATSUI, Mrs. NAPOLITANO, Mr. HUFFMAN, Mr. SWALWELL of California, Mr. BEYER, Mr. POCAN, Mr. SCHIFF, Mr. CARTWRIGHT, Ms. SPEIER, and Mr. GARAMENDI):

H.R. 1719. A bill to authorize the Secretary of the Interior to acquire approximately 44 acres of land in Martinez, California, and for other purposes; to the Committee on Natural Resources.

By Mr. KING of New York (for himself and Mr. PASCRELL):

H.R. 1720. A bill to amend the Internal Revenue Code of 1986 to modify the rules applicable to length of service award plans; to the Committee on Ways and Means.

By Mr. ROUZER:

H.R. 1721. A bill to direct the Secretary of Veterans Affairs to designate at least one city in the United States each year as an "American World War II City", and for other purposes; to the Committee on Veterans' Affairs.

By Mr. AUSTIN SCOTT of Georgia (for himself, Mr. DUNCAN of South Carolina, Mr. GOSAR, Mrs. COMSTOCK, Mr. STEWART, Mr. HARPER, Mr. CALVERT, Mr. SCHWEIKERT, Mr. FLEISCHMANN, Mr. GOHMERT, Mr. LAMALFA, Mr. GRAVES of Georgia, Mr. BABIN, Mr. FARENTHOLD, Mr. LOUDERMILK, Mr. FLORES, Mr. YOHO, Mrs. BLACKBURN, Mr. HUIZENGA, Mr. KELLY of Pennsylvania, Mr. FERGUSON, Mr. CARTER of Georgia, Mr. GIBBS, Mr. OLSON, and Mr. ALLEN):

H.R. 1722. A bill to amend the National Labor Relations Act to modify the authority of the National Labor Relations Board with respect to rulemaking, issuance of com-

plaints, and authority over unfair labor practices; to the Committee on Education and the Workforce.

By Mr. TAKANO (for himself and Mr. CONYERS):

H.R. 1723. A bill to amend the Federal Election Campaign Act of 1971 to provide for a limitation on the time for the use of contributions or donations, and for other purposes; to the Committee on House Administration.

By Mr. TAKANO (for himself, Mr. ELLISON, Mr. MCGOVERN, Ms. SCHAKOWSKY, Ms. MOORE, Ms. NORTON, Mr. COHEN, Mr. GRIJALVA, and Mr. NADLER):

H.R. 1724. A bill to amend title V of the Omnibus Crime Control and Safe Streets Act of 1968 to prohibit Edward Byrne Memorial Justice Assistance Grants from being made available to a State or unit of local government that has a contract with a person that charges a fee to pay-only probationers, and for other purposes; to the Committee on the Judiciary.

By Mr. WALZ (for himself, Mr. DENHAM, Mr. LANGEVIN, Ms. MCSALLY, Mr. JOHNSON of Ohio, Mr. COSTELLO of Pennsylvania, and Ms. KUSTER of New Hampshire):

H.R. 1725. A bill to amend title 38, United States Code, to improve the treatment of medical evidence provided by non-Department of Veterans Affairs medical professionals in support of claims for disability compensation under the laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution, firm.

By Mr. BROOKS of Alabama:

H.R. 1718.

Congress has the power to enact this legislation pursuant to the following:

Article 1 of the United States Constitution.

By Mr. DESAULNIER:

H.R. 1719.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. KING of New York:

H.R. 1720.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ROUZER:

H.R. 1721.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the US Constitution

By Mr. AUSTIN SCOTT of Georgia:

H.R. 1722.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. TAKANO:

H.R. 1723.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. TAKANO:

H.R. 1724.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. WALZ:

H.R. 1725.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article 1 of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 24: Mr. ARRINGTON.

H.R. 44: Mr. FRANCIS ROONEY of Florida.

H.R. 80: Mr. ARRINGTON.

H.R. 82: Mr. ARRINGTON and Mr. MCKINLEY.

H.R. 112: Ms. WASSERMAN SCHULTZ.

H.R. 136: Ms. ROS-LEHTINEN.

H.R. 175: Mr. JOHNSON of Louisiana.

H.R. 299: Mr. CAPUANO, Ms. BARRAGÁN, Mr. CRIST, Mr. LAWSON of Florida, and Mr. RICHMOND.

H.R. 305: Mr. AMASH.

H.R. 402: Mr. VISCLOSKEY.

H.R. 489: Mr. EVANS.

H.R. 502: Mr. GOTTHEIMER, Mr. KIHUEN, Mr. CAPUANO, Ms. SINEMA, Ms. BORDALLO, and Mrs. TORRES.

H.R. 579: Mr. MEEKS.

H.R. 580: Mr. RUSH, Mr. LOEBACK, Ms. NORTON, Ms. LEE, Mrs. DINGELL, Ms. JACKSON LEE, Mr. KILDEE, and Ms. WILSON of Florida.

H.R. 749: Mr. SCHNEIDER.

H.R. 786: Mr. ELLISON.

H.R. 804: Mr. COURTNEY.

H.R. 825: Mrs. LOVE.

H.R. 828: Mr. LONG.

H.R. 846: Mrs. BEATTY, Ms. KAPTUR, Mr. SMUCKER, Ms. LOFGREN, Mr. COSTELLO of Pennsylvania, Mrs. HARTZLER, Mr. DEFazio, Mr. LARSEN of Washington, Mr. ROGERS of Alabama, Mr. SMITH of Texas, and Ms. KUSTER of New Hampshire.

H.R. 849: Mr. COOK and Mrs. WALORSKI.

H.R. 873: Mr. O'ROURKE and Mr. MCGOVERN.

H.R. 896: Mr. PETERSON.

H.R. 909: Ms. BARRAGÁN.

H.R. 918: Mr. LOEBACK.

H.R. 1002: Mr. UPTON.

H.R. 1017: Mr. HECK.

H.R. 1057: Mr. STIVERS, Mr. BISHOP of Georgia, Mrs. BLACK, Mr. CÁRDENAS, and Mr. BUTTERFIELD.

H.R. 1090: Mr. STIVERS and Mr. HIGGINS of New York.

H.R. 1098: Mr. LONG.

H.R. 1111: Mrs. CAROLYN B. MALONEY of New York.

H.R. 1154: Mr. YOUNG of Alaska, Mr. ROKITA, and Mr. WITTMAN.

H.R. 1155: Mr. BLUMENAUER.

H.R. 1159: Mr. LIPINSKI, Mr. POSEY, and Mr. ROKITA.

H.R. 1168: Mr. RASKIN.

H.R. 1169: Ms. GABBARD.

H.R. 1223: Mr. FORTENBERRY and Mr. HUFFMAN.

- H.R. 1239: Mr. KIND.
H.R. 1279: Mr. JONES.
H.R. 1299: Mr. BEYER.
H.R. 1317: Mr. OLSON.
H.R. 1318: Mr. BISHOP of Georgia, Ms. SPEIER, and Mr. BLUMENAUER.
H.R. 1334: Mr. COLLINS of Georgia and Mr. SESSIONS.
H.R. 1370: Mr. FITZPATRICK.
H.R. 1405: Mr. PETERS, Mr. POCAN, and Mr. EVANS.
H.R. 1407: Mrs. HARTZLER.
H.R. 1421: Mr. KENNEDY and Mr. PETERSON.
H.R. 1438: Mr. SIREs.
H.R. 1452: Mr. EVANS.
H.R. 1465: Mr. WESTERMAN.
H.R. 1481: Mrs. COMSTOCK.
H.R. 1511: Mrs. BEATTY.
H.R. 1513: Mr. PASCRELL.
- H.R. 1552: Mr. ABRAHAM, Mr. HARPER, Mr. FRANKS of Arizona, Mr. BROOKS of Alabama, Mr. GROTHMAN, and Mr. CALVERT.
H.R. 1562: Ms. SHEA-PORTER.
H.R. 1569: Mr. MCGOVERN.
H.R. 1596: Mr. WELCH and Mr. CAPUANO.
H.R. 1600: Mr. BISHOP of Georgia.
H.R. 1614: Ms. LEE and Mr. GRIJALVA.
H.R. 1626: Mr. WESTERMAN, Mr. OLSON, and Mr. BISHOP of Georgia.
H.R. 1661: Mr. YOUNG of Alaska, Mr. MARCHANT, and Ms. BROWNLEY of California.
H.R. 1676: Mr. KINZINGER.
H.R. 1697: Mr. GOTTHEIMER and Mr. BRADY of Pennsylvania.
H.J. Res. 74: Mr. YARMUTH.
H. Con. Res. 8: Mr. ARRINGTON.
H. Con. Res. 40: Mr. ABRAHAM.
H. Res. 15: Mr. RENACCI, Miss RICE of New York, Mr. NADLER, Mr. VEASEY, Mr. AMODEI, Mr. TED LIEU of California, Mr. CAPUANO, and Ms. KUSTER of New Hampshire.
H. Res. 90: Ms. CLARKE of New York.
H. Res. 92: Mr. ISSA, Mr. PERRY, Mr. FERGUSON, Mr. SCHIFF, and Mr. PETERS.
H. Res. 128: Mr. BRADY of Pennsylvania, Mrs. BEATTY, Ms. LEE, Mr. BEYER, Ms. NORTON, Mr. WOODALL, Ms. JUDY CHU of California, and Mr. MCGOVERN.
H. Res. 178: Mr. MCGOVERN.
H. Res. 184: Mr. KIHUEN, Mr. SEAN PATRICK MALONEY of New York, Mr. RYAN of Ohio, Mr. KHANNA, Mr. CUMMINGS, Mr. VEASEY, Ms. TSONGAS, Mr. RUPPERSBERGER, Mr. NADLER, and Mr. McEACHIN.
H. Res. 202: Mr. BARR and Mr. PERLMUTTER.
H. Res. 206: Mr. BYRNE, Mr. KENNEDY, Ms. STEFANIK, and Mr. JOHNSON of Georgia.
H. Res. 219: Mr. NOLAN.
H. Res. 220: Mr. CROWLEY.

EXTENSIONS OF REMARKS

COMMEMORATING THE RETIREMENT OF BOB EPLING

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. DIAZ-BALART. Mr. Speaker, I rise to commemorate the retirement of Bob Epling.

Mr. Epling began his career as an assistant bank examiner with the Federal Deposit Insurance Corporation in Washington, D.C. From there, he moved to South Florida, where he would spend most of the next fifty years. Mr. Epling worked for several banks in South Florida, and has served as the President and CEO of Homestead/Community Bank of Florida for the last forty years. Through his work at the bank, Mr. Epling has consistently proven himself to be an honorable, ethical man.

Mr. Epling has also been an active member of the South Florida community. He has served as the Chairman of the International Hurricane Center for the past twenty years, serves on the executive board of the South Florida Council of Boy Scouts of America, and is a member of the Military Affairs Committee of the Greater Homestead/Florida City Chamber of Commerce, among many other activities.

Mr. Epling is also a Senior Advisor to the Orange Bowl Committee, after serving as its President in 1993. In his work with the Orange Bowl Committee, Mr. Epling was able to break ground on a renovation of the football stadium and field at Harris Field Park in Homestead. This project is just one example of Mr. Epling's continuing commitment to making life better for his neighbors in South Florida.

I have known Bob for several decades, and have been consistently impressed with the breadth of his involvement with the community. Bob has been a loyal friend, and is an honest voice who can speak to the positive qualities of his community as well as the challenges it faces. I congratulate Bob on a remarkable career and a lasting impact made.

Mr. Speaker, I am honored to pay tribute to Bob Epling for his tremendous service to the South Florida community, and I ask my colleagues to join me in recognizing this remarkable individual.

PERSONAL EXPLANATION

HON. NIKI TSONGAS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Ms. TSONGAS. Mr. Speaker, on March 22, 2017, I missed a vote on H.R. 372 due to a family medical emergency. Had I been present for this vote, I would have voted Yea because this bill would subject the health insurance in-

dustry to the same antitrust laws that other industries face.

On the same day, I missed a vote on H.R. 1101 because of the same family medical emergency. Had I been present for this vote, I would have voted Nay on this bill because it would allow association health plans to create and set their own health insurance standards, exempting them from most state laws and regulations. I believe this bill would threaten the soundness of insurance markets and result in inadequate health insurance coverage, putting consumers at risk.

TRIBUTE TO SLOSTRINGER MATTHEW FRANK

HON. SALUD O. CARBAJAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. CARBAJAL. Mr. Speaker, I rise today to acknowledge a tragedy and recognize a young man whose contributions were anonymous but were felt by the residents and the entire firefighter and law enforcement community of San Luis Obispo County.

Matthew Frank, known to all as the SLOStringer, died in a car accident Tuesday morning, while responding to a house fire.

He was an independent photographer and reporter who was followed by thousands on social media for his reporting on fires, floods, accidents, rescues, landslides, break-ins and arrests.

The San Luis Obispo High School graduate was the eyes and ears for the community when news happened.

His goal, "My hope is that these sights make someone reconsider their (potentially fatal) actions." He said that public safety doesn't get a fair shake, and he "wanted to set the record straight." I would like to draw attention to how much he cared for his community.

During one of the many disastrous wildfires we experienced on the Central Coast last year, Matthew put his life at risk to help the victims of the Chimney Fire. While covering the fire from the frontlines, he met evacuees whose pets, medications and other items were left behind in the rush to escape the fast-moving fire. He used his credentials to return to the fire lines and recover those items he could for the victims.

As our state's fire agency, CalFire, stated "(Matthew) was quite often the first reporter with breaking news around the county, providing details and pictures. He was an advocate for public safety with a great deal of respect for the jobs performed by our firefighters and police officers."

Matthew Frank, the SLOStringer, was a respected journalist, a businessman and an advocate for public safety who will be missed for

his contributions to the first-responder community and residents of San Luis Obispo County.

RECOGNIZING JUSTICE JOSEPH J. MALTESE

HON. DANIEL M. DONOVAN, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. DONOVAN. Mr. Speaker, I rise today to thank Justice Joseph J. Maltese for his continued dedication to the judicial system.

After receiving his Juris Doctor from New York Law School in 1973, Justice Maltese served as a law clerk for Judge John J. Kelly. Soon after, he started his own successful law firm, Joseph J. Maltese & Associates, which he ran from 1976 to 1992. During that same time, he was serving his country as a Legal Officer in the Judge Advocate General's Corps of the Army. Additionally, it should be also noted that he has served in the Army as an Armor Officer and an Intelligence Staff Officer. This commitment to his country goes to show just how devoted he has been to public service.

With three master's degrees, including one in Judicial Studies, and a Ph.D. in Philosophy, it is easy to say that Justice Maltese has a brilliant legal mind. Throughout his career as a judge, he has put that mind to work. He has served on the New York City Civil Court, New York City Criminal Court, and Court of Claims for Richmond County on the New York Supreme Court. Currently, Justice Maltese serves as an Associate Justice for the Appellate Division, Second Department, and the Presiding Justice for the New York Litigation Coordinating Panel, where he continues to issue impartial rulings based on the letter of the law, as a justice always should.

Despite his busy schedule, Justice Maltese also contributes his time educating future legal minds. He serves as an Adjunct Professor of Law at New York Law School, his alma mater, and he regularly gives lectures to various legal associations. Recently, he was awarded the Charles A. Rapallo and Justice Antonin Scalia Award by the Columbian Lawyers Association for his stellar record in the judiciary.

Mr. Speaker, Justice Joseph J. Maltese's commitment to the judiciary and the rule of law is nothing short of admirable. I thank him for his lifetime of public service, and I wish him nothing but the best.

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

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

PERSONAL EXPLANATION

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. MARCHANT. Mr. Speaker, due to the recent birth of my first grandson, Walker Ross Marchant on March 21, 2017, I missed the following votes on March 20th and 21st, 2017:

Roll Call Vote No. 173: Reducing DHS Acquisition Cost Growth Act, I would have voted "yes."

Roll Call Vote No. 174: DHS Multiyear Acquisition Strategy Act of 2017, I would have voted "yes."

Roll Call Vote No. 175: DHS Acquisition Authorities Act of 2017, I would have voted "yes."

Roll Call Vote No. 176: On ordering the previous question, I would have voted "yes."

Roll Call Vote No. 177: Providing for consideration of the bill (H.R. 372) to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers, I would have voted "yes."

Roll Call Vote No. 178: Transparency in Technological Acquisitions Act of 2017, I would have voted "yes."

Roll Call Vote No. 179: On ordering the previous question, I would have voted "yes."

Roll Call Vote No. 180: Providing for consideration of the bill (H.R. 1101) to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees, I would have voted "yes."

Roll Call Vote No. 181: Quadrennial Homeland Security Review Technical Corrections Act of 2017, I would have voted "yes."

IN RECOGNITION OF THE 100TH ANNIVERSARY OF THE AMERICAN RED CROSS OF NORTHEASTERN PENNSYLVANIA

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor the American Red Cross of Northeastern Pennsylvania which celebrates 100 years of service on March 23, 2017. Northeastern Pennsylvanians have a long history of helping our neighbors in need. For the past 100 years, the American Red Cross has been there for the residents of Northeastern Pennsylvania.

Founded in 1917, the Red Cross chapters across Northeastern Pennsylvania have been there through wars, epidemics, coal mine accidents, fires, floods, tornadoes, hurricanes and more. Red Cross volunteers and donors have given of their time and resources to help community members.

Members of the Red Cross help families find shelter after a home fire. They give blood to help trauma victims and cancer patients.

They deliver comfort items to military members in the hospital. They use their lifesaving skills to save someone from a heart attack, drowning, or choking. Red Cross volunteers have responded to 130 disasters in Northeastern Pennsylvania. They've supported more than 200 families in a time of crisis, some who had lost everything they owned. Direct financial assistance was given to some 535 residents.

The Red Cross is committed to make our communities safer. Volunteers installed more than 4,000 smoke alarms in Northeastern Pennsylvania homes and trained nearly 3,700 children to deal with emergency situations. Another 10,000 adults were trained to perform life-saving techniques such as First Aid and CPR. The Red Cross of Northeastern Pennsylvania has delivered 365 various services to our military members, veterans, and their families through its Services to Armed Forces Program.

I am grateful to all those who support the American Red Cross mission of preventing and alleviating human suffering in the face of emergencies. It is an honor to recognize them for their century of service. May they continue to fulfill their humanitarian mission.

IN RECOGNITION OF TAYLOR DAILY

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. MEEHAN. Mr. Speaker, I rise today to recognize and bid farewell to a valued and trusted member of my team here in Washington, D.C., Taylor Daily. Taylor has risen through the ranks to become a Legislative Aide in my office and will soon be departing the Capitol to prepare for law school.

I extend my deepest and most heartfelt congratulations to Taylor, who I know will thrive in law school and later as an attorney just as she did at Spring-Ford High School, later at Loyola University in Baltimore, and most recently in my office.

Taylor has become not just a capable member of our legislative team—she's become a good friend. I am confident that she will continue to make everyone who knows her proud.

Her parents, Rob & Wendy, deserve recognition for raising such a remarkable daughter destined to achieve remarkable things.

I congratulate Taylor and wish her the best as she embarks upon an important milestone in her education and her life.

HONORING DELTA INDUSTRIAL INSTITUTE HIGH SCHOOL

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to recognize The Delta Industrial Institute High School of Sunflower County.

Attorney William Franklin Reden was from Illinois. In 1908 he graduated from The Univer-

sity of Iowa with his Bachelor of Laws (LL.B.) degree. He arrived in Mississippi in 1910 and taught school for two years at Utica Institute in Rankin County, Mississippi. In 1914, he established "The Vocational Experimental School for Negroes" in the Mississippi Delta, just 1½ miles northeast of Doddsville. It was initially founded as an educational pilot program to teach the children of sharecropper's in the Mississippi Delta. The idea evolved from there to become "The Delta Industrial Institute High School" in 1917 when it was incorporated.

The Delta Industrial Institute (DII) High School was a private institution similar to the concept of the Piney Woods Country Life School in Rankin County, Mississippi. DII was a boarding school on 80 acres of State leased land. It brought hope, a renewed and change in the delivery of education in the Delta. Prior to the opening of the Institute most of the children received their education inside of church schools. It operated during the off season of harvesting, which was mainly in the winter months.

The schools curriculum focused on Morals, Religion, Literary, and Industrial Education with classes in agriculture, home economics, academics and the development of lifelong skills. Students from different grade levels attended the school. There were no buses or automobiles to transport the children to and from school. Many of them walked for miles and some were barefoot without adequate clothing for the walk to school during the winter months. The Delta Industrial Institute High School was like home and family to students. They thought of it as a "community" because of the caring and sharing among teachers to students, in an effort to make the best of things given the era and lack of available resources. Their text books were often outdated and passed down from the white schools. So was equipment (e.g., home economics), and other materials.

In a 1924 newspaper article written by Horace Sylvan Stansel, published in the Ruleville Record, the Mississippi Department of Education received its' accreditation approval as an accredited agricultural high school. This made it the first African American school in the nation to receive this accreditation. The Delta Industrial Institute High School was incorporated in 1917 and educated students for 45 years of their 50 year lease on land from the State of Mississippi. The school closed its doors in 1959 at the time when talks of consolidating the school were going on.

Ms. Hazael Willis Barney, a graduate of the school along with other graduates started the Delta Industrial Institute High School (DII) alumni association. She is also the historian for the school. The Delta Industrial Institute School has educated doctors, lawyers, teachers, and politicians. In fact, Ms. Blanche Smith a graduate of DII went on to become the first Black female Mayor of Muskegon, Michigan. In a 2011 article by Andrea Hall, printed in the Commonwealth Greenwood newspaper, Ms. Barney commented on her inspiration for preserving the history of the Delta Industrial Institute High School by saying, "We are all only here for a short time, so each generation must leave an imprint . . . The DII is an important part of each black student's history in this state."

Mr. Speaker, I ask my colleagues to join me in recognizing the Delta Industrial Institute High School located 1½ miles northeast of Daddsville, MS located in Sunflower County inside of the Second Congressional District of Mississippi.

PERSONAL EXPLANATION

HON. VICKY HARTZLER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mrs. HARTZLER. Mr. Speaker, on Thursday, March 23, 2017, I was unable to vote. Had I been present, I would have voted as follows:

On roll call No. 189, YEA.

PERSONAL EXPLANATION

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Ms. SINEMA. Mr. Speaker, due to a medical emergency, I was unable to vote on roll call votes 173 through 187. I would like to reflect that if present, I would have voted: aye on roll call number 173; aye on roll call number 174; aye on roll call number 175; nay on roll call number 176; aye on roll call number 177; aye on roll call number 178; nay on roll call number 179; nay on roll call number 180; aye on roll call number 181; nay on roll call number 182; aye on roll call number 183; aye on roll call number 184; aye on roll call number 185; aye on roll call number 186; and aye on roll call number 187.

HONORING DWAYNE K. PICKETT,
SR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Dr. Dwayne K. Pickett, Sr.

A native of the small town of Itta Bena in the Mississippi Delta, Dr. Pickett graduated from Terry High School in Terry, MS. He earned a Bachelor of Science in Elementary Education from the University of Southern Mississippi in May, 1994; a Master of Education in Administration from the University of Southern Mississippi in May, 1995; a Master of Arts in Christian Education from Reformed Theological Seminary (Jackson, MS) in 2000; and a Doctor of Philosophy in Christian Education from New Orleans Baptist Seminary in May, 2011. Dr. Pickett has five sons: Julian (Elyane Alexander), Kenedrick, Malcolm, Dwayne, Jr., and Keishun.

In addition to preaching on Sundays at New Jerusalem, Pastor Pickett has been a guest preacher nationally and internationally. Past service includes his roles as Executive Direc-

tor of the General Missionary Baptist State Convention Youth Department and Director of Christian Education for the Southern Regional Youth Conference. He has a monthly weekend men's retreat where he teaches a Bible study along with Dr. John Perkins that is designed to develop and encourage vital African-American male evangelical leaders in Mississippi, and he is commissioned by the Christian Men's Network to train men worldwide.

Pastor Pickett's civic service includes successfully chairing the steering committee for a Hinds County Bond Issue of \$21.5 million; enlistment in the Army National Guard, including a tour of duty in Desert Storm/Desert Shield (Sept. 1990 to Dec. 1991); and serving as assistant principal at Brinkley Middle School in Jackson. He believes that an effective kingdom church is active in its local community through education, through ministry outside the church's "four walls", through breaking the curse of poverty and its social damage, and through offering experiential immersion in God's demonstrated operations of the Spirit in His church.

Mr. Speaker, I ask my colleagues to join me in recognizing Dr. Dwayne K. Pickett, Sr. for his dedication to serving others.

ST. ANTHONY HIGH SCHOOL 2016-17 BOYS' BASKETBALL TEAM

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. SHIMKUS. Mr. Speaker, I rise to acknowledge the Effingham St. Anthony High School boys' basketball team upon winning its first state championship. This is a remarkable achievement for the Class 1A school and reflects the hard work, determination, and talent this year's team possessed.

The Bulldogs' season started and ended in exciting fashion. They opened with the annual St. Anthony Turkey Tournery and beat a Class 3A opponent for third place, beginning a 19-game winning streak. The Bulldogs later took home the titles in the Vandalia Holiday Tournament and the National Trail Conference Tournament.

Although the Bulldogs hit a rough patch when they lost four of six games, lone senior and all-state selection Drew Gibson coined St. Anthony's 1,000-point club, and the team completed a perfect 8-0 conference season.

In the state championship game, St. Anthony matched up with the highly ranked Okawville Rockets, who forced overtime, but the Bulldogs would find a way to close out a 49-46 victory to conclude a 30-5 campaign, the most wins in school history. In addition to being the school's first state title, it also marked the first for the city of Effingham.

Led by Coach Cody Rincker, team members were Gibson, Alex Beesley, Adam Levitt, Jack Nuxoll, Alex Deters, Cade Walsh, Wyatt Lawrence, Brandon Runge, Luke Ludwig, Bryson Wall, Ben Strullymyer, Quinton Milleville, and Jacob Dust.

I look forward to watching their future successes in both their academic and athletic pursuits and wish them all the best in these endeavors.

Mr. Speaker, I congratulate the St. Anthony Bulldogs on a job well done.

HONORING MR. CHARLES W. PENNY ON THE OCCASION OF HIS RETIREMENT AS CITY MANAGER FOR THE CITY OF ROCKY MOUNT, NORTH CAROLINA

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. BUTTERFIELD. Mr. Speaker, I rise to recognize my longtime friend and constituent, Mr. Charles W. Penny as he retires at the end of this month after serving 35 years in a variety of positions with local governments across North Carolina—most recently as Rocky Mount City Manager. Charles Penny is a dedicated public servant and very active in the City of Rocky Mount.

A native North Carolinian, Charles Penny was born on December 25, 1957 in the City of Fayetteville. He and his six siblings were born to the late Necho Penny and the former Eva Dell. He attended Ferguson Elementary School and Washington Drive Junior High School in Fayetteville and is a graduate of historic E. E. Smith High School.

Mr. Penny attended my alma mater North Carolina Central University in Durham, North Carolina where he graduated cum laude with a Bachelor of Arts Degree in Political Science, with a concentration in Public Administration. In May 1984, he received a Masters of Public Administration from the University of North Carolina at Chapel Hill where he was the 1980 recipient of the Urban Management Traineeship Award.

In July 1981, Charles Penny began his career in local government in Morganton, North Carolina as Assistant to the City Manager. Four years later, he assumed a similar position in Kinston. He was appointed Assistant City Manager of Asheville, North Carolina in February 1987 where he served as City Coordinator for the 1988 North Carolina League of Municipalities Convention. He and his family then moved to Rocky Mount, and he became the Director of Planning and Development. In January 1995, he was promoted to Assistant City Manager of Rocky Mount. On January 1, 2011, Charles Penny became the first African American City Manager for the City of Rocky Mount where he managed an annual budget of over \$210 million.

Charles Penny has shown true leadership in his community by improving and positively impacting the lives of those who live and work in his community. He served as Past Chair of the Board of Trustees at Elizabeth City State University. He is the Former Chair of the Board of Directors for the Lucy Ann Boddie Brewer Boys and Girls Club in Rocky Mount and the American Red Cross in Asheville, North Carolina. He also served on the Board of Directors for the Asheville City School Foundation, the Metropolitan Sewage District, the Neighborhood Housing Services of Asheville, and the Nash Health Care Foundation. Currently, Charles Penny is on the Board of Directors for the Rocky Mount Community Foundation and

is a member of Omega Psi Phi Fraternity, Incorporated.

Charles Penny is married to the former Edith Allen of Durham, North Carolina. They share two children—a daughter, Eva, and a son, Charles. They are members of Metropolitan Baptist Church in Rocky Mount where Mr. Penny is the former Chairman of the Trustee Ministry and currently serves as Co-Chairman of the Deacon Ministry.

Mr. Speaker, Charles W. Penny has dedicated his entire adult life to public service. I ask my colleagues to join me in recognizing the dedication and selflessness displayed by Mr. Penny for over 35 years as a public servant in North Carolina. While Charles is deserving of far greater accolades from a grateful public, my colleagues in the United States House of Representatives join me in expressing our sincere appreciation for Charles Penny's hard work and sacrifice.

HONORING SGT. ERIC HENRY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a courageous gentleman, Sergeant Eric Henry, Mississippi State Trooper. Eric has shown what can be done through ambition, tenacity and a desire to serve others.

Sergeant Eric Henry is a part of the 412th Engineer Tech located in Vicksburg, Mississippi. Sergeant Henry's civilian works has been with several law enforcement agencies. In 2007, he became a Mississippi State Trooper. He is stationed at the Jackson Troop C Station located in Pearl.

Sergeant Henry began his military services in December 1998. After enlisting, he was sent to Ft. Sill in Oklahoma for basic training. Basic training was followed by an assignment to AIT at Ft. Leonard Wood in Missouri where he was trained to be a construction engineer and heavy equipment operator. Sgt. Henry has served two tours in Iraq, in 2003 and 2011.

Sgt. Henry's experience has given him a great love and respect for the military and law enforcement.

Mr. Speaker, I ask my colleagues to join me in recognizing Sergeant Eric Henry for his passion and dedication to serving our great Country, the State of Mississippi, his community and desire to make a difference in the lives of others.

HONORING LIEUTENANT GENERAL
ROBERT S. FERRELL

HON. C. A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. RUPPERSBERGER. Mr. Speaker, I rise today to pay tribute to an exceptional officer in the United States Army, Lieutenant General Robert S. Ferrell, who has served as the Chief

Information Officer/G6 of the United States Army, and will be released from active duty after more than 37 distinguished years of active Federal service on 31 March 2017. Throughout his career, General Ferrell has personified the highest standards of Army professionalism and the Soldierly virtues of duty, integrity, and selfless service to the Army and our Nation. Many of us on Capitol Hill have enjoyed the opportunity to work with General Ferrell, and it is my privilege to recognize his achievements.

General Ferrell, a native of Alabama, was subsequently raised in New Jersey, enlisted in the Army in 1977 and attained the rank of Sergeant. He then attended Hampton University, enrolled as an ROTC Cadet, and completed his studies as a Distinguished Military Graduate, earning a commission as a Signal Corps Officer.

Throughout his extraordinary career, General Ferrell has served in a variety of command and staff assignments, leading men and women in peace and war, in combat and in humanitarian missions, having commanded Soldiers in Korea, Germany, Bosnia-Herzegovina and at installations throughout the United States to include Fort Bragg, Fort Hood, Aberdeen Proving Ground and at the Headquarters, Department of the Army, Pentagon, Washington, D.C.

General Ferrell has served in positions of truly global responsibility as the Commanding General, U.S. Army Communications-Electronics Command, the Director of C4 Systems, U.S. Africa Command, the Commander, 2nd Signal Brigade, 5th Signal Command, and the Commander 13th Signal Battalion, 1st Cavalry Division.

Of special note, General Ferrell has spent the last 3 years as the Chief Information Officer/G6, responsible for the leadership, oversight, management and execution of the Army's information technology enterprise, synchronizing the resourcing, development and implementation of Army communications and network capabilities for our 1.1 million person Army, and has proven himself a tremendous leader who has demonstrated unselfish devotion to the Nation and our Soldiers and Army Civilians.

General Ferrell's personal efforts have been instrumental in leading the Army and developing an integrated approach to Army Network and communication operations and modernization that significantly enhanced the readiness and warfighting capability of Army forces worldwide.

General Ferrell exemplifies the most important characteristics of our nation's finest military leaders—to include an unwavering sense of duty and tireless devotion to the welfare of our Soldiers, Army Civilians and their Families. He is the proud son of a retired Army Non-Commissioned Officer and for the last seventy consecutive years, a member of the Ferrell family has proudly served in the Armed Forces of the United States.

On behalf of Congress and the United States of America, I thank General Ferrell, his wife Monique, a member of Army Senior Executive Service herself, his two sons, Robert II and Michael, and their entire family for the commitment, sacrifices, and contribution they have made throughout General Ferrell's hon-

orable military service. Congratulations on completing an exceptional and successful career.

HONORING RAYMOND CARTEZ
CARTER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor an extraordinary community leader, Raymond Carter.

Mr. Raymond Cartez Carter's life began in Marks, MS. On a small farm plantation to his mother Inell Carter. Raymond has resided in Marks for 45 Years and remains a loyal citizen. Raymond Carter is a graduate of Quitman County High School. Shortly after, he joined the U.S. Army Reserve with the 479th ordinance group in Lyon, MS. After attending basic training in Fort Leonard Wood, MO and munitions training in Redstone Arsenal, AL. He returned home to pursue his education in General Psychology.

Raymond began his college education at Northwest MS Community College in Senatobia, MS, but before his completion of registration, Raymond received a call at his home in the fall of 1990, stating that his unit had been mobilized and were being called to duty. At the age of 19, Raymond was off to defend his country in the Persian Gulf War, known as Operation Desert Storm. Raymond Carter spent 9 months 21 days of active duty service, before safely returning home with his entire unit. Upon returning home, Raymond took time to reunite with family and friends to restore his family values.

In 1995, Raymond was approached by a visionary that helped him launch a Culinary Career, which has proven to be his calling. Through the apprenticeship of several high profile culinarians Raymond Carter has made his mark as an astounding Chef and Caterer. He has since then appeared on both Fox 13 out of Memphis TN, as well as WREG providing media advertisement for his Casino based jobs. Raymond has also traveled the world competing in culinary cooking competitions, in which he won 3rd place in Memphis, TN at The Rajun Cajun Crawfish Festival. Raymond also has published recipes in the 7Stars Cookbook published by Caesars Entertainment. He has since gone on to prepare his signature dish, fried portabella mushrooms for The New York City Food and Wine Festival. Raymond has also shared the spotlight with the likes of Sonny Anderson, Robert Irvine, Guy Fieri, and many other Food Network Stars.

Raymond most recently settled into a career, as a Food Service Director for Coahoma Community College through Valley Services Inc. Raymond is a member of Valley Queen Missionary Baptist Church in Marks, MS. Mr. Carter is also a member of Jonestown Masonic Lodge No. 599 and is a 32nd Degree Mason. He also binds with his community as a member of the "Intruder's Motorcycle Group," whose endeavors are to help build a strong community for our elders and youths.

Mr. Carter is a loving and devoted father of four children. Michelle (wife) Ariane, Rachelle, Douglas, Jasmine (children). He has three grandchildren, Allyson, Janae, Jade.

Mr. Speaker, I ask my colleagues to join me in recognizing Raymond Carter for his dedication as a respected community leader.

RECOGNIZING DR. JOSEPH
SCHMIDT

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. QUIGLEY. Mr. Speaker, I rise today to recognize Dr. Joseph Schmidt for his career and service for over 50 years at Saint Patrick High School in Chicago, IL. Founded in 1861, Saint Patrick High School is the oldest all-boys Catholic school in Chicago and continues to prepare young men for life by instilling in them a sense of vocation, civic responsibility, and strong personal value.

Dr. Schmidt began his career at Saint Patrick's High School in 1967 as a business teacher, basketball coach, and tennis coach. In 1974, he was named the dean of students and in 1987, he became principal of the school. In 1997, Dr. Schmidt was inducted into the Saint Patrick's Hall of Fame and in 2013 he became the school's second president and the first lay president.

Dr. Schmidt earned a bachelor's degree in Business Management from Purdue University in 1967. He received a master's degree from Loyola University Chicago in School Administration in 1975, and a doctoral degree from Northern Illinois University in School Administration in 1989.

Saint Patrick High School recently awarded Dr. Schmidt with the "Crystal Shamrock Award," the highest honor one can receive at Saint Patrick High School. The award was created to recognize individual achievements and commitments to Lasallian education, the advancement of society, and the mission of Saint Patrick's High School. He served as the Grand Marshall on March 12, 2017 in the Northwest Side Irish Parade in Chicago.

Dr. Schmidt has been committed to the students at Saint Patrick High School since 1967. The current dean of students, Russell Lucas, a 1981 alumnus, said this of Dr. Schmidt, "... He always has time to listen, he is going to work with you and he makes you a better person. I truly want to emulate him. He is truly my mentor."

Mr. Speaker, I ask all of my colleagues to join me in recognizing 50 years of dedication Dr. Joseph has shown in education and service. Dr. Joseph has changed the lives of many young men by providing them with the tools they need to succeed in their future endeavors. He is truly an inspiring figure in our community and I thank him for his years of service.

HONORING MS. MADELENE LYON

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Ms. Madelene Lyon, whom I have named Woman of the Year in Lake County, California. For more than six decades, Ms. Lyon has selflessly offered both her time and talents to the community. Her leadership serves as an inspiration to many in our community, especially her five children, nine grandchildren and five great-grandchildren.

After graduating from Kelseyville High School in 1950, Ms. Lyon attended UC Davis, where she studied Home Economics. Following a brief period of substitute teaching, Ms. Lyon became the Owner and Operator of Konocti Catering from 1982 until 2014. Since then she has generously used her superb culinary skills to help those in need, volunteering at the Kelseyville Food Pantry and at the Annual Hospice three-day Bereavement Camp where she prepared food for the numerous campers and staff.

Beginning in the late 1960s, Ms. Lyon and her late husband, Walt, became active members in the Lake County agricultural community. Together they raised walnuts, pears and wine grapes, while also working in the sheds during the harvest. In addition, Mr. and Ms. Lyon actively participated in the planning and construction of the Education Pavilion at Clear Lake State Park.

Ms. Lyon has contributed to our community's growth through her extensive volunteer work at organizations such as the March of Dimes Lake County, where she served as the Chair and Executive Board Member for eighteen years. She also filled multiple roles for the Redbud Audubon Society, serving as Conservation Chair and Chair for both the Bird Count Dinner and Annual Dinner. Additionally, Ms. Lyon draws on her extensive experience with education in her seat on the Lake County Board of Education.

Mr. Speaker, Madelene Lyon is a community leader and mentor who continues to contribute tirelessly to Lake County's progress and success. Therefore, it is fitting and proper that we honor her here today.

IN HONOR OF MIKE SMITH

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. BRADY of Texas. Mr. Speaker, Mike Smith possesses a vision of service that is now celebrating its 20th anniversary. With Barbara Knox and Dr. Rose Austin, Mike helped launch the Rotary Club of East Montgomery County.

Since its incorporation on February 28, 1997, the Rotary Club of East Montgomery County has experienced many changes. Starting as a small breakfast club at the Bentwood Country Club, it increased in size and influ-

ence throughout its history. In its 20th year, the Rotary Club's growth has led it to a new, larger meeting location at the Courtyard Marriott in Kingwood.

What hasn't changed is the Club's commitment to service in its local community and around the world. Whether it is funding scholarships for the students of our local school districts, volunteering with the Salvation Army, building and supporting a school in Guatemala, providing food relief in Haiti, or sending supplies for infants in Nicaragua, the Rotary Club of East Montgomery County continues to improve lives.

On February 28, 1997, Mike was part of the original meeting of the Rotary Club of East Montgomery County. It was twenty years ago when articles of incorporation papers were signed and original officers agreed to serve in the club. The meeting was held at Walter McKeller's New Caney bank office with Mike, Ike Williams, Eugene Wisenbaker, and Jim Dickson.

A local Farmers Insurance agent and business owner for 29 years, Mike served as the club's second president. Throughout his time with the club, he witnessed the club's first presidential citation and the first hosting of a foreign exchange student. Plus, he was the first to make a hole in one at the Rotary Golf Tournament.

In addition to serving in the Rotary Club, Mike has served his community in multiple capacities as Chairman of the Board for the Community Chamber of Commerce of East Montgomery County and as a board member of EMCID, Montgomery County United Way, and Lake Houston YMCA.

As we congratulate the Rotary Club of East Montgomery County on their 20th anniversary, we thank Mike Smith for his work as a charter member and his service to the community. Mike truly embodies the motto of Rotary: Service Above Self.

IN HONOR OF MRS. MARGARET
MOORMAN OF ARKADDELPHIA,
ARKANSAS

HON. BRUCE WESTERMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. WESTERMAN. Mr. Speaker, the world has changed much over the last 100 years. If you want to know just how much, ask Mrs. Margaret Moorman of Arkadelphia, Arkansas. In 1917, the U.S. faced uncertainty as President Woodrow Wilson prepared our nation for World War I. But all was not bleak. 1917 was also when Loretta Walsh became the first female petty officer in the U.S. Navy and women were granted the right to vote in New York state elections.

In her 100 years of life, Mrs. Moorman saw America win two world wars and put a man on the moon. She has lived through the administrations of 18 presidents of the United States and experienced the American dream.

She worked for 20 years as a food service director, dedicating her life to making sure children had a full stomach in order to learn and grow.

At 100-years-old, Mrs. Moorman is surrounded by many loved ones, including her three children, six grandchildren, and 13 great grandchildren. As Mrs. Moorman celebrates her 100th birthday on Friday, March 30, 2017, I would like to wish her a happy birthday.

HONORING BRIGADIER GENERAL
(RETIRED) MARGARETT E. BARNES

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a veteran, Brigadier General (Retired) Margaret E. Barnes of Byram, MS.

Brigadier General (Retired) Margaret E. Barnes was commissioned in 1984 as an Army Reserve Officer. She made history being the first African American female from Mississippi to be promoted to the rank of Brigadier General in the United States Army. She retired from military service in October 2014.

Brigadier General (Retired) Barnes served three years as enlisted service prior to obtaining a Direct Appointment. A lifelong resident of Mississippi, she earned her bachelor's degree in political science from the University of Southern Mississippi, a Master of Public Administration from the University of South Alabama, and a Master of Strategic Studies from the Army War College.

She began her commissioned career with the 412th Replacement Company in Pascagoula, Miss., where she was Team Leader. She served as Battalion Maintenance Officer for the 845th Signal Battalion, and then she returned to the 412th as Company Commander. The 412th was mobilized during Operation Desert Shield/Storm, and she served as its commander at the CONUS Replacement Center, Fort Benning, Ga. After demobilization, she was assigned to the 3d Personnel Command in Jackson, Miss., where she served as Public Affairs Officer, Secretary of the General Staff and Inspector General. BG Barnes was then assigned to the 348th Personnel Group in New Orleans, where she had key developmental positions of S-2/3 and Chief, Personnel Operations Center. She was selected as Commander of the 324th Replacement Battalion in Starkville, Miss. During her tenure as 324th Commander, she deployed with her battalion to Camp Wolf, Kuwait, in support of Operation Iraqi Freedom. It was during this deployment period that her unit was awarded the Meritorious Unit Commendation. After commanding the 324th, BG Barnes was again selected for command and returned to the 348th Personnel Group in New Orleans to serve as Commander. In August 2007, she began service as the U.S. Army Forces Command Deputy, Assistant Deputy G-1 at Fort McPherson, and served as Commander, U.S. Army Forces Command (FORSCOM) Augmentation Unit in Atlanta. Her last assignment before retiring was Deputy Commanding General of the U.S. Army Human Resource Command at Fort Knox, Kentucky.

Her military education includes Enlisted Basic Training, Advanced Individual training as

a 76Y (Unit Supply Specialist) Reserve Course; 75C (Personnel Management Specialist) Reserve Course; NBC Officer Reserve Course; Adjutant General Officer Basic Course; 121st Army Reserve Command (ARCOM) Pre-Command Course; Security Manager Course; Adjutant General Officer Advanced Course; Combined Arms Services Support School; Inspector General Course; Inspector General Site Administrator Course; Command and General Staff Officer Course; Mobilization Officer Course; Middle East Orientation Course; Adjutant General Battalion/Brigade-Level Pre-Command Course; Army Reserve Battalion/Brigade-Level Pre-Command Course; U.S. Army War College; CAPSTONE; and Advanced Joint Professional Military Education.

Her awards and decorations include the Distinguished Service Medal, Legion of Merit, Army Bronze Star, Meritorious Service Medal (2nd Oak Leaf Cluster), Global War on Terrorism Expeditionary Medal, Global War on Terrorism Medal, The Army Commendation Medal (with 4th Oak Leaf Cluster), Army Achievement Medal, Army Reserve Component Achievement Medal (with 4th Oak Leaf Cluster), National Defense Service Medal, Armed Forces Reserve Medal (with Bronze Hourglass and "M" Device and "2" for number times mobilized).

Army Service Ribbon, and the Army Reserve Overseas Training Ribbon (with the Bronze Arabic Number 2). She received a commission as an honorary Kentucky Colonel from the Commonwealth of Kentucky.

Mr. Speaker, I ask my colleagues to join me in recognizing a remarkable woman and an honorable veteran of the United States Army, Brigadier General (Retired) Margaret E. Barnes.

HONORING MS. KAREN
CAKEBREAD

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Ms. Karen Cakebread whom I have named the 2017 Woman of the Year in Napa County, California. Ms. Cakebread is a civic leader in our community who has contributed her time and talents to many noteworthy causes and events.

A native Californian, Ms. Cakebread has a passion for supporting our community's success and everyone knows her for her compassion and dedication. She works closely with many leaders in our Napa Valley wine community to ensure the success and vitality of the region. Ms. Cakebread has served as chair for the Napa Valley Vintners marketing committee, a co-chair of the group's signature event Auction Napa Valley and as a board member. When Calistoga Winegrowers sought recognition as an American Viticultural Area (AVA), Ms. Cakebread served as an inaugural board member for the group and was instrumental in obtaining the AVA designation. Furthermore, she has also served as a committee chair for the Napa Valley Grapegrowers' annual Harvest STOMP event.

Ms. Cakebread also serves on a number of prominent Napa Valley nonprofit boards including the St. Helena Hospital Foundation, the Calistoga Chamber, and the Elaine Mackie Charitable Trust. She is also a strong supporter of the Canine Companions and Guide Dogs programs that provide for the health needs of some of our community's most vulnerable members.

Nothing shows Ms. Cakebread's talents and commitment to her neighbors more than her tireless effort to help people in need after the devastating Valley Fire in 2015. She put her experience in event management to work coordinating with volunteers, nonprofits and city and county government officials to organize tens of thousands of meals for those displaced by the fire.

Mr. Speaker, Karen Cakebread is a true leader in our Napa community whose generosity and dedication set her apart. Therefore, it is fitting and proper that we honor her here today.

IN RECOGNITION OF THE 100TH ANNIVERSARY OF
SACRAMENTO CITY COLLEGE

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Ms. MATSUI. Mr. Speaker, I rise today to recognize the 100th Anniversary of Sacramento City College. As the Sacramento region celebrates one of its most valued educational establishments, I ask all my colleagues to join me in honoring this historical institution in Sacramento.

I know first-hand the positive impact that Sacramento City College has had on our community. I have long been a supporter of this distinguished college and the many programs it provides for its students and the surrounding community. Over the years, Sacramento City College has remained steadfast in its mission to create a learning community that celebrates diversity, nurtures personal growth, and inspires academic and economic leadership. At the same time, the college has constantly progressed and improved its academic offerings to ensure that its students have access to a wide range of opportunities and services to advance their success.

Founded in 1916 as part of Sacramento High School, Sacramento City College is the seventh oldest community college in California. In 1964, the college joined the Los Rios Community College District. Today, Sacramento City College provides over 22,000 students a year with exceptional higher learning opportunities through its many academic and vocational programs. Sacramento City College is committed to fostering a diverse learning community and this commitment is reflected in its investments in students, faculty, and staff.

Mr. Speaker, as Sacramento City College celebrates its centennial anniversary with a Centennial Gala, I ask all my colleagues to join me in honoring this staple of the Sacramento community for all it has provided to our region over the last 100 years.

IN HONOR OF DR. ROSE AUSTIN

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. BRADY of Texas. Mr. Speaker, Dr. Rose Austin possesses a vision of service that is now celebrating its 20th anniversary. With Mike Smith and Barbara Knox, Dr. Austin helped launch the first Rotary Club of East Montgomery County and served as the club's first female president.

Since its incorporation on February 28, 1997, the Rotary Club of East Montgomery County has experienced many changes. Starting as a small breakfast club at the Bentwood Country Club, it increased in size and influence throughout its history. In its 20th year, the Rotary Club's growth has led it to a new, larger meeting location at the Courtyard Marriott in Kingwood.

What hasn't changed is the Club's commitment to service in its local community and around the world. Whether it is funding scholarships for the students of our local school districts, volunteering with the Salvation Army, building and supporting a school in Guatemala, providing food relief in Haiti, or sending supplies for infants in Nicaragua, the Rotary Club of East Montgomery County continues to improve lives.

Service is where Rose excels. That is why she received Rotary International's Four Avenues of Service Award and was inducted into District 5910's Roll of Fame. She is a major donor, benefactor, and member of the Bequest Society. Rose also served as District Governor from 2010 through 2011.

Rose authored a community development grant to empower community leaders to teach New Caney and Splendora ISD students how to help make thoughtful and beneficial life choices. Under her leadership, the club became active in The Rotary Foundation and hosted the district's Foundation Seminar, collaborated with Lone Star College-Kingwood for Career Day, and held a Reading Hour with area elementary students.

During her year as Governor, she hosted the district's Million Dollar Dinner and travelled to India, where she participated in a National Immunization Day. India was declared polio-free shortly after her visit, and Rose proudly states that she had a part in a polio-free India. Since serving as District Governor, Rose has been a Rotary President-Elect Training Seminar facilitator/discussion leader, and she has received the Trailblazing Women of Rotary award. Through her years of service, by her side for 45 years has been her husband and college sweetheart, Milton.

I congratulate the Rotary Club of East Montgomery County on their 20th anniversary and thank Dr. Rose Austin for her service as a charter member. Rose truly embodies the motto of Rotary: Service Above Self.

38TH ANNIVERSARY OF THE
TAIWAN RELATIONS ACT**HON. MIKE QUIGLEY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. QUIGLEY. Mr. Speaker, April 10th will mark the 38th anniversary of the Taiwan Relations Act (TRA). Both the TRA and the subsequent Six Assurances given by President Reagan in 1982 are the foundation of our successful partnership with Taiwan.

Since 1979, the United States has consistently maintained strong commercial ties with Taiwan. Currently, the country is our ninth largest trading partner. In 2015, two-way goods trade between the United States and Taiwan totaled \$67 billion and the Department of Commerce estimated that trade with Taiwan supported 217,000 jobs in 2014.

Looking ahead, the U.S. should continue to affirm its commitment towards assisting Taiwan by supporting the cross-strait policy first articulated by President Reagan that the U.S. will not discuss Taiwan's defense priorities with the Chinese government.

Mr. Speaker, for 38 years, we have enjoyed a special relationship with Taiwan and look forward to continuing this successful partnership.

**HONORING MRS. MARGRIT
MONDAVI****HON. MIKE THOMPSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor the life of my good friend Margrit Mondavi whom I am posthumously naming Woman of the Year. She passed away on September 2, 2016 at the age of 91, but her legacy will live on as the "First Lady of Napa Valley." Margrit's name is synonymous with good food, fine wine and great art. She was a major influence in the development of our wine community, a supporter of the arts, and a true leader in making our Napa Valley a world renowned destination.

Margrit Mondavi was born in Switzerland in 1925 and immigrated to America shortly after World War II. She settled in the Napa Valley in 1960 and immediately made an impression on the Valley's cultural institutions. After volunteering to organize a successful concert at the Charles Krug Winery in 1966, Margrit earned a position with the winery. Her career blossomed when she was named the public relations director for Robert Mondavi Winery in 1967, where she set a new course for the institution's events and support of the arts.

In her decades of work at the Robert Mondavi Winery, Margrit put Napa Valley on the map as a cultural destination. The winery hosted many prominent artists to showcase their work and founded the Summer Concert Series in 1969 to bring legendary artists to the Napa region. Margrit also brought new attention to the culinary art by organizing cooking classes which paired great Mondavi wines

with the finest French and American food. In 2003, she published a cookbook with her daughter Annie entitled *Annie and Margrit: Recipes and Stories from the Robert Mondavi Kitchen*.

Margrit and her late husband, Robert Mondavi, were lifelong patrons of the arts and education in our community. Margrit was instrumental in raising support to preserve and renovate the Napa Valley Opera House. The couple also endowed the Robert Mondavi Institute for Wine and Food Science and the Mondavi Center for Performing Arts at the University of California, Davis. The enology and culinary institute educates the future leaders of our wine community, and the performing arts center hosts both students and world famous performers.

Mr. Speaker, Margrit Mondavi was a true pioneer and visionary who brought global acclaim to our Napa Valley wine community. She taught us to love life a bit more and to embrace the richness of our culture, and generations to come will benefit from her contributions. Therefore, it is fitting and proper that we honor her life and legacy here today.

HONORING SAMUEL WOODS**HON. BENNIE G. THOMPSON**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a courageous and remarkable veteran, Samuel Woods.

Mr. Woods is a native of Leland, Mississippi, born on February 22, 1944.

Mr. Woods attended and finished grade school at Abraham Lincoln School Center then went to high school at Breisch High School in Leland, Mississippi.

Growing up Mr. Woods was into baseball and football. In baseball, his position was centerfield. However, in football, he played several positions; fullback, halfback, center linebacker and outside linebacker.

In high school, Mr. Woods learned how to weld and lay bricks under Mr. Turnipseed. This trade helped him get his first job in Memphis, Tennessee as a brick layer. While there, he received a two year scholarship at Oakton Community College but couldn't attend because he got drafted into the U.S. Army. However, he didn't want to go to regular Army so, he went home (Mississippi) to beat the Draft and start school in the Army.

Mr. Woods finished basic training at Fort Polk, Louisiana. From there, he went to Fort Benning, Georgia, to Signal School and Airborne training. Next, he was transferred and assigned to Fort Campbell, Kentucky, home of the 101st Airborne Division. He was granted a team of twelve soldiers. He moved up in rank and became SGT E-5. He joined Pistol and Rifle teams, where he got to travel and make a jump every week. Mr. Woods worked hard with his team and became team chief.

In 1967, Mr. Woods' team got airlifted to Vietnam. They were stationed at Bien Hoc home base, where he got his first Tet offense. When they landed at Bien Hoc Airbase, they were pinned down for a while. Later, they got

engaged in combat. Sometime later they made it to their destination, 501 Signal Battalion 101st Airborne Division.

Mr. Woods installed and operated various equipment; landlines (LL) and radios, set up cables and connected to the Battalion Headquarters Toc to read out to all the units. Most of Mr. Woods' work was done in the field.

He moved around a lot to various places like Phu Bui and Hue Da Nang, always in combat. He got sprayed twice with Agent Orange and had a close encounter with a 122mm rocket, which causes him to have hearing problems today. After he left Vietnam in 1968, he got out of the service.

After returning from Vietnam, his first job was in Greenville, Mississippi, at Atkinsaw, where he had to grind and polish saws. On January 13, 2002, Mr. Woods married Ruby Lee and they have one son, Japheth.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Samuel Woods for his time and dedication to serving our country.

PERSONAL EXPLANATION

HON. ANTHONY G. BROWN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. BROWN of Maryland. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted YEA on Roll Call No. 185, NAY on Roll Call No. 186, and YEA on Roll Call No. 187.

IN HONOR OF LIONS CLUBS INTERNATIONAL

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. BRADY of Texas. Mr. Speaker, while the world was at war in 1917, Melvin Jones, a Midwest businessman, told the members of his local business club, the Business Circle of Chicago, that there was more to life than monetary success. Melvin Jones used his resources to better the lives in his local community and around the world. His vision for the world was ordinary people using their talents to improve their local communities.

Melvin Jones should be proud that the organization he founded celebrates its 100th year of service. Today, Lions Clubs International is the world's largest service club organization—with over one million members in more than forty-six thousand clubs. Lions continue their mission of improving communities, creating better places to live, work, and raise families. Melvin's idea of a civic organization has spread from the Midwest into countries in every corner of the world. There are twenty-five amazing Lions Clubs in the Eighth District of Texas.

A common desire to serve unites Lions Club members from around the world as they provide humanitarian assistance, encourage peace, and promote international understanding. The Lions are known worldwide for

their integrity and resourcefulness as they encourage their volunteers and empower them to serve in their local communities.

Since their founding, the Lions have had a steady vision and a clear mission: to become true "knights of the blind in the crusade against darkness." Their tireless efforts to aid the world's visually impaired have set a high standard. For nearly half a century, the Lions Clubs International Foundation has made smaller, local and large-scale international humanitarian projects possible. In its twenty-seven year existence, SightFirst has been restoring sight and preventing blindness on a global scale by targeting and countering the major causes of blindness.

Additionally, the Lions' Leo Program has helped give young people worldwide the opportunity to learn servant leadership. Today, there are approximately 144,000 Leos and 5,700 Leo clubs in more than 140 countries.

I am proud to congratulate all members of Lions Clubs International for their dedication to servant leadership and undying quest to better their communities by bringing millions out of darkness.

HONORING DR. RHONDA RENFRO

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Dr. Rhonda Renfro whom I have named Woman of the Year in Solano County, California. Dr. Renfro is a respected community leader and founder of Club Stride, a nonprofit group that empowers the young people in our community.

A native of Los Angeles, California, Dr. Renfro studied Business Administration at San Francisco State University and Leadership at Patton University. She then completed her double doctorate in Theology and Divinity from the Miracle Faith Institute in Pensacola, Florida and is an ordained Pastor. She has nearly two decades of experience in data and systems management at Kaiser Permanente and has worked with numerous corporate boards.

Dr. Renfro founded Club Stride, Inc. in 2011 to address the needs of underserved youth. Under her leadership, Club Stride offers young people leadership development programs and the chance to take action through social justice initiatives. Through Club Stride, young people develop their public speaking skills and combat the negative stereotypes. More recently, Dr. Renfro launched the Hype 808 Radio internship program that brings together young adults to produce a weekly radio broadcast. Broadcasters between ages 14 and 19 speak candidly about issues impacting their lives and encourages young people to become advocates from a young age.

Dr. Renfro also organizes an annual youth scholarship awards gala to support students between 15 and 24 years old who have demonstrated their commitment to community, academics, church and family. The gala provides awards for achievement in leadership, humanitarianism and academics.

Mr. Speaker, Dr. Rhonda Renfro is a dedicated leader and empowers the young people

in our community to be the leaders of tomorrow. Therefore, it is fitting and proper that we honor her here today.

HONORING BARBARA J.P. WASHINGTON

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Barbara J.P. Washington, who is an Educator, a Leader and Public Servant.

Barbara J.P. Washington holds a Bachelor of Science degree from Mississippi Valley State University and Master of Education degree from The University of Mississippi—both in English Education.

She joined the Department of English and Foreign Languages at MVSU in 1974 as an instructor. While at the university, she has held numerous roles such as Honors College director, Writing Center professional tutor, and student teacher supervisor.

Her professional memberships include the Association for Supervision and Curriculum Development, Mississippi Association for Supervision and Curriculum Development, Phi Delta Kappa, National Council of Teachers of English, Mississippi Congress of Parents and Teachers, and Alpha Kappa Alpha Sorority Inc.

Washington has served as an Education Advisory Committee member for the Leflore County School District, adviser for Alpha CM Honor Society, Region IV director of Alpha Kappa Mu Honor Society and head coach and co-coach of the Honda All-Star Academic Team. Over her career, she has earned numerous honors including Teacher of the Year, NAFEO Distinguished Alumni, William Winter Faculty Scholar of the Year and SACS Outstanding Services Rendered.

She has actively served her community through local, state, regional and national organizations. Washington served as secretary, northern regional coordinator and director for the state Parent Teacher Association; numerous roles for the Southern Association of Colleges and Schools; PTSA president at Leflore County Elementary and High schools; Sunday School teacher and a host of other volunteer efforts.

Mr. Speaker, I ask my colleagues to join me in recognizing Barbara J.P. Washington, an Educator, a Leader and Public Servant for her dedication to serving others and giving back to the African American community.

PERSONAL EXPLANATION

HON. ANTHONY G. BROWN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. BROWN of Maryland. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted YEA on Roll Call No. 181.

HONORING THE LIFE AND LEGACY
OF ALFRED "AL" YSRAEL**HON. MADELEINE Z. BORDALLO**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Ms. BORDALLO. Mr. Speaker, I rise today to honor the life and legacy of the late Alfred "Al" Ysrael. Al was a former senator in the Guam Legislature, a business leader and generous philanthropist and humanitarian. He was born on April 10, 1930 and passed away on March 10, 2017 at the age of 86. Al was an icon in our island community. He was a true pioneer in business and paved the way for many on Guam. He made invaluable contributions to our island economy and was instrumental in developing Guam's real estate and tourism industries.

After finishing college in the Philippines, Al moved to Guam in 1951. He started his career working in a bowling alley, where he later went on to open and operate one of his own. He became a U.S. Citizen in 1958, and his life has been a true example of living the "American Dream." In 1960, Al married my sister Diana, and together they have five children and 15 grandchildren.

Al was the founder of Tanota Partners, a family company which today owns numerous valuable real property on Guam, including the Outrigger Guam Resort and Dusit Thani Guam Resort. He was responsible for building Guam's first hotel and developed many other hotels in Guam's now vibrant tourist district in Tumon. Many of the modern developments in Guam's real estate industry can be attributed to Al and his innovativeness. Al's leadership and entrepreneurship created jobs and expanded real estate and development opportunities throughout Guam and the region. Al was inducted into the Guam Chamber of Commerce's Guam Business Hall of Fame in 2004 and named Guam Business Executive of the Year in 2006.

In addition to Al's success in business, he also gave back to our community as a public servant and philanthropist. Al was elected to the 12th and 13th Guam Legislature from 1973 to 1976, and served as Vice Speaker during the 13th Guam Legislature. He dedicated his life to improving our island and community, and he supported many charitable and non-profit causes. In recent years, Al and his family gave millions of dollars to the development of Guam's local private schools and other charitable organizations.

I am deeply saddened by Al's passing, and I join the people of Guam in celebrating his life and remembering his contributions to our island community. My thoughts and prayers are with his family, loved ones and friends. I especially extend my condolences to his wife of 57 years, Diana; his five children, Michael, Elizabeth, Mariana, Catherine, and Donna and their spouses; and his 15 grandchildren. He will be dearly missed, and his memory will live on in the hearts of the people of Guam.

HONORING MS. SYLVIA VILLA-SERRANO

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Ms. Sylvia Villa-Serrano whom I have named the 2017 Woman of the Year in Contra Costa County, California. Ms. Villa-Serrano is a civic leader in our community who supports the small business community and youth and seniors.

A native of San Francisco, California, Ms. Villa-Serrano has lived in Hercules, California since 1989. She led a successful three decade long career in financial services with Wells Fargo Bank, and in her retirement, Ms. Villa-Serrano has dedicated her time and skills to supporting organizations and coordinating fundraising for worthy causes in our community.

Ms. Villa-Serrano has been a true champion for small businesses in our community. She has been active with the Hercules Chamber of Commerce since 2009 and organized the city's first ever Business and Consumer Expo. She currently serves as the Executive Director of the Bay Front Chamber of Commerce, an organization which she founded to bring together the Pinole, Hercules and Rodeo Chambers of Commerce for coordinated development and business programs.

Ms. Villa-Serrano also supports a number of noteworthy organizations that address the needs of seniors and youth in Hercules. She has been a member of the Hercules Lions Club for 15 years where she organizes vision screenings for seniors and an annual Lions Holiday Luncheon for disaster relief fundraising. Ms. Villa-Serrano was also instrumental in raising \$50,000 to build the Children's Garden at the Hercules Library to encourage kids to learn and love reading.

Mr. Speaker, Ms. Villa-Serrano has been a true champion for small businesses and many valuable causes in our Contra Costa community. Therefore, it is fitting and proper that we honor her here today.

TRIBUTE TO LAVERNE
GREENFIELD**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate LaVerne Greenfield for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involve-

ment and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

LaVerne serves as a development associate at Greater Des Moines Habitat for Humanity, where his work improving data integrity and automation has allowed more time for staff to fundraise and work with, volunteers. He draws inspiration from his large family, and has served his community in several roles over the years outside of his work, including with the Habitat Young Professionals and the Greater Des Moines Young Professionals Connection.

Mr. Speaker, it is a profound honor to represent leaders like LaVerne in the United States Congress and it is with great pride that I recognize and applaud him for utilizing his talents to better both his community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating LaVerne on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

PERSONAL EXPLANATION

HON. ANTHONY G. BROWN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. BROWN of Maryland. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted YEA on Roll Call No. 159, on Roll Call No. 160, and on Roll Call No. 161.

THE PASSING OF CAPTAIN
WILLIAM "IRON BILL" DOWLING**HON. AL GREEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. AL GREEN of Texas. Mr. Speaker, I would like to honor the legacy of Captain William Ross Dowling. A former fire fighter, Captain William "Iron Bill" Dowling earned his nickname by courageously fighting back from the catastrophic injuries he endured in the 2013 Southwest Inn fire. He equally and relentlessly fought for his family, his country, and his faith.

Captain Dowling died on Tuesday, March 7th, 2017, surrounded by his loving wife of 23 years, Jacki, and their three children—Forrest, Faith and Foster.

He graduated from Klein Oak High School in Spring, Texas, and became a Marine after convincing a recruiting officer that he would succeed in military service. Fulfilling that promise, William Dowling earned the rank of Corporal and provided security for United Nations troops in Somalia, also serving in Bahrain and Saudi Arabia, among other locations.

He earned a Combat Action Ribbon, a Good Conduct Medal, a Marine Corps Expeditionary Medal, a National Defense Medal, a Southwest Asia Service Medal, and a Sea Service Deployment Medal.

After serving his country, Bill joined the fire service to serve his community. He was a member of the Houston Fire Department and the Champions Fire Department where he served for 13 years.

He rose through the HFD ranks, and just as he preferred, worked in some of the busiest stations in the city—Stations 12, 19, 25, 48, and finally 68.

Captain Dowling was among the brave firefighters who raced into the blaze that consumed an Indian restaurant and the Southwest Inn motel on May 31, 2013. The roof, weakened by a smoldering pocket of fire, collapsed on the men with Dowling's legs being pinned beneath the rubble. His legs had to be amputated, and he suffered brain injuries that left him unable to speak.

He passed away on March 7th in Colorado after a bout of pneumonia and cellulitis. Captain William "Iron Bill" Dowling is survived by his loving wife Jackie, and their children, Forrest, Faith and Foster; parents, Mary and Rick Dowling; sister, Mary Harrison and husband Rodney; nephew, Garrett; niece, Hannah; brother, Joseph and wife Toni; niece, Georgia Thormer and husband Michael; niece, Elizabeth Dowling; nephew, River Dowling; brother, John and wife Sarah; nieces, Abigail and Madeline; and nephew, Jonathan.

HONORING MS. RONIT RUBINOFF

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Ms. Ronit Rubinoff whom I have named Woman of the Year in Sonoma County, California. For twenty-five years Ms. Rubinoff has served as a public interest attorney, significantly increasing access to justice for those that need it the most.

Born in Los Angeles, California, Ms. Rubinoff later moved to Berkeley. She earned a Bachelor's Degree in Political Science and French and then went on to complete her Doctor of Jurisprudence. She then settled in Sonoma County and has actively contributed to the County's ability to provide top notch legal representation to all people, regardless of their ability to afford it. She took part in the development of Sonoma County's first full service Legal Aid organization, where she currently serves as the Executive Director.

Ms. Rubinoff provides legal representation for domestic violence victims, families living in substandard housing, children facing abuse and neglect and elders. Additionally, Sonoma County Legal Aid provides advocacy services for Spanish speakers and undocumented individuals. Currently, over four-thousand low-income individuals receive legal assistance every year thanks to her work with the organization.

Furthermore, Ms. Rubinoff enjoys mentoring current and aspiring law students. She offers advice and guidance to those who aim to become a public interest lawyer, preparing them for both the challenges and rewards of the field. She has also served as a Mock Trial Coach for several years and enjoys mentoring with aspiring lawyers in the competition.

Mr. Speaker, Ronit Rubinoff has dedicated her legal career to promoting social justice and ensures that many people in our community receive the legal representation they need and deserve. Therefore, it is fitting and proper that we honor her here today.

IN HONOR OF BARBARA KNOX

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. BRADY of Texas. Mr. Speaker, Barbara Knox possesses a vision of service that is now celebrating its 20th anniversary. With Mike Smith and Dr. Rose Austin, Barbara helped launch the Rotary Club of East Montgomery County.

Since its incorporation on February 28, 1997, the Rotary Club of East Montgomery County has experienced many changes. Starting as a small breakfast club at the Bentwood Country Club, it increased in size and influence throughout its history. In its 20th year, the Rotary Club's growth has led it to a new, larger meeting location at the Courtyard Marriott in Kingwood.

What hasn't changed is the Club's commitment to service in its local community and around the world. Whether it is funding scholarships for the students of our local school districts, volunteering with the Salvation Army, building and supporting a school in Guatemala, providing food relief in Haiti, or sending supplies for infants in Nicaragua, the Rotary Club of East Montgomery County continues to improve lives.

From the beginning, Barbara has diligently served on Rotary committees, as a board member, and as an essential member and volunteer: assisting with community service efforts and local fundraisers. Barbara participated in Rotary events such as the annual Spelling Bee, Project Connections student scholarship event, and the annual golf tournament. Barbara and her husband Dalton have also worked for many years with other Rotarians at the concession stand during the East Montgomery County Fair and Rodeo.

When Barbara is not volunteering with the Rotary Club, she serves as the Senior Executive Vice President of Rosewood Funeral Home, where she has worked for 25 years. Barbara is not only a community leader but a community pioneer. Barbara served on the Humble Area Chamber of Commerce for eight

years, becoming the first woman to chair the Chamber. For five of those years, she was chair of the Membership Committee and earned five Lifetime Memberships by recruiting at least thirty-two new chamber members each year. Additionally, Barbara has served on the board of the Greater East Montgomery County Chamber of Commerce.

I want to congratulate the Rotary Club of East Montgomery County on their 20th anniversary and thank Barbara Knox for her service to the club as a charter member and as true servant of her community. Barbara truly embodies the motto of Rotary: Service Above Self.

TRIBUTE TO JOE DEJONG

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 24, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Joe DeJong for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Joe leads the ESOP Finance Team at Bankers Trust Company, helping companies across the nation transition to employee ownership and create an extremely attractive culture for employees. Outside of the many hours he spends on growing the ESOP business, Joe has been a member of the Board of Directors of Orchard Place for the past seven years, giving him the privilege of mentoring young men and providing him with a deeper perspective on mental health issues facing young people.

Mr. Speaker, it is a profound honor to represent leaders like Joe in the United States Congress and it is with great pride that I recognize and applaud him for utilizing his talents to better both his community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Joe on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

SENATE—Monday, March 27, 2017

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Eternal God, our hearts are steadfast toward You. Lead us safely to the refuge of Your choosing, for You desire to give us a future and a hope. Provide us with grateful hearts to appreciate Your mercies that are new each day.

Today, give our Senators the power to do Your will, as they realize more fully that they are servants of Heaven and stewards of Your mysteries. Lord, give them Your perspective on their daily tasks and every decision they must make. May faithfulness to You become the focus of their living, keeping them from becoming careless about their spiritual and moral growth.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. YOUNG). The majority leader is recognized.

MONTENEGRO'S ACCESSION INTO NATO

Mr. MCCONNELL. Mr. President, at the end of the Cold War, many wondered whether NATO could or should survive absent the glaring threat from the Soviet Union, which tied together a diverse coalition of Western countries. That Soviet threat held the alliance together through myriad issues and challenges of burden sharing, nuclear doctrine, and how to balance the roles of the European Union and a security alliance.

The United States, as a global superpower, was at times criticized for not paying enough attention to the alliance and at other times for its heavy-handed leadership.

When the Berlin Wall came down, NATO was forced to evolve. At its core, the alliance is not only about defeating a common threat but also about common values.

When our Nation was attacked on September 11, NATO acted on September 12 and invoked article 5 of the Washington Treaty for the first time in history, and NATO partners have worked to assist us in the war on terror ever since.

With Russia's resurgence and quest for renewed greater power status, NATO has given notice that it will stand up for Western democracies, as well, and has continued to do so.

Let's be clear. President Putin mourns the fall of the Soviet Union. He is intent on using all elements of national power to expand Russia's sphere of influence. He is also threatened by the examples of representative democracies anywhere near Russia's borders, and he is accordingly trying to intimidate other nations from seeking entry into the alliance.

The Partnership for Peace, established in 1994, has given newly independent states a path toward developing capabilities that would bind them closer to the democracies of the West. It has given them something to strive for. Through the use of the Membership Action Plan, NATO is capable of setting forth the various reforms required for membership of those countries that aspire to join the alliance.

This is the path Poland took—and Romania, the Czech Republic, and so many of our friends in Eastern Europe. Today it is the path Montenegro is taking.

A positive vote on the NATO accession treaty that is before us tells those countries that complete NATO member action plans that this undertaking, while difficult, is not futile.

Let us remember that we face a variety of threats in the world—from ISIL to the Syrian civil war to China's military buildup and territorial ambitions—and our European allies face many threats as well.

NATO remains an incredibly valuable alliance. It is an alliance, however, that must be sustained. That is why we ask our partners to meet their commitments to NATO by spending 2 percent of GDP on defense so the alliance can improve its capabilities, and that is why we must meet our own commitments, including voting yes on the accession treaty before the Senate today.

NOMINATION OF NEIL GORSUCH

Mr. MCCONNELL. Mr. President, on another matter, last week Supreme Court nominee Judge Neil Gorsuch came before the Senate Judiciary Committee for his confirmation hearing. His testimony reaffirmed what we al-

ready know about Judge Gorsuch. He is fair and impartial. He has an outstanding legal mind, and he is humble and well respected. He also has a record of building consensus.

Here is what he said about that record at his hearing.

I have decided . . . over 2,700 cases, and my law clerks tell me that 97 percent of them have been unanimous, 99 percent I've been in the majority. They tell me as well that according to the Congressional Research Service, my opinions have attracted the fewest number of dissents from my colleagues of anyone I've served with that they studied over the last 10 years.

So let's repeat that. Judge Gorsuch has ruled in more than 2,700 cases. He has been in the majority 99 percent of the time, and 97 percent have been unanimous decisions.

It is no wonder the American Bar Association—an organization that the Democratic leader and the former Democratic Judiciary Committee chairman have called the "gold standard"—gave Judge Gorsuch its highest rating, unanimously "well qualified."

In that ABA rating, it noted: "Based on the writings, interviews, and analyses we scrutinized to reach our rating, we discerned that Judge Gorsuch believes strongly in the judicial branch of government, and we predict that he will be a strong but respectful voice in protecting it."

The ABA isn't alone in its support for Judge Gorsuch. In fact, people from across the political spectrum have sung his praises, including many on the left that you might not expect—people like Professor Laurence Tribe, former President Obama's legal mentor, who called Gorsuch "a brilliant, terrific guy who would do the Court's work with distinction," and Neal Katyal, former President Obama's top Supreme Court lawyer, who called him "one of the most thoughtful and brilliant judges to have served our nation over the last century."

This is the Obama Solicitor General saying that he is "one of the most thoughtful and brilliant judges to have served our nation over the last century."

There are liberal law professors, including Alan Dershowitz, who said Gorsuch would be "hard to oppose on the merits," and Donald Elliot, who called him "a brilliant mind" who "tries very hard to get the law right . . . [and] follows the law as best he can wherever it might lead."

At his confirmation hearing last week, we heard from former and current colleagues on the Federal bench who enthusiastically support his nomination. These are all Federal judges who know him well.

Judge John Kane, who was appointed to the district court in Colorado by President Carter, wrote that Judge Gorsuch has voted both to affirm and reverse his decisions. "In each instance," he remarked, "I have felt I was clearly understood and properly informed." He goes on to say:

I think Judge Gorsuch listens well and decides justly. His dissents are instructive rather than vitriolic. In sum, I think he is an excellent judicial craftsman.

Former colleagues on the Tenth Circuit testified last week on his behalf as well. Two former chief judges of that circuit—one appointed by President Reagan and another appointed by President Clinton—have written that Judge Gorsuch was "like most good judges, assiduously attentive to the facts and law in each case." Judge Deanell Tacha and Judge Robert Henry went on to say that if Judge Gorsuch were confirmed to the Supreme Court, his other important traits are not likely to change either—things like "his fair consideration of opposing views, his remarkable intelligence, his wonderful judicial temperament expressed to litigants and his collegiality toward colleagues."

They conclude by saying:

If we seek to confirm to the Supreme Court a noted intellect, a collegial colleague, and [a] gifted and eloquent writer—as well as a person of exhibited judicial temperament—Gorsuch fits that bill. He represents the best of the judicial tradition in our country.

Perhaps David Frederick, a board member of the left-leaning American Constitution Society, best summed up why the Senate should confirm Judge Gorsuch. In a recent Washington Post op-ed, he praised Judge Gorsuch for his "reverence for our country's values and legal system."

Mr. Frederick states:

The facts developed in a case matter to him; the legal rules established by legislatures and through precedent deserve deep respect; and the importance of treating litigants, counsel, and colleagues with civility is deeply ingrained in him.

Therefore, this self-proclaimed "long-time supporter of Democratic candidates and progressive causes," said that "the Senate should confirm [Gorsuch] because there is no principled reason to vote no."

Let me repeat that. "The Senate should confirm him," he said, "because there is no principled reason to vote no."

Unfortunately, some of our Democratic colleagues are trying desperately to find any excuse to block this nomination. Although this is unfortunate, it is not surprising. Recall that the Democratic leader stated before Judge Gorsuch was even nominated that he would oppose any person on the President's long list of qualified candidates, even if it meant keeping the seat open for years.

Look, we know that our Democratic friends are under an enormous amount

of pressure from some on the far left who want them to "resist." It is clear that many radical special interest groups simply refuse to accept the results of the election and would like nothing more than to obstruct the serious work before the Senate.

We saw the impact that had on the Cabinet confirmation process, which represented a historic level of obstruction. We are seeing the same calls for obstruction now.

This much is clear. If our Democratic colleagues choose to hold up this nominee, then, they are acknowledging that they will go to any length—to block any Supreme Court nominee of a Republican President. If Neil Gorsuch can't be confirmed, there is no nominee of any Republican President who our friends on the other side would argue deserves 60 votes. This isn't about the nominee at all. It isn't about his background. It isn't about his temperament. It isn't about his reputation as a judge. It is about those on the far left who want to prevent our country from moving forward.

Judge Gorsuch's suitability for the appellate court was so noncontroversial that not a single Senate Democrat opposed his nomination—not then-Senator Obama, not then-Senators Biden, Clinton, or Kennedy, not even my good friend the Democratic leader—and there is no reason that Judge Gorsuch shouldn't receive similarly overwhelming bipartisan support now. This is an important moment for our country.

I urge each of our colleagues to rise to the moment and together move forward with the confirmation of our next Supreme Court Justice, Judge Neil Gorsuch, and give him the up-or-down vote that he deserves.

Will the Presiding Officer announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

PROTOCOL TO THE NORTH ATLANTIC TREATY OF 1949 ON THE ACCESSION OF MONTENEGRO

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of Executive Calendar No. 1, the Montenegro treaty, which the clerk will report.

The legislative clerk read as follows:

Treaty document No. 114-12, Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro.

AMENDMENT NO. 193

Mr. McCONNELL. Mr. President, I have an amendment that is at the desk that I ask the clerk to report.

The PRESIDING OFFICER. The clerk will state.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 193.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end add the following:

"This Treaty shall be effective 1 day after ratification."

Mr. McCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 194 TO AMENDMENT NO. 193

Mr. McCONNELL. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 194 to amendment No. 193.

Mr. McCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike "1 day" and insert "2 days".

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

RUSSIA AND TRUMP CAMPAIGN INVESTIGATION

Mr. SCHUMER. Mr. President, I rise this afternoon on a few topics. First, on the investigation into the Trump campaign's potential ties to Russia, this is a matter of such gravity, we need to get it right. There should be no doubt about the integrity and impartiality of the investigation, either in the executive branch, where the FBI and Department of Justice are looking into it, or in Congress, where the Intelligence Committees of both Chambers are conducting an investigation.

Unfortunately, the House Intelligence Committee has come under a cloud of suspicion and partisanship. A few months ago, Chairman NUNES spoke to reporters at the request of the White House to tamp down stories on the links between the Trump campaign and Russia, which is exactly what his committee now must investigate. This past week, Chairman NUNES broke with the committee process and tradition to brief the President on information he had learned but hadn't yet shared with the committee. We have learned this morning that Chairman NUNES was at the White House the day before that event—doing what? We don't know. It could very well be the case that Chairman NUNES was briefing members of the administration about an investigation of which they are the subject.

Chairman NUNES is falling down on the job and seems to be more interested in protecting the President than in seeking the truth. You cannot have the person in charge of an impartial investigation be partial to one side. It is an inherent contradiction, and it undermines decades of bipartisan cooperation on the Intelligence Committee, which handles such sensitive information paramount to national security. It undermines Congress as a co-equal branch of government meant to hold the executive branch accountable for its actions, and it corrodes the American people's confidence in our government.

If Speaker RYAN wants the House to have a credible investigation, he needs to replace Chairman NUNES. Congress was meant by the Framers to be separate and equal, and I sincerely worry that under his direction, Mr. NUNES is pushing the committee into a direction of obsequiousness and not one that is asking the hard questions and getting the important answers.

There has always been a grand tradition of bipartisanship on the Intelligence Committee. When Members go into the SCIF, the room where they get secure briefings, they check their partisanship at the door. Chairman NUNES is right on the edge of doing permanent damage to that grand tradition of bipartisanship. Chairman NUNES seems to be more of a partisan for the President than an impartial actor. He has not been cooperating like someone who is interested in getting to the unvarnished truth. His actions look like those of someone who is interested in protecting the President and his party, and that doesn't work when the goal of the committee is to investigate Russia and its connection to the President and his campaign.

Without further ado, Speaker RYAN should replace Chairman NUNES.

TRUMP CARE

Mr. President, on another matter, the failure of TrumpCare this past Friday was a good day for the American people. We can finally put to bed the

disaster of a bill that was TrumpCare, which would have resulted in spottier coverage, 24 million fewer Americans with health coverage, and higher costs, premiums, and deductibles for the middle class, the working poor, and older Americans, all to finance close to \$600 billion in tax breaks for wealthy Americans. Americans should breathe a sigh of relief that TrumpCare will not become law. We are happy that it is gone. We can finally move on.

As I have said many times, we Democrats, provided our Republican colleagues drop "replace" and stop undermining the ACA, are willing to work with our Republican friends to improve the existing law. No one ever said the Affordable Care Act was perfect. We have ideas to improve it; hopefully, our colleagues on the Republican side do as well. I hope once "replace" is dropped and the ACA is no longer undermined by the administration, we can sit down and talk about it.

Unfortunately, the administration has already done several things that undermine the law and hurt the people. During the final weeks of open enrollment, the Trump administration discontinued the public advertising campaigns that encouraged people to sign up for insurance. The administration is working behind the scenes to give insurers flexibility to offer Americans less coverage for the healthcare they need, and the Executive order that President Trump issued directing agencies to facilitate the repeal and replacement of the ACA has destabilized the marketplace. Now that TrumpCare is off the table, the President should rescind the Executive order.

Today, I am urging the President and his entire administration to immediately cease all efforts to undermine the ACA. People's lives are at stake.

The President should not hope that the healthcare system for tens of millions explodes. He should not want premiums to go up on his watch. He should not hope that Americans lose treatment for opioid addiction on his watch. This approach is wrong, and wrong in two ways: First and foremost, it is wrong because it hurts people. The President must be a leader. It is not leadership for the President to hurt people and actively work to undermine our Nation's healthcare system simply because he is angry that he didn't get his way on repealing the ACA. That is not Presidential, that is petulance.

Secondly, this approach will not work politically. Donald Trump is no longer an outsider; he is President. The American people are looking to him to help solve their problems. If he doesn't, it is going to hurt him and his party. Pointing the finger of blame isn't going to solve anyone's problems. That strategy is not only bad for the American people and beneath the Presidency, it will backfire politically. He is in charge. People want him to make their

lives better, not make them worse because of some political anger or vendetta.

I know many of my colleagues on the other side of the aisle do care deeply about fixing the Nation's healthcare problems, and we are ready to do that with them in a bipartisan way. But, of course, repeal must be taken off the table, and the President must stop hurting citizens by undermining the Affordable Care Act.

TAX REFORM

Mr. President, finally, on tax issues, now that the jig is finally up on healthcare, our Republican friends have signaled they will turn to taxes. I hope they have learned the lessons of TrumpCare. One of the reasons TrumpCare failed so spectacularly was that Republicans tried to rush and ram it through via a reconciliation process, even though it was deeply unpopular with the public. The last poll showed only 17 percent of Americans supported TrumpCare, so that means a large number even of Trump supporters were opposed to it.

Why was it so unpopular? Probably because TrumpCare would have given the wealthiest among us a monster tax cut while hammering older Americans and the middle class with higher costs for less care.

So I say to my friends on the other side of the aisle: If you try to pass a Republican tax plan using the same reconciliation method in order to get a huge tax break for the wealthy and already profitable and powerful corporations, it will fail. The American people are not crying out for tax breaks on the wealthiest Americans. God bless the wealthy. They are doing just fine without the tax breaks, but thus far it seems our Republican colleagues are headed in that direction.

Even though the President campaigned as a populist, his administration has been all hard-right, pro-corporate, pro-special interests, totally against the working people. If the President and Republicans in Congress continue in that direction, proposing policies that shift burdens off the wealthy and powerful, not aiming to help the middle class and working families, their efforts will continue to fail, and it will turn tax reform into a partisan issue. The White House says tax reform isn't partisan, but it surely will be if they propose massive tax cuts only for the wealthy. My prediction: If Republicans go down that road, the Republican tax scheme will meet the same fate as TrumpCare. I hope they will not go down that road; I hope they will not.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

BORDER ADJUSTMENT TAX

Mr. SCHATZ. Mr. President, last week TrumpCare died, and lots of people are trying to figure out exactly what happened. In my view, it was not a lack of strategy; it was not a lack of effort; it was not a lack of personal relationship between the Speaker and the President. It died because the policy stank. It died because people actually—left, right, and center—decided that cutting Medicaid by \$900 billion in order to provide a tax cut for the wealthiest Americans of the exact same amount was just not a good idea in policy or in politics.

Now that TrumpCare has crashed and burned, Republicans are essentially going to try to do the same thing—tax cuts for the rich. Yet, this time, instead of funding it by cutting Medicaid, they are going to charge people more for groceries. Here is their proposal: They want to cut taxes for corporations again. That is what they want to do. Whether one is talking about infrastructure or whether one is talking about healthcare or whether one is talking about so-called tax reform, their solution to everything is to cut taxes for corporations. They want to cut taxes for corporations again, but this time American families will pay for it through taxes on groceries and the other stuff they have to buy on a day-to-day basis.

We have seen this before. It is a giveaway for corporations and the wealthiest among us, but, as usual, they have to find a pay-for, a way to make the arithmetic work, a way to pay for it. They are going to keep proposing so-called solutions for healthcare, infrastructure, or in this case tax reform, but they are basically the same proposal. It is a subsidy for Wall Street. It is because they cannot help themselves.

This particular giveaway will cost the average American family thousands of dollars. Families will have to pay more for gas, medicine, clothes, cars, food. That is how a so-called border adjustment tax works. Everything one buys in the United States will be taxed, and everything outside of the United States will not be taxed. The sort of principle behind that is that somehow we are going to stimulate exports and disincentivize imports. It is not just that you are paying more on the stuff that is imported; it is that everything in the United States that you purchase you will have to pay more for in order to incentivize exports. But all you are doing is charging the American people more. This is essentially a sales tax.

I talked to members of my staff, and they were trying to get into the sort of

technocratic, legal details about whether it is technically a sales tax or a value-added tax or a border adjustment tax that fits into some other legal category. But for a regular person, it does not matter what you call it; if you pay more and the government is collecting it, it is an increase in taxes.

They are going to dazzle you with complexity, and I think some in the House Republican leadership are very skillful at trying to make this more complicated than it is. They are trying to dazzle you with complexity so you do not know what they are doing. They are raising taxes on groceries and all of the stuff you buy. That is their version of tax reform.

I can understand. The Tax Code is awful, it is a mess, and we have been trying to do tax reform for I think 30 years. It is not unreasonable for the average American to say "Yes, you ought to reform the Tax Code," but, remember, when they talk tax reform, they want you to have to go to the store and buy a steak, a hotdog, a head of lettuce, gasoline, pillows, diapers, paper—whatever you need—and it is going to cost more with so-called tax reform. If they succeed, the average American family could pay up to \$1,700 more per year in order that corporations can get their tax cuts. Think about what \$1,700 means for families across the country. For a family of four, with two kids in middle school, \$1,700 pays for a few months' worth of groceries. In Hawaii, \$1,700 will cover rent for a month, and in lots of other places, it will cover rent for 4 or 5 months. For some people, it pays a year's worth of an electric bill. In the State of Hawaii, it will pay for 4 or 5 months of your electric bill.

We know for certain this will hurt consumers, but on a macroeconomic level—in other words, for the entire country—we have no idea what a border adjustment tax would actually do in terms of our international relationships.

I understand. I voted against the Trans-Pacific Partnership and the trade promotion authority. I have been very, very concerned about the extent to which we have not been getting the better of these trade deals, especially when it comes to people who are in unions across the country. But we do not want to engage in a trade war. We do not want to screw up American manufacturing, American farming. We have no idea what the impact would be. Even if one is willing to accept increasing the cost of goods in the United States for some theoretical possibility that this will incentivize exports, we have no idea what it is going to do to the American economy overall. Even in the best-case scenario, entire industries will fall apart.

Take tourism. In 2016 alone, tourism supported nearly 5.5 million American

jobs directly and almost 10 million more in industries like restaurants and retail. The tourism industry pumps \$2.6 billion into our economy every day. That is more than \$30,000 per second.

I will say one other thing about tourism. As we worry about automation, as we worry about artificial intelligence, as we worry about a global economy that is going to eviscerate some of our core industries, tourism is one thing that cannot be taken away from us. If people want to go to Los Angeles, if people want to go to Cleveland, if people want to go to Hawaii, if people want to go to St. Louis, MO, or Kansas City, MO, or Florida, these are jobs that cannot be taken away. So if you want to infuse cash into an economy, create a tourism economy—all of these jobs and all of this revenue will be under threat if this works out the way they want it to work out because the dollar will be so strong that Americans will want to travel abroad and foreigners will want to travel far, far away from us.

Why are we punishing consumers and small businesses? Why are we putting entire industries at risk? House Republicans will tell you it is because they think the corporate tax is too high, but here is the truth: Right now, major corporations have huge teams of tax lawyers who set up fake shell companies so that they get around paying Federal taxes at all, or they abuse loopholes to drastically lower what they owe to the U.S. Government. That is why we see some corporations that end up paying zero dollars in Federal income tax year after year even though they are making a healthy profit in the United States.

Together, Republicans and Democrats should be going after these tax dodgers. Instead of just getting rid of loopholes, they have decided to tax consumers. This makes no sense, and that is why we have to stop it.

Last week, we saved healthcare for 24 million Americans because people across the country of all political persuasions stood up to fight. This week, the fight goes on. Once again, far too many people are in the crosshairs. I believe strongly that so long as we continue to stand together, we can win this one too. A huge tax cut for the wealthy cannot be funded by increasing the cost of groceries.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NOMINATION OF JUDGE NEIL GORSUCH

Mr. CORNYN. Mr. President, earlier today in the Senate Judiciary Committee, we considered the nomination of Judge Neil Gorsuch to serve as the next Justice on the U.S. Supreme Court. According to Judiciary Committee practice, that nomination was held over for a week, which means that Judge Gorsuch will be voted out of the Senate Judiciary Committee on April 3, and it will be available for floor action thereafter.

As the Nation—and perhaps even the world—knows, we held lengthy hearings last week to review his qualifications, his experience, and his approach to judging. I have to say that he really impressed everybody who approached this whole issue with an open mind about whether he was qualified to serve on the High Court. But unfortunately, as those of us who work in the Senate know, there has already been a threat by the Democratic leader to filibuster his nomination.

It is really important for the country to recall that there has never been a successful partisan filibuster of a nominee to the U.S. Supreme Court. Sometimes people want to talk about Abe Fortas in 1968, but ultimately Abe Fortas, who was nominated to be Chief Justice of the Supreme Court by his friend and mentor, Lyndon Johnson, asked to withdraw his nomination after one failed cloture vote and ultimately ended up resigning from the Supreme Court of the United States in disgrace. It is hardly a precedent for what Democrats have said they are going to do with regard to this good man and this good judge, Neil Gorsuch.

I understand my friend the Democratic leader has a tough job. He has a split caucus—those who want to take Democrats over the ledge and those who would like to try to find some way to work out a reasonable accommodation. Unfortunately, he is under a lot of pressure from the radical groups on the left to do whatever he can to tank this superb nominee. Again, this would be unprecedented in American history.

It is true that Democrats in 2013 did the so-called nuclear option, which has established a new precedent in the Senate with regard to lower court judges—circuit court judges and district court judges—along with Cabinet nominees. Ironically, the so-called Reid precedent of 2013 has kind of come back to bite them a little bit, as President Trump now has been able to see all of his Cabinet members confirmed with 51 votes, or, in the case of one, 50 plus the Vice President.

I was glad to see a quote from a report in a Vermont publication from our friend the senior Senator from Vermont, the former chairman of the Judiciary Committee, in which he said he wasn't inclined to filibuster the nomination of Judge Gorsuch and that he deserves a minimum of an up-or-

down vote. So I hope others will follow the lead of Senator LEAHY, who has been in the Senate a long time in the majority and in the minority. He realizes it is important to maintain a certain level of tradition and decorum here in the Senate, because usually what goes around comes around. Unfortunately, this new precedent of filibustering Supreme Court Justices, if allowed to happen, is going to continue to be very damaging to the Senate and even to the country.

I hope he is still of that same mind—that he is not inclined to filibuster the nomination of Judge Gorsuch. If he takes that position, I know he will influence a lot of colleagues on the other side of the aisle because of his distinguished record of service in the Senate and in the Judiciary Committee.

I look forward to the committee approving Judge Gorsuch's nomination next week and then taking that nomination up on the Senate floor and confirming the nomination of Neil Gorsuch to serve as the next Associate Justice on the U.S. Supreme Court.

OBAMACARE

Mr. President, last week, a lot of attention was focused on the House of Representatives and their efforts to fix our Nation's healthcare system.

We have said for a long time that ObamaCare needs to be repealed and replaced. I stand by that comment, and I know many of our colleagues do as well. But I want to make something else clear. The failure of ObamaCare isn't a problem for Democrats or Republicans alone. It is a problem for the entire country, and particularly those who find their premiums going up by double digits every year, their deductibles unaffordable, or even choices drying up because insurance companies simply have withdrawn from the individual market. Our colleagues on the Democratic side have repeatedly recognized the problems with ObamaCare, even though they pushed it through on a partisan vote 7 years ago.

The fact of the matter is that the President promised: If you like your healthcare policy, you can keep it; if you like your doctor, you can keep your doctor; and, premiums for a family of four will go down by an average of \$2,500. None of that has proven to be true. People were misled into believing that ObamaCare would somehow be the gold standard for healthcare in the country, and people are being hurt now by high premiums, high deductibles, and fewer choices. Indeed, 30 million people remain uninsured in this country because of the cost or the fact that they just decide that they don't want to buy government-mandated healthcare. They either pay a penalty through the IRS or they simply get a hardship exemption. There are 30 million people currently uninsured, more or less, under ObamaCare.

I want to remind our colleagues on the other side that they understand ObamaCare needs some work, and many of them have made repeated calls to fix it. Last year, for example, the junior Senator from Wisconsin said of ObamaCare:

There were things obviously that need perfecting, need revisiting. Even if it were perfect, over time we would have to make adaptations, and so I think we would absolutely want to strengthen it.

Not even our colleague, the junior Senator from Wisconsin, is saying ObamaCare is delivering 100 percent on the promise. She is saying it needs some work.

The senior Senator from Indiana has echoed this sentiment. He said:

I supported the Affordable Care Act because I wanted to help working- and middle-class families to have access to healthcare. That doesn't mean the law is perfect, and it doesn't mean that we don't still have work to do. That's why I'm working with my colleagues to make this bill stronger.

We haven't seen any proposals from our friends across the aisle on how to fix the law, which they concede is far from perfect. Instead, what we have seen is their standing back, watching Republicans trying to do this by ourselves and coming up short last week in the House of Representatives. To my mind, that is not commendable behavior on their part. I thought we all came here to the U.S. Senate to try to do things and fix problems for the constituents we represent. It is purely partisan to say: We know ObamaCare is falling apart, and it is not delivering as we promised. And, oh yes, you Republicans can try to fix it, but if you don't have the votes to do it, we are just going to sit back and applaud or react with glee from a partisan perspective because our political opponents somehow came up short when it came to the votes in the House.

The truth is, ObamaCare didn't bring massive relief for working- and middle-class Americans. For many, it made life more difficult with skyrocketing premiums, losing their plans and the doctors they wanted, and having fewer options to choose from.

I will quote one of our colleagues on the other side of the aisle, the junior Senator from North Dakota. Her website says: "With any major legislation, there are improvements that need to be made so that it works as well as possible, and that holds true for the healthcare reform law," speaking of ObamaCare.

She goes on to say that she is committed to "correcting the parts of the healthcare reform law that do not make sense, improve on others, and implement new ideas to improve on healthcare costs and improve quality."

I am grateful to our colleague from North Dakota for her honesty and open take on where things stand with respect to ObamaCare, but that is just a start. What we need to do now is work

together to try to address the failings of ObamaCare where it is not delivering as promised and where even our colleagues across the aisle have said that it needs to be fixed in order to make sure that people have access to affordable, accessible quality healthcare. They don't have that now.

My point is that ObamaCare was a bill sold to the American people under false pretenses by the previous administration, and it has proved to be a disaster for many people. I was reading an article—I think it was either in the Washington Post or the New York Times today—about a woman in Texas who runs a hair care salon and who has intentionally kept her number of employees under the threshold under which ObamaCare's employer mandate would be invoked. So rather than spending time focusing on growing her business and improving her business, she has consciously kept it smaller, with fewer employees, because she knows that the burden of complying with the ObamaCare employer mandate will ultimately make her business less profitable. And when her business is less profitable, it means she can hire fewer people and perhaps can't pay the wages or the benefits she would like to pay her employees.

So I would just say to our colleagues across the aisle that I understand you think you had a pretty good day last week when the Republicans couldn't pass the healthcare plan on their own in the House, but I don't think this is a time for people to enjoy other people's failed efforts to try to improve the status quo. It is a mandate, I believe, for all of us to work together to address the flaws that we know exist—that they admitted exist—to try to do better when it comes to affordable, accessible healthcare for the American people.

This law will fail. Insurance companies will withdraw from the market, and the individual market serving roughly 18 million people will literally dry up and go away. Imagine how those families are going to be impacted.

I wouldn't want to be somebody who said: Well, I had an opportunity to fix it; yes, I had an opportunity to address your concerns when it came to affordable healthcare, but for partisan political reasons, I simply stood down and did nothing and literally washed my hands of it.

So before this law collapses—and it will—I hope our colleagues across the aisle will start offering their ideas and their solutions to bring better healthcare to families across the country. That is what I think our constituents expect of us. That is in the finest tradition of the U.S. Senate, and our constituents deserve no less.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. RUBIO. Mr. President, I am pleased that in the Senate we are about to take a vote on ratifying the protocol of the accession of Montenegro to NATO.

What I wanted to do was to take a few moments to explain to people why I think this is an important vote and an important moment for our security as a nation but also to protect our interests abroad and that of our allies.

We all know that NATO—the North Atlantic Treaty Organization—was started right after World War II. It was primarily designed in the Cold War to confront the threats posed by the Soviet Union and its allies in the Warsaw Pact. Of course those threats have changed since the end of that Cold War.

Here is what hasn't changed. What hasn't changed is the need for America and her allies in a strong way to remain engaged in the world. That need has not changed. What has not changed is the need for democracies to be able to come together and collectively defend not just their interests but the interests of all people around the world where freedom is threatened. The difficult, painful lesson of history is that dictators and tyrants are never pleased with what they have. They always want more. They always need more. That is why it is so important that those nations on Earth—luckily and in a blessed way, more people than ever before find themselves living in societies where the people get to choose their leaders.

These alliances we have around the world—NATO being chief among them—help advance our strategic and economic interests, but most importantly, they help to keep our country safe.

There is a lot of talk about how much countries are paying into NATO, and it is true that the United States is by far the largest contributor to NATO. I think that is a combination of two things: one, decisions that were made by some of our allies in Europe on how they want to spend their government's money, and the other is just the reality that we are the United States of America, and as the United States of America, we will always find that we are always making a disproportionate share and contribution on everything, from global aid to fight off hunger and disease, to collective security.

While we can urge our allies, encourage our allies, and ask our allies to make a greater contribution to their own defense, we should not fall into the trap of diminishing what they are doing and what they have done.

First of all, in Europe today, many of our NATO allies are increasing their

defense spending. They are doing so in response to Russia's aggression in Ukraine and its increased aggression elsewhere in the region. Their soldiers are joining ours in deploying to Central and Eastern Europe to reassure our allies who are facing aggression and potential aggression from Vladimir Putin.

With all this talk about NATO and money and how much everyone is giving, I think it is important to take a moment to also understand that our NATO allies have fought beside us and have died beside Americans in Afghanistan, where more than 1,100 soldiers of the NATO-led coalition paid the ultimate price with their lives. It is important to note this because on September 11, 2001, Paris was not attacked, Berlin was not attacked, and London was not attacked on that horrible day; yet these nations and others, our partners, invoked a shared commitment that led them to stand beside us on the other side of the world in an effort to prevent another attack like September 11 from taking place again on American soil or anywhere in the world.

Montenegro is not even a member of NATO yet. Yet it sent hundreds of servicemembers to join the American-led coalition in Afghanistan.

I have always argued that when our alliances, such as NATO, are under pressure from our potential adversaries and foes, we need to continue to expand and allow countries that meet the standards set by the alliance to join. That has never been more important than it is now, given the uncertainty and security challenges we face in Europe, especially as Vladimir Putin continues his aggression and continues to threaten stability in the region.

To be frank, Putin would love nothing more than to destroy NATO. In fact, you can see him trying to do that on a regular basis. He has tried to divide these countries, turn them against each other. He supports candidates throughout Europe who would take their countries out of NATO, constantly calling into question its viability. Vladimir Putin wants countries like Montenegro to remain in his sphere of influence and what I would call his sphere of threat, as his recent attempts to deploy his asymmetrical tools to influence Montenegrin politics have shown. That is why it is so important that we are moving to ratify Montenegro's access to NATO and to strengthen our relationship with Montenegro through NATO.

As the Senate and as a country, we are sending a clear message to Vladimir Putin that we will not accept the establishment of a Russian sphere of influence over countries that desire to ally themselves with the free and democratic community of nations.

Today, I have tried to refrain from using the term "Russian" sphere of influence or "Russia" because the fact is,

as I said to someone earlier today or yesterday, there is a difference between Russia and Vladimir Putin, and the events of the last 48 hours remind us of that. We are watching as many Russians who also desire to join the community of nations have turned out in cities and in places across Moscow and in other places in the thousands. They have turned out to protest the rampant corruption that fuels the Putin regime. And the Putin regime, as all totalitarian regimes do, has cracked down. They have arrested and detained hundreds of peaceful protesters. I ask you to compare that to Montenegro, whose membership in NATO will help the United States and Montenegro deepen our already strong bilateral relationship.

The stakes here are extraordinarily high for the United States and for our European allies. The Senate needs to send a strong message of solidarity with those in Europe who are standing up to the anti-democratic tactics of Vladimir Putin and his cronies.

That is why today I will be proud to cast my vote in support of Montenegro's accession into NATO, and I hope my colleagues here in the Senate will do the same and join me in doing so as well.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

HEALTHCARE

Ms. WARREN. Mr. President, last week Republicans in Congress came within an inch of ripping health insurance away from 24 million people in order to give tax breaks to rich people. That collapsed, and it collapsed because the American people stood up and said no—no to kicking seniors out of nursing homes, no to booting kids with rare diseases off of their treatments, no to gutting funding for opioid addiction.

All across this country—in every corner of this country—for months people spoke up about how the Affordable Care Act and Medicaid are saving their lives and saving their families from financial ruin. They poured their hearts out, they raised their voices, and they demanded to be heard. Last week they won.

The collapse of the Republicans' cruel scheme is a huge relief to millions of people in this country, but I am not here to celebrate. I am here to warn the American people about what is coming next, because instead of listening to the American people about what they want, the President of the United States has threatened to sabo-

tage healthcare in America. It isn't subtle. One hour after the Republicans admitted they didn't have the votes in Congress to destroy the Affordable Care Act, President Trump sat behind his desk in the Oval Office and told the entire Nation that he wants to trigger a meltdown of our healthcare system because he thinks that would be helpful to him politically.

Just so there is no confusion, I want to quote him word for word. He said: "The best thing we can do, politically speaking, is let ObamaCare explode."

Now let's be clear. It is deeply wrong for the President of the United States—whose one and only job is to look out for the American people—to root for the failure of our country's healthcare system. It is deeply wrong for the President of the United States to announce that he is going to drag down our entire healthcare sector—a sector that accounts for more than one-sixth of the entire U.S. economy—just so he can stand on top of the wreckage and waggle his fingers and say: I told you so.

Healthcare for millions of Americans is not a game. It is not entertainment. It is not a reality TV show. Healthcare is literally life and death, and it touches everyone in this country from elderly grandparents to tiny babies.

President Trump is responsible for making healthcare in this country work. It is his job. He is President of the United States. His party controls both Houses of Congress. A legitimate President doesn't clap and cheer when things get worse for the American people. A legitimate President doesn't pound his chest about sabotaging the health and security of the American people because it is politically expedient. A legitimate President does his job.

The President's admission that he wants our healthcare system to collapse is a dangerous sign of where things are headed. For 7 years Republicans in Congress have rooted against healthcare in this country, cheering every stumble and working at every turn to hobble the law and make it harder for people to get affordable insurance. President Trump cannot repeal the Affordable Care Act on his own, but he can strip healthcare from millions of Americans and make it too expensive for millions more. He can do that all on his own. In fact, he is already working on it.

A few days after he took office, President Trump signed an Executive order directing his agency to use every tool at their disposal to try to disrupt the Affordable Care Act. In January, he also pulled down government's efforts to get more people signed up for health insurance. Why? So fewer people would use the health exchanges, fewer would get insurance, and premiums would go up for those who did sign up—all in an effort to make ObamaCare fail.

Senator PATTY MURRAY and I asked the inspector general at the Department of Health and Human Services to investigate this reckless move, and now an independent investigation has been launched into this despicable incident. But the President has more tools at his disposal to undercut the Affordable Care Act all by himself. The President can redefine what insurance plans have to cover, stripping out critical benefits like birth control coverage. The President can withhold payments that insurers rely on to keep private health plans affordable. The President can allow States to put new conditions on Medicaid, conditions like taking away healthcare coverage if a woman doesn't get back to work soon enough after giving birth.

If the President decides to launch an all-out effort to sabotage American healthcare so he can manufacture a crisis to score political points, he can hurt a lot of people.

But there is a better way. If Republicans want to work on ideas to actually improve healthcare in America, to expand coverage, to expand access, or to reduce premiums and out-of-pocket costs, I am eager to throw up my sleeves and go to work. For years, Massachusetts has led the Nation in bipartisan health reform. We have lots to contribute on this, and lots of other Democrats are ready to get to work, too.

The American people aren't stupid. They know the difference between a bill that kicks 24 million people off of their health insurance and a bill that actually improves care. They know the difference between a President who fights to make health care better and a President who plans to sabotage healthcare. They know the difference between a fireman and an arsonist. If this President and this Congress continue to play politics with the lives of millions of people, I promise you that the American people will see it, they will know it, and they will rise up once again to fight it.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I take the floor to urge an "aye" vote on invoking cloture on the issue of Montenegro's admittance into NATO. I would point out that 25 of the 28 nations in NATO have already voted in favor of Montenegro's accession into NATO. Only the United States, Spain, and the Netherlands have yet to weigh in.

I would like to point out that Montenegro's admittance into NATO is a critical test of the alliances's open-door policy. I don't ask my colleagues to take my word for it. I would just like to point out that our Supreme Allied Commander in Europe, General Curtis Scaparrotti, last week declared

that Montenegro's accession into NATO is "absolutely critical," that they have had this desire. They have met the map, and they understand NATO'S outreach and ability to bring in those who want to determine their own means of government and become part of NATO.

If we were to lose this, it would be a setback to many of the other nations and peoples, particularly in Eastern Europe, who were looking forward to and have their eyes on the West and becoming part of NATO.

I would point out to my colleagues that the Russians attach some importance to Montenegro because they tried a coup to overthrow the government. The Russians tried a coup to overthrow the government of this small, beautiful, and strategically important nation.

I would just point out that our Secretary of State, Rex Tillerson, wrote a letter urging Montenegro's membership to be ratified, saying that it was "strongly in the interests of the United States." In his letter he strongly emphasized that Montenegro's accession to NATO would support greater integration, democratic reform, trade, and security and stability in the entire Balkans region.

I won't take too much time in the Senate except to say that I think this is more than an accession or non-accession of a small 750,000-person nation. It is a test in this contest that we are now engaged in with Vladimir Putin, who has committed to extending the reach and influence of the Russian Government and Russian influence to the point where he attempted a coup to overthrow the freely elected government of Montenegro. That coup failed, but I can assure my colleagues that if we turn down Montenegro, it will not remain the democracy that it is today.

General Breedlove, who is our former commander in Europe said:

Montenegro is a very strategic place. Can you imagine A2/AD Bubbles in Montenegro?

I urge my colleagues for a resounding "aye" vote in bringing cloture to an end and bringing Montenegro into the community of NATO, which is needed more now than at any time since the end of the Cold War. I, also, by the way, recommend to my colleagues a visit to, really, one of the more beautiful countries on Earth.

I yield for the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. GRAHAM. Mr. President, for one, I want to let the people of Montenegro know that this day has been a long time coming. We would not be here had it not been for Senator McCain's constant, persuasive, passionate voice, and this day has finally arrived in the Senate.

As to Senator McConnell, I want to thank him for making floor time. I re-

gret we had to do it this way, but when one Senator objects, then, it puts the pressure on the rest of us. One Senator can stop legislation like this. It was one Senator, and he has every right to do so. But I want to thank Senator McConnell for putting aside floor time so that we can vote in the Senate to allow Montenegro to be a part of NATO.

Senator McCain has traveled the world as much as anybody I know. I have been to Montenegro with him at least once, if not twice. It is a beautiful place. They share our values. They want to move forward in terms of their democracy. They want to be part of NATO. They want to be part of free markets. They want the rule of law to replace the rule of the gun. Montenegro is trying to do everything that Putin hates—where you can actually vote for your own leaders, where you can have a judicial system that works, where people can walk the streets without fear, and where the leadership doesn't steal the country blind.

I want to let the people of Russia know—for those who went into the streets yesterday or the day before to protest the corruption of the Putin regime—that you have my undying respect and admiration, because I can only imagine how hard that was.

For the people of Montenegro, I know they have been waiting a long time for this day to come because Russia and, generally, Putin have been trying to overthrow their government.

To those people in this body who proclaim they are for freedom and liberty, here is what I suggest. If you are not for other people's freedom and other people's liberty, you will eventually lose yours. The idea that we can be safe and free and not engage the world and sit on the sidelines and watch people like Putin turn the world order upside down and not be affected is at best naive. It is worse than naive, but I want to be nice and say it is just naive.

What Putin is doing throughout the world is trying to break the backs of the world order, NATO, and the European Union. He is trying to drive a wedge between the NATO countries, and he will be the biggest beneficiary of that. He is trying to break the back of the European Union. Alliances of democracy are his worst nightmare. This is a huge step in the right direction.

I want to thank Senator McCain for being the most consistent voice in this body, and Senators McConnell and Schumer for allowing this vote. But our work is not done because it is one thing to vote in favor of Montenegro's entering NATO over Russia's objections. That is not enough. Senator McCain and myself, Senators Cardin and Rubio—Democrats and Republicans—all have crafted legislation to punish Russia for interfering in our elections. And they did. They are trying to break the backs of democracy in

Ukraine, Georgia, and the Baltic nations. I hope the next thing we do in this body, in short order, on Russia is to punish them for their efforts to interfere and change and destabilize American democracy. I don't think they changed the outcome, but it was the Russians who did this to the Democratic Party, and I think every Republican should be equally offended.

I hope we can find some time on the floor, starting in the committee, to pass a Russia sanctions bill that, I believe, would get 80 votes. This is a great step in the right direction for people in Montenegro. It is a rebuke of Putin, but it is not enough.

Again, I thank Senator McCain for his leadership toward the people in Montenegro, and I know he has been worried about what is happening in America. I hope he finds some comfort in what we are doing here today.

I hope the rest of the world, particularly Europe, which is in the crosshairs of Putin, will understand that America is coming back and it is coming back strongly.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCain. Mr. President, I thank the Senator from South Carolina, particularly on the issue of Russian sanctions.

Yesterday, we saw the people of Russia, particularly the younger people, demonstrating peacefully in the streets of the cities and towns throughout Russia in order to protest the corruption and dictatorship of Vladimir Putin. At the time, the leader of the opposition was jailed. He was in the process of putting together a study that showed that Medvedev, who was Putin's puppet, was one of the wealthiest people on Earth.

I was heartened by the willingness and the courage of the people of Russia to stand up and protest a corrupt, dictatorial, and brutal government that, unfortunately, they are saddled with.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. Corker. Mr. President, one of my chief responsibilities as chairman of the Senate Foreign Relations Committee is to help protect the men, women, and institutions that keep America safe, including not only the State Department but the North Atlantic Treaty Alliance.

NATO was founded in 1949 as an alliance that was committed to the collective defense of its members—that an attack on one constitutes an attack on all. The alliance's self-defense clause has only been invoked once, after 9/11, when our allies deployed with us to Afghanistan.

Our militaries, in their working together, allow NATO to function. NATO members have committed to spending 2 percent of their GDPs on their militaries, but only the United Kingdom,

Estonia, Poland, Greece, and the United States currently hit that goal. While the other members are working on growing their defense budgets, I have long held the belief that they must do so faster.

Regardless, part of what makes NATO great is its open doors. States that are interested in becoming allies are encouraged to join the Partnership for Peace. When those states then meet the criteria for membership, they are welcomed into the alliance.

This process is exactly what occurred with Montenegro. Just after becoming an independent country in June of 2006, Montenegro joined the Partnership for Peace in December 2006. Exactly 3 years later, Montenegro obtained its Membership Action Plan. Six years after that, NATO recognized that Montenegro had met all of the necessary standards for membership and invited the country to begin talks to become part of the alliance. Then, in May of 2016, NATO's Foreign Ministers signed the protocol to formally open the way for Montenegro to join. As of today, every other NATO member has already ratified this treaty and Montenegro's inclusion.

Beyond such procedural steps, Montenegro has long been contributing to shared security challenges. For example, Montenegro actively supported the NATO-led operation in Afghanistan from 2010 until its end in 2014 and now is supporting the follow-on mission to train, advise, and assist Afghan security forces. It is important to note that Montenegro has taken these steps despite Russia's best efforts to undermine their progress every step of the way.

I thank Senator BEN CARDIN; the Europe and Regional Security Cooperation Subcommittee chairman, RON JOHNSON; and my other colleagues on the Senate Foreign Relations Committee for their support and constructive work during this process.

We have moved this treaty ratification twice now—once in the last Congress and again in January—to demonstrate our commitment to NATO and to Montenegro.

I also thank Senator MCCAIN, both as a former member of our committee as well as the chair of the Armed Services Committee, for his unwavering support in bringing Montenegro into the alliance.

Lastly, on behalf of the committee, I urge all of my colleagues to support this treaty amendment that serves American security interests for a strong NATO.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, President Trump said in his inaugural address that we have defended other nations' borders while refusing to defend our own. I think he was right. Today, the question is, Will we add another com-

mitment to defend yet another foreign country?

For decades, NATO has been an organization in which the United States disproportionately spends our blood and our treasure. The other NATO countries have largely hitched a ride on a U.S. train that subsidizes their defenses and allows them to direct their revenues to their own domestic concerns. In short, Uncle Sam is the Uncle Patsy for the rest of the world.

The question today is, Will adding to NATO another country with fewer than 2,000 soldiers be in our self-interest?

It has fewer than 2,000 soldiers and is a small country in a distant part of the world. Will they make you sleep safer at night? The answer is an emphatic no.

There is no national security interest that an alliance with Montenegro will advance. If we invite Montenegro into NATO, it will be a one-way street, with the United States committing to defending yet another country and with you, the taxpayer, being stuck with the bill.

Even the advocates of Montenegro's joining NATO admit as much. The Senate hearing on admitting Montenegro to NATO was really just a punching session about Russia. Not one word was said about allowing Montenegro into NATO or how it would advance our own national security. We were going to send a message to Russia. Even the citizens of Montenegro are divided on this. About half of them want to be in NATO, and the other half does not want to be in NATO.

But it is not really about them; it is about us. Is admitting Montenegro to NATO good for us? Our national security is our national security. Is Montenegro going to defend the United States? Are they of any importance to our national security or, perhaps, will they entangle us in local, historic, regional conflicts in the area?

We must ask: Is Montenegro an asset to the defense of the United States? That is the question at hand.

The answer is a simple one. Admitting Montenegro to NATO will do nothing to advance our national security, and it will do everything to simply add another small country to NATO's welfare wagon.

Advocates for expanding NATO believe that, unless the whole world joins NATO, Russia will conquer the world, but the truth is more nuanced. During the Cold War, the myth of Russian might was endlessly circulated here at home, and the effect was the production of endless munitions and ever-expanding debt. You are still paying the tab for that. The Cold War ended, and the Soviet Union failed, not because our military might overcame them but because our economic system outlasted them. They were defeated. Capitalism defeated socialism.

If there is one message that Americans should get, it is that capitalism is

stronger than socialism. We should not flirt with political leaders in our country who promote what caused the Soviet Union to fail.

Now we are told we must fear Russia again—fear the Russian bear. Yet, if you look closely, you will see that Russian aggression around the world and particularly around the former Soviet satellites is an attempt to mask a weak economy that runs the same risk of overextension that caused the Soviet Empire to collapse. Russia is weak. Russia is weak because of corruption, oligarchy, and human rights abuses. If Russia continues on this path, it may well encounter the same cataclysm that brought down the Soviet Empire.

Without question, Russia is an adversary, a country that ignores international norms, does not respect the territorial integrity of its neighbors. Yet someone must ask: Is it in our national interest to insist that countries of the former Soviet Union be in NATO?

The debate today is not just about Montenegro. The same cheerleaders for Montenegro's being in NATO want Ukraine in NATO and want Georgia in NATO. This is about NATO's expansion in general, and this is a chance to have a real debate.

If both Ukraine and Georgia were in NATO today, we would be involved in a world war with Russia. Shouldn't someone speak up? Shouldn't we have some sort of national debate before we commit our sons and daughters to war in a faraway land?

One thing is for certain: Russia will always care more about those lands than we will. Does that make Russian aggression right? Absolutely not.

Our decision—the decision at hand—is: Are we willing to send our sons and daughters to fight in border disputes over Montenegro? Most Americans couldn't find Montenegro on the map. Are you willing to send your kids there to fight?

That is what this is about, and this is sluffed over. They are going to forbid amendments. I forced this debate. Nobody wanted to have this debate. They want to rubberstamp it. They want no debates, and they want to send your kids to war with no debate. Today, they will pass this over my objections, but they will allow no amendments. When I finish this speech, I will ask for an amendment, and it will be denied because they do not want to debate whether your sons and daughters go to war. I find that appalling. I am ashamed of a Senate that will not have a debate and will not have a vote.

From the very beginning, our Republic was founded on a deep suspicion of entangling alliances. Our Founders wanted to do everything possible to avoid the endless, chronic wars in Europe. In Europe, for centuries, Kings from one nation fought their brothers and their cousins in other nations. This

meaningless fratricide continued even into the 20th century.

The Founding Fathers were emphatic in their desire to avoid endless war. Washington wrote that our true policy was to steer clear of a permanent alliance with any portion of the foreign world. Jefferson echoed this when he famously wrote of peace, commerce, and honest friendship with all nations and of entangling alliances with none.

Even in modern times, such military heroes as President Eisenhower opposed intervention in Hungary, even when the naked aggression of the Soviets was appalling. Eisenhower likely may have had no real opportunity, though, because the Soviet Union had rolled in with 200,000 troops and 4,000 tanks.

At least part of the decision not to go into Hungary in the fifties was not for a lack of sympathy for freedom, not for a lack of sympathy for self-determination of a country. It was the real political decision of a nuclear confrontation with a nuclear Russia.

Fast-forward to today. For 16 years, we have been at war in the Middle East—16 years. If I had been here, I would have voted for going after the people who had attacked us on 9/11. Our justified response, though, has drug on and on. There are people who are fighting in the war who were not born on 9/11. The Congress voted after 9/11 to go to war. It voted to go after the people who planned and plotted the attacks on the World Trade Center. That vote from 15 years ago is used to justify all war that is everywhere on the planet.

There has been no meaningful debate on the wars we are currently involved in in the Middle East. We currently fight illegally and unconstitutionally in the Middle East because your representatives are afraid to have a public debate. They will stifle debate at all costs, and they will broker no amendments. They will allow no amendments to occur.

Our unrestricted, unvoted-upon involvement in war everywhere informed my opposition to expand NATO. Everyone likes to talk about NATO's article 5 obligation to come to the defense of any NATO allies that are attacked. That is in the treaty. If Montenegro is attacked, we will have to respond, but my concern is that many in Congress believe that article 5, in saying that we have to defend Montenegro, farms out to an international body this power to declare war, and they do not think they have to vote again.

You don't believe me?

They have not voted for 15 years for war, and we are still at war. We continue to go to new countries for war with no vote. Do you think that Montenegro will not be attacked and that there will not be a war without a vote? This is their history. Their history is one of not obeying the Constitution. David Fromkin puts it this way: "If it

is now agreed by treaty that an attack on a . . . NATO ally is deemed an attack on the United States, then it can be argued that the President is empowered without congressional authorization to send us to war."

Don't believe me? We have been at war for 15 years. We have been at war with dozens of new tribes, dozens of new countries, with no votes on war.

The most important vote a legislator will ever take is whether to go to war. Yet today we will vote for an automatic war if somebody invades Montenegro. And mark my words—they won't obey the Constitution. They will say: We voted to put them in NATO. Article 5 says we have to defend them.

That is not the law of the land, and we should have to vote in Congress. But nobody obeys the law. So if you are worried about whether your kids will be sent to the Balkans or whether your kids will be sent to Ukraine or Georgia, call your representative and tell them: Stop.

This is the crux of the debate. Congress has abdicated its role in declaring war. For 16 years, we have been at war in the Middle East with dozens of different tribes and dozens of countries and yet no vote. People say: Well, we should fight ISIS. Well, let's vote on it. Let's declare war or not. But you can't tell me that ISIS has anything to do with 9/11. They don't. Many of their fighters weren't even born then.

The authorization for war in Iraq was specific to a specific enemy in a specific place. So was the authorization after 9/11. The authorization for war in Afghanistan was specific. It says: necessary and appropriate force against those who planned, authorized, committed, or aided the September 11 attacks. It was actually put in the authorization for force that it was about 9/11. None of what is going on is about 9/11 anymore. They are not the same people. Some of the people we are fighting now didn't like those people.

There is a whole confusing set of religious wars that have been going on for 1,000 years in the Middle East. Yet your representatives will say: Send me your son, send me your daughter, but we don't have time to vote on whether it should be a declared war.

This vote is now used to justify a war around the globe, a vote from 9/11—from 15 years ago. It is a lie, and it is a disservice to our young men and women to have them fight under false pretenses where the Senators don't seem to have time to have a debate. No active war anywhere around the globe that the United States is involved with has been authorized by Congress.

We dropped more bombs the other day in Pakistan. We sent a man right into Yemen. Raise your hand if you know what the hell is going on in Yemen and who is fighting whom and who is our enemy. The one we killed the other day was al-Qaida—probably a

bad guy. He was actually fighting against the Houthis, whom we are also fighting against.

Who are the good guys? Shouldn't we have a debate? Shouldn't we decide whether we are going to war in Yemen? Should we be giving the Saudis bombs? They bombed a funeral procession. They killed 150 civilians and 500 people. We just let it go on. We keep giving them weapons. I have tried to stop selling bombs to the Saudi Arabians, but the majority up here says: Keep giving them to them. Keep giving them the weapons, and let them indiscriminately kill whoever the hell they want.

So NATO—should we expand it? Perhaps what we should do is make it clear that the NATO treaty is not a blind, open-ended promise to go to war anywhere, anytime.

Before we go to final passage, I will offer one amendment. This amendment will be blocked because they do not want debate and because they will be embarrassed if they have to vote against this amendment. But realize what this amendment asks. My amendment states that nothing in the NATO treaty—particularly the article 5 promise to come to the rescue of anyone attacked—none of this can happen without an official vote to declare war. So what is my amendment stating? The Constitution—article I, section 8—says we don't go to war without a vote and a debate. Do you know what they will do to get around it? I think we can assume that they are against the Constitution because they are not going to allow the amendment. How long would it take? It takes 15 minutes to vote around here. I am about done speaking. We could have one 15-minute vote on an amendment. I would grant back the time if we would have a vote, but they don't want to debate it because they are embarrassed that they are sending your sons and daughters to war without ever debating or voting on it.

This, to me, is a tragedy. It is sad to me. It makes me ashamed of the body that we will do this. Probably what is worse is then they clamor to the floor, their mouths agape, ajar, calling other people traitors, acting as if I care less about your sons and daughters because I want to have a debate on war before we go to war, preventing an amendment from happening and then having the gall to come to the floor and accuse their philosophic opponents of being traitors and being allies with the Russians.

Is this what we have come to? Is this where we are as America, that you can't take a principled stand against war; that you can't stand up on principle and say: Are we really going to go to war over Montenegro, over Ukraine? Are we really going to go to war over Georgia? And then you are accused of not being patriotic to your country.

I care as much as anybody about our soldiers. When I talk to our young men

and women who serve, do you know what they tell me? They want someone to stand up and have a debate. They will do what they are told. Our soldiers are brave, and they will go where they are told, and they will obey orders. But the people here who are these mouth-pieces for war, who think every soldier wants to go to war, I suggest they go out and meet the soldiers and ask them whether they want the civilian Senators to debate and have a formal declaration of war. That is all I am asking for—15 minutes and an amendment that says we will obey the Constitution.

If article 5 says we need to go to war and Montenegro is attacked, we will do the proper thing. We will come to the floor of the Senate. We are not sending troops to Montenegro without a vote on the floor of the Senate. Is that too much to ask for? We will see.

Mr. President, I call up my amendment No. 199 that says we should obey the Constitution and that we should declare war before we go to war.

The PRESIDING OFFICER (Mr. JOHNSON). Is there objection to setting aside the pending amendment?

Mr. CORKER. Mr. President, I reserve the right to object.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I work very close with my friend from Kentucky. There were some awfully strong things that were just said. I don't think they were directed necessarily at me.

I think there has been a little bit of an evolution here. I know that the reason we are having to go through this process of filibustering a treaty is the fact that the Senator from Kentucky wanted a vote on an unrelated amendment relative to surveillance here in our own country. When he was unable to get that agreement, he decided to filibuster a treaty. So that is what is happening here.

I am interested to hear this evolution of why we are having this debate. Let me just say, having dealt with this issue firsthand—and I know he knows this—this filibuster is about something totally unrelated to the amendment that is being offered right now.

I know the Senator from Kentucky, my friend, knows that I have offered authorizations for the use of force. I did so against Syria, and I am glad to have a debate on authorizations for the use of force, and I think we should. I know the administration is developing a strategy around ISIS right now, and when they complete that, it is my hope that we will, in fact, update the 2001 AUMF.

I think it has been stated by past administrations that the authorization they are utilizing as it relates to ISIS is legal. I believe them to be correct. But I will say that I agree we ought to have another debate on the issue of au-

thorizing the fight against ISIS, and I hope we will do so as soon as this administration completes the process of laying out what their plan is. Then we can debate that and then hopefully update that authorization. I don't know what that has to do with a treaty with Montenegro. There has been a lot that has been said, and I don't know how it necessarily ties together. But the fact is, when you enter into an article 5 treaty—which has, by the way, passed out of our committee on two occasions—you are, in fact, saying under article 5 that a war against one is a war against all and that we will come to their defense. So the amendment itself, if we were to vote on it, would basically negate that.

I think the Senator from Kentucky could have had this vote, but the fact is that 98 Senators wanted to have this vote—have wanted to have this vote for months, I might add—and we have had to come to this point of filing cloture.

So, with that, with good will toward the Senator, with good will toward the other 97 Senators here who would like to pass this posthaste, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Kentucky.

Mr. PAUL. Mr. President, it is important to know what just happened. We closed off the debate, and as far as a filibuster goes, we are having a debate and a vote. What they wanted was a rubberstamp and an easy passage without debate. We are having a bit of a debate, and that is good. Unfortunately, we will not be allowed to amend the bill.

My amendment is germane to the bill. It has to do with what article 5 means in the treaty we are signing. What it says is that we will not necessarily take article 5 to mean that we are going to war, that we would do the constitutional duty, and that is to vote about whether we go to war. So the amendment is very clear that we would obey the Constitution.

By blocking the vote, we have to realize that those blocking the vote have decided that really it should be automatic, that your sons and daughters will be sent to war automatically without a vote, without a declaration of war. You say: Well, maybe they don't mean that. Maybe they would obey the Constitution.

They don't now. So everything in evidence shows us that the chance that in the future they will obey the Constitution is about zero. But so ashamed are they of the fact that we will fight more wars without a declaration, without a vote—they won't allow a vote on the amendment because they would be voting against the Constitution. So, instead, they will block the amendment.

That is essentially what this debate is about: Are we automatically obligated to go to war without a vote by Congress? That is what the vote is

about. It is incredibly germane. It goes to the heart of the bill. It goes to the heart of the NATO treaty. Does article 5 mean you automatically go to war, or would you go through the normal processes of going to war? Now, some will say: Oh, well, we would never go to war. It might not be so bad, but it would be difficult.

Do you know when we have gone to war? We have actually gone unanimously when we have done it the right way. When we were attacked on 9/11 and they came to Congress, do you know what the vote was? Unanimous. We are not about letting people attack us as a country, and I would have voted for that.

When we were attacked in Pearl Harbor, what did FDR do? The thing that great leaders would do—and I am not a huge fan always of FDR, but he did the right thing. He came to Congress the next day. I think it was on December 8 that they voted unanimously to go to war. That is the way it was done once upon a time.

When you are attacked, people do rally to the country and they rally to the flag, but we shouldn't have an automatic stamp that says: We are going to war anywhere without any restraint, without any control or separation of power.

So I object strenuously to this, and I wish we were more open in this body and in our country to a debate about when we are going to go to war.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, before I suggest the absence of a quorum, I would like to say that the Constitution calls for treaties to be enacted by this body, which is what we are doing today. Everybody understands what NATO is and has understood it since the late 1940s. This is the kind of treaty that we would like for other people to be a member of, and today Montenegro, which has gone through the full process of accession, hopefully will be passed through this body.

This is the last country, by the way—every other country that is a member of NATO has voted to cause Montenegro to join NATO.

I know my friend from Maryland, the ranking member, Senator CARDIN, has just arrived. I know he has a few words to say. He is a strong supporter of Montenegro's accession, as is the vast majority of this Senate.

I will let the comments from the Senator from Kentucky lie. We are doing our constitutional duty by passing a treaty that we all understood. It has been debated fully in committee. It has been passed out twice. I am glad we are doing so. The fact is, this has been blocked by one Senator who wanted to vote on something totally unrelated to this and was using this as leverage. That is what is occurring here, nothing else. We are finally, through cloture,

having a vote on something that the majority of people in the Senate want to pass.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I ask unanimous consent to speak for up to 7 minutes prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CARDIN. Mr. President, I thank Chairman CORKER for the manner in which this resolution of ratification has been handled in the Senate Foreign Relations Committee. It has been handled in a nonpartisan way. We have had hearings, we have had votes, we have had a lot of conversations about it, and at last we are going to get a chance to vote on the ratification. So I come to the floor to speak in support of this resolution of ratification regarding the Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro.

I have been a strong supporter of Montenegro's bid to join NATO. It will enhance our security, it will strengthen the alliance, and it will send a strong message of resolve to Russia as it invades its neighbors and seeks to upend the international order. Montenegro's inclusion in NATO will have positive repercussions across the continent and will send an important message of hope to aspirant countries.

Last week, I met with Montenegro's Foreign Minister, and he described Russia's persistent efforts to weaken support for NATO membership in Montenegro. Last October, Russia interfered in the Montenegrin elections. There was a plot to assassinate the former Prime Minister of Montenegro and take over the Montenegrin Parliament. The suspects in that case scurried back to Moscow, and the Russian authorities refused to turn them over to the Montenegrins or even make them available for questioning in Moscow. To this day, Russian-supported NGOs and media propaganda continue to rail against Montenegro's NATO membership.

Russia does not get a veto over decisions of the alliance. We need to send a strong message of resolve. This is not an isolated circumstance with Russia. We have seen how they interfered in our elections. We have seen what they are doing in Europe today.

We see all these different activities by Russia, and we have to protect ourselves. One way we protect ourselves is by making our own decisions as to who should be admitted into NATO. Another is that we should have an independent commission take a look at what Russia was doing in their interference with our elections and what they are trying to do in trying to compromise our democratic system of government. I think the events that occurred in recent weeks of additional contacts that Russia made with mem-

bers of the Trump administration just underscore the importance for that independent commission to take a look at what happened.

I stand here today in support of NATO enlargement. The Senate Foreign Relations Committee recently voted by voice vote in support of this bid—unanimously, Democrats and Republicans. This is not a partisan issue. We have had a request from the President to take up this issue. Nearly all NATO members have approved Montenegro's bid. We are among the last to ratify, and we must get the job done. Tonight, we can take a major step forward in that regard.

What is the case for Montenegro's membership? Admission of Montenegro would mark another important step forward, fully integrating the Balkans into international institutions that have helped to contribute to peace and stability over the years in Europe. Croatia and Albania joined the alliance in 2009 and have been valuable contributors to accomplishing NATO's objectives since then. I hope that Montenegro's admission will help them motivate the reforms necessary for other Balkan countries to join.

Montenegro has made outsized contributions to NATO missions, despite not being a full member. I understand that in Afghanistan, Montenegro has rotated 20 percent of its armed forces through the ISAF and the resolute support missions. Twenty percent of their force—that is a substantial contribution. It also contributed to the peacekeeping mission in Kosovo and other NATO missions.

No country outside the alliance gets a veto over who gets to join, especially Russia. So we must send a strong signal. I urge my colleagues to pass this resolution and get it to the President so the President can deposit the instrument of ratification at NATO in support of Montenegro's bid. I urge my colleagues to support the mission.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Tennessee.

CLOTURE MOTION

Mr. CORKER. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the Treaties Calendar No. 1, treaty document No. 114-12, Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro.

Mitch McConnell, Cory Gardner, Steve Daines, John Barrasso, Joni K. Ernst, Bob Corker, John Cornyn, Lindsey Gra-

ham, Jeff Flake, James M. Inhofe, Roy Blunt, David Perdue, John McCain, Pat Roberts, Tom Cotton, Jerry Moran, Mike Rounds.

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

The question is, Is it the sense of the Senate that debate on the Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

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

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

The yeas and nays resulted—yeas 97, nays 2, as follows:

[Rollcall Vote No. 97 Ex.]

YEAS—97

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

NAYS—2

Lee Paul

NOT VOTING—1

Isakson

The PRESIDING OFFICER. On this vote, the yeas are 97, the nays are 2.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Ms. COLLINS. Mr. President, I rise today in favor of the resolution of ratification for Montenegro's accession to the North Atlantic Treaty Organization, better known as NATO.

Many of my colleagues are unaware of the fact that the State of Maine has a special relationship with Montenegro. It is through the National Guard State Partnership Program.

I thank the majority leader, Senator MCCONNELL, Chairman CORKER, Senator MCCAIN, the Democratic leadership, Senator JOHNSON, Senator MURPHY, and all of those who were instrumental in bringing this resolution to the floor for consideration today.

Montenegro's accession to NATO will serve the strategic interests of the United States, it will help to promote stability in the Balkans, and it will make us safer. Montenegro has already proven its support for American interests, having sent troops to Afghanistan in support of NATO- and U.S.-led operations there. Although not yet a member of the European Union, Montenegro also voluntarily joined the EU sanctions regime against Russia in response to Moscow's illegal annexation of Crimea and destabilizing actions in eastern Ukraine. Most important, I have great confidence that Montenegro will meet the collective defense obligations of NATO membership.

For the past 10 years, with the assistance of the Maine National Guard through the State Partnership Program, Montenegro has worked hard to reform its military and to strengthen the rule of law to come into compliance with NATO requirements, as defined in NATO's Membership Action Plan. Even today, Maine National Guard members are deployed to Montenegro to assist its Ministry of Defense in furthering its integration into NATO standards and processes.

I want to take this opportunity to express my appreciation to all of the members of the Maine National Guard who have participated in this operation, including the former and current adjutant general, GEN Bill Libby and GEN Doug Farnham, as well as our current guardsman stationed in Montenegro, Army CPT Nicolas Phillips. All of them have worked very hard during the past 10 years to help Montenegro get ready for this highly significant moment.

We must be clear-eyed about the fact that the Russian Federation has undertaken an extensive overt and covert campaign to derail Montenegro's bid to join NATO. These efforts include a brazen plot to disrupt Montenegro's elections last October and to turn the public against the pro-NATO ruling government there. According to Montenegro's special prosecutor assigned to the investigation, at least two Russian intelligence officers actively participated in this plot, which fortunately was disrupted.

Ratifying Montenegro's NATO membership demonstrates our firm resolve against Russia's efforts to deny other countries the opportunity to participate in NATO free from outside interference. That is why the Supreme Allied Commander for Europe and NATO testified just last week before the Senate Armed Services Committee that it is "absolutely critical" that Montenegro join NATO.

As President Trump prepares to travel to the NATO leaders' summit in Brussels at the end of May, I can think of no better action for the Senate to have taken ahead of his visit than our action tonight to finally ratify Montenegro's membership in NATO. In the meantime, I also look forward to the continued special relationship between Montenegro and the great State of Maine.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

WEEK ON THE STATUS OF BLACK WOMEN

Mrs. GILLIBRAND. Mr. President, I wish to request that the U.S. Government officially recognize the last week in March as the Week on the Status of Black Women. During the week of March 27, 2017, as part of Women's History Month and in honor of the United Nations Declaration designating 2015 as the Decade of Afro-Descendants, this week marks the perfect occasion on which to begin an annual recognition and celebration of Black women's contributions to American society.

Black women have long gone above and beyond the call of duty in their contributions to American society through civic engagement, high voter turnout, and serving as leaders in their communities. Even in the face of grave oppression throughout our Nation's history, Black women have continued to stand strong and contribute to the well-being of their families, communities, and our country as a whole. A recognition of the Week on the Status

of Black Women by the Trump administration and Congress would send a clear message that the Federal Government recognizes the unique struggles and achievements of Black women in America.

Black women have consistently played a leading role in shaping our Nation's history, often behind the scenes and with little recognition. Harriet Tubman escaped slavery and bravely returned to the enslaved South over a dozen times to lead her people to freedom on the Underground Railroad. A century later, Rosa Parks witnessed the oppression of her fellow Black women and took an active role in organizing the Montgomery Bus Boycott, while also taking up Black women's sexual harassment claims. Today, a Black woman, Carla Hayden, is our Nation's Librarian of Congress. Recognition of the Week on the Status of Black Women would honor the sacrifices of women such as Harriet Tubman and Rosa Parks, who paved the way for so many Black women in public service, business, and other industries today.

Yet even as Black women throughout our Nation's history have been leaders in American civic life, Black women today still continue to face many undue burdens. No one in America should have to choose between earning a paycheck and taking care of their family, but too many Black women who serve as primary family breadwinners are forced to make this painful choice. Black women continue to earn less than their male counterparts and also less than women who are not Black. Black women remain at the economic margins of society, and we all have a responsibility to help fix that.

This year, a coalition of organizations advocating for the well-being of women and communities of color will partner to elevate the stories, histories, and realities of Black women's lives. Each day of the week, starting on March 27 and continuing through March 31, will focus on a different challenge Black women face in society today, ranging from disproportionate experience with police violence to discriminatory media representation. Exploring these issues and acknowledging the centrality of Black women to our history and social fabric, along with recognizing the unique intersection of gendered and racialized inequities they face, is critical. As we continue to work to extend equal rights to all Americans, we must ensure that Black women are a leading part of this movement. I hope and request that this year will be a continuation of years past in celebration and intentional recognition of Black women in America through the Week on the Status of Black Women.

REMEMBERING ENI F. H. FALEOMAVAEGA

Ms. HIRONO. Mr. President, today I wish to honor the life and dedicated service to our country of my friend and colleague, Eni F. H. Faleomavaega of American Samoa. I had the honor of serving with him in the U.S. House and was deeply saddened to hear of his passing on Wednesday, February 22, 2017.

Eni served 13 terms as the Delegate from American Samoa, and we worked together because of his close ties to Hawaii. Eni's strong ties and service to Hawaii makes him a "keiki o ka aina." He was a graduate of Kahuku High School and the Church College, the forerunner to Brigham Young University in Laie, HI. Eni was a passionate advocate for indigenous peoples including native Hawaiians. Whether it was Federal recognition or health and housing programs for native Hawaiians, Hawaii could always count on Eni's outspoken support and assistance. One of the stories Eni enjoyed sharing was about his experience sailing on the voyaging canoe Hokulea in 1987, and in August 2014, he welcomed the arrival of the Hokulea and Hikianalia arrival in American Samoa and offered his best wishes to Malama Honua Worldwide Voyage.

I always appreciated his warm presence at the annual Kamehameha Day Lei Draping Ceremony at the capitol where he would often perform traditional Samoan chant and dance. Of course, he also served his American Samoa constituents in Congress with distinction for two decades. During his service in the House, he rose to become the first Asian-Pacific American to serve as chairman of the House Foreign Affairs' Subcommittee on Asia and the Pacific. He brought his unique perspective as a Pacific Islander to this post and constructively worked to raise the concerns of the region in Congress.

Eni was also a veteran of the Vietnam war and a selfless advocate for his fellow veterans in American Samoa and across the Nation. Thanks to Eni's efforts, American Samoa veterans can now receive their healthcare from a Department of Veterans Affairs clinic built in Pago Pago with funds he helped secure. It is therefore most appropriate that the House and Senate recently passed H.R. 1362, a bill to name this clinic after him.

I join my colleagues in extending my deepest sympathies to his wife, Hinanui Hunkin, their 10 children, and their 15 grandchildren. Eni will be dearly missed by his extended ohana in Hawaii and all whose lives were touched by his leadership and service.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED JOINT RESOLUTIONS SIGNED

At 3:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled joint resolutions:

H.J. Res. 69. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of the Interior relating to "Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska".

H.J. Res. 83. Joint resolution disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness".

The enrolled joint resolutions were subsequently signed by the President pro tempore (Mr. HATCH).

At 3:05 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1302. An act to require an exercise related to terrorist and foreign fighter travel, and for other purposes.

H.R. 1365. An act to amend the Homeland Security Act of 2002 to require certain acquisition innovation, and for other purposes.

MEASURES REFERRED

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

H.R. 1302. An act to require an exercise related to terrorist and foreign fighter travel, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1365. An act to amend the Homeland Security Act of 2002 to require certain acquisition innovation, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-1092. A communication from the Associate General Counsel, Department of Agriculture, transmitting, pursuant to law, two (2) reports relative to vacancies in the De-

partment of Agriculture, received in the Office of the President of the Senate on March 22, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1093. A communication from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting, pursuant to law, a report relative to the Fair Debt Collection Practices Act for 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1094. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Minority and Women Outreach Program" (RIN2590-AA87) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1095. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Test Procedure for Walk-in Coolers and Walk-in Freezers" (RIN1904-AD72) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Energy and Natural Resources.

EC-1096. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Efficient Standards for the Design and Construction of New Federal Low-Rise Residential Buildings' Baseline Standards Update" (RIN1904-AD56) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Energy and Natural Resources.

EC-1097. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Energy Conservation Standards for Ceiling Fans" (RIN1904-AD28) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Energy and Natural Resources.

EC-1098. A communication from the Division Chief, Freedom of Information Act Public Liaison, U.S. Agency for International Development, transmitting, pursuant to law, the report of a rule entitled "Freedom of Information Act Regulations" (RIN0412-AA89) received during adjournment of the Senate in the Office of the President of the Senate on March 16, 2017; to the Committee on Foreign Relations.

EC-1099. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Treaty Between the Government of the United States of America and the Government of Australia Concerning Defense Trade Cooperation and the International Traffic in Arms Regulations; to the Committee on Foreign Relations.

EC-1100. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to U.S. support for Taiwan's participation as an observer at the 69th World Health Assembly and in the work of the World Health Organization; to the Committee on Foreign Relations.

EC-1101. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Department's Alternative Fuel Vehicle (AFV) program for fiscal year 2016; to the Committee on Foreign Relations.

EC-1102. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2017-0032 — 2017-0049); to the Committee on Foreign Relations.

EC-1103. A communication from the Assistant General Counsel for Regulatory Services, Office of General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Open Licensing Requirement for Competitive Grant Programs" (RIN1810-AA07) received in the Office of the President of the Senate on March 20, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-1104. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Presiding Officer for an Appeal and Informal Hearing; Technical Amendments" (Docket No. FDA-2017-N-0011) received in the Office of the President of the Senate on March 20, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-1105. A communication from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Part 4022 and 29 CFR Part 4044) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-1106. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Clarification of When Products Made or Derived From Tobacco Are Regulated as Drugs, Devices, or Combination Products; Amendments to Regulations Regarding 'Intended Uses'; Further Delayed Effective Date; Request for Comments" (RIN0910-AH19) (Docket No. FDA-2015-N-2002) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-1107. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "UDC's Vision 2020 Plan: How Much Progress Has Been Made?"; to the Committee on Homeland Security and Governmental Affairs.

EC-1108. A communication from the Secretary to the Board, Railroad Retirement Board, transmitting, pursuant to law, the Board's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1109. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Test Procedures for Central Air Conditioners and Heat Pumps" (RIN1904-AD71) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Energy and Natural Resources.

EC-1110. A communication from the Assistant General Counsel for Legislation, Regula-

tion and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Test Procedures for Compressors" (RIN1904-AD43) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Energy and Natural Resources.

EC-1111. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Efficiency Standards for the Design and Construction of New Federal Low-Rise Residential Buildings' Baseline Standards Update" (RIN1904-AD56) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Energy and Natural Resources.

EC-1112. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Eastport Breakwater Terminal, Eastport, Maine" (RIN1625-AA00) (Docket No. USCG-2014-1037) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1113. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Cooper River Bridge Run, Cooper River and Town Creek Reaches, Charleston, SC" (RIN1625-AA00) (Docket No. USCG-2017-0021) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1114. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone, TICO Warbird Air Show; Indian River, Titusville, FL" (RIN1625-AA00) (Docket No. USCG-2017-0130) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1115. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; James River, Newport News, VA" (RIN1625-AA00) (Docket No. USCG-2017-0051) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1116. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Anchorage Regulations: Special Anchorage Areas; Marina del Rey Harbor, Marina del Rey, CA" (RIN1625-AA00) (Docket No. USCG-2014-0142) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1117. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Areas; Escorted Submarines Sector Jacksonville Captain of the Port Zone" (RIN1625-AA00) (Docket No. USCG-2016-0032) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources:

Special Report entitled "History, Jurisdiction, and a Summary of Activities of the Committee on Energy and Natural Resources During the 114th Congress" (Rept. No. 115-10).

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

S. 269. A bill to provide for the conveyance of certain property to the Tanana Tribal Council located in Tanana, Alaska, and to the Bristol Bay Area Health Corporation located in Dillingham, Alaska, and for other purposes (Rept. No. 115-11).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. BURR (for himself and Mr. TILLIS):

S. 723. A bill to extend the deadline for commencement of construction of a hydroelectric project; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI:

S. 724. A bill to amend the Federal Power Act to modernize authorizations for necessary hydropower approvals; to the Committee on Energy and Natural Resources.

By Mr. MCCAIN:

S. 725. A bill to prohibit the intentional hindering of immigration, border, and customs controls, and for other purposes; to the Committee on the Judiciary.

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

S. 726. A bill to require the Secretary of Defense to declassify certain documents related to incidents in which members of the Armed Forces were exposed to toxic substances; to the Committee on Armed Services.

By Mr. PAUL:

S. 727. A bill to increase the worldwide level of employment-based immigrants and to reauthorize the EB-5 regional center program; to the Committee on the Judiciary.

By Mr. MCCONNELL (for himself and Mrs. CAPITO):

S. 728. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to provide funds to States and Indian tribes for the purpose of promoting economic revitalization, diversification, and development in economically distressed communities through the reclamation and restoration of land and water resources adversely affected by coal mining carried out before August 3, 1977, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. HARRIS (for herself and Mrs. FEINSTEIN):

S. 729. A bill to authorize the Secretary of the Interior to acquire approximately 44 acres of land in Martinez, California, for inclusion in the John Muir National Historic Site, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KAINE:

S. 730. A bill to extend the deadline for commencement of construction of certain hydroelectric projects; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself and Ms. HARRIS):

S. 731. A bill to establish the Sacramento-San Joaquin Delta National Heritage Area; to the Committee on Energy and Natural Resources.

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

S. 732. A bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for the purchase of qualified access technology for the blind; to the Committee on Finance.

By Ms. MURKOWSKI (for herself, Mr. HEINRICH, Mr. RISCH, Mr. MANCHIN, and Ms. HEITKAMP):

S. 733. A bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND:

S. 734. A bill to extend a project of the Federal Energy Regulatory Commission involving the Cannonsville Dam; to the Committee on Energy and Natural Resources.

By Mr. ENZI (for himself, Mr. BARASSO, Mr. HELLER, and Mr. ROBERTS):

S. 735. A bill to amend the Endangered Species Act of 1973 to require disclosure to States of the basis of determinations under such Act, to ensure use of information provided by State, tribal, and county governments in decisionmaking under such Act, and for other purposes; to the Committee on Environment and Public Works.

By Mr. ENZI (for himself, Mr. CARDIN, Mr. CARPER, Mr. RISCH, Mr. WICKER, Mr. ISAKSON, Mr. ROBERTS, Mr. BLUNT, and Mr. BOOZMAN):

S. 736. A bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants; to the Committee on Finance.

By Mr. MARKEY:

S. 737. A bill to amend the Mineral Leasing Act to improve coal leasing, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MANCHIN (for himself, Mr. BROWN, Mr. KAINE, Mr. CASEY, and Mr. WARNER):

S. 738. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to provide funds to States and Indian tribes for the purpose of promoting economic revitalization, diversification, and development in economically distressed communities through the reclamation and restoration of land and water resources adversely affected by coal mining carried out before August 3, 1977, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. TESTER (for himself, Mr. MARKEY, Mr. ISAKSON, Mr. DAINES, Mr. DURBIN, Mrs. FEINSTEIN, Ms. WARREN, Mr. MERKLEY, and Mr. LEAHY):

S. Res. 98. A resolution designating the first week of April 2017 as "National Asbestos Awareness Week"; to the Committee on the Judiciary.

By Mr. MANCHIN (for himself and Mr. COTTON):

S. Res. 99. A resolution recognizing the 11 African-American soldiers of the 333rd Field Artillery Battalion who were massacred in Wereth, Belgium, during the Battle of the

Bulge in December 1944; to the Committee on Armed Services.

By Mr. BROWN (for himself, Mr. PORTMAN, Mr. DURBIN, Mr. MCCAIN, Mrs. SHAHEEN, Mr. RUBIO, Mr. COONS, Mr. GARDNER, Ms. KLOBUCHAR, Mr. CORNYN, Mr. PETERS, Mr. TOOMEY, Mr. BLUMENTHAL, Mr. CASEY, Mrs. FEINSTEIN, and Mr. JOHNSON):

S. Res. 100. A resolution condemning illegal Russian aggression in Ukraine on the three year anniversary of the annexation of Crimea; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 27

At the request of Mr. CARDIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 27, a bill to establish an independent commission to examine and report on the facts regarding the extent of Russian official and unofficial cyber operations and other attempts to interfere in the 2016 United States national election, and for other purposes.

S. 175

At the request of Mr. MANCHIN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 175, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 198

At the request of Mr. RUBIO, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 198, a bill to require continued and enhanced annual reporting to Congress in the Annual Report on International Religious Freedom on anti-Semitic incidents in Europe, the safety and security of European Jewish communities, and the efforts of the United States to partner with European governments, the European Union, and civil society groups, to combat anti-Semitism, and for other purposes.

S. 236

At the request of Mr. WYDEN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 261

At the request of Mr. BLUNT, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from Iowa (Mrs. ERNST) were added as cosponsors of S. 261, a bill to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A.

S. 292

At the request of Mr. REED, the name of the Senator from New Hampshire

(Mrs. SHAHEEN) was added as a cosponsor of S. 292, a bill to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes.

S. 324

At the request of Mr. HATCH, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 324, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 334

At the request of Mr. INHOFE, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 334, a bill to clarify that a State has the sole authority to regulate hydraulic fracturing on Federal land within the boundaries of the State.

S. 339

At the request of Mr. NELSON, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 339, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 357

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 357, a bill to direct the Secretary of the Interior to convey certain public lands in San Bernardino County, California, to the San Bernardino Valley Water Conservation District, and to accept in return certain exchanged non-public lands, and for other purposes.

S. 364

At the request of Ms. KLOBUCHAR, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 364, a bill to amend the Food Security Act of 1985 to exempt certain recipients of Department of Agriculture conservation assistance from certain reporting requirements, and for other purposes.

S. 372

At the request of Mr. PORTMAN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 372, a bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to require the provision of advance electronic information on shipments of mail to U.S. Customs and Border Protection and for other purposes.

S. 375

At the request of Mr. CORNYN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 375, a bill to amend the Endangered Species Act of 1973 to establish a procedure for approval of certain settlements.

S. 376

At the request of Mr. CORNYN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 376, a bill to amend the Endangered Species Act of 1973 to require publication on the Internet of the basis for determinations that species are endangered species or threatened species, and for other purposes.

S. 381

At the request of Mr. GRASSLEY, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 381, a bill to repeal the Act entitled "An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation".

S. 382

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

S. 407

At the request of Mr. CRAPO, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 407, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 415

At the request of Ms. CORTEZ MASTO, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 415, a bill to nullify the effect of the recent Executive order that makes the vast majority of unauthorized individuals priorities for removal and aims to withhold critical Federal funding to sanctuary cities.

S. 422

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 422, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 447

At the request of Ms. BALDWIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 447, a bill to require reporting on acts of certain foreign countries on Holocaust era assets and related issues.

At the request of Mr. RUBIO, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 447, *supra*.

S. 588

At the request of Mr. MURPHY, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 588, a bill to require the Securities and Exchange Commission to clarify what constitutes a general

solicitation under the Federal securities laws, and for other purposes.

S. 602

At the request of Ms. COLLINS, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 602, a bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler system retrofits as section 179 property and classify certain automated fire sprinkler system retrofits as 15-year property for purposes of depreciation.

S. 605

At the request of Mr. DAINES, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 605, a bill to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 and the Federal Land Policy and Management Act of 1976 to discourage litigation against the Forest Service and the Bureau of Land Management relating to land management projects.

S. 655

At the request of Mr. RISCH, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 655, a bill to exempt certain 16- and 17-year-old individuals employed in logging operations from child labor laws.

S. 672

At the request of Mr. CRUZ, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 672, a bill to require a report on designation of North Korea as a state sponsor of terrorism, and for other purposes.

S. 681

At the request of Mr. TESTER, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to improve the benefits and services provided by the Department of Veterans Affairs to women veterans, and for other purposes.

S. 692

At the request of Mrs. FISCHER, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 692, a bill to provide for integrated plan permits, to establish an Office of the Municipal Ombudsman, to promote green infrastructure, and to require the revision of financial capability guidance.

S. 720

At the request of Mr. CARDIN, the names of the Senator from Florida (Mr. NELSON), the Senator from Florida (Mr. RUBIO), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Maine (Ms. COLLINS) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 720, a bill to amend the Export Administration Act of 1979 to include in the prohibitions on boycotts against allies of the United States boycotts fostered by international governmental organizations against Israel and to direct the

Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes.

S. 721

At the request of Mr. UDALL, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 721, a bill to require the disclosure of certain visitor access records.

S.J. RES. 2

At the request of Mr. CRUZ, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S.J. Res. 2, a joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve.

S. RES. 93

At the request of Mrs. SHAHEEN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. Res. 93, a resolution congratulating the European Union on the 60th anniversary of the signing of the Treaty of Rome, which established the European Economic Community and laid the foundation for decades of European peace and prosperity.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCONNELL (for himself and Mrs. CAPITO):

S. 728. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to provide funds to States and Indian tribes for the purpose of promoting economic revitalization, diversification, and development in economically distressed communities through the reclamation and restoration of land and water resources adversely affected by coal mining carried out before August 3, 1977, and for other purposes; to the Committee on Energy and Natural Resources.

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

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

S. 728

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Revitalizing the Economy of Coal Communities by Leveraging Local Activities and Investing More Act of 2017" or the "RECLAIM Act of 2017".

SEC. 2. ECONOMIC REVITALIZATION FOR COAL COUNTRY.

(a) IN GENERAL.—Title IV of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1231 et seq.) is amended by adding at the end the following:

"SEC. 416. ABANDONED MINE LAND ECONOMIC REVITALIZATION.

"(a) PURPOSE.—The purpose of this section is to promote economic revitalization, diversification, and development in economically distressed mining communities through the

reclamation and restoration of land and water resources adversely affected by coal mining carried out before August 3, 1977.

“(b) IN GENERAL.—From amounts deposited into the fund under section 401(b) before October 1, 2007, and not otherwise appropriated to the extent such funds are available, \$200,000,000 shall be made available to the Secretary, without further appropriation, for each of fiscal years 2017 through 2021 for distribution to States and Indian tribes in accordance with this section for reclamation and restoration projects at sites identified as priorities under section 403(a): *Provided*, That if less than \$200,000,000 is available in any fiscal year to the Secretary, such remaining amount shall be made available to the Secretary, without further appropriation, and such fiscal year shall end distributions made available under this section.

“(c) USE OF FUNDS FOR PRIORITY SITES.—Funds distributed to a State or Indian tribe under subsection (d) shall be used only for projects classified under the priorities of section 403(a). In addition, if the project is classified under paragraph (3) of such section, the project also must meet the following criteria:

“(1) CONTRIBUTION TO FUTURE ECONOMIC OR COMMUNITY DEVELOPMENT.—

“(A) IN GENERAL.—The project, upon completion of reclamation, is intended to create favorable conditions for the economic development of the project site or create favorable conditions that promote the general welfare through economic and community development of the area in which the project is conducted.

“(B) DEMONSTRATION OF CONDITIONS.—Such conditions are demonstrated by—

“(i) documentation of the role of the project in such area's economic development strategy or other economic and community development planning process;

“(ii) any other documentation of the planned economic and community use of the project site after the primary reclamation activities are completed, which may include contracts, agreements in principle, or other evidence that, once reclaimed, the site is reasonably anticipated to be used for one or more industrial, commercial, residential, agricultural, or recreational purposes; or

“(iii) any other documentation agreed to by the State or Indian tribe that demonstrates the project will meet the criteria set forth in this subsection.

“(2) LOCATION IN COMMUNITY AFFECTED BY RECENT DECLINE IN MINING.—The project will be conducted in a community—

“(A) that has been adversely affected economically by a recent reduction in coal mining-related activity, as demonstrated by employment data, per capita income, or other indicators of reduced economic activity attributable to such reduction; or

“(B)(i) that has historically relied on coal mining for a substantial portion of its economy; and

“(ii) in which the economic contribution of coal mining has significantly declined.

“(3) STAKEHOLDER COLLABORATION.—

“(A) IN GENERAL.—The project has been the subject of project planning under subsection (g) and has been the focus of collaboration, including partnerships, as appropriate, with interested persons or local organizations.

“(B) PUBLIC NOTICE.—As part of project planning, the public has been notified and has been given an opportunity to comment at a public meeting convened in a community near the proposed site.

“(4) ELIGIBLE APPLICANTS.—The project has been proposed by entities of State, local,

county, or tribal governments, or local organizations, and will be approved and executed by State or tribal programs, approved under section 405 or referred to in section 402(g)(8)(B), which may include subcontracting project-related activities, as appropriate.

“(d) DISTRIBUTION OF FUNDS.—

“(1) UNCERTIFIED STATES.—

“(A) IN GENERAL.—From the amount made available in subsection (b), the Secretary shall distribute \$195,000,000 annually for each of fiscal years 2017 through 2021 to States and Indian tribes that have a State or tribal program approved under section 405 or are referred to in section 402(g)(8)(B), and have not made a certification under section 411(a) in which the Secretary has concurred, as follows:

“(i) Four-fifths of such amount shall be distributed based on the proportion of the amount of coal historically produced in each State or from the lands of each Indian tribe concerned before August 3, 1977.

“(ii) One-fifth of such amount shall be distributed based on the proportion of reclamation fees paid during the period of fiscal years 2012 through 2016 for lands in each State or lands of each Indian tribe concerned.

“(B) SUPPLEMENTAL FUNDS.—Funds distributed under this section—

“(i) shall be in addition to, and shall not affect, the amount of funds distributed—

“(1) to States and Indian tribes under section 401(f); and

“(2) to States and Indian tribes that have made a certification under section 411(a) in which the Secretary has concurred, subject to the cap described in section 402(i)(3); and

“(ii) shall not reduce any funds distributed to a State or Indian tribe by reason of the application of section 402(g)(8).

“(2) ADDITIONAL FUNDING TO CERTAIN STATES AND INDIAN TRIBES.—

“(A) ELIGIBILITY.—From the amount made available in subsection (b), the Secretary shall distribute \$5,000,000 annually for each of the five fiscal years beginning with fiscal year 2017 to States and Indian tribes that have a State program approved under section 405 and have made a certification under section 411(a) in which the Secretary has concurred.

“(B) APPLICATION FOR FUNDS.—Using the process in section 405(f), any State or Indian tribe described in subparagraph (A) may submit a grant application to the Secretary for funds under this paragraph. The Secretary shall review each grant application to confirm that the projects identified in the application for funding are eligible under subsection (c).

“(C) DISTRIBUTION OF FUNDS.—The amount of funds distributed to each State or Indian tribe under this paragraph shall be determined by the Secretary based on the demonstrated need for the funding to accomplish the purpose of this section.

“(3) REALLOCATION OF UNCOMMITTED FUNDS.—

“(A) COMMITTED DEFINED.—For purposes of this paragraph the term ‘committed’—

“(i) means that funds received by the State or Indian tribe—

“(1) have been exclusively applied to or reserved for a specific project and therefore are not available for any other purpose; or

“(2) have been expended or designated by the State or Indian tribe for the completion of a project;

“(ii) includes use of any amount for project planning under subsection (g); and

“(iii) reflects an acknowledgment by Congress that, based on the documentation re-

quired under subsection (c)(2)(B), any anticipated delays to commit such funds that are outside the control of the State or Indian tribe concerned shall not affect its allocations under this section.

“(B) FISCAL YEARS 2020 AND 2021.—For each of fiscal years 2020 and 2021, the Secretary shall reallocate in accordance with subparagraph (D) any amount available for distribution under this subsection that has not been committed to eligible projects in the preceding 2 fiscal years, among the States and Indian tribes that have committed to eligible projects the full amount of their annual allocation for the preceding fiscal year.

“(C) FISCAL YEAR 2022.—For fiscal year 2022, the Secretary shall reallocate in accordance with subparagraph (D) any amount available for distribution under this subsection that has not been committed to eligible projects or distributed under paragraph (1)(A), among the States and Indian tribes that have committed to eligible projects the full amount of their annual allocation for the preceding fiscal years.

“(D) AMOUNT OF REALLOCATION.—The amount reallocated to each State or Indian tribe under each of subparagraphs (B) and (C) shall be determined by the Secretary to reflect, to the extent practicable—

“(i) the proportion of unreclaimed eligible lands and waters the State or Indian tribe has in the inventory maintained under section 403(c);

“(ii) the average of the proportion of reclamation fees paid for lands in each State or lands of each Indian tribe concerned; and

“(iii) the proportion of coal mining employment loss incurred in the State or on lands of the Indian tribe, respectively, as determined by the Mine Safety and Health Administration, over the 5-year period preceding the fiscal year for which the reallocation is made.

“(e) RESOLUTION OF SECRETARY'S CONCERNS; CONGRESSIONAL NOTIFICATION.—If the Secretary does not agree with a State or Indian tribe that a proposed project meets the criteria set forth in subsection (c)—

“(1) the Secretary and the State or tribe shall meet and confer for a period of not more than 45 days to resolve the Secretary's concerns, except that such period may be shortened by the Secretary if the Secretary's concerns are resolved;

“(2) during that period, at the State's or Indian tribe's request, the Secretary may consult with any appropriate Federal agency; and

“(3) at the end of that period, if the Secretary's concerns are not resolved the Secretary shall provide to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an explanation of the concerns and such project proposal shall not be eligible for funds distributed under this section.

“(f) ACID MINE DRAINAGE TREATMENT.—

“(1) IN GENERAL.—Subject to paragraph (2), a State or Indian tribe that receives funds under this section may use up to 30 percent of such funds as necessary to supplement the State's or tribe's acid mine drainage abatement and treatment fund established under section 402(g)(6)(A), for future operation and maintenance costs for the treatment of acid mine drainage associated with the individual projects funded under this section. A State or Indian tribe shall specify the total funds allotted for such costs in its application submitted under subsection (d)(2)(B).

“(2) CONDITION.—A State or Indian tribe may use funds under this subsection only if

the State or tribe can demonstrate that the annual grant distributed to the State or tribe pursuant to section 401(f), including any interest from the State's or tribe's acid mine drainage abatement and treatment fund that is not used for the operation or maintenance of preexisting acid mine drainage treatment systems, is insufficient to fund the operation and maintenance of any acid mine drainage treatment system associated with an individual project funded under this section.

“(g) PROJECT PLANNING AND ADMINISTRATION.—

“(1) STATES AND INDIAN TRIBES.—

“(A) IN GENERAL.—A State or Indian tribe may use up to 10 percent of its annual distribution under this section for project planning and the costs of administering this section.

“(B) PLANNING REQUIREMENTS.—Planning under this paragraph may include—

“(i) identifying eligible projects;

“(ii) updating the inventory referred to in section 403(c);

“(iii) developing project designs;

“(iv) collaborating with stakeholders, including public meetings;

“(v) preparing cost estimates; or

“(vi) engaging in other similar activities necessary to facilitate reclamation activities under this section.

“(2) SECRETARY.—The Secretary may expend, from amounts made available to the Secretary under section 402(g)(3)(D), not more than \$3,000,000 during the fiscal years for which distributions occur under subsection (b) for staffing and other administrative expenses necessary to carry out this section.

“(h) REPORT TO CONGRESS.—The Secretary shall provide to the Committee on Natural Resources of the House of Representatives, the Committees on Appropriations of the House of Representatives and the Senate, and the Committee on Energy and Natural Resources of the Senate at the end of each fiscal year for which such funds are distributed a detailed report—

“(1) on the various projects that have been undertaken with such funds;

“(2) the extent and degree of reclamation using such funds that achieved the priorities described in paragraph (1) or (2) of section 403(a);

“(3) the community and economic benefits that are resulting from, or are expected to result from, the use of the funds that achieved the priorities described in paragraph (3) of section 403(a); and

“(4) the reduction since the previous report in the inventory referred to in section 403(c).”.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of the Surface Mining Control and Reclamation Act of 1977 is amended by adding at the end of the items relating to title IV the following:

“Sec. 416. Abandoned mine land economic revitalization.”.

SEC. 3. TECHNICAL AND CONFORMING AMENDMENTS.

The Surface Mining Control and Reclamation Act of 1977 is amended—

(1) in section 401(c) (30 U.S.C. 1231(c)), by striking “and” after the semicolon at the end of paragraph (10), by redesignating paragraph (11) as paragraph (12), and by inserting after paragraph (10) the following:

“(11) to implement section 416; and”;

(2) in section 401(d)(3) (30 U.S.C. 1231(d)(3)), by striking “subsection (f)” and inserting “subsection (f) and section 416(a)”;

(3) in section 402(g) (30 U.S.C. 1232(g))—

(A) in paragraph (1), by inserting “and section 416” after “subsection (h)”;

(B) by adding at the end of paragraph (3) the following:

“(F) For the purpose of section 416(d)(2)(A).”;

(4) in section 403(c) (30 U.S.C. 1233(c)), by inserting after the second sentence the following: “As practicable, States and Indian tribes shall offer such amendments based on the use of remote sensing, global positioning systems, and other advanced technologies.”.

SEC. 4. MINIMUM STATE PAYMENTS.

Section 402(g)(8)(A) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(g)(8)) is amended by striking “\$3,000,000” and inserting “\$5,000,000”.

SEC. 5. GAO STUDY OF USE OF FUNDS.

Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall study and report to the Congress on uses of funds authorized by this Act, including regarding—

(1) the solvency of the Abandoned Mine Reclamation Fund; and

(2) the impact of such use on payments and transfers under the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201) to—

(A) States for which a certification has been made under section 411 of such Act (30 U.S.C. 1241);

(B) States for which such a certification has not been made; and

(C) transfers to United Mine Workers of America Combined Benefit Fund.

SEC. 6. ABANDONED MINE LAND RECLAMATION AND RESTORATION INITIATIVE.

(a) IN GENERAL.—Subchapter I of chapter 145 of title 40, United States Code, is amended by adding at the end the following:

“§ 14510. Abandoned mine land reclamation and restoration initiative

“(a) IN GENERAL.—The Appalachian Regional Commission may provide technical assistance, make grants, enter into contracts, or otherwise provide amounts to individuals or entities in the Appalachian region for projects and activities on lands, or on or in waters, that have been reclaimed or restored with amounts provided under title IV of the Surface Mining Control or Reclamation Act of 1977 (30 U.S.C. 1231 et seq.) or that are eligible for such reclamation or restoration.

“(b) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any activity eligible for a grant under this section—

“(1) not more than 50 percent may be provided from amounts appropriated to carry out this section; and

“(2) notwithstanding paragraph (1)—

“(A) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, not more than 80 percent may be provided from amounts appropriated to carry out this section; and

“(B) in the case of a project to be carried out in a county for which an at-risk designation is in effect under section 14526, not more than 70 percent may be provided from amounts appropriated to carry out this section.

“(c) SOURCES OF ASSISTANCE.—Subject to subsection (b), a grant provided under this section may be provided from amounts made available to carry out this section in combination with amounts made available—

“(1) under any other Federal program; or

“(2) from any other source.

“(d) FEDERAL SHARE.—Notwithstanding any provision of law limiting the Federal

share under any other Federal program, amounts made available to carry out this section may be used to increase that Federal share, as the Appalachian Regional Commission determines to be appropriate.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 145 of title 40, United States Code, is amended by inserting after the item relating to section 14509 the following:

“14510. Abandoned mine land reclamation and restoration initiative.”.

SEC. 7. HEADQUARTERS OF APPALACHIAN REGIONAL COMMISSION.

(a) FINDING.—Congress finds that—

(1) the Delta Regional Commission, the Denali Commission, and the Northern Border Regional Commission are each headquartered in their respective region; and

(2) the headquarters of the Appalachian Regional Commission should be relocated from the District of Columbia to a more affordable location in the Appalachian Region.

(b) LOCATION OF HEADQUARTERS.—

(1) IN GENERAL.—Section 14301 of title 40, United States Code, is amended by adding at the end the following:

“(g) HEADQUARTERS.—The headquarters of the Commission shall be located in the Appalachian Region.”.

(2) IMPLEMENTATION.—The Federal Cochairman of the Appalachian Regional Commission shall take such actions as may be necessary to carry out the amendment made by paragraph (1).

By Mr. KAINE:

S. 730. A bill to extend the deadline for commencement of construction of certain hydroelectric projects; to the Committee on Energy and Natural Resources.

Mr. KAINE. Mr. President, today I am introducing a bipartisan, non-controversial, technical provision pertaining to two proposed hydroelectric projects at U.S. Army Corps of Engineers dams in Virginia.

This bill would give the Federal Energy Regulatory Commission, FERC, authority to extend commencement-construction deadlines for the 3.7 MW project at Gathright Dam, FERC Project No. 12737, and the 1.8 MW project at Flannagan Dam, FERC Project No. 12740. The timelines for these projects have been set back due to challenges with securing Army Corps permits. FERC does not oppose this legislation, as the requested extensions are still within the overall 10-year window for extension of licensing deadlines. There is no known local opposition.

This provision was passed by the Senate last year as part of the Energy Policy Modernization Act, S. 2012. It was also introduced in the House by Representative MORGAN GRIFFITH and passed the full House separately. I am pleased to reintroduce the bill again today and hope the Energy & Natural Resources Committee and the full Senate will consider it soon.

By Mrs. FEINSTEIN (for herself and Ms. HARRIS):

S. 731. A bill to establish the Sacramento-San Joaquin Delta National Heritage Area; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I speak on behalf of myself and Senator HARRIS to reintroduce legislation to establish the Sacramento-San Joaquin Delta National Heritage Area, California's first National Heritage Area. I am very pleased to work with Senator HARRIS, Congressman JOHN GARAMENDI, and our colleagues in the State on this much needed legislation. Our legislation will establish a new national heritage area in the Sacramento-San Joaquin Delta to promote environmental stewardship, heritage conservation, and economic development across five delta counties.

The Delta Protection Commission will manage the heritage area in accordance with California law and in partnership with delta communities. The management planning process provided by this legislation will be open to the public and collaborative. Federal, State, Tribal, and local governments, private property owners, and all stakeholders will have a voice in the management planning for the heritage area.

The goal is to conserve and protect the delta, its communities, its natural resources, and its rich history.

In short, this legislation does not affect water rights or water contracts, nor does it impose any additional responsibilities on local governments or private landowners. Instead, this legislation authorizes federal assistance to support local projects as part of an inclusive process required by State law.

The Sacramento-San Joaquin Delta is the largest estuary in the Western United States and perhaps the most productive and ecologically important watershed in North America. This extensive inland delta is a natural marvel and national treasure that must be protected. The delta offers recreational opportunities enjoyed by millions of Californians and out-of-State visitors alike, who come each year for boating, fishing, hunting, and sightseeing.

The delta provides critical habitat for more than 750 wildlife species, including sandhill cranes and other migratory birds along the Pacific Flyway. It also provides habitat for iconic native fish like the chinook salmon, some as large as 60 pounds, which return each year to travel through the delta to spawn in tributaries upstream.

These same waterways provide freshwater to millions of California households and irrigated farmland south of the delta and elsewhere in the State.

Before being converted for farmland starting in the 19th century, the delta flooded regularly following the springtime snowmelt and once supported the continent's largest Native American communities.

Later, the delta served as the gateway for the California Gold Rush, after which Chinese immigrant workers built hundreds of miles of levees to make the delta's rich peat soils avail-

able for farming and to control flooding.

Japanese, Chinese, Italian, German, Portuguese, Dutch, Greek, South Asian, and other immigrants began the area's farming legacy and established proud communities that continue today.

Over the years, the vibrant "river culture" endemic to delta communities has attracted the attention of celebrated authors from Mark Twain and Jack London to Joan Didion.

A national heritage area designation would help to preserve this uniquely American story by providing supportive local governments across the delta with a needed management framework, technical assistance, and modest Federal funding.

Today, the delta faces crisis due to proliferate invasive species, urban and agricultural runoff, wastewater overloads, channelization, dredging, formidable water exports, and other stressors.

Many delta islands are now 10 to 20 feet below sea level due to subsidence, and the present levee system is inadequate in providing reliable flood protection for historic communities, agricultural enterprises, and infrastructure. Alarming, many existing levees were simply not engineered to withstand earthquakes. Should levees fail, a rush of saltwater into the interior delta would damage this already fragile ecosystem, disrupt drinking water supplies, flood agricultural land, inundate towns, and damage roads, powerlines, and water infrastructure.

Establishing the Sacramento-San Joaquin Delta National Heritage Area will secure much needed Federal resources for delta communities. Our legislation recognizes the delta as a working landscape central to California life and seeks to further local projects already underway that promote environmental stewardship, heritage conservation, community revitalization, and economic development throughout the delta.

This legislation also seeks to fulfill the broadly supported 2009 California State law that called for a heritage area designation for the delta and the Delta Protection Commission's own feasibility report in 2012.

Our legislation is a small part of the commitment the Federal Government must make to the California delta. I look forward to continuing to work with my colleagues at every level of government to restore the delta and its native species, upgrade California's water supply, safeguard against flood risk, improve water quality, and preserve delta communities' rich heritage and continued vibrancy.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 98—DESIGNATING THE FIRST WEEK OF APRIL 2017 AS "NATIONAL ASBESTOS AWARENESS WEEK"

Mr. TESTER (for himself, Mr. MARKEY, Mr. ISAKSON, Mr. DAINES, Mr. DURBIN, Mrs. FEINSTEIN, Ms. WARREN, Mr. MERKLEY, and Mr. LEAHY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 98

Whereas dangerous asbestos fibers are invisible and cannot be smelled or tasted;

Whereas the inhalation of airborne asbestos fibers can cause significant damage;

Whereas asbestos fibers can cause cancer (such as mesothelioma), asbestosis, and other health problems;

Whereas symptoms of asbestos-related diseases can take between 10 and 50 years to present themselves;

Whereas the projected life expectancy for an individual diagnosed with mesothelioma is between 6 and 24 months;

Whereas generally, little is known about late-stage treatment of asbestos-related diseases, and there is no cure for asbestos-related diseases;

Whereas early detection of asbestos-related diseases may give some patients increased treatment options and might improve the prognoses of those patients;

Whereas the United States has substantially reduced the consumption of asbestos in the United States, yet the United States continues to consume tons of the fibrous mineral each year for use in certain products throughout the United States;

Whereas asbestos-related diseases have killed thousands of people in the United States;

Whereas while exposure to asbestos continues, safety and prevention of asbestos exposure has significantly reduced the incidence of asbestos-related diseases and can further reduce the incidence of asbestos-related diseases;

Whereas thousands of workers in the United States face significant asbestos exposure, which has been a cause of occupational cancer;

Whereas thousands of people in the United States die from asbestos-related diseases every year;

Whereas a significant percentage of all asbestos-related disease victims were exposed to asbestos on naval ships and in shipyards;

Whereas asbestos was used in the construction of a significant number of office buildings and public facilities built before 1975;

Whereas people in the small community of Libby, Montana, suffer from asbestos-related diseases, including mesothelioma, at a significantly higher rate than people in the United States as a whole; and

Whereas the designation of a "National Asbestos Awareness Week" will raise public awareness about the prevalence of asbestos-related diseases and the dangers of asbestos exposure: Now, therefore, be it

Resolved, That the Senate—

(1) designates the first week of April 2017 as "National Asbestos Awareness Week";

(2) urges the Surgeon General of the United States to warn and educate people about the public health issue of asbestos exposure, which may be hazardous to their health; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Office of the Surgeon General.

SENATE RESOLUTION 99—RECOGNIZING THE 11 AFRICAN-AMERICAN SOLDIERS OF THE 333RD FIELD ARTILLERY BATTALION WHO WERE MASSACRED IN WERETH, BELGIUM, DURING THE BATTLE OF THE BULGE IN DECEMBER 1944

Mr. MANCHIN (for himself and Mr. COTTON) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 99

Whereas, in December 1944, during the Battle of the Bulge in Belgium, soldiers of the 333rd Field Artillery Battalion, an African-American unit of the Army, were operating in support of the 106th Infantry Division when the 106th Infantry Division and the soldiers from the 333rd Field Artillery Battalion were overrun;

Whereas, months after the Battle of the Bulge, the frozen bodies of 11 soldiers from the 333rd Field Artillery Battalion were found near the Belgian hamlet of Wereth;

Whereas the bodies of the 11 soldiers were—

(1) identified as James Stewart of West Virginia, Due Turner of Arkansas, Curtis Adams of South Carolina, Mager Bradley of Mississippi, George Davis, Jr. of Alabama, Thomas Forte of Mississippi, Robert Green of Georgia, James Leatherwood of Mississippi, Nathaniel Moss of Texas, George Motten of Texas, and William Pritchett of Alabama;

(2) examined by Army Medical Corps officials; and

(3) found to have been stabbed, shot, and struck by blunt force;

Whereas the massacre of the 11 African-American soldiers of the 333rd Field Artillery Battalion in Wereth remains unknown to the vast majority of the people of the United States;

Whereas, in 2004, a permanent monument in Wereth was dedicated to the 11 African-American soldiers of the 333rd Field Artillery Battalion who lost their lives in Wereth during the Battle of the Bulge in the effort to defeat fascism and defend freedom; and

Whereas the 11 patriots have become known as the “Wereth 11”: Now, therefore, be it

Resolved, That the Senate, on behalf of the United States, recognizes the dedicated service and ultimate sacrifice of the 11 African-American soldiers of the 333rd Field Artillery Battalion who were massacred in Wereth, Belgium, during the Battle of the Bulge in December 1944.

SENATE RESOLUTION 100—CONDEMNING ILLEGAL RUSSIAN AGGRESSION IN UKRAINE ON THE THREE YEAR ANNIVERSARY OF THE ANNEXATION OF CRIMEA

Mr. BROWN (for himself, Mr. PORTMAN, Mr. DURBIN, Mr. MCCAIN, Mrs. SHAHEEN, Mr. RUBIO, Mr. COONS, Mr. GARDNER, Ms. KLOBUCHAR, Mr. CORNYN, Mr. PETERS, Mr. TOOMEY, Mr. BLUMENTHAL, Mr. CASEY, Mrs. FEINSTEIN, and Mr. JOHNSON) submitted the

following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 100

Whereas the illegal Russian military occupation of the Crimea region of Ukraine is an affront to international norms, an unprovoked aggression, and a threat to regional stability;

Whereas Russian President Vladimir V. Putin has a history of regional aggression, including the Russian invasion of the South Ossetia and Abkhazia regions of the Georgia in 2008 and intervention in favor of the breakaway region of Transnistria in Moldova in 1991-1992;

Whereas Article II of the Charter of the United Nations states that “all members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state”;

Whereas, in 1994, the United States, the Russian Federation, the United Kingdom, and Ukraine signed the Budapest Memorandum, in which all parties pledged to respect and uphold Ukraine’s sovereignty and territorial integrity in exchange for Ukraine voluntarily giving up the world’s third-largest nuclear arsenal, which it inherited following the collapse of the Soviet Union;

Whereas a failure of the United States to uphold the terms of the Budapest Memorandum would have significant consequences for the credibility of United States guarantees related to nuclear nonproliferation and undermine America’s commitment to the principle of the inviolability of national borders;

Whereas an association agreement between Ukraine and the European Union was signed in 2014, a move which will strengthen ties with Europe and which President Poroshenko described as Ukraine’s “most important day” since it secured its independence in 1991;

Whereas, on February 28, 2014, Russian forces in unmarked uniforms occupied strategic civil and military infrastructure in Crimea and provided support to pro-Russian militias and activists as part of a coordinated strategy to seize control of Crimea and create the illusion of an organic, local rebellion against oppressive Ukrainian authorities;

Whereas, on March 18, 2014, following a fraudulent public referendum that was boycotted by most Crimean Tatars and Ukrainians and conducted under the shadow of Russian military forces, President Putin signed a treaty annexing Ukraine’s Crimea region, which was immediately met with condemnation by the United States and the international community;

Whereas, on July 17, 2014, Malaysia Airlines flight MH17 was shot down near the village of Grabove over rebel-held territory, killing the nearly 300 people onboard, an attack for which the Dutch Safety Board concluded that the Russian-backed separatists were responsible;

Whereas the Government of Ukraine and Russian-backed rebels agreed to a now-failed cease-fire (“Minsk I”) on September 5, 2014, which called for the withdrawal of “illegal armed groups as well as militants and mercenaries from the territory of Ukraine”;

Whereas a Memorandum was signed by parties to Minsk I on September 19, 2014, outlining their understanding of and obligations to the agreement;

Whereas the fragile cease-fire established by the Minsk I agreement deteriorated following heavy fighting in the Donetsk region,

which included operations by Russian-led separatists and regular Russian forces;

Whereas the Minsk II Agreement signed on February 12, 2015, by the Russian Federation, Ukraine, Germany, and France, included the withdrawal of all foreign armed groups, weapons, and mercenaries;

Whereas, on February 25, 2015, General Philip Breedlove, NATO Supreme Allied Commander, said that the state of affairs in Ukraine is “getting worse every day” and the Russian Federation has no intention of retreating from Ukraine until its “objectives are accomplished”;

Whereas Russian-backed separatists continue to shell parts of Ukraine and separatists have executed Ukrainian servicemembers, both in direct violation of the negotiated cease-fire;

Whereas aggression by Russian-led separatist forces in Avdiivka in early February 2017 sparked the worst fighting since 2015 and resulted in significant damage to civilian infrastructure and the displacement of thousands of civilians;

Whereas, despite President Poroshenko’s statement that Crimea is still Ukraine, and in the face of Resolution 68/262 adopted by the United Nations General Assembly on March 27, 2014, which reiterated the sovereignty and territorial integrity of Ukraine and stated that the referendum held on March 16, 2014, had “no validity [and] cannot form the basis for any alteration of the status of the Autonomous Republic of Crimea or of the city of Sevastopol,” the Government of the Russian Federation continues to refer to Crimea as a “region of the Russian Federation,” declaring that “of course the subject of our region is not up for discussion”;

Whereas the United Nations General Assembly adopted Resolution 71/205, which condemned the “abuses, measures and practices of discrimination against the residents of the temporarily occupied Crimea, including Crimean Tatars, as well as Ukrainians and persons belonging to other ethnic and religious groups, by the Russian occupation authorities”;

Whereas, during a hearing held by the Committee on Foreign Relations of the Senate on March 10, 2015, former United States Ambassador to Ukraine John E. Herbst cautioned that President Putin is attempting to “overturn the post-Cold War order established in Europe and Eurasia”;

Whereas the Government of the Russian Federation has previously cut off natural gas to Ukraine as a bargaining chip;

Whereas the Government of the Russian Federation has gone to great lengths to hide evidence of its military support, including deploying mobile crematoriums to dispose of the bodies of servicemembers and classifying the deaths of its servicemembers during peacetime a state secret;

Whereas the Government of the Russian Federation is directly arming, training, supplying, and commanding separatist forces in eastern Ukraine, and Russian military personnel maintain a regular presence inside the territory of Ukraine;

Whereas Russia vetoed United Nations Security Council Resolution 2015/562, which would have established an international tribunal to prosecute those responsible for the downing of Malaysia Airlines flight MH17;

Whereas OSCE vehicles have been attacked in an attempt to intimidate Special Monitoring Mission (SSM) personnel, with the deputy head of mission Alexander Hug noting the attacks seemed to be “aimed at stopping the OSCE from reporting what is going on [in Donetsk]”;

Whereas Ukraine's National Security Council outlined a new military doctrine in September 2015 that declared Ukraine's intention to achieve the criteria for joining NATO;

Whereas Ukrainian leaders, including President Petro Poroshenko, have stated the Government of Ukraine's desire to pursue closer cooperation with NATO with the goal of potentially joining NATO in the future, with Rada Speaker Andriy Parubiy stating in June 2016 that he is "convinced that for Ukraine, at the time of Russian aggression, NATO membership is the strategic direction of our development";

Whereas the United Nations has reported that, since the beginning of the conflict, almost 10,000 people have been killed, including more than 2,000 civilians;

Whereas the United Nations International Children's Emergency Fund (UNICEF) reports that nearly 600,000 children living in eastern Ukraine have been deeply affected by the conflict and that 1,000,000 children in Ukraine are in "urgent need" of humanitarian assistance, and the European Union reports that a total of 3,800,000 people are in need of humanitarian assistance;

Whereas the United Nations Working Group on Mercenaries in March 2016 raised "deep concern" about the conflict in Ukraine and called on Ukraine to "ensure accountability for human rights violations committed by foreign armed actors";

Whereas the United Nations High Commissioner for Human Rights reports several instances of pro-unity supporters and Crimean Tatar activists being abducted or "found dead in circumstances resembling a summary execution" alleged to be committed by "the de facto authorities of Crimea, or with their authorization, support or acquiescence";

Whereas journalists have come under attack or arrest for speaking out against Russian aggression, such as Pavel G. Sheremet, who was killed by a car bomb in July 2016, and Mykola Semena, a reporter for Radio Free Europe/Radio Liberty arrested in Crimea and currently on trial for writing that Crimea was part of Ukraine;

Whereas NATO pledged, during the July 2016 NATO summit in Warsaw, to provide additional training and technical support to the Ukrainian military and re-endorsed a Comprehensive Assistance Package that will ensure the Government of Ukraine receives further advisory support, enhanced defense capabilities, and military training;

Whereas the United States Government has committed over \$600,000,000 in security assistance to Ukraine since 2014;

Whereas Congress has authorized the provision of defensive lethal assistance to Ukraine in the Ukraine Freedom Support Act (Public Law 113-272), the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92), and the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328);

Whereas, in 2014, President Barack Obama issued Executive Orders 13660, 13661, 13662, and 13685, which imposed sanctions blocking property of certain persons and prohibiting transactions with respect to the Crimea Region of Ukraine as a result of Russia's illegal annexation and military aggression in Ukraine;

Whereas NATO Secretary General Jens Stoltenberg stated on November 21, 2016, that NATO "will never recognize the illegal annexation of Crimea, and [NATO] continue[s] supporting the territorial integrity and sovereignty of Ukraine";

Whereas, on February 3, 2017, United States Ambassador to the United Nations Nikki Haley stated, "Crimea is a part of Ukraine. Our Crimea-related sanctions will remain in place until Russia returns control over the peninsula to Ukraine.";

Whereas, on February 16, 2017, Secretary of State Rex Tillerson stated, "As we search for new common ground we expect Russia to honor its commitment to the Minsk agreements and work to de-escalate violence in Ukraine.";

Whereas, on March 13, 2017, the European Union extended sanctions against Russian individuals and entities imposed because of the annexation of Crimea by the Russian Federation;

Whereas United Nations Secretary-General António Guterres on February 21, 2017, stated that the United Nations "remains committed to supporting the peaceful resolution of the conflict in a manner that fully upholds the sovereignty, territorial integrity, and independence of Ukraine";

Whereas President Putin has made alarming claims about his views on Russian territoriality, stating that Russia's border "doesn't end anywhere," and has since announced that he "[does not] regret anything" about annexing Crimea; and

Whereas Ukraine celebrated its 25th year of independence on August 24, 2016: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the Government of the Russian Federation's illegal, unprovoked military occupation of the Crimea region of Ukraine and continued aggression in eastern Ukraine, and reiterates that it is the policy of the United States not to recognize the de jure or de facto sovereignty of the Russian Federation over Crimea or any other seized area in Ukraine, its airspace, or its territorial waters;

(2) supports the vigorous enforcement of sanctions and opposes the lifting of sanctions as long as Russia continues its military aggression in Ukraine in violation of the Minsk II Agreement;

(3) calls on the Government of the Russian Federation to immediately end its support for the separatists in eastern Ukraine, allow Ukraine to regain control of its internationally recognized borders, and withdraw its military presence in eastern Ukraine, including Crimea;

(4) declares that the United States Government must never recognize the illegal annexation of Crimea by the Russian Federation;

(5) urges the President of the United States, in coordination with United States allies, to stand by Ukraine, condemn continued Russian aggression, and use all possible tools to combat Russian belligerence, including increased economic sanctions, defensive lethal assistance, and democracy and humanitarian assistance, as authorized by the Ukraine Freedom Support Act, the Fiscal Year 2016 National Defense Authorization Act, and the Fiscal Year 2017 National Defense Authorization Act;

(6) urges the President of the United States to continue United States support for the Ukrainian economy and civil society, including continued support by international financial institutions, such as the International Monetary Fund;

(7) condemns efforts by the Government of the Russian Federation to intimidate and coerce nations in Eastern Europe from strengthening their ties with NATO and the European Union;

(8) supports efforts by the United States Government and United States allies to

strengthen the energy sector in Ukraine in order to reduce Ukraine's dependence on natural gas imported from the Russian Federation;

(9) acknowledges the Government of Ukraine for its commitment to reform and encourages it to continue implementation of key reforms, including judicial reform, greater parliamentary oversight, further implementation of anti-corruption initiatives, including prosecutions and convictions of major figures involved in corruption schemes, budget and procurement transparency and accountability across government, civilian control of the military, and improved end-use monitoring and sustainment plans for United States security assistance items;

(10) urges the President of the United States not to agree to any final settlement of the conflict in Ukraine without the consent of the Government of Ukraine;

(11) pledges continued support for all democratic allies and partners of the United States facing increased Russian aggression;

(12) reaffirms the commitment of the United States to the Budapest Memorandum on security assurances;

(13) reiterates the obligation of all nations under the United Nations Charter to respect the territorial integrity and sovereignty of other nations;

(14) encourages United States allies in Europe to continue their coordinated efforts to counter Russian aggression in the region, including economic sanctions, increased defense spending, and greater action against Russian disinformation and propaganda in order to make clear that Russian efforts will not go unchecked;

(15) calls on the Government of the Russian Federation to provide greater access to the Organization for Security and Co-operation in Europe's (OSCE) Special Monitoring Mission (SMM) in order to ensure credible international monitoring of compliance with the Minsk agreement; and

(16) calls on the Government of the Russian Federation to engage seriously in dialogue with the Government of Ukraine—in coordination with key international partners—in order to come to an agreement that respects Ukraine's sovereignty, ensures regional stability, and puts both nations on the path towards a permanent ceasefire.

AMENDMENTS SUBMITTED AND PROPOSED

SA 193. Mr. McCONNELL proposed an amendment to Treaty Doc. 114-12, Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro.

SA 194. Mr. McCONNELL proposed an amendment to amendment SA 193 proposed by Mr. McCONNELL to Treaty Doc. 114-12, *supra*.

SA 195. Mr. McCONNELL submitted an amendment intended to be proposed by him to Treaty Doc. 114-12, *supra*; which was ordered to lie on the table.

SA 196. Mr. McCONNELL submitted an amendment intended to be proposed to amendment SA 195 submitted by Mr. McCONNELL to Treaty Doc. 114-12, *supra*; which was ordered to lie on the table.

SA 197. Mr. McCONNELL submitted an amendment intended to be proposed by him to the resolution of ratification for Treaty Doc. 114-12, *supra*; which was ordered to lie on the table.

SA 198. Mr. McCONNELL submitted an amendment intended to be proposed to amendment SA 197 submitted by Mr. McCONNELL to the resolution of ratification for

Treaty Doc. 114-12, *supra*; which was ordered to lie on the table.

SA 199. Mr. PAUL submitted an amendment intended to be proposed by him to Treaty Doc. 114-12, *supra*; which was ordered to lie on the table.

SA 200. Mr. PAUL submitted an amendment intended to be proposed by him to Treaty Doc. 114-12, *supra*; which was ordered to lie on the table.

SA 201. Mr. PAUL submitted an amendment intended to be proposed by him to Treaty Doc. 114-12, *supra*; which was ordered to lie on the table.

SA 202. Mr. LEE submitted an amendment intended to be proposed by him to the resolution of ratification for Treaty Doc. 114-12, *supra*; which was ordered to lie on the table.

SA 203. Mr. LEE submitted an amendment intended to be proposed by him to the resolution of ratification for Treaty Doc. 114-12, *supra*; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 193. Mr. McCONNELL proposed an amendment to Treaty Doc. 114-12, Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro; as follows:

At the end add the following:
"This Treaty shall be effective 1 day after ratification."

SA 194. Mr. McCONNELL proposed an amendment to amendment SA 193 proposed by Mr. McCONNELL to Treaty Doc. 114-12, Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro; as follows:

Strike "1 day" and insert "2 days".

SA 195. Mr. McCONNELL submitted an amendment intended to be proposed by him to Treaty Doc. 114-12, Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro; which was ordered to lie on the table; as follows:

At the end add the following:
"This Treaty shall be effective 3 days after ratification."

SA 196. Mr. McCONNELL submitted an amendment intended to be proposed to amendment SA 195 submitted by Mr. McCONNELL to Treaty Doc. 114-12, Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro; which was ordered to lie on the table; as follows:

Strike "3 days" and insert "4 days".

SA 197. Mr. McCONNELL submitted an amendment intended to be proposed by him to the resolution of ratification for Treaty Doc. 114-12, Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro; which was ordered to lie on the table; as follows:

At the end add the following:
"This resolution shall be effective 5 days after ratification."

SA 198. Mr. McCONNELL submitted an amendment intended to be proposed to amendment SA 197 submitted by Mr. McCONNELL to the resolution of ratifi-

cation for Treaty Doc. 114-12, Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro; which was ordered to lie on the table; as follows:

Strike "5" and insert "6".

SA 199. Mr. PAUL submitted an amendment intended to be proposed by him to Treaty Doc. 114-12, Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro; which was ordered to lie on the table; as follows:

At the end of Article I of the Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro, add the following:
"The Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro shall not obligate the United States Armed Forces to hostilities in accordance with Article 5 of the North Atlantic Treaty of 1949 unless the United States Congress passes a declaration of war pursuant to article I, section 8, clause 11 of the United States Constitution."

SA 200. Mr. PAUL submitted an amendment intended to be proposed by him to Treaty Doc. 114-12, Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro; which was ordered to lie on the table; as follows:

At the end of Article I of the Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro, add the following:
"The Protocol is dependent on Montenegro meeting its commitment that defense expenditure is two percent of Montenegro's gross domestic product."

SA 201. Mr. PAUL submitted an amendment intended to be proposed by him to Treaty Doc. 114-12, Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro; which was ordered to lie on the table; as follows:

At the end of Article I of the Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro, add the following:
"The Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro is dependent on each member of NATO and Montenegro meeting its commitment that defense expenditure is two percent of its gross domestic product."

SA 202. Mr. LEE submitted an amendment intended to be proposed by him to the resolution of ratification for Treaty Doc. 114-12, Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro; which was ordered to lie on the table; as follows:

At the end of paragraph (1) of section 3, add the following:

(C) The inclusion of Montenegro in NATO will contribute materially to the territorial defense of the United States.

SA 203. Mr. LEE submitted an amendment intended to be proposed by him to the resolution of ratification for Treaty Doc. 114-12, Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro; which was ordered to lie on the table; as follows:

At the end of section 2, add the following:

(8) FUTURE SENATE CONSIDERATION OF FUTURE NATO EXPANSION.—The Senate declares that any future initiative to expand NATO should be thoroughly debated and considered from inception, with the highest priority given to evaluating the benefits and risks of such an expansion to the security of the American people and the safety of members of the United States Armed Forces.

AUTHORITY FOR COMMITTEES TO MEET

Mr. McCONNELL. Mr. President, I have one request for a committee to meet during today's session of the Senate. It has the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committee is authorized to meet during today's session of the Senate:

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate, on March 27, 2017, at 12 p.m., in SD-226 of the Dirksen Senate Office Building.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Calendar Nos. 25 through 30; that the nominations be confirmed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Tony D. Bauernfeind
Brig. Gen. William T. Cooley
Brig. Gen. Stephen L. Davis
Brig. Gen. Patrick J. Doherty
Brig. Gen. James A. Jacobson
Brig. Gen. David A. Krumm
Brig. Gen. Jeffrey A. Kruse
Brig. Gen. Michael A. Miniham
Brig. Gen. Shaun Q. Morris
Brig. Gen. Thomas E. Murphy
Brig. Gen. David S. Nahom
Brig. Gen. Stephen W. Oliver, Jr.
Brig. Gen. John M. Pletcher
Brig. Gen. Scott L. Pleus
Brig. Gen. John T. Rauch, Jr.
Brig. Gen. Brian S. Robinson

Brig. Gen. Ricky N. Rupp
 Brig. Gen. Dirk D. Smith
 Brig. Gen. Kirk W. Smith
 Brig. Gen. Paul W. Tibbets, IV
 Brig. Gen. Andrew J. Toth
 Brig. Gen. Mark E. Weatherington

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Dagvin R. M. Anderson
 Col. Jason R. Armagost
 Col. Craig R. Baker
 Col. Gentry W. Boswell
 Col. Richard H. Boutwell
 Col. Ryan L. Britton
 Col. Brian R. Bruckbauer
 Col. Lance R. Bunch
 Col. Todd D. Canterbury
 Col. Case A. Cunningham
 Col. Evan C. Dertien
 Col. Michael L. Downs
 Col. Troy E. Dunn
 Col. Derek C. France
 Col. David M. Gaedecke
 Col. Philip A. Garratt
 Col. Anthony W. Genatempo
 Col. Kristin E. Goodwin
 Col. Christopher J. Ireland
 Col. David R. Iverson
 Col. Joel D. Jackson
 Col. Ronald E. Jolly, Sr.
 Col. Michael G. Koscheski
 Col. David J. Kumashiro
 Col. John D. Lamontagne
 Col. Leah G. Lauderback
 Col. Charles B. McDaniel
 Col. John C. Millard
 Col. Albert G. Miller
 Col. John J. Nichols
 Col. Robert G. Novotny
 Col. Lansing R. Pilch
 Col. Donna D. Shipton
 Col. Jeremy T. Sloane
 Col. Phillip A. Stewart
 Col. David H. Tabor

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Paul A. Ostrowski

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Sean B. MacFarland

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Francisco A. Espallat

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Jeffrey A. Roach

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President of the Senate, pursuant to Public Law 106-286, appoints the following Member to serve on the Congressional-Executive Commission on the People's Republic of China: the Honorable ANGUS S. KING, Jr., of Maine.

PROVIDING FOR THE REAPPOINTMENT OF A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of and the Senate now proceed to the consideration of S.J. Res. 30.

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

The clerk will report the joint resolution by title.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 30) providing for the reappointment of Steve Case as a citizen regent of the Board of Regents of the Smithsonian Institution.

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

Mr. MCCONNELL. I ask unanimous consent that the joint resolution be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The joint resolution (S.J. Res. 30) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S.J. RES. 30

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Steve Case of Virginia on April 25, 2017, is filled by the reappointment of the incumbent. The reappointment is for a term of 6 years, beginning on the later of April 26, 2017, or the date of the enactment of this joint resolution.

PROVIDING FOR THE APPOINTMENT OF A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of and the Senate now proceed to the consideration of S.J. Res. 35.

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

The clerk will report the joint resolution by title.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 35) providing for the appointment of Michael Govan as a citizen regent of the Board of Regents of the Smithsonian Institution.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the joint resolution be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The joint resolution (S.J. Res. 35) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S.J. RES. 35

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy of the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Dr. Shirley Ann Jackson of New York on May 5, 2017, is filled by the appointment of Michael Govan of California. The appointment is for a term of 6 years, beginning on May 6, 2017, or the date of the enactment of this joint resolution, whichever occurs later.

PROVIDING FOR THE APPOINTMENT OF A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of and the Senate now proceed to the consideration of S.J. Res. 36.

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

The clerk will report the joint resolution by title.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 36) providing for the appointment of Roger W. Ferguson as a citizen regent of the Board of Regents of the Smithsonian Institution.

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

Mr. MCCONNELL. I ask unanimous consent that the joint resolution be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The joint resolution (S.J. Res. 36) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S.J. RES. 36

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with

section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy of the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Robert P. Kogod of the District of Columbia on May 5, 2017, is filled by the appointment of Roger W. Ferguson of the District of Columbia. The appointment is for a term of 6 years, beginning on May 6, 2017, or the date of the enactment of this joint resolution, whichever occurs later.

ORDERS FOR TUESDAY, MARCH 28, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, March 28; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of Executive Calendar No. 1, the Montenegro treaty, postcloture; finally, that all time during leader remarks, morning business, recess, and adjournment of the Senate count postcloture.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:24 p.m., adjourned until Tuesday, March 28, 2017, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

WILLIAM FRANCIS HAGERTY IV, OF TENNESSEE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO JAPAN.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

SCOTT GOTTLIEB, OF CONNECTICUT, TO BE COMMISSIONER OF FOOD AND DRUGS, DEPARTMENT OF HEALTH AND HUMAN SERVICES, VICE ROBERT MCKINNON CALIFF.

SMALL BUSINESS ADMINISTRATION

ALTHEA COETZEE, OF VIRGINIA, TO BE DEPUTY ADMINISTRATOR OF THE SMALL BUSINESS ADMINISTRATION, VICE DOUGLAS J. KRAMER.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. BRYAN P. FENTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DARRELL K. WILLIAMS

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED

WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. DAVID H. LEWIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. KARL O. THOMAS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. MATHIAS W. WINTER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) STEVEN L. PARODE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) JOHN P. POLOWCZYK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) JON A. HILL

REAR ADM. (LH) GORDON D. PETERS

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

To be major

RAYMOND C. JONES III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

CHRISTOPHER E. AUSTIN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ROBERT D. HOUGHTLING

GEMINI O. MAJKOWSKI

ROBIN J. MCCREARY

CARL H. SPEARS, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

LISA ANN BANYASZ

MARYJANE CAHILL

BARBARA J. MARCHANDO

CONSTANCE S. REVORE

STUART D. RHOADES

JOANNA D. RODRIGUEZ

DAVID S. SANCHEZ

JAMES E. SCHAAF

JULIE L. WIBLE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

LORI J. BETTERS

KRISTINA D. FORBES

LINDA FLANIGAN LINDBERG

LINDA T. RICHIO

LISA S. SHEAR

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JAMES A. CRIDER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JOSE E. BARRERA

VITO JIMMY CARABETTA

LAWSON ASHLEY B. COPLEY

LAURIE C. DAVIGNON

RODNEY A. FRIEND

SAMUEL M. GALVAGNO

AARON BRUCE GREENSPAN

DAVID L. HUANG

JAMES F. HUIET III

KEYAN D. RILEY
SHAWN S. SHRAWNY
HARLAN LUKE SOUTH
ERIC S. STEM
DMITRY TUDER
DAVID H. ZONIES

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

KRISTIN L. ADER
JON PAUL BURGESS
MAREN L. CALVERT
AIMEE M. CANNON
SETH COWELL
RATNA CONTRACTOR GUPTA
PAUL M. HILLMAN
KRISTINE D. KUENZLI
CHRISTINE C. PIPER
MELISSA A. SARAGOSA
TIMOTHY J. TUTTLE
CHRISTOPHER C. VANNATTA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

GREGG MICHAEL CAGGIANELLI
JOHN M. PAINTER
CHRISTOPHER D. WEBB
WILLIAM SCOTT WIECHER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

PATRICK W. ALBRECHT
CHRISTOPHER B. ANDERSON
ERIK LAURENTZ AUFDERHEIDE
ATHANASIA G. AUSTIN
KELLY L. BAILEY
FREDERICK EDWARD BERLS, JR.
BRIAN J. BEVERIDGE
BARRY REED BILLMANN
CHRISTOPHER J. BLANCHETTE
AARON R. BLUM
JOHN G. BOJANAC
TODD ALEXANDER BORZYCH
SCOTT E. BRIESE
CASEY J. BURRIL
ADRIAN R. BYERS
AGUSTIN CARRERO
CURT A. CASTILLO
MARSHALL F. CHALVERUS
CHARLES B. CHAPMAN III
SCOTT R. CLARK
CHRISTOPHER D. CODDINGTON
JAMES E. COLLINS II
STEVEN C. COMBS
DAVID R. COOKSEY
BRUCE A. COOLE
CASEY PATRICK COOLEY
TRACY L. COYNE
BARRY H. CRANE
MICHAEL PATRICK CRUFF
DOUGLAS A. DEMATTHEW
JOHN C. DOBBIN
EVE A. DOUGLAS
JAMES S. DOYLE
DAVID K. EDWARDS
PATRICK J. EGAN, JR.
MICHAEL B. ELTZ
MICHAEL RYAN FARMER
JENNIFER A. FITCH
ERIKA A. FOSTER
LOUIS WILFRED FOURNIER, JR.
SURYA J. FRICKEL
LARRY B. GEORGE
RANDAL L. GEORGE
MICHAEL D. GIEDT
MARY KATHRYN HADDAD
JOSEPH MATTHEW HAGANS
NEIL MATTHEW HEDE
JAMES NORRIS HENDRICKSON
MARC E. HENRI
ROBERT D. HERSLOW
PAUL J. HESS III
ROSADEL D. HOFFMAN
DEBORAH A. HOLINGER
BETH K. HORINE
KELLY ELIZABETH HOSEY
EDWARD T. HUNN
ROBERT E. JACKSON, JR.
ALARIC J. JORGENSEN
DAVID F. KATTLER
SHARIFUL M. KHAN
SHARON K. E. KIBLOSKI
ALEXIS KIMBER
JASON W. KING
KURT ALAN KOCHENDARFER
KEVIN M. KOENIG
MATTHEW A. KOZMA
BARRY J. LAWLOR
CHRISTOPHER T. LAY
DAVID J. LEHRMAN
CHRISTOPHER L. MANNING
JASON S. MARTIN
BRIAN A. MAY
HEATHER M. MCCUE

BRIAN J. MCCULLAGH
NICK R. MCKENZIE
JACOB C. MCMANUS
PAXTON S. MELLINGER
MICHAEL C. MENTAVLOS
SHIRLEY A. MERCIER
JAMES C. MILLER
JAMIE SUE MILLSAPS
KELLI A. MOLTER
WILLIAM C. MONAHAN, JR.
DANIEL D. MOORE
MICHAEL WILLIAM MORRISETT
JENNIFER S. MORRISON
LARA B. MORRISON
HOANG T. NGUYEN
KIMBERLY L. NOBLE
KIMBERLY L. NORMAN
JOHN C. ODUM
ROBERT N. OSBORN
JENNIFER L. PAGE
MICHELLE L. PATTERSON
LILLIAN R. PRINCE
DANIEL E. REECE
TIMOTHY C. REYNOLDS
RANDALL L. ROBERTS
LARA P. ROWLANDS
LESLEY GREGG RUSSELL
MARK A. SARAGOSA
ERIC A. SEIBOLD
EPHOD SHANG
NORMAN B. SHAW, JR.
AMANDA M. SHEETS
JOHN THOMAS SILANCE II
JENA L. SILVA
ADAM P. SIVULKA
KRISTINE B. SMITH
RAYMOND ARCHER SMITH
CRISTINA M. SOARES
JONATHAN M. SONGER
MICHAEL A. SOVITSKY
JULIE ANNE SPEARS
MARK W. STAFFORD
JAIME LEANNE STIELER
KEITH D. SUDDER
DAVID D. SUNDLÖV
KEVIN K. SUTTERFIELD
GAVIN D. TADE
STEPHEN NILES TAYLOR
TERRY L. THIEM
DON L. THIGPEN II
JANETTE L. THODE
TODD L. TOBERGTE
ERIC W. VONTROTHA
TIMOTHY D. VOSS
THOMAS S. WALTER
ELIZABETH T. WARD
PHILIP O. WARLICK II
PETER M. WEILBACH
REBECCA LYNN WELCH
STACY A. WHARTON
KEITH ELLIOTT WHITEHOUSE
NATHAN D. YATES
STEPHEN S. YOON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
IN THE GRADE INDICATED IN THE REGULAR AIR FORCE
UNDER TITLE 10, U.S.C., SECTION 531:

To be major

STEPHEN N. LUKER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES AIR
FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

TYLER J. BANACHOWSKI
PHILLIP C. BARRAS
JASMINE L. BEAUCHAMP
DAVID C. BROCKBANK
HEATHER MARIE BROOKS
KIMBERLY L. BURFORD
JEFFREY A. BURKE
COURTNEY J. BURRILL
MICHAEL A. CALDWELL
STEPHEN M. CEOLLA
DANIEL B. DAHL
TROY M. DECKER
ANDREW W. ELLIS
FRANK J. EMMERT
PATRICK B. GALLOWAY
PATRICK M. GAUS
JOSEPH L. GEDGE
MEGAN JENIFER GRAFF
JAMES A. GRIFFITH
KURTIS G. HAMMACK
GREGORY M. HAMMOND
TYLER K. HAWKINS
JEFFREY D. HEYSE, JR.
ROBERT L. HILTON
BLAKE L. HOEDEBECKE
RICHARD A. HUTCHISON
GEORGE D. HWANG
JOSEPH E. JOHNSON
MELISSA A. KOSSBIEL
NATHAN T. LARSON
KAITLIN E. LEE
PAUL T. LEE
GREYSON A. LEFTWICH
CHRISTOPHER C. LOFTIN
MICHAEL J. LUECK
BRITTANY A. MALOVER
CURT G. MARTIN

JEREMY I. MATIS
NATHANIEL S. MINTER
PHUONG M. NGUYEN
MELISSA ANN PARRA
CORY S. PETERSON
MATTHEW POPP
BRADLY K. RUSSELL
JENNY P. STEVENS
KIMBERLY N. TONG
ROSE H. TRAN
EDWARD J. TUCHOLSKI
ANDREW D. VERRETT
JILL C. WATSON
ERIC J. WESTERGARD
BRENT L. WOODMANSEE
PHILIP M. WORTHINGTON
THOMAS L. WRIGHT
MARITA N. ZGURI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES AIR
FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JONI A. ABBOTT
DAVID A. ALT
HANS J. AMEN
JAMIE A. AMINSHARIFI
NICOLAS C. APPELTON
ALEXANDER C. AUSTIN
YOLANDA A. BACKUS
AARON J. BALLANTYNE
SARAH M. BALLOGA
AUGEN BATOU
ALEXANDER F. BEDARD
PETER BELL
JOSHUA R. BERG
DANIELLE K. BERSABE
RICHARD D. BETZOLD
JENNIFER E. BEVERAGE
JONATHAN S. BINGHAM
DLISA A. BITTERLY
CATHERINE J. BLASSER
CATHY DAY BOGGS
JEREMY T. BOLIN
LAUREN M. BOSSHARDT
ADAM L. BOURGON
MICHAEL J. BRAZEAU
MATTHEW C. BROWN
MICHELLE F. BUEHNER
TIFFANY R. BURCA
RILEY J. BURKE
LESLIE R. CADET
DANIELLE A. CADLE
ROBERT W. CALHOUN
ROSS M. CANUP
STEPHANIE J. CARROLL
NICHOLAS B. CATTANEO
MARK A. CHENEY
KEELY M. CHEVALLIER
DOUG S. CHO
JESSICA S. COLANESE
STEVEN J. COLONNA
JOHN C. COPELAND
CALLIE MARIE COX BAUER
JOSHUA N. CRAGUN
ANDERS J. DAVIDSON
KARLA T. DAVILA
AMANDA L. DEANS
SEAN M. DEBUYSERE
JAMES P. DEERING III
EMILY H. A. DENNEY
AMANDA L. DERWAE
KELLY JEAN DEWEY
TROY R. DILLON
EDGAR J. DOLLAR
JOSHUA W. DONART
FORTUNE J. EGBULEFU
SHANE T. ELLIS
ISAAC M. ENGHOLM
REBECCA L. ENGLEBRETON
ELISHA N. FARNWORTH
ANDREW J. FISHER
EVAN I. FISHER
DANIEL T. FLOOD
STEVEN R. FRANCIS
BRANDI N. FREELON
GEORGE H. FULGHUM
JESSICA RENEE GAMBOA
DAVID S. GARCIA
NICHOLAS J. GARCIA
JONATHAN T. GASTON
CHRISTOPHER L. GAUNDER
DENNIS J. GEROLD
CATHARINE L. GIANI
MARY LIBERTY M. GIBBS
JESSE K. GIFFHORN
JOHN F. GILLIS
WILLIAM G. GONCHAROW
IAN P. GOODMAN
CASSIDY J. GRAHAM
CHRISTINA D. GREEN
JULIE ANN GRIFFITH
LEE R. HAFEN
JEFFREY R. HALL
TRENTON J. HANSEN
BRIAN C. HANSHAW
KALLYN D. HARENCAK
MATTHEW K. HAWKS
ALISON M. HELFRICH
TASHA S. HELLU
DANIELLE M. HERDER
JOEL E. HERNESSE

STEPHEN D. HIOE
REMEALIE A. HOW
BENJAMIN HUANG
BRIAN N. HUGHES
PAMELA R. HUGHES
BETH H. JOHNSON
AARON A. JOHNSTON
BRITTANY DUNN JORDAN
ANDREA LYNN KAELIN
DREW S. KAER
KENTON E. KAGY
QUINTON J. KEIGLEY
ALEXANDER R. KHERADI
NATHAN M. KINDER
WILLIAM N. KING
WILSON G. KNIGHT II
CRYSTAL V. KONDOWE
MATTHEW T. KOROSCIL
MARIA I. KRAVCHENKO
KYLE D. KUTSCHE
LASHALL KAY LABOUNTY
JOSEPH A. LAROCHE
DANIEL R. LAVIN
KATRINA M. LAWRENCE WOLFF
JOHN W. LAX
THANH THAO T. LE
JENNIFER I. LEGGOE
ANTHON J. LEMON
BRITTANY L. LENZ
CRYSTAL R. LENZ
BRANDON S. LERNER
STEVEN D. LEWIS
LUKE LI
VICTOR D. LOHLA, JR.
NICHOLAS I. LONGSTREET
JOHN A. LOSURDO
MAI N. LUU
THUZAR W. LWIN
LISA M. MANNINA
STEPHANIE L. MATHRE
SHANNON L. MCCARTHY
MEGAN B. MCDONALD
MEGAN S. MCGEARY
DONALD C. MCMILLAN
BRIAN F. MCQUILLAN
MATTHEW L. MCROBERTS
LYNETTE M. MENDOZA
KIRK A. MIDDLETON
JAMES D. MIKOLAJCZAK
BRITTANY M. MILLARD HASTING
ALISA A. MILLER
CHARLES K. MILLER
MANISHA K. MILLS
MARCIA E. MIRANDA
JENNIFER L. MITCHELL
DAVID J. MORROW
LINDSAY M. MORROW
SARA M. D. MOSCOW
VIVINA A. NAPIER
PRIYA I. NATH
SEAN T. NELSON
KHANG T. NGUYEN
SUMMER H. NGUYEN
FREDERICK W. NIELSON
GREGORY K. NISHIMURA
JAIME R. OBSZANSKI
KIRK N. O'DONNELL
JOSEPHINE K. OLSEN
JOHN J. OLSHEFSKI
GLEN I. OLSON
DAVID R. OTTEN
SAMUEL C. OWEN
CANDACE ROSE V. PACE
GARRETT L. PARKER
MICHAEL R. PARKS
SHANE B. PATTERSON
JOHN DAMON PAVLUS
KATHERINE M. PEARSON
JAMES G. PENNINGTON
CHRISTINE J. PERSINGER
TIMOTHY E. PETERSON
JESSICA L. PILKINGTON
BENJAMIN F. PLUCKNETTE
MILT G. POLL
LAUREN CHRISTINE POWELL
KENNETH H. POWER
JAISAL K. PRAGANI
JOSHUA L. PRINGLE
MATTHEW A. PUDERBAUGH
JEREMY S. RAAB
MATTHEW F. RAINES
ERIK J. RASMUSSEN
BETSY L. REESE
STEPHANIE W. REISER
NATHANIEL J. RENES
ALEKSANDER S. ROBLES
LORENA B. RODRIGUEZ NORTH
CHRISTOPHER J. RODRIGUEZ
JOSHUA R. ROE
PAOLA ANDREA ROSA
JENNIFER E. SALGUERO
CZARINA E. SANCHEZ
REBECCA S. SCHAPIRA
RICARDO A. SEQUEIRA
ANDREW G. SHAHAN
KATHERINE E. SHEDLOCK
JOSHUA L. SHIELDS
DAVID T. SHOOK
MICHAEL SIBEL
ANTHONY P. SIDARI
LAURA THERESE SIDARI
WENDY D. SINGLETON

KRISTEN L. SLAPPEY
MICHAEL T. SMOLKA
MEREDITH E. SOMMERVILLE
TIMOTHY E. SOMMERVILLE
BRANDON C. SPECHT
TRISTAN M. SPIERLING
CHARLIE N. SRIVILASA
SUZANNE N. STAMMLER
CHRISTOPHER J. STEEL
SARAH N. STEELE
JOSHUA C. STEPHENS
THERESA I. STOCKINGER
BRIDGET R. STRALKA
JONATHAN S. STRALKA
MAMIE C. STULL
DUSTY L. SWENDSON
NICOLE E. TAFURI
MEGHAN K. TAPE
DAVID M. TAYLOR
MEGHAN K. TAYLOR
TREVOR A. THOMPSON
RYAN J. THORDAL
CATHERINE M. TOLVO
PANSY UBEROI
WILLIAM E. VALENCIA
AMANDA M. VICKERS
LUZDIVINA A. VINE
JOHN T. R. VOGEL
ELISICIA L. VOLTZ
CHRISTOPHER J. WALKER
KATHRYN I. WARD
WHITTNEY A. WARREN
MICHAEL A. WEISBRUCH
SAMUEL L. WEISS
KASEY C. WELCH
ANDY R. WELSTEAD
ROBERT L. WETZLER
JENNIFER L. WHITMORE
MONICA JILL WILKINS
ERIN LOGGINS WINKLER
TIFFANY C. WINSTON
JAMES WIRTHLIN
DANIELLE C. YUEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES AIR
FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MICHAEL J. ALFARO
MERRILL L. ALLEY
SHELRETHIA BATTLE SIATTTA
AMY ANN CAMPBELL
WONIL W. CHONG
BRIAN M. CLEMENT
BRANDON J. CUMMINS
MICHAEL G. DIFELICE
JUSTIN L. DRAB
ROBERT E. FULLER
BENJAMIN G. HUGHES
EMILY TATE IBARRA
CLAY J. JENSEN, JR.
DANA A. JENSEN
PAUL H. KIM
KIBROM T. MEHARI
AUDRA D. MYERS
TENESHIA S. NELSON HODGES
CHRISTOPHER S. NUTTALL
ZACHARY E. PERRY
JAMES J. RENDA
DAVID F. SERVELLO
RIAN W. SUHKONEN
TAD C. THOLSTROM
TIBEBU M. TSEGGA
MEGHAN J. VANDERHEIDEN
JOSHUA A. VESS
JAMES A. WEALLEANS
BRYAN M. WILSON
SARA M. WILSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES AIR
FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JESSICA L. ABBOTT
KARLA E. ADAMS
THOMAS A. ADAMS
SHELLEY L. ALDRICH
DAVID M. ARNER
ERIN S. BARTH
MARC N. BOGGY
CHARLES W. BORDERS III
ADAM W. BOSTICK
ROBERT O. BRADY
JASON A. BROCKER
LAUREN A. BUCK
ERIN C. BURRIS
JENNIFER G. CHANG
JOSEPH G. COLES
NOEL R. COLLS
DANIEL B. COX
DUSTIN A. CREECH
EMILY M. CULLINEY
GEOFFREY P. DOUGLAS
JOSHUA L. DURHAM
RYAN E. EARNEST
MARY F. FINN
RYAN P. FINNAN
JONATHAN A. FORBES
ROBERT A. FREEMAN
SHANNON GAFFNEY
BRIAN J. GAVITT

RYAN C. GOUGH
DAVID B. GRAHAM
LAYNE B. GREEN
SCOTT A. HABER
STEFAN C. HAMELIN
JOSHUA A. HAMILTON
DANIEL R. HATCHER
SALLY R. HAYES
ERICA M. HILL
JOSEPH K. HOBBS
VALERIE C. HOSTETTLER
MATTHEW G. HOYT
JOANNA M. JACKSON
FORREST C. JELLISON
JEREMY A. JENSEN
RONALD L. JONES
JON J. JUHASZ
BELINDA LEE KELLY
ZACKARY J. KENT
HYAEHWAN KIM
RICHARD C. KIPP
JOSEPH M. KUEBKER
WINTON P. D. LASLIE
ARTHUR N. LAWRANCE
AARON D. LEWIS
JOHN LICHTENBERGER III
CHRISTOPHER J. LINDSHIELD
GIOVANNI E. LORENZ
JESSICA A. LOTRIDGE
MATTHEW C. MAI
LOU ROSE M. MALAMUG
TOKUNBO J. MATTHEWS
ANDREW K. MATTHIES
CARRIE L. MCBEECOOKE
EDWARD T. MCCANN
SEAN C. MCCARTHY
SCOTT B. MCCUSKER
ROBERT J. MCGILL
MATTHEW J. MCHALE
LUKE R. MICHELS
BETHANY M. MIKLES
JOHN EMMET MILES
MARIBEL MORGAN
BENJAMIN D. MORROW
DAVID A. MOSTELLER
KHAYANGA S. NAMASAKA
JAVED M. NASIR
AUSTIN T. NELSON
BRIAN E. NEUBAUER
MARCUS C. NEUFFER
TRAVIS R. NEWBERRY
CLIFTON M. NOWELL
MANUEL A. NUNEZ
MICHAEL S. OERTLY
DAVID J. OETTEL
JON R. OLSON
GEOFFREY J. ORAVEC
ELDON G. PALMER
JEREMY D. PARKER
AASTA R. PEDERSEN
SCOTT B. PHILLIPS
BRIAN J. PICKARD
MONICA LYNN PIERCE WYSONG
KEVIN P. PIERONI
LUKE H. PORSI
JOSEPH W. PUGH
MICHAEL L. RAWLINS
DAVID S. ROBINSON
ANDREW J. ROHRER
JAIME ROJAS
DAVID M. ROSE
ELIZABETH G. SARNOSKI
BRETT E. SCHNEIDER
LATRISE P. SEARSON NORRIS
CHRISTOPHER O. SEGURA
MUHAMMAD A. SHEIKH
STACY KING SLAT
DEREK M. SORENSEN
JON E. STANDLEY
IAN J. STEWART
NATHAN S. SUMNER
JONATHAN A. SUNKIN
RYAN W. SWOPE
COLE R. TAYLOR
CHUONG N. THAI
MICHAEL C. TOMPKINS
CHARLA C. TULLY
STEPHEN E. VARGA
CHRISTINE D. VO
CHRISTOPHER N. VOJTA
LESLIE R. VOJTA
ADAM R. WALKER
LELAND H. WEBB
RAMOTHEA L. WEBSTER
ERIN M. WEEDEN
JASON M. WEST
SUSAN L. WHITEWAY
MATTHEW T. WILDE
MICAH D. WILL
GREGORY J. WILLIAMS
HEATH D. WRIGHT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES AIR
FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

COREY R. ANDERSON
RICHARD A. BUCK
JOHN C. DAVIS
JOE W. HOWARD
DAVID E. KLINGMAN
JERRY L. LEONARD

BRIAN G. MIN
INAAM A. A. PEDALINO
BRIAN W. PENTON
ANTHONY PRESICCI
TERESA E. REEVES
SONG B. RHIM
ANDREW J. STOY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES AIR
FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

EDWARD R. ANDERSON III
PETER I. ANDERSON
CLAY M. BALDWIN
JOSEPH R. BEARD IV
PATRICK S. BRANNAN
LISA D. BROSTROM
JOHN S. BRUUN
GEORGE J. BUSE
SCOT E. CAMPBELL
WILLIAM H. CANN
JENNIFER C. CHOW
RAYMOND J. CLYDESDALE
ALLISON A. COGAR
CHRISTOPHER A. COOP
DAVID M. CRAWFORD
ERIC P. CRITCHLEY
GLENN MICHAEL DONNELLY
YASHIKA T. DOOLEY
JOHN R. DORSCH
JOSEPH J. DUBOSE
ROBERT L. ELLER
ROBERT L. ELWOOD
BRIAN M. FAUX
JOHN F. FREILER
VERONICA M. GONZALEZ
NIRAJ GOVIL
DANIEL D. GRUBER
DERRICK A. HAMAOKA
DAVID A. HARDY
CINDY LOU HARRIS GRAESSLE
JOHN M. HATFIELD
COLLEEN M. KERSGARD
DANIEL L. LAMAR
KERRY P. LATHAM
DOUGLAS A. LEACH
ALARIC C. LEBARON
FORREST D. LITTLEBIRD
MONICA M. LOVASZ
GREGORY J. MALONE
JON KYLE MARTI
DEREK A. MATHIS
COLLEEN M. MCBRATNEY
JASON L. MUSSER
CHRISTOPHER J. NAGY
SEAN P. OBRIEN
WILLIAM T. OBRIEN, SR.
MARIBEL B. ORANTE MANGILOG
VICTOR L. ORTIZ ORTIZ
AMY L. PARKER
ROBERT SARLAY, JR.
ERICH W. SCHROEDER
RICHARD J. SERKOWSKI
CECILIA SESSIONS CARPENTER
LUCAS M. SHELTON
WILLIAM K. SKINNER
MARK A. SLABAUGH
SHAYNE C. STOKES
BRYAN J. UNSSELL
CHRISTOPHER S. WALKER
ERIK K. WEITZEL
PATRICK F. WHITNEY
ROBERT B. WOOLLEY
RAMON YAMBO ARIAS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES ARMY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

SCOTT C. APLING

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES ARMY
UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

PATRICIA L. GEORGE

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

SUSAN M. MCGARVEY

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES ARMY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ADAM J. POINTS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES ARMY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

LARRY G. WORKMAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ROBERT J. DUNLAP

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

WAYNE O. DEHANEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JOHNATHAN T. PARCHEM

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JACOB P. ABSALON
MATTHEW ACOSTA
RYAN P. ADAMS
ANTHONY A. AKRAMI
JOHN L. ALBERT
FELIPE ALBINO
JASON D. ALBRECHT
CYLE E. ALDEN
ANDRESS F. ALEGRE
BRIAN E. ALEXANDER
JOSEPH M. ALEXANDER
TREVOR D. ALEXANDER
CHAZ E. ALLEN
JOSHUA D. ALLEN
GUY L. ALLSUP
CHRISTINE M. ANDERSEN
KEVIN T. ANDERSEN
THOMAS D. ANDERSEN
CAMERON C. ANDERSON
TOBIAS J. APPS
TIMOTHY E. ARAS
PETER L. ARENDT
ALEX B. ARMSTRONG
DANIEL J. ARNOLD
TIMOTHY A. ASHCRAFT
MATTHEW W. ASMUS, JR.
STEPHEN A. AUSTRIA
ORI I. AVILA
DIANA J. AXAYMAC
CAREY E. BABER
SHAUN M. BAILEY
COLIN P. BAIR
CHRISTOPHER A. BAKER
SCOTT A. BAKER
CHRISTOPHER A. BARNETT
DEREK D. BARRICK
ALLEN J. BARRON
ANDREW M. BARTLETT
NICHOLAS J. BARWIKOWSKI
JONATHAN J. BATT
RYAN A. BAUM
JOSEPH M. BAUMANN
DOUGLAS D. BAZIL
CHRISTOPHER M. BEACH
GARY A. BEAUMONT, JR.
LISA M. BECKER
CHRISTOPHER R. BECKWITH
CHRISTOPHER M. BEHM
DEREK T. BEHNEY
JOSHUA R. BELL
JENNIFER M. BELLAMY
JORDAN M. BELLAMY
CURT J. BELOHLAVEK
ROBERT L. BENDER
KELSEY J. BENO
WILLIAM T. BERRY
PETER V. BIER
WALTER J. BINER
BRIAN A. BISHOP
GREGORY T. BLACK
BRYAN J. BLACKBURN
JAMES H. BLACKBURN
CHRISTOPHER D. BLANC
JEREMY J. BLASCAK
AARON W. BOHANNAN
MATTHEW T. BOISE
KEVIN W. BOLDT
JASON A. BOLSINGER
ADAM P. BOLTON
PAUL A. BORGMAYER
JOHN M. BORLAND
JAMESON O. BOSCHOW
MATTHEW C. BOUDRO
GRANT J. BOULEY
TONY D. BOWERS
MARK S. BOYCHAK
NICHOLAS A. BOYLE
CHRISTOPHER B. BRADLEY
ROBERT A. BRANCIERI, JR.
CHRISTOPHER M. BRANDT
JOSEPH P. BRESNAHAN
VIRGINIA R. BRICKNER
BENJAMIN R. BRINGHURST
GARY L. BROOKS

JOHN P. BROST
DEREK P. BROWN
KYLE T. BROWN
PAUL D. BROWNHILL
NICHOLAS B. BROWNING
TIMOTHY E. BRUCE
INGRID F. BRUNING
SPENSER H. BRUNING
ANDREW V. BRYANT
DEXTER G. BUCHANAN
BRIAN R. BUCHHOLZ
THOMAS T. BULLER
CALEB J. BURGESS
DANIEL H. BURGESS
MATTHEW W. BURGOON
CHARLES J. BURKARDT
GLENN W. BURKEY
VINCENT F. BURLAZZI
KYLE V. BURNS
MARCELLE R. BURRONI
JASON M. BURTON
ELLISEUS J. BUSUEGO
DAVID L. BUTLER
CONRAD R. CABLAY
CHRISTOPHER R. CAIL
ANDREW C. CAIRNS
JEREMY E. CALDWELL
SEAN J. CALLEJASPRINGER
LINDA F. CANDELARIO
NATHANIEL T. CARTER
SAM H. CASELLA
JEFFERY B. CASHON
GEORGE L. CASS
JAMES A. CERRONE
KEVIN R. CHAMBERLAIN
ANDREW J. CHAMPION
KENNETH T. CHAPLIN
DANIEL K. CHAVES
RICHARD S. CHERSICLA
ERIKA L. CHEW
JASON C. CHIMCHIRIAN
THOMAS M. CHORMAN
JOSHUA T. CHRISTIAN
DAVID R. CHRISTMAS
BRYAN A. CIABOTTE
DUANE W. CLARK
MATTHEW K. CLARK
BRIAN N. CLASON
MATTHEW R. CLAWSON
DAVID L. CLAYTON
PAUL M. CLEARY
MATTHEW G. CLINE
JONATHAN R. COCHRAN
LOGAN M. COLE
ANDREW M. COLEMAN
JASON R. COLLIER
NICOLE M. COLLINS
CHRISTOPHER J. COLYER
SHAWN M. COOK
DAVID C. COOPER
PHILIP H. COOPER
SEAN M. CORBETT
BRANDON R. CORBIN
RUBEN L. COSTA
PETER J. COURNIA
JEFFREY P. COX
TIMOTHY D. COX
CAMERON S. CRAIG
NICHOLAS L. CRAIG
MICHAEL H. CRAIN
WOODROW F. CROSBY III
ANDREW B. CROWELL
MICHAEL A. CRYER
ADAM J. CUCCHIARA
COURTENAY W. CULLEN
NICHOLAS G. CULLURA
JUSTIN L. CUNNINGHAM
SEAN M. CURNOW
MATTHEW M. DAIGLE
ROSS E. DALY
NICHOLAS J. DANNA
MICHAEL P. DAVES
DAVID L. DAVIDSON
SCOTT P. DAVIS
SCOTT T. DAWES
DAVID K. DAWES
JOSHUA J. DAWSON
EDWIN B. DECKER
PETER J. DEJONG
DAVID A. DELCUADROZIMMERMAN
JONATHAN A. DESOUSA
STEPHEN L. DETERDING
ROBERT D. DETIENNE
TIMOTHY A. DEVINE
NICHOLAS A. DEWEY
ANDREW E. DIETZ
JAMES D. DILLON
MATTHEW M. DOBYNS
DEREK O. DOE
MAURICE P. DOMINGUEZ
MICHAEL D. DOMOVICH
ERIC S. DONAHUE
JOHN J. DONOVAN
BRADFORD S. DOOLEY
KENNETH R. DOUGHER
ANTHONY J. DOUGLASS
STEPHEN N. DOYLE
WILLIAM J. DOYLE
NICHOLAS W. DRAKE
SHERI M. DRAKE
WILLIAM S. DRINKWATER
SHAWN L. DRIVER

PATRICK J. DUBOIS
JOSHUA J. DURHAM
SCOTT M. DYE
MICHAEL B. DYER
DODGER C. EATON
DUSTIN L. EGGLESTON
AARON S. EIDE
JOHN M. EISENLOHR
DAVID ELMO II
JOHN T. ENDERLE
ROBERT J. ETHERIDGE
MICHAEL J. EVANS
RICHARD C. EVANS III
JONATHAN M. FAIRBROTHER
CORY D. FAISON
HOWARD E. FALLS
KEVIN E. FARESE
ANTHONY S. FATULA
RYAN P. FEENEY
MAGDA D. FELIZ
JOSHUA W. FENDER
STEPHEN J. FENNESSY
COMADOR M. FERGUSON III
TIMOTHY S. FERGUSON
LAUREN G. N. FERNANDO
JOHN T. FERRELL
AARON C. FEUDO
STEPHEN L. FICCHI
DAVID L. FIFE
JOSHUA M. FINK
MATTHEW S. FINNIE
NICOLAS J. FIORE
JED A. FISHER
CARY J. FITZPATRICK
SCOTT W. FIXMER
BENJAMIN J. FIZZELL
DAVID M. FLAHERTY
JOHN S. FLANAGAN III
ERIC G. FLOOD
ABRAM FLORES
BENJAMIN R. FLORES
JOHN C. FLOYD
JARED T. FLURRY
DANIEL J. FLYNN
NIKOLAS M. FOLGERT
COLIN J. FOOTE
SETH R. FORT
CARL M. FORTE
CHRISTOPHER S. FRADIN
NICKLAUS C. FRANCK
NICHOLAS R. FRAZIER
WILLIAM T. FREAKLEY
DANIEL D. FRECHETTE
RODNEY C. FREEMAN
KYLE J. FRIESEN
PETER J. FRISCHHOLZ
MARIA A. FRISHMAN
JEFFERY M. FRITZ
PETER T. FRITZ
JOSEPH D. FRITZE
BRETT D. FULLER
JOHN M. FURR
MELISSA FUSCO
MICHAEL J. GAIN
DANIEL F. GALGANO
CHRISTINE D. GANT
ELLIOTT J. GARRETT
SAMUEL J. GARRISON
RICHARD C. GASPERINI
CHRISTOPHER M. GEORGE
HEATHER GEORGE
BRYAN D. GERHART
LINDSEY J. GERHEIM
EDWARD J. GIBBONS
JACOB B. GIBBS
CHRISTOPHER P. GILBERT
TIDE D. GILE
BRADLEY D. GILL
BRANDON B. GILLES
JOHN M. GILLETTE
ANDREW D. GILLSON
PETER B. GILROY
ROBIN J. GLEBES
JORDAN T. GLOVER
CALEB J. GOBLE
MICHAEL M. GOGLIA
TORSTEN GOJOWSKY
RYAN R. GOLTZ
AGUSTIN M. GONZALEZ
BRADLEY J. GOODYEAR
GEORGE T. GORDON, JR.
MATTHEW R. GORDON
MARVIN GORGAS
JOHN F. GOULD
RYAN E. GOULET
SEAN R. GRADY
JOHN M. GRANT
ALEXANDER T. GRAY
JASON C. GREEN
KYLE T. GREENE
CHRISTIAN D. GREENLEAF
DANIEL A. GREGORIO
ISAAC J. GREGORY
SAMUEL D. GREULICH
SEAN A. GREVIOUS
WAYNE E. GRIFFIN
IAN S. F. GRIFFITH
NICOLE M. GRIFFITH
ZACHARY E. GRIFFITHS
SCOTT M. GRIMSEY
NICHOLAS W. GRODEVANT
DONOVAN D. GROH

SEAN R. GRUBOFSKI
 GUILLERMO J. GUANDIQUE
 EDWARD A. GUELFI
 CORY M. GUENTHER
 THOMAS J. GUGLIELMI
 MATTHEW P. GUIDONE
 HEATHER M. GUIDRY
 BRIAN T. GULLEY
 DONALD S. HACKETT
 CHRISTOPHER L. HADLEY
 WILLIAM R. HALE II
 JOSEPH D. HALL
 MICHAEL L. HAMILTON, JR.
 BRYAN S. HAMMOND
 DANIEL L. HAN
 SCOTT M. HARAN
 LOUIS B. HARRINGTON
 PETER S. HARRINGTON
 THOMAS L. HARRIS
 DANIEL T. HARRISON
 DAMON D. HART
 RYAN M. HARTH
 STEPHANIE A. HARTLEY
 JAMES S. HARVIE
 ALAN P. HASTINGS
 JAMES P. HAYES
 JOSHUA M. HAYNES
 JOHN J. HEALY
 MICHAEL D. HEBERT
 TANNER S. HELMERS
 JAYSON W. HENSLEY
 BRIAN E. HERNANDEZ
 JEREMY L. HERRON
 JOSHUA M. HERZOG
 CHRISTOPHER J. HESS
 JONATHAN E. HICKS
 JOEL R. HILBORN
 MATTHEW A. HILL
 WILLIAM M. HILL
 ROBERT J. HOCKMAN
 LUCAS J. HOFFMANN
 CHARLES E. HOKE
 STEVE R. HOLDEN
 CHRISTOPHER L. HOLLINGSWORTH
 GREGORY C. HOLOWNIA
 EDWARD S. HOOGLAND
 WILLIAM T. HORAN
 JARRELL O. HORSLEY
 RYAN S. HORTON
 JAMES R. HOSKINS
 MARIE J. HOUGH
 ANDREW S. HOWELL
 BIMBI B. HOXHA
 AARON R. HRABOVSKY
 MICHAEL K. HUBER
 JOSIAH R. HUGGINS
 JASON E. HUML
 TIMOTHY J. HUMPHRIES
 JUSTIN T. HUNTER
 NICHOLAS G. HUSINKO
 DONALD E. HUSKEY
 JOHN B. HUSSAIN
 WILLIAM R. HUTAFF IV
 BRADLEY D. HUTCHISON
 BRANTON J. IRBY
 KARMALITA L. IRLMEIER
 CHRISTOPHER A. ISAACS
 TREVOR S. JACKSON
 ANDREW H. JAMES
 MARC A. JANVIER
 ADAM T. JARMUSZ
 LANDEL T. JENKINS
 NATHAN E. JENNINGS
 MICHAEL A. JENSEN
 PRISCILLA L. JEWELL
 MOISES JIMENEZ
 DEVONNE R. JOHNSON
 ISAAC D. JOHNSON
 JASON D. JOHNSON
 JESSICA N. JOHNSON
 TAYLOR C. JOHNSON
 CURTIS R. JONES
 KEVIN M. JONES
 TARIK T. JONES
 DAVID W. JUDSON
 MATTHEW R. JUNG
 MATTHEW K. R. KABAT
 JESSE N. KADEL
 NICHOLAS E. KALITKA
 NICHOLAS J. KANE
 JONATHAN S. KEEN
 DANIEL W. KELLER
 JAMES B. KELLY
 JOSHUA T. KELLY
 JOSEPH S. KENDALL
 ROBERT S. KENNEDY
 IAN P. KENT
 PATRICK M. KERINS
 ADAM S. KESSLER
 TIMOTHY M. KIBBE
 JEFFREY A. KILLIAN
 ZACHARY C. KIMBLE
 JIMMIE F. KING
 SCOTT E. KING
 BRIDGET M. KINGSLEY
 RACHEL E. KINNAS
 MICHAEL C. KISER
 ANTHONY J. KIVLEHAN
 LISA M. KLEKOWSKI
 JOHN J. KLINE
 CURTIS T. KNIE
 BRANDON A. KNOX

JUSTIN J. KOENIG
 LOUIS A. KOHL
 TATE W. KOMMER
 GREGORY J. KOZLOWSKI
 FRANK J. KRAUT
 STEVEN W. KRIPPEL
 PHILIP R. KROLL
 WILLIAM T. L. KUEBLER
 KARL M. KUECHENMEISTER
 STEVEN R. KUHL
 RAMAN KUMAR
 CLINT L. KUPARI
 CRAIG A. KUPHALL
 MAURISAH K. KUSHMA
 STEPHEN H. KWAK
 WESTLY T. LAFTTTE
 WESLEY R. LAFOLLETTE
 WARREN R. LALLY
 CLEMENT LAM
 DAVID W. LAMBERT
 ALAN W. LANCASTER
 TORREY M. LANGDON
 ABBY E. LANNI
 JARED C. LARPENTEUR
 WILLIAM W. LASSITER IV
 NORREAL P. LEE
 PATRICK J. LEEN
 MICHAEL L. LEJA
 JOHN C. LEISENBERG
 MATTHEW J. LENSING
 JASON R. LEUNGVANHASSEL
 NATHAN D. LEVY
 RICHARD G. LEWIS
 WILLIAM J. LEWIS
 JONATHAN D. LEWMAN
 TIMOTHY B. LIGHT
 CULLEN M. LIND
 PATRICK A. LINFORD
 CALEB M. LING
 ANDREW M. LITTEL
 PAUL R. LLOVIO
 ERIC T. LO
 JONATHAN F. LOGAN
 NATHAN C. LOKKER
 BRADFORD H. LONG
 CHRISTOPHER J. LORETE
 NICHOLAS J. LORUSSO
 MICHAEL G. LOWEFARMER
 LARIE L. LUNCFORD, JR.
 EDWIN G. LYMAN
 SAMUEL S. LYON
 WILLIAM A. MACKENZIE
 JOHN S. MADDOX
 ERIC G. MAGNUSON
 JUSTIN M. MAGULA
 TODD A. MAINWARING
 ANTHONY E. MAJOR
 ERICK T. MALASKE
 GILBERTO L. MALAVE
 DANIEL J. MALIK
 MARIO J. MALPICA
 MUHAMMED S. MANSARAY
 SEAN C. MAPLES
 BERLINE MARCELIN
 GAVIN J. Y. MARCHANT
 JAMES P. MARIONE
 JOSE A. MARQUEZ
 DEAN G. MARSHALL
 MEGAN L. MARSHBURN
 JOSHUA S. MARTIN
 JORDAN D. MARTINELLI
 ANDREW D. MARUCCI
 JAMES H. MASON
 ROBERT A. MASZAROSE
 JOSHUA C. MATTHEWS
 MATTHEW G. MATTINGLY
 JARED R. MAXWELL
 JOHN M. MAYER
 WILLIAM C. MAYVILLE
 KEVIN R. MCCABE
 CHRISTOPHER M. MCCANN
 DANIEL E. MCCAREY
 WILLIAM D. MCCARY
 JOSHUA S. MCCASKILL
 CHASE P. MCCOY
 MICHAEL P. MCDONALD
 SAMUEL L. MCELROY
 CHRISTOPHER A. MCFARLAND
 RYAN T. MCHUGH
 SARAH E. MCKAY
 IAN J. MCKENZIE
 WILLIAM B. MCMURREY
 ROBERT C. MCPEAK
 JOHN M. MCQUILLIAMS
 DANIEL P. MEDFORD
 MATTHEW J. MELLINGER
 STEPHANIE E. MELTON
 ELMER MENDOZA
 CLAYTON C. MERKLEY
 TAYLOR S. MERRITT
 KIMBERLY I. METCALF
 JOSEPH S. MICHAEL
 HALEY B. MIDDLEBROOK
 CHRISTOPHER J. MIHAL
 CHRISTOPHER P. MIKULA
 CHRISTINE A. MILLER
 MARK E. MILLER
 MATTHEW L. MILLER
 ZACHARY P. MILLER
 CHI MIN
 JACOB A. MIRALDI
 EUGENE G. MIRANDA

JUSTIN A. MISHLER
 ANDREW C. MITCHELL
 MICHAEL H. MOBBS
 REGINALD MOISE
 ANDREW J. MONCRIEF
 JACK D. MOONEY
 DANIEL L. MOORE
 JUSTIN M. MOORE
 STEVEN K. MORELLI
 DANIEL O. MORENO
 ANDREW R. MORGAN
 WILLIAM J. MORGAN
 ROBERT W. MORRIS
 ZACHARY L. MORRIS
 AVERY L. MORTIMER
 AARON S. MOSIER
 KEVIN W. MOTT
 MICHAEL A. MUELLER
 PETER C. MUELLER
 JOHN T. MULLANY
 ALEXANDER G. MULLIN
 DREW M. MUMFORD
 ERIK L. MUNN
 ROBERT C. MUNROE
 JONATHAN V. MUNSON
 JEFF W. MUNSTER
 BRANDT A. MURPHY
 KYLE R. MURRAY
 MICHAEL L. MUSKUS
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 GARETT H. NAKAZONO
 JONPAUL S. NAVARRO
 SEAN M. NAVIN
 BENJAMIN B. NEELEY
 DANIEL R. NEFF
 CURTIS B. NELSON
 DAVID J. NELSON
 JACINTA NELSON
 MATTHEW D. NELSON
 PHILIP B. NERI
 JOSHUA O. NEWBROUGH
 MICHAEL T. NICHOLSON
 SAMUEL L. NICKLES
 KRISTINA A. NIEMEYER
 MATTHEW J. NILLES
 ANTONIO L. NIXON
 ADAM G. NORDIN
 JASON S. NORRIS
 DAVID C. NORWOOD
 JASON R. NORWOOD
 MUNIR NOUREDDINE
 SCOTT A. NUSOM
 JEFFERY R. OCONNOR
 MICHAEL K. OH
 KEVIN E. OHARA
 MICHAEL D. OLIVEIRA
 CHELSEY M. ONAN
 WILLIAM B. ONEAL
 SEAN P. ONEIL
 CHRISTOPHER R. ORLANDO
 MANUEL A. OROZCO
 ANDREW P. OSBORN
 COLIN B. OTOOLE
 VIREAK C. OUCH
 GEORGE D. OUELLETTE
 JEFFREY S. OWEN
 DANIEL P. PALMER
 EVAN B. PALMER
 CLIFTON R. PALMORE
 ANDREW M. PANNONZODARONCO
 EDWARD Y. PARK
 EUGENE Y. PARK
 CHRISTOPHER J. PARKER
 JOHN A. PARKS
 JACOB E. PARRISH
 EDWARD J. PARRY
 ANTHONY N. PARSAI
 JAY D. PARSONS
 BRANDON E. PASKO
 JONATHAN C. D. PATTEN
 JEFFREY A. PAUL
 JASON M. PAVLIK
 AARON B. PAYNE
 JOSHUA E. PAYNE
 JAMES M. PECK
 CHARLES R. PEGRAM
 DOUGLAS B. PELLETER
 MATTHEW W. PEREZ
 WILLIAM R. PEREZ
 SCOTT R. PERKINS
 KERNEY M. S. PERLIK
 SAMUEL C. PERLIK
 GREGORY P. PERRAULT
 JONATHAN V. PETERSON
 CHRISTOPHER V. PETRANCOSTA
 THO P. PHAM
 JON K. PHILLIPS
 KYLE D. PICKETT
 FOREST J. PIERCE
 DOMINIC M. PILERI
 JACK C. PINNEY
 CHASE A. PITTMAN
 JOSEPH D. PITTS
 JACK R. PLATE
 NATHAN K. PLAYER
 MICHAEL S. POLING
 ERIC J. POPE
 KENNETH R. POSPISIL
 ROBERT A. POUGH
 JESSE W. POWELL
 STEVE E. POWELL

KEVIN M. POWER
 SETH T. POWER
 MICHAEL R. PRATHER
 CHRISTOPHER L. PREECE
 TRAVIS E. PRIDE
 MICHAEL D. PRITCHARD
 DAVID E. QUANTOCK
 ZACHARY S. QUINTANA
 STACY A. RADER
 CHRISTOPHER J. RAISL
 JAMES E. RAJCHEL
 MARK D. RALSTON
 EDER C. RAMIREZ
 JUAN E. REBOLLEDO
 ARIES B. REBUGIO
 RILEY J. REDUS
 JEFFREY W. REESE
 RONALD R. RENEAU, JR.
 RAYMUNDO RESENDEZ
 BRIAN H. REYNOLDS
 WILLIAM R. REYNOLDS
 RITCHIE L. RHODES, JR.
 GEORGE H. RHYNE DANCE
 JAMES P. RICHARDS
 CLAYTON P. RICHARDSON
 LAWRENCE J. RICHARDSON
 JEFFREY R. RICKARD
 JEFFREY M. RIGNEY
 NICHOLAS A. RINALDI
 NORAI DA RIOS
 JUAN F. RIVERA
 JAMES R. ROBINSON
 PRESTON G. ROBINSON
 RYAN D. ROCKWELL
 RYAN E. RODRIGUEZ
 IVAN RODRIGUEZ HUERTAS
 JONATHAN D. ROLAND
 MATTHEW A. ROREBECK
 STEVEN C. ROSE
 JAY S. ROSEN
 JORDAN O. RUBIN
 HECTOR RUEDA
 ANDRE D. RUFF
 STEPHEN S. RUFF
 JUSTIN A. RUHOLL
 ANGEL L. RUIZ
 MANUEL L. RUIZ
 KIMBERLY L. RULLI
 CHRISTOPHER L. RUSSELL
 JAYSEN J. RYBERG
 JACOB T. RYKKEN
 GREGORY A. SABLAN
 ANDREW A. SADOUN
 BLAKE T. SAFKO
 PHILIP P. SAKALA
 ABRAHAM J. SALDANA
 NICHOLAS A. SALIMBENE
 GABRIEL M. SAMUDIO
 CONNOR R. SANDERS
 JOSEPH D. SANDERS
 JOSE R. SANTIAGO
 JARED A. SARGENT
 STEVEN J. SAXION
 JOSIAH D. SCHLESSMAN
 DONALD A. SCHMIDT
 DAVID N. SCHNAAK
 TYLER S. SCHOELLHORN
 JAMES R. SCHUBERT
 MICHAEL J. SCHULMAN
 STEPHEN F. SCHUYLER
 GEORGE R. SCHWARTZ
 ANDREW W. SCHWILK
 CHRISTOPHER J. SCOTT
 AARON E. SCULLY
 GREGORY R. SELPH
 PETER J. SEMANOFF
 BRANDON A. SHAH
 HARVEY J. SHAW II
 MICHAEL J. SHAY
 TIMOTHY W. SHEBESTA
 JESSE J. SHEEHAN
 KEVIN M. SHOUSE
 JOSHUA M. SIDER
 NIKOLAUS C. SIFERS
 HERIBERTO A. SILVA
 MICHAEL L. SIM
 ANTHONY D. SIMMONS
 MATTHEW L. SIMON
 MATTHEW R. SIMPSON
 THOMAS C. SIMPSON
 MICHAEL C. SIMS
 TAMMY L. SLOULIN
 ANDREW L. SMITH
 BENJAMIN J. SMITH
 BRIAN J. SMITH
 DAVID C. SMITH
 JORDAN H. SMITH
 KEVIN R. SMITH
 RYAN C. SMITH
 JONATHAN W. SMITHSON
 CHRISTIAN M. SNYDER
 ERIC B. SNYDER
 ASHLEY N. SOGGE
 JEFFREY M. SOLTZ
 RYAN C. SOMMER
 ANTONIO G. SOMOZA OQUENDO
 PHILIP SONG
 STEVEN R. SPALDING
 MARK S. SPIERING
 DOUGLAS W. STANSBURY
 AARON W. STARK
 MEGHAN E. STARR

BRANDON F. STAUB
 EDWARD G. STEBBINS
 ARNOLD J. STEINLAGE
 THEODORE J. STELIGA
 ANDREW J. STEVENS
 BRANDON D. STEVENSON
 THOMAS W. STEVENSON
 JUSTIN M. STEWART
 WESLEY C. STEWART
 MATTHEW R. STOCKTON
 SARAH C. STOCKTON
 CHRIS F. STOINOFF
 DANIEL R. STRATHMAN
 JEREMY T. STRAUGHTER
 RUSSELL M. STREIF
 SEAN E. STROH
 JUSTIN R. STUART
 GREG A. SUGUITAN
 JOEL M. SULLIVAN
 RYAN D. SWISHER
 DANIEL J. TABACCHI
 SEAN T. TAGUBA
 JOSEPH R. TAGUE
 STEPHEN R. TANGEN
 MICHAEL C. TAYLOR
 CHRISTOPHER J. TELLEY
 ANGELA Y. TEMPLETON
 JUSTIN S. THOMAS
 WALTER D. THOMAS
 KYLE A. THOMASON
 BRANDON M. THOMPSON
 KYLE J. THOMPSON
 ROBERT B. THOMPSON
 JUSTIN P. THORKILDSEN
 MILLER A. TISSON
 JOHN W. TOLIVER
 ADRIAN P. TOMLINSON
 JEB K. TOWNSEND
 THANG Q. TRAN
 CARLOS E. TRISTAN
 JOSHUA M. TRULOCK
 AARON J. TUCKER
 PHILIP L. TURNER
 WILLIAM J. TURNER
 ROBERT W. TUTTLE
 HOOSER P. F. VAN
 JOSHUA A. VANEPPS
 SETH T. VARAYON
 MICHAEL C. VEGLUCCI
 PERCY A. VELA
 ELIZABETH S. VERARDO
 STEPHEN R. VINSKI
 ANDREW J. VOGEL
 KYLE B. VONDERHEIDE
 ANDREW M. WADE
 JAMES P. WADE
 DANIEL J. WAGNER
 EDDIE D. WALKER, JR.
 ALEXANDER WALKER RODRIGUEZ
 MICHAEL P. WALLACE
 CHRISTOPHER J. WALLGREN
 GLENN R. WALTON
 STEPHEN D. WARDE
 JACOB W. WATSON
 TAYLOR S. WATSON
 BENNIE D. WEAVER
 KEITH T. WEAVER III
 JEREMIAH J. WEBB
 JAMES C. WEBSTER
 MICKALA S. WELSCH
 BRANDON M. WESS
 ADAM D. WESTBROOK
 SCOTT W. WESTCOTT
 KYLE D. WHIPPLE
 RYAN G. WHIPPLE
 JEREMY S. WHITE
 MONTAE L. WHITE
 DAVID M. WILLIAMS
 TREVOR E. WILLIAMS
 DEREK R. WILSON
 MICHAEL S. WILSON
 ROBERT H. WILSON
 MICHAEL J. WINCHESTER
 GORDON D. WINSLOW
 JEFFREY W. WISMANN
 JOSHUA J. WITHINGTON
 JOHN F. WLASNIEWSKI
 BRET P. WOELLNER
 DANIEL C. WOLGEMUTH
 MICHAEL P. WOLK
 JEFFERY A. WOLLENMAN
 JONATHAN M. WOLOSHEK
 ANDREW L. WONG
 FOREST P. WOODBURY
 ALEX J. WRAY
 MATTHEW A. WRIGHT
 GRANT T. WYFFELS
 GREGORY X. WYNN
 WILLIAM M. YANG
 RYAN M. YAUN
 NICHOLAS R. YETMAN
 DANIEL M. YORK
 MICHAEL A. YORK
 JACOB H. YOUNG
 JOHN L. YOUNG
 JOSEPH H. YURISICH
 DERRICK J. ZANTT
 JOSEPH C. ZDANIEWICZ
 AARON V. ZIKE
 D012697
 D012989
 D013031

D013093
 D013105
 D013156
 D013217
 D013239
 D013244
 D013261
 D013290
 D013483
 D013492
 D013540
 D013574
 D013617
 G010436
 G010445

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES ARMY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MARK P. ADAMS
 EMMANUEL T. ADENIRAN
 JOSEPH M. AGIUS
 JOSE J. AGOSTOGONZALEZ
 ALDO S. AGUIRRE
 PAUL M. AITCHISON
 ALAYHAM M. ALAWAJ
 ADAM R. ALEXANDER
 ERIC L. ALLEN
 JACQUELINE M. ALLEN
 THOMAS A. ALLEN
 MARC J. ALLERDT
 ROBERT F. ALSFELDER
 NICOLE L. AMSTUTZ
 ERIK S. ANDERSON
 ERIN L. ANDERSON
 MARK T. ANDERSON
 THOMAS J. ARMSTRONG
 WILLIAM A. ATWELL
 SAMANTHA AUSTIN
 WILLIAM R. AVERA
 AUGUSTE S. BADEL
 DAVID I. BAEZ
 CHRISTOPHER J. BAHR
 ELEANOR C. BALDENWECK
 REYNALDO E. BALDOZA
 ANTHONY R. BAMBA
 RICHARD T. BARKER
 ROBERT E. BARNETT
 MICHAEL P. BARR, JR.
 KYLE D. BARRETT
 MARKINNA C. BASKIN
 TIMOTHY R. BAULER
 JOHN A. C. BAYSE
 RANDY J. BECK
 MATTHEW J. BEIGH
 HEATHER H. BENJAMIN
 MARJANA E. BIDWELL
 ANTHONY R. BLACKBURN
 JOSEPH M. BLEWETT
 MATTHEW S. BLUMBERG
 STEPHANIE N. BOATMAN
 SIMONE T. BOEHMER
 ANDREW L. BOND
 KYLE D. BORNE
 JEREMY P. BOVAN
 JACOB A. BOWEN
 JAMARCO L. BOWEN
 JAMES C. BOWEN
 BRIAN D. BOYLES
 TYLER J. BRADLEY
 GRANT S. BRAMLETT
 GARREN M. BREMER
 JUSTIN T. BRISTOW
 JAMES C. BROOKOVER
 MARCUS S. T. BROOKS
 MATTHEW W. BROOKS
 CHRISTINA J. BROWN
 TANYIA N. BRYANT
 JOSE R. BURGOS
 MATTHEW C. BUSH
 LARON C. BYBEE
 JESSICA C. CADDELL
 JASON E. CADY
 STEPHEN D. CADY
 STEPHEN H. CALDWELL
 JOHN A. CAMERON
 JOSHUA A. CAMPBELL
 WILLIAM B. CAMPBELL
 WILLIAM C. CAMPBELL
 DAVID P. CANADAY
 ANTHONY J. CANNAMELA
 CHRISTOPHER J. CAPASSO
 VANNESA CARDENAS
 RANDALL T. CARROLL
 JARED A. CARTER
 JOSEPH M. CASEY
 GABRIEL CEBAN
 RANDALL CEDILLOS
 JASON M. CHAMBERS
 MICHAEL R. CHANDLER
 BRIAN D. CHAVIS
 NATHANIEL P. CHITTENDEN
 SEAN S. CHO
 YOUNG CHOI
 DAVID M. CLARKE
 MORTON R. A. CLARKE
 SIMON H. CLAYCOMB
 JOHN K. CLEMENS
 TRAVIS R. CLONCH
 ADAM L. CLONINGER
 AUGUSTON B. COBBA

JARED B. COHEN
 LONNIE M. COLBERT
 JOHN M. COLE
 JACQUE R. COLLINS
 NGOZI E. COLLINS
 MARYORIE E. COLON
 MONIKA COMEAUX
 DAVID L. COOK
 JOHN S. COOK
 MATTHEW L. CORBETT
 PAUL G. CORBITT, SR.
 NOLAN R. CORK
 CHRISTINA L. CORNELIUS
 JASON A. COUTURE
 ERIN N. COX
 TRAVIS L. COX
 TOBY CRANDALL
 COREY E. CROSSER
 DIANA CRUZ
 JOHN D. CUMBIE
 JASON D. CUMIFORD
 JOSEPH T. CURNOW
 BRENDAN M. CURRAN
 JOHN K. DALESSIO
 JORGE C. DAMIANI
 AARON C. DARENSBURG
 RICHARD F. DAUGHTRY III
 NATHAN A. DAVIES
 JOHN R. DAVIS
 JESSICA I. DAWSON
 CARLOS A. DECASTROPETELT
 DAVID S. DELAFUENTE
 RYAN R. DEMARCO
 KENNETH W. DEMARS
 BRANDON R. DEMERSKELLER
 NORMA P. DEVIESE
 JOSHUA D. DIAL
 CHARLIE V. DIETZ
 JOSEPH C. DIFRANCESCO
 NICHOLAS M. DILAROTTA
 RANDOLPH E. DONATHAN
 JARED S. DOUCET
 STEVEN W. DOWDY
 JOSEPH W. DOWNS
 ERIK D. DUBOIS
 JEREMY C. DUNCAN
 REGINA L. DUNLAP
 KEVIN D. DWYER
 JENNIFER E. DYRCZ
 SHERWOOD A. EARLE III
 JESSICA A. EDMONDS
 DENNIS J. EDWARDS
 BRANDON S. ELIASON
 PAUL C. ELLIOTT
 JESSE R. ELLIS
 RICHARD W. ELLSWORTH
 SEBASTIAN R. ENGELS
 DOUGLAS J. ENSMINGER
 JOSEPH J. ESQUIVEL
 ERIK FAGERGREN
 DAVID M. FAHS
 JUAN P. FELICIANO
 CHRISTOPHER B. FISHER
 SCOTT W. FITZGERALD
 ELMER FLORES
 TRAVIS J. FONDRK
 RICHARD W. FOOTE
 JEFFREY L. FORRY, JR.
 KYLE N. FRAZER
 COLBY Q. FREY
 STACEY F. FREY
 DONALD J. FRISCO
 SEAN M. FUTCH
 JEFFREY S. GAGLIANO
 CHRISTIAN A. GARNER
 SHANDA M. GARTH
 GARRETT T. GATZEMEYER
 DENNIS M. GENEST
 SARAH M. GERSTEIN
 ANDREW P. GILICK
 SHEMEIA T. GILMORE
 KELLY A. GIRAUD
 STEPHANIE M. GOGGANS
 AMANDA M. GOLDMAN
 KEVIN A. GOULDING
 DANIEL L. GRAVES
 JAMES A. GREEN
 KEITH G. GREER
 GARRICK I. GUICO
 JUAN C. GUTIERREZGONZALES
 LAWRENCE C. HAGGERTY
 KENNETH W. HAHN
 JEREMY D. HAINES
 KATHERINE R. HAIRSTON
 JOHN G. HALBERT
 JOHN R. P. HALL
 DENNIS M. HALLERAN
 THOMAS M. HALVERSON
 BRIAN G. HARDIN
 STEPHEN N. HARDWICK
 DREW P. HARGRAVES
 STEPHEN M. HARMON
 MARK D. HARRIS
 SCOTT B. HARRIS
 LOLA M. HARTSHORN
 CHASE A. HASBROUCK
 NICOLE L. HASH
 JEFFREY C. HATHAWAY
 JUSTIN J. HAWKER
 JUSTIN T. HEDDLESON
 MICHAEL R. HENRIQUES
 SHAWN D. HERRMANN

MICHAEL J. HILL
 CHARLES W. HINES
 KATRINA A. HIPPLEHEUSER
 JERRY L. HOLDAWAY
 JOHN L. HOLLAND
 BRYCE A. HOLLWEG
 CYNTHIA R. HOLUTA
 MICHAEL J. HOOPER
 DANIEL L. HOPKINS
 PAUL D. HOUK
 MICHAEL D. HRUSKA
 STEPHEN M. HUDAK
 STEPHANIE E. HUEBNER
 WILLIAM J. HUERTH
 JOSEPH L. HUITT
 DARIN K. HUNTER
 PEYTON C. HURLEY
 GRADY H. HUTCHINS
 MATTHEW R. HUTCHISON
 RYAN W. HUTSON
 JEFFREY A. HYSLOP
 DAVID A. IRVINE
 JAMES H. ISAKSON
 ELIZABETH S. JACKSON
 CARSON J. JACOBS
 WINSTON O. JAMES
 JEFFREY T. JAO
 JOHN B. JARNAGIN
 JOSHUA L. JEFFRESS
 JESSAMYN R. JEMPSON
 SANJAY JHA
 JOSHUA M. JOHNSON
 MICHAEL R. JOHNSON
 ERNEST B. JONES
 MICHAEL E. JONES
 CHAZ R. JORDAN
 IRA M. JORDAN
 HEATHER C. KAISER
 CHIDIEBERE U. KAMALU
 NATHANIEL M. KAMINSKI
 OMAR V. KASHMIRI
 JACOB D. KEATING
 THANE A. KELLER
 RUTH KELLY
 LEIGH C. KENNEDY
 RYAN E. KERTIS
 JEFFREY M. KIM
 JOHN K. KIM
 JOHN S. KIM
 DEZI J. KING
 JOHN F. KING
 KEVIN M. KING
 JAMES P. KIRBY
 CHRISTINA J. KNIGHT
 BRYAN M. KOLANO
 JASON P. KOONTZ
 KOSTYANTYN KOTOV
 KEITH A. KOZAL
 JOSHUA J. KRAUSE
 ROBERT J. KROLESKI
 RAYMOND A. KUDERKA
 TIMOTHY KUPPLER
 JEFFREY B. KUSYJ
 JAMES S. KWOUN
 RYAN T. LACEY
 AMEAA A. LAGO
 JASON P. LAM
 SHAWNTE N. LAMPKIN
 BEAUX B. LANE
 HAROLD M. LARSEN
 RYAN T. LEACH
 ANDREW J. LECHANSKI
 ALEXANDER J. LEDOUX
 JULIE A. LEGGETT
 BRIAN J. LENZMEIER
 DAVID R. LETTRICH
 ALAN G. LEUTTELE
 DOMINICK L. LEVAN
 SERGEY V. LEVOCHKIN
 SAMUEL W. LILLARD
 JOHN L. LIMAURO
 ADRIAN L. LIPTROT II
 CHARLES A. LITZ
 JENNA L. LOCK
 KALMAN S. LONAI
 RYAN M. LOVINER
 ASH T. LUBECKE
 CHANCE A. LUNDY
 RYAN M. LYNCH
 RYAN L. MABRY
 WAYNE O. MACKKEY
 DAVID J. MADDAFORD
 CHRISTOPHER R. MADYDA
 JOSHUA A. MAGNUSSON
 CANDRA K. MAITA
 ALEX D. MANIER
 SHAUN T. MANLEY
 ELIZABETH M. MARCUCCI
 RICHARD E. MARD IV
 STEVEN A. MARES
 CHARLES L. MARSHALL
 BENJAMIN L. MARTIN
 JAMES R. MARTIN
 JOEL A. MARTINEZ
 MICHAEL H. MATHEIS
 PETER R. MATONIS
 JOSHUA A. MAYER
 LUKE G. MAZGAJ
 JOSEPH W. MCCARTHY
 ANGELA S. MCCOWN
 KYLE D. MCELVEEN
 REBECCA L. MCGILLEY

RODERICK R. MCGRAW
 JOSEPH L. MCKINNEY
 SEAN F. MCKNIGHT
 IAN C. MCLEOD
 MATTHEW E. MCMILLAN
 DANIEL M. MCNAMARA
 ORLANDO M. MEDINA
 KEITH A. MERILLAT
 MATTHEW J. MERRILL
 ALEXANDER J. MEYER
 JERRY A. MICKA
 MICHAEL W. MILLER
 DAVID MOLINANUNEZ
 ERICK A. MONTALLA
 IFECHIDE MONYEI
 JOHN J. MOORE
 TRAUN C. MOORE
 MATTHEW F. MORGAN
 JOSHUA F. MORRIS
 KEVIN L. MORRIS
 MARK J. MORRISON
 ROBERT J. MORSE
 SHAWN M. MOSLEY
 ROBERT T. MOUNTAIN
 THOR A. MUNOZ
 JONATHAN D. MURRELL
 SAMINEO D. MYERS
 SHELDON R. NASH
 MARK D. NATALE
 MARVIN S. NELSON
 KIMBERLY A. NEMIER
 RICHARD N. NICHOLS
 JOSHUA C. NOBLE
 SCOTT M. NOLAND
 MATTHEW W. NORRIS
 DAVID A. NORTON
 LAUREN R. NOWAK
 TONY S. NUBER
 DERRICK L. NUMBERS
 DANIEL J. OCONNOR
 ERIC J. OCONNOR
 OLA I. OGUNLOLA
 AARON W. OLIVER
 RYAN N. OLIVER
 NICHOLAS P. OLSON
 ZACHARY R. OLSON
 SERENITY R. OMALLEY
 ETHAN M. ORWIN
 TRAVIS K. OSCARSON
 RUSSELL R. OSTERFELD
 NICHOLAS T. PANTIN
 MICHAEL J. PARISO
 AMANDA L. PARKER
 JULIAN L. PARSONS
 TYLER S. PASCHAL
 MICHAEL D. PATRICK
 MATTHEW R. PATRONIK
 JASON E. PATTERSON
 JOSEPH C. PAULEY
 AARON M. PETERS
 LARRY B. PHELPS, JR.
 KELLY M. PICKETT
 NOLAN W. PIERCE
 JEAN R. PIERRE
 VERNON PITTMAN
 JAMES D. PLEUSS
 LARESHIA D. POE
 AARON J. POLL
 CRAIG M. PORTE
 JEFFREY S. PORTER
 MATTHEW P. POTTS
 JAMES C. POWERS
 MATTHEW E. POWERS
 DANIEL J. PREISTER
 DONALD G. PRILL
 ANDREW R. PRUNTY
 JENNIFER L. PURSER
 RYAN M. PUTNAM
 MICHAEL D. QUIGG II
 MARK S. QUINT
 GARY W. RAINER
 JOEL M. RAINEY
 JOHN M. RAJCH
 MICAH A. RAY
 DARNELL F. REED
 DAVID D. REUTER
 WILLIAM B. RHOADES
 DANIEL S. RICHARD
 ROBERT D. RICKETTS
 KEA M. RIGGINS
 JOSHUA RIVERA
 JAMES L. ROBERTS
 RENE RODRIGUEZ
 CESAR H. ROJAS III
 KENDRA R. ROMAIN
 RALPH B. ROSEBOROUGH
 DANIEL D. ROTHENBERGER
 NICHOLAS A. ROTHWELL
 SEAN C. RUDDY
 LINDSEY D. RYAN
 JOSEPH L. SAGISI
 ANTONIO M. SALINAS
 DANIEL J. SAMOTIS
 ELIZABETH A. SANCHEZ
 GONZALO SANTIAGO
 ALAN J. SCHACHTNER
 ALEXANDER M. SCHADE
 CORY R. SCHARBO
 PATRICIA T. SCHMALTZ
 BRYAN J. SCHMIDT
 BRADLEY R. SCHMITT
 PRESTON M. SCHOENLY

CARL A. SCHROEDER
 SARAH B. SCHROEDER
 OLIVER J. SCHUSTER
 CARL E. SCHWEDE
 JOHN P. SCIMONE
 DANIEL R. SEIBEL
 CHARLES M. SEITZ
 ADAM G. SEYBERT
 SCOTT M. SHAFFER
 JACOB E. SHAHA
 JASON T. SHARRITT
 AARON J. SHATTUCK
 JONATHAN E. SHAW
 RICHARD E. SHAWGER
 GRAHAM P. SHELLEY
 DREW D. SHEPLER
 MATTHEW G. SHERBURNE
 OLUBUSOLA A. SHOKUNBI
 GEOFFREY L. SHRAGA
 SIRENA L. SIAS
 TIMOTHY F. SIMMONS
 DEREK D. SMITH
 DEXTER L. SMITH
 KYLE L. SMITH
 JOHANNA M. SMOKE
 GRACE SODERBERG
 JOHNNY W. SOKOLOSKY
 MATTHEW W. SONGY
 RANDY B. SOTO
 TIMOTHY P. SOUZA
 CHARLES M. SPEARS
 JEFFERY L. SPENCER
 MEGAN M. SPIELES
 ANDREW C. SPIESS
 NATHAN R. SPREITLER
 JOEL W. SPRINGSTEAD
 DANIEL J. STACK
 DAVID B. STAMPS
 SARAH A. STARR
 KRISTIN A. STELZER
 MALLORY L. STEPHENSON
 RYAN T. STEPHENSON
 ERIN A. STEVENS
 OLELATH K. STEVENS
 JOHN R. STMARIE
 JASON E. STUCK
 ERIC M. STURZINGER
 KANIA M. SUKARDI
 TAMMI L. SUMMERS
 WILLIAM G. SWAFFORD
 WINFIELD P. SWANTON
 BENJAMIN E. SWEENEY
 ABIGAIL L. TASSA
 GEOFFREY M. TERMAN
 JOHN A. TERMINATO
 TYLER O. TERRILL
 DEVON O. THOMAS
 CHARLES J. THOMSON
 WILLIAM F. THORNE
 FOSTER S. THORPE
 SAMUEL S. TIMMONS
 ALBERT J. TIMMRECK
 JAMES J. TORRENCE
 NATHANIEL TUCKER, JR.
 KEVIN W. TURNBLOM
 TRAVIS L. TYLER
 CHARLES A. UPSHAW
 BRIAN H. VAENI
 PABLO A. VALERIN
 ROBERT V. VANDENBERG
 CHRISTOPHER C. VANDERBURG
 BRETT S. VANFOSSON
 ORLANDO VARELA
 STEPHEN C. VONJETT
 ALISON S. WALLACE
 CHRISTOPHER A. WEBB
 MATTHEW R. WEBB
 JAKE R. WEBER
 JEFFREY D. WEGMEYER
 BENJAMIN R. WENDLAND
 SCOTT A. WIDENER
 NATHAN A. WIKE
 RYAN D. WILLIAMS
 MICHAEL D. WILLIS
 MALCOLM J. WILSON III
 STEFAN K. WILSON
 CLINTON W. WINLAND
 MATTHEW A. WRIGHT
 SERGIO C. WYLLIE
 KELSEY T. YOHIO
 JIHOON YOO
 STRATIE L. YOUNG
 JINSUK YUM
 TOR M. ZALESKI
 JERRY W. ZEVECKE
 DANNY Z. ZHU
 SHANNON P. ZORN
 D004513
 D011884
 D012282
 D012581
 D012736
 D012744
 D012834
 D012940
 D013008
 D013099
 D013214
 D013219
 D013238
 D013240
 G010267

G010332
 G010336
 G010352
 G010382
 G010388

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES ARMY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be major

AMIR A. ABUAKEEL
 ALEXANDER ACHEAMPONG
 JACLYN A. ADAMS
 SHAWN A. ADKINS
 JOHN D. AITKEN
 ROBERT L. ALI
 ALAN J. ALVIS
 PAUL D. AMIS
 BRIAN E. ANDERSON
 DOWAYNE L. ANDERSON
 JERRY O. ANDES
 JOHNJAMES K. ARTECHE
 HANNAH AUER
 JACOB Z. BAKER
 CRAIG M. BANNER
 JAMES L. BARLOWE
 NATHAN A. BARR
 ESTELA M. BARRIOS
 HOWARD J. BARROW III
 YANIA BATES
 CURTIS E. BAXTER
 NATHANIEL S. BECKETT
 ANTHONY BELLFIGUEROA
 BRADLEY R. BENJAMIN
 KARL E. BENNETT, JR.
 MICHAEL D. BENNETT
 HUNTER J. BERG
 CHRISTOPHER D. BIEBER
 NICHOLAS B. BINGHAM
 TIMOTHY L. BIRD
 BENJAMIN E. BIRTLES
 IAN W. BLACK
 TODD A. BLACK
 RANDALL W. BLAKESLEE
 MARCUS A. BLUNT
 RICHARD E. BOBO
 DREE V. BOGGS
 CESAR BONILLA
 CHRISTIAN J. BONNO
 RHONDA M. BOOTH
 RICHARD G. BOYES
 DAWN M. BRAUGHTON
 NICHOLE L. BRAXTON
 BRIAN BRENNAN
 ROBERT M. BRICKLEY
 ERIKA A. BROUSSARD
 JASON A. BROWN
 MATTHEW L. BROWN
 WILLIAM J. BUCHLEITNER IV
 ANGELA M. BULANDA
 BERNARDJAMES B. BUNAL
 WILLIAM D. BURCH
 PHILLIP E. BURRIS
 BRENDEN B. BURSON
 DANIEL A. BUSTAMANTE
 DARIEN L. BUTLER
 JOHNATHAN L. BUTLER
 MBUKOYO O. BUTLER
 SAMUEL G. BUTLER
 MEGAN C. CAIN
 PATRICIA J. CAMERON
 COREY D. CAMPBELL
 ELIZABETH F. CANTRELL
 MATTHEW M. CAPPS
 NICHOLAS J. CARELAS
 ANTHONY W. CARLSON
 JOHN M. CARRIA
 MICHAEL J. CARROLL
 CORY R. CARTER
 FRANK CASTRO
 THOMAS W. CAYIA
 VERONICA CELIZ
 DANIEL W. CHANDLER
 DANNY C. CHARLES
 LAWERENCE E. CHARLES
 RORI J. CHRISCOJANKER
 WHITNEY L. CisseLL
 KRISTINA N. CLARK
 CHRISTOPHER J. CLONES
 JEREMY G. COATES
 JOSHUA G. COBB
 SHERON L. COLLINS
 CALEB S. CONANT
 SARAH D. CORDOVA
 DANIELLE K. CORK
 RAVEN A. CORNELIUS
 RYAN C. CORNELLDECHERT
 DEWEY A. COURTNEY
 CHRISTOPHER L. CRAGER
 ANDREW J. CROWE
 MICHELLE L. CROWE
 FORREST E. CURETON
 BENJAMIN P. DALTON
 THOMAS M. DANNENBERG
 JOHN R. DART
 TAMARA A. DASILVA
 JESSICA D. DAVILA
 ANGELA L. DAVIS
 CHARLES N. DAVIS, JR.
 JEFFREY W. DAVIS II
 MICHELLE L. DAVIS
 KEVIN A. DEAN

BRIAN D. DEERIN
 MARK P. DEGEN
 STEVE L. DELEON
 TIMOTHY P. DEMERATH
 LEKISA M. DEMPSEY
 CHRISTOPHER R. DEVENPORT
 ADAM F. DIGIOVANNI
 RYAN T. DITTMER
 NGOCUYEN T. DO
 CAMDEN P. DONNELLY
 LINDSAY A. DUDLEY
 YOON G. DUNHAM
 DANIEL P. DUPLESSIS
 TANNER J. DURHAM
 ELIZABETH A. DZWONCZYK
 JASON H. EATON
 KIMARD D. EGLETON
 KINARD R. EGLETON
 BRIAN D. EHRENHEIM
 MELISSA J. ELLEDGE
 KIMBERLY L. ELLENBURG
 ERIC J. ERICKSON
 RICHARD M. EZELL
 MICHAEL C. FAGER
 CASSONDRA N. FAIR
 SPENCER K. FARMER
 STEPHEN J. FEEHAN
 AMANDA L. FEINDT
 KARENGAIL N. FERNANDO
 ROBERT A. FERTIG
 KEITH A. FETTER
 LACARLA M. FETZER
 NATHAN R. FIELD
 GREKII Y. FIELDER
 KURT L. FINDLAY
 WESLEY E. FINK
 AARON C. FOIST
 ELVIN J. FORTUNA
 THERESA F. FOUA
 MICHAEL A. FRAZIER
 JONATHAN W. FREDERICKS
 BRANDON B. FRIDIA
 ROBERT B. FROBERG
 TIFFANEY R. FRYSON
 LEAH M. GANONI
 ANTONIO C. GARCIA
 DAVID C. GARCIA
 MARCOS R. GARCIA
 BRYANT J. GARNER
 TERENCE D. GASPICH
 THEODORE U. GEBHARDTSBAUER
 JOHN A. GERMANCERI
 JUSTIN L. GERRON
 NATHAN J. GILDEN
 ROGER L. GINDLESPEGER, JR.
 RUSSELL W. GLASS
 NATHANIEL L. GLENN, JR.
 SEAN T. GODFREY
 MICHAEL J. C. GOMEZ
 KAI A. GONSALVES
 NATHAN E. GONTARZ
 THOMAS R. GORMAN
 RICKY A. GRANT
 CARO V. GRAY
 CHRISTOPHER H. GRAY
 JENNIFER O. GUERRA
 JANMICHAEL T. GUILLERMO
 SHANA L. GURLEY
 MICAH J. HALL
 MARK R. HAMILTON
 BENNETTA L. HAMM
 LOUIS C. HARE
 TERRY HARGRAVES
 CHRISTOPHER J. HARMON
 PAULA J. HARRELL
 ANTONIA D. HARRIS
 MILES T. HAURITZ
 JEFFREY J. HAYS
 BRADLEY J. HEINLEY
 PHILLIP D. HETTEBERG
 CHRISTOPHER H. HEUGHAN
 ROBERT B. HEYWOOD
 KEVIN A. HICKS
 ANDREW J. HIGGINS
 LUKE P. HIGH
 EDWIN A. HOCKER
 PHILLIP M. HOFFMAN
 JOHN N. HOLCOMB
 JOSEPH H. HOLLISTER
 KEVIN D. HOLLOWAY
 NATHANIEL W. HOLMAN
 HAL W. HOOGSTRA
 JOSHUA P. HOOPER
 MATTHEW S. HOPCHAK
 DERREK T. HOPPER
 JASON L. HORTON
 KENNETH T. HORTON
 KHANDOKER M. HOSSAIN
 BALLAH HOWARD
 MICHAEL J. HUDDLESTON
 WALTER G. HUEWITT, JR.
 CHAD R. HUGGINS
 JEREMIAH M. HUNT
 JOHN A. HURD
 MICHELLE L. HUTCHINSON
 JESSICA M. HUTH
 DONG Y. HYUN
 JOSEPH A. IANNITTI
 CRAIG M. IWEN
 FRANKIE J. JACKSON
 GREGORY S. JACKSON
 XAVIER M. JACKSON

JAMES G. JACOBS
 CHRISTINA H. JAMES
 DEZERIE N. JEMMOTT
 LAWRENCE V. JENKINS III
 MICHAEL R. JOHNSON
 KRISTEN D. JONES
 TESSA A. JONES
 VERONICA D. JORDAN
 SCOTT C. KAMP
 BRYAN V. KELSO
 JULIE M. KENDRICK
 JOHNNATHAN S. KENNEDY
 ERIK T. KIFUNE
 DAE Y. KIM
 AARON D. KINDER
 CURTIS N. KINZEY
 THOMAS C. KIRKPATRICK
 MICAH J. KLEIN
 MICHAEL W. KLEMMER
 YURIY KNYSHEV
 JEFFREY W. KOCHAN
 MATTHEW S. KOTOWSKI
 MICHAEL A. KRIVENSKY
 WALTER E. KRUSE
 SHIVNESH S. KUMAR
 JACOB C. KUNZLER
 JASON R. LANGER
 TARA M. LARSEN
 JOSHUA M. LAWRENCE
 STEPHEN C. LAWSON
 ALBERT D. LECOUNTÉ
 JONATHAN D. LEGGETT
 JULIA C. LENSING
 TANYA M. LEONARD
 JORDAN A. LESTER
 SCOTT A. LITTLE
 TEREZ M. LITTLE
 ALLISON L. LOMBARD
 CHARLES H. LOVERUDE
 FAITH F. LOZANO
 RICHARD A. LOZANO
 DAVID A. LUKEFAHR
 DARRELL L. LYLES
 JENNIFER E. LYONS
 JUSTIN D. MACHT
 MICHAEL M. MADISON
 MIRANDA Y. MAGEERESE
 AARON S. MANN
 ROVI M. MARTIN
 JOSEFINA M. MARTINEZ
 JUAN G. MARTINEZ
 ORLANDO J. MARTINEZKIANEZ
 MICHAEL S. MAULDIN
 MARYKATHRYN M. MAXHEIMER
 MARK R. MAY
 JOSHUA L. MCCASLIN
 AUBREY D. MCCAULEY
 MICHELLELYNN F. MCDEVITT
 CURTIS M. MCDONALD
 TIMOTHY MCGEE
 JAMAIL R. MCGLONE
 MICHAEL J. MCGOWAN
 TODD D. MCMILLAN
 BRYANT L. MCMILLIAN
 THELMA L. MCQUARLEY
 JOSHUA S. MEADOR
 ERICK M. MENDOZA
 NATALIE L. MENG
 KRYSTAL A. MERCHAN
 JAMIE D. MICHEL
 KEVIN J. MICHEL
 CHRISTOPHER L. MILES
 BENJAMIN D. MILLER
 CAYATRA C. MILLER
 BURTON H. MILNOR, JR.
 ROBERT W. MITCHELL II
 PAUL L. MOELLER, JR.
 CRYSTAL D. MOORE
 ARIANNA D. MORELL
 ZACKARY H. MOSS
 NAKESHA L. MOULTRIE
 KATE C. MURRAY
 LESIA M. MURRAY
 JACQUELINE H. MURRAYBONNO
 JEFFREY G. NEAL
 ROY J. NEIL, JR.
 STEPHEN M. NEPPL
 JOSHUA J. NEWBY
 KEVIN R. NICHOLAS
 MICHAEL J. NICHOLLS
 CHRISTY L. NICHOLS
 KRISTOPHER D. NICHOLS
 JOHN P. NIKIFORAKIS
 BRIAN T. NOBLE
 CHRISTOPHER J. NOLL
 DANIEL V. NOSSE
 ZACHARY A. NOVITSKE
 KATHY L. NOWAK
 AMANDA K. OBLEY
 FRED W. ODUKA
 MICHAEL O. OKEOWO
 HENRY OKOROAFOR
 BENJAMIN J. OLSEN
 JOSEPH R. OLSON
 SEAN P. OMALLEY
 TAMARA J. ONEAL
 KIMBERLY M. ORDONEZ
 BRIAN J. ORLINO
 WILLIAM A. ORTEGAGUERREIRO
 PEDRO PACHECO
 CLINT C. PAJELA
 ZACHARY D. PALKO

APRIL D. PALOMAR
 KYE E. PANNELL
 VICTORIA L. PARRISH
 KENNETH S. PATTERSON
 THOMAS L. PATTERSON
 TANYA V. PAYNE
 CHIQUITIA S. PEARSON
 DANIEL L. PECHACEK
 JOSHUA L. PEEPLES
 ANDREW E. PEKAREK
 HAROLD PEREAJIMENEZ
 ARMANDO PEREZ
 LINA V. PEREZ
 MICHAEL G. PESANO
 LOREN N. PETERSEN
 CHERQUIRIA L. PETERSON
 MATTHEW T. PETERSON
 SHERMAN PINCKNEY
 JEREMY R. PINSON
 TYNIA E. N. PINTER
 JOSEPH W. PITTARD
 RYAN M. PLEMMONS
 DAVID A. POE
 MATTHEW K. PORTER
 JUAN C. PRATTS
 MONIQUE M. PULLIN
 PATRICIA A. PUTNAM
 BRANDON A. PYE
 KHADINE R. QUASHIE
 JEROME C. RAATZ
 CRAIG M. RAINES
 JAMES RAINEY III
 SEAN C. RALEIGH
 JOHN P. RAWLINSON
 ANGELA M. REABOLD
 JOHN P. READ
 SHERILYN F. REED
 AARON S. REEDY
 WILLIAM J. REINSTATLER
 NATHANIEL A. RICE
 WAYNE D. RICHEY, JR.
 RICHARD J. RICKETTS IV
 MARIA E. RINALDI
 FREDDY RIOS
 VERNELL L. RIXNER
 BRIDGET D. ROBBSHAW
 KERMAN A. RODRIGUEZ
 DANIEL J. ROMERO
 JOSE C. ROMERO
 CRYSTAL A. ROREBECK
 CHASTITY L. ROSS
 CHRISTOPHER C. ROYAL
 GARRETT D. RUUD
 JOHNNY SAHAGUN
 CLEFF M. SALADINO
 JUAN C. SALAS
 DION R. SAMUEL
 MATHEW J. SCALISE
 CHRISTOPHER N. SCHKERKE
 WILLIAM R. SCHMIDT
 MATTHEW R. SCHNELLER
 BENJAMIN J. SCHUPPEL
 JOHN F. SCHUSTER II
 MELISSA S. SCHWARZ
 ANDREW J. SEE
 JEFFREY R. SEITZ
 CHRISTINA C. SHELTON
 ADAM T. SHEVOCK
 NIYA SHIPP
 ERIC W. SHUMPERT
 NEAL J. SIVULA
 MERCEDES B. SKIDMORE
 JESSICA F. SMITH
 LEHMAN F. SMITH III
 MUSHAWN D. SMITH
 ANTHONY M. SOIKA
 CHARLES T. SOLAITA
 JEFFREY T. SOWECKE
 STEVEN M. SPIKER
 JAMES P. STAGGS
 LLOYD J. STERLING III
 LEWIS N. STEVENSON
 MICHAEL D. STEWART
 KRISTIE M. STUCKENSCHNEIDER
 KEITH D. STUTTS
 ALICE SYLVESTER
 SHAWN S. TAJALLE
 DEAN W. TALLANT
 RYAN W. TALLANT
 ERICK B. TAYLOR
 MICHAEL W. TAYLOR
 LACHINA T. TAYLORTROTMAN
 DARREN K. TEMPLETON
 ERIC J. TERRELL
 JARED D. THARP
 RONALD N. THENN
 ANDREW T. THOMAS
 MICHAEL B. THOMAS
 PETRA L. THOMAS
 GABRIELA S. THOMPSON
 ERIC T. THORNBURG
 MAGALY R. THURMAN
 ANGEL L. TOMKO
 JUSTIN D. TONELLI
 MICHELLE E. TROESCH
 KONSTANTINOS N. TSILIANOS
 JASON B. TURNER
 JOHN M. TURNER
 MATTHEW R. UPRIGHT
 NATALIE S. UPWARD
 PEDRO VALDES
 KURTIS P. VANALLEN

JAMIE D. VESTAL
 RYAN E. VIDAURRI
 OMAR VILLAFANE
 ADAM C. VOGEL
 PENNY M. VOLINO
 JOHNNATHAN M. WAGNER
 DARRYL A. WALKER
 MICAH A. WALKER
 TYESHA N. WALKER
 DAVID A. WALLACE
 STEVEN J. WALLACE
 RYAN A. WARNHOFF
 KORNELIYA S. WATERS
 MICHAEL J. WATKINS
 DARLENE L. WEAVER
 VERNON E. WEBB
 DAVID A. WEINREICH
 BRANDON M. WEISS
 MELONIE A. WEST
 MILENA I. WILLIAMS
 ROBBIE F. WILSON
 RYAN C. WILSON
 LASHONDA W. WISE
 MELANIE M. WOLFE
 JACOB A. WOOD
 LATORAY A. WOOD
 SAMMY R. WOODBURN
 JOSHUA D. WOODRUFF
 KEVIN J. WRIGHT
 YAW D. YAKUBU
 JEREMY L. YAMA
 EUNSEOK YOO
 MARK A. YORE
 CHARLES C. YORK III
 SHERITA L. YOUNG
 DREW ZABRISKIE
 D011714
 D012452
 D012474
 D012799
 D012999
 D013032
 D013195
 D013242
 D013352

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

VANESSA R. ASMUS
 GARTH T. BEAVON
 PAULA J. BECKER
 BRYANT A. BOOHAR
 WAYNE T. BRANOM III
 KYLE V. BURGAMY
 VICTORIA L. CAMIRE
 JOSHUA M. CARTER
 DAVID M. CLASSEN
 CHRISTOPHER CLAUSEN
 COURTNEY M. COHEN
 JESSICA B. COLSIA
 ANDREW J. CORIMSKI
 BRETT A. CRAMER
 KATE V. DAFOE
 TIMOTHY A. DAVIS
 KATHERINE L. DEPAUL
 BRYN P. DETTMER
 CHRISTOPHER D. DONLIN
 COLLIN P. EVANS
 EDWARD S. FAIELLO III
 BLAKE A. FELDMAN
 JAMES M. FLANAGAN
 MATTHEW A. FREEMAN
 TODD C. GATELY
 CHRISTOPHER D. GOREN
 THOMAS P. GOWER
 SAMUEL W. GRABILL
 WILLIAM M. GRADY
 GAVIN G. GRIMM
 JODIE L. GRIMM
 JAMIE L. GURTOV
 MATTHEW W. HAYNES
 MITCHELL D. HERNIAK
 STEVEN C. HIGGINS
 PATRICK A. HOLLY
 HSIENJAN HUANG
 JOHN F. HUMMEL
 SIMONE L. JACK
 MATTHEW M. JONES
 IAN T. KLINKHAMER
 CHRISTOPHER J. KOSCHNITZKY
 TIMOTHY J. KOTSIS
 JEFFREY D. KYLE
 ERIK D. LAPIN
 DANIEL A. LARSON
 VIVIAN M. LEAVENS
 BLAKE A. MARTIN
 FELIX S. MASON
 TIMOTHY J. MATHEWS
 TIMOTHY J. MINTER
 MATT D. MONTAZZOLI
 JESSICA J. MORALES
 DANIEL M. MOW
 MICHAEL E. MURRAY
 JOSEPH G. NOSSE
 JUSTIN L. NOTTINGHAM
 ANTONIO J. PATACA
 JAMES L. PAUL
 JOHN P. POLICASTRO
 CHRISTOPHER B. RICH

JAMES P. ROBINSON
CORY T. SCARPELLA
JOSHUA P. SCHEEL
KALIN P. SCHLUETER
PATRICK J. SCUDETRI
JACLYN E. SHEA
DANA M. SHERMAN
JOHN E. SHUTT
JONATHAN C. SIEGLER
PAUL W. SILVER
MATTHEW A. SINOR
CURTIS C. SMITH
KATHERINE M. SPANNAGEL
NEIL C. STAUFFER
KEITH A. STEWART
STEVEN P. SZYMANSKI
DAVID R. TALBOTT
MATTHEW J. TEXTOR
GREGORY A. VETTERE
AMANDA L. WALBURN
KRISTOPHER J. WHITTENBERGER
JAMES A. WOODRUFF
RYAN T. YODER
DOI3007

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MICHAEL C. FLYNN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

STEVE L. MARTINELLI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

JENNIFER M. BAGER
DAVID A. BAKER
JEREMY T. BEAUCHAMP
SHERYL A. BEDNO
JASON D. BOTHWELL
LYNDEN P. BOWDEN
DUSTIN L. BOYER
KARL W. BREWER
MILLARD D. BROWN III
JAY R. BUCCI
JESSICA L. BUNIN
CHRISTIAN L. CARLSON
DANIEL W. CARLSON
WESLEY A. CLARKSON
CHRISTOPHER J. COLOMBO
JONATHAN M. DAVISON
LAURA DAWSON
MARK E. DEMICHIEI
MICHAEL S. DEMPSEY
KIMBERLY M. DEVORE
NICOLE R. DOBSON
SEAN N. DOOLEY
MATTHEW N. FANDRE
MELISSA A. FOROUHAR
SEAN J. FORTSON
TRAVIS C. FRAZIER
RANDALL FREEMAN
CASEY J. GEANEY
BRANDON J. GOFF
WILLIAM J. GRIEF
MATTHEW E. GRIFFITH
ELIZABETH A. GROSSART
MICHAEL T. HAMILTON
BRIAN A. HEMANN
JAMES R. HEMPEL
KIMBERLY W. HICKEY
KEVIN A. HORDE
MATTHEW T. HUEMAN
MARC A. HULTQUIST
DEREK F. IPSEN
CHRISTOPHER G. IVANY
LINDA G. JACKSON
JEREMY D. JOHNSON
ADAM B. KANIS
JASON D. KENDELHARDT
KENNETH D. KUHN
PAUL O. KWON
CRAIG S. LABUDA
WALTER S. LEITCH
GEORGE T. LEONARD
STEPHANIE L. LEONG
THOMAS R. LOVAS
JASON D. MARQUART
ERICK MARTELL
SCOTT F. MCCLELLAN
MARSHALL C. MENDENHALL
CHRISTOPHER D. MEYERING
MARK W. MEYERMAN
JAMES E. MOON
ANDREW R. MORGAN
PHILIP S. MULLENIX
KEVIN M. NAKAMURA
KENNETH J. NELSON
KARIN L. NICHOLSON
THOMAS E. NOVAK
SCOTT C. ORR
WILLIAM D. PORTER
DAVID L. SAUNDERS

BRADFORD J. SCANLAN
SEAN T. SMITH
JONATHAN R. STABILE
COURTNEY T. TRIPP
EDUARDO M. VIDAL
JACK R. WALTER
PAIGE E. WATERMAN
RONALD S. WELLS
THOMAS M. WERTIN
BRADFORD P. WHITCOMB
PAUL W. WHITE
EUGENE W. WILSON
RAMEY L. WILSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

ALFRED C. ANDERSON
ELLIOTT BERMUDEZCOLON
SO B. CHOI
TYRUS N. HATCHER
JON D. LIBBESMEIER
KENDALL R. MOWER
JAY R. OWENS III
SCOTT RANKIN
JENNIFER V. SABOL
ROBERT J. SELDERS, JR.
GARY STONE
KELLEY TOMSETT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

KENNETH AHORRIO
RAINA D. ALEJOS
HEATHER R. ALSUPMORTON
BENJAMIN P. ALTHUISIUS
PATRICIA L. ALVAREZ
MONINA C. ANCHETA
DON C. ANDREWS
JAMES A. ARD
GLENTON I. ATWELL
MARY M. AYRES
JOANNA A. BAILEY
TRACEY T. BALDAUF
HEATHER R. BARTON
LEE D. BENDICKSON
DAVID M. BLANK
SUSAN J. BROWN
TANISHA L. BRUNS
JASON T. BRZUCHALSKI
DANIELLE L. BUCHS
LAURA L. CACKLEY
LATONIA F. CASON
RICHARD T. CETKOWSKI
STACY A. CLEMENTS
KAREN E. COLON
KATHERINE L. CONVERSE
MAURICIA J. DAILEY
ANDREW R. DAVIS
JOBY L. DENNY
TROY D. DILMAR
DEIDRA R. S. DODD
MATTHEW P. DOELLMAN
KIM S. DORTELUS
SHARON D. DOUGLAS
DAPHNE A. ELLIS
ROBERT A. FABICH, JR.
LESLIE K. FARRIOR
SHINITA L. B. FAVORS
AMANDA R. FERGUSON
ALLISON L. FERRO
GAYLE E. FISHER
YOSEF FUFU
CHRISTYN A. GAA
JOSHUA D. GADD
JORDAN P. GAMMONS
KEITHBARRY L. GARCIA
JESSE M. GOSSETT
LISABETH P. GROVE
AMY M. HAMMOCK
RENEE T. HART
STEPHANIE S. HAYES
ACIE M. HAYRY
SARAH E. HENSLEY
JONATHAN W. HODGES
LAMARR K. HOWELL
AMY L. JACOBS
CASSANDRA P. JAMES-IVERY
MELISSA M. KALIS
JOSEPH E. KELLOGG
JULES Q. KENNEDY
JI Y. KIM
WILHELM A. KOGLER
WENDY M. KRULL
ZACHARY J. KUFAHL
BRITTANY H. KULL
RHONDA K. LEARY
CYNTHIA B. LEE
LINDSAY J. LESKANICH
MEGAN E. LORENZ
BRIAN M. LOWERY
MICHAEL S. MACEACHERN
LAURA C. MARTIN
JEANETTE E. MARTINEZ
KATE M. MCCLOUD
TAYLOR K. MCMURDO

JIMMEDDA L. MILLS
BETTY L. MOORE
BEVERLY D. MOORE
GARY J. MOORE
LAUREN N. NASH
JEFFRY T. NEGARD
TRACY L. OUTLAW
CRAIG L. PAINE
ANDREA M. PAPA
ELIZABETH A. POINDEXTER
RONALDO D. PRUDENTE
TREVOR J. READ
EURANA A. RODRIGUEZ
ROBINSON RODRIGUEZ
TARA J. ROMAN
MARISOL ROSA
ELIZABETH RUIZ
JULIA T. RYAN
MARIAM K. SABAS
PETER A. SHELLABARGER
KARLENE P. SIERRA
NEIDRA D. SIMMONS
PAMELA J. SIMONDS
MARILYN SOTO
JUSTIN J. SPEARS
RYAN L. STANFIELD
AMY S. STAUB
INDIA R. STOVER
ANGELA L. STRAKER
EARL M. STUTZMAN
THERESA M. SUGGS
DOUGLAS A. TAYLOR
MARTINA O. TAYLORCAMPBELL
LATONIA R. THOMPSON
ASHLEY D. TORRENCE
DANIEL J. TUNISON
AMY M. UPDIKE
ELIZABETH A. URBANSKI
CHARLES D. WALKER
ROGER WEBB
LAKESHA L. WILLIAMS
PATRICIA L. WILLIAMSON
BETHANY R. WITTNAM
MARC R. WONG
MATTHEW M. WYNN
LATHASHA L. WYTCBURGESS
YEO C. YOON
FRANCES R. YOUNG
JACQUILINE T. YOUNG
KARA J. YOUNG
LUZ E. ZAMBRANO
JUDIZA L. ZELAYA
PAUL W. ZIEGLER III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

TOLUPOE O. ADEYEMI
BOMA O. AFIESIMAMA
AMY A. ALHEIM
AMANDA L. ALLEN
PAMELA R. ASKEW
DEREK J. AUBEL
CHRISTOPHER BAGLIVO
MICHAEL A. BAKER
ARMAND L. BALBONI
SETH D. BALDWIN
MELISSA F. BALTAZAR
PAUL V. BANKSTON
MANUELA A. G. BAULDY
CAMILLE I. BETTITO
SHUBHRA BHATTACHARYAJONES
JEFFREY D. BIDDULPH
REBECCA A. C. BLOOD
GREGORY P. BODENSTEINER
STEVEN G. BREWER
JOHN R. BROUSSARD
STERLING O. BROWN
SUMMER M. BROWNELLIS
JARED H. BRYNILDSEN
TREVOR R. BUCKLEY
LUIS G. CALLECARDENAS
ROMMEL B. CAMANGE
BERNARDO C. CARBO
JAMES C. CAREY
JOSEPHINE CARPANZANO
KATHERINE A. CARR
VALERIE L. CARSON
EILEEN C. CASSIDY
JOSHUA T. CAUSEY
WILLIAM C. CAVE
CHRISTOPHER S. CHAMLEE
ADAM E. CHARLES
MEGAN M. CHAVEZ
CHARLES H. CHOI
ROBERT E. CHU
NICOLE M. CINTRON
HERBERT W. CLAYBURN
JORDAN M. COBURN
KELLEY C. COLLINS
LOIS A. COLWELL
DANA M. COOK
THOMAS J. COSTEIRA
CHARLES S. COX, JR.
STEPHEN L. CRIMMINS
ADAM B. DAVIES
FREDRICK D. DAVIS
SUEHAYDEE DECHAUNY
ROBERT B. DIXON
CHRISTOPHER W. DRAKE

MONTY B. EDWARDS
BRADLEY S. ELLIS
JOSE H. ESPINOZA
SHAWN A. FITZGERALD
GREGORY J. FREDERICKS
GARY FREEMAN, JR.
LANCE R. FREEMAN
GABRIEL O. GANDIA, JR.
WILLIAM E. GARRISON
TRAVIS R. GILCHRIST
BEVERLEY S. GOFFINET
LETICIA GONZALEZ
JASON W. GREEN
JAMES J. GREENE, JR.
AARON S. GRIFFIN
JONATHAN P. HAINES
GLENDA HANNAOANES
RAYMOND W. HANSON
SCOTT M. HAROLD
SIGRID L. HARRISON
KEVIN L. HAYES
KRISTA M. HERNANDEZ
CATHERINE J. HERRERA
ERICK M. HEYGOOD
MARIE A. HOFFMAN
EMILY B. HOLCOMB
MARY K. HOURIHAN
JAMES H. HSIAU
VIOLET L. HURD
JENNIFER B. HUSBANDS
DONALD D. INGRIM
JENNIFER J. JACKIW
GARRION L. JACKSON
GARRETT E. JOHN
JAREE L. JOHNSON
VICTOR M. JOHNSON
DANIEL T. JONES
PAMELA D. JORDAN
WALTER N. KAER IV
CHRISTOPHER W. KAHN
BAISHALI KANJILAL
WILLIAM J. KELLER
MONIQUE C. KENNERLY
CLARENCE L. KETTERER
SEAN M. KILEY
APRIL M. KIMBLE
DAVID A. KINGERY
KERRI D. KLINGSEIS
LYNDSAY A. KNOBLOCKFAST
BRIAN D. KNOTT
NICKALOUS A. KOR BUT
JEFFREY R. KUGELMAN
ERIKA L. LANDERS
RYAN R. LARSON
CHEWANDA E. LATHAN
ESMERALDA L. LINAN
RYAN J. LINDELL
KATHERINE E. LITTLE
TODD E. MANDLEY
KENNETH R. MARTENS
BRYANT O. MASSENBURG
JESSICA L. MAXIM
SARAH J. MCCREIGHT
STEVEN E. MCDANIEL
BARBARA L. MCGILL
LEE P. MCPHATTER
JOANNE A. MEDINA
WILLIAM J. MENNIS
WILLIAM R. MESSICK
LEAH H. MISIALEK
JOSEPH C. MOEN
SAMIRAH A. MOHAMMED
MATTHEW S. MOORE
STEFANIE K. MOORE
CHRISTOPHER E. MORGAN
JACOB B. MORTON
ROBIN A. MULLINS
DANIELLE D. MURRAY
OTTO R. NADAL
ROBERT J. NADEAU
FE M. NALL
JEFFREY C. NASON
KYLE R. NEBELSICK
KEN NGUYEN
TRIET M. NGUYEN
ERIC V. NI
GODFREY K. NKWANTABISA
SHANNON D. NORDEN
JASON P. NORLIEN
JOHN A. OKOLO
MYONG H. PAK
THOMAS J. PATTERSON
JOSEPH A. PEABODY
JOSHUA A. PERRY
SHEA E. PHILLIPS
EDWIN A. PIERCE
EMANUEL PIERRE
JENNIFER R. POWERS
STEVEN L. QUINN
TOBIN A. RADER
JAMEL M. REESE
JOSEPH M. REMESZGUERRETTE
EDWARD R. ROACH
TOYA ROBINSON
JOSE H. RODRIGUEZ
JASON A. ROGERS
INO M. RUIZ
ELIZABETH A. SALL
LATISHA J. SCOTT
RUSSELL E. SCOTT
ELIZABETH A. SEBERO
SEUNG P. SEO

SCOTT E. SERONELLO
SEAN C. SHEPPARD
BONNIE L. SHORT
DENA G. SHORT
JON R. SHORT
TRAVIS C. SIMMONS
SEAN L. SPENCER
JONATHAN M. SPIKES
BOWMAN J. SPILLANE
SCOTT E. STANLEY
LEAH M. STEDER
BRYAN H. STEWART
JENNIFER L. STIDLEY
WESLEY N. STOKES
STEPHANIE M. STRESSMAN
EBONY M. STUBBS
BRENDA S. SUMNER
JOANN A. TAALIB
JAMES A. TAYLOR, JR.
MATTHEW D. TAYLOR
BENJAMIN G. TESFAYE
ROBERT C. THORNTON
ANDREY V. TSEPELEV
THOMAS A. TUCKER II
DAVID W. TYSON
ALEJANDRO J. VALENZUELA
KYLE P. VANDINGSTEE
DAVID S. VISE
KELLY J. WALKER
TED P. WALKER
WALTER A. WALSH, JR.
TIMOTHY W. WARNER
TERICKA L. WASHINGTON
KELSHA D. WEAVER
AMANDA R. WEBB
STEVEN R. WENTZ
ANNIE D. WHEELER
JOHN D. WILLIAMS
ALVIN C. WILLIAMSON
BETINA M. WILLIE
AUSTIN M. WILLIS
WILLIAM J. WILSON
MICHAEL T. YATES
ELLIE J. YOUNG
D013595

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

PAUL J. E. AUCHINCLOSS
JAMIE D. BELL
VANESSA E. BONNER
JULIE A. BOWMAN
NICOLE H. BROWN
PHILIP CASTANEDA
GARY W. CLARKSON
KEITH M. COLLINSWORTH
COLT CRUTCHFIELD
ZACH A. DELABASTIDE
MICHAEL J. DELAVEGA
JASON M. DILLASHAW
ZAKIYA B. A. DIXON
THOMAS J. DRUMMOND
JOHN A. DUNNING
KENT E. ELLSWORTH
GARTH B. EVERS
ELRICO B. FERNANDEZ
ANDREW J. GALDI
DONNA P. GOODSON
TREVOR A. D. GORMAN
LATASHA D. GRAY
TODD J. HEER
MATTHEW S. HELTON
CHRISTIN L. JESSEN
LISA M. JIN
MEGHAN E. JOYCE
CYRUS H. KARDOUNI
JOSEPH P. KENNIFF II
ROBERT M. KISTNER
BRIAN R. KREISEL
KIRSTEN E. KROLL
JULIE A. KUJAWA
MICHAEL S. LADUKE
BRYAN C. LEE
RICHARD LEVADA
ROBERT M. LEVESQUE
JAY M. LLOYD
LAKESHIA T. LOGAN
JAMES F. LOPATA
ADHANA J. MCCARTHY
ANDREW MCPHIE
ABRAHAM MEDINA, JR.
STEFFEN G. MEILLER
RODNEY MENEZES
JASON R. MITCHLER
PAUL E. MOCHMER
THOMAS P. MOLTON II
KATRINA S. MONTI
JEAN P. MONTREUIL
JOHN E. MORRISON
JENNIFER F. MULLINS
DALE A. NELSON
MICHAEL W. NOYES
LANCE R. OLDORF
BRIDGET A. OWENS
JEFFREY C. PASCHALL
CHRISTOPHER A. PETERSON
MICHAEL W. PRIEBE
VANESSA J. RAMIREZ
JEFFREY M. SCHMIDT

BRIAN C. SMEDICK
JOSEPH L. STEELE
ROBERT F. STOKES
TRINITY S. STOREY
PAUL D. STROHL
ELIOT J. THOMASMA
JON A. UMLAUF
ZEBULON L. WILKIN
ROBIN L. WILSON
AMANDA L. WOLFE
ANDREA S. WOLFE
YAOYAO ZHU
JUSTIN ZIMMERMAN
BARUCH ZOBRIST
D011608
D012628

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

RACHEL A. ACCIACCA
BRIAN S. ADAMS
MICHAEL A. BENCIVENGA
EMILY R. BINGHAM
RICHARD T. BROOKSBY
JULIE P. BROWN
DANIEL W. CHRISTENSEN
ANDREW J. CICCOLINI
JONATHAN M. COFFMAN
TRICIA F. CULBERTSON
MARILYNN J. CULBRETH
JESSICA E. DOWLING
JOANNA E. FISHBACK
AMANDA M. HAUCK
KATHY K. S. LEBERT
CRYSTAL LINDABERRYGONZALEZ
MEGHAN E. LOUIS
MORGAN A. MANDER
ANNA M. MANDRA
MONICA L. MARTIN
SABRINA N. MCGRAW
EMILY K. PURSWELL
SEAN R. STOCKWELL
DANIELLE R. TULLOSS
JEFFREY J. ULLMER
LAUREN E. WHITE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

CHRISTOPHER J. BROWN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

DANIEL B. KING
TODD E. WAINMAN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

AARON B. MAYER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

SHEILA I. ALMENDRAS-FLAHERTY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

JOHN J. KITT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

ADRIAN D. RAGLAND

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS RESERVE UNDER TITLE 10, U. S.C., SECTION 12203:

To be colonel

MARK S. JIMISON
GARRETT E. MEANS
ERIC K. TERASHIMA
MARK A. THIEME
SHAWN P. WONDERLICH

CONFIRMATIONS

Executive nominations confirmed by the Senate March 27, 2017:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. TONY D. BAUERNFEIND
BRIG. GEN. WILLIAM T. COOLEY
BRIG. GEN. STEPHEN L. DAVIS
BRIG. GEN. PATRICK J. DOHERTY
BRIG. GEN. JAMES A. JACOBSON
BRIG. GEN. DAVID A. KRUMM
BRIG. GEN. JEFFREY A. KRUSE
BRIG. GEN. MICHAEL A. MINIHAN
BRIG. GEN. SHAUN Q. MORRIS
BRIG. GEN. THOMAS E. MURPHY
BRIG. GEN. DAVID S. NAHOM
BRIG. GEN. STEPHEN W. OLIVER, JR.
BRIG. GEN. JOHN M. PLETCHER
BRIG. GEN. SCOTT L. PLEUS
BRIG. GEN. JOHN T. RAUCH, JR.
BRIG. GEN. BRIAN S. ROBINSON
BRIG. GEN. RICKY N. RUPP
BRIG. GEN. DIRK D. SMITH
BRIG. GEN. KIRK W. SMITH
BRIG. GEN. PAUL W. TIBBETS IV
BRIG. GEN. ANDREW J. TOTH
BRIG. GEN. MARK E. WEATHERINGTON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. DAGVIN R. M. ANDERSON
COL. JASON R. ARMAGOST
COL. CRAIG R. BAKER
COL. GENTRY W. BOSWELL
COL. RICHARD H. BOUTWELL
COL. RYAN L. BRITTON
COL. BRIAN R. BRUCKBAUER
COL. LANCE R. BUNCH
COL. TODD D. CANTERBURY
COL. CASE A. CUNNINGHAM
COL. EVAN C. DERTIEN
COL. MICHAEL L. DOWNS
COL. TROY E. DUNN
COL. DEREK C. FRANCE
COL. DAVID M. GAEDECKE
COL. PHILIP A. GARRANT
COL. ANTHONY W. GENATEMPO
COL. KRISTIN E. GOODWIN
COL. CHRISTOPHER J. IRELAND
COL. DAVID R. IVERSON
COL. JOEL D. JACKSON
COL. RONALD E. JOLLY, SR.
COL. MICHAEL G. KOSCHESKI
COL. DAVID J. KUMASHIRO
COL. JOHN D. LAMONTAGNE
COL. LEAH G. LAUDERBACK
COL. CHARLES B. MCDANIEL
COL. JOHN C. MILLARD
COL. ALBERT G. MILLER
COL. JOHN J. NICHOLS
COL. ROBERT G. NOVOTNY
COL. LANSING R. PILCH
COL. DONNA D. SHIPTON

COL. JEREMY T. SLOANE
COL. PHILLIP A. STEWART
COL. DAVID H. TABOR

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. PAUL A. OSTROWSKI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. SEAN B. MACFARLAND

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. FRANCISCO A. ESPAILLAT

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. JEFFREY A. ROACH

HOUSE OF REPRESENTATIVES—Monday, March 27, 2017

The House met at noon and was called to order by the Speaker pro tempore (Mr. DENHAM).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 27, 2017.

I hereby appoint the Honorable JEFF DENHAM to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair would now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 1 minute p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SMITH of Nebraska) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Gracious God, we give You thanks for giving us another day.

In this moment of prayer, please grant to the Members of this people's House Your grace. Endow them with the gifts of wisdom and discernment, that in their words and actions they will do justice, love with mercy, and walk humbly with You.

In so many places in our world, there are people living with unrest and uncertainty, most especially in Syria and South Sudan. In our own country, there is great concern about the future of health care among our citizens. Bring comfort to all who live in fear of

their lives and welfare into the future, and empower those who have the access and ability to be of meaningful assistance.

May all that is done this day be for Your greater honor and glory.
Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Indiana (Mr. MESSER) come forward and lead the House in the Pledge of Allegiance.

Mr. MESSER led the Pledge of Allegiance as follows:

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

NORTH KOREAN NUCLEAR THREAT

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

Mr. WILSON of South Carolina. Mr. Speaker, the bizarre totalitarian regime in North Korea continues to threaten American families and our South Korean allies by testing nuclear capabilities and intermediate- to long-range missiles. I am grateful that, this week, the House Foreign Affairs Committee will consider H. Res. 92, a resolution I introduced in February, condemning North Korea for their recent missile testing and calling for additional sanctions.

The committee will also consider H.R. 479, designating North Korea as a state sponsor of terrorism, and H.R. 1644, to enhance sanctions with respect to companies and individuals doing business and enabling the regime in North Korea.

I appreciate the leadership of Chairman ED ROYCE and Ranking Member ELIOT ENGEL of the House Foreign Affairs Committee as we address the threat posed by North Korea, where its dictatorship has reduced its citizens to starvation.

Additionally, congratulations to the University of South Carolina men's basketball team and Head Coach Frank

Martin on their victory at the Elite Eight last night in New York. I look forward to joining the rest of Gamecock Nation and cheering the Gamecocks in their first-ever Final Four participation on Saturday.

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

OBAMACARE IS NOT OKAY

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

Mr. MESSER. Mr. Speaker, Hoosiers don't like ObamaCare, and they have worked hard for 6 years to stop it: electing a Republican House majority, a Republican Senate majority, and, eventually, President Trump, all on the promise to repeal and replace this failed law.

That is what has made last week's failure to vote in the House so disheartening. It is inside baseball, politics as usual, and it is not okay.

It is not okay to the millions of families facing soaring premiums and worse health care under ObamaCare, and it shouldn't be okay to any of us. We cannot walk away now without even a vote with so much at stake.

This debate has gotten really complicated, but to me, it is really simple. We need to do what we said we would do: keep our promise to the American people, and repeal this failed law with something better.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 5 minutes p.m.), the House stood in recess.

□ 1701

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DUNCAN of Tennessee) at 5 o'clock and 1 minute p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas

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

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

and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

REQUIRING THE ADMINISTRATOR OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY TO SUBMIT A REPORT REGARDING EMERGENCY OR DISASTER ASSISTANCE APPLICANTS AND GRANTEES

Mr. BARLETTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1117) to require the Administrator of the Federal Emergency Management Agency to submit a report regarding certain plans regarding assistance to applicants and grantees during the response to an emergency or disaster, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1117

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

SECTION 1. ACTION PLAN TO IMPROVE FIELD TRANSITION.

(a) *IN GENERAL.*—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency (FEMA) shall report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate regarding the plans the agency will undertake to provide the following:

(1) Consistent guidance to applicants on FEMA disaster funding procedures during the response to an emergency or disaster.

(2) Appropriate record maintenance and transfer of documents to new teams during staff transitions.

(3) Accurate assistance to applicants and grantees to ease the administrative burden throughout the process of obtaining and monitoring assistance.

(b) *MAINTAINING RECORDS.*—The report shall also include a plan for implementing operating procedures and document retention requirements to ensure the maintenance of appropriate records throughout the lifecycle of the emergency or disaster.

(c) *NEW TECHNOLOGIES.*—Finally, the report shall identify new technologies that further aid the disaster workforce in partnering with State, local, and tribal governments and private nonprofits in the wake of a disaster or emergency to educate, assist, and inform applicants on the status of their emergency or disaster assistance applications and projects.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BARLETTA) and the gentleman from Oregon (Mr. DEFAZIO) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1117, as amended.

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

There was no objection.

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

Mr. Speaker, I have seen firsthand in my district how disasters devastate communities and their citizens. In the aftermath of these disasters, while facing the devastation and the daunting task of recovery, many communities encounter even more challenges caused by FEMA, which has been sent there to help.

I continue to hear from my colleagues in Congress about conflicting guidance received from FEMA officials, who constantly change on the ground. I have heard stories of lost documents, lengthy delays, and huge administrative burdens placed on communities doing their best to recover from disasters. And in the worst cases, the guidance provided by FEMA results in the community losing disaster assistance.

Unfortunately, in Missouri, they have faced many of these challenges following floods in August 2013. Congresswoman HARTZLER has taken the lead to push FEMA to fix these issues by introducing this bill. I am proud that we are moving H.R. 1117.

One of my focuses as chair of the subcommittee is how we can make disaster assistance programs more effective and efficient and ensure the wise investment of taxpayer dollars. H.R. 1117 will certainly help us do that.

This legislation helps communities struggling to recover from disasters by improving transparency, consistency, and communication with FEMA. It also requires FEMA to leverage technologies to ease the administrative burden on local governments for maintaining documents, applying for assistance, and providing information to FEMA to speed recovery. The House adopted similar language last year when it passed the FEMA Disaster Assistance Reform Act.

Again, I commend the gentleman from Missouri for introducing this bill to ensure that those impacted by disasters are receiving accurate, up-to-date information about their assistance and the status of recovery.

I urge my colleagues to support this bill.

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

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

Mr. Speaker, I rise in support of H.R. 1117 to require the Administrator of the Federal Emergency Management Agency to submit a report on how it will improve field staff transition.

As the gentleman from Pennsylvania has explained, there has been a good deal of confusion with high turnover, repetitive and lost paperwork, and inconsistent guidance.

FEMA has implemented several new technologies to manage its full-time

employees, but they have not made similar efforts for field and temporary disaster response personnel. It is time for FEMA to do so.

This bill requires FEMA to submit a report on how it plans to address the disaster workforce issues, their continuing inconsistent guidance, and keeping appropriate records.

I urge my colleagues to support this bill.

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

Mr. BARLETTA. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Mr. Speaker, I rise today to ask all of my colleagues for their support of H.R. 1117, the FEMA Relief Improvement Act, which will require the Federal Emergency Management Agency, or FEMA, to refocus their efforts on the core of their mission, which is helping people recover from grave loss in the aftermath of a natural disaster.

In August of 2013, as the chairman and the ranking member mentioned, the southern portion of my district experienced a major disaster involving heavy flooding which devastated infrastructure, and it caused significant hardship for many of my constituents.

Unfortunately, the Federal recovery efforts to this devastated region added insult to injury. Local officials dealt with multiple uncoordinated teams conducting duplicative site visits due to lost paperwork, inconsistent messages between various survey and evaluation teams, and unnecessarily long delays in recovery and reimbursement. Such a response to any disaster is unacceptable, and change is necessary.

As I work with my colleagues on both sides of the aisle, I have learned that these issues are not unique to central Missouri. I have worked diligently with Chairman BARLETTA in crafting this bill to call attention to and to rectify FEMA's shortcomings.

This legislation is designed to address the deficiencies of the FEMA response to the 2013 flooding in my district to ensure future disaster recoveries in Missouri and elsewhere are as painless and efficient as possible.

Specifically, this bill requires FEMA to create an action plan to address inconsistent guidance, to establish appropriate recordkeeping procedures, and to improve overall assistance to local officials.

Additionally, this simple bill directs FEMA to issue a forward-looking report to identify new technologies that could further aid the disaster workforce in partnering with private nonprofits as well as State and local governments in the wake of a disaster or an emergency.

FEMA processes need to be streamlined and consistent in order to help those recovering from a disaster feel supported and assured relief will come in a timely, efficient manner.

In conclusion, Mr. Speaker, I ask my colleagues to bring the certainty and the assurances of quick relief to all of our constituents because they deserve the best. I ask my colleagues to join me in support of H.R. 1117, the FEMA Relief Improvement Act, which passed by voice vote out of the Transportation and Infrastructure Committee in February.

Mr. Speaker, I would like to thank Chairmen SHUSTER and BARLETTA and Ranking Members DEFAZIO and JOHNSON, as well as their staffs, for working with me in this bipartisan, common-sense effort to make the people get the help and assistance they so desperately need in times of crisis.

Mr. Speaker, again, I urge my colleagues to support H.R. 1117.

Mr. BARLETTA. Mr. Speaker, I urge my colleagues to vote "yes" on H.R. 1117.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, H.R. 1117, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

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

DISASTER SIMPLIFIED ASSISTANCE VALUE ENHANCEMENT ACT

Mr. BARLETTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1214) to require the Administrator of the Federal Emergency Management Agency to conduct a program to use simplified procedures to issue public assistance for certain projects under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1214

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Disaster Simplified Assistance Value Enhancement Act" or the "Disaster SAVE Act".

SEC. 2. SIMPLIFIED PROCEDURE PROGRAM.

(a) THRESHOLD.—The Administrator of the Federal Emergency Management Agency shall immediately establish the threshold for eligibility pursuant to section 422(b)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189(b)(2)) at \$500,000.

(b) REPORT.—Not later than May 1, 2021, the Administrator shall submit to the Com-

mittee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report containing the results of a comprehensive review of the program conducted under section 422 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189), as modified by this section, to include an assessment of cost-effectiveness, speed of recovery, capacity of the grantees, past performance, and accountability measures.

(c) SUNSET.—This Act shall expire on September 30, 2021.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BARLETTA) and the gentleman from Oregon (Mr. DEFAZIO) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1214, as amended.

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

There was no objection.

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

Mr. Speaker, the purpose of H.R. 1214, the Disaster SAVE Act, is to speed up small disaster reconstruction projects and lower their costs by removing red tape.

One of my biggest priorities since becoming chairman of the subcommittee has been reducing disaster costs and losses and reducing disaster risks. I was mayor for 11 years, and I saw so many friends' and neighbors' businesses and communities impacted by disasters.

One of the things I hear most often from my colleagues in Congress is frustration about inconsistent guidance from FEMA and funding take backs, even when there is no evidence of misuse. If you have ever had a big disaster in your district, you know exactly what I am talking about.

In my district, FEMA reversed its prior approval and has been fighting for years with the local government over whether or not they should have paved a temporary access road that was built after a major flood. The cost of the gravel road was \$230,000. The extra cost to pave it, which the community covered with its own funds, was about \$50,000.

The amount of money FEMA has wasted in salaries, administration, and legal fees trying to take back the \$230,000 likely exceeds the entire project cost. This is red tape out of control, and it doesn't serve the taxpayers well. We know there is a better way to manage these projects.

Under current law, FEMA runs projects under \$130,000 in a manner similar to an insurance settlement.

FEMA reviews the damage, makes a cost estimate, and issues a repair grant. The local government is responsible for managing the grant on time and on budget.

In exchange, they have greater flexibility in how they bill back, and they can enhance a project with their own funds. This approach dramatically cuts administrative costs, rebuilds infrastructure faster, eliminates the cost overruns for Federal taxpayers, and gives local governments the flexibility to rebuild in a way that best meets their needs.

The success of FEMA's small project program is well proven thanks to the prior efforts of the Transportation Committee. The former chairman of the subcommittee, from California, worked diligently to give FEMA the flexibility to administratively increase the small project threshold, which finally passed as part of the Hurricane Sandy supplemental package.

H.R. 2114, the Disaster SAVE Act, will raise the current project cap for this program from \$130,000 to \$500,000 and help all of our constituents avoid the project nightmare my district is experiencing right now. This will speed up rebuilding efforts and reduce disaster recovery costs.

□ 1715

The vast majority of FEMA's rebuilding projects are less than \$500,000, but FEMA continues to micromanage the administration of these projects at a tremendous cost in time and money. FEMA testified in 2015 that increasing this threshold would result in lower administrative costs, faster project completions, and fewer deobligations.

After 4 years, the program will sunset and Congress will decide, based on outcomes, lessons learned, and stakeholder input, if the program should continue or not. The House adopted similar language last year when it passed the FEMA Disaster Assistance Reform Act.

I urge my colleagues to support this bill, and I reserve the balance of my time.

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

FEMA provides public assistance funds after a disaster or emergency to State, tribal, and local governments and some private nonprofits. These funds reimburse communities and other entities for activities such as debris removal costs, emergency protective measures, and the repair or replacement of disaster-damaged facilities.

Currently, for projects under—however they chose that number—\$122,100—I am surprised they didn't add on 10 cents—reimburses grantees based on cost estimates rather than actual costs. This bill would require FEMA to increase this threshold to \$500,000. This would be temporary authority, expiring on September 30, 2021. We would require that this be closely tracked.

There is a strong indication that this will actually expedite reimbursement, ultimately save funds, and will not subject these projects to abuse.

I am hopeful that my colleagues will support this legislation, and I yield back the balance of my time.

Mr. BARLETTA. Mr. Speaker, again, I urge my colleagues to vote “yes” on H.R. 1214, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, H.R. 1214, as amended.

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

A motion to reconsider was laid on the table.

PACIFIC NORTHWEST EARTHQUAKE PREPAREDNESS ACT OF 2017

Mr. BARLETTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 654) to direct the Administrator of the Federal Emergency Management Agency to carry out a plan for the purchase and installation of an earthquake early warning system for the Cascadia Subduction Zone, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 654

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

SECTION 1. SHORT TITLE; DEFINITION.

(a) **SHORT TITLE.**—This Act may be cited as the “Pacific Northwest Earthquake Preparedness Act of 2017”.

(b) **CASCADIA SUBDUCTION ZONE DEFINED.**—In this Act, the term “Cascadia Subduction Zone” means the landward-dipping fault that is approximately 684 miles long, separates the Juan de Fuca and North America plates, and stretches along a portion of the western coast of the United States beginning off Cape Mendocino, California, along the State of Oregon, the State of Washington, to Northern Vancouver Island, British Columbia.

SEC. 2. EARTHQUAKE EARLY WARNING SYSTEM FOR CASCADIA SUBDUCTION ZONE.

(a) **PLAN FOR PURCHASE AND INSTALLATION.**—

(1) **DEVELOPMENT AND FUNDING.**—The Administrator of the Federal Emergency Management Agency shall—

(A) develop a plan for the purchase and installation of an earthquake early warning system for the Cascadia Subduction Zone; and

(B) identify the funds necessary for implementation of the plan.

(2) **SUBMISSION TO CONGRESS.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a copy of the plan.

(b) **REPORT TO CONGRESS.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report that summarizes the actions taken to implement the plan.

(c) **DEFINITIONS.**—In this section, the following definitions apply:

(1) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

(2) **EARTHQUAKE EARLY WARNING SYSTEM.**—The term “earthquake early warning system” includes—

(A) improvements to regional and geodetic networks that support building a capability for an earthquake early warning system; and

(B) seismometers, Global Positioning System receivers, and associated infrastructure.

SEC. 3. EARTHQUAKE AND TSUNAMI TASK FORCE.

(a) **IN GENERAL.**—The President shall establish an Earthquake and Tsunami Task Force for the purpose of developing a comprehensive strategy and recommendations on how the Nation should prepare and plan for, mitigate against, respond to, recover from, and more successfully adapt to a covered event in the Cascadia Subduction Zone.

(b) **TASK FORCE.**—

(1) **MEMBERSHIP.**—The membership of the Task Force shall include a cross section of subject matter experts representing the following:

(A) Relevant Federal agencies.

(B) The States of Oregon, Washington, and California.

(C) Indian tribes, local governments, and private sector representatives that may be impacted by a covered event in the Cascadia Subduction Zone.

(D) Universities, academia, and research institutions with expertise in topics relevant to the work of the Task Force.

(2) **CHAIRPERSON.**—The Administrator (or the Administrator’s designee) shall serve as the chairperson of the Task Force.

(3) **DETAILED EMPLOYEES.**—Members of the Task Force may detail employees to assist the Administrator (or the Administrator’s designee) in fulfilling the responsibilities of the Task Force.

(c) **COMPREHENSIVE STRATEGY.**—

(1) **STRATEGY.**—The comprehensive strategy to be developed under subsection (a) shall include the following:

(A) A description of how Federal agencies will coordinate to develop the ability to prepare and plan for, mitigate against, respond to, recover from, and more successfully adapt to the impacts of a covered event in the Cascadia Subduction Zone.

(B) A strategy to ensure collaboration between the Department of Transportation, the Department of Energy, the Coast Guard, the Corps of Engineers, and other Federal agencies, as appropriate, for purposes of—

(i) completing a needs assessment of Federal facilities in need of hardening for a covered event; and

(ii) developing a strategic plan to mitigate and retrofit Federal, State, tribal, and local critical assets for freight, energy, and transit purposes to withstand a covered event and to help save lives during and immediately after a covered event.

(C) A strategy—

(i) to assist State, tribal, and local governments in developing and implementing a coordinated and comprehensive plan to prioritize Federal, State, tribal, local, and private investments and activities to develop the ability to prepare and plan for, mitigate against, respond to, recover from, and more successfully adapt to the impacts of a covered event in the Cascadia Subduction Zone; and

(ii) to link any existing statewide mitigation plan with such a coordinated and comprehensive plan.

(D) With respect to the strategy described in subparagraph (C), an examination of the feasibility of the public sector, the private sector, and individuals to acquire earthquake insurance.

(E) An identification of funding opportunities to implement the comprehensive strategy and any recommendations made by the Task Force, including—

(i) existing funding opportunities across Federal agencies and other sources; and

(ii) potential new funding opportunities.

(F) An identification of barriers to obtaining funding for the implementation of the comprehensive strategy and recommendations on how to remove the barriers.

(G) A strategy for appropriate Federal agencies to collaborate with and assist State, tribal, and local governments in developing recommendations for cost-effective mitigation alternatives for aging State, tribal, and locally owned critical infrastructure.

(H) A strategy for assisting State, tribal, and local governments in developing a recovery plan prior to a covered event in the Cascadia Subduction Zone that addresses how State, tribal, and local governments may want to rebuild after the event.

(I) An identification of the steps taken to date to develop an onshore and offshore earthquake early warning system and a description of the purpose and scope of such a system.

(J) An evaluation of the types of offshore earthquake early warning systems and recommendations and a cost estimate for an earthquake early warning system appropriate for the Cascadia Subduction Zone.

(K) Recommendations on how an earthquake early warning system should operate, including whether and how the system should interface with the private sector.

(L) A description of appropriate roles and responsibilities for Federal, State, local, and tribal governments, including who should operate and maintain an earthquake early warning system, the cost of the system, and possible funding sources for the system.

(M) A plan on how to integrate an earthquake early warning system into existing and new public alert warning systems and technologies, including mobile systems.

(2) **USE OF EXISTING PLANS.**—In developing the comprehensive strategy, the Task Force may use existing plans, studies, and other resources.

(d) **RECOMMENDATIONS.**—The recommendations to be developed by the Task Force under subsection (a) shall include recommendations on—

(1) potential administrative or legislative changes required to implement the comprehensive strategy;

(2) the funding required to implement the comprehensive strategy and the recommendations; and

(3) the order of priority for implementation of the comprehensive strategy.

(e) **NATIONAL ACADEMIES.**—

(1) **COLLABORATION.**—The Task Force shall work simultaneously and collaboratively with the National Academies.

(2) **AGREEMENT.**—The Task Force shall enter into an agreement with the National Academies under which the National Academies shall develop recommendations for a Federal research strategy to advance scientific understanding of a Cascadia Subduction Zone earthquake and resulting tsunami preparedness, including the following:

(A) Geologic conditions, ground motions, and tsunami hazards.

(B) Implications of an effective automated early warning system.

(C) Effects of mega-earthquake and tsunami events on the built and natural environment.

(D) Social and behavioral factors for effective disaster preparedness and response.

(E) Cost-effective mitigation alternatives for legacy and aging infrastructure.

(F) Strategic planning for freight, energy, and transit network robustness.

(G) Tools that help communities invest their resources for the greatest benefit.

(H) Any other topics identified as necessary by the Task Force or the National Academies.

(f) **REPORT.**—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report of the Task Force that includes the following:

(1) The comprehensive strategy to be developed under subsection (a).

(2) The recommendations to be developed under subsections (a), (d), and (e).

(g) **DEFINITIONS.**—In this section, the following definitions apply:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Federal Emergency Management Agency.

(2) **COVERED EVENT.**—The term “covered event” means an earthquake, tsunami, or combined earthquake and tsunami event.

(3) **TASK FORCE.**—The term “Task Force” means the Federal interagency task force to be established under subsection (a).

SEC. 4. NATIONAL PREPARATION AND RESPONSE EFFORTS RELATING TO EARTHQUAKES AND TSUNAMIS.

The Administrator of the Federal Emergency Management Agency shall be responsible for the Nation’s efforts to reduce the loss of life and property, and to protect the Nation, from an earthquake, tsunami, or combined earthquake and tsunami event by developing the ability to prepare and plan for, mitigate against, respond to, recover from, and more successfully adapt to such an event.

SEC. 5. ADDITIONAL HAZARD MITIGATION ACTIVITIES.

Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) is amended by adding at the end the following:

“(f) **USE OF ASSISTANCE.**—Recipients of hazard mitigation assistance provided under this section and section 203 may use the assistance to conduct activities to help reduce the risk of future damage, hardship, loss, or suffering in any area affected by earthquake hazards, including—

“(1) improvements to regional seismic networks in support of building a capability for earthquake early warning;

“(2) improvements to geodetic networks in support of building a capability for earthquake early warning; and

“(3) improvements to seismometers, Global Positioning System receivers, and associated infrastructure in support of building a capability for earthquake early warning.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BARLETTA) and the gentleman from Oregon (Mr. DEFAZIO) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 654, as amended.

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

There was no objection.

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

We know earthquakes pose one of the greatest natural hazards here in the United States. They strike without warning and result in potentially catastrophic casualties and damage to buildings and infrastructure.

The Pacific Northwest is at risk of severe earthquakes, tsunamis, and volcanic eruptions. According to the experts, a massive earthquake is coming to the area. We just don’t know when. Six years ago this month, a 9.0 earthquake in Japan created a tsunami that killed over 15,000 people and caused a nuclear disaster.

Earthquakes cannot be prevented, but their impacts on life, property, and the economy can be managed. FEMA is responsible for coordinating the Federal response to a catastrophic earthquake, and has been diligently working to help States plan and prepare for an earthquake. Good planning and preparedness can save lives and property.

H.R. 654, the Pacific Northwest Earthquake Preparedness Act of 2017, directs FEMA to plan the development of an earthquake early warning system for the Cascadia Subduction Zone. The bill also directs the President to establish an earthquake and tsunami task force to develop a comprehensive strategy and recommendations on how to prepare and plan for seismic events.

I want to commend the ranking member for his leadership on this critical national issue. He has been an advocate for his State and the Pacific Northwest, supporting preparedness and mitigation efforts and the development of a public West Coast earthquake early warning system.

I urge my colleagues to support this bill, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, March 27, 2017.

Hon. BILL SHUSTER,

Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 654, the “Pacific Northwest Earthquake Preparedness Act of 2017,” which was reported by your Committee on March 9, 2017.

H.R. 654 contains provisions within the Committee on Science, Space, and Technology’s Rule X jurisdiction. In order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would request that, in any final version of the legislation, the Committee on Science, Space, and Technology be included as a recipient of the reports called for in Sections 2 and 3 of the bill.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC, March 27, 2017.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and Technology, Washington, DC.

DEAR CHAIRMAN SMITH: Thank you for your letter regarding H.R. 654, the Pacific Northwest Earthquake Preparedness Act of 2017. I appreciate your willingness to expedite consideration of this legislation before the House of Representatives, and accordingly, understand that the Committee on Science, Space, and Technology will not seek to litigate its claim of jurisdictional interest in this bill.

The Committee on Transportation and Infrastructure concurs with the mutual understanding that by foregoing the litigation of its claim of jurisdictional interest in the bill at this time, the Committee on Science, Space, and Technology does not waive any claim to jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill become necessary, I would work with the Committee on Science, Space, and Technology to litigate its jurisdictional claim and, if such a claim is established by the Parliamentarians, support your request to be represented on the conference committee.

I will insert copies of this exchange in the Congressional Record during consideration on the House floor. I look forward to working with the Committee on Science, Space, and Technology as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,
Chairman.

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

I thank the chairman for his kind words for the work I have been doing for a number of years on this issue.

I traveled with the committee last year to Japan to see what lessons they learned from the horrible earthquake 6 years ago, in which more than 15,000 people perished. They did have in place a land-based and near-ocean early warning system, which gave them enough time to shut down the high-speed trains, get people out of elevators in buildings, shut down production lines, mitigating economic losses and property damage. But, unfortunately, the system was not adequate to predict the height of the tsunami, and 15,000 people died.

They are now deploying a realtime deep ocean system. It is time for the United States to emulate that. The

Cascadia Subduction Zone, off the coast of northern California and Oregon, has had at least a dozen massive earthquakes over the last 5,000 years. It is currently well overdue for an earthquake. If we had in place a deep ocean system near the southern end of that fault where they expect the major quake will start, it would give enough warning time for people on the coast of Oregon, and at least those a little further up the coast, to seek higher ground and not be inundated. It would provide more time in the valleys, and up in Portland and up in Seattle for transit systems to be shut down and people to take shelter. So this could save many lives.

This bill directs FEMA to develop a plan to identify the necessary funds and the potential costs to purchase the equipment for an earthquake early warning system. It is basically off-the-shelf technology.

It requires the President to establish an earthquake and tsunami task force. The task force will consist of representatives from potentially impacted areas, as well as earthquake and tsunami experts to develop comprehensive strategy recommendations on how the Nation should prepare for, mitigate against, respond to, recover from, and adapt to an earthquake, tsunami, or combined event in the Cascadia Subduction Zone.

I strongly recommend this bill to my colleagues. We should learn from the disaster in Japan and take action here to save lives and property in the event of this quake in the Cascadia Subduction Zone.

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

Mr. BARLETTA. Mr. Speaker, again, I urge my colleagues to vote "yes" on H.R. 654, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, H.R. 654, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

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

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 27, 2017.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 27, 2017, at 2:41 p.m.:

Appointments:
Board of Visitors of the U.S. Naval Academy.

National Commission on Military, National, and Public Service.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 24 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 6 o'clock and 30 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1430, HONEST AND OPEN NEW EPA SCIENCE TREATMENT ACT OF 2017

Ms. CHENEY, from the Committee on Rules, submitted a privileged report (Rept. No. 115-60) on the resolution (H. Res. 229) providing for consideration of the bill (H.R. 1430) to prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF S.J. RES. 34, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION

Ms. CHENEY, from the Committee on Rules, submitted a privileged report (Rept. No. 115-61) on the resolution (H. Res. 230) providing for consideration of the joint resolution (S.J. Res. 34) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Protecting the Privacy of Customers of Broadband and

Other Telecommunications Services", which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

H.R. 1117, by the yeas and nays;

H.R. 654, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

REQUIRING THE ADMINISTRATOR OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY TO SUBMIT A REPORT REGARDING EMERGENCY OR DISASTER ASSISTANCE APPLICANTS AND GRANTEES

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1117) to require the Administrator of the Federal Emergency Management Agency to submit a report regarding certain plans regarding assistance to applicants and grantees during the response to an emergency or disaster, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 408, nays 0, not voting 21, as follows:

[Roll No. 195]

YEAS—408

Abraham	Boyle, Brendan	Clark (MA)
Adams	F.	Clarke (NY)
Aguilar	Brady (PA)	Clay
Allen	Brady (TX)	Cleaver
Amash	Brat	Clyburn
Amodei	Bridenstine	Coffman
Arrington	Brooks (AL)	Cohen
Babin	Brooks (IN)	Cole
Bacon	Brown (MD)	Collins (GA)
Banks (IN)	Brownley (CA)	Collins (NY)
Barletta	Buck	Comer
Barr	Bucshon	Comstock
Barragán	Budd	Conaway
Bass	Burgess	Connolly
Beatty	Bustos	Conyers
Bera	Butterfield	Cook
Bergman	Byrne	Cooper
Beyer	Calvert	Correa
Biggs	Capuano	Costa
Bishop (GA)	Carbajal	Costello (PA)
Bishop (MI)	Carter (GA)	Courtney
Bishop (UT)	Carter (TX)	Cramer
Black	Cartwright	Crawford
Blackburn	Castor (FL)	Crist
Blum	Castro (TX)	Crowley
Blumenauer	Chabot	Cuellar
Blunt	Chaffetz	Culberson
Bonamici	Cheney	Cummings
Bost	Chu, Judy	Curbelo (FL)
	Cicilline	Davidson

Davis (CA)
 Davis, Danny
 Davis, Rodney
 DeFazio
 DeGette
 Delaney
 DeLauro
 DeBene
 Demings
 Denham
 Dent
 DeSantis
 DeSaulnier
 DesJarlais
 Deutch
 Diaz-Balart
 Dingell
 Doggett
 Donovan
 Doyle, Michael
 F.
 Duffy
 Duncan (TN)
 Dunn
 Ellison
 Emmer
 Engel
 Eshoo
 Espallat
 Esty
 Evans
 Farenthold
 Faso
 Ferguson
 Fitzpatrick
 Fleischmann
 Flores
 Fortenberry
 Foster
 Foxx
 Frankel (FL)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gabbard
 Gaetz
 Gallagher
 Gallego
 Garamendi
 Garrett
 Gibbs
 Gohmert
 Gonzalez (TX)
 Goodlatte
 Gosar
 Gottheimer
 Gowdy
 Granger
 Graves (GA)
 Graves (LA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffith
 Grothman
 Guthrie
 Hanabusa
 Harper
 Harris
 Hartzler
 Hastings
 Heck
 Hensarling
 Herrera Beutler
 Hice, Jody B.
 Higgins (LA)
 Higgins (NY)
 Hill
 Himes
 Hollingsworth
 Hoyer
 Hudson
 Huelskamp
 Hultgren
 Hunter
 Hurd
 Issa
 Jackson Lee
 Jayapal
 Jeffries
 Jenkins (KS)
 Jenkins (WV)
 Johnson (GA)
 Johnson (LA)
 Johnson (OH)
 Johnson, E. B.

Johnson, Sam
 Jones
 Jordan
 Joyce (OH)
 Kaptur
 Katko
 Keating
 Kelly (IL)
 Kelly (MS)
 Kelly (PA)
 Kennedy
 Khanna
 Kihuen
 Kildee
 Kilmer
 Kind
 King (IA)
 King (NY)
 Kinzinger
 Knight
 Krishnamoorthi
 Kuster (NH)
 Kustoff (TN)
 Labrador
 LaHood
 LaMalfa
 Lamborn
 Lance
 Langevin
 Larsen (WA)
 Larson (CT)
 Latta
 Lawrence
 Lawson (FL)
 Lee
 Levin
 Lewis (GA)
 Lewis (MN)
 Lieu, Ted
 Lipinski
 LoBiondo
 Loebach
 Lofgren
 Long
 Loudermilk
 Love
 Lowenthal
 Lowey
 Lucas
 Luetkemeyer
 Lujan Grisham,
 M.
 Lujan, Ben Ray
 Lynch
 MacArthur
 Maloney, Sean
 Marchant
 Marshall
 Massie
 Mast
 Matsui
 McCarthy
 McCaul
 McClintock
 McCollum
 McEachin
 McGovern
 McHenry
 McKinley
 McMorris
 Rodgers
 McNeerney
 McSally
 Meadows
 Meenan
 Meeks
 Meng
 Messer
 Mitchell
 Moolenaar
 Mooney (WV)
 Moore
 Moulton
 Mullin
 Murphy (FL)
 Murphy (PA)
 Nadler
 Napolitano
 Neal
 Newhouse
 Noem
 Nolan
 Norcross
 Nunes
 O'Halleran
 O'Rourke

Olson
 Palazzo
 Pallone
 Palmer
 Panetta
 Pascarella
 Paulsen
 Payne
 Pearce
 Pelosi
 Perlmutter
 Perry
 Peters
 Peterson
 Pingree
 Pittenger
 Pocan
 Poe (TX)
 Poliquin
 Polis
 Posey
 Price (NC)
 Quigley
 Raskin
 Ratcliffe
 Reed
 Reichert
 Renacci
 Rice (NY)
 Rice (SC)
 Richmond
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rokita
 Rooney, Francis
 Rooney, Thomas
 J.
 Rosen
 Roskam
 Ross
 Rothfus
 Rouzer
 Roybal-Allard
 Royce (CA)
 Ruiz
 Ruppelberger
 Russell
 Rutherford
 Ryan (OH)
 Sánchez
 Sanford
 Sarbanes
 Scalise
 Schakowsky
 Schiff
 Schneider
 Schrader
 Schweikert
 Scott (VA)
 Scott, Austin
 Scott, David
 Sensenbrenner
 Serrano
 Sessions
 Sewell (AL)
 Shea-Porter
 Sherman
 Shimkus
 Shuster
 Sinema
 Sires
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Snuckner
 Soto
 Speier
 Stefanik
 Stewart
 Stivers
 Suozzi
 Swalwell (CA)
 Takano
 Taylor
 Tenney
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Tonko

Torres
 Trott
 Tsongas
 Turner
 Upton
 Valadao
 Vargas
 Veasey
 Vela
 Velázquez
 Wagner
 Walberg
 Walden
 Walker
 Walorski
 Walters, Mimi
 Walz
 Wasserman
 Schultz
 Waters, Maxine
 Watson Coleman
 Weber (TX)
 Webster (FL)
 Welch
 Wenstrup
 Westerman

Williams
 Wilson (FL)
 Wilson (SC)
 Wittman
 Womack
 Woodall
 Yarmuth
 Yoho
 Young (AK)
 Young (IA)
 Zeldin

NOT VOTING—21

Aderholt
 Barton
 Bilirakis
 Buchanan
 Cardenas
 Carson (IN)
 Duncan (SC)
 Grijalva

Gutiérrez
 Holding
 Huffman
 Maloney,
 Carolyn B.
 Marino
 Rohrabacher
 Ros-Lehtinen

Rush
 Simpson
 Slaughter
 Titus
 Visclosky
 Yoder

□ 1853

Messrs. ESPAILLAT and MCHENRY changed their vote from “nay” to “yea.”

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NOTICE OF INTENTION TO OFFER
RESOLUTION RAISING A QUES-
TION OF THE PRIVILEGES OF
THE HOUSE

Ms. LOFGREN. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I rise to give notice of my intent to raise a question of the privileges of the House.

The form of the resolution is as follows:

Expressing the sense of the House of Representatives that the President shall immediately disclose his tax return information to Congress and the American people.

Whereas, the Emoluments Clause was included in the U.S. Constitution for the express purpose of preventing federal officials from accepting any “present, Emolument, Office, or Title . . . from any King, Prince, or foreign State”;

Whereas, in Federalist No. 22 (Alexander Hamilton) it is said, “One of the weak sides of republics, among their numerous advantages, is that they afford too easy an inlet to foreign corruption,” and;

Whereas, the delegates to the Constitutional Convention specifically designed the Emoluments Clause as an antidote to potentially corrupting foreign practices of a kind that the Framers had observed during the period of the Confederation, and;

Whereas, Article 1, section 9, clause 8 of the Constitution states: “no person holding any office of profit or trust . . . shall, without the consent of the Congress, accept of any present, Emolument, Office, or Title of any kind whatever, from any King, Prince, or foreign State”, and;

Whereas, in 2009, the Office of Legal Counsel clarified that corporations owned or controlled by foreign governments presumptively qualify as foreign States under the foreign Emoluments Clause, and;

Whereas, the word “emoluments” means profit, salary, fees, or compensation which would include direct payment, as well as other benefits, including extension of credit, forgiveness of debt, or the granting of rights of pecuniary value, and;

Whereas, according to The New Yorker, in 2012, The Trump Organization entered into a deal with Ziya Mammadov to build the Trump Tower Baku in the notoriously corrupt country Azerbaijan in possible violation of the Foreign Corrupt Practices Act and, by profiting from business with the Mammadov family, due to their financial entanglements with the Iran Revolutionary Guard may have also violated the Emoluments Clause if income from this project continues to flow to The Trump Organization, and;

Whereas, The Trump Organization has deals in Turkey, admitted by the President himself during a 2015 Breitbart interview, and when the President announced his travel ban, Turkey's President called for President Trump's name to be removed from Trump Towers Istanbul, according to The Wall Street Journal, and President Trump's company is currently involved in major licensing deals for that property which may implicate the Emoluments Clause, and;

Whereas, shortly after election, the President met with the former U.K. Independence Party leader, Nigel Farage, to get help to stop obstructions of the view from one of his golf resorts in Scotland, and according to The New York Times, both of the resorts he owns there are promoted by Scotland's official tourism agency, a benefit that may violate the Emoluments Clause, and;

Whereas, at Trump Tower in New York, the Industrial and Commercial Bank of China is a large tenant, according to Bloomberg; the United Arab Emirates leases space, according to the Abu Dhabi Tourism & Culture Authority; and the Saudi Mission to the U.N. makes annual payments, according to the New York Daily News, and money from these foreign countries goes to the President, and;

Whereas, according to NPR, in February China gave provisional approval for 38 new trademarks for The Trump Organization, which have been sought for a decade to no avail, until President Trump won the election. This is a benefit the Chinese Government gave to the President's businesses in possible violation of the Emoluments Clause, and;

Whereas, the President is part owner of a New York building carrying a \$950 million loan, partially held by the

Bank of China, according to The New York Times, when owing the Government of China by the extension of loans and credits by a foreign State to an officer of the United States would violate the Emoluments Clause, and;

Whereas, NPR reported that the Embassy of Kuwait held its 600 guest National Day celebration at Trump Hotel in Washington, D.C., last month, proceeds to Trump, and;

Whereas, according to The Washington Post, the Trump International Hotel in Washington, D.C., has hired a “director of diplomatic sales” to generate high-priced business among foreign leaders and diplomatic delegations, and;

Whereas, according to his 2016 candidate filing with the Federal Election Commission, the President has 564 financial positions in companies located in the United States and around the world, and;

Whereas, against the advice of ethics attorneys and the Office of Government Ethics, the President has refused to divest his ownership stake in his businesses, and;

Whereas, the Director of the non-partisan Office of Government Ethics said that the President’s plan to transfer his business holdings to a trust managed by family members is “meaningless” and “does not meet the standards that . . . every President in the past four decades has met”, and;

Whereas, in the United States’ system of checks and balances, Congress has a responsibility to hold the executive branch of government to the highest standard of transparency to ensure the public interest is placed first and the Constitution is adhered to, and;

Whereas, the House Judiciary Committee has the first responsibility among the committees of the House to see that elements of our Constitution are adhered to and, in furtherance of that responsibility, Judiciary Committee members have historically utilized fact-finding and research prior to formal hearings, and;

Whereas, tax returns provide an important baseline disclosure because they contain highly instructive information including whether the filer paid taxes, what they own, what they have borrowed and from whom, whether they have made any charitable donations, and whether they have taken advantage of tax loopholes and that such information would be material to members of the Judiciary Committee as research is undertaken on whether President Trump is in violation of the Emoluments Clause of the Constitution, and;

Whereas, disclosure of the President’s tax returns would be an effective means for the President to provide evidence either refuting or confirming claims of violations of the Emoluments Clause, and;

Whereas, the President’s tax returns are likely to be essential as members

of the Judiciary Committee work to research potential violations of the Emoluments Clause, and;

Whereas, the chairmen of the Ways and Means Committee, Joint Committee on Taxation, and Senate Finance Committee have the authority to request the President’s tax returns under section 6103 of the Tax Code, and this power is an essential tool in learning whether the President may be in violation of the Emoluments Clause, and;

Whereas, questions involving constitutional functions and the House’s constitutionally granted powers have been recognized as valid questions of the privileges of the House.

Resolved, that the House of Representatives shall:

One, immediately request the tax return information of Donald J. Trump for tax years 2000 through 2015 for review by Congress, as part of a determination as to whether the President is in violation of the Foreign Emoluments Clause of the U.S. Constitution.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from California will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

PACIFIC NORTHWEST EARTH- QUAKE PREPAREDNESS ACT OF 2017

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 654) to direct the Administrator of the Federal Emergency Management Agency to carry out a plan for the purchase and installation of an earthquake early warning system for the Cascadia Subduction Zone, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 395, nays 11, not voting 23, as follows:

[Roll No. 196]

YEAS—395

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

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

NAYS—11

Amash	Hunter	Meadows
Gaetz	Jones	Sanford
Garrett	Massie	Yoho
Gosar	McSally	

NOT VOTING—23

Aderholt	Holding	Ryan (OH)
Buchanan	Maloney,	Simpson
Cárdenas	Carolyn B.	Slaughter
Carson (IN)	Marino	Suozi
Castro (TX)	Rice (SC)	Titus
Duncan (SC)	Rohrabacher	Visclosky
Grijalva	Ros-Lehtinen	Wilson (FL)
Gutiérrez	Rush	Yoder

□ 1913

Mr. SANFORD changed his vote from "yea" to "nay."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CELEBRATING 25 YEARS OF THE FOOD TRUST

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today as chairman of the Committee on Agriculture Subcommittee on Nutrition to honor The Food Trust on celebrating 25 years of helping improve food security in Pennsylvania.

The Food Trust is a nonprofit founded in 1992 in Philadelphia that works to develop a stable food supply in underserved communities, educate youth and

family about healthy eating, and improve the connection between urban communities and regional farmers.

A number of Food Trust programs have become national models that have expanded beyond Philadelphia to other regions in need of healthy food access and nutrition education. The Food Trust provides nutrition education for youth and adults in Philadelphia and the wider region, serving more than 70,000 lower-income individuals.

It also increases access to nutritious food in underserved communities by operating a network of 22 farmers markets in lower-income city neighborhoods, which accept SNAP benefits for the use of onsite wireless card readers.

I commend The Food Trust for the fine work it does promoting food education and to ensure that no one goes hungry in America.

Congratulations on 25 years.

CALLING FOR INDEPENDENT COMMISSION TO INVESTIGATE ACTIVITIES OF THE KREMLIN

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

Mr. KRISHNAMOORTHY. Mr. Speaker, as revelations of Russian interference in our democracy continue to emerge, the need for a full and transparent investigation by an independent commission could not be more clear. The reason is simple: We need badly to restore trust in our government.

Though the House and Senate Intelligence Committees have begun related inquiries, neither will have fully investigated the activities of the Kremlin or its agents. Not a single member of the administration has testified under oath about their contacts with Moscow. The inherent politicization of these committees has made it nearly impossible for any congressional body to render the nonpartisan, irrefutable answers the American people deserve.

As a member of the House Oversight Committee, I echo Senator JOHN MCCAIN's call that Congress "no longer has the credibility to handle this alone." Now is the time for an independent commission to fully investigate the ties between the Kremlin and the White House, along with Russia's broader interference in our democracy.

VIETNAM VETERANS MEMORIAL

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

Mr. BERGMAN. Mr. Speaker, 35 years ago yesterday, ground was broken on the Vietnam Veterans Memorial. Today, there are 58,272 names listed on that memorial. We still have work to do.

There are 1,615 names listed as MIA. As a Vietnam veteran, I want to call

your attention to all of the men and women who served, the 2.7 million who served in Vietnam, a lot of whom are with us today, and a lot of those who will continue to celebrate the losses of our comrades.

Please remember that we all served honorably at the request of our government, and we will continue to serve as long as the cause is just.

CALLING FOR INDEPENDENT COMMISSION TO INVESTIGATE RUSSIAN ATTACKS ON OUR DEMOCRACY

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

Ms. KAPTUR. Mr. Speaker, over the weekend, courageous Russians took to the streets to protest the repressive Russian Government led by Vladimir Putin. All of our major newspapers report the stories of these brave souls.

Their protests were met by brutal tactics of Putin's Russia, which bludgeons opposition, and, even worse, in the case of Denis Voronenkov, a former Russian member of parliament, who, on March 23, had spoken against Putin and Kremlin policies and was shot in broad daylight outside a hotel.

Ukraine's President Petro Poroshenko pointed the finger at Russian authorities, calling the assassination an act of state terrorism. Political assassinations are not new to Russia. Violent tactics are what we have come to expect from Putin's Russia.

As we follow the facts on the Trump administration's ties to Russia, I urge my colleagues to think of the violence and assault on our democratic values that happen daily at the hands of Putin's Russia.

As we learned last week, this includes Russia's attacks on our democracy here at home. Congress must leave no stone unturned and get to the bottom of these shady connections through empowering an independent commission.

America leads when it protects our basic values as the global champion for liberty and freedom throughout the world.

INF TREATY

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

Mr. POE of Texas. Mr. Speaker, recently, U.S. officials stated that Russia deployed a fully operational cruise missile. This is a violation of the arms control treaty between the United States and Russia.

The Intermediate-Range Nuclear Forces Treaty bans the U.S. and Russia from possessing, producing, or testing a ground-launched cruise missile with a range capability of 500 to 5,000 kilometers.

We have suspected Russia of violating the treaty in the past—for at least the last 10 years—but the last administration didn't pay much attention to it. He asked the State Department to gently ask the Russians to please come back into compliance, but that did not work. So last year, in the NDAA bill, Representative MIKE ROGERS and I sanctioned Russia for INF violations for the first time.

Now we have introduced H.R. 1182, preparing the United States to develop its own missiles. It is not in the United States' national security interest to abide by a treaty when we are the only ones abiding by it.

And that is just the way it is.

ABOUT GOVERNANCE

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

Ms. JACKSON LEE. Mr. Speaker, the question we raise this evening is about governance. In the debacle of last Friday, when the administration failed to carry forward on its promise to pass the worst healthcare bill in the history of the United States, the administration offered a definition or an explanation: the ACA was exploding. It is not exploding. The CBO has indicated that the ACA needs improving, but it has insured some 20 million-plus people and protected children—unlike the administration's bill, Mr. Trump's bill which, in fact, would throw 24 million people off of health care and cut \$880 billion. It is about governance.

That is why it is important to have a full investigation of the Russian collusion of all of those who are involved in Mr. Trump's campaign, and in his administration, including very close members of his senior staff.

That is why we should have a full investigation, which would include the Judiciary Committee. I demand that the classified documents that we have requested in a bipartisan letter should be given to the Judiciary Committee, and we should begin investigations on whether there are any questions of criminality.

It is about governance, Mr. Speaker; and the House of Representatives must know the truth so the American people can know the truth.

STAND STRONG AGAINST PREJUDICE

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

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today to make it very clear that the people's House stands strong against prejudice.

Since January, we have seen a disturbing rise in bomb threats and violence targeted at Jewish Community

Centers all over the country, including the Stroum Jewish Community Center in Mercer Island, Washington.

Our Nation is better than this. Today I am joining one of the strongest leaders I know on this issue—Representative KUSTOFF—in introducing the Combating Anti-Semitism Act. This bill is a direct response to the bad actors who are terrorizing our neighbors and friends.

If you threaten someone because of who or how they worship, this bill ensures you will be prosecuted for committing a hate crime. No matter your background, your religion, your walk of life, you should be safe and free to worship without fear in this country. With this bill, we are supporting our Jewish communities all across the country, and I am proud to give it my full support.

CONGRATULATIONS TO AMERICANS

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

Mr. JOHNSON of Georgia. Mr. Speaker, I would like to take this opportunity to congratulate the American people for what you did over the course of a few months since January, when you found out that your healthcare benefits were threatened by the TrumpCare repeal-and-replace attempt.

Because you went out into the streets, because you marched, because you attended townhall meetings, and you made your feelings known about the fact that you wanted to save the Affordable Care Act, you were successful. You gave backbone to the moderate Republicans who stood up and said no to the Trump replacement.

For that, I congratulate you, and I congratulate the American people.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1695

Mr. JOHNSON of Georgia. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1695.

The SPEAKER pro tempore (Mr. FRANCIS ROONEY of Florida). Is there objection to the request of the gentleman from Georgia?

There was no objection.

CELEBRATING THE USS "OMAHA"

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Nebraska (Mr. BACON) is recognized for 60 minutes as the designee of the majority leader.

Mr. BACON. Mr. Speaker, today I rise to commemorate the past and fu-

ture of the United States Navy, the strongest and the best Navy in the world.

On this day, March 27, President George Washington signed an "Act to Provide a Naval Armament" authorizing the construction of six frigates, which includes the USS *Constitution*, the world's oldest commissioned naval vessel afloat.

The passage of the Naval Act of 1794 was, in part, a response to threats to American merchant ships from the Barbary pirates in the Mediterranean. 223 years later, the men and women of the U.S. Navy continue to protect the goods and information we transport via ships and undersea cables to our overseas trading partners.

This includes securing the resources and services we import to fuel our industries. Paraphrasing Admiral Jonathan Greenert: the mandate of the Navy in modern times is to be in the right place, at the right time, ready and able to respond.

The 2014 Quadrennial Defense Review signed by then-Secretary of Defense Chuck Hagel—may I add a Nebraskan—states that in order to support this mission, we need to "continue to build a future Fleet that is able to deliver the required presence and capabilities and address the most important warfighting scenarios."

In that light, I look forward to the commissioning of the USS *Omaha* this fall, and to congratulating the crew of the newest addition to the United States naval fleet.

The USS *Omaha*, LCS-12, is an Independence-class littoral combat ship, and the fourth ship to bear the name USS *Omaha*. It is a chain dating back to the commissioning of a sloop-of-war in 1869. The last USS *Omaha* was a nuclear attack submarine that served in the Navy from 1978 to 1995.

According to the Omaha World-Herald, a great source of intelligence, the ship is the sixth in line of Independence-class littoral combat ships with a futuristic trimaran design that sits high above the water.

Deputy Secretary of Defense Robert Work once compared it to a Klingon Bird-of-Prey ship in the movie "Star Trek." The ship was christened on December 19, 2015, by Susie Buffett.

The ship's Latin motto is derived from its namesake, the city of Omaha, Nebraska. It translates to "Courageously in Every Enterprise," which denotes her crew's willingness to brave any future endeavor.

□ 1930

While I am very proud of the future crew of the USS *Omaha*, I am equally proud of the members of the Nebraska Navy League and their counterparts for supporting the Navy's missions, their personnel, and their families. In an effort to strengthen the connection between the USS *Omaha* and the citizens it serves, the Nebraska Navy

League has committed to bringing several members of the crew to our community each year. This endeavor helps to enhance the morale of the Active Duty personnel and their families, but it also helps to inform the American public of the importance of a strong United States Navy.

The people in the Second Congressional District are proud to have a fantastic new ship bearing the name of Omaha. It honors our community and the many men and women from Omaha and the surrounding metro area who proudly serve in the United States Armed Forces.

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

WHAT DO WE HAVE TO LOSE: \$54 BILLION IN DOMESTIC SPENDING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. VEASEY) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. VEASEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on the subject of my Special Order.

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

There was no objection.

Mr. VEASEY. Mr. Speaker, today's Special Order is going to be about the theme: What do we have to lose?

That was something that you heard during the Presidential campaign. Specifically, we want to focus on what do we have to lose: \$54 billion in domestic spending.

Earlier this month, President Trump released his budget named America First, a Budget Blueprint to Make America Great Again. After reading Trump's budget, I can't help but wonder: Is this truly a mirror of his campaign to put Americans first?

The easy answer to that is "no."

According to the Trump budget, America comes dead last. In fact, this budget proposal is all talk when it comes to helping U.S. students access education and well-paying jobs. One of the most alarming things about the budget is how it affects the education of students at minority-serving institutions.

Mr. Speaker, HBCUs, Historically Black Colleges and Universities, were first created in 1964 to educate Black Americans excluded from segregated public and private universities, and this budget will perpetuate the inequalities that currently exist for Black students.

Today, HBCUs continue to provide students—no matter their race or their economic background for that matter—

the ability to receive a quality education. According to the United Negro College Fund, 70 percent of all HBCU students rely on Federal grants and workstudy programs to finance their education.

After Trump pledged to support and strengthen HBCUs during a meeting with the presidents of HBCUs in the Oval Office, the budget at hand is another unfulfilled promise. A recent letter from the president of the UNCF, United Negro College Fund, explained the complete elimination of the Federal Supplemental Educational Opportunity Grants, as proposed under the Trump budget. This would negatively impact more than 55,000 HBCU students.

Helping low-income students achieve higher education is very serious, and we know that these cuts would hurt. Proposed reductions would also hurt the Federal workstudy initiatives, and it would eliminate another 26,000 students the ability to pay for college expenses or to improve their employment prospects.

I knew a lot of students who worked under the college workstudy program when I was a student in college, and I can tell you just how critical that program is. For a lot of kids, that is the difference between going to college and not being able to go to college. Having that job on campus allows you to earn money, but stay on campus, affording you more time to be able to study and do other things that you need to do in order to be a successful student.

Also, according to the Center for American Progress, the Trump budget will hit minority communities the hardest. The budget also calls for \$200 million in cuts to Federal TRIO programs, which help low-income, first-generation, and disabled students; and GEAR UP, a program that helps prepare low-income middle and high school students for college.

It shouldn't be any surprise to us that President Trump would want to gut funding to help disabled students succeed. We saw this sort of nastiness on the campaign trail, and we really do need to see how we can, again, boost these programs because they have been helping so many kids for a long time.

I can tell you of someone who utilized a Pell Grant Program. I am sure there are many Members of Congress on both sides of the aisle that had to use the Pell Grant Program. Similarly, the Trump budget keeps the Pell Grant Program, but it cuts \$3.9 billion in critical funding for many students.

According to the National Center for Education Statistics, the Pell Grant Program is the largest Federal grant program. The same study found that the program sends up to \$5,900 to students and families that earn less than \$40,000 a year and prioritizes funding for families earning closer to \$20,000 or less.

Again, if you are a low-income family, being able to utilize that money, particularly at that level—\$40,000 and below, \$20,000 and below—even if you were doing a little bit better than that, you know that that is not a lot of money, and that is why these Pell Grant Programs are so important.

Pell Grant continues to be an important program that helps level the playing field for African Americans and helps to minimize student loans after graduation.

A study by Brookings reported that Black students who graduated, as of October 2016, owed over \$52,000 in student loan debt, compared to White graduates who owed approximately \$28,000. By reducing funding, Trump is limiting a child's ability to achieve economic mobility and move toward the American Dream.

I am going to ask that my colleague from the great sunshine State of Florida (Mrs. DEMINGS), who is going to help lead this Special Order hour, talk a little bit about how important a lot of these programs are to her State. Her State has many great universities, including, in Tallahassee, Florida A&M University, one of our Historically Black Colleges and Universities that have produced so many great graduates from that school. Although the African-American students may not go to FAMU—but they may go to Florida State, they may go to Gainesville to the University of Florida, they may go to the University of Miami—they need this money in order to be successful.

In the gentlewoman from Florida's work as a Member of Congress and her previous work in law enforcement, the gentlewoman works closely with families, with kids who are trying to pull themselves up and make a difference. I think that America would love to hear from the gentlewoman from Florida (Mrs. DEMINGS) just because she has seen firsthand, again, what these grants, this job training, TRIO, and these other programs mean to these students.

Mr. Speaker, I yield to the gentlewoman from Florida (Mrs. DEMINGS).

Mrs. DEMINGS. Mr. Speaker, I also rise tonight to talk about America First, the proposed budget of the 45th President of the United States, President Donald Trump.

It has been said that a budget of a local, State, Federal Government, corporation, nonprofit organization, small business, even a personal budget, really defines one's priorities, one's values, one's vision for the future. The proposed budget gives us a look into one's vision, our President's, for the future of America.

When I think about a vision for the future of America, I personally think of a vision that exceeds our wildest expectations. This is a vision where every boy and girl, regardless of the color of their skin, their gender, their religion,

sexual orientation, where they live or how much money their parents have in the bank, has an opportunity to succeed, particularly in this country that we say is the greatest country in the world, and I do believe it to be so.

There is a famous Scripture that says: Because of a lack of a vision, the people perish.

I ask the question tonight: What is the vision for America under this budget?

My colleague has so eloquently laid out that education truly is the key. It starts in education for higher learning. But what about secondary education, where every child should have an opportunity to receive quality education?

We know that the budget proposed in America First cuts very necessary important programs that particularly hit the State of Florida, for example, the Teacher Quality Partnership, and Impact Aid support payments for Federal property, and international education programs. The 21st Century Community Learning Centers supports before- and after-school programs where children are able to receive tutoring, learn about the arts and music, and receive a meal during those programs.

Florida would be particularly hurt. Those programs are designed particularly for children that come from at-risk and poverty-stricken areas.

In those before-school and after-school programs, there is a focus on reading and math. And those programs often offer literary services to families of children that participate in those programs.

So back to the gentleman from Texas' question about what do we have to lose? In Florida, the overall graduation rate is 80 percent. But for African Americans, the graduation rate is about 72 percent, and lower for African-American boys. I can tell you, it is the lowest group.

We can't afford to pull more resources from the Department of Education—a proposed budget cut of 13.5 percent, in the double digits—resources that have been dedicated to lifting up all children, but particularly children of color and children from low-income neighborhoods. In President Trump's budget, that 13.5 percent is about \$9.2 billion from education.

What is being cut?

Not only the programs that I named, but about 20 other programs: \$3.7 billion in grants for teacher training to make sure that children not only receive the best education that money can buy, but also have the best, most qualified, most prepared, most trained teachers. Programs aimed at helping to ensure vulnerable children in low-income neighborhoods are able to succeed. They, too, really deserve a fair shot.

These Federal programs were created to ensure that every child, no matter who they are, has access to education.

This budget cut completely eliminates Federal Supplemental Educational Opportunity Grants. The name alone says it all, opportunity grants, grants that could offer need-based aid to around 1.6 million low-income undergraduates every year.

What do we have to lose?

Mr. VEASEY. Mr. Speaker, we have a lot to talk about tonight dealing with HBCUs, dealing with TRIO, dealing with these programs like GEAR UP, Pell Grants, jobs and job training, college workstudy.

I want to invite one of our colleagues up, one of our leaders, Representative JIM CLYBURN from the State of South Carolina. One of the demographics that often go overlooked in this debate is the plight of rural African-American students. Representative CLYBURN, not only does he understand and empathize with the plight of the urban African-American student, but he also understands again some of the struggles that the rural African-American student faces and how their ticket out of their hometown to be able to go experience something different is education. Many of these kids, Representative CLYBURN will tell you, have never had the opportunity to get far outside of their hometowns in rural America.

□ 1945

These programs give them the opportunity to do so. So I want to invite our assistant leader to come up. He is a graduate of South Carolina State University, the Bulldogs, one of our esteemed HBCUs, and again, I just appreciate his voice on this topic.

Mr. Speaker, I yield to the gentleman from South Carolina (Mr. CLYBURN).

Mr. CLYBURN. Mr. Speaker, I thank the gentleman from Texas (Mr. VEASEY) and the gentlewoman from Florida (Mrs. DEMINGS) for conducting this Special Order this evening. I appreciate it.

Yes, I am a graduate of South Carolina State University, but I also represent the University of South Carolina here in this body. And I just want to note that—with all that is going on around us, I want to say congratulations to the men of the University of South Carolina's basketball team for getting into the Final Four, and I am looking forward to, a few moments from now, watching the women do the same.

I met, along with other members of the Congressional Black Caucus, last week with President Trump, and we had an opportunity to share with him some of the fears that we have of his budget and what it would do to Historically Black Colleges and Universities.

As both the gentleman and gentlewoman have mentioned, I represent seven of these institutions. I said to the President that there is something that most people miss about the value of these colleges and universities; and I

shared with him a little experience I had last December.

While kicking off the annual Christmas festivities, I was having a conversation with a very good friend, who I have known for a long time, who is an outstanding cardiologist, recently retired from Charlotte, North Carolina, and we were talking about all the discussions that were taking place during last year's campaign about HBCUs.

Of course, I said to him that I thought that there was significant misunderstanding about the value of these institutions. In fact, I wrote an op-ed piece a few days ago, published in the Charleston, South Carolina newspapers. I talked about a State official, an elected official in my State who made the comment that those students who went to South Carolina State, like yours truly, did so because they were not qualified to go anywhere else.

Well, this gentleman, David Dowdy—I hope he doesn't mind me calling his name—David Dowdy said to me, as we talked: You know, when I left that little, rural, underfunded high school in Eastover, North Carolina, and got up to North Carolina A&T, I had to take remedial everything—simply because he went to an underfunded rural school.

In South Carolina, of course, these schools have been underfunded for generations, and the State has been fighting a lawsuit for some 24 years to keep from funding these schools properly and adequately.

He said, when he got up to North Carolina A&T, he had to take these remedial courses, but he went on to become a very successful heart doctor.

Now, I said to the President, after telling him this story: That is not an unusual case.

All of us have heard of the astronaut, Ronald McNair. Ronald McNair is also a South Carolinian. He graduated from a little high school in Lake City, South Carolina, a town most people never heard of.

Everybody talks about how successful he was as an astronaut, having lost his life in the accident, the Challenger. And when people refer to him, they always talk about him being a physicist from MIT. They never talk about the fact that, before he ever went to MIT for his master's degree, he went to North Carolina A&T for his bachelor's. It was there at North Carolina A&T where he was nurtured, and how he developed in those small classes, the remediation that he needed in order to unlock all that was within him.

So I shared with the President, and he assured me that he had no intentions of cutting funding to these Historically Black Colleges and Universities. I applaud him for that, and I thank him for that.

But I also said to him that I think it is important for us not to just maintain level funding but to make the kind of investments in these colleges and

universities that are needed for them to get these young minds that have been disadvantaged, because of State action, and help turn them into productive citizens who will make significant contributions to our society.

Now, I want to talk, just a moment though, about another part of the President's budget. You know, I served on three budget committees recently. In fact, I was on Vice President Joseph Biden's bipartisan group for deficit reduction. I also served on the Joint Select Committee on Deficit Reduction that everybody called the supercommittee.

And then I served on the budget committees that negotiated the Budget Control Act of 2011, an enactment I am not all that proud of, because we put in this thing we now call sequestration, which has wreaked havoc on military installations and military spending, as well as discretionary programs of the government.

Now, the hallmark of each successful budget agreement has been to increase defense spending by the same amount as spending for nondefense discretionary agencies. President Trump's proposed budget ignores this principle and would destroy many critical programs throughout all of the nondefense Federal agencies.

In 2016, the bipartisan budget agreement added \$25 billion in defense spending above the sequester levels. Importantly though, it paid for this increase with responsible revenue-raising provisions and also increased the non-defense side of the budget by \$25 billion as well.

For 2017, it is a similar story, where defense and nondefense are increased by \$15 billion, both paid for responsibly. President Trump proposes to go far beyond these agreements, proposing for 2018, \$54 billion in increased defense spending, and he pays for it by cutting the nondefense side of the budget by a corresponding \$54 billion next year.

Mr. Speaker, there is a responsible way to provide our military relief from sequestration. I support doing so, as do my colleagues in the Congressional Black Caucus. This is not the way to do it.

Much of the proposed investments will go to draconian immigration enforcement and an ineffective border wall. The President even has the audacity to propose ignoring the budget agreement for 2017, that was passed by Congress and signed into law by President Obama over 2 years ago.

What exactly does proposing \$54 billion below sequester level caps for the nondefense side of the budget mean? What effect would it have on our constituents? The President's budget decimates funding for critical infrastructure in low-income communities, I dare say, rural communities.

For example, the President proposes to eliminate \$500 million in funding for

the rural water and wastewater program in the Department of Agriculture. In my congressional district alone, this agency has funded drinking water infrastructure in poor, rural communities like Turbeville, Bowman, and Brittons Neck, that had previously limited access to clean water.

The President also proposes to eliminate the Transportation Investment Generating Economic Recovery, or TIGER grants, which invest in road, rail, transit, and port projects on a competitive basis all around the country.

In South Carolina, TIGER grants have funded the I-95/301 interchange in rural Santee, Main Street revitalization in Columbia, and upgrades at the Port of Charleston to the tune of more than \$32 million. The resulting economic and community development have proved to be well worth the Federal investment.

The President's proposal would also eliminate the Legal Services Corporation and LIHEAP. That is the program for low income home energy assistance that allows homes to be weatherized, and Meals on Wheels. This can only be seen as an attack on the poor and the elderly.

These cuts would leave thousands of poor senior citizens unable to heat their homes in the winter and deny thousands more legal aid they need to seek relief from domestic violence and avoid homelessness by staying in their homes.

The notion that Meals on Wheels doesn't produce results is totally ridiculous. In my district, Senior Resources in Columbia currently serves more than 500 seniors.

Mr. Speaker, Federal funding accounts for 37 percent of their budget. Cutting those funds would callously kick 180 homebound seniors to the curb, forcing them to join the already 130 people who are on the waiting list. These are unconscionable cuts made with no regard for the most vulnerable in our society.

The Congressional Black Caucus budget will take the opposite approach. By repealing sequestration, making the Tax Code fairer to increase the level of investment in critical programs, and targeting Federal funds to communities mired in persistent poverty through the 10-20-30 formula, the CBC's budget responsibly funds our military, while also lifting millions out of poverty.

I want to close by thanking the gentleman from Virginia, Congressman BOBBY SCOTT, my friend and classmate, for pulling that budget together, and doing so showing the kind of compassion that ought to exist in every public servant.

Mr. VEASEY. Mr. Speaker, I thank the assistant leader. I really appreciate his comments, and I want to thank him for standing up for these students and

everyone else out there who is trying to do something to help eliminate poverty.

The gentleman's 10-20-30 plan was really hailed as something that we should all take a closer look at. It was a bipartisan approach and a look at poverty because it affected so many different people's districts. I just want to thank the gentleman for being an advocate in this area.

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Mr. Speaker, I yield to the gentleman from the great State of California (Ms. BASS).

KAREN BASS also is someone that really takes these topics seriously. She has always been someone who has delved very deeply into the budget and into domestic spending and how it impacts our communities. I just really appreciate her taking part to really share what we think is important as it relates to this budget.

Ms. BASS. I thank the gentleman, Mr. VEASEY, and also Mrs. DEMINGS for their leadership in this hour.

I know that our theme is "What Do We Have to Lose"? That is something that the President, during his campaign, asked the African-American community: What do you have to lose? Why don't you think about voting Republican this time?

So I was a part of the group that Mr. CLYBURN referred to that went and met with the President last week. Members of the Congressional Black Caucus Executive Committee met with the President. We went over to the White House to answer the question: What do we have to lose?

As my colleagues who have spoken before me mentioned, we believe that we have a lot to lose. I think that the budget is a reflection of all that we have to lose.

As my colleague, VAL DEMINGS, said, a budget is a reflection of your values. It is a reflection of where you think taxpayers' money should be spent. So, in the opportunity that I had to speak with the President, I mentioned to him that I was sure that he was aware that, in the United States, over 2 million people are incarcerated. In fact, we incarcerate more people in the United States than any other country on the planet.

What I told him that he probably wasn't aware of was that this was an issue—a bipartisan, bicameral issue—that Members of Congress in both Houses were looking at because we recognized, over the years, that incarceration is not the solution to communities that are experiencing crime. We told him that there was a trend in Congress to actually reconsider policies that led to overincarceration. We told him that the Congressional Black Caucus was concerned about messages that

we heard from him: one that is reflected in his budget; two, that was reflected in his new deal for Black America where the focus was on law and order.

We told him that we were concerned about his proposals to address problems in poor communities, and our chair, CEDRIC RICHMOND, specifically pointed out that he was concerned about the way African-American communities were consistently described as riddled by violence and as almost uninhabitable.

We told him that we thought he probably wasn't aware that 95 percent of prisoners return to communities and that maybe he was not aware that many of these inmates return to certain ZIP Codes. If you have a community in certain ZIP Codes where a number of people have been released from prison without any services, then, naturally, you are going to have a problem with recidivism. We have people coming out of prison who then find out that they are prohibited from working and that they are ineligible for public benefits, including even a driver's license.

In the State of California, we had a program in State prisons where we trained you to be a barber, but then we didn't allow you to have a license if you had been a prisoner. So we had to change State law to change that.

We told him that, if we don't find ways to reintegrate people into society, he needed to understand that that was actually a contributing factor to crime and violence in many communities.

When we went to the White House, we didn't just go to point out problems, but we also went to talk about solutions. Here is the concern when it comes to the budget. The budget that the President delivered to Congress so far is so general that we don't know whether or not some of the cuts to discretionary spending would include programs like the Second Chance Act.

The Second Chance Act is a program that provides funding to States to address and reduce recidivism. The Second Chance Act has programs that work with inmates before they are released to address the root causes of why they offended in the first place. Many people in prison—a large percentage—did not graduate high school. So services that are provided by the Second Chance Act include employment services, mental health, substance abuse, housing, education, and family reunification.

As we talked about a budget being a reflection of values, for the values to me that will help the African-American community, we need to make sure that the Second Chance Act is fully funded. We won't know what is fully funded in the President's budget until he sends us more details in the month of May. But it is my hope that he lis-

tened to the presentations that members of the Congressional Black Caucus made when we had a meeting with him last week and that, when the budget comes out in May, we will see that the Second Chance Act is fully funded.

Mr. VEASEY. Mr. Speaker, I thank Representative BASS very much for her comments and remarks. I really appreciate the gentlewoman always taking this subject to task very seriously and to heart.

Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. BUDD). The gentleman has 26 minutes remaining.

Mr. VEASEY. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. EVANS), who has really made this, again, one of his priorities also. Philadelphia is one of those cities where many people have benefited by a lot of these domestic spending programs, including students like I talked about a little earlier. I would now like to hear from my esteemed colleague from the State of Pennsylvania, Mr. DWIGHT EVANS.

Mr. EVANS. Mr. Speaker, I thank my colleague for his leadership, along with my classmate, who is also a very fantastic person. So I thank both of you for your leadership in terms of the Congressional Black Caucus and exactly what that means.

My colleague from Florida said that budgets are values. Something that you may not know, I have spent 36 years in the Pennsylvania Legislature. Of those 36 years, I spent 28 years on the appropriations committee, and 20 of the 28 years as the chairman of that committee. So my colleague from Florida is absolutely correct that it is put your money where your mouth is, and that sets a tone for what you believe and what you think.

The President's proposed budget puts America's middle neighborhoods at greater risk, tilting towards decline.

What do I mean by "middle neighborhoods"?

Middle neighborhoods are the neighborhoods that are caught between growth and decline, neighborhoods that, with just a little love and a little help, you can keep those neighborhoods. Those neighborhoods are all over America. Those are communities that we should value. We should understand that affordable housing and stable communities in those neighborhoods are very important to the backbone of America.

So these American middle neighborhoods are neighborhoods we should cherish. We should value the importance of these communities. But under the proposed budget, they do not give our seniors, our children, or our working families a chance to get ahead—major cuts, Mr. Speaker, in funds for Federal student services, such as LIHEAP, grants for afterschool programs, community

development block grants, community service block grants, and others to help families and help raise them out of Pennsylvania poverty.

Last week, Mr. Speaker, I met with students from the Pennsylvania TRIO, Gear Up, and Upward Bound programs. President Trump's budget proposes cuts for millions of these programs, which would support first-time, first-generation college students through outreach to low-income and minority middle and high school students.

This is our future. This is our future. We are in the 21st century. We understand if we are to be very competitive in the world, we must leave no child behind.

It is important, Mr. Speaker, to recognize that the investments we are talking about benefit all of us. If we want a strong economy, these middle neighborhoods are essential. These middle neighborhoods are where people grow and develop. They go on to college. They do well in school, and they hold our society together.

The President's budget undermines and cuts the crucial investments we have made in our cities and our neighborhoods, neighborhoods that we all come from, neighborhoods where we all recognize the importance of these communities. We should not take this for granted because the reality is, as my colleague from Florida said, our values are where our dollars are.

I totally agree with her because she is really telling us all that you can pay now or you can pay later. It is better to pay on the front end rather than the back end. It is better to understand that these communities are communities that help America be what it is today.

The President's budget undermines and cuts critical investments. The President's budget does not give our cities the adequate resources to invest in our communities and moves our cities in the wrong direction.

I think that the President, as my colleague just said earlier, says: What do we have to lose? Well, we have a lot to lose under this proposed budget.

This budget is no new deal for Black America. As a matter of fact, this is no deal at all. We clearly understand that this means cuts in health care, education, affordable housing, and food nutritional programs.

This is no deal because we understand that we must make investments. If we are talking about moving America forward and we are talking about making it what we know it can be in terms of America, we must make this investment. But we cannot make these investments, we cannot be talking out both sides of our mouths, and we cannot, on one hand, say what do we have to lose and then, on the other hand, do nothing in the budget whatsoever. So it is clear, Mr. Speaker, that we have a missed opportunity here.

I am proud to stand as a member of the Congressional Black Caucus and join with all of my colleagues, as the chairman of the Congressional Black Caucus has said, as being the conscience of the Congress. It is important to understand that we don't take that lightly. That is why we stand here today, Mr. Speaker.

We stand here to raise the voice, to stress to people that we are not going to give up, that we recognize that we all have a responsibility and an obligation in this democracy, that this is our democracy and it is something that we should never take for granted.

We have a lot to lose. We stand to lose everything that made our neighborhoods stronger block by block. So, Mr. Speaker, I stand here with all of my colleagues to carry this message to everyone that we are never going to give up—never, never, never.

Mr. VEASEY. Mr. Speaker, I really appreciate Representative EVANS' thoughtfulness and his participation on the topic.

Mr. Speaker, I yield to the gentlewoman from California (Ms. MAXINE WATERS), who is my colleague from Los Angeles County. The gentlewoman is known as a fighter in her district not only on these domestic spending issues and not only in her district, but throughout the entire United States.

I am very happy that she is participating, and I know that she has been very vocal about those developments, dealing with the budget and dealing with other issues that affect us here in Washington, D.C. I really appreciate the gentlewoman's participating in tonight's discussion.

Ms. MAXINE WATERS of California. Mr. Speaker, I do appreciate the time that I have been allotted here this evening, joining with my colleagues in the Congressional Black Caucus to answer the question that was posed to us by this President. I rise to answer President Trump's question to the Black community.

Now, all throughout his campaign, President Trump declared that Black people all across this country just live in hell and fear each day, and we may be shot on the street. He basically said that we have nothing, our education is no good, on and on and on. Then he went on to say that only he can solve the challenges African Americans face.

Unfortunately, this kind of talk is typical of this President: boasting, bragging, and making promises. This President will say anything and promise anything, of course, with no intention of living up to his promises. One should not believe anything he has to say.

As a matter of fact, the African-American community understands very well when these kinds of empty promises are made. As a matter of fact, I would like to draw your attention to the fact that the presidents of the His-

torically Black Colleges and Universities organized, put together, a proposal, and they went to meet with the President at the White House.

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They didn't even have an opportunity to present the proposal. They were just ushered around in a photo op, and that was all that happened, without any real conversation, without any proposals being produced. They were treated in a disrespectful way.

This, basically, is what I have decided we can expect from the President. His budget and policy priorities reveal his true intentions and what so many of us already know about this President. He really doesn't care about the issues facing the African-American community, and he doesn't care to learn about those issues or advance any meaningful legislation to provide jobs and economic opportunities for our Nation's most vulnerable communities.

If you take a look at Trump's HUD budget, you find a \$6 billion reduction. He wants to eliminate the Community Development Block Grant program, which supports our cities and various urban renewal projects. He wants to eliminate the HOME Investment Partnerships Program. This President wants to eliminate the Choice Neighborhoods program. He wants to eliminate the homeownership program and on and on and on.

Just last week, this President tried and failed to repeal the Affordable Care Act. If that unconscionable bill had passed, 14 million people would have lost insurance coverage next year, and the American people would have seen billions of dollars in Medicaid cuts.

Trump's empty promises do not end with the budget. He has also filled his Cabinet with millionaires and billionaires who don't have a clue about the challenges facing the African-American community.

Trump's Treasury Secretary was known as the "Foreclosure King," who profited off the backs of vulnerable homeowners during the 2008 recession.

Trump's Education Secretary knows nothing about public education, did not attend public schools. Her children didn't attend public schools. She was not chosen to repair public education; she was chosen to break it.

Attorney General Jeff Sessions, who lied under oath before the Senate, opposed the Violence Against Women Act. He has taken hardline positions against our efforts to reform the criminal justice system, which disproportionately incarcerates African Americans. Of course, we knew about his background and his history and what he is known for, and that is discrimination, disrespect for African Americans.

Mr. Speaker, my position against this President and his administration is clear: I oppose this President. I do

not honor this President. I do not respect this President. He has disrespected the office and offended so many people across this country and around the world with his disgusting and indecent rhetoric against women, the Black community, Muslims, immigrants, and disabled Americans.

Mr. Speaker, it is not just the African-American community who will lose under this President. It is everyone who isn't a millionaire or billionaire that stand to lose under this administration. I will continue to oppose him and fight him every step of the way.

While I am talking about where he has put his priorities—and, of course, I think the budget really does reflect your priorities—he has reduced the education budget by 13 percent, or \$9 billion less than last year; a \$168 billion increase for charter schools, 50 percent above current levels.

Let's take a look at labor. It reduces the budget by 21 percent, a \$2.5 billion decrease from last year. Health and Human Services, decreased funding by \$15 billion, the lowest in 20 years.

It reduces funding for the National Institutes of Health by 19 percent. For the Environmental Protection Agency, it reduces the budget from \$8.1 billion to \$5.7 billion. Housing and Urban Development, again, reducing the budget by just about \$6 billion, or 13.2 percent.

He claims he cares about small businesses. He reduces the SBA budget by 5 percent, or \$43.2 billion less than last year. It goes on and on and on.

Homeland Security, increases the budget by only 6.8 percent, to \$44 billion, even though he claims he cares a lot about the security of this country.

What am I saying? I am simply saying that African Americans have struggled and fought, historically. Many African Americans have paid a huge price fighting for justice and equality in this country and have died for it. I don't have to call the names of Martin Luther King and all the others. We have paid a price. We have fought.

But guess what? Despite the fact that America has not always been there for us, we have always been there for America. We have fought in America's wars. We have suffered discrimination. We have suffered isolation and undermining. But we stand up for America, oftentimes when others who think they are more patriotic—who say they are more patriotic—do not.

When we fight against this President and we point out how dangerous he is for this society and for this country, we are fighting for democracy. We are fighting for America. We are saying to those who say they are patriotic but they turn a blind eye to the destruction that he is about to cause this country: You are not nearly as patriotic as we are.

We not only have fought in America's wars, have stood up for America, have

been there whenever this country was threatened in any way, we say now that this country is threatened with a President who does not belong there, a President who does not understand how this government works, a President who goes down to Mar-a-Lago every weekend and plays golf. He is not huddling with Members of Congress and trying to figure out how to form a consensus. Rather, he thought he could come in here and run roughshod over everybody. But that is how he works, that is how he acts.

He is not good for America. African Americans know this. The Black Caucus understands this. And for those members of the Black Caucus representing our leadership who went to meet with him, they have laid out to him all of this, what our care and concerns are all about. But in the final analysis, we really don't expect anything from him. My mission and my goal is to make sure that he does not remain President of the United States of America.

Mr. VEASEY. I thank Representative WATERS for her comments on this very timely matter.

Mr. Speaker, how much time do we have remaining?

The SPEAKER pro tempore. The gentleman has 9¼ minutes remaining.

Mr. VEASEY. Mr. Speaker, I yield to the gentleman from Virginia (Mr. SCOTT), my good friend, who is also a leader on education issues and domestic spending. I thank him very much for participating tonight.

Mr. SCOTT of Virginia. I thank the gentleman for his good work on the budget.

Mr. Speaker, the budget is about choices, and those choices involve arithmetic. Apparently, the Republican strategy on the budget does not recognize arithmetic. When you start with a deficit, their strategy to deal with the deficit is to increase defense spending and to pass massive tax cuts. That will not end up helping the deficit.

As we have seen with the choice in health care, they made bad choices. Whatever you think about the Affordable Care Act, their plan was demonstrably worse. Their plan would increase the number of people uninsured by 24 million, bring higher prices and worse policies, but tax cuts for millionaires.

What I couldn't understand was not what were the ups and downs for politics, but who was for that—24 million more uninsured, higher prices, and worse policies?

Democrats will work with Republicans to improve the Affordable Care Act, but we are not going halfway and saying only 12 million uninsured and slightly higher prices and slightly worse policies. If we are going to have a policy to increase the number of insured, lower prices, and provide better policies, we will work.

We can also produce a better budget. For almost an hour, we have heard the problems with the budget introduced by the President of the United States. The Congressional Black Caucus is not just about complaints. We have a budget, and it is a responsible budget.

We make choices. The choices avoid those devastating cuts that we have heard about. The Congressional Black Caucus budget is realistic. It requires \$3.9 trillion in additional revenues, but it outlines over \$10 trillion in choices that could be made to come up with that money, possibilities like canceling the Bush tax cuts. That is \$3.9 trillion right off the bat. Over \$10 trillion in total choices.

First, with that revenue, we cancel the sequester both for nondefense and for defense. Then we make investments in the future of American families with investments in education, job-creating infrastructure, the environment, scientific research, and maintain a strong social safety net. In the end, we reduce the deficit by a cumulative amount of an over \$2 trillion reduction in the deficit.

So let's be clear, we are going to make choices with the budget, choices like we made a few years ago. People say a lot about the proposal by Senator BERNIE SANDERS and \$900 billion for free college. Could we afford that? Just think, a couple of years ago, we passed, with one vote, an extension in tax cuts of \$3.9 trillion. We could have, with the same amount of money, extended \$3 trillion in tax cuts, and with the money left over, free college, but we didn't make that choice. All \$3.9 trillion went to tax cuts. The \$900 billion could have gone to free college.

Make no mistake about it, we are making choices. This year, again, we will make choices with our budget: massive tax cuts, or we can focus on a better feature and produce a more humane and responsible budget. I would hope that this year we make the right choice.

Mr. VEASEY. Mr. Speaker, before I close out this Special Order hour, I do want to thank my colleague from Florida, Representative VAL DEMINGS, for participating, and I want her to just share some last words on this subject: What do we have to lose? I know she has a few more things that she wants to share with everybody.

Mrs. DEMINGS. Mr. Speaker, I spent 27 years in law enforcement, and I realized early in my career that we cannot arrest our way out of the challenges that we face, that we have to address some of the social ills that cause decay in communities in the first place if we are going to make those communities better.

In 1965, President Lyndon Johnson commissioned a group to look at crime in America. I would like to share just a short paragraph of their report. It says:

"Every effort must be made to strengthen the family, now often shattered by the grinding pressures of urban slums.

"Slum schools must be given enough resources to make them as good as schools elsewhere and to enable them to compensate for the various handicaps suffered by the slum child—to rescue him from his environment."

Mr. Speaker, I want you to know that we are still trying to rescue children that that particular child represents from their at-risk environments. If we are going to put America first, it starts with putting the American people first.

Mr. VEASEY. Mr. Speaker, I thank Representative DEMINGS for her words and inspiration, and I really appreciate her perspective, again. Now she is getting an opportunity to see this as a Member of Congress, but the 27 years that she spent in law enforcement, it gave her a bird's-eye perspective on what happens when we don't invest in education, when we don't invest in health care, when we don't invest in things that help families uplift themselves and give themselves opportunities to pull one another out of poverty. I just want to thank her again for participating in tonight's Special Order hour.

Mr. Speaker, we have a lot to talk about because we do have a lot to lose, and I thank everybody for participating.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, when President Trump spoke on the campaign trail, his message to the African American community was clear: "What do you have to lose?" Today, just 9 weeks into his presidency, we now know that in a Trump Administration, the American people stand to lose their access to robust medical care, jobs, and more than \$54 billion used to fund critically important programs and Departments through the Federal government.

President Trump's fiscal year 2018 budget proposal to Congress seeks roughly \$54 billion in dramatic cuts to social programs and domestic spending in order to accommodate an equal increase in spending through the Departments of Defense, Homeland Security, and Veterans Affairs. His proposal is a poor reflection of the priorities that we hold as a nation and undermines—or eliminates entirely—many of the very programs that millions of Americans rely on the most.

For example, the President's budget proposal slashes funding for education by cutting grants for after school programs and reduces financial aid for low-income students, such as Pell Grants. The Department of Housing and Urban Development will also see a thirteen percent—or \$6.2 billion—reduction in its budget, which is reflected in the elimination of the Community Development Block Grant (CDBG) program, the HOME Investment Partnerships program, and Section 4 Community Development and Affordable Housing.

I cannot help but notice that there is a certain degree of hypocrisy reflected in the President's budget proposal when comparing to

what he has touted during the campaign. For example, the Department of Transportation will suffer significant cuts to programs such as TIGER, which has been an incredibly successful discretionary grant program used to fund projects of nation significance in communities all across the country. President Trump's budget proposal also looks to eliminate funding for the Capital Investment Grant program, which the Dallas Area Rapid Transit (DART) in Texas has utilized for many years to respond to the explosive population growth within my district and build up our transportation infrastructure. This moves our nation further away from the \$1 trillion in transportation infrastructure spending that the President has proposed during the campaign.

Mr. Speaker, I cannot support the President's budget proposal in its current form. The cuts included in his proposal are irrational and ignore the dire needs of our people to bolster our transportation infrastructure, create jobs, and pave the way for greater economic opportunity for all Americans—not just a select few. President Trump also wants to slash taxes for the wealthy and our biggest corporations. He will pay for those tax breaks by placing the burden on lower- and middle-class Americans. Just months into his presidency, it is already crystal clear that the American people have a lot to lose under his vision for America and I am proud to join my colleagues in the Congressional Black Caucus to oppose these devastating cuts and the entire Trump agenda.

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

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MARINO (at the request of Mr. MCCARTHY) for today on account of personal reasons.

Mr. SIMPSON (at the request of Mr. MCCARTHY) for today and March 28 on account of business in the district.

ENROLLED JOINT RESOLUTIONS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled Joint Resolutions of the House of the following titles, which were thereupon signed by the Speaker.

H.J. Res. 69. Joint Resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of the Interior relating to "Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska".

H.J. Res. 83. Joint Resolution disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness".

ADJOURNMENT

Mr. VEASEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 29 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, March 28, 2017, at 10 a.m. for morning-hour debate.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WOODALL: Committee on Rules. House Resolution 229. Resolution providing for consideration of the bill (H.R. 1430) to prohibit the Environmental Protection Agency from proposing, finalizing and disseminating regulations or assessments based upon science that is not transparent or reproducible (Rept. 115-60). Referred to the House Calendar.

Mr. BURGESS: Committee on Rules. House Resolution 230. Resolution providing for consideration of the joint resolution (S.J. Res. 34) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Protecting the Privacy of Customers of Broadband and Other Telecommunications Services" (Rept. 115-61). Referred to the House Calendar.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 1387. A bill to reauthorize the Scholarships for Opportunity and Results Act, and for other purposes; (Rept. 115-62). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on Science, Space, and Technology. H.R. 1431. A bill to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes; (Rept. 115-63). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HUNTER (for himself and Mr. GARAMENDI):

H.R. 1726. A bill to amend title 14, United States Code, to improve the organization of such title and to incorporate certain transfers and modifications into such title, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BLUMENAUER (for himself and Mrs. LOWEY):

H.R. 1727. A bill to prohibit use of body-gripping traps by personnel of the Department of the Interior and the Department of Agriculture and on lands of such departments; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIMPSON (for himself and Mr. LABRADOR):

H.R. 1728. A bill to modify the boundaries of the Morley Nelson Snake River Birds of

Prey National Conservation Area, and for other purposes; to the Committee on Natural Resources.

By Mr. BRAT (for himself and Mr. MOULTON):

H.R. 1729. A bill to provide the public with access to the laws of the United States, and for other purposes; to the Committee on House Administration.

By Mr. KUSTOFF of Tennessee (for himself, Mr. KILMER, Mr. DEUTCH, Mr. POE of Texas, Mr. KENNEDY, and Mrs. MCMORRIS RODGERS):

H.R. 1730. A bill to amend title 18, United States Code, to provide for the protection of community centers with religious affiliation, and for other purposes; to the Committee on the Judiciary.

By Mr. ROGERS of Kentucky (for himself, Mr. GRIFFITH, Mr. JENKINS of West Virginia, Mr. THOMPSON of Pennsylvania, and Mr. CARTWRIGHT):

H.R. 1731. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to provide funds to States and Indian tribes for the purpose of promoting economic revitalization, diversification, and development in economically distressed communities through the reclamation and restoration of land and water resources adversely affected by coal mining carried out before August 3, 1977, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DENT (for himself, Mr. HIMES, and Mr. BARLETTA):

H.R. 1732. A bill to amend the Controlled Substances Act to add certain synthetic substances to schedule I, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BROOKS of Indiana (for herself and Mr. KENNEDY):

H.R. 1733. A bill to direct the Secretary of Energy to review and update a report on the energy and environmental benefits of the re-refining of used lubricating oil; to the Committee on Energy and Commerce.

By Mr. YOUNG of Iowa (for himself, Ms. ROYBAL-ALLARD, and Mr. BILIRAKIS):

H.R. 1734. A bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for the purchase of qualified access technology for the blind; to the Committee on Ways and Means.

By Mr. BABIN:

H.R. 1735. A bill to direct the Administrator of the Federal Emergency Management Agency to issue guidance regarding implementation of certain buy-outs or the acquisition of property for open space as a flood mitigation measure, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BUCSHON (for himself, Mrs. BROOKS of Indiana, Mr. PETERS, and Mr. BUTTERFIELD):

H.R. 1736. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve the process for inspections of device establishments and for granting export certifications; to the Committee on Energy and Commerce.

By Mr. CRAWFORD (for himself, Mr. ABRAHAM, Mr. JONES, Mr. CRAMER, Mr. LONG, Mr. ROUZER, Mr. ROGERS of Alabama, Mr. MARSHALL, Mr. MITCHELL, Mr. PALAZZO, Mr. LUCAS, Mr. HURD, Mr. WOMACK, Mr. STEWART, Mr. GIBBS, Mr. KELLY of Mississippi, Mr. GOSAR, Mr. HARPER, Mr. YOHO, Mr. JOHNSON of Ohio, Mr. HUDSON, Mr. LAMALFA, Mr. BYRNE, Mr. BOST, and Ms. JENKINS of Kansas):

H.R. 1737. A bill to amend the Water Resources Reform and Development Act of 2014 with respect to the application of the Spill Prevention, Control, and Countermeasure rule to certain farms, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GARAMENDI:

H.R. 1738. A bill to establish the Sacramento-San Joaquin Delta National Heritage Area; to the Committee on Natural Resources.

By Ms. LEE (for herself, Ms. ROSELEHTINEN, Mr. POCAN, Mr. BEYER, Ms. JACKSON LEE, Ms. CLARKE of New York, Ms. SPEIER, Ms. MCCOLLUM, Mr. ELLISON, Ms. KELLY of Illinois, Mr. KILMER, Ms. CLARK of Massachusetts, Mr. TAKANO, Ms. ROYBAL-ALLARD, Mr. BLUMENAUER, Mr. NADLER, Ms. NORTON, Ms. SEWELL of Alabama, Mr. DANNY K. DAVIS of Illinois, Mr. LOWENTHAL, Ms. JAYAPAL, Mr. SWALWELL of California, Ms. SCHAKOWSKY, Mr. COHEN, Mr. QUIGLEY, Mr. PRICE of North Carolina, Mr. PETERS, Mr. HASTINGS, and Ms. WASSERMAN SCHULTZ):

H.R. 1739. A bill to modernize laws and policies, and eliminate discrimination, with respect to people living with HIV/AIDS, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico (for herself, Mr. MAST, Ms. ROSEN, Mr. KATKO, Mr. NORCROSS, Mr. SEAN PATRICK MALONEY of New York, Mr. TONKO, Mrs. MURPHY of Florida, Mr. EVANS, Mr. LANCE, Mr. VARGAS, Ms. SLAUGHTER, Mr. PETERS, Ms. FRANKEL of Florida, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. VELÁZQUEZ, Mr. HASTINGS, Mr. SCHAKOWSKY, Mr. SCHNEIDER, Mr. BLUMENAUER, Mr. CICILLINE, Ms. SINEMA, Ms. SHEA-PORTER, Mr. BROWN of Maryland, Mr. FASO, Ms. PINGREE, Ms. TITUS, Mr. SIRES, Ms. ADAMS, Mr. JEFFRIES, Mr. PERLMUTTER, and Mr. FITZPATRICK):

H.R. 1740. A bill to allow Homeland Security Grant Program funds to be used to safeguard faith-based community centers across the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MCSALLY (for herself, Mr. PEARCE, Mr. FRANKS of Arizona, Ms. SINEMA, Mr. GOSAR, and Mr. SCHWEIKERT):

H.R. 1741. A bill to prohibit the intentional hindering of immigration, border, and customs controls, and for other purposes; to the Committee on the Judiciary.

By Mr. MESSER:

H.R. 1742. A bill to require the Archivist of the United States to compile all applications, and rescissions of applications, made to the Congress to call a convention, pursuant to article V of the Constitution, and certain related materials, and to transmit them to Congress, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Oversight and Government Reform, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. O'ROURKE (for himself and Mr. KHANNA):

H.R. 1743. A bill to amend the Federal Election Campaign Act of 1971 to prohibit a candidate for election to the office of Representative in Congress or Senator from accepting contributions from any political committee other than an authorized committee of the candidate and from establishing a leadership PAC; to the Committee on House Administration.

By Mr. SMITH of New Jersey (for himself, Mr. SIRES, Mr. LOBIONDO, Mr. LANCE, Mr. PASCRELL, Mr. BILIRAKIS, Mr. MARINO, Mr. TED LIEU of California, Mr. CRAMER, Ms. MCCOLLUM, Mr. POE of Texas, and Mr. COSTA):

H.R. 1744. A bill to direct the President to submit to Congress a report on fugitives currently residing in other countries whose extradition is sought by the United States and related matters; to the Committee on Foreign Affairs.

By Mr. SMITH of Washington (for himself, Mr. CONYERS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MCGOVERN, Ms. JAYAPAL, and Ms. DELBENE):

H.R. 1745. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to eliminate the section 251A sequestrations; to the Committee on the Budget.

By Mr. HASTINGS:

H. Res. 231. A resolution celebrating the importance of the 15th Anniversary of the Arab Peace Initiative as a meaningful effort by Arab countries to the commitment of peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. ROUZER:

H. Res. 232. A resolution recognizing linemen, the profession of linemen, the contributions of these brave men and women who protect public safety, and expressing support for the designation of April 18, 2017, as National Lineman Appreciation Day; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. HUNTER:

H.R. 1726.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. BLUMENAUER:

H.R. 1727.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. SIMPSON:

H.R. 1728.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact legislation is provided by Article I, Section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. BRAT:

H.R. 1729.

Congress has the power to enact this legislation pursuant to the following:

The volumes of the United States Statutes at Large compile the legal acts of the government of the United States, including legislative measures enacted pursuant to powers throughout Article I of the Constitution and constitutional amendments proposed under Article V of the Constitution. It is both necessary and proper (Article I, Section 8, Clause 18) for the legal history of the United States to be accessible to the People in an accessible format on the Internet.

By Mr. KUSTOFF of Tennessee:

H.R. 1730.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, the Necessary and Proper Clause. Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. ROGERS of Kentucky:

H.R. 1731.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (General Welfare) and Article I, Section 8, Clause 18 (Necessary and Proper Clause)

By Mr. DENT:

H.R. 1732.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mrs. BROOKS of Indiana:

H.R. 1733.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. YOUNG of Iowa:

H.R. 1734.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. BABIN:

H.R. 1735.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. BUCSHON:

H.R. 1736.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution

By Mr. CRAWFORD:

H.R. 1737.

Congress has the power to enact this legislation pursuant to the following:

The enumerated powers listed in Article I, Section 8, which includes the power to “regulate commerce . . . among the several States . . .”

By Mr. GARAMENDI:

H.R. 1738.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8

By Ms. LEE:

H.R. 1739.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 1740.

Congress has the power to enact this legislation pursuant to the following:

The Constitution of the United States, Article One, Section 8, Clause 18: “The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.”

By Ms. MCSALLY:

H.R. 1741.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: To regulate Commerce with foreign Nations and among the several States, and with the Indian Tribes.

Article 1, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. MESSER:

H.R. 1742.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution requires Congress to call a convention for proposing amendments to the Constitution “on the application of the legislatures of two thirds of the several states.” In order to fulfill this obligation, Congress has the authority to enact legislation to ensure accurate record-keeping of state applications submitted pursuant to Article V.

By Mr. O’ROURKE:

H.R. 1743.

Congress has the power to enact this legislation pursuant to the following:

Section 4 of Article I of the Constitution:

The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each state by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

By Mr. SMITH of New Jersey:

H.R. 1744.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

Article I, Section 8, Clause 4

Article I, Section 8, Clause 18

By Mr. SMITH of Washington:

H.R. 1745.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1, 2, 14, 18 of the U.S. Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 24: Mr. FARENTHOLD, Mr. ROSS, Mr. WEBSTER of Florida, Mr. GRAVES of Georgia, and Mr. RATCLIFFE.

H.R. 25: Mr. BANKS of Indiana.

H.R. 82: Mr. MOONEY of West Virginia.

H.R. 102: Mr. SCHIFF.

H.R. 173: Mr. BACON, Ms. BARRAGÁN, Ms. SLAUGHTER, and Mr. WELCH.

H.R. 179: Mr. RENACCI.

H.R. 184: Mr. RUIZ.

H.R. 233: Mr. ELLISON and Mr. CURBELO of Florida.

H.R. 257: Mr. HENSARLING.

H.R. 314: Mr. KUSTOFF of Tennessee, Mr. LOUDERMILK, Mr. BARR, Mr. ROUZER, Mr. PITTINGER, Mr. FLORES, Mr. DUFFY, Mr. DESJARLAIS, Mrs. WAGNER, Mr. DUNCAN of South Carolina, Mr. BARTON, Mr. McCAUL, Mr. CULBERSON, Mr. JODY B. HICE of Georgia, Mr. FRANKS of Arizona, Mr. STIVERS, Mr. ROE of Tennessee, and Mr. WESTERMAN.

H.R. 352: Mr. GIBBS.

H.R. 367: Mrs. MCMORRIS RODGERS.

H.R. 392: Mr. FASO, Mr. NEAL, and Ms. SCHAKOWSKY.

H.R. 449: Ms. KUSTER of New Hampshire and Mr. OLSON.

H.R. 486: Mr. DESANTIS, Mr. MEADOWS, Mr. PERRY, Mr. GARRETT, Mr. DESJARLAIS, and Mr. BABIN.

H.R. 488: Ms. BARRAGÁN.

H.R. 559: Mr. CHABOT and Mr. McCAUL.

H.R. 576: Mr. MESSER.

H.R. 754: Mr. COFFMAN, Mr. BANKS of Indiana, Mr. ELLISON, and Mr. SCHIFF.

H.R. 757: Ms. LEE.

H.R. 772: Mr. BILIRAKIS.

H.R. 807: Mr. BUTTERFIELD.

H.R. 816: Mr. GENE GREEN of Texas.

H.R. 820: Mr. KENNEDY and Mr. TED LIEU of California.

H.R. 828: Mr. ROE of Tennessee.

H.R. 873: Mr. NEAL and Ms. ROSEN.

H.R. 877: Mr. GRIFFITH, Mr. MAST, Ms. BROWNLEY of California, and Mr. YOUNG of Iowa.

H.R. 904: Mr. VISCLOSKEY, Mr. POCAN, Ms. KAPTUR, Mr. CORREA, and Mr. DESAULNIER.

H.R. 911: Mr. PETERS.

H.R. 920: Mr. RASKIN, Mrs. LOWEY, Mr. JEFFRIES, Mr. CUMMINGS, and Mr. YARMUTH.

H.R. 921: Mr. RASKIN, Mrs. LOWEY, Mr. JEFFRIES, Mr. AGUILAR, and Mr. CUMMINGS.

H.R. 931: Mr. TAKANO, Mr. TAYLOR, Ms. ROS-LEHTINEN, Mr. CARBAJAL, and Mrs. LOVE.

H.R. 960: Mr. PAULSEN.

H.R. 1007: Mr. CARSON of Indiana.

H.R. 1017: Mr. ELLISON.

H.R. 1031: Mr. ROKITA.

H.R. 1046: Ms. BROWNLEY of California.

H.R. 1049: Mr. HIMES.

H.R. 1057: Mr. HIMES and Mr. RUSSELL.

H.R. 1069: Mr. SMITH of Washington and Ms. JUDY CHU of California.

H.R. 1098: Mr. KING of New York and Mr. ROSS.

H.R. 1119: Mr. MURPHY of Pennsylvania.

H.R. 1135: Mr. HIMES.

H.R. 1136: Mr. SHIMKUS, Mr. BACON, and Mr. PETERSON.

H.R. 1158: Mr. CONNOLLY, Mr. STIVERS, Mr. LOWENTHAL, Mr. LARSON of Connecticut, and Mr. COURTNEY.

H.R. 1175: Mr. ARRINGTON.

H.R. 1206: Mr. HIMES.

H.R. 1241: Mr. RYAN of Ohio.

H.R. 1242: Mr. BROWN of Maryland, Mr. NADLER, and Mrs. LAWRENCE.

H.R. 1267: Mr. HUFFMAN, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. PERLMUTTER, and Mrs. TORRES.

H.R. 1311: Mr. BUCK, Ms. JENKINS of Kansas, Ms. SLAUGHTER, Mr. GIBBS, Mr. DUFFY, Mr. YOUNG of Iowa, Mr. NOLAN, Mr. MOOLENAAR, Mr. MARSHALL, and Mr. BACON.

H.R. 1380: Mr. BISHOP of Georgia.

H.R. 1381: Mr. ARRINGTON.

H.R. 1384: Mr. KIND, Mr. WOMACK, Mr. PANNETTA, Mr. BROWN of Maryland, Mr. BANKS of Indiana, Mr. MAST, and Mr. BRIDENSTINE.

H.R. 1409: Mr. GALLEGO.

H.R. 1419: Mr. MCKINLEY.

H.R. 1436: Mr. GARRETT.

H.R. 1439: Mr. MCGOVERN.

H.R. 1440: Mr. MCGOVERN.

H.R. 1444: Mr. PRICE of North Carolina.

H.R. 1456: Mr. SOTO, Ms. WASSERMAN SCHULTZ, Mr. KILMER, Mrs. DAVIS of California, and Mr. CÁRDENAS.

H.R. 1503: Mr. RUSH, Mr. WALZ, and Mr. BEN RAY LUJAN of New Mexico.

H.R. 1551: Mr. LOUDERMILK.

H.R. 1552: Mr. FARENTHOLD, Mr. CHABOT, Mr. CARTER of Texas, Mr. ROHRBACHER, Mr. ARRINGTON, and Mr. HOLLINGSWORTH.

H.R. 1555: Mr. DUNCAN of Tennessee and Mr. O’ROURKE.

H.R. 1613: Mr. COMER.

H.R. 1626: Ms. PINGREE.

H.R. 1627: Mr. MESSER, Ms. STEFANIK, Mr. GIBBS, Mr. MOOLENAAR, Mr. JOHNSON of Ohio, Mrs. WAGNER, Mr. WESTERMAN, and Mr. POLIQUIN.

H.R. 1635: Ms. STEFANIK, Mr. ALLEN, and Ms. CLARK of Massachusetts.

H.R. 1644: Mr. CONNOLLY, Mr. BERA, and Mr. ABRAHAM.

H.R. 1661: Mrs. WALORSKI.

H.R. 1673: Mr. GUTIÉRREZ.

H.R. 1697: Mr. YOUNG of Iowa, Mr. SMITH of Texas, Mr. MEEHAN, Mr. O’HALLERAN, Mrs. LOWEY, Mr. HASTINGS, Mr. ROKITA, Mr. ENGEL, Mr. DEUTCH, and Mr. STIVERS.

H.R. 1698: Ms. ROS-LEHTINEN, Mr. DEUTCH, Mr. McCAUL, Mr. SHERMAN, Mr. NADLER, Ms. TITUS, Mr. HASTINGS, Mr. SCHNEIDER, Mr. SMITH of Texas, Mr. SIREN, Mrs. LOWEY, Ms. ROSEN, Mr. MEEHAN, Mr. BRADY of Pennsylvania, Mrs. WALORSKI, and Mr. SESSIONS.

H.J. Res. 6: Mr. LAHOOD.

H.J. Res. 59: Mr. McCAUL.

H. Con. Res. 4: Ms. WILSON of Florida.

H. Con. Res. 10: Mr. NUNES.

H. Con. Res. 13: Mr. BYRNE.

H. Con. Res. 28: Mr. YODER.

H. Res. 31: Ms. KUSTER of New Hampshire, Mr. PAYNE, Mr. GRIJALVA, and Mr. CÁRDENAS.

H. Res. 54: Mr. MEEKS, Mr. DEUTCH, and Mr. ROYCE of California.

H. Res. 184: Mr. DEUTCH, Ms. BASS, Ms. KUSTER of New Hampshire, Mr. BISHOP of Georgia, Mr. COURTNEY, Mr. HIGGINS of New York, Mr. KILDEE, and Miss RICE of New York.

H. Res. 186: Ms. KELLY of Illinois, Mr. JOHNSON of Georgia, Ms. HANABUSA, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. JAYAPAL, Mr. DEUTCH, Mr. RYAN of Ohio, Mr. CÁRDENAS, Mr. RASKIN, Mr. DESAULNIER, Mrs. LAWRENCE, Mr. KEATING, Ms. SLAUGHTER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CLAY, Mr. MOULTON, Mr. DELANEY, Ms. CLARKE of New York, Mr.

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LOEBSACK, Ms. SÁNCHEZ, Mr. BUTTERFIELD,
Mr. MCEACHIN, and Mr. COURTNEY.

H. Res. 218: Mr. O'ROURKE, Mr. COHEN, Mr.
BILIRAKIS, and Mr. FARENTHOLD.

H. Res. 188: Mr. BRADY of Pennsylvania and
Mr. WEBER of Texas.

H. Res. 220: Mr. SHERMAN.

DELETIONS OF SPONSORS FROM
PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors
were deleted from public bills and reso-
lutions, as follows:

H.R. 1695: Mr. JOHNSON of Georgia.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 27, 2017

Mr. HIGGINS of New York. Mr. Speaker, on March 24, 2017, I was not present for the recorded vote on roll call no. 191. Had I been present, I would have voted NAY on the motion to order the previous question providing for consideration of H.R. 1628, the American Health Care Act of 2017.

CONGRESSIONAL TEACHERS AWARD

HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 27, 2017

Mr. BUCHANAN. Mr. Speaker, I rise today in recognition of outstanding public school teachers in Florida's 16th Congressional District.

I was once told that children are 25 percent of the population, but they are 100 percent of the future.

And it's true. The education of a child is an investment, not only in that student, but in the future of our country.

Therefore, I established the Congressional Teacher Awards to honor educators for their ability to teach and inspire students.

An independent panel has chosen the following teachers from Manatee, Sarasota, and Hillsborough Counties to receive Florida's 16th District 2015 Congressional Teacher Award for their accomplishments as educators:

Danielle Murphy for her accomplishments as a teacher at Boyette Springs Elementary in Riverview

Carol Pelletier for her accomplishments as a teacher at Sarasota Military Academy Prep in Sarasota

Emilee Vermilion for her accomplishments as a teacher at Southeast High School in Bradenton

On behalf of the people of Florida's 16th District I congratulate each of these outstanding teachers and offer my sincere appreciation for their service and dedication.

HONORING CAPTAIN HUMBERT ROQUE "ROCKY" VERSACE ON THE OCCASION OF NATIONAL MEDAL OF HONOR DAY

HON. DONALD S. BEYER, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 27, 2017

Mr. BEYER. Mr. Speaker, I rise today on the occasion of National Medal of Honor Day

to recognize the heroism "above and beyond the call of duty" of Captain Humbert Roque "Rocky" Versace, USMA Class of 1959. Captain Versace, who was captured by the Viet Cong with two other U.S. soldiers on 29 October 1963, endured nearly 23 months of inhuman treatment at the hands of his communist captors. That included denial of medical treatment (for the 3 bullet wounds he sustained during his capture), insufficient daily food ration, indoctrination attempts, beatings and confinement to a cramped bamboo cage.

Portions of his Medal of Honor citation read: "[H]e demonstrated exceptional leadership and resolute adherence to the tenants of the Code of Conduct from the time he entered into a prisoner of war status . . . he attempted the first of four escape attempts by dragging himself on his hands and knees out of the camp through dense swamp and forbidding vegetation to freedom . . . Captain Versace scorned the enemy's exhaustive interrogation and indoctrination efforts, and inspired his fellow prisoners to resist to the best of their ability. When he used his Vietnamese language skills to protest improper treatment of the American prisoners by the guards, he was put into leg irons and gagged to keep his protestations out of earshot of the other American prisoners in the camp . . ."

The Viet Cong murdered Captain Versace on 26 September 1965. After more than 51 years, Captain Versace is the only U.S. Soldier who received the Medal of Honor during the Vietnam War to remain Missing in Action.

COMMEMORATING THE RETIREMENT OF BOB EPLING

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 27, 2017

Mr. DIAZ-BALART. Mr. Speaker, I, along with Representative ROS-LEHTINEN and Representative CURBELO rise to commemorate the retirement of Mr. Bob Epling.

Bob began his career as an assistant bank examiner with the Federal Deposit Insurance Corporation in Washington, D.C. From there, he moved to South Florida, where he would spend most of the next fifty years. Bob worked for several banks in South Florida, and has served as the President and CEO of Homestead/Community Bank of Florida for the last forty years. Through his work at the bank, he has consistently proven himself to be an honorable, ethical man.

Bob has also been an active member of the South Florida community. He has served as the Chairman of the International Hurricane Center for the past twenty years, serves on the executive board of the South Florida Council of Boy Scouts of America, and is a member of the Military Affairs Committee of

the Greater Homestead/Florida City Chamber of Commerce, among many other activities.

Bob is also a Senior Advisor to the Orange Bowl Committee, after serving as its President in 1993. In his work with the Orange Bowl Committee, he was able to break ground on a renovation of the football stadium and field at Harris Field Park in Homestead. This project is just one example of Bob's continuing commitment to making life better for his neighbors in South Florida.

We have known Bob for several decades, and have been consistently impressed with the breadth of his involvement with the community. He has been a loyal friend, and is an honest voice who can speak to the positive qualities of his community as well as the challenges it faces. We congratulate Bob on a remarkable career and a lasting impact made.

Mr. Speaker, we are honored to pay tribute to Mr. Bob Epling for his tremendous service to the South Florida community, and we ask our colleagues to join us in recognizing this remarkable individual.

COMMUNITY EMPOWERMENT FOR MITIGATED PROPERTIES ACT OF 2017

HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 27, 2017

Mr. BABIN. Mr. Speaker, it is my honor today to introduce the Community Empowerment for Mitigated Properties Act of 2017.

When the Federal Emergency Management Authority (FEMA) buys up repeatedly flooded—and uninsurable—residential lots, the houses are demolished and these properties become permanently barred from development. The properties become open lots and give flood waters a place to be absorbed, but the strict requirements and regulations on development of the land can leave a patchwork of empty spaces and an uncertain future about their upkeep and maintenance.

This legislation would ensure that FEMA provide notice to municipal land maintenance authorities that a flood mitigation purchase has been made inside their jurisdiction, and how disagreements between local government's competing land maintenance standards can be mediated. Enactment of this legislation would help communities in my district and around the country to better deal with these situations, and I look forward to advancing it through the Transportation and Infrastructure committee and this House.

In conclusion, I would like to acknowledge a former member of my staff, Daniel Amico, for his hard work on this legislation. Daniel has moved on to pursue a new opportunity, but I wish him well and thank him for his efforts on my behalf preparing this bill.

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

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

THE MIDDLE EAST

HON. FRANCIS ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 27, 2017

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today to share with my colleagues several articles that I have written over the years regarding the Middle East. As a Member of the Europe, Eurasia, and Emerging Threats Subcommittee on Foreign Affairs, these pieces serve to outline and inform discussions that our Committee will cover in the 115th Congress.

ISIS, ISLAMIC EXTREMISM, AND THE LONG WAR

Regardless of various opinions about the United States' military engagements in Iraq and Afghanistan since 2001, I would argue that President Bush's words to a joint session of Congress on 20 September of that year ring just as true and valuable now: "We are a country awakened to danger and called to defend freedom" against an onslaught by terrorists practicing "a fringe form of Islamic extremism".

Recent unconscionable acts of violence by Islamic militants, including beheadings and burnings alive not heard of for hundreds of years, demand broad and possibly unique means of response and concerted action by the modern world. Certainly the "overseas contingency operation" with which the Obama Administration replaced the "Global War on Terror" in May 2009 has failed to accomplish the task. Now ISIS leaders openly threaten to "conquer your Rome, break your crosses and enslave your women."

Not since the Communist state of Stalin, or perhaps the Third Reich, have we faced such a potential, or at least self-proclaimed, existential threat to the modern world. It required a half century of containment to mutate the former and a brutal world war to eradicate the latter.

The religious inspiration behind ISIS, Taliban, Al-Qaeda, and affiliated groups add a different face to the movements which call for responses broader than purely military activity. Recalling President Truman's unsuccessful effort to draw the world's religions into the fight against communism, we need to draw religious leaders from all traditions—especially the vast majority of Muslims who do not align themselves with the medieval barbarism of the terrorists—into open and concerted action in opposition to the threat posed here.

In the early 1950s, Truman found only one group, the Catholic Church, willing to broadly and openly attack communism. In 2006, it was Pope Benedict XVI who spoke out more clearly and aggressively against the evil of using religion to inspire hatred and violence—and of the fundamental incompatibility of the Prophet's command to "spread the word by the sword" with the way of life in the modern 21st century. He urged the Islamic world to reconcile the Koran with modernity, to bring reason to its interpretations just as the Enlightenment did for theocratic monarchies in the 18th century. He made it clear that moderate Muslims must take responsibility for their own religion.

And while there have been some encouraging comments, inter-religious dialogues, and op-eds to this effect, we are still in the early stages of a protracted struggle for the minds of heretofore not radicalized Muslims. The "soft power" of religious opinion makers is an important factor. In fact, some have ar-

gued as Ambassador Charles Freeman (USFS, Ret.) has that "only a coalition with a strong Muslim identity can hope to contain" the terrorists. He argues that the doctrines of ISIS cannot be successfully refuted by non-Muslims because the U.S. "lacks the religious credentials to refute" Islamic terrorist groups as "a moral perversion of Islam."

The lack of cultural integration in different nations' societies also presents a major challenge. Whether it is European "multiculturalism," or an affirmative prejudice, the lack of alignment of many Muslim groups with the national identities and cultures of their countries has created a breeding ground for radicalization. Here is where our unique American "exceptionalism" can show the light. Our "melting pot" tradition of assimilation of diverse peoples has created—despite some bumps in the road—a uniquely broad and culturally tolerant society. And the related concept of citizenship based on residence and personal actions rather than blood and lineage can serve as a powerful model.

As the world gropes for solutions, it has become clear that concerted action by the modern world, akin to the Allied Powers' collaborative actions to confront the Axis, is absolutely necessary. Spain and France recently passed bi-partisan laws granting expansive powers to the authorities to monitor and interdict internet connectivity with radical Islamic sites, to isolate and track down "lone wolf" terrorists, and to restrict and contain travel to and from places of known terrorist activities. Modifying the Schengen visa program and putting in place tightened border security are issues to consider as means of improving tracking of known terrorist suspects.

Lastly, we should consider a "containment" and isolation program to ring fence the terrorist geographies, turn them onto themselves and limit their capacity to export murder beyond their borders. In so doing, perhaps we can help assure that their neighbors who are our allies in all this (especially Jordan) are reinforced and protected. Turkey has a powerful role to play both because of their long land border with Syria and Iraq, and due to the complexities presented by the PKK in Turkey and the evolution of Kurdistan and its Peshmerga, which are capable fighters and allies of the West. Only a comprehensive strategy can turn the tide and lead us to ultimate victory in the Long War.

IS THIS WAR YET?

Contrary to the constrained and parsed language that the Obama administration uses to describe the terror radiating from the Middle East, we are at war. The terror attacks in France only underscore this reality. This is a struggle for the values and freedoms the Western world holds dear. The modern secular state where all religious faiths are respected, and the rights of all men and women are to be protected, is under siege. These attacks are neither sporadic "episodes," nor are they merely criminal. We confront a locally and regionally organized movement with a unifying ideology and global ambitions.

While the Islamic State, Al-Qaeda and their ilk are in some ways more complicated than traditional nation states, the underlying ideology has echoes of mid-20th Century fascism. There is tyranny in the beating heart of both movements.

Former Secretary of State Hillary Clinton correctly noted that the enemy are "jihadists," but shied away from conceding

that it is unmistakably and by its own description Islamic. You can argue whether the wave of terror that began with the Iranian Revolution and reached new heights with the Islamic State attacks on France is truly inspired by a perverted interpretation of Islam, or rather the cynical and calculated manipulation of religion for the purpose of hegemonic conquest. Either way, the result is largely the same. The Islamic State, Al-Qaeda and the constellation of Islamic extremist groups that orbit around them have spread fear across the world. They have imposed a significant "security tax" on free societies. And they have seized significant territory across North Africa and the Middle East.

The question confronting all free societies targeted by these extremists is whether to declare war against those who are waging war against us. If so, what is the best means to mount the kind of wartime response traditionally associated with nation state conflicts?

One possible measure would be an embargo that cuts off extremist held territory in Iraq and Syria from the rest of the world: No cross border movement, no flights in and out, no connection with the global commons. This would essentially treat extremist held territory as a belligerent nation, and it might well entail recognizing the already de facto partition of Iraq and Syria into their Shiite, Sunni and Kurdish regions. Islamic State leaders believe they occupy a Caliphate, so why should they avoid measures that traditionally constrain aggressor nations?

More punishing measures could also target any governments or non-governmental organizations that nurture or support the terrorists, including the governments of many of our Sunni allies in the Middle East. Even indirect or private support for a radical movement that has declared war on the civilized world should carry a heavy cost, one that creates an incentive for these nations to become part of the solution to a problem that is in many respects of their own making. In short, cut off the money, dry up support, and starve the extremist movement.

The plight of innocent people in areas occupied or contested by these extremists is a humanitarian tragedy on an almost incomprehensible scale. While all innocent people driven from their homes or persecuted by these extremists deserve our help and support, the plight of Christians in this regard is unconscionable. The world needs to help all of the displaced persons created from this conflict, but the ultimate answer to their suffering is to stop the wanton violence and destruction so that they can return home.

A good place to start is the "No Fly Zone" and safe corridor in Syria which Governor Jeb Bush and others have endorsed. Such a safe haven could offer a means to bring humanitarian aid to the displaced, stem the current refugee tide, and serve as a base of operations for more moderate forces opposed to the extremists.

This sad chapter in human affairs will pass, but decisions and actions are urgently needed to hasten the day when the Islamic State and its fellow travelers take their rightful place on the ash heap of history, alongside other extremist movements like fascism, imperialism, and communism. As in past wars, free peoples will ultimately prevail so long as free nations stand united against tyranny, recognizing it under whatever black flag it travels. Appeasement and parsed language, such as we have repeatedly seen from the Obama administration, will not deter hardened jihadists.

IN RECOGNITION OF THE CENTENNIAL OF THE BOROUGH OF DUPONT, PENNSYLVANIA

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 27, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor the Borough of Dupont, Pennsylvania, which will celebrate its Centennial on March 28, 2017. When Judge Garman signed a decree on March 28, 1917 to officially incorporate the Borough of Dupont, he could not have imagined the robust, close-knit, and thriving community that Dupont is today.

The citizens of Dupont have always shown resilience and determination. In 1896, when the residents of the Dupont section of Pittston Township were unhappy with their living conditions and the allocation of their tax dollars, they banded together to present a petition for incorporation to Luzerne County. When their petition was denied, the citizens of Dupont did not back down or give up. They spend the next 21 years revising and submitting new petitions until their ultimate success in 1917.

In 1917, Dupont was home to 27 saloons, 6 butcher shops, a watch maker, 5 candy stores, and 3 pool rooms, among other fine establishments. Today, Dupont is home to many area favorites, including the Dupont Polish Club and VFW Post 4909, as well as a number of successful businesses and restaurants. These small businesses and gathering spaces truly reflect the community-minded and entrepreneurial spirit of Dupont.

Communities like Dupont are what make Northeastern Pennsylvania a unique and vibrant place to live and work. Over the past one hundred years, the Borough has demonstrated a commitment to fellowship and progress, a trend which will no doubt continue and contribute to the prosperity of this treasured community.

LIMITING INHUMANE FEDERAL TRAPPING (LIFT) ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 27, 2017

Mr. BLUMENAUER. Mr. Speaker, today, I am reintroducing the Limiting Inhumane Federal Trapping (LIFT) Act, which would severely restrict the use of inhumane body-gripping traps on public lands and by public officials. Every year, countless dogs, cats, and wild animals are injured and killed in body-gripping traps such as leg and foothold, Conibear, and snare traps. The animals caught in these traps are subject to intense pain that can last for hours, or even days. If they don't die immediately from the injuries, animals can suffer from dehydration, predation, or when a trapper eventually finds them. Furthermore, pets and other companion animals can be the victims of these traps. Body-gripping traps are non-selective in their victims, and can be particularly dangerous if set in popular areas. There are many effective non-lethal methods that can be deployed in place of these cruel traps.

Despite these serious risks, body-gripping traps are used by federal agencies, local governments, private entities, and individual trappers to catch creatures for their fur, keep animals away from livestock and crops, and even for recreational purposes. Wildlife Services, a federal agency notorious for its secrecy and use of inhumane animal management techniques, often uses body-gripping traps as a first resort. This results in the death or capture of thousands of animals per year in these cruel body-gripping traps. Federal agencies too often avoid more humane, effective, and non-lethal control options to control animal species. The LIFT Act would ensure that federal agencies, including Wildlife Services, do a better job of regulating trapping by non-federal entities on public lands, thereby limiting cruelty and protecting public safety.

Inhumane trapping is a problem in Oregon and across the country. There have been too many unfortunate examples of wild animals and pets falling victim to these traps. This bill complements efforts by other colleagues in the House and Senate to crack down on the use of body-gripping traps in light of the growing public acknowledgement that we cannot and should not continue to endorse the widespread use of these inhumane devices.

HONORING DR. ELLEN N. JUNN

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 27, 2017

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Dr. Ellen N. Junn, who will be officially inaugurated as the 11th President of California State University, Stanislaus, on March 30, 2017.

President Junn has demonstrated a dedication to excellence in the pursuit of knowledge with a career spanning more than 30 years in teaching and leadership positions at five different California State University campuses.

In addition to her years of service, President Junn has an extensive catalogue of published work with a focus on supporting the success of underserved students, the significance of university-community engagement, and strategies for supporting non-tenure track faculty, especially women and minorities.

President Junn has helped countless students attain baccalaureate and graduate degrees through a core commitment to forging and advocating pathways for the underserved. She has been recognized as an exemplary leader and fierce promoter for the California State University's diverse community of students, faculty, and staff. She has also advocated for an engaged and high-impact undergraduate experience, led by a team of dedicated teachers.

Mr. Speaker, please join me in honoring and congratulating Dr. Ellen Junn on becoming the next President of California State University, Stanislaus, as we look forward to a long and productive partnership benefitting the citizens of our collective region.

CELEBRATING THE 15TH ANNIVERSARY OF THE ARAB PEACE INITIATIVE

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 27, 2017

Mr. HASTINGS. Mr. Speaker, I rise today to introduce a resolution Celebrating the Importance of the 15th Anniversary of the Arab Peace Initiative as a Meaningful Effort by Arab Countries to the Commitment of Peace in the Middle East.

I recently travelled to Israel for the 18th time as a Member of Congress. While in Israel and Jordan, I attended a number of bilateral and multilateral meetings focused on security and the outlook for the region in the coming year. I always welcome these opportunities to meet with senior leaders on such a wide range of issues, and our conversations touched on political developments, regional security in the Middle East, the peace process, and strengthening the bilateral relationships between the United States and these nations.

Although the Israeli-Palestinian conflict continues to be a major challenge, I believe we must stay actively involved in peace negotiations. I am happy to say that recently, Israel and some Muslim-majority Arab nations in the Middle East have made progress in regional cooperation. I believe that, using the Arab Peace Initiative as a baseline, these recent developments present a renewed opportunity for progress—one that we cannot afford to miss.

Mr. Speaker, my resolution highlights the importance of the Arab Peace Initiative and urges the nations to continue the hard work of fostering stronger relationship. Under the right circumstances, the Arab Peace Initiative allows for gradual progress towards the normalization of bilateral relations between Israel and its neighbors. We all know that the relationship between America and Israel is paramount, and I have faith that, in time, the relationships between Israel and other nations will also strengthen. I commend the regional countries that have taken steps to facilitate the end of the Israeli-Palestinian conflict, while simultaneously strengthening regional security through discussions with the State of Israel. I urge all parties to continue these important dialogues.

I would also like to take a moment to acknowledge the Hashemite Kingdom of Jordan's ascension to the Presidency of the Arab League. The United States established relations with Jordan in 1949 and our countries have a long history of cooperation. Jordan has taken on an important role in pursuing progress for the region. I congratulate my friend King Abdullah II and wish Jordan the very best as it assumes this new leadership role for the foreseeable future.

Mr. Speaker, I am pleased to introduce this resolution today, and recommend its expeditious consideration and passage.

CELEBRATING JUANITA SEARFOSS
ON HER 90TH BIRTHDAY

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 27, 2017

Mrs. WALORSKI. Mr. Speaker, I rise today to honor Juanita Searfoss, a great Hoosier who is celebrating her 90th birthday today.

Juanita M. Searfoss was born on March 27, 1927, in South Bend, Indiana, to Dorothea M. and Herschel A. Sharp, who were loving Christian parents. She also had three brothers, David C. Sharp (deceased), Jerry D. Sharp of Bonita Springs, Florida, and Ronald (Mary) Sharp of South Bend.

On October 7, 1950, she married Clifford L. Searfoss. They were married for 55 years until his death in 2005. Their loving marriage produced six children, 16 grandchildren, and 14 great-grandchildren.

Juanita graduated from Central High School in South Bend and Indiana University in Bloomington with a degree in medical technology. She worked for the South Bend Medical Foundation, retiring after 21 years of service.

Juanita has always been active in her church—she has been a member of the Sonlight Fellowship Wesleyan Church since the age of ten—and various volunteer and service organizations. For many years she has planned and made a meal every two months for Hope Ministries. She was a member of Faith in Action, did respite care for several families, and helped support several missionaries, as well as the Northern Indiana Food Bank and Chiara House. She is a member of the St. Joseph County Home Extension Normain club, a Bible study group, Gleaners, a Red Hat Society group, and a hospice organization, just to name a few. In 2008 she was awarded the Golden Hoosier Award for her volunteer work. She still loves to read, travel, play the piano, crochet, and spend time with her family and friends.

Many have benefitted from her strong faith, her kind and caring nature, her quiet wisdom, and her unconditional love.

Happy 90th Birthday, Juanita.

IN HONOR OF DONNETTA WALSER

HON. SUZAN K. DELBENE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 27, 2017

Ms. DELBENE. Mr. Speaker, I rise today to honor the late Donnetta Walser.

Donnetta spent her life dedicated to improving her local community. Her 28 years as an educator, including many in the Monroe School District, is a testament to her steadfast commitment to her students.

After her career in public education, Donnetta spent 32 years in public service, serving on the Monroe City Council, Monroe Civil Service Commission, U.S. 2 Safety Coalition, Snohomish County Senior Services Board of Directors, Snohomish County League of Women Voters, and two terms as the Mayor of Monroe.

Donnetta had such a positive impact on so many people throughout our community. Her kind and compassionate spirit and willingness to take on tough tasks will surely be missed. Although she has passed on, her memory and impact will continue to live on.

My heart goes out to her husband: Fred; her sons and daughters-in-law: Scott and Stacey and Matt and Kimberly; her grandchildren; and all of her family and friends.

CELEBRATING THE 10TH ANNIVERSARY
OF TEENS HELPING KIDS

HON. FILEMON VELA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 27, 2017

Mr. VELA. Mr. Speaker, I rise today to honor Teens Helping Kids as they celebrate their 10th year of service.

Located in the South Texas city of Brownsville, Teens Helping Kids was founded in 2008 by five high school juniors. Since its formation, the club has raised and donated funds to organizations that provide services to children, and its teen members have volunteered time and energy to helping those who need it most.

Each year, Teens Helping Kids partners with Cameron County Children's Advocacy Centers, Inc. to host the Annual Sports Celebrity Dinner, which has raised more than \$800,000 since its inception. This year, its members plan to meet their \$1,000,000 goal. The success of this event will be felt region-wide as Teens Helping Kids will be donating proceeds to local children's nonprofits such as Ozanam Center, Tip of Texas Family Outreach, Monica's House, and Maggie's House.

Teens Helping Kids has made a lasting, positive impact in our community, and they will continue to play a role in the improvement of South Texas. I rise today to congratulate them for their decade of success.

TRIBUTE TO MR. ROBERT GEORGE
EVANS, JR.

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 27, 2017

Mr. ROKITA. Mr. Speaker, I rise today to honor a decent and generous American, Mr. Robert George Evans, Jr., who passed away on March 16, 2017 surrounded by his loving family.

Robbie was a lifelong New Orleanian. He graduated from Archbishop Shaw High School and earned a Bachelor of Science Degree in Management from the University of New Orleans. After college he rose to the position of Vice President for the family steel drum business, Evans Cooperage. He later founded Con-Tech International which began selling industrial steel drum parts and related items. Under his leadership, the company has grown into an international corporation supplying steel and hundreds of custom manufactured parts to various industries across the globe.

I met Robbie through a mutual friend, Jerry Bonnet. It was a few years after Hurricane

Katrina and I was still Indiana Secretary of State. My office had "adopted" an inner city school in Indianapolis, and I heard that Robbie and New Orleans were doing some amazing work with parental choice in schools in the Hurricane's aftermath that basically destroyed a lot of public school infrastructure. We had been personal friends ever since that first meeting.

Robbie helped lead a "Phoenix from the ashes" movement in the New Orleans schools. The success was due to the need to throw away the old bureaucracy, rules, and the attitude that the schools existed for the adults in them rather than for the kids. Robbie helped turn that all-around, attracting national attention for the model. He devoted hundreds of hours annually to improving New Orleans public schools and the lives of the students attending them. He was an unapologetic advocate for inner-city students attending Lafayette Academy and Esperanza Charter School. He served as a board member for the Choice Foundation where he was both the Vice Chairman and Executive Committee member. Robbie served on many other boards and committees, each with a goal to improve and enhance the economic environment or educational opportunity of his community.

Robbie was a man of high character and integrity. He had a servant's heart for his community and those who live in it. His love for New Orleans and its culture was evident in his words and actions. Robbie was an art, architecture, and history enthusiast. He loved to travel the country and world meeting new people and experiencing different cultures. He was a friend to many people and an advocate for more. His obituary was correct in all respects, including that he indeed was a terrible driver.

Robbie leaves Barbara, his beloved wife of 34 years, his daughter and son, and many other family and friends to carry on his legacy of service to their communities. Anyone who knew him well knows what a great loss his passing is for New Orleans and our nation. Rest in peace Robbie, you will not be forgotten.

HONORING THE LIFE OF THE
HONORABLE ANTHONY BEILENSEN

HON. TED LIEU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 27, 2017

Mr. TED LIEU of California. Mr. Speaker, I rise to celebrate the life of the Honorable Anthony C. Beilenson—father, husband, grandfather, California legislator, and United States Congressman—who passed away on March 5, 2017.

Tony Beilenson grew up in New Rochelle, New York. After graduating from Harvard Law School in 1957, he moved to Los Angeles to practice law in the film industry. Always striving to give back to the world and do as much good as possible, Tony decided to forgo his legal practice to serve the public and he was elected to the California State Assembly in 1962. In 1966, he continued his service to the people of California and was elected to the State Senate.

During his tenure in the California State Legislature, Tony worked hard to protect the environment and reproductive rights, and was respected by his colleagues regardless of party for his unparalleled collegiality and civility when working to address the most challenging issues of his time. He was widely known for voting and acting according to his thoughtful and well-informed conscience, which inspired his colleagues to eschew partisanship and elevate constructive discourse.

Tony continued his legacy of effective and impactful lawmaking when he was elected in 1976 to serve in Congress, representing parts of the San Fernando Valley, Thousand Oaks and Agoura Hills. He will forever be remembered for his landmark 1978 legislation that established the Santa Monica Mountains National Recreation Area, protecting part of Southern California's most treasured natural landscape for future generations to explore and enjoy.

As a Member of Congress, Tony fought hard to support environmental initiatives such as the Clean Air Act and securing funding for the Sepulveda Basin Wildlife Refuge and Lake Balboa Park, which was renamed the Anthony C. Beilenson Park in 1998. He was a powerful advocate for reducing government waste and promoting efficiency. Tony's former colleagues share a deep respect for the integrity, class, and sensibility that he championed throughout his tenure in office.

Tony is survived by his wife, Dolores; his sons, Adam and Peter; his daughter Dayna; and nine grandchildren. I hope that his family will take comfort in the remarkable legacy that he established at every turn of his life as an accomplished public servant. May his memory be a blessing to us all.

HONORING MR. BRENDEN SHIPLEY WITH THE 2017 CONGRESSIONAL AWARD

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 27, 2017

Mr. HASTINGS. Mr. Speaker, I am pleased today to honor Mr. Brenden Shipley of West Palm Beach with the Congressional Award of Bronze and Silver Medals. Since 1979, the Congressional Award has inspired our nation's youth to set and achieve personally challenging goals that build character and foster community service. Recipients are committed to bettering themselves and to giving back to the communities in which they reside. It is the fulfilling of that commitment, which makes these young people so extraordinary.

Mr. Shipley took on the challenge of earning two medals: Bronze and Silver. Earning these awards requires a minimum of 400 hours of community service. He served his community by volunteering at the Kids Cancer Foundation, tutoring kids in math, cleaning the football field at school, and helping one of his friends move into his new home. In addition, he learned how to build a house and commercial buildings, and improved his physical fitness for his senior year football season by weightlifting and boxing. Furthermore, Mr. Shipley planned

a seventeen day trip to France, England, Ireland, and Wales to immerse himself in an unfamiliar culture and to develop a spirit of adventure.

Mr. Speaker, Dr. Martin Luther King, Jr. once said that: "The function of education is to teach one to think intensively and to think critically. Intelligence plus character—that is the goal of true education." I believe that Mr. Brenden Shipley is a remarkable young man who exemplifies that true character. I am honored to present him with the 2017 Congressional Award for Bronze and Silver Medals, and to recognize him for all of his hard work in the West Palm Beach community. I wish him much success in all of his future endeavors.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, March 28, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 29

10 a.m.

Committee on Armed Services
Subcommittee on Emerging Threats and Capabilities

To hold hearings to examine Russian influence and unconventional warfare operations in the "Grey Zone", focusing on lessons from Ukraine.

SR-222

Committee on Commerce, Science, and Transportation

To hold hearings to examine closing the skills gap and boosting United States competitiveness.

SD-G50

Committee on Environment and Public Works

To hold hearings to examine cleaning up our nation's Cold War legacy sites.

SD-406

10:15 a.m.

Committee on Foreign Relations
Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues

To hold hearings to examine United States-Mexico relationship, focusing

on advancing security and prosperity on both sides of the border.

SD-419

10:30 a.m.

Committee on Appropriations
Subcommittee on Department of Defense
To hold hearings to examine a review of the defense health program and military medicine funding.

SD-192

12 noon

Select Committee on Intelligence
To receive a closed briefing on certain intelligence matters.

SH-219

2:15 p.m.

Committee on Armed Services
Subcommittee on Readiness and Management Support
To hold hearings to examine on the health of the Department of Defense industrial base, and its role in providing readiness to the warfighter.

SR-232A

Committee on Foreign Relations
Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy
To hold hearings to examine American leadership in the Asia-Pacific, focusing on security issues.

SD-419

2:30 p.m.

Committee on Appropriations
Subcommittee on State, Foreign Operations, and Related Programs
To hold hearings to examine civil society perspectives on Russia.

SD-192

Committee on Commerce, Science, and Transportation

To hold hearings to examine the nomination of Jeffrey A. Rosen, of Virginia, to be Deputy Secretary of Transportation.

SD-G50

Committee on Homeland Security and Governmental Affairs
Subcommittee on Federal Spending Oversight and Emergency Management

To hold hearings to examine the effect of borrowing on Federal spending.

SD-342

Committee on Indian Affairs

Business meeting to consider S. 304, to amend the Indian Health Care Improvement Act to allow the Indian Health Service to cover the cost of a copayment of an Indian or Alaska Native veteran receiving medical care or services from the Department of Veterans Affairs, S. 343, to repeal certain obsolete laws relating to Indians, S. 381, to repeal the Act entitled "An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation", S. 607, to establish a business incubators program within the Department of the Interior to promote economic development in Indian reservation communities, and S. 669, to authorize the Secretary of the Interior to assess sanitation and safety conditions at Bureau of Indian Affairs facilities that were constructed to provide affected Columbia River Treaty tribes access to traditional fishing grounds and expend funds on construction of facilities and structures to improve those conditions; to be immediately followed

by an oversight hearing to examine native youth, focusing on promoting diabetes prevention through healthy living.

SD-628

Special Committee on Aging

To hold hearings to examine the arc of Alzheimer's, focusing on preventing cognitive decline in Americans to assuring quality care for those living with the disease.

SD-106

3 p.m.

Committee on Small Business and Entrepreneurship

To hold hearings to examine how small businesses confront and shape regulations.

SR-428A

3:30 p.m.

Committee on Armed Services

Subcommittee on Airland

To hold hearings to examine Air Force modernization.

SR-222

MARCH 30

Time to be announced

Committee on Health, Education, Labor, and Pensions

Business meeting to consider the nomination of R. Alexander Acosta, of Florida, to be Secretary of Labor.

SD-430

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the nomination of Heather Wilson, of South Dakota, to be Secretary of the Air Force, Department of Defense.

SD-G50

10 a.m.

Committee on Energy and Natural Resources

Business meeting to consider pending calendar business and subcommittee assignments.

SD-366

Committee on Foreign Relations

To hold hearings to examine United States interests, values, and the American people.

SD-419

Select Committee on Intelligence

To hold hearings to examine disinformation, focusing on a primer in Russian active measures and influence campaigns.

SD-106

2:30 p.m.

Committee on Energy and Natural Resources

To hold hearings to examine the potential for infrastructure improvements to create jobs and reduce the cost of living through all-of-the-above energy and mineral production in Alaska.

SD-366

APRIL 3

10 a.m.

Committee on the Judiciary

Business meeting to consider the nominations of Neil M. Gorsuch, of Colorado, to be an Associate Justice of the Supreme Court of the United States, and Rod J. Rosenstein, of Maryland, to be Deputy Attorney General, and Rachel L. Brand, of Iowa, to be Associate Attorney General, both of the Department of Justice.

SH-216

APRIL 4

9:30 a.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine fencing along the southwest border.

SD-342

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine efforts to protect U.S. energy delivery systems from cybersecurity threats.

SD-366

APRIL 5

9:30 a.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine improving border security and public safety.

SD-342

2 p.m.

Committee on Foreign Relations

Subcommittee on Africa and Global Health Policy

To hold hearings to examine a progress report on conflict minerals.

SD-419

APRIL 6

9:30 a.m.

Committee on Armed Services

To hold hearings to examine United States Southern Command and United States Northern Command.

SD-G50

SENATE—Tuesday, March 28, 2017

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

O God, our shield, look with favor upon our Senators today. Guide them around the obstacles that hinder their progress, uniting them for the common good of this great land.

Lord, free them from anxiety and fear as they put their trust in You. Enable them to go from strength to strength, fulfilling Your purpose for their lives in this generation. Guide them to use their abilities and talents to accomplish Your holy will. As they strive to please You, help them to stand for right and leave the consequences to You.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. SASSE). The majority leader is recognized.

ENERGY REGULATORY POLICY

Mr. McCONNELL. Mr. President, throughout my career in the Senate, I have worked hard to defend coal communities and the jobs they and so many across the country depend on. These men and women have dedicated their lives to providing an affordable and reliable power source for our homes, businesses, and communities. They deserve our respect and our support.

The same is true of America's middle class, more broadly. Middle-class families had a hard enough time over the past 8 years without Washington making things worse. I think they deserve respect and support, not fewer jobs and unaffordable energy bills.

Unfortunately, the previous administration didn't see things the same way. Instead, the Obama administration launched energy attack after energy attack on Kentucky and America's middle class, threatening critical jobs

and making coal more costly to mine and use.

Indeed, a couple years ago, then-President Obama finalized a massive regressive energy regulatory scheme that claimed to be about helping the climate but actually would have done little to truly impact global emissions. What it would have done is punish coal families, ship middle-class jobs overseas, and hurt the economy. It was also likely illegal. So I sent a letter counseling Governors to wait for the courts to rule on the legality of the regulation before submitting a compliance plan. It was not a popular move at the time, but it turns out that it was the right one. I am glad that nearly half of our Nation's Governors agreed with my advice to take a wait-and-see approach before needlessly putting their States in economic jeopardy.

I am proud to report that we will notch an important victory in this struggle later today. I commend President Trump for the decision to sign the energy independence Executive order and send several anti-middle-class regulations back to the drawing board. From the outset, I warned that regulations like these would hurt coal workers and America's middle class. One report predicted that more than 40 States could have seen double-digit electricity rate hikes as a result of the Clean Power Plan energy regulatory plan. We all know that low- and fixed-income families would have suffered the most. And for what? For a regulation that hardly would have moved the needle on climate anyway.

Talking about bad policy, it is important to remember how we got here. President Obama came into office with huge majorities in both Houses of Congress. He could have done virtually anything he wanted, and he certainly tried. He pushed through one left-wing policy after another. He even tried to push through a regressive, anti-middle-class energy regulatory plan—one so extreme that he couldn't even get his own Democrat-controlled Congress to go along with it. Undeterred, he went around Congress and imposed a similarly regressive energy scheme anyway.

It was evident that the Obama administration had overstepped its authority. That is why I sent the letter I mentioned earlier to the Nation's Governors, urging them not to comply with the CPP's demands but instead to take a wait-and-see approach before putting their States in economic jeopardy.

Because of the legal uncertainty of President Obama's plan, 27 States

joined the fight in Federal court. In February 2016, the Supreme Court issued an unprecedented nationwide halt on this regulation—a nationwide halt. Despite the Court's order, the damage of President Obama's war on coal has already negatively impacted middle-class families across the country and coal communities in Kentucky. When plants shut down and miners lose their jobs, the entire community feels the pain. With less tax revenue, local governments are unable to pay teachers and first responders. These hardships often lead to a rise in crime and drug abuse that troubles these communities. Moreover, the Obama administration's massive regulatory burdens were imposed during a period when production and supply of natural gas had been high and its costs relatively low—a devastating one-two punch to families already struggling to make it.

To make matters worse, President Obama didn't stop with the CPP. He also sought to impose similar limitations on any new plants in an attempt to prevent them from being built at all. It is an equally concerning regulation and one that would have further devastated coal communities. I am glad President Trump will include it in his Executive order today.

Coal communities face enough challenges without Washington piling on more with these unfortunate attacks. Fortunately, we have a President who will work with us to provide much needed relief.

Today's Executive order is good news for coal communities. It is a victory for middle-class families and another important step away from the overregulation of the Obama years.

We all want clean air and clean water, but that is not what President Obama's energy regulatory policies were actually about. It was an ideological vanity project. It wouldn't have even solved the problem it purported to address.

Now, fortunately, the EPA will have the opportunity to go back to the drawing board and get this right with balanced and serious policies. The EPA should work with stakeholders across the country to develop sensible policies that balance the economic needs of our communities with the realities of our environment. This way we can protect America's middle class, America's miners, and America's natural resources all at once.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

NOMINATION OF NEIL GORSUCH

Mr. SCHUMER. Mr. President, first I will speak on the Supreme Court. Last Thursday, I announced my opposition to Judge Neil Gorsuch and endeavored to explain why, on the merits, I don't believe he deserves to be elevated to a lifetime appointment on the Supreme Court.

I listen to my friend, the distinguished majority leader, each morning. Since the beginning of this Congress, he has chalked up every Democratic request or objection in this body to "sour grapes," to some leftover resentment from the election. It is just not true, but he keeps trying. Now he is trying the same strategy with Judge Gorsuch. He repeatedly cites a quote by a friend of the judge's who, of course, said "there is no principled reason" to oppose this nomination, so it must be politics, the majority leader concludes. I respectfully but wholeheartedly disagree with the majority leader on this point.

There are several principled reasons to oppose Judge Gorsuch's nomination.

First, Judge Gorsuch was unable to sufficiently convince me that he would be an independent check on a President who has shown almost no restraint from Executive overreach. He asserted independence but could not point to a single thing in his record to guarantee it.

He refused to publicly condemn what the President did when he went after the three-judge panel on the Ninth Circuit. He had a case before them, and the President said: If they don't decide my way, they will be guilty of terrorism. I have never seen anything like that in all my years of politics. Judge Gorsuch refused to publicly condemn. He said privately to different people that he was disheartened. When President Trump said: He didn't mean me, Judge Gorsuch shrugged his shoulders, going along with what the President said.

Second, he was unable to convince me that he would be a mainstream Justice who could rule free from the biases of politics and ideology. His career, his early writings, and his judicial record suggest not a neutral legal mind but instead someone with a deep-seated conservative ideology. He was championed by the Federalist Society and the Heritage Foundation and has not shown 1 inch of difference between his

views and theirs. I would ask my colleagues this question: Are all these groups who are spending dark, secret, undisclosed money to support his nomination doing so because they just want a Justice on the Court who will "call balls and strikes"? I doubt it. Some here may agree with the Heritage Foundation, but they are not a mainstream organization. They are on the far right. That is their right to be. But their advocacy of Judge Gorsuch suggests he is not a "balls and strikes" guy.

Finally, Judge Gorsuch is someone who almost instinctively favors the powerful over the weak and corporations over working Americans. That is what his record shows. Judge Gorsuch repeatedly sided with insurance companies that wanted to deny disability benefits to employees, and in employment discrimination cases, he sided with employers the great majority of the time.

He wrote—in dissent—that trucking company executives were right to fire truckdriver Alphonse Maddin for leaving his trailer in order to save his life. And just last week, we saw another example of how extreme Judge Gorsuch's views are when the Supreme Court unanimously rebuked his interpretation of the Individuals with Disabilities Act. In the opinion of even Justice Thomas, the educational rights Judge Gorsuch would allow to disabled students under the law amount to no education at all.

Judge Gorsuch's opportunity to disabuse us of all of those objections was in the hearing process, but he declined to substantively answer question after question. Absent a real description of his judicial philosophy, all we have to go on is his record—a record that landed Judge Gorsuch on the lists of the conservative Federalist Society and Heritage Foundation. President Trump, of course, selected Judge Gorsuch off those preapproved conservative lists, as he promised he would during his campaign.

To claim, as the majority leader does, that Judge Gorsuch is simply a neutral judge is belied by his history since his college days, his own judicial record, and the manner of his selection.

These are principled reasons to oppose Judge Gorsuch, even if people on the other side disagree with them. We need a Justice who will be an independent check on the President. We need someone who will consider fairly the plight of average citizens, not further tip the scales of justice in favor of already powerful corporations. Judge Gorsuch—his record and his performance in the hearing—did nothing to show me he could be that kind of Justice.

So when Republicans said that if Democrats won't support Judge Gorsuch, we won't support any Republican-nominated judge, that is simply

not true. It may be hard for us to support anyone from a list culled by the Federalist Society and the Heritage Foundation, but we have several reasons to be concerned with Judge Gorsuch specifically.

For all the hand-wringing by my friends on the other side of the aisle that they cannot imagine Democrats voting against Judge Gorsuch, I would like to remind them that only three—three—of the current Senators on the Republican side voted for either of President Obama's confirmed nominees, and all of them went along with my friend the majority leader's unprecedented plan to refuse President Obama's third nominee, Judge Garland, even a hearing or a vote for nearly a year.

Which brings us back to the present day, where we Democrats have participated in a fair, transparent, and thorough process of advice and consent. Now that the time to decide whether to provide consent approaches, we take that responsibility seriously. A lifetime appointment on the highest Court of the land is not something to be taken lightly.

To participate in hearings and a thorough process—something we were denied—does not mean you have to be a rubberstamp. After a thorough review of Judge Gorsuch's record, many of my colleagues and I have concluded we cannot consent.

If Judge Gorsuch fails to reach 60 votes, it will not be because Democrats are being obstructionists, it will be because he failed to convince 60 Senators that he belongs on the Supreme Court.

My friend the majority leader made the decision to break 230 years of Senate precedent by holding this seat open for over a year. If the nominee cannot earn the support of 60 Senators, the answer is not to break precedent by fundamentally and permanently changing the rules and traditions of the Senate; the answer is to change the nominee. This idea that if Judge Gorsuch doesn't get 60 votes, the majority leader has to inexorably change the rules of the Senate—that idea is utter bunk.

It is the free choice of my colleagues on the other side of the aisle to pursue a change in rules if that is what they decide. And I would remind the majority leader that he doesn't come to this decision with clean hands. He blocked Merrick Garland for over a year. We wouldn't even be here if Judge Garland had been given fair consideration. That is why we are here today—not because of any Democrat.

BORDER WALL

Mr. SCHUMER. Mr. President, finally, on the wall—a place where there may be more agreement between some of us than on Judge Garland—last night we learned that the Trump administration will be seeking deep cuts

to critical domestic programs in order to pay for a border wall. The administration is asking the American taxpayer to cover the cost of a wall—unnecessary, ineffective, and absurdly expensive—that Mexico was supposed to pay for. He is cutting programs that are vital to the middle class in order to get that done.

They want to cut the New Starts Transportation Program and TIGER grants. These are the lifeblood of our road and tunnel and bridge building efforts. Build a wall or repair or build a bridge or tunnel or road in your community? What a choice. They want to cut off NIH funding for cancer research to pay for the wall. How many Americans would support that decision? They want to cut programs that create jobs and improve people's lives—all so the President can get his "big, beautiful wall"—a wall that we don't need and that will be utterly ineffective. Think about that. The President wants to slow down cancer research and make the middle-class taxpayer shoulder the cost of a wall that Mexico was supposed to pay for. He wants to cut funding for roads and bridges to build a wall that Mexico was supposed to pay for.

The proposed cuts the administration sent up last night will not receive the support of very many people, I believe, in this Chamber. These cuts would be bad for the American people. They are not what the American people want, and they are completely against one of the President's core promises in his campaign. I believe they will be vigorously opposed by Members on both sides of the aisle.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

PROTOCOL TO THE NORTH ATLANTIC TREATY OF 1949 ON THE ACCESSION OF MONTENEGRO

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of Executive Calendar No. 1, the Montenegro treaty, which the clerk will state.

The senior assistant legislative clerk read as follows:

Treaty document No. 114-12, Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro.

Pending:

McConnell amendment No. 193, to change the enactment date.

McConnell amendment No. 194 (to amend amendment No. 193), of a perfecting nature.

The PRESIDING OFFICER. The majority whip.

THE PRESIDENT'S BUDGET

Mr. CORNYN. Mr. President, I came to the floor to talk about the nomination of Judge Gorsuch to serve as the next Supreme Court Justice, and I happened to walk in while the Democratic leader was speaking. In the brief time I heard him comment this morning, I concluded that basically the Democrats are against everything. They are against everything. He knows as well as anybody that when the President sends over a budget, it is a proposal by the President that Congress routinely changes, arriving at its own budget priorities, working with the White House.

NOMINATION OF NEIL GORSUCH

Mr. President, before I get too distracted by the minority leader's opposition to anything and everything, let me comment a little bit on the Gorsuch nomination.

We will meet next week, on April 3, to vote Judge Gorsuch's nomination out of the Senate Judiciary Committee, at which time his nomination will come to the floor. The world had a chance to see—and certainly all of America—during the 20 hours that Judge Gorsuch testified before the Judiciary Committee that he is a superb nominee. He is a person with a brilliant legal mind. He has an incredible educational resume and extensive experience both in the public sector—working at the Department of Justice—and in private practice and then for the last 10 years, of course, serving as a Federal judge on the Tenth Circuit Court of Appeals out of Denver.

I believe he is one of the most qualified nominees in recent history, to be sure, and you might have to go back into our early history to find somebody on par with Judge Gorsuch in terms of his qualifications for this important office. Unfortunately, in spite of this, we are seeing the minority leader threatening to filibuster this incredibly well-qualified judge. I hope other Democrats will exercise independence and do the right thing.

I was glad to see just yesterday our colleague, the former chairman of the Judiciary Committee, the senior Senator from Vermont, say that he had a different take. He was quoted in a Vermont newspaper—perhaps it is a blog—it is called VTDigger.org. Senator LEAHY, the former chairman of the Judiciary Committee, said: "I am not inclined to filibuster."

Just for the benefit of anybody who might be listening, let me distinguish between the use of the filibuster as opposed to voting against the nominee.

It is a fact that there has never been a successful partisan filibuster of a Su-

preme Court nominee in American history—never.

The only time cloture was denied on a bipartisan basis of a nominee to the Supreme Court was in 1968, when Abe Fortas was nominated by then-President Lyndon Johnson. Mr. Fortas, then serving as an Associate Justice on the Supreme Court of the United States, had a number of problems, one of which was that he was still advising President Johnson while he was a sitting member of the U.S. Supreme Court. He was basically giving political advice from the bench to the President of the United States, with whom he had a long-established relationship.

Then there was a suspicion that Earl Warren, the Chief Justice of the United States, had cut a deal with the President such that he would resign effective upon the qualifying of his successor. So there wasn't any literal vacancy to fill. The President would then nominate Abe Fortas, then an Associate Justice, and he would then nominate Homer Thornberry, then a judge on the Fifth Circuit Court of Appeals, to fill the Fortas Associate Justice slot. There were a couple of embarrassing items to Judge Fortas that caused a bipartisan denial of cloture, or the cutting off of debate, after which his nomination was withdrawn after 4 days of floor debate.

I mention all of this because sometimes people want to lead you down this rabbit trail, claiming that what they are doing is something that is well established in our history and in this precedence of the Senate when that is absolutely not true. There has never been a partisan filibuster of a Supreme Court nominee that has been successful in denying that Justice to the Supreme Court's nomination to be confirmed—never. What Democrats are threatening to do next week when Judge Gorsuch's nomination comes to the floor is unprecedented. It has never happened before.

I am glad to hear some voices of sanity and wisdom from people like Senator LEAHY, who said he was not inclined to join in that filibuster. I also saw that our colleague from West Virginia, Senator MANCHIN, has said he will not filibuster the nominee. It is totally a separate issue as to whether they vote to confirm the nominee ultimately because, as we all know, in working here in the Senate, in order to get to that up-or-down vote, you have to get past this cloture vote, which requires 60 votes, and it has been traditional that we have not even had those cloture votes with regard to Supreme Court nominations.

As a matter of fact, there have only been four of those in our history. Two of them were with regard to William Rehnquist when nominated as Associate Justice to the Supreme Court and then when he was nominated to be Chief Justice of the Supreme Court.

With Samuel Alito, there was cloture obtained. Ultimately, he won an up-or-down vote and got a majority of votes on the Senate floor. Then, of course, there was the Fortas nomination, which I mentioned earlier. In none of those four cases was there a partisan filibuster that denied an up-or-down vote to the nominee. Again, the only one that is a little of an outlier is the Fortas nomination, which was ultimately withdrawn, so the Senate did not have the opportunity to come back and revisit that initial failed cloture vote because of the ethical problems that led Judge Fortas to resign from the Supreme Court and return to private practice.

Let me talk a minute about the excuses our Democratic colleagues have given in opposing Judge Gorsuch.

First, they said they would fight a nominee who was not in the mainstream.

I believe that out of the 2,700 cases Judge Gorsuch has participated in, 97 percent of those have been affirmed on appeal—97 percent. He has only been reversed in maybe one case. I believe there was a discussion about it. There was even an argument as to whether that was an outright reversal. It is very unusual, in my experience, to see a judge who enjoys such a tremendous record of affirmation on appeal and such a very low record of reversal, particularly for an intermediate appellate court like the Tenth Circuit Court of Appeals.

After they realized this “out of the mainstream” argument wouldn’t work, they then moved the goalpost. Some of my friends on the other side of the aisle have implied they might oppose Judge Gorsuch because of his refusal to answer questions about issues that could come before him on the Court. In doing so, the judge was doing exactly what is required by judicial ethics. In other words, how would you feel if the judge before whom you appeared had previously said “If I get confirmed, I will never vote in favor of a litigant with this kind of case”? Judges do not do that. Judges are not politicians who run for office on a platform. In fact, judges are supposed to be the anti-politician—ruling on the law and the facts. It is not based on a personal agenda or a political agenda at all, and our colleagues know that.

This is the same rule that was embraced by Ruth Bader Ginsburg—someone whom our friends across the aisle admire on the Court. Elena Kagan did the same thing in refusing to comment or speculate, saying that it would be improper for them to prejudge these cases or to campaign, basically, for a lifetime appointment on the Supreme Court. Judge Gorsuch did the same thing as Justices Ginsburg and Kagan, and he fulfilled his ethical obligations as a sitting judge and preserved the independence of the judiciary by keep-

ing an open mind as to cases that come before him.

When they failed to make the case that Judge Gorsuch was somehow out of the mainstream, when they failed to make the case that he somehow was being nonresponsive in his answering questions by the Judiciary Committee, the goalpost moved yet again. Last week, some suggested that Judge Gorsuch never ruled in favor of the “little guy.” This was following a line of arguments peddled by some outside groups who were trying to paint Judge Gorsuch as unsympathetic to the litigants who appeared in his court.

Fortunately, Judge Gorsuch set the record straight. He made clear that his motivation in each and every case is to follow the law wherever it may lead and to reach a decision based on where the law stands, not on his personal opinion or emotions. Again, a good judge does not judge the litigants but, rather, the case at hand.

I should point out, as I did with regard to the more than 2,700 cases Judge Gorsuch has decided, that virtually all of them have been affirmed, meaning that every judge on the panel, including those nominated by Democrats, reached the same conclusion that he did, and they were approved, or affirmed, by the higher court, certainly not reversed.

I think our colleagues are making a tragic mistake by denying this President his nominee for the Supreme Court of the United States. If Judge Gorsuch is not good enough for them, they will never vote to confirm any nominee from this or any other Republican President of the United States. What would happen if that view were to prevail? I think we would see the Supreme Court essentially become nonfunctional and shut down, and litigants who were hoping to get access to a hearing before the Court would have nowhere to turn. It is not acceptable.

Some of our colleagues remind me of the old story about the child who murders his parents and then comes before the court and asks for leniency, saying: I am an orphan. This is a situation of their own making.

I really regretted hearing the Democratic leader talk about a case in which somehow there was the argument that because the judge followed the precedent that then existed but that a future decision in a Supreme Court case changed that precedent—that the judge should have anticipated it and somehow failed to follow the current precedent because the Supreme Court at some later date might change that precedent. It makes absolutely no sense.

So what our colleagues are doing is basically saying that no nominee of President Trump’s or any Republican nominee is going to get confirmed to the Supreme Court because it is going to require 60 votes to do so. This would

be unprecedented in our Nation’s history. I think it will be an abuse of the power we have in the Senate of encouraging debate, which is the cloture vote, by filibustering this outstanding nominee.

I have said it before and I will say it again: Judge Gorsuch is going to have his day on the Senate floor. We are going to have a fulsome debate. We are going to give our Democratic colleagues a chance to do the right thing and to vote at some point to cut off debate and then have an up-or-down vote to confirm the nominee, just as has happened in every single case before, with the possible exception of the Fortas nomination, which I described earlier, which was ultimately withdrawn and the judge resigned because of an ethical scandal.

I hate to see our colleagues taking us down this path, but they are determined to oppose anything and everything these days. We used to say there was a difference between campaigning and governing. Basically, they are so upset with the outcome of the election that they are continuing the political campaign now and making it impossible for us to do our work here in the Senate. It is a crying shame.

I can only hope that cooler heads will prevail and that others in the Democratic caucus will listen to Senator LEAHY and others who say they are not inclined to filibuster. Whether they decide to vote against the nominee is entirely up to them, but denying the majority in the Senate a chance to vote to confirm the nominee is simply unacceptable, and it will not stand.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Ms. COLLINS. Mr. President, confirming a Supreme Court nominee is one of the Senate’s most significant constitutional responsibilities. I come to the floor today to announce that I shall cast my vote for Judge Neil Gorsuch to be a Justice of the U.S. Supreme Court. In making my decision, I evaluated Judge Gorsuch’s qualifications, experience, integrity, and temperament. I questioned him for more than an hour in a meeting in my office, evaluated his record, spoke with people who know him personally, and reviewed the Judiciary Committee’s extensive hearing record. While I have not agreed with every decision Judge Gorsuch has made, my conclusion is that he is eminently well qualified to serve on our Nation’s highest Court.

Judge Gorsuch has sterling academic and legal credentials. In 2006, the Senate confirmed this outstanding nominee by a voice vote to his current position on the U.S. Court of Appeals. A rollcall vote was neither requested nor required.

Judge Gorsuch's ability as a legal scholar and judge has earned him the respect of members of the bar. The American Bar Association Standing Committee on the Federal Judiciary has unanimously given him its highest possible rating of "well qualified." President Obama's former Acting Solicitor General testified before the Judiciary Committee in support of Judge Gorsuch, praising him as fair, decent, and committed to judicial independence.

I have also received a letter signed by 49 prominent Maine attorneys with diverse political views, urging support for Judge Gorsuch's nomination. They wrote:

Gorsuch's judicial record demonstrates his remarkable intelligence, his keen ability to discern and resolve the central issues at dispute in a legal proceeding . . . and his dedication to the rule of law rather than personal predilections. His judicial record also confirms that he is committed to upholding the Constitution, enforcing the statutes enacted by Congress, and restraining overreach by the executive branch.

In my view, these are precisely the qualities that a Supreme Court Justice should embody.

I ask unanimous consent that this letter be printed in the RECORD following my remarks.

Our personal discussion allowed me to assess the judge's philosophy and character. I told him that it was important to me that the judiciary remain an independent check on the other two branches of government as envisioned by our Founders. Therefore, I asked him specifically whether anyone in the administration had asked him how he would rule or sought any commitment from him on any issue. He was unequivocal that no one in the administration had asked him for such promises or to prejudge any issue that could come before him. He went on to say that the day a nominee answered how he would rule on a matter before it was heard or promised to overturn a legal precedent, that would be the end of an independent judiciary.

During the Judiciary Committee hearings, when Senator LINDSEY GRAHAM asked him a similar question about whether he was asked to make commitments about particular cases or precedents, he gave the same answer. In fact, Judge Gorsuch notably said that if someone had asked for such a commitment, he would have left the room because it would never be appropriate for a judge to make such a commitment, whether asked to do so by the White House or a U.S. Senator.

Neil Gorsuch is not a judge who brings his personal views on any policy

issues into the courtroom. If it can be said that Judge Gorsuch would bring a philosophy to the Supreme Court, it would be his respect for the rule of law and his belief that no one is above the law, including any President or any Senator.

I am convinced that Judge Gorsuch does not rule according to his personal views, but rather follows the facts and the law wherever they lead him, even if he is personally unhappy with the result. To paraphrase his answer to one of my questions about putting aside his personal views, he said that a judge who is happy with all of his rulings is likely not a good judge.

The reverence that Judge Gorsuch holds for the separation of powers, which is at the core of our American democracy, was also evident in our discussion. As he reiterated throughout his confirmation hearing, the duty to write the laws lies with Congress, not with the courts and not with the executive branch. Members of this body should welcome his deep respect for that fundamental principle.

Judge Gorsuch's record demonstrates that he is well within the mainstream of judicial thought. He has joined in more than 2,700 opinions, 97 percent of which were unanimously decided, and he sided with the majority 99 percent of the time.

I asked Judge Gorsuch how he approaches legal precedents. I asked him if it would be sufficient to overturn a long-established precedent if five current Justices believed that a previous decision was wrongly decided. He responded: "Emphatically no." And that, to me, is the right approach. He said a good judge always starts with precedent and presumes that the precedent is correct.

During his Judiciary Committee hearing, Judge Gorsuch described precedent as "the anchor of the law" and "the starting place for a judge." He has also coauthored a book on legal precedent with 12 other distinguished judges, for which Justice Stephen Breyer wrote the introduction.

Now, there has been considerable discussion over the course of this nomination process about the proper role of the courts in our constitutional system of government. It is also important for us to consider the roles that the executive and legislative branches play in the nomination process.

Under the Constitution, the President has wide discretion when it comes to nominations to the Supreme Court. The Senate's role is not to ask, Is this the person whom I would have chosen to sit on the bench? Rather, the Senate is charged with evaluating each nominee's qualifications for serving on the Court.

I have heard opponents of this nominee criticize him for a variety of reasons, including his methodology and charges that he is somehow extreme or

outside of the mainstream. But I have not heard one Senator suggest that Judge Gorsuch lacks the intellectual ability, academic credentials, integrity, temperament or experience to serve on the U.S. Supreme Court. Yet it is exactly those characteristics that the Senate should be evaluating when exercising its advice and consent duty.

This is especially true when Senators contemplate taking the extreme step of filibustering a Supreme Court nomination. As you well know, unfortunately, it has become Senate practice of late to filibuster almost every question before this body simply as a matter of course. But that would be a serious mistake in this case, and it would further erode the ability of this great institution to function. In 2005, when the Senate was mired in debate over how to proceed on judicial nominations, a bipartisan group of 14 Senators proposed a simple and reasonable standard. That group—of which I am proud to have been a part—declared that for Federal court nominations a Senator should only support a filibuster in the case of extraordinary circumstances.

Since coming to the Senate, I have voted to confirm four Justices to the Supreme Court. Two were nominated by a Democratic President, and two were nominated by a Republican President. Each was confirmed: Chief Justice Roberts by a vote of 78 to 22, Justice Alito by a vote of 58 to 42, Justice Sotomayor by a vote of 68 to 31, and Justice Kagan by a vote of 63 to 37.

Before I became a Senator, this body confirmed Justice Kennedy, 97 to 0; Justice Scalia, 98 to 0; Justice Thomas, 52 to 48; Justice Ginsburg, 96 to 3; and Justice Breyer, 87 to 9.

Note that two of the current members of the Supreme Court were confirmed by fewer than 60 votes, but consistent with the standard that we established in 2005, neither one was filibustered.

Even Robert Bork, whose contentious confirmation hearings are said to have been the turning point in the Senate's treatment of Supreme Court nominations, was rejected by a simple failure to secure a majority of votes—42 yeas to 58 nays—not by a Senate filibuster. In fact, the filibuster has been used successfully only once in modern history to block a Supreme Court nomination. That was an attempt to elevate Justice Abe Fortas to be Chief Justice in 1968, nearly half a century ago. In that case, Justice Fortas ended up withdrawing under an ethical cloud.

The result of the votes on Justice Alito's nomination are also illuminating. In 2006 Senators voted to invoke cloture by a vote of 75 to 25. That is considerably more Senators than those who ultimately voted to confirm him, which was accomplished by a vote of 58 to 42. Here again, Senators proceeded to a "yes" or "no" vote on the nomination.

Let me be clear. I do believe strongly that it is appropriate for the Senate to use its advice and consent power to examine nominations carefully or even to defeat them. In fact, I have voted against judicial nominees of three Presidents. But playing politics with judicial nominees is profoundly damaging to the Senate's reputation and stature. It politicizes our judicial nomination process and threatens the independence of our courts, which are supposed to be above partisan politics. Perhaps most importantly, it undermines the public's confidence in the judiciary.

Since the Founders protected against the exertion of political influence on sitting Justices, the temptation to do everything in one's power to pick nominees with the right views is understandably very strong. But the more political Supreme Court appointments become, the more likely it is that Americans will question the extent to which the rule of law is being followed. It erodes confidence in the fair and impartial system of justice, and it cultivates a suspicion that judges are imposing their personal ideology.

The Senate has the responsibility to safeguard our Nation against a politicized judiciary. The Senate should resist the temptation to filibuster a Supreme Court nominee who is unquestionably qualified, the temptation to abandon the traditions of comity and cooperation, and the temptation to further erode the separation of powers by insisting on judicial litmus tests. It is time for the Senate to rise above partisanship and to allow each and every Senator to cast an up-or-down vote on this nominee.

This nomination deserves to move forward, as the dozens of distinguished Maine attorneys who wrote to me in support of his nomination said:

In sum, during his tenure on the U.S. Court of Appeals, Judge Gorsuch distinguished himself as a judge who follows the law with no regard for politics or outside influence. We could not ask for more in an associate Justice.

I agree, and I look forward to the confirmation of Judge Neil Gorsuch to be a Justice of the U.S. Supreme Court.

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

MARCH 23, 2017.

Re: Nomination of Judge Neil Gorsuch.

Hon. SUSAN M. COLLINS,
U.S. Senator, Dirksen Senate Office Building,
Washington, DC.

Hon. ANGUS S. KING,
U.S. Senator, Hart Senate Office Building,
Washington, DC.

DEAR SENATORS COLLINS AND KING: The undersigned Maine attorneys respectfully request that you support the confirmation of Judge Neil M. Gorsuch as Associate Justice of the United States Supreme Court.

Our practices are varied by geography, practice area, size of firm, and type of clients we represent. We also hold a diverse set of political views. Nonetheless, we agree that

Judge Gorsuch is exceptionally well qualified to join the Supreme Court.

As members of the Maine legal community, we have an interest in the nomination of Judge Gorsuch. While most of us will never have the opportunity to appear before the United States Supreme Court, each of us has a strong interest in supporting the confirmation of highly qualified jurists who will maintain the Supreme Court's commitment to the rule of law. The precedents established by the Supreme Court affect each of us and the fellow Mainers whom we serve as our clients.

As you have surely found during the nomination process, Judge Gorsuch is eminently qualified to serve as Associate Justice. His qualifications were recently confirmed by the American Bar Association, which rated him as "well qualified," its highest rating. Judge Gorsuch's judicial record demonstrates his remarkable intelligence, his keen ability to discern and resolve the central issues at dispute in a legal proceeding, his notably clear and concise writing style, and his dedication to the rule of law rather than personal predilections. His judicial record also confirms that he is committed to upholding the Constitution, enforcing the statutes enacted by Congress, and restraining overreach by the Executive Branch. He voted with the majority in 98 percent of the cases he heard on the Tenth Circuit, and was frequently joined by judges appointed by Democratic Presidents. Seven of his opinions have been affirmed by the Supreme Court—four unanimously—and none reversed.

In sum, during his tenure on the U.S. Court of Appeals, Judge Gorsuch distinguished himself as a judge who follows the law with no regard for politics or outside influence. We could not ask for more in an Associate Justice and we ask for your strong support of him and vote of confirmation.

Sincerely,

John J. Aromando; Brett D. Baber; Shawn K. Bell; Daniel J. Bernier; Fred W. Bopp III; Timothy J. Bryant; Aaron D. Chadbourne; John W. Chapman; Michael J. Cianchette; Roger A. Clement, Jr.; Randy J. Creswell; Christopher M. Dargie; Avery T. Day; Bryan M. Dench; Thomas R. Doyle; Michael L. Dubois; Joshua D. Dunlap; Charles S. Einsiedler, Jr.

James R. Erwin; Kenneth W. Fredette; Justin E. French; Benjamin P. Gilman; Kenneth F. Gray; P. Andrew Hamilton; Jeffrey W. Jones; Ralph I. Lancaster, Jr.; Ronald P. Lebel; Tyler J. LeClair; Scott T. Lever; William P. Logan; Holly E. Lusk; Chase S. Martin; Sarah E. Newell; Bradford A. Patterson; Dixon P. Pike; Gloria A. Pinza;

Susan J. Pope; Michael R. Poulin; Norman J. Rattey; Daniel P. Riley; Adam J. Shub; Joshua E. Spooner; Robert H. Stier, Jr.; Patrick N. Strawbridge; Alexander R. Willette; Timothy C. Woodcock; Eric J. Wycoff; Sarah S. Zmistowski; Thad B. Zmistowski.

Ms. COLLINS. I yield the floor.

Seeing no one seeking recognition, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

The Senator from Missouri.

Mr. BLUNT. Mr. President, I come today to talk about the nomination of

Judge Neil Gorsuch to serve on the U.S. Supreme Court. Once again, throughout the hearings last week, Judge Gorsuch proved that he has the knowledge, he has the temperament, and he has the experience to serve on our Nation's highest Court. He laid out a clear judicial philosophy that adheres to what I think most Americans want to see happen today on the Court and what clearly the Framers of the Constitution thought would happen.

In his own words, Judge Gorsuch said: "I have one client, it's the law." That is the way the Founders saw the Supreme Court. They didn't see it as a legislative body. All good judges had to do was to read the law. They didn't have to be happy with the law. They didn't have to approve the law. They didn't have to determine that the law and the Constitution met their exact standard. They just had to determine what the law and the Constitution said. In fact, the first Supreme Court had six judges. There was no thought that it was a legislative body that had to have a tie-breaking judge so you could legislate.

They thought six judges were plenty. By the way, they thought they needed six circuits. Each of those judges rode a circuit. So even when there was an appeal to the Supreme Court, one of the judges had already heard the case at the lower level. That judge heard the case again and then listened to see if that judge heard anything new, something that might change their mind. The other five of them were sitting there with the appeal of one of their colleagues, and nobody saw that as a problem because the Court wasn't about legislating.

The Court was about determining what the law should say. Again, Judge Gorsuch said: "I have one client, it's the law." It is not the little guy. It is not the big guy. It is not the medium-size guy: It is the law. He was asked over and over: Are you going to find for the little guy or the big guy? Well, that is not the judge's job. The judge's job is to read the law so both the little guy and the big guy know when they are in court that this is a country where the rule of law matters. They know, when they enter into a contract, that if you and your lawyer have read the law right, there shouldn't, at the end of the day, be very much gray space about what that contract said.

Throughout his career, Judge Gorsuch has demonstrated his commitment to interpret the Constitution as it is written, applying the rule of law and not legislating from the bench. "Judges are not politicians in robes." I think that may be another Gorsuch comment: "Judges are not politicians in robes." If he didn't say it, his career as a judge shows that he believes it. Unfortunately, some of my colleagues have shown that their deference to the Constitution is not the same when it

comes to the Senate's role to advise and consent.

I am particularly dismayed by the Democratic leader's intention to filibuster Judge Gorsuch's nomination. Republicans have never filibustered a Democratic nominee, yet colleagues across the aisle appear willing to do just that. Such a maneuver would only be an affront to our national norms.

I don't know in the history of the country—I think there was one filibuster led by Democrats against a nomination by a Democrat President when Lyndon Johnson nominated Abe Fortas to move from Associate Justice to the Chief Justice's role. It didn't happen in 1968 because it was a Presidential year and Justices don't get confirmed in the Supreme Court in a Presidential year in vacancies that hadn't even occurred yet. No. 2, it was led by Democrats in a Senate that had an overwhelming Democratic majority. There has never been a partisan filibuster effort involving any Justice on the Supreme Court until right now—until right now—and I am disappointed that that is what the Democratic leader of the Senate says he wants to do.

According to Robert David Johnson, a Brooklyn College history professor, "The chances of success" of a partisan filibuster "are basically zero." So my thought would be: Why pursue it?

Kim Strassel recently wrote in the *Wall Street Journal*: "Never in U.S. history have we had a successful partisan filibuster of a Supreme Court nominee."

In the last half century, only three Supreme Court Justices have even faced a filibuster. The most recent, Justice Alito, was ultimately confirmed when 19 Democrats refused to back the filibuster of his nomination. He had the full vote, and he got a majority vote.

One would think that if Senate Democrats are willing to upend Senate tradition to block this nomination, they would have an unassailable reason to block it. They would be saying this judge is not qualified. This judge hasn't served his time. We don't know what he would do as a judge. He has been on the circuit court of appeals for a decade, and when looking at case after case, appeal after appeal, we see his unbelievably fine record as a judge.

In announcing his intention to mount this filibuster, the leader of the Democrats in the Senate said that Judge Gorsuch "was unable to sufficiently convince me that he'd be an independent check" on the executive branch. The American Bar Association unanimously gave Judge Gorsuch's nomination their highest rating. They disagree. As they explained, "based on writings, interviews, and analyses we scrutinized to reach our rating, we discerned that Judge Gorsuch believes strongly in the independence of the judicial branch of government, and we

predict that he will be a strong but respectful voice in protecting it."

This is from the American Bar Association, which many of my colleagues on both sides of the aisle have said over and over again is the ultimate test of qualification for the Court.

When I met with the judge last month, he left no doubt in my mind that he would uphold the judiciary's unique constitutional role in our system of checks and balances.

Let me go back to the other quote here for a minute. What was it that the Senator from New York said? "Judge Gorsuch was unable to sufficiently convince me that he'd be an independent check" on the executive branch. I am not even sure I know where in the Constitution that is the job of the judge. The job of the judge is to read the law and look at the Constitution. The job of the Congress is to pass the law. The job of the President is to sign the law. Unless there is some constitutional problem with that law, it is not the judge's job to decide whether the law is right or not, unless there is a constitutional reason to do that.

Last week, I mentioned Judge Gorsuch's qualifications for the bench, but I think they bear repeating as we enter the next few days. As a graduate of Columbia University, a graduate of Harvard Law and Oxford University, his academic credentials are at the highest level. Judge Gorsuch has served his country admirably as a Supreme Court clerk, first for a Democrat on the Court, Byron White, who had been appointed by President Kennedy, and for a Republican appointee, Anthony Kennedy, appointed by President Reagan. He has been the principal Deputy Associate Attorney General of the United States at the Department of Justice, and in 2006, George W. Bush nominated him to serve on the Tenth Circuit Court of Appeals. The Senate unanimously confirmed his position at that time. Every single Democrat—12 of them now serving in the Senate who were in office, supported his nomination in 2006. In the decade that he served on the Tenth Circuit Court, he has shown independence, integrity, and he has shown a mainstream judicial philosophy. He has demonstrated a legal capacity that makes him a worthy successor to Justice Scalia on the Court. There is no precedent for requiring a 60-vote threshold to confirm a Supreme Court Justice, and Judge Gorsuch has given this body no reason to demand one now.

I look forward to supporting his nomination. It will reach the Senate floor, I believe, after the Judiciary Committee deals with it early next week. I hope by the time we leave here a week from Friday that Judge Gorsuch is on his way to join the Supreme Court as an Associate Justice. By the way, if he does that, he will be the first Associate Justice ever to serve on the Court with

a Justice for whom he clerked two decades or more ago. When he and Justice Kennedy get a chance to serve together—I look forward to seeing that happen.

ORDER FOR RECESS

Mr. President, I ask unanimous consent that the Senate recess from 12:30 p.m. until 2:15 p.m. today for the weekly conference meetings.

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

Mr. BLUNT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, I rise to speak on the nomination of Judge Neil Gorsuch to serve on the U.S. Supreme Court.

It is important to reflect for a moment on how we have reached this moment. It has been more than a year since the untimely passing of Justice Antonin Scalia in February of 2016. Under article II, section 2 of the U.S. Constitution, President Barack Obama had a duty to make a nomination to fill that vacant seat. He met that obligation by nominating Chief Judge Merrick Garland in March of 2016.

Yet the leader of the Senate Republicans, Majority Leader MCCONNELL, announced that, for the first time in the 230-year history of the Senate, he would refuse the President's nominee, Judge Garland, a hearing and a vote. Senator MCCONNELL further said that he would refuse to even meet with Judge Garland. It was a transparent political decision made by the Republican leader in the hopes that a Republican would be elected President and fill the vacancy. It was part of a broader Republican political strategy to influence, if not capture, the judicial branch of government on every level of the court system.

Not only did the Senate Republicans keep a Supreme Court seat vacant for over a year, they turned the Senate's Executive Calendar into a nomination obituary column for 30 other judicial nominees who had been reported out of the Judiciary Committee with bipartisan support. They were hoping a Republican President would fill all of those seats, and they were prepared to leave them vacant for a year or more to achieve that end.

What kind of nominees were they hoping for? Nominees who had been blessed by special interests, by big business, and by Republican advocacy organizations.

It was last year that then-Candidate Donald Trump released a list of 21 potential Supreme Court candidates who

were handpicked by two Republican advocacy groups—the Federalist Society and the Heritage Foundation. I am not speculating on the fact that they were chosen by those two groups, as President Trump publicly thanked the groups for giving him a list of names with which to fill the vacancies on the Supreme Court. It was unprecedented for anyone, including a candidate for President, to outsource the judicial selection process to special interest groups, but President Trump did it. True to his word to these special interest groups, he nominated one of the names on the list—Judge Neil Gorsuch.

The first telephone call Judge Gorsuch received about his nomination was not from the White House; it was from the Federalist Society, which was one of these Republican advocacy groups. Eventually, Judge Gorsuch made it to the interview stage with President Trump's inner circle. He met with Steve Bannon, Reince Priebus, and President Trump himself. Those men each took the measure of Judge Gorsuch and gave him their approval to serve for a lifetime appointment on the highest Court in the land. President Trump, who had announced numerous litmus tests for judicial nominations, appeared very satisfied with Neil Gorsuch as his nominee.

The President's Chief of Staff, Reince Priebus, even said: "Neil Gorsuch . . . represents the type of judge that has the vision of Donald Trump."

There was certainly no political subtlety in that evaluation.

After Judge Gorsuch's nomination was announced, a dark money machine shifted into gear. A national campaign, which cost at least \$10 million, was launched to support the Gorsuch nomination. Because it is dark money, there is no disclosure about who is bankrolling this effort, but it is a safe bet that the suppliers of dark money have at least a passing interest in cases before the U.S. Supreme Court.

Despite this unprecedented and unsettling process that led to Judge Gorsuch's nomination, the Democrats on the Senate Judiciary Committee gave Judge Gorsuch a courtesy that Republicans denied to Judge Garland—a hearing and a vote. Why? Because Senate Democrats take the Constitution seriously. We do not turn our backs on the constitutional responsibility of advice and consent, even though that is exactly what our Republican colleagues did when it came to Merrick Garland.

Last week, the Senate Judiciary Committee met for 4 days to consider the Gorsuch nomination. In leading up to the hearing, I made it clear on the Senate floor that I thought that Judge Gorsuch had a burden to bear at that hearing.

On February 2, I said here on the floor that Judge Gorsuch needed to demonstrate that he would be a nomi-

nee who would uphold and defend the Constitution for the benefit of everyone, not just for the advantage of a privileged few who happened to engineer his nomination.

I also said that Judge Gorsuch needed to be forthright with the American people about his record and his views. I made it clear that avoiding answers to critical questions was unacceptable.

I said that he needed to demonstrate that he would be an independent check on President Trump and every President and that he was prepared to disapprove the President and the right-wing groups that handpicked him if the Constitution and the law required it.

Judge Gorsuch was given a full and fair hearing. He was given every opportunity to explain his judicial record and his views and to meet the expectations I laid out for him. I came away from this hearing firmly convinced that I must oppose the nomination of Neil Gorsuch.

Here are the reasons:

Judge Gorsuch favors corporations and elites over the rights and voices of Americans, often using selective textualism to advance his agenda. Judge Gorsuch's hearing reinforced my fear that he would lean toward corporations and special interest elites at the expense of American workers and families.

Big business and special interests have found a friend under the Roberts Supreme Court. I noted at the hearing a study by the Constitutional Accountability Center that found that under Chief Justice John Roberts the Supreme Court has ruled for positions that have been advocated by the Chamber of Commerce 69 percent of the time.

I am concerned, based on a review of his record, that Judge Gorsuch is likely to increase the pro-business leanings of the Roberts Court. In a series of decisions—and I have read many of them—involving workers' rights, discrimination claims, consumer rights, and access to the courts, Judge Gorsuch has, time and again, favored corporations. He has often substituted his own judgment for those of the agencies that are tasked with protecting the workers.

No case was more egregious than the TransAm Trucking case, which was brought up repeatedly at the hearing. The facts are pretty well known by now. In January, Alphonse Maddin, a truck driver from Detroit, was stuck on the side of Interstate 88 in my home State of Illinois, and it was 14 degrees below zero outside. The brakes on his trailer were frozen. After waiting for a repair truck for several hours without his having any heat in the cab of his truck, Alphonse Maddin's body was starting to go numb. He called the trucking company one more time. They said: You have two options—stay in that truck or drag that frozen trailer down the interstate highway.

Both of those options were a risk to health and safety and common sense. So, instead, Al Maddin unhitched the broken-down trailer and drove to a gas station to fuel up and get warm and then returned to the disabled trailer. For this, the company fired him, and that firing blackballed him from ever working as a truck driver again.

Al Maddin came by my office and explained what he did. He had heard that there was some Federal agency that might consider what he had considered to be an unfair firing, so he went down to the agency and took out a ballpoint pen and filled out the complaint in longhand without the advice of counsel or any help. He was shocked when he won.

The case went further on appeal. Seven different judges heard Al Maddin's case. Six of them agreed that what had happened to him was unfair and unlawful. The only judge who found for the trucking company was Neil Gorsuch.

Judge Gorsuch's dissent claimed that he was merely looking at the plain text of the law and the dictionary's definition and that was why Al Maddin had been fired. But the Tenth Circuit majority said that Neil Gorsuch was cherry-picking one dictionary's definition to come to his conclusion. Other dictionaries and the law's purpose of protecting health and safety had been ignored by Judge Gorsuch.

Republican nominees like Judge Gorsuch often claim they are using the supposedly neutral philosophies of originalism and textualism to guide their decision making, but Al Maddin's case shows how Judge Gorsuch used a selective choice of text to advance a pro-business agenda at the expense of this American worker.

There are many other cases in Judge Gorsuch's record that demonstrate this trend, leading the Associated Press to say that Gorsuch's workers' rights opinions are "often sympathetic but coldly pragmatic, and they're usually in the employer's favor."

Take a look at the Hobby Lobby case. In that case, Judge Gorsuch expanded the idea that a corporation—a business—is a person. Why? He wanted to permit a for-profit corporation to impose its owners' personal religious beliefs on more than 13,000 employees who worked at that corporation and to limit their access to healthcare under insurance policies.

In finding for the corporation, Judge Gorsuch barely acknowledged that this decision burdened these thousands of employees and their personally constitutionally protected religious beliefs and choices.

Judge Gorsuch also has a troubling record when it comes to protecting the rights of Americans with disabilities and those who are victims of discrimination. It was quite a scene when, last week, in the midst of our hearing on

Judge Gorsuch, the Supreme Court issued a unanimous ruling that rejected a standard that had been created by Judge Gorsuch. I am sure that has never happened in history. This standard, which Judge Gorsuch had promoted for a case in which he wrote the majority opinion, weakened protections for students with disabilities under the Individuals with Disabilities Education Act.

In 2008, Judge Gorsuch wrote in the *Luke P.* case that, under the IDEA, schools need only to provide educational benefits to students with disabilities that are merely more than de minimis.

At issue was the legal responsibility of a school district to provide educational opportunities for a child with disabilities. In this case, Luke was a boy from Colorado who had suffered from severe autism. With the assistance and support of his teachers, Luke had made significant progress in school—in kindergarten and first grade. Then, when his family moved to a new home, he had to change school districts. At his new school, Luke began to lose the skills he had gained. His behavior was worse.

After unsuccessful attempts to address these concerns, Luke's parents decided that they "could not in good conscience continue to expose their son, Luke, to this environment that was so detrimental to his educational and behavioral development." They decided to enroll Luke in a residential school that was dedicated to the education of children with his type of autism spectrum disorder.

A due process hearing officer, a Colorado State administrative law judge, and a Federal district court all found that the school district had failed to provide the education that was guaranteed to Luke under the Federal law of IDEA and that it was, therefore, required to reimburse the cost of the private residential school placement that Luke needed.

His parents were desperate to give Luke a chance in life, but then Judge Gorsuch ruled against them. In so doing, he created a new, lower standard for school districts in the process.

I asked Judge Gorsuch about this. He claimed he was just following the law and precedent, but as I pointed out at the hearing, that was not accurate. A legal analysis showed that Judge Gorsuch was the first judge in that circuit to add the word "merely" to the standard.

Luke P.'s father, Jeff, testified at the hearing and said that Judge Gorsuch's "subtle wordcraft" had the effect of "further restricting an already restricted precedent with, unfortunately, my son in the bull's-eye of that decision."

What did Chief Justice John Roberts of the U.S. Supreme Court say of the Gorsuch standard? Here is what he

said: "When all is said and done, a student offered an educational program providing 'merely more than de minimis' progress [Gorsuch's words] from year to year can hardly be said to have been offered an education at all."

The Supreme Court sent a strong message when they released this opinion in the midst of Judge Gorsuch's hearing. The Court unanimously said that the Judge Gorsuch standard was inconsistent with the law. On this issue, Judge Gorsuch, the nominee, is somewhere to the right even of Justice Clarence Thomas. This case is not an outlier. In fact, an analysis of his disability decisions shows that Judge Gorsuch has ruled against disabled students in 8 out of 10 IDEA cases.

There was also a consistent pattern of Judge Gorsuch's record on discrimination and retaliation involving employers. Bloomberg BNA analyzed this record and found that he ruled for employers 8 out of 12 times.

For example, he ruled against a sex discrimination claim brought by a UPS saleswoman; a disability discrimination claim that was brought by a college professor; an age discrimination claim that was brought by two maintenance workers; a race discrimination claim that was brought by an African-American grocery store employee who was called a "monkey" by his supervisor; a gender and disability discrimination claim that was brought by a female county accountant with multiple sclerosis; and a discrimination claim that was brought by a transgender woman who sought to use the restroom of her gender identity.

The case of Grace Hwang was particularly troubling to me. Ms. Hwang had been a college professor for 15 years. Then she was diagnosed with cancer. She needed a bone marrow transplant, so they gave her 6 months of sick leave. As it was about to expire, they told her to return to the classroom. Just at this same time, a flu epidemic was sweeping across the campus. Ms. Hwang asked to extend her leave and work from home so she wouldn't get infected. She felt especially vulnerable, having just had a bone marrow transplant.

The university denied her request and terminated her employment because she asked to be protected from this flu epidemic. Judge Gorsuch authored an opinion upholding the dismissal of Ms. Hwang's disability discrimination complaint.

Judge Gorsuch would not let a jury consider the reasonableness of her request. Instead, he wrote that six months' leave was "more than sufficient" and wrote that the purpose of disability law is "not to turn employers into safety net providers for those who cannot work."

Grace Hwang's children said that Judge Gorsuch's opinion "removed the human element from the equation. It did not bring justice."

Also, during the hearing, Judge Gorsuch refused to distance himself from the extreme and bigoted views of one of his college professors and his dissertation supervisor, Professor John Finnis, a man whom he has publicly praised.

Overall, Judge Gorsuch's record raised serious concerns about what his confirmation would mean for the vulnerable and the victimized.

We also came to learn that Judge Gorsuch was an aggressive defender of Executive power when he worked at the Justice Department during the Bush administration. In June 2004, after the terrible Abu Ghraib torture scandal, I offered the first legislation to ban cruel and inhuman treatment of detainees. This legislation ultimately became the McCain torture amendment, which, despite a veto threat by President Bush, passed this Senate in 2005 by an overwhelming 90-to-9 vote.

But Judge Gorsuch advocated that the President should issue a statement claiming that the McCain amendment was "essentially codifying" torture techniques like waterboarding. This is despite overwhelming evidence from Senator MCCAIN and others in Congress that this amendment was intended to do the exact opposite by outlawing cruel, inhuman, and degrading treatment.

Judge Gorsuch testified that he was simply an attorney working for a client, but Gorsuch's email correspondence revealed that he was viewed as a "true loyalist" to the Republican administration. And this is a client that the judge actively lobbied to serve, even though their troubled record on torture was already a matter of public record.

These documents from Gorsuch's tenure at the Department of Justice, which were not available during his earlier confirmation hearing for the Tenth Circuit, provide a revealing look at his beliefs on Executive power. They raise deeply troubling questions about what Judge Gorsuch would do if he is called upon to stand up to this President or any President who claims the power to ignore laws that protect fundamental human rights.

For the majority of questions from Democratic Senators at his hearing, Judge Gorsuch failed to meaningfully respond. He had a standard set of evasions and nonanswers that he used whenever he was asked about fundamental legal principles and landmark cases. It didn't take long before this Senator, and many others, could finish his sentences before he started.

In ducking these critical questions, Judge Gorsuch ended up saying nothing to assuage my concerns about Reince Priebus's pronouncement that Judge Gorsuch "has the vision of Donald Trump."

The Supreme Court must serve as an independent check on President

Trump, not a rubberstamp. But Judge Gorsuch wouldn't even comment on the original meaning of the Constitution's emoluments clause, apparently for fear of possibly implicating the President who nominated him.

Judge Gorsuch might not be the first nominee to avoid answering questions about his views, but he went further than others. As a result, members of the committee can look only to his judicial record and his work for the Justice Department to decide their vote for this lifetime appointment on the Supreme Court.

His record on the bench and his record at the Justice Department make it clear that Judge Gorsuch is not the right person to serve in the highest Court in the land. We all want judges to follow the law and apply the facts fairly, but it is naive to believe that this is some kind of robotic exercise. Every judge brings some values to the court. In close cases, those values can tip the meaning of the law or even the facts before the court. One key purpose of these hearings is to provide reassurance that the nominee's values are in the American mainstream. I did not find this assurance in Judge Gorsuch's testimony last week, and I certainly didn't find it in his record. He received a fair hearing, but he did not earn my vote.

Because Republicans control the Senate, we can expect Judge Gorsuch to be reported out of the Judiciary Committee next week and then to receive a vote on the Senate floor. But no one should be surprised that Judge Gorsuch will need to meet the threshold of 60 Senate votes in order to be confirmed.

Majority Leader McConnell has made clear time and again that 60 votes is the standard for matters of controversy in this Senate. I will cite a few of the leader's more memorable quotes.

On December 2, 2007, Senator McConnell said: "I think we can stipulate once again for the umpteenth time that matters that have any level of controversy about it in the Senate will require 60 votes."

On October 28, 2009, Senator McConnell said: "Well, it's fairly routine around the Senate that controversial matters require 60 votes."

Then again, on July 17, 2007, Senator McConnell said: "Sixty votes in the Senate? As common as gambling in Casablanca."

Sixty votes is a threshold that Supreme Court nominees have met for the past quarter century. If a Supreme Court nominee cannot garner 60 votes in the Senate, then the President should put forward a new nominee.

We are at a unique moment in history. The President has already fired an Attorney General and had his unconstitutional Executive actions blocked by many Federal courts. The President, in the first few weeks, has

also launched unprecedented attacks on the integrity of the Federal judiciary. And now the Federal Bureau of Investigation has confirmed it is investigating Russian involvement in his election.

A new bombshell is revealed almost every day.

In this context, the Senate cannot simply rubberstamp a lifetime Supreme Court appointment for the President. Neil Gorsuch is the man Donald Trump urgently wants on the Supreme Court. That should give many Americans pause. It certainly gives pause to me.

I cannot support the nomination of Neil Gorsuch. I will vote no when his nomination comes before the Judiciary Committee next week, I will vote no on cloture, and I will oppose his nomination on the Senate floor.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, the most solemn and serious and consequential act that the United States can undertake at any moment is to make the decision to send Americans into war. From time to time, war may be an unfortunate decision but a necessary decision—a necessary and potentially tragic function of any republic. And it might be necessitated by the need to safeguard the rights and the freedoms of the government's own citizens from foreign states—from those who would harm us. Yet we should enter into those wars and enter into any alliances that could lead to war only after utmost deliberation and strategic consideration, focusing specifically on the well-being of the American citizens—those people whom we are sworn to protect, those people whose safety is at stake whenever we go to war.

That is why, for the past several months, I have asked that the Senate have a rollcall vote on the measure to ratify Montenegro's accession to the North Atlantic Treaty, and that is why I will be casting my vote against expanding NATO later today.

Of course, treaties and alliances with other countries can be beneficial; there is no question about that. But the Founders of this country understood that their seriousness needs also to be considered—that the seriousness of a treaty needs to be taken into account in the same way that you have to consider very carefully the seriousness of going to war, and for the very same reasons. That is why both of these powers—the power to make and ratify treaties and the power to declare and execute war—are given not to one single branch of the Federal Government, but rather they are shared by the legislative and executive branches acting together. In addition to this, treaty ratification requires not just a majority vote, but a two-thirds supermajority vote within the Senate.

The United States should enter into treaties and alliances with foreign nations that will enhance the ability of American citizens to exercise their rights and freedoms and to safeguard those same people. At the heart of the NATO alliance is the article 5 guarantee for collective defense, stating, in essence, that an attack against any one NATO ally will be perceived and responded to as an attack against all. This means that the United States is obligated by treaty to make war because of an attack on an ally, and those allies are obligated to us for the same purpose and to the same extent. This, of course, is a very significant agreement. It is one that we should never take lightly. It is never one that we should just assume into existence any time we have a decision to make.

Simply put, I don't see how the accession of Montenegro—a country with a population smaller than most congressional districts and a military smaller than the police force of the District of Columbia—is beneficial enough that we should share an agreement for collective defense. Montenegro becoming a member of NATO is certainly attractive to European countries because it makes the United States the security guarantor of yet another country in a region prone to instability and ethnic unrest, but that doesn't automatically make it of interest to the American people. It doesn't automatically mean that the benefits outweigh any risks to the American people by bringing this country into NATO.

On the other hand, I believe the risks could outweigh the benefits to the detriment of the American people and result in more of our servicemembers being deployed overseas and at risk. The resolution of ratification on which the Senate is voting states that "an attack against Montenegro, or its destabilization arising from external subversion, would threaten the security of Europe and jeopardize United States national security interests."

This makes NATO responsible not only for external security but for combating destabilization in a historically volatile part of the world. Undertaking obligations like this only increases the likelihood of Americans being placed in harm's way, of our brave young service men and women having to go into a potential field of battle.

Further, expanding NATO does not address some of the systemic problems that U.S. administrations from both sides of the aisle have long pressed to their European counterparts: the failure of many NATO countries to meet decades-old defense spending obligations and the increasingly concerning behavior of some NATO members.

For example, several weeks ago it was announced that American military personnel are now being used in northern Syria for the purpose of preventing

infighting between one of our NATO allies—Turkey—and our Kurdish allies in the coalition against ISIS. This was followed in short order by a diplomatic crisis between Turkey and the Netherlands—both NATO allies—in which the Turkish President accused the Dutch Government of fascism. European Commission President Jean-Claude Juncker in February rejected calls from the Trump administration, which were similar to pleas from the Obama administration, for European countries to increase their own defense spending in fulfillment of their existing obligations through NATO.

Addressing such issues is much more vital to the future of NATO and American interests in Europe than further rounds of expansion.

Finally, some of my colleagues have argued that we should move forward with Montenegro's accession into NATO because the Russians oppose it, just as the Russians have opposed all previous rounds of expansion. This is not the basis for a sound foreign policy. While the United States should not let another country have a veto over our national security decisions, it would be equally unwise for the United States simply to engage in certain actions just because geopolitical adversaries might oppose them. Such reactionary statecraft contradicts the ideals of prudence and practicality that our Founders hoped would guide our foreign policy.

On a more practical level, it still doesn't mean that we should just be willing to put our Armed Forces in a position where our brave young men and women might have to go into harm's way as a result of the fact that a geopolitical adversary takes the opposite viewpoint.

Further, elected officials should not have their patriotism or loyalty to country questioned because of their understandable concerns about national security, treaty obligations, and war. There are many thoughtful leaders and policy experts who have legitimate concerns—both, about Russia's behavior and about the direction of NATO—and who support meaningful pressure against Russia through economic and diplomatic means, as well as the modernization of our strategic deterrent and missile defense systems.

This vote, of course, is likely to pass and Montenegro will become the newest member of NATO this year. It is my sincere hope that the country will be a constructive force in addressing the operational and mission problems that I have described and that the Trump administration will press for needed reforms. But I also hope that American diplomatic leaders and Congress will work to identify and act on the security interests most relevant to the American people and think more strategically about our alliances and treaty partners in the future.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I come to the floor today to talk about the importance of the Senate's vote to ratify the accession of Montenegro into the North Atlantic Treaty Organization, or NATO. I am confident we will see an overwhelming, bipartisan majority of our colleagues here in the Senate support Montenegro's effort to join NATO. This is in Montenegro's interest, it is in Europe's interest, and it is in the national security interest of the United States.

NATO is the most successful security alliance in history, and it is essential to the stability, freedom, and prosperity that Europe enjoys and that the United States has enjoyed, and, really, to that stability that has existed since after World War II. NATO has provided the security and stability for the freedoms we enjoy and the prosperity. Montenegro's accession to NATO will help the alliance become more resilient, and it will deter Russian aggression on Europe's eastern flank, which is why the alliance invited Montenegro to become its 29th member last year.

I agree that Montenegro is a small country, but it is geopolitically important. Its membership in NATO will complete the alliance's control of the Adriatic coastline, and that will strengthen NATO's southern border.

Since its independence from Serbia 10 years ago, Montenegro has pursued inclusion in Euro-Atlantic institutions, and it has been a good partner to NATO. For example, Montenegro has contributed ably to the mission in Afghanistan, which is the only time article 5 of NATO has been invoked. It was after the attacks of 9/11 on the United States, and our response was to go into Afghanistan. Montenegro joined us, along with our other NATO allies in this effort. Montenegro also imposed sanctions on Russia for its aggression in Ukraine.

Montenegro's accession to NATO is also critically important for the wider Balkan region, which faces increasing Russian influence and interference. After all, remember that the two major wars of the last century, World Wars I and II, started in the Balkans. We need to do everything we can to maintain stability there. This is one of the things that I believe Montenegro's accession to NATO will help us do. We saw the increasing Russian influence and the increasing effort to destabilize the Balkans last year in Montenegro's fall elections.

Since those elections, Montenegrin authorities have arrested several people in connection with a coup attempt and a plot to assassinate Montenegro's Prime Minister. There is indisputable evidence that ties both violent plots back to Russia, which was trying to eliminate a high-profile supporter of Montenegro's accession to NATO and

install, instead, a pro-Kremlin political party there. Montenegrin police are still working with international authorities to locate the suspected Russian masterminds of these efforts.

But when the bipartisan codel from the Senate and House, led by Senators MCCAIN and WHITEHOUSE, went to the Munich Security Conference in February, we had a chance to meet with Montenegro's Prime Minister Djukanovic. He told us in very vivid detail about the efforts to assassinate him and about Russia's efforts to install instead a pro-Russian government. Do we really think that Mr. Putin, who desires nothing more than to weaken the NATO alliance, would work so hard to disrupt Montenegro's inclusion in NATO if he didn't think it would strengthen the alliance?

Approving Montenegro's accession to NATO would signal support for Montenegro's independence and sovereignty and for their continued efforts to move towards the West and away from Russia. It would also demonstrate our solidarity with countries like Montenegro that Vladimir Putin is trying to bully, especially in light of our own recent experience with Russian meddling in our Presidential election. Now is a critically important time to send Russia the message that we will not tolerate this behavior. Last fall, a bipartisan group of diplomats, national security experts, and former administration officials sent a letter to Congress urging quick action on Montenegro's accession.

Earlier this month, Secretary of State Rex Tillerson wrote a letter to Senator MCCONNELL and Senator SCHUMER detailing the reasons Montenegro's accession to NATO is in our interest and urging that we schedule a prompt floor vote on the accession. Virtually all NATO members have already formally blessed Montenegro's inclusion in the alliance. So it is just the United States that hasn't taken this important step forward.

The case for the Senate to support Montenegro's NATO accession is overwhelming. That is why it is so frustrating that it has taken so long. With Senator JOHNSON, I cochaired the Foreign Relations Committee hearing on this subject back in September of last year. In December and again in January, the Foreign Relations Committee approved Montenegro's accession protocol, and efforts were made to secure the necessary agreement for the full Senate to do the same. These efforts have been blocked by just a few Senators, despite the overwhelming bipartisan support for approval.

I am glad that Montenegro's accession is finally getting the vote in the Senate that it deserves. The United States has long stood for freedom and democracy in Europe, and I urge my Senate colleagues to stand strong for freedom and democracy now by voting

to approve Montenegro's accession to NATO.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The Senator from South Dakota.

NOMINATION OF NEIL GORSUCH

Mr. THUNE. Mr. President, last week the Senate Judiciary Committee held hearings on Judge Neil Gorsuch's nomination to the Supreme Court. Everything we heard from this nominee confirmed what has been clear from the beginning: Judge Gorsuch is the kind of judge all of us should want on the Nation's highest court.

Judge Gorsuch obviously has a distinguished resume. He graduated with honors from Harvard Law School and went on to receive a doctorate in legal philosophy from Oxford University, where he was a Marshall scholar.

He clerked for two Supreme Court Justices—Byron White and Anthony Kennedy—and he worked in both private practice and at the Justice Department before being nominated to the Tenth Circuit Court of Appeals, where he has served with distinction for 10 years.

He is widely regarded as a brilliant and thoughtful jurist and a gifted writer whose opinions are known for their clarity. Most importantly, however, Judge Gorsuch understands the proper role of a judge, and that role is to interpret the law, not make the law; to judge, not legislate; to call balls and strikes, not to rewrite the rules of the game.

It is great to have strong opinions. It is great to have sympathy for causes or organizations. It is great to have plans for fixing society's problems, but none of those things has any business influencing your ruling when you sit on the bench. Your job as a judge is to apply the law as it is written—and here is the fundamental thing—even when you disagree with it.

"A judge who likes every outcome he reaches is very likely a bad judge," Judge Gorsuch said more than once. Why? Because a judge who likes every outcome he reaches is likely making decisions based on something other than the law. That is a problem. Equal justice under the law, equal protection under the law—these principles become meaningless when judges step outside of their role and start changing the meaning of the law to suit their feelings about a case or their personal opinions.

Judge Gorsuch's nomination has attracted support from both sides of the political spectrum. I think the main reason for that is because both liberals and conservatives know they can trust Judge Gorsuch to rule based on the plain text of the law, irrespective of his personal opinions. Here is what Neal Katyal, an Acting Solicitor General for President Obama, had to say about Judge Gorsuch:

I have no doubt that if confirmed, Judge Gorsuch will help to restore confidence in the rule of law. His years on the bench reveal a commitment to judicial independence—a record that should give the American people confidence that he will not compromise principle to favor the President who appointed him.

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

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

A former law partner and friend of Judge Gorsuch—a friend who describes himself as "a longtime supporter of Democratic candidates and progressive causes"—had this to say about the judge:

Gorsuch's approach to resolving legal problems as a lawyer and a judge embodies a reverence for our country's values and legal system. The facts developed in a case matter to him; the legal rules established by legislatures and through precedent deserve deep respect; and the importance of treating litigants, counsel and colleagues with civility is deeply engrained in him. . . .

I have no doubt that I will disagree with some decisions that Gorsuch might render as a Supreme Court Justice. Yet, my hope is to have Justices on the bench such as Gorsuch . . . who approach cases with fairness and intellectual rigor, and who care about precedent and the limits of their roles as judges.

Again, that is from a self-described "longtime supporter of Democratic candidates and progressive causes."

During his years on the bench, Judge Gorsuch has had a number of law clerks. On February 14, every one of Judge Gorsuch's former clerks, except for two currently clerking at the Supreme Court, sent a letter on his nomination to the chairman and ranking member of the Senate Judiciary Committee. Here is what they had to say:

Our political views span the spectrum . . . but we are united in our view that Judge Gorsuch is an extraordinary judge. . . . Throughout his career, Judge Gorsuch has devoted himself to the rule of law. He believes firmly that the role of the judge in our democracy is to apply the laws made by the political branches—that is, to adhere to our Constitution and statutes our elected representatives have enacted, and not to confuse those things with a judge's own policy preferences.

As law clerks who have worked at his side, we know that Judge Gorsuch never resolves a case by the light of his personal view of what the law should be. Nor does he ever bend the law to reach a particular result he desires.

For Judge Gorsuch, a judge's task is not to usurp the legislature's role; it is to find and apply the law as written. That conviction,

rooted in his respect for the separation of powers, makes him an exemplary candidate to serve on the nation's highest court.

That is the unanimous opinion of 39 of Judge Gorsuch's former law clerks, whose political views in their own words "span the spectrum." Unfortunately, no amount of testimony in favor of Judge Gorsuch will ever be enough for some Senate Democrats.

The Senate minority leader took to the floor last week to announce a determination to oppose Judge Gorsuch's nomination. He also announced his determination to push for a filibuster of Judge Gorsuch's nomination. The minority leader's reasons? Well, for starters, the minority leader apparently doesn't trust that Judge Gorsuch will use the bench to implement the leader's preferred policies. He disagrees with some of Judge Gorsuch's decisions, and he apparently considers that sufficient grounds to bar Judge Gorsuch from the Supreme Court. The minority leader demonstrated little interest in whether Judge Gorsuch's legal interpretations were correct. For the minority leader, judging is about getting one's preferred outcome, irrespective of what the law actually says.

The minority leader also mentioned another reason for opposing Judge Gorsuch: He doesn't trust the judge to be independent or impartial, even though liberals and conservatives alike have praised Judge Gorsuch's independence and impartiality as two of his defining characteristics.

The minority leader also made the laughable claim that Judge Gorsuch is somehow out of the judicial mainstream. Well, let me quote what the Wall Street Journal said on this subject. In February, the Journal wrote:

Judge Gorsuch has written some 800 opinions since joining the Tenth Circuit Court of Appeals in 2006. Only 1.75 percent (14 opinions) [out of 800] drew dissent from his colleagues. That makes 98 percent of his opinions unanimous even on a circuit where seven of the 12 active judges were appointed by Democratic Presidents and five by Republicans.

Let me repeat that last line: "That makes 98 percent of his opinions unanimous even on a circuit where seven of the 12 active judges were appointed by Democratic Presidents and five by Republicans."

Well, I wonder if the minority leader intended to suggest that the entire Tenth Circuit is composed of extremist judges or that all of the judges on the Tenth Circuit lacked impartiality or independence, because, logically speaking, if you are going to suggest that Judge Gorsuch is an extremist, then you would have to argue that his colleagues who agreed with his opinions 98 percent of the time are extremists too.

The truth is, Democrat opposition to Judge Gorsuch has zero to do with whether Judge Gorsuch meets the qualifications of a Supreme Court Justice. It is obvious that the judge has all

the qualifications one could want in a Justice. Democrats are opposing Judge Gorsuch because they are mad. They are mad that their party didn't win the Presidential election, they are mad that their party doesn't have control of Congress, and they are mad that they are having to consider a judge nominated by a Republican President. It doesn't matter how qualified Judge Gorsuch is, how impartial he is, how independent he is, some Democrats are just going to oppose him anyway.

This isn't the first time Judge Gorsuch has been before this body. Back in 2006, the Senate considered Judge Gorsuch's nomination to the Tenth Circuit. At that time, the judge's nomination sailed through the Senate. Both of his home State Senators—one a Republican and one a Democrat—supported his nomination, and he was confirmed by unanimous vote. Then-Senator Obama could have objected to the nomination, but he didn't. The current minority leader, who was serving in the Senate at that time, could have objected to the nomination, but he didn't. Senators Biden or Clinton could have objected to the nomination, but they didn't. Why? Presumably because they saw what almost everybody sees today: that Judge Gorsuch is exactly the kind of judge we want on the bench—supremely qualified, thoughtful, fair, and impartial. It is incredibly disappointing that some Democrats are now planning to oppose this eminently qualified Supreme Court nominee simply because they can't deal with losing an election.

The Senate has a 230-year tradition of approving Supreme Court nominees by a simple majority vote. There has never been a successful partisan filibuster of a Supreme Court nominee in 230 years, and the only ones who have ever attempted one are the Democrats. Well, some Democrats may follow the minority leader in opposing Judge Gorsuch. I am hopeful that others will listen to the many voices, liberal and conservative, speaking out in support of his nomination.

There is no good reason to oppose Judge Gorsuch, and there is every reason to support him. It is time to confirm the supremely qualified judge to the Supreme Court.

Mr. President, I yield the floor.

(Disturbance in the Visitors' Galleries.)

The PRESIDING OFFICER. Expressions of approval will not be permitted by the gallery.

The Senator from Minnesota.

BROADBAND CONSUMER PRIVACY

Mr. FRANKEN. Mr. President, I rise today to talk about the effort by my Republican colleagues to gut critical consumer privacy protections. Last week, the Senate voted 50 to 48 to allow internet service providers such as Comcast, Verizon, and AT&T to freely collect, share, and sell its customers'

private information. Later today, the House will vote on the same measure.

Let's be clear what we are talking about here. From web browsing histories to app usage information, broadband providers have easy access to a whole lot of Americans' personal information. Comcast knows exactly what ails you when you visit WebMD's Symptom Checker or that you have recently experienced a major life event when you are browsing maternity clothes on target.com. They would like the ability to use or sell this information to target advertising toward you, and they would really like to use or sell this information without first having to ask your permission.

Now, for me, the interests of consumers in Minnesota, Texas, and across our country have always come before those of big corporations. That is why I have long championed an internet that is open, accessible, and protects Americans' fundamental rights to privacy. For most Americans, I don't think those are controversial ideas.

For example, I suggest that most if not all of us in the Senate believe in the importance of ensuring that Americans have access to affordable high-speed internet. It is one of those great issues on which Members on both sides of the aisle can agree. See, we all know that Americans' cable and broadband bills are too high. The Consumer Federation of America recently reported that the average American household spends about \$2,700 a year for phone, TV, and Internet services. That is why it is so disappointing that instead of acting to make broadband more affordable and more accessible for Americans, my Republican colleagues have actually paved the way for multibillion-dollar companies to make even more money off of their consumers by monetizing some of the most intimate details of their lives. Make no mistake about it, this is purely and simply a corporate handout at the expense of Americans' privacy.

When the FCC voted to pass the broadband privacy rules, the broadband industry was quick to oppose and oppose loudly. In recent months, internet service providers have used their vast resources to lobby the FCC and my fellow lawmakers. If House Republicans heed their call, as my colleagues in the Senate have done, companies like Comcast, Verizon, and AT&T will be free to sell their customers' personal information to the highest bidder, and importantly, they will do so without the oversight or regulation of either the Federal Communications Commission or the Federal Trade Commission.

For my part, I have long held that Americans have a fundamental right to privacy. We deserve both transparency and accountability from companies that have the capacity to trade on their private information. Should some people choose to leave their personal

information in the hands of those companies, they certainly deserve to know that their information is being safeguarded to the greatest degree possible. I am going to keep fighting on behalf of consumers in Minnesota and across the country to secure these rights because I work for them and not the broadband industry.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

THE NUCLEAR OPTION

Mr. CORKER. Mr. President, we find ourselves at an interesting point. Let me start by saying what a tremendous privilege it is to serve in this body. Every single day that I come to the building from where I live, I express that to myself—what a tremendous privilege it is for all of us to serve in this body, denoted by many as the greatest deliberative body in the world. Certainly, we find ourselves here in a place where we can effect so many things that not only affect our citizens but citizens across the world. What a privilege that is.

The Presiding Officer and I have had numerous conversations in the past. I spent a life in business before coming to the Senate, and I know the Presiding Officer did a lot of unique things as well. At the age of 25, I was fortunate enough to build a business, starting with a small amount of money. It ended up operating all around the country. One of the things we did after every project—I built shopping centers around the country—is that we would get together and analyze the things we had done well and the things we had done not so well in an effort to become better. At the end of each year, we would sit down and look at our company, which was growing very rapidly, and try to analyze those things. Sometimes we would have setbacks, but generally speaking, the company continued to operate on an upward trend.

What I find here is just the opposite. I have been here now a decade, and what we do is just the opposite of that. What we do is we continue a downward trend because the way the two parties operate with each other is when it gets to a point where there is something very critical that has to happen, the other side says, well, if they were in power, this is what they would do, so let's go ahead and do this ourselves. So what we have in the Senate, at least since I have been here in the last decade, is instead of an escalating situation where we continue to operate better and deal with these things in a more balanced way, what we do is we are on this continual downward trend.

One of our younger Members mentioned the other day as we were discussing this—and I thought it was a great point—that what has happened in the Senate is that neither party has had the ability to withstand the pressure that is brought to them by their base in either party.

I have seen that play out right now. What happens is their base puts pressure on, and we end up breaking the traditions of the Senate. We did it legislatively with the cloture vote being the scored vote by outside groups. So that is where we find ourselves.

What is happening in our own caucus—I just realized over the weekend—is that we are now trying to figure out whom to blame. I heard a discussion last Wednesday that was totally divorced from reality as far as how we had gotten where we are today. I realized that we are getting ready to do some things here that will change the Senate dramatically. What is really happening is that both sides are trying to make sure history records that it was the other side that caused this to happen.

We are now starting to see editorials in various publications—some that we Republicans read and some that Democrats read—to try to set the story straight. I about came out of my chair last Wednesday with regard to one of the explanations as to how we got where we are today. My guess is, today at lunch on the other side of the aisle, the same thing will be taking place. Obviously, on our side, it is the other side. On their side, it is our side.

Let me go back to 2013. We had a breakdown taking place. President Obama was bringing forth some nominations, and it was right after he was elected for a second term. We went through the summer of 2013 with some of his nominees not getting cloture votes. I was called, as were a few other Senators, to make what we would call some tough votes. These were nominees whom we did not support. Cloture had again become the vote that people were scoring, but I and JOHN MCCAIN and LAMAR ALEXANDER and a few others were asked to make some votes that, candidly, were not very pleasant to keep us from getting to a place at which Senator Reid would impose the nuclear option.

We made it through the summer, and we went into the fall. We had just confirmed a new circuit court judge for the D.C. Circuit, which is just below the Supreme Court relative to importance for lots of reasons. So we had a 4-to-4 balance on this circuit court. Senator Reid brought forth three more nominees, and they were not bad nominees. I think most people thought they were actually pretty decent nominees. But we did not want the balance of the D.C. Circuit to change; it was at 4-to-4.

We know that a lot of administrative rulings that are relative to the admin-

istration take place in the D.C. court, so we made the argument that there were already enough judges there and that they did not have a very good case. It was the same argument, by the way, that Democrats made back in 2006 when Bush was also trying to make some nominations. We do the same to each other. So we ended up filibustering those three nominees.

What we thought was going to take place was a negotiation on how many judges would actually go when all of a sudden Senator Reid, out of the blue, with some of his Members not realizing what had happened, did the nuclear option. He ruled and called upon the person sitting in the Chair and the Parliamentarian. All of a sudden, we destroyed what had been the case of it taking 60 votes to move beyond to an actual vote on the nominee. I was livid.

Somebody said the other day that that was fine and that we had just gotten to where we had wanted to be. Are you kidding me? We were livid. We were livid that on some circuit court nominees, Senator Reid had pulled the nuclear option.

I will tell you this: There were days—not days, months—where people who had normally worked with people on the other side of the aisle just kind of shut down. It was hard to believe the nuclear option had been invoked.

Last Wednesday, somebody acted like it was no big deal, that it had just gotten us back to where we had always been. The fact is that we have not used filibusters much—years ago. The fact is that we are using them a lot today. Look, this was a big deal.

Now we find ourselves in a situation in which we are getting ready to take the last step, if you will, on nominations. Let's face it: We have a nominee in this judge who is on the floor who is really beyond reproach.

I realize my friends on the other side of the aisle have pressures. I have talked to some of them, and I respect them. I understand that their base is saying that because of what we did last year. Remember, it had been an hour since the great Justice passed away, and we had already declared we were not going to allow another Justice to be confirmed until after the Presidential race. It was a pretty audacious move, let's face it, and obviously it created some hard feelings on the other side of the aisle after the election was determined.

Within their base, many of them are saying they are going to invoke the filibuster here. Our leadership is saying: If that happens, then we ourselves have to invoke the nuclear option on the Supreme Court Justice.

We understand where this is going. I do not know what has been said on the floor other than during the hearings, but let's face it: One side is reacting to their base, to their pressure. They are having ads run against them if they are

even considering voting to move beyond the cloture vote to an actual vote on the nominee. On our side, obviously, we are in a situation in which, if that happens, then our leader is going to call the nuclear option.

By the way, everybody says: Oh, we are never going to do it on legislation. Come on. Let me go back to that for a minute.

Back in 2010, the Democrats passed a healthcare bill with 60 votes. Then there was an election, and it took them down below 60 votes. They just needed to fix a little element on the healthcare bill with a reconciliation bill, and the Republicans went crazy over that. How many times have we talked about their passing this healthcare bill with reconciliation? It has been going on for 7 years. Now we are in the driver's seat. We have the majority. We are writing an entire bill through reconciliation because we understand the power of being able to do something with 51 votes. I understand. So what we do is we just keep upping the ante with each other. Are you kidding me?

If we continue on the path we are on right now, the very next time there is a legislative proposal that one side of the aisle feels is so important, they cannot let their base down, the pressure builds, then we are going to invoke the nuclear option on a legislative piece. That is what will happen. Somebody will do it. Somebody will say that if they were in control, they would do it. That is the way trust has gotten around here. So we ought to do it because this is our opportunity to really change history.

Look, I hope that before we move to the place that we all know we are going—I do not think anybody here would deny that pressures have built. Let's face it. If we do not have respect for the institution we serve and for ourselves, no one else will. Who will? These people know what we are getting ready to do to this place. For us to act like if we do it here, there is no way we would ever do it on a legislative piece—let me tell you this: Two years ago, after Senator Reid did what he did—a friend of mine and somebody I worked very closely with, I think most people know it took me a while to get back to normal with him. Two years ago, there would not have been a single Republican in our caucus who would have even considered voting for the nuclear option. As a matter of fact, we had discussions about changing it back. Then the election occurred, and we decided not to do that.

What it looks like to me is that there is a whole host of Republican Senators who are willing to do that today. Everyone knows that on the other side of the aisle—maybe everyone; I don't know. Yet to say that we will never get to the point at which we will not change a legislative piece—give me a

break. Somebody is not living in reality, because we each continue to take the other down.

Again, I do not really care how history writes it; I am going to tell you how I am going to write it. Neither side of the aisle has had the maturity or the willingness to stand up to the pressures and cause this institution to operate in the way it should—neither side of the aisle. As for anybody who tries to say that one side of the aisle is worse than the other, come on. It takes two of us to take the institution to the place at which we are getting ready to take it next week. That is my history. I have been here 10 years. I have watched it. Neither side of the aisle has clean hands. We have one side. They have a decision to make. Are they really going to filibuster this judge? Let's face it. If you go back and look at the principles of the Gang of 14 that were put in place back in the 2000s, when both sides came together and said: We are not going to do the nuclear option as long as a judge meets these criteria—this judge meets that criteria. It is clear. By the way, I am not criticizing; I am just observing.

We both have pressures. We know that if a filibuster takes place—and you will know that immediately; of course, it would be after a few filibuster votes just to show that it cannot happen—the leader on this side is going to invoke the nuclear option. You all know that. I do not know if people are saying that it could happen, but of course that is what is going to happen. And then the very next time another big legislative issue comes up, the same thing is going to happen unless we have the ability to sit down and talk about this. I would love to do it out on the floor. Typically, we do not do those kinds of things because things get out of control when we talk about things honestly here on the floor, but I would like for us to do that. I would love for us to have maybe a 4-hour discussion about what we are getting ready to do here in the Senate. To me, that would be a healthy thing.

I think all of these staffers who work up here, whom we respect, know exactly what is getting ready to happen here in the Senate.

I think we owe this to people who are getting ready to run for the Senate or maybe to people who are thinking about running for reelection. We should go ahead and have this discussion so that they will know whether they are running for a 6-year House term—a 6-year House term because we do not have the maturity, because we do not trust each other, because we are on this constantly deescalating deal and our leaders do not talk to each other and fight and all of those kinds of things happen, because we are getting ready to take this institution to a place that I do not think many of us are going to be proud of. But, again, for the people who are thinking about run-

ning for the Senate, let's go ahead and clear it. Let's have a discussion about this legislative issue so that people will know, if they are seeking election to the U.S. Senate, that they are, in essence, going to sign up, possibly, for a 6-year House term.

I am at a place in my Senate life where I have tremendous respect for the people with whom I have served. Every day I come here, I look at the things I have the ability to affect as one Senator. I look at that with such honor, to be able to be in a body that debates these kinds of things and affects people in the way we do. What an honor it is to be here. I am here with no malice.

I am here, though, at a time when I see what is getting ready to happen without a lot of discussion, and I hope that somehow or another, we will have the ability to avoid what I see as something that is very, very detrimental to the Senate and, in the process, very detrimental to our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I understand there is a time agreement on the recess before lunch.

I ask unanimous consent that I be allowed to finish and complete my remarks.

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

NOMINATION OF NEIL GORSUCH

Mr. GARDNER. Mr. President, I wanted to come to the floor again to express my strong support for a very mainstream, well-qualified nominee for the Supreme Court, Judge Neil Gorsuch.

Last week, this country got to watch the Senate Judiciary Committee carry out days of hearings that questioned and probed Judge Gorsuch's legal approach, that questioned his temperament to the bench, his suitability to be on our Nation's High Court. I believe every member of the Senate Judiciary Committee had at least an hour to question Judge Gorsuch, to provide lengthy opening statements, to have an extended period of time to have a back-and-forth with Judge Gorsuch in order to go over his judicial philosophy—his approach—that he would take with him from the Tenth Circuit Court to the Nation's High Court.

A number of interest groups and personal witnesses were talking about whether or not they believe Judge Gorsuch is qualified for the bench, and some were highly favorable and spoke very highly of him, and others opposed his confirmation. That is what is great about this country—to be able to come before our Congress, our government, and to testify for or against somebody who will be in that third important branch of government, the judicial branch. It is incredibly inspiring to watch this process unfold. There were

student groups around the country, classes and teachers, who were watching the confirmation hearing as a project, as an educational experience, as a lesson in civics, democracy, and government.

I mentioned, of course, that Judge Gorsuch is a judge on the Tenth Circuit Court today. He is a fourth generation Coloradan. He was confirmed to that position in 2006, 11 years ago, unanimously. He was confirmed to the Tenth Circuit Court 11 years ago unanimously. Based on some of the comments we have heard opposing Judge Gorsuch, it is hard to believe that anybody would have supported him unanimously 11 years ago—based on the things we have heard from the other side of the aisle about him. Judge Gorsuch was confirmed unanimously by 12 current Democratic Senators who did not oppose his confirmation 11 years ago and who serve in this body today.

Twelve Democratic Senators serve in this Chamber today who agreed with his confirmation or didn't oppose his confirmation 11 years ago. In fact, not a single Democrat opposed his nomination—not a single one, and his nomination was unanimous—not Minority Leader SCHUMER, not Senator LEAHY, not Senator FEINSTEIN, not Senator DURBIN, not Senator CANTWELL, not Senator CARPER, not Senator MENENDEZ, not Senator MURRAY, not Senator NELSON, not Senator Reid, not Senator STABENOW, and not Senator WYDEN. Judge Gorsuch's nomination also was not opposed by then-Senator Barack Obama. It was not opposed by then-Senator Joe Biden, and it was not opposed by then-Senator Hillary Clinton.

This level of support for the other party's nomination is almost unheard of in today's political climate. But now, these very same colleagues are vowing to break 230 years of Senate tradition, to dispense with 230 years of precedent, and to join a partisan filibuster of a nominee who has the right judicial temperament and holds mainstream views that are supported by the Constitution.

Throughout the confirmation hearing process, we heard Judge Gorsuch talk about the over 2,000 opinions that he was a part of—2,700 decisions that he was a part of—and I believe he testified before the committee that he joined in the majority in 97 percent of those opinions. That is somebody who sounds to me like the person who could have received the unanimous support of the Senate—who did receive the unanimous support of the Senate, including colleagues who serve with us today.

But, unfortunately, across the aisle, we still haven't heard a reason articulated—a compelling rationale—for why this supremely qualified nominee should be opposed. Sometimes they will reference a letter from a law student at the University of Colorado, or

perhaps they will find one case out of the 2,700 cases that tugs at the heartstrings but not at the law and try to hang their hat on that decision as to why they should oppose Judge Gorsuch. To use a baseball analogy, it is a little bit like a batting average. You would think that a professional baseball player that had a 400 batting average was a pretty doggone good baseball player, but that would mean they missed the ball a heck of a lot much of the time. It seems to me the argument they are making with Judge Gorsuch is that unless he had a perfect batting average and never missed a single pitch and had a hit every single time—that is the standard, apparently, that our colleagues are looking for. It is a standard that no one has ever met in this country before.

We are looking for mainstream judges with the right temperament and the right philosophy, and that is what Judge Gorsuch has proven time and again in the Tenth Circuit Court—that temperament that we need on the high-court.

Our colleagues on the other side of the aisle should abandon their threats of a filibuster and allow an up-or-down vote to occur for Judge Gorsuch. It is what Senate tradition and precedent requires.

Today, though, I thought it important to talk about Judge Gorsuch's exceptionally strong record on religious liberty. Judge Gorsuch is perhaps widely known for his participation in the Tenth Circuit's Hobby Lobby case, a decision which involved the protections afforded by the Religious Freedom and Restoration Act and which was ultimately affirmed by the Supreme Court. In his concurrence, Judge Gorsuch made a number of telling pronouncements regarding religious liberty. Regarding the case, he wrote that the law in question requires the owners of Hobby Lobby to "violate their religious faith by forcing them to lend an impermissible degree of assistance to conduct their religion teaches to be gravely wrong."

Let me say that again. In Hobby Lobby, Judge Gorsuch wrote that the law requires the owners of Hobby Lobby to "violate their religious faith by forcing them to lend an impermissible degree of assistance to conduct their religion teaches to be gravely wrong."

In determining which religious beliefs are entitled to protection, Judge Gorsuch said it doesn't matter if the beliefs are contestable or even offensive. It only matters if they are sincerely held—if they are sincerely held.

He went on to stress that "it is not the place of courts of law to question the correctness or the consistency of tenets of religious faith, only to protect the exercise of faith."

It is these same constitutional principles of religious liberty that Judge

Gorsuch has also used to protect religious minorities and prison inmates.

In *Yellowbear v. Lampert*, Judge Gorsuch ruled that a Native American prisoner was entitled to the use of a prison sweat lodge under Federal law.

Judge Gorsuch went on to stress that while prisoners give up many liberties, the freedom to sincerely express their religion is not one of them. His reasoning was later adopted by the Supreme Court to extend similar religious liberty protections to a Muslim prisoner. Judge Sotomayor even quoted the opinion of Judge Gorsuch in her concurrence in that case.

From his opinions, it is clear that Judge Gorsuch is a mainstream nominee who understands the importance of putting personal beliefs aside and applying the law as written. This is why George Washington University Law School professor Jonathan Turley argued that Judge Gorsuch shouldn't be penalized for his past opinions. As he said, "the jurisprudence reflect, not surprisingly, a jurist who crafts his decisions very close to the text of a statute and, in my view, that is no vice for a federal judge."

It is for the reasons I have cited today and for the reasons we have seen over the past week that I am certain Judge Gorsuch will make Colorado proud and that his decisions will have a positive impact on the Supreme Court and this country for generations to come.

I look forward to working with my distinguished colleagues on both sides of the aisle to expeditiously confirm his nomination and to make sure that we uphold the best traditions and the precedent of this Senate.

Mr. President, thank you.
I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:52 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

PROTOCOL TO THE NORTH ATLANTIC TREATY OF 1949 ON THE ACCESSION OF MONTENEGRO—Continued

The PRESIDING OFFICER. The Senator from Arizona.

(The remarks of Mr. FLAKE pertaining to the introduction of S. 745 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. FLAKE. Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

RUSSIA

Mr. SASSE. Mr. President, I rise to comment briefly on Russian interference in the electoral processes in this country and across the West and governments of many of Russia's own neighbors.

We are in the middle of a civilization warfare crisis of public trust in this country. This isn't about the last 2 months. This isn't just about the last Presidential election. This is fundamentally about the last few decades of declining public trust in a broad range of our institutions: the press, political parties, executive branch agencies, the Congress, and beyond.

Russia is not unaware of our own distrust of each other. Russia is not unaware of our own increasing self-doubt about our shared values. Russia is today very self-consciously working to further erode confidence in our self-government by pulling at the threads of our public and civic life. Moscow's influence campaigns don't start by creating wholly new problems out of thin air, but rather by exploiting fissures that already exist in our civilization. The simplest way for Russia to try to weaken us is by trying to exploit the places where we are already weak, the places where we are already distrustful, and the places where we are failing to pass along a shared understanding of American values to the next generation.

The sad state of modern politics and the explosion of digital media are proving to be ripe targets for many of our own internal doubts and our own discord. We—all of us, Republicans and Democrats, the legislature and the executive branch—are ill-prepared for the challenges that are already on our doorstep, let alone what comes next with the acceleration of these kinds of technologies.

Today in the Wall Street Journal, we in this body were rebuked—rightly rebuked, I think, and rebuked in a bipartisan way by former Congressman Mike Rogers. Chairman Rogers, a Republican, served as the Chairman of the House Intelligence Committee from 2011 through 2015. I am going to read his op-ed rebuke into the RECORD today, but I would humbly ask that all 100 Members of this body calmly and self-critically consider carefully Chairman Rogers' argument, for his argument is not fundamentally against Republicans alone. It is not against Democrats alone. He is offering double-barreled criticism of all of us in the Congress—criticism of both parties. Why of both parties? Because Russia's influence campaign is a really big deal. Are we Republicans listening? Also, because our response to Russia's influence campaign is not primarily about

who you supported last November in the Presidential election.

Listening to the Democrats, it is sometimes hard to understand if that side of the aisle remembers that basic fact about what Russia's influence campaign was up to. Russia's goals in our most recent election were not initially about one candidate versus another candidate. We need to underscore this. There are particulars that those of us who spend time reading classified intelligence know we can't discuss in this unclassified setting. But the big, broad point is simple and needs to be shouted, and that is that Putin's fundamental goals are about undermining NATO. Putin's fundamental goals are about making us doubt our own values: freedom of speech, freedom of religion, freedom of the press, freedom of assembly, the right of protest or redress of grievances.

The Kremlin isn't attempting an influence campaign to make Americans believe that the sky is green or the grass is blue. He is trying to undertake an influence campaign to make us doubt our own First Amendment values. The Kremlin wants us to believe that our society is as corrupt as the thugocracy that Putin and his cronies are trying to advance. That isn't true, but if you listen to us in this body, we regularly do very little to restore the kind of public trust that Putin is actively working to undermine.

So I ask that each Member of this body would humbly and carefully consider Chairman Rogers' rebuke to the Congress this morning. This is from the Wall Street Journal, Chairman Rogers; headline: "America is Ill-Prepared to Counter Russia's Information Warfare."

When historians look back at the 2016 election, they will likely determine that it represented one of the most successful information operation campaigns ever conducted. A foreign power, through the targeted application of cyber tools to influence America's electoral process, was able to cast doubt on the election's legitimacy, engender doubts about the victor's fitness for office, tarnish the outcome of the vote, and frustrate the new President's agenda.

Historians will also see a feckless Congress—both Democrats and Republicans—that focused on playing partisan "gotcha" and fundamentally failed in its duty to gather information, hold officials accountable, and ultimately serve our country's interests.

Whether or not the Trump campaign or its staff were complicit in Moscow's meddling is missing the broader point: Russia's intervention has affected how Americans now view the peaceful transition of power from one president to the next. About this we should not be surprised. Far from it.

Propaganda is perhaps the second- or third-oldest profession. Using information as a tool to affect outcomes is as old as politics. Propaganda was familiar to the ancient Greeks and Romans, the Byzantines, and the Han Dynasty. Each generation applies the technology of the day in trying to influence an adversary's people.

What's new today is the reach of social media, the anonymity of the internet, and

the speed in which falsehoods and fabrications can propagate. Twitter averaged 319 million monthly users in the fourth quarter of 2016. Instagram had 600 million accounts at the end of last year. Facebook's monthly active users total 1.86 billion—a quarter of the global population. Yet each of these staggering figures doesn't fully capture the internet's reach.

In February, Russia's minister of defense, Sergey Shoigu, announced a realignment in its cyber and digital assets. "We have information troops who are much more effective and stronger than the former 'counter-propaganda' section," Mr. Shoigu said, according to the BBC. Russia, more than any other country, recognizes the value of information as a weapon. Moscow deployed it with deadly effect in Estonia, in Georgia and most recently in Ukraine, introducing doubt into the minds of locals, spreading lies about their politicians, and obfuscating Russia's true intentions.

A report last year by RAND Corporation, "The Russian 'Firehose of Falsehood' Propaganda Model," noted that cyber propaganda is practically a career path in Russia now. A former paid troll told Radio Free Europe that teams were on duty around the clock in 12-hour shifts and he was [personally] required to post at least 135 comments of not fewer than 200 characters each.

In effect, Moscow has developed a high-volume, multichannel propaganda machine aimed at advancing its foreign and security policy. Along with the traditional propaganda tools—favoring friendly outlets and sponsoring ideological journals—this represents an incredibly powerful [new] tool.

Now [let's] extrapolate that one step further: Apply botnets, artificial intelligence and other next-generation technology. The result will be automated propaganda, rapid spamming and more. We shouldn't be surprised to see [more] of this in the future.

Imagine [if you will] an American Senator who vocally advocates a new strategic-forces treaty with European allies.

Pausing from the article for a minute—it is interesting to note that is the debate we are actually having in the Senate today. We are talking about expanding NATO to include Montenegro.

Picking back up:

Moscow, feeling threatened, launches a directed information campaign to undermine the senator. His emails are breached and published, disclosing personal details and family disputes, alongside draft policy papers without context. Social media is spammed with seemingly legitimate comments opposing the senator's policy position. The senator's phone lines are flooded with robocalls. Fake news articles are pushed out on Russian-controlled media suggesting that the Senator has probably broken campaign-finance laws.

Can you imagine the disruption to American society? The confusion in the legislative process? The erosion of trust in democracy? Unfortunately, this is the reality the U.S. faces [next], and without a concerted effort it will get [much] worse.

Congress is too focused on the trees to see the frightening forest. Rather than engaging in sharp-edged partisanship, lawmakers should be investigating Russian propaganda operations and information warfare. They should be figuring out how to reduce the influence of foreign trolls, and teaching Americans about Moscow's capabilities. This would go a long way [toward saving] the republic.

That is the end of the op-ed. Again, this was Chairman Mike Rogers, who led the House Intelligence Committee from 2011 to 2015, writing an op-ed in the Wall Street Journal this morning.

Here is what he is really saying. What he is saying is that America has a future in foreign policy and national security and global security that is going to have a lot more propaganda, and a body like this—the Congress generally, but the Senate in particular—has an obligation to help make sure the American people understand Moscow's capabilities and their intentions.

Their intentions are to make us doubt our values. Their intentions are to make us doubt our investment in NATO, the most successful military alliance of last 2,000 years. Their intentions are to exploit the ways that we already distrust each other in ways that should be Republican versus Democratic policy, fighting about particular forms of government intervention and the economy, for instance, but that are subordinate to fundamental American beliefs about who we are as a people and the things that we believe together before we are Republicans and Democrats.

But if you listen to this body right now, would you have much confidence that the American people hear people who come together and believe things that are prepolitical and prepartisan first? Do we have shared American values that we know how to trumpet? Do we have ways to celebrate the things that fundamentally make us Americans well before we are Republicans or Democrats?

I worry that if you watch cable news any given night right now, you would not, as an American citizen, have that as a takeaway. Instead, you would hear Americans saying—American public listeners and viewers to those radio shows and cable shows thinking that the great divide in the world is between Republicans and Democrats. That is actually not true.

By voting record, I am the third most conservative guy around here out of 100, so I care deeply about Republican versus Democratic answers to most of the policy fights we have. But those things are radically subordinate to the things we believe in common about the dignity of people who are created with rights. The government doesn't give us rights. God gives us rights by nature, and we come together as a government to secure those rights. The rights of free speech, press, assembly, and religion are fundamentally American things well before we get to any of our policy bickering.

Yet, if the Americans listen to us in the Congress most days or most weeks or most months, I bet their takeaway is that Republican versus Democrat is the great divide, and we shouldn't trust anybody across that aisle.

Well, guess what. That is exactly what Putin is trying to do. His fundamental objective is to make Americans doubt our own values and to doubt our own civilization so that we fight with each other first, instead of agreeing as Americans first then fighting about a bunch of important policy things—but first agreeing who we are as Americans.

The future that we face is a future where there is going to be a lot more propaganda that tries to exploit our internal divisions to begin with. It makes it all the more critical that a body like this exists to help 320 million Americans with a lot of diversity and a lot of disagreement about really important things. They ought to trust that an institution like this exists to restore some sense of those shared values and exists to restore some of that shared trust. Right now that is not usually what they take away from us in the Congress. So I call on the 100 Members of this Senate to consider carefully Chairman Rogers' rebuke of us this morning in the Wall Street Journal.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. MURPHY. Mr. President, I am on the floor to speak in favor of the pending business before the Senate—to allow for Montenegro to join NATO as a new member. I have been a proponent of this move for a long time, having spent time in Montenegro and having chaired for a period of time the Europe and Regional Security Cooperation Subcommittee of the Foreign Relations Committee, now serving Senator JOHNSON as his ranking member.

I am convinced that NATO will be stronger if Montenegro joins. I am convinced that our alliance will be stronger if Montenegro joins. It is a small country with a very small military, but it occupies an incredibly important space on the world map. It is the only part of the Adriatic coast that breaks up the current NATO map, and it will provide a strengthening of our alliance in that region.

Montenegro is ready. It has made significant progress on internal reform, especially in the area of the rule of law and security sector reform. The Ministry of Defense has met all of the requirements for NATO membership. It is moving to modernize its military. It is moving to try to operationalize itself in a way that it can interact with both U.S. and European equipment. It is replacing its aircraft that previously had required Russian spare parts so that

they are more compatible with European and American air equipment. There is still work that Montenegro needs to do, but now it can continue under the umbrella of the alliance.

I am very happy that we are taking an important step here to signal that NATO's open-door policy is still in practice. I think there was some doubt, frankly, and some concern, after years and years of Montenegro's desire to join amidst the interest from Georgia and prior to the crisis in Ukraine, that some of these transatlantic institutions were closing down. This is a sign that NATO is not only viable but is still open to those countries that want to join, that want to find additional safety and security under our umbrella. I am glad we are going to have a bipartisan vote here in favor of Montenegro's joining NATO.

I want to make a broader point about our future policy in the Balkans. It was not that long ago that it was a precondition, if you were a Member of Congress, to be an expert on the Balkans. The United States was at war in the Balkans, as were Russia and our European allies. It was the hottest spot on the globe. Thanks to U.S. military might as well as diplomatic might, the Dayton Peace Accords brought peace and relative economic prosperity to a region of the globe that has been, frankly, at the center of almost every major conflict in and around Europe over the greater part of the last 100 years. It is a moment to celebrate this period of political and security stability in the Balkans and to remember that we should not take it for granted. There are still festering ethnic and nationalist tensions that play out every day in the Balkans. We see them in small ways.

When I was there, a drone with a map of greater Albania dropped down into the middle of a football match between the Serbian national team and the Albanian national team, which was a deliberate attempt to inflame the Serbians. It seemed like a small thing, but it resulted in the cancellation of a historic meeting between the Prime Minister of Albania and the Prime Minister of Serbia.

Just recently, we have seen some breakdown in the progress Serbia and Kosovo had been making to try to resolve their differences, resulting ultimately, we hope—we believe—in the recognition of Kosovo's statehood by the Serbian Government, which is a reminder that bringing Montenegro into NATO is important for the alliance's sake, but it is also an important step in continuing to make investments in security in the Balkans.

It is important for a second reason in that there is another player out there that is desperately trying to make the Balkans less stable, and that is Russia. For a very long time, Russia has had legitimate interests in the Balkans.

They have relations with the people of the Balkan nations, as well as with those governments, but today they have an interest in trying to destabilize that region, to create a crisis for Europe, to create a crisis for NATO.

As we all know, Russia fills vacuums of power better than almost any other player out there. Whether or not we like it, as Members of the Senate, there is an enormous vacuum in the world right now that is created by the withdrawal of America. Without a robust State Department, without coherent U.S. foreign policy, we are just not players in the world today like we were a year ago. Example A may be the Balkan region.

The Balkans require attention because there are these simmering potential conflicts, and the United States has been a force for good but in ways that most Americans probably do not even know. It required the constant attention from Vice President Biden, Secretary of State Kerry, and Assistant Secretary of State Victoria Nuland to make sure that the Balkans—in particular, the western Balkans—continued their move toward Europe and rejected offers from Russia for a different kind of alignment. Weekly big and small interventions allowed the Balkan nations to feel comfort in a future with Europe and with the United States. That intervention, that attention, has, frankly, just disappeared, and the Russians have filled that vacuum.

There was a coup attempt in Montenegro. You do not see a lot of coup attempts these days in countries in and around Europe, but there was an attempt to storm the Parliament—an attempt that has been connected to Russian nationals. Those Russian nationals, according to Montenegro, have connections directly with the Russian Government. That has not been confirmed yet, but it is incredibly disturbing to know that Russian nationals were behind an attempted military coup inside Montenegro.

We have seen a much tighter joining of the leaders of the Republika Srpska and Russian interests and operatives in a move toward a referendum for independence in the Republika Srpska, which is a component of Bosnia and Herzegovina. It looks suspiciously like the kind of independence referendums that have threatened to take place in parts of Ukraine and Luhansk and Donetsk.

There are reports that the same players who are trying to fund and operationalize independent referendums in Ukraine are also at work inside Serbia—players with connections back to the Kremlin.

There are reports of a massive increase in Russian media presence in the Balkans—more offers from Russian TV stations and radio stations to provide free content to cash-strapped Balkan media outlets.

There are over 100 different nonprofit organizations in Serbia alone, according to one report, that have financial connections back in and through Russia.

Russia is filling this vacuum in the Balkans. It is trying to win friends and trying to create an instability that ultimately would land at the doorstep of NATO, at the doorstep of Europe, and at the doorstep of the United States. They are filling that vacuum because we do not have a presence there today.

Secretary Tillerson has no meaningful experience in the Balkans. He has no Deputy and he has no Assistant Secretary for the Balkans. When you pair that next to a proposal that Secretary Tillerson endorses cutting his budget by 40 percent, you will make America relatively feckless in that region because it is those funds that the administration is seeking to cut that are often our linkages to influence.

In Belgrade, our Ambassador has made enormous progress with a small amount of money for exchange programs. You look at people in powerful positions in Serbia today, and many of them are close to the United States because they have participated in State Department exchange programs. They have spent time here in the United States getting to know our country, maybe getting educated here, and they have gone back to Serbia to be part of the government in order to represent Serbian interests but with a connection to the United States and to the West that is important. Those exchange programs are basically eviscerated by a 40-percent cut. They will not exist any longer. It is a very small program, but it has not only gotten us important results in the Balkans, it has contributed to our ability to argue for stability and to argue for the calming of tensions because it gets doors opened for the United States.

Without anybody being on call for the State Department in the Balkans, without any funding in order to try to promote stability and economic connections between those countries, we cede ground to Russia every single day. Russia sees vacuums, and they fill them, and we have created them. We have created a vacuum globally, but we have created a specific vacuum in the Balkans. It is filled in part by this movement to join Montenegro with NATO.

I do appreciate the fact that Secretary Tillerson, I believe, and Secretary Mattis have both recommended to this body that we take up this matter. I think that was important, and I applaud them for standing against the recommendations of the Russian Government and for the accession of Montenegro into NATO, but it is not enough.

I wanted to come to this floor—and I see my great friend and colleague from Ohio, who is ready to speak—to make

the case as to why this is so important and to make the case that as Russia tries to view Montenegro as an opportunity to establish a Kaliningrad on the Mediterranean, we can prevent its happening with this vote and with the vote of our European allies to join Montenegro with NATO, but it is not enough. We have to remember that stability in the Balkans is nothing to be taken for granted. The next global crisis may come from a small act of tension between neighbors that spins out of control, in part because the United States is not paying attention and because Russian intervention in the region, which is bigger and broader now than ever before, has an interest not in stability but actually ultimately in instability.

I thank Leader MCCONNELL for bringing this before the body. This is a chance for us to join together in supporting Montenegro as it joins NATO. Hopefully, there will be more opportunities for us to work together to make sure that this administration, to make sure that our country has a comprehensive policy to continue to build on the NATO peace accords and double down on the work we do to promote long-term stability and prosperity in the Balkan region.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, first I want to thank my colleague for coming to the floor today to speak about Montenegro and the importance of its accession into NATO, as well as for his focus on the Balkans and for his comment that right now the people of the Balkans and, for that matter, the people in Ukraine and other countries in eastern Southern Europe are feeling a lot of pressure. I applaud him for working on a bipartisan basis over the last couple of years to help us push back against some of the disinformation and propaganda that is primarily being promoted by Russia.

In each of these countries—and I know my colleague Senator MURPHY has visited these countries—the first issue I hear about when I go on a trip to Latvia, where I went recently, and certainly Ukraine and even Poland is concern about this sort of unrelenting campaign of disinformation, as we call it; maybe the other term would be “propaganda.” We do need to stand up and be counted. The new department of global engagement at the State Department is beginning to do that. I know Senator MURPHY has had some meetings recently—and I have, too—where they are starting to get their feet on the ground and being able to allow people to be able to see the objective truth; in other words, to sort of separate narratives from reality, to be able to ensure that we don't have an undermining of these great democracies—these fledgling democracies, many of them.

So we are talking today, as my colleague from Nebraska did earlier, about the meddling in our own election here and the effect it is having on the level of trust in this country, and this is true not just here but in other democracies. I appreciate Senator MURPHY standing up and being counted on that issue and then today specifically being able to help Montenegro to have the opportunity to develop its own institutions. As I said, it is not perfect, but they have made progress, they have made reforms, and they have followed the directions many of us have given them to enable them to be responsible members of NATO. So I thank Senator MURPHY for being here today and talking about that.

READ ALOUD MONTH

Mr. President, I am actually speaking out today about another issue, which is one that is a little closer to home, and that is about the importance of reading to our kids. It turns out that this month of March has been designated as Read Aloud Month, and this group called Read Aloud is doing fantastic work around the country. They actually started in my hometown of Cincinnati, OH, so I am a little biased about them, but what they are doing is incredibly important. It is about education, it is about the economy, and more importantly, it is about the lives of young people around the country and the ability to achieve their dreams. It is about child literacy.

Here is the information. Elementary schools and libraries are talking about this more and more back home. If you read to your kids when they are young, they will have a much better chance of succeeding in life. According to a study that dates back to 1995—kind of a famous study—by the time a child born into poverty reaches age 3, he or she has heard 30 million fewer words than his or her peers. Let me repeat that. A kid who is born into poverty is going to hear 30 million fewer words by the time he or she is 3 years old. Why does that matter? Why does this word gap, as they call it, matter? Well, it matters because it turns out these verbal skills, like other skills, develop as they are used, and if they are not used, they don't develop. So a lot of kids who already have the challenge of growing up in poverty are also burdened with the disadvantage of not developing these verbal skills. That makes it harder for them to get good grades, harder for them to develop social skills, and harder for them to get a good job and ultimately to be able to live out their dreams.

I know Washington, DC, may be the only place on Earth where 30 million sounds like a small number, but it is a big number. It makes a huge difference. This word gap leads to an achievement gap later in life based on all the studies. Experts tell us that a child's vocabulary is reflective of his or

her parents' vocabulary. It makes sense. Kids learn what they see and what they hear.

There is a 2003 study by Elizabeth Martin and Tom Risley studying word gaps which found that by age 3, before even reaching school age, children's "trends in the amount of talk, vocabulary growth, and style of interaction were well established and clearly suggest widening gaps to come." So having poor reading skills makes it harder to make a living, it affects self-esteem, and it makes life more difficult in so many small ways. Think about this: unable to read a manual when you buy something, unable to read a list of ingredients, unable to read a newspaper to understand what is going on, to be online.

Millions of our friends and neighbors are struggling with these consequences every day. According to the Department of Education, about 32 million adults in this country can't read. Think about that. That is a group nearly 3 times the size of the State of Ohio and maybe 25 to 30 times the size of the Presiding Officer's State—32 million. Too many of these adults, of course, started off life with the disadvantage of this word gap, and they never caught up.

That is why this Read Aloud Month is so critical. Parents and other caretakers need to know they can steer their child in a better direction—develop vocabulary skills and end the word gap just by reading aloud to them.

Developing these skills, according to experts, affects the biology of the brain. Dr. Tzipi Horowitz-Kraus of Cincinnati Children's Hospital—a great institution in my hometown and one of the top three children's hospitals in the country, based on U.S. News and World Report. Anyway, he is an expert on this topic, and this is what he said: "The more you read to your child, the more you help the neurons in the brain to grow and connect." So it is physiological.

Dr. Kim Noble, a brain scientist at Columbia University, has found that this word gap actually translates into a brain-sized gap in the areas dealing with language.

Dr. Dana Suskind of the University of Chicago has found that more than 80 percent of a child's brain development occurs by age 3—80 percent—and the effects of the word gap are detected in brain development in babies as young as 9 months old. These aren't children; these are babies. Doctor Suskind says that by reading aloud, every parent has the ability to grow their child's brain.

So certainly before a child can read, before a child can even speak, it is important to be speaking to that child. Think about that. Think about the impact you can have. So get out a book and do some reading to a child, a grandchild, someone who is in the

neighborhood, one of your kids. Do it tonight.

Sometimes when I talk about this, people say: Well, ROB, parenting is pretty tough. Everybody is busy. Some people are working two shifts. Both parents are working. Where do you make time for this? Here is my answer to that: Fifteen minutes a day. That is the goal here. Fifteen minutes a day makes a huge difference to be able to close that gap.

Others say: We can't afford it. How do you afford to buy these books if you are going to read all the time? To me, that is pretty simple. Buy a library card. They are free, usually. If not, they are cheap. You don't need a lot of new books, but you do need a library card, and that is very helpful. They helped Jane and me to be able to have books to read to our kids.

Again, I am very proud Ohio has led on this issue. In 2008, this group Read Aloud was started in Cincinnati, OH. It has now become a national movement. It has more than 10,000 grassroots partners—including daycare facilities, schools and libraries, and rotary clubs—in all 50 States.

So what can you do to help? I would say that this issue is not going to be found here in this body. It is not about Washington, DC, doing anything except encouraging people to do what makes sense, which is to spend time with your kid, to ensure that if you have a kid in school, that you know that kid gets the right start in life, to ensure that everybody has the ability to have a successful life.

Senator HARRIS and I introduced a resolution about this recently in the U.S. Senate. It is called the Read Aloud Month resolution. It encourages parents and caregivers to read to their kids for 15 minutes a day. We are asking our colleagues on both sides of the aisle, Republican and Democratic, to sign off on that resolution. That would help raise the visibility of this issue.

Again, I hope everybody listening today takes the opportunity to follow up, to read to a kid, to help ensure they can close that words gap in their lives and therefore have a better chance of getting better grades, getting a better job, and achieving whatever their dream is in life.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. JOHNSON. Mr. President, as chairman of the Subcommittee on Europe and Regional Security Cooperation, I rise today to support Montenegro's accession to the North

Atlantic Treaty Organization, also known as NATO.

NATO is a defensive alliance founded in 1949 to provide collective security against the threat posed by the Soviet Union. Although the world had hoped that the threat had subsided with the collapse of the Soviet Union, under the rule of Vladimir Putin, Russia has become an ever-growing menace to its neighbors and to world peace and security. As a result, NATO remains as relevant today as it was in the year of its founding.

As Defense Secretary GEN James Mattis stated in his January confirmation hearing, "If we did not have NATO today, we would need to create it."

NATO has evoked article 5 of its charter—which states that an attack against one member shall be considered an attack against all—only once in its history, in response to the 9/11 attacks against America. Since then, our NATO allies have sent their sons and daughters to fight and die alongside our own in the generational war against radical Islamist terrorism.

The accession of Montenegro to NATO is important for a number of reasons. Montenegro has shown that it is committed to NATO and to making the internal reforms required to remain a member in good standing. Because of that commitment, Montenegro's membership in NATO will enhance stability in Europe.

Finally, Russia's alleged support of an attempted coup in Montenegro must not be rewarded by NATO turning its back on a country that exhibits such courage in resisting Russia's persistent aggression.

Just a few days ago, I met with Montenegro's Foreign Minister and the Ambassador to the United States. They expressed their sincere gratitude that the Senate will be voting this week on their accession and that Montenegro would be one step closer to aligning itself with the freedom-loving nations of NATO.

Montenegro is a small country, but it has already demonstrated its commitment to the international community in implementing internal reforms. Montenegro has sent members of its military to Afghanistan in support of the International Security Assistance Force and as a member of the coalition to counter ISIS.

In the years leading up to its formal invitation to join the alliance, Montenegro has partnered with NATO members to make a wide range of changes to strengthen its military, its intelligence operations, and its rule of law. While it currently falls short of the goals stated in the 2014 NATO Wales Summit to spend 2 percent of its GDP on defense, Montenegro has committed to meeting this target by 2024.

Expanding NATO to include nations that desire to join the alliance and commit to meeting membership requirements contributes to a strong and

stable Europe. It wasn't all that long ago that the Balkans region was unstable and war-torn, but because Slovenia, Croatia, and Albania have joined NATO, the Balkans is a far more stable region. Montenegro's accession will further enhance the stability of the Balkans and greater Europe.

Finally, I support Montenegro and NATO because it sends a clear message to Moscow that it cannot deter NATO from expanding the alliance and it cannot bully countries to prevent them from joining. Russia has warned Montenegro that it will face consequences if it continues to pursue NATO membership. As Russia continues its destabilizing actions throughout Eastern Europe and the world, it is imperative that we send an unwavering message of strength and resolve by approving Montenegro's accession to NATO.

In an era defined by polarization, Montenegro's accession to NATO has been thoroughly bipartisan. I thank my ranking members on the European subcommittee, Senator MURPHY for the current Congress and Senator SHAHEEN during the 114th Congress, for their strong support on this issue. I also thank Chairman CORKER and Ranking Member CARDIN for their continued efforts to move this legislation forward, Senator MCCAIN for being an outspoken supporter of Montenegro's accession, and Leader McCONNELL for his willingness to bring the protocol on the accession of Montenegro to the Senate floor.

It is time for the United States to approve Montenegro's accession to NATO. The Senate Foreign Relations Committee has twice unanimously approved this measure, and Secretary of State Tillerson has communicated this administration's full support for Senate passage.

I urge my colleagues to vote in favor of Montenegro's accession and hope President Trump will soon sign the protocol on the accession of Montenegro.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NOMINATION OF NEIL GORSUCH

Mr. ALEXANDER. Mr. President, redundancy is often a virtue, so I am about to practice redundancy.

Last week, I made a speech on the floor of the Senate about the upcoming votes in connection with the President's nomination of Neil Gorsuch to be Associate Justice of the Supreme Court of the United States, and I talked about the 230-year history of this body to always have Presidential

nominations for judges—for Supreme Court Justices, for Federal district judges, and for circuit judges up to 2003 by a majority vote. Never in the history of this body has the Senate refused to allow a vote, an up-or-down vote on a Supreme Court Justice.

Because I hear that may be what the Democrats are planning to do—even though Mr. Gorsuch may be one of the most remarkably talented nominees in a long, long time—I want to make the address that I made last week again, and I am going to deliver it word for word in hopes that someone may actually hear it.

President Trump's nomination of Judge Neil Gorsuch to be a member of the U.S. Supreme Court will be considered on the floor of the Senate next week. Some have suggested that instead of allowing a majority of Senators to decide whether to approve the Gorsuch nomination, there should first be a so-called cloture vote to determine whether to cut off debate.

Now, you can see what would happen. Cutting off debate requires the approval of 60 Senators. There are 46 Democratic Senators, so if 41 of the 46 Democrat Senators vote not to cut off debate, we would never get to a vote on Judge Gorsuch. We would never get to a vote. In other words, the 41 Democratic Senators would have filibustered to death the Gorsuch nomination to the Supreme Court of the United States, a partisan act that has never happened before in the 230 years of the Senate.

Filibustering to death the Gorsuch nomination or any Presidential nomination, for that matter, flies in the face of 230 years of Senate tradition.

Throughout the Senate's history, approval of even the most controversial Presidential nominations have required only a majority vote. For example, in 1991, President George H.W. Bush nominated Clarence Thomas to be Associate Justice of the U.S. Supreme Court. The debate was bitter. The vote was narrow. The Senate confirmed Justice Thomas 52 to 48.

Although Senate rules have allowed any one Senator to try to filibuster the nomination to death, to insist on a 60-vote vote, not one did. In fact, Senate rules have always allowed Senators the option to filibuster to death a Presidential nomination, yet it has almost never happened.

According to the former Senate historian, with one possible exception, which I will describe later, the number of Supreme Court Justices in our country's history who have been denied their seats by filibuster is zero. The number of the President's Cabinet members in our country's history who have been denied their seats by a filibuster is zero. The number of Federal district judges in our country's history who have been denied their seats by a filibuster is zero. I know that for a fact

because an attempt was made to filibuster one—Judge McConnell from Rhode Island—and I voted against that, as did other Republican Senators, because we thought it was wrong to break the Senate's 230-year tradition of always considering judges by majority vote, and we prevailed.

We could have done it, but we didn't do it. That is the point.

Next week, the Democrats can filibuster Judge Gorsuch to death, but they shouldn't do it. They shouldn't do it.

Until 2003, the number of circuit judges in our country's history who have been denied their seats by filibuster was zero.

Senator Everett Dirksen did not filibuster President Lyndon Johnson's nominees. Senator Robert Byrd did not filibuster President Reagan's nominees. Senator Howard Baker did not filibuster President Carter's nominees. Senator Bob Dole did not filibuster President Clinton's nominees.

During most of the 20th century, when one party controlled the White House and the Senate 70 percent of the time, the minority never filibustered to death a single Presidential nomination.

On the other hand, there have been plenty of filibusters on legislation—so many that in 1917, the Senate adopted the so-called cloture rule as a way to end filibusters. The idea is, after you talk enough, you should bring it to an end, so they had a supermajority for that purpose. The rule was amended in 1949, 1959, 1975, 1979, and 1986—always in response to filibusters on legislation, never on nominations. It was the 1975 change that established the current cloture standard of 60 votes to end debate, except on amendments to the Standing Rules.

Filibustering a Presidential nomination has always been treated differently than filibustering a legislative matter. The filibuster of legislation is perhaps the Senate's most famous characteristic. It has been called "democracy's finest show, the right to talk your head off."

As the actor Jimmy Stewart says in the movie "Mr. Smith Goes to Washington": "Wild horses aren't going to drag me off this floor until those people have heard everything I've got to say, even if it takes all winter." That was Jimmy Stewart talking about his filibuster.

The late Robert Byrd described the importance of a legislative filibuster in this way in his last speech to the Senate: "Our Founding Fathers intended the Senate to be a continuing body that allows for open and unlimited debate and protection of minority rights. Senators have understood this since the Senate first convened."

In fact, the whole idea of the Senate is not to have a majority rule on legislation. Throughout Senate history, the

purpose of the legislative filibuster has been to force consensus on issues, to force there to be a group of Senators on either side who have to respect one another's views so they work together and produce 60 votes on important matters. We did that last December in a piece of legislation that the majority leader called the most important legislation of the Congress, the 21st Century Cures Act. There were enormous differences of opinion about it, but because Senator MURRAY, the ranking Democrat and I, and the Democrats and Republicans in the Senate and in the House, and President Obama and Vice President Biden all wanted a result, we formed a consensus. We resolved our differences, and we agreed on this most important piece of legislation that will help virtually every American family by advancing cures for cancer, Alzheimer's, diabetes, and a variety of diseases.

Nominations have always been treated differently from legislation. For example, under Senate rule XIV, any Senator can bring legislation directly to the Calendar of General Orders, bypassing committees. There is no such power for nominations. There is no rule XIV for nominations. Senate rules allow debate and, therefore, the possibility of filibuster on a motion to proceed to legislation. Debate is not allowed on a motion to proceed to nominations. So there can't be a filibuster on a motion to proceed to a nomination. In summary, while Senate rules have always allowed for extended debate or filibusters, the filibuster was never used to block a nomination until recently.

As I mentioned earlier, it was never used to block a Cabinet nomination, never used to block a Federal district judge, until 2003, never used to block a Federal circuit judge, and never used to block a Supreme Court Justice, with one possible exception. The exception occurred in 1968 when President Lyndon Johnson sought to elevate Associate Justice Abe Fortas to be Chief Justice. There was bipartisan opposition to that idea. When it became clear that the Senate majority would not agree, President Johnson engineered a 45-43 cloture vote so that Fortas could save face and appear to have won something, according to the former Senate Historian. Fortas then asked the President to withdraw the nomination.

Other than that, never has a Supreme Court nominee been filibustered to death in the Senate. Other than the Fortas nomination, the filibuster was never used to block any judicial nomination until 2003 and 2004, when Democrats for the first time decided to use the 60-vote cloture requirement to block 10 of President George W. Bush's nominees. I had just arrived in the Senate. I remember it well. I was really outraged by it because, as for the nominees, it was the right of the Presi-

dent to name them and the right of the Senate to reject them. But throughout history it was always by 51 votes. This unprecedented action by the Senate Democrats produced a threat by Republicans to change the Senate rules to make it clear that only a majority is required to approve a Presidential nomination. There was a negotiation, and eventually five of Bush's nominees were approved, five were blocked, and the rules weren't changed.

Then in 2011 and 2013, Republicans returned the favor. That happens around here—a precedent set by that side then becomes a precedent that this side, then, undertakes. In 2011 and 2013, the Republicans returned the favor by seeking to block five of President Obama's nominees for the circuit court by insisting on a 60-vote cloture on each. Republicans alleged the President was trying to pack the Federal Circuit Court of the District of Columbia with three liberal justices. To overcome Republican objections, the Democrats invoked the so-called nuclear option. They broke the Senate rules to change the rules. The new rule eliminated the possibility of 60-vote cloture motions for all Presidential nominations except for the Supreme Court, which is where we are today.

There have been other examples of minority Senators filibustering nominations to death, all of them during the last three administrations and all involving sub-Cabinet nominations. Then, of course, there have been delays in considering nominations.

My own nomination in 1991 as U.S. Education Secretary was delayed for 51 days—I thought improperly—by a Democratic Senator. President Reagan's nomination of Ed Meese as Attorney General of the United States was delayed 1 year by a Democratic Senate. No one has ever disputed our right in the Senate, regardless of who was in charge, to use our constitutional duty of advice and consent to delay and examine and sometimes to cause nominations to be withdrawn or even to defeat nominees by a majority vote.

But, as we approach the vote next week on Neil Gorsuch on the floor of the Senate, it is useful to remember that the tradition of the Senate has been to treat legislative matters one way and Presidential nominations a different way: to filibuster to death legislation, yes; to filibuster to death Presidential nominations, no.

Should the Gorsuch nomination come to the floor soon, as I believe it will, overwhelming Senate tradition requires that whether to approve it should be decided by a majority vote and there should be no attempt by the minority to filibuster the nomination, especially of such a qualified man.

I thank the Presiding Officer, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. COTTON. Mr. President, I ask unanimous consent that, notwithstanding rule XXII, all postcloture time on Executive Calendar No. 1, the Montenegro treaty, be expired; that all pending amendments be withdrawn, the resolution of ratification be reported, and the Senate vote on the resolution of ratification with no intervening action or debate; and that if the resolution of ratification is agreed to, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendments (No. 193 and 194) were withdrawn.

The PRESIDING OFFICER. The clerk will report the resolution of ratification.

The senior assistant legislative clerk read as follows:

Resolution of Advice and Consent to Ratification of the Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro, which was opened for signature at Brussels on May 19, 2016, and signed that day on behalf of the United States of America.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification.

Mr. COTTON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

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

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

The yeas and nays resulted—yeas 97, nays 2, as follows:

[Rollcall Vote No. 98 Ex.]

YEAS—97

Alexander	Collins	Franken
Baldwin	Coons	Gardner
Barrasso	Corker	Gillibrand
Bennet	Cornyn	Graham
Blumenthal	Cortez Masto	Grassley
Blunt	Cotton	Harris
Booker	Crapo	Hassan
Boozman	Cruz	Hatch
Brown	Daines	Heinrich
Burr	Donnelly	Heitkamp
Cantwell	Duckworth	Heller
Capito	Durbin	Hirono
Cardin	Enzi	Hoeben
Carper	Ernst	Inhofe
Casey	Feinstein	Johnson
Cassidy	Fischer	Kaine
Cochran	Flake	Kennedy

King	Perdue	Strange
Klobuchar	Peters	Sullivan
Lankford	Portman	Tester
Leahy	Reed	Thune
Manchin	Risch	Tillis
Markey	Roberts	Toomey
McCain	Rounds	Udall
McCaskill	Rubio	Van Hollen
McConnell	Sanders	Warner
Menendez	Sasse	Warren
Merkley	Schatz	Whitehouse
Moran	Schumer	Wicker
Murkowski	Scott	Wyden
Murphy	Shaheen	Young
Murray	Shelby	
Nelson	Stabenow	

NAYS—2

Lee

Paul

NOT VOTING—1

Isakson

The PRESIDING OFFICER. On this vote, the yeas are 97, the nays are 2.

Two-thirds of the Senators voting, a quorum being present, having voted in the affirmative, the resolution of ratification is agreed to.

The resolution of ratification agreed to is as follows:

Resolved, (two-thirds of the Senators present concurring therein),

SECTION 1. SENATE ADVICE AND CONSENT SUBJECT TO DECLARATIONS, AN UNDERSTANDING, AND CONDITIONS.

The Senate advises and consents to the ratification of the Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro, which was opened for signature at Brussels on May 19, 2016, and signed that day on behalf of the United States of America (the “Protocol”) (Treaty Doc. 114-12), subject to the declarations of section 2 and the conditions of section 3.

SEC. 2. DECLARATIONS.

The advice and consent of the Senate under section 1 is subject to the following declarations:

(1) REAFFIRMATION THAT UNITED STATES MEMBERSHIP IN NATO REMAINS A VITAL NATIONAL SECURITY INTEREST OF THE UNITED STATES.—The Senate declares that—

(A) for more than 60 years the North Atlantic Treaty Organization (NATO) has served as the preeminent organization to defend the countries in the North Atlantic area against all external threats;

(B) through common action, the established democracies of North America and Europe that were joined in NATO persevered and prevailed in the task of ensuring the survival of democratic government in Europe and North America throughout the Cold War;

(C) NATO enhances the security of the United States by embedding European states in a process of cooperative security planning and by ensuring an ongoing and direct leadership role for the United States in European security affairs;

(D) the responsibility and financial burden of defending the democracies of Europe and North America can be more equitably shared through an alliance in which specific obligations and force goals are met by its members;

(E) the security and prosperity of the United States is enhanced by NATO’s collective defense against aggression that may threaten the security of NATO members; and

(F) United States membership in NATO remains a vital national security interest of the United States.

(2) STRATEGIC RATIONALE FOR NATO ENLARGEMENT.—The Senate finds that—

(A) the United States and its NATO allies face continued threats to their stability and territorial integrity;

(B) an attack against Montenegro, or its destabilization arising from external subversion, would threaten the stability of Europe and jeopardize United States national security interests;

(C) Montenegro, having established a democratic government and having demonstrated a willingness to meet the requirements of membership, including those necessary to contribute to the defense of all NATO members, is in a position to further the principles of the North Atlantic Treaty and to contribute to the security of the North Atlantic area; and

(D) extending NATO membership to Montenegro will strengthen NATO, enhance stability in Southeast Europe, and advance the interests of the United States and its NATO allies.

(3) SUPPORT FOR NATO’S OPEN DOOR POLICY.—The policy of the United States is to support NATO’s Open Door Policy that allows any European country to express its desire to join NATO and demonstrate its ability to meet the obligations of NATO membership.

(4) FUTURE CONSIDERATION OF CANDIDATES FOR MEMBERSHIP IN NATO.—

(A) SENATE FINDING.—The Senate finds that the United States will not support the accession to the North Atlantic Treaty of, or the invitation to begin accession talks with, any European state (other than Montenegro), unless—

(i) the President consults with the Senate consistent with Article II, section 2, clause 2 of the Constitution of the United States (relating to the advice and consent of the Senate to the making of treaties); and

(ii) the prospective NATO member can fulfill all of the obligations and responsibilities of membership, and the inclusion of such state in NATO would serve the overall political and strategic interests of NATO and the United States.

(B) REQUIREMENT FOR CONSENSUS AND RATIFICATION.—The Senate declares that no action or agreement other than a consensus decision by the full membership of NATO, approved by the national procedures of each NATO member, including, in the case of the United States, the requirements of Article II, section 2, clause 2 of the Constitution of the United States (relating to the advice and consent of the Senate to the making of treaties), will constitute a commitment to collective defense and consultations pursuant to Articles 4 and 5 of the North Atlantic Treaty.

(5) INFLUENCE OF NON-NATO MEMBERS ON NATO DECISIONS.—The Senate declares that any country that is not a member of NATO shall have no impact on decisions related to NATO enlargement.

(6) SUPPORT FOR 2014 WALES SUMMIT DEFENSE SPENDING BENCHMARK.—The Senate declares that all NATO members should continue to move towards the guideline outlined in the 2014 Wales Summit Declaration to spend a minimum of 2 percent of their Gross Domestic Product (GDP) on defense and 20 percent of their defense budgets on major equipment, including research and development, by 2024.

(7) SUPPORT FOR MONTENEGRO’S DEMOCRATIC REFORM PROCESS.—Montenegro has made difficult reforms and taken steps to address corruption. The United States and other NATO member states should not consider this important process complete and should continue to urge additional reforms.

SEC. 3. CONDITIONS.

The advice and consent of the Senate under section 1 is subject to the following conditions:

(1) PRESIDENTIAL CERTIFICATION.—Prior to the deposit of the instrument of ratification, the President shall certify to the Senate as follows:

(A) The inclusion of Montenegro in NATO will not have the effect of increasing the overall percentage share of the United States in the common budgets of NATO.

(B) The inclusion of Montenegro in NATO does not detract from the ability of the United States to meet or to fund its military requirements outside the North Atlantic area.

(2) ANNUAL REPORT ON NATO MEMBER DEFENSE SPENDING.—Not later than December 1 of each year during the 8-year period following the date of entry into force of the Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro, the President shall submit to the appropriate congressional committees a report, which shall be submitted in an unclassified form, but may be accompanied by a classified annex, and which shall contain the following information:

(A) The amount each NATO member spent on its national defense in each of the previous 5 years.

(B) The percentage of GDP for each of the previous 5 years that each NATO member spent on its national defense.

(C) The percentage of national defense spending for each of the previous 5 years that each NATO member spent on major equipment, including research and development.

(D) Details on the actions a NATO member has taken in the most recent year reported to move closer towards the NATO guideline outlined in the 2014 Wales Summit Declaration to spend a minimum of 2 percent of its GDP on national defense and 20 percent of its national defense budget on major equipment, including research and development, if a NATO member is below either guideline for the most recent year reported.

SEC. 4. DEFINITIONS.

In this resolution:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on Foreign Relations and the Committee on Armed Services of the Senate and the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

(2) NATO MEMBERS.—The term “NATO members” means all countries that are parties to the North Atlantic Treaty.

(3) NON-NATO MEMBERS.—The term “non-NATO members” means all countries that are not parties to the North Atlantic Treaty.

(4) NORTH ATLANTIC AREA.—The term “North Atlantic area” means the area covered by Article 6 of the North Atlantic Treaty, as applied by the North Atlantic Council.

(5) NORTH ATLANTIC TREATY.—The term “North Atlantic Treaty” means the North Atlantic Treaty, signed at Washington April 4, 1949 (63 Stat. 2241; TIAS 1964), as amended.

(6) UNITED STATES INSTRUMENT OF RATIFICATION.—The term “United States instrument of ratification” means the instrument of ratification of the United States of the Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro.

The PRESIDING OFFICER. The Senator from North Carolina.

LEGISLATIVE SESSION

Mr. BURR. Mr. President, I ask unanimous consent that the Senate resume legislative session.

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

MORNING BUSINESS

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

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

NOMINATION OF NEIL GORSUCH

Ms. HIRONO. Mr. President, during last week's hearing on Donald Trump's nominee to the Supreme Court, Neil Gorsuch, I raised serious concerns about what is at stake for the future of our country. It is a mistake to think that the confirmation process for a lifetime appointment to our Nation's highest Court is only about the nominee. It isn't.

The real focus and the real heart of this decision lies in the struggles that working families, women, people of color, the differently abled, the LGBTQ community, immigrants, students, seniors, and our Native people face every single day. These are the everyday Americans who will be impacted by the decisions Justice Gorsuch would make. These are the people who would have been hurt by Donald Trump and the Congressional Republicans in their failed attempt to repeal the Affordable Care Act.

Donald Trump and the Republicans in Congress fought for a plan that would callously throw Americans by the tens of millions out in the cold without health insurance and would make the lives and health of millions more precarious. It was only through the voices of Americans who were loud and steadfast in confronting TrumpCare that TrumpCare failed. These are the people for whom the need for justice is often most urgent. An understanding of these people, their lives, and how they would be impacted by the Court is what I found to be missing from Judge Gorsuch's view of the law. It is these same voices I am listening to now.

Judge Gorsuch should have been more open with the Judiciary Com-

mittee about how he would approach the difficult and important cases that come before the Supreme Court. But time and again, Judge Gorsuch avoided answering questions, telling us his judicial philosophy and his view of the law were irrelevant to our consideration of his nomination.

The well-funded campaign to put Judge Gorsuch on the Supreme Court fueled by millions of dollars of money from unnamed donors has attempted to create a narrative about Judge Gorsuch and the stakes of this nomination. This is a narrative woven with Ivy League credentials and endorsements but not revealing at all about Judge Gorsuch's judicial philosophy—the heart he would bring to his view of the law.

During the hearing, many of my Republican colleagues echoed the view that credentials are enough and that our real questions about Judge Gorsuch's record and philosophy are somehow irrelevant or even inappropriate. Certainly, Judge Gorsuch did his part, telling us time and again in his words, his views, his writings, and his clearly expressed personal views that these writings had no relevance to what he would do as a judge. I disagree.

In my view, there is a great deal of difference between how Judge Gorsuch, as Justice Gorsuch, would approach the kinds of tough cases that reach the Supreme Court and how, say, a Justice Merrick Garland would approach these cases.

We know that Justice Scalia and Justice Ginsburg, both legendary jurists and close friends, would reach dramatically different results in cases that matter deeply in the lives of millions—cases like *Shelby County*, like *Lilly Ledbetter*, like *Hobby Lobby*, like *Roe v. Wade*. Justice Scalia and Justice Ginsburg differ in how they view important cases that came before them. That is why a Justice's judicial philosophy is important in our considerations.

Donald Trump knew this, too, when he set forth his clear litmus test for his Supreme Court pick. To paraphrase the President, he wanted a Justice who would adhere to a broad view of the Second Amendment, who believes corporations are entitled to “religious freedom” at the expense of the rights of their employees, and who would overturn *Roe v. Wade*, to quote the President, “automatically.”

In Judge Gorsuch, Donald Trump selected a nominee who passed his litmus test. When we asked Judge Gorsuch about his opinions in specific cases like that involving the terrible choice facing Alfonse Maddin between freezing to death or being fired, the judge told us we should look instead at his whole record. When I examined his whole record, I saw too little regard for the real-world impact of his decisions and a refusal to look beyond the words to

the meaning and intent of the law, even when his decisions lacked commonsense.

When we asked about decisions where Judge Gorsuch seemed to adopt strained interpretations that narrow laws meant to protect worker safety, he said simply that he was a judge and he didn't take sides. Yet too many times, his narrow interpretations led to decisions that were on the side of big corporations and against the side of the little guy. When asked to respond, he said that if we didn't like the result, if we didn't like his decisions, it was because a statute was too limited or unclear, and that Members of Congress should do better.

We asked Judge Gorsuch about his decision in *Hobby Lobby*, which found an expansive new right to religious liberty for a corporation that employed thousands of people. He did not explain how he assessed the terrible impact this decision had for thousands of working women at the company who would now be denied access to contraceptive coverage.

When I met with Judge Gorsuch, he told me he had a heart. After 4 days of hearings, I still don't know what is in his heart. I would have liked Judge Gorsuch to have been more open so we could have had a real conversation about what the law is and who the courts protect. What we got instead were platitudes about the work of the courts that came straight from a Norman Rockwell painting.

I did agree with the judge that article III courts are there to protect minority rights. Article III of the Constitution protects the independence of the Supreme Court and the lower Federal courts and gives enormous authority to judges and Justices to determine how to apply the law to the cases before them to protect minority rights.

It is critical that before we decide to grant Judge Gorsuch a lifetime appointment to the Nation's highest Court, the Senate is able to gain an understanding of his approach to the law. At our judiciary committee hearing, I asked Jeff Perkins, the father of a young boy with autism, about the impact of Judge Gorsuch's decision on his son's education progress at and outside of his new school. The case involved the protections of the Individuals with Disabilities Education Act, or IDEA, which Judge Gorsuch's decision narrowed to point that these comments under the law were deemed virtually meaningless.

The new school that Luke Perkins attended made little effort to ensure that the skills he developed in school were translating at home. As a result, Luke severely regressed. Experts in autism, psychology, and occupational therapy testified on Luke's behalf that the school was seriously neglecting his needs. An impartial hearing officer, an administrative law judge, and Federal

district court all agreed Luke's regression showed that the school was not providing him with a "free appropriate public education" as required by the IDEA.

Judge Gorsuch disagreed and decided the school had "merely more than de minimis" responsibility to do better for Luke. Jeff Perkins, Luke's father, said that he knew Judge Gorsuch's decision would negatively impact thousands of families with special needs children like Luke. It broke his heart.

Judge Gorsuch's extraordinarily narrow interpretation of the IDEA was rejected unanimously by the U.S. Supreme Court last week. In his opinion for the unanimous Court, Chief Justice Roberts concluded that the minimal standard determined by Judge Gorsuch was clearly at odds with the purpose of the law for children who are not progressing along with their peers. Justice Roberts wrote:

The goals may differ, but every child should have the chance to meet challenging objectives. . . . When all is said and done, a student offered an educational program providing "merely more than de minimis" progress from year to year can hardly be said to have been offered an education at all.

When asked by my colleague, Senator DURBIN of Illinois, why the judge wanted to "lower the bar so low" in his decision, Judge Gorsuch, referring to Luke's case, responded:

If anyone is suggesting that I like a result where an autistic child happens to lose, that's a heartbreaking accusation to me. Heartbreaking. But the fact of the matter is what is bound by certain precedent.

Heartbreaking or not, Judge Gorsuch still found against the autistic child. Thankfully, the Supreme Court disagreed with Judge Gorsuch's wrong decision. It was wrong because remedial legislation such as IDEA should be broadly interpreted in favor of the group being protected. And it was wrong because the courts are not innocent bystanders. Their decisions have real-world impacts for thousands or even millions of people beyond the parties in a particular case before the Court.

This is especially true of the Supreme Court, which issues decisions that don't just reach those cases in front of them—the frozen trucker, women who work at Hobby Lobby faced with lack of critical healthcare. They also reach millions of others impacted by interpretations of the law made by the Court in those decisions. The Supreme Court does not just interpret our laws. The Supreme Court is an affirmation of our country's values. The Supreme Court shapes our society.

When we began the hearings on Judge Gorsuch's nomination, I said the Supreme Court vacancy isn't just another position we must fill in our Federal judiciary. A Supreme Court vacancy is a solemn obligation we must fulfill for the future of our country and for our future generations. The central

question for me, in looking at Judge Gorsuch and his record and listening carefully through 3 days of hearings, is whether he would be a Justice for all or Justice for some. Regrettably, I do not believe Judge Gorsuch would be a Justice for all of us.

I will oppose his nomination, and I urge my colleagues to do the same. This vacancy is simply too important for the future of America and our values to do otherwise.

I yield back.

The PRESIDING OFFICER. The Senator from New Mexico.

RUSSIA AND TRUMP CAMPAIGN INVESTIGATION

Mr. HEINRICH. Mr. President, I come to the floor today, not as a member of any one committee or political party but as a gravely concerned American.

On a seemingly daily—or even hourly—basis, there is a new revelation about the Trump campaign's possible ties to or even coordination with Russia's interference in our Presidential election last year. With these constant reports coming out, it can be difficult to see through all the smoke in the air.

However, what is clear is that we must get to the bottom of what exactly happened. I know that the White House and some in Congress are furiously working to sweep this under the rug, but only the truth will serve as a public means to move past this crisis for our democracy.

That is why I come to the Senate floor today, to address this issue before my colleagues and to help the American people sort through the details of what we know to be the undisputed facts. We know without a doubt, based on the assessment of credible intelligence, that the Russian Government hacked into Presidential campaign infrastructure and sought not only to damage Hillary Clinton but to try to help elect Donald Trump.

Russian intelligence operatives hacked into the email servers of both of our two major political parties. They chose to selectively leak information that damaged one Presidential candidate and favored the other. This is not a partisan political assessment. This is the plain truth as proven by credible intelligence gathered by the CIA, the FBI, the NSA, and the military's Cyber Command. In addition, 17 U.S. intelligence agencies issued a statement expressing their unanimous assessment that Moscow had penetrated State election voting centers.

During an open hearing in the Senate Intelligence Committee in January of this year, FBI Director James Comey said: "There were intrusions and attempted intrusions at the state level voter registration databases." Director Comey said that there was no evidence of activity on election day related to

this voter registration data. However, this clearly demonstrates that this data may be vulnerable to future cyber attacks and manipulations by foreign hackers.

What happened in this last year's election is already disturbing enough. In testimony during the same Senate Intelligence Committee hearing, then-Director of National Intelligence James Clapper said:

We have high confidence that President Putin ordered an influence campaign in 2016 aimed at the U.S. Presidential election. The goals of this campaign were to undermine public faith in the U.S. Democratic process, denigrate Secretary [Hillary] Clinton and harm her electability and potential presidency.

He continued: "Putin and the Russian government also developed a clear preference for President-elect Trump."

That shocking revelation at the very least begged for deeper investigation and accountability to protect our democratic institutions from foreign interference moving forward. After all, Russia did not do this to help the Republican Party. Russia did this to help Russia.

I don't want foreign powers putting their thumb on the scales for Democrats or Republicans in our elections. Our democracy hinges on our ability to protect the voices of Americans to choose our own leaders. Nothing could be more fundamental in democracy.

You can see similar ongoing Russian efforts to work seeking to influence and undermine democratic elections in France, Germany, and throughout the West, in addition to the former Soviet states, which is why we have to take this seriously and to see through the latest news cycle, political commentary, or tweet and remain focused on following the facts, wherever they may lead us.

Unfortunately, the facts suggest that we not only need to hold the Russians accountable but that we also have reason to look into possible ties between key members of the Trump campaign and their connections to the Russian actors who we know meddled in our election.

The obvious question Americans are demanding an answer to is this: Did the Trump campaign cooperate—or even coordinate—with the Russians in their effort to help Donald Trump? It is a logical question that has striking implications not only for the Trump administration but also for our democracy as a whole.

The President and his senior advisers—both on the campaign and now in the administration—have vehemently denied any Russian connections whatsoever. Back in November, Hope Hicks, a Trump campaign spokesman said: "There was no communication between the campaign and any foreign entity during the campaign."

A month ago, President Trump responded to a question in a press conference about whether anyone in his

campaign had been in contact with Russia, saying:

Nobody that I know of . . . Russia is a ruse. I have nothing to do with Russia.

I truly wish that that was what the facts had shown, but at nearly every turn, there is evidence—and, when forced, admission—that there were, in fact, communications and contact with the Russians that are not only unprecedented but truly hard to believe and to understand.

Contrary to denials, we know that senior leaders and surrogates in then-Candidate Donald Trump's campaign had contact with the Russian Government and actors behind the Russian cyber attacks and leaks.

One campaign adviser, Carter Page, traveled to Moscow in July of 2016 on a trip approved by the Trump campaign. During the trip, Page delivered a lecture that slammed U.S. policy toward Russia. Three days later, at the Republican National Convention, Trump campaign aides stepped in to oppose the inclusion of language in the RNC platform that called on the U.S. Government to send weapons to our ally Ukraine in response to Russian military aggression and the illegal invasion by Russia of Ukrainian Crimea.

Despite Trump campaign denials of involvement at the time, former campaign aides have since come forward to say that, yes, they were involved in defeating that language in the platform.

While this was going on, again, despite denials to the contrary, we know that senior Trump advisers met with Russian Ambassador to the United States Sergey Kislyak on the sidelines of the Republican Convention.

We know that then-Senator Sessions, a senior campaign surrogate, also met with Kislyak in his personal Senate office later in September.

Again, this communication was uncovered despite Attorney General Sessions denying it had ever taken place.

During his Senate confirmation hearing in January, then-Senator Sessions said in response to a pointed question about how he would respond as Attorney General to any evidence that anyone affiliated with the Trump campaign communicated with the Russian Government in the course of the campaign:

I'm not aware of any of those activities. I have been called a surrogate at a time or two in that campaign, and I didn't have—did not have communications with the Russians.

Then the day after the Republican National Convention, WikiLeaks posted nearly 20,000 emails hacked and stolen by Russian intelligence from the DNC server.

After this, Donald Trump, during a press conference in late July, called on Russia to hack Hillary Clinton's private email, saying:

I will tell you this—Russia, if you're listening, I hope you're able to find the 30,000 emails that are missing. I think you will probably be rewarded mightily by our press.

Although Trump later claimed to be joking, we now have reason to believe that one of his friends and advisers, Roger Stone, was in contact with the Russian hackers behind the cyber attacks. Stone boasted in a speech in August 2016 that he had communicated with WikiLeaks' founder Julian Assange and that more damaging documents would be forthcoming in what he called an "October surprise."

Stone also admitted to communicating via Twitter with the Russian hacker behind the breaches who went by the moniker "Guccifer 2.0." Stone tweeted out predictions that Hillary Clinton senior campaign aide John Podesta's personal emails would soon be published, saying: "Trust me, it will soon be Podesta's time in the barrel." Stone also tweeted: "I have total confidence that WikiLeaks and my hero Julian Assange will educate the American people soon."

Soon after this, WikiLeaks released its first batch of John Podesta's stolen emails and continued releasing more on a daily basis up until election day.

In the face of these facts, the Trump administration's story has evolved from rejecting Russian influence on the election entirely to denying any connection or communication with Russian actors, to asserting that this contact was, in fact, innocent or routine and that Americans should simply trust that there was nothing more going on. But to ask the public to trust you when you have falsely denied that the communication occurred in the first place is absurd on its face and, in fact, it is a plausible reason to suspect possible coordination.

After the election, we now know that President-Elect Trump's appointed National Security Advisor, Michael Flynn, and Trump's senior aide and son-in-law, Jared Kushner, had a secret meeting with Russian Ambassador Kislyak and that Flynn later conducted phone calls with Kislyak that included discussion of rolling back sanctions for Russia.

Flynn has since resigned as National Security Advisor after having lied about the content of his conversations with Kislyak.

Attorney General Jeff Sessions has recused himself from the investigation into the Trump campaign's possible ties to Russia due to his undisclosed meetings with the same Russian Ambassador.

Last week, FBI Director James Comey confirmed to the public that the FBI is currently conducting a counterintelligence investigation into possible coordination between President Trump's campaign and the Kremlin.

I will repeat that because I fear that the public is becoming desensitized to the gravity of what we are learning about. The President's campaign officials are under investigation by the FBI for possible links with the Russian

Government, including whether they coordinated with one another to impact our Presidential election.

We also saw reports last week that before his time on the Trump campaign, former Trump campaign manager Paul Manafort created and then sold the Russians what appears to effectively be a playbook on how to undermine Western democracy and to further the interests of the Russian Government, including here in the United States.

Manafort's reported recommendations to use political campaign tactics, establish front groups, and manipulate the press cycle are strikingly similar to the actual tactics that we know the Russians employed to undermine the 2016 Presidential election.

The Trump administration's repeated attempts to now distance itself from its former campaign chairman, a man who played a central role in the Trump campaign, is indicative of its desperate attempts to cover up the facts.

The facts are there if we just look.

The Trump campaign denied having worked to scrub the RNC platform to be friendlier to Russia but then later had to admit to having done so.

Michael Flynn denied conversations with the Russian Ambassador and then had to resign when that turned out to be a lie.

Attorney General Sessions denied having conversations with the Russians but later recused himself from the investigation after having to admit that he secretly met on several occasions with the Russian Ambassador.

The Trump campaign and Trump's advisers denied any communications with the Russians, but it turns out they personally met with the Russian Ambassador at the RNC, communicated with Russian hackers, and appear to have had advanced notice about impending DNC and Clinton leaks.

All of this culminates with the news that the Trump campaign chairman sold the Russians a playbook on how to conduct a strikingly similar influence operation to undermine democracy and promote the Putin agenda throughout the West.

This is all a complicated web of connections that we need to piece together. As a member of the Senate Intelligence Committee, I am committed to finding the answers that the American people deserve and to working together with all of my colleagues on both sides of the aisle to put our Nation first and to make sure that we get to the bottom of this.

We need to do everything possible to get to the objective truth. That includes subpoenaing President Trump's tax returns and financial statements so that we can follow the money and determine who holds the debt behind the President's complex international business empire. That includes calling President Trump's associates, such as

Paul Manafort, Carter Page, Roger Stone, Jared Kushner, Jeff Sessions, and Michael Flynn to testify before the Senate Intelligence Committee.

But with the incredible amount of information and intelligence that we need to look through, I believe we also should be open to an independent, non-partisan commission designed solely to investigate what happened.

During the investigation of Watergate and the ensuing scandal, Congress conducted a thorough select oversight investigation at the same time that an independent special prosecutor was pursuing a case to uncover the truth. All of those avenues proved to be essential to discovering the crimes and coverup that were committed.

If we do not take this seriously, our fundamental democratic institutions are at risk. History will judge severely those of us in this body tasked with finding the whole truth and determining conclusively whether or not associates of the Trump campaign coordinated or cooperated with this effort to undermine our American democracy.

We cannot allow political pressure or unsubstantiated distractions to get in the way of simply following the facts.

I don't think it is hyperbolic to state that the fate of our democracy depends on our ability to thoroughly and carefully get to the truth here. Until we are able to find out the full extent of Russia's operations and ensure that we set up protections against similar actions going forward, our democratic institutions will remain vulnerable.

I want my constituents in New Mexico and all of the American people to know that I remain committed to seeing this important mission through and following the facts, wherever they may lead.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

TRIBUTE TO DAVID WOLK

Mr. LEAHY. Mr. President, today I wish to honor the enduring legacy of a champion of education and equity in my home State of Vermont, David Wolk.

For the last 16 years, Mr. David Wolk has served admirably as the president of Castleton University. David's retirement at the close of 2017 will leave a legacy of nearly 17 years of academic excellence, visionary leadership, and unmatched commitment to community. As the longest serving president

in its history, David has led Castleton through an extraordinary transformation. David leaves Castleton as a vibrant, economic engine of the Green Mountain State and a trailblazer in inclusivity, entrepreneurship, and service learning.

Castleton students have often found a unique kinship with David, noting his frequency in the student dining halls and at student club events. As an avid fan of Castleton Spartan Athletics, David is proud of the accomplishments of the school's student-athletes. The university more than doubled its varsity sport offerings during David's tenure, enabling Vermont students to play Division III sports. The largest community investment was the development of the Spartan Arena, which is used by both the school and the community as an all-purpose community center and athletic space.

As a Rutland native, David has always felt a special connection to his hometown. As president, his focus on integrating Castleton and the surrounding community has built a lasting alliance that promises regional prosperity for years to come. Most recently, Castleton has partnered with the Rutland Economic Development Corporation to open the Castleton Downtown Office, a publicly accessible space for students and community members alike. A nexus of the downtown, this space now hosts the Center for Entrepreneurial Programs, Center for Schools, Center for Community Engagement, and the Castleton Polling Institute. David's passion for the arts has also inspired a coupling of the Castleton Downtown Art Gallery and the historic Paramount Theatre.

As the needs of our students, families, and communities continue to evolve, David's legacy is his success in elevating education as a key solution to addressing our most pressing public challenges. As he transitions to his next venture, I wish David and his wife, Lyn, great success and hope they will find joy in visiting family and friends found throughout the world.

Mr. President, I ask unanimous consent that a statement issued by Castleton University be printed in the RECORD.

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

[From Castleton University]

PRESIDENT WOLK ANNOUNCES 16TH YEAR WILL BE HIS FINAL AT CASTLETON
LONGEST SERVING PRESIDENT IN UNIVERSITY
HISTORY TO STEP DOWN IN DECEMBER

Castleton University President Dave Wolk announced at a campus assembly Wednesday that he will step down in December after serving for 16 years as president. Wolk came to the presidency in December of 2001 after intertwined careers in education and government, and 2017 marks his 43rd year in public service. Wolk is the longest serving president in Castleton history by more than four years.

"I have been blessed, more than I deserve, to have had so many leadership opportunities over the last 43 years, and I am especially grateful for the last 16 at Castleton. Moving on at the end of 2017 will indeed be emotionally challenging because I absolutely love our students and staff, I am lucky to be part of this exceptional community, and I bleed green, full of Spartan Pride. I will be a Spartan always and forever."

Beginning in 2018, Wolk will begin a new startup venture, Wolk Leadership Solutions, with his wife, Lyn. The Wolk's will work with CEOs and Boards of Directors in business, government, industry, schools, hospitals, universities and an array of nonprofits to find solutions to leadership challenges. The new entrepreneurial venture will specialize in coaching leaders to achieve greater success, while offering mediation and conflict resolution services.

"Our goal will be to help leaders to be more successful. We will help boards and leaders to find solutions to their challenges, and to do so in a way that will be effective and enduring over time through coaching and guiding change. I am also hoping to do some teaching and writing, including involvement in a Vermont leadership institute. Helping people to be better at what they do has always been a passion."

At his inauguration in the fall of 2002, Wolk addressed a standing room only crowd and promised that together the Castleton community would take action, and make history. He promised that together they would attract high quality students, invest in their education and in their experiences, improve their campus, and support each other for the benefit of Vermont.

During Wolk's tenure the university invested nearly \$100 million in infrastructure improvements, expanded academic offerings at both the undergraduate and graduate levels, and expanded co-curricular activities, which has transformed what was once considered a "suitcase campus" into a model for vibrancy and engagement across the state and region.

"Castleton has never been in better shape, thanks to President Wolk's visionary and passionate leadership," said VSC Chancellor Jeb Spaulding. "People who visit the campus for the first time in a while are amazed at the transformation that has taken place during his tenure. It will be impossible to replace Dave and we will miss him greatly, but he will leave Castleton with a very strong foundation for success into the future."

Since 2001 Castleton has increased its enrollment by more than 75 percent, more than doubled its athletic offerings, built or renovated every building on campus, and expanded into nearby Rutland to offer students better connections with area businesses, schools, hospitals, and non-profits in an effort to enhance the Castleton student experience. Recently, the university has taken over operations of the Rutland Economic Development Corporation, a partnership unlike any other in the country, which has deepened the university's commitment to being an economic and intellectual driver in the community while creating strong outcomes for its students.

In 2009 Wolk ushered in the Castleton Student Initiative, a \$25.7 million project which reinvigorated student life and learning and changed the face of campus. The largest investment in the history of Castleton, and the Vermont State Colleges, it included improvements and additions to nearly every aspect of student life including athletics, the campus center, and the arts. The crown jewel

of the project, Spartan Stadium, is one of the finest multi-use facilities in New England and has been central to the growth of Castleton's athletic programs, as well as providing a venue to grow Castleton's reach throughout the state and beyond.

Currently nearing the midpoint of the university's second ten-year plan, the Castleton Plan, Wolk has most recently overseen additions in graduate education, enrollment increases, a greater presence in Rutland, and a focus on increasing international recruitment. All of these changes culminated in what proved to be one of the most historic days in the institution's storied 230 year history when on July 23, 2015 the VSC Board of Trustees unanimously voted to modernize the name to "Castleton University." At the time, Wolk said the name was both aspirational and inspirational, as the community set forth to achieve the goals of the Castleton Plan.

"Dave's leadership, not just at Castleton but also among the VSC Council of Presidents and Board of Trustees, will be greatly missed," said VSC Board Chair Martha O'Connor. "He leads with his heart, cares deeply about the state and its students, and has positioned Castleton well for far reaching success now and in the future which will benefit our state for years to come. The board, and I personally, cannot thank him enough for his private candor, public support, and meaningful friendship."

Wolk was born and grew up in Rutland. He graduated from Rutland High School and then Middlebury College with a degree in political science. He earned a master's degree in educational administration and planning at UVM and a certificate of advanced graduate study at Harvard University. During his professional career he has served as a school principal, superintendent, Vermont's Commissioner of Education, Vermont State Senator, and on more than 40 boards and commissions, chairing several of them. He plans to continue his life of public service in a variety of ways going forward.

RECOGNIZING JASPER HILL FARM

Mr. LEAHY. Mr. President, as in so many rural States, small businesses make up the backbone of Vermont's economy and communities. Countless Vermont businesses develop and manufacture a wide array of products, ranging from our thriving craft beer industry to Vermont-made peanut butter, candles, chocolates, and cheeses. I would like to take this opportunity to recognize one of Vermont's outstanding small businesses, Jasper Hill Farm. A small, rural creamery in the Northeast Kingdom, Jasper Hill Farm exemplifies our State's essential balance of innovation and tradition. Andy and Mateo Kehler have worked for more than 15 years to make the best cheese possible, all while remaining true to their Vermont roots.

Now an award-winning artisan cheese business, Jasper Hill Farm began two decades ago when the brothers Kehler pooled their resources to buy a small farm in rural Greensboro, VT. They decided to try a new model of small-scale, value-added dairy farming that would transform raw milk into a more valuable product before leaving the

farm. To do so, Mateo and Andy built a creamery with space to age cheese next door to the barn. After 5 years of hard work, the brothers finally had their first marketable cheese.

What started as a few racks of cheese with a couple of direct customers quickly expanded, as did the farm's notoriety. Within 3 years, Jasper Hill Farm took home "Best of Show" at the American Cheese Society Conference. Despite their hard-earned success, Andy and Mateo continued with their vision of increasing access to value-added production for all interested farmers. They took new measures to create opportunities for community success, opening their space to other cheesemakers. Now, the creamery is home not only to numerous cheese caves, but to a modern laboratory where scientists work to create cheese starter cultures. Years of research have enabled the creation of better cheese, and Jasper Hill Farm has become a magnet for other artisan cheesemakers along the way.

Andy and Mateo have created an outstanding business that is rooted in the Vermont values of hard work and perseverance, while emphasizing the importance of community. Their efforts to reinvigorate the State's dairy industry have contributed to our State's identity and culture, as well as our agricultural traditions. I am proud to feature the work of Jasper Hill Farm at our annual Taste of Vermont event, and I look forward to seeing what their future brings.

Mr. President, I ask unanimous consent that a New York Times article about Jasper Hill Farm be printed in the RECORD.

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

[From the New York Times, Feb. 6, 2017]
SMALL CHEESE MAKERS INVEST IN A STINKY SCIENCE

(By Larissa Zimmeroff)

GREENSBORO, VT—There's no sign announcing that you've arrived at Jasper Hill Farm, a creamery in the Northeast Kingdom, as Vermonters call that end of their state, but you can't miss it. The main barn is painted midnight blue with a giant cheese moon and cows floating happily in space. Blasted into the hillside is a concrete bunker with seven cheese caves radiating from a central core.

There's one other surprising detail: a modern two-room laboratory filled with microbiology equipment and staffed with scientists.

Why does a small, rural creamery invest in technology for what has long been a low-tech product? Because it doesn't have 500 years to learn what its European counterparts already know: the biological intricacies of how to make the best cheese in a particular place. And because the same diversity of microbial cultures is not available in North America.

"Building a lab might seem extravagant or of questionable value, but what we get as a business over two, three, four generations—it's a no-brainer," said Mateo Kehler, who owns the farm with his brother, Andy.

The making of cheese depends on the contribution of myriad microbial actors. Both yeast and bacteria are components of the starter cultures that help turn milk into solids, and those solids into cheeses with distinctive aromas, flavors and textures that are hard to resist. The interplay of these species, while understood in a basic sense, is now receiving renewed scientific scrutiny and appreciation in the United States.

Unlike their peers in Europe, who benefit from centuries of tradition and from government support for research, American farmstead cheese makers have typically gone it alone. Starter cultures are a particularly vexing ingredient. The only three domestic suppliers, including DuPont and Cargill, are multinational corporations better known for chemicals, which has limited the number of available cultures and caused discomfort in a field that strives for individuality.

But now several small cheese producers are working with scientists to develop their own starters and use microbiology to create better cheeses.

Murray's Cheese is working with Rockefeller University to learn more about the microflora in its cheese caves in Long Island City, Queens. Uplands Cheese Company is working with the Center for Dairy Research at the University of Wisconsin to create a new soft cheese, its first in seven years.

But perhaps none have taken on cheese science as rigorously as Jasper Hill. Its laboratory, opened in 2013, has become a hub for other cheese makers seeking help and insight.

When the Kehler brothers began making cheese in 2003, their aim was to invigorate the local dairy industry, which was, and still is, struggling. They started on their path to applied science in 2010, when Rachel Dutton, a Harvard scientist, decided to use cheese as a model to research how small microbial communities interact; she focused on the composition of cheese rinds.

Her first contact in the cheese business was Mateo Kehler, who taught her to make cheese and then helped her reach out to more than 100 other producers for samples. The response was overwhelming. "I don't think she realized how excited the artisan cheese industry was going to be," Mr. Kehler said.

In 2014, Dr. Dutton published her findings in the journal *Cell*. Working with Benjamin Wolfe, a postdoctoral researcher, she reported that the environment (cows, cheese caves, pastures) and methods (washing, salting, managing acidity) were as important to the development of cheese rinds, if not more so, than the ingredients.

This was a revelation. With this new scientific proof in hand, the Kehlers stopped adding starter cultures to Winnimere, one of their most popular raw-milk cheeses. "What we were adding wasn't growing, and when we stopped adding that, the cheese ripened more gracefully and deliciously," Mateo Kehler said.

Their pasteurized cheeses, though, still needed starters because pasteurization kills bacteria both good and bad for cheese. So they began making starter cultures from bacteria in their own milk supply.

Besides ending their reliance on big business, this has allowed the brothers to create a cheese that can come only from a singular place: Greensboro, Vt.

An on-site laboratory has its perks. In addition to having staff members who deeply understand microbiology, Jasper Hill Farm has become a magnet for researchers near and far. Now working there are an engineering intern from Brittany, France; a local

microbiologist; and Panos C. Lekkas, a food microbiologist who has investigated the best ways to feed, tend and milk a cow for cheese production.

Dr. Lekkas, who was hired in November to work full time at Jasper Hill, collaborates with Dr. Dutton, now at the University of California, San Diego, and with Dr. Wolfe, who leads a microbiology laboratory at Tufts University.

In addition to helping improve food safety procedures at the 85-person Jasper Hill Farm, Dr. Lekkas is overseeing the development of a new cheese—a French Camembert style that for now the team is calling Wild Moses.

Dr. Lekkas was told that it takes eight months to bring a new cheese to market. “Mateo wants me to do it in three,” he said. With science comes speed.

In order to make a soft pasteurized cheese that does not rely on corporate additives, the scientists sampled 300 promising strains of yeast and bacteria, all pulled from milk from Jasper Hill’s own 250 cows.

What makes a homegrown starter promising? Sometimes it’s the color of the microbes in a petri dish, but smell, too, can be telling. The group sniffed the samples and noted any pleasing aromas: Play-Doh, Concord grapes, tomato juice, clams, Kraft American Singles. Dr. Wolfe’s lab ran a full genomic sequencing on the 15 top contenders, which will provide a blueprint for understanding how these strains are related to, or differ from, other cultures in the cheese world.

Making funky cheese is tricky, even for scientists. “There are subtle variations in flavor and aroma that you perceive in cheese,” Dr. Wolfe said. “We want to understand what drives that variation.” With Dr. Wolfe’s genomic data, the team can track the microbes through the entire cheese-making process.

In November, the first batch of cheese was produced using five strains from the original 15 parent cultures—two yeast-based and three bacterial. New batches are being made every two weeks using different combinations, and every 10 days, each will be tasted to see whether it is on target for the “deliciousness factor,” Jasper Hill’s zero-to-10 grading system.

Seven or above is pretty good. Eight is out of this world. Tens are likely to be bestowed only outside the farm: Jasper Hill’s Harbison cheese recently took Super Gold at the World Cheese Awards in Spain.

“I will be happy with a seven,” Dr. Lekkas said.

MONTENEGRO’S ACCESSION INTO NATO

Mr. KING. Mr. President, today I wish to recognize the Senate’s historic vote to ratify Treaty 114–12, Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro. This represents an important step forward in Montenegro’s bid to join the North Atlantic Treaty Organization, NATO.

Maine has strong ties to Montenegro through the National Guard’s State Partnership Program, which pairs State National Guards with partner nations around the world. Both parties forge an enduring relationship over the years through training exercises, military-to-military engagement, and security cooperation activities. These rela-

tionships are critical to our national security; they improve the capacity of friendly militaries, enhance our interoperability as allies, and allow us to promote our values in emerging nations. Furthermore, they provide members of the Guard with unique opportunities that make them more skilled military professionals and more experienced citizens.

The Maine National Guard partnered with Montenegro in December 2006, just 6 months after Montenegro declared its independence. In the decade since, the Maine National Guard has advised and assisted Montenegro as the young nation has transformed its military, transitioning to an all-volunteer force and contributing troops to the coalition fighting in Afghanistan. This relationship has expanded beyond the military dimension: the Maine Marine Patrol has trained with the Montenegrin marine police, and Mainers have worked with numerous Montenegrin governmental agencies to improve their disaster preparedness and response. Through numerous joint exercises each year in both Maine and Montenegro, Mainers have developed close, lasting relationships with their Montenegrin counterparts.

Montenegro joined the State Partnership Program expressly as a means of achieving their desired accession to NATO. The Senate’s ratification of Montenegro’s membership bid reflects the hard work and enormous growth that Montenegro has achieved in the last 10 years. Mainers should be proud of the support and training that they have offered during this time. Maine stands beside Montenegro as it takes a major step toward NATO membership, pleased to continue our partnership in the future.

WOMEN’S HISTORY MONTH

Mr. CARDIN. Mr. President, today I wish to join the American people in celebrating Women’s History Month. I would like to begin that celebration by paying homage to several women whose ingenuity and inventions have shaped modern society, but who, like innumerable women throughout history, have not received the credit or recognition they are due.

Katherine Blodgett is a good place to start. In 1935, she invented the first transparent glass that eliminated distortion and glare. Before her, glass contained small bubbles and inclusions that was suitable for windows, but little else. Her method of producing and cutting glass revolutionized the material and is the reason we have camera lenses, microscopes, and eyeglasses today. Without her pioneering work, our ability to see and our ability to look into the universe would be degraded.

In 1942, the actress Hedy Lamarr and a partner were granted a U.S. patent

for a secret communication system that involved manipulating radio frequencies to form an unbreakable code to prevent classified messages from being intercepted. The significance of her invention was not fully realized until the 1960s, when it was used by naval ships during the Cuban Missile Crisis. We were able to navigate that perilous nuclear threat successfully in part because of her self-taught inventiveness and skill. Lamarr’s coded communications system has been used by numerous military agencies since.

Just 2 years later, in 1944, Grace Hopper made her own kind of history, becoming what many consider to be one of the world’s first computer scientists. She invented the compiler that translated written language into computer code and coined the terms “bug” and “debugging.” Fifteen years later, she led the team that developed COBOL, one of the very first programming languages.

More recently, in 1965, Stephanie Kwolek invented Kevlar. We know Kevlar best as the material used to manufacture bulletproof vests, protecting our police officers and first responders in their greatest moments of crisis, but Kevlar is widely considered to be one of the strongest, most durable materials ever invented and has become a critical component in the manufacturing of airplanes, boats, cars, and bridge cables.

I pause to honor these great inventors and scientists because their names should be familiar, but they aren’t. As long as toxic, gender-role stereotypes persist, these women serve as important examples that such stereotypes are hollow and wrong. Women have been serving on the frontlines of war, science, and invention since long before men “allowed” them.

These women and others are part of our untold history. You will rarely hear them discussed in American classrooms, and you will seldom find their stories printed in textbooks. Most people wouldn’t even recognize their names; yet our lives and fortunes have been shaped by them. Every day, men go to work protected by Kevlar vests, live their daily lives with the benefit of eyeglasses, or boot up their laptop computer using the devices and tools women gave them. That is both the majesty and tragedy of women’s history: it is inextricable and powerful and entirely undervalued.

This Women’s History Month should not pass without each and every one of us at the very least taking the time to acknowledge and appreciate the women of history who helped to invent modern society, who fought alongside men in every war, who gave us more complete rights and equality, who endured the habitual and everyday scorn of sexism—and who did so generation after generation without accolade or recognition.

Perhaps the best way to honor the past is to secure the future. The denizens of women's history didn't endure systemic misogyny or work so hard to change our world so that we would peer backward and applaud. They did so with the hope we would look forward and make progress.

We still have a long way to go, but we have made progress. Thanks to the Affordable Care Act, being a woman is no longer considered a "preexisting condition" that warrants higher premiums and deductibles. Also thanks to the Affordable Care Act, preventative services for women—like mammograms, cervical cancer screenings, and prenatal care—are covered by insurance companies. Today more than 48 million American women take advantage of that.

Thanks to the Lilly Ledbetter Fair Pay Act, women have extended protection in cases of wage discrimination. The Lilly Ledbetter Act finally recognized that, when pay discrimination occurs, it is not a single event, but a chronic and repeated offense that inflicts ongoing damage with each and every substandard paycheck. This simple and commonsense recognition has allowed women to seek justice against the kind of economic disenfranchisement that has plagued generations.

Progress, however, does not have its own autopilot button. We must be its stewards and its champions. We must be its agents. We must protect it actively, each and every day, or else we will be complicit in its loss.

I am talking about women's reproductive rights. A woman's right to make her own decisions is under threat today. Her body is her body. It is not ours, and it certainly is not the government's. *Roe v. Wade* decided that in 1973, yet 44 years later, the Federal Government is run by a party that uses every tool at its disposal to chip away at reproductive rights. Whether it is State policies to limit the types of buildings abortions can be performed in or the threat to defund Planned Parenthood, women's rights are under attack.

Let's be clear that Federal funding for abortion services is already banned under the Hyde Amendment. Today's witch hunt against Planned Parenthood is not substantive in nature; it is a thinly-veiled attempt to prolong a culture war with the hope of assuaging far-right voters. Women's reproductive rights deserve more than to be treated as a political punchline. Reproductive rights were hard-won by centuries of activism and pain, and we—all Members of this Chamber—must vow this month and every month to honor that with our votes and with our voices. We must vow not to let women's reproductive rights be diminished on our watch.

It is 2017, and still, women are expected to be everything simultaneously, all while they are refused the

tools and the freedom to balance such difficult demands. It is 2017, and still, families—mothers most of all—are too often forced to choose between parenthood and economic security, between recovering from childbirth and their career. No woman, no matter what her line of work or Zip Code may be, should be forced to make such an impossible decision. It is our job to pass legislation to ensure no woman has to.

Even with the Lilly Ledbetter legislation, women today are paid, on average, just 77 cents for every dollar men receive for performing the same work. That gap is even worse for women of color: African-American women only earn 64 cents to the dollar, while Latina women earn only 55 cents. That is a problem begging to be solved by Congress. That is a problem for all of us. Women are powerful economic engines in this country, and if we continue to stand idly by while their work is underpaid and undervalued, we will all suffer. We will all have to explain to our daughters and granddaughters why we didn't fight harder for them.

Critically, there is also the issue of violence against women. It is a moral outrage that women experience about 4.8 million intimate partner related physical and sexual assaults every single year. When women stand up and tell us the stories behind this number, we must sit down and listen. We must stop speaking over them with advice on how to protect themselves or avoid certain social situations. They shouldn't have to. It is insulting to presume they require lectures on personal safety, but that men don't require lectures on consent. This problem demands a cultural shift, and we must be its purveyors.

There is the issue of college affordability. A related issue is access to and participation in science, technology, engineering, and mathematics, STEM, programs and—of equal importance—encouragement to join them. Women need to be better represented in positions of power.

These and other issues are what is at stake. These and other issues are why we recognize Women's History Month: to remind ourselves and each other that women helped build this Nation and this world. We need to remind ourselves that women are therefore entitled to equal representation in it and equal access to its opportunities. We need to remind ourselves that women deserve equal respect and equal protection under the law and that women's rights are human rights. We all prosper when we fight to protect them.

Toward these ends, I have led the charge in Congress to ratify the Equal Rights Amendment. Many Americans would be shocked to learn that the Constitution still lacks a provision ensuring gender equality. That is wrong, but it is fixable. I have introduced S.J. Res. 5, legislation to remove the deadline for States to ratify the Equal

Rights Amendment, which would pave the way for its formal adoption. Nevada recently passed the Equal Rights Amendment, leaving us just two States shy of success.

The Equal Rights Amendment is only slightly longer than two tweets, but its ratification would finally give women full and equal protection under the Constitution. It reads as follows:

Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification.

It is that simple, and it is both necessary and past time to adopt it.

When Congress passed the ERA in 1972, it provided that the measure had to be ratified by three-fourths of the States, 38 States, within 7 years. The original deadline was later extended to 10 years by a joint resolution enacted by Congress. Ultimately, 35 States ratified the ERA by the time the revised deadline expired, leaving advocates a little short.

Article V of the Constitution contains no time limits for ratification of constitutional amendments. In fact, in 1992, the 27th Amendment to the Constitution prohibiting immediate congressional pay raises was ratified after 203 years. The Senate could pass my legislation removing the 10-year deadline right now. I strongly encourage the majority leader to bring S.J. Res. 5 up for a vote as soon as possible. American women deserve to know that their most fundamental rights are explicitly protected by our nation's most venerated document.

I have often said that how a nation treats its women is a good barometer of that nation's potential for success as a whole. I hold the United States of America to that standard. Every day, I weigh the successes and failures we have had along the path toward fair treatment and gender equality, and I assess ways Congress can facilitate more successes. Every day, I reevaluate how best to fight for the Equal Rights Amendment, how best to protect reproductive rights, how best to fight for paid family leave and affordable higher education and greater representation in this very Chamber.

I invite every Senator to do the same, both because those are the right battles and because fighting them protects gender equality progress that has been so hard-won by the women of this Nation. We must not allow those victories to be reversed. We must keep progressing.

This Women's History Month, I am reminded of what the poet G.D. Anderson once said: "Feminism is not about making women strong. Women are already strong. It's about changing the way the world perceives that strength." Let us remember it is precisely that strength that has propelled

our world forward. It is precisely that strength that serves as the foundation of so many of this country's successes, and it is precisely that strength we must remember and meet with our own, when women's rights are under siege.

50TH ANNIVERSARY OF THE 25TH AMENDMENT AND TRIBUTE TO BIRCH BAYH

Mr. DONNELLY. Mr. President, today I wish to honor the 50th anniversary of the ratification of the 25th Amendment and recognize one of my predecessors from Indiana in the U.S. Senate, Birch Bayh. Birch Bayh represented Indiana for three terms in the Senate, from 1963 to 1981. Senator Bayh was an accomplished lawyer, legislator, and the only non-Founding Father to draft two amendments to the U.S. Constitution that were enacted.

February 2017 marked the 50th anniversary of the ratification of the 25th Amendment to the Constitution. The 25th Amendment created an orderly transition of power in the case of death or disability of the President and a method of selecting a Vice President when a vacancy occurs in that office. Before its passage, our Nation experienced several occasions when the President was unable to perform his powers and duties, with no constitutional provision for temporary transfer of these powers to the Vice President. The amendment was first relied upon following the resignations of Vice President Spiro Agnew and President Richard Nixon. It also provided the basis for President Ronald Reagan to temporarily pass his duties to Vice President George H. Bush when President Reagan underwent surgery.

While we all hope not to have to use the 25th Amendment, having an established process that continues to guide administrations faced with unexpected events is essential for any functional democracy. Senator Bayh played a key leadership role in the Senate by drafting this constitutional amendment and ensuring all necessary steps were taken for its ratification in 1967.

Senator Bayh also drafted the 26th Amendment, which changed the voting age from 21 to 18. Its impetus was the passage of amendments to the Voting Rights Act in 1970 that set 18 as the minimum voting age for both Federal and State elections. When the Supreme Court ruled in *Oregon v. Mitchell* that the law applied only to Federal, not State elections, Congress adopted the 26th Amendment. Just over 3 months later, on July 1, 1971, three-fourths of the States had ratified the amendment, making it the quickest amendment ever to be adopted.

In addition to these two constitutional amendments, Senator Bayh wrote the landmark title IX to the Higher Education Act, which mandates

equal opportunities for women students and faculty. Senator Bayh was also an architect of the Juvenile Justice Act of 1974, which requires the separation of juvenile offenders from adult prison populations, and he played a vital role in the drafting and passage of the landmark 1964 Civil Rights Act and the 1965 Voting Rights Act.

Since leaving the Senate in 1980, Senator Bayh has committed himself to leadership in civic policy. He has served as chairman of the University of Virginia's Miller Center Commission on Presidential Disability and the 25th Amendment and as a member of the center's Commission on Federal Judicial Selection. He is also founding chairman of the National Institute Against Prejudice and Violence, a non-profit, first-of-its-kind organization dedicated to studying prejudice and hate crimes in America.

Senator Bayh, as you and your wife, Kitty, enjoy your retirement, the contributions you have made to our country endure. The indelible mark you have made on the orderly transition of power and preservation of justice is still celebrated with pride today as we commemorate the 50th anniversary of the 25th Amendment. Recently, the American Bar Association honored you with a Presidential citation for exhibiting the highest standards of public service as a lawyer and for extraordinary leadership on issues of law and justice, including the 25th Amendment. You are richly deserving of these accolades, as well as the gratitude of this Senate and the American people, for your lifetime of service.

TRIBUTE TO GENERAL HERBERT "HAWK" CARLISLE

Mr. McCain. Mr. President, I wish to offer my congratulations to Gen. Herbert "Hawk" Carlisle on the occasion of his retirement from the U.S. Air Force this month.

Over four decades of distinguished service, from the Air Force Academy to the Pentagon to leadership in two four-star commands, General Carlisle has been instrumental in advancing the capabilities of our Air Force and improving the lives of its most precious asset—its airmen.

As commander of Pacific Air Forces, General Carlisle was responsible for Air Force activities spanning more than half the globe, leading 45,000 airmen across the Pacific from Hawaii and Alaska to Japan and Korea. He provided critical strategic leadership as the United States worked to strengthen its commitment to peace and prosperity in the Asia-Pacific Region at time of increasing challenge.

Under General Carlisle's leadership, the airmen of Air Combat Command pressed the fight against America's adversaries, delivering devastating effects against violent extremism in Af-

ghanistan, Iraq, and Syria. General Carlisle's determination and hard work were essential to bringing the Air Force's F-35A Joint Strike Fighter to initial operational capability—no small achievement for a long-delayed and troubled program, yet one that is so critical for sustaining America's military dominance into the future.

I had the pleasure of getting to know General Carlisle when he served as director of the Air Force's Legislative Liaison Office. It was then that I came to appreciate his honesty and candor. Those of us tasked with the oversight of the Department of Defense and our Armed Forces rely upon the candor of our senior military leaders. In my interactions with General Carlisle in various positions through the years, whether in private meetings or in public testimony, I could always count on General Carlisle to provide his best military advice on critical defense matters affecting the Air Force and our Nation. I hope his successors will follow in that same spirit of transparency and collaboration. I also hope that my colleagues and I will continue to benefit from General Carlisle's wise counsel.

Once again, I want to express my sincere thanks to General Carlisle for his distinguished service to our country and congratulate him on a well-earned retirement. I wish General Carlisle and his family all the best as he embarks on the next chapter of his life.

MESSAGE FROM THE HOUSE

At 11:15 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 654. An act to direct the Administrator of the Federal Emergency Management Agency to carry out a plan for the purchase and installation of an earthquake early warning system for the Cascadia Subduction Zone, and for other purposes.

H.R. 1117. An act to require the Administrator of the Federal Emergency Management Agency to submit a report regarding certain plans regarding assistance to applicants and grantees during the response to an emergency or disaster.

H.R. 1214. An act to require the Administrator of the Federal Emergency Management Agency to conduct a program to use simplified procedures to issue public assistance for certain projects under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes.

MEASURES REFERRED

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

H.R. 654. An act to direct the Administrator of the Federal Emergency Management Agency to carry out a plan for the purchase and installation of an earthquake early warning system for the Cascadia

Subduction Zone, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1117. An act to require the Administrator of the Federal Emergency Management Agency to submit a report regarding certain plans regarding assistance to applicants and grantees during the response to an emergency or disaster; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1214. An act to require the Administrator of the Federal Emergency Management Agency to conduct a program to use simplified procedures to issue public assistance for certain projects under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

Special Report entitled "Activities of the Committee on Homeland Security and Governmental Affairs During the 114th Congress." (Rept. No. 115-12).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. GRASSLEY (for himself and Mrs. FEINSTEIN):

S. 739. A bill to amend the Controlled Substances Act to provide enhanced penalties for marketing candy-flavored controlled substances to minors; to the Committee on the Judiciary.

By Mr. LEE:

S. 740. A bill to prohibit mandatory or compulsory checkoff programs; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LEE (for himself and Mr. BOOKER):

S. 741. A bill to prohibit certain practices relating to certain commodity promotion programs, to require greater transparency by those programs, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BOOKER (for himself, Mr. MARKEY, Mr. WYDEN, Mr. KING, Mr. BLUMENTHAL, and Mrs. McCASKILL):

S. 742. A bill to promote competition, to preserve the ability of local governments to provide broadband capability and services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 743. A bill to strengthen the United States Interagency Council on Homelessness; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 744. A bill to amend the Fair Credit Reporting Act to delay the inclusion in consumer credit reports and to establish requirements for debt collectors with respect to medical debt information of veterans due to inappropriate or delayed billing payments

or reimbursements from the Department of Veterans Affairs, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FLAKE (for himself and Mr. McCAIN):

S. 745. A bill to reauthorize the State Criminal Alien Assistance Program, and for other purposes; to the Committee on the Judiciary.

By Mr. CASEY:

S. 746. A bill to amend the Solid Waste Disposal Act to authorize States to restrict interstate waste imports and impose a higher fee on out-of-State waste; to the Committee on Environment and Public Works.

By Mr. UDALL:

S. 747. A bill to reauthorize the special diabetes programs for Indians; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mr. BOOKER, Mrs. GILLIBRAND, Ms. HARRIS, and Mr. WYDEN):

S. 748. A bill to protect United States citizens and residents from unlawful profiling, arrest, and detention, and for other purposes; to the Committee on the Judiciary.

By Mr. ENZI:

S. 749. A bill to amend the Higher Education Act of 1965 to require the disclosure of the annual percentage rates applicable to Federal student loans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself, Mr. SANDERS, Ms. WARREN, Mr. SCHATZ, Mr. LEAHY, Mr. MENENDEZ, and Mrs. GILLIBRAND):

S. 750. A bill to prohibit drilling in the outer Continental Shelf, to prohibit coal leases on Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WARNER (for himself, Mr. PORTMAN, Mr. KING, and Mr. KAINE):

S. 751. A bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MARKEY (for himself, Mr. SANDERS, and Mr. WHITEHOUSE):

S. 752. A bill to amend the Internal Revenue Code of 1986 to clarify that products derived from tar sands are crude oil for purposes of the Federal excise tax on petroleum, and for other purposes; to the Committee on Finance.

By Mr. MARKEY:

S. 753. A bill to ensure that oil transported through the Keystone XL pipeline into the United States is used to reduce United States dependence on Middle Eastern oil; to the Committee on Energy and Natural Resources.

By Mr. KAINE (for himself, Mr. WICKER, and Mrs. MURRAY):

S. 754. A bill to support meeting our Nation's growing cybersecurity workforce needs by expanding the cybersecurity education pipeline; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. SHELBY (for himself and Ms. KLOBUCHAR):

S. Res. 101. A resolution providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library; considered and agreed to.

ADDITIONAL COSPONSORS

S. 175

At the request of Mr. MANCHIN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 175, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 261

At the request of Mr. BLUNT, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 261, a bill to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A.

S. 355

At the request of Mrs. SHAHEEN, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 355, a bill to amend the Federal Lands Recreation Enhancement Act to provide for a lifetime National Recreational Pass for any veteran with a service-connected disability.

S. 365

At the request of Mr. ROUNDS, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 365, a bill to amend the Consumer Financial Protection Act of 2010 to remove the funding cap relating to the transfer of funds from the Board of Governors of the Federal Reserve System to the Bureau of Consumer Financial Protection, and for other purposes.

S. 366

At the request of Mr. ROUNDS, the names of the Senator from Iowa (Mrs. ERNST), the Senator from Georgia (Mr. PERDUE), the Senator from Colorado (Mr. GARDNER) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 366, a bill to require the Federal financial institutions regulatory agencies to take risk profiles and business models of institutions into account when taking regulatory actions, and for other purposes.

S. 382

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

S. 405

At the request of Mr. COONS, the name of the Senator from Rhode Island

(Mr. WHITEHOUSE) was added as a cosponsor of S. 405, a bill to amend the Internal Revenue Code of 1986 and the Higher Education Act of 1965 to provide an exclusion from income for student loan forgiveness for students who have died or become disabled.

S. 407

At the request of Mr. CRAPO, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 407, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 425

At the request of Mr. CARDIN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 425, a bill to amend the Internal Revenue Code of 1986 to improve the historic rehabilitation tax credit, and for other purposes.

S. 474

At the request of Mr. GRAHAM, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 474, a bill to condition assistance to the West Bank and Gaza on steps by the Palestinian Authority to end violence and terrorism against Israeli citizens.

S. 482

At the request of Mr. THUNE, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 482, a bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care.

S. 493

At the request of Mr. RUBIO, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 493, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 497

At the request of Ms. CANTWELL, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Maryland (Mr. CARDIN) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 504

At the request of Ms. HIRONO, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 504, a bill to permanently authorize the Asia-Pacific Economic Cooperation Business Travel Card Program.

S. 519

At the request of Mrs. GILLIBRAND, the name of the Senator from New

Hampshire (Ms. HASSAN) was added as a cosponsor of S. 519, a bill to amend the Safe Water Drinking Act to require the Administrator of the Environmental Protection Agency to establish maximum contaminant levels for certain contaminants, and for other purposes.

S. 540

At the request of Mr. THUNE, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 540, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 544

At the request of Mr. TESTER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 544, a bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes.

S. 573

At the request of Mr. PETERS, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 573, a bill to establish the National Criminal Justice Commission.

S. 623

At the request of Mr. DURBIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 623, a bill to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes.

S. 636

At the request of Mrs. MURRAY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 636, a bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families.

S. 640

At the request of Mr. DURBIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 640, a bill to prioritize funding for an expanded and sustained national investment in biomedical research.

S. 652

At the request of Mr. PORTMAN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 652, a bill to amend the Public Health Service Act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children.

S. 681

At the request of Mr. TESTER, the name of the Senator from Minnesota

(Mr. FRANKEN) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to improve the benefits and services provided by the Department of Veterans Affairs to women veterans, and for other purposes.

S. 700

At the request of Mrs. MURRAY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 700, a bill to improve the reproductive assistance provided by the Department of Defense and the Department of Veterans Affairs to severely wounded, ill, or injured members of the Armed Forces, veterans, and their spouses or partners, and for other purposes.

S. 720

At the request of Mr. PORTMAN, the names of the Senator from South Carolina (Mr. GRAHAM), the Senator from Indiana (Mr. YOUNG), the Senator from Arkansas (Mr. BOOZMAN), and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 720, a bill to amend the Export Administration Act of 1979 to include in the prohibitions on boycotts against allies of the United States boycotts fostered by international governmental organizations against Israel and to direct the Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes.

At the request of Mr. CARDIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 720, *supra*.

S. 722

At the request of Mr. CORKER, the names of the Senator from Florida (Mr. NELSON), the Senator from Oregon (Mr. WYDEN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Maine (Ms. COLLINS), the Senator from Kansas (Mr. MORAN), the Senator from Mississippi (Mr. WICKER), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Arkansas (Mr. BOOZMAN), the Senator from New Jersey (Mr. BOOKER), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from West Virginia (Mrs. CAPITO), and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 722, a bill to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes.

S. 733

At the request of Ms. MURKOWSKI, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 733, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

S. 734

At the request of Mrs. GILLIBRAND, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 734, a bill to extend a

project of the Federal Energy Regulatory Commission involving the Cannonsville Dam.

S.J. RES. 19

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

S. RES. 11

At the request of Mr. SCOTT, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. Res. 11, a resolution encouraging the development of best business practices to fully utilize the potential of the United States.

S. RES. 49

At the request of Ms. COLLINS, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. Res. 49, a resolution declaring that achieving the primary goal of the National Plan to Address Alzheimer's Disease of the Department of Health and Human Services to prevent and effectively treat Alzheimer's disease by 2025 is an urgent national priority.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

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

S. 743. A bill to strengthen the United States Interagency Council on Homelessness; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, along with Senator COLLINS, I am introducing legislation that would eliminate the sunset date for U.S. Interagency Council on Homelessness—the Council—so that this independent agency can build upon its success in helping to prevent and end homelessness nationally.

The Council was established under the Reagan administration as part of the landmark McKinney-Vento Homeless Assistance Act of 1987. Since that time, it has worked across the Federal Government and private sector to coordinate homeless assistance nationally. In 2009, the Homeless Emergency Assistance and Rapid Transition to Housing, or HEARTH Act, which I authored and introduced along with Senator COLLINS and others, expanded the Council's role to work with public, nonprofit, and private stakeholders to develop a national strategic plan to end homelessness. On June 22, 2010, the Council unveiled this plan, called Opening Doors, which has guided its work to develop and expand on effective strategies across the country to prevent and end homelessness.

Since Opening Doors was unveiled, the U.S. Department of Housing and Urban Development, HUD, reports that overall homelessness has decreased by 14 percent, chronic homelessness by 27 percent, and family homelessness by 23 percent. In addition, we have seen veterans' homelessness drop by 47 percent. This progress is not only a result of the more than \$500 million Federal investment in housing and supportive services through programs like HUD-VASH but is also because of the direction the Council provides to the Departments of Veterans Affairs and HUD, as well as public housing agencies administering assistance at the local level. Specifically, the Council helped various partners align their resources, efforts, goals, and measures of success for serving homeless veterans. Under this approach, the Commonwealth of Virginia, Connecticut, Delaware, the city of New Orleans, and DeKalb County in Georgia, to name a few, have all declared an end to veterans' homelessness.

Yet more work remains. And here, too, the Council is an important part of developing solutions. For instance, nearly 36,000 unaccompanied youth under the age of 25 experienced homelessness in 2016. While some communities have started to develop responses to youth homelessness, it is a complex problem that requires a tailored approach taking into account the local variables of foster care, primary to postsecondary education, housing, and healthcare systems. Finding new ways to deliver and fund assistance to this diverse population is essential, and that is why Senator COLLINS and I held a hearing in our subcommittee on this matter and worked together to include over \$40 million in targeted resources to address youth homelessness in both the fiscal year 2016 and 2017 Transportation, Housing and Urban Development, THUD, appropriations bills. As part of this new funding, the Council will be executing a broader collaborative effort with foster care networks, the juvenile justice community, and education partners to create and find success in coordinated, cost-effective solutions that meet community needs. The Council's expertise in implementing complex Federal programs at the local level will continue to be critical to the success of this initiative.

For all of this good work the Council has done and continues to do, it is vital that we keep its doors open. The Council, as the only agency at the federal level charged specifically with addressing homelessness, has helped communities not only reduce homelessness, but it has also helped to save money. We know that people experiencing homelessness are more likely to access expensive health care services and spend more time in incarceration—which are extremely costly to taxpayers, states, and local governments. According to the National Alliance to

End Homelessness, “Based on 22 different studies from across the country, providing permanent supportive housing to chronically homeless people creates net savings of \$4,800 per person per year, through reduced spending on jails, hospitals, shelters, and other emergency services.”

The Council has helped to build upon these estimated savings by identifying and tailoring cost-effective solutions that reduce the level of health care services, as well as recidivism, for individuals experiencing chronic homelessness. In fiscal year 2016 alone, the Council's modest \$3.5 million budget catalyzed more than \$5 billion in combined Federal resources that aim to address homelessness. It develops national strategies that inform the work and improve the cost-effectiveness of programs administered by 19 Federal agencies, and as a result, communities and States are able to leverage housing, health, education, and labor funding more strategically and effectively.

In our current budgetary environment we need a wise and creative arm to help our communities identify and maximize resources and opportunities where possible, to ensure we are actually addressing homelessness, and not contributing to it. The Council is proof that the government can work and save money in the process, and our bipartisan legislation ensures that the Council's doors remain open until there truly is an end to homelessness nationwide.

I thank the National Alliance to End Homelessness, the Rhode Island Coalition for the Homeless, HousingWorksRI, the Council of Large Public Housing Authorities, A Way Home America, Community Solutions, the National Low Income Housing Coalition, the National Coalition for Homeless Veterans, the National Law Center on Homelessness and Poverty, Funders Together to End Homelessness, the True Colors Fund, the National Housing Trust, the National Health Care for the Homeless Council, LIISC, the National Alliance on Mental Illness, National Association of Housing and Redevelopment Officials, the Public Housing Authorities Directors Association, National Network for Youth, LeadingAge, Heartland Alliance, National Housing Conference, the National AIDS Housing Coalition, Covenant House International, the Coalition for Juvenile Justice, the Forum for Youth Investment, the Housing Assistance Council, Volunteers of America, the Coalition on Human Needs, the Corporation for Supportive Housing, the Technical Assistance Collaborative, and the National Coalition for the Homeless for their support. I urge our colleagues to join Senator COLLINS and me in supporting this legislation.

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

S. 745. A bill to reauthorize the State Criminal Alien Assistance Program, and for other purposes; to the Committee on the Judiciary.

Mr. FLAKE. Mr. President, border security is one of the Federal Government's most important responsibilities, and the Federal Government has no better partners than local law enforcement agencies from border communities like those in my home State of Arizona. These officers and deputies serve on the front lines. They provide critical assistance to the missions of Federal agencies.

Unfortunately, these efforts are expensive and the locals end up picking up most of the tab. For example, local law enforcement agencies hold those facing immigration violations at county-operated jails, and they provide medical care for the undocumented inmates while they are in custody. In providing these services, Arizona's counties have incurred more than \$310 million in costs associated with criminal undocumented immigrants since 2009. That is \$310 million since 2009.

Despite these enormous costs, the Federal Government has left many local jurisdictions to shoulder the burdens of illegal immigration on their own. This is particularly frustrating when so many of our local law enforcement agencies are already struggling to carry out basic duties on over-stretched budgets.

I hope we can all look forward to a time when we have the appropriate resources for securing the border, the means for those seeking to fill the needs of our economy to enter the country legally, a remedy for those who are here already illegally, and also a way for employers to ensure that those whom they hire are legally present.

These critical steps toward solving our immigration problems will require Congress to act. However, in the meantime, we can't continue to allow the Federal Government to pass off immigration responsibilities onto cash-strapped local agencies.

That is why I wish today to introduce a bill to reauthorize and reform the State Criminal Alien Assistance Program, better known as SCAAP. This bill is cosponsored by my friend and colleague, JOHN MCCAIN, and is supported by the Arizona Sheriffs Association.

SCAAP is a Federal program that reimburses State, local, and Tribal law enforcement for the costs associated with incarcerating and caring for criminal undocumented immigrants while in custody.

To ensure that local law enforcement receives sufficient reimbursement under SCAAP, my bill would make some commonsense reforms under the program. The bill would amend the Immigration and Nationality Act to reauthorize SCAAP through fiscal year

2021. Reauthorizing this program will provide local law enforcement agencies in Arizona and across the country with the certainty that any costs incurred from incarcerating criminal immigrants will be covered by Federal reimbursements.

Our State, local, and Tribal law enforcement agencies are committed to partnering with the Federal Government on immigration enforcement. But that partnership can't succeed unless the Federal Government provides the necessary reimbursements for those services.

As Cochise County Sheriff Mark Dannels said:

Arizona's counties continue to struggle under the fiscal strain of anemic growth in rural areas and cost-shifts from the State of Arizona. Housing criminal aliens without federal assistance diverts needed resources away from our communities' public safety priorities.

Mr. President, I ask unanimous consent that this letter from the Arizona Sheriffs Association in support of my bill to reauthorize SCAAP be printed in the RECORD.

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

ARIZONA SHERIFFS ASSOCIATION,
March 15, 2017.

Re State Criminal Alien Assistance Program (SCAAP) Reauthorization.

Hon. JEFF FLAKE,
U.S. Senator, Russell Senate Office Building,
Washington, DC.

DEAR SENATOR FLAKE: On behalf of a majority of the Arizona Sheriffs Association, I would like to express support for Congress's proposed reauthorization of the State Criminal Alien Assistance Program (SCAAP).

County sheriffs maintain the shared responsibility of enforcing Arizona's criminal laws. We also serve as the keeper of Arizona's county jails, including paying for the cost of medical care for inmates. While the federal government continues to address the problem of illegal immigration, Arizona's jails incarcerate undocumented immigrants who have committed state and local violations, incurring significant costs in custody and care of these inmates, including medical costs. SCAAP provides critical dollars to Arizona's counties that help pay for the cost of housing and caring for these inmates while they are in our custody.

Arizona's counties continue to struggle under the fiscal strain of anemic growth in rural areas and cost-shifts from the State of Arizona. Housing criminal aliens without federal assistance diverts needed resources away from our communities' public safety priorities. We understand that federal dollars cannot fully supplant state costs for these inmates. However, any financial assistance the federal government can appropriate to help pay for the costs of caring for these inmates will allow Arizona's sheriffs to concentrate on other important priorities, such as drug interdiction and search and rescue.

Since 2009, Arizona's counties have absorbed more than \$310 million in costs. A SCAAP reauthorization that includes reimbursement for medical costs would provide vital financial resources to Arizona's sheriffs, allowing us to better serve the public safety needs of our counties.

That's why on behalf of Arizona's county sheriffs, I write to express support for the reauthorization of the State Criminal Alien Assistance Program (SCAAP). We encourage Congress to pass the measure and for President Trump to sign it if it reaches his desk.

Sincerely,
MARK DANNELS,
Cochise County Sheriff,
President, Arizona Sheriffs Association.

Mr. FLAKE. Mr. President, the SCAAP program is the foundation of the immigration partnership between local law enforcement and the Federal Government for keeping our communities safe. I urge all of my colleagues to support this legislation to reauthorize and reform the SCAAP program.

By Mr. Kaine (for himself, Mr. WICKER, and Mrs. MURRAY):

S. 754. A bill to support meeting our Nation's growing cybersecurity workforce needs by expanding the cybersecurity education pipeline; to the Committee on Commerce, Science, and Transportation.

Mr. Kaine. Mr. President, a skilled workforce is essential to addressing the growing cybersecurity challenges in the United States. In both the public and private sectors, a shortage of skilled cyber security professionals has hindered the Nation's cyber preparedness. According to a 2017 Global Information Security Workforce Study, 1.8 million more cyber security professionals will be needed worldwide by 2022.

Data breaches at the Office of Personnel Management in 2015 highlighted the need for robust cyber security protections at the Federal level, which include a strong and skilled workforce. Since 2001, the Federal Government has operated a cyber security education program known as CyberCorps: Scholarship for Service. Thanks to great leadership by Chairman JOHN THUNE and the U.S. Senate Committee on Commerce, Science, and Transportation, Congress codified the CyberCorps Program as part of the Cybersecurity Enhancement Act of 2014. Serving roughly 70 institutions, the National Science Foundation, NSF, grants award to institutions as part of the CyberCorps Program. Institutions utilize grants to build capacity for cyber security programs and provide scholarships to students. Scholarship recipients must fulfill a service requirement in a federal, state or local government cyber security job upon graduation.

In recent years, more community colleges have provided opportunities for students to gain much needed cyber security skills. An October 2015 study by the National Academy for Public Administration reviewed the CyberCorps Program and formulated major recommendations to improve it. One of the Academy's recommendations was to include qualified 2-year programs in the program regardless of

their association with a 4-year institution. Currently, NSF only provides scholarship awards to students in 2-year programs who will transfer into a 4-year program.

Today, I am pleased to introduce with my colleague Senator ROGER WICKER, the Cybersecurity Scholarship Opportunities Act of 2017. This legislation will improve the federal cyber security workforce pipeline by directing the CyberCorps Program to provide 5 percent of scholarships to career changers and military veterans at qualified 2-year programs with no transfer requirement. The bill would also codify CyberCorps' K-12 education program and align the skills required for scholarship eligibility with the National Initiative for Cybersecurity Education Framework.

In addition, the bill would enhance cyber security protection for critical infrastructure by allowing CyberCorps graduates, on a case-by-case basis, to meet their service requirements in critical infrastructure missions at government-affiliated entities like the Tennessee Valley Authority. Just today, a report by the Massachusetts Institute of Technology found that digital threats to U.S. critical infrastructure demand attention and that the Nation does not produce enough graduates with the skills to protect critical infrastructure. It recommended that the President take steps to increase the supply of skilled professionals. By allowing CyberCorps graduates to fulfill service obligations in critical infrastructure missions, this legislation represents an important step in the right direction.

The Cybersecurity Scholarship Opportunities Act is a commonsense, bipartisan bill that would help students succeed and strengthen our national security. There are cyber security jobs in Virginia and across the country that are going unfilled, and it is clear we must make it easier for students to access the programs that prepare them for these roles.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 101—PROVIDING FOR MEMBERS ON THE PART OF THE SENATE OF THE JOINT COMMITTEE ON PRINTING AND THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mr. SHELBY (for himself and Ms. KLOBUCHAR) submitted the following resolution; which was considered and agreed to:

S. RES. 101

Resolved, That the following named Members be, and they are hereby, elected members of the following joint committees of Congress:

JOINT COMMITTEE ON PRINTING: Mr. Shelby, Mr. Roberts, Mr. Wicker, Ms. Klobuchar, and Mr. Udall.

JOINT COMMITTEE OF CONGRESS ON THE LIBRARY: Mr. Shelby, Mr. Roberts, Mr. Blunt, Ms. Klobuchar, and Mr. Leahy.

AUTHORITY FOR COMMITTEES TO MEET

Mr. GARDENER. Mr. President, I have 9 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, March 28, 2017, at 2:30 p.m.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, March 28, 2017, at 9:30 a.m. to conduct a hearing entitled "Fostering Economic Growth: The Role of Financial Companies."

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Senate Committee on Energy and Natural Resources is authorized to meet during the session of the Senate in order to hold a hearing on Tuesday, March 28, 2017, beginning at 10 a.m. in Room 366 of the Dirksen Senate Office Building in Washington, DC.

COMMITTEE ON FOREIGN AFFAIRS

The Committee on Foreign Affairs is authorized to meet during the session of the Senate on Tuesday, March 28, 2017, at 10:30 a.m., to hold a hearing entitled "The View From Congress: U.S. Policy on Iran."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on March 28, 2017, at 10 a.m., in Room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Protecting Youth Athletes from Sexual Abuse."

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Senate Committee on Energy and Natural Resources' Subcommittee on Energy is authorized to meet during the session of the Senate in order to hold a hearing on Tuesday, March 28, 2017, at 2:15 p.m., in Room 366 of the Dirksen Senate Office Building in Washington, DC.

SUBCOMMITTEE ON FISHERIES, WATER AND WILDLIFE

The Subcommittee on Fisheries, Water and Wildlife of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Tuesday, March 28, 2017, at 2:15 p.m., in Room 406 of the Dirksen Senate Office Building.

SELECT COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Tuesday, March 28, 2017, from 2:15 p.m., in Room SH-219 of the Senate Hart Office Building.

SELECT COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Tuesday, March 28, 2017, from 2:15 p.m., in Room SH-219 of the Senate Hart Office Building to approve the Biennial Report.

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the Secretary of the Senate, pursuant to Public Law 101-509, the reappointment of the following individual to serve as a member of the Advisory Committee on the Records of Congress: Sheryl B. Vogt of Georgia.

The majority leader.

NATIONAL REHABILITATION COUNSELORS APPRECIATION DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 95 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 95) designating March 22, 2017, as "National Rehabilitation Counselors Appreciation Day."

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

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

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

The resolution (S. Res. 95) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 23, 2017, under "Submitted Resolutions.")

PROVIDING FOR MEMBERS ON THE PART OF THE SENATE OF THE JOINT COMMITTEE ON PRINTING AND THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 101, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 101) providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library.

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

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

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

The resolution (S. Res. 101) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR WEDNESDAY, MARCH 29, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Wednesday, March 29; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed.

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

ORDER FOR ADJOURNMENT

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator WHITEHOUSE and Senator WARREN.

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

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 20 minutes in morning business.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here to give my weekly "Time to Wake up" speech. It is occurring on a day when the President has signed an Executive order that purports to be an effort to undo a good deal of work the American Government has done to address climate change. I have to say that it is a little bit hard to take this Executive order very seriously when the President is in trouble, which seems to be an everyday experience for him right now. The White House staff seems to entertain him and distract him by putting on these amateur theatricals in which they can give him

a nice big folder that he can make a big signature on with a flourish and feel like he is doing something significant, when, in fact, these entertainments create little effect and mostly just confusion.

The administrative agencies that he is purporting to direct to stop taking action on climate change have a couple of differences from this particular Oval Office. One is that they are obliged to follow the law and will be held to the law. The second is that under the Administrative Procedures Act, they have to follow real facts. They don't get to make up "alternative facts" in the fever swamp of the Breitbart imagination—at least not for long, because their record can be reviewed by courts. Finally, they can't make decisions that are, to use the standard of administrative law, "arbitrary and capricious." This is an Oval Office that lives by "arbitrary and capricious," but administrative agencies don't get to follow it there without having their rulings thrown out by courts.

So ultimately this is going to come down to lawyers and to courts, and lawyers and courts are actually pretty good places for addressing climate change seriously because it is very hard for the lies that are at the heart of climate denial to withstand cross-examination and to stand up to the obligation of witnesses to actually testify truthfully and under oath in court proceedings or even in administrative proceedings.

The inconsistencies of people's statements and behavior can be brought out through cross-examination, which has been described as "the greatest engine for the discovery of truth ever invented."

Discovery means that litigants get access to documents on the other side, and it also means that the court has a chance to look into conflicts of interest.

Administrator Pruitt, thanks to the backing of the fossil fuel industry, which is well on its way in trying to turn America into a banana republic through its interests, actually got through the Senate without ever having to disclose who funded his dark money operation. That alone is a kind of preposterous statement, but it is true, because the Senate majority wouldn't insist that those questions be answered because they were so all-fired eager to shove this fossil fuel tool into the Administrator's seat at EPA. Those questions never got answered.

Once there is a case brought against him in which he has to decide whether to recuse himself and that decision gets reviewed by a court, guess what. A court gets to have those questions answered. So there is going to be a lot more that gets discovered as this all goes forward.

The President, with the Executive order today, has made himself ridicu-

lous, which is no great achievement given his recent record. He has made his administration ridiculous, which is unfortunate but not unexpected given the climate-denying crowd who has been given positions of responsibility in this administration. Unfortunately, he has also made the United States of America ridiculous, at least until the checks and balances of government set aright the forces unleashed by this ridiculous Executive order. So let's go on to something that is a little bit more fact-based and serious.

I take climate trips to various places. I went to Ohio back in 2015, and there I met two remarkable and very cool people: Ellen Mosley Thompson and her husband, Lonnie Thompson. They have been married for 45 years, and that is also how long, more or less, they have been research partners. They do particularly amazing research. They are glaciologists. They study glaciers. They run the Byrd—as in Commander Byrd—Polar and Climate Research Center at Ohio State. They have spent years and years, decade after decade, studying the world's glaciers and leading expeditions to the far corners of the world to incredible places—to the North Pole, the South Pole, the Greenland ice cap, the high mountains of Peru, and glaciers in faraway China.

They gave me this on my visit. This is a little piece of a plant. You can look closely at it, and you can see the little sticks and leaves that are in it. This plant has an interesting history. It grew about 6,600 years ago, and when it grew and lived, woolly mammoths roamed the Earth. Woolly mammoths might have been eating neighboring plants. The human race was just entering the Bronze Age, and it began to snow. It snowed on this little plant. Snow piled on snow year after year, and this plant was buried under a glacier, preserved by the pressure and the cold. And there it stayed, so that now I can hold it up on the floor of the Senate 6,600-and-some years later.

Climate change is what brought me this plant because as temperatures steadily rise, glaciers the world over are melting. The glacier that buried this little plant 6,000 years ago receded so fast that here it is now—6,000 years in a glacier and now here in my hand in the Senate.

It is not just plants that are emerging from this great melting. We are actually seeing remains of our own long-dead ancestors emerge from melting glaciers. This is all becoming so common that a new field of study has been created—glacial archeology.

For my 162nd "Time to Wake up" speech, I will share the story of the warming Arctic and our world's disappearing glaciers.

The Thompsons, when they leave Ohio State and travel, drill down into the ice, and they take deep core samples out of the glacier, long tubes of ice

from the glacier. For Ellen and Lonnie, that means long trips and some challenging logistics, making sure that packed-down ice and snow containing hundreds of thousands of years of accumulated snow and ice doesn't melt along the way back to their lab at Ohio State because in those hundreds of thousands of years of accumulated snow and ice are hundreds of thousands of years of data.

I remember going to visit them. They store the core samples from these glaciers around the world in a huge walk-in freezer. It is like a library with metal shelving, except instead of having books on the shelves, it has these tubes, and they are marked as to where they were drilled out. You can pull the tubes off the shelf and take them to a viewer, and they have a light underneath it, and you can look at the light coming through it. You can see bubbles in the glass that captured the atmosphere from thousands of years ago, and you can draw the air out of those ancient bubbles and learn what the atmosphere was like back then.

There was a line through the core that they showed me, and I asked them: What is this line in the core? They said: Well, that was a really bad sandstorm. It is actually written about in ancient Egyptian hieroglyphs, and we can connect the timing of those ancient Egyptian hieroglyphs talking about this terrific sandstorm and going back through time, the date. And we know that this dark line in the core reflects that big storm that ancient Egyptians wrote about thousands of years ago.

There are other researchers doing similar things. France and Italy have researchers creating a separate ice core repository, and they have dubbed their project "Protecting Ice Memory." Their bunker for these cores is going to be 33 feet under Antarctica's surface, where they hope to be able to keep the cores cold for posterity because given the rate of climate change, these carefully preserved, packed-away, and frozen ice core samples are probably going to be the last record we have of all the information that was left in and lost in melting glaciers.

This photo depicts Grinnell Glacier in Montana in what is now called Glacier National Park. This was a picture that was taken in 1940. You can see the glacier here pushing up into the mountain. In this photo, you can now see the glacier as it is here. If it is not clear, all of this is not glacier; it is lake, it is water.

The U.S. Geological Survey described what was going on as Grinnell Glacier lost 90 percent of its ice in this last century. Here is what the U.S. Geological Survey said:

Glacier recession is underway, and many glaciers have already disappeared. The retreat of these small alpine glaciers reflects changes in recent climate as glaciers respond

to altered temperature and precipitation. It has been estimated that there were approximately 150 glaciers present in 1850, and most glaciers were still present in 1910 when the park was established. In 2010, we consider there to be only 25 glaciers larger than 25 acres remaining in Glacier National Park.

There were 150 glaciers 100 years ago and 25 now. I wonder what they will call Glacier Park when all the glaciers are gone.

This was—is or was, depending on what you look at—Lillian Glacier up in the State of Washington in Olympic National Park. On the top, we see the healthy glacier in 1905. In 2010, it is virtually all gone. There are just little bits of snow in exposed mountain.

Glacier loss is not just happening in our parks in the United States; it is happening all over the world. A man named Christian Aslund has been documenting this recently, and National Geographic has printed his work. What he did was go to the archives of the Norwegian Polar Institute, and he found pictures of glaciers in Svalbard, Norway, back from the 1920s—old black and white pictures. Then he went back to the exact same spot from which the old picture was taken, and he took a picture. Most of these are from 2003, so some time has gone by since he took the picture, and the situation has actually gotten worse.

You will see here that these two mountaintops that are sticking above this glacier are these two mountaintops right there, but, of course, the glacier is no longer there. You just see a bit of snow back there behind the shore.

Here you see this vast wall of ice and the glacier pushing back up into these mountains behind it.

Here the wall of ice is essentially gone. You see this whole mountain front that has opened up, and the glacier is now simply back up in the valley behind it.

You can see the glacier here from the 1920s filling up this valley and the streams coming off the base of it down there.

Here you see the glaciers completely gone. The rock is exposed, and there is a lake at the bottom, and you have to actually look over the top of the mountain to this faraway peak to even see any snow in the photograph.

It is the same story elsewhere in the Arctic. The Greenland ice sheet is the world's second largest glacier landmass.

A study last year from the journal *Science Advances* found that we might have underestimated the current rate of mass loss of the Greenland ice sheet by about 20 billion tons per year.

As "Science" magazine recently highlighted, the accelerating surface melt of ice and snow off the Greenland ice sheet, since 2011, has doubled—Greenland's contribution to global sea level rise. It is a phenomenon that the Presiding Officer sees and hears about

in his home State of Florida all the time. All told, the melting Greenland ice sheet holds the equivalent of more than 23 feet of sea level rise in its ice. That would be a lot in Miami. That would be a lot in Providence. That would change the map of the United States of America.

Why are these glaciers changing and shrinking? Obviously because the Earth is warming and ice melts. Over the last 150 years, industrial activities of modern civilization have caused the burning of fossil fuels like coal and oil. Their emissions have increased the concentration of greenhouse gases in the atmosphere, and we have known since Abraham Lincoln was President that that traps heat in the atmosphere, warming the planet.

What we are learning more and more is how much the warming of the planet accelerates at the Poles. The distribution of the warming is not even across the Earth. Things are warming much faster at the Poles. The Norwegian Polar Institute found that the rate of warming in the Arctic is about twice as high as the global average. For one thing, when snow and ice melt, they can expose darker surfaces underneath, whether it is water or Earth or rock, and a darker surface will absorb more solar energy than reflective snow and ice, and that warms the region even faster. So climate change has this compounding effect in the high latitudes.

Temperatures in the Arctic were the highest in recorded history for the period between December 2016 and February 2017. The World Meteorological Organization noted that "at least three times so far this winter, the Arctic has witnessed the polar equivalent of a heat wave." What this means in layman's terms is that when the ice in the Arctic should have been freezing in the deep midwinter, it was actually melting. More warming and more melting mean more sea level rise.

Last year, researchers published in "Nature" an updated estimate of global sea level rise as this phenomenon accelerates. The prediction is not pretty. This new study doubles the previous estimate, putting global sea level rise over 6 feet by the end of this century.

This led to the January NOAA report that I discussed last week which updated global sea level rise region-specific assessments for our U.S. coastline. The report raised the previous upper range or extreme scenario for average global sea level rise in the year 2100 by 20 inches, to a total of 8.2 feet.

NOAA and its partners' findings were particularly harsh for the western Gulf of Mexico—the back side of Florida, if you will—and the northeast Atlantic coast; that is, Virginia through Maine, including my home State of Rhode Island. Coastal managers, like Rhode Island's Coastal Resources Management Council, or CRMC, are taking these

new estimates very seriously and incorporating the “high” scenario into their planning, with the local high scenario now projected for Rhode Island by our CRMC at between 9 and 12 vertical feet of sea level rise. And, of course, when you go up 9 feet or 12 feet, you go back many hundreds of feet in many places. And all of this, whether it is happening in Florida or whether it is happening in Rhode Island or whether it is happening in other coastal States, it all starts with warming seas and melting glaciers.

When National Geographic caught up with Aslund a few weeks ago, he said something striking: “What’s happening in the Arctic is spreading around the whole globe.” These pictures he had taken 14 years ago now—back in 2003—were just the beginning.

Kiribati, an island nation, has to face the real consequences of climate

change and sea level rise. It is preparing to become a modern-day Atlantis—lost forever to the waves. Aslund describes a meeting with Kiribati’s President: “He knows climate change is just a fact . . . they’re buying upland in Fiji so they can evacuate in the future.”

I will end with one final quote from Mr. Aslund. When asked about the devastating effects of climate change that he had seen firsthand, he responded: “It is the biggest challenge we face and we must act now before it is too late.”

Do one man’s photographs stand any chance against the massive deception apparatus orchestrated by the fossil fuel industry, when they can call in a President of the United States for as ridiculous and preposterous an Executive order as he signed today? It is hard to know.

I hope this body will rise to its best traditions and meet the needs of its constituents, whether they are coastal constituents threatened by sea level rise or farm constituents threatened by changes in weather or forest constituents who are seeing the pine beetle destroy western forests by the millions of acres. I hope we wake up before it becomes too late.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:12 p.m., adjourned until Wednesday, March 29, 2017, at 10 a.m.

HOUSE OF REPRESENTATIVES—Tuesday, March 28, 2017

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 28, 2017.

I hereby appoint the Honorable ROB WOODALL to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

SUPPORTING RECLAIM ACT

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

Mr. JENKINS of West Virginia. Mr. Speaker, coal communities in my district and across America and across Appalachia are struggling. The war on coal has decimated many small towns and left thousands of hardworking coal miners without jobs.

Help is on the way—the RECLAIM Act, introduced by Congressman HAL ROGERS. I am proud to be a sponsor with him.

The RECLAIM Act will send \$1 billion in Federal funds to Appalachia to revitalize and diversify coal communities and to create new jobs. For West Virginia, that means nearly \$200 million over 5 years to invest in our coal fields. This money will allow us to redevelop abandoned mine lands, bring new companies and industries to West Virginia, and provide more jobs for our people.

Now, the RECLAIM Act doesn't mean we are giving up on coal. Far from it. Coal is our heritage and must play an important part in our State's future.

But while we are bringing back our coal jobs, we must also look at how we can redevelop these former mine sites.

Many of these sites are currently sitting vacant, and our towns and counties just don't have the funds to redevelop these sites so that their job-creating potential can be unleashed. The RECLAIM Act will prioritize hard hit States like West Virginia and help employ hundreds of laid-off West Virginians to prepare these sites for new developments and new industries.

In addition, once these sites are open for business, new employers will create hundreds, if not thousands, of good-paying jobs. The RECLAIM Act can be and should be part of the solution to revitalize our coal fields.

I want to say thank you to Leader MCCONNELL and Senator CAPITO in the Senate for their leadership on this measure as well.

Mr. Speaker, I urge my colleagues in both the House and the Senate to join us in supporting this important legislation and helping Appalachia.

SNAP-ED HELPS LOW-INCOME FAMILIES

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise to highlight a program that helps low-income families lead healthier lives through education.

SNAP-Ed works to help individuals who benefit from the Supplemental Nutrition Assistance Program, SNAP. It aims to help people make healthy choices within a limited budget and choose active lifestyles consistent with the current dietary guidelines for Americans.

As chairman of the Agriculture Committee's Nutrition Subcommittee, we have been examining SNAP and how we can improve it in the next farm bill. SNAP-Ed is an important part of this, and the results show that it works.

In my home State of Pennsylvania, 17 percent of people are living below the poverty line; 1.8 million Pennsylvanians are eligible for SNAP; 85 percent of Pennsylvania adults do not eat the recommended daily amounts of fruits and vegetables; and 14 percent of Pennsylvanians are food insecure, meaning they lack reliable access to a sufficient quantity of affordable, nutritious food.

Mr. Speaker, SNAP-Ed helps low-income families stretch tight budgets and bring home healthy foods from the

grocery store. It teaches low-income families how to prepare nutritious meals.

SNAP-Ed is a \$400 million program awarded through Federal grants to State agencies. SNAP-Ed has the flexibility to work in schools, grocery stores, parks, even public gyms. SNAP-Ed offers many different forms of direct education and takes community input into consideration when developing education programs.

Another food education program authorized through the farm bill is the Expanded Food and Nutrition Education Program. This program is an approximately \$68 million initiative operated through the Cooperative Extension Service of land grant universities. It delivers direct education via peer educators in a series of interactive hands-on lessons to improve four core areas: diet quality and physical activity, food resource management, food safety, and food security.

The Expanded Food and Nutrition Education Program tends to be less flexible in how it delivers services than SNAP-Ed, but it has the capacity to reach more people than SNAP-Ed because it operates in more areas, both urban and rural, across this country.

Mr. Speaker, both of these educational programs are helping low-income families lead healthier lives and make better choices when it comes to nutritious food. Through education we can help ensure that American families—especially children—learn about the importance of a balanced diet as part of a healthy lifestyle and the joy of preparing their own meals.

Mr. Speaker, I look forward to strengthening these programs in the next farm bill so that we can continue to educate and serve American families.

CONCERNS BREWING ABOUT NUCLEAR POWER PLANT CONSTRUCTION

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

Mr. SHIMKUS. Mr. Speaker, I rise to address concerns brewing in Lithuania and other Baltic States about the construction of a nuclear power plant. This plant is 12½ miles from the Lithuanian border and in sight of Vilnius, Lithuania's capital and largest city.

I speak here not only as a friend of the Baltic people and as a descendant of Lithuanian immigrants, but also as co-chair of the Baltic Caucus and

chairman of the Subcommittee on Environment.

Like all my colleagues here, I am concerned about ensuring the security, integrity, and safety of nuclear projects in Europe and around the world. Here is the capital of Lithuania, Vilnius, and that is where the power plant is being built.

This site was first chosen during the era of the Soviet Union but was halted after the Chernobyl disaster in 1986, which contaminated a quarter of Belarus. Now, in 2019, Belarus is supposed to house a different Moscow-run nuclear power plant, this one run by the Russian state-owned company Rosatom.

This project is very environmentally sensitive. Both Lithuania and Belarus are signatories to the Espoo Convention. The Espoo Convention calls for member states to consult with bordering countries about such projects, to allow experts to review information about the projects, and to share information with bordering countries about safety and security of these projects.

Building a nuclear power plant is hard, especially when it is a country's first. That is why the International Atomic Energy Agency has recommended a six-step review process meant to prevent disasters like Chernobyl's and the more recent one in Fukushima, Japan. But Belarus has chosen to skip four of the six steps, including crucial steps, and ignore the people in the land of Lithuania.

There is a real concern that the main purpose behind the project is to grow Russian influence and power, especially over energy, in the European Union. The President of Belarus said that the Astravets plant and another Russian plant are a fishbone in the throat of the European Union and the Baltic States.

Nuclear power plants in sensitive areas should be discussed within the Espoo Convention. Nearly all of Lithuania is within 186 miles of the plant, which means that, if a disaster were to strike, the land of Lithuania could be affected. The country's drinking water could also be affected since the plant is supposed to draw water from the Neris River that supplies drinking water to Lithuania.

But incidents are occurring that cast doubt on Belarus' commitment to working with neighbors and ensuring the plant is safe. In 2016, four accidents occurred, and Belarus has failed to be upfront with Lithuania about any of them.

A 330-ton nuclear reactor shell was allegedly dropped from about 13 feet last summer. Belarus did not reveal anything about the incident until independent media reported it, and then downplayed it.

Building a nuclear power plant requires care in construction according to the most stringent standards with

the utmost transparency, and for the best reasons. This plant fails on all four counts. It is in the wrong location. It has been irresponsibly handled.

Instead of transparency, we have seen stonewalling and obfuscation. Instead of making the most economic sense, this plant seems to make good geopolitical sense—and for Russia, not for Belarus.

Mr. Speaker, let me be clear. No one here objects to the safe, secure design, construction, and running of a nuclear power plant. But the people of Lithuania are firmly opposed to irresponsible attitudes toward nuclear power, particularly so close to their most populous city.

This concern makes sense. As chairman of the House Subcommittee on Environment and long-time observer of Eastern Europe, Mr. Speaker, I can assure you that the people of the United States have no better friend than the people of Lithuania.

Lithuanians have the right and the responsibility to ensure their and their children's environmental security. They should not be expected to accept inadequate or misleading information about a serious, environmentally sensitive project right on their borders. The Government of Belarus should respect the commitments it has made, including with its neighbors.

Until these issues are resolved, Mr. Speaker, I cannot fault the Lithuanian people for their concerns about the Astravets nuclear power plant. I share their concerns. I hope Belarus will calm their fears by allowing in international experts and representatives.

Belarus should also comply with the International Atomic Energy Agency's recommendations for the design, construction, and running of safe nuclear power plants.

RECESS

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

Accordingly (at 10 o'clock and 12 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at noon.

PRAYER

Rabbi Sanford D. Akselrad, Congregation Ner Tamid, Henderson, Nevada, offered the following prayer:

O source of wisdom, gathered before this august body, I ask Your blessings upon us.

Decisions impacting the fate of our country weigh heavily upon our lead-

ers. They stand here with backs bowed, eyes turned downward, shoulders formed into an amorphous shrug.

I pray, therefore, that You will grant our leaders strength to stand tall.

With eyes raised skyward, seeing today, tomorrow, and the next, let them govern our country with compassion, courage, and insight.

Let them stand tall to give voice to those who feel unheard and presence to those too long ignored.

Let the pursuit of justice and mercy lift them with heavenly wings, closer still to Heaven than before.

Let them stand tall.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New York (Mr. HIGGINS) come forward and lead the House in the Pledge of Allegiance.

Mr. HIGGINS of New York led the Pledge of Allegiance as follows:

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

WELCOMING RABBI SANFORD AKSELRAD

The SPEAKER pro tempore. Without objection, the gentlewoman from Nevada (Ms. ROSEN) is recognized for 1 minute.

There was no objection.

Ms. ROSEN. Mr. Speaker, I am proud to stand here today and introduce my friend, Rabbi Sanford Akselrad. As leader of Congregation Ner Tamid, he has been a friend, a mentor, and my rabbi for 25 years.

His vision for a campus, a spiritual hub, has been realized in his nearly 30-year career at Congregation Ner Tamid. He has led us with strength, with poise, and with wisdom as he has shared in the sorrows and joys—from the simchas to the shivas—of our entire community.

His work in both the outreach and interfaith communities has left impact and meaning on so many lives across the Las Vegas Valley and beyond.

May he continue to serve us all with grace, compassion, and strength.

Mr. Speaker, as leader of Congregation Ner Tamid, he has been a friend, a mentor, and my rabbi for 25 years.

Since moving to Las Vegas in 1988, Rabbi Akselrad has served as the spiritual leader of Congregation Ner Tamid.

His vision for a campus, a spiritual hub has been realized in his nearly 30-year career at Congregation Ner Tamid.

He has led us with strength, with poise, and with wisdom and has shared in the sorrows and joys from the simchas to the shivas of our entire community.

His work in both the Interfaith and Outreach communities has left impact and meaning on so many families across the Las Vegas Valley.

His unwavering commitment to building a strong community as our Congregation's spiritual leader and in creating a vibrant Jewish community in Southern Nevada has not gone unnoticed.

During this time, the Synagogue grew from approximately 60 to over 600 families, becoming the largest Reform Synagogue in the State of Nevada. In his nearly 27 years of service to our Congregation, Rabbi Akselrad has served on a wide variety of community boards including the Humana Hospital Pastoral Advisory Board, the Jewish Federation of Las Vegas, Jewish Family Services and the National Conference of Community and Justice.

A firm believer in K'lal Israel and building a strong Jewish community, Rabbi Akselrad has spearheaded many community-wide boards, commissions, and organizations that have helped shape the Jewish community we live in today.

In the wake of the Great Recession of the late 2000's, Rabbi Akselrad envisioned Project Ezra, a partnership between the Jewish Federation of Las Vegas, the Board of Rabbis, and Jewish Family Service Agency. Project Ezra helps people of all faiths secure new employment in this changing economic climate.

Rabbi Akselrad is currently a board member of the Anti-Defamation League of Las Vegas and the Interfaith Council of Southern Nevada. Rabbi Akselrad has served on the National Commission on Jewish Living, Worship and Music for the Union of Reform Judaism (URJ) since 1999. He has also served on the Outreach Committee (to interfaith families) of the URJ.

Rabbi Akselrad's community contributions and leadership are the best example of Congregation Ner Tamid's commitment to Tikkun Olam and Social Justice.

May he continue to serve us all with grace, compassion, and strength.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

NATIONAL MEDAL OF HONOR DAY

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, last Saturday, March 25, marked National Medal of Honor Day. Designated by Congress in 1990, the National Medal of Honor Day celebrates each of the men and women who have earned America's highest, most prestigious military decoration.

I am grateful that South Carolina has a long tradition of military service,

with 34 Medal of Honor recipients, including the youngest living honoree, Corporal Kyle Carpenter of Gilbert.

To mark National Medal of Honor Day, I join Medal of Honor recipient Major General James Livingston and South Carolina Attorney General Alan Wilson with a wreath-laying ceremony at Mount Pleasant Memorial Garden. The inspiring program was organized by the Fort Sullivan Chapter, National Society Daughters of the American Revolution, led by Regent Nancy Herriage.

Additionally, congratulations to the University of South Carolina women's basketball team and head coach Dawn Staley on their victory in the Elite Eight last night. I am happy to cheer for the Gamecocks as they head to Dallas, Texas, for their second Final Four appearance in just 3 years.

In conclusion, God bless our troops. We will never forget September the 11th in the global war on terrorism.

USE LEVERAGE OF FEDERAL GOVERNMENT TO IMPROVE QUALITY AND COST OF HEALTH CARE

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Mr. Speaker, last week's healthcare disaster was instructive because, in the end, it was never really about health care at all.

Your plan was a thinly-veiled scheme to deliver a massive tax cut to health insurance executives and their cronies. UnitedHealthcare is one of America's largest, private healthcare insurance companies. UnitedHealthcare is under investigation for defrauding Medicare and the Federal Government out of billions of dollars. UnitedHealthcare's CEO made \$66 million in 2014—one man, one salary, in 1 year—\$66 million under investigation for defrauding the Medicare program; and your bill, on page 67, in seven simple words, would have rewarded this potentially criminal behavior with a massive tax cut.

Mr. Speaker, Americans, on average, will pay more than \$10,000 per person for health care this year. Let's use the enormous leverage of the Federal Government to drive down those costs and to drive up quality for all Americans.

REMEMBERING JOHN CRUTCHER

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, today I rise to mourn the loss of John Crutcher, who passed away on March 12, 2017, at the age of 100.

A native of Kansas, John spent many years in public service, including teaching in a one-room school on the prairie. He was elected to a seat in the Kansas Senate and served two terms as

Lieutenant Governor in his home State. In 1982, President Reagan appointed him to the Federal Postal Rate Commission, where he gained a reputation as an outspoken critic of the Postal Service.

In World War II he served as a Navy officer in the Pacific theater and Korea. He retired as a captain in the U.S. Naval Reserve and always remained active in Navy organizations.

A true, very modest gentleman, John was respected and beloved by all who knew him. He will be greatly missed in the mountains of North Carolina, which he came to call home after marrying his lovely wife, Edith.

KEEP THE CLEAN POWER PLAN INTACT

(Mr. WELCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELCH. Mr. Speaker, President Trump today plans to unravel the Clean Power Plan that, once implemented, would reduce carbon emissions by 870 million tons, the equivalent of 166 million cars.

Why? False science, false economics.

Some of the best minds of the 18th century apparently are advising President Trump on science matters. This planet is melting. We have had the worst wild weather in centuries; the three hottest years on record. Let's not deny what is before our very eyes, false economics.

President Trump apparently believes we have to make a choice: either jobs or a clean environment. The exact opposite is true; 8.1 million people worldwide work in clean energy. It will be 24 million in 2030. Solar jobs in Vermont grew at the fastest pace of any jobs. President Trump believes we either have jobs or a clean environment. He has it exactly wrong. We have both or we have neither.

A confident nation faces its problems. It doesn't deny them. Keep the Clean Power Plan intact.

CELEBRATING THE LIFE OF ANAND NALLATHAMBI

(Mrs. MIMI WALTERS of California asked and was given permission to address the House for 1 minute.)

Mrs. MIMI WALTERS of California. Mr. Speaker, I rise in memory of Anand Nallathambi, who passed away on March 2. Mr. Nallathambi epitomized the American Dream, rising from humble beginnings to become the president and CEO of CoreLogic, a global company based in Irvine.

He led CoreLogic from its 2010 launch as a public company and transformed it into a high-performing leader in the housing market, employing over 5,000 Americans. Beyond his business leadership, Mr. Nallathambi volunteered his

time generously with many organizations, including Operation HOPE and Cal State Fullerton.

He will long be remembered for his outstanding leadership, warm personality, integrity, devotion to his family and faith, and service to the community.

Please join me in celebrating the life of Mr. Nallathambi.

LEAVE REPEAL AND REPLACE EFFORTS BEHIND

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, on Friday, when House Republicans withdrew TrumpCare, it was a victory for American families. It was a victory for 24 million people who would have lost coverage under that plan. It was also a victory for the millions of Americans who attended townhall meetings, who wrote letters and emails, who spoke up. Their voices were heard. But we have more work to do, Democrats and Republicans, in order to make sure that all Americans have access to affordable health care.

We need now to turn our attention to doing what we can to improve the Affordable Care Act in a bipartisan way. We have ways to make this work better. It is not a perfect bill; of course it isn't. Nothing we do here is perfect. It needs improvement, significant improvement. We have ways to make that happen that I think Democrats and Republicans can come together on.

For example, improving access to prescription drugs by reducing the cost of those drugs in the marketplace. There are so many things we can do, Republicans and Democrats. We have got to roll up our sleeves and get to work.

WAUSAU-AREA TRAGEDY

(Mr. DUFFY asked and was given permission to address the House for 1 minute.)

Mr. DUFFY. Mr. Speaker, it is with a heavy heart that I rise today to recognize the loss of four members of our greater-Wausau community. It was last week that four lives were taken from us all too early.

Karen Barclay was warm and caring to everyone around her. At Marathon Savings Bank, she made sure that no child left the bank without a lollipop.

Dianne Look, known as Dee-Dee, celebrated her 25th wedding anniversary last month. Dianne loved to make jewelry, raising money for the American Cancer Society.

Sara Quirt-Sann had an infectious laugh. She ran her own law practice, and she proudly served as a guardian ad litem for kids in our community.

We also lost Detective Jason Weiland of the Everest Metro Police Depart-

ment, who was killed in the line of duty. Serving 18 years in what was described as his dream job, Detective Weiland wore the Everest Metro PD uniform because he wanted to protect people and keep his community safe.

On behalf of this institution, I rise to extend my deepest regrets to their families, their mothers and fathers, husbands and wives, and children, who no longer have a special member in their homes.

COMPLETE INVESTIGATION NEEDED INTO RUSSIAN CONNECTION

(Mr. RASKIN asked and was given permission to address the House for 1 minute.)

Mr. RASKIN. Mr. Speaker, every American who loves freedom, democracy, and public integrity this week is expressing solidarity with the hundreds of thousands of anticorruption protesters in Russia who took to the streets on Sunday. That huge throng of brave Russians, including hundreds arrested and jailed by agents of Vladimir Putin, were protesting the autocrats and kleptocrats running their country, a key target being Prime Minister Dmitry Medvedev, who has amassed vineyards, luxury yachts, and mansions worth more than \$1 billion.

We should be standing with the protesters, but the corrupt autocrats of Russia have found good friends in the billionaire Cabinet of international businessman Donald Trump, whose administration is administering a spreading staph infection: disgraced former National Security Adviser Michael Flynn, who was paid by Russian companies to appear at Russian events; Secretary of State Rex Tillerson, former CEO of ExxonMobil and a close friend of Vladimir Putin who was awarded in 2013 a title of nobility called the Russian Order of Friendship; Paul Manafort, the former Trump campaign manager who collected \$10 million a year to advance the agenda of Russia and Russian oligarchs.

We should be standing with the protesters. Two-thirds of Americans want to see a complete, independent 9/11-style investigation into the Russian connection, and we owe them no less.

□ 1215

HONORING THE LIFE OF NEYLE WILSON

(Mr. RICE of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. RICE of South Carolina. Mr. Speaker, I rise today to recognize my friend and an outstanding man from my home in Horry County, South Carolina, who has dedicated his entire life to education and public service. Mr. Neyle Wilson retired last month after 14 years of serving as the president of

Horry Georgetown Technical College and leaves behind a great legacy of selflessness and devotion to education in the community.

Under Mr. Wilson's direction, Horry County Technical College added nine new buildings, 40 new programs of study, and saw enrollment double. He never failed to go above and beyond to complete the task at hand. Often he was called on at the last minute to provide education or skilled workplace training to fill spots at existing local businesses or businesses looking to move to Horry County to employ South Carolinians, and he always came through.

Mr. Wilson was a credit to Horry County Technical College and the entire Grand Strand community. He led thousands of South Carolinians to meaningful jobs. Through these and his many other meaningful contributions, he will always be remembered.

CELEBRATING MONROE COUNTY DUCKS UNLIMITED

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, this past weekend I had the privilege of attending the Monroe County Ducks Unlimited annual dinner. More than 1,000 people came out to the MB&T Expo Center to celebrate our hunting and fishing heritage.

As a lifelong outdoorsman, I have been a proud supporter of conservation policies that protect our wetlands and wildlife habitats. The Great Lakes Restoration Initiative is a model example of a public-private partnership that has been invaluable to the health of the Great Lakes ecosystem.

The GLRI has received widespread bipartisan support because of the economic and environmental benefits it brings to Lake Erie, the State of Michigan, and the entire Great Lakes region. Mr. Speaker, this critical initiative is getting results and needs to be preserved.

I want to thank Monroe County Ducks Unlimited for all of their conservation efforts, and I will continue working to ensure that future generations can enjoy our precious natural resources just like we do today.

Mr. Speaker, in a point of personal privilege, I want to welcome my newest granddaughter, Hanna Belle, born less than 2 hours ago in Africa. I welcome her to this life, and God bless her.

ADDRESSING THE FAITH-BASED COMMUNITY CENTER PROTECTION ACT

(Mr. MAST asked and was given permission to address the House for 1 minute.)

Mr. MAST. Mr. Speaker, a few weeks ago, I spoke in this Chamber about the

threats made against Jewish community centers across this country. I rise today because, this week, we have taken bipartisan action to address these threats.

As Members of Congress, we have a responsibility not only to speak out against hate, but to take real action to put an end to bigotry and violence. This week, I joined with a bipartisan group of my colleagues introducing the Faith-Based Community Center Protection Act.

I also want to thank Senator HEINRICH for his leadership on this issue in the Senate.

Our bill provides over \$20 million in additional funding to the Department of Homeland Security specifically dedicated to safeguarding faith-based community centers, and it would double the Federal penalty against making bomb threats from 5 years to 10 years. Think about that, bomb threats from just 5 years to 10 years. These are commonsense changes, and this is a simple, affordable solution to a very serious problem.

Mr. Speaker, today I am calling on my colleagues to join us as defenders of human dignity because it is the decent, humane thing to do.

TIME FOR IMMIGRATION REFORM IS NOW

(Mr. POLIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POLIS. Mr. Speaker, the time for immigration reform is now.

If we want to increase the growth rate of our economy, fixing our broken immigration system will do that.

If we want to restore the rule of law and improve our national security so we know who is here, immigration reform will do that.

If we want to prevent undocumented workers from undermining wages for American workers, immigration reform will do that by making sure that people who work here are registered and get right with the law and can move forward in a legal manner.

There are so many reasons to pass a bipartisan immigration reform bill similar to the one that passed the United States Senate with more than two-thirds support just a few years ago.

I hope that my Democratic and Republican colleagues hear the outcry from across this country that says enough is enough. Let's fix our broken immigration system.

We are, after all, a nation of immigrants and a nation of laws. It is the work of this body to reconcile those two to make sure that, moving forward, we can do immigration in a legal way rather than an illegal way, a way that benefits our economy, American workers, and American businesses.

Let's move forward on comprehensive immigration reform now.

CONGRATULATING ELLWOOD NATIONAL CRANKSHAFT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize Ellwood National Crankshaft on receiving STAR certification in the OSHA Voluntary Protection Program.

Ellwood National Crankshaft, located in Irvine, Pennsylvania, is a unique manufacturer of new and reconditioned crankshafts for medium-speed engines in the 800- to 6,000-horsepower range.

Mr. Speaker, in order to attain this distinguished certification, a facility has met or exceeded the performance-based criteria for a managed safety and health system. It also passed the rigorous onsite evaluation conducted by a team of OSHA safety and health experts.

This recognition is even more significant, knowing that Ellwood National Crankshaft is one of only a few forging and process safety management facilities to obtain the STAR status. Its motto, "Injury free every day," echoes the importance of safety throughout the plant.

I commend Ellwood National Crankshaft for making safety a top priority. Everyone wins when there are fewer days missed due to injuries or illness.

Congratulations on earning this prestigious certification and for placing such a high standard on the welfare of all the people employed at Ellwood National Crankshaft.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 28, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 28, 2017, at 9:14 a.m.:

That the Senate agreed to S.J. Res. 30.
That the Senate agreed to S.J. Res. 35.
That the Senate agreed to S.J. Res. 36.
Appointments:
Congressional-Executive Commission on the People's Republic of China.
With best wishes, I am

Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 1430, HONEST AND OPEN NEW EPA SCIENCE TREATMENT ACT OF 2017

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I

call up House Resolution 229 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 229

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1430) to prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Science, Space, and Technology; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOODALL. Mr. Speaker, I hold in my hand House Resolution 229. You heard the Clerk read it moments ago. Page 1 and page 2. Folks can find it on rules.house.gov if they haven't had a chance to see it already. It provides a closed rule for consideration of H.R. 1430, Honest and Open New EPA Science Treatment Act of 2017.

If you work through that title, Mr. Speaker, the Honest and Open New EPA Science Treatment Act, you will find that "honest" is what those letters spell out. It is the HONEST Act.

In the past, the Rules Committee has reported structured rules for consideration of this very bill. In this case, Mr. Speaker, there were no amendments offered in committee. There were no amendments presented in the Rules Committee last night. We have reported a closed rule for consideration of this bill.

Science is, Mr. Speaker, in the EPA's own words, the backbone of EPA's decisionmaking. President Obama, in 2011, issued an executive order about how agencies should go about making the regulatory process more effective. He said, and I quote: "Each agency shall ensure the objectivity of any scientific and technological information and processes used to support the agency's regulatory actions."

We talk so much about what divides us in this institution, in this town, sometimes even in this country, Mr. Speaker, I think that point is worth dwelling on.

Again, quoting from former President Barack Obama: "Each agency shall ensure the objectivity of any scientific and technological information and processes used to support the agency's regulatory actions."

It is what the HONEST Act aims to do, Mr. Speaker. It aims to provide the American public with the data that the EPA uses in each of its regulatory actions.

It would come as a surprise to many Americans, Mr. Speaker, to learn that there are Agency actions that take place based entirely on undisclosed data sets, that the regulatory arm of government can be at work based on secret data that will never be released to the American public to verify, to confirm in this what is often, in scientific communities, referred to as peer-reviewed literature.

We believe that, if we are making the rules, we should be able to expose the data on which those rules are based to scrutiny and, in fact, to challenge, Mr. Speaker.

One thing I have learned in this job is sometimes I am not as smart as I think I am. I don't know if that has ever happened to you, Mr. Speaker. I am sure it has never happened to my friend from Colorado. But sometimes we are not as smart as we think we are. Sometimes being challenged makes us better.

The HONEST Act, Mr. Speaker, aims to provide the opportunity simply by looking at the data for any American citizen to understand the regulatory actions being taken at the EPA, and, yes, if necessary, to challenge those actions if they believe they are not based on sound science.

Mr. Speaker, I know what you are thinking. You are thinking: Is this bill necessary? The EPA's mission is to protect the environment and public health, so, of course, it is going to use the best science.

The answer should be yes. The answer should be yes that in every set of circumstances we are always using the very best data. But as you know, time and time again, you can bring an expert into your office. A scientist on one side of the issue will tell you one thing; a scientist on the other will bring an equally compelling compendium of information to tell you the next. It is left to us, to the American people, to decide who is right and who is wrong.

This is nothing to be feared. This is something to be embraced. It has certainly been a characteristic of our great country for over 200 years.

But in these days of information pouring out of the administration at the speed of the internet, it is more critical than ever that we make that information available to the public.

With the ability today to understand that information, to process that information, to compile that information, to inspect that information in details never before imagined, it is incumbent upon us to make sure that America has that opportunity.

With that, Mr. Speaker, I would encourage my colleagues to support this rule to bring the bill to the floor and then to support the underlying legislation so that we can pass the HONEST Act, bringing clarity and transparency to the EPA rulemaking process.

Mr. Speaker, I reserve the balance of my time.

□ 1230

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman for yielding me the customary 30 minutes.

Mr. Speaker, I rise in opposition to the rule and the underlying legislation. First, when the gentleman from Georgia said there were no amendments brought forward on this in the Rules Committee, that is partial truth but not the entire truth.

The entire truth is, when we have a process whereby Members believe that there might be an amendment process, there is something called a call for amendments which is issued. Often our chair, Mr. SESSIONS, and my friend from Georgia has heard Mr. SESSIONS come down to the floor and say: We are calling for amendments on this bill. Submit them. The Rules Committee will consider them and allow some of them to advance to the floor. At least you know you have a fair shot.

In this particular case, there was no call for amendments issued, which means, yes, Members could have spun their wheels, and sometimes you feel like a hamster doing that, just running around and not moving anywhere in one of those circles. And if we thought there was any realistic hope that amendments could be included, I, myself, would have been happy to submit one, as would many of my colleagues.

Chairman SMITH actually requested a closed rule on this. So, again, the chairman of the committee and the Rules Committee gave every indication that we are not allowing any amendments to this bill; and that is what discourages Members from going through the work of submitting an amendment if they have a good idea what the outcome is already going to be.

So this is a closed rule. This is an antiscience bill. It is another example of how we go around the ability of Members to improve bills and, instead, work in a partisan, smoky, backroom manner where this bill emerges fully formed. The chair of the committee of jurisdiction himself didn't want any amendments or any changes to this rule, and the Rules Committee never called for those amendments.

Now, if the goal of this bill is somehow to increase government trans-

parency, why don't we start with the lawmaking process and have an open rule that allows Democrats and Republicans to improve a bill and offer their best ideas forward? And if they are good ideas, they will be incorporated into the bill. If they are bad ideas and can't command a majority of this body, they will be defeated.

But, unfortunately, these partisan tactics that were seen trying to ram through legislation last week that failed when the Speaker and the President refused to work across the aisle with us on healthcare reform and now on improving the process at the EPA, instead of working with us to improve science, they are seeking to undermine the integrity of the important scientific work done at the Environmental Protection Agency and bury the Environmental Protection Agency in red tape.

The underlying legislation that this rule talks about has a lot of problems, Mr. Speaker, and so many problems, in fact, I won't even be able to talk about them all during my limited time for debate here. Hopefully they will be able to cover some more during the debate on the bill.

The first issue I want to address that is highly problematic with this bill, and it is something that is so important to the American people—liberal, conservative, and moderate—and that is the issue of privacy.

This bill would undermine the privacy of American families in a number of ways. What it would do is prohibit the Environmental Protection Agency, an agency that exists to protect our health, from taking any action unless it is based on data that is fully available to the public. Now, that sounds good, "fully available to the public." But what does that mean?

You see, normally the EPA has relied on peer-reviewed, scientifically valid research to inform its actions. Now that is something that the process of science across the world informs. It is a very important, well-founded process that respects the efforts of scientists everywhere and the diligence of a peer-reviewed process.

Much of these bodies of work utilize personal health information and confidential data which, currently, are legally protected from public disclosure. The EPA identifies the academic papers that it uses in the Federal Register so we have that transparency, but it doesn't release the legally protected private data—participants in studies, health of people—to the general public nor is there any scientific value to that personal information.

The value is in the studies, which are done scientifically and are already made public. This bill would force the EPA to either ignore these valuable studies because they utilize private data or violate Federal law by sharing confidential patient information with

the general public. We are talking about everything ranging from Social Security numbers, to whether you got cancer from something you were drinking as a child, to our most intimate health or lifestyle issues that are researched by the agency.

The majority here, the Republicans, are trying to include a provision in the bill that allows personally identifiable information to be redacted prior to the EPA making the information available. I am sure my colleague from Georgia will cite that, but that is woefully inefficient because it has a loophole in that very provision that basically negates that provision in another section by allowing the EPA administrator to allow any person who signs a confidentiality agreement to have access to all the redacted data.

So, again, basically, at the whim of the administrator, they can allow companies and people in there—the information can be put in front of people who have access to it, to use it in any way they want, and that is highly personal information.

Again, whether it is under the coverage of a confidentiality agreement or not, it is shown with unknown partners. This is not the Federal agency itself. This is perhaps even the company that caused the pollution that wants to come in and look at it or just various Americans with prurient interests who want to know intimate health details, and there is effectively no protection for that. It is entirely at the whim of the administrator of the Environmental Protection Agency.

So that is an enormous setback for the privacy of American families and a woefully insufficient privacy protection with a loophole that is big enough to drive a truck through. There is not even a numerical limit on the amount of people or corporations that would be allowed access of that data. There could be a blanket permission from the administrator allowing thousands, tens of thousands of people, again, to see the individually identifiable data, including your Social Security Number, including your health details or medical records, including things that affect property value and affect health.

Another major issue with this bill, major fault, is it actually undermines the goal of the Agency itself. The Environmental Protection Agency, which has the congressional mandate to keep our air and water clean, to protect our health, this bill actually does the opposite by burying the Agency under a mountain of red tape and bureaucracy.

This bill removes sound, scientific, objective decisionmaking and replaces it with ridiculous amounts of red tape, adding to the process of regulations, adding to the process of rules, requiring the Environmental Protection Agency to jump through additional bureaucratic hoops to use certain information, and making their entire goal

of fulfilling their mission less efficient than if this bill were not the law.

The Environmental Protection Agency already uses a peer-reviewed scientific process. They publish in the Federal Register the reference of the works that they are basing their opinions on, just as the rest of America's scientific community does. This bill undermines the scientific process, is unscientific, and is opposed by so many scientific advocacy organizations, including opposed by the Union of Concerned Scientists who are strongly opposed to this legislation.

Now, on top of the red tape and antiscience aspects of the bill, this would also cost the government \$1 billion of EPA funds; that is according to analysis of a very similar bill last Congress. These are funds that would be diverted away from protecting our health and safety, which is what they are doing now, toward creating more red tape and bureaucracy for the very agency that the American people entrust with the goal of keeping our air and water clean and the American people healthy.

Look, we all know what this bill is. It is a thinly veiled attack on science, part of the antiscience agenda that we are seeing from the Republican Party.

The budget that the President offered earlier this month cuts science funding to the bone. Enormous setbacks in the very research into lifesaving science in the future that would help improve our quality of life and duration of life and help our economy boom are being devastated under the President's budgets.

Scientific research creates billions of dollars of economic impact and innovation in States like mine, Colorado, and every other State. Science helps keep us healthy. It keeps crops alive and productive. It keeps our businesses open and keeps America as a global leader in innovation.

I also want to take a moment to highlight that, while this bill is being heard on the floor today, President Trump is signing an executive order that effectively repeals all of the work that the Environmental Protection Agency and other Federal agencies have done in the last 8 years to protect our planet from the impacts of climate change.

Unfortunately, while we focus on a bill that forces scientists to not use the best science available, the President has signed an executive order that will essentially begin the repeal process of the Clean Power Plan. The Clean Power Plan is a basic requirement for States to bring their emissions down to a sustainable level to protect Americans' health, to reduce the amount of pollution in our air and water, and to reduce the human impact on climate change.

The executive order also, unfortunately, undermines some of the commonsense protections we have with re-

gard to fracking, something that is near and dear to my constituents and people in Colorado, as an area that is impacted by extraction activities.

This repeal, for example, would allow oil and gas companies to hide the chemicals that they use when producing oil and natural gas. Picture that: fracking wells near homes and schools who would no longer have to report what chemicals could potentially be leaking into drinking water or groundwater. How can that possibly further our goal to protect the health and welfare of the American people?

So, at the same time, we have this legislation undermining the scientific process of the Environmental Protection Agency and burying the Environmental Protection Agency under red tape, coordinated the same week with the President's disastrous executive order that will hurt the health of the American people and, ultimately, cost lives.

These are just another step in the undermining of science and the work to improve and protect the health of the people of our country. The Environmental Protection Agency relies on the best science available when developing new standards, and they are fully transparent about posting those scientific studies.

However, because many of the studies that this bill requires would impact legally protected private data, like personal medical records, to reach their findings, the Environmental Protection Agency could even be prohibited from considering that research.

This ridiculous restriction would force the EPA to ignore a lot of relevant information because of the desire of the researchers and the legal imperative of the researchers to protect the private data of the participants, ultimately leading to policies that are ineffective and are not based on sound facts or science.

Mr. Speaker, facts exist. Science and the pursuit of truth is an incredibly important human endeavor, and we can't afford to disregard that quest for truth in the name of a fiction-based reality that we increasingly seem to be headed toward as a nation.

Without sound and strong science, America will fall behind in the world. Americans will—our lifespans will be of lower quality and lower duration, and our economy will be hurt as we cede our leadership role to more forward-looking countries willing to invest in the future.

If this bill had been in place over the last few decades, I am pretty sure that the cloud of smog over Denver, Colorado, would probably still be there. Rivers and lakes across this country would suffer from pollution in a significantly worse way, and that is not the future that the American people want.

If the EPA is prevented from using the best available peer-reviewed research data on air quality, asthma will

be causing more attacks and, yes, even deaths of children across our country.

Let's see this legislation for what it is—an attack on science, a giveaway to corporations who benefit from pollution, who don't like the fact that the EPA is using sound silence, who want to create and live in their own fictional reality, where the externalities of their actions somehow don't matter.

We need the truth. The American people deserve the truth. We deserve the benefit of the outcome of the process of objective science, and this bill undermines that by burying the Environmental Protection Agency under immense red tape, while preventing them from using some of the very peer-reviewed studies that would lead to the very best decisionmaking possible to protect the health of the American people.

Mr. Speaker, I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, you know that I consider the gentleman from Colorado to be a good friend of mine. I find myself, after that presentation, though, wondering if that was a cloud of smog over Denver or if it was another cloud of smoke over Denver in these days.

That is just not true. It is just not true. I will start with what I am proud about because I think we do focus too often on divisions.

Mr. Speaker, you know that we wanted to hold the Obama administration accountable for sound science. And now that there is a Republican in the White House, we want to hold a Republican administration accountable for sound science.

□ 1245

So often in this town, we see one set of rules when you agree with the person in office and another set of rules when you disagree with the person in office. I don't think that is the right way to govern a country. I am proud that we are not falling into that trap. If it is good for the Obama administration, it is good for the Trump administration.

Number two, there is no smoke-filled backroom deal here. Number one, there is no smoke-filled room anywhere on Capitol Hill. Speaker Boehner is gone, and smoking is banned from all of our spaces. This bill went through a full committee hearing, the full committee process. So often, Mr. Speaker, you know at the beginning of a year like this one, we are trying to move legislation to the floor quickly. Some things that we have already had hearings and debate on, like this bill, from last Congress, we bring to the floor outside of regular order, and we skip the committee hearing process. Not so with this bill. It went through the Science, Space, and Technology Committee for a full hearing.

Mr. Speaker, we talk about transparency as if it exists at the EPA. I will remind my friend from Colorado, Mr. Speaker, we have to issue subpoenas from the United States Congress to get the EPA to share its data with us, notwithstanding to get them to share it with the University of Georgia or Georgia Tech or Caltech, or wherever the best scientific minds of the day are. We have to issue subpoenas to get them to share that information. Clearly, transparency is not the norm, it is the exception.

We talk about costs. My friend references \$1 billion in costs from some study, apparently, not a peer-review study. I have not seen the data backing up this study. But the good news is I don't actually need the study. I have the bill itself, Mr. Speaker, and I will turn to the relevant part here. Paragraph 5, clarify that the administrator shall implement this section in a matter that does not exceed \$1 million per year from the amounts otherwise authorized to be appropriated. Now, you don't have to spend the entire million dollars, Mr. Speaker, but in the name of transparency, to make sure that folks have access to the data, we have said it is worth investing resources but not to exceed \$1 million.

Finally, Mr. Speaker, we talk about the burden of red tape. I don't know if you have had to deal with the EPA or the DOT or the DOD or the DOE—insert DO acronym here—red tape is abundant in this Federal Government, and asking the Federal Government to be transparent is the antithesis of red tape. Since when did it become a burden on the institutions of government to be transparent with the American people? Since when, when you are making rules and regulations that affect the lives of every single American, did it become a burden to share the data on which those regulations are based?

I will say to you, Mr. Speaker, we get wrapped around the axle so often here that we end up getting further and further from our goals. Sharing data, getting peer-reviewed comments on that data, and having folks come out in support of the conclusions reached on that data are going to make us stronger as a nation not weaker. If you are proud of your underlying data, you should be proud to share that data. If you are embarrassed of your underlying data, I understand why you might want to keep it a secret.

We have an opportunity not to hide from science but to embrace science, we have an opportunity not to reach political conclusions but scientific conclusions, and we have an opportunity to restore the American people's trust in the institutions of government that are issuing these regulations. This is a small step in the right direction with the HONEST Act, Mr. Speaker, but it is an important step in the right direction. I hope my colleagues will support it.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have some scoring from the Congressional Budget Office, dated March 11, 2015, that I include into the RECORD.

H.R. 1030—SECRET SCIENCE REFORM ACT OF 2015

As ordered reported by the House Committee on Science, Space, and Technology on March 3, 2015

SUMMARY

H.R. 1030 would amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to prohibit the Environmental Protection Agency (EPA) from proposing, finalizing, or disseminating a "covered action" unless all scientific and technical information used to support that action is publicly available in a manner that is sufficient for independent analysis and substantial reproduction of research results. Covered actions would include assessments of risks, exposure, or hazards; documents specifying criteria, guidance, standards, or limitations; and regulations and regulatory impact statements.

Although H.R. 1030 would not require EPA to disseminate any scientific or technical information that it relies on to support covered actions, the bill would not prohibit EPA from doing so. Based on information from EPA, CBO expects that EPA would spend \$250 million annually over the next few years to ensure the transparency of information and data supporting some covered actions.

Enacting H.R. 1030 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. H.R. 1030 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

This legislation would direct EPA to implement H.R. 1030 using up to \$1 million a year from amounts authorized to be appropriated for other activities under current law. Although H.R. 1030 would not authorize additional appropriations to implement the requirements of the bill, CBO estimates that implementing H.R. 1030 would cost about \$250 million a year for the next few years, subject to appropriation of the necessary amounts. Costs in later years would probably decline gradually from that level. The additional discretionary spending would cover the costs of expanding the scope of EPA studies and related activities such as data collection and database construction for all of the information necessary to meet the legislation's requirements.

BASIS OF ESTIMATE

Under current law, EPA typically spends about \$500 million each year to support research and development activities, including assessments to determine the potential risk to public health from environmental contaminants. The number of studies involved in supporting covered actions depends on the complexity of the issue being addressed. For example, when addressing a recent issue with flaring at petroleum refineries, EPA relied on a dozen scientific studies. In contrast, when reviewing the National Ambient Air Quality Standards, the agency relied on thousands of scientific studies. In total, the

agency relies on about 50,000 scientific studies annually to perform its mission—although some of those studies are used more than once from year to year.

The costs of implementing H.R. 1030 are uncertain because it is not clear how EPA would meet the bill's requirements. Depending on their size and scope, the new activities called for by the bill would cost between \$10,000 and \$30,000 for each scientific study used by the agency. If EPA continued to rely on as many scientific studies as it has used in recent years, while increasing the collection and dissemination of all the technical information used in such studies as directed by H.R. 1030, then implementing the bill would cost at least several hundred million dollars a year. However, EPA could instead rely on significantly fewer studies each year in support of its mission, and limit its spending on data collection and database construction activities to a relatively small expansion of existing study-related activity; in that scenario, implementing the bill would be much less costly.

Thus, the costs of implementing H.R. 1030 would ultimately depend on how EPA adapts to the bill's requirements. (It would also depend on the availability of appropriated funds to conduct the additional data collection and database construction activities and related coordination and reporting activities under the legislation.) CBO expects that EPA would modify its practices, at least to some extent, and would base its future work on fewer scientific studies, and especially those studies that have easily accessible or transparent data. Any such modification of EPA practices would also have to take into consideration the concern that the quality of the agency's work could be compromised if that work relies on a significantly smaller collection of scientific studies; we expect that the agency would seek to reduce its reliance on numerous studies without sacrificing the quality of the agency's covered actions related to research and development.

On balance—recognizing the significant uncertainty regarding EPA's potential actions under the bill—CBO expects that the agency would probably cut the number of studies it relies on by about one-half and that the agency would aim to limit the costs of new activities required by the bill, such as data collection, correspondence and coordination with study authors, construction of a database to house necessary information, and public dissemination of such information. As a result, CBO estimates the incremental costs to the agency would be around \$250 million a year initially, subject to appropriation of the necessary amounts. In our assessment that figure lies near the middle of a broad range of possible outcomes under H.R. 1030. CBO expects that the additional costs to implement the legislation would decline over time as EPA became more adept and efficient at working with authors and researchers to ensure that the data used to support studies are provided in a standardized and replicable form.

PAY-AS-YOU-GO CONSIDERATIONS

None.

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

H.R. 1030 contains no intergovernmental or private-sector mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.

ESTIMATE PREPARED BY:

Federal Costs: Susanne S. Mehlman; Impact on State, Local, and Tribal Govern-

ments: Jon Sperl; Impact on the Private Sector: Amy Petz.

ESTIMATE APPROVED BY:

Peter H. Fontaine, Assistant Director for Budget Analysis.

Mr. POLIS. This is based on H.R. 1030 from last session, the Secret Science Reform Act of 2015, effectively the same operating provisions as this new bill. If there are any cost-saving elements in this new bill that weren't in H.R. 1030, I would encourage my colleague from Georgia to let us know because we are voting without scoring or costs on the newest version of this legislation. The previous version of this legislation, as I mentioned earlier, would cost \$250 million annually over the next several years, \$1 billion to implement, and that is the scoring from the nonpartisan Congressional Budget Office whose director was appointed by the Republicans on a substantially similar bill.

Mr. Speaker, we are deeply concerned by reports from our intelligence community regarding Russian interference in last year's election. Even more troubling is FBI Director Comey's sworn testimony that the FBI is now investigating the possibility of collusion between members of President Trump's campaign team and Russia.

Mr. Speaker, the legitimacy of our electoral system is at stake; and, frankly, it is time that we rise above partisanship and that we get our job done and get to the bottom of this.

Unfortunately, recent actions by the House Intelligence Committee chairman have left many Members of both sides of the aisle convinced and the American public convinced that the committee is unable to conduct an impartial investigation of this critical matter of national security.

Mr. Speaker, if we defeat the previous question, I will offer up an amendment to the rule to bring up Representative SWALWELL's and Representative CUMMINGS' bill which would create a bipartisan commission to investigate Russian interference in the 2016 election.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. SWALWELL), a member of the Intelligence Committee, to discuss our proposal.

Mr. SWALWELL of California. Mr. Speaker, I thank the gentleman from Colorado for yielding me this time.

Mr. Speaker, Russia attacked our democracy this past election. I urge my colleagues to defeat the previous question and for all of us to get to the busi-

ness of forming an independent commission to find out how we were attacked, who was responsible, whether any U.S. persons were involved, and, most importantly, promise the American people we will do everything we can to make sure we never find ourselves in a mess like this again.

Congressman CUMMINGS and I introduced H.R. 356, the Protecting Our Democracy Act, because we always believed that the only way to have a comprehensive understanding of what happened and who was responsible and to make recommendations was through an independent commission. However, it also now is an insurance policy against compromised investigations that we believe are coming from this House as well as the administration.

There is no question that, this last election, Russia meddled in our election. It is not disputed that that order came from Vladimir Putin. There is no dispute, among our intelligence agencies, that he had a strong preference for Donald Trump, and the most terrifying finding that our intelligence agencies made was that Russia is sharpening their knives and undertaking a lessons-learned campaign because they will go at us and our allies again.

Unfortunately, we have seen that those charged with getting to the bottom of what has happened have been compromised. The American people are counting on us to defend this great democracy, a democracy that so many men and women in our armed services have fought for and sacrificed for and who are fighting for and sacrificing for today.

Unfortunately, the Attorney General, twice when asked under oath as to whether he had any prior contacts with Russia, said that he had not. We later learned that, indeed, during the Republican Convention and afterwards, he had met with Russia's Ambassador. He is now recused from any investigation into Russia. That is the executive branch.

Unfortunately, our investigation in the House has also been compromised. I have long enjoyed working with Chairman NUNES. I think he is a good man who has led our committee over the last few years to bipartisan results that have made us safer. For the last few weeks, Republicans and Democrats on the House Intelligence Committee have gone down an investigative road together. We had a very productive open hearing last week where we were able to connect the dots of Donald Trump's, his family's, his campaign's, and his business' personal, political, and financial ties to Russia that were converging with a Russian interference campaign. Those dots were validated by the FBI Director confirming that, indeed, President Trump's campaign was under counterintelligence and criminal investigations.

Unfortunately, the chairman, in the last week, exited this bipartisan investigative road to work with the White House; going to the White House to receive classified information before sharing it with any members on the committee, Democratic and Republican; and going again to the White House the next day to share that information with the President.

The actions of the Attorney General and the actions of the leaders in this House who are supposed to be undertaking this campaign demand that we take this outside of politics and that we take this outside of Congress. The only way to do that is to have an independent commission that can depoliticize this, that can declassify the facts to the extent possible, and that can debunk the myths that our President has put forward about what happened with Russia.

Mr. Speaker, I was a 20-year-old intern in Washington, D.C., when we were attacked on September 11. I will never forget watching Republicans and Democrats stand on the House steps, arm in arm, singing "God Bless America." But what was more moving than that moment of symbolism was the unity that Republicans and Democrats showed when they came together to make important reforms to ensure that never again would we be attacked from the skies, when they made many reforms that were put in place by an independent commission that was parallel to investigations that were being done in Congress.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. Mr. Speaker, I yield an additional 1 minute to the gentleman from California.

Mr. SWALWELL of California. Mr. Speaker, there is still time for Republicans and Democrats in this House to unite. There is still time for us to uphold that solemn duty to ensure that we always put our public safety and our sacred democracy first. The best way to do that is to bring before this House for consideration the Protect Our Democracy Act. This country is still worth defending.

Mr. WOODALL. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I do thank my friend from Georgia (Mr. WOODALL) for his able presentation on this very good bill and our colleague, Mr. SMITH.

I am sorry to change the subject back to something that is relevant, material, and germane. By the way, I am also looking forward to the investigation into Russia and the sale of such a huge percentage of our uranium by Hillary Clinton's State Department. They approved it. But we will get into that later.

Right now we are talking about a fantastic bill because the EPA is very

close to being omniscient, omnipotent, and ubiquitous—they are everywhere all the time. We have had a hard time in the last 20, 30 years as it got more and more heavenly in getting information on why they were making the decisions they were. As the EPA has continued to crush jobs, like in Texas if there were no EPA, we have agencies that have continued to make our water and air cleaner and cleaner every year, and, despite the EPA's constant interference, they are doing a great job.

But one of the things that we have wanted, as my friend, Mr. WOODALL, was pointing out for years, is whether it is a Democrat in the White House or a Republican, we just wanted some openness. We wanted to know what these seemingly arbitrary rules were based upon. So the purpose of this rule coming from Chairman SMITH is let's go ahead and require the EPA to do what anybody would have to do in one of our courtrooms, you got to show why there is a reason to take action.

But since the EPA has been at this level where they were basically unquestionable for so long and could make arbitrary and capricious decisions which could not be challenged effectively, this may be a very helpful start to stopping the EPA from being so heavenly they are not earthly good.

So I think it is a fantastic bill. It is something I hope will be a bipartisan vote as we require the EPA to just show the basis of what you are doing, and then we can know whether this American god, this EPA, actually has feet of clay or is back in the real world or is actually killing jobs unnecessarily.

□ 1300

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the EPA protecting our quality of life, our air, and our water has nothing to do with Heaven or God. It is based on science. Individual Americans like Mr. GOHMERT and myself have our own faith traditions. I don't think there is anybody in the country whose faith tradition is to worship the EPA.

We have created the EPA for a purpose: to protect the health of the American people and protect our air and water. There are people alive today and people who are healthier today because of the work of the EPA. The converse of that, without the Environmental Protection Agency, some of us wouldn't even be here and others of us would be sickly.

It really doesn't make any sense to talk about people worshipping the EPA. We respect the scientific work of the EPA, and maybe this confusion between faith and science is what is leading to the undermining of the scientific aspects that the EPA reaches their conclusions on.

Mr. Speaker, I include in the RECORD a letter that shows the strong opposi-

tion from those who advocate for our health against this bill. Alliance of Nurses, American Lung Association, American Public Health Association, National Medical Association, Asthma and Allergy Foundation of America, and others have all signed a letter in opposition to this bill because this bill threatens the health of the American people.

MARCH 27, 2017.

DEAR REPRESENTATIVE: The undersigned health and medical organizations are writing to express our opposition to the EPA Science Advisory Board Reform Act of 2017 and the Honest and Open New EPA Science Treatment Act of 2017. Our organizations are dedicated to saving lives and improving public health.

Science is the bedrock of sound medical and public health decision-making. The best science undergirds everything our organizations do to improve health. Under the Clean Air Act, EPA has long implemented a transparent and open process for seeking advice from the medical and scientific community on standards and measures to meet those standards. Both of these bills would restrict the input of scientific experts in the review of complex issues and add undue industry influence into EPA's decision-making process.

As written, the EPA Science Advisory Board Reform Act would make unneeded and unproductive changes that would:

Restrict the ability of scientists to speak on issues that include their own expertise;

Block scientists who receive any EPA grants from serving on the EPA Scientific Advisory Board, despite their having the expertise and conducted relevant research that earned them these highly competitive grants;

Prevent the EPA Scientific Advisory Board from making policy recommendations, even though EPA administrators have regularly sought their advice in the past;

Add a notice and comment component to all parts of the EPA Scientific Advisory Board actions, a burdensome and unnecessary requirement since their reviews of major issues already include public notice and comment; and

Reallocate membership requirements to increase the influence of industry representatives on the scientific advisory panels.

In short, EPA Science Advisory Board Reform Act would limit the voice of scientists, restrict the ability of the Board to respond to important questions, and increase the influence of industry in shaping EPA policy. This is not in the best interest of the American public.

We also have concerns with the HONEST Act. This legislation would limit the kinds of scientific data EPA can use as it develops policy to protect the American public from environmental exposures and permit violation of patient confidentiality. If enacted, the legislation would:

Allow the EPA administrator to release confidential patient information to third parties, including industry;

Bolster industry's flawed arguments to discredit research that documents the adverse health effects of environmental pollution; and

Impose new standards for the publication and distribution of scientific research that go beyond the robust, existing requirements of many scientific journals.

Science, developed by the respected men and women scientists at colleges and universities across the United States, has always

been the foundation of the nation's environmental policy. EPA's science-based decision-making process has saved lives and led to dramatic improvements in the quality of the air we breathe, the water we drink and the earth we share. All Americans have benefited from the research-based scientific advice that scientists have provided to EPA.

Congress should adopt policy that fortifies our scientists, not bills that undermine the scientific integrity of EPA's decision-making or give polluters a disproportionate voice in EPA's policy-setting process.

We strongly urge you to oppose these bills.

Sincerely,

KATIE HUFFLING, RN, CNM,
*Director, Alliance of
Nurses for Healthy
Environments.*

HAROLD P. WIMMER,
*National President
and CEO, American
Lung Association.*

GEORGES C. BENJAMIN, MD,
*Executive Director,
American Public
Health Association.*

STEPHEN C. CRANE, Ph.D.,
MPH,
*Executive Director,
American Thoracic
Society.*

CARY SENNETT, MD, Ph.D.,
FACP,
*President & CEO,
Asthma and Allergy
Foundation of Amer-
ica.*

PAUL BOGART,
*Executive Director,
Health Care Without
Harm.*

RICHARD ALLEN WILLIAMS,
MD,
*117th President, Na-
tional Medical Asso-
ciation.*

JEFF CARTER, JD,
*Executive Director,
Physicians for Social
Responsibility.*

Mr. POLIS. Last Congress, we considered a bill called the Secret Science Act, which was nearly identical to this bill. That was a bill that I submitted was at a cost of billion dollars. If the gentleman from Georgia has any evidence that this bill will cost less, I encourage him to bring it forward.

This bill, frankly, would force the EPA to be dishonest, to not use the best available science, and threaten the privacy of the American people.

Our goal should be to help the agencies that we charge with protecting our health to use the best possible science to do the best possible job that they can. We should not be throwing up roadblocks and red tape and bureaucratic mazes that hurt the quality of work and the science that we base our protections on.

We need to protect American lives from things like dirty air, dirty water, and pollution. We should protect the privacy of all Americans, but this bill doesn't protect the privacy of Americans. It undermines the goal of the Environmental Protection Agency.

My colleague, Mr. SWALWELL, brought forward a very important mo-

tion. When we defeat the previous question, we have a motion to create a bipartisan commission to investigate Russian interference in the 2016 election.

That is what I hear about from my constituents. I haven't heard from any constituents that say: We want our personal data to be revealed by the Environmental Protection Agency or we want to stop them from citing scientific papers.

That is simply not on the minds of the American people.

What is on the minds of the American people is that we need a full accounting for the Russian interference in the 2016 election, which is why we have a bill to create a bipartisan commission to investigate that Russian interference in a manner that has credibility with the American people, that can end this increasingly bizarre spy novel that seems to be unfolding in this city that we are meeting in now, and replace it with investigations and facts and a full accounting for the American people as to what happened and who was involved.

Mr. Speaker, I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to inquire if the gentleman from Georgia has any information as to why the new bill would cost any different amount than the prior version of the bill from the last Congress that was scored?

Mr. WOODALL. Will the gentleman yield?

Mr. POLIS. I yield to the gentleman from Georgia.

Mr. WOODALL. I would say to the gentleman, as he may know, the language is different in this section.

When the CBO scored the bill last year, they presumed that the EPA would have the obligation of compiling all the data and making it all public themselves. In this bill, it presumes the EPA will only make use of publicly available data. I would refer the gentleman to the committee report.

Mr. POLIS. Reclaiming my time, what the bill essentially does is two things in this regard. One, it will foist an unfunded mandate onto those who are conducting the research to go through the effort themselves of releasing the data. But more perniciously, it will prevent data and scientific studies that there are legal protections from even being looked at by the Environmental Protection Agency. They won't even be able to consider that data.

I think it is important that we get back to the topics that the American people care about. I hope that we can move forward with Representatives SWALWELL's and CUMMINGS' bill to create a bipartisan commission to inves-

tigate the Russian influence in the 2016 election rather than attack and undermine science, attack and undermine privacy, and attack and undermine the American people.

This bill undermines our privacy protections and opens the door for more Americans to get sick and hurt by pollution in our air and water. I hope that we can stand up against that.

Mr. Speaker, I ask Members to vote "no" on this bill and vote "no" on this rule.

Mr. Speaker, I yield back the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I often wonder what it is like to be in your position there, a distinguished career as a judge, and you come down here to talk about the EPA and whether or not the rules and regulations should be based on sound science or not, and you end up with a discussion over the Russians. There is no objection that can be lodged here for going outside of the scope of the bill.

I can always tell, when I come down for Rules Committee debate, whether or not we are really talking about something that divides us or whether we are just talking. If we are talking about something that divides us, we spend every moment of the hours that we have debating the nitty-gritty of the issue before us—talking about how quickly should that data be disclosed; how many folks should have access to it. Are there going to be episodes where the data needs to be kept super secret and folks can't be trusted with it? What should we do about new and emerging business practices, propriety technologies? How do we deal with those questions?

I enjoy those rules, Mr. Speaker, because we are doing exactly what we came here to do, and that is to delve into the details and get it right for the American people.

What I am led to believe on a day like today is that we are pretty close to getting it right for the American people because we are not talking about the nitty-gritty of the legislation. We are talking about the Clean Power Plan that the past administration put forward. We are not talking about the details of the legislation; we are talking about the Russians today. I think that is because there aren't many things much more common sense than sharing with the American people that data on which the laws of the land are made.

Mr. Speaker, there is no doubt that the EPA is involved in a complicated line of work, a critically important line of work.

I can't find a single constituent in the great State of Georgia that doesn't believe in clean water and clean air. I can find a whole lot of them who think that they believe more in clean water

and clean air than does any institution in Washington, D.C. I promise you, no one cares more about the Chattahoochee River National Recreation Area than those of us who live along the Chattahoochee River National Recreation Area.

Nobody cares more about protecting the Earth in the great State of Georgia than those farmers who are creating the largest export we have in the great State of Georgia, which are our agriculture products.

We are in this together, which is why, when this bill came before the House last Congress, it passed with a bipartisan vote. These are common-sense ideas that bring us together more than they divide us.

Mr. Speaker, I think the real surprise is that folks believe the EPA to be transparent, and learn that it is not. Folks would not believe that this Congress has to subpoena information in order to get its hands on it.

What this bill would say is not only should Congress be able to access the information, but any reputable scientist should be able to access the information.

What my friend says about privacy concerns, they are a shared concern in this institution. There is absolutely nothing in this underlying legislation that threatens those privacy concerns. In fact, it requires that all private information be redacted before the information be utilized.

Concerns over cost, again, are absolutely important, but I will read from the committee report: "This bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures."

That it is a pretty simple bill and a pretty simple rule. It asks that we lift the curtain of secrecy around the regulations that protect our health and safety. It asks that we make health and safety issues not things that divide us around process, but things that unite us around results.

Candidly, I came to this institution to achieve those results, Mr. Speaker, and I am proud to be carrying this rule to the floor today. I encourage all of my colleagues to please support this bill, and with its passage we can get to the underlying legislation, end the shroud of secrecy, and restore public confidence in the laws that protect all of our health and safety.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 229 OFFERED BY
MR. POLIS

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 356) to establish the National Commission on Foreign Inter-

ference in the 2016 Election. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 356.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated,

control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WOODALL. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION OF S.J. RES. 34, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 230 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 230

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the joint resolution (S.J. Res. 34) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Protecting the Privacy of Customers of Broadband and Other Telecommunications Services". All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce; and (2) one motion to commit.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. BURGESS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. Mr. Speaker, House Resolution 230 provides for a rule to consider a Congressional Review Act resolution which will undo a duplicative regulation put into place by the previous administration in the final hours of that Presidency.

The rule brings before the House this resolution so that Congress may remove through the proper legislative process rules promulgated by bureaucrats who remain unaccountable to the American people. This process allows those who are accountable—the elected Representatives in Congress—to fight for our constituents' rights and liberties.

House Resolution 230 provides for a closed rule for the Congressional Review Act resolution, S.J. Res. 34, the standard procedure for such resolutions, since the sole purpose of the resolution is to remove a regulation from the Federal Register.

□ 1315

The rule allows for 1 hour of debate, equally divided between the chair and ranking member of the Committee on Energy and Commerce. Further, the minority is afforded the customary motion to commit.

The Federal Communications Commission issued its Open Internet Order, reclassifying broadband providers as common carriers, which brought them under the jurisdiction of the Federal Communications Commission. The Federal Trade Commission is the primary regulator of companies' privacy and data security practices; however, the Federal Trade Commission's regulatory authority under section 5 of the Federal Trade Commission Act does not extend to common carriers. Therefore, the reclassification of broadband internet service providers as common carriers created a legal enforcement gap.

The Federal Communications Commission determined that the privacy provisions of the Communications Act would now apply to broadband internet service providers and that new and expanded privacy rules were necessary.

Therefore, the Federal Communications Commission promulgated new privacy rules for common carriers on October 27, 2016. These rules were adopted a mere 10 days before the 2016 Presidential election. They were adopted on a party-line vote and over serious objections by the minority Commission members and the internet service providers. The Federal Communications Commission's rules are a departure from the privacy protections that have been applied by the Federal Trade Commission for years.

The Federal Trade Commission employs an opt-out model that requires companies to provide consumers notice of the data that is collected and how it will be used. Consumers are then given the option to opt out of this data collection if they so choose. Instead of implementing well-established collection practices that are accepted industry-wide, the Federal Communications Commission chose to promulgate an opt-in model for its new internet service providers. This model prohibits broadband internet service providers from using, disclosing, or providing access to customer proprietary information without the customer's affirmative opt-in consent. Such data includes browsing history, application usage, and location data, among other types of information.

While this may sound like a good thing to opt in to, in reality, it unfairly skews the market in favor of providers that already have access to consumer information. For example, search engines, social media sites, and internet content providers like Netflix, Google, Facebook, Amazon, and Apple, these providers, known as edge providers, are free to collect consumer data that broadband internet service providers, under the jurisdiction of the Federal Communications Commission, are not. The ability to provide consumer data drives the digital advertising market.

The Federal Communications Commission's privacy rules arbitrarily treat internet service providers differently from the rest of the internet, amounting to government intervention in the free market. The Federal Communications Commission stated that the rules would provide more transparency, the rules would provide more choice, the rules would provide more protection; however, these expanded provisions may also result in more frequent breach notifications, leading to a weaker focus on security by consumers who do suffer from notification fatigue.

While the Federal Communications Commission's privacy rules were meant to protect consumers, they actually can inhibit security and market competition while creating confusion by subjecting parts of the internet ecosystem to different rules and different jurisdictions. To correct this policy, on March 23, 2017, the Senate passed S.J.

Res. 34, a Congressional Review Act resolution of disapproval to nullify the privacy rulemaking promulgated by the Federal Communications Commission.

Prior to the reclassification of broadband internet service providers as common carriers under the jurisdiction of the Federal Communications Commission, the Federal Trade Commission regulated companies' privacy practices while preserving the Federal Communications Commission's authority to enforce privacy obligations of broadband service providers on a case-by-case basis.

This Congressional Review Act will restore the status quo that existed prior to the Federal Communications Commission's Open Internet Order and bring the privacy practices of all parts of the internet back into balance. Not only will this level the playing field for an increasingly anticompetitive market, but it will ensure parity in the protection of consumer data.

The new Chairman of the Federal Communications Commission, Ajit Pai, has called to halt the Federal Communications Commission's privacy rules. He stated: "All actors in the online space should be subject to the same rules. . . . The Federal Government shouldn't favor one set of companies over another." This is precisely the type of limited government that we should be striving for after years of overreaching by the previous administration and its regulations. The Congressional Review Act protects consumers, and it restores the free market competitiveness that actually allows our economy to thrive.

The Congressional Review Act is an important tool in maintaining accountability at the Federal level. Its necessity has never been more apparent than over the past 2 months, where this Congress has needed to step in and remove burdensome, unbalanced regulations put in place by the prior administration and their team just as they were walking out the door.

House Republicans today will stand up for the rights of our constituents against the out-of-control Federal bureaucracy. I urge my colleagues to support today's rule and the underlying Congressional Review Act resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, up until now, every President since Gerald Ford has disclosed their tax return information. These returns provide a basic level of transparency that helps ensure the public's interest is placed first. The American people deserve the same level of disclosure from this administration. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up Representative ESHOO's bill that would require Presidents and major party nominees for the Presidency to release their tax returns.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, I yield 7 minutes to the gentlewoman from California (Ms. ESHOO) to discuss this proposal and also the important aspects of the underlying bill that need to be responded to.

Ms. ESHOO. Mr. Speaker, I thank my friend and colleague from Colorado for his leadership and for yielding time to me.

First of all, I would like to respond to the gentleman's presentation about the underlying bill.

Make no mistake about it, what the underlying bill does today is it wipes out—it totally wipes out—privacy protections for consumers on the internet. That is what it does. There are not duplicative regulations. I know that it was stated on the floor that there are duplicative regulations.

There are two agencies—the Federal Communications Commission and the Federal Trade Commission—however, it is only the FCC, the Federal Communications Commission, that can actually protect consumers by enforcing the protections. The FTC does not have that authority.

What happens today if these privacy protections are ripped away from the American people? Well, all the information that you give to your internet service provider, whether it is Comcast, whether it is cable providers, Charter, AT&T, the one that you pay a pretty big bill to, they can take all of the information that they have—my account, your account, your account, your account—and use that information to sell it to the highest bidder to make money off of it.

Now, there is an additional charge in this thing, alleged charge, and that is, well, what about Google and Netflix and Facebook? What about them? Why aren't they subject to what the FCC did? Well, they are edge providers. They are edge providers.

You don't have to go to Google. You don't have to go to Facebook. You don't have to go to Netflix in order to get your internet service. That is why the FCC did not apply these rules to them. Maybe there should be a debate about them. But to equalize and say that Google and Facebook are equal to your internet service provider suggests to me that some people just don't know what they are talking about.

This is a subject that the American people feel very, very deeply about. In fact, I think it is in the DNA of every American: "I want my privacy, and it should be protected." We all feel that way.

What is being done today is a ripping away. It is like taking a bandage, just stripping it away. Who do you go to? Who do you go to complain to? No one. No one. Because there isn't anything left to enforce.

I think it is a sad day if the underlying bill passes. I think it is shocking that my Republican colleagues, either out of a lack of understanding of how the internet works, how their constituents—all of our constituents benefit from these protections of our privacy, and our information is private. I don't want anyone to take my information and sell it to someone and make a ton of money off of it just because they can get their mitts on it. That is why the privacy protections were adopted.

May I ask how much time is remaining?

The SPEAKER pro tempore. The gentlewoman has 3 minutes remaining.

Mr. POLIS. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from California.

The SPEAKER pro tempore. The gentlewoman has 4 minutes remaining.

Ms. ESHOO. Mr. Speaker, I will close that one off and go to the other reason that I am on the floor today. I thank the gentleman again for yielding me the time.

I rise in opposition to the rule and, obviously, the underlying resolution; and I urge my colleagues to defeat the previous question so that my bipartisan bill, the Presidential Tax Transparency Act, can be made in order for immediate floor debate and a vote.

Mr. Speaker, my legislation would require the President and all future Presidents and Presidential nominees to publicly disclose their tax returns. It is a very simple bill.

This is the third time this year that I have offered this bill as the previous question motion, and for the last several weeks, Members—including Mr. POLIS, Mr. PASCRELL, Mr. CROWLEY, Ms. LOFGREN, and myself—have offered privileged resolutions directing the House to request the President's tax returns. Nearly every day we give the majority the opportunity to demonstrate leadership on this issue, and nearly every day they continue to help the President hide his tax returns from the public.

Now, every President of both parties, since Gerald Ford, has voluntarily made their tax returns public. The President has 564 financial positions in companies located in the United States and around the world, according to the Federal Election Commission, making him more susceptible to conflicts of interest than any President in our history. Without disclosure of his tax returns, the American people are prevented from knowing where his income comes from, whether he is dealing with foreign powers, what he owes and to whom, and how he may directly benefit from the policies he proposes.

There are daily revelations about previously undisclosed meetings between the President's staff and Russian officials, as well as a steady flow of troubling information about The Trump Organization's ties to state-connected businesses and individuals in Turkey, Azerbaijan, China, and other countries. Last week, The New York Times reported that The Trump Organization is finalizing an agreement to build a hotel in partnership with a firm that has "deep Turkish roots" and business ties in Russia, Kazakhstan, and two dozen other countries.

Without the disclosure of the President's tax returns, there is no way for the American people to know the full extent of his foreign entanglements and possible conflicts of interest on this or other deals that his family business is engaged in.

□ 1330

I think the House is failing, Mr. Speaker, to exercise our constitutional obligation to conduct effective oversight and operate as a check on the executive branch. We can change that today by taking up and passing this bipartisan bill, which will ensure that the President, and all future Presidents, will be held to a baseline level of disclosure. That is why I urge my colleagues to defeat the previous question, so we can hold an immediate vote on the Presidential Tax Transparency Act.

Mr. BURGESS. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, to bring us back to the business at hand, which is the rule allowing the vote on the Congressional Review Act later today, I want to quote now from the web page of the Federal Trade Commission, under the title of Protecting Consumer Privacy. Reading from their website:

The Federal Trade Commission has been the chief Federal agency on privacy policy and enforcement since the 1970s when it began enforcing one of the first Federal privacy laws—the Fair Credit Reporting Act. Since then, rapid changes in technology have raised new privacy challenges, but the Federal Trade Commission's overall approach has been consistent. The agency uses law enforcement, policy initiatives, and consumer and business education to protect consumers' personal information and ensure that they have the confidence to take advantage of the many benefits of an ever-changing marketplace.

This is from the ftc.gov website.

Mr. Speaker, I include in the RECORD the web page of the Federal Trade Commission.

FEDERAL TRADE COMMISSION PROTECTING CONSUMER PRIVACY

The FTC has been the chief federal agency on privacy policy and enforcement since the 1970s, when it began enforcing one of the first federal privacy laws—the Fair Credit Reporting Act. Since then, rapid changes in technology have raised new privacy challenges, but the FTC's overall approach has been consistent: The agency uses law enforcement, policy initiatives, and consumer

and business education to protect consumers' personal information and ensure that they have the confidence to take advantage of the many benefits of the ever-changing marketplace.

FTC's Privacy Report: Balancing Privacy and Innovation;

The Do Not Track Option: Giving Consumers a Choice;

Making Sure Companies Keep Their Privacy Promises to Consumers;

Protecting Consumers' Financial Privacy; The Children's Online Privacy Protection Act (COPPA): What Parents Should Know.

Mr. BURGESS. Mr. Speaker, I thank the men and women of the Federal Trade Commission for all the work they have done over the years in protecting our privacy.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to the rule and the resolution.

This resolution undermines fundamental privacy for every internet user. You hear my colleague on the other side trying to conflate different things. When your broadband provider can sell your information, and there is no rule prohibiting them from doing so—effectively that includes all of your browsing history, data entered in forms, everything that you have done on the internet that has absolutely nothing to do with a relationship with a particular content provider or e-commerce company; you can enter information, obviously, for the express purpose of them optimizing your experience or selling you a product—they are then the owners of that information, and you have choice in the marketplace. Whereas, with our broadband providers, most of us don't have a choice. You either sign up for the local cable company or you don't.

Before I discuss the many disastrous facets of this resolution, I also want to point out that this is yet another closed rule. There have been absolutely no open rules that allow Democrats and Republicans to bring forward amendments. No amendments are allowed under this rule here on the floor of the House of Representatives. Sadly, that has become the norm.

The FCC recently took steps to re-evaluate their rule. Commissioner Pai even paused their implementation to examine the FCC doing their job.

Now, why would Congress step in and use the CRA authority, a very cumbersome authority, that also prohibits future implementation of similar rules?

In many ways, it hamstringing the agency.

What we are worried about is that, if this bill were to become law, it would essentially be impossible for the FCC to act to protect the privacy of Americans who use broadband ever again. So it is not a matter of a nuance under this rule. If we go through the process

of passing a CRA, the FCC wouldn't be able to pass any rule—or if they did, it would be under a legal cloud—to protect the privacy of the American people. That is the danger: that CRAs are effectively permanent.

The second aspect is that the FCC has already established a notice and comment period that allows for comment on the new rules. By going around that, we would avoid government transparency.

So here is what is at stake. On October 27, 2016, after a 6-month rule-making process that was open to public comment and received comments, the FCC developed a commonsense rule to protect our privacy. The rule that we are talking about undoing basically does three things, which are great.

It requires broadband internet access service providers to obtain opt-in consent before using or sharing sensitive information. Sounds obvious that we would want that. We wouldn't want information that doesn't have an opt-in consent to be sold or used. That includes things like web browsing history or data that is entered on forms.

It would also require broadband providers to use reasonable measures to protect the cybersecurity of our data. Again, of course.

Third, it requires that broadband providers notify consumers in the event of a breach of information. Again, just like we have with credit card companies, we want some kind of affirmative information that is given to consumers that your information may be breached if there is a cybersecurity threat that might do that.

This bill undoes all those things. It says that you don't have to notify people if there is a breach, you don't need to have reasonable measures to protect cybersecurity, and, most importantly, with regard to privacy, it will no longer require opt-in consent before using, sharing, or selling your most intimate personal data that you use on the internet.

Now, look at the implications of this rollback. It is not just a collection of internet data usage, but bulk collection of all of your network traffic. A broadband provider could collect every search, every website visited, every email written and received, every piece of data entered, every article read, see how often you log in and how you use various accounts for all members of your family, including minors, and even your location, sell that information, and use that information without restriction and without opt-in.

Think about what someone can conclude about this information—your political affiliation, preferences, your health.

What could they do with it?

They could charge pricing of goods and services discriminating against you based on your income or your past purchasing behavior. Your sensitive fi-

nancial information could be used to steer you to higher costs and worse financial products. This rule would literally change how broadband providers have access to your entire personal life. It would make the broadband providers the most valuable part of the internet value chain.

Now, we all want broadband providers to have compensation for the infrastructure costs and a reasonable profit. There is no doubt about that. Those of us who advocate for net neutrality, as I do, or those who advocate for privacy, we want them to have a reasonable return on investment so that we can all have access to broadband. And we have that largely through user fees and subscription fees.

Have you seen your cable bill, Mr. Speaker?

I have seen my cable bill. It ain't cheap anymore. But many families pay for it because it is the best way to have fast access to the internet.

And guess what?

The cable companies are able to justify broadband in many areas.

Again, maybe there are some tweaks, and it would be great if there is a way we could have greater value for rural broadband and have them have an ROI. We would love that. But the answer is not to turn over the keys to the internet and all your personal data to cable companies and say: You own it all. You are more powerful than Amazon, more powerful than Google, more powerful than every consumer site because you own everything that is entered into every one of those and more, and you can sell it and use it as you see fit without restriction, without even requiring that users opt in.

The value conveyance from the content side to the infrastructure side of this bill would be game-changing and game-destroying for the free and open internet. It simply makes no sense.

Look, consumers should have the right to choose with who and how they share their personal information. When it comes to a broadband provider, we simply don't have that choice that you do with consumer websites like Facebook or Google, which are governed under a separate set of laws.

Proponents of this bill are arguing that, because there is not adequate protection somehow in social media and the edge providers here, somehow the standard should be lower for broadband internet services. It makes no sense. In today's day and age, not having internet access is simply not an option for many Americans. To say you can choose not to have broadband, maybe in some places you can pay more for satellite and you might have some reasonably fast download but not upload that may be spotty, maybe you want to use dial-in over your phone. But for most of us—I use broadband. Most of us use broadband through our cable because it is the most cost-effective way to have high-speed internet

access, and that is the case for most American families.

So this is not the time to get rid of privacy rules and convey the vast ecosystem that is the internet away from the content and dynamism that exists there to the broadband side. That is absurd.

People can choose not to use social media accounts, can choose what they share, and can choose who to enter contracts with with regard to searches or purchases. Social media is an optional platform that you can choose between many providers, but the broadband access side frequently looks and acts more like a monopoly.

Supporters of this bill also mention how this somehow levels the playing field for broadband providers. What it does is it tilts the playing field entirely in their favor. Internet service providers are a gateway to the internet. They do not own the internet.

The second protection the rule offers is to require reasonable measures be taken to protect the data that they want to collect. Again, we all value cybersecurity and protection of this data. Given the countless incidents of cyber hacking incidents, how can we entertain the idea of rolling back a rule that requires reasonable measures to protect consumer data? What are proponents advocating for? No measures to protect consumer data?

The third important protection under this rule is the consumers whose data has been breached should be notified. Again, that is important. I had my credit card stolen a few years ago and got notified that it was. I used it at another location where it might have been compromised and I received notification. This eliminates that notification from users of broadband. It would do away with that.

I would like to know, as would consumers, if my credit card information was hacked. I want to know if my personal profile or medical records or emails were hacked. If someone is able to attain my children's names, our home address, information about the schools they attend, or the homework they do, I would want to know.

Now, look, this bill moves entirely the wrong direction. It basically seizes the value of the internet from content, from e-commerce, from all of the important dynamism that occurs there and tries to apply that to the broadband side rather than simply find a reasonable way for broadband providers to see a return on investment.

Mr. Speaker, I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, just to put some things in context, I wanted to share some information from a blog called redstate.com, posted by Seton Motley, on March 27, 2017, talking about the difference between the size and scope of

edge providers versus the ISPs, the internet service providers. The parent company of one of the largest edge providers is valued at over \$500 billion. He points out in his blog post, by way of comparison, the nation of Singapore's gross domestic product, the entire output for every man, woman, and child in a very productive country is \$508 billion. Basically, the same. So the edge provider stands on equal financial footing of the world's 40th richest country.

By way of contrast, the Nation's largest internet service provider has a net worth of \$148 billion. So the edge provider is more than three and a half times larger than the Nation's largest ISP.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BURGESS. Mr. Speaker, I yield myself an additional 30 seconds.

I think we can begin to see the scope of the problem and why unbalancing this playing field is inherently a bad idea.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, the evaluation is as it should be. Again, when infrastructure is laid, we want a reasonable ROI. It is like utility infrastructure or water infrastructure. I would never expect that the world's most valuable companies would be the pipes in the people's homes. The magic of the internet is the content. That is what drives the desire for broadband access. And, of course, there are other ways that people can access the internet, but broadband and cable have a technical advantage on price and speed.

Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. CAPUANO).

Mr. CAPUANO. Mr. Speaker, I thank the gentleman for yielding.

I have a simple question: What the heck are you thinking? What is in your mind? Why would you want to give out any of your personal information to a faceless corporation for the sole purchase of them selling it?

Give me one good reason why Comcast should know what my mother's medical problems are. Do you know how they would know? Because when I went to the doctor with her and they told me what it was, I had no clue what they were talking about, so I came home and I searched it on the net, and I searched the drugs that she was taking. The same with my children.

Just last week, I bought underwear on the internet. Why should you know what size I take, or the color, or any of that information?

□ 1345

These companies are not going broke. That is not the situation. The internet is not in jeopardy. This is plain and simple, and I don't get this.

When I was growing up, I thought one of the tenets of the Republican Party

that I admired the most was privacy. It is mine, not yours, not the government's—mine. You can't have it unless I give it to you.

My phone number, my Social Security number, my credit card number, my passwords—everything is mine. Yet you just want to give it away. You make one good argument: let's level the playing field. You are right. I agree with you. But you don't level the playing field by getting rid of the playing field. You level it by raising it on those who are not subject to this rule.

Please give me one—not two—one good reason why all of these people here, why all of these people watching would want Comcast or Verizon to have information unless they give it to them. We are talking medical information. We are talking passwords. We are talking financial information. We are talking college applications. There is nothing in today's society that every one of us doesn't do every day on the internet, yet Comcast is going to get it—not because I said it is okay.

And what are you going to do with it? Kind of look at it and say: oh, yeah, hey, Mike takes a size 38 underwear. That is great. They are going to sell it to the underwear companies. Hey, he bought this kind of underwear. He likes this color. Let's give him ads. By the way, most of those ads are useless, because I already bought the underwear. I don't need any more.

But it is none of their information. It is none of their business. Go out in the street, please, leave Capitol Hill for 5 minutes. Go anywhere you want, find three people on the street who think it is okay, and you can explain to them ROIs, the company has to make progress, and we have to make money.

You will lose that argument every single time, as you should. And I guarantee you, you won't find anybody in your district who wants this bill passed.

Mr. BURGESS. Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, I do quite agree with what Mr. CAPUANO just shared, but I will say this: for anybody listening to this broadcast today, this is a classic fight of the big money against the many. The big money, they say that they want even more money, so they want to be able to dig into your private information so that they can figure out when you get up, when you go to bed, what you looked up, and then write ads just so they could try to sell you more stuff.

And as disgusting as that is, you can see easily how that is not the end of it. What if you have somebody who has something really sensitive that they just want a little bit more information about, that is not of a nature where it is saleable, but it is just their business?

Well, somebody else is going to know now. And they may well be able to monetize it, gather it, and distribute it.

It is outrageous what the majority is doing today, and I can't possibly believe that it is conservative, that it is small government. I can't believe that they believe that this is what a government in restraint should do. The government should be protecting our rights, protecting our privacy. Small government means that the individual ought to be protected from the big powers out there, like the corporate interests, yet the majority is handing us over to them at this very hour.

Mr. Speaker, I urge Members of the majority to vote against this. I can't believe that a person who is a constitutional conservative would ever vote for a monstrosity like this. It is beyond my comprehension that a conservative libertarian would say: oh, yeah, give the individuals' information over to the big commercial interests. This is one of those moments.

The majority, you guys have the House, you have the Senate, and you have the White House. The only restraint you have is yourselves. And I know there has got to be somebody in that body who believes that Comcast, Sprint, and all of the rest should not have anybody's underwear size in this body.

It is an outrage. It is an abuse, and I urge a very emphatic "no."

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mr. BURGESS. Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. KHANNA).

Mr. KHANNA. Mr. Speaker, I thank Mr. POLIS for yielding and for your leadership on this issue.

This resolution would overturn rules that protect a consumer's privacy, and they would be a handout to internet service providers: Comcast, Verizon, AT&T. Now, as it is, the average American, 80 percent of Americans, don't have a choice about which internet service provider they can use, and they pay six to seven times more than people pay in France, than people pay in Britain. And people wonder: Why is this?

Obviously, the United States did all of the research that invented the internet. Why are Americans paying more? It is because they have monopolistic, anticompetitive practices. So what is the solution? Instead of making the industry more competitive so Americans have more choice and don't have to pay as much, what this bill wants to do is give these four or five internet service providers even more power, allowing them to take an individual's data and sell it to whoever they want.

The fear of Big Brother is so real out there, as it is, people fear that the bu-

reaucracy and big companies are controlling their lives. This bill would allow that to continue and get worse.

What we need is more anticompetitive legislation. What we need is a stronger internet bill of rights that applies to ISPs and other internet service companies not a rollback of the regulations that currently exist.

Mr. BURGESS. Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I would like to inquire if the gentleman has any remaining speakers.

Mr. BURGESS. Mr. Speaker, I apparently do not have any additional speakers.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

It is no surprise that nobody wants to come to the floor and talk in favor of this bill because it is such an awful bill. This bill would allow your broadband provider of internet services to sell all of your personal information.

So, again, the other side is trying to conflate two entirely different things. When you do a transaction within an e-commerce site or search site, you are agreeing to their terms of service, and you are engaging in a discrete transaction, and the information that you enter is subject to their terms of use—completely appropriate. A competitor is only a click away.

Whether there are any monopolistic content providers is a different matter for a different day, and a different Federal agency—the FTC. What we are talking about here is the access piece, the broadband access piece. They actually, through the pipes, get to see all of the information that is entered that you see: every email; all of your credit card information; if you use the internet for any personal medical research, all of your personal medical research; your kids' information, everything your kids and minors in the family do. And what this bill says is: you don't have to require people to opt in to have their information used.

Consumers should be in control of their own information. They shouldn't be forced to sell and give that information to who knows who simply for the price of admission for access to the internet.

Again, we all want there to be a reasonable capital return on infrastructure and on broadband. That is something we can agree on. If there is a case to be made that we can do better in providing an economic return to encourage rural broadband, I am for it. I know many of my colleagues on the other side would be for it. Let's do it.

What we don't want to do in that process is turn over the entire value chain of the internet to the infrastructure and provider side, rather than the dynamic innovative content and e-commerce side.

I would like to read an excerpt from two letters from groups who are op-

posed to this bill. The first is a coalition of 19 media, justice, consumer protection, civil liberties, and privacy groups.

Their concern that: "Without these rules, ISPs could use and disclose customer information at will. The result could be extensive harm caused by breaches or misuse of data."

They remind us that: "The FCC's order simply restores people's control over their personal information and lets them choose the terms on which ISPs can use it, share it, or sell it."

Consumers should be in control of their own information.

The second letter is from Consumers Union, the policy arm of Consumer Reports. They say, in part, that this bill "would strip consumers of their privacy rights and . . . leave them with no protections at all."

I include in the RECORD those two letters, Mr. Speaker.

JANUARY 27, 2017.

Hon. PAUL RYAN,
Speaker of the House, House of Representatives,
Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

Hon. MITCH MCCONNELL,
Senate Majority Leader, U.S. Senate, Wash-
ington, DC.

Hon. CHARLES SCHUMER,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR SPEAKER RYAN, SENATOR MCCONNELL, REPRESENTATIVE PELOSI, AND SENATOR SCHUMER: The undersigned media justice, consumer protection, civil liberties, and privacy groups strongly urge you to oppose the use of the Congressional Review Act (CRA) to adopt a Resolution of Disapproval overturning the FCC's broadband privacy order. That order implements the mandates in Section 222 of the 1996 Telecommunications Act, which an overwhelming, bipartisan majority of Congress enacted to protect telecommunications users' privacy. The cable, telecom, wireless, and advertising lobbies request for CRA intervention is just another industry attempt to overturn rules that empower users and give them a say in how their private information may be used.

Not satisfied with trying to appeal the rules of the agency, industry lobbyists have asked Congress to punish internet users by way of restraining the FCC, when all the agency did was implement Congress' own directive in the 1996 Act. This irresponsible, scorched-earth tactic is as harmful as it is hypocritical. If Congress were to take the industry up on its request, a Resolution of Disapproval could exempt internet service providers (ISPs) from any and all privacy rules at the FCC. As you know, a successful CRA on the privacy rules could preclude the FCC from promulgating any "substantially similar" regulations in the future—in direct conflict with Congress' clear intention in Section 222 that telecommunications carriers protect their customers' privacy. It could also preclude the FCC from addressing any of the other issues in the privacy order like requiring data breach notification and from revisiting these issues as technology continues to evolve in the future. The true consequences of this revoked authority are apparent when considering the ISPs' other efforts to undermine the rules. Without these

rules, ISPs could use and disclose customer information at will. The result could be extensive harm caused by breaches or misuse of data.

Broadband ISPs, by virtue of their position as gatekeepers to everything on the internet, have a largely unencumbered view into their customers' online communications. That includes the websites they visit, the videos they watch, and the messages they send. Even when that traffic is encrypted, ISPs can gather vast troves of valuable information on their users' habits; but researchers have shown that much of the most sensitive information remains unencrypted.

The FCC's order simply restores people's control over their personal information and lets them choose the terms on which ISPs can use it, share it, or sell it. Americans are increasingly concerned about their privacy, and in some cases have begun to censor their online activity for fear their personal information may be compromised. Consumers have repeatedly expressed their desire for more privacy protections and their belief that the government helps ensure those protections are met. The FCC's rules give broadband customers confidence that their privacy and choices will be honored, but it does not in any way ban ISPs' ability to market to users who opt-in to receive any such targeted offers.

The ISPs' overreaction to the FCC's broadband privacy rules has been remarkable. Their supposed concerns about the rule are significantly overblown. Some broadband providers and trade associations inaccurately suggest that this rule is a full ban on data use and disclosure by ISPs, and from there complain that it will hamstring ISPs' ability to compete with other large advertising companies and platforms like Google and Facebook. To the contrary, ISPs can and likely will continue to be able to benefit from use and sharing of their customers' data, so long as those customers consent to such uses. The rules merely require the ISPs to obtain that informed consent.

The ISPs and their trade associations already have several petitions for reconsideration of the privacy rules before the FCC. Their petitions argue that the FCC should either adopt a "Federal Trade Commission style" approach to broadband privacy, or that it should retreat from the field and its statutory duty in favor of the Federal Trade Commission itself. All of these suggestions are fatally flawed. Not only is the FCC well positioned to continue in its statutorily mandated role as the privacy watchdog for broadband telecom customers, it is the only agency able to do so. As the 9th Circuit recently decided in a case brought by AT&T, common carriers are entirely exempt from FTC jurisdiction, meaning that presently there is no privacy replacement for broadband customers waiting at the FTC if Congress disapproves the FCC's rules here.

This lays bare the true intent of these industry groups, who also went to the FCC asking for fine-tuning and reconsideration of the rules before they sent their CRA request. These groups now ask Congress to create a vacuum and to give ISPs carte blanche, with no privacy rules or enforcement in place. Without clear rules of the road under Section 222, broadband users will have no certainty about how their private information can be used and no protection against its abuse. ISPs could and would use and disclose consumer information at will, leading to extensive harm caused by breaches and by misuse of data properly belonging to consumers.

Congress told the FCC in 1996 to ensure that telecommunications carriers protect

the information they collect about their customers. Industry groups now ask Congress to ignore the mandates in the Communications Act, enacted with strong bipartisan support, and overturn the FCC's attempts to implement Congress's word. The CRA is a blunt instrument and it is inappropriate in this instance, where rules clearly benefit internet users notwithstanding ISPs' disagreement with them.

We strongly urge you to oppose any resolution of disapproval that would overturn the FCC's broadband privacy rule.

Sincerely,

Access Now, American Civil Liberties Union, Broadband Alliance of Mendocino County, Center for Democracy and Technology, Center for Digital Democracy, Center for Media Justice, Color of Change, Consumer Action, Consumer Federation of America, Consumer Federation of California, Consumer Watchdog, Consumer's Union, Free Press Action Fund, May First/People Link, National Hispanic Media Coalition, New America's Open Technology Institute, Online Trust Alliance, Privacy Rights Clearing House, Public Knowledge.

CONSUMERS UNION,
March 27, 2017.

House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE: Consumers Union, the policy and mobilization arm of Consumer Reports, writes regarding House consideration of S.J. Res. 34, approved by a 50–48 party line vote in the Senate last week.

This resolution, if passed by the House and signed into law by President, would use the Congressional Review Act (CRA) to nullify the Federal Communication Commission's (FCC) newly-enacted broadband privacy rules that give consumers better control over their data. Many Senators cited "consumer confusion" as a reason to do away with the FCC's privacy rules, but we have seen no evidence proving this assertion and fail to understand how taking away increased privacy protections eliminates confusion. Therefore, we strongly oppose passage of this resolution—it would strip consumers of their privacy rights and, as we explain below, leave them with no protections at all. We urge you to vote no on S.J. Res. 34.

The FCC made history last October when it adopted consumer-friendly privacy rules that give consumers more control over how their information is collected by internet service providers (ISPs). Said another way, these rules permit consumers to decide when an ISP can collect a treasure trove of consumer information, whether it is a web browsing history or the apps a consumer may have on a smartphone. We believe the rules are simple, reasonable, and straightforward.

ISPs, by virtue of their position as gatekeepers to everything on the internet, enjoy a unique window into consumers' online activities. Data including websites consumers visit, videos viewed, and messages sent is very valuable. Small wonder, then, that ISPs are working so hard to have the FCC's new privacy rules thrown out through use of the Congressional Review Act. But we should make no mistake: abandoning the FCC's new privacy rules is about what benefits big cable companies and not about what is best for consumers.

Many argue the FCC should have the same privacy rules as those of the Federal Trade Commission (FTC). FCC Chairman Ajit Pai went so far as to say "jurisdiction over broadband providers' privacy and data secu-

rity practices should be returned to the FTC, the nation's expert agency with respect to these important subjects," even though the FTC currently possesses no jurisdiction over the vast majority of ISPs thanks to the common carrier exemption—an exemption made stricter by the Ninth Circuit Court of Appeals in last year's AT&T Mobility case. We have heard this flawed logic time and time again as one of the principal arguments for getting rid of the FCC's strong privacy rules. Unfortunately, this is such a poor solution that it amounts to no solution at all.

For the FTC to regain jurisdiction over the privacy practices of ISPs, the FCC would first have to scrap Title II reclassification—not an easy task which would be both time-consuming and subject to judicial review, and jeopardize the legal grounding of the 2015 Open Internet Order. Congress, in turn, would have to pass legislation to remove the common carrier exemption, thus granting the FTC jurisdiction over those ISPs who are common carriers. We are skeptical Congress would take such an action. Finally, the FTC does not enjoy the same robust rulemaking authority that the FCC does. As a result, consumers would have to wait for something bad to happen before the FTC would step in to remedy a violation of privacy rights. Any fondness for the FTC's approach to privacy is merely support for dramatically weaker privacy protections favored by most corporations.

There is no question that consumers favor the FCC's current broadband privacy rules. Consumers Union launched an online petition drive last month in support of the Commission's strong rules. To date, close to 50,000 consumers have signed the petition and the number is growing. Last week, more than 24,000 consumers contacted their Senators urging them to oppose the CRA resolution in the 24 hours leading up to the vote. Consumers care about privacy and want the strong privacy protections afforded to them by the FCC. Any removal or watering down of those rules would represent the destruction of simple privacy protections for consumers.

Even worse, if this resolution is passed, using the Congressional Review Act here will prevent the FCC from adopting privacy rules—even weaker ones—to protect consumers in the future. Under the CRA, once a rule is erased, an agency cannot move forward with any "substantially similar" rule unless Congress enacts new legislation specifically authorizing it. Among other impacts, this means a bare majority in the Senate can void a rule, but then restoration of that rule is subject to full legislative process, including a filibuster. The CRA is a blunt instrument—and if used in this context, blatantly anti-consumer.

We are more than willing to work with you and your fellow Representatives to craft privacy legislation that affords consumer effective and easy-to-understand protections. The FCC made a step in that direction when it adopted the broadband privacy rules last year, and getting rid of them via the Congressional Review Act is a step back, not forward. Therefore, we encourage you to vote no on S.J. Res. 34.

Respectfully,

LAURA MACCLEERY,
Vice President, Consumer Policy & Mobilization, Consumer Reports.

JONATHAN SCHWANTES,
Senior Policy Counsel, Consumers Union.

KATIE MCINNIS,
Policy Counsel, Con-
sumers Union.

Mr. POLIS. I also include in the RECORD an op-ed that I had the opportunity to publish last week on this topic. My piece is entitled “Why Americans should be worried about their online broadband privacy,” talking about this very bill that Congress has the tenacity to try to bring to the floor under this rule to force the most personal information pieces of information about every aspect of your internet behavior, and that of your family members, to be given to the broadband provider to do whatever they want with.

[From the Huffington Post, March 22, 2017]
WHY AMERICANS SHOULD BE WORRIED ABOUT
THEIR ONLINE, BROADBAND PRIVACY

(By Jared Polis)

Over the last couple of months, the dialogue surrounding government surveillance and consumer privacy has shifted in a troubling direction. While news outlets are covering everything from false claims of wiretaps to outlandish claims of reconnaissance microwaves, Republicans are quietly taking real and dramatic steps to protect corporate profits at the cost of your privacy. A few weeks ago, Senator Jeff Flake (R-Ariz.) and Representative Marsha Blackburn (R-Tenn.) filed bills in both the House of Representatives and the Senate that, if passed, will permanently eliminate broadband users' privacy protections, affecting nearly everyone who uses the Internet.

The legislation allows broadband providers to access and sell consumers' information without their permission. As our gateway to the Internet, Broadband Internet Service Providers—commonly referred to as ISPs—have access to a wealth of personal information, from our physical location to our shopping habits and the medical issues we research—can reveal potentially sensitive details about our personal lives.

Every search, every website visited, every article read online, see how often you log into and use your various online accounts and even, in some cases, collect your location. Think about what someone could conclude from this information about you—your overall health, risk activity, political affiliation, preferences. What could they do with that information? Could they change pricing of goods and services depending on your income and past purchasing behaviors? Could you face challenges obtaining insurance due to perceptions on your health or risk behavior based on your search activity? This rule change will literally allow broadband providers to have access to your entire personal life on a network and sell it.

After years of advocating for further consumer protections, in October 2016, the Federal Communications Commission (FCC) took a responsible and commonsense step to establish broadband privacy protections—but only months later Republicans are trying to roll back the progress made and repeal the existing rules, fighting alongside corporate broadband providers.

The legislation is unnecessary, as the FCC has already taken steps to review the rules, pausing implementation to conduct a careful examination of the complexities of implementation. The Republican legislation, would stop this process, bypass public comment, and eliminate the privacy protections permanently and irrevocably.

That is why I am drawing attention to this critical issue, before it's too late.

Mr. POLIS. Like these groups, I also believe that privacy is worth defending. In the wrong hands, information can be damaging and used for the wrong reasons.

Simply put, this bill is about conveying the value of the internet to the infrastructure side rather than the content side. And rather than finding common ground to establish reasonable ROI for broadband and internet investments, this bill would hurt the entire internet ecosystem by breaking down the trust between consumers and service providers.

What they are really trying to do here is shift the reasonable burden for cybersecurity measures from the internet servers onto consumers. At the same time, they want to eliminate the requirements of cybersecurity measures, even notify consumers of violations, and they want to collect more and more consumer data without any protections to do what they want with.

Supporting this bill would make each and every user of the internet vulnerable to violations of our privacy and vulnerable to cybersecurity threats without even receiving notifications of when our own intimate information, like credit card numbers, is compromised.

The FCC took a responsible, deliberate, and commonsense step to establish broadband privacy protections in October 2016. If they need to be tweaked or changed, let's have a process to do that. This bill is not that process. It not only undoes those privacy protections but prevents the FCC from ever issuing a rule that has those privacy protections in it.

Mr. Speaker, if passed, this bill would be an irrevocable step in the wrong direction. I urge my colleagues to vote “no” on this rule and the underlying bill, and I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the remainder of my time.

I include in the RECORD an op-ed from The Wall Street Journal from March 1, 2017, by JEFF FLAKE, a member of the other body. The title of the op-ed is “Settling a Bureaucratic Turf War in Online Privacy Rules.”

[From The Wall Street Journal, Mar. 1, 2017]

SETTLING A BUREAUCRATIC TURF WAR IN
ONLINE PRIVACY RULES

(By Jeff Flake)

When you shop online from your tablet or browse the internet on your smartphones, you expect your personal data to be secure. Technology companies invest billions of dollars on data security to protect consumer privacy.

Privacy is also a cornerstone of consumer protection, with federal enforcement agencies striking an appropriate balance between innovation and security in their regulations. But just as a flawed line of code can render a new firewall program useless, the new privacy rules that were rushed through in the

waning days of the Obama administration risk crashing our longstanding privacy-protection regime.

For two decades, the Federal Trade Commission has been America's sole online privacy regulator. Under the FTC's watch, our internet and data economy has been the envy of the world. The agency's evidence-based approach calibrates privacy and data-security requirements to the sensitivity of information collected, used or shared online, and applies protections in a consistent and evenhanded way across business sectors. Consumer behavior demonstrates the success of the FTC's regulatory approach: Each day people spend more time engaging in online activities.

But in 2015, in a bid to expand its own power, the Federal Communications Commission short-circuited the effectiveness of the FTC's approach by reclassifying internet service providers as common carriers, subject to Title II of the Communications Act.

In taking that unprecedented action, the FCC unilaterally stripped the FTC of its traditional jurisdiction over ISPs. The FTC can no longer police the privacy practices of providers, leaving us with a two-track system under which the FCC applies its own set of rules for ISPs while the FTC monitors the rest of the internet ecosystem.

Even after the 2015 power grab, the FCC could have simply adopted as its own the FTC's successful sensitivity-based model of privacy regulation. Instead—after last year's election—the FCC finalized privacy regulations that deviate extensively from the FTC framework in several key respects.

The FCC rules subject all web browsing and app usage data to the same restrictive requirements as sensitive personal information. That means that information generated from looking up the latest Cardinals score or checking the weather in Scottsdale is treated the same as personal health and financial data.

The new rules also restrict an ISP's ability to inform customers about innovative and cost-saving product offerings. So much for consumer choice.

The FCC's overreach is a dangerous deviation from successful regulation and commonsense industry practices. But don't just take my word for it. The FTC concluded that the FCC's decision to treat ISPs differently from the rest of the internet ecosystem was “not optimal—agency-speak for “a really bad idea.”

Outside of the FTC's well-founded concerns, the new rules are also a departure from bipartisan agreement on the need for consistent online privacy rules. President Obama noted in 2012 that “companies should present choices about data sharing, collection, use, and disclosure that are appropriate for the scale, scope, and sensitivity of personal data in question at the time of collection.” In other words, privacy rules should be based on the data itself.

But that's not how the FCC sees it. The commission's rules suffocate industry and harm consumers by creating two completely different sets of requirements for different parts of the internet.

To protect consumers from these harmful new regulations, I will soon introduce a resolution under the Congressional Review Act to repeal the FCC's flawed privacy rules. While the resolution would eliminate those rules, it would not change the current statutory classification of broadband service or bring ISPs back under FTC jurisdiction. Instead, the resolution would scrap the FCC's newly imposed privacy rules in the hope that

it would follow the FTC's successful sensitivity-based framework.

This CRA resolution does nothing to change the privacy protections consumers currently enjoy. I hope Congress and the FCC will continue working together to address issues of concern down the road. However, it is imperative for rule-making entities to stay in their jurisdictional lanes. We need to reject these harmful midnight privacy regulations that serve only to empower bureaucrats and hurt consumers.

Mr. BURGESS. I want to read from a couple of the lines from this op-ed. The Senator states here: "Privacy is also a cornerstone of consumer protection, with Federal enforcement agencies striking an appropriate balance between innovation and security in their regulations. But just as a flawed line of code can render a new firewall program useless, the new privacy rules that were rushed through in the waning days of the Obama administration risk crashing our longstanding privacy-protection regime."

Continuing to quote here: "For two decades, the Federal Trade Commission has been America's sole online privacy regulator. Under the FTC's watch, our internet and data economy has been the envy of the world. The agency's evidence-based approach calibrates privacy and data-security requirements to the sensitivity of information collected, used or shared online, and applies protections in a consistent and evenhanded way across business sectors. Consumer behavior demonstrates the success of the FTC's regulatory approach: Each day people spend more time engaging in online activities."

Now, continuing to quote here: "The FCC's overreach is a dangerous deviation from successful regulation and commonsense industry practices. But don't take my word for it. The FTC concluded that the FCC's decision to treat ISPs differently from the rest of the internet ecosystem was 'not optimal'—agency speak for 'a really bad idea.'"

One final quote from Senator FLAKE's op-ed: "This CRA resolution does nothing to change the privacy protections consumers currently enjoy. I hope Congress and the FCC will continue working together to address issues of concern down the road. However, it is imperative for rulemaking entities to stay in their jurisdictional lanes. We need to reject these harmful midnight privacy regulations that serve only to empower bureaucrats and hurt consumers."

Mr. Speaker, today's rule provides for the consideration of a critical Congressional Review Act resolution to repeal a duplicative Federal regulation dropped on the doorstep of the American people in the last hours of the previous administration. The rule the House will be voting on today to repeal would create uncertainty and chaos surrounding the protection of people's privacy online.

I want to thank Mrs. BLACKBURN of Tennessee, the chairwoman of the Energy and Commerce Subcommittee on Communication and Technology, for her work on this critical issue.

I urge my colleagues to vote "yes" on the rule and vote "yes" on the underlying resolution.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 230 OFFERED BY
MR. POLIS

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 305) to amend the Ethics in Government Act of 1978 to require the disclosure of certain tax returns by Presidents and certain candidates for the office of the President, and for other purposes. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Ways and Means and Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 305.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308–311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry,

asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BURGESS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3 p.m. today.

Accordingly (at 2 o'clock and 1 minute p.m.), the House stood in recess.

□ 1500

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 3 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 229;

Adoption of House Resolution 229, if ordered;

Ordering the previous question on House Resolution 230; and

Adoption of House Resolution 230, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 1430, HONEST AND OPEN NEW EPA SCIENCE TREATMENT ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 229) providing for consideration of the bill (H.R. 1430) to prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 231, nays 189, not voting 19, as follows:

[Roll No. 197]

YEAS—231

Abraham	Brooks (AL)	Crawford
Aderholt	Brooks (IN)	Culberson
Allen	Buchanan	Curbelo (FL)
Amash	Buck	Davidson
Amodei	Bucshon	Davis, Rodney
Arrington	Budd	Denham
Babin	Burgess	Dent
Bacon	Byrne	DeSantis
Banks (IN)	Calvert	DesJarlais
Barletta	Carter (GA)	Diaz-Balart
Barr	Carter (TX)	Donovan
Barton	Chabot	Duffy
Bergman	Chaffetz	Duncan (SC)
Biggs	Cheney	Duncan (TN)
Billirakis	Coffman	Dunn
Bishop (MI)	Cole	Emmer
Bishop (UT)	Collins (GA)	Farenthold
Black	Collins (NY)	Faso
Blackburn	Comer	Ferguson
Blum	Comstock	Fitzpatrick
Bost	Conaway	Fleischmann
Brady (TX)	Cook	Flores
Brat	Costello (PA)	Fortenberry
Bridenstine	Cramer	Fox

Franks (AZ)	Latta	Ross
Frelinghuysen	Lewis (MN)	Rothfus
Gaetz	LoBiondo	Rouzer
Gallagher	Long	Royce (CA)
Garrett	Loudermilk	Russell
Gibbs	Love	Rutherford
Gohmert	Lucas	Sanford
Goodlatte	Luetkemeyer	Scalise
Gosar	MacArthur	Schweikert
Gowdy	Marchant	Scott, Austin
Granger	Marshall	Sensenbrenner
Graves (GA)	Massie	Sessions
Graves (LA)	Mast	Shimkus
Graves (MO)	McCarthy	Shuster
Griffith	McCauley	Smith (MO)
Grothman	McClintock	Smith (NE)
Guthrie	McHenry	Smith (NJ)
Harper	McKinley	Smith (TX)
Harris	McMorris	Smucker
Hartzler	Rodgers	Stefanik
Hensarling	McSally	Stewart
Herrera Beutler	Meadows	Stivers
Hice, Jody B.	Meehan	Taylor
Higgins (LA)	Messer	Tenney
Hill	Mitchell	Thompson (PA)
Holding	Moolenaar	Thornberry
Hollingsworth	Mooney (WV)	Tiberi
Hudson	Mullin	Tipton
Huizenga	Murphy (PA)	Trott
Hultgren	Newhouse	Turner
Hunter	Noem	Upton
Hurd	Nunes	Valadao
Issa	Olson	Wagner
Jenkins (KS)	Palazzo	Walberg
Jenkins (WV)	Palmer	Walberg
Johnson (LA)	Paulsen	Walden
Johnson (OH)	Pearce	Walker
Johnson, Sam	Perry	Walorski
Jones	Poe (TX)	Walters, Mimi
Jordan	Poliquin	Weber (TX)
Joyce (OH)	Posey	Webster (FL)
Katko	Ratcliffe	Wenstrup
Kelly (MS)	Reed	Westerman
Kelly (PA)	Reichert	Williams
King (IA)	Renacci	Wilson (SC)
King (NY)	Rice (SC)	Wittman
Kinzinger	Roby	Womack
Knight	Roe (TN)	Woodall
Kustoff (TN)	Rogers (AL)	Yoder
Labrador	Rogers (KY)	Yoho
LaHood	Rohrabacher	Young (AK)
LaMalfa	Rokita	Young (IA)
Lamborn	Rooney, Francis	Zeldin
Lance	Roskam	

NAYS—189

Adams	Crist	Higgins (NY)
Aguilar	Crowley	Himes
Barragán	Cuellar	Hoyer
Bass	Cummings	Huffman
Beatty	Davis (CA)	Jackson Lee
Bera	Davis, Danny	Jayapal
Beyer	DeFazio	Jeffries
Bishop (GA)	DeGette	Johnson (GA)
Blumenauer	Delaney	Johnson, E. B.
Blunt Rochester	DeLauro	Kaptur
Bonamici	DeBene	Keating
Boyle, Brendan	Demings	Kelly (IL)
F.	DeSaulnier	Kennedy
Brady (PA)	Deutch	Khanna
Brown (MD)	Dingell	Kihuen
Brownley (CA)	Doggett	Kildee
Bustos	Doyle, Michael	Kilmer
Butterfield	F.	Kind
Capuano	Ellison	Krishnamoorthi
Carbajal	Engel	Kuster (NH)
Cárdenas	Eshoo	Langevin
Carden (IN)	Españillat	Larsen (WA)
Cartwright	Esty	Larson (CT)
Castor (FL)	Evans	Lawrence
Castro (TX)	Poster	Lawson (FL)
Chu, Judy	Frankel (FL)	Lee
Cicilline	Fudge	Levin
Clark (MA)	Gabbard	Lewis (GA)
Clarke (NY)	Gallego	Lieu, Ted
Clay	Garamendi	Lipinski
Cleaver	Gonzalez (TX)	Loeb
Clyburn	Gottheimer	Loeb
Cohen	Green, Al	Lofgren
Cohen	Green, Gene	Lowenthal
Connolly	Grijalva	Lowey
Conyers	Gutiérrez	Lujan Grisham,
Cooper	Hanabusa	M.
Correa	Hastings	Luján, Ben Ray
Costa	Heck	Lynch
Courtney		

Maloney,	Peters	Sires
Carolyn B.	Peterson	Smith (WA)
Maloney, Sean	Pingree	Soto
Matsui	Pocan	Speier
McCollum	Polis	Suozi
McEachin	Quigley	Swalwell (CA)
McGovern	Raskin	Takano
McNerney	Rice (NY)	Thompson (CA)
Meeks	Richmond	Thompson (MS)
Meng	Rosen	Titus
Moore	Roybal-Allard	Tonko
Moulton	Ruiz	Torres
Murphy (FL)	Ruppersberger	Tsongas
Nadler	Ryan (OH)	Vargas
Napolitano	Sánchez	Veasey
Neal	Sarbanes	Vela
Nolan	Schakowsky	Velázquez
Norcross	Schiff	Visclosky
O'Halleran	Schneider	Walz
O'Rourke	Schrader	Wasserman
Pallone	Scott (VA)	Schultz
Panetta	Serrano	Waters, Maxine
Pascrell	Sewell (AL)	Watson Coleman
Payne	Shea-Porter	Welch
Pelosi	Sherman	Wilson (FL)
Perlmutter	Sinema	Yarmuth

NOT VOTING—9

Marino	Rooney, Thomas	Scott, David
Pittenger	J.	Simpson
Price (NC)	Ros-Lehtinen	Slaughter
	Rush	

□ 1525

Mr. BLUMENAUER and Ms. ROYBAL-ALLARD changed their vote from "yea" to "nay."

Mr. CULBERSON changed his vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 231, noes 185, not voting 13, as follows:

[Roll No. 198]

AYES—231

Abraham	Budd	Diaz-Balart
Aderholt	Burgess	Donovan
Allen	Byrne	Duffy
Amash	Calvert	Duncan (SC)
Amodei	Carter (GA)	Duncan (TN)
Arrington	Carter (TX)	Dunn
Babin	Chabot	Emmer
Bacon	Chaffetz	Farenthold
Banks (IN)	Cheney	Faso
Barletta	Coffman	Ferguson
Barr	Cole	Fitzpatrick
Barton	Collins (GA)	Fleischmann
Bergman	Collins (NY)	Flores
Biggs	Cramer	Fortenberry
Bilirakis	Comstock	Fox
Bishop (MI)	Conaway	Franks (AZ)
Bishop (UT)	Cook	Frelinghuysen
Black	Costa	Gaetz
Blackburn	Costello (PA)	Gallagher
Blum	Cramer	Garrett
Bost	Crawford	Gibbs
Brady (TX)	Culberson	Gohmert
Brat	Curbelo (FL)	Goodlatte
Bridenstine	Davidson	Gosar
Brooks (AL)	Davis, Rodney	Gowdy
Brooks (IN)	Denham	Granger
Bucshon	Dent	Graves (GA)
	DeSantis	Graves (LA)
	DesJarlais	Graves (MO)

Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur

Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell

NOES—185

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio

DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Espallat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna

Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Pallone
Panetta
Pascarella
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)

Cleaver
Gallego
Himes
Marino
Pittenger

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1532

So the resolution was agreed to.
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NOT VOTING—13

Price (NC)
Rogers (AL)
Rooney, Thomas
J.
Ros-Lehtinen

Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foss
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding

Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Chaffetz
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Poe (TX)

NAYS—184

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier

Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

PROVIDING FOR CONSIDERATION
OF S.J. RES. 34, PROVIDING FOR
CONGRESSIONAL DISAPPROVAL
OF A RULE SUBMITTED BY THE
FEDERAL COMMUNICATIONS
COMMISSION

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 230) providing for consideration of the joint resolution (S.J. Res. 34) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to “Protecting the Privacy of Customers of Broadband and Other Telecommunications Services”, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 232, nays 184, not voting 13, as follows:

[Roll No. 199]

YEAS—232

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta

Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum

Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd

Higgins (NY)	Maloney, Sean	Sarbanes	Crawford	Jones	Roby	Kildee	Moulton	Schrader
Himes	Matsui	Schakowsky	Culberson	Jordan	Roe (TN)	Kilmer	Murphy (FL)	Scott (VA)
Hoyer	McCollum	Schiff	Curbelo (FL)	Joyce (OH)	Rogers (AL)	Kind	Nadler	Serrano
Huffman	McEachin	Schneider	Davidson	Katko	Rogers (KY)	Krishnamoorthi	Napolitano	Sewell (AL)
Jackson Lee	McGovern	Schrader	Davis, Rodney	Kelly (MS)	Rohrabacher	Kuster (NH)	Neal	Shea-Porter
Jayapal	McNerney	Scott (VA)	Denham	Kelly (PA)	Rokita	Langevin	Nolan	Sherman
Jeffries	Meeks	Serrano	Dent	King (IA)	Rooney, Francis	Larsen (WA)	Norcross	Sinema
Johnson (GA)	Meng	Sewell (AL)	DeSantis	King (NY)	Roskam	Larson (CT)	O'Halleran	Sires
Johnson, E. B.	Moore	Shea-Porter	DesJarlais	Kinzing	Ross	Lawrence	O'Rourke	Smith (WA)
Keating	Moulton	Sherman	Diaz-Balart	Knight	Rothfus	Lawson (FL)	Pallone	Soto
Kelly (IL)	Murphy (FL)	Sinema	Donovan	Kustoff (TN)	Rouzer	Lee	Panetta	Speier
Kennedy	Nadler	Sires	Duffy	Labrador	Royce (CA)	Levin	Pascrell	Suozi
Khanna	Napolitano	Smith (WA)	Duncan (SC)	LaHood	Russell	Lewis (GA)	Payne	Swalwell (CA)
Kihuen	Neal	Soto	Duncan (TN)	LaMalfa	Rutherford	Lieu, Ted	Pelosi	Takano
Kildee	Nolan	Speier	Dunn	Lamborn	Sanford	Lipinski	Perlmutter	Thompson (CA)
Kilmer	Norcross	Swalwell (CA)	Emmer	Lance	Scalise	Loeb sack	Peters	Thompson (MS)
Kind	O'Halleran	Takano	Farenthold	Latta	Schweikert	Lofgren	Peterson	Titus
Krishnamoorthi	O'Rourke	Thompson (CA)	Faso	Lewis (MN)	Scott, Austin	Lowenthal	Pingree	Tonko
Kuster (NH)	Pallone	Thompson (MS)	Ferguson	LoBiondo	Sensenbrenner	Lowey	Pocan	Torres
Langevin	Panetta	Titus	Fitzpatrick	Long	Sessions	Lujan Grisham, M.	Polis	Tsongas
Larsen (WA)	Pascrell	Tonko	Fleischmann	Loudermilk	Shimkus	Luján, Ben Ray	Quigley	Vargas
Larson (CT)	Payne	Torres	Flores	Love	Shuster	Lynch	Rice (NY)	Veasey
Lawrence	Pelosi	Tsongas	Fortenberry	Lucas	Smith (MO)	Maloney, Carolyn B.	Richmond	Vela
Lawson (FL)	Perlmutter	Vargas	Fox	Luetkemeyer	Smith (NE)	Maloney, Sean	Rosen	Velázquez
Lee	Peters	Veasey	Franks (AZ)	MacArthur	Smith (NJ)	Matsui	Roybal-Allard	Visclosky
Levin	Peterson	Vela	Frelinghuysen	Marchant	Smith (TX)	McCollum	Ruiz	Walz
Lewis (GA)	Pingree	Velázquez	Gaetz	Marshall	Smucker	McEachin	Ruppersberger	Wasserman
Lieu, Ted	Pocan	Visclosky	Gallagher	Mast	Stefanik	Ryan (OH)	Schultz	Waters, Maxine
Lipinski	Polis	Walz	Garrett	McCarthy	Stewart	Sánchez	Sarbanes	Watson Coleman
Loeb sack	Quigley	Wasserman	Gohmert	McCaul	Stivers	McGovern	Schakowsky	Welch
Lofgren	Raskin	Schultz	Goodlatte	McClintock	Taylor	McNerney	Schiff	Wilson (FL)
Lowenthal	Rice (NY)	Waters, Maxine	Gosar	McHenry	Tenney	Meeks	Schneider	Yarmuth
Lowey	Richmond	Watson Coleman	Gowdy	McKinley	Thompson (PA)	Meng		
Lujan Grisham, M.	Roybal-Allard	Welch	Granger	McMorris	Thornberry	Moore		
Luján, Ben Ray	Ruiz	Wilson (FL)	Graves (GA)	Rodgers	Tiberi			
Lynch	Ruppersberger	Yarmuth	Graves (LA)	McSally	Tipton			
Maloney, Carolyn B.	Ryan (OH)		Graves (MO)	Meadows	Trott	Marino	Rooney, Thomas	Scott, David
	Sánchez		Griffith	Meehan	Turner	Pittenger	J.	Simpson
			Grothman	Messer	Upton	Price (NC)	Ros-Lehtinen	Slaughter
			Guthrie	Mitchell	Valadao		Rush	
			Harper	Moolenaar	Wagner			
			Harris	Mooney (WV)	Walberg			
			Hartzler	Mullin	Walden			
			Hensarling	Murphy (PA)	Walker			
			Herrera Beutler	Newhouse	Walorski			
			Hice, Jody B.	Noem	Walters, Mimi			
			Higgins (LA)	Nunes	Weber (TX)			
			Hill	Olson	Webster (FL)			
			Holding	Palazzo	Wenstrup			
			Hollingsworth	Palmer	Westerman			
			Hudson	Paulsen	Williams			
			Huizenga	Pearce	Wilson (SC)			
			Hultgren	Perry	Wittman			
			Hunter	Poe (TX)	Womack			
			Hurd	Poliquin	Woodall			
			Issa	Posey	Yoder			
			Jenkins (KS)	Ratcliffe	Yoho			
			Jenkins (WV)	Reed	Young (AK)			
			Johnson (LA)	Reichert	Young (IA)			
			Johnson (OH)	Renacci	Zeldin			
			Johnson, Sam	Rice (SC)				

NOT VOTING—13

Carson (IN)	Price (NC)	Scott, David
DeFazio	Rooney, Thomas	Simpson
Gonzalez (TX)	J.	Slaughter
Marino	Ros-Lehtinen	Suozi
Pittenger	Rush	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1539

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 231, noes 189, not voting 9, as follows:

[Roll No. 200]

AYES—231

Abraham	Bishop (UT)	Calvert
Aderholt	Black	Carter (GA)
Allen	Blackburn	Carter (TX)
Amash	Blum	Chabot
Amodei	Bost	Chaffetz
Arrington	Brady (TX)	Cheney
Babin	Brat	Coffman
Bacon	Bridenstine	Cole
Banks (IN)	Brooks (AL)	Collins (GA)
Barletta	Brooks (IN)	Collins (NY)
Barr	Buchanan	Comer
Barton	Buck	Comstock
Bergman	Bucshon	Conaway
Biggs	Budd	Cook
Bilirakis	Burgess	Costello (PA)
Bishop (MI)	Byrne	Cramer

Adams	Clyburn	Evans
Aguilar	Cohen	Foster
Barragán	Connolly	Frankel (FL)
Bass	Conyers	Fudge
Beatty	Cooper	Gabbard
Bera	Correa	Galleo
Beyer	Costa	Garamendi
Bishop (GA)	Courtney	Gonzalez (TX)
Blumenauer	Crist	Gottheimer
Blunt Rochester	Crowley	Green, Al
Bonamici	Cuellar	Green, Gene
Boyle, Brendan F.	Cummings	Grijalva
Brady (PA)	Davis (CA)	Gutiérrez
Brown (MD)	Davis, Danny	Hanabusa
Brownley (CA)	DeFazio	Hastings
Bustos	DeGette	Heck
Butterfield	Delaney	Higgins (NY)
Capuano	DeLauro	Himes
Carbajal	DelBene	Hoyer
Cardenas	Demings	Huffman
Carson (IN)	DeSaulnier	Jackson Lee
Cartwright	Deutch	Jayapal
Castor (FL)	Dingell	Jeffries
Castro (TX)	Doggett	Johnson (GA)
Chu, Judy	Doyle, Michael F.	Johnson, E. B.
Ciilline	Ellison	Kaptur
Clark (MA)	Engel	Keating
Clarke (NY)	Eshoo	Kelly (IL)
Clay	Espallat	Kennedy
Cleaver	Esty	Khanna
		Kihuen

NOES—189

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1547

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION

Mrs. BLACKBURN. Mr. Speaker, pursuant to House Resolution 230, I call up the joint resolution (S.J. Res. 34) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Protecting the Privacy of Customers of Broadband and Other Telecommunications Services", and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 230, the joint resolution is considered read.

The text of the joint resolution is as follows:

S.J. RES. 34

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Federal Communications Commission relating to "Protecting the Privacy of Customers of Broadband and Other Telecommunications

Services" (81 Fed. Reg. 87274 (December 2, 2016)), and such rule shall have no force or effect.

The SPEAKER pro tempore. The joint resolution shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce.

The gentlewoman from Tennessee (Mrs. BLACKBURN) and the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE) each will control 30 minutes.

GENERAL LEAVE

Mrs. BLACKBURN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on S.J. Res. 34.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Tennessee?

There was no objection.

Mrs. BLACKBURN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I do rise today in support of S.J. Res. 34, which disapproves of the rule submitted by the Federal Communications Commission relating to protecting the privacy of customers of broadband and other telecommunication services.

I applaud Senator FLAKE's work on this issue, as S.J. Res. 34 was passed by the Senate last week. I also filed a companion resolution in the House.

The FCC finalized its broadband privacy rules on October 27, 2016. At that time, they assured us that the rules would provide broadband customers meaningful choice, greater transparency, and stronger security protections for their personal information collected by internet service providers, but the reality is much different.

There are three specific problems with which the FCC has gone about these rules. First, the FCC unilaterally swiped jurisdiction from the Federal Trade Commission. The FTC has served as our Nation's sole online privacy regulator for over 20 years.

Second, having two privacy cops on the beat will create confusion within the internet ecosystem and will end up harming consumers.

Third, the FCC already has authority to enforce privacy obligations of broadband service providers on a case-by-case basis. These broadband privacy rules are unnecessary and are just another example of Big Government overreach. The Competitive Enterprise Institute estimates that Federal regulations cost our economy \$1.9 trillion in 2015.

Since President Trump took office, Republicans have been working diligently to loosen the regulatory environment that is suffocating hard-working taxpayers.

Here is what multiple House Democrats said in a letter to the FCC last May regarding the FCC's privacy rules:

The rulemaking intends to go well beyond the traditional framework that has guarded consumers from data practices of internet service providers and ill-served consumers who seek and expect consistency in how their personal data is protected.

Further, FTC Commissioner Joshua Wright testified before Congress that the FTC has unique experience in enforcing broadband service providers' obligations to protect the privacy and security of consumer data. He added that the rules will actually do less to protect consumers by depriving the FTC of its longstanding jurisdiction in the area. Once again, these rules hurt consumers.

Incredibly, former FCC Chairman Tom Wheeler referred to the internet as the most powerful and pervasive network in the history of the planet before these rules were even created. I found this really odd because it implied that the FTC regulation had indeed been successful and ought to continue, ultimately undermining his own rationale for additional FCC privacy regulation.

Now, there are a couple of myths that are going around that I want to take the time to dispel. Our friends claim there will be a gap for ISPs in the FCC privacy rules when they are overturned. This simply is false, and let me tell you why. The FCC already has the authority to enforce the privacy obligations of broadband service providers on a case-by-case basis.

Pursuant to section 201 of the Communications Act, they can police practices of the ISPs that are unjust or unreasonable. Sections 202 and 222 also protect consumers. It is already in statute. So I encourage my friends to read title II of the Communications Act. Also, the State attorneys general have the ability to go after companies for unfair and deceptive practices.

Third, litigation is another avenue consumers can pursue against ISPs for mishandling personal data. Service providers have privacy policies. If they violate the policy, guess what? They can be sued. I know Democrats will certainly understand that, as they have many trial lawyer friends, and I urge them to speak to the trial bar.

Fourth, the free market is another great equalizer. Can you imagine the embarrassment for an ISP that is caught unlawfully selling data? We have all seen the economic fallout from something such as a data breach. Companies have a financial incentive to handle your personal data properly because to do otherwise would significantly impair their financial standing.

To my Democrat friends across the aisle, the bottom line is this: the only gap that exists is in these arguments that you have made.

Consumer privacy is something we all want to protect, and consumer privacy will continue to be protected and will actually be enhanced by removing the uncertainty and confusion these

rules will create, as the Democrats RUSH, SCHRADER, and GREEN indicated in a letter to the FCC last May.

I also want to speak, for just a moment, on the edge providers because there has been some question about who has visibility into your data. Clinton administration veteran privacy expert Peter Swire offered a report in February 2016 titled "Online Privacy in ISPs."

ISP's access to consumer data is limited and often less than access to others. Swire found that ISPs have less visibility into consumer behavior online than search, social media, advertising, and big tech companies.

Swire's study found that, as a result of advancing technologies, the rise of encryption, and the various ways and locations individuals access the internet, ISPs now have increasingly limited insight into our activities and information online.

By contrast, however, so-called edge providers, like search engines, social media, advertising, shopping, and other services online, often have greater visibility into personal consumer data.

Mr. Speaker, I reserve the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong opposition to S.J. Res. 34.

Today, colleagues, we are waist deep in the swamp. The American people did not ask for this resolution.

In fact, no company will even put its name behind this effort. Instead, this resolution is the result of an explicit written request from Washington lobbyists. These lobbyists make the bogus claim that having actual protections will confuse consumers and the only way to help clear up this information is to have no rules at all.

No consumer has come forward to support this position. No consumer has said this argument even makes sense.

I challenge every Member of this body at your next townhall meeting to have a show of hands of how many people think it is a good idea to allow your internet service provider to sell their personal information without their permission.

□ 1600

Then after you get that show of hands, ask them how many of them would vote for you if you support allowing corporations to do that.

This resolution is of the swamp and for the swamp and no one else. The rules of this resolution would overturn rules that are simple and make common sense. They don't require much, only three things:

One, internet service providers should ask permission before selling your private internet browsing history, app usage, or other sensitive information;

Two, once they have your information, internet service providers should take reasonable measures to protect it; and

Finally, if the information gets stolen, the company should quickly let you know.

That is it. That is all that is being asked of them.

These modest rules don't stop internet service providers from using data for advertising and profiling or whatever else so long as they ask first.

ISPs have an obligation under these rules not to dive into the personal lives of Americans unless that is what those Americans want. They just need to ask first.

This is particularly true because broadband providers see literally everything you do online, every website you visit, every app, every device, every time. By analyzing your internet usage and browsing history, these companies will know more about you than members of your own family, more than you tell your doctor, more than you know about yourself. Without these rules, these companies don't have to ask before selling all of that information, and they don't have to take reasonable measures to protect that information when they collect it.

Make no mistake about this, colleagues: Anyone who votes for this bill is telling your constituents that they no longer have the freedom to decide how to control their own information. You have given that freedom away to big corporations. More importantly, there aren't rules to fall back on if Congress scraps these.

Critics of the rules argue that the Federal Trade Commission should oversee the privacy protection for broadband providers, but, under current law, they have no authority to do so, and the CRA won't do a thing to fix that. Under a Federal court of appeals case, the FTC has no authority over mobile broadband providers at all.

And to those that say the FCC can evaluate complaints on a case-by-case basis using its statutory authority, the current Chairman—your current Chairman—stated that section 222 cannot be used to protect personal information and that rules are necessary to enforce this statute.

Mr. Speaker, I include for the RECORD a statement by the FCC Commissioner.

DISSENTING STATEMENT OF COMMISSIONER
AJIT PAI

Re TerraCom, Inc. and YourTel America, Inc., Apparent Liability for Forfeiture, File No. EB-TCD-13-00009175.

A core principle of the American legal system is due process. The government cannot sanction you for violating the law unless it has told you what the law is.

In the regulatory context, due process is protected, in part, through the fair warning rule. Specifically, the D.C. Circuit has stated that “[i]n the absence of notice—for example, where the regulation is not sufficiently

clear to warn a party about what is expected of it—an agency may not deprive a party of property.” Thus, an agency cannot at once invent and enforce a legal obligation.

Yet this is precisely what has happened here. In this case, there is no pre-existing legal obligation to protect personally identifiable information (also known as PII) or notify customers of a PII data breach to enforce. The Commission has never interpreted the Communications Act to impose an enforceable duty on carriers to “employ reasonable data security practices to protect” PII. The Commission has never expounded a duty that carriers notify all consumers of a data breach of PII. The Commission has never adopted rules regarding the misappropriation, breach, or unlawful disclosure of PII. The Commission never identifies in the entire Notice of Apparent Liability a single rule that has been violated.

Nevertheless, the Commission asserts that these companies violated novel legal interpretations and never-adopted rules. And it seeks to impose a substantial financial penalty. In so doing, the Commission runs afoul of the fair warning rule. I cannot support such “sentence first, verdict afterward” decision-making.

To the extent that the circumstances giving rise to today's item merited the Commission's attention, there was a better (and lawful) path forward. We could have opened a notice-and-comment rulemaking. This process would have given the public an opportunity to speak. And in turn, the agency would have had a chance to formulate clear, well-considered rules—rules we then could have enforced against anyone who violated them. Instead, the Commission proposes a forfeiture today that, if actually imposed, has little chance of surviving judicial review.

One more thing. The Commission asserts that the base forfeiture for these violations is nine billion dollars—that's \$9,000,000,000—which is by far the biggest in our history. It strains credulity to think that Congress intended such massive potential liability for “telecommunications carriers” but not retailers or banks or insurance companies or tech companies or cable operators or any of the myriad other businesses that possess consumers' PII. Nor can I understand how such liability can be squared with the Enforcement Bureau's recent consent decrees with these companies. Under those consent decrees, the companies paid the Treasury \$440,000 and \$160,000 for flouting our actual rules and draining the Universal Service Fund by seeking Lifeline support multiple times for the same customer.

Consumer protection is a critical component of the agency's charge to promote the public interest. But any enforcement action we take in that regard must comport with the law. For the reasons stated above, I dissent.

Mr. MICHAEL F. DOYLE of Pennsylvania. Without these protections, there will be no clear rules of the road. At a time when foreign actors like the Russians, the Chinese, and everyone else under the sun are constantly trying to steal our data and compromise our security, it would be irresponsible to roll back the only Federal safeguards we have. I want my colleagues to think long and hard before you give corporations the ability to sell your information without their permission.

Mr. Speaker, I include several articles in the RECORD by Free Press and

the Open Technology Institute opposing the CRA, an op-ed from a current FTC Commissioner opposing this CRA, and a memorandum from engineers at EFF opposing this CRA.

[From Free Press, May 10, 2016]

PAY-FOR-PRIVACY SCHEMES PUT THE MOST
VULNERABLE AMERICANS AT RISK

(By Sandra Fulton)

The FCC has opened a proceeding on the rules and policies surrounding privacy rights for broadband service. One industry practice called into question in that proceeding could have a devastating impact on our most vulnerable populations.

Internet service providers charge broadband customers a ton for Internet access. ISPs are increasingly finding new revenue streams too, by taking part in the multibillion-dollar market that's evolved out of selling users' personal information to online marketers. As the debate around privacy has heated up, ISPs have tried to placate the public's growing interest in privacy protections while maintaining revenues they can get when they auction off their customers' valuable personal information.

One proposed solution that AT&T has largely “pioneered”? Have customers pay to preserve their privacy.

The potential harms and discriminatory implications of this practice are obvious. It could mean that only people with the necessary financial means could protect their privacy and prevent their ISPs from sharing their personal information with predatory online marketers. The FCC rulemaking proceeding seeks comments on whether to allow such “financial inducements” for the surrender of private information. If the agency decides not to ban such practices outright, it wants to know how it should regulate them.

As our lives have moved online, ISPs have gained access to our most sensitive personal information. Advanced technologies allow companies to track us invisibly, collecting and selling data on nearly every detail of what we do online.

But ISPs don't just stop at knowing what we're doing. The location tracking that's needed to provide mobile service to our phones lets the ISPs know when and where we do it too. And they can figure out the people and organizations we associate with by looking at who we talk to and which websites we visit.

As ISPs track their customers, they create comprehensive dossiers containing sensitive information on each person's finances, health, age, race, religion and ethnicity. Their reach is so pervasive that information like a visit to a website discussing mental health, a search on how to collect unemployment benefits, or a visit to a church or Planned Parenthood office could be swept up into their databases.

How do you feel about your ISP selling such a personal glimpse into your life to online advertisers? Under a pay-for-privacy scheme, you wouldn't need to worry about it so long as you could afford to shell out the hush money. But those who aren't so fortunate would have to relinquish any control over how their personal data is spread across the Web.

The FCC raised concerns about this dynamic when it launched its rulemaking proceeding, noting that such pay-for-privacy practices might disadvantage low-income people and members of other vulnerable communities. But it didn't make any specific recommendations or issue any proposals on how to regulate in this space.

Long before the FCC launched this inquiry at the end of March 2016, and even before the agency had clarified its authority to protect broadband users in the February 2015 Open Internet Order, AT&T's GigaPower broadband service had become one of the first pay-for-privacy plans on the market. The AT&T deal allows customers to opt out of some information sharing if they pay an extra \$29 a month or more.

For a struggling family, that could mean choosing between paying for privacy and paying for groceries or the public transportation needed to get to work. And while AT&T might be the first to launch this kind of service, an article in *Fortune* notes that other companies are eager to roll out similar plans.

Under pay-for-privacy models, consumers who are unable to pay the higher broadband cost will likely see their ISPs share their data with shadowy online data brokers who use this information to tailor marketing messages. While unregulated and unaccountable data brokers are a threat to everyone's privacy, they're notorious for targeting low-income communities, people of color and other vulnerable demographics.

One particularly damning report from the Senate Commerce Committee offered this glimpse into how these brokers categorize and label these target audiences:

The Senate committee's report notes, for example, that the "Hard Times" category includes people who are "Older, down-scale and ethnically diverse singles typically concentrated in inner-city apartments."

It continues: "This is the bottom of the socioeconomic ladder, the poorest lifestyle segment in the nation. Hard Times are older singles in poor city neighborhoods. Nearly three-quarters of the adults are between the ages of 50 and 75; this is an underclass of the working poor and destitute seniors without family support . . ."

These classifications can influence not just what kinds of ads people see, but the interest rates they're offered or the insurance premiums they pay. These targeted communities are precisely the ones who can't pay extra to shield their personal information from these dangerous companies.

There may be some argument that if big companies are going to profit from our data anyway, it's actually good if their customers get a share of that. The FCC's rulemaking proposal notes that brick-and-mortar stores and websites alike offer all sorts of "free" services, discounts and perks in exchange for the data they mine from their customers and users.

But the nature of the broadband market—where users have no real options when it comes to choosing their providers, and no way to opt out short of staying offline—makes the tradeoffs here especially worthy of attention. If users could get fair value for their data, and if they got a real discount on broadband and not just a privacy penalty, and if they were providing truly informed consent with full knowledge of all the pernicious uses data brokers have for their information, then maybe we could have a conversation about the fairness of such schemes. But those are some very big ifs.

We need better transparency rules for marketers and easy-to-use disclosures and opt-in mechanisms before we get there. We also need strong baseline privacy protections guaranteed for all, including rules that prohibit ISPs from using discriminatory schemes that jeopardize the rights of their most vulnerable customers.

We applaud the FCC for taking this crucial first step to protect privacy from broadband

ISPs' overreach and abuse. As gatekeepers to the Internet, ISPs hold a wealth of information about their customers, and the Communications Act commands the FCC to establish strong safeguards for that private info. But the FCC also must also remember that our rights are not for sale—and that privacy is not a luxury for the wealthy.

ISPS KNOW ALL

YOU DESERVE MORE PRIVACY FROM YOUR BROADBAND PROVIDER

(By Eric Null)

As you read this post, your internet service provider is collecting information about you: what you're reading right now on Slate, what URL you go to next, what time of day it is, and whether you're on your home computer or your mobile device, among many other data points. Your ISP has similar data about apps you've used, how much data you consume at any given time of day, and your other daily internet habits and rhythms. Of course, your ISP has other up-to-date personal information as well—things like your name, address, telephone number, credit card number, and likely your Social Security number. In this way, ISPs have access to a uniquely detailed, comprehensive, and accurate view of you and every other subscriber. All of this at a time when consumer concern over privacy is increasing and has actually caused people to refrain from engaging in e-commerce and other activities online.

To make matters worse, you are essentially powerless to limit the data your ISP collects about you. While you may, in some instances, defend yourself against tracking by websites and apps by disallowing cookies or turning on "Do Not Track" in your browser settings, in many cases there is no way to protect against ISP tracking except by avoiding the internet altogether.

While there are some tools that can help consumers protect themselves, they are not prevalent. For example, ISPs cannot see full website addresses when that site uses encryption—denoted by a small lock icon in your browser bar. However, the website—not you—decides whether it will use encryption. And while Netflix traffic is encrypted (so your ISP only knows you're watching videos, not specifically which ones you're watching), WebMD traffic is not (so your ISP likely knows every page you've visited on WebMD), even though medical symptoms are clearly much more personal than your favorite TV program.

Another example of ways consumers can purportedly protect themselves is through virtual private networks, or VPNs, which route web traffic through another network and therefore effectively "hide" the traffic from the person's ISP. But VPNs are difficult to use and configure. They often cost extra money, slow down your browsing, and simply send your data through some other access provider that may be collecting data about you, too. These options are not practical defenses for most consumers.

Currently, there are no rules to prevent your ISP from using these data for almost any purpose, including categorizing you and serving you advertisements based on those categories. Targeted ads may even be based on whether you have (or the ISP has inferred you have) a certain disease or what your income level is. Recently, Cable One was found to be using predictive analytics to determine which of its customers were "hollow" (that is, had low credit scores) and then offering them low-quality customer service. Cable One technicians, the company's CEO stated, aren't going to "spend 15 minutes setting up

an iPhone app" for someone with a low credit score. Of course, making decisions based on credit scores is going to disproportionately affect communities of color and other vulnerable populations. Additionally, the data ISPs collect, often compiled into a "profile," might be sold to third parties (like advertisers or data brokers) and used and re-used for purposes for which they were not initially collected—in ways that often annoy people, such as when personal information is used to send a "barrage of unwanted emails." And as the number of entities who hold your data increases, so too does the chance those data will be compromised by a leak or hack.

So you may find yourself between a rock and a hard place: Use the internet and give up your privacy, or forego internet access entirely—something that's not exactly reasonable. But there is good news. The Federal Communications Commission is trying to make sure that you and all other ISP customers don't have to confront this choice. In 2015, as part of decision to uphold net neutrality, the FCC ruled that ISPs are "common carriers." (The U.S. Court of Appeals for the District of Columbia Circuit recently upheld that ruling.) Since then, the FCC has had a statutory obligation to protect the data ISPs collect about their customers. To accomplish that, the FCC recently proposed a new rule that would require ISPs, in most cases, to seek opt-in consent from customers before using data collected for purposes other than to provide service, such as to deliver certain kinds of ads or to sell to data brokers. That means that if the rule passes, your ISP would have to notify you of any new intended use of the data and give you the opportunity to say "yes, that is OK with me" or "no, that is not OK with me." Of key importance in this rule is that if you said "no," your ISP couldn't just refuse to serve you—it would have to respect your wishes and still provide you with service.

The FCC's proposal should be enacted, because you should not have to trade your privacy to access the internet. (New America's Open Technology Institute, where I work, has been actively engaged on this issue and has submitted comments in the record. New America is a partner with Slate and Arizona State University in Future Tense.) It should go without saying, but it's important enough that I will say it anyway: Internet access is imperative for personal and professional success in today's digital world. Yet to gain access to the most important tool of the 21st century, you have to allow your ISP access to incredibly rich and private information about what you do online. You should get to control what it does with that data. Consumers deserve real choice when it comes to protecting their data, and the opt-in regime proposed by the FCC is a huge step in the right direction.

Yet—perhaps unsurprisingly—ISPs and several House committees have responded to the FCC's proposal as if the sky is falling. They have mounted an all-out assault on the idea that you should have the right to choose how ISPs use your data. Their arguments range from the highly dubious (the proposal exceeds the FCC's authority) to the downright silly (consumers will be confused by having different privacy rules for ISPs as compared with other companies, like search engines and social networks). Chances are your ISP is telling the FCC that you don't need protections against exploitation of your data. (If you're interested, you can see exactly what your ISP is saying—here are the responses from AT&T, Comcast,

CenturyLink, T-Mobile, Verizon, and Sprint; unnamed ISPs may be represented by various trade associations like the National Cable and Telecommunications Association and CTIA for wireless.) However, as with the net neutrality debate that led to this proposal, consumers may feel differently.

The FCC has proposed a very strong rule that will help protect ISP customers from exploitative uses of their data. This battle for consumer choice will be ongoing for many months, but soon, you may finally be able to choose both having internet access and protecting your privacy.

ELECTRONIC FRONTIER FOUNDATION,
San Francisco, CA.

FIVE WAYS AMERICANS' CYBERSECURITY WILL
SUFFER IF CONGRESS REPEALS THE FCC
PRIVACY RULES

If the House votes to repeal the FCC's recent privacy rules, Americans' cybersecurity will be put at risk. That's because privacy and security are two sides of the same coin: privacy is about controlling who has access to information about you, and security is how you maintain that control. You usually can't break one without breaking the other, and that's especially true in this context. To show how, here are five ways repealing the FCC's privacy rules will weaken Americans' cybersecurity.

1. Internet providers will record our browsing history, and the systems they use to record that information (not to mention the information itself) will become very tempting targets for hackers. (Just imagine what would happen if a foreign hacker thought she could blackmail a politician or a celebrity based on their browsing history.)

2. In order to record encrypted browsing history (i.e. https websites), Internet providers will start deploying systems that remove the encryption so they can inspect the data. Although US-CERT (part of DHS) just put out an alert saying that this is extremely dangerous for Americans' cybersecurity, FCC Chairman Pai just decided not to enforce rules that keep Internet providers from doing this.

3. Internet providers will insert ads into our browsing, but that could break the existing code on webpages. That means security features might be broken, which could expose Americans to a greater risk of attack.

4. Internet providers will insert tracking tags into our browsing—and that means every website will be able to track you, not just your Internet provider, and there's nothing you can do to stop them.

5. Internet providers will pre-install software to record information directly from our mobile phones (after all, it's just one more source of information they can monetize). But if the software that does that recording has bugs or vulnerabilities, hackers could break into that software, and then access everything the Internet provider could see. Do you trust your Internet provider, which can't even keep an appointment to fix your cable, to write completely bug-free software?

The net result is simple: repealing the FCC's privacy rules won't just be a disaster for Americans' privacy. It will be a disaster for America's cybersecurity, too.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore (Mr. ROGERS of Kentucky). The gentleman is reminded to address his remarks to the Chair.

Mrs. BLACKBURN. Mr. Speaker, I will remind my colleagues across the

aisle that, again, section 222 of the Communications Act covers the authority that the FCC needs. Traditionally, online privacy has been handled by the FTC. That is an authority that we have designated to them.

Mr. Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. WALDEN), chairman of the Energy and Commerce Committee.

Mr. WALDEN. Mr. Speaker, I thank my colleagues for their good work on this legislation.

As we increasingly rely on technology in nearly every area of our lives, one of Congress' most important responsibilities is to strike the right balance between protecting consumers' privacy while also allowing for private sector innovation and the new jobs and economic growth that accompany it.

The resolution before us today reverses overreaching, shortsighted, and misguided rules adopted by unelected bureaucrats at the Federal Communications Commission. These rules do little to enhance privacy, but clearly add a new layer of Federal red tape on innovators and job creators. This is exactly the type of government overreach that the Congressional Review Act was meant to stop.

The Federal Communications Commission, frankly, overstepped its bounds on many issues during the Obama administration, including privacy regulations. After stripping the Federal Trade Commission of its authority over the privacy practices of internet service providers, ISPs, the FCC adopted shortsighted rules that only apply to one part of the internet. Despite the FTC's proven case-by-case approach to privacy enforcement that, frankly, has protected consumers, while simultaneously allowing ISPs to innovate, the FCC opted to abandon this model in favor of an approach that assumes the Federal Government knows best what consumers want.

Simply put, the rules that the FCC applied to ISPs are illogical. The regulations would require companies to apply the same privacy protections to consumer data, regardless of its importance or sensitivity. It hardly makes sense to treat a local weather update and personal financial information the same way.

In addition, the FCC's approach only protects consumer data as far as the internet service provider is involved. An entirely separate set of rules applies to providers of edge services. That means the giant search corporations, one of which controls up to 65 percent of your searches on the internet, don't live by the same set of privacy rules as your small town ISP.

What America needs is one standard, across-the-internet ecosystem, and the Federal Trade Commission is the best place for that standard.

The impact of these rigid regulations has the potential to stifle one of the

most innovative sectors of our Nation's economy, and it is consumers who will suffer. These rules, which Congress will repeal, only lead to higher costs, less competition, and fewer service offerings. This approach is particularly burdensome for small businesses, which do not have hallways full of lawyers to navigate these tedious and unnecessary rules.

The benefits of the FCC's privacy regulations are questionable, but the harms are certain, which is why I urge my colleagues to support this resolution. And once these rules are reversed, the FCC can turn back to working together with the FTC to ensure that our privacy framework allows the internet to flourish while truly protecting consumers.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I would remind my friends that, under current law, the FTC has no authority to regulate ISPs and that it was your Commissioner, your current FCC Commissioner, that said that they can't do it under section 222 also, which I have submitted for the record.

Mr. Speaker, I yield 4 minutes to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I thank my friend, Mr. DOYLE, for both his leadership and for yielding time to me.

America, listen up today. There may not be that many people on the floor of the House, but this is a big one. This is really a big one. Congress is poised today to betray the American people on one of the issues they care the most about: their privacy—their privacy. Every single one of us cares about it, and so do the American people. I often say that every American has it in their DNA: Keep your mitts off my privacy, what I consider to be private.

Now, the consequences of passing this resolution are clear. Broadband providers like AT&T, Comcast, and others will be able to sell your personal information to the highest bidder without your permission, and no one will be able to protect you, not even the Federal Trade Commission that our friends on the other side of the aisle keep talking about. It is like open the door and there is no one there. That is what this thing creates.

The Republicans are blowing a gaping hole in Federal privacy protections by barring the FCC from ever adopting similar protections in the future. So, if it is gone today, it is gone, period.

The FCC rules are simple. They require broadband providers to get the permission of their customers—including all of us—before they can sell their web browsing history, their location information, and other sensitive data to third parties.

The majority claims that we need to repeal these protections because they treat broadband providers differently than other online service providers,

edge providers. Broadband providers are in the unique position of seeing everything we do on the internet. This is the reason, and it is reason enough, to put privacy protections in place; but it is also important to keep in mind that consumers, all of us, pay a high monthly fee to broadband providers, and they face serious barriers if they want to switch. If I want to switch, if you want to switch, you have to, many times, pay early termination fees.

This is completely different from other online services that collect consumer data. Consumers don't pay to use search engines or social media applications like Google and Facebook. If they don't like Google's privacy policy, they can switch over to Bing without paying any fees. But consumers can't do this with broadband providers, and therein lies the difference.

Last week, we heard the Republicans bemoan the lack of choice in the healthcare market. They should take a closer look at the state of the broadband market, particularly in rural America, where only 13 percent of consumers have access to more than one high-speed broadband provider.

So the majority is telling Americans today, particularly those in rural areas, that they need to choose between their privacy and their access to the internet. If this resolution passes, people across the country will certainly not have both.

This resolution is—excuse the phrase—repeal without replace. The Republicans have not put forward any privacy proposal at all to replace the FCC's rules, despite knowing that repealing these rules will leave a gap in the Federal protections.

So the message to the American people is clear: Your privacy doesn't matter, and your web browsing history should be available to anyone who will pay the highest price for it.

For all these reasons, I urge my colleagues to stand up for privacy rights and oppose this joint resolution.

Mrs. BLACKBURN. Mr. Speaker, I yield the balance of my time to the gentleman from Texas (Mr. FLORES), and I ask unanimous consent that he may control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. FLORES. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman for yielding the balance of her time to me.

Mr. Speaker, as an original cosponsor of the House companion to S.J. Res. 34, I rise to strongly urge my colleagues to support the resolution before us today. Like all of my colleagues in the House, I care deeply about protecting the privacy of our constituents, but I cannot support the Federal Communications Commission's counterproductive rules that will actually harm consumers and stifle innovation.

For 20 years, the Federal Trade Commission—or the FTC, as we call it, frequently—oversaw consumer privacy for the entire internet ecosystem: content providers, advertisers, and internet service providers, or ISPs. The FTC's privacy program focused on preserving sensitive consumer data and took the context of a consumer's relationship with businesses into consideration. The FTC's experience in implementing a wide range of rules and regulations has resulted in over 500 cases protecting consumer information, ensuring their privacy online.

In a flawed political move, absent any finding, complaints, or investigations to determine whether broadband providers have violated consumers' privacy or that the FTC had failed at doing its job, the FCC proceeded with a partisan vote to target ISPs and to expand its regulatory footprint.

After stripping the FTC of its authority over the privacy practices of internet service providers, the FCC subsequently adopted rules that would harm consumers and split the internet, creating an uneven playing field between service providers and content providers. Congress must fix this overreach so the new administration can create a comprehensive, consistent set of privacy protections.

□ 1615

Consumers expect their privacy to be protected the same way no matter what type of entity holds their data. Having two sets of requirements creates confusion for consumers and may jeopardize their confidence in the internet.

Our internet economy has thrived under the privacy regime created by the FTC. Yet the FCC, under its previous Chairman, Tom Wheeler, wanted to undermine that success by bifurcating privacy protections to serve outside political interests, not the American consumer.

By contrast, the FCC's approach did not base its requirements on consumers' preferences about sensitive information and to set opt-in and opt-out defaults. Accordingly, its overall approach was top-down, heavyhanded regulation in stark contrast to the FTC's greater reliance on markets and consumer preferences.

The FCC's rule has a number of problematic issues:

The first is that the opt-in/opt-out regime reduces consumer choice and would be detrimental to the survival of many businesses in this country.

The second is that the FCC would have prohibited unforeseeable future uses of collected data regardless of what consumers actually preferred and businesses may need.

Third, the FCC would also have unjustly applied its heavyhanded approach to broadband providers, treating them more harshly than other players in the internet ecosystem.

In sum, the FCC's broadband privacy protection approach would have rejected free markets and ignored sound economics.

Alternatively, the FTC private enforcement is market oriented and flexible and adaptable to changes in consumer preferences and markets. It also treats companies and players neutrally, fostering an environment of competition and innovation.

This resolution rescinds the FCC's rule, but it does provide the FCC the opportunity to provide oversight more in line with the FTC, which has been successfully regulating online privacy for nearly two decades.

This joint resolution does not lessen or impede privacy and data security standards that have already been established. We are simply restoring a more stable regulatory playing field to ensure that consistent, uniform privacy security standards are maintained to protect consumers and future innovation.

Once Congress rejects these rules, the FCC can turn back to cooperating with the FTC to ensure that both consumer privacy across all aspects of the internet is provided through vigorous enforcement and also that innovation is allowed to flourish.

I urge my colleagues to support this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I would just remind my colleague, once again, that the FTC has no authority to regulate ISPs once this bill is implemented; and consumers will not be protected, and their current FCC Commissioner has stated that.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Speaker, I oppose this resolution because it would remove consumers' right to control their online privacy and put it in the hands of corporations.

Every time people go online, they create trails of data that have tremendous commercial value. This creates incentive for the ISPs to sell web history to a third party, be it an advocacy group, a for-profit company, or even a foreign government.

Late last year, the FCC put Americans in charge of how ISPs use and share their consumer data. The FCC's rule also required that the ISPs engage in reasonable data security practices.

Even if people believe that the FCC's rule went too far and should be modified, it is unclear how the FCC could move forward with such a plan given the constraints of the Congressional Review Act. Furthermore, as several people have mentioned, the FCC, which is charged with protecting consumers' privacy, does not even have the authority to oversee ISP practices.

Given the number of data breaches in recent years at companies such as Yahoo, we should, frankly, be strengthening data retention requirements, not weakening them. At its core, S.J. Res. 34 weakens consumer protections today and makes them harder to implement in the future, which is why I urge my colleagues to oppose it.

Mr. FLORES. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Mr. Speaker, when the FCC reclassified the internet as a common carrier, utility-style service and adopted their rules regulating the use of consumer data by internet service providers, it represented a monumental shift in the way we view privacy.

Instead of a uniform, technology-neutral standard that balanced data protection with consumer choice, internet users were stuck with a two-sided approach that causes confusion and dampens competition. There is one set of rules for service providers, and one set for the rest of the internet ecosystem. But how often do consumers really recognize the difference between where their data is accessed and where it is stored?

Ultimately, consumers are actually harmed by the artificial sense of protection created by these rules. It is essential that we take steps to restore the time-tested framework embraced by the Federal Trade Commission.

We have talked a lot about protecting consumer privacy and data, but I haven't heard a lot about allowing the consumer to decide how their information is used. Consumers deserve to have the autonomy to control their information and their internet experience.

As Acting Chairman of the FTC Maureen Ohlhausen pointed out:

The FTC approach reflects the fact that consumer privacy preferences differ greatly depending on the type of data and its use.

There is widespread agreement that sensitive data, like financial or health information, should be strongly protected and opt-in appropriate. But what about other types of nonsensitive data? Let's not forget the ways that consumers benefit from allowing ISPs access to that kind of information.

Consumers should retain the ability to make the decisions that make sense for them when it comes to how their nonsensitive data is used and obtain the discounts or lower prices that can result. This vote isn't about reducing the level of privacy protection for consumers; it is about an FCC decision that ignored the preferences of consumers in favor of a regulatory power grab.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FLORES. Mr. Speaker, I yield an additional 15 seconds to the gentleman.

Mr. JOHNSON of Ohio. The FCC's privacy rules are an overreaching regu-

latory mess that create confusion and inconsistency for consumers, harm competition, and upend internet privacy as we know it.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, might I inquire as to how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 19 minutes remaining. The gentleman from Texas has 11¾ minutes remaining.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I would remind my colleagues that, whether it is nonsensitive information or sensitive information, the ISP should ask for your permission to use it.

Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. PALLONE), the ranking member of the Energy and Commerce Committee.

Mr. PALLONE. Mr. Speaker, nearly every day now, we hear about new ways our enemies are trying to steal Americans' information. Just a couple weeks ago, two Russian hackers were indicted for stealing personal information from millions of us.

American consumers visit billions of internet destinations through a multitude of devices. Broadband providers potentially have access to every bit of data that flows from a consumer. The American people are rightfully concerned about companies selling their personal information, including sensitive information like their location, financial and health information, Social Security numbers, and information about their children.

Last year, the FCC took steps to protect every American citizen's data and privacy, and the rules were simple: first, broadband providers had to ask their customers before selling any data; second, the companies had to take reasonable measures to protect that data; and third, the companies had to let people know if their data was stolen.

That was a good first step, Mr. Speaker. But Congress also has a role in protecting our data, and we should be working in a bipartisan fashion to discuss ways we can better protect the American people's data. Instead, the Republicans have decided to spend this time wiping out the few privacy safeguards that we already have.

The FCC's cybersecurity rules are, in my opinion, not burdensome. They simply tell the network providers to be reasonable when protecting the data. That is all. The FCC left it to the companies, themselves, to use their best judgment about how to get the job done. They just needed to be reasonable.

It seems being reasonable is still too much for the Republicans—first in the Senate, and now here in the House. This resolution tells the companies charged with running the country's broadband networks that they no

longer have to be reasonable when it comes to their customers' data.

So I say, Mr. Speaker, make no mistake: This resolution is a gift to countries like Russia who want to take our citizens' personal information. And if the House passes this resolution, it will go straight to the President's desk, a President who will be more than happy to sign his name to this gift to the Russians.

This resolution also gives large corporations free rein to take customers' data without anyone's permission. This debate is about whether Americans have the freedom to decide on our privacy.

We hear all kinds of complicated arguments about jurisdiction, implementation dates, and who knows what else, but these arguments just muddy the water.

Republicans will say that the FCC's rules are confusing to consumers, people won't know what to do if they are asked first before broadband companies sell their sensitive information. If that were the case, we would have heard from people who oppose the rules, but we simply have not heard any of those concerns. The facts speak for themselves. Consumers want more privacy protection, not less.

Seventy-four percent of Americans say it is very important that they be in control of information, and 91 percent of people feel they have lost control over their own information. There are real consequences to these feelings. Nearly half of Americans say they limit their online activity because they are worried about their privacy and security. That is why they overwhelmingly support stronger protections.

The FCC listened to the American people and adopted reasonable rules. Despite Republican claims to the contrary, the rules were not hard to follow. The rules still allow broadband companies to offer services based on their customers' data, and they can still customize ads or send reminders.

The FCC's rules simply required companies to ask people first before selling their sensitive information. That is it. In fact, I had hoped the FCC would have gone even further, but the agency chose this more moderate approach.

So as this debate proceeds, we should be asking one simple question: Should the American people have the freedom to choose how their information is used or should the government give that freedom away?

I think the answer is clear. I stand with the American people, and, therefore, I strongly oppose this legislation.

Mr. FLORES. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of the resolution and want to address

an issue created by the Federal Communications Commission's misguided privacy rule in a recent Ninth Circuit case.

For decades, the Federal Trade Commission has been the privacy cop on the beat for most industries, including the technology sector, protecting consumers from unfair or deceptive acts or practices. The Federal Trade Commission has brought over 500 privacy and data security cases to protect consumers. These include cases against internet service providers and some of the largest edge providers.

The Federal Communications Commission is a regulatory body focused on regulating interstate and international communications by radio, television, wire, satellite, and cable.

The Federal Trade Commission's work in privacy and data security has long been held up as a model by both parties, praising the agency for strong enforcement without overly burdensome regulations. During negotiations with the European Union to finalize the U.S.-European privacy shield, the Obama administration held up the Federal Trade Commission as the premier privacy enforcement agency.

Unfortunately, in a midnight action, the Federal Communications Commission jammed through its own privacy rule that is very different from the framework that the Federal Trade Commission has been enforcing for decades.

While we can reverse the poorly constructed FCC rule today, we must still address a recent court ruling. The Ninth Circuit recently ruled that the common carrier exemption in the Federal Trade Commission Act exempts an entity in its entirety from the Federal Trade Commission's jurisdiction if it engages in any common carrier activities, even if the company also engages in non-common carrier activity.

I have introduced legislation to address the court's ruling with the gentleman from Texas (Mr. OLSON). It is my hope that our colleagues will join us.

S.J. Res. 34 makes clear that the Federal Trade Commission has authority over common carriers when they are acting outside the scope of the common carrier.

The repeal of the Federal Communications Commission's misguided privacy rule in the Ninth Circuit's opinion creates a gap and an irrational approach to privacy for consumers and would leave portions of the internet ecosystem completely outside the Federal Trade Commission's jurisdiction. This bill makes clear that the common carrier exemption is important to ensure that no duplication regulation occurs. At the same time, there are no loopholes left for certain companies to be outside the jurisdiction of the Federal Trade Commission.

□ 1630

We need to be consistent in our approach to privacy and focus on consumer-oriented enforcement. This approach has been the foundation not just of Silicon Valley, but innovators across the country; and the S.J. Res. 34 sets right the decades of innovation that has spurred job growth in the United States and greater online services for consumers.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I remind my friend, since he acknowledges the court decision does not allow FTC jurisdiction and that he wants to introduce a bill, perhaps the Republicans should have done that first, before scrapping the rules that leave ISPs with no rules.

Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Speaker, I rise in strong opposition to S.J. Res. 34. This is just the latest attempt from our Republican colleagues to use the Congressional Review Act to gut critical protections for American consumers.

The internet is increasingly intertwined with our daily lives, and nearly every American family uses the internet to access and share personal and sensitive information. The business we conduct online includes financial information, details about our medical history, and even information on our kids.

If this resolution of disapproval passes today, there will be no rules on the books to stop internet service providers from selling that browsing history without your permission. Because our Republican colleagues are using the Congressional Review Act to overturn these critical consumer protections, the FCC can't go back and write new rules in the future.

Despite what my colleagues on the other side of the aisle have said, the Federal Trade Commission cannot bring cases against broadband providers. That is why the FTC supported these rules when the FCC adopted them last year.

Even if you think the FCC did not get these rules right, this resolution effectively eliminates the FCC from ever acting to protect consumer privacy in the future. We should be working together to address any real shortcomings if these rules need to be fixed. That is not what the resolution before us will do.

Mr. Speaker, I urge my colleagues to vote against this damaging resolution.

Mr. FLORES. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Mr. Speaker, I rise to support S.J. Res. 34, which seeks to halt agency overreach of the Federal Communications Commission concerning the way broadband internet service providers handle their customers' personal information.

The FCC's broadband privacy rule, a midnight regulation adopted by execu-

tive order in the waning days of the Obama administration, unnecessarily targets internet service providers and does very little to protect consumer privacy.

The rule adds costly and unnecessary innovation-stifling regulations to the internet and is another example of the Federal Government's picking winners and losers.

When passed, the FCC claimed that the rule would provide broadband customers meaningful choice, greater transparency, and strong security protections for their personal information collected by internet service providers.

In reality, the FCC's rules arbitrarily treat ISPs differently from the rest of the internet, creating a false sense of privacy.

Consumer data privacy is of significant concern to every American. The proper parties should address the issue. In this area, the Federal Trade Commission has historically held authority on the establishment and enforcement of general online privacy rules.

Repealing the FCC's privacy action is a critical step toward restoring a single, uniform set of privacy rules for the internet. This legislation puts all segments of the internet on equal footing and provides American consumers with a consistent set of privacy rules to permit the FCC and the FTC to continue to work to ensure consumer privacy through enforcement.

The FTC, the premier agency in this regard, has the experience to protect the privacy of the American people regarding the internet—at least 20 years of experience. Bifurcation between the FTC and the FCC is not productive. A good question to ask the FTC: Why did it wait until the last minute of the Obama administration to promulgate its regulation?

Mr. Speaker, I believe it is important that we pass S.J. Res. 34, and I rise to ask all of my colleagues to support it.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I have heard about this last-minute dropping and late at night. Just for the other side's information, after a 7-month rulemaking process, this rule was adopted midday on October 26. So let's get the record straight.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, first, I thank Mr. DOYLE for his opposition to S.J. Res. 34. I rise in opposition as well.

The FCC's broadband privacy rules are commonsense rules. These rules give consumers the ability to choose how their information is used and shared by their internet service providers.

According to the Pew Research Center, a large majority of Americans say it is very important that they control who has access to their information. Despite a loud cry from the American

people that they want to be able to choose how their information is used, S.J. Res. 34 strips consumers of the power to choose how their ISPs use and share their information.

This resolution also leaves consumers more vulnerable to attacks because their ISP will no longer be required to make reasonable steps to secure their personal information.

In recent years, we have seen numerous data breach incidents that have jeopardized consumers' personal information. Some examples are Yahoo, Target, Home Depot, LinkedIn, and Anthem. The list goes on.

Given the growing cyber threats that our Nation faces, it is critical that we do more, not less, to secure consumers' data. Strong data security practices are critical for protecting our consumers' confidentiality.

This resolution would make consumers' data more susceptible to being stolen and used for identity theft and other harmful unauthorized purposes.

Consumers want to be heard. They want more privacy. They want their information to be secure. We have an obligation to respond to their requests.

I am appalled that one of the Republicans' first acts in this Congress after trying to take health coverage away from 24 million people is to attack consumer protections and weaken data security. Americans are just now hearing about this legislation, and my phones are ringing off the hook in opposition.

I have to rhetorically ask the other side: Why are you pushing this?

Americans don't want it. Your voters are beginning to pay attention. This is just after your humiliating defeat with the ACA repeal. I ask that you withdraw this bill and start listening to your constituents.

Mr. Speaker, I urge my colleagues to reject S.J. Res. 34.

Mr. FLORES. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), the GOP whip.

Mr. SCALISE. Mr. Speaker, I thank the gentleman from Texas for bringing forward this legislation.

The FTC's light touch in case-by-case enforcement had fostered an internet economy that has become the envy of the world, much to the benefit of all American families and consumers across this country.

But rather than following the FTC's proven framework of privacy protection, the FCC came in and overreached and missed the mark with these rules, injecting more regulation into the internet ecosystem. With all due respect, the internet was not broken and did not need the Federal Government to come in and try to fix it.

The bottom line is that families expect and deserve to be protected online with a set of robust and uniform privacy protections. These rules simply do not live up to that standard.

Rather than regulating based on the sensitivity of our data, these rules are

applied unevenly, based on what type of company you are or what kind of technology you use.

Consumers should feel assured online that there is a cop on the beat with a track record of success, not an agency with a history of regulatory overreach. These midnight rules are harmful, inconsistent, and should be repealed.

Mr. Speaker, I urge my colleagues to adopt this important resolution.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, may I inquire how much time is remaining on both sides?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 10¼ minutes remaining. The gentleman from Texas has 5 minutes remaining.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I remind the gentleman that these heavy-handed regulations that he speaks of are simply: ask permission, protect people's data, and tell them if it gets stolen.

That doesn't sound too heavy-handed to me.

Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Mr. Speaker, I rise today in opposition to S.J. Res. 34, a bill that would strike most of the internet privacy guarantees protecting the American people today.

I have grave concerns with this effort. Our agenda here should be working on behalf of our constituents to protect their privacy and give them, not their service providers, data security. Instead, this effort would eviscerate any real online privacy protections and would limit data security.

Some of my colleagues have claimed that this commonsense rule has created challenges for consumers. I have found just the opposite. My office has been inundated with calls demanding that Congress protect their privacy and data security by opposing S.J. Res. 34. To everyone who has called, I hear you and I stand with you in opposing this harmful and misguided effort.

Back at home in New York's capital region, I have been hearing from many people who are frightened by the thought that S.J. Res. 34 will become law and the last shred of their online privacy will be lost forever.

They know how much information their internet service provider has mined from their search and browsing history, including financial, medical, and other very personal and sensitive details. They rightly believe that they should have a say in when that information can be bought and when it can be sold.

They understand that gutting these privacy protections would mean that internet service providers could sell their private information without their permission. It means their private internet browsing and search history, the text of their emails, and their mobile app usage can all be sold without their permission.

They have a right to control what they search for, their financial information, their health insurance, and information about their children. They have a right to protect their Social Security numbers and the contents of their emails. These rights are enshrined in our Constitution.

Privacy rules also require providers to use reasonable measures to protect consumers' personal information, a clear and commonsense standard that all who do business online should be required to uphold.

Finally, internet service providers must notify customers if hackers breach the system and may have access to their private data. With hackers from Russia and elsewhere running rampant across the net, this is a critical provision for our American families.

This is not too much to ask. The American people deserve to know that their data will be protected and that they will be notified if their data is compromised.

Mr. FLORES. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. OLSON).

Mr. OLSON. Mr. Speaker, I rise today in support of S.J. Res. 34, which will protect consumers and the future of internet innovation.

The internet is changing the way we communicate, shop, learn, and entertain. It is changing how we control our homes, our cars, and many other parts of our lives, including my two teenage kids. These changes give us certain expectations of privacy on the internet.

Until last year, the Federal Trade Commission provided a robust, consistent privacy framework for all companies in the internet services market. Their holistic and consistent approach struck the right balance. Consumers' use of internet services continues to increase and their privacy has been protected.

The resolution we are voting on today puts all segments of the internet on equal footing. It provides consumers with a consistent set of privacy rules.

Mr. Speaker, I urge my colleagues to vote for S.J. Res. 34.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I remind my friends once again that this does not put us on equal footing. The FTC has no power to regulate ISPs under current law.

Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. CAPUANO).

□ 1645

Mr. CAPUANO. Mr. Speaker, we all know that our cell phones are tracking every move we make and keeping a record of it. Many people don't know, but your automobile is also doing the same thing. They keep a record of where you go. They keep a record of whether you wore your seatbelt. They

keep a record of whether you applied the brakes or turned the turn signal on. Okay. That is your automobile. You don't have to drive.

Just recently, in the last couple months, we have learned that our televisions and children's dolls are doing the same thing. Last month, it was revealed that Vizio had spied on 11 million consumers by listening to them while their TV was off because they can do it.

Also, last month, a child's doll called My Friend Cayla for little girls or boys was banned in Germany—banned in Germany—because that doll listens and responds. It goes into the internet, and the doll's owner keeps and sells that information.

This month—this month—a teddy bear manufactured by a company called CloudPets was exposed for collecting more than 2 million voice recordings of children talking to their teddy bear.

Now, maybe we accept that. I know that those are not the items that this resolution would address, but the problem is you are taking an item for ISPs and reducing it down to this level. You say your privacy is protected. I just gave you three examples in the last 2 months where your privacy is not protected. Neither is your children's. Neither is your family's.

In 2012, a giant international company—international ISP company, by the way—filed for a U.S. patent for a cable box that would sit in your house. It would watch you. It would record you. It contained an infrared sensor and even take your body temperature with a thermographic—and that is a quote—thermographic camera. It would do all this without telling you and would work whether the cable box was on or not. If you don't believe me, if you still have the courage to go on the internet, go find patent application number—now, write this one down—2012/0304206. That is the patent application number. It is still online.

I want to read you one small segment from that 25-page patent application. This is a direct quote. I am not making up a single word. The device “may detect . . . that two users are cuddling on a couch during the presentation of the television program and prior to an advertisement break. Based on the detected . . . action . . . the device would select a commercial associated with cuddling.”

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Massachusetts.

Mr. CAPUANO. For example: “a commercial for a romantic getaway vacation, a commercial for a contraceptive, a commercial for flowers . . . et cetera.”

I didn't make up a single word of what I just read, and every one of you

is sitting there with your mouth open that this might happen in your world. That is what this resolution will allow, and you can't turn it off. You can't say: Don't watch my children. Don't watch my wife.

This is a terrible resolution. As I asked earlier today, what are you thinking?

Mr. FLORES. Mr. Speaker, we are thinking that the gentleman's comments do not pertain to this resolution, that this resolution in no way is going to allow any of the activities that were described, whether it is cuddling or anything that is going to get in the way of any of that or allowed to be sold.

Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. COLLINS).

Mr. COLLINS of New York. Mr. Speaker, I would like to thank the people who worked to make this legislation a reality. As we become increasingly concerned with cyber threats, online privacy is a critical concern for every American.

Unfortunately, in October of last year, the FCC issued regulations titled, “Protecting the Privacy of Customers of Broadband and Other Telecommunications Services,” also known as broadband privacy rules. These titles do not actually accurately reflect the impact these regulations are having on constituents' electronic privacy.

These broadband privacy rules took internet service providers, ISPs, which you subscribe to for TV and internet access, and edge providers that deliver online applications, services, and website content, and separated them into two different groups. This has caused confusion among businesses trying to adhere to this change.

While writing this regulation, the FCC had the opportunity to employ FTC precedent in drafting the broadband privacy rules, but instead chose to ignore existing precedent and create additional and onerous regulations. The FCC believed that these new rules would give consumers more choice and heightened transparency; however, this has not been the case.

This legislation does not remove privacy protections for consumers, and it does not expose consumer information. Both the FCC and the FTC will retain authority over consumer privacy on a case-by-case basis. ISPs will continue to be subject to the Communications Act of 1934, which protects all consumer proprietary network information. This is in addition to the many other existing Federal and State privacy rules that ISPs must continue to follow.

This proposed system, separating edge providers from ISPs, creates confusion for both consumers and business operations. This legislation works to reduce the confusion that has been created from this unnecessary regulation

that has stifled competition and impeded innovation. I am happy to support this legislation which will provide much-needed clarity to the ongoing debate.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, may I inquire how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 5¼ minutes remaining. The gentleman from Texas has 2 minutes remaining.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I just remind my friend, you can say it as many times as you want, but the fact of the matter is that, under current law, the FTC has no authority to regulate the FCC, and the FCC Commissioner has said that you cannot do this without a rule in section 222.

I yield 1 minute to the gentlewoman from California (Ms. PELOSI), our House Democratic leader, the magic minute.

Ms. PELOSI. Mr. Speaker, on behalf of my five children and my nine grandchildren and everyone I know, as a matter of fact, I thank the gentleman for being a champion for privacy for the American people. I thank the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE) for his leadership. I thank the gentleman from New Jersey (Mr. PALLONE) for his leadership. The gentlewoman from California (Ms. ESHOO) has been a champion on this issue as well.

Mr. Speaker, Americans turn to the internet for so many things these days: buying books, filing taxes, learning about why they are feeling sick. The Republicans want this information to be sold without your permission: the websites you visit, the apps you use, your search history, the content of your emails, your health and financial data. Overwhelmingly, the American people do not agree with the Republicans that this information should be sold, and it certainly should not be sold without your permission.

Our broadband providers know deeply personal information about us and our families: where we are, what we want, what we are looking for, what information we want to know, every site we visit, and more. Our broadband providers can even track us when we are surfing in private, browsing in a private browsing mode.

Americans' private browser history should not be up for sale. Yet Republicans are bringing S.J. Res. 34 to the floor to allow internet service providers to profit—to profit; this is about profit—from America's most intimate personal information without our knowledge or our consent. Republicans' use of the Congressional Review Act will do permanent damage to the FCC's ability to keep Americans' personal information safe.

As FCC Commissioner Clyburn and FTC Commissioner McSweeney warned:

“This legislation will frustrate the FCC’s”—the Federal Communications Commission’s—“future efforts to protect the privacy of voice and broadband customers.”

It is important for our constituents to know that, if the Republicans had a problem with this particular policy, they might tweak it and say we don’t like it this way or that in regular legislation so that we could have a debate on it. It could go back to the Federal Communications Commission. They could revise it and send it back if it were a legitimate presentation of concerns. But it is not about a legitimate presentation of concerns. It is about increasing profits at the expense of the privacy of the American people.

So, as I say, the Republicans’ use of the Congressional Review Act does permanent damage and also damages the FCC’s ability to keep America’s personal information safe. With this measure, Republicans would destroy Americans’ right to privacy on the internet—we made that clear—and forbid any effort to keep your personal information safe. Republicans are bending over backwards.

Think of it. Think of the context of all of this.

Since Gerald Ford was President, every candidate for President, every nominee of a major party, every candidate for President of the United States, Democrat and Republican, has released their income tax returns out of respect for the American people—out of respect for the American people. Week in and week out—in fact, sometimes day in and day out—in committee as well as on the floor, the Republicans have kept the President’s income tax returns private when the public has a right to know that, that the public has always known that about every President since Gerald Ford—in fact, since Richard Nixon; although, in his case, it wasn’t voluntary.

So while they are hiding President Trump’s tax returns, some discrete piece of information that the public has a right to know, they are selling your most personal, selling your most personal and sensitive information—again, your browsing history, your children’s location, everything—to anyone with the money to buy it.

Incognito tabs or private browsing modes will not protect you from the internet service providers watching and selling, as Mr. CAPUANO pointed out, watching and selling. Republicans have picked the week after Russian spies were caught hacking into half a billion American email accounts to open the floodgates, overturning the requirement that internet service providers keep their sensitive data secured from cybercriminals.

The American people deserve to be able to insist that intimate details and information about their browser history be kept private and secure.

So how is this?

We have this magnificent technology that science has made available to people to facilitate commerce, to learn about different subjects, to privately pursue, in a way that they may not even want their families to know, what symptoms they have and what illness that might tell them about.

Most Americans have no or limited choices for broadband providers and no recourse against these invasions of their privacy because, with this measure, Republicans turn their back on the overwhelming number of Americans who want more control over their internet privacy.

Americans can choose who represents them in Congress. Americans are paying close attention. They want to know who is taking a stand with them in opposing efforts to sell the private information of the American people.

This is staggering. This is almost a surrender. If the Republicans are allowed to do this, we have surrendered all thoughts of privacy for the American people.

Privacy is a value that the American people treasure. It is about their dignity. It is about their dignity. We cannot allow the Republicans to sell the dignity of the American people. I hope that everyone will vote “no” on this most unfortunate assault on the dignity of the American people.

□ 1700

Mr. FLORES. Mr. Speaker, I reserve the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentleman for yielding.

Last week, Republicans tried to take away your health care; and, today, they are trying to take away your privacy.

Republicans have said broadband providers and other internet companies should be under the same privacy rules. But oddly enough, when the committee considered an amendment to give the FTC, the Federal Trade Commission, rulemaking authority like the FCC, a change that would allow the agencies to adopt the same privacy protection, every single Republican voted no. In fact, Republicans proposed making it harder for the FTC to pursue privacy and data security cases.

The protections that the FCC adopted last year were very simple: consumers should know what data is being collected, opt in to sharing of sensitive data, have their data reasonably protected, and receive notice when their data is compromised. But this dangerous resolution puts America’s privacy and data security at risk.

Mr. Speaker, I urge all of my colleagues to stand up for consumers and vote “no.”

Mr. FLORES. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in strong opposition to this resolution of disapproval, which would repeal broadband privacy rules being implemented by the FCC.

As co-chair of the Congressional Cybersecurity Caucus, I hope I can offer some additional perspective on this debate. Studying the many threats our country faces in cyberspace, I have become deeply aware of how ingrained the internet is in every aspect of our lives and our economy. And that has also helped me understand the unique role of broadband service providers to grant access to the great potential of the Information Age.

By necessity, ISPs see every bit of traffic that leaves your network for the broader internet. Even when you use encryption, ISPs can still capture data about whom you are talking to or what sites you are visiting. These data are sensitive, and consumers have a right to decide whether or not they can be shared or monetized. Unfortunately, the resolution of disapproval under consideration would strip consumers of that right and presumptively allow sharing and selling without your permission.

Mr. Speaker, the resolution before us today that the Republicans have proposed is downright creepy. It is going to allow potentially unprecedented abuse of personal or private information be shared without your permission. This cannot stand. I urge my colleagues to oppose it.

Mr. FLORES. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 2 minutes remaining. The gentleman from Texas has 2 minutes remaining.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Mrs. DEMINGS).

Mrs. DEMINGS. Mr. Speaker, please stop me if you have heard this one before and know how it ends. My colleagues on the other side are once again trying to sell the American people a broken alternative to something that is working pretty much as it was intended to.

The FCC privacy rule just says that customers must opt in before internet companies can sell their web browsing history, and that those companies must make reasonable efforts to protect customers’ sensitive information.

These are not unreasonable requirements.

The internet is our gateway to the world. Whether we connect through our mobile phone or our home computer, we pay companies for access. If those companies want to sell information about what we do on the internet, they should have to get our permission first. It is the right thing to do.

Mr. Speaker, I urge my colleagues on the other side to simply do the right thing.

Mr. FLORES. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I include in the RECORD letters from a coalition of small ISPs, a coalition of civil rights organizations, the Consumers Union, and an article by Terrell McSweeney all opposing this CRA.

ELECTRONIC FRONTIER FOUNDATION,
San Francisco, CA.
Re Oppose S.J. Res 34—Repeal of FCC Privacy Rules.

DEAR U.S. REPRESENTATIVES: We, the undersigned founders, executives, and employees of ISPs and networking companies, spend our working lives ensuring that Americans have high-quality, fast, reliable, and locally provided choices available when they need to connect to the Internet. One of the cornerstones of our businesses is respecting the privacy of our customers, and it is for that primary reason that we are writing to you today.

We urge Congress to preserve the FCC's Broadband Privacy Rules and vote down plans to abolish them. If the rules are repealed, large ISPs across America would resume spying on their customers, selling their data, and denying them a practical and informed choice in the matter.

Perhaps if there were a healthy, free, transparent, and competitive market for Internet services in this country, consumers could choose not to use those companies' products. But small ISPs like ours face many structural obstacles, and many Americans have very limited choices: a monopoly or duopoly on the wireline side, and a highly consolidated cellular market dominated by the same wireline firms.

Under those circumstances, the FCC's Broadband Privacy Rules are the only way that most Americans will retain the free market choice to browse the Web without being surveilled by the company they pay for an Internet connection.

Signed,

Sonic, MonkeyBrains, Cruzio Internet, Etheric Networks, Aeneas Communications, Digital Service Consultants Inc., Hoyos Consulting LLC, Om Networks, Motherlode Internet, Goldrush Internet, Credo Mobile, Andrew Buker (Director of Infrastructure Services & Research computing, University of Nebraska at Omaha), Tim Pozar (co-founder, TwoP LLC), Andrew Gallo (Senior Network Architect for a regional research and education network), Jim Deleskie (co-founder, Mimir networks), Randy Carpenter (VP, First Network Group), Kraig Beahn (CTO, Enguity Technology Corp).

JANUARY 27, 2017.

Hon. PAUL D. RYAN,
Speaker of the House, House of Representatives,
Washington, DC.

Hon. MITCH MCCONNELL,
Senate Majority Leader, U.S. Senate, Wash-
ington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

Hon. CHARLES SCHUMER,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR SPEAKER RYAN, SENATOR MCCONNELL, REPRESENTATIVE PELOSI, AND SENATOR SCHUMER: The undersigned media justice, consumer protection, civil liberties, and privacy groups strongly urge you to oppose the use of the Congressional Review Act (CRA) to adopt a Resolution of Disapproval overturning the FCC's broadband privacy order. That order implements the mandates in Section 222 of the 1996 Telecommunications Act, which an overwhelming, bipartisan majority of Congress enacted to protect telecommunications users' privacy. The cable, telecom, wireless, and advertising lobbies request for CRA intervention is just another industry attempt to overturn rules that empower users and give them a say in how their private information may be used.

Not satisfied with trying to appeal the rules of the agency, industry lobbyists have asked Congress to punish internet users by way of restraining the FCC, when all the agency did was implement Congress' own directive in the 1996 Act. This irresponsible, scorched-earth tactic is as harmful as it is hypocritical. If Congress were to take the industry up on its request, a Resolution of Disapproval could exempt internet service providers (ISPs) from any and all privacy rules at the FCC. As you know, a successful CRA on the privacy rules could preclude the FCC from promulgating any "substantially similar" regulations in the future—in direct conflict with Congress' clear intention in Section 222 that telecommunications carriers protect their customers' privacy. It could also preclude the FCC from addressing any of the other issues in the privacy order like requiring data breach notification and from revisiting these issues as technology continues to evolve in the future. The true consequences of this revoked authority are apparent when considering the ISPs' other efforts to undermine the rules. Without these rules, ISPs could use and disclose customer information at will. The result could be extensive harm caused by breaches or misuse of data.

Broadband ISPs, by virtue of their position as gatekeepers to everything on the internet, have a largely unencumbered view into their customers' online communications. That includes the websites they visit, the videos they watch, and the messages they send. Even when that traffic is encrypted, ISPs can gather vast troves of valuable information on their users' habits; but researchers have shown that much of the most sensitive information remains unencrypted.

The FCC's order simply restores people's control over their personal information and lets them choose the terms on which ISPs can use it, share it, or sell it. Americans are increasingly concerned about their privacy, and in some cases have begun to censor their online activity for fear their personal information may be compromised. Consumers have repeatedly expressed their desire for more privacy protections and their belief that the government helps ensure those protections are met. The FCC's rules give

broadband customers confidence that their privacy and choices will be honored, but it does not in any way ban ISPs' ability to market to users who opt-in to receive any such targeted offers.

The ISPs' overreaction to the FCC's broadband privacy rules has been remarkable. Their supposed concerns about the rule are significantly overblown. Some broadband providers and trade associations inaccurately suggest that this rule is a full ban on data use and disclosure by ISPs, and from there complain that it will hamstring ISPs' ability to compete with other large advertising companies and platforms like Google and Facebook. To the contrary, ISPs can and likely will continue to be able to benefit from use and sharing of their customers' data, so long as those customers consent to such uses. The rules merely require the ISPs to obtain that informed consent.

The ISPs and their trade associations already have several petitions for reconsideration of the privacy rules before the FCC. Their petitions argue that the FCC should either adopt a "Federal Trade Commission style" approach to broadband privacy, or that it should retreat from the field and its statutory duty in favor of the Federal Trade Commission itself. All of these suggestions are fatally flawed. Not only is the FCC well positioned to continue in its statutorily mandated role as the privacy watchdog for broadband telecom customers, it is the only agency able to do so. As the 9th Circuit recently decided in a case brought by AT&T, common carriers are entirely exempt from FTC jurisdiction, meaning that presently there is no privacy replacement for broadband customers waiting at the FTC if Congress disapproves the FCC's rules here.

This lays bare the true intent of these industry groups, who also went to the FCC asking for fine-tuning and reconsideration of the rules before they sent their CRA request. These groups now ask Congress to create a vacuum and to give ISPs carte blanche, with no privacy rules or enforcement in place. Without clear rules of the road under Section 222, broadband users will have no certainty about how their private information can be used and no protection against its abuse. ISPs could and would use and disclose consumer information at will, leading to extensive harm caused by breaches and by misuse of data properly belonging to consumers.

Congress told the FCC in 1996 to ensure that telecommunications carriers protect the information they collect about their customers. Industry groups now ask Congress to ignore the mandates in the Communications Act, enacted with strong bipartisan support, and overturn the FCC's attempts to implement Congress's word. The CRA is a blunt instrument and it is inappropriate in this instance, where rules clearly benefit internet users notwithstanding ISPs' disagreement with them.

We strongly urge you to oppose any resolution of disapproval that would overturn the FCC's broadband privacy rule.

Sincerely,

Access Now, American Civil Liberties Union, Broadband Alliance of Mendocino County, Center for Democracy and Technology, Center for Digital Democracy, Center for Media Justice, Color of Change, Consumer Action, Consumer Federation of America, Consumer Federation of California, Consumer Watchdog, Consumer's Union, Free Press Action Fund, May First/People Link, National Hispanic Media Coalition, New America's Open Technology Institute, Online Trust Alliance, Privacy Rights Clearing House, Public Knowledge.

CONSUMERSUNION®, POLICY &
ACTION FROM CONSUMER REPORTS,
March 27, 2017.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: Consumers Union, the policy and mobilization arm of Consumer Reports, writes regarding House consideration of S.J. Res. 34, approved by a 50-48 party line vote in the Senate last week.

This resolution, if passed by the House and signed into law by President, would use the Congressional Review Act (CRA) to nullify the Federal Communication Commission's (FCC) newly-enacted broadband privacy rules that give consumers better control over their data. Many Senators cited "consumer confusion" as a reason to do away with the FCC's privacy rules, but we have seen no evidence proving this assertion and fail to understand how taking away increased privacy protections eliminates confusion. Therefore, we strongly oppose passage of this resolution—it would strip consumers of their privacy rights and, as we explain below, leave them with no protections at all. We urge you to vote no on S.J. Res. 34.

The FCC made history last October when it adopted consumer-friendly privacy rules that give consumers more control over how their information is collected by internet service providers (ISPs). Said another way, these rules permit consumers to decide when an ISP can collect a treasure trove of consumer information, whether it is a web browsing history or the apps a consumer may have on a smartphone. We believe the rules are simple, reasonable, and straightforward.

ISPs, by virtue of their position as gatekeepers to everything on the internet, enjoy a unique window into consumers' online activities. Data including websites consumers visit, videos viewed, and messages sent is very valuable. Small wonder, then, that ISPs are working so hard to have the FCC's new privacy rules thrown out through use of the Congressional Review Act. But we should make no mistake: abandoning the FCC's new privacy rules is about what benefits big cable companies and not about what is best for consumers.

Many argue the FCC should have the same privacy rules as those of the Federal Trade Commission (FTC). FCC Chairman Ajit Pai went so far as to say "jurisdiction over broadband providers' privacy and data security practices should be returned to the FTC, the nation's expert agency with respect to these important subjects," even though the FTC currently possesses no jurisdiction over the vast majority of ISPs thanks to the common carrier exemption—an exemption made stricter by the Ninth Circuit Court of Appeals in last year's AT&T Mobility case. We have heard this flawed logic time and time again as one of the principal arguments for getting rid of the FCC's strong privacy rules. Unfortunately, this is such a poor solution that it amounts to no solution at all.

For the FTC to regain jurisdiction over the privacy practices of ISPs, the FCC would first have to scrap Title II reclassification—not an easy task which would be both time-consuming and subject to judicial review, and jeopardize the legal grounding of the 2015 Open Internet Order. Congress, in turn, would have to pass legislation to remove the common carrier exemption, thus granting the FTC jurisdiction over those ISPs who are common carriers. We are skeptical Congress would take such an action. Finally, the FTC does not enjoy the same robust rulemaking authority that the FCC does. As a result,

consumers would have to wait for something bad to happen before the FTC would step in to remedy a violation of privacy rights. Any fondness for the FTC's approach to privacy is merely support for dramatically weaker privacy protections favored by most corporations.

There is no question that consumers favor the FCC's current broadband privacy rules. Consumers Union launched an online petition drive last month in support of the Commission's strong rules. To date, close to 50,000 consumers have signed the petition and the number is growing. Last week, more than 24,000 consumers contacted their Senators urging them to oppose the CRA resolution in the 24 hours leading up to the vote. Consumers care about privacy and want the strong privacy protections afforded to them by the FCC. Any removal or watering down of those rules would represent the destruction of simple privacy protections for consumers.

Even worse, if this resolution is passed, using the Congressional Review Act here will prevent the FCC from adopting privacy rules—even weaker ones—to protect consumers in the future. Under the CRA, once a rule is erased, an agency cannot move forward with any "substantially similar" rule unless Congress enacts new legislation specifically authorizing it. Among other impacts, this means a bare majority in the Senate can void a rule, but then restoration of that rule is subject to full legislative process, including a filibuster. The CRA is a blunt instrument—and if used in this context, blatantly anti-consumer.

We are more than willing to work with you and your fellow Representatives to craft privacy legislation that affords consumer effective and easy-to-understand protections. The FCC made a step in that direction when it adopted the broadband privacy rules last year, and getting rid of them via the Congressional Review Act is a step back, not forward. Therefore, we encourage you to vote no on S.J. Res. 34.

Respectfully,

LAURA MACCLEERY,
Vice President, Consumer Policy & Mobilization, Consumer Reports.

KATIE MCINNIS,
Policy Counsel, Consumers Union.

JONATHAN SCHWANTES,
Senior Policy Counsel, Consumers Union.

[From wired.com, Mar. 22, 2017]

CONGRESS IS ABOUT TO GIVE AWAY YOUR
ONLINE PRIVACY

(By Terrell McSweeney and Chris Hoofnagle)

The resolution that could come to a Congressional vote this week aims to tackle differences in how the FCC rule treats ISPs compared with other internet companies. Your broadband provider has to offer you a choice about what information it shares about you, but ecommerce sites and search engines do not.

Advocates for repealing the current protections—the resolution is sponsored by Senator Jeff Flake (R-AZ)—argue that Congress should void the FCC's rule using the Congressional Review Act. They contend that in order to properly govern privacy and avoid confusing consumers, the FCC should maintain consistent rules across the internet ecosystem. But inconsistent standards pervade privacy and consumer law. Furthermore, consistent standards militate in favor of in-

creasing protections for privacy, rather than unraveling them as the current proposal would do.

An alphabet soup of state and federal laws set the privacy requirements for everything from our financial information to data about our children. That's largely because privacy is both essential to and sometimes in conflict with our most deeply held value, liberty. So, legislators have never been able to craft omnibus privacy protections. Instead, they've developed frameworks informed by prevailing norms, incentives, political economy, and ways the information might be used.

As we connect more devices in our home and on our bodies, the array of technologies that raise data privacy and security concerns is expanding. The privacy landscape will likely continue to be shaped as technologies evolve.

Different consumer technologies may justify different approaches. For example, the safety issues inherent in cars and medical devices may warrant particularly strong privacy and security protections. In the future, privacy rules could come from the FCC as well as the Department of Commerce, National Highway Traffic Safety Administration, Food and Drug Administration, and other agencies.

Consider that your bank can—and probably does—sell your contact and financial information unless you opt out. Yet if you rent a movie, online or off, the rental service can't sell information about your media consumption without your consent, and it must delete your rental history after it's no longer needed. Congress enacted those protections to shield intellectual freedom, so that one can enjoy controversial movies without fear of one's curiosity resulting in extortion or embarrassment.

This brings us to our second point: If consistency and reducing consumer confusion is the goal, consumers should demand stronger internet privacy norms. Given the animating purpose of protecting movie rental information, why not require consumers to consent to the sharing any information about their online behavior? After all, our web activity is the ultimate manifestation of our intellectual curiosity, representing second-by-second decisions about consuming news and entertainment.

In addition to existing federal laws, legislators could, as professor Helen Nissenbaum has suggested, look to offline contexts, such as the strong privacy norms governing searching for a book in a library, to guide the privacy rules we ought to enjoy when using a search engine. The government also could take a page from the confidentiality standards patients enjoy when conversing with physicians and apply those same norms to medical information websites. Policymakers could look to the last two centuries of privacy in the postal mail to guide rules for commercial scanning of email. Yet in all these contexts, web business models drive design decisions that have turned social and personal behaviors into marketplace transactions.

Left standing, the FCC rule offers an opportunity for a meaningful debate about how to better translate our analog privacy norms into the digital world. Broadband ISPs are essentially utilities, like postal mail and the telephone. Subscribers have little or no competitive choice as to which provider to use. ISPs know our identities, and their position gives them the technical capacity to surveil users in ways that others cannot. It makes sense to ensure consumers can choose whether to share data related to their Internet usage.

The majority of consumers—91 percent in a recent survey—feel they've lost control of their personal information. Yet, paradoxically, the late, great privacy researcher and historian Alan Westin consistently found that Americans expect companies to handle personal data in a "confidential" way. In reality, the modern internet is like a one-way mirror, where users are often unaware that they are being silently watched by third parties. The FCC rule exposes this one-way mirror and allows people to decide whether to draw a curtain on it.

Maintaining the current rules would make ISP practices more consistent with consumers' expectations of confidentiality. Congress should spend time examining the strengths and weaknesses of our current approach, instead of using consistency arguments to eviscerate the FCC's rule.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LOFGREN), my colleague from the class of '94.

Ms. LOFGREN. Mr. Speaker, a "yes" vote exempts all broadband service providers from all rules on user privacy and all limitations on how they use your data. They are in a unique position to see every place you go, every website you visit, they can do deep packet inspection and see what is in your emails.

What protects your privacy?

This rule that is about to be repealed.

If you have problems with the privacy policies of your email provider or social network, you have got competition to go to. But most Americans have just one or, at most, just two choices for their broadband provider. And, interestingly enough, all of those providers are supporting the repeal of this privacy rule.

Why?

They are going to make money selling your information.

The idea that we could have an FTC solution is an interesting one, but there is no way to do it. In the Ninth Circuit's 2016 ruling of *AT&T v. FTC*, they ruled that the FTC is barred from imposing data breach rules. So vote "no" and protect your constituents' privacy.

Mr. FLORES. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I ask my colleagues to vote against this horrible resolution, and I yield back the balance of my time.

Mr. FLORES. Mr. Speaker, I yield myself the balance of my time.

We have heard a lot of interesting claims today in the discussion about this fairly simple resolution to roll back overreaching regulation from the FCC that were passed late in the Obama administration's time.

I would remind everybody, Mr. Speaker, that this CRA has nothing to do with the President's tax return, it has nothing to do with Russian hack-

ing, and there have been some gross mischaracterizations of what this resolution does.

Why do we need this resolution?

The three reasons are, as Chairwoman BLACKBURN opened up at the beginning:

First of all, the FCC swiped jurisdiction from the FTC.

Second, two cops on the beat create confusion among consumers and among the ISP providers.

Third, the FTC already has jurisdiction over this space.

Let me close with this: this resolution of disapproval only rescinds the FCC's rule, but it still provides the FCC the opportunity to provide more oversight more in line with the Federal Trade Commission, which has successfully been regulating online privacy for nearly 2 decades.

This resolution does not lessen or impede the privacy and data security standards that we already have established. We are simply restoring a more stable regulatory playing field to ensure that consistent uniform privacy standards are maintained to protect consumers and future innovation.

Once Congress rejects these rules, the FCC can turn back to cooperating with the FTC to ensure both the consumer privacy across all aspects of the internet is protected through vigorous enforcement and that innovation is allowed to flourish.

I urge all of my colleagues to support this commonsense resolution.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the rule, the previous question is ordered on the joint resolution.

The question is on the third reading of the joint resolution.

The joint resolution was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Ms. LOFGREN. Mr. Speaker, I rise to a question of the privileges of the House, and offer the resolution that was previously noticed.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Expressing the sense of the House of Representatives that the President shall immediately disclose his tax return information to Congress and the American people.

Whereas, the Emoluments Clause was included in the U.S. Constitution for the express purpose of preventing federal officials from accepting any "present, Emolument, Office, or Title . . . from any King, Prince, or foreign State";

Whereas, in *Federalist No. 22* (Alexander Hamilton) it is said, "One of the weak sides of republics, among their numerous advantages, is that they afford too easy an inlet to foreign corruption," and;

Whereas, the delegates to the Constitutional Convention specifically designed the Emoluments Clause as an antidote to potentially corrupting foreign practices of a kind that the Framers had observed during the period of the Confederation, and;

Whereas, Article 1, section 9, clause 8 of the Constitution states: "no person holding any office of profit or trust . . . shall, without the consent of the Congress, accept of any present, Emolument, Office, or Title of any kind whatever, from any King, Prince, or foreign State"; and;

Whereas, in 2009, the Office of Legal Counsel clarified that corporations owned or controlled by foreign governments presumptively qualify as foreign States under the foreign Emoluments Clause, and;

Whereas, the word "emoluments" means profit, salary, fees, or compensation which would include direct payment, as well as other benefits, including extension of credit, forgiveness of debt, or the granting of rights of pecuniary value, and;

Whereas, according to *The New Yorker*, in 2012, The Trump Organization entered into a deal with Ziya Mammadov to build the Trump Tower Baku in the notoriously corrupt country Azerbaijan in possible violation of the Foreign Corrupt Practices Act and, by profiting from business with the Mammadov family, due to their financial entanglements with the Iran Revolutionary Guard may have also violated the Emoluments Clause if income from this project continues to flow to The Trump Organization, and;

Whereas, The Trump Organization has deals in Turkey, admitted by the President himself during a 2015 Brietbart interview, and when the President announced his travel ban, Turkey's President called for President Trump's name to be removed from Trump Towers Istanbul, according to *The Wall Street Journal*, and President Trump's company is currently involved in major licensing deals for that property which may implicate the Emoluments Clause, and;

Whereas, shortly after election, the President met with the former U.K. Independence Party leader, Nigel Farage, to get help to stop obstructions of the view from one of his golf resorts in Scotland, and according to *The New York Times*, both of the resorts he owns there are promoted by Scotland's official tourism agency, a benefit that may violate the Emoluments Clause, and;

Whereas, at Trump Tower in New York, the Industrial and Commercial Bank of China is a large tenant, according to Bloomberg; the United Arab Emirates leases space, according to the Abu Dhabi Tourism & Culture Authority; and the Saudi Mission to the U.N. makes annual payments, according to the *New York Daily News*, and money from these foreign countries goes to the President, and;

Whereas, according to NPR, in February China gave provisional approval for 38 new

trademarks for The Trump Organization, which have been sought for a decade to no avail, until President Trump won the election. This is a benefit the Chinese Government gave to the President's businesses in possible violation of the Emoluments Clause, and;

Whereas, the President is part owner of a New York building carrying a \$950 million loan, partially held by the Bank of China, according to The New York Times, when owing the Government of China by the extension of loans and credits by a foreign State to an officer of the United States would violate the Emoluments Clause, and;

Whereas, NPR reported that the Embassy of Kuwait held its 600 guest National Day celebration at Trump Hotel in Washington, D.C., last month, proceeds to Trump, and;

Whereas, according to The Washington Post, the Trump International Hotel in Washington, D.C., has hired a "director of diplomatic sales" to generate high-priced business among foreign leaders and diplomatic delegations, and;

Whereas, according to his 2016 candidate filing with the Federal Election Commission, the President has 564 financial positions in companies located in the United States and around the world, and;

Whereas, against the advice of ethics attorneys and the Office of Government Ethics, the President has refused to divest his ownership stake in his businesses, and;

Whereas, the Director of the nonpartisan Office of Government Ethics said that the President's plan to transfer his business holdings to a trust managed by family members is "meaningless" and "does not meet the standards that . . . every President in the past four decades has met", and;

Whereas, in the United States' system of checks and balances, Congress has a responsibility to hold the executive branch of government to the highest standard of transparency to ensure the public interest is placed first and the Constitution is adhered to, and;

Whereas, the House Judiciary Committee has the first responsibility among the committees of the House to see that elements of our Constitution are adhered to and, in furtherance of that responsibility, Judiciary Committee members have historically utilized fact-finding and research prior to formal hearings, and;

Whereas, tax returns provide an important baseline disclosure because they contain highly instructive information including whether the filer paid taxes, what they own, what they have borrowed and from whom, whether they have made any charitable donations, and whether they have taken advantage of tax loopholes and that such information would be material to members of the Judiciary Committee as research is undertaken on whether President Trump is in violation of the Emoluments Clause of the Constitution, and;

Whereas, disclosure of the President's tax returns would be an effective means for the President to provide evidence either refuting or confirming claims of violations of the Emoluments Clause, and;

Whereas, the President's tax returns are likely to be essential as members of the Judiciary Committee work to research potential violations of the Emoluments Clause, and;

Whereas, the chairmen of the Ways and Means Committee, Joint Committee on Taxation, and Senate Finance Committee have the authority to request the President's tax returns under section 6103 of the Tax Code,

and this power is an essential tool in learning whether the President may be in violation of the Emoluments Clause, and;

Whereas, questions involving constitutional functions and the House's constitutionally granted powers have been recognized as valid questions of the privileges of the House.

Resolved, That the House of Representatives shall—

1. Immediately request the tax return information of Donald J. Trump for tax years 2000 through 2015 for review by Congress, as part of a determination as to whether the President is in violation of the Foreign Emoluments Clause of the U.S. Constitution.

□ 1715

The SPEAKER pro tempore. Does the gentlewoman from California wish to present argument on the parliamentary question of whether the resolution presents a question of the privileges of the House?

Ms. LOFGREN. I do, Mr. Speaker.

The SPEAKER pro tempore. The remarks of the gentlewoman must be confined to the question of whether the resolution presents a question of the privileges of the House.

The gentlewoman from California is recognized.

Ms. LOFGREN. Mr. Speaker, under clause 1 of rule IX, questions of the privileges of the House are: "those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings."

The dignity and integrity of the House's proceedings have been violated, and continue to be violated, because Congress has not had the constitutionally afforded opportunity to consent to emoluments being received by the President or to enforce, if consent is not given.

I would note that Congress has the authority to request the President's taxes under section 6103 of the Internal Revenue Code, and use of this authority would not be unprecedented, as it was used in 1974 to request President Nixon's tax returns that revealed that he owed nearly half a million dollars in back taxes.

I would note that issues of the Constitution and the House's prerogatives under the Constitution have a precedent in using rule IX as a privileged resolution.

For example, if a revenue measure is initiated in the Senate instead of in the House as required by the Constitution, that is a matter of a privilege of the House. I would argue that the Emoluments Clause is at least as important, possibly more important, than the origination of a revenue measure in either the House or Senate.

I have been a member of the Judiciary Committee for 22 years. I am well aware of how the Judiciary Committee operates and the need for individual Members to do research before any official action is taken in that committee. And since it is the Judiciary Committee, it has the first responsibility

for adhering to the Constitution among the committees of the House. I think it is absolutely essential for the President's tax returns to be released so that the members of the Judiciary Committee can do their job to research whether the Emoluments Clause has been violated and whether permission should be given to the President to receive payments from foreign states.

I would note that there is no question that the Emoluments Clause of the Constitution was placed there to prevent corruption in the system. It was based on a sad experience during the Articles of Confederation. It is necessary to make sure that the President and all other officers of the United States have loyalty to only one thing, and that is to the United States of America, not to any foreign power.

In order to do that, we need to review the data. As I say, the dignity and integrity of the House requires that the Constitution be upheld, and in order to uphold the Constitution, we must have this information.

For these reasons, the resolution raises a question of the privileges of the House and should be permitted, Mr. Speaker.

The SPEAKER pro tempore. The gentlewoman from California seeks to offer a resolution as a question of the privileges of the House under rule IX.

In evaluating the resolution under rule IX, the Chair must determine whether the resolution affects "the rights of the House collectively, its safety, dignity, and the integrity of its proceedings."

The resolution offered by the gentlewoman from California directs the House to request the President's tax return information as part of a determination as to whether the President is in violation of the Foreign Emoluments Clause of the Constitution.

Section 702 of the House Rules and Manual states that "rule IX is concerned not with the privileges of the Congress, as a legislative branch, but only with the privileges of the House, as a House." As such, reviews of extramural activities, even with regard to constitutional prerogatives, have not met the standards of rule IX.

The Chair would also cite the proceedings of May 21, 2009. On that date, a resolution proposing a review of the accuracy of certain public statements made by the Speaker regarding communications to Congress from the executive branch was held not to qualify as a question of privilege, because it necessarily would have required a review not only of the Speaker's statements but also of actions by extramural actors in the executive branch.

The resolution offered by the gentlewoman from California does not invoke a unique prerogative of the House, as a House. Instead, it seeks documents from the President, an actor entirely extramural to the House. Accordingly,

the resolution does not qualify as a question of the privileges of the House.

Ms. LOFGREN. Mr. Speaker, I appeal that ruling.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE

Mr. FLORES. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Flores moves to lay the appeal on the table.

The SPEAKER pro tempore. The question is on the motion to table.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. LOFGREN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to table will be followed by a 5-minute vote on passage of S.J. Res. 34.

The vote was taken by electronic device, and there were—yeas 228, nays 190, answered “present” 2, not voting 9, as follows:

[Roll No. 201]

YEAS—228

Abraham	Culberson	Hudson
Aderholt	Curbelo (FL)	Huizenga
Allen	Davidson	Hultgren
Amash	Davis, Rodney	Hunter
Amodei	Denham	Hurd
Arrington	Dent	Issa
Babin	DeSantis	Jenkins (KS)
Bacon	DesJarlais	Jenkins (WV)
Banks (IN)	Diaz-Balart	Johnson (LA)
Barletta	Donovan	Johnson (OH)
Barr	Duncan (SC)	Johnson, Sam
Barton	Duncan (TN)	Jordan
Bergman	Dunn	Joyce (OH)
Biggs	Emmer	Katko
Bilirakis	Farenthold	Kelly (MS)
Bishop (MI)	Faso	Kelly (PA)
Bishop (UT)	Ferguson	King (IA)
Black	Fitzpatrick	King (NY)
Blackburn	Fleischmann	Kinzinger
Blum	Flores	Knight
Bost	Fortenberry	Kustoff (TN)
Brady (TX)	Fox	Labrador
Brat	Franks (AZ)	LaHood
Bridenstine	Frelinghuysen	LaMalfa
Brooks (AL)	Gaetz	Lamborn
Brooks (IN)	Gallagher	Lance
Buchanan	Garrett	Latta
Buck	Gibbs	Lewis (MN)
Bucshon	Gohmert	LoBiondo
Budd	Goodlatte	Long
Burgess	Gosar	Loudermilk
Byrne	Gowdy	Love
Calvert	Granger	Lucas
Carter (GA)	Graves (GA)	Luetkemeyer
Carter (TX)	Graves (LA)	MacArthur
Chabot	Graves (MO)	Marchant
Chaffetz	Griffith	Marshall
Cheney	Grothman	Massie
Coffman	Guthrie	Mast
Cole	Harper	McCarthy
Collins (GA)	Harris	McCaul
Collins (NY)	Hartzler	McClintock
Comer	Hensarling	McHenry
Comstock	Herrera Beutler	McKinley
Conaway	Hice, Jody B.	McMorris
Cook	Higgins (LA)	Rodgers
Costello (PA)	Hill	McSally
Cramer	Holding	Meadows
Crawford	Hollingsworth	Meehan

Messer	Rooney, Francis	Thornberry
Mitchell	Rooney, Thomas J.	Tiberi
Moolenaar	Roskam	Tipton
Mooney (WV)	Ross	Trott
Mullin	Rothfus	Turner
Murphy (PA)	Rouzer	Upton
Newhouse	Royce (CA)	Valadao
Noem	Russell	Wagner
Nunes	Rutherford	Walberg
Olson	Scalise	Walden
Palazzo	Schweikert	Walker
Palmer	Scott, Austin	Walorski
Paulsen	Sensenbrenner	Walters, Mimi
Pearce	Sessions	Weber (TX)
Perry	Shimkus	Webster (FL)
Poe (TX)	Shuster	Wenstrup
Poliquin	Smith (MO)	Westerman
Ratcliffe	Smith (NE)	Williams
Reed	Smith (NJ)	Wilson (SC)
Reichert	Smith (TX)	Wittman
Renacci	Smucker	Womack
Rice (SC)	Stefanik	Woodall
Roby	Stewart	Yoder
Roe (TN)	Stivers	Yoho
Rogers (AL)	Taylor	Young (AK)
Rogers (KY)	Tenney	Young (IA)
Rohrabacher	Thompson (PA)	Zeldin
Rokita		

NAYS—190

Adams	Gabbard	Napolitano
Agullar	Gallego	Neal
Barragan	Garamendi	Norcross
Bass	Gonzalez (TX)	O'Halloran
Beatty	Gottheimer	O'Rourke
Bera	Green, Al	Pallone
Beyer	Green, Gene	Panetta
Bishop (GA)	Grijalva	Pascarell
Blumenauer	Gutierrez	Payne
Blunt Rochester	Hanabusa	Pelosi
Bonamici	Hastings	Perlmutter
Boyle, Brendan F.	Heck	Peters
Brady (PA)	Higgins (NY)	Peterson
Brown (MD)	Himes	Pingree
Brownley (CA)	Hoyer	Pocan
Bustos	Huffman	Polis
Butterfield	Jackson Lee	Price (NC)
Capuano	Jayapal	Quigley
Carbajal	Jeffries	Raskin
Cardenas	Johnson (GA)	Rice (NY)
Carson (IN)	Johnson, E. B.	Richmond
Cartwright	Jones	Rosen
Castor (FL)	Kaptur	Roybal-Allard
Castro (TX)	Keating	Ruiz
Chu, Judy	Kelly (IL)	Ruppersberger
Cicilline	Kennedy	Ryan (OH)
Clark (MA)	Khanna	Sánchez
Clarke (NY)	Kihuen	Sarbanes
Clay	Kildee	Schakowsky
Cleaver	Kilmer	Schiff
Clyburn	Kind	Schneider
Cohen	Krishnamoorthi	Schrader
Connolly	Kuster (NH)	Scott (VA)
Conyers	Langevin	Scott, David
Cooper	Larsen (WA)	Serrano
Correa	Larson (CT)	Sewell (AL)
Costa	Lawrence	Shea-Porter
Courtney	Lawson (FL)	Sherman
Crist	Lee	Sinema
Crowley	Levin	Sires
Cuellar	Lewis (GA)	Smith (WA)
Cummings	Lieu, Ted	Soto
Davis (CA)	Lipinski	Speier
Davis, Danny	Loeb sack	Suozzi
DeGette	Lofgren	Swalwell (CA)
Delaney	Lowenthal	Takano
DeLauro	Lowey	Thompson (CA)
DeBene	Lujan Grisham, M.	Thompson (MS)
Demings	Lujan, Ben Ray	Titus
DeSaulnier	Lynch	Tonko
Deutch	Maloney	Torres
Dingell	Carolyn B.	Tsongas
Doggett	Maloney, Sean	Vargas
Doyle, Michael F.	Matsui	Veasey
Ellison	McCollum	Vela
Engel	McEachin	Velázquez
Eshoo	McGovern	Visclosky
Espallat	McNerney	Walz
Esty	Meeks	Wasserman
Evans	Meng	Schultz
Foster	Moore	Waters, Maxine
Frankel (FL)	Moulton	Watson Coleman
Fudge	Murphy (FL)	Welch
	Nadler	Wilson (FL)
		Yarmuth

ANSWERED “PRESENT”—2

DeFazio	Sanford	
Duffy	Pittenger	Rush
Marino	Posey	Simpson
Nolan	Ros-Lehtinen	Slaughter

NOT VOTING—9

□ 1748

Mr. O'HALLERAN changed his vote from “yea” to “nay.”

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION

The SPEAKER pro tempore. The unfinished business is the vote on passage of the joint resolution (S.J. Res. 34) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to “Protecting the Privacy of Customers of Broadband and Other Telecommunications Services”, on which the yeas and nays were ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 215, nays 205, not voting 9, as follows:

[Roll No. 202]

YEAS—215

Abraham	Collins (NY)	Graves (GA)
Aderholt	Comer	Graves (MO)
Allen	Comstock	Griffith
Amodei	Conaway	Grothman
Arrington	Cook	Guthrie
Babin	Costello (PA)	Harper
Bacon	Cramer	Harris
Banks (IN)	Crawford	Hartzler
Barletta	Culberson	Hensarling
Barr	Curbelo (FL)	Hice, Jody B.
Barton	Davis, Rodney	Higgins (LA)
Bergman	Denham	Holding
Biggs	Dent	Hollingsworth
Bilirakis	DeSantis	Hudson
Bishop (MI)	DesJarlais	Huizenga
Bishop (UT)	Diaz-Balart	Hultgren
Black	Donovan	Hunter
Blackburn	Duncan (SC)	Hurd
Blum	Dunn	Issa
Bost	Emmer	Jenkins (KS)
Brady (TX)	Farenthold	Jenkins (WV)
Brat	Ferguson	Johnson (LA)
Bridenstine	Fitzpatrick	Johnson (OH)
Brooks (IN)	Fleischmann	Johnson, Sam
Buchanan	Flores	Jordan
Buck	Fortenberry	Joyce (OH)
Bucshon	Fox	Katko
Budd	Franks (AZ)	Kelly (MS)
Burgess	Frelinghuysen	Kelly (PA)
Byrne	Gaetz	King (IA)
Calvert	Gallagher	King (NY)
Carter (GA)	Garrett	Kinzinger
Chabot	Gibbs	Knight
Chaffetz	Gohmert	Kustoff (TN)
Cheney	Goodlatte	Labrador
Cole	Gosar	LaHood
Collins (GA)	Gowdy	LaMalfa
Collins (NY)	Granger	Lamborn

Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer

Paulsen
Pearce
Perry
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)

Smith (NJ)
Smith (TX)
Smucker
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IA)

NAYS—205

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brooks (AL)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davidson
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
Demings
DeSaulnier
Deutch
Dingell

Doggett
Doyle, Michael F.
Duncan (TN)
Ellison
Engel
Eshoo
Españillat
Esty
Evans
Faso
Foster
Frankel (FL)
Fudge
Gabbard
Gallago
Garamendi
Gonzalez (TX)
Gottheimer
Graves (LA)
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Herrera Beutler
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted

Lipinski
Loeb sack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McClintock
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halloran
O'Rourke
Pallone
Panetta
Pascarell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Reichert
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sanford
Sarbanes
Schakowsky
Schiff
Schneider

Schrader
Scott (VA)
Scott, David
Serrano
Swell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Soto
Speier

Stefanik
Suozi
Swallow (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Torres
Tsongas
Vargas
Veasey
Vela

Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Yoder
Zeldin

NOT VOTING—9

Duffy
Hill
Marino

Pittenger
Ros-Lehtinen
Rush

Simpson
Slaughter
Tonko

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HULTGREN) (during the vote). There are 2 minutes remaining.

□ 1756

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. HILL. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 202.

PERSONAL EXPLANATION

Mr. SIMPSON. Mr. Speaker, on Monday, March 27 and Tuesday, March 28, I was absent from votes due to business in my Congressional District. Had I been present, I would have voted as follows:

Rollcall No. 195—"Yea."
Rollcall No. 196—"Yea."
Rollcall No. 197—"Yea."
Rollcall No. 198—"Yea."
Rollcall No. 199—"Yea."
Rollcall No. 200—"Yea."
Rollcall No. 201—"Yea."
Rollcall No. 202—"Yea."

PERSONAL EXPLANATION

Mr. DUFFY. Mr. Speaker, on rollcall No. 201 on motion to table the appeal of the ruling of the chair, I am not recorded. Had I been present, I would have voted "aye."

On rollcall No. 202 on final passage of S.J. Res. 34, I am not recorded. Had I been present, I would have voted "aye" on final passage of S.J. Res. 34.

COMMUNICATION FROM THE
DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

MARCH 27, 2017.

Hon. PAUL D. RYAN,
Speaker of the House of Representatives, U.S. Capitol, Washington, DC.

DEAR MR. SPEAKER: Pursuant to clause (5)(a)(4)(A) of Rule X of the Rules of the House of Representatives, I designate the following Members to be available to serve as Members of an Investigative Subcommittee established by the Committee on Ethics during the 115th Congress:

Suzanne Bonamici of Oregon
Brian Higgins of New York
Hakeem S. Jeffries of New York
William R. Keating of Massachusetts
Raja Krishnamoorthi of Illinois

Ed Perlmutter of Colorado
Jamie Raskin of Maryland
Terri A. Sewell of Alabama
Darren Soto of Florida
Dina Titus of Nevada

Best regards,

NANCY PELOSI,
Democratic Leader.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1431, EPA SCIENCE ADVISORY BOARD REFORM ACT OF 2017

Mr. NEWHOUSE, from the Committee on Rules, submitted a privileged report (Rept. No. 115-64) on the resolution (H. Res. 233) providing for consideration of the bill (H.R. 1431) to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 1800

TAX REFORM

(Mr. BIGGS asked and was given permission to address the House for 1 minute.)

Mr. BIGGS. Mr. Speaker, we know the Tax Code is excessively complicated and takes too much money from Americans, thus we overhauled the United States Tax Code.

Over 30 years ago, President Ronald Reagan signed the last major tax reform package. To put this in perspective, this was before the world wide web went live to the public, more than 10 years ago before "google" was a verb, and visiting a Blockbuster was the best way to rent a movie. America is vastly different than it was then, yet our Tax Code has largely stayed the same.

As we bring our Tax Code into the 21st century, we must simplify the code. The U.S. Tax Code is over 3 million words long, and Americans spend billions of hours and hundreds of billions of dollars complying with Federal tax requirements each year. Imagine if that time and money were spent on innovation and job creation instead. As we work to shrink taxes and erase the excessive compliance rules, we must also make sure that the taxes we collect are spent according to constitutional constraints.

We must propose a plan that will better serve individuals, families, and businesses across the country. We must introduce legislation that lowers taxes, reduces the corporate tax rate, minimizes government interference in the free market, and eases the overall cost to taxpayers to fully comply with the system.

HONORING THE LIFE OF AHMED "KATHY" KATHRADA

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. Mr. Speaker, I was awakened today to the news of a gentleman from South Africa, who was one of the great historic men I have experienced in my life, an antiapartheid activist and a blessed man, Ahmed Kathrada, known as Kathy, passed away.

Kathy was an Indian gentleman who went to Johannesburg with his family as a young man and found that, at age 8, he had to move there because there were no Indian schools in South Africa. He became, at a very early age, an activist for social reform and against apartheid, first for Indian rights and then against apartheid and for South African rights.

He was arrested, along with Nelson Mandela, Walter Sisulu, Mbeki, Goldberg, and other leaders of the ANC, tried in the famous Rivonia trial in 1963, and convicted as they all were. He spent 18 years in prison on Robben Island, with Nelson Mandela and others, and 8 additional years in prison. But when released from prison, he didn't see bitterness, he saw only peace and a period of commitment to resolving race relations in South Africa.

He befriended the people who had been his guards and who had subjected him to minority rights. He was elected to the African National Congress party as a delegate to parliament and served as one of Nelson Mandela's aides. He received four honorary degrees in his life, one from the University of Kentucky, one from Michigan State, and one from the University of Missouri. He moved back to Robben Island, lived there, and gave tours of the museum.

On my second trip to South Africa, where I met him on a second occasion, he led our group on our tour. It was remarkable to see the prison guards hand the key to the prison to the former prisoner.

Kathy was a great human being and a humanitarian individual who served the Indian people, the South African nation, and humanity in a superb fashion. His was a life well-lived. I was fortunate to have met him, and I am sorry for his loss.

THE MARCHANT FAMILY

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, I must confess, as my wife and kids know, I am not the most romantic guy. I have never dreamed I would be a matchmaker. Believers say the Lord works in mysterious ways, and, Mr. Speaker, those words are, oh, so true.

In 2007, I came home and ran for Congress. It was brutal: a 10-person primary, a runoff against a former Member, and a general election against an incumbent. But I had a secret weapon on my campaign: this man, Luke Marchant. Luke is the son of our colleague, KENNY. Luke would show up in a campaign office with ratty flip flops, in wrinkled, baggy shorts, and an unwashed T-shirt. Luke was a beast. But a beauty showed up like out of Disney: Katie McDonald. The matchmaking began. Beauty and the beast fell in love.

I was there on June 12, 2016, when they were married. Last week, Walker Ross Marchant was born to these two amazing young friends.

Katie and Luke, congratulations. In the future, for number two, maybe Peter Graham Marchant should be a name you all should consider.

HIGHLIGHTING THE DIY GIRLS INVENTEAM

(Mr. CÁRDENAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CÁRDENAS. Mr. Speaker, I rise today to highlight the work of the DIY Girls InvenTeam, a group of 12 incredible young women from the San Fernando Valley. These young scientists invented a tent with solar panels to aid refugees and the homeless. Earlier this month, I had the opportunity to meet these 12 young women at their high school, my alma mater, San Fernando High.

As an engineer myself, I recognize how impressive their work is. Not only did these women create something amazing, but it was rooted in a desire to help other people. The DIY Girls InvenTeam has received one of just fifteen \$10,000 grants awarded by MIT. It is also noteworthy that these young scientists were able to come together through the help of DIY Girls, a grassroots program that empowers young women to become scientists.

As their Representative, I am proud to highlight their work. I know we will continue to see great accomplishments from these bright, young women as they master science, technology, engineering, art, and math.

DON'T CROSS THE NAPOLEON OF SIBERIA

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, for the last 8 years, the world turned its cheek while Vladimir Putin—the Napoleon of Siberia—stomped on human rights and broke international law.

I was there right after the Russians invaded Georgia and took one-third of the country. Then Putin went on to

annex Crimea and invade Ukraine. Just this month, Denis Voronkov, a Russian lawmaker who opposed Putin and defected to Ukraine, was gunned down in broad daylight. His assassination is the latest incident in an ongoing pattern of Putin critics who have been killed mysteriously. In the last 15 years, at least 11 other well-known critics of Putin have been killed mysteriously.

The message is clear: cross Putin, and you will face the lethal wrath of the Russian bear. Putin thinks he can continue killing those who oppose him and no one is watching. But I am here to tell him today that America is watching, and America will never stop defending the defenseless and protecting the human rights of people who speak against tyranny—even Russians who speak against tyranny.

And that is just the way it is.

THE CLEAN POWER PLAN

(Mr. PANETTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PANETTA. Mr. Speaker, today I rise in opposition of the executive order that was signed that attempts to destroy the Clean Power Plan.

Once again, we are seeing politics driving policy. We are seeing the fulfillment of a past campaign promise rather than a focus on our future. The administration claims that the Clean Power Plan limits jobs. The reality is that the jobs were not lost due to tougher carbon emission standards. Instead, jobs were found due to our innovation, more competition based on cheaper natural gas, more mechanization due to advances in technology, and more tax credits for renewable energy.

The reality is that more jobs and property will be lost without reducing our CO₂ output. More CO₂ will lead to more acidification which will lead to less fish and less fishermen. More CO₂ will lead to shrinking icecaps and expanding sea levels causing damage to property not only along the central coast of California, my district, but along all coastlines around the world. Homes, businesses, and even our Navy bases will be affected, threatening not just our personal but our national security.

The administration needs to stop taking steps backwards when it comes to our CO₂ output. But like many businesses, it needs to start pivoting and taking steps forward to protect our jobs, our coastlines, and our future.

STEMMING THE TIDE OF JOB LOSSES

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, recently while announcing his manufacturing jobs initiative, President Trump said: "Everything is going to be based on bringing our jobs back. The good jobs, the real jobs. They have to come back."

Well, this month, more than 700 idled U.S. Steel workers in Lorain, Ohio, were notified they will permanently lose their jobs come this June. Lorain has lost over 1,000 steel jobs since 2015. It is ground zero on the trade and jobs front. This stalwart town and its dear people have been battered by continuing job washout in steel due to unfair trade practices and closed markets abroad, particularly with China and Russia.

Through no fault of their own, workers in too many of America's steel towns are hurting because of foreign product dumped on U.S. soil undercutting our very way of life.

Last week, I invited Commerce Secretary Wilbur Ross to visit Lorain to witness firsthand the urgency of stabilizing our manufacturing sector and fulfilling President Trump's job promises of only a few months ago.

If our Nation is going to stem the tide of job losses caused by one-sided trade deals on an uneven global playing field, there is no better place to start than Lorain, Ohio. Please, President Trump and Commerce Secretary Ross, come to Lorain, Ohio.

ALZHEIMER'S IN AMERICA

The SPEAKER pro tempore (Mr. SMUCKER). Under the Speaker's announced policy of January 3, 2017, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, we are going to talk about our health, not about last week's legislation and the effort to change the Affordable Care Act but rather about another part of the health of the American public.

The most remarkable proposal came from the President recently in his budget proposals.

□ 1815

I know that when I saw what he was proposing, I am thinking: You have got to be kidding. He is proposing a \$5.6 billion reduction in the National Institutes of Health's research programs.

I want to just take a second here and draw your attention to what research really means.

The National Institutes of Health is the principal research arm for healthcare issues throughout the United States. Over the years, we have spent very large amounts of taxpayer dollars dealing with health issues in the United States. The result of those research efforts, together with the implementation, has resulted in breast

cancer deaths dropping, between 2000 and 2013, by 2 percent, prostate cancer deaths down 11 percent, heart disease down 14 percent, stroke down 23 percent, HIV/AIDS down 52 percent.

Research pays in better lives, in people living longer and the quality of their life. And yet this 18 percent reduction that has been proposed by the President in the basic funding for medical research here in the United States goes directly against these very important and very impressive changes in the statistics about mortality—HIV/AIDS, 52 percent.

Now, it is not all research, but it begins with research. It is unconscionable that such a proposal would be brought to the House of Representatives.

We are going to go beyond these success stories, and we are going to talk about this purple line here. The deaths from Alzheimer's have actually increased by 71 percent in the same 13-year period, in part due to the fact that the population, the baby boomers and those that preceded them, grow old; and that is where Alzheimer's occurs, in the older age groups.

So what is the research funding here on Alzheimer's? Well, not so good.

But before I go to that, I just want to take one moment and draw your attention to this little chart. This is the funding level for the National Institutes of Health's projected budget: \$31.7 billion. The scientists, the researchers out there said that that is underfunding not from their wish list, but from viable, credible research programs that can't be paid for because they have run out of money. So they have suggested that the budget should be somewhere around \$35 billion.

So what does the President propose? Well, he proposes, instead of going up, going down to \$25 billion or just close to \$26 billion, \$5.6 billion less.

The result is that this is not going to come down. We are going to talk about this for the next hour, about research, about the National Institutes of Health, about what it means to your life, to my life, to my colleagues' lives, to be able to extend our lives, whether it might be prostate cancer, heart disease, stroke, HIV, or Alzheimer's. It is a fact that, if we are to increase the research in this area, which, until just last year, was just over \$500 million, we can see this begin to change.

Joining me today are my colleagues from around the United States. I was looking for a more senior Member from California, MAXINE WATERS, who is the co-chair of the Alzheimer's Caucus. She is not here, so I am going to go to our next more senior Member, Mr. COHEN from the great State of Tennessee.

I yield to the gentleman from Tennessee.

Mr. COHEN. Mr. Speaker, I am pleased to join you today in this 1-hour session.

I am the co-chair of the Medical Research Caucus. As the co-chair, I am

most aware of the need for research and how much it has helped our country and how much it has helped many cities and universities in their efforts to save us.

For a long time, I have realized that my enemy—and I am not suggesting to anybody, or I don't want anybody to get the wrong impression that I don't think that we need a military, and a strong military, but I have known that the odds of me dying from something that happens initiated by North Korea or Iran or ISIS is about nil. But I also know that the odds of my dying from heart disease, stroke, diabetes, Alzheimer's, cancer is likely. So my enemy is disease.

And who is working to protect me and be my defense department? The National Institutes of Health. That is my defense department. That is all of America's defense department, for we all have, as an enemy, disease. Cures and treatments will be found through grants and research coordinated through the National Institutes of Health.

Francis Collins, the genius who is the Director of the NIH, is really our secretary of defense because he is fighting to find cures and treatments not just for us, but more so for the next generation and the next generation.

So it is a perfect situation for us to act to protect our constituents against their most serious enemy, and that is disease, and to protect them no matter how we fund it. For the deficit hawks who might suggest that some of the expenses be paid for by future generations, that is who is going to get the treatments and the cures, and people not even born yet.

In 1954, my father was a pediatrician, and he gave the Salk vaccine to second grade children for polio. He didn't give it to me in the fall of 1954 or the spring of 1954 because that wasn't his charge; it was to give it to second graders in a test of the Salk vaccine.

I came down with polio in September of 1954. And but for medical research not being a year earlier when the Salk vaccine became available to everyone in the spring of 1955, I would not have had polio.

It affected me as a young person. I spent 3 months in a hospital, lots of time with physical therapists, had surgeries, and today wear a brace because, without it, I wouldn't be standing here.

My future, I am not sure what it will be, but it would have been a lot better if we had the Salk vaccine a year earlier. For every cure and treatment that comes a little later and a little later are that many more people that will suffer from it.

So this nearly \$6 billion cut is going to affect people's lives in a meaningful way. For that reason, I am proud to join Mr. GARAMENDI and my other colleagues here to oppose this \$6 billion cut and also to advocate for increases

in funding to the National Institutes of Health, our real defense department fighting for all Americans against the number one enemy we all have, which is catastrophic illnesses and diseases.

Mr. GARAMENDI. Thank you so very much, Mr. COHEN, for your personal story and the effect of research not being available to you in your early childhood and the result of that. We know that all across the United States there are issues that are out there. Certainly Alzheimer's, which is our principal subject matter today, together with the cuts in the National Institutes of Health budget, but also there is this thing called Zika. That is out there, and the research for that, is that going to be forthcoming or is that also going to be cut?

I noticed that our co-chair of the Alzheimer's Caucus is here. Ms. WATERS, if you would like to join us, the gentlewoman from the State of California with whom I have been able to work now for, well, just a few years, dating back to our time in the California Legislature. I yield to the gentlewoman.

Ms. MAXINE WATERS of California. I would like very much to thank my friend and colleague from California, Congressman JOHN GARAMENDI, for the time, and I commend him for organizing this Special Order on Alzheimer's disease. It is fitting and appropriate that we would be holding this Special Order hour this evening prior to the National Alzheimer's Dinner, which will take place tonight.

The National Alzheimer's Dinner is an annual event, organized by the Alzheimer's Association, that brings together staff, policymakers, advocates, and families impacted by Alzheimer's disease from across the country.

As the co-chair of the bipartisan Congressional Task Force on Alzheimer's Disease, I know how devastating this disease can be for patients, families, and caregivers. I am proud to lead the task force along with my co-chair, Congressman CHRIS SMITH.

Alzheimer's is a tragic disease affecting millions of Americans and has reached crisis proportions. There is no effective treatment, no means of prevention, and no method for slowing the progression of the disease.

According to the Centers for Disease Control and Prevention, that is the CDC, 5 million Americans were living with Alzheimer's disease in the year 2013. This number is expected to almost triple to 14 million by the year 2050.

Alzheimer's is the sixth leading cause of death in the United States. In 2017, the direct cost of care for Alzheimer's disease and other dementias is expected to hit \$259 billion, with 67 percent of those costs paid for by Medicare or Medicaid.

Alzheimer's disease and related dementias will increase exponentially as the baby boom generation ages. At the current rate, the cost of Alzheimer's

will reach \$1.1 trillion in 2050. We must act now to change the trajectory of this disease.

The national plan to address Alzheimer's disease calls for a cure or an effective treatment for Alzheimer's by the year 2025. Reaching this goal will require a significant increase in Federal funding for Alzheimer's research.

Fortunately, Alzheimer's research did receive a substantial increase in Federal funding in fiscal year 2016. Congress allocated \$936 million for Alzheimer's research at NIH in funding year 2016, an increase of \$350 million over the 2015 level. But that is still far less than what is needed to confront the challenges we face.

In March of last year, I wrote a letter to the House Appropriations Committee requesting an additional \$500 million increase in funding for Alzheimer's research, for a total appropriation of almost \$1.5 billion in funding year 2017. The letter was signed by a bipartisan group of 74 Members of Congress, including myself, co-chair CHRIS SMITH, and one of the greatest advocates on behalf of Alzheimer's patients not only in the Congress of the United States, but even before he came here, Congressman GARAMENDI.

Last summer, the Senate Appropriations Committee passed its version of the funding year 2017 Labor, Health and Human Services, Education Appropriations bill and provided a \$400 million increase in funding for Alzheimer's research at NIH, for a total appropriation of \$1.39 billion in funding year 2017.

Meanwhile, the House Labor, HHS, Education Appropriations Subcommittee passed this bill for funding year 2017 on June 17. The House bill provided a \$300 million increase in Alzheimer's research.

Unfortunately, Congress still has not finished its work on funding the year 2017 budget, so we don't know how much funding Alzheimer's research or any other program, for that matter, will receive this year.

At the same time, Congress has already begun consideration of year 2018 funding levels. I am once again circulating a letter to the House Appropriations Committee leaders requesting robust funding for Alzheimer's research.

This year my letter requests a \$414 million increase in funding for Alzheimer's research in fiscal year 2018 above the level included in the funding year 2017 Senate bill. That would be a total appropriation of more than \$1.8 billion for Alzheimer's research in funding year 2018.

Although this letter just started circulating, more than 25 Members of Congress have already signed this letter, of course led by Co-Chairs CHRIS SMITH and Congressman GARAMENDI and myself.

□ 1830

I am also circulating a letter to House Committee on Appropriations

leaders in support of a program to address the problem of wandering among Alzheimer's patients. This program helps local communities and law enforcement officials quickly find persons with Alzheimer's disease who wander away from their homes and reunite them with their families.

The majority of American Alzheimer's patients live at home under the care of family and friends. According to the Alzheimer's Association, more than 60 percent of Alzheimer's patients are likely to wander away from home. Wanderers are vulnerable to dehydration, weather conditions, traffic hazards, and individuals who prey on seniors.

Let me just continue my remarks by thanking all of the Members of Congress who are signing letters, who are focused on this, who understand what is going on. I would like to thank the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. GARAMENDI) for their leadership and all the work that they have done educating the Members and helping to give exposure to what we need to do.

Mr. GARAMENDI. Mr. Speaker, I appreciate the leadership of Ms. WATERS. It goes on for many years in this particular area and beyond.

Progress can be made. I am just going to take 2 seconds here to show the funding levels for cancer, almost \$5½ billion; HIV/AIDS, almost \$3 billion; cardiovascular, \$2 billion. This is 1 year out of date.

Because of the work of Congress and the leadership of CHRIS SMITH from the Republican side and Ms. WATERS from the Democratic side, plus many Members, this number is not 560; it is just under a billion dollars now. We need more, and we need to get at it soon.

Mr. Speaker, I yield to the gentleman from the southern part of California (Mr. PETERS).

Mr. PETERS. Mr. Speaker, I thank Mr. GARAMENDI so much for organizing this discussion of a really important topic.

In San Diego, we are a center of genomics, a center of life sciences, and a center of collaborative scientific research that makes groundbreaking discoveries and improves people's lives. In 2015, our research institutions received \$768 million in NIH research funding, the most of any metro area in the United States. We are home to places like the Salk Institute for Biological Studies, Sanford Burnham Prebys Medical Discovery Institute, the J. Craig Venter Institute, and the Scripps Research Institute, where world-class scientists are making discoveries that save and improve millions of lives.

At the University of California San Diego, UCSD, the Shiley-Marcos Alzheimer's Disease Research Center is part of a collaborative national effort to better diagnose, prevent, treat, and

ultimately to cure Alzheimer's. More than 5 million Americans are living with that disease. Alzheimer's kills more Americans every year than breast cancer and prostate cancer combined. It puts a tremendous burden on the family and the loved ones of those battling the disease because for every Alzheimer's patient, there are three people providing unpaid care.

Thanks to organizations like Alzheimer's San Diego, there are services to support families that are providing care for their loved ones. We are grateful for that, but we need to do more.

Alzheimer's also puts a tremendous burden on our healthcare system, as some of the speakers have mentioned. This year, Alzheimer's and other dementias will cost the Nation \$259 billion. As our population ages, those numbers will only go up. It costs on average \$1,150 more per month for a senior with Alzheimer's to reside in assisted living. That puts a financial strain on Medicaid, Medicare, and millions of families.

The research being done at UCSD and around the country is fueled by the National Institutes of Health and the National Institute on Aging. The investments we make in basic scientific research to better understand the disease are our best chance at developing new therapies and ultimately a cure.

One of the most bipartisan victories we have had in Congress since I have been here—this is my third term—was to increase NIH funding and to make a \$6.3 billion investment in scientific research, which we did last year. Members of both parties came together with the understanding that NIH funding creates high-paying jobs, grows our economy, and unlocks discovery that changes lives. In his joint address to Congress this year, right here in this room, President Trump said he wanted to find cures to “free the Earth from the miseries of disease.”

Unfortunately, then he turned around and sent a budget to Congress that slashed funding for NIH, clawing back the progress that we made last year. Our efforts to find cures to diseases like Alzheimer's would be completely undermined by the President's budget. We just can't allow that to happen.

I really, again, appreciate Mr. GARAMENDI for hosting this conversation. I want to let him know that I would be happy to sign on to Ms. WATERS and Mr. SMITH's letter, which he is also a leader of. I look forward to working with Mr. GARAMENDI and all of our other colleagues to defend the investment we have made in scientific research last year and to push for even more so that we can begin to win the battle against Alzheimer's and other diseases. That is what it is about, it is about winning. That is what I have been hearing. We want to win this battle.

I am very conscious that the United States has written the playbook for how to lead the world in science, and it is by funding basic scientific research, by letting the best scientists in the world compete for those grants that are peer-reviewed—not decided by politicians, but by scientists. That system has worked marvelously well. Let's not kill it. Let's feed it.

Mr. GARAMENDI. Mr. Speaker, I thank Mr. PETERS for his comments. His knowledge and expertise in this field is appreciated and, I am sure when shared with the other Members of this House, will have a positive result.

Mr. PETERS said something toward the end of his conversation that I think we need to drive home. I said earlier that the scientists suggested that instead of a \$31.7 billion budget for the NIH, they needed an additional \$3.3 billion. It is for those projects that Mr. PETERS described as peer-reviewed by peers in the area of science—whether it is heart disease, cancer, or HIV or Alzheimer's—that are worthy projects for which there is no money.

If we could fund those—not reduce the level of funding, as suggested by the President, but, rather, increase it—what would be the result?

I am going to toss this up one more time. This is what happens when research is applied to diseases. Breast cancer down, prostate cancer down, heart disease deaths, strokes, and HIV, all down as a result of research, and then the application of that research through the medical community. This is progress. This is what can happen. This is what we want to get to.

Mr. PETERS. Will the gentleman yield?

Mr. GARAMENDI. Mr. Speaker, I yield to the gentleman from California.

Mr. PETERS. I want to leave time for Mr. RASKIN, but we talk about this peer-review concept. Maybe people don't understand what that is. What happens is these top scientists from around the world file these grants. They are reviewed not by government employees, not by bureaucrats, not by politicians, but by real scientists, the best in their field, to determine which would win. In the good times, about 25 percent of those grants will be funded by NIH when there is robust funding. Seventy-five percent of them are turned down. That is how selective it is.

Unfortunately, now we are looking at 7 to 10 percent funding. That means we are not discovering a lot. We are also turning a lot of our young people off of science. We can't let that happen.

Again, we could talk about this all day, but I want to turn to my colleagues. Again, I thank Mr. GARAMENDI for setting up this discussion.

Mr. GARAMENDI. Mr. Speaker, let's move to the other side of the continent. Let's talk about the view from New Jersey. I yield to the gentlewoman

from New Jersey (Mrs. WATSON COLEMAN).

Mrs. WATSON COLEMAN. Mr. Speaker, I thank Mr. GARAMENDI for sponsoring this moment that we can speak about such important issues.

In a budget proposal purported to “make America great again,” President Trump has put forth a request to cut \$5.8 billion from the National Institutes of Health for fiscal year 2018. Mr. Speaker, there is absolutely nothing great about that. These cuts would reverse growth for the agency that President Obama boosted its budget by \$2 billion in 2016 and 2017. These cuts would forfeit American dominance in a sector where we are global leaders.

In New Jersey's 12th District, Princeton University received close to \$46 million in NIH grants, and the College of New Jersey received around \$400,000 to continue our Nation's stature at the forefront of medical breakthroughs. The cuts proposed would, in effect, stunt good and essential medical research, lifesaving research.

Unlike what we have seen from this administration, the NIH has produced results that improve the health and livelihood of the American people. For example, there is no widely available cure for sickle cell anemia. While some children have been successfully treated with blood stem cell and/or bone marrow transplants, this approach was thought to be too toxic for adults. However, NIH researchers successfully treated adults with severe sickle cell disease using a modified stem cell transplant approach that does not require extensive immune-suppressing drugs.

After receiving an experimental spinal stimulation therapy from a team of NIH-funded researchers, four young men paralyzed due to spinal cord injuries were able to regain control of some movement, promising results for treating these devastating injuries.

NIH-supported researchers designed a protocol to transform human stem cells into beta cells that produce insulin and respond to glucose. That finding could lead to new stem cell-based therapies to treat diabetes in patients of all ages, a disease that is so prevalent in our society.

The specific damage that occurs in affected brain tissue after a concussion has not been widely well understood. A study by NIH researchers provided insight into the damage caused by mild traumatic brain injuries and suggested approaches for reducing its harmful effects.

It has even been reported that these draconian cuts will slow research that could lead to new ways to prevent and treat cancer, the Nation's number two killer, which claimed the lives of almost 600,000 Americans just last year and which, incidentally, claimed the lives of both of my parents.

The evidence is overwhelming, and these are the facts. I just want to know

when this President and his supporters here in Congress will set aside budget gimmicks and put Americans, our health and our well-being, first.

Mr. GARAMENDI. Mr. Speaker, the gentlewoman from New Jersey pointed out a very important thing here, and that is: When will we get real about this?

It is my understanding that many of these budget cuts, the National Institutes of Health and others, were made so that a wall on the Mexican border could be funded.

Ponder that for a few moments. Is that really a priority? Do we cut the funding for this basic research—whether it is for cancer, diabetes, even people that are suffering from post-traumatic stress disorder—so that we can fund a wall on the border?

That may be what this is all about, in which case it is a terrible, terrible choice. I don't think we are going to make that.

I thank the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) for her views. I really appreciate her understanding of this and her participation today.

I see next to you our colleague from the great State of Maryland (Mr. RASKIN) listening very intently to you and now prepared to jump into the fray here.

Mr. Speaker, I yield to the gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. Mr. Speaker, nobody takes the speech and debate clause more seriously in this body than Mr. GARAMENDI. He speaks in debate pretty much every day, and that is what the Founders wanted us to do, not to just come here in a kind of naked exercise of power politics and see who can get more votes, but really try to learn from each other and engage in a dialogue so we are advancing public policy.

It was a pleasure to receive the gentleman's invitation to join this Special Order on Alzheimer's disease. I am delighted to join him. I am also delighted to see at the dais this evening the Speaker pro tempore, my friend Congressman SMUCKER from Lancaster County, Pennsylvania. He is just a freshman, but he is already wielding the gavel. I would say that seat suits Congressman SMUCKER just fine. It is good to see him up there tonight.

Congressman GARAMENDI, I am the Congressperson from Montgomery County, Frederick County, and Carroll County, Maryland, the 8th Congressional District, which includes the NIH, the National Institutes of Health; so I have the great fortune and honor and responsibility of representing thousands of people who work at NIH and who live in Rockville and in the neighborhood. So I see this as not just a national treasure and resource, but also a vibrant and vital part of my community that I represent.

I speak tonight not just as a politician, but I speak also as someone who has—I guess what we call around here—a preexisting condition because when I was in the Maryland State senate and as a professor of constitutional law at American University, I was given a diagnosis in the year 2010 of colon cancer.

□ 1845

I learned something very interesting going through the experience about the difference between misfortune and injustice. Because if you have a job that you love and a family that you love and constituents that you love and it is a beautiful day and you are told that you have got stage III colon cancer, that is a misfortune. It can happen to anybody—liberal, conservative, Democrat, Republican, Independent, old, young, every race, every ethnicity. It can happen to anybody. It is a misfortune.

At the time, I was the floor leader in Maryland on marriage equality legislation, and it struck me that the misfortune can happen to anybody. But if you can't get health insurance because you love the wrong person or because you are unemployed or because you are too poor, that is not just a misfortune. That is an injustice because we, as a society, can do something about that.

So when we think about Alzheimer's disease or cystic fibrosis or lung cancer or diabetes 1 or 2, in a democratic society, our obligation is not to compound the misfortunes of life with governmental injustice; our job is to try to reduce misfortune because we are all citizens together.

So that is why I am so proud to represent NIH because, as has been said very eloquently by a number of speakers tonight, the NIH is in the forefront of defending our population against disease and serious illness.

So let's talk about Alzheimer's for a little bit.

More than 5 million Americans are living today with Alzheimer's disease. That is about the population of my State—everybody in Maryland, from Baltimore to Rockville, to Silver Spring, to Bethesda, to Chevy Chase, to Middletown and Frederick County, to Sykesville, all over Carroll County, from the eastern shore to western Maryland, millions of people. That is how many people across the land are suffering from Alzheimer's disease. And it is a number that is rapidly increasing. It could be as high as 16 million people by 2050 is what the experts at NIH are telling us.

Since 2000, deaths from Alzheimer's have increased a startling 89 percent. You have shown us what the graphs are, Mr. GARAMENDI. One in three senior citizens today dies from Alzheimer's or another form of dementia. For victims of this disease, it is demoralizing, devastating, debilitating, and draining for the whole family.

In Maryland, Alzheimer's affects 100,000 people, and it costs us around \$1 billion in Medicaid dollars every year.

In 2017, it is estimated that, across the country, we will spend \$259 billion caring for people with Alzheimer's and other kinds of dementia, with \$175 billion being borne by Medicare and Medicaid, alone. This means nearly one out of every five Medicare dollars is spent on Alzheimer's.

So we have got to move quickly and effectively to address the crisis and to solve the puzzle of Alzheimer's disease; otherwise, these costs are going to continue to grow even more sharply, and Alzheimer's could overwhelm our healthcare system.

We need a cure, which is why the good people at the Alzheimer's Association are asking Congress to support a \$414 million increase in the research budget at NIH for Alzheimer's in FY 2018. But President Trump has proposed a \$5.8 billion cut to the NIH, which is a 19 percent reduction in the NIH budget.

Why?

Well, it is very hard to know. It is part of a proposal to slash \$60 billion in science research, environmental protection, housing, the human needs budget, and to shift it into the Pentagon. Now, that is at a time, Mr. GARAMENDI, when a committee I serve on, Oversight and Government Reform, just had hearings where Democrats and Republicans, alike, were outraged to learn that \$125 billion in waste, fraud, abuse, and contractor overruns is happening right now in the Pentagon.

We could save \$125 billion just by taking seriously the problems in contracting and fraud and abuse that is taking place with the beltway bandits. But instead of going after that corruption and waste, they want to take \$60 billion out of the human needs budget and shift it over to the Pentagon.

Well, that is going to have a disastrous effect on our ability to make progress. That is the point I think you are making tonight, Congressman GARAMENDI. You are saying that, when we invest in basic research on the diseases, we make progress.

Look what we have done with AIDS. It is amazing. Look what is happening with cystic fibrosis. We are making real progress because we are investing. We have got to not cut back on any of the research that is taking place. We have got to double down and invest, and we really need to do that with Alzheimer's.

So this move to slash the human needs budget, the medical research budget, and put it in the Pentagon is an assault on science, on medicine, and on the health care of our people. These are our people whose lives are at stake that we are talking about. These are our families that are suffering the savage repercussions of Alzheimer's disease. It is a terrible infliction on the land.

So I think that the idea of slashing \$6 billion from research for serious diseases like Alzheimer's, like the doomed repeal-and-replace legislation that crashed and burned on Friday of last week, is totally counterproductive and destructive of the true needs and priorities of our people.

We spend more money on the military than the next five or six countries combined, and the Pentagon is swimming in a deep pool of waste, fraud, abuse, and contractor overruns today.

Let's focus on helping our own people right now, the way mature democracies do, not enriching beltway bandits and plutocrats and insiders the way that authoritarian governments do. The question of Alzheimer's is an urgent question for our time, just like the research into all of the other killer diseases that are afflicting our people.

Mr. Speaker, I thank Mr. GARAMENDI for making me part of this Special Order hour.

Mr. GARAMENDI. Mr. Speaker, I thank Mr. RASKIN so very much. And, indeed, the National Institutes of Health has a stellar representative, as do the American people, and certainly the people of Maryland.

As he told his own personal story of one of the dreaded diseases, I am delighted to see him stand here in such good health. Apparently, he has recovered completely from that.

I suspect that recovery was, at least in part, due to, first, his good health at the outset, but also to the research that was done in the preceding years through the National Institutes of Health on cancer research. We have seen the decline in cancer deaths as a result of that research. What we would like to do is to deal with this Alzheimer's.

I want to take a moment just to talk about where we are. We had a huge debate last week on repealing the Affordable Care Act and what it would mean to Americans, and a lot of that debate centered around the cost of medical services. Tragically, one of the ways that the proponents of repealing the Affordable Care Act would save money is to reduce the Medicaid program in different ways, but the end result was to reduce the Medicaid program.

Sixty percent of the Medicaid program is for people in long-term care facilities. A good percentage of those, probably the majority of those, with some sort of dementia or Alzheimer's. What we need to do is to address this issue straightforward.

I will tell my own story.

My mother-in-law lived the last 3 years of her life in our home. We were in a position where we were able to take care of her, so she didn't go to a long-term care facility. Nonetheless, it was one of the obligations that we felt we had, and many, many other Americans share that obligation.

This is 2015. The number \$2.026 billion came up during the discussion that we

had. That is what we spent in 2016. Some of that was spent by other payors. That would be insurance companies. Some was spent by family. Medicare and Medicaid spent the great majority.

As we go through the years, in 2020, we expect to spend \$267 billion. And again, Medicare and Medicaid make up the great majority of it. As we move through time, we will see that there will be greater and greater expenses, rising year by year, so that in the year 2050, which is not that far away—that is one generation away—we will be spending over \$1 trillion, and Medicare and Medicaid will, throughout this entire period, be the single largest source of money to pay for Alzheimer's.

So, if we want to reduce the cost of premiums, if we want to reduce the cost of government, if we want to deal with the quality of life of Americans, then we have to get to this research because there is hope. Alzheimer's is not a hopeless disease. It is not a disease for which there is no cure. It is a disease for which we have not spent money on finding the cure.

If we can delay by a year, we will save tens of billions of dollars of taxpayer money in care that has been pushed off into the future. And the quality of life for the individual that has one more year of quality of life ahead of them is enormous and invaluable.

Here is just a way of depicting the backward nature of how we are dealing with the research for Alzheimer's. This was originally the 2015. We have been at this a couple of years, and we have seen progress.

In 2016, we spent \$941 million, just under \$1 billion, on Alzheimer's research. At the same time, we spent \$153 billion in the care of Alzheimer's in Medicare and Medicaid. It is Federal taxpayer money.

Look, \$1 billion, less than \$1 billion in research, \$153 billion in out-of-pocket expense caring for these individuals that have come down with Alzheimer's. A pretty neat equation here, isn't it?

If we were to ramp that up, as we would like to see, from \$941 million to \$1.4 billion, the researchers all across this country—some in San Diego, as we heard from Mr. SCOTT PETERS; others in New Jersey, as we heard from Mrs. WATSON COLEMAN; or in other parts of California, Boston, wherever. If we were to ramp that up by an additional \$500 million, the researchers believe that they will untangle the tangles in the brain that lead to Alzheimer's and understand what is going on and, from that point, be able to find a path towards a solution.

It is not hopeless. We have seen progress. We have seen research that was done a decade ago. The analysis indicated that it really didn't work too well when they came up with a solution. Another researcher, 7 or 8 years

later, went back to that very research, looked at the statistical analysis, and noticed that, for those who had early onset, that particular treatment modality had an enormous effect, not on those that were in later Alzheimer's but those who were in early onset.

Whoa. What does that mean?

That means that there is a path. That means that there is an avenue towards a solution. However, this Congress, the 435 of us who will be here voting on the appropriations to fund the Federal Government, to fund the military, to fund the highways, to fund the National Institutes of Health, will be given a choice. We will have a choice. Do we increase the funding for the National Institutes of Health and Alzheimer's research, or do we fund a wall on the Mexican border to the tune of \$20 billion?

We just received that supplemental appropriation request from the administration today to spend \$20 billion on a wall.

I can talk to you about a wall. I represent 180,000 people just downstream from the Oroville Dam, and I have got a 30-foot wall that needs to be repaired. We are talking about imminent danger, and the rainy season is not over in California.

Or, another \$5.6 billion for the military for programs that nobody has told us yet should be funded.

□ 1900

We are going to make choices here. The President has made his choice. He has shown what is of value in his mind.

I challenge that value. I challenge that value statement. I will tell you what is important. What is important are those millions of Americans who face Alzheimer's in the days, the months, and the years ahead. I am looking to the generations that are 40 and 50 years of age today who know, like my wife and I, they will be caring for their parents who are suffering from dementia and Alzheimer's. That is a value that I think is important.

Mr. COHEN spoke to the real enemy. Is the real enemy somewhere out there around the world, or is the real enemy the disease that will take us down—in his case, childhood polio?

We are going to make choices here, very important choices to the everyday lives of Americans. My choice is to increase, to increase the budget, the appropriation for the National Institutes of Health so that the \$35 billion that the scientists—who have already done the peer review on all types of diseases, ranging from Zika, to cancer, and HIV, and Alzheimer's—say are worthy research projects that should be funded.

I reject the value that the President has said to strip \$5.6 billion out of the National Institutes of Health and transfer it for a wall on the Mexican border or for some spending in the military—some unspecified spending. These are choices.

I know where, in my mind, the choice should be, and I reject the choice that has been made by our President.

And with that, Mr. Speaker, I yield back the balance of my time.

RESTRUCTURING HEALTH CARE IN AMERICA

The SPEAKER pro tempore (Mr. TAYLOR). Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, at this time, I yield to my friend, the gentleman from Florida (Mr. GAETZ).

HONORING THE DEDICATED SERVICE AND SELFLESS SACRIFICE OF SERGEANT FIRST CLASS ROBERT R. BONIFACE

Mr. GAETZ. Mr. Speaker, I thank the gentleman from Texas for yielding.

Mr. Speaker, it is with both profound sadness and deep gratitude that I rise to pay tribute to a fallen decorated American hero. On March 19, 2017, Sergeant First Class Robert R. Boniface of the 7th Special Forces Group, located in my district, tragically lost his life in support of Operation Freedom's Sentinel.

Sergeant First Class Boniface was 34 years old—my age—but he lived a lifetime marked by full service. Sergeant First Class Boniface entered the Army in March 2006. After infantry basic training and advanced individual training at Fort Benning, Georgia, he attended airborne school before being assigned to the Special Warfare Center and School. Sergeant First Class Boniface completed the Special Forces Qualification Course earning his green beret in 2010. He was assigned then to the 7th Special Forces Group.

Sergeant First Class Boniface's awards and decorations include: two Bronze Star Medals, the Army Commendation Medal, two Army Good Conduct Medals, the National Defense Service Medal, the Afghanistan Campaign Medal with two Campaign Stars, the Global War on Terrorism Service Medal, three Noncommissioned Officer Professional Development Ribbons, the Army Service Ribbon, the NATO Medal, the Special Forces Tab, the Combat Infantryman Badge, the Special Forces Combat Diver Badge, and the Parachutist Badge.

Mr. Speaker, there are no words that I, this body of Congress, or the Nation can say that might ease the bereavement of the Boniface family. All I can say is that on behalf of a humble and grateful nation, we thank them for the love, counsel, and support given to Robert during his life, which helped make him a hero, both in uniform and as a father.

His life stands as a testament that freedom is not free. His legacy will echo in time as an example of the ultimate sacrifice for all free people. I pray

that God will be with Robert's wife, Rebekah; his daughter, Mia; and all of their family and friends during this time of great mourning.

Mr. Speaker, may God continue to bless the United States of America.

Mr. GOHMERT. Mr. Speaker, I certainly thank my friend from Florida for such a compelling tribute to a great American hero.

Mr. Speaker, at this time, I yield to my friend, the gentleman from Ohio (Mr. DAVIDSON).

WELFARE BRAC ACT

Mr. DAVIDSON. Mr. Speaker, it is an honor to address this body, and I rise today to talk about H.R. 1469, the Welfare BRAC Act.

Before going into the specifics of the bill, I would like to talk for a little bit about how we have arrived at a point of needing such a fundamental restructuring of our Nation's antipoverty programs.

In 2015, the Federal Government spent \$843 billion on welfare programs, means-tested welfare programs. By some estimates, we have spent more than \$22 trillion on antipoverty programs over the past 50 years. Today, we have some 92 antipoverty programs run by the Federal Government, all supposedly with the same goal: to alleviate poverty.

This chart to my left highlights those programs. If you look: 5, cash aid; 25, education and training; 2, for energy; 17, for food aid, and on goes the list.

So how did we come here? Well, as Ronald Reagan said: "Government programs, once launched, never disappear. Actually, a government bureau is the nearest thing to eternal life we'll ever see on this Earth."

Why is that true? Well, it is true because touching some of these programs is very polarizing. So when you touch them, they all have a constituency. And the reality is, if the 15th food aid program worked well, then the 16th wouldn't be launched. So if you want to address a new problem, well, then you launch the 17th food aid program.

What doesn't happen over the time is finding a way to get those programs to work together to be a coherent whole. So the solution, really in a lot of ways, is bipartisan. The Brookings Institution is rarely an ally to conservatives, and the Heritage Foundation is rarely an ally to the left. Yet they would both agree that employment, healthy marriages, and education alleviate poverty.

In fact, many of our programs, when we look at these listed, seek to address those needs. There are 92 programs. Maslow, in the hierarchy of needs, just addressed 5, and we have 92.

I think about the young social worker who wants to help someone who comes into the office and perhaps each of these programs has a 4-inch binder—a 4-inch thick binder, 92 of them. That is a pretty big bookshelf. What if she

only had to know 20 programs? What if there were only 20 binders? What if there were only 5? What if there were 10?

I don't know whether the right number is a dozen or 20, but I don't think it is 92. So what is the solution? Well, I have a bipartisan solution that looks back to the history.

So in the Cold War, we had a very large Army, and, as we scaled down, it was very politically sensitive to try to deal with the problems of scaling down. Each base, each installation, had its own constituency, and so we created BRAC, the Base Closure and Realignment Commission. And the goal there was to have a quantitative set of objectives and to have a commission that was bipartisan that gave Congress a straight up-or-down vote. That worked, by and large, and we were able to scale down the military in a way that let the military focus on its mission.

So what I propose with H.R. 1469, the Welfare Benefit Realignment Commission, is a four-Republican, four-Democrat commission, totally neutral. It also does not seek to take away a dime of spending in it. It seeks to reduce the number of programs so that the result is more focused.

When Lyndon Johnson launched his war on poverty, he said that the goal was to not just treat the symptoms but to find a cure and, if possible, to prevent poverty all together.

So perhaps if we had a more focused effort, perhaps if we all focused on the cause, instead of the programs, we could see results. Some of these programs are clearly more effective than others at helping people get out of poverty, yet the reality is, Americans have seen roughly the same percentage of their fellow Americans in poverty for the entire war on poverty.

So if we look at these programs under the same three goals—employment, marriage, and education—perhaps we can find things that are effective that lift people out, really, at the end of the day, giving as many people as possible the dignity of work and a path to escape poverty into a better future.

In fact, this path is very compatible with the Better Way agenda that we have laid out for poverty for the years. It is not focused on dollars. It is focused on efficiency. Later in the year, we are seeking to provide off ramps so that you don't find a trap in the "Better Way." You don't find a trap—if you get a raise, you lose your housing, or if you take that next job, or you get married, you lose your education benefits, things that would provide an on-ramp and an off-ramp for this system.

So that is part of the agenda for the year for the House. I think this is very compatible with it. I am seeking co-sponsors. I am seeking support for this bill, and it truly is with a spirit of embracing the common American value of

providing a safety net for their fellow Americans, but they want it to be effective.

So this is not about the cause. The cause is good, and fewer programs lets it be more focused and, hopefully, get a good result.

Mr. Speaker, I urge my colleagues to support this.

Mr. GOHMERT. Mr. Speaker, it has been an interesting few weeks here in Washington, and we are not done with healthcare legislation. There has been a lot of talk about that, but, Mr. Speaker, I would like to say, I have been encouraged as today has worn on. We had a tough family meeting this morning together as Republicans, but, to me, what I felt was coming out of it in the end—disagreement on some important issues but agreement among Republicans that people are hurting under ObamaCare.

People need relief from the high premiums, the high deductibles. So many people not only lost their doctor, lost their health insurance policy, but they can't afford—they tell us—to go to the doctors. We talked to constituents because they would have to get to several thousand dollars before the insurance portion would kick in.

People are hurting across the country, and, of course, we know that, without a single Republican vote, ObamaCare was passed, which cut Medicare by \$716 billion dollars, with a "B." And I know President Obama assured seniors: look, seniors, you know, you are not going to have to worry about this \$716 billion in cuts to Medicare. You won't be able to tell the difference. This is only going to affect the doctors, the healthcare providers.

What seniors have noticed who I have talked to around Texas and in other places in the country, they have noticed that when Medicare doesn't pay their doctor, doesn't pay for tests that are needed, and doesn't pay for medication that they specifically need then it does affect them personally.

□ 1915

The bill that we took up, that didn't get passed on Friday, that we didn't vote on, there was nothing that was going to help those on Medicare. There is apparently some difference of opinion, but it appeared to many that some of us trusted that people between the ages of 50 to 64 were going to get hampered.

I am very encouraged to have seen Speaker RYAN, Majority Leader MCCARTHY, Whip STEVE SCALISE, and our Deputy Whip PATRICK MCHEENRY incredibly busy today talking to Republican Members around the House about how we can get to a bill that will get 218—actually we need 216 right now—so that we can send it down the hall to the Senate.

Mr. Speaker, I am encouraged, and I hope others are, that we are not done.

We had indications that the Senate was not going to take up the bill—even if we passed it on Friday, they were not going to take it up until sometime in May. So we have time to address this issue and come together on a bill that would pass.

Once again, a reference was made, Mr. Speaker—and it is so often that this event is referenced by Republicans when they get frustrated as to why we ended up with a bill that would require so many Republican arms to be twisted, that would endanger Republican seats to have to vote for it. People referenced back to this.

Remember some years back, some summers back—and I believe, actually, that was the last week of July of 2014, as I recall—in which Speaker Boehner had told us that he had cobbled together a bill that embraced 10 principles that every Republican in the House had agreed to. Some of them seemed a bit esoteric to me, but we agreed to them all. And we kept being told this is going to be a bill that embraces all the principles that all of us have agreed to.

So when the bill was finally filed on Tuesday evening, with Speaker Boehner having announced we were going to vote on it Thursday morning, for the first time, we got a look at the bill we were going to be voting on. By the time Thursday morning came rolling around, there had been so much information that came out—not opinion, but actually verbiage from the bill. It seems like it was around 60 pages, 70 pages, somewhere around there—but people were able to see for themselves what was there. There was so much commotion made about it that, by Thursday morning, much like Friday, Republicans made clear to our leadership—at that time Speaker Boehner—that they couldn't vote for it; that it didn't embody the 10 principles that we had all embraced.

I was so proud of my Republican Conference that Thursday because particularly a number of young Members, newer Members, got up in our emergency conference that they asked for. Speaker Boehner said: Well, I guess we just go on home and have the August recess.

Numerous Members said: No; let's have an emergency conference. Let's talk about this. We need to do something. We need to pass a good bill.

So people got up and they pointed out, like in a good family: Look, we have got differences, but we can reach agreement on this.

And there were probably 20 or so of us in a room for 2½ hours or so, and we compromised, and we got a bill that we could all vote on.

Unfortunately, at that time, there was a Democratic majority in the Senate, and we didn't get our bill passed through the Senate, but we showed that it could be done.

Once again, after Friday's problems, there are Members that are saying: Remember when we did that, where we just got people in a room and we agreed?

Mr. Speaker, I do believe, knowing so many of the Tuesday Group so well—they are good people—and the number one concern they have is their constituents and the things they are hearing from their constituents because they ran and they got elected to help people.

Everybody that I hear from on our side understands people have got to have help because ObamaCare is creating so many problems. I am hearing from many seniors, and it seems to be as a result of all of the \$700-plus billion that Obama cut from Medicare.

Whereas, 7 or 8 years ago, even 6 years ago, before ObamaCare really started being implemented, if they needed surgery, if they needed something, under Medicare, the doctors immediately took care of it. If it was medication, if it was a treatment, if it was surgery, whatever, they took care of it.

I am hearing more and more east Texans who are on Medicare tell me: Now, doctors are telling me they can't schedule it this week or next week like they used to because of ObamaCare; that the only way they can make ends meet and still stay in business, they need to schedule it a couple of months down the road.

Many of us on the Republican side were pointing out, when ObamaCare passed, that what this leads to is a form of rationed care. Whereas, right now, if you have good insurance and you like your doctor and you need something done, it gets done immediately. That is what made America's medical care so attractive to other countries around the world.

I have visited in Middle Eastern and north African countries where the wealthy would say: If I needed surgery done, I'd fly to the United States. Unfortunately, I have heard more than once that: Yeah, and the great thing was that I flew back and never had to pay for it.

Well, somebody paid for that, that is for sure.

It is important that we fix our healthcare system as best we can. I have an article from Conservative Review that came out today from Daniel Horowitz. I don't agree with everything in the article; but Daniel Horowitz, as usual, is quite thought-provoking.

He says: "Earlier today, a couple of Republican officials, in a refreshing display of honesty, admitted what we have known all along: They don't want to repeal ObamaCare. Even Senate Majority Leader MITCH MCCONNELL, Republican from Kentucky, admitted there won't be another attempt."

"He's certainly come a long way from his 2014 campaign promise to repeal ObamaCare 'root and branch' and

his 2013 CPAC speech in which he said ‘anybody who thinks we’ve moved beyond it is dead wrong.’

“As we explained yesterday, the compromise solution for repealing the core of ObamaCare, but not quite all of it, is already on the table, and PAUL RYAN, Republican from Wisconsin, has already agreed to and campaigned on it. Why aren’t they doing it? Because they don’t want to repeal ObamaCare and never intended to.”

That is the part I do disagree with.

I know we have all said this, but it was in Speaker Boehner’s pledge that he and his leadership colleagues cobbled together back in 2010 and it was in the Better Way that Speaker RYAN and his leadership colleagues cobbled together last fall that we have got to repeal ObamaCare. We can’t get down to this rationed care system where we are currently headed.

This says: “As early as 2014, the Chamber of Commerce made it clear that their official position was to fix, not repeal ObamaCare. Money talks, everything else from there walks.”

“The sentiment was evident today when Senator JOHN CORNYN, Republican from Texas, the Senate majority whip, said that they will no longer pursue repeal of ObamaCare through budget reconciliation and that ‘it needs to be done on a bipartisan basis, and so we’re happy to work on it with Democrats if we can find any who are willing to do so.’

“There you have it, folks. They know darn well there are no Democrats who will ever have incentive to work with them to repeal ObamaCare. They have always known that this had to be done unilaterally either through reconciliation or by blowing up the filibuster. But Republicans never intended to do so. That’s why we heard all these phony excuses about process limitations. Now that they are proven false, Cornyn is at least being honest by saying they will repeal it when Democrats help them. When hell freezes over . . .”

And the article goes on.

Mr. Speaker, what Leader MCCONNELL and Senator CORNYN are talking about, I think they must have been discouraged when the House didn’t pass a bill that would come their way. But good news for Leader MCCONNELL and Senator CORNYN, we are not done. People are hurting, and we are going to come together on a bill.

For those who attempted to say that those in the Freedom Caucus kept moving the goalposts, I know that was not said maliciously, but it was said. Anyone who said that was speaking just out of ignorance of what actually was the case.

Anybody that bothers to actually check and get the facts will find that, as many problems as people in the Freedom Caucus—and I am probably the newest member, I guess—had with this bill, we were doing what we could

to reach a compromise that would give enough help, enough relief to Americans who are desperate for that help and that relief that we could hold our nose and vote for it.

There were all kinds of issues in that bill that create problems. For one thing, I would have thought a good amendment that would easily be accepted would be that, since this creates a new entitlement program, a tax credit program where you actually can get more money back—like a child tax credit, where we have so many people who are actually illegally in the country, claiming children, as there have been reports—and, of course, not everybody cheats on this. But there are numerous examples of stories around the country of people claiming to have children—mass numbers, dozens of them in the same house, and we don’t know if they are in the country, we don’t know if they are in another country, we don’t know if they exist—and people getting more and more money back.

I had a senior citizen from Tyler telling me she is no longer working for H&R Block, that she used to during tax season. But it just grated on her so much that it created tension headaches and she couldn’t sleep during tax season because she had so many people who did not have a Social Security number. But they got a tax number, and she would fill out the returns for them. Invariably, each would pull out a sheet of paper and would say: Don’t I get this?

And it was the income tax credit—child earned credit.

She would fill it out, as they requested. And, invariably, they would get much more money back than they paid in. So it was a way of redistributing—it is not wealth, because the people that are in east Texas paying those taxes, they are not wealthy. They are struggling to get by. That is why they can’t afford the high deductibles that ObamaCare has driven them to.

Here it looks like we are going to have another program unless we get this amendment in there when we bring the bill back up.

□ 1930

So I am hoping that that will be one of the adjustments because we were seeking to have something in there to require you to be legally in this country before you could get more money back from your income tax than you paid in. It is a new form of welfare, just like some have found the tax credit to be, where they get more back than they paid in.

So that is a concern, creating a new entitlement as we are about to go over the \$20 trillion mark in debt, that we are coming up with a new way to go even deeper and quicker into further debt. But there were a number of issues here with the bill.

The thing that I kept hearing—and I had telephone townhalls, Mr. Speaker, with, really, tens of thousands of people that we reached out to in east Texas. The technology is so great, I can ask questions and have them punch a number for yes, no, and get results on what people are thinking. It was feelings about ObamaCare and the need to do something about it and the help that is needed and the losses of insurance they had before ObamaCare, problems they have had since ObamaCare.

East Texans, my constituents, need help. They want help. They want ObamaCare repealed, and they want a system back where they can choose their doctor, they have a relationship with their doctor, and they don’t have an insurance company between them and their doctor or their hospital telling them what they can or can’t have. And they don’t want the government in between them and their healthcare provider telling them what they can or cannot have.

The health savings accounts that Republicans believe strongly could get us off this final road to complete rationed care, socialized medicine, like they have in England—it was a pleasure to talk to the sister of a member of Parliament from England. I have been in his home in England; he has been in my home in Tyler, Texas, just a great MP.

But talking about our systems, and I pointed out, I have a wife, I have got three adult daughters, and so I am kind of sensitive to being pushed into a system like England has, no offense to those in England. But when we saw the numbers back during the ObamaCare debate that indicated a 19 percent higher survivability rate from the same point of breast cancer being discovered, well, that is one out of five are dying in England unnecessarily, or at least back there when we got those numbers. I am not sure what the numbers are now.

It may be that ObamaCare has created more problems and now we are moving, already, toward the percentages of recovery that England had that were not as good as ours. But I would just as soon not lose one out of five women who have breast cancer, which we were not losing in the U.S. and they were losing in England.

It was interesting. I didn’t realize, and I learned yesterday that, actually, that is why, in England, yes, they have socialized medicine, but you can also pay for private care on top of the socialized medicine because it just takes forever to get the kind of treatment that you need when you need it. So people with any means in England, they have the socialized medicine that is so inefficient, that tax funds pay for so inefficiently, and you get as much government as you do health care. But, if you have money, then, on top of the massive taxes you pay, you can also, then, pay for your own health care on top of that. That is different from Canada.

But, look, the bottom line is we don't need to continue down this route. So, again, I am encouraged we are going to come together and we are going to work toward a remedy.

It disturbed me that we heard from people who sounded like they knew what they were talking about, that rates are going to go up for a couple of years, and we are hoping that maybe 3 years after the Republicans would lose the majority in the next election because people are so upset about their higher premiums that then it might come down, premiums might come down 10 percent.

But the concern to me is not about losing the majority. It is about losing Americans unnecessarily if we don't fix this disastrous ObamaCare that is costing seniors. It is costing 50- to 64-year-olds. It is costing young people money that they shouldn't have to spend in the way that they are being required.

So some say we were moving the goalposts as the House Freedom Caucus, but, actually, from the beginning, we did indicate we would like to remove what experts are telling us in title I would dramatically bring down the cost of premiums very quickly—very quickly.

But we had agreed. Heck, we agreed with the Democrats, before they pushed through ObamaCare, let's work on a law together, bipartisan, that will make sure that insurance companies can't play games over preexisting conditions because it has resulted in unfairness and, at times, I can say as a former judge, actually, fraud. Let's work on that one.

Then I think there was fairly universal agreement on both sides of the aisle here that, if you are 26, you are still living with your parents, then you ought to be able to be on their health insurance. From my standpoint, I didn't even care. I didn't think we actually even needed an age, a cutoff age.

If you are 50 and you are still living with your parents, which we hope will soon be remedied by an economy turning around with a new President who knows how to get things going, but if you are still at home when you are 50, I don't have a problem. If you are still living with your parents, then you ought to be able to have a family insurance policy and be on it. So those were not problems.

I had a doctor friend back in east Texas who said I was a purist. I like him. He is a great guy. He apparently was a great surgeon. But I realized that, in his letter, he was speaking from a great deal of ignorance as he continued to point out things that simply weren't true, unless a purist is someone who says: Okay. Okay. I will vote for the bill, but you have got to give us something in the way of amendments to this bill that will help my constituents bring down the price.

Now, see, to me, that is not a purist because we were all willing to com-

promise in the Freedom Caucus. Actually, in communicating with President Trump two different times, we thought we had an agreement. Then we would hear back from our leadership: No. No. You can't do that. Either there is a problem with the Parliamentarian and it puts the whole bill at risk, or, gee, you are going to lose votes from some other group.

But I still believe, as I did then, if we would get the intermediaries out of the way, that Republicans can come together, Tuesday, more moderate group, Freedom Caucus. We can get people together like we did 3 years ago in July. We can get together and work out a compromise.

Now, to me, someone who agrees twice to a compromise that really bothers them is not the purist that I would expect, but then again, I guess it depends on your own personhood as to what you think is pure and what you think is not.

So, anyway, I appreciate very much, Mr. Speaker, the former Speaker, Newt Gingrich, pointing out yesterday that it is a good thing that this bill did not pass on Friday because we know, as Speaker Gingrich pointed out, in 1994, Democrats lost the majority in this room because they tried to push through HillaryCare. We know that in 2010, Democrats lost the majority in this room because they had pushed through ObamaCare against the majority will of the American people.

As former Speaker Gingrich pointed out, if we had rammed through this bill and, for example, people didn't see premiums come down before the next election, we would justifiably lose the majority in this House, and there are some good people that are serving here that should not be defeated. They are doing the best they can.

But we can do better than where the bill stood on Friday, and I am very grateful to Speaker RYAN, to leader MCCARTHY, our whip, for working so hard today, reaching out, seeing them all over the place trying to work, talking with different ones of us. It is really encouraging, and I would hope, in the future, that we will start those things, we will—yes, we appreciate all the listening sessions, but then, as happened too often under Speaker Boehner, somebody, we don't even know who—there were a couple of things that made me wonder: Who wrote this? Is this the insurance lobby? Where did this come from?

But bring the bill out and let us see it instead of telling every Republican: It is going to go through committee; and Democrats are going to have a million amendments and we have got to vote down every one of them; we don't want any Republican amendments; we are going to take it like it is.

Well, see, to some of us, that is not really regular order. Regular order is a chance to have amendments, and espe-

cially from people in the majority who see real problems with the bill.

So we can do that, and I look forward to doing that. And since we knew the Senate wasn't going to take it up until May sometime anyway, we have got time to do that.

Mr. Speaker, I hope you felt the same as I did hearing all across our Conference, people saying, look, this is important enough. We are going to have time where we go back to our districts between now and the middle of May when the Senate might take this bill up.

Let's make sure we don't go on recess, go back to our districts to have people scream at us because we hadn't passed something. Let's stay here, and let's get it done like we did 3 years ago on the border security bill.

But we have got a lot of work to do. There are serious problems with the bill. But we also now know, despite what some have represented, that, gee, we can't know what the Parliamentarians would say or recommend. It is great to know that the Parliamentarian in the Senate, actually, Assistant Parliamentarians work a great deal like our splendid Parliamentarian here.

If you are getting ready to file a bill or if you are thinking about an amendment, you can actually go to any one of our Parliamentarian or assistants, show them the language. They can't give an obligatory ruling, and they generally tell us when they advise us: This is what I think, how the rule would apply there, and you may want to tweak this or that.

They always have the caveat: But remember, I am the Parliamentarian. I don't rule on anything. All I would do, if I am allowed, or it is requested, I will whisper in the ear of the presiding—which, in the Senate, hopefully, would be Vice President PENCE.

And, gee, the Byrd Rule is not that complicated. When you are under reconciliation, it needs to be about the budget. So, if anything that is amended or added to or part of the bill will materially affect the budget, it survives the Byrd Rule and it stays in. That is it.

The word in the Byrd Rule is "incidental." It can't be just incidental or have an incidental effect on the budget. It has got to have a material effect; otherwise, it is considered extraneous.

Well, I would hope, knowing my friend, a former Member of the House here, former Conference chair, now Vice President, I would hope and certainly imagine if our friend, the Vice President, is in the presiding officer's chair in the Senate and a Democratic Senator stands up and says, "I make a point of order because I believe this violates the Byrd Rule, where the House inserted a provision, you have to show that you are you lawfully in the U.S. in order to get the tax credit,"

well, there may be people that are so used to massive numbers here in Washington that they would say, well, those millions or tens or hundreds of millions, that may not be material, that may be only incidental.

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I hope my friend, my Vice President, would understand that, to Americans, the kind of money we would be talking about is hard-earned and it is material to the budget. So what happens if the Vice President then rules—who is the President of the Senate—well, your point of order is overruled, it is not appropriate, it doesn't violate the Byrd rule. Well, then that same Democrat or another could jump up and say: I appeal the ruling of the chair.

Then what happens?

Normally, a Republican would stand and move to table the appeal of the ruling of the Chair. And then there are far more than enough Republicans to vote to table the appeal of the ruling of the Chair, which means the ruling stands, nothing is fatal, and we get closer to a repeal of ObamaCare. Even more important than that, we get closer to giving our constituents the help they really need.

So it has been a long few weeks. It was a very long conference, but I am encouraged, Mr. Speaker. I hope that Americans end up encouraged. I am glad the bill didn't pass on Friday just as I was 3 years ago when the original *de facto* amnesty bill that Speaker Boehner tried to shove through. I think we can get to a good bill. I am looking forward to seeing that happen and working with my friends here to get it done.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MARINO (at the request of Mr. MCCARTHY) for today and the balance of the week on account of a death in the family.

Mr. RUSH (at the request of Ms. PELOSI) for March 27 through March 30 on account of a death in the family.

SENATE JOINT RESOLUTIONS REFERRED

Joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 30. Joint Resolution providing for the reappointment of Steve Case as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

S.J. Res. 35. Joint Resolution providing for the appointment of Michael Govan as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

S.J. Res. 36. Joint Resolution providing for the appointment of Roger W. Ferguson as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 47 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 29, 2017, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

918. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Missouri's Air Quality Implementation Plans; Open Burning Requirements [EPA-R07-OAR-2016-0470; FRL-9958-72-Region 7] received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

919. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — State of Iowa; Approval and Promulgation of the Title V Operating Permits Program, the State Implementation Plan, and 112(1) Plan [EPA-R07-OAR-2016-0453; FRL-9957-84-Region 7] received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

920. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

921. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the annual report pursuant to Sec. 2(9) of the Senate's Resolution of Advice and Consent to the Treaty with the United Kingdom Concerning Defense Trade Cooperation (Treaty Doc. 110-07); to the Committee on Foreign Affairs.

922. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the annual report pursuant to Sec. 2(8) of the Senate's Resolution of Advice and Consent to the Treaty with Australia Concerning Defense Trade Cooperation (Treaty Doc. 110-10); to the Committee on Foreign Affairs.

923. A letter from the General Counsel, Government Accountability Office, transmitting the Office's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

924. A letter from the Secretary and Chief Administrative Officer, Postal Regulatory

Commission, transmitting the Commission's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

925. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Cooper River Bridge Run, Cooper River and Town Creek Reaches, Charleston, SC [Docket No.: USCG-2017-0021] (RIN: 1625-AA-08) received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

926. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone: Eastport Breakwater Terminal, Eastport, Maine [USCG-2014-1037] (RIN: 1625-AA00) received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

927. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Anchorage Regulations: Special Anchorage Areas; Marina del Rey Harbor, Marina del Rey, CA [Docket No.: USCG-2014-0142] (RIN: 1625-AA01) received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

928. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; James River, Newport News, VA [Docket No.: USCG-2017-0051] (RIN: 1625-AA00) received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

929. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone, TICO Warbird Air Show; Indian River, Titusville, FL [Docket No.: USCG-2017-0130] (RIN: 1625-AA00) received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

930. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Areas; Escorted Submarines Sector Jacksonville Captain of the Port Zone [Docket No.: USCG-2016-0032] (RIN: 1625-AA11) received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

931. A letter from the Office Program Manager, Office of Regulations Policy and Management, Office of the Secretary (00REG), Department of Veterans Affairs, transmitting the Department's final rule — Release of VA Records Relating to HIV (RIN: 2900-AP73) received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. NEWHOUSE. Committee on Rules. House Resolution 233. Resolution providing for consideration of the bill (H.R. 1431) to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes; (Rept. 115-64). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. JOHNSON of Georgia (for himself, Ms. SPEIER, Mr. DAVID SCOTT of Georgia, Ms. KELLY of Illinois, Mr. BEYER, Mr. RASKIN, Ms. NORTON, Mr. HASTINGS, Mr. CONNOLLY, and Mr. LEWIS of Georgia):

H.R. 1746. A bill to prohibit certain individuals from possessing a firearm in an airport, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE (for himself and Mr. TONKO):

H.R. 1747. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to reauthorize and improve the Brownfields revitalization program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCOTT of Virginia (for himself, Ms. ADAMS, Ms. BASS, Ms. BONAMICI, Mr. BRADY of Pennsylvania, Mr. BROWN of Maryland, Ms. BROWNLEY of California, Ms. JUDY CHU of California, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLAY, Mr. CORREA, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DESAULNIER, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. JAYAPAL, Mr. JEFFRIES, Ms. KELLY of Illinois, Mr. KIHUEN, Mr. LANGEVIN, Mrs. LAWRENCE, Mr. LAWSON of Florida, Ms. LEE, Ms. MOORE, Mrs. NAPOLITANO, Mr. NOLAN, Mr. NORCROSS, Ms. NORTON, Mr. PAYNE, Mr. POLIS, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Mr. SABLON, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. DAVID SCOTT of Georgia, Mr. SERRANO, Ms. SEWELL of Alabama, Ms. SHEA-PORTER, Mr. TAKANO, Mrs. TORRES, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, Mr. MEEKS, Mr. SWALWELL of California, and Ms. BLUNT ROCH-ESTER):

H.R. 1748. A bill to provide at-risk and disconnected youth with subsidized summer and

year-round employment and to assist local community partnerships in improving high school graduation and youth employment rates, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BILIRAKIS:

H.R. 1749. A bill to direct the Secretary of Veterans Affairs to establish a pilot program for the provision of dental care to certain veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. YOUNG of Iowa (for himself, Mr. LOEBSACK, Mr. KING of Iowa, Mr. PETERSON, Mr. BLUM, and Mr. LAHOOD):

H.R. 1750. A bill to amend the Internal Revenue Code of 1986 to expand certain exceptions to the private activity bond rules for first-time farmers, and for other purposes; to the Committee on Ways and Means.

By Mr. MOONEY of West Virginia:

H.R. 1751. A bill to impose sanctions in response to cyber intrusions by the Government of the Russian Federation and other aggressive activities of the Russian Federation, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Financial Services, Oversight and Government Reform, Armed Services, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRAT (for himself and Mr. GAETZ):

H.R. 1752. A bill to prohibit mandatory or compulsory checkoff programs; to the Committee on Agriculture.

By Mr. BRAT (for himself and Ms. TITUS):

H.R. 1753. A bill to prohibit certain practices relating to certain commodity promotion programs, to require greater transparency by those programs, and for other purposes; to the Committee on Agriculture.

By Mr. LATTA (for himself and Mr. OLSON):

H.R. 1754. A bill to amend the Federal Trade Commission Act to clarify the scope of the exception for common carriers; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER:

H.R. 1755. A bill to amend the Internal Revenue Code of 1986 to clarify that products derived from tar sands are crude oil for purposes of the Federal excise tax on petroleum, and for other purposes; to the Committee on Ways and Means.

By Mrs. COMSTOCK (for herself, Mr. WITTMAN, and Mr. GRIFFITH):

H.R. 1756. A bill to require the Secretary of the Interior to conduct offshore oil and gas Lease Sale 220 as soon as practicable, and for other purposes; to the Committee on Natural Resources.

By Mr. DANNY K. DAVIS of Illinois (for himself, Ms. KELLY of Illinois, and Mrs. BUSTOS):

H.R. 1757. A bill to address the psychological, developmental, social, and emotional needs of children, youth, and families who have experienced trauma, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in

each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESTY (for herself, Mr. KATKO, Mr. DEFazio, and Mrs. NAPOLITANO):

H.R. 1758. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to brownfield remediation grants, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA (for himself, Ms. LEE, Mr. CONNOLLY, Mr. LANGEVIN, Mr. JOHNSON of Georgia, Mr. TED LIEU of California, Mr. QUIGLEY, Mr. MEEKS, Ms. SCHAKOWSKY, Ms. MCSALLY, Mr. MCGOVERN, Ms. CASTOR of Florida, Mr. COSTELLO of Pennsylvania, Mr. COHEN, and Mr. BLUMENAUER):

H.R. 1759. A bill to amend the Animal Welfare Act to restrict the use of exotic and wild animals in traveling performances; to the Committee on Agriculture.

By Mr. GROTHMAN:

H.R. 1760. A bill to amend the Food and Nutrition Act of 2008 to eliminate the authority of the Secretary of Agriculture to grant a waiver from the work requirements for participation in the supplemental nutrition assistance program on account of an area's high unemployment rate or limited employment availability for individuals who reside in the area; to the Committee on Agriculture.

By Mr. JOHNSON of Louisiana:

H.R. 1761. A bill to amend title 18, United States Code, to criminalize the knowing consent of the visual depiction, or live transmission, of a minor engaged in sexually explicit conduct, and for other purposes; to the Committee on the Judiciary.

By Mr. KENNEDY (for himself, Ms. GABBARD, Mr. YOUNG of Alaska, Mrs. MCMORRIS RODGERS, Mrs. BROOKS of Indiana, Ms. KUSTER of New Hampshire, Mr. MEEHAN, Ms. CLARK of Massachusetts, Mr. COHEN, Mr. SWALWELL of California, Ms. TSONGAS, Mr. JOYCE of Ohio, and Ms. SPEIER):

H.R. 1762. A bill to promote pro bono legal services as a critical way in which to empower survivors of domestic violence; to the Committee on the Judiciary.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 1763. A bill to direct the Attorney General to carry out a pilot program to provide grants to eligible entities to divert individuals with low-level drug offenses to prebooking diversion programs, and for other purposes; to the Committee on the Judiciary.

By Mr. MESSER:

H.R. 1764. A bill to amend the Internal Revenue Code of 1986 to exclude room and board costs and certain research expenses from gross income of certain students; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 1765. A bill to provide that the authority to grant clemency for offenses against the District of Columbia shall be exercised in accordance with law enacted by the District of Columbia; to the Committee on Oversight and Government Reform.

By Mr. ROE of Tennessee (for himself and Mrs. BLACKBURN):

H.R. 1766. A bill to prohibit conditioning health care provider licensure on participation in a health plan or the meaningful use of electronic health records; to the Committee on Energy and Commerce.

By Mr. RUSSELL:

H.R. 1767. A bill to amend the Higher Education Act of 1965 to discontinue certain administrative cost allowances, and for other purposes; to the Committee on Education and the Workforce.

By Mr. RUSSELL:

H.R. 1768. A bill to provide that no additional Federal funds may be made available for National Heritage Areas, and for other purposes; to the Committee on Natural Resources.

By Mr. VALADAO:

H.R. 1769. A bill to affirm an agreement between the United States and Westlands Water District dated September 15, 2015, and for other purposes; to the Committee on Natural Resources.

By Mrs. COMSTOCK (for herself, Mr. BEYER, Mr. CONNOLLY, Mr. BROWN of Maryland, Mr. DELANEY, Ms. NORTON, Mr. RASKIN, and Mr. HOYER):

H.J. Res. 92. A joint resolution granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to amend the Washington Area Transit Regulation Compact; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. JOHNSON of Georgia:

H.R. 1746.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 (Clauses 1, 3, and 18), which grants Congress the power to provide for the common Defense and general Welfare of the United States; to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; and to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. PALLONE:

H.R. 1747.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. SCOTT of Virginia:

H.R. 1748.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. BILIRAKIS:

H.R. 1749.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States and Article I, Section 8, Clause 7 of the Constitution of the United States.

Article I, section 8 of the United State Constitution, which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land

and naval forces; and provide for organizing, arming, and disciplining the militia.

By Mr. YOUNG of Iowa:

H.R. 1750.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. MOONEY of West Virginia:

H.R. 1751.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying the execution of the foregoing powers, and all powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. BRAT:

H.R. 1752.

Congress has the power to enact this legislation pursuant to the following:

"This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 18 of the United States Constitution."

By Mr. BRAT:

H.R. 1753.

Congress has the power to enact this legislation pursuant to the following:

"This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 18 of the United States Constitution."

By Mr. LATTA:

H.R. 1754.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. BLUMENAUER:

H.R. 1755.

Congress has the power to enact this legislation pursuant to the following:

The Constitution of the United States provides clear authority for Congress to pass tax legislation. Article I of the Constitution, in detailing Congressional authority, provides that "Congress shall have Power to lay and collect Taxes . . ." (Section 8, Clause 1). This legislation is introduced pursuant to that grant of authority.

By Mrs. COMSTOCK:

H.R. 1756.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the U.S. Constitution: "The Congress shall have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

By Mr. DANNY K. DAVIS of Illinois:

H.R. 1757.

Congress has the power to enact this legislation pursuant to the following:

Article 1 of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

By Ms. ESTY:

H.R. 1758.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the Constitution

By Mr. GRIJALVA:

H.R. 1759.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. GROTHMAN:

H.R. 1760.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States. [Page H5913]

By Mr. JOHNSON of Louisiana:

H.R. 1761.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. KENNEDY:

H.R. 1762.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 1763.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8

By Mr. MESSER:

H.R. 1764.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution

By Ms. NORTON:

H.R. 1765.

Congress has the power to enact this legislation pursuant to the following:

clause 17 of section 8 of article I of the Constitution.

By Mr. ROE of Tennessee:

H.R. 1766.

Congress has the power to enact this legislation pursuant to the following:

Consistent with the original understanding of the Commerce Clause, the authority to enact this legislation is found within Clause 3 of Section 8, Article 1 of the U.S. Constitution. Furthermore, the treatment of Medicaid among other provisions provide for the general welfare of the United States and thereby retain authority within Clause 1 of Section 8, Article of the U.S. Constitution.

By Mr. RUSSELL:

H.R. 1767.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. RUSSELL:

H.R. 1768.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. VALADAO:

H.R. 1769.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States.

By Mrs. COMSTOCK:

H.J. Res. 92.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 10, Clause 3: "No State shall, without the Consent of Congress . . . enter into any Agreement or Compact with another State . . ."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

- H.R. 24: Mr. GROTHMAN, Mr. FITZPATRICK, Mr. SCHRADER, Mr. BACON, and Mr. MEADOWS.
H.R. 38: Mrs. ROBY, Mr. NUNES, and Mr. BARTON.
H.R. 250: Mr. BABIN, Mr. GARRETT, and Mr. SMITH of Texas.
H.R. 282: Mr. FRANKS of Arizona, Mr. JONES, Mr. CALVERT, Mr. WEBSTER of Florida, and Mr. FASO.
H.R. 352: Mr. POE of Texas.
H.R. 367: Mr. PEARCE and Mrs. ROBY.
H.R. 371: Mr. LARSON of Connecticut.
H.R. 390: Mr. GOHMERT.
H.R. 392: Mr. JOHNSON of Ohio, Ms. BLUNT ROCHESTER, and Ms. DELBENE.
H.R. 477: Mr. LUCAS.
H.R. 479: Mr. WILSON of South Carolina.
H.R. 490: Mr. WILSON of South Carolina.
H.R. 510: Mr. FITZPATRICK.
H.R. 530: Mr. LANGEVIN.
H.R. 548: Mr. TIPTON.
H.R. 564: Mr. MOOLENAAR.
H.R. 565: Mr. GOHMERT.
H.R. 579: Mr. EVANS.
H.R. 620: Mr. FOSTER and Mr. DENHAM.
H.R. 671: Mr. MCEACHIN and Mr. GALLEGO.
H.R. 672: Mr. ROYCE of California, Mr. DONOVAN, Mr. SHERMAN, Mr. POE of Texas, Mr. SIRES, and Mr. CICILLINE.
H.R. 676: Ms. VELÁZQUEZ and Mr. PAYNE.
H.R. 723: Mr. CARTWRIGHT.
H.R. 747: Mr. ROYCE of California and Mr. LAMALFA.
H.R. 754: Mr. COOK.
H.R. 807: Mr. ROTHFUS and Mr. NOLAN.
H.R. 816: Mr. DESAULNIER.
H.R. 822: Mr. MOULTON.
H.R. 846: Mr. VARGAS and Mr. GUTHRIE.
H.R. 849: Mr. OLSON, Mr. KELLY of Pennsylvania, Mr. STEWART, Mr. WEBSTER of Florida, Mr. MULLIN, Mr. MESSER, Mr. LARSON of Connecticut, Mr. TED LIEU of California, Mr. GROTHMAN, Mr. TIPTON, Mr. LAMBORN, Mr. FARENTHOLD, Mr. DIAZ-BALART, Mr. COLE, and Mr. HARRIS.
H.R. 873: Ms. GABBARD and Mr. WITTMAN.
H.R. 879: Mr. ROUZER.
H.R. 909: Mr. CORREA, Mr. CRIST, Mrs. BEATTY, and Ms. ROSEN.
H.R. 964: Mr. CONNOLLY.
H.R. 973: Ms. MCSALLY.
H.R. 1027: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 1038: Mr. FORTENBERRY.
H.R. 1116: Mr. EMMER.
H.R. 1148: Mr. RUPPERSBERGER.
H.R. 1150: Mr. RENACCI, Mr. BARR, Mr. BOST, Mr. CALVERT, Mrs. BLACKBURN, Mr. BROOKS of Alabama, Mr. LONG, Mr. COLE, Mr. BYRNE, and Mr. VALADAO.
H.R. 1155: Mr. DEFazio and Mr. POCAN.
H.R. 1160: Mr. DELANEY.
H.R. 1172: Mr. HUFFMAN, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. PINGREE, and Mr. NOLAN.
H.R. 1180: Mr. BYRNE.
H.R. 1203: Mr. EMMER.
H.R. 1222: Mr. ABRAHAM, Mr. SWALWELL of California, Mr. LOEBSACK, Mr. BOST, Mr. SOTO, Mr. POCAN, Mrs. McMORRIS RODGERS, Mrs. MURPHY of Florida, Mr. WEBSTER of Florida, Mr. MULLIN, Mr. EVANS, Mr. STIVERS, Mr. GUTHRIE, Mr. CONNOLLY, and Ms. NORTON.
H.R. 1235: Mr. PASCRELL and Mr. TED LIEU of California.
H.R. 1264: Mr. CULBERSON, Mr. BABIN, and Mr. POE of Texas.
H.R. 1267: Mr. CARTER of Georgia, Mr. CURBELO of Florida, and Mr. KEATING.
H.R. 1303: Mr. PALLONE and Mr. MCGOVERN.
H.R. 1318: Ms. ESTY and Mr. THOMPSON of California.
H.R. 1334: Mr. ALLEN.
H.R. 1346: Ms. FRANKEL of Florida and Mr. YOUNG of Alaska.
H.R. 1358: Mr. COHEN.
H.R. 1393: Mr. YARMUTH.
H.R. 1405: Mr. PALLONE and Mr. POLIS.
H.R. 1406: Mr. MEEHAN, Mr. SWALWELL of California, Mr. CHABOT, and Mr. GAETZ.
H.R. 1421: Ms. DEGETTE.
H.R. 1444: Mr. PERLMUTTER and Mr. SMUCKER.
H.R. 1452: Ms. BONAMICI and Mr. DESAULNIER.
H.R. 1466: Mr. PERLMUTTER.
H.R. 1485: Ms. TENNEY and Mr. COOK.
H.R. 1494: Mr. CUELLAR, Mr. PAULSEN, Mr. COLE, Mr. NOLAN, Mr. HURD, Mr. CUMMINGS, Mr. VISCLOSKEY, Mr. POCAN, Mr. JOHNSON of Ohio, Ms. JUDY CHU of California, and Mr. RUIZ.
H.R. 1515: Mr. TAKANO, Mr. BLUMENAUER, and Ms. SINEMA.
H.R. 1516: Mr. YARMUTH, Mr. CONYERS, and Mr. PAYNE.
H.R. 1528: Mr. POLIS.
H.R. 1552: Mr. ALLEN, Mr. GOSAR, Mr. KELLY of Mississippi, Mrs. MIMI WALTERS of California, and Mr. ISSA.
H.R. 1582: Mr. PETERS, Mr. LYNCH, and Mr. MOOLENAAR.
H.R. 1588: Mr. COHEN.
H.R. 1589: Mr. LARSON of Connecticut.
H.R. 1609: Miss RICE of New York.
H.R. 1614: Mr. KHANNA, Mr. DESAULNIER, and Ms. SEWELL of Alabama.
H.R. 1626: Mr. PETERSON.
H.R. 1644: Ms. ROS-LEHTINEN, Mr. COOK, Ms. GABBARD, and Mr. WILSON of South Carolina.
H.R. 1665: Mr. KINZINGER, Mr. BOST, Mr. SHIMKUS, and Mr. LAHOOD.
H.R. 1676: Ms. DELBENE, Mr. HECK, and Ms. MCCOLLUM.
H.R. 1678: Mr. MAST.
H.R. 1694: Mr. SESSIONS.
H.R. 1695: Mr. SCHNEIDER.
H.R. 1697: Mr. FARENTHOLD, Mrs. BEATTY, Mr. ROYCE of California, Mr. DUNCAN of South Carolina, Mr. YODER, Mr. CHAFFETZ, Mr. MARCHANT, Ms. WASSERMAN SCHULTZ, Mr. BARR, Mr. STEWART, Mr. SCHNEIDER, Mr. FITZPATRICK, Mr. KINZINGER, Mr. WEBSTER of Florida, Mr. MURPHY of Pennsylvania, Miss RICE of New York, Mr. COOK, Ms. SINEMA, Mr. HIGGINS of New York, Ms. ROSEN, Mr. PETERSON, Mr. NEAL, Mr. HOLDING, Mr. SMITH of New Jersey, Mr. GIBBS, and Mrs. NAPOLITANO.
H.R. 1698: Mr. CICILLINE, Mr. STIVERS, Mrs. DAVIS of California, Mr. RENACCI, Mr. COHEN, Ms. SINEMA, Ms. WASSERMAN SCHULTZ, Mr. CARTWRIGHT, Mr. YOUNG of Iowa, Mrs. WATSON COLEMAN, Ms. FRANKEL of Florida, Mr. FARENTHOLD, Mr. KEATING, Mr. GARRETT, Mr. DUNCAN of South Carolina, Mr. ROSKAM, Mr. YODER, Mr. DELANEY, Mr. POE of Texas, Mr. CHAFFETZ, Ms. MATSUI, Mr. MARCHANT, Mr. BARR, Mr. SMITH of New Jersey, Mr. KINZINGER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CONNOLLY, Mr. WEBSTER of Florida, Mr. MURPHY of Pennsylvania, Miss RICE of New York, Mr. KELLY of Pennsylvania, Mr. COOK, Mr. HIGGINS of New York, Mr. PETERSON, Ms. KELLY of Illinois, Mr. NEAL, Mr. WALKER, Ms. JENKINS of Kansas, Mr. LAMBORN, Mr. FITZPATRICK, Mr. CRAWFORD, Mr. STEWART, Mr. GIBBS, Mr. GAETZ, and Mrs. NAPOLITANO.
H.R. 1702: Mr. BLUM.
H.R. 1711: Mr. PALLONE, Ms. JAYAPAL, Mrs. WATSON COLEMAN, Mr. NADLER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CLAY, Mr. POCAN, Ms. KAPTUR, Ms. SCHAKOWSKY, Mr. MCEACHIN, Mr. JEFFRIES, Mr. HIGGINS of New York, Mr. MCGOVERN, and Mr. FOSTER.
H.R. 1724: Mr. EVANS.
H.R. 1737: Mr. SMITH of Texas and Mr. HENSARLING.
H.R. 1739: Mr. POLIS, Mr. GRIJALVA, and Mr. BRADY of Pennsylvania.
H.J. Res. 53: Mr. KRISHNAMOORTHY and Ms. GABBARD.
H.J. Res. 59: Mr. LOUDERMILK.
H.J. Res. 73: Mr. GALLAGHER, Mr. COLLINS of Georgia, and Mr. WALKER.
H. Con. Res. 38: Mr. HUFFMAN.
H. Con. Res. 40: Mr. HIGGINS of Louisiana.
H. Res. 28: Mrs. DEMINGS, Mr. HECK, Mr. PAYNE, Mr. YODER, and Mr. GENE GREEN of Texas.
H. Res. 30: Mr. HUDSON, Ms. LOFGREN, and Mr. BRADY of Pennsylvania.
H. Res. 90: Mr. GUTIÉRREZ.
H. Res. 92: Mr. POE of Texas and Mr. KINZINGER.
H. Res. 121: Mr. GUTHRIE.
H. Res. 135: Mr. BILIRAKIS.
H. Res. 137: Mr. SHERMAN.
H. Res. 145: Mr. CICILLINE and Mr. SHERMAN.
H. Res. 148: Ms. LOFGREN.
H. Res. 163: Mr. EVANS.
H. Res. 184: Mrs. DINGELL, Mr. LEVIN, Mr. CRIST, Mr. NORCROSS, Mr. LOEBSACK, Ms. HANABUSA, and Mrs. DEMINGS.
H. Res. 186: Mrs. TORRES, Ms. VELÁZQUEZ, Mr. CARSON of Indiana, Mr. KILDEE, Ms. LOFGREN, Mr. EVANS, and Mr. CARBAJAL.
H. Res. 187: Mr. WALZ, Mr. CHABOT, Mr. ENGEL, Mr. CONNOLLY, and Mr. BERA.
H. Res. 203: Mr. TED LIEU of California, Mr. CICILLINE, and Mr. COHEN.
H. Res. 206: Mr. EVANS.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. VISCLOSKY. Mr. Speaker, on March 27, 2017, I was absent from the House and missed roll call votes 195 through 196.

Had I been present for roll call 195, a vote on H.R. 1117, a measure to require the Administrator of the Federal Emergency Management Agency to submit a report regarding certain plans regarding assistance to applicants and grantees during the response to an emergency or disaster, I would have voted "Aye."

Had I been present for roll call 196, a vote on H.R. 654, The Pacific Northwest Earthquake Preparedness Act of 2017, I would have voted "Aye."

PERSONAL EXPLANATION

HON. GEORGE HOLDING

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. HOLDING. Mr. Speaker, due to a personal matter, I missed the following votes on Monday, March 27, 2017:

Roll Call Vote No. 195: To require the Administrator of the Federal Emergency Management Agency to submit a report regarding certain plans regarding assistance to applicants and grantees during the response to an emergency or disaster. Had I been present, I would have voted "YEA".

Roll Call Vote No. 196: Pacific Northwest Earthquake Preparedness Act. Had I been present, I would have voted "YEA".

IN HONOR OF WALTER HARRISON

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. LARSON of Connecticut. Mr. Speaker, I rise today with the entire Connecticut delegation to recognize a dedicated leader, respected academic, and a dear friend, Walter Harrison, on his retirement as the President of the University of Hartford. His retirement marks the end of 19 years of an incredibly successful term as President and the end of an era at the University.

A graduate of Trinity College in Hartford, Walt began his career of service and experience in higher education, receiving his Masters from the University of Michigan and went on to serve for three years as an officer in the U.S. Air Force. He then completed a doctorate

at the University of California-Davis and worked in the administrations of Colorado College and the University of Michigan before joining the University of Hartford.

Walter Harrison played a critical role in revitalizing the University of Hartford after he became President in 1998. Under his guidance, the University increased and diversified its enrollment, financial stability and academic performance. During the time that Mr. Harrison served as President, the University of Hartford renovated dorms, dining halls and athletic facilities to completely change and modernize the campus. New undergraduate and graduate academic programs were added in science, technology and the fine arts. Undergraduate enrollment increased by 20 percent. His genuine affinity for students and his authentic concern were evident every time I walked the campus with him.

Walter has also been an engaged leader for the city of Hartford. He serves on multiple boards in the area including on the boards of Saint Francis Hospital and the MetroHartford Alliance. He is one of the founders of the Connecticut Science Center and a past president of Hartford Stage. Walter made engagement with the city a priority of his tenure, and was involved in the effort to incorporate Hartford public schools into the campus of the University, resulting in the University of Hartford Magnet School and the University High School of Science and Engineering. Walter also played a key role in reforming the NCAA and was recognized by his peers for his outstanding leadership.

What I admire most about Walt is the easy manner and grace in which he engages students, faculty, and the greater community the University serves. His humanity and well-rounded nature makes him a man for all seasons: cultured, passionate, affable, and witty, truly a Renaissance man. He is just as comfortable at Augie and Rays as he is at Hartford Stage; talking sports, politics, or theater. I have valued our friendship, admired his leadership and academic acumen, and consider myself a better person having benefitted from our relationship and his wisdom.

Walt will be truly missed at the University of Hartford. His vision and leadership have shaped the University into the institution it is today, and I am proud to call him a friend. The word retirement doesn't become him; he is too committed and essential to the heartbeat of life to retire. He will simply engage. The entire CT delegation joins in thanking him for his service to the University and the city of Hartford.

To paraphrase George Bernard Shaw, Walt has been a splendid torch that has burned brightly for the University and now he is handing it off to the next generation.

HONORING THE VICTIMS OF WAUSAU-AREA TRAGEDY

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. DUFFY. Mr. Speaker, it's with a heavy heart that I rise today to recognize the loss of four members of our greater Wausau community. It was last week that four lives were taken from us all too early.

Karen Barclay was warm and caring to everyone around her. At Marathon Savings Bank, she made sure that no child left the bank without a lollipop.

Dianne Look, known as 'Dee-Dee,' celebrated her 25th wedding anniversary last month. Dianne loved to make jewelry; raising money for the American Cancer Society.

Sara Quirt-Sann had an infectious laugh and ran her own law practice. She proudly served as a Guardian ad Litem for kids in our community.

We also lost Detective Jason Weiland of the Everest Metro Police Department, who was killed in the line of duty. Serving 18 years in what was described as his 'dream job,' Detective Weiland wore the Everest Metro PD uniform because he wanted to protect people and keep his community safe.

On behalf of this institution, I rise to extend my deepest regrets to their families—the mothers and fathers, husbands, wives, and children who no longer have a special member in their homes.

HONORING EARLINE WRIGHT-HART

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, Ms. Earline Wright-Hart was born in Rural Holmes County, one of six (6) children, born to the union of Willie and Claudia Mae Wright. Married to James Zachary Hart, 4 children, 3 sons: James, Ryan, Lamont & 1 daughter: Jamie Wright-Hart and a new "Grand Nana" to Hailey Kimbrough Jordan.

Ms. Earline Wright-Hart is a member of the Lebanon Missionary Baptist Church, Choir Member and a Trustee. She was also a graduate of Saint Academy, Holmes Junior College and MS State University and graduated on July 22, 2010 from Michigan State University—School of Criminal Justice/Judicial Administration Program.

Ms. Earline Wright-Hart was elected Circuit Clerk of Holmes County in November, 1991 and she still serves Holmes County in this capacity as well as presently serving on the Statewide Election Management System

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Focus Group with Mississippi Secretary of State, Delbert Hoseman.

Some of Ms. Wright-Hart's accomplishments are:

1. Served as Vice-Legislative Chair for the MS Circuit Clerk's Assoc., 1996 through 1997
2. Appointed Secretary of the MS Circuit Clerk's Association in July, 1999
3. Nominated Professional of the Year by Holmes County Chamber of Commerce in April, 2001
4. Served as President of the Mississippi Circuit Clerk's Association in 2002–2003
5. Named in Empire Who's Who Registry of Executives & Professionals in 2003–2004
6. Appointed by Secretary of State, Eric Clark, Pilot Circuit Clerk for State/Saber Project in January, 2005 for the Statewide Election Management System
7. Parent of the Year in 2004–2005 at Holmes County School District
8. Appointed Program Evaluator for the 21st Judicial District Adult Drug/DUI Court in January, 2006
9. Certified Level 1 firefighter—MS State Fire Academy in May, 2006
10. Named Who's Who Among Professional Female Executives in 2008–2009
11. Received the Dr. Arenia C. Mallory Women History Award at St. Paul African Methodist Episcopal Church in Madison MS in March, 2009
12. Received Accountable Public Officials Award by Southern Echo, Inc. in December, 2010.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Earline Wright-Hart for her dedication to serving others and giving back to the African American community.

IN MEMORY OF DALE HARLEY

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. WILSON of South Carolina. Mr. Speaker, South Carolina lost a dedicated public servant with the passing of West Columbia City Councilman Dale Harley. Pastor Michael Hood lovingly conducted a Service of Death and Resurrection on Sunday, March 26, 2017, at Platt Springs United Methodist Church in Springdale with organist Sherri Cafaro and soloist Jason Barrs. Pallbearers were Ben Breland, Michael Faulling, Peter Fisher, Dana Harley, Kevin Harley, Chuck Haseldon, Paul Rish, Kent Safriet, Van Safriet, Chris Threatt, and Jeff Threatt. Honorary Pallbearers were the West Columbia City Council members and the Joint Municipal Water and Sewer Commission. Thompson Funeral Home of Lexington thoughtfully coordinated services.

The following thoughtful obituary was included in the service program:

Leonard Dale Harley, Sr., 76, of West Columbia, SC, passed away Thursday, March 23, 2017. He was born in West Columbia, SC, to the late James "Alburn" and Leola Spires Harley.

Dale was a longtime member of Platt Springs UMC, where he once was very involved with the youth group and Boy Scouts. He was a member of the West Columbia City

Council and a member of the Joint Municipal Water & Sewer Commission. He was a family man that loved spending time with his family, friends and pets. He will be missed by many.

Dale is survived by his loving wife of 55 years Sandy; his daughters, Lynn (Jim) Asbill of Anderson, SC and Kim (Kim) Harley of West Columbia; and son, Lee (Erika) Harley of Lexington. He also leaves behind his two grandchildren, Nathan and Auburn; his sisters, Sarah (Bill) Geddings, and Jean Threatt; brother, James Mello (Sherrell) Harley; and many nieces and nephews. He was preceded in death by his sisters, Frances Maxine Hamilton and Dorothy Joyce Faulling.

PERSONAL EXPLANATION

HON. KEVIN YODER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. YODER. Mr. Speaker, I was not present on March 27, 2017 due to the death of my 105 year old Grandmother, Edna Yoder. Had I been present, I would have voted Yea on Roll Call vote Number 195. On Roll Call Number 196, I would have voted Yea.

IN RECOGNITION OF RICHARD BOALS

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Ms. SINEMA. Mr. Speaker, I rise today to recognize an Arizona business leader, health care advocate, and dedicated community servant, Richard Boals. Mr. Boals has served as the Chairman and Chief Executive Officer of Blue Cross Blue Shield of Arizona since 2003, providing strategic leadership and vision for the company through critical times of change and transition in the industry.

As a long-time advocate, Mr. Boals is active in the community and has been involved with countless professional and local organizations. His focus and dedication are aimed at youth and education, health, wellness and human services, economic and civic development, and arts and culture.

Mr. Boals is on the board of directors for Arizona Commerce Authority, Greater Phoenix Leadership, Arizona State University W.P. Carey School of Business Center for Services Leadership, Arizona State University President's Club, Arizona State University Dean's Council of 100, and the Maricopa Community Colleges Foundation. He is a member of the Translational Genomics Research Institute's board of directors, Arizona Educational Foundation's advisory board, and the Phoenix Police Reserve Foundation board of directors. He is chairman of the board of directors for TriWest Healthcare and O'Connor House.

As a community and business leader, Mr. Boals has been honored with several awards: the ASU Alumni Leadership Award, the Maricopa Community Colleges Foundation's Heroes of Education Award, the Victoria Founda-

tion's Advocates for Education Award, the American Jewish Committee's National Human Relations and Centennial Leadership Awards, the Anti-Defamation League's Jerry J. Wisotsky Torch of Liberty Award, the Greater Phoenix Urban League's Whitney M. Young, Jr. Individual Award, the Marine Corps Scholarship Foundation's Globe and Anchor Award, and the Phoenix Business Journal's Silver Anniversary Honor Roll Award.

Mr. Boals received his associate's degree from Phoenix College and bachelor's degree in accounting from Arizona State University. He has completed executive development courses at Fuqua School of Business at Duke University, Haas School of Business at the University of California, Harvard University and University of Michigan. Mr. Boals served four years in the United States Air Force before beginning his career at BCBSAZ.

I congratulate Richard on an incredible career in the service of a healthier Arizona. I wish him and his wife Maryglenn a healthy and happy retirement filled with friends, family, and adventure.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House Chamber for roll call votes 195 and 196 Monday, March 27, 2017. Had I been present, I would have voted "Yea" on roll call votes 195 and 196.

HONORING DWIGHT A. BARFIELD

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor an extraordinary Black History honoree, Mr. Dwight A. Barfield.

Dwight A. Barfield was born to a prominent Civil Rights Activist and Vice Mayor of Marks, MS, the Late James Figgs Barfield and Eloise Barfield of Marks, MS. As a child, he was determined to be a distinguished follower of his father.

Webster's dictionary delineates success as "the attainment of wealth, favor and eminence." It is an apt definition, but only a partial one. What is missing is the kind of success that can only be measured in terms of self-fulfillment. At the young age of twenty-one and with the collaboration of young and old supporters and influential African Americans, Dwight Anthony Barfield was successful in his bid of becoming the youngest Mayor of Marks, Mississippi and the youngest elected official in Quitman County on June 3, 1993.

During his tenure as mayor (Three Consecutive Terms from June 1993 through June 2005), Dwight earned a reputation of being a coalition-builder, managing to keep the City of Marks Board of Alderman and the Quitman County Supervisors together. Under his signature leadership, the citizens and the business

community thrived and flourished. He partnered with the Casino industry, (namely, Grand Casino) to provide city and county citizen's jobs. He brought business such as McDonald's, Family Dollar, BFI Waste Management to name a few.

He has continued to exude unprecedented willingness to do whatever it takes to keep the community abreast of the positives and negatives. He is recognized amongst his family, his community, and his colleagues as a man of integrity, service, compassion, and outstanding spirit. He attended the historic church where Dr. Martin Luther King spoke on behalf of the "Poor People Campaign that started in the 1968."

He is a dedicated and devoted member of Silent Grove Missionary Baptist Church, Marks MS where he serves as the Chairman of the Board of Trustees and as Deacon.

He continues to be an activist in his community while ensuring that elected officials are held accountable for their actions to the citizens of Quitman County.

He has served on various committees and is a member of numerous organizations to include, but not limited to the following:

1. Currently served as Vice President of Mid-State Opportunity, Inc.
 2. Served as Male Mentor, After-School Peer Tutoring Program for Disadvantaged Youth
 3. Past President of the Mississippi Conference of Black Mayors
 4. Past Board Member of the National Conference of Black Mayors
 5. Past Board Member and Director of the U.S. World Conference of Mayors
 6. Member of Alpha Phi Alpha Fraternity, Inc.
 7. Delegate and Traveled abroad to Africa (Nigeria, Ghana and Senegal) to promote Democracy and World Peace.
 8. Members of Masonic Lodge Number 315 of Crowder, MS
 9. Founder and Former Scoutmaster of Boy Scout Troop Number 306
- Dwight A. Barfield's leadership, dedication, remarkable acts of courage, perseverance, tireless service to all mankind and passion to make a difference in his community, makes him an outstanding community activist.
- Mr. Speaker, I ask my colleagues to join me in recognizing Community Activist and Former Mayor, Dwight Anthony Barfield for his dedication to serving this City, County and State.

HOLY SEE ARTICLES

HON. FRANCIS ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today to share with my colleagues several more articles that I have written over the years regarding the Holy See. As a Member of the Europe, Eurasia, and Emerging Threats Subcommittee on Foreign Affairs, these pieces serve to outline and inform discussions that our Committee will cover in the 115th Congress.

U.S. MUST EMBRACE HOLY SEE

The past few years have seen cordial but cooling relations between the United States

and the Vatican. Since President Obama took office, he has visited the Vatican just once, and the administration has demonstrated little more than a perfunctory interest in the Holy See's diplomatic role in the world. This is a lost opportunity at a critical time for America. U.S. foreign policy has much to gain from its relationship with the Holy See, the governing body of the Catholic Church. No institution on earth has both the international stature and the global reach of the Holy See—the "soft power" of moral influence and authority to promote religious freedom, human liberties, and related values that Americans and our allies uphold worldwide.

President Reagan established full diplomatic relations with the Holy See in 1984 because, among other reasons, he realized that he could have no better partner than Pope John Paul II in the fight against communism—and he was right. The administration of George W. Bush continued to expand these relations, even in difficult times while engaged in a conflict in Iraq of which the Holy See had strongly and vocally disapproved. Before President Obama's recent appointment of Ken Hackett as the next U.S. ambassador to the Holy See, there was growing speculation that the administration was considering completely eliminating the diplomatic mission, or reducing it to an appendage of the Embassy in Rome. While the Obama administration has been in conflict with the Catholic Church on a range of issues from abortion to contraception, it is clearly in America's national interests to strengthen diplomatic ties with the Holy See to advance our interests around the world.

The United States and the Holy See remain two of the most significant institutions in world history, one a beacon of democracy and progress, the other a sanctum of faith and allegiance to timeless principles. Despite these differences between the first modern democracy and the longest surviving Western monarchy, both were founded on the idea that "human persons" possess inalienable natural rights granted by God. This had been a revolutionary concept when the Catholic Church embraced it 2,000 years ago, and was equally revolutionary when the Declaration of Independence stated it 1,800 years later.

The Church is one of the leading advocates and providers for the poor in the world, fights against the scourge of human trafficking, and advances the cause of human dignity and rights more than any other organization in the world. The Holy See also plays a significant role in pursuing diplomatic solutions to international predicaments. In 2007, for example, the Holy See helped secure the release of several British sailors who had been picked up by the Iranian navy. Its long-standing bilateral relations with Iran and the lack of such relations by the British and other western governments created an opportunity for successful intervention.

And more recently, the Holy See issued its diplomatic note concerning the civil war in Syria, calling for a "concept of citizenship" in which everyone is a citizen with equal dignity. It is urging the commissions which are working on a possible future constitution and laws to ensure that Christians and representatives of all other minorities be involved. This immediately helped place a spotlight on the plight of Christians and the ongoing exodus of all non-Muslims from most Middle East countries for the last 30 years. The power and influence of the Holy See is often underestimated. A benevolent monarchy tucked into a corner of a modern

democracy, the Holy See is at once a universally recognized sovereign representing more than a billion people (one-seventh of the world's population)—and the civil government of the smallest nation-state on earth. It has no military and only a negligible economy, but it has greater reach and influence than most nations. It's not simply the number or variety of people that the Holy See represents that gives it relevance; it's also the moral influence of the Church, which is still considerable despite secularization and scandals.

The Holy See advocates powerfully for morality in the lives of both Catholics and non-Catholics, and in both individuals and nations. One may disagree with some of the Church's positions and yet still recognize the value—the real and practical value—of its insistence that "right" should precede "might" in world affairs. At its core, the Catholic Church is a powerful and unique source of non-coercive "soft power" on the world stage—it moves people to do the right thing by appealing to ideals and shared values, rather than to fear and brute force. America's foreign policy is much more likely to succeed with the support of the Holy See.

Iranian President Hassan Rouhani recently gave a nod to this soft power in his Washington Post op-ed when he decried the "framework that has emphasized hard power and the use of brute force." One can speculate on the motivations and intentions of such an unlikely source, but at least there is an admission of the importance of diplomatic alternatives which are based on persuasive fundamental principles.

No two sovereigns are more naturally aligned than the United States and the Holy See in the pursuit of diplomacy founded on the core moral principles of the inalienable rights of man, his essential God-granted human dignity, and the right of all to religious freedom. This is rightly called the "first freedom" because our other freedoms seldom flourish in its absence.

REFLECTING ON THE LIFE OF ARCHBISHOP PIETRO SAMBI, DIPLOMAT OF THE HOLY SEE

The death of Archbishop Pietro Sambì, Papal Nuncio to the United States for the last five years, is a great loss for the diplomatic community in Washington, D.C. and for the world. A veteran diplomat with many years experience in Israel and Palestine, Archbishop Sambì brought a depth of knowledge and personal credibility to the diplomacy of the Holy See which will be greatly missed.

Prior to his posting in Washington, Archbishop Sambì was stationed in Cuba, Nicaragua, Belgium and India. As papal representative to Israel and Palestine from 1998 until 2005, he was instrumental in the planning and execution of the Holy Land visit of Pope John Paul II in 2000 and was deeply involved in the Holy See's diplomacy during the 2006 Lebanon war, where the traditional power sharing coalition was challenged by the presence of Hezbollah. His personal credibility was important during this war in mobilizing the Christian coalition there.

His Cuba and Nicaragua experience was important in his understanding of the challenges the United States faces in these countries and in expressing the Holy See's goals for religious freedom and pursuance of the democratic process there. He was Nuncio in Nicaragua as the Sandinista revolution took control of the country and challenged church authority and democratic institutions there. He was involved in planning Pope John Paul II's 1983 visit wherein the Pope challenged Daniel Ortega and his government.

While Archbishop Sambi was in Cuba in an earlier time, from 1974-1979, his efforts in working with the local church were valuable in keeping the goals of freedom and tolerance alive. The recent release of the last of the March 2003 political prisoners in Cuba by the Castro government exemplifies the valuable contributions of Holy See diplomacy, the result of many leaders like Archbishop Sambi.

He was, in short, a most qualified diplomat and a man whose warmth reminded many officials of the first apostolic pro-nuncio to the United States, Cardinal Pio Laghi.

In meetings with him I realized his keen understanding of the unique role of religion and faith in the United States as protected by the First Amendment. He realized, like his predecessor Archbishop Pio Laghi, that the American experiment of the First Amendment has much to offer the world.

Though it is only natural for a prominent priest to proclaim the importance of religious freedom and its importance in sustaining civil society, Sambi was also an earnest proponent of the freedoms of speech and press. He warmly received journalists in an effort to connect with an American audience that went beyond the capital beltway region and daily withstood anti-Catholic protesters picketing just outside his office. In times of crisis within the Church and without, he resolutely defended the goodness that religion offers the world—peace, justice, love, and true individual freedom.

Many times he made a point of explaining that the foundation of the diplomatic mission of the Holy See is rooted squarely in the pursuits of freedom, tolerance and the protection of human dignity. The “soft power” of moral rectitude and persuasion is what drove the Archbishop in his work.

His death last Friday following a serious lung operation at Johns Hopkins Hospital is a time for reflection on the twenty-seven years of official recognition between the U.S. government and the Holy See in Vatican City. In that short period, the bilateral relationship has flourished into a deep commitment. Together, the world's most influential state and the world's smallest sovereign state combine to address serious problems like human trafficking, extremist violence and religious intolerance.

As I mourn the loss of my friend, laid to rest in his hometown of Sogliano al Rubicone, Italy, I am thankful for his witness and example, and also have to pause and reflect on the moral leadership of the United States around the world, which Archbishop Sambi so deeply appreciated and valued.

**POPE FRANCIS' FIRST VISIT TO U.S. PROVIDES
HISTORIC OPPORTUNITY**

Pope Francis' highly anticipated visit to the United States offers an opportunity to advance our understanding of the significant role that the pope and the Holy See play in world affairs. And just as important, the Papal Visit will afford Pope Francis a glimpse at the fundamental values at work in the United States—providing a unique occasion to inform his views on crucial economic, human rights, and environmental issues. Pope Francis has never visited the United States, so there is a historic opportunity to demonstrate how American values can help resolve many vexing global problems.

The pope will break new ground in addressing the Joint Session of Congress. By responding to Speaker Boehner's historic invitation, Pope Francis will engage with the Congress as no pope has previously, reinforcing his role as a global leader and draw-

ing unprecedented public attention to his major diplomatic themes and objectives.

Thus far in his papacy Pope Francis has laid out several important priorities which might surface in his address and broader visit to the United States.

From the beginning, the pope has made a priority to highlight the global challenge of migration and the ensuing deprivation of basic human needs of people displaced from their homes. The lesson of his first papal trip, to Lampedusa, resonates today with the increase in refugees from Syria and Africa. He urged the world to “oppose the globalization of indifference” to the plight of these people.

Recently, in his encyclical *Laudate Si*, Pope Francis used forceful language to call attention to environmental degradation and, somewhat controversially, linked consumption and waste in industrialized countries with poverty and lack of opportunity in the emerging world.

One success of this visit could be that the pope sees in the United States a people who also care for their environment yet offer practical solutions to reduce pollution like nurturing the use of cleaner fuels, deploying advanced technologies and supporting alternative energy sources throughout the world.

Another aspect of Pope Francis' diplomatic outreach has been criticism of capitalism as abusive and insensitive to the poor and the disadvantaged. In many respects what the pope has expressed is consistent with historic Catholic social teaching, descending from *Rerum Novarum* and Pope Leo XIII, but he has brought a different tone and diction to the discussion of political economy.

This may be the greatest result of the papal visit—if Pope Francis experiences something different in the United States, distinct from his experience in Latin America. In Argentina, broad-based corruption and crony capitalism dominate; oligarchic businesses feed off of the state and provide little to their workers. Many parts of Latin America, the pope's basis of perspective, have significant inequality of wealth, abusive governments and abridged freedoms. The opportunity to rise up and achieve one's God-given talents is circumscribed.

Our challenge during his short time in the United States is to draw his attention to the fundamental American values of economic and personal liberty. This unique combination of religious and personal freedom, as Alexis de Tocqueville foresaw in the early 19th century, created an engine for prosperity of its citizens unlike any previous governmental experiment.

The itinerary of Pope Francis' visit to the United States represents the quintessential new world experience; Washington DC, the epicenter of political power in the United States and derivatively in the world. Next he will travel to New York, the locus of financial power and influence in the world, and the home of the United Nations, the ultimate gathering place of all nations. Finally, Pope Francis will stop in Philadelphia, where American democracy began. Hopefully Pope Francis will depart the United States with a heartfelt understanding of the good that can result when political and economic institutions foster individual liberty and freedom.

Likewise, if the attention the pope draws from the citizens of the United States serves to increase their understanding of where he comes from and what he seeks to accomplish, another important goal will have been achieved—enhanced appreciation for the important and constructive role the papacy and

the Holy See play in the world today, in the diplomatic engagement among states as well as in Catholic theology.

**CELEBRATING THE RETIREMENT
OF GARY L. JANACEK**

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. CARTER of Texas. Mr. Speaker, I rise today to celebrate the retirement of Gary L. Janacek, CEO of Scott & White Employees Credit Union. This esteemed and valued citizen of the Temple, Texas area has made real and lasting impacts on his community and set a high standard of excellence in his profession.

Gary truly embodied the Credit Union's slogan, “people helping people,” throughout his career and in all aspects of life. Throughout his nearly fifty years of service, Gary's work has been vital in helping the Credit Union succeed in serving their communities and achieving their goals.

When formally announcing his retirement to the board of directors and staff last summer, Gary said, “It's been a distinct privilege and honor to serve our members for the past 39 years. I have been richly blessed with a visionary board of directors and dedicated staff in serving the needs of our membership.” That Gary chose to salute those around him rather than himself comes as no surprise to those who've been able to work alongside this exceptional leader.

Gary's work hasn't gone unnoticed. He served in numerous leadership positions within the state and national credit union movement. In September of 2003, Texas Governor Rick Perry appointed Gary to serve on the Texas Credit Union Commission. He was soon chosen to Chair this commission's important work. In 2015, Gary was inducted into the Credit Union House Hall of Leaders. His work positively impacted countless people across Texas and nationwide.

Retirement is to be celebrated and enjoyed. It is not the end of a career, but rather the beginning of a new adventure. I heartily salute Gary Janacek's work and contributions to his community. I'm sure I echo the thoughts of all when I wish him the best in both his retirement and all his future endeavors.

**HONORING THE LATE MR. PERCY
STROTHERS**

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a community servant and entrepreneur, the late Mr. Percy Strothers, who has shown what can be done through tenacity, dedication and a desire to serve his community.

Mr. Percy Strothers was born on June 7, 1925 in Natchez, MS to the late Emanuel Strothers and Charity Piggs.

In 1943, after finishing high school Percy joined the Army at the age of 17, where he served for 3 years. As a World War II Veteran, his tenure included the United States of America, England, Normandy, Northern France, Rhineland, and Central Europe. He received the ATO-Medal, EAMETO-Medal, GOOD CONDUCT Medal, and the World War II Victory Medal.

He married the former Carolyn Sue Webster on October 30, 1966 and to this union two wonderful children were born. Percy remained a faithful husband to Carolyn for 50 years.

After returning from the Army, Mr. Strothers opened the first black owned Taxi Cab business in Vicksburg MS, which he operated for 27 years. He also worked for Shell Oil Co. for 11 years. Percy later worked for the United States Postal Service as a Letter Carrier for 27 years and Mail Supervisor for 1 year before retiring in 1990.

Mr. Strothers served his community well. He enjoyed serving his community as a Local Historian and Legendary community activist. Percy was affiliated with the National Association of Letter Carriers, NAACP (National Association of Advancement of Colored People), American Legion Tyner-Ford Post 213 and the Esquire Club of Vicksburg. He served as past President of Vicksburg Letter Carriers Union Branch 94, past Chairman for the State of MS Letter Carriers Sons and Daughters Scholarship Committee. Percy received a Proclamation from Mayor Robert Walker designating November 30th as Percy Strothers Day. Percy was instrumental in the development of the 1st Black Subdivision (Melinda Robinson Subdivision) where he served as chairperson of the development. In honor of his hard work and dedication the street in the neighborhood bares his name.

Percy joined Jackson Street Missionary Baptist Church in 1956 where he remained a faithful and dedicated member of the church.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Percy Strothers for his dedication and loyalty to Vicksburg, Mississippi and his desire to always strive for more.

RECOGNIZING TED OGLESBY

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize the life of longtime Gainesville journalist Ted Oglesby, who served his country and our hometown throughout most of his 84 years.

Mr. Oglesby arrived in Gainesville, GA in 1958 out of the Air Force Reserves and began working for WDUN radio, a well-known station in northeast Georgia. He soon left to become sole owner and chief editor at the Gainesville Tribune.

In 1968, he returned to military service and spent a year in Vietnam. During this time, Ted contributed to many missions that led him across the globe. He retired in 1981 as a Colonel in the Air Force, having received a Bronze Star for his meritorious service to our nation.

After returning to civilian life in Gainesville, Mr. Oglesby again took up the pen and pad as a reporter. His work in politics earned him many Georgia Press Awards, and he retired as the Editorial Editor of the Gainesville Times.

As the founder and longest serving chairman of the Small Business Development Center, Mr. Oglesby was well respected throughout his community. He hosted a Travel Club for the Georgia Retired Teachers association and served as a Life Deacon at Lakewood Baptist Church. He was honored by the Gainesville Kiwanis and was presented the Hixson Award for his outstanding community service, which spanned five decades.

Mr. Speaker, I am honored to recognize Ted Oglesby, a man whose ambition was to be a "servant to others." This remarkable man loved his country and his community and served them both diligently.

HONORING COLONEL HUGH HANLON

HON. BILL FLORES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. FLORES. Mr. Speaker, I rise today to honor Colonel Hugh Hanlon, who is retiring after 30 years of service to our county in the United States Air Force.

Colonel Hanlon graduated from the United States Air Force Academy in 1987, and earned a Masters of Business Administration from Wayland Baptist University in 1998. He served for 30 years as a commissioned officer in the United States Air Force, where he served as the Chief of CENTCOM strategy for the Air Force Checkmate Division and, among other assignments, as the Chief of Long Range Strategy during the Afghanistan War. During his 30 year career, Colonel Hanlon also served as an instructor pilot, flight examiner, operations officer, squadron commander, and Vice Wing Commander. During those years, he served in Hawaii, Japan, and Korea, prior to his current position as the Commander of Corps of Cadets Detachment 805 at Texas A&M University.

Over his three decade military career, Colonel Hanlon was awarded 12 awards and badges, including the National Defense Service Medal, Air Force Organizational Excellence Award, and Joint Meritorious Unit Award. He further distinguished his service by earning the Air Force Commendation Medal with three oak leaf clusters, a Medal given to those who display acts of heroism or meritorious service. In addition, Colonel Hanlon earned the Legion of Merit Award, given to those who display exceptionally meritorious conduct, and the Defense Superior Service Medal, awarded to those in the Department of Defense who display superior meritorious service in positions of significant responsibility.

Colonel Hanlon has demonstrated his gifted skills as a pilot through over 3,500 flight hours, with 325 of those hours being in combat. He reached the rank of Command Pilot, and flew four different military aircraft during his service, including the T-37, T-38, A-10 and F-16.

I also would like to honor Colonel Hanlon for his service to the Texas A&M University. For nearly four years, he has served as the Commander of Detachment 805 of the Corps of Cadets, as well as teaching at the University as a Professor of Aerospace Studies. He has embodied the core values at Texas A&M, especially the core values of excellence and selfless-service.

Mr. Speaker, our Nation's history is grounded in the efforts of our men and women who have served in uniform. Those who protected and defended the United States of America deserve our highest praise and thanks. We also wish them Godspeed as they transition to the next chapter in their lives.

Today, I have requested that a United States flag be flown over the United States Capitol to honor the many contributions of Colonel Hugh Hanlon. As I close, I urge all Americans to continue praying for our country during these difficult times, for our military men and women who protect us from external threats, and for our first responders who protect us here at home.

HONORING RILEY RICE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mr. Riley Rice.

Mr. Rice has extensive experience in the field of education and municipal government.

Mr. Rice was born on August 8, 1943, the fifth child of the late Robert Rice, a World War I Veteran and sharecropper, and Katie Rice, a housewife.

Mr. Rice is a resident of Indianola, Mississippi, and was educated in the former Indianola Public School District. He is a 1963 graduate of Gentry High School; 1967 graduate of Mississippi Valley State University with a Bachelor of Science in Social Science Education; 1992 graduate of Delta State University with a Master's in High School Counseling; and further studies in Political Science at Mississippi State University.

Along with Mr. Rice's background in education, he worked 35 years in the Sunflower County School District. He served 16 years on the Indianola Board of Aldermen and 8 years as Vice-Mayor.

Mr. Rice participated in the Civil Rights Movement in 1965. He was jailed for attending the former Seymour Library and for a sit-in at the Traveler's Inn Restaurant. He participated in many marches throughout Sunflower County and he marched with Fannie Lou Hamer and Charles Scattergood.

Presently, Mr. Rice serves as Supervisor of Sunflower County, District 2; is a member of the P16 Council; a member of the Cares Mentoring Program, and Vice President of the Sunflower County Branch 5333 of the NAACP.

Lastly, Mr. Rice is a devoted Christian and an ordained Deacon at Traveler's Rest M.B. Church, where he serves as Chairman of the Deacon Board and Superintendent of the Sunday School. The Pastor of Traveler's Rest

M.B. Church is Rev. T.L. Martin, Jr. of Cleveland, Mississippi.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Riley Rice for his dedication to serving others and giving back to the African American community.

**HONORING CLAY PHILLIPS'S
LIFETIME OF PUBLIC SERVICE**

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. MARCHANT. Mr. Speaker, I rise today to honor the public service of City Manager Clay Phillips of Coppell, Texas. On March 31, 2017, Mr. Phillips will retire from public service after serving eight years as City Manager of Coppell and over 35 years of service in municipal government.

Clay Phillips began his public service career with the Town of Addison in 1981 working as a firefighter and paramedic. He left the Town of Addison after obtaining the rank of Deputy Fire Chief to assume the position of Fire Chief for the City of Coppell. Since 1991, Clay has served as the Fire Chief, Assistant City Manager, and Deputy City Manager and in 2008, Clay was promoted to the role of City Manager.

Clay attended the University of North Texas where he received his Bachelor of Science with Honors in Emergency Administration and Planning along with a Master of Public Administration (MPA) degree. In 2011, Clay was named the 2011 MPA Alumnus of the Year. Clay has served as president of the North Central Texas City Managers' Association and he serves on the Board of Directors of the North Texas Commission.

During his career as City Manager in Coppell, Clay has promoted regionalism amongst area cities and helped bring about a number of cooperative efforts, including the North Texas Emergency Communications Center. Working with city staff, community, and the city council, he led many projects over the years that resulted in major improvements to the city's parks, facilities, and infrastructure. One of Clay's favorite projects was the redevelopment of Old Town Coppell, which has blossomed into a unique, mixed-use area, which embraces the city's history along with bringing together businesses and residents.

Clay is a lifetime resident of Coppell. In 1978, he graduated from Coppell High School where he received Valedictorian honors. Most recently, Clay was recognized as the Class of 2004 Distinguished Alumni. Clay has served on numerous professional and philanthropic organizations throughout North Texas and Coppell including the first Board of Directors of the Coppell ISD Education Foundation and Coppell ISD Strategic Planning Initiative. Clay is an active member of his church where he serves as elder and in the music ministry. Clay and his wife, Terry, are proud parents to two children and one grandson.

Mr. Speaker, I ask my distinguished colleagues to join me in wishing Clay Phillips many years of continued success and congratulations as we celebrate his service to the City of Coppell.

IN RECOGNITION OF NATALIE GELB, EXECUTIVE DIRECTOR OF THE LACKAWANNA HERITAGE VALLEY AUTHORITY

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Natalie Gelb, Executive Director of the Lackawanna Heritage Valley Authority. The Lackawanna Heritage Valley Authority works to preserve, conserve, and educate the public about the historical, cultural, economic, and natural resources of Lackawanna County. On March 30, Natalie will officially retire from her ED position after twelve years of outstanding service.

A native of Scranton, Pennsylvania, Natalie attended Scranton Central High School and then the University of Maryland, where she graduated magna cum laude with degrees in English and history. Natalie joined the Lackawanna Heritage Valley Authority in 2004.

As Executive Director of the Authority, Natalie rehabilitated the Lackawanna River Heritage Trail and worked to foster closer relationships with other area organizations and institutions. The Lackawanna River Heritage Trail is part of a unique, seventy-mile, multi-purpose trail system. The trail begins at the confluence of the Lackawanna and Susquehanna Rivers in Pittston and continues north where it connects with the Delaware & Hudson Rail Trail. When Natalie began her work in 2004, the trail system was underdeveloped. But under her leadership, it was transformed into a highly utilized attraction in Lackawanna County, now drawing over 300,000 visits a year.

In addition to serving as Heritage Valley Authority's Executive Director, Natalie has compiled an impressive personal record of service to others and her community. She currently serves on the boards of the Jewish Family Service, the Alliance of National Heritage Areas, and the NEPA Health Care Foundation. She is a member of the President's Advisory Council of Keystone College, Living Independently for Elders (LIFE), the Greater Scranton Chamber of Commerce, and the Steering Committee for Women in Philanthropy.

It is an honor to recognize Natalie for all that she has done while leading the Lackawanna Heritage Valley Authority. I wish her the best in retirement.

**TAR SANDS TAX LOOPHOLE
ELIMINATION ACT**

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. BLUMENAUER. Mr. Speaker, today, I am reintroducing the Tar Sands Tax Loophole Elimination Act. This bill will ensure that oil companies can no longer sidestep paying their fair share into the dedicated trust fund created so that, in the event of an oil spill, there are resources immediately available for cleanup.

The Oil Spill Liability Trust Fund, authorized in 1990, ensures we have funding available to pay for the immediate costs of cleaning up oil spills. It is funded by an eight cents per barrel excise tax on crude oil and petroleum products. In 2011, however, the Internal Revenue Service (IRS) issued a misguided decision stating that oil derived from tar sands is not considered crude oil and is therefore currently exempt from the tax that pays into the Fund.

Oil that comes from tar sands is a thick, sticky form of crude oil that can be more difficult and costly to clean up than other types of crude. In 2010, for example, a pipeline owned and operated by a Canadian company, Enbridge, spilled more than 850,000 gallons of tar sands oil into a waterway that flows into the Kalamazoo River in Michigan. That has been one of the largest and costliest pipeline spills in American history, with the price tag now at \$1.2 billion dollars.

While I do not support the development of tar sands—doing so is environmentally destructive and carbon-intensive, we should not keep in place a loophole that lets big oil companies off the hook for cleaning up their tar sands spills. The Tar Sands Tax Loophole Elimination Act would add oil derived from tar sands and oil shale to the definition of crude oil, closing the current loophole and ensuring that oil companies pay into the fund. Oil companies already get billions of dollars in taxpayer-based subsidies, and this bill will ensure they will not be given an additional free ride on tar sands and any future oil shale development.

THE INTRODUCTION OF THE DISTRICT OF COLUMBIA HOME RULE CLEMENCY ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Ms. NORTON. Mr. Speaker, today, I introduce the District of Columbia Home Rule Clemency Act, a bill that would give the District of Columbia exclusive authority, like the states and territories, to grant clemency to offenders prosecuted under its local laws.

While District law appears to give the mayor authority to grant clemency (D.C. Code 1–301.76), it is currently the opinion of the Department of Justice (DOJ) that the president, and not the mayor, has the authority to issue clemency for most local offenses prosecuted under D.C. law, particularly felonies prosecuted by the U.S. Attorney in the D.C. Superior Court. Under current practice, clemency petitions for D.C. convictions, like federal convictions, are submitted to the DOJ for the president's consideration.

Whether or not the DOJ's view is correct, my bill would remove all doubt that the District, and not the president, has the authority to issue executive clemency for local offenses. The District, like states and territories, should have full control of its local criminal justice system, the most basic responsibility of local government. Since the D.C. Council has the authority to enact local laws, District officials are in the best position to grant clemency for

local law convictions. My bill would provide all clemency authority not currently reserved to the Mayor under D.C. Code 1–301.76 to the District government and would give D.C. the discretion to establish its own clemency system.

This bill is an important step in establishing further autonomy for the District in its own local affairs. I urge my colleagues to support this measure.

HONORING EDDIE J. FAIR, JR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mr. Eddie J. Fair, Jr. who is a product of Ruleville, MS.

At an early age Mr. Eddie J. Fair, Jr. learned the importance of education, while attending and graduating from Ruleville Central High School. He also learned the meaning of hard work, as he was the son of a sharecropper, who worked for \$3.00 a day. With those principles embedded in his soul, Mr. Fair went on to become a proud graduate of Jackson State University. He obtained a Bachelor of Science degree in Criminal Justice and a Master's degree in Public Policy and Administration. He quickly learned that public service was his niche during the five years he spent working in the office of Student Affairs of his alma mater. Mr. Fair then went on to work some 20 plus years in the automobile business, which he mastered in and out. From selling cars to becoming a finance manager then the promotion to finance director, he knew he wanted to be a helping hand to his community. In 2003, Mr. Eddie Fair was the first elected African American Tax Collector in Hinds County (the largest county in the state of Mississippi). He is currently serving in his third term and looks forward to many more years of serving the citizens of Hinds County. This small-town country boy believes that "No dreamer is ever too small and no dream is ever too big!" This is the very reason that he continues his efforts to remain involved with community issues and educates the public with frequent informational sessions.

As an active member in the community Mr. Eddie J. Fair stays involved with many organizations that included but are not limited to:

1. Member of Omega Psi Phi Fraternity, Inc.
2. Member of the Sollie B. Norwood Lodge Number 699.
3. Life Member NAACP.
4. Member of Leadership of Jackson 2005–current.
5. Member of the Jackson Rotary Club.
6. Member of the National & Mississippi Tax Collector/Assessor Association.
7. Former President of the Jackson Pan Hellenic Council.
8. Former Basileus, Omega Psi Phi, Inc., Beta Alpha Chapter.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Eddie J. Fair, Jr. for his dedication to serving others.

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed Roll Call vote Nos. 195 and 196. Had I been present, I would have voted aye on both.

CONGRESSIONAL TEACHERS AWARD

HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. BUCHANAN. Mr. Speaker, I rise today in recognition of outstanding public school teachers in Florida's 16th Congressional District.

I was once told that children are 25 percent of the population, but they are 100 percent of the future.

And it's true. The education of a child is an investment, not only in that student, but in the future of our country.

Therefore, I established the Congressional Teacher Awards to honor educators for their ability to teach and inspire students.

An independent panel has chosen the following teachers from Manatee, Sarasota, and Hillsborough Counties to receive Florida's 16th District 2017 Congressional Teacher Award for their accomplishments as educators:

Danielle Murphy for her accomplishments as a teacher at Boyette Springs Elementary in Riverview.

Carol Pelletier for her accomplishments as a teacher at Sarasota Military Academy Prep in Sarasota.

Emilee Vermilion for her accomplishments as a teacher at Southeast High School in Bradenton.

On behalf of the people of Florida's 16th District I congratulate each of these outstanding teachers and offer my sincere appreciation for their service and dedication.

TRIBUTE TO WILL SMITH

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. ROGERS of Kentucky. Mr. Speaker, it is with the deepest gratitude that I rise on this bittersweet occasion to recognize Will Smith, who is leaving Capitol Hill after more than two decades of distinguished service.

Will has been my right hand in the halls of Congress for nearly two decades, and I cannot imagine a more thoughtful advisor, a more capable strategist, or a more loyal friend. A native of Beattyville, Kentucky, Will began his career on Capitol Hill in 1994, working for now-Majority Leader MITCH MCCONNELL. In 1998, he brought his talents to my personal office, where he eventually became Chief of Staff in 2002.

Over his 12 years in my personal office, the people of Kentucky could not have asked for a better advocate or a more capable public servant. Will's upbringing in his small eastern Kentucky hometown and his Appalachian roots have always been reflected in his work, and his legacy will be felt throughout the region for decades to come. He has championed numerous projects that benefitted the people of Kentucky's Fifth Congressional District from flood protection, to water and sewer expansion, to transportation improvements, and the like. He was instrumental in standing up Eastern Kentucky PRIDE, an organization focused on environmental clean-up, as well as our nation's pre-eminent regional anti-drug organization, Operation UNITE, that has become a model for nationwide replication. And holding true to Kentucky tradition, Will has always loyally cheered on the UK Wildcats from the Nation's capital. He has never forgotten where he came from or the people he came to serve.

This remained true when I assumed the Chairmanship of the House Committee on Appropriations in 2011. Will stayed by my side—first as Deputy Staff Director for the Committee and then in 2013, was promoted to Clerk and Staff Director. During his tenure, he helped shepherd 70 bills to passage—bills that saved the American taxpayers more than \$126 billion.

His steady demeanor and strong leadership have been an asset to the Committee—particularly during some of the most trying times of the past six years. Even in the face of shutdowns, Will led with tact, professionalism, and thoughtfulness, working tirelessly to find a solution and get the job done. He is truly beloved by his colleagues and those congressional staff who have been fortunate enough to call him their boss and mentor.

As we all know, these congressional staff work long hours, and often sacrifice weekends and holidays in order to keep this esteemed institution running smoothly. This inevitably takes a toll on personal commitments, and we also owe a debt of gratitude to Will's lovely wife, Kim, and his cherished children, Morgan and Matthew.

Will is not going far away. But his absence will nonetheless be felt deeply throughout this institution. Will, on behalf of the Appropriations Committee and this Congress, I thank you for your service to our country. I wish you all the best in the future. Godspeed.

ROSENBERG FIRE CHIEF RETIRES

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. OLSON. Mr. Speaker, I rise today to recognize Wade Goates of Houston, TX, and thank him for his leadership at the Rosenberg Volunteer Fire Department.

Wade joined the Rosenberg Volunteer Fire Department in 1992 and began working as a full-time firefighter in 1995. His commitment to public service led Wade to several promotions throughout his time with the fire department, from fire fighter to fire marshal and then fire chief in 2012. Wade received the Firefighter of

the Year award in 2001 and the American Legion's Firefighter of the Year award in 2002. In 2008, the City of Rosenberg awarded Wade the Willie D. McQueen Award for his service to residents and coworkers. Wade retired from the Rosenberg Volunteer Fire Department on February 24th and plans to join the Fulshear-Simonton Fire Department. Both communities are lucky to have his dedication and commitment to service.

On behalf of the Twenty-Second Congressional District of Texas, I would like to thank Wade Goates for his 25 years of service with Rosenberg. We wish him good luck with the Fulshear-Simonton Fire Department and thank him for his continued dedication to keeping TX-22 safe.

HONORING LITTLE ZION M.B.
CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable historical church, Little Zion Missionary Baptist of Money, Mississippi and the great leadership it is under.

The Little Zion M.B. Church in Money, Mississippi was built in 1871 by field-hand laborers. Mrs. Bloodsol gave the people of Wade, Whittington and the Bloodsol Plantations the property. It sits in the center of these plantations.

The bible states that "Upon this rock, I will build my church and the gates of hell shall not prevail against it". Taking this verse into consideration the church's name became Little Zion. The name is significant because the Hebrew meaning of Zion is Jerusalem and Little Zion is the little Jerusalem.

After the construction of the church, Mrs. Bloodsol gave her yard-boy a letter to deliver to the preacher of the church explaining to the church members what the letter deed meant. She told the yard-boy to tell the members that if they did not understand the letter deed, she would send a rider to explain it.

When the church was built, it was facing the Tallahatchie River which during that time was the main route of travel. In 1929, a fire partially burned the church. When it was repaired, it was built facing the road.

The early leaders of the church were: R.L. Reynolds, A.D. Williams, A.D. Burke, H.L. Collins and S.T. Taylor. They were the cornerstones of the church and they were mainly responsible for the church's continued existence.

Along with the church leaders, many early deacons and wives were responsible for the welfare of the church. Among them were deacons: L.A. Hines, Robert Lathan, C.L. Lofts, Tom Eskridge, Ed McCall, Percy Paul and Bill Hannal and their wives.

Little Zion's present leader is Reverend McAuthor McKinnley. Under his leadership the church has blossomed. For 21 years Rev. McKinnley has been responsible for carrying on what Rev. Reynolds started 144 years ago.

Today, Little Zion honors those who took the leadership roles and passed the torch on

to the present leaders. Ten years ago, an historical marker was placed on the site of the church. This marker was important because it was a symbol of the long history and struggle of the delta.

Little Zion thanks the fore-parents for making those days possible through the good and bad days it still stands.

Mr. Speaker, I ask my colleagues to join me in recognizing Little Zion Missionary Baptist Church for its dedication to serving our great country.

HONORING THE SERVICE AND RETIREMENT OF MR. TIMOTHY BROWN

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize a valued staff member of the Office of Legislative Counsel—Mr. Timothy Brown—who is retiring this month after 37 years of distinguished service to the House of Representatives.

The Office of Legislative Counsel is an essential but oftentimes unheralded part of our Congressional support staff. Every bill and amendment we consider in the House of Representatives is drafted with the aid of the professionals in this office. In the course of my two decades of service on the Science Committee, Tim has aided me and my staff innumerable times in the drafting of legislation and amendments. While Tim's background is that of a lawyer, he has worked with the Science Committee staff to draft so many NASA, NSF, and NIST authorizations over the years, that Tim has become, in many respects, a science and space policy expert. In his quiet way, Tim taught the art of applying critical thinking to legislative drafting, and our bills were the better for it. Tim's expertise and dedication to his craft will be sorely missed on the Science Committee.

While we will miss Tim, I hope after nearly four decades of service, that Tim will not miss us too much. I'm sure he is looking forward to spending more time with his wife, Sally, and his four children, Andrew, Alex, Emily, and Olivia. Hopefully Tim will have more time to pursue his passions like his love of basketball. Perhaps it's fitting that Tim is retiring in the midst of the NCAA March Madness.

We often speak of the dedicated staff who make this institution such a wonderful place in which to work. It is the sense of this Congresswoman that Tim Brown is just such a person. The Science Committee's Members and staff wish him well as he moves on to new endeavors and a relaxing retirement. I thank Tim, for his many years of dedicated and loyal service.

HONORING THE DEDICATED SERVICE AND SELFLESS SACRIFICE OF SERGEANT FIRST CLASS ROBERT R. BONIFACE

HON. MATT GAETZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. GAETZ. Mr. Speaker, it is with both profound sadness and deep gratitude that I rise to pay tribute to a fallen decorated American hero. On March 19, 2017, Sergeant First Class Robert R. Boniface of the 7th Special Forces Group (Airborne), located in Florida's First Congressional District, tragically lost his life in support of Operation Freedom's Sentinel. SFC Boniface was 34 years old, but lived a lifetime marked by and full of service.

SFC Boniface entered the Army in March 2006 as an 18 X-ray. After Infantry Basic Training and Advanced Individual Training at Fort Benning, Georgia, he attended Airborne School before being assigned to the Special Warfare Center and School. SFC Boniface completed the Special Forces Qualification Course, earning his Green Beret in 2010 and was assigned to the 7th Special Forces Group (Airborne) at Fort Bragg, North Carolina, as a Special Forces Medical Sergeant.

Boniface's military education includes the Special Operations Jumpmaster Course, Senior Leader Course, Combat Diver Qualification Course, Special Forces Diving Medical Technician Course, Special Forces Qualification Course, Special Operations Combat Medic Course, Advanced Leaders Course, Survival, Evasion, Resistance, and Escape Course, Basic Leaders Course, and the U.S. Army Static Line Airborne Course.

SFC Boniface's awards and decorations include two Bronze Star Medals, the Army Commendation Medal, two Army Good Conduct Medals, National Defense Service Medal, Afghanistan Campaign Medal with two Campaign Stars, Global War on Terrorism Service Medal, three Noncommissioned Officer Professional Development Ribbons, Army Service Ribbon, NATO Medal, Special Forces Tab, Combat Infantryman Badge, Special Forces Combat Diver Badge, and Parachutist Badge.

Mr. Speaker, there are no words I, this body of Congress, or the Nation can say that might assuage the bereavement of the Boniface family. All I can say is on behalf of a humble and grateful Nation, we thank them for the love, counsel, and support given to Robert, which helped make him the hero he became both in uniform and as a father. His life stands as a testament that freedom is not free, and his legacy will echo in time as an example of the ultimate sacrifice for all free people. I pray that God will be with Robert's wife, Rebekah; his daughter, Mia Elia, and all their family and friends during this time of great mourning, and may God continue to bless the United States of America.

RECOGNIZING ALICE ELIZABETH
GRANT HOGANS

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to recognize and commend Alice Elizabeth Grant Hogans on the occasion of her retirement, having served for 16 years on the House Appropriations Committee. In total, she has provided more than 25 years of distinguished, quiet service to our country. Her dedication to public service and integrity stands as a model for us all.

Alice, a native of Charlotte, North Carolina, graduated from Duke University with a Bachelor's degree in Economics. She also earned a Master of Philosophy Degree in International Finance from the Centre for Development Studies at the University of Glasgow in Scotland.

Alice began her career in Washington, D.C. in 1989 as a staff assistant at the Congressional Budget Office. From there, she rose to the position of budget analyst in the Scorekeeping Unit in 1990 before leaving for graduate school in Scotland in 1993. In 1995, she accepted a position with the Senate Committee on the Budget under the leadership of Chairman Pete V. Domenici (R-NM) and staff director Bill Hoagland. She was the Analyst for International Affairs until beginning her dedicated service to the House Appropriations Committee in 2001. Alice began on the Foreign Operations Subcommittee as professional staff in 2001, and spent time as professional staff on the Treasury-Transportation, HUD Subcommittee, and the Financial Services Subcommittee before ending up back on State, Foreign Operations Subcommittee in 2011, where she was responsible for overseeing spending for global health programs, including HIV/AIDS, the Millennium Challenge Corporation, the international financial institutions such as the World Bank and the International Monetary Fund, and trade promotion agencies such as the U.S. Export-Import Bank, and several related agencies.

Alice's contributions extend beyond her role on the Appropriations Committee. For years,

she was the Treasurer of the Board for the non-profit Combined Federal Agencies Child Development Center, and a volunteer at her church and children's elementary school.

As we all know, congressional staff work countless hours and through countless holiday seasons in order to keep this esteemed institution running. This inevitably takes a toll on personal commitments, and nothing means more to Alice than her supportive and loving family, her husband Dan, her children, James and Catherine, and of course, her mother and sister.

Mr. Speaker, while Alice is leaving this institution, she will not be forgotten. Her good humor, faithful service, and commitment to excellence has left a lasting imprint on all of us and on the departments and agencies for which she was responsible. I wish Alice and her family well as she enters this new chapter of her life and ask my colleagues to join me in expressing my appreciation for her contributions to our country.

HONORING MS. GERLINE "PANKY
GARVIN" MUHAMMAD

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise to recognize Black historical figures in the Second Congressional District of Mississippi. So today, I give honor to Ms. Gerline "Panky Garvin" Muhammad of the Blue Cane Community outside of Charleston, Mississippi located in Tallahatchie County, Mississippi.

Ms. Muhammad was born November 9, 1953. She is the mother of six children, 13 grandchildren and one great-grandchild. She attended Allen Carver High School in Charleston and is a graduate of Amhurst Career Center, where she was honored with many awards and recognitions.

Ms. Muhammad is a well-known champion of equal and civil rights. She was a member of the Tallahatchie County Redistricting Committee allowing for the first African American to be elected to the Tallahatchie County Board of Supervisors. Ms. Muhammad is the executive

director of the Tallahatchie County Citizens of Change. The organization is established to stimulate and motivate change in thinking and behavior within African Americans in communities of Tallahatchie County. Their work is carried out through an intergenerational model approach that works on improving political awareness, community organizing, assisting veterans, legal redress, civic participation and more. Ms. Muhammad is also a member of the Tallahatchie County Branch of the NAACP where she served as the first vice-president, chairman of the education committee, and now as the chairman of the membership committee.

Ms. Muhammad has been involved in many long-term community commitments in the county. She teaches at the summer tutoring program, hosts back to school rallies, organizes door to door community events, and helps veterans pursue their veteran benefits. She started the P16 Council for the East Tallahatchie School District and is a member of the Dropout Prevention Committee for the school district. To encourage reading among African Americans, she started a book club in the Brooksville community. She works with young entrepreneurs in the community to help improve the future presence of African American business in Black communities.

Ms. Muhammad is a former member of the Jerusalem M.B. Church in Paynes, MS where she was the church secretary, Jr. Sunday School teacher, chairman of vocational bible school and church programs committee, and treasurer for the choir. In 1992, Ms. Muhammad joined the Nation of Islam under the local leadership of Minister James Muhammad and national leader, the most honorable Minister Louis Farrakhan. She served as the LT Captain of the Meetings, and received LT Captain of the year at mosque Number 78 Tupelo, MS. Now she is the Chairman of 10,000 Fearless, which is a justice movement in Tallahatchie County. As you can see Ms. Muhammad has been active in and around Tallahatchie County working fearlessly and consistently for 46 years to foster change and equality.

Mr. Speaker, I ask my colleagues to join me in honoring Ms. Gerline "Panky Garvin" Muhammad of the Mississippi Second Congressional District.

HOUSE OF REPRESENTATIVES—Wednesday, March 29, 2017

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. FLEISCHMANN).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
March 29, 2017.

I hereby appoint the Honorable CHARLES J. FLEISCHMANN to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

HONORING RETIRED MAJOR GENERAL GUS HARGETT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DESJARLAIS) for 5 minutes.

Mr. DESJARLAIS. Mr. Speaker, I rise today to honor retired Major General Gus Hargett, a staunch advocate for the National Guard and one of the most widely respected Tennesseans I have ever had the pleasure of knowing.

After more than 6 years as president of the National Guard Association for the United States, Gus will be stepping down next month. In all, he has more than 47 years of military service.

He enlisted in the Tennessee Army National Guard in 1962 as an infantry soldier and served in a variety of staff and leadership positions in his home State, in the Pentagon, and overseas. During Operation Desert Shield/Desert Storm, he was chief of operations and exercises at the National Guard Bureau in Arlington, Virginia.

Prior to his retirement from the military, Hargett served as the Tennessee Adjutant General. Since his appointment to association president in 2010, Gus has led the association's day-

to-day operations in Washington, D.C., and has worked tirelessly on behalf of guardsmen across the globe by advocating for and spearheading groundbreaking legislative achievements.

Among his most memorable and significant accomplishments was his work adding the National Guard Bureau Chief to the Joint Chiefs of Staff. Throughout his career, he has committed himself to promoting the National Guard and improving the overall quality of life for our Nation's soldiers in harm's way.

I want to take this moment to thank Major General Gus Hargett for his years of service to our country and for his tireless work on behalf of our Nation's guardsmen and their families.

REPEATING THE WORDS OF PRESIDENT TRUMP

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIERREZ) for 5 minutes.

Mr. GUTIERREZ. Mr. Speaker, yesterday in the Subcommittee on Immigration, the chairman, the gentleman from Wisconsin, attempted to reprimand me by reminding me that House rules prevent Members from "casting aspersions on the President of the United States." And what did I say to get this reprimand? I said that the President of the United States had said that Mexicans were criminals and rapists.

Well, as the sportscasters used to say, let's go to the videotape. Almost the first words out of Donald Trump's mouth when he descended the golden escalators to launch his Presidential campaign were this:

When Mexico sends its people, they are not sending their best. They are bringing drugs. They are bringing crime. They are rapists. And some, I assume, are good people.

Well, I left out that part about some, I assume, are good people.

But the chairman of the committee said I was not following House rules because I was casting aspersions on the President because, apparently, I was saying what the President, himself, had actually said. And if that was offensive to the chairman, I agree. It is offensive. That was the point of making the speech.

So is repeating the words of the President against House rules? And if so, why? Because they are hateful and ugly things to say about our fellow human beings?

I don't think we should be barred from repeating the words of the Presi-

dent because they are hateful and ugly things to say about our fellow human beings, because he said them, and he is the President, and I respect the office.

So maybe it has to be something else. Maybe we cannot say things the President has said because it is not appropriate to say some of the things he has said about people, like the dehumanizing language he uses when describing which body parts he can grab women by, for example.

Now, Mr. Speaker, rather than saying, as I said earlier, let's go to the videotape, I think every single American has seen that videotape. When I have discussed the President saying these awful, hurtful things about where he can grab women, either here on the floor or on the Judiciary Committee, I have actually had to clean up the language so it is safe for daytime C-SPAN audiences.

So what is it about repeating the words of this particular President in the U.S. House of Representatives that the gentleman from Wisconsin feels is a violation of the rule?

Maybe it is the lies. I looked through the House rules, and I didn't see any section that said, Members, thou shalt not lie. No, Mr. Speaker, that wasn't in the House rules. But, clearly, repeating things that this President said means that you will be repeating lies, and it just goes with the territory.

There was the original lie as President, barely a few hours in office, saying that his crowd was the largest crowd in the history of Presidential inaugurations.

Then there was the one about the Muslim ban, which the President said was a Muslim ban; his key adviser, the former mayor of New York, said was a Muslim ban; his other key adviser, Stephen Miller, said was a Muslim ban; but which the White House tried to say was not, in fact, a Muslim ban because it didn't ban all Muslims.

Several Federal courts have agreed with the President that what he ordered was a Muslim ban and disagreed with the President's lawyer saying that it was not a Muslim ban.

But what about when the President said that he saw American Muslims celebrating in New Jersey on 9/11? We know that was a lie. Or that 3 million illegal votes were cast on election day, causing the President to lose the popular vote, which he had walked back from the claim originally that 3 million undocumented immigrants had voted on election day? In either case, it was a lie.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Then there is the illegal wiretapping ordered by the previous President of the United States, President Obama, on President-elect Trump, which certainly looks like a lie at this point.

So, Mr. Speaker, I am starting to wonder if repeating a lie that the President has told the American people is against the House rules. Or maybe it is accusing the President of lying that is, in the words of the subcommittee chairman, casting aspersions.

But let's take a look. Here is the definition of the verb "lie" from Webster's Dictionary: "to make an untrue statement with the intent to deceive; to create a false or misleading impression."

By those definitions, I would say I am on pretty solid ground, from a factual standpoint, that the President of the United States has told lies.

Water is wet, dogs have four legs, and President Trump tells lies. There may be exceptions, but basically all three are truthful statements.

Unless we are outlawing the truth in Congress, I think that pointing out lies by our President is not only within the rules, it is our moral obligation and duty as elected leaders of a free nation to point them out.

So then I am left to wonder, "What is it about repeating the President's words that so upset the subcommittee chairman, the gentleman from Wisconsin?" and I figured it out. It is upsetting to Republican Members of the House to hear the words of the President of the United States because they know they have to defend them as the leader of their party, and I can understand why that would make any human being very uncomfortable.

The SPEAKER pro tempore (Mr. YODER). The gentleman from Illinois is reminded to refrain from engaging in personalities toward the President.

RECOGNIZING MEDAL OF HONOR DAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, on Saturday the Nation celebrated Medal of Honor Day. This rarely celebrated holiday was designated by Congress in 1990 but only officially observed once, on March 25, 1991. I was pleased to see our most decorated war heroes honored last Friday during a ceremony at the White House.

The Medal of Honor is the highest military honor our Nation can bestow. According to the Congressional Medal of Honor Society, there have been 3,498 recipients, and 75 of those individuals are still living today.

Just last year, I was able to recognize one of Pennsylvania's very own Medal of Honor recipients, late Army Specialist Ross McGinnis. I assisted in

naming a post office in Knox, Clarion County, for Specialist McGinnis, who died in December 2006 in Iraq. Specialist McGinnis was a native son of Knox, Pennsylvania.

While on patrol in eastern Baghdad on December 4, 2006, an unidentified insurgent positioned on a nearby rooftop threw a grenade into a Humvee carrying McGinnis and other troops. Specialist McGinnis threw his body on top of the grenade, absorbing all the fragments of the grenade with his own body and saving the lives of his fellow soldiers. He was posthumously awarded the Medal of Honor by President George W. Bush in 2008.

Mr. Speaker, another such hero, Foster Joseph Sayers, is from my hometown of Howard, Pennsylvania. He received the Medal of Honor for acts of bravery near Thionville, France, on November 12, 1944.

During an attack on strong hostile forces entrenched on a hill, he fearlessly ran up the steep approach towards his objective and then set up a machine gun 20 yards from the enemy. Realizing it would be necessary to attract full attention of the enemy while his company crossed an open area and flanked the enemy, he picked up the gun, charged through withering machine-gun and rifle fire to the very edge of the emplacement. He killed 12 German soldiers with devastating close-range fire.

He took up a position behind a log and engaged the hostile enemy from the flank in an heroic attempt to distract their attention while his comrades obtained their objective at the crest of the hill. He was killed by the very heavy concentration of return fire, but his fearless assault enabled his company to sweep the hill with minimum casualties, killing or capturing every enemy soldier on it.

Private First Class Sayers' indomitable fighting spirit, aggressiveness, and supreme devotion to duty live on as an example of the highest traditions of the military service for which he was awarded the Medal of Honor.

Another heroic Medal of Honor recipient from Pennsylvania's Fifth Congressional District is Private First Class Melvin L. Brown. Private First Class Brown earned the Medal of Honor for his bravery in the Korean war.

During an attack on his platoon's perimeter of defense, Private First Class Brown took his position on a retaining wall approximately 50 feet high. The enemy, superior in number, started climbing the wall just as Brown's last round of ammunition was expended, and he was wounded by enemy fire. His citation said: "Realizing the vital necessity for holding and without concern for his personal safety, though wounded and without his rifle, Brown continued to throw his few remaining hand grenades into the enemy, causing several casualties with each grenade.

When his supply of grenades was depleted, his comrades from nearby foxholes commenced throwing grenades towards his position. On several occasions, the grenades were thrown short of his position. When this would occur, Brown would leave his position and retrieve the grenades, exposing himself to enemy rifle and machine-gun fire."

The enemy continued their climb, and Brown was able to knock 10 to 12 enemy troops from the wall, which served as an inspiration to his comrades and delayed the attack and enabled his platoon to repel the enemy. Brown was seriously injured and then died during that action.

Heroic acts for Pennsylvanians during times of war go back to the Civil War. The Medal of Honor, established by joint resolution of Congress on the 12th of July 1862, is awarded in the name of Congress to a person who, while a member of the armed services, distinguishes himself conspicuously by gallantry and intrepidity at the risk of his life, above and beyond the call of duty.

A large percentage of Medal of Honor recipients during this time were actually awarded for action involving flags. One such Medal of Honor recipient from my hometown was Civil War Corporal Franklin Hogan, a member of Company A, Pennsylvania 45th Infantry. His citation was awarded on October 1, 1864, for the capture of the battle flag of the 6th Virginia Infantry.

Mr. Speaker, there are more Medal of Honor recipients from Pennsylvania's Fifth Congressional District and throughout this proud Nation. Each one demonstrated personal bravery or self-sacrifice that warranted this extraordinary merit. On behalf of a grateful Nation, I salute all of our Medal of Honor recipients.

IMPROVE THE AFFORDABLE HEALTH CARE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, last week was an historic week in many respects.

My Republican colleagues have indicated, for 6 years, they wanted to repeal the Affordable Care Act. They introduced a bill which really did not accomplish that objective, but it did undermine, very severely, the protections and the opportunities that the Affordable Care Act provided our citizens. That bill did not come to a vote. Had it come to a vote, it would have lost very substantially.

Mr. Speaker, the proclamations last week by Republican leaders are that the Affordable Care Act will now remain in place. As PAUL RYAN, our Speaker, said on Friday: "ObamaCare is the law of the land."

□ 1015

The Affordable Care Act is, indeed, the law of the land. Mr. Speaker, I rise,

however, in a deep concern that the Trump administration and its allies in Congress will take steps to undermine the law and weaken it, to the detriment of millions who will see their health care put at risk. In other words, in my view, they may well try to do indirectly what they could not do directly.

Let it be absolutely clear: Republicans control the White House, the Senate, and the House of Representatives. As a result, they are the governing party and will be responsible for anything that happens to our healthcare system on their watch.

Even without the passage of a repeal bill, the Trump administration's actions could fundamentally undermine the law and the stability of our healthcare system.

First and foremost, the Trump administration must commit to continuing payments for cost-sharing subsidies. We met with insurance companies yesterday to see whether or not the environment that was being created by the administration was undermining confidence so that it would undermine the ability to price the product that Americans need: healthcare insurance.

Cost-sharing payments, paid for and in the bill, are being put at risk by a suit that the Republicans in the House of Representatives have filed. They ought to withdraw that suit to give confidence to the system. We all know that confidence in markets is critically important. This is essential to preserving the affordability and accessibility of health care for millions of Americans and to ensuring stability in health insurance markets.

The uncertainty around cost-sharing subsidies that has been perpetrated by the administration's silence on this issue, must come to an end. The administration has said the system will implode. It will only implode if they are forced to do so by the administration through executive action. Insurers are preparing to file rates as soon as next month in some States. Without a clear and public commitment from the administration, we could very well see premiums spike and insurers flee.

Americans have made their opinion pretty clear. They said: Do not do that. Do not undermine the system.

Second, already, President Trump has undermined that requirement through lax enforcement that the individual responsibility requirement—a Republican suggestion, a Heritage Foundation suggestion, a Romney-adopted policy in the State of Massachusetts—a premise of personal responsibility that is being undermined right now by the Trump administration. The individual responsibility requirement is vital to ensuring that those with preexisting conditions can be guaranteed coverage.

To my friends across the aisle who talk often about defending our Con-

stitution, I would remind them that the President has sworn an oath to faithfully execute the laws of this Nation; not picking and choosing which ones he likes.

Third, the administration can—and I would suggest it should—encourage States that have not yet accepted expanded Medicaid to do so. It works. According to a 2016 report by the Department of Health and Human Services, in the expanded-Medicaid States, premiums were 7 percent lower on average.

Mr. Speaker, just yesterday, the Republican-controlled Kansas State legislature—Republican Governor, Republican House, Republican Senate—sent a bill to the Governor that would expand the State's Medicaid program. Presumably, they made a judgment that was in the best interest of their State and the best interest of their people.

The Republican sponsor of the bill, State Senator Vicki Schmidt said: "I don't believe we can wait for D.C. They had an opportunity, and they didn't take it."

So her response was, and the legislature's response has been: adopt Medicaid expansion.

We have heard a lot from Governors of both parties from States with expanded Medicaid, almost universally extolling the benefits that they provided, and urging Congress not to roll it back.

The Trump administration must recognize the importance of Medicaid expansion and support ongoing efforts in States like Kansas, Virginia, and Maine to do what is right for their people and their State.

Fourth, the Department of Health and Human Services, under Secretary Price, has a responsibility, a duty, an obligation to focus at least as much on outreach and enrollment, as did his predecessor, Secretary Burwell, to let people know what options they have, what opportunities they have, what protections they have, what securities they can achieve.

Earlier this year, the Trump administration, instead, intentionally sabotaged enrollment efforts in the final week, pulling media ads to let people know what they could sign up for, and ending other outreach programs.

This move resulted in half a million fewer people obtaining affordable coverage through the marketplaces—the first decline in the history of the law. Those people will be hurt because some of them are going to get sick. Some of them may have a catastrophic accident, and they will need insurance, and they will not have it because they did not get the information that they needed.

Now that the Affordable Care Act will continue to be the "law of the land," to use words first spoken by former Speaker Boehner in 2012, the issue in 2012 was the Affordable Care

Act—President Obama's probably crowning achievement. Republicans called it ObamaCare, derisively. We call it the Affordable Care Act, supported by President Obama.

After the 2012 election, Speaker Boehner said, well, we resolved that issue. The American people have voted to confirm a President whose principal law that was. But the Republicans kept trying to undermine it. They kept trying to say they wanted to repeal it. And now they have all of the power. They haven't done that.

Don't break it. If you couldn't do directly something, don't do it indirectly. Don't undermine the security of the American people indirectly; not through law.

So when open enrollment comes later this year, Mr. Speaker, it would be a dereliction of duty—let me repeat that: it would be a dereliction of duty—not to inform Americans to know how they can benefit under the law, what options they have for finding coverage at more affordable rates or through expanded Medicaid. Let there not be a dereliction of duty.

The larger point here, Mr. Speaker, is, as I have said, that Republicans cannot now simply throw up their hands and say: We failed to offer a viable alternative, and we will now, by action and inaction, by negligence and malfeasance, conspire to undermine the options that are available to the American people.

More than two-thirds of Americans have said that is not a responsible policy. The Affordable Care Act has brought protections and benefits to millions. Twenty million more people are insured in America. But now my Republican friends, who have no workable alternative, are in power; and it is now their duty to ensure that they faithfully execute existing laws to benefit the American people. If they fail to do so, or intentionally sabotage the current healthcare system, they will surely be held accountable by the American people.

Democrats don't want to see that happen. We reject the premise of some kind of death spiral. By the way, the Congressional Budget Office—an independent bipartisan group, but its director appointed by Republicans—said it was not only not on a death spiral, but it was stable.

The yardstick by which we all ought to be judged is not whether the law succeeds just enough, but whether we can work together—work together, work together—to make the law work as best it can, to benefit as many Americans as it can.

President Trump, speaking at that rostrum, looked directly into the TV camera of 100 million-plus Americans and said: I want every American to have health insurance that will be cheaper and higher quality than we have today.

Mr. President, if you send such a bill to this House, I will vote for it. I haven't seen a bill like that, but if I see it, and if you send it down here, and that is your commitment, I will vote for it.

Mr. Speaker, I hope my friends across the aisle will take a lesson from last week that, to paraphrase the President, health insurance is indeed complicated, and that it will truly take both parties working together towards consensus to meet the healthcare challenges we face.

Our constituents and our country is counting on us not to fight, not to throw bricks at one another, but to act in their best interest. And what I urge the Trump administration to do, Mr. Speaker: Do no harm until you have a bill that accomplishes what you said to the American people you want to accomplish. Mr. President, do no harm. Ensure that the American people continue to have access to affordable, quality health care.

HONORING SERVICE OF DR. THOM MASON

The SPEAKER pro tempore (Mr. JENKINS of West Virginia). The Chair recognizes the gentleman from Tennessee (Mr. FLEISCHMANN) for 5 minutes.

Mr. FLEISCHMANN. Mr. Speaker, I rise today to honor the service of Dr. Thom Mason, who has served as the director of the Oak Ridge National Laboratory for 10 years. Thom joined ORNL in 1998 as a condensed matter physicist, and quickly demonstrated his talents as a visionary scientific leader.

He led the completion of the one-of-a-kind Spallation Neutron Source, which has provided a decade of exceptional research. When promoted to lab director, Thom led ORNL to many other successes: the development of two supercomputers which at different times ranked as the most powerful in the world; and ORNL's Manufacturing Demonstration Facility, which is revitalizing American manufacturing.

Thom served our community as chairman of the Oak Ridge Public Schools Education Foundation, leading the multimillion-dollar expansion of Oak Ridge High School; and as chairman of Innovation Valley, a regional economic development partnership.

Thank you, Dr. Thom Mason, for many years of dedicated service to the great State of Tennessee and our Nation.

□ 1030

HEALTH CARE, NOT WEALTH CARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, I will say today what I said when we

were working to pass the Affordable Care Act, what we said when we were having some 181 witnesses to appear over a 2-year period having 79 hearings: I said then that I would fight to make sure that health care would not become wealth care in the richest country in the world. I still stand on that basic premise.

We cannot allow health care to become wealth care in the richest country in the world. Wealth care is where the wealthy will receive the very best care that is available; and the poor will get care, but it won't be health care. It will be sickness care. It will be sickness care because, when they are sick, they will be able to go to an emergency room and get care. When they are sick, they will be able to get emergency care, which will cost all of us more, but they won't get preventive care. They will get stabilized if they have diabetes, but they won't get the continued care that they need to treat that disease. We don't want, in the richest country in the world, health care to become wealth care.

Recently, we had a piece of legislation that was going to accord the 400 richest families in this country \$7 million a year. That was what the bill would have done that failed. The 400 richest families making \$3 million a year would get \$7 million additional every year in the final analysis ad infinitum. That is \$7 million additionally.

We are the richest country in the world. We can afford to take care of those who find themselves living in the streets of life who cannot take care of themselves. We cannot allow health care to become wealth care in the richest country in the world. How rich are we? Well, one year a man made \$3 billion. By the way, he is not the only person to make this kind of money. I just use this kind of example.

A minimum wage worker making \$7.25 an hour, it will take that worker 198,000 years to make \$3 billion. That man making \$3 billion will get the best wealth care this country can afford. But we have got to make sure that those who are working at minimum wage, working full-time, living below the poverty line, make sure that they get the best health care.

I am a proud Texan. I love my State, but I don't like what we have done when it comes to health care. Texas has refused to help those living in the streets of life. We look out for those living in the sweets of life. We take care of them. But Texas has the opportunity to receive \$100 billion—with a B—to expand Medicaid.

Medicaid expansion, this is for those persons who are not as fortunate as we are here in Congress who will have the best health care in the world, by the way, as we cut health care for those who cannot afford it, as we cut the expansion of the Affordable Care Act for those persons who would get Medicaid,

as we cut Medicaid. We are going to have good health care.

Texans who happen to be oil barons and rich, are going to have good health care. We are going to have good health care. But those who need Medicaid, who could benefit from the \$100 billion that the State of Texas has refused to accept and has never said that it wasn't needed, are not. There has never been a case made for a lack of need for the \$100 billion to help Medicaid expansion for people who are in need of help and need of health care.

Mr. Speaker, we cannot allow this in the richest country in the world—and we are. Don't let people try to convince you that we are broke. We are not broke. We can afford to take care of people who need health care.

I will close with this: we ought to have a sense of responsibility for every person in this country who may get sick. There is this notion of, but for the grace of God, there go I. If we had been fortunate enough to have good health, remember, you may not always. But for the grace of God, there go I.

ANTI-SEMITISM AT THE UNITED NATIONS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, last Congress, I joined several of our colleagues in forming the Bipartisan Task Force for Combating Anti-Semitism.

As a co-chair, a distinction that I am proud to share alongside my pals, ELIOT ENGEL, CHRIS SMITH, TED DEUTCH, KAY GRANGER, NITA LOWEY, PETER ROSKAM, and MARC VEASEY, it is important to call attention to anti-Semitism in all of its forms and to work to root it out whenever we can. I am also extremely honored to have been named by Speaker RYAN to the U.S. Holocaust Memorial Council earlier this year.

As we know, it was the anti-Semitic attitudes across Europe, in the 1920s and 1930s, that gave rise to Hitler and the Nazis who exploited the deep-seated hatred of Jews to take power, culminating in the systematic and deliberate murder of over 6 million Jews during humanity's darkest period, the Holocaust.

In these capacities, I intend to continue to raise awareness on the rising level and this trend of anti-Semitism worldwide and to take actions against it, as I have done for many years now.

The fight against global anti-Semitism must start with strong U.S. leadership. We have the means, we have the leverage, but we must be resolute in our efforts to stem the tide of anti-Semitism and to reverse it.

Today, Mr. Speaker, we hear about the dangers of anti-Semitism across

the world and how, in many places, Jews are being targeted in an alarmingly increasing trend. But I want to highlight an area that needs to be brought into greater focus when we discuss combating global anti-Semitism. It is something that an old friend of mine, Natan Sharansky, so succinctly and astutely described.

Natan and I have had the opportunities to discuss everything from anti-Semitism to oppression in Cuba, my native homeland, and in Russia; and his insight is extremely valuable.

What Natan Sharansky has helped define is the new anti-Semitism and what he calls the three Ds: double standards, demonization, and delegitimization. And I think the clearest example today of Natan's three Ds can be seen unfortunately at the United Nations with its anti-Israel, anti-Semitic agenda, most notably at bodies like UNESCO, UNRWA, the U.N. Human Rights Council, and other U.N. bodies.

All of these clearly exhibit the double standards: condemning Israel based on faulty or illegitimate claims, while ignoring the very real problems of other member states. Israel is repeatedly and singularly isolated, targeted, and demonized. And, of course, there is no other nation that is subjected to efforts to delegitimize it or its existence like Israel.

So what do we need to do? Well, we have to look around at what agencies are doing. The efforts at UNESCO to erase Jewish historical and cultural ties to their ancient homeland, Jerusalem, have been appalling.

The move by the Human Rights Council to establish a blacklist to target individuals and entities that do business with Israel, legitimizing the Boycott, Divestment, and Sanctions movement, BDS, and the efforts to take Israel to the International Criminal Court or to force Israel to agree to a one-sided peace plan, these all reach the height of delegitimization.

All of this is taking place at the United Nations, the body that was forged in the aftermath of the Holocaust and World War II. We need to fight the scourge of anti-Semitism on all fronts, Mr. Speaker, and not just at the U.N.

But if we fail to reverse the systematic and endemic anti-Semitism at the U.N., we are going to have a hard time achieving much success in any of our other endeavors.

That is why I will introduce a bill soon that addresses these problems at the U.N., and I urge my colleagues to join me in an effort to defeat the intolerance wherever and whenever it appears.

Anti-Semitism is one of the world's oldest forms of hatred and, for too long, has gone unaddressed. We have a responsibility to the Jewish communities worldwide, and we have a respon-

sibility to ourselves to root out this hatred in all of its forms, once and for all.

THE POLITICAL CLASS AND THE REST OF THE COUNTRY

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. BUDD) for 5 minutes.

Mr. BUDD. Mr. Speaker, you can divide this country into two classes of people, not Republican and Democrat but the political class and the rest of the country. The political class is doing better than ever.

Eleven out of 20 of the richest counties in America are in the D.C. metro area. For every dollar the average family in D.C. earns, the average family in Davie County, where I live, earns 55 cents.

The political class is alive and doing well for themselves. On the other hand, those who are not oriented to government—doctors, auto mechanics, waitresses, bartenders, factory workers—are still earning exactly what they did 10 years ago. I am not the first person to point this out, but I want to speak about a textbook example of how this dynamic plays out in reality.

I am referring to a recently announced \$418 million arms deal between the U.S. and Kenya. It is for 12 airplanes that are essentially armed crop dusters. There is only one slight problem with the deal, the defense contractor that was chosen to fulfill the sale doesn't even make these type of airplanes. They have never done it before. In fact, there is an extra \$130 million built into this deal to design a whole new airplane.

IOMAX USA, a service-disabled, veteran-owned small business in my district, makes these airplanes. They have been doing it for 7 years. They have got 50 of these airplanes in the Middle East. These planes have dropped more than 4,000 bombs on ISIS. They are the only U.S. manufacturer of this type of aircraft.

They were not even considered for the deal, which was awarded without competition. Nobody got a chance to bid. Nobody knew about it, except for the company that got it and the bureaucrats who were involved.

That is how the D.C. area got so wealthy. If you know the right people and you have the right lobbyists, you get awards like this from the Federal Government without competition. It doesn't matter if you don't even make the product, they will give you some extra money to design it from scratch if you know the right people.

IOMAX, a small business just like the millions of others in our country, doesn't have those connections. The giant defense contractor involved in this deal does, and so they get the money. Something is wrong with that picture.

The problem lies with a secretive acquisition unit within the Air Force called Big Safari. Now, I don't say "secretive" lightly.

At one point in 2013, Big Safari's commanding officer told a reporter: Don't be angry or upset when your Freedom of Information Act gets turned down; that is just the way we do business here at Big Safari. And the commander's words were true.

I asked for information on this, and they turned me down saying that the information was sensitive, but unclassified, and for official use only. I asked them 19 questions, and they answered only four of them having to do with the very basic elements for the deal that were already public.

Under that secrecy, Big Safari doles out billions in government contracts. I imagine it makes things convenient for when Big Safari employees go to work for the same companies to which they direct these large defense contracts, which we have found that they do with some regularity. You don't even have to go to a different building, in some instances. We have got a confirmed case of a Big Safari employee awarding a contract, quitting, and then going to work on the same program with the same company he has just given the contract to.

The forgotten men in this equation are the employees of IOMAX, mostly veterans, mostly blue collar, who have to compete against a \$13 billion defense contractor and a \$4 trillion Federal Government that appears to have forgotten impartiality.

We need to shine the light on this deal with congressional oversight, and we need to ask ourselves who exactly the Federal Government is supposed to be working for, the country or for the political class.

Mr. Speaker, we need to fix this. It is a symptom of a very serious disease that our democracy cannot long survive.

□ 1045

REMEMBERING THE LIFE OF JOE ROGERS, SR.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. CARTER) for 5 minutes.

Mr. CARTER of Georgia. Mr. Speaker, I rise today to remember the life of Joe Rogers, Sr., the co-founder of Waffle House, who passed away on March 3, 2017, at the age of 97.

In 1919, Mr. Rogers was born in Jackson, Tennessee. Before he became a waffle cook, Mr. Rogers served as a captain in the Army Air Corps during World War II.

After the war, he took a job as a short-order cook, eventually moving to Atlanta in 1949. It was there that he met his future partner in the Waffle House business, Tom Forkner. In famous words, Mr. Rogers told his friend:

"You build a restaurant and I'll show you how to run it."

Their decision was the start of something special. The first Waffle House opened on Labor Day weekend, 1955, in Avondale Estates, Georgia. It was Mr. Rogers' suggestion to keep their restaurant doors open all day long so people would always have a warm place to eat.

Soon enough, more and more towns needed their own 24-hour diner, and today, more than 2,100 locations are scattered across 25 States. Georgia leads the way with more than 400 locations covering the State.

What Mr. Rogers valued the most was the people, whether they were dedicated regulars, hungry drop-ins, or the employees who made his dream possible. His passion for people was a defining characteristic in his life and is an endearing trait of the Waffle House legacy.

Thank you, Mr. Rogers, for welcoming any who entered the Waffle House doors, regardless of who they were, what time they came, or how they ordered their hash browns.

BEST OF THE SOUTH

Mr. CARTER of Georgia. Mr. Speaker, I rise today to congratulate Southern Soul Barbeque for winning the Southern Living magazine's first ever Best of the South Award.

In fall of 2016, Southern Living polled its nationwide audience to discover America's favorite cities, hotels, shops, museums, and restaurants in the South. At the end of the poll, America crowned St. Simons Island's own Southern Soul Barbeque as the best barbecue restaurant in the South.

The restaurant opened in 2007 when Harrison Sapp and Griffin Bufkin joined forces to create an authentic barbecue restaurant that embraces its Southern roots. Southern Soul Barbeque was born in a converted gas station with Southern charm, making it the perfect atmosphere to feast on Mr. Sapp's and Mr. Bufkin's barbecue dishes. They cook their delicious pork ribs and brisket on oak-fired pits outside their restaurant, so patrons know they are enjoying authentic barbecue.

Over the years, the restaurant has enjoyed a loyal local following and was even featured on the Food Network in 2010. These days, business is booming, and should only grow from here.

In their efforts to feed the folks of St. Simons Island, Mr. Sapp and Mr. Bufkin created more than a barbecue restaurant, they created a barbecue experience.

Congratulations to Mr. Sapp and Mr. Bufkin on winning this award, and for the national recognition their hard work earned.

REMEMBERING THE LIFE OF BURKE DAY

Mr. CARTER of Georgia. Mr. Speaker, I rise today to remember the life of former Georgia State Representative Burke Day. Mr. Day passed away in his

Tybee Island home on March 5, 2017, at the age of 62.

Mr. Day was born in Jacksonville, North Carolina, to parents, Cecil and Marian, but he grew up in Dunwoody, Georgia. It was there that Mr. Day met his high school sweetheart and future wife, Sally, at Peachtree High School.

During this time, he helped lay the foundation of his father's new business, Days Inn Hotels. Mr. Day worked with his father to build the very first location on Tybee Island.

After studying at the American Academy of Dramatic Arts in New York City and Mercer University in Atlanta, Mr. Day joined the family business of real estate like his father.

In 1991, he made his start in politics by running for the Tybee Island City Council on a dare, and won. During this time, he grew to love public service. Three years later he ran again, this time for the Georgia General Assembly House of Representatives, where he served for the next 16 years until his retirement in 2010.

Perhaps his greatest achievement was his work on the Stephens-Day legislation in 2000, which freezes the value of residential property at the time it was purchased. This means homeowners are not taxed out of their homes when property values increase. Stephens-Day saved local residents hundreds or even thousands of dollars a year.

I am proud to recognize today Mr. Day's time in public service and his contributions to the people of Georgia.

GOLD STAR SPOUSES DAY

Mr. CARTER of Georgia. Mr. Speaker, I rise today to call your attention to the upcoming Gold Star Spouses Day occurring on April 5, 2017, and to ask my colleagues to join me in recognizing those who have given so much for our country.

Gold Star Spouses are widows and widowers who have lost loved ones during their service to our Nation's Armed Forces. Through this group, members find comfort, understanding, and an unparalleled support system.

On April 5, we all have the opportunity to honor both fallen American heroes and surviving military spouses.

RECOGNIZING JUDGE MICHAEL J. NEWMAN'S ACCOMPLISHMENTS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio (Mr. TURNER) for 5 minutes.

Mr. TURNER. Mr. Speaker, I rise today to recognize the Honorable Michael J. Newman, Magistrate Judge for the United States District Court for the Southern District of Ohio, and who is president of the Federal Bar Association, for his achievements in piloting a special veterans court in Dayton, Ohio.

With Wright-Patterson Air Force Base and the Dayton VA Medical Center both located in the Dayton commu-

nity, and with the large number of veterans residing in my 10th Congressional District, southwest Ohio is a prime region for establishing a court that concentrates on veterans' issues.

Judge Newman's veterans court appears to be the first of its kind in the State of Ohio, and it aims to address an area of need in the Miami Valley, assisting military veterans who have been charged with relatively minor offenses get their lives back on track.

In many cases, treatment and strong guidance is a better course of action to remedy misdemeanor Federal offenses than jail time, which can lead to a cascade of negative unintended consequences, such as difficulty in obtaining employment.

Thanks to Judge Newman's efforts to cooperate with the United States Attorney's Office and the Federal Public Defender's Office, veterans in the Dayton, Ohio, area can receive treatment for mental health and substance abuse issues, which so often underpin these minor offenses, rather than sitting in jail.

Veterans who decide to participate in Judge Newman's 6-month-long pilot program are required to work closely with a Veterans Justice Outreach coordinator, who acts as a mentor and caseworker, providing guidance, facilitating treatment, and helping secure housing and employment.

Besides meeting with their veterans officer, veterans must also attend medical appointments, receive recommended treatment, and not reoffend in order to graduate. Upon successful completion, the misdemeanor charges are frequently dismissed, allowing former servicemembers to truly earn themselves a second chance at life.

Of the more than 33 veteran participants thus far, 20 have successfully completed the program, and several others are continuing to make progress as we speak.

I commend Judge Newman for instituting an innovative Federal veterans court program that addresses critical needs within our community and resolves programs by rehabilitating rather than simply punishing the brave men and women who have served our country.

I also would like to congratulate Judge Newman for his work in implementing a civics program for students to learn about the Federal courts. Developing a partnership between the Federal judiciary and the Federal Bar Association, these interactive court camps invite elementary, middle, and high school students into the Federal courts to learn about the third branch of government.

During court camp, Federal judges meet with the groups of students in school classrooms, as well as Federal courtrooms, to teach them about the selection process for Federal judges, explain how decisions are made in both

criminal and civil cases, and offer an insider's view on how the Federal court system works.

Under Judge Newman's leadership, the Federal Bar Association's partnership with the United States Courts will give thousands of young people across the country the opportunity to meet with Federal judges and explore the judicial branch of government.

In Dayton, Ohio, alone, where Judge Newman sits, over 1,000 students will participate in the civics program, learning more about the Constitution and Bill of Rights, the separation of powers, the role of the Federal judge, the structure of the Federal court system, and how to become a judge or lawyer themselves.

The Federal Bar Association has also added a civics page to its website to make educational materials available for lawyers and judges who choose to serve as mentors in the program.

In an effort to encourage direct involvement by American government teachers and students alike, the Federal Bar Association, again under Judge Newman's leadership, is holding a national essay contest for middle and high school students on the subject "What Does an Impartial Judicial System Mean to Me?"

In addition to honoring the student essay winners, the Federal Bar Association and United States Courts will also recognize a select group of top-notch civics teachers from across the United States.

As president of the Federal Bar Association and a United States magistrate, Judge Newman has spearheaded this effort, publicly urging the association's 19,000 members to join him in engaging the next generation of attorneys, judges, and legislators.

I commend Judge Newman on his tireless work to connect our young people to the best and brightest in the field of law, and for reemphasizing the critical importance of civics in American society.

DISTRUST IN GOVERNMENT IS AT AN ALL-TIME HIGH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Wisconsin (Mr. GALLAGHER) for 5 minutes.

Mr. GALLAGHER. Mr. Speaker, distrust in government is at an all-time high, and it is easy to see why. Our Federal debt is approaching \$20 trillion. A child born today in this country will inherit a crushing burden of debt, part of an intergenerational crime without consequence.

Meanwhile, the middle class is being hollowed out, if not disappearing entirely. We have a 7-million-man strong army that simply opted out of the labor force entirely.

Finally, our foreign policy is in crisis. Threats continue to rise abroad as,

here at home, we continue to wreak havoc on our own military through mindless defense sequester. By the way, our veterans still aren't getting the care that they deserve. This is unacceptable.

Despite the fact that Congress, by any metric we might devise, is not doing its basic job, in 10 days the Members of this body will adjourn on a 2-week vacation. And in 10 legislative days, if we don't make some hard choices, the government may shut down, cutting off our constituents from access to programs they depend upon for their livelihood.

So my message is simple. My plea to this body is simple. Let's end the vacation.

In what other job would you grant yourself a 2-week vacation if you failed to do that fundamental job?

I know we need to go back home. I know people want to hear from their constituents. But more than anything else, our constituents sent us here to do our job, to work together to fix problems rather than punting them down the road to the next generation. So, please, let's stay here, let's do our job. That is the very least we owe the American people.

THANKING TEXAS WORLD WAR I VETERANS FOR PROTECTING OUR COUNTY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. FARENTHOLD) for 5 minutes.

Mr. FARENTHOLD. Mr. Speaker, soldiers from south Texas were instrumental in the United States victory during World War I. With the 100th anniversary of World War I quickly approaching, I would like to take a minute to thank our veterans, especially Texas veterans, for protecting our country.

In 1916, thousands of National Guardsmen were stationed along the Mexican border. When tensions began to calm, 3,500 soldiers were moved to Corpus Christi, where the city prepared a 200-acre site that later became Camp Scurry.

By 1917, the camp was closed after the border remained quiet for nearly a year. Once the United States entered World War I, the camp was reactivated and became a training base for the 4th Field Artillery Regiment and the 5th Engineer Battalion.

Through the draft, nearly 200,000 Texans served in the military during the war, and 450 Texas women worked as nurses. Today, now, we must remember the 5,000 Texans who died during the war, including seven Gold Star women nurses.

Also, a special thank you to the Nueces County Historical Society for hosting the World War I Centennial Commemoration on April 6. Their work helps preserve our south Texas history.

THE IMPORTANT RELATIONSHIP BETWEEN THE UNITED STATES AND ISRAEL

Mr. FARENTHOLD. Mr. Speaker, I would also like to highlight how important our relationship with Israel is, and how our ally in the Middle East is a huge asset to our Nation and the world.

Israel is a beacon of democracy in a sea of turbulence. It is a success story of enterprising spirit and indomitable will. I was fortunate enough to visit Israel in 2011 and saw firsthand the high level of strategic cooperation between the United States and Israel militarily, businesswise, technologywise, and socially.

Almost 32 years ago, the U.S. signed its first-ever free trade agreement with Israel, leading to almost \$40 billion in trade annually. Israel makes up more than 40 percent of all investment in the United States from the Middle East and north Africa, and has companies listed on the NASDAQ Stock Exchange, more than any other country other than the United States and Canada.

The "Start-up Nation" has given the world the USB flash drive, the first PC CPU, voice over IP phone system, and just recently, Intel acquired Israeli driver-assistance company, Mobileye, to help develop better autonomous vehicles.

Israel's drip irrigation technology has helped millions around the world grow crops on land that otherwise would be barren, and Israeli doctors have made medical discoveries improving the lives of millions of Americans and hundreds of millions of folks worldwide.

The U.S. and Israeli militaries also maintain a high level of cooperation and support. Our two nations regularly hold joint exercises and work side by side in developing new technologies, including missile defense systems, weapons technologies, and more.

Situated in an extremely hostile neighborhood, Israelis share a unique understanding of the threats posed by Islamic terror groups. Through cooperation, we are constantly monitoring and defeating new threats to both nations.

I have been heartened to see the renewal in U.S.-Israeli relations since President Trump took office and hope to see them continue to flourish. I encourage my colleagues to join me in cosponsoring H.R. 1697, the Israel Anti-Boycott Act; H.R. 1698, the Iran Ballistic Missiles and International Sanctions Enforcement Act; and H. Res. 218, Recognizing the importance of the United States-Israeli economic relationship and encouraging new areas of cooperation.

While many around the world are eager to point fingers and attempt to delegitimize or destroy the State of Israel, it is important—now more than ever—that we stand strong with our allies and the only democracy in the Middle East.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Robert Dillingham, Farina United Methodist Church, Farina, Illinois, offered the following prayer:

Creator of yesterday, today, and tomorrow, we come to You as broken vessels, called to Your holy task of governance. Be with the families of these gathered, build up, equip, protect, and empower all to the task before them this day.

Bring together through Your spirit those who are divided, and those who divide. Bring healing, bring unity, as You continually offer healing and hope to all of creation.

Omnipresent Creator, You have guided creation through the most difficult times. You have called us to this time and to this place, to this activity, to this body. We have followed that calling.

Now guide us, empower us, embolden us to this holy work of service and representation of Your creation. Guide us, O great Jehovah.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Ms. STEFANIK) come forward and lead the House in the Pledge of Allegiance.

Ms. STEFANIK led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND ROBERT DILLINGHAM

The SPEAKER. Without objection, the gentleman from Illinois (Mr. SHIMKUS) is recognized for 1 minute.

There was no objection.

Mr. SHIMKUS. Mr. Speaker, I rise today to honor Reverend Robert Dillingham who led us in the opening prayer. He is a pastor in the Illinois Great Rivers Conference of the United Methodist Church where he serves Farina, Illinois.

Reverend Dillingham is both a chaplain and a volunteer firefighter with the Farina Fire Department and is also a chaplain with the Mutual Aid Box Alarm System, division 54. He serves as a hospice chaplain with the Hospital Sisters Health Systems through St. Anthony's Memorial Hospital in Effingham, Illinois, where he serves patients from over 20 counties in the central part of my congressional district.

In addition to his service as chaplain, Reverend Dillingham is also on the board of the Farina food pantry and is a clergy care guide, where he is a pastoral presence in the lives of over 70 pastors.

It is my honor to welcome Reverend Dillingham and his wife, Ashley, who is in the gallery today, and personally thank him for offering this morning's prayer.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

CONGRATULATIONS TO DR. STEPHEN NIMER

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to congratulate Dr. Stephen Nimer on his successful 5 years as the director of the Sylvester Comprehensive Cancer Center at my alma mater, the University of Miami. Go Canes.

Throughout his distinguished career as a noted leukemia and stem cell transplant researcher and clinician, Dr. Nimer has dedicated himself to caring for cancer patients in their greatest hour of need. Dr. Nimer has propelled the Sylvester Comprehensive Cancer Center into prominence by bringing together a superb team of leading medical experts who have transformed the center into one of the worldwide leaders in cancer treatment and innovation.

Because of Dr. Nimer's efforts, people from South Florida, and indeed from all over the world, have come to view Sylvester as the ultimate destination for cutting-edge cancer programs, as well as a refuge and helping hand as they deal with this difficult disease.

Congratulations to Dr. Nimer on a successful 5-year tenure at the Sylvester Comprehensive Cancer Center.

Our South Florida community is indeed blessed to have you at the helm.

DON'T SILENCE THE SCIENTIFIC COMMUNITY

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Mr. Speaker, it looks like my colleagues have wasted no time moving back to familiar territory after their healthcare disaster last week.

Instead of fighting over how many people should lose health coverage, they decided that it is easier to unite around the shared cause of climate denial. This week President Trump announced plans to gut President Obama's landmark Clean Power Plan, and the House will vote on legislation to block the EPA from reviewing peer reviewed scientific research when forming regulations.

So think about that for a second—the majority couldn't agree on how many people should lose healthcare coverage; so they are united around the shared cause of climate denial. The President likes to claim that climate change is a hoax created by the Chinese.

Well, I know that the President and his party have developed a disdain for fact-checkers, but silencing the scientific community takes things to a whole new level.

Mr. Speaker, I have to ask: Can my colleagues handle the truth?

LIFT THE RELOCATION BURDEN FROM MILITARY SPOUSES ACT

(Ms. STEFANIK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. STEFANIK. Mr. Speaker, I rise today in support of our resilient military families. These families endure countless relocations and deployments every couple of years, transitioning to new schools, new jobs, and fitting into new communities.

Military spouses wear their own patches of service and share a true sense of duty to our country. They sacrifice a great deal of themselves amid strain and the unknown, while providing unyielding support to their spouse in uniform.

Military spouses are often employed in professions which require new licensing that vary from State to State, with fees and wait times. To alleviate this burden and provide predictability in the lives of military spouses and their families, I have reintroduced the Lift the Relocation Burden from Military Spouses Act.

Military spouses serve, too, and my bill will help alleviate unnecessary stress and expenses, help make job changes easier, and will give these spouses and their families some deserved predictability as they serve their Nation.

Mr. Speaker, I urge my colleagues to support this important bill.

LET'S WORK TOGETHER TO IMPROVE THE AFFORDABLE CARE ACT

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I want to thank my constituents and the millions of Americans who contacted their Representatives last week and voiced their opposition to the Republican bill to repeal the Affordable Care Act.

Although TrumpCare failed, the debate on health care is far from over. I hope that Speaker RYAN will reach across the aisle so we can improve a law that works and is more popular than ever.

Thanks to the ACA, over 20 million more Americans are insured. People with preexisting conditions can no longer be denied. Consumers are protected from the worst abuses of the insurance industry. There are parts of the law that can be improved, and that is what we should be working on.

The Republican bill never tried; not one public hearing was held on that bill. Their complete lack of transparency in the Republican leadership tried to ram it through without public comment. We worked on the ACA for more than a year before there was a final vote.

TrumpCare was voted on in only 18 days after it was introduced—18 days—a bill that would cut 24 million Americans from health care. As ranking member of the Energy and Commerce Health Subcommittee, I hope to work with my colleagues on a bipartisan solution to improve the ACA.

CONGRATULATING HERMITAGE FFA FORESTRY TEAM

(Mr. WESTERMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WESTERMAN. Mr. Speaker, I rise today to recognize and congratulate the outstanding achievements of four young men in my district. The Hermitage, Arkansas, FFA Forestry team not only placed first in Arkansas but also won the 37th annual National 4-H Forestry Invitational and the National FFA Forestry Career Development Event.

The Hermitage FFA Forestry team was comprised of: Ethan Boykin, Hunter Saunders, Cade Wilkerson, and Connor Wilkerson, all of Hermitage, Arkansas. During the Forestry Invitational, teams competed for overall team and individual awards in events such as tree identification, insect and disease identification, forest evalua-

tion, and a written forestry exam. The National FFA Forestry CDE tests students' skills and knowledge in forest management.

As a forester serving in the House of Representatives, I recognize the many hours that these young men dedicated to competing on a national level, and I admire them for their hard work.

Additionally, special recognition is due to Mr. Taylor Gwin, who coached the Arkansas Forestry team, the parents of the team members, and the Bradley County Extension Services. They all played a crucial role in making this victory possible.

Mr. Speaker, agriculture and forestry are the main economic engines in Arkansas, and there is little doubt, in my mind, that one day soon, talented and passionate young people, such as these, will be called upon to lead our State into the future.

Once again, I offer them my most sincere congratulations and wish them the best as they continue to pursue their passion for forestry.

DON'T SHELVE FUEL EFFICIENCY RULES

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Mr. Speaker, in 2009, when gas prices were very high and our dependence on foreign oil was at its peak, the Environmental Protection Agency set standards to increase fuel efficiency of trucks and cars. This helped achieve three main goals: It lessened the burden on consumers faced with high gas prices, addressed the urgent national security priority relating to our addiction to Middle East oil, and sought to limit the admittance of harmful fumes into our atmosphere.

At the same time, we made unprecedented commitment to our auto industry, and in their most uncertain and darkest moment, facing collapse and bankruptcy, America bailed them out. We did this, and it came with political consequences, but we believe in their centrality to the future of the American economy, and we still do.

That is why it is so disappointing to see the eagerness the auto industry has with this administration's choice to cave—and cowardly—on fuel efficiency standards. Gas prices may be low now, but they won't be forever. It would be a misguided decision to shelve these fuel-efficiency rules now.

WHAT MY CONSTITUENTS WANT

(Mr. MARCHANT asked and was given permission to address the House for 1 minute.)

Mr. MARCHANT. Mr. Speaker, I made a promise to my constituents when they sent me back to office this year. They entrusted me to represent

them on the issues that affect them the most.

They sent me here to repeal ObamaCare, our health system. Our health insurance system is crushing those that it is supposed to help.

They sent me here to remove Washington bureaucrats from the healthcare business and to restore the doctor-patient relationship that has broken down. If ObamaCare has shown us anything, it is that coverage and affordable care are two very different things.

They sent me here for sweeping tax reform that benefits every American, to create a tax structure that rewards American workers and American businesses.

Lastly, they sent me here to make sure that we secure our borders and enforce our border laws because border security is national security.

Mr. Speaker, these are the issues this House should be tackling.

NOTHING TO HIDE?

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, yesterday we learned that the Trump administration tried to limit former Deputy Attorney General Sally Yates' testimony on Russian interference in the 2016 election.

As reported in The Washington Post, Sally Yates and former CIA Director John Brennan had made clear that their testimony would contradict statements that have been made by officials at the White House.

The hearing at which they were to testify has now been canceled, and all of us have a responsibility to ask why. If there is nothing to hide about his ties to Putin's Russia, then why doesn't President Trump want Sally Yates to testify?

If there is nothing to hide, then why does President Trump continue to withhold his tax returns?

If there is nothing to hide, then why won't President Trump make public the visitor logs at Mar-a-Lago?

We are now in day 68 of the Trump administration. Each day, more and more information emerges about ties between Vladimir Putin's regime and Trump's inner circle, and the Trump campaign officials. Each day, the White House scrambles to contain the damage. It is time for the President to come clean with the American people.

Mr. President, let Sally Yates testify. Mr. President, release your taxes. Mr. President, let's see the guest logs at Mar-a-Lago. And Mr. President, support an independent, bipartisan commission to get to the bottom of this. The American people deserve answers.

The SPEAKER pro tempore. The Chair reminds Members to address their remarks to the Chair.

□ 1215

TAX REFORM

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS. Mr. Speaker, I rise today to speak on tax reform. Many of my colleagues know this is a matter that I am the most passionate about.

Mr. Speaker, I am a second-generation small-business owner, and my daughters are third-generation. I understand firsthand the impact that unfair, job-killing taxes and regulations have on Main Street.

I know what it is like to nearly lose a family business that was built from the ground up just because the Federal Government believes in a death tax. This, my friends, is a tax that strips families of the American Dream they worked so hard to achieve.

The inheritance tax takes money from folks who know how to use it to create jobs and donate to charities and puts it in the hands of those responsible for a \$20 trillion national debt.

Mr. Speaker, I came up here to speak on behalf of the job creators that employ more than half of America's workforce. These are the men and women who suffer directly from politicians' knee-jerk reactions, politicians who have never met a payroll and have never worked in the private sector.

Congress has talked about tax reform for decades, but we haven't seen major reforms in 30 years. Again, I am asking this Congress and this President to act now.

In God we trust.

WOMEN'S HISTORY MONTH AND THE WOMEN OF DETROIT

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Mr. Speaker, I rise today in honor of Women's History Month and to show some R-E-S-P-E-C-T to a real Detroit and Michigan legend, my dear friend and Queen of Soul, Aretha Franklin.

Aretha has taught us to be a proud "Natural Woman." She has forced us, not just to "Think" about it, but also to act. Once called the voice of Black America, Ms. Franklin has been a champion in the African-American community for decades and in her hometown of Detroit.

With a Hollywood star, 20 R&B number one hits, 18 Grammys, and a Medal of Freedom from President George Bush, she represents the best of Detroit and of our country.

This month and every month, we must stand up to lift women up across this country, ensuring that our laws and policies empower and protect all women.

I am proud to call Aretha Franklin my friend and to wish her a happy

birthday, which was March 25, and to stand alongside this great champion for women everywhere this month, Women's History Month, and every day.

IN MEMORY OF CAPTAIN JOHN JOSEPH KEARNEY, USN

(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Mr. Speaker, I rise today to honor the life of Captain John Joseph Kearney, who passed away on Pearl Harbor Day last year at the too-young age of 62.

After graduating just 2 years before me at Catholic High School for Boys in Little Rock, John received a Presidential appointment to the United States Naval Academy. Upon graduation and commission, he followed in his father's footsteps and pursued a lifetime career in the Navy, ultimately retiring at the rank of captain.

Captain Kearney dedicated his life to his distinguished military career and received numerous honors and medals for his service, which included work here in Washington and on the 7th Fleet staff in Japan.

John leaves behind a legacy of warmth and passion, and his example is one all Americans and Arkansans can admire. I extend my respect, affection, and prayers to his fine family and loved ones.

RECOGNIZING THERESA LOPEZ

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, I rise today to recognize Theresa Lopez from Madera, California. Theresa was chosen by my office to be March's Heroine of the Month for the 17th Congressional District.

For nearly 10 years, Theresa has served as a veterans service representative at the Madera Veterans Service Office. Theresa understands that our valley veterans and their families deserve the best care and service that they can have because the men and women who have served our Nation's military, members of your family and members of my family, have made sacrifices that we should never, ever forget.

Theresa knows. She's been working with my office since 2008, and I know that she works hard every day to ensure that local veterans are receiving the VA benefits they have earned.

Theresa also does outreach to the Chowchilla State men's prison and the VA community-based clinic in Oakhurst, and she is a member of the county veterans court. She has also served as secretary of the California

Association of County Veterans Service Officers since 2012.

I ask my colleagues to join me in recognizing the service of Theresa Lopez and her strong commitment to serving valley veterans, for we can never, ever say thank you enough not only for our veterans, but for the good work that Theresa has done.

God bless her, and God bless the United States of America.

HONORING CAPITOL POLICE SPECIAL AGENT ANGEL MORALES

(Mr. SCALISE asked and was given permission to address the House for 1 minute.)

Mr. SCALISE. Mr. Speaker, I rise today to honor an incredible man, Capitol Police Special Agent Angel Morales, who is retiring after 21 years on the force. Angel has dedicated his entire life to serving our country.

From 1986 to 1991, he put on the uniform of our country serving in the U.S. Army, working his way up to sergeant. From there, Angel traded his Army uniform for a police uniform and served with the D.C. Metro Police.

Starting in 1996, Angel joined the Capitol Police force, where he has protected thousands of visitors, staff, and Members of Congress who come through our Nation's Capitol every single day.

Since 1998, Angel has been assigned to the United States Capitol Police Dignitary Protection Division, working with many House leaders, including Dick Armey, ROY BLUNT, Eric Cantor, and, for the last 3 years, as the leader of my detail team.

I would like to thank Angel's wife, Susan, and his two kids, Tatiana and Mike, for selflessly allowing Angel to serve our Nation in these roles.

Angel, on behalf of my family and the entire Capitol family, thanks for your service. We will miss you, young man.

TRUMP ADMINISTRATION TIES TO RUSSIA

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Mr. Speaker, the American people are demanding a real investigation into President Trump's ties to Russia and Vladimir Putin.

I was a journalist for nearly two decades, and for part of that time, I was an investigative reporter. I could tell you that, where there is smoke, there is usually fire. Right now, smoke is billowing out of the White House.

No matter how many times President Trump tries to distract us with a tweet, no matter how many times President Trump advisers have held secret meetings with the Russians, no matter how many times the Republican chairman of the House Permanent Select Committee on Intelligence

changes his story to protect President Trump, sooner or later, the truth will come out.

Vladimir Putin has a driving mission and that is to weaken America from within.

So to my colleagues on the other side of the aisle, I ask one simple question: What would President Ronald Reagan do?

Well, I can tell you. He would put our national security ahead of partisan politics. He would follow the facts, and he would leave no stone unturned.

Our democracy demands a complete, thorough, and independent investigation into President Trump's ties with the Putin regime.

RUSSIA'S THREAT TO OUR DEMOCRACY

(Mr. MCEACHIN asked and was given permission to address the House for 1 minute.)

Mr. MCEACHIN. Mr. Speaker, before my time in Congress, I was a trial lawyer. As a trial lawyer, I learned that, where there is smoke, there is fire. Mr. Speaker, I am here to tell you that there is a fire threatening our Republic.

Mr. Speaker, make no mistake about it: Russia attacked our country when it tried to meddle in our elections. But we have a Commander in Chief who will barely acknowledge this act, much less condemn it.

Mr. Speaker, we hear tough talk from the President when it comes to Iran, North Korea, and China; but when Russia moves missiles in violation of treaty obligations, when a Russian spy ship patrols just outside our coastal waters, we hear crickets. As evidence mounts that Russia is interfering with the democracies of Europe, we hear crickets. Indeed, Mr. Speaker, this President sees no moral difference between our democracy and the Putin regime.

Mr. Speaker, there is smoke; there is fire. Our Republic is being threatened. We are the first responders, and we can only put this fire out with the truth. We need to establish an independent commission to investigate the Trump-Russian ties and find our way to the truth.

COMMEMORATING 20 YEARS OF THE GLUCK FELLOWS PROGRAMS OF THE ARTS

(Mr. TAKANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAKANO. Mr. Speaker, I rise today to commemorate 20 years of the Gluck Fellows Program of the Arts at the University of California, Riverside.

Since 1996, the Max H. Gluck Foundation has supported undergraduate and graduate students as they bring inno-

vative arts programming to schools, libraries, and community centers in my district.

The Gluck Fellows Program of the Arts has provided students, families, and other community members with the opportunity to experience art, music, dance, theater, and art history through workshops and performances. Over the past 20 years, more than 300,000 Inland Empire residents have benefited from this program.

I congratulate UCR's Chancellor Kim Wilcox; Dean of Humanities, Arts and Social Sciences Milagros Pena; Gluck Fellows Director Erika Suderburg; and especially the Max H. Gluck Foundation and its chair, Dr. Jon Kaswick.

I wish continued success to the Gluck Fellows Program of the Arts at the University of California, Riverside.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 29, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 29, 2017, at 9:28 a.m.:

Appointments:
Advisory Committee on the Records of Congress.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 1431, EPA SCIENCE ADVISORY BOARD REFORM ACT OF 2017

Mr. NEWHOUSE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 233 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 233

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1431) to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Science, Space, and Technology; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Washington is recognized for 1 hour.

Mr. NEWHOUSE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. NEWHOUSE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. NEWHOUSE. Mr. Speaker, on Tuesday, the House Rules Committee met and reported a rule, House Resolution 233, providing for consideration of H.R. 1431, the EPA Science Advisory Board Reform Act of 2017. This legislation will reform the Environmental Protection Agency, or the EPA, Science Advisory Board to ensure that it is unbiased and transparent in performing its duties.

The SAB, the Science Advisory Board, was first established by Congress in 1978 and plays a vital role in reviewing the scientific foundation of EPA's regulatory decisions, while also providing critical advice to us here in Congress as well as the Agency. The information it reviews is used to justify important policy decisions at the EPA and should be held to the highest standards because it is imperative that the regulated community and the public can have confidence that EPA decisions are grounded, that science should be both reproducible and transparent.

However, shortcomings with the current process have arisen in recent years, including limited public participation, EPA interference with expert advice, potential conflicts of interest, and serious deficiencies with the process to select the board members. Far too often, the SAB's authority has been used by the EPA to silence dissenting scientific views and opinions, rather than promoting the impartiality and fairness that is the cornerstone of unbiased scientific advice.

□ 1230

At its inception, the SAB was intended to function independently in order to provide candid advice and guidance to the EPA. Yet, if the Agency undermines this autonomy, then the SAB's value to both the EPA and Congress, I believe, is severely diminished.

Mr. Speaker, to address these issues, H.R. 1431 would reform the SAB and reaffirm its independence so the public and regulated entities can have that confidence that sound science is driving policy decisions at the EPA.

The bill makes several important reforms to the SAB, such as requiring board members to be qualified experts; disclosing conflicts of interest and sources of bias; and ensuring that the views of members, including the dissenting members, are available to the public. It provides the public with the opportunity to participate in the advisory activities of the board and gives people the ability to view the agency's responses to issues raised by the SAB.

Additionally, the bill requires that at least 10 percent of the board is comprised of State, local, and tribal experts; that board members do not participate in advisory activities that involve reviews or evaluations of their own work; and that EPA publicly disclose all board member recusals; and that comments are published in the Federal Register.

So these reforms will improve the existing regulatory process, while also reinvigorating the scientific judgements that are often directly linked to regulatory decisions.

The EPA relies on SAB reviews and studies to support new regulations, new standards, assessments, and other Agency actions. A transparent and accountable Science Advisory Board is critically important and can assure the public that the data that Federal agencies rely on is scientifically sound and unbiased.

This legislation would reinforce that the SAB process is a tool to help policymakers with complex issues, while also preventing the EPA from taking actions that impede the free flow of impartial scientific advice.

Mr. Speaker, this rule provides for consideration of an important measure that will improve the peer review process and ensure sound science is used in the Federal rulemaking process. It is a simple, relatively straightforward bill that will make the SAB more consistent, transparent, and accountable to our bosses, the American people.

Transparency in regulations based on the highest quality science should not be a partisan issue. In the 114th Congress, a nearly identical version of this bill was passed by the House, I am glad to say, with bipartisan support. I hope we can join together again to pass this important bill with support from Members of both sides of the aisle, from both parties.

I urge my colleagues to support this rule as well as the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Washington (Mr. NEWHOUSE), my good friend, for yielding me the customary 30 minutes.

Mr. Speaker, I rise in strong opposition to this rule and the underlying legislation. This is the 23rd closed rule

of this short, new Congress. Both Democrats and Republicans have been denied the opportunity to amend nearly 60 percent of the legislation that has been brought to the floor through the House Rules Committee.

This effort by Speaker RYAN and the Republican leadership to halt a fair and open debate in the people's House is outrageous. We are supposed to be a deliberative body where both parties get to deliberate. These Putinesque rules that shut down all debate need to stop. This isn't the Kremlin.

You know, I think Representative ROONEY, a Republican, said it best last week: "I've been in this job for 8 years, and I'm wracking my brain to think of one thing our party has done that's been something positive, that's been something other than stopping something else from happening."

Well, Mr. Speaker, today we are considering a piece of legislation that seeks to prevent the EPA from protecting public health and the environment—not exactly positive.

This bill was brought to the Rules Committee in an emergency meeting last night. And let me emphasize that, an emergency meeting.

Mr. Speaker, I think the American people have a pretty good idea of what is and what isn't an emergency. A tree falls on your house, that is an emergency. Your rose bush needs pruning, not an emergency. Timmy fell down a well, that is an emergency. Timmy might stub his toe, not an emergency.

On April 28, the government will run out of money. That is an emergency, even if it is self-inflicted by the Republicans. And we have no shortage of other actual emergencies that we should be dealing with: a devastating opioid epidemic, crumbling roads and bridges, mounting evidence of Russian meddling in our election, and people being killed every day due to gun violence, not to mention Flint, Michigan, is still dealing with the residual health effects of toxically polluted water.

These are just a few examples of actual emergencies that Congress is doing nothing to address. Instead, the underlying bill, the EPA Science Advisory Board Reform Act, is brought to the Rules Committee and to the House floor as an emergency piece of legislation.

As we learned last week, the American people are paying attention to what we do here. They are smart enough to know what an emergency is. And this bill isn't addressing an emergency, Mr. Speaker; it is creating one.

The Science Advisory Board at the EPA provides a way for the Agency to use sound, independent, and objective scientific data to help make their decisions. Science, Mr. Speaker—you may have heard of it—is kind of a big deal.

But this bill won't help the EPA to include more scientists in the decisions. It will force them to include peo-

ple with potential financial conflicts of interest on the Science Advisory Board so long as they disclose them. I mean, do we really want people on our advisory boards if they could profit from a decision that they are about to make? There is nothing scientific about corruption, and this is exactly what this bill will open the door to.

This bill also limits the participation of scientific experts at the EPA, leading to a disproportionate representation of big business and corporate special interests. Are these really the people we want making decisions about the health of our kids and the policies that should be protecting our environment? Is that what we want?

So what is this bill really about? Well, it is about allowing the Republicans' big corporate cronies a direct route to the decisionmakers at the EPA. It is about disrupting the EPA's ability to fairly enforce the rules, hold corporate polluters accountable, and protect our health. It is about undermining scientific fact with political cronyism.

Now, maybe things have changed lately. It has been a while since my last science class. But I am pretty sure there is no step in the scientific method that says consult corporate cronies. The truth is that this Republican majority wants the EPA to base their decisions on fiction, not fact.

Americans can't afford to have the EPA run by people who live in a fantasyland where facts and science don't matter. Our environment and the health of our families are too important.

This law is going to have real-life consequences. It undermines science, hurts the environment, and it helps polluters. We need to allow the EPA to make decisions based on fact. We need to ensure that EPA is always free from financial conflicts, not making decisions based on panels filled with industry insiders like the ones that this bill would create.

Mr. Speaker, this bill defies logic. It defies reason. It defies sanity. It will hurt the people who sent us here, and it will help polluters. Republicans are putting corporate greed ahead of public health, and the American people will be the ones who will suffer. Americans deserve better. We should be fighting on behalf of the American people.

Mr. Speaker, let me tell my Republican friends what I tell first graders that I talk to back in my district in Massachusetts when I go to visit their schools. I usually begin by telling them that science is important. It is a big deal, and it is such a big deal that all our schools teach it. And if you do your homework and if you study hard and you pay attention, you might grow up someday to become a scientist, and scientists are people who dedicate their lives to protecting the health and well-being of people all over the world, and

they dedicate their lives to protecting our planet.

Scientists tell us things that are really important. They tell us things like climate change is caused by greenhouse gasses, something my Republican friends continually deny. They tell us that polluted air can give children asthma. They tell us that lead in children's drinking water causes learning problems. They tell us pesticide exposure can cause cancer. These are important things.

We all learned in school, thanks to science, that the Earth orbits around the Sun, that gravity causes this pen to fall when I drop it, that plants turn sunshine into energy, that dinosaurs roamed the Earth millions of years ago.

Mr. Speaker, the first graders I talk to, they get it. They understand the importance of science. Unfortunately, many of my colleagues in this Chamber do not. And I would bet that those first graders understand the importance of making sure that it is scientists who sit on scientific advisory boards and not corporate cronies.

Mr. Speaker, I reserve the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the gentleman's comments. In fact, some of those comments he was making I thought he was quoting me, or at least quoting parts of my own speech.

Certainly, I agree that the decisions made by the Environmental Protection Agency should be based on fact, not by industry insiders, and that is exactly what this legislation would do. I can't think of any instance where asking for more full public participation as well as transparency is not a positive step, and that is exactly what we are trying to do here.

In reference to the number of closed rules that we have had this year, let me just remind the good gentleman that 15 out of the 23 closed rules were actually the Congressional Review Act, the CRAs that we have been working on. They are prescribed to be a closed rule. That is the nature of a CRA.

So I would think that, in the good gentleman's estimation of this bill and all the negative things that could potentially come of it, that we should be able to come to some bipartisan agreement on this, especially considering the political climate that we are in today, the occupant of the White House today, certainly in Republican hands, and I would think our friends on the Democratic side of the aisle would be very interested in ensuring an unbiased source of information that comes from the SAB to give to the EPA in making their important decisions. This, I would think, would be a good idea for both sides of the aisle, no matter who is in the White House, and I would agree that it is.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. WEBER), my good friend.

Mr. WEBER of Texas. Mr. Speaker, I do rise today in support of H.R. 1430, and I appreciate the primer that we were just given from the other side on what an emergency is.

I would remind my good friend on the other side that, on November 8, 2016, the Americans stood up and said: We have an emergency. We need to change directions. And they elected Donald Trump to be President to do just that. So that is a good reminder.

Mr. Speaker, our constituents have a right to know whether or not EPA regulations are based on sound science and if they benefit the American people.

Keeping in the vein with what I just said, we have a better way. Speaker PAUL RYAN has put out his plan for A Better Way. Donald Trump has been elected for that better way. The American people deserve a better way.

This is called the HONEST Act, which I am proud to be a cosponsor of. It is a better way. It is simple and straightforward. It is a message to government bureaucrats they cannot propose costly new regulations without providing sufficient transparency. As my good friend from Washington said: Why would anybody be opposed to transparency and a right for the American public to know?

Opponents of this bill apparently think Americans do not deserve to know the truth, not to mention the "science" behind EPA burdensome regulations.

□ 1245

Trust me when I say Americans deserve the truth from the very start.

Mr. Speaker, EPA's regulatory agenda should not require secret science, much less 30-year-old data, in order to sell it to the American people. The other side likes to claim that there are a lot of scientists behind this climate change theory, but they won't release that data.

So what are they hiding behind?

By the way, I remember Mark Twain said that sometimes the majority simply means that all the fools are on one side.

Mr. Speaker, it is long past time for Congress to increase the transparency of the EPA. This HONEST Act will do exactly that by prohibiting the EPA from proposing or finalizing regulations based upon data that is either outdated, it is not transparent, nor is it publicly available for review.

Mr. Speaker, I thank Chairman SMITH for bringing this important legislation to the floor today, and I thank the fine gentleman from Washington State (Mr. NEWHOUSE).

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Texas for his speech, but it was

on a different bill than the one we are talking about right now. That was a rule we debated yesterday. The rule passed, but we are going to be talking about it today. So I was a little confused trying to follow the gentleman.

I also want to remind the gentleman that he mentioned Donald Trump's election. I will remind him that less than half of the people of the United States actually voted for him. Hillary won the popular vote by close to 3 million. The gentleman keeps on talking about a better way, a better way, a better way.

Was that what was on display last week when we spent 15 hours in the Rules Committee debating a repeal-and-replace bill on health care that only 16 percent of the American people thought was worth it and that had to be pulled because it was such a lousy process?

If that is the better way, I don't think people want anything to do with it.

I would say to the gentleman, my colleague, Mr. NEWHOUSE, who is talking about trying to justify the closed process and saying that some of these bills were CRAs, just repealing regulations, well, my friends chose to bring up these repeal regulation bills under a very closed process. Interestingly enough, these rules were made under a very open process where agencies solicited input from stakeholders and from the public, and it was all out in the open. But the Republicans chose to bring measures to the floor to repeal regulations in such a way that that agency can't even go back and revisit the same subject of that particular regulation.

I think people need to understand this. I don't think I can ever recall a more closed, authoritarian process than the one that we have experienced under this leadership. This is not only something that I know Democrats have a problem with; I know a lot of Republicans do, too, because what this closed process means is that anybody with a good idea can't bring it to the floor and can't have an opportunity to debate the issue.

It was funny last night in the Rules Committee, my colleague from Texas (Mr. BURGESS) was kind of crowing about the fact that no amendments were brought before the Rules Committee. I reminded him the reason why no amendments were brought before the Rules Committee is because this bill was noticed as an emergency and there was no call for amendments. Members weren't asked to bring their ideas or their amendments to the Rules Committee. This would be laughable if it weren't so tragic. I would say to my colleagues that it is this same closed process that brought us this disastrous health repeal bill that my friends had to pull last week that is on display today. When you have a lousy process, you end up with lousy legislation.

This is the people's House. We are supposed to deliberate, and here is a radical idea: let us deliberate a little bit. Open it up. Open it up a little bit. Let there be some amendments on both sides of the aisle.

Mr. Speaker, I ask my colleagues to vote "no" on the previous question. If we defeat the previous question, I will bring to the floor an amendment, which I am going to talk about right now because, Mr. Speaker, we are deeply concerned by reports from our intelligence community regarding Russian interference in last year's election and even more troubled by FBI Director Comey's sworn testimony that the FBI is now investigating the possibility of collusion between members of President Trump's campaign team and Russia.

Mr. Speaker, the legitimacy of our electoral system is at stake, and it is time that this Republican-controlled Congress does its job and gets to the bottom of this. Unfortunately, recent actions by the House Intelligence Committee chairman have left many Members from both sides of the aisle convinced that the committee will not be able to conduct an impartial investigation of this crucial matter of national security.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up Representative SWALWELL's and Representative CUMMINGS' bill, which would create a bipartisan commission to investigate Russian interference in our 2016 election. For the life of me I don't know why this is controversial. My colleagues on the Republican side should be just as interested in getting to the truth and getting to the truth in a way that has credibility with the American people as we on the Democratic side do.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. FARENTHOLD). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Virginia (Mr. CONNOLLY) to discuss our proposal.

Mr. CONNOLLY. Mr. Speaker, I thank my distinguished friend from Massachusetts, and I also thank his able staff for the incredible work they are doing.

Mr. Speaker, I want to talk about the bill before us, the EPA Science Advisory Board, but also I want to talk about Mr. MCGOVERN's amendment on Russia.

They actually are linked because the last time a great power decided to deny science-based policy and to actually dictate politically what was science

and what wasn't was Stalin's Soviet Russia. A famous scientist named Lysenko turned out to be a fraud and a con artist. But for 30 years, his thinking dominated Soviet science to the detriment of the Soviet people. It actually led to a famine in Ukraine, killing millions of people because he insisted on his political brand of agricultural science, which wasn't science at all.

My friend from Massachusetts I think is wrong when he asks: What is the emergency? I don't think he understands that, from the Republican point of view, science mixed with public policy is an emergency. We have to do something about it.

The world was created 4,273 years ago and carbon dating is a fraud. As your coastal areas are under water, think about the comfort of Republican philosophy: it is just a theory, and disputable at that. By the way, let's defund any research on it. Let's back out of our commitments. Let's be the only major nation in the world that denies that climate change is real and is going to affect us in almost every aspect of our lives moving forward, including our children and their children.

We owe them better. That is the emergency. God forbid the Environmental Protection Agency have policies and regulations that are science-based. God forbid we look at empirical research to guide us in making thoughtful policies to protect the public. God forbid we look at the science of lead and other toxins in water supplies, let's save \$7 million in Flint, Michigan. Just today they announced a \$100 million settlement. That anti-scientific decision, that political decision, put the people of Flint, Michigan, at risk, and it is now going to cost \$100 million to fix.

That is the consequences of an anti-empirical philosophy, and that will be the consequence of polluting this board with corporations and corporate representatives who are guilty of polluting in the first place. Of course, they won't welcome regulation of their own respective industries, and the Republicans are their enablers. That is what is going to happen if this bill passes.

With respect to Russia, each day there are more troubling revelations that make clear that senior-level Trump officials had undisclosed contact with Russian officials about the campaign, perhaps, the transition, and about sanctions. National Security Adviser Michael Flynn was fired after only 3 weeks on the job for lying about this very thing to the Vice President of the United States. Attorney General Jeff Sessions had to recuse himself from any Russian probe because of compromised testimony at his nomination hearing. FBI Director James Comey confirmed an investigation into the Trump campaign's possible collusion with Russian officials.

What has been the most visible reaction from my friends on the other side of the aisle in this Congress?

The frenetic behavior of the Intelligence Committee chairman that has seemingly compromised the committee's ability to investigate.

This ought not to be about partisan politics. It ought to be about restoring congressional independence and integrity, one of our most cherished democratic institutions; in fact, the most cherished, a free election without foreign interference.

So I support Mr. MCGOVERN's potential amendment. I will also oppose the previous question.

Mr. NEWHOUSE. Mr. Speaker, I yield myself such time as I may consume.

As we get back to the bill at hand, I think it is important that there are a lot of important topics out there that people want to touch on, and that is all well and good. Just like my friend from Texas, a fine member of the Science, Space, and Technology Committee, brought up other bills that are important and that relate to what we are talking about here today, and I think that is important as well.

But I think I see an underlying theme here. We all agree on one thing: we want the EPA to use science. We want public participation. We want and we need transparency.

This is certainly a positive step in a bill, Mr. Speaker, that went through regular order, that was introduced with bipartisan support, that went through the markup process, and that was reported out without amendments, something that this body in the last Congress passed, I believe, in a bipartisan fashion.

Just to underscore the importance of taking this important step—and let me underscore again—no matter which side of the aisle you are on, it is important that we do this because of who you may think is the right person or the wrong person occupying the White House, it is important that the EPA has an unbiased source of information in order for it to make its decisions.

Mr. Speaker, I include in the RECORD a news release from the American Chemistry Council.

[From the American Chemistry Council,
March 9, 2017]

ACC SUPPORTS LEGISLATIVE EFFORTS TO IMPROVE EPA SCIENCE

WASHINGTON.—The American Chemistry Council (ACC) issued the following statement in support of the H.R. 1430, the "Honest and Open New EPA Science Treatment Act of 2017" (or The HONEST Act) introduced by Chairman Lamar Smith (R-TX) and H.R. 1431 "EPA Science Advisory Board Reform Act of 2017," introduced by Congressman Frank Lucas (R-OK).

"Consistency and transparency are key to the regulatory certainty our industry needs to grow and create jobs. In some instances, EPA has fallen short of employing the highest-quality, best-available science in their regulatory decision making.

"It is critical that the regulated community and the public have confidence that decisions reached by EPA are grounded in transparent and reproducible science. By ensuring that the EPA utilizes high quality science and shares underlying data used to reach decisions, the HONEST Act can help foster a regulatory environment that will allow the U.S. business of chemistry to continue to develop safe, innovative products that Americans depend on in their everyday lives.

"The Science Advisory Board Reform Act would improve the peer review process—a critical component of the scientific process used by EPA in their regulatory decisions about potential risks to human health or the environment. The Act would make peer reviewers accountable for responding to public comment, strengthen policies to address conflicts of interest, ensure engagement of a wide range of perspectives of qualified scientific experts in EPA's scientific peer review panels and increase transparency in peer review reports.

"We commend Chairman Smith and Congressman Lucas for their leadership and commitment to advance these important issues."

Mr. NEWHOUSE. Mr. Speaker, I would like to read an excerpt from the American Chemistry Council letter:

"The Science Advisory Board Reform Act would improve the peer review process—a critical component of the scientific process used by EPA in their regulatory decisions about potential risks to human health or the environment. The Act would make peer reviewers accountable for responding to public comment, strengthen policies to address conflicts of interest, ensure engagement of a wide range of perspectives of qualified scientific experts in EPA's scientific peer review panels and increase transparency in peer review reports."

That is a strong statement.

I also include in the RECORD a letter from the American Farm Bureau Federation.

AMERICAN FARM
BUREAU FEDERATION,
Washington, DC, March 8, 2017.

Hon. LAMAR SMITH,
Chair, House Committee on Science, Space and
Technology, Washington, DC.

Hon. EDDIE BERNICE JOHNSON,
Ranking Member, House Committee on Science,
Space and Technology, Washington, DC.

DEAR CHAIRMAN SMITH AND RANKING MEMBER JOHNSON: Later this week, the House Science, Space and Technology Committee will consider legislation to provide for Scientific Advisory Board (SAB) member qualifications and public participation. The American Farm Bureau strongly supports this legislation and pledges our commitment to work with the committee in pressing for its swift consideration.

This legislation is a priority because it reforms the SAB process by strengthening public participation, improving the process of selecting expert advisors, and expanding the overall transparency of the SAB. While the SAB should be a critical part of the scientific foundation of the U.S. Environmental Protection Agency's (EPA) regulatory process, EPA has systematically used its authority to silence dissenting scientific experts. Rather than promote fairness, transparency

and independence to ensure unbiased scientific advice, EPA routinely has ignored its own Peer Review Handbook and silenced dissenting voices on expert panels.

This legislation seeks to reinforce the SAB process as a tool that can help policymakers with complex issues while preventing EPA from muzzling impartial scientific advice. This legislation deserves strong, bipartisan support. We applaud your leadership in this effort and will work with you to ensure passage.

Sincerely,

ZIPPY DUVAL,
President.

Mr. NEWHOUSE. Mr. Speaker, the American Farm Bureau Federation states:

"This legislation seeks to reinforce the SAB process as a tool that can help policymakers with complex issues while preventing EPA from muzzling impartial scientific advice. This legislation deserves strong, bipartisan support. We applaud your leadership in this effort and will work with you to ensure passage."

These are two bipartisan groups looking out for the best interests of the citizens of our great country, so I think they make strong statements in support of this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, may I inquire from the gentleman how many more speakers he has?

Mr. NEWHOUSE. I think we have run to the end of our speakers.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, let me first remind Members that we are asking for a "no" vote on the previous question. If the previous question is defeated, we will bring up an amendment that will allow the bill that Representative SWALWELL and Representative CUMMINGS have introduced, which would create a bipartisan commission to investigate Russian interference in our 2016 election.

This is the appropriate place to do it because we are blocked in every other way in terms of trying to bring this to the floor, and the Rules Committee is a committee that prioritizes legislation that helps set the agenda, so this ought to be part of it. This anti-science bill can still be debated and voted on. It won't derail that, but it will allow the House to be able to deliberate on this bill that would create a bipartisan commission to investigate Russian interference in the 2016 election.

□ 1300

This is a big deal. The American people deserve the truth. My Republican colleagues ought to get out of the way and allow this commission to be created so that the American people can actually have some trust in a process that determines the extent to which the Russians interfered in our election.

Again, I would urge a "no" vote on the previous question.

With regard to the rule that we are debating today, I would again remind

everybody that this is a closed rule. There are some Members of this House who have never seen an open rule, ever. I hope that changes because I do think that, again, there ought to be more deliberation here, there ought to be more back and forth. Even ideas that I strongly disagree with on the Republican side, they ought to have the opportunity to come here and be able to present them and we can vote up or down on them.

I think we need to break this pattern of shutting the process down. It is what resulted in the debacle last week with your horrible healthcare bill, the one that only 16 percent of the American people supported. It is pretty hard to get that low, but my friends managed to be able to set a new record on unpopular legislation—so bad that it had to be withdrawn from the floor for consideration.

I would argue it is the closed, authoritarian-like process that produced a lousy bill. If my friends continue to adhere to this closed process, they are going to get more lousy pieces of legislation that are going to do great harm to the American people brought to this floor.

This bill that is before us today, again, has been brought to the floor under this expedited procedure called an emergency provision. It is just being rushed to the floor as an emergency.

This is not an emergency. The opioid crisis is an emergency; the crisis in Flint, Michigan, is an emergency; our crumbling infrastructure is an emergency. There are deficient bridges and roads in every one of our congressional districts. That is an emergency. We need to address that.

Keeping the government open is an emergency. But to say this is an emergency is kind of ridiculous. It is not an emergency. It is kind of like our house is on fire and you are saying: I will get out the hose later, but I need to wash the dishes first.

That is how this kind of fits into what we are doing here today. This doesn't qualify for that.

On the substance of the bill, we have this radical idea that scientists ought to sit on scientific advisory committees, not corporate cronies, not people who are interested in covering up for polluters or doing their bidding. We think experts and scientists ought to sit on scientific advisory boards. That is the radical idea that we have. This bill, unfortunately, undermines that.

What this bill does is threaten public health by stacking advisory boards with industry representatives, and it weakens scientific review. It is that simple. I don't care what your political ideology is, I don't think you want that.

Let me just mention some of the groups that are opposed to this:

The Alliance of Nurses for Healthy Environments, American Geophysical

Union, and the American Lung Association strongly oppose this bill. The American Public Health Association, the American Thoracic Society, and the Asthma and Allergy Foundation of America oppose this bill. Clean Water Action opposes this bill. Earthjustice, the Environmental Defense Action Fund, Health Care Without Harm, League of Conservation Voters, and the National Medical Association oppose this bill. The Natural Resources Defense Council, Physicians for Social Responsibility, and Union of Concerned Scientists all oppose this bill. The Food Policy Action opposes this bill.

I can go on and on. Every organization that is an advocate for the health and well-being of the American people oppose this bill. We are bringing it up for an up-or-down vote, no amendments, a closed rule, and here we are.

I would just say, Mr. Speaker, again, this is a bad idea. I guess if you are an ally of big corporations or of corporations that engage in pollution, this is a good idea. But if you are interested in protecting the health and well-being of the American people, and the globe, for that matter, this is a bad idea.

As I began, I mentioned that when I speak to first-graders, they understand the importance of science. They get it. They want us to be good stewards of the environment. They want us to protect this planet. They understand the importance of science.

But I am always amazed how many people in this Chamber just don't get it. I find that really sad. I want to give my kids, and someday my grandkids and great grandkids, a future where we respect the environment. When we pass bills like this, it makes that less certain.

Mr. Speaker, I would urge my colleagues again to vote "no" on the previous question and, please, in a bipartisan way, reject this lousy piece of legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I yield myself the balance of my time.

This bill is a good idea, and I think the debate that we have had here today underscores the importance of this as we consider this under the rule.

H.R. 1431 addresses problems that have arisen over the years with the Science Advisory Board, and actually would return the Board to its intended purpose—something maybe the gentleman does not agree with—to provide independent expert advice on scientific and technical information.

By modernizing the policies and the procedures of the governing of the SAB, Congress, with this bill, can take critical steps to make sure that the SAB is best equipped to provide that independent, transparent, balanced review and the analyses of the science used that guides the EPA's regulatory decisions.

One key issue that this measure would address is the importance of having regulations that are supported by science and that are reproducible and accessible for peer review, not antiscience, like some people have said. Quite the opposite. We want science. We want good science.

The scientific method demands that the result of scientific studies be capable of replication. This is all the more critical when the information is used to develop and set public policy, which is why the methods and the data used by the EPA and the SAB must be publicly available for purposes of replication and verification. If you don't want public transparency, I guess you should vote "no" on this bill.

Mr. Speaker, opponents of the legislation have argued that it makes unnecessary and unproductive changes to the SAB, that it would restrict the ability of scientists to engage on the issues they specialize in, creates new burdens through the public comment and transparency provisions, and weakens the ability of the EPA to use the best available science and data to support its rules and regulations.

I believe that these arguments fail to recognize what this bill actually does accomplish. They seem to ignore the importance of reforming the Federal rulemaking process in a way that ensures sound science is the bedrock on which Federal rules and regulations are built—sound science; is that a radical idea—and that these are not predetermined political agendas.

Unfortunately, the EPA has diluted the Board's credibility by systematically silencing dissenting opinions, ignoring calls for balanced participation, and preventing the Board from responding to congressional reports. Fully 10 percent of the seats on the Board will be filled by State, local, and tribal representatives, improving the balance of that participation.

H.R. 1431 simply encourages greater transparency, debate, and public participation in the Board, which will result in better decisionmaking at the EPA. I think that is something everyone should be able to agree on. I don't think public participation is a burden, but, rather, a benefit that improves the relationship and the interaction between Federal regulators and the public.

By strengthening public participation, improving the process for selecting expert advisers, and expanding transparency requirements, this legislation takes critical steps that will improve our regulatory system, while also ensuring that the most qualified and the most capable scientists are free to undertake a balanced and open review of regulatory science.

Mr. Speaker, it is time to update the law. It is time to restore independence to the Science Advisory Board. It is time to strengthen scientific integrity.

Science is an invaluable tool that helps policymakers navigate complex issues, yet this resource has been severely diminished if the EPA interferes with expert advice, limits public participation, and fails to disclose potential conflicts of interest.

As President Reagan said in guidance to the EPA: "The purpose of the Science Advisory Board is to apply the universally accepted principles of scientific peer review to the research conclusions that will form the basis for EPA regulations, a function that must remain above interest group politics."

Mr. Speaker, I believe H.R. 1431 gets to the heart of President Reagan's point. Greater debate, unbiased scientific advice and independent peer-reviews, and public participation will only result in better decisionmaking at the Federal level. I believe that this is the goal we all share, and I urge all of my colleagues to support this rule, as well as the underlying bill.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 233 OFFERED BY
MR. MCGOVERN

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 356) to establish the National Commission on Foreign Interference in the 2016 Election. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 356.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on

the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker’s ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

The Republican majority may say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here’s how the Republicans describe the previous question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler’s Procedure in the U.S. House of Representatives, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority’s agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. NEWHOUSE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair

will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 232, nays 191, not voting 6, as follows:

[Roll No. 203]

YEAS—232

Abraham	Goodlatte	Olson
Aderholt	Gosar	Palazzo
Allen	Gowdy	Palmer
Amash	Granger	Paulsen
Amodei	Graves (GA)	Pearce
Arrington	Graves (LA)	Perry
Babin	Graves (MO)	Pittenger
Bacon	Griffith	Poe (TX)
Banks (IN)	Grothman	Poliquin
Barletta	Guthrie	Posey
Barr	Harper	Ratcliffe
Barton	Harris	Reed
Bergman	Hartzer	Reichert
Biggs	Hensarling	Renacci
Bilirakis	Herrera Beutler	Rice (SC)
Bishop (MI)	Hice, Jody B.	Roby
Bishop (UT)	Higgins (LA)	Roe (TN)
Black	Hill	Rogers (AL)
Blackburn	Holding	Rogers (KY)
Blum	Hollingsworth	Rohrabacher
Bost	Hudson	Rokita
Brady (TX)	Huizenga	Rooney, Francis
Brat	Hultgren	Rooney, Thomas J.
Bridenstine	Hunter	Ros-Lehtinen
Brooks (AL)	Hurd	Ross
Brooks (IN)	Issa	Rothfus
Buchanan	Jenkins (KS)	Rouzer
Buck	Jenkins (WV)	Royce (CA)
Bucshon	Johnson (LA)	Russell
Budd	Johnson (OH)	Rutherford
Burgess	Johnson, Sam	Sanford
Byrne	Jordan	Scalise
Calvert	Joyce (OH)	Schweikert
Carter (GA)	Katko	Scott, Austin
Carter (TX)	Kelly (MS)	Sensenbrenner
Chabot	Kelly (PA)	Sessions
Chaffetz	King (IA)	Shimkus
Cheney	King (NY)	Shuster
Coffman	Kinzinger	Simpson
Cole	Knight	Smith (MO)
Collins (GA)	Kustoff (TN)	Smith (NE)
Collins (NY)	Labrador	Smith (NJ)
Comer	LaHood	Smith (TX)
Comstock	LaMalfa	Smucker
Conaway	Lamborn	Stefanik
Cook	Lance	Stewart
Costello (PA)	Latta	Stivers
Cramer	Lewis (MN)	Taylor
Crawford	LoBiondo	Tenney
Culberson	Long	Thompson (PA)
Curbelo (FL)	Loudermilk	Thornberry
Davidson	Love	Tiberi
Davis, Rodney	Lucas	MacArthur
Denham	Luetkemeyer	Marchant
Dent	MacArthur	Marshall
DeSantis	Marchant	Massie
DesJarlais	Marshall	Mast
Diaz-Balart	Massie	McCarthy
Donovan	Mast	McCaul
Duncan (SC)	McCarthy	McClintock
Duncan (TN)	McCaul	McHenry
Dunn	McClintock	McKinley
Emmer	McHenry	McMorris
Farenthold	McKinley	Rodgers
Faso	McMorris	McSally
Ferguson	Rodgers	Meadows
Fitzpatrick	McSally	Meehan
Fleischmann	Meadows	Messer
Flores	Meehan	Mitchell
Fortenberry	Messer	Moolenaar
Fox	Mitchell	Mooney (WV)
Franks (AZ)	Moolenaar	Mullin
Frelinghuysen	Mooney (WV)	Murphy (PA)
Gaetz	Mullin	Newhouse
Gallagher	Murphy (PA)	Noem
Garrett	Newhouse	Nunes
Gibbs	Noem	
Gohmert	Nunes	

NAYS—191

Adams	Beatty	Blumenauer
Aguilar	Bera	Blunt Rochester
Barragán	Beyer	Bonamici
Bass	Bishop (GA)	

Boyle, Brendan F.	Grijalva	O'Rourke
Brady (PA)	Gutiérrez	Pallone
Brown (MD)	Hanabusa	Panetta
Brownley (CA)	Hastings	Pascarelli
Bustos	Heck	Payne
Butterfield	Higgins (NY)	Pelosi
Capuano	Himes	Perlmutter
Carbajal	Hoyer	Peters
Cárdenas	Huffman	Peterson
Carson (IN)	Jackson Lee	Pingree
Cartwright	Jayapal	Pocan
Castor (FL)	Jeffries	Polis
Castro (TX)	Johnson (GA)	Price (NC)
Chu, Judy	Johnson, E. B.	Quigley
Cicilline	Jones	Raskin
Clark (MA)	Kaptur	Rice (NY)
Clarke (NY)	Keating	Richmond
Clay	Kelly (IL)	Rosen
Cleaver	Kennedy	Roybal-Allard
Clyburn	Khanna	Ruiz
Cohen	Kihuen	Ruppersberger
Connolly	Kildee	Ryan (OH)
Conyers	Kilmer	Sánchez
Cooper	Kind	Sarbanes
Correa	Krishnamoorthi	Schakowsky
Costa	Kuster (NH)	Schiff
Courtney	Langevin	Schneider
Crist	Larsen (WA)	Schrader
Crowley	Larson (CT)	Scott (VA)
Cuellar	Lawrence	Scott, David
Cummings	Lawson (FL)	Serrano
Davis (CA)	Lee	Sewell (AL)
Davis, Danny	Levin	Shea-Porter
DeFazio	Lewis (GA)	Sherman
DeGette	Lieu, Ted	Sinema
Delaney	Lipinski	Sires
DeLauro	Loebsock	Smith (WA)
DelBene	Lofgren	Soto
Demings	Lowenthal	Speier
DeSaulnier	Lowe	Suozi
Deutch	Lujan Grisham, M.	Swalwell (CA)
Dingell	Lujan, Ben Ray	Takano
Doggett	Lynch	Thompson (CA)
Doyle, Michael F.	Maloney	Thompson (MS)
Ellison	Carolyn B.	Titus
Engel	Maloney, Sean	Tonko
Eshoo	Matsui	Torres
Espallat	McCollum	Tsongas
Esty	McEachin	Vargas
Evans	McGovern	Veasey
Foster	McNerney	Vela
Frankel (FL)	Meng	Velázquez
Fudge	Moore	Visclosky
Gabbard	Moulton	Walz
Gallo	Murphy (FL)	Wasserman
Garamendi	Nadler	Schultz
Gonzalez (TX)	Napolitano	Waters, Maxine
Gottheimer	Neal	Watson Coleman
Green, Al	Nolan	Welch
Green, Gene	Norcross	Wilson (FL)
	O'Halleran	Yarmuth

NOT VOTING—6

Duffy	Meeks	Slaughter
Marino	Rush	Young (AK)

□ 1336

Mr. O'HALLERAN changed his vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 232, noes 188, not voting 9, as follows:

[Roll No. 204]

AYES—232

Abraham Goodlatte Olson
Aderholt Gosar Palazzo
Allen Gowdy Palmer
Amash Granger Paulsen
Amodei Graves (GA) Pearce
Arrington Graves (LA) Perry
Babin Graves (MO) Pittenger
Bacon Griffith Poe (TX)
Banks (IN) Grothman Poliquin
Barletta Guthrie Posey
Barr Harper Ratcliffe
Barton Harris Reed
Bergman Hartzler Reichert
Biggs Hensarling Renacci
Billirakis Herrera Beutler Rice (SC)
Bishop (MI) Hice, Jody B. Roby
Bishop (UT) Higgins (LA) Roe (TN)
Black Hill Rogers (AL)
Blackburn Holding Rogers (KY)
Blum Hollingsworth Rohrabacher
Bost Hudson Rokita
Brady (TX) Huizenga Rooney, Francis
Brat Hultgren Rooney, Thomas
Bridenstine Hunter J.
Brooks (AL) Hurd Ros-Lehtinen
Brooks (IN) Issa Roskam
Buchanan Jenkins (KS) Ross
Buck Jenkins (WV) Rothfus
Boucshon Johnson (LA) Rouzer
Budd Johnson (OH) Royce (CA)
Burgess Johnson, Sam Russell
Byrne Jones Rutherford
Calvert Jordan Sanford
Carter (GA) Joyce (OH) Scalise
Carter (TX) Katko Schweikert
Chabot Kelly (MS) Scott, Austin
Chaffetz Kelly (PA) Sensenbrenner
Cheney King (IA) Sessions
Coffman King (NY) Shimkus
Cole Kinzinger Shuster
Collins (GA) Knight Simpson
Collins (NY) Kustoff (TN) Smith (MO)
Comer Labrador Smith (NE)
Comstock LaHood Smith (NJ)
Conaway Lamborn Smith (TX)
Cook Lance Smucker
Costello (PA) Latta Stefanik
Cramer Lewis (MN) Stewart
Crawford LoBiondo Stivers
Culberson Long Taylor
Davidson Loudermilk Tenney
Davis, Rodney Love Thompson (PA)
Denham Lucas Thornberry
Dent Luetkemeyer Tiberi
DeSantis MacArthur Tipton
DesJarlais Marchant Trott
Diaz-Balart Marshall Turner
Donovan Marshall Massie
Duncan (SC) Mast Valadao
Duncan (TN) McCarthy Wagner
Dunn McCaul Walberg
Ellison McClintock Walden
Emmer McHenry Walker
Farenthold McKinley Walorski
Faso McMorris Walters, Mimi
Ferguson Rodgers Weber (TX)
Fitzpatrick McSally Webster (FL)
Fleischmann Meadows Wenstrup
Flores Meehan Westerman
Fortenberry Messer Williams
Foxy Mitchell Wilson (SC)
Franks (AZ) Moolenaar Wittman
Frelinghuysen Mooney (WV) Womack
Gaetz Mullin Woodall
Gallagher Murphy (PA) Yoder
Garrett Newhouse Yoho
Gibbs Noem Young (IA)
Gohmert Nunes Zeldin

NOES—188

Adams Boyle, Brendan
Aguilar F.
Barragán Brady (PA)
Bass Brown (MD)
Beatty Brownley (CA)
Bera Bustos
Beyer Butterfield
Bishop (GA) Capuano
Blumenauer Carbalaj
Blunt Rochester Cárdenas
Bonamici Carson (IN)
Cartwright Cartwright

Cooper Kelly (IL)
Correa Kennedy
Costa Khanna
Courtney Kihuen
Crist Kildee
Crowley Kilmer
Cuellar Kind
Cummings Krishnamoorthi
Davis (CA) Kuster (NH)
Davis, Danny Langevin
DeFazio Larsen (WA)
DeGette Larson (CT)
Delaney Lawrence
DeLauro Lawson (FL)
DelBene Lee
Demings Levin
DeSaulnier Lewis (GA)
Deutch Lieu, Ted
Dingell Lipinski
Doggett Loeb sack
Doyle, Michael Lofgren
F. Lowenthal
Engel Lowey
Espaillat Lujan Grisham,
M.
Esty Luján, Ben Ray
Evans Lynch
Foster Maloney,
Frankel (FL) Carolyn B.
Fudge Maloney, Sean
Gabbard Matsui
Gallego McCollum
Garamendi McEachin
Gonzalez (TX) McGovern
Gottheimer McNeerney
Green, Al Meng
Green, Gene Moore
Grijalva Moulton
Gutiérrez Murphy (FL)
Hanabusa Nadler
Hastings Napolitano
Heck Neal
Higgins (NY) Nolan
Himes Norcross
Hoyer O'Halleran
Huffman O'Rourke
Jackson Lee Pallone
Jayapal Panetta
Jeffries Pascrell
Johnson (GA) Payne
Johnson, E. B. Pelosi
Kaptur Perlmutter
Keating Peters

NOT VOTING—9

Curbelo (FL) Marino
Duffy Meeks
LaMalfa Quigley

□ 1343

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. ELLISON. Mr. Speaker, during rollcall Vote No. 204 on H. Res. 233, the rule for H.R. 1431, I mistakenly recorded my vote as “yea” when I should have voted “nay.”

HONEST AND OPEN NEW EPA SCIENCE TREATMENT ACT OF 2017

Mr. SMITH of Texas. Mr. Speaker, pursuant to House Resolution 229, I call up the bill (H.R. 1430) to prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 229, the bill is considered read.

The text of the bill is as follows:

H.R. 1430

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Honest and Open New EPA Science Treatment Act of 2017” or the “HONEST Act”.

SEC. 2. DATA TRANSPARENCY.

Section 6(b) of the Environmental Research, Development, and Demonstration Authorization Act of 1978 (42 U.S.C. 4363 note) is amended to read as follows:

“(b)(1) The Administrator shall not propose, finalize, or disseminate a covered action unless all scientific and technical information relied on to support such covered action is—

“(A) the best available science;

“(B) specifically identified; and

“(C) publicly available online in a manner that is sufficient for independent analysis and substantial reproduction of research results, except that any personally identifiable information, trade secrets, or commercial or financial information obtained from a person and privileged or confidential, shall be redacted prior to public availability.

“(2) The redacted information described in paragraph (1)(C) shall be disclosed to a person only after such person signs a written confidentiality agreement with the Administrator, subject to guidance to be developed by the Administrator.

“(3) Nothing in the subsection shall be construed as—

“(A) requiring the Administrator to disseminate scientific and technical information;

“(B) superseding any nondiscretionary statutory requirement; or

“(C) requiring the Administrator to repeal, reissue, or modify a regulation in effect on the date of enactment of the Honest and Open New EPA Science Treatment Act of 2017.

“(4) In this subsection—

“(A) the term ‘covered action’ means a risk, exposure, or hazard assessment, criteria document, standard, limitation, regulation, regulatory impact analysis, or guidance; and

“(B) the term ‘scientific and technical information’ includes—

“(i) materials, data, and associated protocols necessary to understand, assess, and extend conclusions;

“(ii) computer codes and models involved in the creation and analysis of such information;

“(iii) recorded factual materials; and

“(iv) detailed descriptions of how to access and use such information.

“(5) The Administrator shall carry out this subsection in a manner that does not exceed \$1,000,000 per fiscal year, to be derived from amounts otherwise authorized to be appropriated.”.

The SPEAKER pro tempore. Pursuant to House Resolution 229, the gentleman from Texas (Mr. SMITH) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill, H.R. 1430.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1430, the Honest and Open New EPA Science Treatment Act of 2017, or HONEST Act, requires the Environmental Protection Agency to base its regulations on science that is publicly available.

Why would anyone want to hide this information from the American people?

I thank former Science Committee member and former Environment Subcommittee Chairman DAVID SCHWEIKERT for his longtime commitment to this issue, and for sponsoring the Secret Science Reform Act in the 113th Congress. In the last Congress, a similar bill passed the House with bipartisan support. Our goal is to help advance not just any science, but the best science.

The HONEST Act is a nonpartisan bill: a change in administration does not affect the public's right to know and see the science behind the EPA's regulations.

This legislation ensures that sound science is the basis for EPA decisions and regulatory actions. The days of "trust-me science" are over. In our modern Information Age, Federal regulations should be based only upon data that is available for every American to see, and that can be subjected to independent review. That is called the scientific method.

We can all agree that the government should rely on the best available science. Unfortunately, the government does not always hold to this standard. Looking at the EPA's past record, it is clear that the Agency has not followed an open and honest process. For example, many major air-quality regulations from the previous administration were justified by data that the EPA said they had not seen, even though they proposed the regulation.

This means that the EPA's claims about the cost and benefits of its regulations and the real risk they are meant to address cannot be independently verified by unbiased experts. If the EPA's mandates really are based on sound science, then the American people should be allowed to see the data. The EPA's past refusal to cooperate, leads to the question: What have they been hiding?

Americans have a right to be suspicious.

Mr. Speaker, we all care about the environment, but if policies are not based on legitimate science, regulations will result in economic hardship with little or no environmental benefits. In other words, the regulations would be all pain and no gain.

This bill strengthens the previous House-passed legislation of the last

Congress, the Secret Science Reform Act. That bill also required the EPA to base its decisions on information fully available to scientists and the American people.

You may hear from opponents of this legislation that it costs too much money. That is based on a CBO estimate from 2 years ago that misinterprets the implementation requirements of the bill. CBO has not reissued that misinterpretation this year after consulting with the EPA.

All the HONEST Act requires is that the EPA use science that is publicly available, not make all science public itself. So the cost is negligible.

Some critics may claim that it puts personal data at risk. This is false. The HONEST Act specifically requires redactions of personally identifiable information and confidential business information.

It is also misleading to assert that the bill tells scientists how to conduct science. The opposite is true. The bill reinforces the scientific method and its tenets of observing, hypothesizing, testing, gathering and sharing data, and analyzing and challenging the resulting theories. It allows independent researchers to evaluate the studies that the EPA uses to justify its regulations.

The HONEST Act promotes sound science and restores confidence in the EPA decisionmaking process.

Finally, the HONEST Act ensures that the EPA is not promoting a one-sided ideological agenda. The legislation provides for the type of open and accountable government that the American people want and deserve.

You are either for an open and honest government, or you are not. If you are, then support this legislation.

Mr. Speaker, I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong opposition to H.R. 1430, the so-called HONEST Act. This is the third time the majority has tried to move this misguided legislation, which was formerly known as the Secret Science Reform Act.

Unfortunately, in this case, the third time is not the charm. The Secret Science bills that the Republicans tried to enact over the previous two Congresses were insidious bills designed, from the outset, to prevent the EPA from using the best available science to meet its obligations under the law. Those bills were constructed to hamstring the ability of the EPA to do just about anything to protect the American public.

As the American Lung Association said at the time: "The legislation will not improve EPA's actions; rather, it will stifle public health protections."

The HONEST Act, if anything, is even worse than those two previous

bills. There are several reasons for this. Like the prior Secret Science bills, the HONEST Act requires the EPA to release the underlying data from any science that is relied upon when taking action. This would cause a host of cascading problems for the Agency, which is, of course, the real reason they are pushing this bill.

First, the EPA relies upon science drawn from many sources. Since EPA does not own or control the data for most of these scientific sources, the EPA would have no authority to order the public release of such data. This would preclude the EPA from using the vast majority of peer-reviewed science in existence today.

Second, under the HONEST Act, scientific studies relied upon by the EPA must be reproducible from the data that is publicly released. However, the EPA frequently investigates and relies upon scientific studies that are inherently not reproducible.

For instance, the EPA might study natural or manmade environmental disasters, such as the Deepwater Horizon oil spill, to better understand the effects on the environment and to improve disaster response. Under this bill, the EPA couldn't use this type of information at all.

These problems with the legislation were apparently not enough for my Republican colleagues. They have worked hard to make the bill even worse this Congress. The newest addition to the bill would permit the EPA to redact from public disclosure confidential information, such as trade secrets and public health information. However, the bill then sets up an unrestricted process whereby anyone who signs a confidentiality agreement can access any restricted information in the EPA's possession.

This provision is a Pandora's box, which could have untold consequences for the EPA, industry, and the general public. First, the EPA will find it much more difficult to collect scientific data in the first instance if people think it will be disclosed at will. This will cripple the EPA's ability to conduct their own science, which is important since the rest of the HONEST Act essentially places all non-EPA science off limits.

This provision is also in direct conflict with any number of other Federal laws, like the Freedom of Information Act, and HIPAA. The bill provides no guidance to the Agency on how to navigate the minefield it creates, which will surely lead to a morass of lawsuits and legal bills for the EPA.

Finally, this provision places no restrictions on who can access restricted information. For instance, could a chemical manufacturer obtain access to the trade secrets of a competitor simply by signing a confidentiality agreement? Could insurance companies seek the health information of potential customers?

The potential for abuses with this provision are endless.

In a day and age when the most valuable commodity on the black market is personal information and trade secrets, it is unconscionable that we are providing an easily accessible source for criminals around the world.

Finally, the HONEST Act also foists upon the EPA a massive unfunded mandate. While we have no CBO cost estimate for this bill, prior versions were estimated to cost the EPA \$250 million per year. However, the bill restricts the EPA to spending only \$1 million to implement its provisions. In essence, this hits the EPA with a \$249 million unfunded mandate every year.

If that were not bad enough, this bill comes in the face of massive proposed budget cuts to the EPA's science program by the Trump administration.

Mr. Speaker, Republicans claim that this bill is just implementing scientific's best practices. It is odd, then, that a host of scientific societies and science stakeholder groups have expressed their opposition to this legislation. This includes the American Association for the Advancement of Science, the Association of Public and Land-grant Universities, the Association of American Universities; and the American Chemical Society.

If Republicans don't want to be labeled as flat-Earth science haters, I think they would want to listen to what scientists say instead of lecturing them about things they don't understand.

In reality, this bill isn't about science. It is about undermining public health and the environment. That is why a host of public health and environmental groups are actively opposing the bill. This includes, among others, the American Lung Association, the American Thoracic Society, the American Public Health Association, the Union of Concerned Scientists, and the Environmental Defense Fund.

Mr. Speaker, I include in the RECORD some of the letters I received in opposition.

MARCH 27, 2017.

DEAR REPRESENTATIVE: The undersigned health and medical organizations are writing to express our opposition to the EPA Science Advisory Board Reform Act of 2017 and the Honest and Open New EPA Science Treatment Act of 2017. Our organizations are dedicated to saving lives and improving public health.

Science is the bedrock of sound medical and public health decision-making. The best science undergirds everything our organizations do to improve health. Under the Clean Air Act, EPA has long implemented a transparent and open process for seeking advice from the medical and scientific community on standards and measures to meet those standards. Both of these bills would restrict the input of scientific experts in the review of complex issues and add undue industry influence into EPA's decision-making process.

As written, the EPA Science Advisory Board Reform Act would make unneeded and unproductive changes that would:

Restrict the ability of scientists to speak on issues that include their own expertise;

Block scientists who receive any EPA grants from serving on the EPA Scientific Advisory Board, despite their having the expertise and conducted relevant research that earned them these highly competitive grants;

Prevent the EPA Scientific Advisory Board from making policy recommendations, even though EPA administrators have regularly sought their advice in the past;

Add a notice and comment component to all parts of the EPA Scientific Advisory Board actions, a burdensome and unnecessary requirement since their reviews of major issues already include public notice and comment; and

Reallocate membership requirements to increase the influence of industry representatives on the scientific advisory panels.

In short, EPA Science Advisory Board Reform Act would limit the voice of scientists, restrict the ability of the Board to respond to important questions, and increase the influence of industry in shaping EPA policy. This is not in the best interest of the American public.

We also have concerns with the HONEST Act. This legislation would limit the kinds of scientific data EPA can use as it develops policy to protect the American public from environmental exposures and permit violation of patient confidentiality. If enacted, the legislation would:

Allow the EPA administrator to release confidential patient information to third parties, including industry;

Bolster industry's flawed arguments to discredit research that documents the adverse health effects of environmental pollution; and

Impose new standards for the publication and distribution of scientific research that go beyond the robust, existing requirements of many scientific journals.

Science, developed by the respected men and women scientists at colleges and universities across the United States, has always been the foundation of the nation's environmental policy. EPA's science-based decision-making process has saved lives and led to dramatic improvements in the quality of the air we breathe, the water we drink and the earth we share. All Americans have benefited from the research-based scientific advice that scientists have provided to EPA.

Congress should adopt policy that fortifies our scientists, not bills that undermine the scientific integrity of EPA's decision-making or give polluters a disproportionate voice in EPA's policy-setting process.

We strongly urge you to oppose these bills. Sincerely,

KATIE HUFFLING, RN, CNM,
Director, Alliance of
Nurses for Healthy
Environments.

HAROLD P. WIMMER,
National President
and CEO, American
Lung Association.

GEORGES C. BENJAMIN, MD,
Executive Director,
American Public
Health Association.

STEPHEN C. CRANE, Ph.D.,
MPH,
Executive Director,
American Thoracic
Society.

CARY SENNETT, MD, Ph.D.,
FACP,
President & CEO,
Asthma and Allergy

Foundation of Amer-
ica.

PAUL BOGART,
Executive Director,
Health Care Without
Harm.

RICHARD ALLEN WILLIAMS,
MD,
117th President, Na-
tional Medical Asso-
ciation.

JEFF CARTER, JD,
Executive Director,
Physicians for Social
Responsibility.

AMERICAN ASSOCIATION FOR THE
ADVANCEMENT OF SCIENCE,
Washington, DC, March 28, 2017.

Hon. KEVIN MCCARTHY,
House Majority Whip,
Washington, DC.

DEAR REPRESENTATIVE MCCARTHY: As leading U.S. science, engineering, and academic institutions, we are writing to express our concerns regarding H.R. 1430, the Honest and Open New EPA Science Treatment (HONEST) Act of 2017. We encourage you and your colleagues to take additional time to evaluate the unintended consequences of this bill before considering it on the House floor. This bill is virtually identical to the Secret Science Reform Act of the 113th and 114th Congress, on which we expressed similar concerns that have remained unchanged.

Of course, regulations and agency actions should be informed by the best available science and a rigorous scientific process. Undermining the integrity of the scientific process, or the ability of federal agencies to utilize rigorous science in establishing policies, could have long-term negative consequences. It is with this in mind that we urge caution in setting laws that submerge science beneath politics.

The research community is concerned that some key terms in the bill could be interpreted or misinterpreted, especially terms such as "materials," "data," and "reproducible." Legislation removing concepts like reproducibility and independent analysis from the hands of scientists and into the hands of legislators could undermine the scientific process and reduce the benefits that science could bring to society.

With respect to reproducibility of research, it is often impossible to repeat an experiment down to the last detail. Some scientific research, especially in areas of public health, involve longitudinal studies that are so large and of great duration that they could not realistically be repeated. Rather, these studies are verified utilizing statistical modeling or independent data analysis. The same may be true for scientific data from a one-time event (e.g., Deepwater Horizon Gulf oil spill) where the data are gathered in real time. It is unclear if data from studies like these would be permitted under this bill. As a result, we could foresee a situation where the EPA would be prevented from using the best available science and disseminating public information in a timely fashion.

In addition, H.R. 1430 would give the EPA administrator sole authority to disclose private information gathered in research studies, which might include confidential health and proprietary business information, to anyone who signs a confidentiality agreement with the EPA. It is unclear whether the EPA has this authority, and very clear this would deter individuals and businesses from participating in studies used by the EPA. This would again constrain the EPA

from making a proposal based on the best available science.

We thank you for your consideration and stand ready to work with you to evaluate the unintended consequences of this bill before consideration on the House floor.

American Association for the Advancement of Science, American Association of Geographers, American Chemical Society, American Geosciences Institute, American Geophysical Union, American Institute of Biological Sciences, American Meteorological Society, American Society of Agronomy, American Sociological Association, Association of American Universities, Association of Public and Land-grant Universities.

Brown University, Consortium for Ocean Leadership, Crop Science Society of America, Duke University, Ecological Society of America, Harvard University, The National Postdoctoral Association, Soil Science Society of America, University of California System, University of Maine, University of Pennsylvania, University of Toledo.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, for the many reasons I have spoken about today, I strongly oppose this legislation, and I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I would like to alleviate the ranking member's unfounded concerns and remind her that the National Academy of Sciences itself has explained that transparency in science is possible without any risk to confidentiality or privacy.

This is what the National Academy of Sciences said: "Nothing in the past suggests that increasing access to research data without damage to privacy and confidentiality rights is beyond scientific reach."

So I hope that will alleviate her concerns. Really, it comes down to whether you are for an open and honest government or not. That is what this bill is all about.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BABIN), who is the chairman of the Space Subcommittee of the Science, Space, and Technology Committee.

□ 1400

Mr. BABIN. Mr. Speaker, I rise in strong support of the HONEST Act. As a cosponsor of this legislation and a member of the Science, Space, and Technology Committee, I am very pleased to see this bill come to the House floor.

I represent the congressional district with the highest concentration of petrochemical, manufacturing, and refining facilities than any other district in the entire Nation. This means that thousands of my constituents have been or are currently employed by these industries. In fact, years ago, I spent some time as a worker in one of these very factories.

With this in mind, you can understand why pushing for reform, transparency, and accountability within the EPA would be very important to me because so many of my constituents'

livelihoods are affected by costly and burdensome regulations from the EPA. My constituents want to make sure that the EPA's actions, particularly those based on secret science, do not cost them their jobs or their livelihood.

Time and again, the EPA has issued extensive regulations without ever showing the science to back up their claims to justify these regulations. It is like they have a little black box over there. They don't let anyone else look into it, and they just say: Trust us, we have got good science backing up our claims.

I say, if your science is so good, then don't hide it in your little black box. Show us your data.

The HONEST Act simply requires the EPA to open their little black box to public scrutiny. After we pass the HONEST Act, any regulations coming from the EPA must be based on data that is publicly available. What is so offensive about a little transparency?

Most companies and businesses would be happy to comply with the EPA when data shows that their regulations are backed up by clear evidence. But many times, if not most of the time, this is not the case. Instead the regulations are based on secret science that no one but the regulators themselves have access to.

When the Federal Government issues regulations based on secret science, this is yet another example of a Federal agency getting away with something the rest of America cannot do. American workers are fed up with overzealous regulators pushing our jobs overseas.

The SPEAKER pro tempore (Mr. GRAVES of Louisiana). The time of the gentleman has expired.

Mr. SMITH of Texas. Mr. Speaker, I yield an additional 2 minutes to the gentleman from Texas (Mr. BABIN).

Mr. BABIN. Mr. Speaker, this bill is about protecting American jobs and the American economy.

In math class, we were taught to show our work; and when we didn't, we got the problem counted wrong. This bill is about transparency, accountability, and holding the government to the same standard that everyone else is.

According to a poll by the Institute for Energy Research, 90 percent of Americans believe that scientific data used to make government decisions should be available to the public, to the rest of us. That is nearly 100 percent. Not many issues in our current political environment enjoy that level of support. But when it does, Congress should very well listen.

The HONEST Act is a commonsense legislation that I am proud to support.

I include in the RECORD this letter of support from the American Chemistry Council.

AMERICAN CHEMISTRY COUNCIL,
Washington, DC, March 28, 2017.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and Technology, House of Representatives,
Washington, DC.

DEAR CHAIRMAN SMITH: On behalf of the American Chemistry Council (ACC), we want to thank you for introducing H.R. 1430, the "Honest and Open New EPA Science Treatment Act of 2017" (or the HONEST Act) to help improve the science employed by the U.S. Environmental Protection Agency (EPA) in the Agency's regulatory decision making processes.

The proposed legislation would increase the transparency and public confidence in the EPA's scientific analyses.

Consistency and transparency are key to the regulatory certainty our industry needs to grow and create jobs. In some instances, EPA has fallen short of employing the highest-quality, best-available science in their regulatory decision making.

It is critical that the regulated community and the public have confidence that decisions reached by EPA are grounded in transparent and reproducible science, while ensuring the protection of confidential business information and competitive intelligence. By ensuring that the EPA utilizes high quality science and shares underlying data used to reach decisions, the HONEST Act can help foster a regulatory environment that will allow the U.S. business of chemistry to continue to develop safe, innovative products that Americans depend on in their everyday lives.

We commend you for your leadership and commitment to advance and improve EPA science. We look forward to working with you and other bill sponsors to pass this important piece of legislation.

Sincerely,

CAL DOOLEY.

Mr. BABIN. Mr. Speaker, I applaud the tireless work that Chairman LAMAR SMITH has done to bring this legislation forward so that we can bring accountability and transparency to the EPA.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 1 minute to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Speaker, I rise in opposition to H.R. 1430, which makes it harder for the Environmental Protection Agency to do its job.

This bill would bring the EPA's work to a halt, undermining protection of America's health and safety. This legislation interferes with the use of sound science and creates obstacles that stop the EPA from enforcing the law.

This bill is just one part of President Trump and congressional Republicans' attacks on science and our environment. Shortly after the inauguration, the Trump administration removed taxpayer-funded scientific data from public websites. Now, that is not open, that is not honest, and that is not fair to the taxpayers.

This month, President Trump proposed dramatic budget cuts that would make it impossible for the EPA to enforce clean air and clean water laws. Yesterday, President Trump rescinded

the Clean Power Plan, paving the way for more air pollution.

We cannot go backwards. I urge my colleagues to reject this bill and other Republican efforts to weaken the environmental protections.

We must put public health and scientific integrity before polluters' profits.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. BANKS), who is the vice chairman of the Science, Space, and Technology's Subcommittee on Environment.

Mr. BANKS of Indiana. Mr. Speaker, I thank Chairman SMITH for sponsoring this legislation, the HONEST Act.

I believe that this bill will take a very important step toward improving the quality of science at the EPA. This is incredibly important because this agency ensures that our air and water are clean, which is something that all Americans want and deserve.

However, in recent years, the EPA has not been as transparent and forthcoming with the scientific data that the agency has used as the basis for costly regulations. That is exactly where the HONEST Act comes in.

By requiring the agency to base its regulations on publicly available science, scientists and the American people will be able to examine the data and pursue their own scientific inquiry if they wish, improving the scientific integrity of the EPA.

Transparency throughout all levels of the Federal Government is an important tenet of American democracy. I strongly support all efforts to provide the American people with more information on how our government works. This is most important when regulations that impact American jobs and the economy are involved.

Critics of the HONEST Act claim that requiring scientific data to be public would compromise personal information. This is a false narrative. This legislation specifically protects that information by way of redactions. It is not the interest of Congress or the EPA to compromise anyone's personal data.

Passage of the HONEST Act comes at a critical time for the EPA. Executive orders issued by President Trump require that the agency review and potentially revise a number of regulations from the past administration that were only partly based on science and that were never made public to the American people. We want to avoid similar situations moving forward, regardless of the administration.

I urge my colleagues to vote for this legislation to promote a more honest and open EPA.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. BEYER), the vice ranking member of the full committee and ranking mem-

ber of the Science, Space, and Technology's Subcommittee on Oversight.

Mr. BEYER. Mr. Speaker, I have several objections to the legislation being considered today. As with the Secret Science Reform Act, the bill would seriously undercut the Environmental Protection Agency's ability to use science to inform their work.

The bill would prohibit the EPA from using any scientific findings when the EPA did not have total access to the underlying data. This would eliminate some of the best available science from being considered by the EPA.

Let me be very clear, there is nothing secret nor dishonest about relying on voluminous, peer-reviewed studies published in the most credible scientific journals in the world to make public health decisions.

Equally problematic, the bill would force the EPA to grant full access to any scientific data it does possess, including highly sensitive materials like trade secrets and personal health histories. Much has been made about the ability of the EPA to redact this information, but there is a piece of legislation that says: By simply signing a nondisclosure agreement at the discretion of the EPA administrator, you can have access to all of the nonredacted information.

We talk about the accountability of the EPA. What is the accountability of violating a simple nondisclosure agreement? It becomes so easy for these private health information trade secrets to be sold for a small fortune on the black market. It certainly doesn't make sense to provide such an easy avenue to potential bad actors.

I would also like to object to the title of the legislation and the implication that EPA employees and scientists are somehow not honest. Many of those folks live in Virginia, and, frankly, I am tired of Members of Congress bad-mouthing my constituents. These are hardworking public servants who have dedicated their lives to clean air, clean water, and to our good health. And I want to reassure the many wonderful employees of the EPA that, in Congress, we do, in fact, appreciate your good work on behalf of the American people.

Lastly, much like the TrumpCare bill we almost considered last week, there is no CBO cost estimate. The chairman mentions that he has asked the CBO to use a different methodology. The last one they said was going to cost us hundreds of millions of dollars to implement. It is hard to imagine anything where the EPA has been required to fund or acquire data that is not going to be unreasonably expensive relative to anything before.

I urge my colleagues to vote "no."

Mr. SMITH of Texas. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, I don't see how we can make it more clear to anybody who

brings up the privacy arguments. If they go to lines 17 through 21 of page 2 of the bill, it states:

"... any personally identifiable information, trade secrets, or commercial or financial information obtained from a person and privileged or confidential, shall be redacted prior to public availability."

Any misconstruing of that is unfortunate, and it is not an accurate description of that provision.

Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. LAHOOD), who is also the chairman of the Science, Space, and Technology's Subcommittee on Oversight.

Mr. LAHOOD. Mr. Speaker, I thank Chairman LAMAR SMITH for yielding time and for his leadership on this important issue.

Mr. Speaker, my district in central and west central Illinois is home to some of the most fertile farmland in the entire world. My district is the ninth largest congressional district in terms of corn and soybean production. With that said, farming families across the 19 counties I represent are faced every day with burdensome rules and regulations created by the EPA with little or no transparency into the data that influenced those regulations in the first place.

These rules and regulations have and continue to cause real-world consequences to the agriculture community. Moreover, these EPA directives have far greater reach outside the realm of just farmers.

Manufacturing and trade industries in my district have also seen a direct negative impact from these agency actions. They have continued to hurt the ability of these industries to create jobs and economic opportunities in central and west central Illinois.

As such, I am here today in support of the HONEST Act, which encourages a more open and transparent Federal Government. It requires data and studies used by Federal agencies in the rulemaking process to be made publicly available to the American people and independent scientists. The goal is to promote more accountability for Washington, D.C., bureaucracies, such as the EPA.

The bottom line is costly Federal regulations should only be based upon data that is comprised of sound science and that can withstand scrutiny and review.

Simply put, the HONEST Act is a step in the right direction to restore trust in the EPA and in Federal bureaucracies.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 4 minutes to the gentlewoman from Connecticut (Ms. ESTY).

Ms. ESTY. Mr. Speaker, I rise today in strong opposition to the so-called HONEST Act. Whether in its incarnation last Congress as the Secret

Science Act or in this year's incarnation as the HONEST Act, let us be clear, this Orwellian-named bill is clearly designed to suppress certain scientific research that has been the foundation for essential health and environmental regulations.

In addition to hindering scientific advancement, this bill risks violating people's privacy by exposing sensitive patient data, and it is harmful to public health.

The clear aim of the HONEST Act is to undermine EPA's efforts to take action in a variety of areas, such as climate and air pollution.

Let me also be clear, in my State of Connecticut, we rely on those regulations to deal with the asthma crisis we have based on power plants in other parts of the country blowing polluted air into my State.

The so-called HONEST Act accomplishes this objective by excluding legitimate, peer-reviewed research from the policy process. If this bill were to become law, EPA would have no choice but to lean increasingly on industry-funded studies instead.

At my recent townhall meeting in Waterbury, Connecticut, one American after another stood up and expressed their fear and outrage at the attempts made in this House and by the new administration to take science out of public policy.

My constituents want genuine scientific research guiding our efforts to protect our environment and safeguard public health. They don't want agenda-driven studies funded by fossil fuel companies determining the EPA's actions on climate policy.

□ 1415

While the majority attempted to alleviate some of our privacy concerns with this bill, the reality is that any person whom EPA Administrator Scott Pruitt deems worthy will have access to sensitive patient information.

Why is this a problem?

Because fewer people will be willing to participate in the studies that are necessary to understand air and water quality issues.

Who can blame them?

No one wants their medical records shared with strangers, or worse, made public.

The result is that the EPA will have to rely on incomplete science to issue lifesaving regulations.

Sadly, Mr. Speaker, this bill is yet another example of the political crusade against science that we are seeing coming from both Congress and the new administration.

We should be confronting the economic and environmental realities of our changing climate. But just yesterday, President Trump issued an executive order that would have us pretend that climate change does not exist.

Only weeks earlier, the EPA Administrator himself said, without evidence,

that he disagreed with the scientific consensus that human activity is the primary contributor to global climate change.

In my home State of Connecticut, we are downwind from these power plants that are burning dirty coal. We see elevated rates of asthma, higher rates of cardiopulmonary issues. If this bill is passed, many longitudinal, scientific studies like the ones that establish the link between air pollution and asthma, would be excluded from playing a role in the EPA's actions.

Mr. Speaker, let's allow the EPA to do its job. I urge my colleagues to oppose this misguided bill.

Mr. Speaker, I include in the RECORD two letters in opposition from the Union of Concerned Scientists and from the Environmental Defense Fund.

UNION OF CONCERNED SCIENTISTS,

March 9, 2017.

DEAR REPRESENTATIVE: The Union of Concerned Scientists, with 500,000 members and supporters throughout the country, strongly opposes H.R. 1430, the misleadingly named Honest and Open New EPA Science Treatment Act (HONEST Act) of 2017. The proposal shows that supporters of this legislation have a fundamental misunderstanding of the process by which science operates and is ultimately a solution in search of a problem.

This legislation would require that all raw data, models, code, and other materials from scientific studies be made available to the public before a federal agency could use it. But, the Environmental Protection Agency (EPA) already is exhaustingly transparent and the science it relies on to make decisions is made available to the public.

The true intention of this bill is not to increase transparency in agency use of science in policymaking, but rather to handcuff the EPA from ever using critical information necessary to follow through on statutorily required rulemaking for popular legislation like the Clean Air Act and the Clean Water Act. The additional restrictions imposed by this proposed bill would make it almost impossible to base public protections on the best available scientific information. In particular, if enacted, the language appears to indicate that the EPA would be inhibited by the following challenges:

The EPA wouldn't be able to use most health studies. It should be expected that any agency tasked with protecting public health should be able to use public health data. The confidentiality of such data is usually protected by institutional review boards (IRB) to insure the privacy of the participants; thus, the data could not be made publicly available as demanded. Since many EPA rules are health-based standards, this rule would severely restrict the ability of the agency to base rules on science.

The EPA wouldn't be able to draw from industry data sources. The agency would be prevented from using data provided by industry to the agency. Since information from industry sources is often not publicly available, to protect proprietary data from their competitors, a law requiring as such would prevent the agency from utilizing industry data, a source of information that often provides otherwise unknown data to inform EPA rulemaking.

The EPA wouldn't be able to use new and innovative science. New scientific methods and data may be restricted by intellectual

property protections or industry trade secret exemptions. This bill doesn't include protections for intellectual property, and it makes industry trade secrets available upon request to anyone who signs an agreement. If researchers and industry knew that sharing their science with the EPA meant that their intellectual property would be exposed to the world, they might opt out. This would limit EPA's ability to rely on the best available science including novel approaches that may not yet be publicly available.

Long-term and meta-analyses would be unavailable. Many of the public health and safety issues facing the nation cannot be measured within a small timeframe. The EPA needs long-term exposure studies that assess the link between chronic diseases/mortality and pollutants; or on meta-analyses that include many different studies and locations to provide a more robust look at the science. In H.R. 1430, the provision that studies be conducted "in a manner that is sufficient for independent analysis and substantial reproduction of research" may prevent use of these vital studies by the EPA, as it is unclear whether such spatially and temporally comprehensive studies would be considered "sufficient for substantial reproduction."

The CBO estimates exorbitant costs. The attempt to implement this law would also make the EPA process much more costly. For past iterations of this legislation, the CBO has estimated it may take up to \$250 million annually for the EPA simply to comply, and that doesn't even account for the lost benefits from delaying the protections themselves. Compounded with the cuts to EPA's budget that are being proposed, this would just further prevent the agency from being able to do its job.

H.R. 1430 makes a token attempt to address some of the criticisms about privacy concerns for personal medical information and trade secrets. But in practice, the challenge of identifying and redacting all protected and privileged information sets up a series of hurdles and complications that will deter agencies from using the best scientific analysis to inform their work.

Small, cosmetic tweaks do not change the fact that this bill is based on a flawed premise and that the authors of the legislation do not understand the scientific process. Furthermore, the burden imposed on the EPA to redact documents would ultimately place limits on the amount of actual scientific work the EPA can do. The EPA does not exist in a world of infinite resources.

When this bill was introduced in the 114th Congress as the "Secret Science Reform Act," it received a veto threat from the Obama administration, which noted that it would "interfere" with the EPA's ability to protect public health, safety, and the environment. The worry is that now, with an administration that has shown zero interest in using science to enact safeguards, this legislation could cripple the agency.

I strongly urge you to oppose H.R. 1430, the so-called HONEST Act. The only honest thing about this legislation is that it truly opens the window into the real intentions of the supporters of the bill, and that is to stop the EPA from fulfilling its science-based mission to protect public health and the environment. H.R. 1430 is a wolf in sheep's clothing, purporting to increase public accessibility to data used in rulemaking, while actually crippling the EPA's ability to use the best available scientific and technical information to protect public health and the environment.

Agencies protecting our public health should be able to use public health data and attempts to undermine agencies shouldn't be cloaked in false transparency. This Trojan-horse transparency bill would inhibit the EPA's ability to carry out its science-based mission to protect human health and the environment. It does not deserve your support.

Sincerely,

ANDREW A. ROSENBERG,
PH.D.,
*Director, Center for
Science and Democ-
racy, Union of Con-
cerned Scientists.*

EDF ACTION,
March 8, 2017.

Hon. LAMAR SMITH,
*Chairman, Committee on Science, Space, and
Technology, Washington, DC.*

Hon. EDDIE BERNICE JOHNSON,
*Ranking Member, Committee on Science, Space,
and Technology, Washington, DC.*

DEAR CHAIRMAN SMITH AND RANKING MEM-
BER JOHNSON: The Environmental Defense
Action Fund strongly opposes the "Honest
and Open New EPA Science Treatment
(HONEST) Act of 2017" and the "EPA
Science Advisory Board Reform Act of 2017".

Despite their benign-sounding titles, these
bills would have devastating effects on pub-
lic health and the Environmental Protection
Agency's (EPA) ability to consider and use
sound science.

The HONEST Act, a rebranded version of
the "Secret Science Reform Act" from prior
sessions of Congress, is framed as a measure
to increase transparency by requiring that
EPA only use studies that are publicly avail-
able online and replicable. Yet, as testimony
before your Committee has made clear, these
requirements would in many cases prevent
the EPA from using the best available
science for public health decision-making.

Many epidemiological studies—for example
a study on the causes of breast cancer—rely
on health data that are legally confidential.
This legislation suggests that EPA will be
given the authority to disclose confidential
medical information on breast cancer pa-
tients to anyone willing to sign a confiden-
tiality agreement. EPA would also be re-
sponsible for identifying and redacting any
information that should not be made broadly
publicly available in the first place. Not only
is this not an appropriate role for EPA, it
could severely restrict both the number of
studies EPA can use and the willingness of
participants to be part of vital health stud-
ies.

In addition, the Act's requirements for
replicability mean that critical longitudinal
studies that follow health outcomes of indi-
viduals or groups over years, even decades,
could not be used because—

(1) they are inherently not replicable (e.g.,
a study that follows health outcomes of first
responders following a single event such as
the tragic 9/11 attack); or

(2) where they are replicable, it would take
years to show that the results could be re-
produced (e.g., a study that examines the im-
pacts on intelligence at childhood from envi-
ronmental exposures that occurred in utero).

Furthermore, even if, say, a longitudinal
study that follows a cohort of individuals
over 20 years could in principle be repro-
duced, there are practical and ethical rea-
sons why it couldn't or shouldn't be. The
same goes for a long-term environmental
monitoring study, or data collected from a
one-time event like the Deepwater Horizon
Spill.

The Congressional Budget Office (CBO) has
found that previous iterations of this legisla-
tion would impede the number of studies the
EPA can rely on—by their estimate, reduc-
ing the number of studies by half. Restrict-
ing EPA to just some of the existing sci-
entific literature will prevent the agency
from using the latest and most accurate
science when developing regulations. More-
over, the tremendous resource burden of
making data publicly available (CBO's cen-
tral estimate was \$250 million a year) would
create a strong incentive to reduce the
amount of scientific data and analysis con-
sidered as part of decision-making. The net
effect would be to undermine EPA's ability
to rely on the best available science and un-
necessarily put the public at greater envi-
ronmental and health risk.

Similarly, the EPA Science Advisory
Board Reform Act of 2017 undermines sci-
entific integrity of the EPA. Contrary to
longstanding practice, the bill allows indi-
viduals with financial conflicts of interest to
serve on the EPA Science Advisory Board
(SAB) so long as those conflicts are dis-
closed. This would permit an infusion of spe-
cial corporate interest into what should re-
main an objective scientific review of EPA
work products.

Incredibly, at the same time, the bill
makes it more difficult for academic experts
to participate on the SAB. The bill considers
an expert's research on a topic covered by
the Board to be a conflict of interest, when
in fact the academic's expertise would make
them more, not less, valuable. In addition,
receipt of EPA research grants and con-
tracts, standard for universities, would be
construed to constitute a conflict of interest
for a scientist or expert. And a SAB member
would be precluded from accepting any such
grant or contract for three years after serv-
ing on the board which may deter qualified
experts from serving on the SAB.

The "Honest and Open New EPA Science
Treatment (HONEST) Act of 2017" and the
"EPA Science Advisory Board Reform Act of
2017" would block the use of sound science by
EPA in developing public safeguards. For
these reasons, EDF Action strongly opposes
these bills.

Sincerely,

ELIZABETH B. THOMPSON,
*President, Environmental Defense
Action Fund.*

Mr. SMITH of Texas. Mr. Speaker, I
yield myself 30 seconds.

Mr. Speaker, it is hard to keep up
with all the misstatements about this
bill, but I am going to try. The imme-
diate past speaker on the other side
talked about the cost of the bill; and I
am sure he didn't do it intentionally,
but he was using a 2-year-out-of-date
cost.

We have an email from the CBO as of
this past Monday that says the CBO es-
timates this legislation would not af-
fect direct spending or revenues, so
there is no cost, despite what Members
might hear otherwise.

Also, it is just hard for me to under-
stand how any Member of Congress
could oppose open and honest govern-
ment. All this bill does is to say that
the data has to be transparent, the
data has to be publicly available.

If they want more government con-
trol, more environmental regulations
that can't be justified, that is one

thing; but don't oppose the bill for the
wrong reasons. The bill does nothing
more than require open, transparent,
and honest government.

Mr. Speaker, I yield 2 minutes to the
gentleman from Arizona (Mr. GOSAR),
who is a member of the Natural Re-
sources Committee.

Mr. GOSAR. Mr. Speaker, I rise
today in support of H.R. 1430, the HON-
EST Act, sponsored by the chairman of
the Science, Space, and Technology
Committee, Chairman LAMAR SMITH.

Let's all go back to the fifth grade,
where we learned about the steps of the
scientific method and do a quick re-
view.

After we formulated our question and
came up with our hypothesis, what did
we do?

We tested that hypothesis by per-
forming an experiment and collecting the
data in a reproducible manner.

Data isn't reproducible if it isn't
even made available. Now, Mr. Speak-
er, transparency and reproducibility
are basic tenets of science that every
elementary school student learns and
values. Yet our very own Environ-
mental Protection Agency has issued
regulation after regulation using stud-
ies and data that are not available for
public review, despite the very serious
ramifications of that very data.

In 2012, President Obama's own chair
of the Science Advisory Board testified
"that literature and data used by the
EPA be peer-reviewed and made avail-
able to the public."

This is common sense, Mr. Speaker:
let's make public policy using public
data and use public data for public pol-
icy.

Mr. Speaker, I thank the chairman
for leading this initiative.

Ms. EDDIE BERNICE JOHNSON of
Texas. Mr. Speaker, I yield 3 minutes
to the gentleman from New York (Mr.
TONKO).

Mr. TONKO. Mr. Speaker, I rise
today in opposition to H.R. 1430, the
Honest and Open New EPA Science
Treatment Act.

I have serious concerns with this bill
that the majority has offered. This bill
pretends to improve scientific integ-
rity and transparency while, in reality,
they would stop the EPA from doing
its critical job, its critical mission of
protecting the American people.

Many credible organizations have op-
posed the HONEST Act, including the
American Association for the Advance-
ment of Science, Union of Concerned
Scientists, American Institute of Bio-
logical Sciences, American Lung Asso-
ciation, American Public Health Asso-
ciation, the League of Conservation
Voters, Natural Resources Defense
Council, and the Environmental De-
fense Action Fund.

Two others that I include in the
RECORD, the copies that I hold in my
hand, in opposition, have been received

from the Consortium for Ocean Leadership, and the other from the Environmental Data and Governance Initiative.

CONSORTIUM FOR
OCEAN LEADERSHIP,

Washington, DC, March 27, 2017.

Hon. PAUL RYAN,
Speaker of the House,
Washington, DC.

DEAR SPEAKER RYAN: On behalf of the Consortium for Ocean Leadership, which represents our nation's leading ocean research and technology institutions (from academia, industry, and aquaria), I am writing to express concern regarding the Honest and Open New EPA Science Treatment (HONEST) Act of 2017 (H.R. 1430). Sound science must underpin the rulemaking process at all our nation's federal agencies, the Environmental Protection Agency included. I am concerned about the practical implications of this bill and what it means, not only for the rule-making process, but for the health, security, and prosperity of our nation and its citizens. While I ardently support efforts to ensure the continued use of sound science, I urge you and your colleagues to consider unintended consequences of this bill before bringing it to the House floor.

While reproducibility is a fundamental assumption of science, that should not be conflated with the idea that all non-reproducible science is incorrect. There are many cases where reproducibility is simply not possible, but that does not negate the importance of the conclusions that have been reached. In 1994, the comet Shoemaker-Levy collided with our celestial neighbor Jupiter, providing a first-hand look at cosmic collisions and insight on both the comet and the planet. The devastating Deepwater Horizon disaster in the Gulf of Mexico has provided untold insights into everything ranging from ecosystem responses to oil to impacts on communities' physical and mental health. Because studies stemming from these one-time incidents are not reproducible, it does not mean that their methodology and results are flawed. Additionally, longitudinal studies, especially in the public health arena, are often too large and take so much time (e.g., a study following a cohort for multiple decades) that they could not realistically be reproduced but are instead replicated through statistical modeling. Under the current language of the HONEST Act, similar studies within EPA's purview would be excluded from the agency's use, potentially keeping the agency from making a proposal or disseminating information and limiting the amount of good science from which the EPA can make decisions.

The bill also requires scientific and technical information used to make federal regulations be posted online. While the language specifies that personally identifiable information used in these studies be redacted (unlike in the bill's predecessor, the Secret Science Reform Act), the HONEST Act goes on to state that personal information could be disclosed to anyone who signs a confidentiality agreement with the administrator. If federal regulations are made that impact a specific industry, the same industry could access the personal records of those who participated in the study. Knowing that their personal information could be made accessible to anyone would likely reduce the number of willing participants in such a study, again limiting the best science available to the agency.

Additionally, redacting information from documents is a costly and time-consuming

process that often requires the work of an entire office. The EPA's limited resources, rather than being spent fulfilling its mission "to protect human health and the environment" would instead be spent redacting, potentially hundreds of thousands of documents. Conversely, the bill does not define who would make this information publicly available online (and make appropriate redactions) if the EPA were relying on a published, peer-reviewed study performed by another entity, such as an academic research institution. This would potentially impose unexpected costs on the institution.

Rather than improving the quality of science used by the agency, this bill would instead limit the amount of "best available science" available for decision-making and would require significant time and manpower. Such an impact would threaten the health, not only of our nation, but of our country's citizens who rely on the EPA to protect their well-being. The unintended consequences from this bill are myriad, and the ocean science and technology community stands ready to help you evaluate them before considering this legislation on the House floor.

Respectfully,

JONATHAN W. WHITE,
RADM (Ret.), USN,
President and CEO,
Consortium for
Ocean Leadership.

ENVIRONMENTAL DATA
& GOVERNANCE INITIATIVE,
March 27, 2017.

DEAR REPRESENTATIVE: The Environmental Data & Governance Initiative (EDGI) has analyzed the potential effects of the Honest and Open New EPA Science Treatment Act of 2017 (H.R. 1430) and determined that the bill would obstruct the EPA's use of scientific studies in essential agency work. EDGI is an organization comprised of non-profit employees and academics that promotes open and accessible government data and information along with evidence-based policy making. As researchers invested in robust environmental data governance, EDGI members are concerned that this legislation would force the EPA to make determinations without certain categories of crucial evidence-based research it needs to make the best decisions for the health and welfare of the public and the environment.

H.R. 1430 is just the latest iteration of the proposed Secret Science Reform Acts of 2014 and 2015. These bills would have prevented the EPA from relying on a large number of validated and pivotal scientific studies in its decision-making processes. Similarly, in its words, H.R. 1430 would "prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible." Proponents claim that H.R. 1430 would improve transparency in scientific decision-making and public data accessibility, efforts that EDGI supports. However, as EDGI's analysis shows, H.R. 1430 instead places important validated science off limits to the EPA.

The data access requirements in H.R. 1430 would obstruct public protections critical to human safety and health. Any studies that utilize confidential medical records—including many human health studies—would be nearly impossible for the EPA to use because personally identifiable medical data cannot be released to the general public. For instance, the EPA would not be able to use epidemiological studies that are critical for

linking exposure to toxics with certain types of diseases in the creation of standards that ensure our safe drinking water and healthy air.

Additionally, the proposed legislation would bar studies that cannot be reproduced from use by the EPA. Blocking the EPA from using studies that are hard to reproduce impedes the EPA's ability to protect the public from future health hazards. Some of the nation's best evidence of public health risks comes from long-term analyses, assessments of chronic effects of exposure to toxic substances, studies based on natural and human-caused catastrophes, and other studies that we cannot reproduce.

Specific examples of current protections and programs that would have been difficult, if not impossible, for the EPA to issue had H.R. 1430 been in place include:

Standards that protect children from lead-based paint hazards in their homes and schools. The EPA creates standards that protect children from the adverse neurological effects of exposure to lead in paint, dust, and soil. The agency bases these lead protections on long-term studies of children who have suffered lead exposure in the past. Because EPA regulations have effectively reduced lead exposure in children, reproducing these long-term epidemiological studies would be nearly impossible, as the cohort of study subjects no longer exists. Prohibiting the EPA from using historical reports like these would make continuing regulation of lead much harder.

Safeguards that protect people from exposure to radioactive contaminants in drinking water. The EPA's standards for the permissible quantity of certain radionuclides, such as uranium, found in drinking water are based on data from radiation exposure studies that use confidential patient information from a cohort of Hiroshima and Nagasaki atomic bomb survivors, which could not be used under this bill. Long-term epidemiological studies conducted on this cohort are also unreproducible, rendering these studies, and others like them, nearly impossible for the EPA to use under H.R. 1430's provisions.

Measures that improve safety at industrial facilities and protect and assist first responders and emergency authorities during accidents. The EPA improved its risk management regulations following several catastrophic events involving chemical plants, including an explosion at the West Fertilizer Company facility in Texas that killed 14 people, ten of them first responders. The studies that result from chemical explosions like these cannot be reproduced and would not be available for the EPA's use under H.R. 1430, preventing the agency from properly protecting first responders and the public from future chemical disasters.

Plans that ensure best practices in cleaning up major oil spills and other hazardous waste spills that affect wildlife health and habitats. After the Exxon Valdez oil tanker ran aground in Alaska's Prince William Sound on March 24, 1989, the EPA developed a restoration program to clean up the 11 million gallons of oil that had spilled into the Sound and affected over 1,000 miles of shoreline. This cleanup program would have been impossible without field studies of Prince William Sound and other historical oil spills. Given the large scale of these catastrophic spills, these studies cannot be reproduced and thus would be barred from use by the EPA by H.R. 1430.

The EPA would be hampered from implementing these vital protections and programs under H.R. 1430. While the bill contains a provision that pretends to skirt some

of these legal obstacles by only divulging protected materials to people who sign confidentiality agreements, this provision is illusory because medical data, trade secrets, and other privacy-protected data cannot be released to the general public, regardless of whether they sign a confidentiality agreement. The EPA cannot issue confidentiality agreements on behalf of third party researchers, so H.R. 1430 would inhibit the EPA's ability to use many important scientific studies despite this confidentiality agreement provision.

Further, H.R. 1430 limits the EPA to spending only \$1 million a year to comply with these new requirements, yet the CBO estimated that past versions of this legislation would have cost the EPA up to \$250 million annually to implement the data access provisions required in the bill. The added obligations specified in this legislation, coupled with a lack of adequate funding to implement the law, would prevent the EPA from fulfilling its hazard prevention and environmental safety protection responsibilities.

Agencies tasked with protecting human health must be able to rely on all available scientific data. Currently, the EPA goes to great lengths to ensure that all of the data it relies on is thoroughly reviewed and accessible. The EPA uses several processes to ensure quality and relevance of data, such as internal and external peer review and review by scientific advisory boards.

When the EPA is prohibited from utilizing the most optimal data, it puts the health and safety of citizens at risk. Protecting safe drinking water and healthy air depends on the EPA's ability to incorporate the best available evidence from all scientific fields of study into its risk assessments and regulation drafting processes. EDGI's analysis and research shows that the passage of H.R. 1430 would block the EPA from using the data it needs to fulfill its mission of protecting public health and the environment.

Sincerely,

SARAH LAMDAN,
Director of Legal Research, Environmental Data Governance Initiative; Associate Law Library Professor, CUNY School of Law.

ON BEHALF OF THE EDGI STEERING COMMITTEE:

Andrew Bergman, Ph.D. Candidate, Applied Physics, Harvard University; Phil Brown, Ph.D., Sociology, University Distinguished Professor of Sociology and Health Sciences, Northeastern University; Lindsey Dillon, Ph.D., Geography, Assistant Professor of Sociology, University of California, Santa Cruz; Gretchen Gehrke, Ph.D., Geochemistry, Data and Advocacy Steward, Public Lab; Rebecca Lave, Ph.D., Geography, Associate Professor of Geography, Indiana University.

Michelle Murphy, Ph.D., History of Science, Professor of History, Director of the Technoscience Research Unit, University of Toronto; Nicholas Shapiro, Ph.D., Medical Anthropology, Matter and Materials Fellow, Chemical Heritage Foundation, Open Air Fellow, Public Lab; Christopher Sellers, Ph.D., History; M.D., Professor of History, Stony Brook University; Sara Wylie, Ph.D., History, Anthropology, and Science Technology and Society Program, Assistant Professor of Health Science and Sociology, Northeastern University.

Mr. TONKO. The Union of Concerned Scientists has recently said that "the

bill effectively prevents the EPA from using the weight of scientific evidence to protect public health and the environment."

They go on to say "this doesn't make sense."

I agree. This doesn't make any sense. Instead, I hope that, as a Congress, we can turn our attention to truly protecting scientific integrity. We must protect the scientific process from political interference, which is why I recently introduced the Scientific Integrity Act, which will require our United States Federal agencies to adopt or strengthen policies to insulate government-directed research from the influence of political pressure and special interests.

Under the Scientific Integrity Act, Federal agencies that conduct or fund scientific research would be required to develop clear, written scientific integrity policies that can guarantee research is being done and published without undue influence, censorship, or distortion.

Scientific and technological information would be able to flow more easily while protecting privacy, confidentiality, and our national security. Twenty-four separate Federal agencies have developed scientific integrity policies to date. This legislation would also codify and strengthen these policies within a common framework.

Every Democrat on the Science, Space, and Technology Committee has supported the Scientific Integrity Act, and I invite all of my colleagues across the aisle to join us in working to truly protect scientific integrity.

I urge a "no" vote on the so-called HONEST Act.

Mr. SMITH of Texas. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, we have heard a couple of times today that the bill prevents the EPA from using the best available science.

I hope that Members who are listening to this debate, and others, will take the time to actually look at the language of the bill. Here is the exact language, page 2, line 13. The first requirement of the bill is that the EPA "use the best available science." I don't know what more we can do and how better we can spell it out.

The bill is only a little over three pages long. I really do recommend that the folks who oppose it read the bill itself and actually look at the language and the usual understanding and definition of the words, and I hope they will be satisfied.

We have also heard that the scientific community opposes the bill, but let me quote from a couple of Obama administration officials. Dr. John Holdren, the President's science adviser, said that: "Absolutely, the data on which regulatory decisions are based should be made available to the committee and should be made public."

The same was said by the chair of the EPA's Science Advisory Board. This is the EPA's Science Advisory Board. They testified before the committee that literature and data used by the EPA be made available to the public.

Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. MARSHALL), who is the vice chairman of the Oversight Subcommittee.

Mr. MARSHALL. Mr. Speaker, I rise today as a member of the Committee on Science, Space, and Technology, to voice my support of the HONEST Act. This legislation gives independent scientists a fair chance to validate the studies EPA uses to make regulations. As someone who has made a career in science, I know that determining anything less is unwise and unscientific.

Whether you are studying a new oncology drug or EPA regulations, transparency and the ability to reproduce and share these findings are some of the basic tenets of science. Costly regulations that impact American citizens and Kansas farmers should be based upon data that is available to independent scientists and the public.

Let's continue to be a voice for the people with sound, transparent, scientific regulatory policy.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. Mr. Speaker, I thank the ranking member and my friend, the chairman of the committee.

We often agree on things in the Science, Space, and Technology Committee, but there are times when our disagreements are huge, and this is one of those times.

So, Mr. Speaker, I rise today to oppose H.R. 1430. We have seen this bill in the last Congress, when it was called the Secret Science Reform Act. It was a lousy bill then, and it is still a lousy bill today.

Let's start with the name of this bill, Mr. Speaker, the HONEST Act, but it really should be called the dishonest act. That is because this bill improperly describes what is going on at the EPA, which is looking to protect our environment from extreme weather events that we have in Colorado, throughout the country, and around the world.

The EPA is working to protect our clean air and our clean water, and has demonstrably improved our communities and the health of America since 1970.

I wish I could say these attacks today and tomorrow on the EPA and scientific research are isolated, but unfortunately they are not. Earlier today, the Science, Space, and Technology Committee held a hearing on climate science. I was astonished at what I heard from the majority Republican Party calling into question whether climate change is happening,

and whether it is caused by humans. All this serves is to attack scientific research and jeopardize the progress we have made to combat climate change and protect our communities.

Just yesterday, President Trump issued an executive order to further roll back progress that we have made over the last 8 years. The executive order tries to dismantle the Clean Power Plan and many other important protections from the Obama administration which were worked on based on the best available science and through an open and deliberate process, gathering millions of comments along the way. The fact is, investing in clean energy and reducing emissions is good for our national security, good for our environment, and good for jobs.

I believe we can do both—improve our energy independence and create good-paying jobs—at the same time. Colorado has been a leader in reducing harmful emissions, improving energy efficiency, and investing in clean energy, and we have realized substantial economic benefits for Colorado through innovation, research and development, and the creation of good-paying jobs.

Mr. Speaker, we need to do better. This House and the Science, Space, and Technology Committee need to take their heads out of the sand and stop ignoring what is going on across the country and across the world.

I urge all my colleagues to oppose this bill.

Mr. Speaker, I include in the RECORD a letter dated March 8, 2017, from the American Geophysical Union.

AMERICAN GEOPHYSICAL UNION,
March 8, 2017.

Hon. LAMAR SMITH,
Washington, DC.

Hon. EDDIE BERNICE JOHNSON,
Washington, DC.

DEAR CHAIRMAN SMITH AND RANKING MEMBER JOHNSON: On behalf of the American Geophysical Union (AGU) and its more than 60,000 members, I am writing to express concerns about the Honest and Open New EPA Science Treatment Act of 2017 (HONEST Act) and the EPA Science Advisory Board Reform Act of 2017. We encourage you and your colleagues to take additional time to evaluate the unintended consequences of these bills before the bills move forward.

Although we appreciate the HONEST Act's protections for confidential information, we remain concerned about several provisions in the bill. For example, requirements in the bill for the use of "best available science," "data," and "reproducible" do not have uniform applications across all disciplines.

With respect to reproducibility of research, some scientific research involves longitudinal studies that are so large and of great duration that they could not realistically be reproduced. The same may be true for scientific data from a one-time event (e.g., Deepwater Horizon Gulf oil spill) where the data is gathered in real time. We're concerned that in these situations the EPA could be constrained from using important or relevant research in making decisions.

The legislation could also impose costs on recipients of federal research grants where the research results are expected to be "re-

lied on to support a covered action." The bill is not clear on whether it is the EPA's or the research institution's responsibility to cover the costs associated with sharing and archiving this information.

We are also troubled by the implications of the EPA Science Advisory Board Reform Act. As an organization that represents scientists from broad backgrounds and expertise, we appreciate the attempt to ensure a diverse panel of scientific knowledge and perspectives, and support the bill's goal of increasing accountability and transparency for scientific advisors. However, because the bill would exclude some scientists with substantial expertise in their fields from the Science Advisory Board (SAB), the SAB would suffer from the exclusion of valuable insight. The purpose of the SAB is to review the quality and robustness of scientific data that informs EPA's regulatory process. It is imperative that the SAB comprise the most expert, independent scientists and technical advisors to best fulfill that mission.

AGU looks forward to working with you on these critical issues in the future.

With best wishes,

LEXI SHULTZ,
Director of Public Affairs,
American Geophysical Union.

Mr. SMITH of Texas. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I know the gentleman from Colorado attended the hearing we had this morning on the scientific method and climate change, but I am not sure he was listening, because not a single witness on either side denied the facts around climate change.

I also want to reassure him—he is worried about Colorado, and I understand that—that the Intergovernmental Panel on Climate Change found that there was low confidence in any connection between climate change and extreme weather events. So I hope there will not be any unusual extreme weather events in Colorado.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. LAMALFA), a member of the Natural Resources Committee and the Agriculture Committee.

Mr. LAMALFA. Mr. Speaker, I thank Chairman SMITH for yielding time here today, as these issues affect my constituents in northern California as well. So being here to support H.R. 1430, the HONEST Act, really pleases me because we haven't had a lot of honesty the way the EPA has applied new interpretations of new rules to some of the folks in my district here, that farm and ranch and other activities that use their resources and their land in the way they see fit.

We need to ensure that the EPA rules and regulations are made using verifiable, publicly available data and science.

□ 1430

A fundamental tenet of our Nation is that citizens have the right to know how and why the government makes decisions and, just as importantly, have the ability to challenge those decisions. However, we have seen an in-

creasing tendency of Federal agencies to refuse to disclose the data they have based decisions on, claiming it is too sensitive to share. Really, now.

For example, the Obama administration's waters of the U.S. rule, which would have inserted the Federal Government into local land use decisions across the Nation, directly conflicts with publicly available data prepared by the Army Corps of Engineers, yet the EPA refused to release data it claimed supported its conclusion.

Farmers, in some cases, cannot even use their land under the threat of litigation, fines, or even arrest. Even the Army Corps of Engineers disputes the EPA's refusal, noting, in 2015, that EPA provided no scientific basis for its jurisdictional power grab.

Under waters of the United States, we have heard interpretations that people plowing their fields could be interpreted now as a regulatable land because that could be seen as a watershed because you now have furrows that are new watersheds.

This is the kind of thing that needs to be heard publicly in review of Congress and the people, not made in a back room of the EPA somewhere. That is not an honest way of doing business. That is why H.R. 1430 is an honest way to bring them back to the accountability we need to have so people can have their day and have a right to dispute nonscience-led decisions made by the EPA.

The Obama Administration did not even rely on peer-reviewed science or on publicly available Scientific Advisory Board determinations despite EPA claims that its effort was backed by science.

The tendency for Federal agencies to develop regulations based on secret data is even more insidious when we note that these are not even elected officials. They don't have to stand for election. These are career bureaucrats who cannot be removed or even sometimes met up with by the voters, by their constituents.

Mr. Speaker, when Americans face regulations imposed by unelected bureaucrats and based on secret science that cannot be verified or even viewed, how can they employ their First Amendment right to petition their government? The answer, colleagues, is simple. They can't.

Mr. Speaker, I urge support for this bill to protect every American's right to know how and why their government makes decisions, to protect their First Amendment rights, to protect their property, and their ability to thrive.

Mr. Speaker, I thank the gentleman for the time, and I thank you for bringing this effort and for your battle.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from

Arizona (Mr. BIGGS), who is the chairman of the Environment Subcommittee.

Mr. BIGGS. Mr. Speaker, I thank the gentleman from Texas, the chairman of the Science, Space, and Technology Committee, and especially for sponsoring this legislation, the HONEST Act.

As the chairman of the Environment Subcommittee on the Science Committee, I fully support this bill that will require EPA regulations be based on science that is publicly available. The HONEST Act pushes forward the basic principles of the scientific method, which is critically important in instances in which science and Federal Government policy intersect.

Regulations put forward by the EPA impact all Americans, including my constituents in the East Valley of the Greater Phoenix area, the four cities of Chandler, Gilbert, Queen Creek, and Mesa. So it is imperative that the citizens of this country be able to see the data that underpin these rules. What is even more important is that the scientific community be able to scrutinize EPA data to ensure that the Agency is using the best available science, regardless of the administration.

Critics of the HONEST Act claim that scientific data underpinning EPA's regulations are already subject to the standards of peer review. While this may be true, peer review of scientific studies is not adequate because this process seldom involves a close scrutiny of the data used in these studies. Peer review rarely double-checks the analysis, and very rarely does it attempt to actually replicate the results of a study. Right now, we can only hope that the individuals conducting the science can be trusted with their results.

The EPA should promote the use of rigorous science, not questionable science. Those who say that peer review is adequate are misguided. The American people deserve better than that, and the HONEST Act ensures that their expectations are met.

Mr. Speaker, I urge my colleagues who are interested in an open and honest EPA to pass this legislation.

Again, I thank Chairman SMITH for bringing this legislation forward and giving me the opportunity to speak.

Mr. SMITH of Texas. Mr. Speaker, how much time remains on each side? And I would like to know if the other side, the minority, has any more speakers.

The SPEAKER pro tempore (Mr. LAMALFA). The gentleman from Texas has 8¾ minutes remaining, and the gentlewoman from Texas has 10½ minutes remaining.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Speaker, I have been standing here listening to this debate. Let's go back and think about this for just a minute.

Right now, in the United States, the cost of regulation in our Nation is approximately \$2 trillion; \$2 trillion is the cost that our Nation spends every year just complying with regulations. In fact, that distills down to the average household spending around \$15,000 just to comply with regulations.

Now, let me be clear. Regulations are important. We have got to have regulations to make sure we protect our environment, we protect the health and safety of our citizens. That is critical.

What this bill does is it simply provides for transparency so we can understand the basis of regulations. That is all this does: make sure that we can understand the science that regulations were based upon.

During a public comment process, we should have the ability to scrutinize that science to understand the basis. Because, Mr. Speaker, if you begin hiding the basis for decisions, then you have government, in many cases, acting without providing for transparency, without being able to be held accountable. That is dangerous to have people making decisions based upon secret information.

That is dangerous for our economy, and it is going to further challenge the ability of Americans to keep their budgets balanced. It is already \$15,000 per household. How many thousands does it have to be before we need to say: Stop. This is unreasonable?

Mr. Speaker, you look right now at the trade deficit of this country; you look at the cost of goods and products in other nations. In many cases, we are losing the trade war because our regulatory environment here, our tax environment here, is simply not competitive.

What happens in a scenario where you release the science you provide for transparency, you allow for better solutions. You allow for more efficient regulations, for better ways to achieve those objectives to improve our environment and protect our environment, to improve and protect the safety and health of workers and American citizens.

This bill is in America's interest. It is in the public interest. To listen to people stand here and talk about hiding and shielding science and making up red herrings about privacy and other things, that is absolutely contrary to this country's interests. It is contrary to the public's interest.

This bill should be passed. I am shocked that there is opposition to it, and we should pass this with unanimous support.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from

Arizona (Mr. SCHWEIKERT), a former member of the Science Committee, who is still missed, a former chairman of the Environment Subcommittee, and the author of a very similar bill to this in a previous Congress.

Mr. SCHWEIKERT. Mr. Speaker, look, I miss the Science Committee, and I know I have been banned, and I have had a lot of coffee today. I was going to come up to the microphone and sort of do the blast away, but let me back away.

A number of things I have heard in this debate from the left and even a couple of the things from my side, okay, you are conflating all sorts of things that this bill doesn't do. This bill is three pages.

So can I ask a question? If I came to you right now and said, "Tell me that the EPA actually has the right rule sets for hydrocarbons, if it has the right rule set for PM10, it has the right rule sets for ozone," you would say, "Well, I have a peer-reviewed study that says this." I want to make the argument, in today's technology, why shouldn't your university, why shouldn't the really smart person who has the computer system in their basement, why shouldn't the new statistical packages that are on these things be allowed to take the data the taxpayers have paid for and work it and model it and bounce it off other types of datasets and ask is the way we model and regulate rational?

This bill doesn't reduce regulations. In many ways, it allows us all to participate in the citizen science to understand whether we are doing it the right way.

Why is the left so scared of citizen scientists, of university scientists, of people who are just darned interested in the matching of different types of datasets?

You and I might find out we are doing things the wrong way. You and I might find out we are not doing enough. You and I may find out we are doing far too much. But stop being afraid of people having access to the information. If society is going to live under a regulatory environment, then society deserves access to the information that creates those regulations.

Public information for public policy, why is that so feared? Why is there so much trust in the bureaucracy instead of science and information?

I want to argue with you that, in today's world, when we are on the cusp, where sensors are going to be attached to this, taking thousands of readings in our communities, that that information is just as noble as something that is locked up in the cabinet where none of us can actually see the base datasets.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, since the time that President Nixon signed into law authorizing the EPA, it appears to me

that there has been no evidence that they have done anything other than attempt to protect the lives of the American people. I don't believe that this legislation is going to do anything to further that.

It will give them a lot of unfunded mandates, far more than what they would ever be funded to carry out. I would ask everyone to respect the Agency and vote "no" on the bill.

Mr. Speaker, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, costly environmental regulations should only be based upon data that is available to independent scientists and the public and that can be verified.

H.R. 1430, the HONEST Act, gives independent scientists an opportunity to validate the studies the EPA uses to make new regulations. What this bill does not do is roll back the laws that protect the air we breathe and the water we drink. It simply requires the EPA to base regulations on science that is publicly available.

This is a nonpartisan bill. A change in administration does not change the need or justification for it. This is the same bill, virtually, introduced in the last administration, and that is evidenced by my introduction of this good-government legislation with my Democratic colleague HENRY CUELLAR. That shows it is a good, bipartisan bill.

Mr. Speaker, I urge my colleagues to support this legislation and promote a more open and honest Federal Government. We should not be afraid of letting the American people see the data that the EPA or other agencies say justifies their regulations.

So let's vote for an open and honest government and support this legislation.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GRAVES of Louisiana). All time for debate has expired.

Pursuant to House Resolution 229, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1445

MOTION TO RECOMMIT

Mr. MCEACHIN. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MCEACHIN. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. McEachin moves to recommit the bill H.R. 1430 to the Committee on Science,

Space, and Technology with instructions to report the same back to the House forthwith, with the following amendment:

At the end of the bill, add the following:

SEC. 3. EXCEPTION.

Notwithstanding the amendment made by section 2, the Administrator of the Environmental Protection Agency shall, in carrying out the activities described in that amendment, make use of the best available science, whether or not it is publicly available in any form, when responding to threats to public health, including black lung disease and asthma, caused by or exacerbated by exposure to pollution or toxic chemicals.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia is recognized for 5 minutes in support of his motion.

Mr. MCEACHIN. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, my amendment is simple. It ensures that the EPA continues to use the best available science to respond to threats to public health, including black lung and asthma, caused by or exacerbated by exposure to pollution or toxic chemicals.

This motion to recommit reverses harmful restrictions imposed by this bill that make it almost impossible to base public protections on the best available scientific information, much of which is private or proprietary and cannot always be published.

In its current form, Mr. Speaker, this bill, the so-called Honest and Open New EPA Science Treatment Act, seriously impedes the EPA's ability to protect the American public from pollutants, toxins, and other dangerous threats to their well-being.

The true intention of this bill is not to increase transparency in policymaking but, rather, to bar scientists and civil servants from enforcing the intent of bedrock protections in the Clean Air Act, the Clean Water Act, and other important laws.

If this "secret science" bill passes in its current form, the EPA's work will grind to a halt and countless Americans will suffer or even die as a result. Hardworking miners, whose work and contributions have been overly politicized in the debate to keep access to science, are the greatest at risk. Generations of miners toil dutifully to support their families, all the while exposing themselves to toxicity and pollution that can leave them with lifelong debilitating diseases, such as black lung and asthma.

Families who will struggle from the costs to treat these expensive diseases and from loss of income due to days missed from work do not need more obstruction or political football. They need access to the best care available, which relies upon evidence-based science. They deserve far better than what the majority is offering.

Mr. Speaker, I came to Congress with a mission to uphold the values and principles of the great constituents living in Virginia's Fourth Congressional District. I believe that includes advocating for the health of all Americans. That means advocating for sound science and reasonable policies. It means rejecting dangerous, short-sighted, and an astonishingly hard-hearted piece of legislation that is currently before you.

Mr. Speaker, science is the bedrock of sound medical and public health decisionmaking. EPA's science-based decisionmaking process has saved lives and led to the dramatic improvements in the quality of the air we breathe, the water we drink, and the Earth we share.

All Americans have benefited from the research-based scientific advice that scientists have provided the EPA, and that is why I urge my colleagues to support my motion to recommit.

Mr. Speaker, I yield back the balance of my time.

Mr. SCHWEIKERT. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Arizona is recognized for 5 minutes.

Mr. SCHWEIKERT. Mr. Speaker, I don't really know the gentleman from Virginia, but you can hear in the tone of his voice he is truly well-meaning and cares about his State and his population.

If you actually read this motion to recommit, things in here, such as best available science, are obvious. If you actually read the three pages of the legislation, that is the obvious part. For many of us—and being sort of the original previous generation author of the bill—that was our goal.

But does anyone see sort of the intellectual duplicity when, on one hand, you say proprietary science, and then—the best available science, but other science can't test, stress, analyze, bounce, conflate, model the proprietary science, because it is proprietary, with the best available and other datasets?

You can't have both. If you are going to try to make public policy in a world with functionally secret, proprietary science data that is sold—actually, let's be brutally honest here for a moment. This stuff is sold to the EPA.

One of the reasons some of the groups that have been listed off oppose this legislation is they make money selling the data, and then they make it so you can't actually look at the datasets underneath and test it.

How does that lead us to knowing that we are taking care of our brothers and sisters out there? How does that lead us to actually knowing we are doing it the best possible, most rational way and that our rules, our mechanics are correct?

On your motion to recommit, I am a severe asthmatic. I have had it since I

was an infant. I am one of those people who wakes up every day and takes a hit of my inhaler to make sure my lungs are okay. In the back room, I have an emergency inhaler. I know what it is like to live with asthma.

I care tremendously about the science, but I also want there to be vigorous debate. I want there to be all sorts of research. I want there to be this sort of crowd-sourced world where science and data are competing with each other and being modeled together; and living in a world where we trust the bureaucracy, where we trust proprietary, secret information to make our rule sets.

I don't know how anyone, intellectually, can get to the point of thinking that is making our society healthier and that we are actually doing it in the most efficient manner possible.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. MCEACHIN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 52 minutes p.m.), the House stood in recess.

□ 1620

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DUNCAN of Tennessee) at 4 o'clock and 20 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Adoption of the motion to recommit on H.R. 1430; and

Passage of H.R. 1430, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

HONEST AND OPEN NEW EPA SCIENCE TREATMENT ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on the motion to recommit on the bill (H.R. 1430) to prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible, offered by the gentleman from Virginia (Mr. MCEACHIN), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to recommit.

The vote was taken by electronic device, and there were—yeas 189, nays 232, not voting 8, as follows:

[Roll No. 205]

YEAS—189

Adams	Gabbard	Neal
Agullar	Galleo	Nolan
Barragán	Garamendi	Norcross
Bass	Gonzalez (TX)	O'Halleran
Beatty	Gottheimer	O'Rourke
Bera	Green, Al	Pallone
Beyer	Green, Gene	Panetta
Bishop (GA)	Grijalva	Pascarell
Blumenauer	Gutiérrez	Pelosi
Blunt Rochester	Hanabusa	Perlmutter
Bonamici	Hastings	Peters
Boyle, Brendan F.	Heck	Peterson
Brady (PA)	Higgins (NY)	Pingree
Brown (MD)	Himes	Pocan
Brownley (CA)	Hoyer	Polis
Bustos	Huffman	Price (NC)
Butterfield	Jackson Lee	Quigley
Capuano	Jayapal	Raskin
Carbajal	Jeffries	Rice (NY)
Cárdenas	Johnson (GA)	Richmond
Cartwright	Johnson, E. B.	Rosen
Castor (FL)	Jones	Roybal-Allard
Castro (TX)	Kaptur	Ruiz
Chu, Judy	Keating	Ruppersberger
Cicilline	Kelly (IL)	Ryan (OH)
Clark (MA)	Kennedy	Sánchez
Clarke (NY)	Khanna	Sarbanes
Clay	Kihuen	Schakowsky
Cleaver	Kildee	Schiff
Clyburn	Kilmer	Schneider
Cohen	Kind	Schrader
Connolly	Krishnamoorthi	Scott (VA)
Conyers	Kuster (NH)	Scott, David
Cooper	Langevin	Serrano
Correa	Larsen (WA)	Sewell (AL)
Costa	Larson (CT)	Shea-Porter
Courtney	Lawrence	Sherman
Crist	Lawson (FL)	Sinema
Crowley	Lee	Sires
Cuellar	Levin	Smith (WA)
Cummings	Lewis (GA)	Soto
Davis (CA)	Lieu, Ted	Speier
Davis, Danny	Lipinski	Suozzi
DeFazio	Loeb sack	Swalwell (CA)
DeGette	Lofgren	Takano
Delaney	Lowenthal	Thompson (CA)
DeLauro	Lowe y	Thompson (MS)
DelBene	Lujan Grisham, M.	Titus
Demings	Luján, Ben Ray	Tonko
DeSaulnier	Lynch	Torres
Deutch	Maloney,	Tsongas
Dingell	Carolyn B.	Vargas
Doggett	Maloney, Sean	Veasey
Doyle, Michael F.	Matsui	Vela
Ellison	McCollum	Velázquez
Engel	McEachin	Visclosky
Eshoo	McGovern	Walz
Espallat	McNerney	Wasserman
Esty	Meeks	Schultz
Evans	Meng	Waters, Maxine
Foster	Moulton	Watson Coleman
Frankel (FL)	Murphy (FL)	Welch
Fudge	Nadler	Wilson (FL)
	Napolitano	Yarmuth

Abraham	Goodlatte	Olson
Aderholt	Gosar	Palazzo
Allen	Gowdy	Palmer
Amash	Granger	Paulsen
Amodel	Graves (GA)	Pearce
Arrington	Graves (LA)	Perry
Babin	Graves (MO)	Pittenger
Bacon	Griffith	Poe (TX)
Banks (IN)	Grothman	Poliquin
Barletta	Guthrie	Posey
Barr	Harper	Ratcliffe
Barton	Harris	Reed
Bergman	Hartzler	Reichert
Biggs	Hensarling	Renacci
Bilirakis	Herrera Beutler	Rice (SC)
Bishop (MI)	Hice, Jody B.	Roby
Bishop (UT)	Higgins (LA)	Roe (TN)
Black	Hill	Rogers (AL)
Blackburn	Holding	Rogers (KY)
Blum	Hollingsworth	Rohrabacher
Bost	Hudson	Rokita
Brady (TX)	Huizenga	Rooney, Francis
Brat	Hultgren	Rooney, Thomas J.
Bridenstine	Hunter	Ros-Lehtinen
Brooks (AL)	Hurd	Ross
Brooks (IN)	Issa	Rothfus
Buchanan	Jenkins (KS)	Rouzer
Buck	Jenkins (WV)	Royce (CA)
Bucshon	Johnson (LA)	Russell
Budd	Johnson (OH)	Rutherford
Burgess	Johnson, Sam	Sanford
Byrne	Jordan	Scalise
Calvert	Joyce (OH)	Schweikert
Carter (GA)	Katko	Scott, Austin
Carter (TX)	Kelly (MS)	Sensenbrenner
Chabot	Kelly (PA)	Sessions
Chaffetz	King (IA)	Shimkus
Cheney	King (NY)	Shuster
Coffman	Kinzing	Simpson
Cole	Knight	Smith (MO)
Collins (GA)	Kustoff (TN)	Smith (NE)
Collins (NY)	Labrador	Smith (NJ)
Comer	LaHood	Smith (TX)
Comstock	LaMalfa	Smucker
Conaway	Lamborn	Stefanik
Cook	Lance	Stewart
Costello (PA)	Latta	Stivers
Cramer	Lewis (MN)	Taylor
Crawford	LoBiondo	Tenney
Culberson	Long	Thompson (PA)
Curbelo (FL)	Loudermilk	Thornberry
Davidson	Love	Tiberi
Davis, Rodney	Lucas	Tipton
Denham	Luetkemeyer	Trott
Dent	MacArthur	Turner
DeSantis	Marchant	Upton
DesJarlais	Marshall	Valadao
Diaz-Balart	Massie	Wagner
Donovan	Mast	Walberg
Duncan (SC)	McCarthy	Walden
Duncan (TN)	McCaul	Walker
Dunn	McClintock	Walorski
Emmer	McHenry	Walters, Mimi
Farenthold	McKinley	Weber (TX)
Faso	McMorris	Webster (FL)
Ferguson	Rodgers	Wenstrup
Fitzpatrick	McSally	Westerman
Fleischmann	Meadows	Williams
Flores	Meehan	Wilson (SC)
Fortenberry	Messer	Wittman
Fox	Mitchell	Womack
Franks (AZ)	Moolenaar	Woodall
Frelinghuysen	Mooney (WV)	Yoder
Gaetz	Mullin	Yoho
Gallagher	Murphy (PA)	Young (IA)
Garrett	Newhouse	Zeldin
Gibbs	Noem	
Gohmert	Nunes	

NOT VOTING—8

Carson (IN)	Moore	Slaughter
Duffy	Payne	Young (AK)
Marino	Rush	

□ 1645

Messrs. BISHOP of Michigan, GRAVES of Georgia, MITCHELL, LOUDERMILK, BUDD, HUNTER, BROOKS of Alabama, ROHRABACHER, WITTMAN, PALAZZO, WALDEN, and THOMAS J. ROONEY of Florida

changed their vote from “yea” to “nay.”

Ms. MCCOLLUM, Messrs. CORREA, NORCROSS, AL GREEN of Texas, and DOGETT changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. MOORE. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 205.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 228, noes 194, not voting 7, as follows:

[Roll No. 206]

AYES—228

Abraham	DeSantis	Katko
Aderholt	DesJarlais	Kelly (MS)
Allen	Diaz-Balart	Kelly (PA)
Amash	Donovan	King (IA)
Amodei	Duncan (SC)	King (NY)
Arrington	Duncan (TN)	Kinzinger
Babin	Dunn	Knight
Bacon	Emmer	Kustoff (TN)
Banks (IN)	Farenthold	Labrador
Barletta	Ferguson	LaHood
Barr	Fleischmann	LaMalfa
Barton	Flores	Lamborn
Bergman	Fortenberry	Lance
Biggs	Fox	Latta
Bilirakis	Franks (AZ)	Lewis (MN)
Bishop (MI)	Frelinghuysen	LoBiondo
Bishop (UT)	Gaetz	Long
Black	Gallagher	Loudermilk
Blackburn	Garrett	Love
Blum	Gibbs	Lucas
Bost	Gohmert	Luetkemeyer
Brady (TX)	Goodlatte	MacArthur
Brat	Gosar	Marshall
Bridenstine	Gowdy	Massie
Brooks (AL)	Granger	Mast
Brooks (IN)	Graves (GA)	McCarthy
Buchanan	Graves (LA)	McCaul
Buck	Graves (MO)	McClintock
Bucshon	Griffith	McHenry
Budd	Grothman	McKinley
Burgess	Guthrie	McMorris
Byrne	Harper	Rodgers
Calvert	Harris	McSally
Carter (GA)	Hartzer	Meadows
Carter (TX)	Hensarling	Meehan
Chabot	Herrera Beutler	Messer
Chaffetz	Hice, Jody B.	Mitchell
Cheney	Higgins (LA)	Moolenaar
Coffman	Hill	Mooney (WV)
Cole	Holding	Mullin
Collins (GA)	Hollingsworth	Murphy (PA)
Collins (NY)	Hudson	Newhouse
Comer	Huizenga	Noem
Comstock	Hultgren	Nunes
Conaway	Hunter	Olson
Cook	Hurd	Palazzo
Costa	Issa	Palmer
Cramer	Jenkins (KS)	Paulsen
Crawford	Jenkins (WV)	Pearce
Cuellar	Johnson (LA)	Perry
Culberson	Johnson (OH)	Peterson
Davidson	Johnson, Sam	Pittenger
Davis, Rodney	Jones	Poe (TX)
Denham	Jordan	Poliquin
Dent	Joyce (OH)	Posey

Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Scalise

Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stewart
Stivers
Taylor
Tennet
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner

Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Zeldin

NOT VOTING—7

Duffy
Marchant
Marino

Payne
Rush
Young (AK)
Slaughter

□ 1654

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. DUFFY. Madam Speaker, on March 29, 2017, on rollcall No. 203 on ordering the previous question, I am not recorded. Had I been present, I would have voted “aye.”

On rollcall No. 204 on agreeing to the resolution, H. Res. 233, providing for consideration of H.R. 1431, I am not recorded. Had I been present, I would have voted “aye.”

On rollcall No. 205 on motion to recommit with instructions, I am not recorded. Had I been present, I would have voted “nay.”

On rollcall No. 206 on final passage of H.R. 1431, I am not recorded. Had I been present, I would have voted “aye” on final passage of H.R. 1431.

HOOR OF MEETING ON TOMORROW

Mr. SMITH of Texas. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore (Ms. TENNEY). Is there objection to the request of the gentleman from Texas?

There was no objection.

PERSONAL EXPLANATION

Mr. TONKO. Madam Speaker, during yesterday evening's vote series, I was present on the House floor. However, my vote was not recorded on rollcall No. 202, due to a technical malfunction. Had I been recorded, I would have voted “no” on S.J. Res. 34.

NATIONAL VIETNAM WAR VETERANS DAY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to honor the first official National Vietnam War Veterans Day. Just yesterday, President Trump signed a bill into law permanently designating March 29 as the day we honor our Vietnam veterans.

Madam Speaker, in many instances, our Vietnam veterans often did not receive a warm welcome home when they returned from war. This is a small step toward giving these brave men and women the recognition they deserve.

It was on this day in 1973 that the last combat troops were ordered out of Vietnam. Forty-four years later, the House and Senate unanimously approved this Federal statute recognizing and honoring our Vietnam veterans

Adams
Aguilar
Barragan
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownlee (CA)
Bustos
Butterfield
Capuano
Carbajal
Cardenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costello (PA)
Courtney
Crist
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutsch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espallat
Esty
Evans
Faso
Fitzpatrick
Foster
Frankel (FL)

NOES—194

Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe
Lujan Grisham, M.
Lujan, Ben Ray
Lynch
Maloney
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal

Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarelli
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sanford
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Soto
Speier
Stefanik
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

who answered the Nation's call and served with honor and distinction.

This effort began in Pennsylvania as the brainchild of Sergeant Harold Redding, a Vietnam veteran from York, Pennsylvania. Pennsylvania's own Senator PAT TOOMEY led the charge to make this day a reality.

Madam Speaker, we all know someone who served in Vietnam. Those veterans are our friends, our family, our neighbors. Thank you to all of our Vietnam veterans. May God bless you on this National Vietnam War Veterans Day.

HONORING MAUREEN "MO" GILMAN

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Madam Speaker, I rise to honor a dear friend, Maureen "Mo" Gilman, who retired on March 17 as the legislative director of the National Treasury Employees Union.

Mo served NTEU with great ability for 31 years after working in this House for former Representatives Sam Gejdenson of Connecticut and Chris Dodd, also of Connecticut.

NTEU represents approximately 150,000 Federal employees working in 31 Federal agencies. Mo has been tireless in the effort to ensure that Federal civilian employees receive the pay, benefits, and workplace protections they deserve. Mo spent a considerable part of her years at NTEU educating Congress and administrations about the important work Federal servants carry out.

At a time when some in Congress and in the current administration are denigrating Federal civil servants, threatening to reduce their pay and benefits and deeply cut the budgets of agencies for which they work, I am more than a little sad to see Mo retire. But as she does, Madam Speaker, I am certain that Mo will keep inspiring us all to continue the fight with the same resolve that she showed every day of her career.

I hope my colleagues will join me, Madam Speaker, in wishing Mo Gilman well and thanking her for her extraordinary work on behalf of our country.

MORE RESOURCES ARE NEEDED TO SECURE OUR BORDER

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Madam Speaker, foreign national Tommy Alvarado-Ventura has a string of arrests to his name, including assault, impersonation, drunk driving, and contempt of court. Not to mention that he has been deported four times. And, oh, yes, Madam Speaker, he is an MS-13 gang member.

Despite being deported four times, he made his way back to America. This time, he stabbed a woman in a parking lot. Then he went to a house only to sexually assault a 2-year-old. When his girlfriend saw the bruises on the child, he stabbed her as well. Eventually, NYPD arrested him.

Madam Speaker, our porous border is not secure. Foreign criminals who violently assault and rape women and children in the United States keep coming back to America. Border officials are doing the best they can do with what they have.

But the message is clear: they need more to secure our border. Washington must send more resources, boots on the ground, aerostats, and military equipment, if necessary, to establish a virtual border wall against outlaws like Alvarado-Ventura.

And that is just the way it is.

HEALTH CARE IS NOT EASY, BUT IT IS ESSENTIAL

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Madam Speaker, \$880 billion cut from the insurance of hardworking, low-income families; \$600 billion going to the top 1 percent of the richest people in America. Those were the singular features of the TrumpCare bill: not caring for any one of you, but simply taking away and providing for the rich.

Health care in my district and in America is very serious. I heard the testimony for many years of mothers who had autistic children or children with severe disorders, or visited nursing homes where elderly who had worked were there on Medicaid, or maybe heard the pleas of cancer survivors who would not have lived but for the Affordable Care Act and having insurance.

This is nothing to play with. Any suggestion that health care is easy, Mr. Trump, or that we can get together with the moderates is not a direction to go. If you are serious, we are serious. But we are serious about people whose lives are in jeopardy, and we are serious about providing access and health care to all of America, including our rural hospitals and our children's hospitals, who beg for us not to pass TrumpCare.

We are prepared to work on behalf of the American people. Health care is not easy, but it is essential, it is life-saving. I want to be on the side of saving lives of all Americans. It is not easy and it is not something to fool around with.

HONORING LIEUTENANT FREDERICK DELLECKER

(Mr. YOHO asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. YOHO. Madam Speaker, I rise today to honor the loss of a Floridian, a patriot, and one of the Air Force's finest.

Two weeks ago, three servicemembers were lost in a crash of a reconnaissance and surveillance plane in New Mexico. These young men were not just servicemembers serving in our United States Air Force; they were sons, brothers, husbands, and fathers.

In particular, Florida's own Lieutenant Frederick Dellecker, a dedicated first lieutenant, had a long and promising career ahead of him. Lieutenant Dellecker was 26 and known amongst his friends for his legendary humor.

As a veterinarian, I was particularly touched by Lieutenant Dellecker's love of animals. His friends and family recently revealed that, while in pilot training, Lieutenant Dellecker once shared a hotdog with a flea-bitten stray who had just delivered a litter of puppies and was starving. He ended up taking her in and giving her a second chance at a new life.

I would like to take a moment on behalf of all Americans and all of the Members here today to thank him and his family for their service.

Lieutenant Frederick Dellecker, your name will not be forgotten.

CHAIRMAN OF HOUSE INTELLIGENCE COMMITTEE SHOULD DO THE RIGHT THING AND RECUSE HIMSELF

(Mr. BRENDAN F. BOYLE of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRENDAN F. BOYLE of Pennsylvania. Madam Speaker, I am someone who believes in this institution. So, Madam Speaker, this week, to me, has been an embarrassment. It is an embarrassment that we here in the House can't have a real, genuine bipartisan investigation by our Intelligence Committee.

Fortunately, this afternoon, the chairman and ranking member—one Democrat and one Republican—of the Senate Intelligence Committee have signaled in a joint press conference that they are interested in having a real investigation.

Wouldn't it be nice if the House of Representatives would do the same?

Madam Speaker, it gives me no pleasure to say this, but the chairman of our House Intelligence Committee has acted in a way that makes a real investigation in our House impossible. He should do the right thing and recuse himself, and this House should join the Senate in having a real investigation.

CONGRATULATING AND HONORING ANGELINA M. PENNISI STEINER

(Mr. GAETZ asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. GAETZ. Madam Speaker, I come from the State of Florida, where we have many of our citizens who live in nursing homes. Despite the views of some, those residents can live remarkable, productive, and fulfilling lives.

One such resident is Angelina Steiner. Mrs. Steiner lives in the Plant City Senior Center. She shares her talents in weekly poetry readings. She became a member of the Florida Writers Association. In 2014, she published her first book: "Chasing Dreams." Now, her second book: "Beautiful Words Coming My Way" is being published and archived in the Library of Congress.

A loving wife and a mother of four children, Mrs. Steiner is inspired by everyday events. She has the talent to paint beautiful pictures through her poetry, and I am incredibly proud of her.

RECOGNIZING SOCIAL SCIENTISTS FROM THE CONSORTIUM OF SOCIAL SCIENCE ASSOCIATIONS

(Mr. LIPINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIPINSKI. Madam Speaker, I want to recognize the 80 social scientists from the Consortium of Social Science Associations, who are visiting Washington, D.C., today, and to thank them for their hard work keeping our STEM enterprise strong.

They are here to highlight the value of social science research to the Nation, and to support funding for the social, behavioral, and economic sciences in the National Science Foundation budget.

Social science research has provided us with numerous benefits. Some of these include: strengthening cybersecurity by showing us how changes in behavior can eliminate cyber vulnerabilities; making our soldiers safer by working with the Army to improve its cross-cultural training; and saving lives by improving the system of matching kidney donors with patients.

Madam Speaker, we must have strong Federal funding for social science research. Cuts would make America weaker, not greater.

I urge my colleagues to oppose any cuts to social science funding in the NSF budget.

PUTTING ACCOUNTABILITY BACK ON THE EPA

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Madam Speaker, tonight I rise to commend the House for passing H.R. 1430, what is known as the

HONEST Act. This would put more of the onus on to the Environmental Protection Agency, sometimes known as the employment prevention agency, to disclose where they get their science or where they get their reasoning when they are going to make a regulation upon the people that produce in this country.

My own constituents have suffered from that in my district in northern California, where arbitrary rules are put in place without even the opportunity to face their accuser of what kind of science they are using or what kind of reasoning they are using to put a regulation in place that they have to fight, and fight sometimes for many years, in order to have the opportunity just to use their land, just to use their land for planting crops or for grazing or for other things that would help them with their livelihood, with their economy, like they have been using for so many years, even decades, in their families.

The HONEST Act will put accountability back on the EPA to say you have to come forward with reasoning, with logic, and with science that is publicly available and not hidden from the public so that we can see what you are using to regulate the people.

TRUMP ADMINISTRATION'S TIES WITH RUSSIA

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Madam Speaker, I rise today to continue the call for an independent commission to investigate the President's ties with Russia.

Congress has the responsibility to ensure we investigate these matters appropriately. We must provide the American people with answers, transparency, and accountability. We know that there are issues with the House Intelligence Committee on the Republican side, so it is time that we ask for an independent commission to take the lead.

Let's be honest, at the end of the day, you are the company you keep. So far, President Trump's team has included a national security adviser who was paid by Russian companies to appear at Russian events, a former campaign manager who had a multimillion-dollar contract to advance Putin's agenda, and now we have the issues again with the Republican side of the Intelligence Committee to cover up tracks left by the Trump administration.

As we further untangle the web created by Trump and his team, it is clear that some Republicans are fearful of what potential investigations may reveal. The American people deserve answers.

BUCKLEY V. VALEO REINTRODUCTION

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Madam Speaker, I rise today to introduce a resolution: Expressing the sense of Congress that the Supreme Court misinterpreted the First Amendment to the Constitution in the case of Buckley v. Valeo.

This resolution will restore equal footing to all Americans in our Nation's politics.

The landmark Supreme Court case Buckley v. Valeo was decided over 40 years ago. Then-Justice Byron White called the decision "a mortal danger against which effective preventive and curative steps must be taken."

In the wake of the recent Presidential election where spending approached \$5 billion, we clearly see the influence of big money. That money exerts an inordinate amount of influence over our politics. True to form, it appears to have endowed donors with an unusually high number of Cabinet positions in the Trump administration. Over one-third of President Trump's high-level government posts were awarded to megacampaign donors.

Congress must end the current practice of allowing elections to be bought by the highest bidder. If money equals free speech, then lack of money equals lack of free speech.

We must ensure that our campaigns are reflective of the people's voices. Buckley v. Valeo took away this inviolate First Amendment right from the people, and this resolution is the remedy to restore it.

□ 1715

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.J. RES. 17

Mr. SANFORD. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor from H.J. Res. 17.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

QUESTIONING THE RUSSIAN CONNECTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Maryland (Mr. RASKIN) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. RASKIN. Madam Speaker, I ask unanimous consent that all Members

have five legislative days to revise and extend their remarks and include extraneous materials on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. RASKIN. Madam Speaker, with my colleague PRAMILA JAYAPAL, from the State of Washington, on behalf of the Progressive Caucus, we are taking this Special Order hour to focus on the question of the Russian connection.

This is a matter of utmost seriousness and urgency to the American people because it goes to the question of our national security and the political sovereignty of the American people to engage in democracy on our own without foreign interference, subversion, and sabotage.

Madam Speaker, I yield to the gentlewoman from California (Ms. MAXINE WATERS), the distinguished Congresswoman.

Ms. MAXINE WATERS of California. Madam Speaker, I would like to thank Congressman RASKIN for organizing this time, for helping to keep this Congress focused on this extraordinary chain of events that is taking place in our country, and for drawing attention to what should be a credible investigation about the ties between this President and Vladimir Putin and the Kremlin.

Why is this President so focused on complimenting Putin?

Why has he wrapped his arms around him?

Why has he said he is a great President?

Why does he refuse to even talk about the fact that Putin has invaded Crimea?

Why does he refuse to understand what is being said when Putin is charged to be a killer and all of the deaths that are taking place from opponents of his, from people who criticize him?

Well, I think the more we learn about the connections that this President and his allies have, the more these questions are going to become very serious, and it is going to lead us to have to make some big decisions about whether or not this President is fit to lead the United States of America.

I have been deeply concerned about these issues for months. President Trump, throughout his campaign and since his election, has chosen to surround himself with people who have close ties with Russia.

When our intelligence agencies announced their conclusion that Russia interfered in our elections, I called for an investigation focusing on the possibility of collusion between Trump's "Kremlin Klan," that I have dubbed them, and the Russian Government. I introduced H. Con. Res. 15, urging Congress to investigate the possibility of

collusion between Russia and the Trump campaign. Investigations should focus on the Kremlin Klan.

Let's talk about some of those allies and folks who are aligned with Trump and with Russia:

Michael Flynn, who was fired from the NSC after lying about discussing sanctions with Russian Ambassador Kislyak.

Paul Manafort, Trump's former campaign manager, was a paid lobbyist for Viktor Yanukovich, the pro-Russian politician in Ukraine who fled to Russia in 2014. AP reports Manafort signed a \$10 million contract in 2006, with Russian billionaire and Putin ally Oleg Deripaska, to advance Putin's interest in the United States. The New York Times also reports Manafort tried to hide \$750,000 in payments from a pro-Russian party in Ukraine.

Carter Page, a former Trump campaign adviser, is a consultant to and investor in the Kremlin state-run gas company, Gazprom, and has a direct financial interest in ending American sanctions against the company. He recently revealed that he met with Russian Ambassador Sergey Kislyak, during the 2016 RNC.

And then there is Roger Stone, who has worked in Ukraine. Stone announced, in a speech last summer, that he had spoken to WikiLeaks founder Julian Assange. Stone also disclosed to the press that he had been exchanging messages with Guccifer 2.0, the Russian hacker that hacked the DNC last summer.

And then-Secretary of Commerce Wilbur Ross was a business partner of Viktor Vekselberg, a Russian oligarch and Putin ally, in a major financial project involving the Bank of Cyprus.

Secretary of State Rex Tillerson signed a multibillion-dollar agreement with Russia in 2011, on behalf of Exxon, for an oil drilling project in the Arctic and is focused on lifting the sanctions.

The New York Times reported that, prior to his resignation, Mike Flynn was delivered a proposal outlining a way for President Trump to lift the Russian sanctions and broker a deal between Russia and Ukraine that also included the public smearing of Ukraine's current President Poroshenko. The deal is being pushed by his opposition in Ukraine. Although Mike Flynn is gone, the proposal remains, along with those pushing it.

Then there is Michael Cohen, the President's personal lawyer, who was involved in developing the document, and who delivered the document.

Then there is Felix H. Sater, a business associate and a former criminal who served time, who reportedly had ties with the Mafia, who helped Mr. Trump scout deals in Russia.

And then there is Andriy Artemenko, a Ukrainian lawmaker trying to rise in a political opposition movement, shaped in part by Mr. Trump's former campaign manager, Paul Manafort.

And of course, there is our Attorney General Jeff Sessions, who was forced to recuse himself from investigations related to the 2016 Presidential campaign, after it was revealed that he met with Russian Ambassador Sergey Kislyak on two separate occasions during the campaign cycle, information which he failed to disclose during his confirmation hearings. Kislyak is the same Ambassador with whom Mike Flynn discussed U.S. sanctions, and, by the way, he lied about it.

It has now been revealed that Russian Ambassador Sergey Kislyak met with the following Trump associates: Carter Page, Jeff Sessions, Mike Flynn, and Jared Kushner, in December 2016, in Trump Tower, during the transition. None of these meetings were made public and were only discovered after the press released reports.

Before the press reporting on the meetings above, the Trump administration had repeatedly denied its campaign had contact and communication with Russian officials. The press has noted that the meetings are not unusual but that public concern is heightened because they have all lied about or failed to disclose the meetings.

Deutsche Bank was ordered to pay more than \$600 million in fines, including a \$425 million fine to New York's Department of Financial Services and a \$204 million fine to the U.K.'s Financial Conduct Authority for failing to have adequate money laundering controls in place to prevent a group of corrupt traders from improperly and secretly transferring more than \$10 billion out of Russia. Press reports indicate that the Department of Justice is investigating this matter. Deutsche Bank is Trump's largest lender, lending his companies an estimated \$360 million.

As to oil and gas, President Trump signed last month a bill striking section 1504 of the Dodd-Frank Wall Street Reform Act which required Big Oil companies to disclose the money they pay to foreign governments to drill on their lands. Striking section 1504 will allow Big Oil companies like ExxonMobil to conduct secretive dealings with corrupt parties, such as Vladimir Putin and Russia.

The White House attempted to enlist the FBI, the CIA Director Pompeo, and top Republicans on the House and Senate intel committees to help push back against The New York Times reporting on Trump's ties to Russia.

There is DEVIN NUNES—I don't need to talk about him. He issued a joint statement with ADAM SCHIFF, a joint statement in January announcing that the scope of their investigation would include links between Russia and individuals associated with political campaigns.

FBI Director James Comey announced on March 20, during testimony before the House Intelligence Committee, that the FBI is investigating

whether members of President Trump's campaign colluded with Russia to influence the 2016 election.

DEVIN NUNES announced to the press that members of Trump's transition team were under incidental surveillance by U.S. intelligence agencies after the election and briefed President Trump on March 22. However, he did not brief ADAM SCHIFF or other House Intelligence Committee members, and he never revealed his source. DEVIN NUNES has clearly compromised the investigation and can no longer be trusted to lead it.

In conclusion, Congress must create a comprehensive, independent, bipartisan commission to expose the full truth of Trump's ties to Russia. I believe that, once we have fully investigated Trump's Kremlin Klan, we will find that there was collusion between President Trump and Russia to violate the integrity of our elections.

At that point, the Republicans in Congress will have no choice but to put country ahead of party. I say impeach Donald Trump.

I thank you so much, as we witness what attempts to be a coverup now about all of this.

Mr. RASKIN. Madam Speaker, I want to thank Ms. WATERS for her zealous work on behalf of her constituents and all Americans.

Madam Speaker, I yield to the gentleman from New York (Mr. NADLER), our distinguished colleague, who is a leading member of the House Judiciary Committee.

Mr. NADLER. Madam Speaker, there is an obvious cancer at the heart of the credibility, perhaps even of the legitimacy, of the Trump administration. That cancer consists of questions pertaining to the relationship of this administration with Russia.

We know that the Russians intervened in the last election with the goal of advantaging Trump's campaign over Hillary Clinton. We know that there were numerous Trump campaign transition team and administration officials in contact with the Russians—prior to, during, and after the campaign.

We know that there is a pattern of these individuals at first denying such contacts but later, after being forced to come clean, admitting them.

Examples to date include: former National Security Adviser Michael Flynn, Attorney General Jeff Sessions, and Roger Stone, who admitted that he was in contact with Guccifer 2.0, the hacker that the CIA says is a Russian front for military intelligence.

We know that the Attorney General gave false testimony, deliberate or otherwise, to the Senate regarding meetings with Russian officials.

We know that President Trump has financial ties with Russia. Although he denies it, we now know that there are large Russian investments in The

Trump Organization. The President's son, Donald Trump, Jr., said a few years ago that money was "flowing in" from Russia. That obviously can have a major influence on the President and on the decisions of his administration.

We know that there was a change in the Republican platform dealing with Ukraine to favor Russia, a change that was engineered by the Trump campaign.

We even know who in the Trump campaign gave the instruction to make this change.

We know that there is an ongoing criminal investigation by the FBI of possible collusion by the Trump campaign in the admitted Russian intervention in the attempt by Russia to subvert the 2016 Presidential campaign.

Knowing all this, it is impossible to ignore or to dismiss questions concerning the credibility of the administration, and, certainly, we must ask questions regarding its legitimacy as well, if there is persuasive evidence that crimes were committed in colluding with Russia to subvert the election.

□ 1730

We have a duty to resolve this question, to get answers, to pursue the truth, and to remove any cancer that we may find.

A few weeks ago, the Judiciary Committee considered a resolution of inquiry that I introduced dealing with a number of issues, including the President's conflicts of interests, his possible violations of the Constitution's Emoluments Clause, and any information about possible criminal or counterintelligence investigations related to the President and/or his associates. Yet, to date, the Republicans have opposed our amendments and voted down our resolutions of inquiry, in effect, abdicating their constitutional obligation to provide oversight and enforce the law.

Now we have the spectacle of the chairman of the House Intelligence Committee conducting an obvious coverup, failing to share important information with members of the committee—information, I would add, that revealed President Trump's allegations against former President Obama as completely false—while inappropriately briefing people at the White House on the committee's investigation, the very same people who are the subjects of the investigation.

This is so absurd, so inappropriate, and beyond belief that it is tough to accept the reality of the situation. Sadly, this isn't a television drama we can turn off or walk away from. The integrity of our democratic system of government is at stake.

What we need is honesty. The American people must have faith in the integrity of our government, and it is our job to ensure it. It is time for answers.

If there is no evidence of misconduct, then we should move on. But if the truth reveals a conspiracy, if there is proof of criminal conduct, Donald Trump must be held accountable, and the people around him must be held accountable, and we must act.

There is no superior way to get at the truth and to fulfill our duty to the people of this country than to have an independent investigatory commission established beyond any partisan control. So I urge that that be done so that the people of this country can have confidence once again in their government.

Mr. RASKIN. Mr. Speaker, I yield to my colleague from Washington State (Ms. JAYAPAL), who is the co-convenor of the Progressive Caucus Special Order along with me.

Ms. JAYAPAL. Mr. Speaker, I thank my colleague, Mr. RASKIN of Maryland, for his incredible leadership and for the opportunity to continue to lead the Special Order hour for the Progressive Caucus here every week. And every week we do try to pick a different topic.

For those of you in the audience, we pick a different topic, and this evening that topic is the ties to Russia of this administration.

Yesterday, Sean Spicer told veteran White House correspondent April Ryan that she was "going to have to take 'no' for an answer" when she asked him about the President's collusion with Russia.

Well, Mr. Spicer, we are here to tell you that we will not just take "no" for an answer. We are not going to sit back and believe everything that is coming out from the White House when there is mounting evidence that President Trump's campaign may have colluded with Russia to tip the election in his favor.

And for those of you who saw the Judiciary Committee today, we had a resolution of inquiry from Representative HAKEEM JEFFRIES and TED LIEU about this very issue in relation to Attorney General Jeff Sessions and his ties to Russia.

Let's not forget that President Trump's former national security adviser and campaign adviser only lasted a record-setting 24 days in the role because he blatantly lied about meeting with Russia's Ambassador, Sergey Kislyak, during the campaign.

So what other ties to Russia have been confirmed?

There are so many of these ties that I thought it might be helpful to have a diagram and to really show exactly what the connections have been between top Trump officials during the campaign who are now the same officials that are serving in the White House and are the President's close and personal confidants. The fact that a diagram is even necessary tells us something.

Let's start at the top with the President himself.

President Trump has a long history with Russia. His first trip to Moscow was actually 30 years ago. He went to explore potential real estate opportunities. His relationship with the country has clearly grown.

In the late 1990s, Trump started banking with Deutsche Bank, which has since been investigated for funneling Russian money offshore.

Soon after that, he linked up with a Russian company called the Bayrock Group, which has ties to the Mafia and to criminal interests in Russia. Their partnership was integral to helping to expand The Trump Organization to new heights, with properties springing up across the country.

His ties to Russia only grew deeper. In the late 2000s, several Russian businessmen bought properties from The Trump Organization, netting them hundreds of millions of dollars in profit.

Now, let's fast-forward to 2016 when then-candidate Trump was building his team. He brought on Carter Page, who is now under investigation for communicating with Russian officials. And, in fact, it was the Trump campaign's former manager, Corey Lewandowski, who gave Carter Page the green light to visit Moscow just last July. A couple of weeks later, Mr. Page met with Sergey Kislyak, but he said that he will not reveal the details of that conversation to the public.

This is a very important, consistent fact that we see. Our resolution of inquiry today that we debated in the Judiciary Committee was about the release of information so that we understand what is going on. Without any accusations, what we are trying to say is let us investigate what these ties are, what the conversations were, and let us determine, in an independent, bipartisan way, let us determine that there has not been collusion, and let us make sure that there is no foreign government that is affecting our democracy.

So various members of Trump's team met with Russian officials during the campaign. But Attorney General Jeff Sessions didn't just meet with officials, he lied about meeting with officials during his confirmation hearing.

And again, the top prosecutor in the United States of America lied under oath during a confirmation hearing. This cannot be ignored.

Once again, we are not saying don't have conversations, but don't lie about them. Don't make us wonder what happened during those conversations. How do we trust the Attorney General of the United States of America to fairly and impartially preside if he has shown that he is willing to make false statements just to get the job?

He is not the only high-level Trump official who has been blatantly dis-

honest with the American people. Michael Flynn, the former national security adviser, was put in place by President Trump and resigned due to the shady backdoor dealings that put him in the pocket of Russian officials. He was paid \$45,000 to attend a state-sponsored gala dinner and sit at the table of Vladimir Putin.

These connections are more than just mere coincidence.

And in addition to Flynn, Page, and Sessions, there are several others who have been implicated: Trump's former campaign manager, Paul Manafort; former campaign adviser, Roger Stone; his personal lawyer—all of these folks are up here—his personal lawyer, Michael Cohen, are all under investigation for their connections to Russia. And now President Trump's son-in-law, who has become one of his top advisers, is under investigation as well for his actions during the campaign.

Not only did Jared Kushner meet with Ambassador Kislyak, he met with the Russian bankers as well. And the White House has claimed that the meetings were "diplomatic," but it is deeply troubling that one of the bankers that he met with was Sergey Gorkov.

I want to be clear about who this person is. He is a graduate of the Russian Academy of the Federal Security Service, which is an academy that is tasked with training individuals to become members of Russia's security and intelligence forces. He is now the chairman of the Vnesheconombank, and he was appointed by Putin, himself. This is not a mom-and-pop bank. This is a state-owned corporation that has been under sanctions by the United States for the past 3 years. And that is a big deal.

Jared Kushner, whose family is worth nearly \$2 billion, has real estate interests around the world, sat down, allegedly under the auspices of his role with the President, to chat with this owner of the bank. A spokesperson for the Kremlin has alleged that this meeting was "absolutely the bank's prerogative" and that the Russian Government was unaware of the meeting.

We need more information to know what happened in that meeting because, otherwise, where there is smoke, we think there is fire. So we need to have the information so that we can actually determine what is happening with these connections because, if somebody from the Trump campaign and the Trump administration is meeting with Russian officials and they don't want to tell us why or what is discussed, then we have to start wondering whether the conversations are in the interest of the American people or in the interest of the Russian Government.

We also have Rex Tillerson, President Trump's Secretary of State, who has strong business ties to Russia and

was awarded the Order of Friendship from Vladimir Putin in 2013. This is the highest honor that Russia can bestow on noncitizens. Just 2 years prior, Tillerson had struck a massive \$500 billion oil deal with the Russian Government.

Now, we could go on and on with this, but what is important for the American people to understand is that we have expectations that the President of the United States and that his Cabinet are working in the interests of the American people.

We have expectations that, if a deal is struck, it is not for the benefit of some other country or for the personal benefit of any individual in office, but that it is for the public's benefit. And if a deal is struck that takes benefit away from the public in order to give it to a foreign government or to an individual personal interest of our government, then that is an enormous disservice to our democracy, and, of course, there are constitutional ramifications for all of this.

This administration has tried to tell us that the conversations between Trump's advisers and high-level Russian businessmen and officials were about diplomacy. Yet this shroud of secrecy that continues every time we try to get information, every time we try to make sure that there is an independent, bipartisan investigation, the shroud of secrecy continues, and it begs the question: If this is really about advocating for the interests of the American people and not the Russian Government or the pocketbooks of Cabinet members, then why the secrecy? What is there to hide?

We don't understand that. If there is nothing to hide, then let us have the information. There have been plenty of requests to do that in a classified way in case there is some information that is classified.

But why are the President's campaign advisers and officials denying under oath that they have communicated with Russia only then to be forced to walk back their statements or recuse themselves, as Jeff Sessions had to do, or to even resign?

Foreign policy is key to American interests, but these backroom conversations and subsequent lies are doing nothing to make the American people feel confident in an administration that is supposed to represent them. It is clear that there is a strong tie here that was only strengthened during the campaign.

But let's be very clear about what is the connective tissue in all of this, in all of these lines that go back and forth. What is the connective tissue that connects all of this? It is money.

How did we get to this point?

Of course, we remember the hacking of the election that occurred last year. It is in the process of being investigated, even though the chairman of

the Intelligence Committee feels that his first duty is to the President and not to the members of the committee.

But last year, President Trump defended Vladimir Putin by placing the blame on the Democratic National Committee to distract the American people; and then, in July, he outright urged Russia to hack Hillary Clinton's emails, saying: "Russia, if you are listening, I hope you are able to find the 30,000 emails that are missing."

In December, a CIA assessment concluded that Russia was trying to help then-candidate Trump win the election. Why? Because they know that they have an ally in President Trump. They have someone who is willing to do business with them, even if it may not be in the best interests of the American people. They know that they are well connected at every level of his administration.

And let's be clear about who we are talking about with Mr. Putin. This is a dictator, a human rights abuser, somebody whom Republicans and Democrats, alike, have said we cannot be associated with.

□ 1745

You have heard of "The Manchurian Candidate." In the most recent election, we may have ended up with the Kremlin candidate, and the script truly writes itself.

We were hoping to have a chance to get to the bottom of this, as I said. We were hoping to have a chance to get to the bottom of this in a hearing in the House Intelligence Committee, but we never got the chance.

Last Tuesday, Representative NUNES went to the secret briefing in a National Security Council facility, and what he found apparently wasn't good for the President because he ran over there to tell the President. Instead of doing his duty and reporting the information to the House Intelligence Committee, he went straight to the White House with his findings. And he is supposed to be chairing an investigation into what happened, not being the runner for information to the President.

After briefing President Trump, Representative NUNES canceled the hearing, denying Americans the opportunity to hear from former Acting Attorney General Sally Yates. And Ranking Member JIM HIMES was right when he said that "the Monday hearing last week was, I'm sure, not to the White House's liking."

He went on to say: "Since Monday, I'm sorry to say, the chairman," Chairman NUNES, "has ceased to be the chairman of an investigative committee and has been running interference for the Trump White House."

This is absolutely unacceptable. The fact that we are questioning whether or not several members of the President's Cabinet—not just one, not even just two, but several members of the

President's Cabinet, including the President, himself—are guilty of collusion with a foreign government is a downright outrage.

In my home district, the Seventh District of Washington State, I have been receiving numerous calls, hundreds of calls from constituents since day one, saying: How can this be happening in this democracy? How is this possible in America? How do we make sure that our government is representing us and not a foreign entity?

Why is it that somebody would lie about whether or not they had a conversation with the Russian Government if there was nothing to hide?

People are losing faith in the United States Government. It is a crisis of democracy when people can't trust that their government is actually trying to get to the bottom of what is going on and actually representing the interests of the American people.

The White House may have a friend in Representative NUNES, but I want the American people to know that they have a friend in us. We won't back down on our demands. Representative NUNES should recuse himself from this investigation. There is no way we can expect a full and impartial investigation after what has just occurred.

This should not be a partisan issue. Every Member of Congress, Republican and Democrat, should be demanding to know the facts. We are not making judgments. We want to know the facts. If there are facts that we don't know that say, no, there were very legitimate conversations, there was no collusion, then we are done. Why tie up the airwaves with this?

So tonight, as we think about where we are in this debate and we think about the fact that, for 3 months, this administration has been under the shadow of secrecy, under the shadow of mistrust from the American people, there is a very easy way to clear all of the names of the people who are on this list, including the President of the United States, and that is to ensure that we have an independent investigation; to ensure that Representative NUNES recuses himself and steps down as the chair of the Intelligence Committee, given what has happened; and to ensure that, at the end of the day, we remember that the Government of the United States of America, the President of the United States of America, the Congress of the United States of America, our one duty is to represent the people of the United States of America.

Mr. Speaker, I thank the gentleman from Maryland (Mr. RASKIN) for his leadership.

Mr. RASKIN. Mr. Speaker, I thank Congresswoman JAYAPAL for her fantastic leadership for the people of Washington in the city of Washington and her zealous advocacy for all of the American people.

Mr. Speaker, let me try to recap some of the themes that we have brought up this evening and talk about what is really at stake here. But I want to start with some good news, because there was really some great news out of Russia on Sunday, where more than 75,000 people across the country braved the tyranny and despotism of their government to go out into the streets to express their commitment to democracy, human rights, and against corruption.

They were focused very specifically on some of the oligarchs who surround Vladimir Putin. One of them, Prime Minister Medvedev, it has just been learned, has amassed more than \$1 billion, as a public servant, in mansions, in vineyards in Italy, in fancy cars, in jewelry—\$1 billion. And the people of Russia are up in arms about the corruption, the kleptocracy, the stealing from the Russian people, which is increasingly impoverished by the imperial designs and the corrupt practices of Putin and his team.

So tens of thousands of people went into the streets to protest. These are brave people, because you are talking about an authoritarian government there, a dictator, a despot, someone who orders out for the assassination of his political enemies. Many of them were arrested. Hundreds of them were arrested in Moscow, and some of them are still in jail right now.

Mr. Speaker, we should be on the side of the protesters in Russia. That is who we are as America. We are a nation conceived in revolutionary insurgency against corruption, against monarchy, against dictators and autocrats and theocrats and kleptocrats who steal from the people. That is who we are.

We should be meeting with them. We should be meeting with the human rights activists. We should be meeting with the anticorruption marchers who are putting themselves on the front lines of history. We should be meeting with the dissenters and the critics of Vladimir Putin and the oligarchs and big business kleptocrats who surround him. But, instead, our government has aligned with Putin himself, with the insiders in Russia. That is totally antithetical to the design of America, when you think about it.

Mr. Speaker, we have the great good fortune to go to work every day surrounded by portraits of people who built this country, like George Washington, who is right over there. We have got portraits of Thomas Jefferson. We have got portraits of Frederick Douglass. We have got portraits of Abraham Lincoln, who actually served in this body and, when he was here, spent a lot of his time railing about a war that was concocted with lies by President James Polk, the Mexican War.

But Lincoln knew how delicate and precious and precarious an enterprise

democracy is. In the Gettysburg Address, he posed the question of how long government of the people, by the people, and for the people can last. Will it perish from the Earth? And he put the question to the people because, he said, it is up to us.

Democracy is a rarity in human history. Democracy is not the norm. That is why America is a miraculous experiment on Earth. If you don't do anything, you are going to end up with dictators and despots and kleptocrats who steal from their own people, like Vladimir Putin.

But America started a different way. The first three words of our Constitution are "We, the people." We, the people; we flipped the whole design. Before that, the whole theory was that the king had the power, and the king got power directly from God; and everybody was a subject of the king, and everybody served the king.

Our Founders had the vision, in that outburst of enlightenment and enthusiasm, to say, no, we are going to try something different:

We are going to start a government based on we, the people, and we are going to separate church and state; and we are not going to dictate to people their religious worship, and we are not going to dictate to people their political beliefs. There is going to be freedom of thought and freedom of speech.

We don't trust the collapse of all powers into one, which Madison said was the very definition of tyranny. We are going to separate powers. The legislature, Congress, will come first, Article I. It will represent the people. But then we are going to have someone else execute the laws of the people, faithfully execute the laws of the people. That will be the President. And when there are disputes, they will be adjudicated in a third branch of government, by the Supreme Court, to figure it out.

But we are going to separate the powers, because when one guy has got all the power, it endangers the freedoms and the liberties of everybody else. We even said, even though our President is limited by the separation of powers, we are going to make sure that the President and also the Members of Congress will have an undivided, zealous loyalty only to the American people.

Article I, section 9 says we cannot accept presents, emoluments, which are any kind of payments, offices, or titles from foreign princes, foreign kings, or foreign states, period. We can't accept them without the approval of Congress. It doesn't go.

There were all kinds of powers that were sending spies and saboteurs to Washington, when the country first began, to try to pay off elected officials, but our Founders had the vision to say: No, we are not going to accept that. We are not going to allow pay-

ments and bribes and fancy presents being given to our elected officials.

So one government, separated powers, based on public integrity, honesty, and devotion to the people. That is the model here.

Now, we should be on the side of democratic movements all over the Earth, like the people who assembled in Moscow on Sunday, who assembled in Siberia on Sunday. There were marchers even there. It was like our Women's March. It took place all over the country. Those are our people. We should be on the side of the people who are trying to overthrow the despotism in Russia.

But look what is happening. Tyranny and authoritarianism are on the march all over the world. Russia is the headquarters of it, but you can find it everywhere you look:

Philippines, a madman dictator who thinks he has the power to send his agents out to go and shoot people on the street because they look like they are a drug dealer and brags about it, Duterte;

Hungary, another favorite of Vladimir Putin, Mr. Orban, who is cracking down on press freedom, on human rights in his country;

Iran, authoritarian, theocratic state; people being thrown in jail for blasphemy, for heresy, for apostasy, for religious offenses;

Saudi Arabia, fomenting racist, anti-Semitic propaganda and sending it out, oppressing people based on religion, not even allowing women to drive in their society.

Everywhere you turn, tyranny, despotism on the march.

And Mr. Putin has a plan. How do we know it? Do we know it from the Democratic Caucus or the Republican Conference? No. We know it from our intelligence agencies, from the FBI, the CIA, the National Security Agency, the Defense Intelligence Agency.

Seventeen of America's intelligence agencies came back with a report, and they said Vladimir Putin has a plan to continue to destabilize and undermine liberal democracy all over the world.

Brexit was part of it. The intervention in our election was part of it. They are going after France, where they want the rightwing, ultra nationalist, anti-immigrant campaign of Marine Le Pen to triumph in France. They are trying to do it in Germany, which is now the strongest outpost of liberal democracy left on Earth, as of yet, uncontaminated by the penetration of Russian intelligence and Putin's agents.

But what did they do to us? What is this all about?

Well, we had an election in 2016. The sovereign people of America had an election. Now, unfortunately, we are still using the electoral college, which is antiquated and obsolescent. There is a movement to change it afoot to the

national popular vote. But be that as it may, that is our system. We haven't reformed it yet. It is our system. It is our elections here in America. But the electoral college makes it more vulnerable because you just have to intervene in a handful of States in order to sway the vote.

What did Putin do? Again, we know this. I am not making this up. We know this from our intelligence agencies. If you don't believe me, you go to your computer and you just look up the intelligence agency report on Russian interference and espionage and sabotage in our 2016 election.

And what did they do?

They spied on different Democratic institutions, like the Democratic National Committee, and they spied on particular people.

They engaged in not just cyber espionage, but cyber sabotage.

They orchestrated a series of leaks which dominated election coverage in the United States for several weeks.

They orchestrated a campaign of fake news and propaganda in order to undermine Hillary Clinton, who was reviled—and is reviled, presumably—by Vladimir Putin because she challenged him, and she challenged the human rights situation in Russia and the involvement of Russia with various dictators in other parts of the world. So they interfered in our election.

When I first got to Congress, that was still being disputed. When we tried to talk about this, it was being said, well, there is no evidence that Russia did this. Well, guess what? The evidence is replete. It is decisive. It is determinative.

□ 1800

Now we are not hearing from our friends on the other side: Well, Russia didn't do this.

Now they are saying something different: Well, Russia may have done that. It may have been this massive, orchestrated campaign to undermine and subvert our elections, but there is no proof that that was actual collusion by the Trump campaign.

About that, I want to say two things. Number one, it shouldn't make any difference. Let's say nobody in the Trump campaign knew anybody in Russia and never heard of Vladimir Putin. It would make no difference because we should still view this as a radical threat to the political sovereignty of the American people.

But the second answer is even more important. As all of my colleagues were pointing out before, every day we get more evidence not just of contacts and connections, but actual collaboration and cooperation between people in the Trump campaign, the Trump family, and the Trump universe with Vladimir Putin and his closest agents and assets throughout Russia and around the world.

Let's just recap a few of those: former national security adviser Michael Flynn was forced to resign, or I guess he was fired by President Trump after he failed to disclose the scope of his contacts with Russians, including Ambassador Kislyak. He was paid more than \$33,000 in 2015 by Russian-funded propaganda media, and the full extent of his relationship to the Russians is still being investigated.

Attorney General Jeff Sessions was forced to recuse himself from this whole matter because he met several times with Ambassador Kislyak, who has been described as Russia's top spy in America during the 2016 election. Then—I will speak charitably here—he misled his own colleagues in the Senate about it at his Senate confirmation hearing raising the issue and then denying that he had had any contact with the Russians at all.

Senior adviser and son-in-law Jared Kushner met with the Russian Ambassador at Trump Tower a few months ago in December of 2016. We have got former Trump campaign foreign policy adviser Carter Page, who has admitted that he met with the Russian Ambassador and other Russians in Cleveland at the Republican National Convention and met with managers from Rosneft, the Russian-owned oil company. He himself owns shares of a Russian energy company called Gazprom.

Roger Stone, Trump's longtime buddy and political adviser, was working with WikiLeaks, which published documents during the election based on information divulged because of Russian interference and espionage that tilted the scales again in favor of Trump in the campaign, and he hosted a series on the Russian propaganda network.

Paul Manafort, Trump's campaign manager for 6 months, was an adviser to Ukrainian oligarchs who got sweetheart business deals from Putin's associates. He was also a business partner of Russian oligarchs close to Putin. He resigned in August of last year after reports surfaced that suggested that he had received \$12.7 million from Ukraine's pro-Russia former president Viktor Yanukovich. He was on the payroll for \$10 million, it has just come out, in order to promote the Russian perspective and Putin's propaganda in Washington, D.C., and throughout the United States in order to change the course of U.S. politics.

Now, I am sorry to put these out there as a bunch of clues. I wish we had a coherent story to tell. We don't, because what we need is a comprehensive 9/11-style independent investigation to figure out what precisely happened. In America you are presumed innocent until proven guilty. Nobody is putting any of these people in jail, but it has come out, despite their best efforts in some cases, that they are up to their necks in the Russian connection.

What does that mean for American democracy?

What we know is there was a massive independent expenditure in 2006. That is what we call it under our FEC law when you go out and spend money to try to destroy one candidate and help another. There was a massive foreign independent expenditure orchestrated by Vladimir Putin.

The question is: Was it, in FEC terms, a coordinated expenditure? That is, did the Trump team actively work with them?

As we are saying, there are lots of clues that suggest it is so. I am not willing to say that they were definitely in cahoots with them. I am not willing to say that they were necessarily collaborating the election. But the evidence accumulates every single day that points in that direction.

Now every day in Washington, D.C., what we are doing is running around because there is a coverup that has been unfolding. Today, of course, we are dealing with a resolution in the House Judiciary Committee to try to get to the bottom of what Chairman NUNES of the House Intelligence Committee actually did when he ran over to the White House with some information that he had about Trump apparently being picked up incidentally in conversations that were being tapped by the American intelligence community with foreign operatives. Again, it is shadowy because we don't know the whole thing. But what we do know is that Chairman NUNES went to the White House to tell President Trump or his deputies before he told anybody here in Congress.

Now, we have been saying from the beginning we want an independent, objective 9/11-style commission—no Democratic politicians, no Republican politicians, and no elected officials. Let's agree on gifted statesmen and stateswomen who can really get to the bottom of this if we care about the truth. Their answer has been: No, we have got the Intelligence Committee to do it instead.

But now what we have got is the Intelligence Committee chair traveling back and forth to the White House, spilling the beans, which undermines everybody's confidence in the integrity of the investigation that is taking place into the Russian connection and what actually happened in the 2016 election.

Mr. Speaker, in the American system of government, elected officials have to have undivided loyalty to the American people. That is why we have got the Emoluments Clause: no presents, no emoluments, no offices, and no titles from foreign governments. That is why we swear an oath to the Constitution of the United States of America. Each one of us who has the great honor and privilege of coming to Washington, D.C., to represent the people swear an

oath to our Constitution and to our people.

We are not a country, like so many, that are defined by one religion. We are not defined by one race. We are not defined by one ethnicity. We are not defined by one political party. We are not defined by one political ideology. We are defined by one Constitution. That is what unifies us as Americans. We must be constitutional patriots here and insist upon our constitutional values and the rule of law for democracy to be meaningful in the 21st century.

There is a new model of tyrannical government traveling all over the world, and all the bullies and despots have found each other. They are in a league together. They want government as a moneymaking operation. They want government as a moneymaking operation for private elites in their country, whether it is in Russia or the Philippines or Saudi Arabia. Sad to say, we are starting to see the development of that right here in the United States of America.

So we have the opportunity and we have the responsibility to exercise our rights as citizens under the First Amendment and to exercise our privileges as Members of Congress under the speech or debate clause to speak up against the march of tyranny all over the Earth. We have got an obligation to resist the corruption—the same corruption that the people in Russia were marching against on Sunday. We must demand real answers about what took place in our Presidential election in 2016. The intelligence agencies warned us that what happened in 2016 was a dress rehearsal for what is going to happen the next time and the time after that.

I want to say something about the geopolitics of this. Think about it for a second:

Who has got the strongest economy on Earth?

We do, the freest, the original democracy. We have got the strongest economy.

Who has got the strongest military?

We do.

Russia can't come close. But the way I understand what happened in 2016 was that Vladimir Putin—who is not an honest man, but he is a clever man—decided that this was a moment of opportunity for Russia. He is the former chief of the KGB. Let's not forget that. He is the guy who said that the greatest catastrophe of the 20th century was the collapse of the Soviet Union. He is an irredentist imperialist who wants to go back and reconstruct the Russian empire.

But what he saw was an opportunity, which is that today the whole world is linked, and it is linked by the internet. He created something that I think of as a Manhattan Project for military conquest and defeat of the liberal democracies in the 21st century.

He set about to figure out this question: How can we undermine and subvert the liberal democracies?

These are open societies. America is an open society. We pride ourselves on the First Amendment, on freedom of speech, and on free dialogue and discussion.

So he said to himself: How can I subvert and undermine that?

The answer became very clear: to create—really on the cheap, because compared to military might, this is pennies on the dollar—he was going to create an internet army, in effect, to try to undermine and subvert our democracy with fake news, with propaganda, and with paid trolls to get information out to try to destroy the reputations of opposition politicians and to try to promote the parties that he viewed as “within his camp.”

Guess what?

It still is going on today. It is still happening. We are not talking about ancient history. We are talking about an ongoing project. That is why I am proud to be a member of the minority caucus here, the Democratic Party caucus, which is insisting that we create an independent, objective, neutral, 9/11-style commission to investigate the Russian connection and what happened with the attack on American democracy in 2016.

We have got to get to the bottom of it. Two-thirds of the American people in public opinion polls say that they support such a commission. There is nobody who would oppose it except for somebody who has got something to hide. But for the rest of us, we have every reason to get to the bottom of this plot to destroy our election in 2016, and we have every reason to defend this great constitutional democracy with everything we have got.

Mr. Speaker, I yield back the balance of my time.

Ms. LEE. Mr. Speaker, first let me thank Congresswoman JAYAPAL and Congressman RASKIN for their tireless work to protect our democracy.

I also want to thank the fearless leaders of the CPC, Congressman KEITH ELLISON and Congressman RAUL GRIJALVA for organizing this Special Order Hour and for leading the fight for the integrity of our republic.

Mr. Speaker, we're here today to shine a light on the deceit and corruption taking place at the White House. For months, we've known that Russia meddled in our election to benefit Donald Trump's campaign.

In fact, even before the election, 17 intelligence agencies all concluded that the influence came from the highest levels of the Kremlin. The reality of this unprecedented interference is outrageous and appalling.

But even more disturbing than the fact of foreign actors meddling, has been the response of our Commander-in-Chief. President Trump stacked his campaign, and then his Administration, with officials who benefited both financially and personally from Russian ties.

Now, instead of calling for a bipartisan independent investigation into Russia's influence,

President Trump has heaped praise on Vladimir Putin and undermined the ongoing investigations.

Amid all of the evidence pointing to Russian interference to benefit President Trump, one question remains.

Why has the President not taken this national security issue seriously? Over the past 60 days we have learned the answer to that question. A steady stream of revelations has shown what we've suspected all along. President Trump's cozy relationship with Russia warrants a bipartisan independent investigation. Nearly every week, the ties and lies that exist between President Trump and the Russians have led the news cycle.

Former Trump campaign manager Paul Manafort stepped down during the campaign after reports of his murky financial dealings with Russia became public. Michael Flynn was forced to resign after news reports confirmed he lied about contacts with the Russians during and after the campaign.

Attorney General Jeff Sessions lied under oath to conceal meetings he had with Russian officials while on the campaign. And, just this week, we learned that President Trump's son-in-law Jared Kushner had questionable financial links to Russia that warrant a Senate investigation.

The web of ties and lies gets murkier by the day. As these improprieties come to light, President Trump peddles increasingly desperate conspiracy theories in an attempt to distract from the truth.

Mr. Speaker, enough is enough. The American people are demanding that the truth about this Administration be exposed.

They deserve to know every last detail concerning Putin's involvement in our election; ties that exist between Trump allies and Putin officials; and exactly what knowledge President Trump had of Russian actions during the campaign.

Clearly, Republicans have proved that they are incapable of leading such an investigation. Just this week, we've watched the Chairman of the Intelligence Committee be caught up in this cloud of corruption. Congressman DEVIN NUNES, a former executive board member on Trump's transition team, is too compromised by the Trump Administration to lead this investigation. Congressman NUNES' conflicts of interest clearly demonstrate he cannot be trusted to conduct the investigation.

Mr. Speaker, the list is endless. He has withheld information from Members of the Intel Committee; shared critical information with the President, the subject of the investigation, without alerting his counterparts on the committee, including the Ranking Member, ADAM SCHIFF. Mislead the American people with scant details of his sources. Not to mention, he helped develop President Trump's national security plan on the campaign.

Mr. Speaker, Congressman DEVIN NUNES has lost the confidence of the American people. He needs to step down immediately from Chair of the Intelligence Committee.

Mr. Speaker, the corruption shrouding this Administration undermines our national security and makes us less safe. So the only solution here is an independent investigation to reveal the extent of President Trump's personal, political and financial ties to Russia.

I urge my colleagues to support this commission. This has gone far beyond partisan politics. This is about the character of our nation and the independence of our democracy. The American people deserve to know the truth about the troubling links that exist between President Trump and Putin's Russia.

The SPEAKER pro tempore (Mr. ARRINGTON). Members are reminded to refrain from engaging in personalities toward the President.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO SIGNIFICANT MALICIOUS CYBER-ENABLED ACTIVITIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 115-26)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13694 of April 1, 2015, is to continue in effect beyond April 1, 2017.

Significant malicious cyber-enabled activities originating from, or directed by persons located, in whole or in substantial part, outside the United States, continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13694 with respect to significant malicious cyber-enabled activities.

DONALD J. TRUMP.

THE WHITE HOUSE, March 29, 2017.

JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on March 27, 2017, she presented to the President of the United States, for his approval, the following joint resolutions:

H.J. Res. 83. Disapproving the rule submitted by the Department of Labor relating to “Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness”.

H.J. Res. 69. Providing for congressional disapproval under chapter 8 of title 5, United

States Code, of the final rule of the Department of the Interior relating to "Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska".

ADJOURNMENT

Mr. RASKIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 15 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, March 30, 2017, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

932. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Wendy M. Masiello, United States Air Force, and her advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

933. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Christopher C. Bogdan, United States Air Force, and his advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

934. A letter from the Principal Director, Force Resiliency, Office of the Assistant Secretary for Readiness, Department of Defense, transmitting the National Guard and Reserve Equipment Report for Fiscal Year 2018, pursuant to 10 U.S.C. 10541(a); Public Law 101-510, Sec. 1483(a) (as amended by Public Law 112-81, Sec. 1070); (125 Stat. 1592); to the Committee on Armed Services.

935. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Kevin W. Mangum, United States Army, and his advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

936. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's Major final rule — Amendment to Securities Transaction Settlement Cycle [Release No.: 34-80295; File No.: S7-22-16] (RIN: 3235-AL86) received March 28, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

937. A letter from the Chief, Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Comprehensive Review of the Part 32 Uniform System of Accounts [WC Docket No.: 14-130]; Jurisdictional Separations and Referral to the Federal-State Joint Board [CC Docket No.: 80-286] received March 28, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

938. A letter from the Executive Secretary, United States Agency for International Development, transmitting twenty-one notifications of a federal vacancy and designation of acting officer, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

939. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Employee Consents (Rev. Proc. 2017-28) received March 27, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 369. A bill to eliminate the sunset of the Veterans Choice Program, and for other purposes, with an amendment (Rept. 115-65). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 194. A bill to ensure the effective processing of mail by Federal agencies, and for other purposes (Rept. 115-66). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 657. A bill to amend title 5, United States Code, to extend certain protections against prohibited personnel practices, and for other purposes, with an amendment (Rept. 115-67). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 679. A bill to amend title 41, United States Code, to improve the manner in which Federal contracts for design and construction services are awarded, to prohibit the use of reverse auctions for design and construction services procurements, and for other purposes; with amendments (Rept. 115-68). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. Authorization and Oversight Plans for all House Committees (Rept. 115-69). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 1219. A bill to amend the Investment Company Act of 1940 to expand the investor limitation for qualifying venture capital funds under an exemption from the definition of an investment company (Rept. 115-70). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 1343. A bill to direct the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers to provide certain disclosures relating to compensatory benefit plans (Rept. 115-71). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. KILMER (for himself and Mr. FARENTHOLD):

H.R. 1770. A bill to expand the Government's use and administration of data to facilitate transparency, effective governance, and innovation, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BILIRAKIS (for himself, Mrs. MCMORRIS RODGERS, Mr. JONES, Mr. DUNCAN of Tennessee, and Mr. GAETZ):

H.R. 1771. A bill to improve the organization of the Department of Veterans Affairs, to ensure the accuracy of health care data used by the Department, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROE of Tennessee (for himself, Mr. COURTNEY, Mr. THOMPSON of Pennsylvania, Mr. KINZINGER, Mr. PRICE of North Carolina, Mr. KRISHNAMOORTHY, Mr. KILDEE, and Mr. THOMPSON of Mississippi):

H.R. 1772. A bill to authorize the creation of a commission to develop voluntary accessibility guidelines for electronic instructional materials and related technologies used in postsecondary education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CHABOT (for himself and Ms. VELAZQUEZ):

H.R. 1773. A bill to amend the Small Business Act to improve reporting on small business goals, achieve uniformity in procurement terminology, clarify the role of small business advocates, and for other purposes; to the Committee on Small Business.

By Ms. VELAZQUEZ (for herself and Mr. CHABOT):

H.R. 1774. A bill to amend the Small Business Act to provide for improvements to small business development centers, the women's business center program, the SCORE program, and for other purposes; to the Committee on Small Business.

By Mr. DEFAZIO (for himself and Mr. CONVERS):

H.R. 1775. A bill to amend part D of title XVIII of the Social Security Act to direct the President to negotiate prescription drug prices and establish a formulary on behalf of Medicare beneficiaries, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself, Mr. CUMMINGS, Ms. DELAURO, and Mr. WELCH):

H.R. 1776. A bill to improve access to affordable prescription drugs; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ABRAHAM:

H.R. 1777. A bill to amend titles 10 and 32, United States Code, to improve and enhance authorities relating to the employment, use,

status, and benefits of military technicians (dual status), and for other purposes; to the Committee on Armed Services.

By Ms. CHENEY (for herself, Mr. CRAMER, Mr. CHAFFETZ, Mr. MCKINLEY, and Mr. ROTHFUS):

H.R. 1778. A bill to provide that an order by the Secretary of the Interior imposing a moratorium on Federal coal leasing shall not take effect unless a joint resolution of approval is enacted, and for other purposes; to the Committee on Natural Resources.

By Mr. COOPER (for himself, Mrs. MURPHY of Florida, Mr. LIPINSKI, Mr. COSTA, Ms. SINEMA, Mr. BERA, Mr. O'HALLERAN, Mr. PETERS, Mr. HIMES, Ms. BROWNLEY of California, Mr. DESANTIS, Mr. KIND, Mr. KILMER, Mr. BUCHANAN, Mr. SCHNEIDER, Mr. VALADAO, Mr. RODNEY DAVIS of Illinois, Mr. SCHRADER, and Mr. GOTTHEIMER):

H.R. 1779. A bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills; to the Committee on House Administration.

By Mr. CRIST (for himself, Mr. POLIQUIN, Ms. SINEMA, Mr. DONOVAN, Mr. GARAMENDI, Ms. MOORE, Ms. NORTON, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CONYERS, Mr. BUTTERFIELD, and Mr. GRIJALVA):

H.R. 1780. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to seniors who install modifications on their residences that would enable them to age in place, and for other purposes; to the Committee on Ways and Means.

By Mr. DONOVAN (for himself and Mr. THOMAS J. ROONEY of Florida):

H.R. 1781. A bill to improve the ability of the Federal Government to address synthetic opioids, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. GABBARD (for herself, Ms. HANABUSA, and Mr. YOUNG of Alaska):

H.R. 1782. A bill to amend title 49, United States Code, to exempt certain flights from increased aviation security service fees, and for other purposes; to the Committee on Homeland Security.

By Mr. GRAVES of Missouri (for himself, Ms. SCHAKOWSKY, and Ms. ROYBAL-ALLARD):

H.R. 1783. A bill to revive and expand the Intermediate Care Technician Pilot Program of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUFFMAN (for himself, Ms. BARRAGAN, Mr. BEYER, Mr. BLUMENAUER, Mr. CARTWRIGHT, Ms. CLARK of Massachusetts, Mr. CONNOLLY, Mr. DESAULNIER, Mr. ELLISON, Ms. ESHOO, Mr. GRIJALVA, Mr. KHANNA, Mr. LANGEVIN, Ms. LEE, Mr. TED LIEU of California, Ms. LOFGREN, Mr. LOWENTHAL, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. NADLER, Ms. NORTON, Mr. PALLONE, Mr. PASCRELL, Mr.

PETERS, Ms. PINGREE, Mr. POCAN, Mr. POLIS, Mr. QUIGLEY, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SPEIER, Mr. TONKO, Ms. TSONGAS, Ms. VELÁZQUEZ, and Mr. WELCH):

H.R. 1784. A bill to prohibit drilling in the Arctic Ocean; to the Committee on Natural Resources.

By Mr. KINZINGER (for himself, Ms. SINEMA, Mr. OLSON, Mr. O'HALLERAN, Mr. CUELLAR, Mr. LIPINSKI, Mr. GOTTHEIMER, Mr. HUNTER, Mrs. MURPHY of Florida, Mrs. WAGNER, Mr. CURBELO of Florida, and Mr. JODY B. HICE of Georgia):

H.R. 1785. A bill to require a comprehensive regional strategy to destroy the Islamic State of Iraq and al-Sham and its affiliates, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOEBSACK:

H.R. 1786. A bill to reduce the rate of pay for Members of Congress by 10 percent and to eliminate automatic pay adjustments for Members; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BEN RAY LUJAN of New Mexico (for himself and Ms. MICHELLE LUJAN GRISHAM of New Mexico):

H.R. 1787. A bill to provide that the pueblo of Santa Clara may lease for 99 years certain restricted land, and for other purposes; to the Committee on Natural Resources.

By Mr. MEADOWS (for himself and Ms. GABBARD):

H.R. 1788. A bill to extend the Vietnam Service Medal to veterans of the Armed Forces who participated in the S.S. Mayaguez rescue operation; to the Committee on Armed Services.

By Mr. NOLAN:

H.R. 1789. A bill to prohibit the pay of Members of Congress during periods in which a Government shutdown is in effect, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. O'ROURKE (for himself, Mr. JONES, Mr. MOULTON, and Mr. YOUNG of Alaska):

H.R. 1790. A bill to amend title 38, United States Code, and the Internal Revenue Code of 1986 to establish, in the event of any war, a war tax to be collected and deposited in a trust fund for the payment of benefits and compensation to veterans of that war; to the Committee on Ways and Means, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REICHERT (for himself and Mr. SMITH of Washington):

H.R. 1791. A bill to establish the Mountains to Sound Greenway National Heritage Area in the State of Washington, and for other purposes; to the Committee on Natural Resources.

By Mr. ROHRABACHER (for himself and Mr. PETERSON):

H.R. 1792. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income compensation received by employees consisting of qualified distributions of employer stock; to the Committee on Ways and Means.

By Mr. RYAN of Ohio (for himself and Mr. COSTELLO of Pennsylvania):

H.R. 1793. A bill to amend title 38, United States Code, to improve the enrollment of veterans in certain courses of education, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHRADER (for himself, Mr. MOULTON, Ms. DELBENE, Ms. SPEIER, and Mr. COOPER):

H.R. 1794. A bill to reduce the annual rate of pay of Members of Congress if a Government shutdown occurs during a year, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER (for himself, Mr. CONYERS, Mr. KATKO, Mr. JORDAN, Ms. JACKSON LEE, Mr. SCOTT of Virginia, Ms. NORTON, Mr. COHEN, Mr. LABRADOR, Ms. LOFGREN, Mr. JOHNSON of Georgia, Mr. NADLER, Mr. ISSA, and Mr. CHABOT):

H.R. 1795. A bill to amend title 18, United States Code, to reform certain forfeiture procedures, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Financial Services, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. STEFANIK (for herself, Mr. JONES, Mr. KING of New York, Mr. HECK, Mr. WEBSTER of Florida, Mr. DELANEY, Mr. WALZ, Mr. FASO, and Mr. RUSH):

H.R. 1796. A bill to amend title 37, United States Code, to authorize, in connection with the permanent change of station of a member of the Armed Forces requiring relocation to another State, the reimbursement of the member for qualified relicensing costs incurred by the spouse of the member to secure a license or certification required by the State to which the member and spouse relocate, to encourage States to expedite license portability for military spouses, and for other purposes; to the Committee on Armed Services.

By Mr. WITTMAN (for himself and Ms. SHEA-PORTER):

H.R. 1797. A bill to improve the provision of health care by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WITTMAN (for himself, Ms. SHEA-PORTER, and Mr. RYAN of Ohio):

H.R. 1798. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program to promote and encourage collaboration between the Department of Veterans Affairs and nonprofit organizations and institutions of higher learning that provide administrative assistance to veterans; to the Committee on Veterans' Affairs.

By Mr. WITTMAN (for himself, Ms. SHEA-PORTER, Mr. RYAN of Ohio, and Mr. JONES):

H.R. 1799. A bill to amend title 10, United States Code, to include a single comprehensive disability examination as part of the required Department of Defense physical examination for separating members of the Armed Forces, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JONES (for himself and Ms. SHEA-PORTER):

H. Con. Res. 41. Concurrent resolution commemorating the 100th anniversary of the United States declaration of war against Germany and entry into World War I and recognizing and appreciating the lasting historical significance and heroic human endeavor and sacrifice of the United States Armed Forces in that conflict; to the Committee on Armed Services.

By Ms. KAPTUR (for herself, Mr. GENE GREEN of Texas, Ms. NORTON, Mr. SEAN PATRICK MALONEY of New York, Mr. CONYERS, Mr. HIGGINS of New York, Ms. SCHAKOWSKY, Mr. DEFAZIO, Mr. SOTO, Mr. BLUMENAUER, Ms. SLAUGHTER, and Mr. RASKIN):

H. Con. Res. 42. Concurrent resolution expressing the sense of Congress that the Supreme Court misinterpreted the First Amendment to the Constitution in the case of *Buckley v. Valeo*; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. KILMER:

H.R. 1770.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the US Constitution.

By Mr. BILIRAKIS:

H.R. 1771.
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States and Article I, Section 8, Clause 7 of the Constitution of the United States.

Article I, section 8 of the United States Constitution, which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and provide for organizing, arming, and disciplining the militia.

By Mr. ROE of Tennessee:

H.R. 1772.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. CHABOT:

H.R. 1773.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution.

By Ms. VELÁZQUEZ:

H.R. 1774.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. DEFAZIO:

H.R. 1775.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

By Ms. SCHAKOWSKY:

H.R. 1776.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States;

By Mr. ABRAHAM:

H.R. 1777.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 12, 13, 14, 16, and 18 of the United States Constitution

By Ms. CHENEY:

H.R. 1778.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: "The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state."

By Mr. COOPER:

H.R. 1779.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6 of the Constitution of the United States.

By Mr. CRIST:

H.R. 1780.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution.

By Mr. DONOVAN:

H.R. 1781.

Congress has the power to enact this legislation pursuant to the following:

United States Constitution, Article I, Section 8.

By Ms. GABBARD:

H.R. 1782.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Mr. GRAVES of Missouri:

H.R. 1783.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution, which grants Congress the power to provide for the common Defense and general welfare of the United States [Page H1615]

By Mr. HUFFMAN:

H.R. 1784.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations re-

specting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. KINZINGER:

H.R. 1785.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 and Article 1, Section 8, Clause 18

By Mr. LOEBACK:

H.R. 1786.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 6 of Article I of the United States Constitution.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 1787.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. MEADOWS:

H.R. 1788.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article 1, section 8 of the United States Constitution.

By Mr. NOLAN:

H.R. 1789.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 6, Clause 1

By Mr. O'ROURKE:

H.R. 1790.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. REICHERT:

H.R. 1791.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Clause I of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. ROHRBACHER:

H.R. 1792.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, which gives Congress the "power to lay and collect taxes," as well as Amendment XVI of the United States Constitution, which gives Congress the "power to lay and collect taxes on incomes . . ."

By Mr. RYAN of Ohio:

H.R. 1793.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution for the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United

States, or in any Department or Officer thereof.

By Mr. SCHRADER:

H.R. 1794.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. Art. 1, Sec. 1; and U.S. Const. Art. 1, Sec. 6

By Mr. SENSENBRENNER:

H.R. 1795.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 (The Congress shall have Power "To regulate Commerce with foreign nations, and among the several States and within the Indian Tribes") and Article 1, Section 8, Clause 18 (The Congress shall have Power "to make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof").

Additional authority derives from Article III, Section 1, ("The judicial Power of the United States, shall be vested in one Supreme Court, and in each inferior courts as the Congress may from time to time ordain and establish. The Judges, both of the Supreme and inferior Courts, shall hold their Officers during good Behavior, and shall at stated times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.)

Additional authority also derives from Article III, Section 2, Clause 3 of the Constitution.

By Ms. STEFANIK:

H.R. 1796.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article 1 of the Constitution

By Mr. WITTMAN:

H.R. 1797.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Clause 18 of the United States Constitution

By Mr. WITTMAN:

H.R. 1798.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Clause 18 of the United States Constitution

By Mr. WITTMAN:

H.R. 1799.

Congress has the power to enact this legislation pursuant to the following:

By Article 1, Section 8 of the United States Constitution (clause 14), which grants Congress the power to make rules for the government and regulation of the land and naval forces and by Article I, Section 8, Clause 1 and Clause 18.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 24: Mr. PERRY, Mr. SMITH of Nebraska, and Mr. BRIDENSTINE.

H.R. 38: Mr. MCCLINTOCK.

H.R. 40: Ms. WILSON of Florida and Mrs. LAWRENCE.

H.R. 60: Mr. HIGGINS of Louisiana.

H.R. 91: Mr. HIGGINS of Louisiana.

H.R. 95: Mr. HIGGINS of Louisiana and Mr. O'ROURKE.

H.R. 103: Mr. NOLAN.

H.R. 112: Mr. FRANKS of Arizona.

H.R. 169: Mr. LARSEN of Washington, Mr. CÁRDENAS, Ms. BARRAGÁN, and Mr. MCNERNEY.

H.R. 179: Mr. BEN RAY LUJÁN of New Mexico and Mr. LOWENTHAL.

H.R. 227: Mr. BLUMENAUER.

H.R. 253: Mr. SOTO.

H.R. 299: Ms. CLARKE of New York, Mr. SCHRADER, Mr. DESANTIS, Mr. CARTER of Texas, Mr. DESAULNIER, Mr. PETERSON, Mr. PRICE of North Carolina, Mr. SCHNEIDER, and Mr. BEN RAY LUJÁN of New Mexico.

H.R. 350: Mr. DESJARLAIS

H.R. 365: Mr. HENSARLING.

H.R. 389: Mr. COOK and Mr. MCCLINTOCK.

H.R. 390: Mr. ROYCE of California.

H.R. 440: Mrs. WAGNER.

H.R. 442: Mr. ABRAHAM.

H.R. 448: Mr. PERLMUTTER.

H.R. 449: Mr. MCKINLEY.

H.R. 453: Mr. HUDSON.

H.R. 462: Mr. FERGUSON.

H.R. 469: Mr. KING of Iowa.

H.R. 489: Mr. LEVIN.

H.R. 490: Mr. FARENTHOLD.

H.R. 564: Mr. WALBERG, Mr. COURTNEY, Mr. COFFMAN, and Mr. KINZINGER.

H.R. 592: Mr. RICHMOND, Mr. MARSHALL, and Mr. MCNERNEY.

H.R. 608: Mr. ROHRBACHER.

H.R. 613: Mr. FASO, Mr. RUTHERFORD, and Mr. DUNCAN of South Carolina.

H.R. 620: Ms. SINEMA and Mr. MITCHELL.

H.R. 631: Mr. YOUNG of Iowa, Mr. RUSSELL, Mr. MITCHELL, Mr. SMITH of Texas, Mr. FASO, Mr. SESSIONS, Mr. MAST, Mr. DUNCAN of South Carolina, Mr. FRANKS of Arizona, Mr. ALLEN, Mr. WESTERMAN, Ms. FOXX, Mr. HULTGREN, Mr. COMER, Mr. PITTEGER, Mr. BANKS of Indiana, Mrs. ROBY, Mr. DUFFY, Mr. LEWIS of Minnesota, and Mr. BARTON.

H.R. 669: Ms. LOFGREN.

H.R. 672: Mr. TED LIEU of California.

H.R. 676: Ms. WILSON of Florida and Ms. GABBARD.

H.R. 721: Mr. JOHNSON of Louisiana.

H.R. 770: Mr. MEEKS, Mrs. BEATTY, and Mr. VARGAS.

H.R. 800: Mr. GRIJALVA.

H.R. 807: Mr. MCKINLEY and Mr. COURTNEY.

H.R. 818: Mr. MEEHAN.

H.R. 848: Mr. SESSIONS, Mr. MARSHALL, Mr. GALLAGHER, and Mr. WILLIAMS.

H.R. 849: Ms. SÁNCHEZ, Mr. MCKINLEY, Mr. PALAZZO, and Mr. FLORES.

H.R. 873: Mr. VALADAO.

H.R. 896: Mr. LEWIS of Minnesota.

H.R. 904: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 907: Mr. KNIGHT.

H.R. 918: Mr. HIGGINS of Louisiana.

H.R. 941: Mr. BRIDENSTINE.

H.R. 959: Mrs. NAPOLITANO.

H.R. 986: Mr. MITCHELL and Ms. STEFANIK.

H.R. 1035: Mr. NOLAN.

H.R. 1057: Ms. HERRERA BEUTLER, Mr. MURPHY of Pennsylvania, Mr. SMUCKER, and Mr. WILSON of South Carolina.

H.R. 1058: Mr. HECK.

H.R. 1063: Mr. GOODLATTE.

H.R. 1066: Mr. BACON and Mr. PETERS.

H.R. 1093: Ms. ESTY.

H.R. 1120: Ms. BLUNT ROCHESTER.

H.R. 1143: Ms. JUDY CHU of California.

H.R. 1148: Ms. DELBENE, Mr. WILSON of South Carolina, Mrs. BLACKBURN, and Ms. BROWNLEY of California.

H.R. 1156: Mr. BURGESS and Mr. HOLDING.

H.R. 1173: Mr. NOLAN, Ms. SHEA-PORTER, Mr. MURPHY of Pennsylvania, and Mr. KILMER.

H.R. 1206: Mr. VALADAO.

H.R. 1222: Mr. NOLAN.

H.R. 1225: Mr. PASCRELL.

H.R. 1236: Mr. NADLER.

H.R. 1242: Mrs. CAROLYN B. MALONEY of New York, Mr. LYNCH, and Mr. GRIFFITH.

H.R. 1267: Mr. ROSS.

H.R. 1272: Ms. NORTON.

H.R. 1279: Mr. SOTO.

H.R. 1299: Mr. O'ROURKE.

H.R. 1305: Mr. ROKITA.

H.R. 1318: Mr. NOLAN, Mr. ROE of Tennessee, and Mr. RASKIN.

H.R. 1322: Mr. SCHNEIDER.

H.R. 1334: Mr. FARENTHOLD.

H.R. 1346: Mr. EMMER.

H.R. 1445: Mr. JONES.

H.R. 1456: Mr. KIND, Mr. HECK, Mr. LYNCH, Mr. SEAN PATRICK MALONEY of New York, and Mrs. LOWEY.

H.R. 1496: Mr. GRIJALVA.

H.R. 1515: Mr. SEAN PATRICK MALONEY of New York.

H.R. 1544: Mr. SCHNEIDER, Mr. CURBELO of Florida, Mrs. WAGNER, and Ms. TSONGAS.

H.R. 1565: Mr. FERGUSON, Mr. STIVERS, Mr. OLSON, and Mr. MCKINLEY.

H.R. 1582: Mr. OLSON.

H.R. 1595: Mr. TIPTON.

H.R. 1600: Mr. JONES.

H.R. 1626: Mr. ADERHOLT, Mr. LAMALFA, Mr. POE of Texas, Mr. HURD, and Mr. KING of Iowa.

H.R. 1632: Mr. GARRETT, Mr. FLEISCHMANN, and Mr. MESSER.

H.R. 1639: Ms. MCCOLLUM.

H.R. 1661: Mr. BUDD, Mr. LARSON of Connecticut, and Mr. MESSER.

H.R. 1664: Mr. COHEN, Mr. CARSON of Indiana, and Mr. LOWENTHAL.

H.R. 1676: Mr. HARPER and Mr. RUSH.

H.R. 1678: Ms. WILSON of Florida.

H.R. 1685: Mr. PETERS.

H.R. 1697: Mr. SCHWEIKERT, Mr. MCKINLEY, Mr. MARSHALL, Mr. DUFFY, Mr. LAHOOD, Mr. WEBER of Texas, Mr. BOST, Mr. HARRIS, and Mr. WALKER.

H.R. 1711: Mrs. BUSTOS, Mr. KIND, Ms. WASSERMAN SCHULTZ, Mr. CONYERS, Mr. WELCH, and Ms. LOFGREN.

H.R. 1731: Mr. MCKINLEY and Mr. STIVERS.

H.R. 1732: Mr. MEEHAN.

H. Con. Res. 8: Mr. MEADOWS, Mr. TIPTON, Mr. ROYCE of California, Mr. MESSER, Mr. LANCE, and Mr. JORDAN.

H. Con. Res. 10: Mr. LIPINSKI and Mr. KELLY of Pennsylvania.

H. Res. 28: Mr. KIND and Mr. LARSON of Connecticut.

H. Res. 31: Mr. VARGAS.

H. Res. 54: Mr. VISCLOSKEY, Mr. SHERMAN, Mr. CICILLINE, and Mr. STEWART.

H. Res. 65: Mr. MCGOVERN and Mr. NEAL.

H. Res. 90: Mr. EVANS.

H. Res. 135: Mr. KINZINGER.

H. Res. 137: Mr. ROYCE of California.

H. Res. 184: Mr. KIND, Ms. ESTY, Mr. AL GREEN of Texas, Mr. RICHMOND, Ms. FUDGE, Mrs. BUSTOS, Mrs. DAVIS of California, Ms. DELAUNO, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. BROWN of Maryland, Mr. CROWLEY, Mr. LYNCH, Ms. SEWELL of Alabama, Ms. MAXINE WATERS of California, Mrs. BEATTY, Ms. ADAMS, Mr. LIPINSKI, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H. Res. 187: Mr. THOMAS J. ROONEY of Florida, Mr. ROYCE of California, and Ms. BONAMICI.

H. Res. 188: Mr. CLAY and Mr. POE of Texas.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.J. Res. 17: Mr. SANFORD.

SENATE—Wednesday, March 29, 2017

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, our souls long for You, for we find strength and joy in Your presence.

Guide our lawmakers to put their trust in You, seeking in every undertaking to live with honor. When they go through difficulties, may they remember that with Your help, they can accomplish the seemingly impossible. Give them the wisdom to take time to get to know one another, to be quick to listen, slow to speak, and slow to anger. Lord, provide them with a faith that will trust You even when the darkness is blacker than a thousand midnights. May they always find strength in Your providential leading.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF LABOR—MOTION TO PROCEED

Mr. McCONNELL. Mr. President, I move to proceed to H.J. Res. 67.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to H.J. Res. 67, a joint resolution disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF LABOR

The PRESIDING OFFICER. The clerk will report the joint resolution.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 67) disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees.

The PRESIDING OFFICER. The majority leader.

CONGRESSIONAL REVIEW ACT RESOLUTIONS

Mr. McCONNELL. Mr. President, over the last 8 years, American workers grappled with a sluggish economy and policies that often made it harder for families to get ahead. Even on its way out the door, the Obama administration pushed forward with more unfair regulations that hurt the middle class. It tried to advance regulations that threatened jobs and hindered economic growth. It tried to shift power away from people and toward government on everything from education to land management issues.

Under the guise of helping more people save for the future, it undercut a system of private retirement savings that has served millions of Americans very well for decades. It introduced regulations that would push more and more Americans into government-run retirement plans. These retirement savings regulations are a classic case of the whole being worse than the sum of its parts.

The Obama administration encouraged States and municipalities to set up government-run retirement plans for private sector workers. Sounds great, some might say, but that is until you see the fine print.

States always had the power to set up these plans, but they chafed at Federal laws protecting the workers who would be automatically enrolled in them. They didn't like that the basic retirement protections that apply to those who manage private sector retirement plans would apply to the government too. So they sought a waiver from long-accepted Federal protections like the requirement to invest prudently and the rule against self-dealing.

That is what these regulations are actually about. They allow States and cities to create an employer mandate that forces private sector workers into these government-run plans. They liberate the States and big-city mayors from Federal consumer protections for these hard-earned dollars, and they create a competitive advantage for these new government-run plans. The end result would be more government at the expense of the private sector.

Fortunately, we can begin to roll back these regulations. We will take a

vote today to protect workers should big-city governments try to force their private sector employees to auto-enroll in government-run savings plans. Later, we will advance another CRA to protect workers from similar efforts at the State level.

Congress is able to push back against troubling regulations like these because of the tools provided by the Congressional Review Act, or CRA. Just last week, we sent the 11th CRA resolution to the President's desk, and we hope to add to those regulatory relief efforts again.

I thank Senator HATCH, the Finance Committee chairman, for his leadership on this issue. He understands that we need to do more to encourage private retirement savings, and he has advocated numerous policies that would do just that. He also understands that more government involvement in the retirement of private sector workers is not the answer. He introduced companion legislation to the House bills we will vote on soon. We should pass that legislation without delay so that we can, as the chairman said, "give employees and small-business owners more flexibility and freedom to choose how to financially invest and build a nest egg for retirement."

NOMINATION OF NEIL GORSUCH

Mr. President, on another matter, since Judge Neil Gorsuch was nominated to the Supreme Court, Senate Democrats have searched high and they have searched low for a reason to oppose him. They looked at his background, and they found a Columbia alum, a Harvard Law graduate, and an Oxford scholar. They looked at his reputation and found an impartial and fair judge, an incisive and eloquent writer, and a humble and even-tempered man. They looked at his record as a judge and found someone who follows the facts where they lead without favoring one party over another; someone respected by Democrats, Independents, and Republicans alike; and someone who understands that his role is to interpret the law, not legislate from the bench.

Our colleagues across the aisle also had the opportunity to spend hours with Judge Gorsuch at his confirmation hearing. Once again, they found little to hang their hat on when it comes to a reason to oppose him. Instead, the hearings made clear a point recently stated by a board member of the liberal American Constitution Society: "The Senate should confirm him because there is no principled reason to vote no" on Judge Gorsuch. That was David Frederick, a self-proclaimed

"long-time supporter of Democratic candidates and progressive causes" in a recent Washington Post op-ed. This prominent Democrat said he supports Judge Gorsuch because he "embodies a reverence for our country's values and legal system. . . . We should applaud such independence of mind and spirit in Supreme Court nominees."

Unfortunately, instead of coming together behind this nominee, some of our colleagues continue to press forward with convoluted excuses as to why they won't support him.

Just yesterday, my friend the Democratic leader came to the floor to share his reasoning. He talked about the need for the nominee to be independent and impartial. Well, Judge Gorsuch passes that test, and the American Bar Association, the organization revered as the "gold standard" for evaluating judges by the Democratic leader himself and the former Judiciary chairman, certainly agrees. It said: "Based on the writings, interviews, and analyses we scrutinized to reach our rating, we discerned that Judge Gorsuch believes strongly in the independence of the judicial branch of government, and we predict that he will be a strong and respectful voice in protecting it."

In addition to independence, the Democratic leader talked about his concern that Judge Gorsuch has earned the support of conservatives. Well, that is true. Judge Gorsuch has earned the support of Republicans, just as he has received praise from many on the left as well, like President Obama's former Solicitor General, Neal Katyal; President Obama's legal mentor, Professor Laurence Tribe; and left-leaning law professor E. Donald Elliot, among so many others.

The Democratic leader talked about the need for the nominee to offer assurances about how he would rule on a certain case and assurances that he would stand up for certain groups, but, as Judge Gorsuch pointed out, nominees are, to quote Justice Ruth Bader Ginsburg, to offer "no hints, no forecasts, no previews" on how they would rule in certain cases. Similarly, judges are to decide cases based on the facts, not personal views or political preferences.

Finally, the Democratic leader talked about the importance of a nominee's record. Well, I would like to take a moment to remind my colleagues of Judge Gorsuch's record. He said at his hearing:

I have decided . . . over 2,700 cases, and my law clerks tell me that 97 percent of them have been unanimous, 99 percent I've been in the majority. They tell me as well that, according to the Congressional Research Service, my opinions have attracted the fewest number of dissents from my colleagues of anyone I've served with that they studied over the last 10 years.

To sum it up, more than 2,700 cases, in the majority on 99 percent of them, and part of a unanimous ruling on 97

percent of them—it simply doesn't get much better than that. No wonder the ABA gave him its highest rating: unanimously "well qualified."

So when we hear our Democratic colleagues talking about breaking longstanding precedent to oppose this non-controversial, outstanding judge by mounting the first-ever purely partisan filibuster to try to defeat his nomination, we can only assume one thing: This isn't about the nominee at all; it is about a few on the left whose priority is to obstruct this Senate and this President whenever and wherever they can. Months after the election, they are still in campaign mode, calling for Senate Democrats to obstruct and to resist.

Let's be clear. These leftwing groups aren't concerned by the qualifications of this judge. They aren't looking out for what is best for the Court, for the Senate, or for the country. They simply refuse to accept the outcome of last year's election.

We realize the enormous pressure our Democratic colleagues are under. It is why we are hearing talks of some mythical 60-vote standard that doesn't exist. Just ask fact-checkers who have repeatedly debunked that idea. A 60-vote threshold has never been the standard for a Supreme Court confirmation—not for President Clinton's Supreme Court nominees in his first term and not for the Supreme Court nominees of a newly elected President Obama, either.

As the Washington Post Fact Checker reminded us again just this very morning, "Once again: There is no 'traditional' 60-vote 'standard' or 'rule' for Supreme Court nominations, no matter how much or how often Democrats claim otherwise."

So I would ask our Democratic friends, do they really want to launch the first wholly partisan filibuster of a Supreme Court nominee in American history? Do they really think history books or the American people will look kindly on them for filibustering this amazingly well-qualified and widely respected nominee?

Judge Gorsuch has earned an enormous amount of praise from across the political spectrum and from a wide array of publications all across our country, like The Chicago Tribune, which recently called for his confirmation, saying that Judge Gorsuch "has shown himself to be committed to the principle that judges should rule on the law as written, and apply it equally to all."

The newspaper The Detroit News said Judge Gorsuch "is proving himself an even-tempered, deeply knowledgeable nominee who should be confirmed by the Senate. The hearings confirm," it said, "that Gorsuch is [eminently] qualified, and there is nothing radical in his judicial history."

In the Denver Post: "As we've noted several times in the run-up to

Gorsuch's confirmation hearings, the 10th Circuit judge possesses the fairness, independence and open-mindedness necessary to make him a marvelous addition to the Supreme Court."

The Post went on to say that Senators should not "[miss] the chance to rally behind Gorsuch—who has been roundly praised here by Democrats and Republicans alike." In other words, Judge Neil Gorsuch should be treated fairly, receive an up-or-down vote, and be confirmed to the Supreme Court, just like all four first-time Supreme Court nominees of Presidents Clinton and Obama.

Again, as even those on the left can't help but admit, "there is no principled reason to vote no" on Judge Gorsuch. It is a sentiment we have heard from many of our colleagues here on the floor as we have been debating Judge Gorsuch's nomination over the past few weeks.

As we wait for the Judiciary Committee to report out his nomination, I would encourage Members of both sides to continue to take advantage of available floor time to discuss this important issue. I would also remind Senators that we will have all of next week—all of next week—to continue debating Judge Gorsuch's nomination as well. I look forward to hearing from our colleagues as we work to advance this extremely well-qualified nominee.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

BIPARTISANSHIP

Mr. SCHUMER. Mr. President, I rise this morning on a few topics, but I first want to mention that last night many of us spent some time at the White House where we were regaled by the wonderful Marine and Army chorus, where there was talk about renewing a spirit of bipartisanship in Washington.

I am all for it. Of course, we Democrats hope that the President and Republicans in Congress will sit down with us in a true spirit of bipartisanship because so far in this Congress—the Republicans in this Congress so far—the Republican idea of bipartisanship has meant to both the President and the Republicans in Congress: We come up with our plan, and you Democrats should support it. That is not bipartisanship.

The Republican leader, the House Speaker, have come up with issue after issue, including a Supreme Court nominee, with no Democratic consultation, and then said: The only way you can achieve bipartisanship is just to vote with us.

You can't improve the healthcare system with only Republican votes on reconciliation, without consulting any Democrats, without a single sentence of Democratic input, and call that an attempt at bipartisanship.

You can't do an infrastructure package of tax credits and no real spending,

and then ask for bipartisan support. And you certainly can't out-source your entire selection of Supreme Court Justices to be handpicked by the hard-right, special interest-dominated Heritage Foundation and Federalist Society, and then ask for us to vote for that nominee as a show of bipartisan support.

Bipartisanship means sitting down with the other side, getting our ideas, and hashing out a compromise. It does not mean proposing your policy—particularly when these policies and nominees are so far to the right—and then making an exhortation for bipartisanship and bemoaning the absence of it when Democrats don't go along with your way. I truly hope that the President and Republicans want to renew a spirit of bipartisanship, but it has to be real, it has to be meant, and their actions have to follow suit.

NOMINATION OF NEIL GORSUCH

Well, Mr. President, let's talk about the Supreme Court because that exemplifies exactly what I am talking about. Over the last several weeks, my Republican friends have tried to paint Judge Neil Gorsuch as the beau ideal of a neutral and impartial judge. They insist that Judge Gorsuch is a straight down-the-middle guy, someone who will call the balls and strikes. The majority leader likes to cite a letter of a friend of the judge who says "there is no principled reason" to oppose his nomination. Of course, there are several principled reasons to object to Judge Gorsuch. Today I would like to focus on one in particular: Judge Gorsuch's long career ties to conservative interests and conservative ideological groups.

The idea that Judge Gorsuch would simply be a neutral, mainstream Justice is belied by his career, his judicial record, and, perhaps most of all, the manner by which he was selected to serve on the Supreme Court. He was culled from a list handpicked by the Federalist Society and the Heritage Foundation, conservative organizations that have spent the last few decades simply trying to shift the balance of the courts way to the right. Most of my colleagues on the other side know how far to the right the Heritage Foundation is, and they often grumble at how they are pulling the party too far over, but Judge Gorsuch was handpicked by that group, along with the Federalist Society.

Instead of consulting the Senate, President Trump outsourced his Supreme Court pick to the Federalist Society and the Heritage Foundation long before an election even took place. The Constitution does not say the President shall appoint the Supreme Court Justices with the advice and consent of rightwing special interest groups. It says he should appoint them with the advice and consent of the Senate. President Trump didn't consult the

Senate; he never even considered it. He just consulted this list.

Surely my dear friend from Utah, Senator HATCH, must remember when President Clinton consulted him about his Supreme Court picks. Senator HATCH told the President not to select Bruce Babbitt and offered instead the names of Ginsburg and Breyer. President Clinton listened to Senator HATCH and nominated them instead. Surely my good friend from Utah also remembers when he suggested to President Obama that Merrick Garland be nominated to the Supreme Court, calling him a fine man. President Obama listened and made him his pick.

President Trump is different from all of the past Presidents in so many ways, so many of them unfortunate, and here is one: Even before being elected to office, President Trump swore off the entire process and outsourced the advice and consent process to a list selected by two ultraconservative organizations.

Take the Heritage Foundation, for example. Are they down the middle? Are they unbiased? Well, let's listen to some of the things they believe in, which are way different from most Americans. It is a group that believes "freedom" means businesses have the right to discriminate against LGBT people. This is a group that believes "limited government" means eliminating resources for the Violence Against Women Act. This is a group that believes a strong national defense means discriminatory Executive orders that bar immigrants and refugees from Muslim-majority countries. This is a group that holds extreme-right positions, a group that is far, far out of the American mainstream—and is even out of the Republican mainstream so many times—and they have handpicked Neil Gorsuch to have a seat on the highest Court in the land.

Does anyone think the Heritage Foundation or the Federalist Society would put on their list a judicial moderate who would only call balls and strikes? Does anyone think there would be all this outside, dark, undisclosed money being spent to support Judge Gorsuch's nomination if he were just someone who called balls and strikes? No. There is a reason all of this dark money is being spent to support him. There is a reason the Federalist Society and the Heritage Foundation liked Judge Gorsuch enough to put him on the President's short list. There is a reason the President pledged to select only from this list. He wanted to curry favor with skeptical hard-right, special interest-dominated conservatives during his campaign. So the idea that Judge Gorsuch would simply be some neutral Justice does not hold water.

When Republicans say that if Democrats will not support Judge Gorsuch, we will not support any Republican-

nominated judge, that is simply not true. We have several reasons to be concerned with Judge Gorsuch specifically, and specifically one of those things we are concerned about is that he was pushed forward from the Heritage Foundation and Federalist Society, groomed by billionaire conservatives like Mr. Anschutz, another hard-right, special interest person.

Judge Gorsuch had a chance. Most of us waited till after the hearings because at the hearings he had a chance to distance himself from these views, but he refused to substantively answer question after question.

So if Judge Neil Gorsuch fails to reach 60 votes, which, by the way, the American people believe is the appropriate standard for a Supreme Court nominee, it is not because Democrats are being obstructionists; it is because he failed to convince 60 Senators that he belongs on the Supreme Court. In that event, the answer is not to permanently change the rules and traditions of the Senate; the answer is to change the nominee and do what President Clinton and President Obama did before they nominated people: Consult the other party for some semblance of bipartisanship.

The majority is trying to make this a binary choice: Confirm Gorsuch or change the rules. It is not so; it is just not so. The idea that if Judge Gorsuch can't get 60, we must immediately move to change the rules is a false narrative. If the majority chooses to go that route, they do so at their own volition. No one is forcing them to do so, except maybe the Heritage Foundation and groups like the Federalist Society.

BORDER WALL

Mr. President, there is one thing I want to say about the wall. I talked about the wall yesterday, and I am not going to elaborate, but I would like to add to the RECORD a quote about the wall from none other than the Secretary of Interior, former Republican Congressman, Mr. Zinke, from Montana. Here is what he said. This is his quote about the wall, and I hope my colleagues will listen:

The border is complicated, as far as building a physical wall. . . . The Rio Grande, what side of the river are you going to put the wall? We're not going to put it on our side and cede the river to Mexico. And we're probably not going to put it in the middle of the river.

AFFORDABLE CARE ACT

Mr. President, finally, on the Affordable Care Act, today, 44 Senate Democrats are sending a letter to the President who puts onto paper our official offer to work with him to improve the existing law.

Last Friday, in the wake of TrumpCare's defeat in the House, I was deeply concerned to hear the President say that he wants the Affordable Care Act to "explode." The President and his HHS Secretary, Tom Price, have

significant latitude to either improve the law or undermine it. So far, the President has undermined the law. These were all before the vote: He discontinued the advertising campaigns to get people to sign up for coverage and worked behind the scenes to give insurers flexibility to offer less generous care, and, still, the President's Executive order directing agencies to help him repeal and replace the ACA is hanging out there after the defeat or lack of a vote in the House, causing instability in the market and giving Federal agencies permission to undermine the law. That should be rescinded.

What our letter says today is simple: If the President drops these efforts to undermine the law, we Democrats stand ready to sit down with him and with our Republican friends across the aisle in good faith to discuss a bipartisan approach to improving our healthcare system.

It is time to work together to make healthcare even more affordable but not to encourage or root for the failure of the law that would have devastating consequences for millions of Americans.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

The Senator from Utah.

NOMINATION OF NEIL GORSUCH

Mr. HATCH. Mr. President, I have been very interested in the minority leader's comments here this morning. I have high regard for him. We have worked together on a wide variety of issues, but I have to say that he is leading a party right now that is doing completely the opposite of what Democrats have done in the past when Republicans have had the Presidency and have had the privilege of appointing people to the Court. Frankly, it has become kind of a war that we really don't need and something that literally, I think, is demeaning to the Senate and to this country.

I venture to say that it would be very difficult for anybody to find a better nominee for the Supreme Court than Neil Gorsuch. I can't say that the Heritage Foundation was the one that carried the weight with regard to the choice of Neil Gorsuch. Now, the Federalist Society did weigh in rather heavily, and there were around 21 absolutely top judges and lawyers who were on that list. I venture to say that anybody would have a very difficult time finding anything to criticize about that list other than on a partisan basis. Unfortunately for the Democrats, they lost the election.

Now keep in mind, all the current majority leader was saying was that we just weren't going to go with a Supreme Court Justice during an intensely hard-fought Presidential election year. In this century, that has been the rule.

The majority leader, Senator McCONNELL, knew that it was very likely, in the eyes of almost every pollster, that Hillary Clinton would win, and although he and I believed that nominee was a good, reasonable, moderate Democrat, we were quite sure that if Hillary got elected, she would not pick him. We were even working on trying to find a way so that she would have to pick him rather than pick another totally leftwing person for the Court.

Unfortunately for the Democrats, Donald Trump proved to be a formidable candidate for President and won the election and, interestingly enough, as is his right as President, nominated Neil Gorsuch for the U.S. Supreme Court.

Whether you are a Democrat or a Republican, I would venture to say that it would be very difficult to find any candidate for the Supreme Court in this century who is any better than Neil Gorsuch. Gorsuch is going to apply the law as written, not as he conjures up his ideas of what it should be. He is not going to do that. He is going to apply the law as written. He did that as a circuit court of appeals judge on the Tenth Circuit, my circuit. You would be hard-pressed to find a better qualified person. In fact, I do not think you could find a better qualified person for the Supreme Court than Neil Gorsuch.

So what is all the whining about? They lost the election. They knew that this was going to be a big deal if they won and that the Republicans would pretty well have to go along with whomever they chose, but President Trump won the election, and he has a right to pick who should go on the Supreme Court. In this case, I think he picked the most qualified person in the country for the Court. Yes, he is conservative. Yes, he came up the hard way. Yes, he is not likely to be a liberal on the Court, but I would have to say that anybody this President would choose would not likely be a liberal on the Court. In this case, the President chose one of the leading people in this country, one of the greatest lawyers in this country, one of the finest judges in this country, who has a record of working with Democrats on the bench, to become his choice for the U.S. Supreme Court.

I know what is wrong with the Democrats on this. They lost, and it is a hard thing for them, and I do not blame them. It is a hard thing because they were so sure they would control this nominee to the Supreme Court and probably two to five more had Hillary Clinton been elected for two terms. But that is not the way the American people chose to vote.

I commend the American people for realizing that these things are very important. I have to say, in that last election, probably the single most important issue that drove it toward Donald Trump was, who is going to pick the Justices to the U.S. Supreme Court?

Republicans know and President Trump knows that he is not going to be able to put ideologues on the Court, and Neil Gorsuch is anything but an ideologue. He is as fine a judge as we have in this country, albeit conservative in nature. He has as fine an academic background as anybody on the Court—ever. On top of all of that, he is a terrific human being, a good husband, father, and a terrific judge on the Tenth Circuit Court of Appeals.

To be honest with you, I thought it was really nice to have somebody picked from the West who might bring a western perspective of freedom into the judicial system, and I have no doubt that Neil Gorsuch will do that. To make this a big political issue, it seems to me, is beyond the pale, and it does bother me a great deal.

On another matter, Mr. President, by any measure, our efforts in this Congress to repeal harmful regulations through the Congressional Review Act have been historic. Prior to this year, only one CRA resolution—Congressional Review Act resolution—had ever been passed by Congress and signed by the President. We are an overregulated country like never before. This year, we have already successfully rolled back 11 regulations that were proposed and finalized under the previous administration. That is truly remarkable. I think our success in this endeavor can be attributed to a few factors.

First, in its last year, the Obama administration was particularly aggressive in its regulatory efforts. A number of regulations were finalized after the election, right up until the day President Trump was inaugurated. In fact, the regulation at issue today was finalized on January 19, the day before the inauguration. In other words, the Obama administration left Congress and the new administration with a target-rich environment for CRA resolutions. There is no doubt what they were doing: They were scrambling to get as many changes as they could instead of allowing the new administration to take over.

Another important factor has been the realization by the American people that our economy—our workers, our businesses—is grossly overregulated. The regulatory state extracts hundreds of billions of dollars from our economy, much of it needlessly so. These CRA resolutions are part of a much broader effort to undo some of that damage.

Today I am pleased to be able to express my support for H.J. Res. 67, which will likely be the 12th CRA resolution we will pass this year. This resolution, once passed and signed, will roll back a last-second Department of Labor regulation that eliminated longstanding Federal protections for the retirement savings of private sector workers.

Specifically, the regulation builds off of a prior regulation that gave States a

“safe harbor” from the protections workers have under ERISA if the government mandates that employers who do not offer retirement plans either set one up or join the government plan. These government-run plans do not have to be portable, nor do they have to permit workers to withdraw their savings at any time.

The resolution we are debating now would roll back the regulation that provided this authority to municipalities, such as New York City. Hopefully, sometime soon, the Senate will also debate and pass the CRA resolution relating to the original regulation, the one that focused on States, like California and Illinois.

Combined, these regulations encourage State and municipal governments to impose conflicting and burdensome mandates on private sector businesses and to bar private workers’ access to their retirement accounts, and they would let States invest private workers’ retirement assets, ignoring provisions in Federal pension law that require prudent pension investment practices and that ban kickbacks and self-dealing. Think about that.

To be blunt, places like New York City should not just get a pass on investing potentially billions of dollars in private worker retirement assets without regard to Federal rules that require prudent investment practices—rules designed to protect the retirement nest eggs of hard-working Americans.

Now, do not get me wrong—I am all for increasing coverage for employees in workplace retirement programs. In fact, it is something I have been working on for some time with my colleagues on both sides of the aisle.

Last Congress, the Senate Finance Committee, which I chair, unanimously approved the Retirement Enhancement and Savings Act of 2016, which is a bipartisan bill that will increase voluntary retirement savings. It includes a number of provisions from a bill I introduced a few years before that, one that received high marks from analysts and stakeholders in the retirement-security community. My bill and others like it provide workable, voluntary solutions to give more workers access to retirement plans. This approach is far better than the one taken by the Obama administration and former Labor Secretary Tom Perez, which would purposefully take us down the path toward government-mandated and government-run retirement plans.

The retirement savings system that has been in place for decades now is one of the clearest examples we have to demonstrate the superiority of the free market over government mandates. Private retirement savings vehicles, including 401(k)s and individual retirement accounts, which have been encouraged but not mandated by Federal

tax laws, have produced nearly \$14 trillion—that is trillion dollars—in wealth and savings for the middle class.

I know some have concerns about the federalism implications in rolling back these Department of Labor regulations. However, let’s be clear: Prior to the implementation of these regulations, States were free to pass laws to encourage retirement savings opportunities for private sector workers, and they will be free to do so after this CRA resolution is signed by President Trump. They will simply have to observe the longstanding rules and protections that have been in place under Federal pension laws, including the ban on self-dealing and the duty to invest prudently, and they will not be able to offer plans on an uneven playing field that favors government retirement plans over those produced in a free, private sector market.

Unfortunately, I have to wonder why States and municipalities want to do away with these protections in the first place. I also have to wonder why they think they will be able to produce better results than the private retirement savings system, which thus far has been an unqualified success, benefiting workers and employers alike. I also have to wonder how some of my colleagues who value consumer financial protection, as I do, would want to see the continuation of rules that erode protections for workers and future retirees.

The first step in undoing these harmful regulations is with the passage of H.J. Res. 67. Toward that end, I urge all of my colleagues to vote in favor of this resolution.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, let me just say while the Senator is on the floor that I express my admiration once again for the distinguished Senator from Utah, who is my good friend and in many ways is a mentor as the chairman of the Senate Finance Committee. I am privileged to be a member of that committee and to work with him and, of course, on the Judiciary Committee as well. I thank the Senator in particular for his leadership on this resolution of disapproval, and I support his position 100 percent.

NOMINATION OF NEIL GORSUCH

As we all know now, Mr. President, this Chamber will consider the nomination of Neil Gorsuch to serve as the next Justice on the U.S. Supreme Court.

Yesterday I spoke a little bit about his qualifications, his background, and

his temperament. During the 20 hours of hearings we held before the Judiciary Committee, I think people saw the real Neil Gorsuch—somebody who, again, by virtue of his qualifications, his education, his training, and his experience is supremely qualified to serve on the Supreme Court. He did pass every single test with flying colors, even as my colleagues and some activist groups have done their best to find ways to object to what may be one of the most qualified candidates for the Court in our Nation’s history.

One argument we have heard from the opponents of the nominee in 3 days of grueling hearings was that he failed to convey his approach to judging—how he would approach the job. I would like to point out that that is simply not the case. Judge Gorsuch made clear that the text of the statute, the text of the Constitution, and the text of a precedent would guide his judging and would be the place where he starts in deciding any case. As he has repeatedly written and stated publicly, the job of a good judge is to understand what the law means and to interpret what lawmakers have done.

I know some of our colleagues and some of the activist groups who are critical of Judge Gorsuch are upset that he doesn’t believe in a living Constitution—in other words, that the Constitution, as written and ratified by the States, does not mean what it says, and that judges have a license to interpret the words in a way to pursue some other purpose, some other agenda, political or personal or the like.

Judge Gorsuch rejects that approach, and rightly so. Indeed, how can a judge claim to bear allegiance to the Constitution if he doesn’t actually start in interpreting the Constitution by reading the text of the words? What would a judge decide on if not the text and the original meaning?

To that effect, I received a letter from a friend of mine and an expert in this area, Bryan Garner, last week. Bryan is a well-known lawyer and writer and, among many impressive accomplishments, he is a distinguished research professor of law at Southern Methodist University in Dallas, TX. Bryan has written extensively on judging, appellate advocacy, and the law generally. He was in attendance at the hearings last week. As I said, he has written a number of books, including with Judge Gorsuch, on judicial precedent, and with Justice Scalia, on reading laws.

In a recent letter, Bryan echoed the same point made by both of these men at different times—that adherence to the text is essential to our system of government. He said: “The very fact of having a written constitution meant that we had fixed its meaning in permanent form.”

Now, that seems so obvious, but, apparently, it is not obvious to some of

the critics. He said: "The very fact of having a written constitution meant that we had fixed its meaning in permanent form." In other words, our Constitution is not meant to float on the whims of judges over time, bound only by precedent. It is actually written down, so that even judges have to start with the very text.

If we think about it, there is the independence that we have given to the judiciary—lifetime tenure. They don't have to stand for election, and they are not accountable to the voters or the people. The reason why the Founders created such an important role for the judiciary is because they believed there ought to be an umpire who calls balls and strikes when Congress passes laws or when lawsuits are filed and who could determine the fidelity of those laws to the text of the Constitution, which had a fixed meaning.

Well, sometimes this is called originalism, but it is not a political doctrine or an excuse to get certain outcomes. Mr. Garner makes the point that although his personal politics are different, dramatically, from those of Justice Scalia, those personal politics are irrelevant because the job of a judge is to apply a fair reading of the law. If you can't do that, then, maybe you ought to run for the Senate or Congress and get involved in politics rather than judging, because a failure to apply the law as fairly read is essential in any good judge.

Judges aren't given lifetime tenure—the sort of independence that nobody else in our government is given—just to enact their own visions of policy. Judge Gorsuch confirmed time and again that he will not do that—that he will only interpret the law as he has throughout his career as an independent judge, with faithfulness and fidelity to the text and the original understanding of the Constitution.

The letter I have been quoting in part is here in my hand, and I ask unanimous consent that it be printed in the RECORD following my remarks.

Now, I know there are some on the other side of the aisle who have indicated that adherence to originalism is a liability or who claim that it is somehow a radical doctrine out of the mainstream, but that is just a scare tactic. It is completely wrong. Let me remind my colleagues that during her confirmation hearings, now-Justice Elena Kagan told the same committee that "we are all Originalists"—hardly a radical position, if Justice Kagan and Judge Gorsuch agree with originalism. It is certainly not a methodology of interpreting law that should stir any concern.

Yesterday, some of our Democratic colleagues continued to reinforce my view that they don't really have any legitimate objection and reason to filibuster Judge Neil Gorsuch. This is about Judge Gorsuch. This is not about

President Trump. This is not about Merrick Garland. This is not about anything else.

We will have a chance to vote on the nomination of Judge Neil Gorsuch for the U.S. Supreme Court. That is the question that will be presented to the Senate for an up-or-down vote. Any fairminded person would have to conclude that he is an independent legal mind and that he will not legislate from the bench. He has the intelligence, experience, and character to be a good judge, as he has been for 10 years on the Tenth Circuit Court of Appeals out of Denver. He has an unflinching commitment to upholding a faithful interpretation of the Constitution and our laws. I look forward to confirming him next week.

The question for our Democratic friends is whether they are going to launch the very first partisan filibuster of a Supreme Court nominee in the history of the United States. It really is unprecedented, what the Democratic leader, Senator SCHUMER, has suggested—that for the first time in the history of the Senate, a partisan filibuster will be used to attempt to defeat the nomination of a Supreme Court Justice and to deny the Senate the opportunity to have an up-or-down vote.

Now, just to be clear, there are two votes we are talking about. One is the so-called cloture vote, where we close off debate. That takes 60 votes. Then, once that passes, it is clearly a majority vote, and 51 votes will carry the day.

But the Democratic leader has suggested that he would deny the Senate the opportunity to get to that second up-or-down vote, and that is simply unprecedented. It is unprecedented for a very good reason. To believe that 60 votes would be required to confirm a nominee to the U.S. Supreme Court would be to suggest that the Founding Fathers, when the Constitution was written and when it was ratified, somehow believed that the Senate rules were incorporated in the Constitution, when that is clearly not the case—clearly not the case. The Constitution is a separate document. The Senate rules are a different thing. But, again, never have they been conflated to suggest that somehow, in order to confirm a nominee to the Supreme Court, we need 60 votes.

I understand the pressure that our friend the Democratic leader is under, because after this last election, he has now had to straddle two competing camps within the Democratic Party—traditional Democrats versus the Democrats led by the wing of BERNIE SANDERS and ELIZABETH WARREN. I understand the pressures that he must feel and the reason why he would do something that is unprecedented and suggest that we filibuster this nomination.

We already know that some Members of his conference have said they will

agree to an up-or-down vote. Our friend from West Virginia, Senator MANCHIN, has said he opposes the filibuster. Senator LEAHY, the former chairman of the Senate Judiciary Committee, has said he is not inclined to go along with it, either. Senator CARDIN, our colleague and friend from Maryland, has stopped short of agreeing with the minority leader's strategy. Senator HEITKAMP from North Dakota has said that she believes the nominee deserves an up-or-down vote.

If the Democratic leader follows through, as I said, it would be unprecedented. Never before has there been a successful partisan filibuster of a Supreme Court nominee. I would just say to our friends across the aisle that time and again Democrats have accelerated the arms race on judges, and every single time, it has come back to bite them.

We remember in 2013, when Senator Harry Reid, then the majority leader, broke the Senate rules in order to change the rules, in order to lower the threshold for circuit court and district court nominations. He did that because of the desire to pack the District of Columbia Court of Appeals, because that was the court that had primary jurisdiction over cases coming out of the Obama White House—its regulations and the like. In order to get a court that would be more likely to rubberstamp and approve of Obama policies, Senator Reid felt it was imperative to pack the D.C. Circuit Court of Appeals. Unfortunately, he was able to do so with the votes of the Democrats across the aisle—to break the Senate rules to change the rules for the sole purpose of rubberstamping Obama administration policies.

The question before the Senate this time is very different. Those who would break precedent are those who would filibuster a Supreme Court nominee like Judge Gorsuch because it has never been done before. But I would ask our Democratic colleagues this: If Judge Gorsuch is not acceptable to them, is there ever going to be a nominee from a Trump administration whom they would find acceptable?

They have tried to find fault with Judge Gorsuch, and they have simply been unable to do so. So they keep moving the goalpost and raising different issues because they, frankly, are desperate to find some reason to justify this unprecedented filibuster.

But if they do—if Democrats block Judge Gorsuch from receiving an up-or-down vote—then, there is simply no Republican nominee to the U.S. Supreme Court they won't filibuster. If Judge Gorsuch isn't good enough, I dare say there will never be another nominee who is good enough to allow an up-or-down vote if this unprecedented filibuster is allowed to stand.

So I hope our colleagues will reconsider, and that, on cooler reflection,

they will not be driven by the radical elements in their own party but rather by their good judgment and their sense of responsibility to not only their constituents but to the Constitution itself and to the important role that the Senate plays in the advice and consent function to the nominee of the U.S. Supreme Court. I hope they reconsider, and I hope that when the rollcall vote is held, our colleagues will provide the 60 votes we need to get cloture, so we can have that up-or-down vote on Judge Gorsuch's nomination.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LAW PROSE,

Dallas, TX, March 25, 2017.

Senator JOHN CORNYN,
U.S. Senate, Hart Senate Office Building,
Washington, DC.

DEAR SENATOR CORNYN: It was an eerie feeling for me this week, sitting behind my friend and coauthor Judge Neil M. Gorsuch as he was being vetted to replace my late friend and coauthor, Justice Antonin Scalia. As you know, I've written lengthy books with both men, and I know their legal philosophies pretty darned well.

One aspect of their approach to judging—"originalism," as it's called—has attracted polemicists to use the label as a scare tactic. So much demagoguery surrounds the word that some clarification is in order.

People might wonder why Justice Scalia would write a prescriptive book on judging (Reading Law) with someone who had declared himself to favor same-sex marriage, to be ardently pro-choice, to disfavor prayer in public schools, and to be hostile to the Second Amendment—so hostile, in fact, that he would like to see it repealed altogether. Yes, I'd favor serious gun-control measures in this country.

My private beliefs on these points, however, would be irrelevant if I were up for a judgeship because methodologically I'm an originalist: I wouldn't be enacting my own visions of wise policy—that's not what a good judge does—but instead I'd be applying a "fair reading" to the the statutory or constitutional words before me. Although I deplore the Second Amendment's right to bear arms, I think the Supreme Court's Heller decision was correct: the constitutional Framers meant there to be a personal (though not unlimited) right to own guns. I wish it weren't so.

Only if I were a "pragmatist" judge or a "changing constitutionalist" would these private views become important. Then I wouldn't be "interpreting" a document. Instead, I'd be declaring new policies that have no discernible foundation in the Constitution itself. I'd be looking within my heart and soul to consider what I believed to be fundamentally important. There I might discover new rights that people hadn't seen before. I might take on the mantle of philosopher-king: whenever reformers couldn't get a constitutional amendment through, they could come to my court. Perhaps four of my colleagues and I could amend the Constitution for them: we'd declare a new meaning and find a new fight as part of our never-ending Constitutional Convention.

That's what would happen if I were a "pragmatist" (it's a euphemism) or a "changing constitutionalist" (the euphemism is "living constitutionalist").

So you can see why methods of judging have caused the confirmation process to be-

come so heavily politicized. In Reading Law, Justice Scalia and I remarked: "The descent into social rancor over judicial decisions is largely traceable to nontextual means of interpretation, which erode society's confidence in a rule of law that evidently has no agreed-on meaning. Nontextual interpretation, which makes 'statesmen' of judges, promotes the shifting of political blame from political organs of government (the executive and the legislature) to the judiciary."

We went on to observe that "the consequence is the politicizing of judges (and hence of the process of selecting them) and a decline of faith in democratic institutions."

In a New York Times op-ed two days ago, a law professor from Louisiana had the temerity to say that "Justice Scalia failed to realize that textualism is self-undermining." His support for that slander? "Nowhere does the Constitution explicitly state that textualism, no less than originalism or any other method, is the correct theory of constitutional interpretation."

This is just silly. Nowhere in Shakespeare is it said that future generations may well need a glossary to understand some of the words—or that the best understanding of the words will be their Elizabethan understanding. For example, few people who read the word leasing in Shakespeare would understand it, as his contemporaries did, to mean "a lie or falsehood."

Although there was no name for originalism in the 18th century, the idea was well-enough understood. The political philosopher Emmerich de Vattel—whose influence on Benjamin Franklin, George Washington, and other Founders was well known and "timely," according to Franklin, since it reached them about 1775—wrote in his Law of Nations: "The interpretation of every act, and of every treaty, ought . . . to be made according to certain rules proper to determine the sense of them, such as the parties concerned must naturally have understood, when the act was prepared and accepted."

Vattel added: "When an ancient act is to be interpreted, we should then know the common use of the terms, at the time when it was written."

That was the settled view of written legal instruments, whether statutes or written constitutions. In 1796, Justice James Iredell of the Supreme Court wrote: "We are too apt, in estimating a law passed at a remote period, to combine in our consideration, all the subsequent events which have had an influence upon it, instead of confining ourselves (which we ought to do) to the existing circumstances at the time of its passing."

Perhaps, you might think, all these statements relate only to statutes and not to constitutions. Just seven years later, in the seminal case of Marbury v. Madison, Chief Justice John Marshall applied the same principle to the U.S. Constitution. He emphasized the notion that the Constitution, aside from what ought to be infrequent amendment, is fundamental and unchanging: "That the people have an original right to establish, for their future government, such principles as, in their opinion, shall most conduce to their own happiness, is the basis, on which the whole American fabric has been erected." It's an original right to fix the future government. He added that this original right is "a very great exertion" that should not "be frequently repeated." Then, in this closely reasoned passage, he says that "the principles . . . so established are deemed fundamental" and "are designed to be permanent."

Permanent—not waxing and waning according to political expediences of the moment.

That's the essence of originalism. Marshall and Iredell and Vattel were hardly alone. Other writers of the period agreed. In 1821, James Madison, one of the architects of the Constitution and author of the Bill of Rights, correctly stated the gist of originalism: "Can it be of less consequence that the meaning of a constitution should be fixed and known, than that the meaning of a law should be so? Can, indeed, a law be fixed in its meaning and operation, unless the constitution be so?"

Elsewhere, Madison wrote: "What a metamorphosis would be produced in the Code of the law if all its ancient phraseology were to be taken in its modern sense." He further insisted that if "the sense in which the Constitution was accepted and ratified by the nation . . . be not the guide in expounding it, there can be no security for a faithful exercise of its powers."

The very fact of having a written constitution meant that we had fixed its meaning in permanent form. That wasn't just the prevalent notion among the founders—it was the only notion of which any contemporaneous or nearly contemporaneous trace can be found.

Some imprecise observers confuse the concept of originalism with the word originalism—and so conclude that the concept, like the word, was born "in 1985 [when] Ronald Reagan's attorney general at the time, Edwin Meese, elevated originalism to a legal and political movement." It may well be that the term originalism didn't come into common usage until the 1980s, but that is simply because before then there was no need for the term. Originalism is what philologists call a "retronym"—a term devised to describe what used to be an entire genus but has since become merely one species of the genus. For example, the term land line didn't exist in the telecommunications field until wireless technology was invented. Until then, all voice telecommunication was through land lines, so the term was unnecessary.

Likewise, giving text its original meaning was long the standard legal practice. It wasn't until the 1960s that other "theories" of interpretation came into common usage. Only then did it become necessary to coin a word to denote the traditional practice.

Only by sheer, bald-faced casuistry can it be argued, as it was earlier this week in the New York Times, that "true originalism—genuinely following the founders' intent—requires us moderns to interpret constitutional language in light of our own, not their, moral and linguistic norms." This assertion comes, of course, from the same writer who asserts that "Justice Scalia also failed to realize—or at least admit—that textualism and originalism rarely determine a unique outcome."

These calumnies don't square with the facts. In the preface to Reading Law, Justice Scalia and I plainly wrote: "Textualism will not relieve judges of all doubts and misgivings about their interpretations. Judging is inherently difficult, and language notoriously slippery. But textualism will provide greater certainty in the law, and hence greater predictability and greater respect for the rule of law."

Judge Gorsuch said as much during his Judiciary Committee hearings this week. He demonstrated an astonishing command of the law, a erudition worn lightly, a calm but tenacious dedication to the scruple of judicial ethics, a thoroughly likable demeanor, and admirable endurance. I trust that all fair-minded Senators will vote for him.

Sincerely,

BRYAN A. GARNER,

*Editor in Chief,
Black's Law Dic-
tionary; President of
LawProse Inc.; Dis-
tinguished Research
Professor of Law,
Southern Methodist
University.*

Mr. CORNYN. Mr. President, I see our friend from West Virginia and others here, so I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

OPIOID CRISIS

Mr. MANCHIN. Mr. President, we have come to a crisis in our country. My State of West Virginia has the highest drug overdose death rate in the Nation. West Virginia reported 818 overdose deaths last year—four times the number that occurred in 2001 and a nearly 13-percent increase over 2015. We lost more than 700 West Virginians who died from an opioid overdose last year. Some 42,000 people in West Virginia, including 4,000 youth, sought treatment for illegal drug use but failed to receive it because of a lack of treatment centers, which we have been trying to correct. In West Virginia, drug overdose deaths have soared by more than 700 percent since 1999.

West Virginia had the highest rate of prescription drug overdose deaths of any State last year—31 per 100,000 people. In West Virginia, providers wrote 138 painkiller prescriptions for every 100 people. Think about this. Doctors are prescribing and manufacturers are producing. They have written 138 painkiller prescriptions for every 100 people in my State—the highest rate in the country. I hope Arkansas is not facing the same dilemma we are.

Every day in our country, 91 Americans die from an opioid overdose. Opioids now kill more people than car accidents. In 2015, the number of heroin deaths nationwide surpassed the number of deaths from gun homicides. Since 1999, we have lost almost 200,000 Americans to prescription drug opioid abuse.

Mr. President, 2.1 million Americans abuse or are dependent on opioids. According to the CDC, three out of four new heroin users abused prescription opioids before moving to heroin. Heroin use has more than doubled among young adults ages 18 to 25 in the past decade. Forty-five percent of the people who used heroin were also addicted to prescription opioid painkillers. Between 2009 and 2013, only 22 percent of Americans suffering from opioid addiction participated in any form of addiction treatment.

Misuse and abuse of opioids cost the country an estimated \$78.5 billion in 2013 in lost productivity, medical costs, and criminal justice costs.

Every week, I come to the Senate floor to read letters from West Virginians and those struggling all throughout our country with opioid abuse. The reason I do this is because

it is a silent killer. We don't talk about it. There is not one of us in the Senate, not one of us in Congress, not one of us in any gathering who doesn't know someone in our immediate family, extended family, or a close friend who hasn't been affected, but we would never talk about it because it was so embarrassing—how did it ever break down in our family, whether you had a model family or you thought you did. This is a killer. Whether Democrat or Republican, conservative or liberal, this is a killer. It has no discretion. It has no partisan base. It goes after one and the other. So this is what we are dealing with.

The letters I read have a common theme: They all mention how hard it is to get themselves or loved ones into treatment. Sometimes it takes months, and sometimes it never happens. This problem stems from our lack of a system to help those who are looking for help. We need permanent funding to create and expand substance abuse treatment facilities to help people get clean and stay clean.

I know the Presiding Officer has heard this before, but that is why I introduced the LifeBOAT Act. The LifeBOAT Act puts one penny per milligram of opiates—basically, one penny for every milligram of opiates produced in America, consumed in America—into a fund that pays for treatment centers. In the Presiding Officer's beautiful State of Alaska and my State of West Virginia, people need treatment. This is an illness. I used to look at it 20 years ago as basically a criminal act, and we put them in jail. Guess what. They came out of jail just as addicted as they went in. Nothing changed, so I am willing to change. I have always said that if you can't change your mind, you can't change anything. This is an illness that needs treatment, and we are responsible for that. This lifeboat would establish a steady, sustainable funding stream to provide and expand access to substance abuse treatment.

Today I am going to read a letter from parents from West Virginia who lost their son to drug abuse. This is Renee and Criss's letter, which they want me to read. This fine-looking young man was a father, and this is such a tragic ending to this story.

Dear Senator Manchin,

I am writing to you in the hope of bringing to light the devastating effects of heroin addiction, overdose death and the difficulty in finding treatment for those afflicted with the disease and their families.

On November 12th, 2016, we lost our 23-year-old son, Nick, who died from what we thought at the time was a heroin overdose. When Nick's autopsy report came back, we discovered that his body contained no trace of heroin in his system. He had died from a fatal dose of straight fentanyl.

Nick was a quiet, kind and inquisitive child. He learned to speak and read at an early age and spent most of his time absorbed in books and riding his bike and

scooter. He also loved playing in the woods and dreaming up adventures with his sisters and neighborhood friends. He was a protective big brother, and he had a natural way of connecting with kids who were "different" and making them feel accepted.

Nick was always tall for his age. He came into this world on July 5th, 1993, weighing in at 10 pounds and topped off at 6'8". He loved sports and excelled in basketball and soccer. He even met you when you were Governor Manchin, after his basketball team traveled to Charleston, WV, to celebrate their A State Basketball Tournament Championship in 2011.

After high school he went on to play basketball for the Glenville State College Pioneers. Nick wasn't able to keep his grades up and had to drop out of Glenville after the first semester of school. Shortly after that, he met a girl. They instantly connected, and he soon became a father to her daughter. After several years together, they had a son of their own.

After having difficulty holding down jobs and providing for his family, Nick came to me in November of 2015 and told me that he was addicted to opiate prescription drugs. We had suspected drug use for quite some time but didn't realize the extent of it. He said that he could no longer live the life he was leading and needed help. Nick and his girlfriend had started using opiate-based prescription drugs after she was prescribed them for her recovery from the birth of her daughter in 2013. At first, they would make trips to the doctor or quick care with fake ailments in order to get their prescriptions. If they couldn't get prescriptions, then they bought from drug dealers. The pills were easy to get up until the time he came to me for help.

I told my husband about Nick's drug problem, and not knowing what to do, we turned to the Internet as a source of information. We found a lot of information and many treatment centers across the country. I began calling a few of the ones that looked reputable, but in each case, they required three to five thousand dollars up front for a 28 to 30 day treatment. The question now was: Were these treatment centers as good as they appeared to be on their websites or were they simply out to make a profit and marketing their centers to bring in more patients?

While we researched and tried to make a decision, Nick, not wanting to be away from his family, went through detox at home and had convinced him and us that he could do this on his own. Nick made it through his first round of self-detox but started using again for a short while at the end of January. We confronted him, and he immediately started his second round of self-detox. He again swore that he could do this himself and was finished with the life he was leading. We were still trying to figure out what to do with him and what would happen to his family while he was gone. We didn't know that his girlfriend was also using and detoxing along with Nick.

After speaking to several people at a local treatment center and trying to arrange for him to be admitted, we were told that they wouldn't take him because [of] our insurance. My next course of action was to call local counseling centers that offered addiction counseling, hoping that they would be able to offer advice. Each one I called politely told me that they couldn't help.

Nick's addiction, and our focus on him, was taking away from our being able to celebrate and focus on our other children, Nick's

two sisters. We decided to put Nick on the backburner while we prepared for our daughter's graduation party and the school events that preceded it, thinking that a few weeks wouldn't hurt. Were we ever wrong!

It is a sad scenario when a family has to hope that their child gets arrested and gets a conviction record so they can go to a drug court to get treatment, that that is the only help they have.

One of our daughters had learned that Nick could get treatment if we pressed charges against him for theft. He would be charged, then court-ordered to be sent to an addiction treatment center. She felt that this was the best course of action to get Nick the help he needed, but Criss and I were hesitant because of the negative impact a felony charge would have on Nick's life if the charges weren't expunged after completing his treatment.

Which is our what we call fresh start or last-chance bill, which the Presiding Officer has been so graciously looking at and hopefully will be a part of this. It is a shame they fall into this.

Our decision to not go this route caused even more anger.

Since they knew that, hindsight being 20/20, this was the only way to get Nick help.

Little did we know that, by late-March or early April, Nick and his girlfriend had decided to celebrate their being clean by using heroin "just this once" as a reward for staying clean.

They were rewarding themselves by using heroin to celebrate being clean. Now, understand, that is not proper thinking. That is not rational common sense.

In the past, the two had snorted heroin but had never injected it. When they went to buy from their dealer, he told them that since they didn't have much money and there were two of them, they could get a better high with less heroin if they injected it. And that was the beginning of a rapid decline.

On June 2, 2016, Nick had his first overdose. Without our knowledge, his girlfriend had taken Nick, along with the children, to the emergency room, where he was treated and released within a few hours. Unbeknownst to us, this initiated a call to CPS that would result in her daughter's father taking custody of her and CPS involvement for Nick and his girlfriend and their son.

At the hospital, Nick and his girlfriend talked with a doctor out of Pittsburgh about Suboxone. They agreed to try the program. I traveled with Nick, his girlfriend and her mother for the first visit to Pittsburgh. They had a high success rate, and it was decided that once the treatment was established, the two would go to Pittsburgh once a month for drug testing, counseling and their Suboxone prescriptions. The clinic would line up additional support services in Parkersburg or close by. We were very impressed with the clinic, their staff and their program, which only took on 100 patients at a time.

Criss came to the next meeting two weeks later to speak with the counselors and was now more comfortable with the treatment plan. Unfortunately, when the counselors tried to set up local support services, they were shocked to find the small number of places that treated addiction and the fact that the ones that were here would not provide services for patients who were not in

their program. The decision was made to increase their sessions to twice a month and eventually once a week when it became apparent through consistent "dirty" screens that the two were struggling with the program [and still using].

In August, his girlfriend suffered an overdose. The Pittsburgh Clinic called shortly after that and said that they were releasing the two from the program, letting us know that they needed a more intense treatment plan than they could provide. I called the CPS case worker and addiction counselor that were assigned to watch over the children and monitor the two after Nick's overdose in June. We all met at the house to determine the next course of action. After numerous phone calls, we were able to find an "open" bed in Las Vegas, Nevada, for Nick, while his girlfriend would decide the following week to go to a treatment center in Fairmont, WV.

In less than a week, Nick was on a plane to Vegas, eager to begin a new, clean life. He was upbeat and positive before he left, excited by the prospect of finally leaving behind the life of addiction that he'd been living for so long. During his phone calls home, he had positive things to say about his treatment. He was staying in nice homes that were part of the treatment center. Along with their daily treatment schedule, they were taken on hikes and went go-cart racing. He even had a manicure at the facility's salon. The purpose of these activities was to teach the patients natural ways of experiencing highs.

Nick's release date was scheduled for October 3rd. There were longer-term treatment plans offered at the facility, but Nick missed his son and worried about his girlfriend and wanted to come home. The treatment center had set up group sessions for him three times a week for a period of about six weeks.

Nick came home on a beautiful, sunny day. I waited at home for him with his son, who had been staying with me, and his other grandmother.

I wish we had this picture of his son, a beautiful little boy.

When I saw Nick for the first time, he looked beautiful. He looked and acted like the Nick that we had known before addiction. He told us about his stay in Vegas and was literally shining with hope! He told me, "Mom, I will never go back to that life!" And I believed it was possible.

That hope began to fade pretty quickly. Nick had started working about six weeks before he left for rehab. It had taken him a long time to get that job and he enjoyed it and felt that he could actually provide for his family if he could work his way up. However, after rehab he was unable to secure a job. Nick was going to his scheduled group sessions and going to nightly NA meetings for support. Nick finished up his six weeks of group therapy. He was so proud when he received his "sixty day's clean" chip at the NA meeting. Seven days later he and I spent part of the afternoon together. He wanted to look for a job and I had some errands to run. He dropped me off where I needed to be and applied for jobs. When I finished, he picked me up and I took him to Sam's Club to show him cute toys for his son for Christmas. We picked out a racetrack together and I showed him a few other things I had bought for my grandson. I had mentioned that Criss might get his son a basketball hoop for Christmas and he told me, "No Mom, I want to buy that for him with my own money."

We had a good afternoon together. He had made plans for the evening, to meet up with

some of his high school friends who were in for the weekend. He left my house around eight o'clock and I heard him return around 12:35 am. All of his friends later said that he'd had a good night. He was happy and smiling and there was nothing to indicate that there was anything wrong. Shortly after I heard Nick come in, my grandson's crying woke me up and I woke to change him, give him a bottle. I headed back to bed and noticed the light on in the bathroom and knocked and opened the door. It was around 1:45 am and Nick was lying on the bathroom floor with no pulse and not breathing. I called 911 and began CPR. Within minutes the ambulance arrived. They worked on him for some time while I spoke to the police officer then they took him out to the ambulance. I assumed they had stabilized him enough to transport him and waited for my in-laws to arrive to watch our grandson.

When Criss and I were called back into the emergency room we did not expect to hear that Nick had passed. We didn't expect that we would have to call our daughters to tell them that their brother was dead or that we would sit in a room with him feeling him go cold while we waited for our daughter to arrive from Morgantown. We weren't able to get in touch with our other daughter and had to send my sister over the following morning to tell her the news. We didn't expect that in less than two days we'd be picking out a coffin and cemetery plot for our son.

We expected that we would be sending him back to treatment in the hope that the next round would be successful. We expected another chance. And what we have now is the knowledge that we failed our son in the worst way possible.

Sincerely,

Renee and Criss Fisher.

There is a picture that would be hard to show because it was the most moving picture I have ever seen. They sent me the picture of Nick, this wonderful young man, lying in a casket and his little boy tiptoed up holding on. That should move all of us to do the right thing here, to start finding treatment centers, to start working with this illness, to find ways to understand, and to start intervening. You have to intervene from inception, from birth and all the way through, educating children. It is destroying economies. It is destroying families. It is destroying, basically, communities all over this country.

It is something that I hope we all can fight. To lose a young man—this was a terrific young man, and to lose him to drugs is uncalled for.

I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Utah.

NOMINATION OF NEIL GORSUCH

Mr. LEE. Mr. President, I rise in support of the nomination of Judge Neil Gorsuch for the Supreme Court of the United States.

Last week the Judiciary Committee, on which I serve, held a week-long series of hearings concerning Judge Gorsuch's nomination. After listening to the judge's flawless testimony, after listening to him answer questions from my colleagues for days on end, I am even more convinced than ever that he is exactly the kind of jurist we need on

the Supreme Court of the United States.

I want to briefly explain my support for the judge, and then respond to some of the criticisms that have been leveled against him.

First and foremost, Judge Gorsuch understands the proper and necessarily limited role of the judiciary in our constitutional Republic.

Last week, over and over, Judge Gorsuch affirmed—even against great criticism that at times can be difficult to understand in its entirety—but responded time and again to criticisms by pointing out that it is his job as a judge to interpret and apply the law—not to make it, not to establish policy, but to apply that policy which has already been placed into law by the legislative branch.

When you are reading law, the text matters. Our laws consist of words and each word matters. If the law leads to an uncomfortable outcome for the parties, for politicians, or for anyone else in our society, then, it is our job as a Congress—or if it is State law at issue, it is the job of a State legislature—to get the policy right, to fix the policy problem at issue. The judge's job is to go where the law leads the judge, not to correct the law.

Over and over, Judge Gorsuch affirmed the importance of precedent in our system. It is clearly a topic that he takes very seriously, having coauthored a treatise on that very subject. While precedent is not always absolute, in so far as you have a clear conflict with the text, Judge Gorsuch testified that you start with the “heavy presumption in favor of precedent.” He described precedent as the “anchor of the law.”

Over and over, Judge Gorsuch explained that judges are not partisans in robes. No, they are different. They are different from politicians. They are meaningfully different than the politicians who make the laws or the politicians in the executive branch who enforce and execute the laws. They are unfailingly independent when they are doing their jobs right. They are devoted to the rule of law. They do their best to decide cases on the basis of the law and the facts, rather than on the basis of achieving whatever outcome they or others might desire.

Some of my colleagues' views of Judge Gorsuch's record are different, and I want to address some of their concerns. First, some of my colleagues have questioned the independence of Judge Gorsuch and his ability to exercise judicial independence. This is a very serious accusation. In fact, it is probably one of the worst things you could say about a judge. So my colleagues who have raised this criticism would need to back that up against something. If you are going to raise a really serious accusation against someone, as you are whenever you are call-

ing into question a judge's independence, you have to be able to back it up.

Let's look at that. Can they back it up? I don't think so. In fact, I am quite certain they can't because they haven't. The argument boils down to the complaint that Judge Gorsuch hasn't sufficiently criticized President Trump's comments about judges. But here is what Judge Gorsuch said about this topic last week. He said this in response to questions raised by Senator BLUMENTHAL on the Judiciary Committee. He said:

Senator, I care deeply about the independence of the judiciary. I cannot talk about the specific cases or controversies that might come before me, and I cannot get involved in politics.

But, Senator, when you attack the integrity or honesty or independence of a judge, their motives, as we sometimes hear, Senator, I know the men and women of the Federal judiciary, a lot of them. I know how who hard their job is, how much they often give up to do it, the difficult circumstances in which they do it. It is a lonely job, too. I am not asking for crocodile tears or anything like that. I am just saying I know these people, and I know how decent they are. And when anyone criticizes the honesty or integrity, the motives of a Federal judge, well, I find that disheartening, I find that demoralizing, because I know the truth.

Senator BLUMENTHAL asked Judge Gorsuch whether, when he said “anyone,” that applied to the President of the United States. Judge Gorsuch responded simply: “Anyone is anyone.” It is true that Judge Gorsuch didn't use the magic words: I disagree with President Trump. But he can't get involved in politics. He said here what he can say. In fact, he said all he can say in this context.

Moreover, here are some additional parts of Judge Gorsuch's testimony, which shed light on this issue.

From Tuesday:

I have no difficulty ruling against or for any party other than based on what the law and the facts in the particular case require, and I'm heartened by the support I have received from people who recognize that there's no such thing as a Republican judge or a Democratic judge. We just have judges in this country.

On Wednesday he said:

I do not see Republican judges, and I do not see Democrat judges. I see judges.

So I think any fairminded person looking at this would have to agree that Judge Gorsuch's feelings about judicial independence in cases before the Federal judiciary are very clear. To my colleagues who might see the issue differently, I would ask simply: What should Judge Gorsuch have said without getting involved in politics, without miring himself in a debate that is within the political branches of government and, therefore, within the political rather than the judicial interpretive arena?

Second, some of my colleagues allege that Judge Gorsuch is somehow out of the mainstream. But consider these

facts. Judge Gorsuch has decided roughly 2,700 cases. His decisions have been unanimous 97 percent of the time. Keep in mind that he is an appellate judge who sits on the U.S. Court of Appeals for the Tenth Circuit. Appellate judges never sit alone in that capacity. They sit in panels—normally in panels of three and sometimes in panels of a dozen or so when they sit on the bench. And 97 percent of the time, all of the judges with whom Judge Gorsuch sits in any case agree with whatever decision he reaches. He is in the majority 99 percent of the time.

He is about as likely to dissent from a Republican-appointed judge as a Democratic-appointed judge. He has been reversed twice, and in both cases he was following circuit precedent. I want to make it clear that there is nothing wrong with a judge who dissents more than this. In fact, in many instances, dissents are necessary. In many instances, a dissent can be useful, even indispensable. There are judges out there who dissent more than this, and there wouldn't be anything wrong with Judge Gorsuch if he dissented any more. My point is that of all the arguments you can make against Judge Gorsuch, this is not a fair characterization. To say that he is out of the mainstream simply runs against mathematics. It runs against the bold statistics on their very face, which contradict this characterization.

Some of my colleagues respond that only a handful of cherry-picked cases matter. If you watched the hearing last week, you might recognize the names of some of these cases. They include TransAM Trucking, Hwang, Luke P., Hobby Lobby. What I find revealing is that my colleagues never mount much of a legal argument against any of these decisions. No, you are not going to find quibbling with the statutory construction in these cases. They don't parse the statutes at issue and then explain where it is that Judge Gorsuch somehow got it wrong, somehow departed from what the law actually says. No, they are looking at outcomes. They think Judge Gorsuch should have bent the law in order to go where they think the law should go. They want judges who have the right approach in mind, the right outcome in mind, and to decide the case according to what outcome they desire.

I flatly disagree with this view of judging. It is a view, frankly, that is way out of the mainstream in American law. To say it is out of the mainstream in American law does not mean out of the Republican mainstream or the conservative mainstream or the mainstream among members of the Federalist Society. No, I am talking about rank-and-file practitioners of the law, jurists from every conceivable point along the political and ideological spectrum. This is just not something that a judge would ever want to

admit to doing. Certainly, it is never anything a judge would aspire to do—to choose an outcome and say: I am going to reach that outcome, and I don't really care that the law doesn't really authorize me to do it. I am just going to do it because I think, in some abstract sense, that outcome would achieve a greater degree of fairness than what the law actually requires me to do.

Third, I am distressed by a lot of the rhetoric that we heard during the confirmation hearing last week—rhetoric that I expect to continue and even mount over the next 10 days or so. One of my colleagues last week actually went so far as to describe the Supreme Court of the United States as an “instrument of the Republican party.”

Other colleagues have complained about the so-called dark money campaign to support Judge Gorsuch's nomination, and still other colleagues complain that President Trump or Steve Bannon or Reince Priebus or others are enthusiastic about Judge Gorsuch's nomination, as if the fact that someone is supported by someone they don't like means that the person in question is not qualified. This is unfair to Judge Gorsuch.

Judge Gorsuch didn't decide *Citizens United*. He didn't decide *Hobby Lobby* or any other case my colleagues dislike. He made clear in no uncertain terms that no one speaks on his behalf but him.

They may dislike some of the cases in which he offered opinions, but, again, in those cases, they are not quibbling with the way that he interpreted the law. No one has attacked his interpretation of a statute, his approach to statutory construction. They are quibbling with the outcome. They are quibbling with the fact that they wish it had turned out differently on policy grounds, policy grounds that have everything to do with the policy-making arms of the government and not with the jurisprudential arm of the government.

Even worse, these types of statements are damaging to our judiciary. If you don't like a judicial decision, engage the decision on its own terms, engage in a discussion of how that decision turned out wrong or where it is that it departed from what the law requires. Make a legal argument, in other words.

The courts announce reasons for their decisions. There is plenty of material to dig into, but don't impugn the judge's motives or independence. This is especially harmful when you impugn the judge's motives without actually getting into what the judge did or what the law says and explaining how those two things diverge.

Don't accuse the Supreme Court of functioning as an instrument of the Republican Party. In fact, you might as well call someone a so-called judge

in a case where you disagree with the outcome. In fact, calling someone a so-called judge is probably no worse than calling the Supreme Court of the United States an instrument of the Republican Party.

Finally, I want to talk about the filibuster. The minority leader has urged his colleagues to filibuster. The minority whip has announced he will filibuster. Only two Democrats have said they will vote yes on cloture, so here we are.

I ask my colleagues: If Neil Gorsuch can't get 60 votes for cloture, which Republican nominee can?

Some of my colleagues have argued that if a nominee can't get 60 votes, the President should find a new nominee. I ask my colleagues: Was that the standard for several of President Obama's nominees at the U.S. Court of Appeals for the D.C. Circuit?

Well, yes, it was. Under rule XXII, that was the standard. That was the standard until, in November of 2013, the Democrats in the Senate went nuclear, and they created a new precedent, taking that threshold down from 60—by precedent—to 51. Through going nuclear, this is the result they achieved.

Their analysis, in its entirety, went in this direction. Their analysis nuked the Executive filibuster. It nuked the filibuster on the Executive Calendar.

Interestingly, although some were insisting at the time and went to the floor to explain at the time that they didn't intend for this to extend to Supreme Court nominees, when everyone thought Hillary Clinton would be President—Harry Reid admitted that the Democrats would extend this same precedent through which the Democrats had nuked the Executive filibuster to Supreme Court nominees.

So, look, I work with my colleagues on the other side of the aisle on a great number of important issues, issues that are very important to me, issues like criminal justice reform, reform of the Foreign Intelligence Surveillance Act, reform of the Electronic Communications Privacy Act of 1986, which is badly in need of reform, and a number of other issues, many of which involve privacy protections. These are A-plus legislative priorities for me. Nothing else is more important, and I stand ready to reform the law whenever I see the need to do so and will continue to work with my Democratic colleagues.

As we approach this discussion, I want to be clear that unilateral disarmament doesn't work. I hope the Democrats reverse course and do not filibuster this nominee, but if they do, I am confident Judge Gorsuch will be confirmed.

THE PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I ask unanimous consent that Senator WHITEHOUSE speak after me, followed

by Senator COTTON, if he is on the floor.

THE PRESIDING OFFICER. Without objection, it is so ordered.

Ms. HIRONO. Mr. President, I rise in opposition to both of the Congressional Review Act, or CRA, resolutions related to retirement that we will be considering this week. These CRA resolutions before us would kill Federal regulations that give cities and States the opportunity to expand retirement options for individuals.

Our Nation faces a retirement crisis. In Hawaii, about 50 percent of private sector workers have jobs that don't provide retirement benefits.

According to a recent survey by AARP Hawaii, 56 percent of working age people feel anxious about having enough money saved for retirement. For generations, Americans relied on the “three-legged stool” of retirement: Social Security, private savings, and a pension from their employer. Those days are gone. More and more seniors are relying on Social Security for a bigger share of their income in old age.

In Hawaii, the average monthly Social Security benefit is \$1,408. Given the cost of housing, medical insurance, and other necessities in Hawaii, that is not nearly enough.

Seniors should be able to count on us to keep Social Security strong. That is a bedrock position we should honor.

Given the retirement crisis, taking away tools that States and local governments can use to help bolster retirement savings makes absolutely no sense, yet this is what we are about to do if we pass these CRA resolutions.

Last week, the Hawaii State Senate held a hearing on legislation that would establish a Hawaii retirement savings working group. The proposed legislation would bring together public and private stakeholders to look at ways to improve retirement savings for workers. A number of stakeholder groups, retirees, and other citizens testified on the bill.

Let me tell you one of their stories. His name is Donald. He is a 61-year-old gay man who has lost three husbands to HIV/AIDS. Donald has worked for 35 years and even set aside money for retirement using 401(k)s—401(k)s that he cashed out to help cover medical costs for his loved ones.

He said: “I did what I had to do out of love and devotion, especially when each of my guys' families took a step back in the face of adversity.”

Donald now lives paycheck to paycheck in senior affordable housing. He plans to work until he is at least 65.

Personal tragedy isn't the only reason it is difficult for him to save. He wants to save, but he noted that “I am trying to muster some form of IRA through local financial institutions to no avail. No one returns the calls.”

For too many working people, saving for retirement isn't automatic or easy.

It seems out of reach, but we can't let that stand.

The Obama administration recognized the retirement crisis in our country and the need for new thinking to help people save. In fact, that is the point of the regulations the Senate is poised to kill. These regulations simply provide a framework that States and cities can use to expand access to retirement savings.

There are no Big Government mandates or industry takeovers. States and cities would simply have the opportunity to be creative and help families save for retirement. The fact Republicans want to kill these rules has a certain "Alice in Wonderland" quality to it, where up is down and down is up.

For the last few weeks, Republicans touted how TrumpCare was giving States more flexibility to provide healthcare, while the reality was that for a State like Hawaii and many others, TrumpCare would have saddled them not with more flexibility but more costs. At that point, States' rights was one of the selling points for that disastrous legislation.

This week Republicans have taken a U-turn. Now they are trying to kill regulations that would actually give States more flexibility to provide retirement security. Why we should take away this tool from States is beyond me. Cynics would say Republicans are doing this to help some private entities sell more retirement plans to people. However, the reality is that millions of families are not being served.

Killing these rules is the latest Republican attack on working people. We should be fighting to give people like Donald more hope and opportunity. Voting against these resolutions is a vote to help people like Donald.

I urge my colleagues to join me in opposing what I can only characterize as lousy anti-working people resolutions.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that I be permitted to speak as in morning business for up to 17 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

OUR NATION'S INFRASTRUCTURE

Mr. WHITEHOUSE. Mr. President, with the Republican plan to defeat the Affordable Care Act itself defeated, President Trump says he wants to move beyond healthcare to focus on other priorities. One area that he has often highlighted is our Nation's crumbling infrastructure, which is a priority that many of us share and is something I would like to discuss today.

All of our kids, I suspect, dread having to bring home a lousy report card. They would be facing a serious talk.

Every 4 years, the American Society of Civil Engineers issues a report card

for American infrastructure. Our 2017 report card—out just this month—shows lousy marks across the board for American infrastructure. Our ports and bridges got C-pluses, flat Ds for both drinking water infrastructure and roads, and our energy grid got a D-plus. Overall, the United States took home a D-plus grade point average. It is not pretty, and not an improvement over the scores we got 4 years earlier.

A report card is a progress report, and our grades show we are not making progress. So it is time to get serious about the sorry state of America's roads, bridges, ports, and pipes, which literally keep our economy moving.

The Civil Engineers estimate that we need an additional \$2 trillion in infrastructure investments over the next 10 years to get our infrastructure back to a B grade level. The study also found that there is a cost for lousy infrastructure—that we are set to lose nearly \$4 trillion in GDP and \$7 trillion in lost business sales by 2025, which would result in 2.5 million fewer jobs that year.

America's declining infrastructure also faces growing demand. The Bipartisan Policy Center estimates an additional 100 million more people will rely on our transportation system by midcentury. The U.S. Department of Transportation says that we can expect twice the level of freight traffic on our highways and roads by then, so our already worn-down infrastructure is going to take an even heavier beating. We have to be ready for this. We have to make smart investments in the infrastructure backbone of American commerce. We should make those investments now, and we should make them for the long term.

I am hopeful. Transportation infrastructure has been a rare bipartisan bright spot in Congress. After all, our red States and our blue States both have bridges that age and water mains that rupture.

Congress has tried many times to push large bipartisan infrastructure bills. In the 112th Congress, a bipartisan group led by Senators Kerry, GRAHAM, and Hutchinson, introduced the BUILD Act to create a national infrastructure bank that would have authorized up to \$10 billion to underwrite transportation, water, and energy projects.

The Partnership to Build America Act, introduced in the 113th Congress by Senators BENNET and BLUNT, also proposed an American infrastructure fund, this time financed with a form of tax repatriation.

In the 114th Congress, we were actually able to pass the first long-term transportation law in 10 years. The FAST Act—short for Fixing America's Surface Transportation—authorized more than \$300 billion in transportation infrastructure investment over a 5-year period.

We also passed the Water Infrastructure Improvements for the Nation Act to address drinking water emergencies and authorize a number of new Army Corps of Engineers projects, including the removal of pilings and debris from the Providence River in Rhode Island. These bipartisan successes, however, barely put a dent in our Nation's total infrastructure needs.

Out on the campaign trail, then-candidate Donald Trump spoke broadly of a \$1 trillion infrastructure push. I agree we have to make that investment in America's infrastructure, but we also need to make sure we get real commitment from Washington, not just public-private partnerships and nebulous tax cuts. To bring our roads and bridges into the 21st century, we need a far-reaching infrastructure program like Franklin Roosevelt's Works Progress Administration.

The Joint Economic Committee's Democratic contingent put out a report analyzing the President's proposal to use investor tax credits to close our infrastructure gap. What they found was that using these tax credits alone would actually "cost nearly 55 percent more than traditional infrastructure financing." We can't let infrastructure turn into a special interest boondoggle.

In the absence of any sort of Executive plan or strategy, Senate Democrats, led by Minority Leader SCHUMER, put forward our own blueprint to rebuild America's infrastructure. It would invest \$1 trillion in the Nation's infrastructure, as the President wished, creating over 50 million American jobs. The blueprint encompasses not just roads and bridges but parks, schools, hospitals, and airports. It calls for investing \$100 billion in smalltown communities that need revamped infrastructure, over \$100 billion in aging water and sewer systems, \$50 billion in our railways, over \$100 billion in public transportation, and \$30 billion in our essential port infrastructure. It would put billions toward modernizing our energy grid by connecting rural areas and driving investment in clean energy.

It includes strong support for American workers—something the President claims as a priority—with "Buy American" provisions to promote American-made products and protections like the Davis-Bacon law to make sure Americans earn fair wages.

For a coastal State like Rhode Island, which has to prepare for rising seas and increased storm surges from climate change, the blueprint includes \$25 billion to improve coastal infrastructure and make coastal communities more resilient. This includes competitive critical infrastructure resiliency funding, a new Resilient Communities Revolving Loan Fund, and support for the National Oceans and Coastal Security Fund, which I authored sometime ago to research, restore, and reinforce our cause. Our plan

is big, it is bold, and it should garner the support of anyone who says they want to improve America's infrastructure and create jobs at home.

This work is vitally important in my home State. The American Society of Civil Engineers' report card shines a light on Rhode Island's particular infrastructure woes. It shows we need \$148 million for drinking water infrastructure needs and nearly \$2 billion for wastewater infrastructure fixes over the next 20 years. We have \$4.7 million of backlogged park system repairs and a \$241 million gap in needed upgrades at schools.

More than half of our roads are in poor condition. A lot of our infrastructure, unlike Alaska, dates back to colonial days when the foundations of our roads were first traveled by ox carts. This state of disrepair costs my constituents a lot of money. I have been told by the transportation research group TRIP that driving on cracked and crumbling roads in Rhode Island costs our motorists \$604 million per year—more than \$810 per motorist, per year, in vehicle repair and operating costs from banging into potholes.

In our State, 56 percent of the bridges are deficient or obsolete. That, I am sorry to say, is the worst rate in the country. Those bridges have been around a long time in many cases, and they are literally falling down piece by piece. It can be pretty shocking to see.

This photo shows part of the 6/10 Connector in Providence. The interchange is a vital link in the State's highway network for vehicles traveling between Interstates 95, 195, and 295. It was built in stages through the 1950s, and it can no longer accommodate the approximately 100,000 automobiles and heavy trucks that travel on it each day. Our department of transportation has spent millions of dollars on temporary maintenance to keep the interchange shored up and in operation, but you can see that this type of jury-rigging is not a lasting solution.

While Rhode Island directs millions of State funds to repair and replacement of these structures, we need some Federal financing to ensure that this work gets done before a serious failure occurs, which could disrupt commerce up and down the entire Northeast Corridor.

The evidence of dangerous disrepair is all over my State. This photo depicts a crumbling bridge on Route 37, the east-west freeway servicing the cities of Cranston and Warwick. The tumble-down cement and rusting ironwork are not reassuring. Here is another graphic showing a rusted and ramshackle bridge over Highway 95. We can save money in the long term—a stitch in time saves nine—if we can get on to these repairs and get these bridges fixed.

We also have to consider the bridges, roads, ports, rails, and other transit

systems in the Ocean State that are, as you might imagine, very close to our coast. This infrastructure is at particular risk from sea level rise, from storm surge, and from the more severe storms that come at us offshore, driven by warming seas and climate change.

Recently, NOAA released updated global sea level rise estimates, and they focused those global estimates on the U.S. coastline. The estimate for their "extreme" scenario—that is, if we continue to emit high levels of carbon pollution—was increased by half a meter, to a total of 2.5 meters or over 8 feet of global mean sea level rise by 2100.

My State's Coastal Resources Management Council has adopted the "high" scenario for planning purposes and made the adjustments for the local conditions, and they now put 9 vertical feet of sea level rise as the expectation for Rhode Island's coast by 2100. Of course, as any coastal Senator knows, when you go straight up 9 feet, you can go a long way back, pushing the shoreline into what is now inland, flooding a lot of infrastructure.

We need to protect evacuation routes from flooding, we need to bolster hurricane barriers, and we need to replenish beaches and nourish wetlands. To protect infrastructure from storms, we need to raise ports and reinforce bridges that are exposed to corrosive saltwater from storms. We need to manage upstream reservoirs to control downstream flooding. We need to protect groundwater drinking water supplies from intruding saltwater. We need to retrofit lowland wastewater treatment plants that are in danger of flooding. Some of them are not just in flood zones, they are actually in velocity zones where wave action is expected against the structures. These improvements are essential to meeting our infrastructure needs over the coming decade.

Every coastal State—especially those in the Northeast and the western Gulf of Mexico, which are expected to see the most dramatic rises in sea level—should be nervous. That is why the Democratic infrastructure blueprint includes funding for resilient coastal communities, including support for the National Oceans and Coastal Security Fund. I have worked to establish this lifeline for coastal infrastructure since my early days in the Senate. Once we fund it, it can be a tremendous resource for coastal communities needing infrastructure improvement and smart coastal adaptation.

President Trump has said he wants a \$1 trillion infrastructure bill. I am ready to roll up my sleeves and "git 'er done." Democrats have put forward a blueprint for making the investments our Nation so badly needs. Congress can come together on a plan that can provide direct, long-term support and help communities address current

needs, while also preparing for the changes we know are coming down the pipeline at us. I say to my Senate colleagues and to the administration, let's get to work.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

MIDDLE EAST CODEL

Mr. COTTON. Mr. President, I returned last week from the Middle East, where several colleagues and I spent the weekend meeting with leaders and security officials in Lebanon, Jordan, and Israel. As usual, the men and women who assisted us were consummate professionals, whether it was the U.S. Marines, Embassy personnel, or our own military escorts and congressional staff. They all did a superb job, and I want to extend to them my deepest thanks. I want to say a few words about what we learned while we were there.

Contrary to conventional wisdom, our allies told us they are more optimistic about their relationship with the United States now than they were under the last administration. If you thought diplomacy consisted simply of suave sophistication, I can understand your confusion. But among our allies, there is no confusion about what their interests are, how the United States shares them, and which country in the whole region threatens them most of all—Iran. Once you realize that, it is not so hard to understand their morale boost. Do they watch what we say? Yes, of course, very carefully. But they watch even more carefully what we do, and even though our foreign policy was cloaked in "pretty words" over the last 8 years, they see the difference in leadership as clear as day. The last President coddled Iran, and this President is confronting Iran.

Every conversation we had drove home this point: Iran is the single most destabilizing force in the Middle East. That is because it is more than a regional power, it is a revolutionary power. The regime in Tehran is not satisfied with finding good trading partners or even bullying other countries into proper neighborly deference. Big countries throw their weight around all the time, after all. No, what is different about this regime is that it is not trying to create clients; it is trying to create clones. It wants to expand its influence by subverting legitimate governments in places such as Yemen and Lebanon and replacing them with radical regimes. Countries that it can't subvert, it tries to destroy, like our friend Israel. And its aggressive sectarian ideology drives Sunni Muslims into the arms of extremist groups like the Islamic State.

There is no getting around the fact that in the Middle East, the answer to most questions is Iran, and our allies have told me repeatedly in recent

months that they need our help to confront Tehran's campaign of imperial aggression.

In Lebanon, I am happy to say there are some signs of hope. The new Prime Minister, Sa'ad Hariri, has formed a government and is purportedly on the verge of approving a budget—the first of its kind since 2005. For years, the Lebanese Government has struggled with the growing influence of Iran's proxy, Hezbollah, members of which are on trial for carrying out the assassination of the Prime Minister's father, Rafic, in 2005. But now that Hezbollah is committed to the war in Syria, the Lebanese Government has an opportunity to take control of its border, its army, and its governing institutions, free of their terrorist influence. We should take all prudent steps to support Lebanon as it strives to create security and stability for its own people and its neighbors.

Then there is Jordan, which for so long has been a relative island of calm in a tumultuous region. The Hashemite monarchy has been a faithful friend to America for years, but now, for the first time in recent history, Jordan faces a hostile, aggressive power on its borders—ISIS. It is also under an immense strain as it deals with hundreds of thousands of Syrian refugees living in its territory. Today, Jordan spends up to 25 percent of its budget on helping refugees. We need to continue helping this bulwark of stability stand against the forces of Islamic extremism by sharing intelligence, helping train police and counterterrorism forces, and partnering in the fight against ISIS.

Finally, there is Israel, which it is no secret that the regime in Tehran has vowed to destroy. While we were overseas, Israeli warplanes struck deep into the heart of Syrian territory. They were targeting a convoy of advanced missiles bound for Hezbollah. In a serious escalation, Syria fired missiles not only at Israeli aircraft but at Israeli territory, one of which was intercepted by the Arrow 2 missile defense system. This incident goes to show just how important our aid is to protecting Israel's security and how important Israel is to confronting Iranian-sponsored aggression. We must continue to support Israel and its development of advanced missile defense systems.

I am happy to report that all three of our allies continue to seek ever-closer friendship with the United States. They are optimistic about their ability to work together under the new administration, and they sincerely appreciate everything our country has done for them.

I saw for myself a reminder of this country's sacrifice at the U.S. Embassy in Beirut. There, you will find a memorial that is dedicated to the 241 Americans who died in the terrorist bombing of our Marine barracks in 1983. That

atrocious was committed by Hezbollah, if anyone needed a reminder as to why we fight alongside our allies against the Iran-Hezbollah-Syria axis in the contest of supremacy in the Middle East.

If our trip taught us anything, it was that our allies will not give up the fight but that it will take American leadership to stop Iran's campaign of imperial aggression.

I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Colorado.

AGRICULTURE

Mr. GARDNER. Madam President, I rise to talk about the continuing challenge that our agricultural communities face across this country.

Just a couple of weeks ago, I came to the floor and cited a Wall Street Journal article with the headline: "The Next American Farm Bust Is Upon Us." Living in eastern Colorado, in a purely 100 percent agricultural community, I understand that when there is a downturn in the ag economy, it does not affect businesses on Main Street later that week or later that month; it affects them that very same day. He is not just somebody who is going in to buy a bag of seed or somebody who is going to the local implement dealer to buy a tractor. He is somebody who decides he is not going to be able to buy that pair of blue jeans that he thought he would or that piece of equipment he needed to help fix the fence. It means that the entire economy in towns like Yuma, CO, Burlington, CO, and Dove Creek, CO, are going to suffer enormously. That is why it is important that we continue the conversation in the U.S. Senate about what is happening in agriculture across this country.

I recognize that many people, when they think of Colorado, probably do not think of farms and ranches on the flatlands and prairies. They probably think more of Kansas for that than they do Colorado. If you look at Colorado, it is more than just snowcapped peaks; it is incredible agricultural diversity as well.

According to the 2016 National Agricultural Statistics Survey, Colorado ranks in the top 10 in production for the following agriculture commodities: barley, beans, sweet corn, alfalfa, potatoes, millet, sorghum, sunflowers, wheat, cabbage, cantaloupe, onions, cattle, lamb, and wool. Colorado is one of the top 10 producers in those commodities. It is a remarkable list that shows the diversity of Colorado from the plains to the mountains and the incredible production levels that we have achieved.

One of the goals I have had in the Senate, of course, is to help make sure that we have the right policies to support our farmers and ranchers throughout Colorado who are producing everything from barley to potatoes. I want

to make sure that we work to add even more crops to this list of the top 10 in order to strengthen the agricultural industry in Colorado.

As I mentioned a few weeks ago when I came to the floor to talk about that crisis, the Wall Street Journal article highlighted a story from a farmer in Kansas. I recently talked to a farmer in eastern Colorado who is getting paid \$3.21 for a bushel of corn, but to pay the bills, his break-even point on that bushel of corn—the amount of money that it took to make that corn bushel—was \$3.92 cents. So he was getting paid \$3.21, and it cost him \$3.92. That is not the right side of an equation to be on if you are in business and, particularly, if you are hoping to pass that business on to future generations.

I think it is important that the Senate talk about commodity prices and that we talk about the impact that increased Federal regulations have had which make it more difficult for that farmer to survive, that have driven up the cost of doing business, that have driven up the cost that you need to be paid per bushel of corn so that you can help make ends meet.

I talk about barriers to exports and limited financing options. Those are four things that we have to lay out—commodity prices—and deal with. We have to make sure that we are decreasing the number of Federal regulations. We have to make sure that we remove barriers to export and allow agriculture to export. We have to make sure that we are removing any obstacles to the financing that a farmer or a rancher may have, particularly if the economy continues to deteriorate in our countryside, and we have to make sure that we have certainty in ag policy and certainty in regulations. The farm bill conversations continue. Let's make sure that we provide the certainty to our ag communities that they deserve and, quite frankly, demand.

According to the 2017 Colorado Business Economic Outlook—and this is an incredible statistic—net farm and ranch incomes are projected to be down almost 80 percent since the records that were set in 2011. By 80 percent, net farm and ranch incomes are projected to be down. An 80 percent drop in just a few years is devastating for rural communities. I believe the exact numbers in Colorado are something like going from \$1.8 billion in farm income to a little over \$300 million in farm income just over a matter of a few years.

While we have done a good job of addressing regulatory concerns, we have to make sure that we are doing a good job of addressing continued trade opportunities in this country as well. Corn and wheat prices are hitting 10-year lows. The price is so low that it costs farmers more to produce the crop, as I mentioned, than it is worth on the market. You do not have to be

an economist to figure out that that is not going to let you stay in business for much longer.

Simply put, we have a lot of people who are worried in Colorado and across this country for agriculture and our rural communities, which are dependent on their farms and ranches. The Presiding Officer is from the great State of Iowa—a leader in this country when it comes to agriculture. Whether you live in the Eastern Plains of Colorado or in the great State of Iowa, the fact is we have to provide that leadership on a global stage to make sure that our ag communities survive and thrive.

Earlier this year, I sent a letter to the Colorado Farm Bureau that solicited feedback on what Congress and the Federal Government could do to support Colorado agriculture. In their response, I received a number of recommendations from the Colorado Farm Bureau and a number of organizations that they reached out to to respond to my request and my question.

On the list, of course, was regulatory reform—one of the four pillars that we have to address in order to have successful agriculture in this country. Their concern is that overregulation creates uncertainty in regulations like the waters of the United States and the BLM 2.0 rules.

The good news is that, with regard to both of these rules, we have been able to roll them back. According to the Colorado Farm Bureau, the waters of the United States regulation threatened to add additional regulatory compliance requirements to thousands of stream miles and thousands of acres of agricultural land.

To put that in layman's terms, it basically would have said: Hey, you, the Federal Government, you are in charge of every molecule of water.

That is not good for agriculture. Thankfully, the administration has said: No, we are going to stop that, and we are going to repeal it. Courts across this country had actually put in stays.

The Presiding Officer from the great State of Iowa—our colleague, JONI ERNST—was a leader when it came to stopping the waters of the United States regulation. Luckily, we have seen that regulation being stopped in its tracks.

In Colorado, two-thirds of waterways were identified as what is known as “intermittent flow.” That means that they do not have water in them year round, that, part of the year, they are dry. Yet they would have been subject to a regulation known as the waters of the United States, even though they did not have water in them. That is the absurdity of the Federal Government. So I am glad that we are able to start rolling back these regulations.

At the same time, the Bureau of Land Management had started a process known as its BLM 2.0 rulemaking

process, which is a rule that they had issued that they thought would deal with complex permitting issues and land use decisions. Unfortunately, what this rule would have done instead is take away access to thousands of acres of Federal land that were used for grazing. Even more disturbing, it would have given somebody in downtown New York City just as much say over the land in Moffat County, CO, as a Moffat County commissioner—somebody who lives there—amongst various agencies in the Federal Government that oversee thousands of acres of public lands. That, too, was overturned by the U.S. Senate.

In fact, if you look at the total number of regulations that the administration and that the U.S. Congress has been able to overturn, we are approaching \$60 billion worth of regulatory relief that we have been able to give to the American people; \$60 billion worth of regulations have been taken off the backs of hard-working Americans and has allowed them to do their jobs easier, allowed them to make ends meet easier, allowed them to breathe easier when it comes to job creation and job opportunity.

I am very glad that we saw the BLM 2.0 rule repealed, which gives our people in Colorado a little bit more of a chance to have a say in what happens in their front yards and their backyards. Of course, the waters of the United States has to continue to be something that we stop as we move forward.

There are other positive steps we should take to give our producers additional regulatory certainty. I know there is more that we can do, and I hope to hear from our Nation's farmers and ranchers and our farmers and ranchers in Colorado on how Congress and the Federal Government can help.

So I use this opportunity to make an appeal to people across the country in order to hear from farmers and ranchers, whether you are in the Eastern Plains of Colorado or on the Western Slope of Colorado or in the great State of Iowa or Kansas or anywhere in between and outside the State of Colorado—inside and outside—of the things that we can be doing, such as with trade policy, regulatory policy, financial services opportunities, making sure we have farm bill programs that are working. Back in my office, we want to hear about these ideas and about thoughts moving forward on these important issues so that we can have an agricultural community that thrives and so that we can make sure that, when we talk about bringing generations of farmers and ranchers back to the farm and the ranch, we will get their ideas on how best to do that.

This week, I will be sending letters to the Colorado Agriculture Council, which is made up of organizations across the agricultural spectrum in

Colorado, as well as to Don Brown, who is the commissioner of the Colorado Department of Agriculture, on what else Congress and the Federal Government can do to help support this industry. Also, there is Julie McCaleb, the Colorado Agriculture Council chair.

Basically, I will be writing: Hey, whether it is regulations or legislation, it is important that the administration and Congress understand the impact their policies will have on agriculture. I look forward to hearing from you, your member organizations, and farmers and ranchers throughout the State on how we can work together to ensure Colorado agriculture continues to be effectively represented in Washington.

We will be sending this letter, of course, to Commissioner Don Brown. Commissioner Brown is from my hometown. He is a corn farmer and a cattleman. He is somebody who understands firsthand the hard work and challenges that go into making ends meet in agriculture. He also understands the suffering that we are seeing in the farmland right now and that some people may be at their wits' end in terms of trying to deal with their financial struggles.

We will be sending these letters out. I encourage people—farmers, ranchers, and leaders in counties—to contact my office and give us their ideas on how we can turn this “could be coming” crisis around so that we can actually start improving and growing agriculture again and so that we can make sure that we lead Colorado's diverse agricultural economy into a better state than it is today—in a better place than it is today—in terms of the economy.

Here, in the Senate, I believe that same bipartisan support exists for all of us to be reaching out to our communities and making sure that we hear from the heartland of America what we can do to help struggling farmers and ranchers.

I thank the Senator for her leadership in agriculture.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MERKLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Madam President, here in America we hope that families will have the opportunity to build successful lives in preparation for a beautiful retirement. That involves many different factors. It involves the solvency of Social Security. It involves the foundation of a good, living-wage job. It involves, certainly, the question of whether, through one's life, they are able to save for retirement.

This has become more and more important over time because fewer and

fewer jobs have a retirement pension plan. Without that, it is really incumbent on the individual to be able to succeed to put money aside, and we know how difficult it is for an ordinary working family to have the extra funds to be able to put into a retirement account. Certainly, we want to make that as simple and as easy as possible. But what we know is that the simplest strategy—which is to be able to save through your work, to be able to have funds automatically deducted from your paycheck so you never actually get it in your hands—is often unavailable.

According to one 2013 study, 40 percent of small business owners themselves had no retirement savings, 75 percent had no plan to fund their own retirement, and of those who are working for employers who hire and have 100 or fewer employees, more than 60 percent—62 percent of the workers—do not have access to a work-based retirement plan.

We can imagine the difference between going to work at a job where the employer says: Hey, we have a retirement plan. You just need to sign this document, and you will be part of it. Please sign up. After a few months, if you feel you can't afford to keep setting those funds aside, you can change what you are doing. You have that flexibility. You can choose between options for different types of investments. But it is all right there. It is all very easily accessible. All you have to do is do it. The difference between that and a situation where there is nothing in the workplace—no benefit in the workplace, no retirement structure—is that in that situation it becomes a much more complicated undertaking.

Fifty-five million Americans—nearly half of private sector workers—work for employers that do not offer any form of workplace retirement saving or pension plan. Roughly 45 percent of working-age households, half of which are headed by someone between 45 and 65 years old, lack any type of retirement account asset.

So if there is no structure to make it simple to plan for retirement, it is more likely that one goes into those golden years without any form of gold; that is, without the resources in the bank to back up Social Security.

We know that more than half of the folks who are on Social Security depend on it for more than 90 percent of their income. Or, more simply stated, for more than half of Americans in retirement, Social Security is essentially their only source of support, and it is often not enough to maintain even the minimal essentials of life.

Why is it that so many businesses don't set up a workplace plan? What it really boils down to is complexity for the employer. A lot of small businesses don't have a human resources person. They don't have an extra individual

who can do the administrative work to set it up. Maybe the plan requires a match, and the employer isn't sure they will be able to afford a match. There are all sorts of reasons that this is complicated. It is difficult either financially or just in terms of additive overhead for a small business. So they don't set up the plan.

We know that if they had a plan, employers would participate. We know that because in States that have plans, the employers participate. In addition, the General Accounting Office did a study in 2015 which found that the overwhelming majority of workers would participate in an employer-sponsored retirement plan if they had the opportunity to do so.

So this brings us to the fact that many States are saying: Let's make it easier for employees. There are 30 States that are looking at the possibility of the State setting up a retirement plan that wouldn't be attached to a single employer, so that an individual could carry it with them. For example, imagine that your teenager has their first job serving yogurt—one of the jobs that my daughter had—or as a lifeguard at a local swimming pool or serving coffee—those first service jobs they get. What would happen if, from that first job, 3 percent of their income was placed automatically into a retirement account—a retirement account that they could control the options of, a retirement account where they could increase the amount of their income to go into it if they wanted, or a retirement account that they could always opt out of if they chose to do so. But if they were automatically enrolled, we know the vast majority of individuals stay in the plan. If you go, then, automatically from job to job—and in our economy that is the way it works; people don't sign up with one company and serve there for 30 or 40 years—in every job 3 percent was being automatically deducted. Then when you actually went into retirement, you would have a sizable nest egg to complement Social Security.

That is what States are looking at. That is what they are pursuing. In more than half of the country, States are considering legislation to create a retirement savings opportunity for small business employees who do not have a work-based plan. Seven States, including my home State of Oregon, are already working at implementing these plans. On July 1 of this year, Oregon is going to launch its plan with a voluntary pilot group, and then it is going to expand to employers with 10 or more workers in 2018 and finally to all employers in the State in 2019.

Under this plan, employees who do not have an employer-provided savings account will be allowed to save part of their paycheck in their own personally managed accounts, and it will be automatically deducted unless the em-

ployee decides to opt out. Once it expands to all employers, 800,000 Oregon workers are expected to have access to a State-sponsored retirement savings program. Again, this will be an automatic-in, opt-out strategy to make it really simple.

In Oregon, 95 percent of our businesses are made up of small businesses. More than half of our workers are employed by those small businesses. So this is a pretty good arrangement to facilitate this opportunity.

Now, here is something that we may not immediately think about. When an employee saves for their retirement and is, therefore, financially better off in retirement, it reduces the cost of government programs. Within the first decade after these plans are established, total State spending on Medicaid could drop by \$5 billion. In Utah, a recent study found that the State would save \$3.7 billion for five essential government support programs—not just Medicaid—over the course of 15 years.

When I first read about Medicaid costs dropping because of a retirement plan, I said: How does that work?

It turns out to be very simple. If you have saved money and are financially better off, you are not in a position where you would be in the Medicaid Program, thus reducing the number of people who are in it. This study found that over 10 years, for the States that are already working to implement plans, California would save more than half a billion dollars; Maryland would save more than \$100 million; Connecticut and Oregon, about \$60 million a piece; and Illinois, a quarter of a billion dollars. So that is just an interesting piece that we should be recognizing—that when families do better, not only do they do better, but they lower the cost of government programs, which I think many folks here, on both sides of the aisle, would say would be a terrific thing.

Then there is this principle of experimentation at the State level. Why would we in this Chamber, having failed to provide an automatic-in, opt-out opportunity as people move around the country to various jobs, having failed to do a Federal version of this, stop our municipalities and our States from experimenting to see if this is something that will increase the success of our families? Why would we stop a State from experimenting?

Now, I hear all the time about States' rights. I hear all the time about how States are the place for experimentation, to see what works and what doesn't work, innovation. Give them the opportunity to try things. Well, this Congressional Review Act proposal says the opposite. It says: Let's stomp out experiments by our municipalities. Let's devastate and decree that you cannot experiment and innovate at the State level on a very significant challenge facing America. So whether you

want families to succeed or whether you simply believe in the power of local innovation and opportunity, you should be against this proposal.

What this proposal is about is this: There is a twist in the national retirement law known as ERISA that an employer might possibly have liability related to an employee signing up for a State-sponsored or a municipality-sponsored account. Well, that pretty much puts a wet blanket over employers signing up under these State plans or under these local plans, because the thought that you might have liability for something you have no control over doesn't sound like a good place to be. So to correct or clarify this, a regulation was issued and it should be obvious why it is right, which is that the employer will not have liability over provisions of a State- or municipality-sponsored retirement account. They didn't set it up. The employer didn't advocate it. The employer is not choosing where the investments go within the account. They are not deciding which companies' retirement plans get to participate as options or whether there are even company retirement plans. The employer is not doing any of that. The employer is simply the host. The whole point of the plan is to make it very easy for the employer, because that has been the burden in the past of an employer-by-employer plan. In this case, it is just automatically set up.

In States like Oregon, they are setting up a pilot project, where employers are willing to experiment and be a part of it so they can learn from that. Then, they can design a better plan for larger small businesses, those that have more than 10 employees. Then, they can make it, after having worked the kinks out of it, work for everyone, including very small employers. If along the way they run into an obstacle, they can pause and work on that.

This is absolutely the best in policy strategy in America. Give municipalities, give States the opportunity to experiment, and on an issue that can help families thrive, help our young ones thrive.

I know that my son and my daughter are going to be better prepared for retirement and in a better financial position if, in every job they pursue in Oregon, they are automatically saving 3 percent of their income—or more if they choose to or less if they opt out. But certainly, the vast majority of workers, once in a plan, stay in the plan. It is kind of how it is with deductions on your Federal and State taxes. When it comes out of your payroll automatically, you get used to it, you adjust to it, and you say: Hey, that works.

So, to my colleagues, please oppose this Congressional Review Act proposition that will squash innovation by municipalities, and its companion will squash programs by States—programs

that are very valuable, both for us to understand possible important policies to help set a platform for the success of our families, and it is very important to the families themselves. Please vote no.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CRAPO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF NEIL GORSUCH

Mr. CRAPO. Madam President, I rise today to speak about the President's nomination of Judge Neil Gorsuch to serve as Associate Justice of the U.S. Supreme Court.

Whenever great issues like the future of our Nation's highest Court come before the Senate, it is easy to get lost in the noise and the hyperbole. Listening to the commentary about Judge Gorsuch, I have found it instructive to ask whether critics have actually met him and listened to his philosophy of jurisprudence.

I have met him, and it is easy to guess that those who oppose him likely have not spoken to him, watched the hearings, or read any of the glowing testimonials from across the political spectrum. The invectives thrown at Judge Gorsuch seem really to be about something else entirely—about anger at the President, disappointment with the election outcome, or concern about holding certain hotly debated topics of the day. It appears that critics could substitute almost any name for Judge Gorsuch in their statements and give them with the same passion and the same concern.

That is too bad because Judge Gorsuch has been consistently regarded by his peers as pragmatic and among the most gifted legal minds on the Federal bench. The man is intelligent, courteous, and modest. He seeks readily the views of those around him. His approach will be a constructive addition to the U.S. Supreme Court and of benefit to our Nation. His judicial record as a Federal judge flows exactly from what he says, and his message and focus is abundantly clear: judicial modesty and fidelity to the law.

When our representative government was established in the United States, a heated debate emerged about the purposes and powers of our new Federal institutions. The Founders of our country understood that a system in which lawmaking was detached from accountability was the quickest path to despotism. A coequal judiciary could help temper tyranny and balance the powers of an executive and a legislature stepping over their constitutional powers. The phrase is "checks and balances" not "usurpation."

Alexander Hamilton, who has received much recently renewed attention, wrote at length about the newly imagined judicial branch of our government. In *Federalist* 78, Hamilton wrote that the judicial branch "may truly be said to have neither force nor will, but merely judgment; and must ultimately depend upon the aid of the executive arm even for the efficacy of its judgments."

To the Founders, the division of responsibilities between the three branches of government was clear: Congress would make the laws. The executive would implement them. The judiciary would review the laws for their legality and consistency with the Constitution. Further, the independence of the judiciary would be enhanced through their distinctive selection process, so they could do their jobs without succumbing to swings in popular opinion. Put succinctly by Chief Justice Roberts during his confirmation hearings, a judge's proper role is "to call balls and strikes."

In his testimonial to the late Justice Antonin Scalia, Judge Gorsuch emphasized the importance of an independent judiciary. He writes:

Judges should . . . strive to apply the law as it is, focusing backward, not forward, and looking to the text, structure, and history . . . not decide cases on their own moral convictions.

Judges "take an oath to uphold" the Constitution, not "merely consider it." It is their duty to follow the law.

Jurisprudence is not supposed to be the popular arts. Judges are not vessels for moral causes. Judge Gorsuch repeats Justice Scalia's words:

[I]f you're going to be a good and faithful judge, you have to resign yourself to the fact that you're not always going to like the conclusions you reach. If you like them all the time, you're probably doing something wrong.

Further, Judge Gorsuch states that rulings made in an attempt to optimize social utility introduces a question of moral relativism.

In criminal cases, for example, we often hear arguments from the government that its view would promote public security or finality. Meanwhile, the defense often tells us that its view would promote personal liberty or procedural fairness. How is a judge supposed to weigh or rank these very different social goods?

The answer lies in the common points of reference for all judges, be they conservatives or progressives—the written law. Reading the law is difficult enough without introducing the element of uncertainty. Court-shopping for a pliant judge who will interpret the law the way a litigant believes it should read can be destructive to public confidence in the legal system.

In our democracy, the public expresses its will at the ballot box and empowers its duly-elected officials with the duty to advance that will. Changes in public attitudes can come

quickly, and that can be reflected in the results of elections.

Congress is the body most closely connected to the American public because its accountability is directly to the people.

Some observers want judges to be legislators, discarding the black robes for populist impulses. But our system of checks and balances is predicated on the fact that change comes deliberately and incrementally, notwithstanding the wild swings in public mood.

The pace of change can understandably frustrate. However, congressional action is the spirit of the American electorate, exercised with its unique combination of majority rule, minority rights, and compromise. The imperfect caldron of the legislative process is how change happens carefully, purposefully, and properly.

Unfortunately, impatience can drive people to try to circumvent the constitutional power of Congress. The tendency of some to race to a courthouse, bypassing the will of the people expressed through Congress, to compel change is inherently destabilizing to representative government.

Without a direct say in how policy is decided and without the ability to hold people accountable, judges who reimagine the law undermine a fundamental cornerstone of representative democracy. Judges have a great responsibility to carefully exercise their judicial authority within the limits of the law. Judges who exercise independence from anchors of our law are dangerous to our liberties. Judge Gorsuch demonstrates that he clearly understands this concept when he writes:

Legislators may appeal to their own moral convictions and to claims to reshape the law as they think it should be in the future. But judges should do none of these things in a democratic society.

Some jurists treat the Constitution like a speed bump as they hurdle down the road reinventing the law. Substituting ideology for the written law in jurisprudence is the equivalent of changing the law from what it says to what some wish it says.

Neil Gorsuch identified this very problem when he wrote in 2005 that “the courtroom as the place to debate social policy is bad for the country and bad for the judiciary. In the legislative arena, especially when the country is closely divided, compromises tend to be the rule of the day. But when judges rule this or that policy unconstitutional, there’s little room for compromise: One side must win, the other must lose. . . . As a society, we lose the benefit of the give-and-take of the political process and the flexibility of social experimentation that only the elected branches can provide.” These words reflect a clear understanding of the importance of the separation of powers.

The Federal judiciary should not be a replacement for doing the hard work of persuading the public and enacting policy with accountability to the electorate.

Americans learn civics early in their upbringing. The Constitution guarantees certain civil liberties and restrains the powers of the central government. Our court system has the responsibility to preserve our constitutional rights, ensure a limited government, and provide speedy and fair justice when needed. The judiciary holds the sole constitutional power to interpret laws properly enacted by Congress. This authority is expressly distinct from the power bestowed to the legislature to write laws and the executive to enforce them. This separation of powers plays an important role in the system of checks and balances envisioned by the Founders.

Public confidence in our legal system is undermined when judges seek to reimagine Federal law beyond its clear meaning. Judges who substitute their personal views for the law can shake the public’s faith in our legal system as an impartial protector of our rights and an upholder of justice. Judges must follow our Constitution in their decisionmaking and resist this temptation to make policy.

Moreover, without the public sanction of the ballot box, policy changes, particularly controversial ones, naturally divide people. If the judiciary cannot be seen as a neutral arbiter of facts and laws, even more people will see individual judges as “one of mine” or “one of yours.”

The erosion of the humble judiciary began when the Senate confirmation process changed. In recent past, district and circuit court nominees used to be confirmed noncontroversially. Now, instead of looking at the qualifications of the judicial nominee, partisans hope to pre-bake court decisions through the use of litmus tests or demands on nominees to determine in advance what their rulings will be on cases before the matter is even argued to the court. Perhaps this is the logical extension of the overreliance on some to secure social gains they cannot achieve through the democratic process.

Change is hard, and patience is exceedingly rare, but the strongest building blocks to legitimacy are achieved through consensus and the give-and-take of politics.

Writing even before he was overwhelmingly approved by this body for his current seat on the Tenth Circuit, Judge Gorsuch wrote:

[In courts,] ideas are tested only in the abstract world of legal briefs and lawyers’ arguments. As a society, we lose the benefit of the give-and-take of the political process and the flexibility of social experimentation that only the elected branches can provide. At the same time, the politicalization of the judiciary undermines the only real asset it has—

its independence. Judges come to be seen as politicians and their confirmations become just an avenue of political warfare. Respect for the role of judges and the legitimacy of the judiciary branch as a whole diminishes.

The judiciary’s diminishing claim to neutrality and independence is exemplified by a recent, historic shift in the Senate’s confirmation process. Where trial-court and appeals-court nominees were once routinely confirmed on voice vote—

Based on their credentials and their ability to serve—

they are now routinely subjected to ideological litmus tests, filibusters, and vicious interest-group attacks. It is a warning sign that our judiciary is losing its legitimacy when trial and circuit-court judges are viewed and treated as little more than politicians with robes.

This development puts a severe strain on our Republic. Particularly problematic is the increasing number of split court decisions. Rulings that are given with a one-vote margin further empower litigants to contest decisions, hoping for a more favorable outcome later or in a different court. Setting precedent, though, becomes so much more difficult for the public when a razor-thin decision is accompanied by a dramatic reinterpretation of the law.

One of the hallmarks of the Roberts Court is the drive to establish precedent not by finding the narrowest reading that can achieve a bare majority but its endeavor to ground seminal decisions in large majorities and unanimous findings. Public confidence in the legal system and the finality of the holding is ever greater when we do not see narrow decisions.

The Judiciary Committee just concluded a 4-day review of the nomination of Judge Gorsuch. In addition to hearing from Judge Gorsuch for over 20 hours, the committee received formal testimony from almost 30 outside witnesses. Thousands upon thousands of words were exchanged over the course of the hearing, all in front of the American public. What the people saw is a thoughtful, humble, and brilliant legal mind in the service of the people.

In response to a question of mine on Tuesday, Judge Gorsuch said the following:

I come here with no agenda but one, no promises but one: to be as good and faithful a judge as I know how to be. That is it. And I cannot promise or agree or pledge anything more than that to this Congress.

That statement and the hearing as a whole confirmed Judge Gorsuch to be a man of great integrity, a mainstream, exemplary student of the law whose record shows that he is a part of unanimous decisions. On the Tenth Circuit, of all the decisions he has participated in in the last 10 years, 97 percent of the time, he was a part of a unanimous court, and 99 percent of the time, he was in the majority.

For days, my colleagues from the other side of the aisle raised the possibility that he might have secret intentions to try to subvert the law or shred

the Constitution from the bench. They parsed single words for hidden meanings, imagined devious strategies emerging from concurring opinions, and searched for cloaked messages in his published writings.

Judge Gorsuch has over 10 years as a jurist, with 2,700 opinions to review; yet most of the debate was centered on just 4 or 5 cases. Some Senators were absolutely convinced they would find some problem. They did not.

Let's talk about what Judge Gorsuch testified to under oath. Despite repeated efforts to get him to make commitments about how he would rule or how he would reshape social policy, on his first day, he gave no fewer than eight assurances that he follows the law as a judge. By my count, on the second day, he gave at least 36 assurances that he looks to the law for his rulings. On the third day, it was 29 more times that he was asked and again repeated that he would look to the law for his rulings. That is right. He said at least 73 times that he is committed to the law when he hears a case as a sitting Federal judge. Still, several of my colleagues worried that he had a secret agenda to overturn longstanding legal precedence.

Just in case there are some confused, Judge Gorsuch mentioned no fewer than 97 times in these 3 days that he follows precedent as a judge, as he is bound to do. More than 160 times, Judge Gorsuch reminded the Senate and the American public what a proper jurist does: follows the law and the precedent. We even talked about the book he coauthored titled "The Law of Judicial Precedent"—942 pages of dedication to following precedent. Maybe the title of the book was confusing to some.

During his oral testimony, he said he was dedicated to "rul[ing] as the law requires," "reading the language of the statute as a 'reasonable person' would understand it," and "respect[ing] precedent."

Just to put all such questions to rest, he assured everyone that he is "without secret agenda. None."

In reviewing his record, it is clear that those who come before Judge Gorsuch receive equal treatment under the law. He said:

When I sit on the bench and someone comes to argue before me, I treat each one of them equally. They do not come as rich or poor, big guy or little guy. They come as a person. And I put my ego aside when I put on that robe, and I open my mind, and I open my heart, and I listen.

In Judge Gorsuch, we have a nominee who lives the American ideal of a modest jurist. He understands that his responsibility is not to suborn the powers of others but to help deliver the powers of justice.

Those who have encountered him as a legal advocate, an adversary in court, or a presiding judge all praise his fun-

damental fairness and subordination of his personal views.

His respect for the Constitution is not in question. His experience, wisdom, and judgment are not in question. His capability to serve is not in question. Commentators from both the left and the right overwhelmingly respect his legal mind and vouch for his commitment to fair jurisprudence.

Given Judge Gorsuch's judicial philosophy and his record as a judge, he would be a welcome addition to a Supreme Court seeking cohesive decisions. His record on the Tenth Circuit is strong. Five of six of his decisions that did go to the Supreme Court for a review have been affirmed by the Supreme Court, including one which he wrote, and four out of five on which he joined the decision.

Not many judges have the experience, temperament, and stellar record to match Judge Gorsuch. Fewer still can garner overwhelming endorsement from colleagues, peers, and observers from across the political spectrum.

Some may try to distract from the central point that Judge Gorsuch is extraordinarily qualified and suited to serve as an Associate Justice. Others would like to discuss other issues or make his nomination a proxy fight about tangential matters. My colleagues and I will vote on his nomination, not on these other issues or distractions. I encourage all of us to remember that.

The Senate should be proud to add Judge Neil Gorsuch to the Supreme Court.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, I would like to thank my colleague for his good comments regarding Neil Gorsuch.

I rise today to strongly support Neil Gorsuch for the U.S. Supreme Court.

First, there is no question that Judge Gorsuch is qualified for this job. He served as a law clerk for two Supreme Court Justices, Justice Byron White and Justice Anthony Kennedy. He has also had a distinguished career in the public sector and in the private sector. Finally, of course, he worked in the Office of the Attorney General. He worked in the Justice Department, and he had a great reputation there as well.

Of course, in 2006, not that long ago, he came to the floor of the Senate to be confirmed to the Tenth Circuit. And guess what. He was unanimously confirmed by this body. In fact, at the time, Senator Hillary Clinton voted to confirm him. Senator Joe Biden voted to confirm him. Senator Barack Obama voted to confirm him, and, by the way, so did a number of Democrats who are currently serving in the Senate. Not a single Senator objected. Why? Because the guy is so well qualified.

Since then, in his 10 years on the Tenth Circuit Court, his record has

shown that he is fair, he is independent, and he is a consensus builder, which only ratified what the Senate had done. It showed that, in fact, he was the kind of person who represents us well in court.

By the way, he is also a guy who knows how to find common ground. Listen to these numbers: 97 percent of the cases he has decided were unanimous decisions with the other two judges on the panel. Typically, as you know, these are judges who have been appointed by Presidents who are Republican and Democrat. Finally, he has been in dissent less than 2 percent of the time. So this is a guy who 97 percent of the time is unanimous, and 2 percent of the time he is in dissent. Out of the more than 180 opinions he has written as a judge—180 opinions—only one had ever been appealed to the U.S. Supreme Court from the circuit court, and, by the way, that one was affirmed.

So this is a guy who clearly knows how to build a consensus, bring people together, and that is needed right now. It is needed in this body. It is needed in our country as a whole, and it is certainly needed in the judiciary.

By the way, it doesn't surprise me that he is a consensus builder. If you think about it, he was a law clerk for Justice Byron White and Justice Anthony Kennedy. They are both known famously as being consensus builders and being able to bring together disparate decisions to try to find a decision at the Supreme Court level. So he has seen it up close and personal. He knows how to do it.

I would say, though, in terms of this debate we are having, it is not just about Neil Gorsuch and it is not just about another seat, as important as it is, on the U.S. Supreme Court. It is also an opportunity, by voting for Neil Gorsuch, to ensure that we have reestablished the proper role of this body, of the legislative branch and of the judicial branch in our system of government.

Judge Gorsuch understands that his job as a judge is not to impose his views on people but rather to apply the law, as written—to apply the law as written. That is kind of a basic part of our Constitution.

He put it well in his testimony before the Senate Judiciary Committee. He said: "A judge who likes every outcome he reaches is very likely a bad judge." What does he mean by that? I think what he meant is that he doesn't believe in substituting his personal views for what he is supposed to do as a judge.

So you may not like the decision, but you are constrained by the Constitution, by the law, and that is what judges should do.

He went on to say that the job of a judge is "not about politics. . . . If judges were just secret legislators, declaring not what the law is but what

they would like it to be, the very idea of a government by the people and for the people would be at risk.”

I think he is right about that. It is not about what he wants. It is what the Constitution and the law say. Judges should not legislate from the bench. That is not their job.

Judge Gorsuch and I met recently, and he has met, I think, with about 80 of my 100 colleagues in the Senate, and he has talked to them about his views privately. I was very impressed with him. I was impressed with him as a person, his background, and his family. I was impressed with his approach.

I was talking about what he said that he is not going to substitute his own personal views. He basically said to me what he said in public. He is going to uphold the law, as written, even if his personal beliefs had led him to vote against the law if he had been in my position, as a legislator. I think that is what you want in a court.

But don't take my word for it. Judge Gorsuch also has earned the respect of lawyers and judges across the spectrum. Professor Laurence Tribe of Harvard Law School, who was an adviser to former President Obama and to previous Democratic Presidents, has said that Judge Gorsuch is “a brilliant, terrific guy who would do the Court's work with distinction.” That is Laurence Tribe.

Neal Katyal, who was President Obama's Acting Solicitor General—so a guy who knows a thing or two about arguing before the Supreme Court, because that is what the Solicitor General does with a lot of his time—has said that Judge Gorsuch's record “should give the American people confidence that he will not compromise principle to favor the president who appointed him. . . . He's a fair and decent man.” Again, this is the Acting Solicitor General for President Obama.

Yes, this debate is about something bigger than that, even. It is about Neil Gorsuch. It is about his character, his experience, and his judgments, but it is also about something I think even more important than this division of powers in our Constitution. It is about the rule of law itself. What does it mean?

Why does that matter? It matters because laws are an expression of the will of the people. The Constitution itself starts out with this idea, of course: “We the people . . . establish this Constitution”—not “we the Congress” or “we the government.” It is we the people who govern ourselves. The government is the servant of the people under our Constitution, not the other way around.

When judges try to change the law rather than apply the law, they make themselves into an unelected legislative body. That is not just arrogant, by the way. I think that is unfair. Not because it steals legitimate authority

from us, the elected representatives in Congress, but because it steals that authority and silences the voices of the people who elected us. Ultimately, that is what this is all about.

In this Republic, Congress writes the laws, the President ensures that the laws are faithfully executed, and the courts apply the law and our Constitution to specific cases that come before them. That is how it should work. That is how our Founders intended it.

I think it is more important now than ever to have a Supreme Court that understands this role and resists the urge to act as a superlegislature.

In recent decades, the Court has been increasingly asked to decide a lot of important matters that affect us all. Think about it. Healthcare, or the Affordable Care Act is an example, and immigration, energy and environmental policies, social policies, First Amendment rights to free speech, freedom of religion, Second Amendment rights, and a hundred other issues. The Court affects all of our lives in ways that are fundamental, and rulings by the Court, of course, cannot be appealed to a higher court. All you can do is change the law. On constitutional provisions, you can't even do that.

At the same time as the scope of judicial power has expanded and as the significance of the Supreme Court's rulings has increased, there are some judges who have essentially rewritten statutes that did not suit them. They have taken the law and said: We are going to rewrite this in a way that we think works better. That is not their job.

One example I would give you is that a couple of years ago, the Supreme Court ruled, for example, that the words “established by a state”—this was in the Affordable Care Act—could also mean “not established by a state.” I mean, literally, the Court said that, and that “legislature” could also mean a popular referendum. So they took the very words of a statute and said: We don't like the way that is written. We are going to change these words, and we are going to adjudicate this matter based on our understanding of these words, which is based on our personal opinion.

I don't think these rulings made sense logically but, more importantly, they changed the law, as written by the people and the people's Representatives.

So the stakes are high here. We have to get this right. There are people who make the argument that the Constitution is such a living document, whose meaning evolves as popular opinion evolves, that we should make judges into basically pollsters or superlegislators. I don't think that makes sense. But, more importantly, I don't think it is fair, and it is one reason why so many people have felt like their voices aren't being heard, I believe, when the courts do that.

Again, Neil Gorsuch gets it. As he said in his testimony recently, his philosophy “is to strive to understand what the words on the page mean . . . [to] apply what the people's representatives, the lawmakers, have done.”

This should be what we all want in a Supreme Court justice—someone who will fairly and impartially apply the law and protect the rights we have guaranteed by our Constitution.

To my colleagues on the other side of the aisle, I would make a plea today: I would say that in this regard, I would think Judge Gorsuch is exactly the kind of Justice that you would like, someone who is actually going to apply the laws that you write—that we write—and not impose his personal views.

The American Bar Association—not known as a conservative body—has unanimously declared Judge Gorsuch “well qualified” for this job. That is their highest rating—“well qualified.” That is what they have given him. The ABA has noted that “based on the writings, interviews, and analyses we scrutinized to reach our rating, we discerned that Judge Gorsuch believes strongly in the independence of the judicial branch of government, and we predict that he will be a strong but respectful voice in protecting it,” meaning the independence of the judicial branch. That is pretty strong from the American Bar Association.

By the way, despite these accolades he has gotten and his respect for the lawmaking that so many of us do here in this body, some of my colleagues on the other side may decide to vote against Judge Gorsuch, and they certainly have a right to do that. Of course, they do. But let's at least give him a vote. Let's give him an up-or-down vote. He deserves that. If a nominee this qualified can't get an up-or-down vote on the Senate floor, it is not clear to me who could.

Some have argued recently that the standard for a Supreme Court Justice should be 60 votes in the Senate—not an up-or-down vote, not 51 votes or a simple majority. The Washington Post has looked at that recently, and the Washington Post gave the notion that it should be 60 votes three Pinocchios—that means the guy whose nose gets longer when he is not telling the truth. Here is what the Washington Post said: “There is no ‘traditional’ 60-vote ‘standard’ or ‘rule’ for Supreme Court nominations, no matter how much or how often Democrats claim otherwise.”

That is the Washington Post.

In fact, as you probably know, two sitting Justices on the Supreme Court right now were actually confirmed by this body with less than 60 votes. Justice Thomas, a very controversial nomination at the time, was confirmed 52 to 48—hardly a tradition of confirming with 60 votes. Justice Alito was confirmed 58 to 42 only 10 years ago. In

fact, as we have heard on this floor, there has never been a successful filibuster of a Supreme Court Justice in the history of this body. That is hardly the standard. So I urge my colleagues to give him a vote, and I hope the result will be the confirmation of this smart, mainstream, decent man who is so well qualified for the Supreme Court and who has made it clear, again, that he is not going to impose his personal beliefs on the rest of us but will apply the law as written, and he is going to adhere to the U.S. Constitution. That is the kind of judge who deserves the support of all of us.

Thank you.

I yield back my time.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Colorado.

(The remarks of Mr. BENNET pertaining to the introduction of S. 767 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BENNET. I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

YUCCA MOUNTAIN

Mr. HELLER. Mr. President, I appreciate the comments my colleague from Colorado has made on energy. I have an energy speech here, also. We have the same goals, maybe coming from different perspectives, but both the Senator from Colorado and I are trying to achieve the same thing.

I appreciate his hard work. He and I have worked well together over the years on the Finance Committee, as he mentioned, with the investment tax credits to make alternative energy viable products and industries in both of our States and across this country, so I appreciate his hard work.

Mr. President, I come to the floor of the U.S. Senate today to discuss an issue that is extremely important to the State of Nevada, and that is Yucca Mountain.

For over 30 years, those two words, "Yucca Mountain," have incited frustration and anger for Nevadans across my State. It is not just a mountain 90 miles northwest of Las Vegas; it represents a decade-long fight by some in Washington to "wrong Nevada."

In 1982, the Congress approved the Nuclear Waste Policy Act and charged the Department of Energy with finding a long-term storage site for the disposal of spent nuclear material. At the time, Yucca Mountain was one of the many proposed geological sites to investigate.

Unfortunately, in 1987, the act was amended to concentrate only on one place, Yucca Mountain. Nevada, a State without any nuclear powerplants, was legally compelled to bear the sole burden of long-term storage of all of the Nation's nuclear waste. This decision was made on bad politics; it was not made on sound science. Ever since, the debate on solutions to this

problem has been one-sided, and the study of alternative solutions has been curtailed.

Instead of honoring Nevada's persistent scientific and procedural objections to the repository, the Federal Government has spent decades of time and wasted billions of dollars to design and permit Yucca Mountain, all without any notion that Nevada would consent to the project.

I have spent the past decade in Congress successfully fighting off efforts to force this project on Nevada, and I will continue this fight for as long as I serve my State.

I want to be clear: Nuclear power is an important part of our Nation's energy portfolio. I am one of the most outspoken Republicans in Congress advocating to make our Nation's energy cleaner and more affordable. Nuclear energy, which represents about 20 percent of our Nation's power production, plays an important role in providing carbon emission-free baseload energy in many States, but Nevada—again, a State without a nuclear powerplant—should not have to shoulder the Nation's entire waste burden.

We have pursued other strategies to meet Nevada's energy needs. I can share a couple of those examples with you. More than two-thirds of Nevada's energy is produced by natural gas-fired powerplants. Just 2 weeks ago, I was at a groundbreaking at the Moapa Southern Paiute Solar Project, the first-ever utility scale powerplant to be built on Tribal land. This project will produce 250 megawatts of clean energy capable of generating enough clean energy to power an estimated 111,000 homes.

Last March, I joined with the Italian Prime Minister in celebrating the world's first combined solar-geothermal plant near Fallon, NV. This facility provides 26 megawatts of solar photovoltaic, 2 megawatts of solar thermal, and 33 megawatts of geothermal energy to Nevada customers.

Nearly half of the geothermal plants producing baseload clean energy in this country are located in Nevada alone. So overall, more than 2,000 megawatts of utility-scale renewable energy in Nevada, enough to power nearly 1 million homes, has been built to meet Nevada's needs. That includes 19 geothermal energy plants, 12 solar projects, 6 hydro facilities, 4 biomass or methane projects, 1 large wind farm, and 1 energy recovery station. These are just some of the examples we are doing in Nevada. Yet they continue to try to ram Yucca Mountain down our throats as if we are not doing enough.

As we examine viable solutions to the waste problem, it is important to note that there are some promising technological developments that could fundamentally change the Nation's waste storage needs. There are new reactor technologies that could repurpose previously generated spent fuel

and produce carbon-free electricity with little or no waste. International research and development on innovative storage solutions and recycling processes could also be part of that solution.

Given the Yucca-centric strategy's previous failures, it would be logical for the government to try something new—some of these strategies that show promise—but, no, not here in Washington. Washington is at it again. Apparently, nearly 30 years of wasted time and billions of squandered taxpayer dollars is, simply, not enough.

The Department of Energy recently submitted what they call a skinny budget, including \$120 million, in part, to restart licensing activities for the Yucca Mountain nuclear waste repository. That \$120 million is a lot of money in itself, but let's be clear that it is just a fraction of the true costs.

Nevada has made it clear that it will contest each and every one of the 200-plus elements of any license application. State and Federal officials have estimated that the licensing process for Yucca Mountain will take 4 to 5 years and cost in excess of \$1.6 billion.

In these difficult times, I ask my colleagues: Is it financially prudent to invest over \$1.6 billion in any program that has not yielded results in over 30 years?

In case there is any confusion, I want to make sure everybody understands that Nevada's position has not changed and that it is not going to change on this issue. Our Governor, Brian Sandoval, continues to strongly oppose the project. In fact, he shares my same sentiment, and he shared it with me a few weeks ago when he stated:

I will vigorously fight the storage of high-level nuclear waste in Nevada. Any attempt to resurrect this ill-conceived project will be met with relentless opposition and maximum resources.

Every serious presumed candidate for Governor in 2018—both Republicans and Democrats—strongly opposes Yucca Mountain. Nevada's attorney general, Adam Laxalt, recently requested \$7.2 million of State resources over the next 2 years to represent the State's interests in the licensing process over Yucca Mountain, which he called "a poster child of federal overreach." Soon, our legislature will reaffirm the State's opposition to the project with the passage of Assembly Joint Resolution No. 10.

To sum it up, it will cost at least \$1.6 billion just to get through the application process. Think about that. It will take \$1.6 billion just to get through the process, to get the applications ready, let alone to get the storage facility actually operational.

Make no mistake about it. I will continue to lead the Nevada congressional delegation's effort to stymie any misguided effort to spend one more Federal dollar on the Yucca Mountain repository. It is fiscally irresponsible

and, simply, will not solve this important public policy issue that faces our Nation.

I implore my colleagues to work with me in a pragmatic way to solve our Nation's spent nuclear fuel and defense high-level waste storage problem that we have.

There is an old adage, and we have all heard it: The definition of doing the same thing over and over again and expecting different results is called insanity. Efforts by the executive branch and some Members of Congress to direct billions more toward a repository that will never be built is just that—insanity.

Our Nation cannot fully move forward with viable solutions until Congress moves past Yucca Mountain. Last year, the Department of Energy began a consent-based siting initiative to find alternative storage and disposal facilities. Identifying communities that are willing to be hosts for long-term repositories, rather than forcing them upon States that have outright opposed such sites for decades, is the only sustainable path forward.

I wholeheartedly support these efforts. In fact, I introduced bipartisan legislation earlier this year, the Nuclear Waste Informed Consent Act, to codify it into law. This strategy was wisely recommended by the Blue Ribbon Commission on America's Nuclear Future—a 15-member, bipartisan group that is tasked by the Federal Government to develop feasible solutions to nuclear waste disposal. This type of open process ensures all Americans have a meaningful voice in the process if their communities are being considered for a future nuclear waste repository.

I am confident that the government can find safe sites through the careful consideration of all alternatives that are based on credible scientific information and not by politicians here in Washington, DC. Let's stop the insanity. The administration and congressional Yucca advocates should focus their efforts on practical solutions and not on more of the same.

First, let's advance innovative energy technologies that repurpose and reduce spent fuel.

Second, let's invest in the research and development of recycling and alternative storage methods.

Third and most importantly, let's identify safe and viable alternatives for the storage of nuclear waste that remains in areas that are willing to house it.

These are worthwhile initiatives that actually, to use a football analogy, "move the ball down the field." For far too long, our Nation has been going "three and out" because Washington keeps trying to run the same, stale game plan.

I am working diligently on feasible solutions to this important problem,

and I urge my colleagues here today, on the floor of the U.S. Senate, to join me in that fight. I stand here, ready to work for what is best for my State and what is best for our Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I am deeply frustrated that Republicans, in one of their first actions following their and President Trump's disastrous attempts to repeal the Affordable Care Act, have decided to bring to the floor yet another CRA that would hurt workers, hurt the middle class, and hurt our economy.

Last week, millions of families sent a very clear message to President Trump and Republicans: Enough with the attempts to turn back the clock on progress for working families.

Clearly, President Trump and Republicans are not getting the message because, today, in what can only be described as a truly shameless giveaway to Wall Street, Republicans are poised to roll back a rule that would, simply, allow cities to help small businesses provide their workers access to easy, affordable, and high-quality retirement savings programs.

Before I continue, I want to reiterate what is at stake if Republicans roll back this rule. If Republicans pass this anti-worker resolution that is on the floor today, over 2 million workers in Philadelphia, in New York City, and in Seattle—in my home State of Washington—will lose the opportunity to access a retirement savings program.

I expect my Republican colleagues to make several claims as to why they are pushing to repeal this rule, but I want to be very clear that this is a deliberate attempt by Republicans to deny millions of workers the opportunity to save for retirement just to ensure that Wall Street remains in charge of our retirement system and can continue to write its own rules.

The 2 million workers who are at risk today in these three cities are part of the nearly 55 million workers across the country, which include 2 million workers in my home State of Washington, who do not have access to a workplace retirement plan through their employers. That is about one-third of all of the workers in our country. These are workers—particularly low-income and young workers—who are putting in long hours, meeting all of their responsibilities, but who lack access to an employer-sponsored retirement plan.

Because Congress has been unable to come together to address our retirement savings crisis, cities and States have now stepped up to help more workers save for their own retirements. These programs vary, but they all generally include several things.

First of all, they allow employers to automatically enroll workers while

giving workers the opportunity to opt out. Several studies have made clear that, when workers are automatically enrolled, they are more likely to save simply because it is easier to save. We all want that, and that is a fact.

Secondly, these programs apply only to businesses that do not currently offer retirement plans, and they, in no way, limit an employer's ability to seek out and offer its own employer-sponsored plan.

Lastly, these programs are worker and business friendly. There is little paperwork required for workers to participate in the programs, and there are no added burdens to the small businesses. In fact, in these programs, employers are strictly required to serve only in an administrative capacity.

Last year, Democrats, in their working with the previous administration, pushed for guidance to provide certainty to cities and States that have launched their own retirement programs.

This guidance clarifies an existing safe harbor that allows employers to establish payroll deduction IRAs, which gives States the clarity that these programs will not be preempted by Federal retirement law while still retaining the protections under the Internal Revenue Code. These retirement programs are safe; they are secure. This guidance merely provides flexibility to cities and States to move forward with these programs. Again, this guidance provides clarity for small businesses, which facilitate these programs for their employees, in that they may only act in an administrative capacity in operating these plans.

I think we all know what this repeal is truly about. President Trump is committed to doing everything he can to put the interests of Wall Street first. Unfortunately, with this action, Republicans in Congress are helping him do that.

It does not seem to matter if Republicans need to vote against policies they are on the record as having previously supported, like these retirement programs. Apparently, it does not matter if they need to vote to undermine our States' rights, as this resolution will do. It is becoming increasingly clear, without having a legislative agenda of their own, that Republicans are working to undo any and all rules and protections that had been put forth by the Obama administration.

It is not working. It is not leadership. It is not the kind of leadership our families deserve. After last week, I had hoped that President Trump and the Republicans would have dropped their extreme anti-worker agenda. Families nationwide are sending a clear message in marches and phone calls and letters and online and in their communities. They expect their representatives to be committed to working for them, and they are paying close

attention—more than ever before—and are prepared to hold Members accountable.

This CRA is a critical vote. Families are watching. If you stand with working families, vote against this resolution. If you say you believe in States' rights, vote against this resolution. If you want to meaningfully address our retirement crisis, vote against this resolution.

I am here to urge all of our colleagues to reject this harmful repeal and to stand with our working families. That is what is at stake.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

FILLING THE SUPREME COURT VACANCY

Mr. MERKLEY. Mr. President, the most important words in our Constitution are the first three words. Our Founders made sure that, when the Constitution was written, those were displayed—"We the People"—in super-sized font so that, generations later, we would not forget what our Constitution is all about.

Our Constitution was not crafted to create a government that would make decisions by and for the powerful. It was not crafted to create a government that would make decisions by and for the privileged. That was the power of the "we the people" vision, as President Lincoln so eloquently stated, "a government of, by, and for the people." Well, that is the vision we have the responsibility of maintaining, and it is a vision that is facing a dramatic test in this coming week—a test that affects the integrity of this body, a test that affects the integrity of the Supreme Court.

Back in January of last year, a Supreme Court seat came open. A Supreme Court seat for which the President had a responsibility to nominate a replacement, a new Justice to serve on the Court. We here in the Senate had a responsibility—a responsibility to exercise advice and consent. That meant that we would vet the nominee, that we would research, have a committee hearing, have a committee vote, and then forward it to the floor, where we would have a floor debate. But for the very first time in the history of the United States of America, the majority party decided that they would not exercise their constitutional responsibility, that they would instead steal this seat from the Obama administration, wrap it up, pack it into a time capsule, and send it into the future, in hopes that they would be able to succeed in packing the Court by having a different President, a more conservative President, proceed to fill the vacancy.

I am going to go through the 16 cases in our history where there has been a vacancy during an election year, and in 15 cases, the Senate acted. But last year, this Chamber refused to act, for

the first time, in trying to exercise a seat-stealing, Court-packing scheme, and that diabolical act against our Constitution will have its final chapter of discussion next week. I think it is important that the Members of the Senate understand the history of the United States of America and the setting in which this debate is going to occur.

If you read the Constitution from start to finish, nowhere does it say that the Senate has the option of refusing to consider a Supreme Court nominee in the final year of a Presidency. This strategy was announced within hours of Judge Scalia dying. And why would the majority choose to reject their responsibility under their oath of office? Why would they choose to do that? Certainly it wasn't because Merrick Garland wasn't qualified. He hadn't been nominated yet. Certainly it wasn't because there was a precedent because there was no precedent in U.S. history for stealing a Supreme Court seat.

Here is what transpired. The majority said: This might be a nominee who will fight for the "we the people" vision of our Constitution, and we don't want that because we are committed to a different vision—a vision of government by and for the most powerful people in the United States of America—and we want to make sure that the Court has a 5-to-4 majority to keep turning the Constitution on its head, destroying the vision that this Constitution, our Constitution, was designed for.

Well, the President proceeded to carry out his responsibility despite the fact that the majority said: We are not going to consider your nomination because we are not going to honor our responsibilities under the Constitution. Despite that, the President said he would honor his responsibility, and he nominated Merrick Garland on March 16.

The story here in the Chamber was that if he was on this floor, he would have plenty of votes, far more than 60 votes to be confirmed. So that kind of hardened the opposition, because there were more than 60 Senators who were going to say: Yes, let's embrace this mainstream judge who wants to fight for our "we the people" Constitution. But the leadership said no.

What have we seen unfold over the last few years of dark money ruling American campaigns? In 2014, we saw the Koch brothers decide that they wanted to control this Chamber, so they said: We are going to spend vast sums to elect a majority that will respond to our perspective as billionaires, coal and oil billionaires, kind of like a government by and for the powerful.

So they spent huge sums of money in Arkansas and in Louisiana and in North Carolina and in Iowa and in Col-

orado and in Alaska and in my home State of Oregon, and they won most of those States. Suddenly, there was the majority they had hoped for.

Then they sent a warning message to the Republican leadership in the form of this: In January 2015, the Koch brothers said: Pay attention because we plan to spend nearly \$1 billion in the next election, 2 years from now, and if you cross us, you might know the consequences because we can spend money in primaries as well as in general elections.

That is the background on how the Senate majority decided to steal this seat for the first time in U.S. history.

Just to make sure we are checking all of our facts on this, let's take a look at those various vacancies. As I mentioned, there have been 16 in our history. In one group of nominations, those vacancies occurred after the election, so there was very little time for the Senate to act.

Nominee John Jay—President John Adams—was nominated on December 18. At that point in time, the new President took office in March, so there wasn't very much time, but nonetheless the Senate acted and confirmed the nominee, and, in kind of an interesting twist of fate, the nominee turned down the post.

When Ward Hunt was nominated by Ulysses Grant in December of 1872—again, just a couple of months before the next President would come in—the Senate acted.

Let's take a look at William Woods. The nominee from President Rutherford Hayes was also nominated in December of that year, just months before the new President would come in, but nevertheless the Senate acted.

In all three cases, they confirmed the nominee within that short period of time. They debated. They vetted. They acted. They fulfilled their responsibility under the Constitution.

Now there is another group of nominees in an election year where the vacancy occurred before the election, but the nominee was nominated after the election, and there are four in that group. We have President John Quincy Adams, who nominated John Crittenden. The day he nominated him was in December of 1828—again, just a few months before the new President would take office—and in that case, it was proceeded to be acted on by the Senate. The Senate chose to postpone the action, but they acted. They took a vote. They decided.

There was Jeremiah Black, the nominee, in February 1861. There was a motion to proceed. The Senate voted, and they rejected it.

Then we have a nominee from Abraham Lincoln in 1864, and that nomination was confirmed.

Finally, under President Dwight Eisenhower, there was William Brennan, and that nomination was confirmed as well.

In all of these cases, even though the nomination occurred after the election and there was little time, the Senate acted.

There is a set of nine more nominations that occurred in an election year, and these are cases where both the vacancy occurred before the election and the nomination occurred before the election.

Nominee William Johnson under Thomas Jefferson. Final result: The Senate acted. They confirmed.

Edward King under President John Tyler. The Senate acted. They rejected that nomination, but they acted. They tabled it.

Edward Bradford under Millard Fillmore. They proceeded to again reject the nomination, but the Senate acted.

Melville Fuller—nominee under Grover Cleveland—was confirmed. And realize this was in May of that year.

George Shiras under Benjamin Harrison. He was confirmed. That happened in July that the nomination occurred.

Brandeis under Woodrow Wilson. He was nominated in January. Confirmed.

John Clarke, also Under Woodrow Wilson. Nominated in July. Confirmed.

All of these were before the election in a parallel case to the situation with Justice Scalia passing away and a nomination in the election year.

Benjamin Cardozo was nominated by Herbert Hoover. He was confirmed.

So there we have 16 cases—actually, I have only mentioned 15 so far—15 cases in our history in an election year, and in each and every case, the Senate acted—in each and every case except for the tragedy, the desecration of the Senate process that occurred last year.

Merrick Garland was nominated by Barack Obama in February. No action. The first no action in U.S. history. The first stolen seat in U.S. history.

Let's understand that this is politics out of control when Senators would ignore their oath of office, would proceed to engage in a Court-packing scheme and steal a Supreme Court seat. This is politics completely unhinged. This is driven by the dark money of the Koch brothers. This is the powerful, behind-the-scenes puppet master telling the Senate what to do because they cannot afford to have a Justice who hadn't been appropriately vetted by conservative think tanks to make sure how they will vote on Citizens United possibly get on the Supreme Court. Nobody knew how Merrick Garland would vote on Citizens United. On the Democratic side, we worried that he might sustain it. On the Republican side, they worried that he might strike it down and be a "we the people" Justice. But instead of engaging in responsible Senate action required by our oath of office, for the first time in U.S. history, the majority, driven by a powerful special interest, the Koch brothers, decided to steal the seat.

So that is the setting in which next week's debate will occur. We have heard some very self-righteous words coming from the majority side saying: Look how qualified he is. How could you possibly say there is anything wrong with this nomination?

Well, I asked my fellow colleagues to realize the reality of what they are engaged in, that they had a responsibility and that every Senate majority in U.S. history exercised that responsibility until last year. And it corresponds to this enormous growth of dark, secret money under Citizens United entering our campaigns. It corresponds to the threat that the Koch brothers made in January of 2015 that they were going to spend nearly \$1 billion in the 2016 election.

One of our Republican colleagues said he thought the Senate should do their job. He thought we should hold a debate, we should hold a vote. And there was a tremendous pressure brought to bear on that colleague from the suppliers of this dark money, and then 3 days later he changed his position.

This is a corruption of the very foundation of our democracy, and that is why there is only one legitimate nominee who President Trump should put forward to end this act of theft, to honor the integrity of the responsibility of the Senate, and that is Merrick Garland. We don't know where he stands on lots of issues. He has been a judge who came right down the middle. He has been a judge whom everybody respected. He wasn't from the extreme. But the process of stealing the seat was to get a judge whom everyone knew where he stood, because they wanted to make sure that he would sustain Citizens United, that he would take the corporate side against the consumer time after time after time. This is why there is a tragedy unfolding right now. I urge the American people to pay attention because the very foundation of our democracy, of the integrity of our institutions are being shattered, degraded, and destroyed right before our eyes.

Those who care about the Constitution, those who care about the integrity of the Senate doing its job under its oath, those who care about the integrity of the Court must stand up and say no to this effort to pack the court.

One of the arguments colleagues made, not knowing the history of the United States, was that there just wasn't time. There was just not enough time to consider a nominee. So here is a little bit of information regarding time. Since the 1980s, every person appointed to the Supreme Court has been given a prompt hearing and a vote within 100 days. Since 1975, the average is 67 days.

So to those who said that this seat opened up in January and there wasn't time left to have the Senate exercise its responsibility, we can see that they

were just presenting a falsehood, that there was plenty of time for the Senate to exercise its responsibility. To those who said that the nomination didn't come until March, there was still 10 months left. So from the time that Merrick Garland was nominated, 293 days were left in the administration.

For Kagan, consideration took 88 days; for Sotomayor, 67; for Alito, 83; for Roberts, 63; for Breyer, 74; and for Ginsberg, 51. Do we hear any numbers equivalent to 293 days?

Let's look at Thomas, 69 days, Kennedy at 65, Scalia himself at 85, Rehnquist at 89, and O'Connor at 33. They all fall into the same pattern of a couple of months for the paperwork to be done, the investigation to be completed, and the committee to hold hearings and to act. But there is Garland, with 293 days, and the Senate failing to act.

This simply reinforces the pretense put forward that there wasn't enough time, or that there was a tradition of not considering a nominee for a seat that became available in an election year, because it has happened 15 times previously in our history, and in all 15 times the Senate acted—every single one. So every argument put forward was phony, was wrong, and was based on falsehood. It was driven by dark money puppeteers of this Chamber wanting to make sure they could keep open their Citizens United money corrupting American campaigns and debasing our democratic Republic.

So to everyone who cares about the integrity of the Senate and the integrity of the Court, let this Senate know that they must return to respecting this institution and to respecting the Court. That means Merrick Garland must be the nominee until the Senate has acted on him, and the nominee before us must be rejected. To do anything else is to desecrate the integrity of this Court and this Chamber.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Colorado.

NOMINATION OF NEIL GORSUCH

Mr. GARDNER. Mr. President, I come to the floor once again today to talk about the confirmation of Judge Neil Gorsuch to the U.S. Supreme Court.

In the 235 years of our Nation's history with the Constitution, there has never been a successful partisan filibuster of a Supreme Court Justice. What I mean by that is this: No Supreme Court nominee has ever been rejected by a partisan filibuster on the floor of the Senate. Now, sure, we can argue about the 1968 bipartisan attempt to make sure that then-Associate Justice Abe Fortas wasn't elevated to the Chief Justice position.

What this Chamber is facing today isn't a question of whether we will abide by the Biden rule. The Biden rule, of course, was when Joe Biden said: During the last term of the outgoing President, when the office is up

for election, we are not going to confirm any nominees. This isn't an argument over whether CHUCK SCHUMER was right when Senator CHUCK SCHUMER said: Heck, over the last couple of years of the Bush administration, we are not going to allow a Justice to be confirmed.

That is not what we are arguing about today. We are arguing about whether a brilliant legal mind, a judge who has proven incredible legal temperament over the last several months since his nomination, a judge who has agreed 97 percent of the time with the majority decisions of the court, should receive an up-or-down vote.

Have no doubt that this is a historic opportunity for this Chamber to come together to prove that we believe in that 230-year precedent of confirming Supreme Court Justices. This is an opportunity we have to come together on a judge who just 11 years ago was confirmed unanimously by voice vote. There was no opposition 11 years ago to Judge Gorsuch when he was confirmed to be placed on the Tenth Circuit Court, which is based in Denver. Now, the Denver-based court, the Tenth Circuit Court, covers about 20 percent of our Nation's land mass. It is a huge, huge area. This is a court that deals with public lands cases. This is a court that deals with water issues, complex public lands issues, and Tribal issues. This is a judge who has been a part of 2,700 opinions, voting 97 percent of the time with the majority of the court.

Now, the majority of the court aren't all George W. Bush or George H.W. Bush or Ronald Reagan nominees. The nominees in the Tenth Circuit Court are bipartisan justices. It is filled with Democratic and Republican appointees. That is the Tenth Circuit Court, with whom Judge Gorsuch has worked. Judge Gorsuch has been somebody known as a feeder judge. A feeder judge is somebody that the Supreme Court—when they are looking to select clerks to help the Justices do their work—looks to, like Judge Gorsuch, to provide them with law clerks to help them at the Supreme Court. They do that because he is an incredible and outstanding jurist, somebody who has the respect on both sides of the aisle, Republican and Democrat. That is why he is a feeder judge. That is why he was confirmed 11 years ago by a bipartisan body of Senators.

In the last couple of weeks, we have seen days' worth of hearings where each Senator has been able to speak for an hour or so, questioning Judge Gorsuch, days' worth of hearings where the American people witnessed as Judge Gorsuch laid out his legal philosophy and his temperament, and where he displayed the even temperament we need on a Supreme Court—the kind of temperament that not only is able to work with colleagues but understand complex legal cases. And 11 years ago

his confirmation was so noncontroversial that when it came to his confirmation, Senator LINDSEY GRAHAM was the only one who showed up. He was the only one at the confirmation hearing. That is how noncontroversial it was. What a difference a court makes.

Now, let's talk about some of the Senators who supported him, or at least didn't object to him, 11 years ago. Then, Minority Leader CHUCK SCHUMER didn't oppose Judge Gorsuch of the Tenth Circuit Court. Senator LEAHY, a member of the Judiciary Committee, did not object to Judge Gorsuch. Senator FEINSTEIN, another member of the Judiciary Committee, didn't oppose Neil Gorsuch. Senator DURBIN, the minority whip, did not oppose Judge Neil Gorsuch 11 years ago. Senator CANTWELL, Senator CARPER, Senator MENENDEZ, Senator MURRAY—none of them opposed Judge Gorsuch's confirmation to the Tenth Circuit Court. Senator NELSON, Senator REED, Senator STABENOW, Senator WYDEN—all of them here today. None of them objected to Neil Gorsuch.

It is even more than that. Then-Senator Barack Obama did not object to Judge Gorsuch's confirmation. Then-Senator Hillary Clinton didn't object to Judge Gorsuch's nomination. Then-Senator Joe Biden helped pass his confirmation, his appointment, and made sure it cleared on a voice vote.

To hear the partisan bickering here is extremely disappointing and disingenuous. So I hope this Chamber will do what we do best in this country, and that is to come together on issues of doing our job of confirming a Supreme Court Justice after spending the past several months complaining that the Supreme Court wasn't filled.

This judge should receive bipartisan support, as he did 11 years ago. I guess the question has to be asked of people who are now opposing Judge Gorsuch today, who either supported or did not object to him 11 years ago: Did they not do their work 11 years ago? Did they not realize he was a bad judge? Or has the time of politics changed? Or are we just dealing with a President whom they have decided they don't want to have a Supreme Court Justice from? I guess that is what has perhaps changed the most over the past 11 years, because there is not really a narrative we can point to for a reason of why they should oppose him, other than people just deciding that the politics of the now require it, and that is incredibly disappointing.

If we look at Judge Gorsuch's statements, he talks about Justice Scalia's vision of the good and faithful judge. I think it is a worthy one that we focus on because of what it means to Judge Gorsuch—soon to be Justice Gorsuch—to be a good and faithful judge:

It seems to me that the separation of legislative and judicial powers isn't just a formality dictated by the Constitution. Neither

is it just about ensuring that two institutions with basically identical functions are balanced one against the other.

To the founders, the legislative and judicial powers were distinct by nature and their separation was among the most important liberty-protecting devices of constitutional design, an independent right of the people essential to the preservation of all other rights later enumerated in the Constitution and its amendments.

Now consider . . . if we allowed the judge to act like a legislature. Unconstrained by the bicameralism and presentment hurdles of Article I, the judge would need only his own vote, or those of just a few colleagues, to revise the law willy-nilly in accordance with his preferences and the task of legislating would become a relatively simple thing.

Notice, too, how hard it would be to revise this so-easily-made judicial legislation to account for changes in the world or to fix mistakes. Unable to throw judges out of office in regular elections, you'd have to wait for them to die before you'd have any chance of change. And even then you'd find change difficult, for courts cannot so easily undo their errors given the weight they afford precedent.

Notice finally how little voice the people would be left in a government where life-appointed judges are free to legislate alongside elected representatives.

The very idea of self-government would seem to wither to the point of pointlessness.

Indeed, it seems that for reasons just like these Hamilton explained that "liberty can have nothing to fear from the judiciary alone," but that it "ha[s] everything to fear from [the] union" of the judicial and legislative powers. . . .

That is the explanation that Judge Gorsuch has given to Justice Scalia's good and faithful judge—a judge who believes that the judicial branch is the guardian of the Constitution to take a decision or a question before them to the place the law leads them to, not to the place where politics sends them or politics demands them or personal opinions and beliefs dictate.

We have heard Judge Gorsuch say he believes that a judge who personally believes or agrees with every opinion he reaches is probably a bad judge. It is because Judge Gorsuch knows that once you put on the robe, you don't follow your personal opinion. You follow the law. That is the guarding of the Constitution that the Federalist Papers talked about.

So that is the kind of nominee we are dealing with—a nominee who understands the separation of powers and who understands the role of the judiciary, the role of the legislative branch, and the role of the executive. In fact, he believes that the executive branch has been empowered too greatly and that we should once again have separate but equal branches of government balanced in power.

I think that is a good judge to place on the Court—a judge who is clearly mainstream, a judge who clearly has the temperament to work with colleagues to make our country proud.

Certainly as a fourth-generation Coloradan, I am very excited Judge

Gorsuch has been nominated by the President. In addition to the bipartisan support Judge Gorsuch received here 11 years ago, he also has tremendous bipartisan support back home in Colorado. In fact, I have a letter here from Jim Lyons, who was a personal friend and lawyer for President Bill Clinton. It is a letter to Senator GRASSLEY, chairman of the Senate Judiciary Committee, dated February 7, 2017.

I write this letter in strong support of the nomination and confirmation of Neil Gorsuch for Associate Justice of the Supreme Court.

He ends his letter with this:

Judge Gorsuch's intellect, energy and deep regard for the Constitution are well known to those of us who have worked with him and seen first-hand his commitment to basic principles. Above all, his independence, fairness and impartiality are the hallmarks of his career and his well-earned reputation.

The former Governor of Colorado, Democrat Bill Ritter, supports the confirmation of Judge Neil Gorsuch.

Eleven years ago, then-Senator Ken Salazar spoke very highly of his temperament, saying in 2006 that Judge Gorsuch met the "very high test" required of someone to be a "great judge" and that he has "demonstrated a dedication to fairness, impartiality, precedent and avoidance of judicial activism—from both the left and the right."

The Denver Post editorial board, which came out in support of Hillary Clinton, argued for Neil Gorsuch's nomination, saying: "A justice who does his best to interpret the Constitution or statute and apply the law of the land without prejudice could go far to restore faith in the highest court of the land."

Neal Katyal, former personnel in the Obama administration, stated his support for Neil Gorsuch: "I am confident Neil Gorsuch will live up to that promise" to "administer justice without respect to persons, and do equal right to the poor and to the rich."

The Washington Post editorial board, many others in Colorado's legal community, including the former cochair of the Host Committee of the Democratic National Convention in 2008, support the confirmation of Neil Gorsuch. This is not a partisan judicial appointment; this is a judge who has strong bipartisan support from the people who know him best.

I hope we can live up to that high, noble intention of our Constitution, the purpose of the Senate, to make sure we are confirming somebody to do a lifetime service for this country in a way that respects our Constitution and the people of this country.

I hope that over the next several days as we debate the nomination, we will move away from this cliff of changing two centuries' worth of precedent in this body and instead come together in a way that befits the best nature of our country.

Mr. President, I thank you for this opportunity to speak and come to the floor.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. PERDUE. Mr. President, I rise today to speak about one of the greatest honors and privileges that we enjoy here in the Senate. As outlined in article II, Section 2, of the Constitution, one of the real honors of serving here in the Senate is the opportunity to offer advice and consent for nominees to the U.S. Supreme Court.

This body has historically treated it in such a solemn manner that in over 230 years of our history, no nominee to the Supreme Court has ever been denied a seat through the use of a partisan filibuster. Unfortunately, right now, Members—colleagues from the other side of the aisle—are threatening that very precedent.

As I said on the floor earlier this year, President Donald Trump promised the American people he would nominate an unwavering supporter of the Constitution to fill the vacancy left by the late Justice Scalia. This President has kept his promise. He has nominated somebody who was actually confirmed here in the Senate not that long ago by a voice vote by Members who are still here in the Senate, many of them. This was a nomination to the Tenth Circuit, a role that this man, the nominee, filled with great honor and much distinction.

Judge Neil Gorsuch's record of service lives up to the highest standards for a Federal judge. His academic and legal records are impeccable. He has demonstrated a keen understanding and appreciation for the rule of law, and he spoke so articulately in hour after hour of interrogation, actually, in his confirmation hearing just last week. Most importantly, Judge Gorsuch has repeatedly demonstrated his commitment to the Constitution and to our founding principles of economic opportunity, fiscal responsibility, limited government, and most important, individual liberty.

His testimony last week before the Senate Judiciary Committee was masterful. It absolutely convinced me that he is the man for this job. Judge Gorsuch listened to questions, carefully responded thoughtfully, and he gave an indication into his own demeanor that he would use in the Supreme Court. Judge Gorsuch listened to questions carefully over and over. He illustrated the ability to show a balance of judgment, which is what we look for in a lifetime appointment like this. He made it abundantly clear that the role of the judicial branch is to interpret—not to make law but to interpret the law.

In my own individual meeting with Judge Gorsuch, these same qualities stood out. I was very impressed with

his disarming nature and ability to talk about issues without necessarily showing bias of his own opinion. Because of all this, I know he will serve as a Justice in the mold of Justice Scalia, that of a balanced judiciary member.

I should also point out that this is not a partisan view point. Conservatives and liberals have come out in support of Judge Gorsuch's confirmation over and over through the past week since his nomination. Neal Katyal, who served as Acting Solicitor General under former President Obama, as a matter of fact, has described Judge Gorsuch as "an extraordinary judge and man."

The American Bar Association, which many members of this body hold as a gold standard for judicial nominees, actually gave Judge Gorsuch its highest rating—something they don't do very often. They did so unanimously, by the way.

Those who know Judge Gorsuch best, regardless of their political persuasion, have offered ample praise and abiding respect for this well-qualified nominee.

If confirmed, I have full faith that Judge Gorsuch's rulings will be just and rooted in the letter of the law.

This nomination and confirmation come at a time in the history of this Republic when it is absolutely crucial that we have a balanced jurist as the ninth member of the Supreme Court. Jonathan Turley, constitutional law professor at George Washington University right here in Washington, says that this past administration created a constitutional crisis the likes of which our country has never seen. Professor Turley talks about how a President has shown future Presidents a new precedent of how to run the government without Congress by blocking the Senate and actually creating the fourth arm of government—the regulators.

This is a time we have to have a jurist who will bring a balanced view for all Americans to be represented in the Supreme Court.

I am proud to have the opportunity to support this nominee. I urge my colleagues in the Senate to put partisan interest aside, to put the best interest of the country first, and to confirm Neil Gorsuch as the next Justice of the Supreme Court.

I take this as a huge privilege to speak out today, and I will speak more next week on the history of this nomination.

Thank you for the opportunity to speak.

I yield my time.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, there has been a long conversation about a Supreme Court Justice. Quite frankly, there should be a long conversation. It is an incredibly important role of the Senate for advice and consent. We are talking about a Supreme

Court Justice as someone who serves on the Court for life, so it has to be right.

A long conversation about Neil Gorsuch is coming to a head. In the next week, he will come to this floor. He will face final debate, and the very long confirmation process will end with him joining the Supreme Court as the ninth Justice. When he is added on as an Associate Justice, it won't have been a short journey. He has met with every single Senator face to face. He has made all the time available that they wanted to have for face-to-face questions and to be able to go through those issues personally. He has been in very long hearings. He sat down hour after hour, multiple days, answering questions from Senators in the Judiciary Committee, then a vote from the Judiciary Committee, and then coming to this floor. There has been research in his background in every case. Everything he has ever written and every speech he has ever given has been examined overwhelmingly. And at the end of that, he has been found to be a very serious member of the judiciary.

In this body in 2006, he was put on the Tenth Circuit, a circuit that Oklahoma happens to be in. There was a unanimous vote in the Senate in 2006 for him to join the Tenth Circuit. He was seen as a consistent, solid, mainstream, fair judge. That means Senator Joe Biden voted for him. Hillary Clinton voted for him. CHUCK SCHUMER voted for him. Barack Obama voted for him in 2006.

After going through all of his background leading up to this point, since that time, what has happened? Did he leave the mainstream during that time period after he was overwhelmingly voted here, unanimously out of the Senate, to be on the Tenth Circuit? Well, since that time, he has been a part of 2,700 cases in the last decade. Of those 2,700 cases, 97 percent of them were unanimous. In 99 percent of the cases, he was in the majority in those opinions. Only 1 percent of the time he was not in the majority of the decision.

So you may ask, who is the Tenth Circuit Court that he is working with, this large group of judges who are in that court? Let me give you the basics of it. Of the Tenth Circuit judges there right now, whom he is serving with, with whom he was in the majority 99 percent of the time, five of the other judges were Obama appointees, five of them were George W. Bush appointees, three of them were Clinton appointees, three of them were Reagan appointees, 1 was Bush 41, and 2 of them were from President Carter. That is the group he was voting with in the majority 99 percent of the time.

He was seen by this Senate in 2006 to be a solid, mainstream jurist. Since that time period, he has voted with them 99 percent of the time in a very diverse Tenth Circuit.

CRS, in their background research with him, said that Judge Gorsuch's opinions had the fewest number of dissents of anyone in the Tenth Circuit. In other words, when he wrote the opinion, his colleagues disagreed with him the fewest number of times of anyone on the Tenth Circuit.

He is a solid jurist, respected around the country, and one who deserves not only an intense investigation but I believe deserves to be put on the Supreme Court of the United States. I look forward to voting for him next week.

In the process, I hope, as we support him, that we will also step up and do a process that has been consistent in this country for the last 230 years of how we process through judges; that is, we have an up-or-down vote. They are not blocked by a cloture vote to try to keep them from getting to a final vote. The judges here get an up-or-down vote. That is the way we have done it.

Of the eight Justices who are sitting on the bench right now, only one of them even had a cloture vote at all, and that one wasn't even close. It was 72 to 25, and that was Justice Alito.

Just to walk through the brief history of some of the recent judges and some of the things that have happened and how it is absurd that we would even be discussing a filibuster of a Supreme Court Justice, Justice Kagan was approved by a vote of 63 to 37. There was bipartisan support coming out of the committee. I can assure you, there wasn't bipartisan support for policy positions.

For some reason, Judge Gorsuch is being accused of being partisan or political or somehow connected to the President, so that would disqualify him.

Ironically, Justice Kagan was a member of the White House staff before she was nominated to go onto the Court. That was not considered disqualifying when it was Justice Kagan and the Republicans were in the minority looking at it. They considered that everyone should be looked at fairly based on qualifications, when she was coming directly from the White House staff onto the Supreme Court.

Justice Sotomayor was approved by a vote of 68 to 31—again, bipartisan support even in committee.

Clarence Thomas, one of the most controversial nominees in this last century, came out of the committee with a divided committee. After the vote failed, the committee then voted to send his nomination to the floor without a recommendation. He then passed on a floor vote of 52 to 48. There was never a request for a cloture vote. No one filibustered him—not one person.

If Clarence Thomas would have had a filibuster threat facing him, he wouldn't be on the Court today. He has been an excellent jurist on the Supreme Court, but he came out during a time when there weren't these idle threats.

It is even interesting that Robert Bork, who is currently not on the Court—his vote failed 42 to 58, but that was a failed final vote. Robert Bork did not face a filibuster threat. He was brought to a final up-or-down vote.

I could go on and on to walk through the judges and Justices and how they have gone through the process, but there has been a simple procedure: Is this person qualified?

The American Bar Association, multiple entities, huge bipartisan support around the country—there is no question he is qualified. There is no question he has been a great jurist. There is no question he has been an excellent writer.

Now it is a question of, Will the Senate follow through on the procedures that we have followed through on for two centuries? Give judges an up-or-down vote, and the majority and the minority both respect the process of what it means to be a part of article III leaders in the Justice Department.

This is the way that this works in the days ahead; this is the way it has worked in the days past. We need to be able to resolve it now.

I look forward to voting up or down and getting that vote for Judge Gorsuch. I look forward to his joining the Court to be that ninth Justice and to the Court being able to get back to their business. There are a few issues that are unresolved from the fall. There are not many cases that were divided 4 to 4, but a few. It is time to get those resolved and be able to add this ninth Justice.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I certainly agree with the comments just made by our friend from Oklahoma in looking back at the history of the Court. The 200 years of giving judges a vote really is an important thing for us to understand, as hopefully enough Members of the Senate decide between now and sometime next week that the up-or-down vote—where they get to vote however they want to—is totally appropriate.

I would like to speak about one other topic that we are dealing with this week. I was here yesterday to talk about Judge Gorsuch. I will likely be back again before this debate is over because it is critically important that he be confirmed.

Mr. President, I want to speak for just a minute about what we are also doing this week under the Congressional Review Act. One of the reasons the Court matters is that the Court gets to decide on occasion whether an agency has the legal ability to make a rule, but just because they may have the legal ability to make a rule doesn't mean they should make a rule that stands if the Congress doesn't agree.

The Congressional Review Act, under the late rulemaking of President

Obama, has had a real opportunity to work for, I would say, the first time, but the truth is, it has worked one other time in 2001. In the 25-or-so-year history of the Congressional Review Act until the last few days, the last few weeks, it has been utilized only because it is really only practically available to the Senate and to the House if there are midnight rules, rules that come up at the last minute.

As of today, the Senate has already passed 11 resolutions that have disapproved those late rules that came in the final days of President Obama's administration. By the time we finish this process, I think we will be toward a total of maybe 15 rules that would have had a real impact on our economy, that would have had a real impact on job creation, that would have had a real impact on families. Those rules are not going to happen because of the Congressional Review Act.

I have been an opponent of many of these rules and many of the regulations we have seen over the last 8 years, but they have often been able to become law anyway because the Congress, frankly, couldn't do anything about it.

TITLE X PROGRAM

In particular, I would like to commend Senator JONI ERNST for her work on the resolution of disapproval we expect to consider tomorrow. Senator ERNST's resolution would simply restore the ability of States to set their own criteria for grant recipients under the title X program.

I would like to remind my colleagues that this rule was issued on December 19, 2016. It took effect January 18, 2017, 2 days before the end of President Obama's administration. So for 7 years and 363 days, the Obama administration didn't need this rule, but they issued it on the way out the door.

Overtaking this rule would not reduce a single dollar of funding that is available under title X. Again, all we are doing is simply giving back to the States the flexibility they had until the last 48 hours of the Obama administration to determine which health providers were in the best position to provide the particular set of healthcare services before the rule took effect.

This rule is another example of overreach. This is another example of out-of-control regulators. I certainly am pleased to see Senator ERNST bring it to the floor.

The determination of how the rules should be made and who should make them and who should do something about it is something that this Congress, in the next few weeks, has to take a stronger stand on.

I hope we find a way where we have to vote on every rule that has any significant economic impact. That bill has passed the House of Representatives already.

I see the Senator from Wyoming here, so I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I would like to add my voice to that of the Senator from Missouri. I thank him for his leadership and for his excellent work on the matters that he has been addressing.

NOMINATION OF NEIL GORSUCH

Mr. President, I am here to address the issue, as I have done before and will again, of the nomination of Judge Neil Gorsuch to be a Justice of the U.S. Supreme Court. America needs judges who can follow the law, who have the highest ethical standards, and who value the independence of our courts. That is the description of Neil Gorsuch. That is him in a nutshell. We saw it throughout his career, and we saw it again in his confirmation hearing last week.

Democrats on the committee asked him to talk about issues that are going to be coming up before the Supreme Court. Well, Judge Gorsuch—we know what he did. He followed the rules, the ethics rules. These are the rules that say that judges and nominees should not answer those kinds of questions.

Following the rules is exactly what he should have done, and it is exactly what other nominees that both Republican and Democratic Presidents have placed on the Court have done in the past.

It is what Ruth Bader Ginsburg did at her confirmation hearing in 1993. She said that a "judge sworn to decide impartially can offer no forecasts, no hints." She said that this would "display disdain for the entire judicial process." She was confirmed.

That is exactly what Judge Gorsuch said. That is the Ginsburg standard, and every nominee since then has followed that standard.

Democrats on the Judiciary Committee also tried last week to criticize Judge Gorsuch for some of his opinions that they didn't like. They suggested that the Court should have ignored the law—ignored the law and sided with "the little guy" in these cases.

Judge Gorsuch was quick to point out that all judges are absolutely not supposed to consider who they think is sympathetic. They are to rule based on the law.

Federal judges actually swear an oath to "administer justice without respect to persons, and do equal right to the poor and to the rich."

It is interesting because the minority leader, Senator SCHUMER, himself has spoken about how important it is for a judge to be impartial. In 2009, at the confirmation hearing for Justice Sonia Sotomayor, he praised the way that she put the "rule of law above everything else." He said that she did this even when it led to rulings that "go against so-called sympathetic litigants." That was 2009.

Fast forward to 2017. It is the identical standard that Judge Gorsuch has

followed. He pointed out that it is his job to apply the law, and writing the laws is the job of the legislative branch of government.

We are not here selecting the 101st Senator. This is not about who ought to be another Senator. This is about who should be on the Supreme Court. We are selecting a Justice for the most important Court of the land.

Nearly everyone who has looked at this nominee's record, who has watched his confirmation hearing agrees that he would be an excellent Justice. There was one lawyer who wrote an op-ed in *The Washington Post* on March 8. He is a board member of the liberal American Constitution Society. He wrote that "there is no principled reason" to vote against Judge Gorsuch. A *Denver Post* editorial last week said Judge Gorsuch would make "a marvelous addition to the Supreme Court." The American Bar Association has given him its highest possible rating. He was even introduced at his confirmation hearing last week by a former top lawyer for the Obama administration. Neal Katyal is a Democrat. He was the Acting Solicitor General of the United States for President Obama. He has called Judge Gorsuch "one of the most thoughtful and brilliant judges to have served our nation over the last century."

I think any Democrat who watched the confirmation hearings and looked at the nominee's record will decide it is an easy decision to confirm him.

If there is a Democrat who reaches the opposite conclusion, I say: Come to this floor. Come to the floor of the U.S. Senate. Explain why you think our judges should go into a case favoring one side or another. If you think a judge should make promises about how he will rule just to win the vote of a Senator, go ahead. Come to the floor. Make your case. If you think that a Justice of the Supreme Court should ignore the law and rule not based on the law but by that judge's own preferences, please come to the floor and say so. I don't think that is what the American people want.

The American people want judges who are smart, who are principled, who are fair, and who know that their job is to follow the law, not write the law. The American people know that Neil Gorsuch is exactly that kind of judge, and that is the kind of judge who we should have on the Supreme Court and on every court of the land.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that I be permitted to complete my remarks today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I want to compliment the distinguished Senator

from Wyoming for the wonderful remarks he has made. They are right on point.

Last week's Judiciary Committee hearing on Judge Neil Gorsuch's Supreme Court nomination made two things abundantly clear. The first is that Judge Neil Gorsuch is a superb, highly qualified nominee. Second, with the possibility of the first partisan filibuster in the history of a Supreme Court nominee, I have come to the conclusion that some Democrats would do almost anything to keep us from having an impartial, independent judiciary.

As I explained at the start of the hearing last week, qualifications for judicial service include both legal experience and judicial philosophy. Legal experience looks at the nominee's past accomplishments in the law, while judicial philosophy anticipates the nominee's future judicial service.

Judge Gorsuch's legal experience is among the most impressive that I have seen in my 40 years on the Judiciary Committee. He is truly an impressive man. This is no doubt why the American Bar Association easily and unanimously gave Judge Gorsuch its highest "well qualified" rating, the highest rating it can give. I certainly have had my differences with the ABA, because at times they appear to let political or ideological considerations influence their rating. I mention their rating now because my Democrat colleagues, including Senators LEAHY and SCHUMER, have called the ABA's rating "the gold standard" for evaluating judicial nominees.

The ABA testified about their rating at last week's hearing, explaining that they sought input from more than 5,000 people throughout the legal world who would have personal knowledge about Judge Gorsuch. That is about as broad a group as I have ever heard of. They assembled 40 scholars and nationally recognized Supreme Court practitioners to review his judicial opinions, other writings, and speeches. The ABA's 1,000-page report concluded that Judge Gorsuch meets the "very high standards of integrity, professional competence, and judicial temperament."

Editorial boards across America took notice as Judge Gorsuch demonstrated such qualities to everyone.

The Denver Post said that Judge Gorsuch "possesses the fairness, independence, and open-mindedness necessary to make him a marvelous addition to the Supreme Court."

The Detroit News said that Judge Gorsuch "is proving himself an even tempered, deeply knowledgeable nominee who should be confirmed by the Senate."

The Chicago Tribune said that Judge Gorsuch's critics "suggest that they fear Gorsuch won't follow the law, but the opposite is more true. They fear he will. Gorsuch should be confirmed."

The second and more important qualification for judicial service is the nominee's judicial philosophy or his understanding of the power and proper role of judges in our system of government. This is ground zero in the conflict over the appointment of judges. America's Founders were clear about their design for the judicial branch as part of the system of government they established. Central in this design is the separation of powers. Government power is divided among three branches and is supposed to stay that way. As a result, what the legislature does in making law is designed to be different than what the judiciary does in interpreting and applying that law. This design for government is necessary for the liberty that we all enjoy. Change the design and sacrifice the liberty it makes possible.

Specifically for our purpose today, this design provides the job description for judges. They interpret and apply written laws such as statutes and the Constitution to decide cases, and they must do so impartially, deliberately removing their own views, preferences, or agendas from the judicial equation. That is exactly the kind of Justice that Neil Gorsuch will be and has been. Professor Jonathan Turley, a well-known constitutional law expert, told the Judiciary Committee that, like Justice Scalia, Judge Gorsuch has a well-defined judicial philosophy with a record of well-considered writings both as a judge and as an author. In short, concluded Professor Turley, "we have a very good idea of who Judge Gorsuch is and the type of Justice he will be." He will be an impartial Justice who takes the law as he finds it, applies it objectively to decide cases, and leaves the decision about changing the law to the people and their elected representatives.

This brings me to the second thing that the Judiciary Committee hearing revealed last week. I said at the start of the hearing that the confirmation process reveals the kind of judge that Senators want to see appointed. And it certainly did. Judge Gorsuch's opponents seem determined to oppose an impartial and independent judiciary. In fact, it looks to me like they want the opposite—a judiciary that is partial and dependent. They want judges to decide cases with deliberate regard to the parties and with determined attention to the political interests that their decisions will promote.

This is the 14th Supreme Court confirmation process in which I have participated, and I cannot remember Senators opposing more strongly the basic notion that judges must impartially apply the law.

It is important to point out, of course, that Democrats' objection to judicial independence has, to be charitable, not always been consistent. In 2009, for example, Senator SCHUMER in-

troduced Justice Sonya Sotomayor to the Judiciary Committee for her confirmation hearing. Senator SCHUMER was a distinguished member of the committee at the time. He praised Justice Sotomayor for, as he described it, carefully applying the law even when it meant ruling against "so-called sympathetic litigants." That was then. This is now. Last week, Democrats turned the Schumer standard on its head, cherry-picking a few of Judge Gorsuch's thousands of cases to criticize him for ruling against sympathetic litigants.

Every Federal judge takes an oath to administer justice without respect to persons and to discharge his judicial duties impartially. The ABA's Model Code of Judicial Conduct spells out that this includes a duty not to make commitments about issues that may come up in future cases.

When Justice Ruth Bader Ginsburg appeared before the Judiciary Committee in 1993, she took a firm stand. She said: "A judge sworn to decide impartially can offer no forecasts, no hints, for that would show not only disregard for the specifics of the particular case, it would display disdain for the entire judicial process."

Every Supreme Court nominee of either party has taken this same position. To me, this simply shows how much these nominees, most of whom are sitting judges already, care about their impartiality and the fairness it provides to litigants.

I think it would baffle our fellow citizens to suggest that judges should, in effect, prejudge cases before they even come up or publicly take sides on issues that could later require their judicial decision. Our constituents would think it crazy to say that judges should not keep an open mind or that judges need not be impartial.

Today, however, Democrats say they will oppose Judge Gorsuch's Supreme Court nomination unless he spells out those views, unless he provides those same forecasts and previews. In other words, Democrats consider the impartiality they applauded in Justice Ginsburg to be a liability in Judge Gorsuch. To most people, fairness, openmindedness, and impartiality are qualities we need in our judges. To some Democrats, they are obstacles to be overcome, I might say, on the way to a fully politicized judiciary. What do my Democratic colleagues have to fear from judges who are truly impartial? I mean, I don't see where the argument really is.

Another tactic last week was to talk about people who had not been nominated and who were not even in the room. Committee Democrats, for example, talked about President Trump and a few of his advisers more than 80 times over just 3 days. They also decried the efforts of grassroots activists working on behalf of Judge Gorsuch's

nomination. It mattered not that the nominee had no connection whatsoever with those particular efforts. No, Democrats warned of the “extreme special interest groups” that supposedly advised the President about filling this Supreme Court vacancy. They talked about so-called “dark money” contributed to such groups by undisclosed donors.

I would not go so far as to directly accuse anyone of hypocrisy or of changing their tune based on ideology or political party. I would not do that. I would observe, however, that one group invited by Democrats to testify against the Gorsuch nomination was particularly vocal about condemning “big money corrupting our politics.” It turns out that this group was cited by the Center for Public Integrity in January as an opponent of dark money even though the group itself accepts shadowy funds and refuses to fully disclose its own donors.

Next week, the Judiciary Committee will report the Gorsuch nomination to the Senate floor, where the same tactics will be in full view. Democrats are already claiming that the threshold for confirming Supreme Court nominees is 60 votes. Where did they get that from? They may wish this were the rule, at least for Republican nominees, but they know that is not true. They know it.

Democrats have been playing this game for years, embracing one standard when it suits them, only to do an about-face later. It may be just a coincidence, but the flip-flopping follows an eerily similar pattern to election cycles when different parties control the White House. But, like I said, that may be just a coincidence.

What I do know is that Senator SCHUMER voted 25 times to filibuster judicial nominees of President George W. Bush. Then, when nomination filibusters had declined under President Obama, he voted to abolish them. Now, with a Republican in the White House, he is back on the filibuster train. He was against judicial filibusters before he was for them before he was against them.

Why not have a vigorous debate followed by an up-or-down vote? The 1987 nomination of Robert Bork was controversial, yet there was no cloture vote, even though he was defeated. The 1991 nomination of Clarence Thomas was controversial, yet there was no cloture vote, even though he was confirmed.

Republicans have never even attempted a partisan filibuster of a Supreme Court nominee. Most recently, then-Majority Leader Harry Reid said in 2010 that he would file cloture on the Supreme Court nomination of Elena Kagan. Republican leaders, including our former colleague Senator Jeff Sessions, told him that filing cloture would be completely unnecessary.

The truth is that no Supreme Court nominee has ever been defeated by a partisan filibuster. The only reason Democrats are choosing to push us in that direction is that their leftwing groups have told them to do so.

Judge Gorsuch’s approach to judging empowers the American people and their elected representatives. It does so by taking seriously what they do. He takes the words of the statutes they enact and the Constitution they established as having substance and actually meaning what they say. That is the respect that our system of separated branches requires that each give the other.

Last week’s hearing confirmed for all to see that Judge Gorsuch has the legal experience and judicial philosophy and temperament to make him fully qualified to serve on the Supreme Court. It also exposed the fact that some of my colleagues see an impartial and independent judiciary as a threat rather than as an indispensable support for our liberty.

I have been kind of shocked at the turnaround by some of our Democratic colleagues—not all of them but some of them—that how, if it is their judgeship nominee, these rules do not apply that they are now trying to apply to Judge Gorsuch.

I have seen a lot of nominees in my day and an awful lot of nominees to the Supreme Court. I have never seen one any better than Judge Neil Gorsuch. He is totally prepared for the job. He is an outstanding lawyer with great experience. He is a brilliant judge, someone who will enhance the Supreme Court and not deteriorate it, who deserves to be on the Supreme Court. Thank goodness the President has seen fit to put him there.

I hope our colleagues will think it through because we should not be politicizing these judgeships like has been done recently. Frankly, we should never politicize the Supreme Court nomination process. It is not just because the President is a Republican; it is because that is the way I have always approached it. I think that is the way most everybody in this body has always approached it.

I hope people will think it through and vote for Neil Gorsuch. He deserves their vote. He will be a great Justice on the Supreme Court. He is going to make it one way or the other, and I hope my colleagues on the other side realize that and will dispense with some of this garbage that has been used against Judge Gorsuch.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TOOMEY). Without objection, it is so ordered.

Mr. CARDIN. Mr. President, I take to the floor to urge my colleagues to vote against two of the resolutions that are on the floor, H.J. Res. 66 and H.J. Res. 67—both under the Congressional Review Act—which would not allow two regulations under the Obama administration to go forward that would allow for increased retirement security for American workers and families.

Throughout my time in office, I have fought hard for measures that increase the retirement security for American workers and families. One of the most prominent examples is the private retirement improvements that I championed with my friend Senator PORTMAN when we were both in the House of Representatives.

More recently, Senator PORTMAN and I have joined together to support other changes to our pension laws that enhance retirement security. For instance, the Cardin-Portman Church Plan Clarification Act, which became law in 2015, clarified the application of certain tax laws and regulations to the unique structures of church pension plans. The Cardin-Portman Retirement Security Preservation Act, which was reported out of the Finance Committee unanimously last September, amends nondiscrimination regulations to protect older workers in pension plans that have been closed or frozen. I hope the bill will be taken up again in this Congress.

I mention these efforts over the years with Senator PORTMAN because I think they show two things: First, they show that ensuring all Americans can retire with dignity is an ongoing effort. We need to work continually with workers, retirees, and other stakeholders to make sure retirement security is achievable, especially as our economy changes. Second, they show that this ongoing work has been and hopefully will continue to be strongly bipartisan. That is why I need to speak in opposition to H.J. Res. 66 and H.J. Res. 67. These resolutions are an unnecessary step backward in our ongoing retirement security work.

As my colleagues are aware, H.J. Res. 66 and H.J. Res. 67 eliminate the ERISA safe harbor that was created by the Department of Labor for IRA plans that are administered by State and local governments. We are considering the local government resolution today, but I want to stress the importance of both types of plans.

The provisions of this safe harbor are very similar to an existing safe harbor that is already in ERISA that allows employers to establish payroll deductions to IRAs. So long as the State and municipal-run plans meet the requirements of the safe harbor, the businesses—usually small businesses—that offer State-run retirement plans to

their workers will not inadvertently be subject to liability under Federal law.

The Department of Labor rules were meant to provide legal certainty to the increasing number of States that have decided, in the absence of any action by the Congress, to address the retirement coverage gap in their communities. Maryland is one of those States. Our State is active. Last year, Republican Governor Larry Hogan signed legislation creating a Maryland-run automatic IRA program. The legislation was backed by the Democratic leaders in the general assembly. In fact, it passed unanimously out of our Senate.

The reason for this bipartisanship was, in part, in recognition of the stakes. At the time the law went into effect, which was last July, an estimated 1 million Marylanders worked for businesses that did not offer retirement savings plans. Without the rule, the businesses that choose to use the Maryland-run option to provide retirement plans for their workers may face legal liability. At the very least, the repeal of the safe harbor will slow the entire implementation process.

I understand that my colleagues who oppose the Department of Labor rule want to be sure that strong ERISA protections apply to retirees; however, under current law, most IRAs do not have ERISA protection. For these IRAs, the only chance for any kind of consumer protection is for States to do it. H.J. Res. 66 and H.J. Res. 67 are seeking to undo that.

I am also confused by claims that the adoption of these resolutions would necessarily lead to the complete ERISA preemption of State programs. The Department of Labor does not take that position. To claim that these resolutions alone would have such a broad effect on the interaction of ERISA with State law is troubling, to say the least.

Let me be clear. I would prefer Federal action in this space. Retirement security is one of a seemingly dwindling number of bipartisan issues we can tackle in Congress, and the concerns raised by many of the stakeholders I have worked with in the past on retirement reform are understandable. I am concerned that a lack of Federal action will lead to a State-level patchwork that will be hard for employers and more mobile workers to navigate. I would much rather build on the efforts of the States to create a uniform Federal system under which employers would adopt high-quality, well-managed plans. I am also concerned that providing a State-run option could diminish robust competition with the private sector.

The point of these State-run programs is to decrease our coverage gap. However, we must not also create a race to the bottom whereby employers opt for a one-size-fits-all minimum and do not consider other plans that may be better tailored to their workforces.

This is not, in my view, the case in Maryland.

The answer to these problems is not H.J. Res. 66 or H.J. Res. 67; it is for Congress to continue its ongoing bipartisan work on retirement security, not to undermine what our States have chosen to do to help our mutual constituents. This is federalism the way federalism is supposed to work. The States adopt policies and hopefully give us some guidance as to how we can develop uniform national policies.

I am, frankly, surprised that my Republican colleagues have chosen to take up these resolutions. It is hard to see what the disapproval of the Department of Labor rules achieves other than notching the repeal of another Obama-era rule, but at what cost?

To me, the resolutions take a fairly clear, anti-States'-rights stance, all to create potential liability for small employers who will take advantage of the new State laws. Essentially, supporting this resolution means sowing unnecessary legal confusion in an area in which States have already acted in a bipartisan way. We can do better. We can work together on this issue. Instead of focusing on haphazard repeal measures, I am confident that we can produce thoughtful, substantive, bipartisan solutions.

I urge my colleagues to oppose these resolutions. As I have in the past, I stand ready to work with them to ensure all Americans can save with dignity for their financially secure retirement.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING ED GREELEGS

Mr. DURBIN. Mr. President, allow me to take a moment of the Senate's time to say thank you and farewell to an exceptional person.

Ed Greelegs was my chief of staff for 17 years, and he was a wise and trusted friend. I was not unique in that regard. Ed had thousands of friends. I used to marvel while walking through the Capitol with Ed Greelegs because he knew everybody, and everybody knew him—not just the Members of Congress and their staff but cafeteria workers, carpenters, Capitol Police officers, and certainly Senators, Congressmen, and their staffs. He was a beloved member of the Senate community, and what a smart fellow he was.

During my first 10 years in the Senate, when Ed was my chief of staff, he was an unfailing source of wise and thoughtful advice. Some people are drawn to Congress because of what

they think are the perks and power that come with this job. That is not what attracted Ed Greelegs.

For Ed, being a good public servant was always a privilege. He avoided the spotlight. He was there to help people and to help move America closer to that more perfect Union our Founders dreamed of.

Fifteen years ago, Ed was diagnosed with early onset Parkinson's. He and his wife Susan faced that formidable challenge the same way they faced everything: together, with love, determination, courage, and a good sense of humor.

Sadly, yesterday, Ed's battle with Parkinson's ended, and he passed away at the age of 66.

Parkinson's disease is a bitter adversary. Over the years, it took away Ed's sure-footedness. It nearly killed him twice. In the end, it robbed him of many memories. I can recall speaking to him a few months back, and Susan had warned me that he didn't have much of a memory, she said, unless you want to talk about politics. So I called him, and we talked about politics—even the politics of the day—and Ed was spot on. He always was. But regardless of the loss of memory, it never took away Ed's dignity, his kindness, or his respect for others.

Ed Greelegs worked for so many Members of Congress from Illinois that I think he became an honorary son of our State. He grew up in Washington, DC, in the suburb of Wheaton, MD, and graduated from the University of Maryland.

He came to the Capitol as an intern in 1970. Before he joined my staff, he worked for Congressman Marty Russo of Illinois, Congressman Bob Eckhart of Texas on the House Commerce Committee, Congressman Sam Gejdenson of Connecticut, and finally back to Congressman Marty Russo.

He also worked briefly for the Consumer Federation of America and for Fannie Mae.

In 1990 I persuaded him to come to work for me as my chief of staff in the House. Six years later, when I went to run for the Senate, he was right by my side, and he was there for me 8 years later when I became whip.

His quiet, wry sense of humor helped to lighten the mood when things became tense, and his profound compassion and decency reminded all of us of why we were really there.

There were a couple of things that Ed loved more than public service, and one was books. Ed's desk and his bedside were always surrounded by mountains of books. More than reading, Ed loved his family, especially his dear wife Susan and his stepchildren, Andrew and Amanda.

I have a thousand Ed Greelegs stories, but I am going to close with my favorite. The year was 2002. I was on a codel with then-Majority Leader Tom

Daschle to Afghanistan with a handful of Senators. We were the first group of Senators to land in Afghanistan after the war broke out in daylight. The security was incredible. This trip to Afghanistan was the first since the fall of the Taliban. No one knew who was friend or foe on the ground. So when we landed at Bagram Airfield in Kabul, it was really tense. As the back end of the plane ramp went down on to the runway and we were brought off, we were surrounded by armored personnel carriers and men holding rifles. These armored personnel carriers were as far as the eye could see, and the armed troops as well.

As I came down the ramp, a man in civilian clothes walked up to me and said: Are you Senator DURBIN?

I said: Yes, I am.

He said: Well, I am a personal friend of Ed Greelegs.

I couldn't believe it. In the middle of a war zone, here was another friend of Ed Greelegs.

On behalf of friends of Ed everywhere, I want to say: Thank you, my friend. You made this Congress and this country better with your caring and dedication. We will all miss you.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, before he leaves the floor, let me thank my friend from Illinois for his very thoughtful and warm remarks about somebody who we all admired very much, Ed Greelegs.

I remember so many times talking to him about the rights of seniors, and a lot of us who thought we knew something about the subject didn't know half of what Ed did. This was a guy with a really razor-sharp mind, but he had an even bigger heart, and particularly a heart for people without clout and power. I don't think it was an accident that he gravitated to the senior Senator from Illinois, I might add as well.

So I thank my friend for his very gracious remarks about somebody we all admired very much.

Mr. President, I am here this afternoon because from the people who brought us TrumpCare, which was so favorable to the fortunate few and the special interests, now comes legislation that is going to make it harder for working people and working families to save for their own retirement. To kind of put that in context, whenever we have a debate about retirement, we always hear people say: You know, you just ought to realize that Social Security, this earned benefit—an earned benefit for Americans—you have to realize it is not going to cover everything. You have to save privately. You have to save for your retirement. And now, what we are seeing is the powerful special interests—the people with deep pockets and great political influence—

are talking about restricting the chance for those typical working families to do the very thing that those people usually say is the solution. They say: No, we can't have government programs; you have to save privately for your retirement. And now come along those very powerful special interests, and they want to talk about restricting the ability of working families to save privately.

So we are now debating the first of two resolutions that would put a huge dark cloud over the new programs with individual retirement accounts, called auto-IRA programs, that States like mine and a handful of cities are seeking to build.

Right now, immediately, it is the locally based programs that are trying to promote private savings, giving the working-class family the chance to do it, and they are the ones who could be undermined. Of course, depending on what happens around here, the State programs could be next.

So at this time in American history, when we are facing a very large challenge with respect to savings, when a little over half of the workers approaching retirement age have nothing—zero—saved in retirement accounts such as individual retirement accounts or 401(k) plans, these two resolutions amount to a game plan that would take the savings crisis, which is already bad, and make it worse.

Around 55 million Americans don't have access to a retirement plan at work. More often than not, it is the employees of small- and medium-sized businesses who don't have that job benefit, and it is no fault of their own. In my view, this shouldn't even be a partisan question. There ought to be bipartisan interests in helping these workers find new opportunities to save. It ought to be easier than it is today.

I see my friend and colleague from the Finance Committee in the Chair, and as he knows, we have had countless committee hearings in the Finance Committee. We have been part of multiple floor debates when I have heard Members on both sides of the aisle talk about the importance of private savings. Yet here we are in the Senate, and yet we are looking at an effort on the part of the majority at this point that wants to ram through resolutions that would make it harder to save, not easier.

So juxtapose what is going on today and then think about all of the committee hearings in the Finance Committee, in the HELP Committee, where we hear people talk about private savings. We ought to make it easier; we ought to have smarter policies. Today the U.S. Senate is looking at making it harder for working families to save.

Here is a little bit of background about this and what it means to my home State of Oregon, and we are looking at winning the NCAA championship

here in a few days, so there are a lot of things we are talking about in Oregon right now. But I wanted to especially come and talk about another area where we are leading right now; that is, trying fresh approaches to retirement savings.

Oregonians want as a State to help close the gap for the 55 million Americans without an employer-sponsored plan. After a lot of study and careful planning, my home State of Oregon is one of a handful of States that have passed what has come to be known as an auto-IRA. The actual name of the program is OregonSaves, and it is set to launch this summer.

What it means—and the highlight of it is this is a voluntary program—is we are creating a new set of opportunities for workers to actually save. What it means in my State is if you are a worker at one of these businesses, when you get a job, you will get a retirement account, and you will be able to start saving.

Now, I want to emphasize that it is not mandatory. Any worker who wants to opt out could do so, but it is designed to be simple and easy to use for everybody involved.

I wish to describe for a moment some of my conversations with Oregonians and workers who have been part of these auto IRAs. They come up at townhall meetings in every county of my State—I have had a little over 800 now—and we have discussed savings. They come up often, and they say: I have been hearing about these new IRAs, and I am automatically enrolled in one.

Then they say: You know, if they hadn't automatically enrolled me in it, I probably wouldn't have done it because there is always an expense in our household, there is always something we think we probably should do, and we would say to ourselves: We had better do that now, and we can come back and talk about saving later.

Those employees have come up and said: We probably wouldn't have done it without this automatic enrollment. But, Ron, I am so glad that we have it because I have seen that this is really beneficial, and it in effect has persuaded me that I have to take a very disciplined approach. I am glad this is automatic, and I especially like the fact that I have the last word on the subject. In other words, if I feel for one reason or another I can't do this automatic savings, there would be an opportunity for me to opt out.

It is automatic, and it provides this path for people to start saving. It is cost-effective. It is straightforward for employers. It eliminates a lot of red-tape and administrative hassle. Most importantly, it gives the worker the last word—the right to opt out of this.

The Trump administration says it wants to cut redtape that burdens business. In my view, this legislation does

the opposite. It makes it harder for small businesses to provide retirement savings programs for their workers.

One after the other, Oregon employers are raving about the opportunity the program represents for them, especially when it comes to recruiting and retaining top-notch employees and helping those workers build a nest egg. I just gave a little bit of empirical evidence from these community meetings I hold where workers say they particularly like what this does. It is almost like a little bit of a nudge to save and build a nest egg.

Judi Randall, the finance director of an affordable housing provider in Roseburg, OR, says it would make a big difference for a rural nonprofit organization like hers to have OregonSaves available to help employees secure their retirement.

Joy Andersen, another Oregon leader, is the administrator at the Asher Community Health Center in Fossil, OR. I had my first community meeting in this small town of about 500. Joy has talked about how important it is to her to have an attractive retirement plan to recruit employees to come work in Fossil in eastern Oregon.

Kevin Max runs Statehood Media in Bend, a small company with big aspirations. He notes that there is no better State in the country than Oregon when it comes to employee recruitment. He says that OregonSaves gives companies like his another leg up with an even better package of benefits.

I believe it defies logic that in light of all of these positive returns from employers and from workers, that the Congress would want to stamp out a program like OregonSaves which has so much potential, but the resolution going after State initiatives—and there are two—would pose that kind of threat.

My view is that these are not easy programs for States or cities to set up. There are legal issues that date back decades that have to be worked through. There is a lot of heavy lifting at the Labor Department to get the legal roadblocks out of the way. If these resolutions pass, it would wipe out months and months of work that has gone into making this kind of State- and local-based partnership possible.

This particular issue ought to be a no-brainer. Saving in the private economy is the right thing, as I have said, for a host of reasons. People scrimping and saving to set aside money for retirement is the key to a healthy retirement policy so everybody is in a position to have a dignified retirement rather than stretching every penny they have, relying just on Social Security, family members, and food banks to make ends meet. I believe our people want the opportunity to save, and they like the idea of this automatic IRA because it is fair to workers and fair to employers.

My view is that the Senate ought to stand up and recognize that by voting against these ill-advised resolutions, this is a chance to support the interests of working people who would like to save in the private economy, ahead of special interests. I hope the Senate will do the right thing for those hard-working people and their families and vote these resolutions down.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TOOMEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GARDNER). Without objection, it is so ordered.

NOMINATION OF NEIL GORSUCH

Mr. TOOMEY. Mr. President, I rise today to speak in strong support of the nomination of Judge Neil Gorsuch as Associate Justice of the U.S. Supreme Court.

There has been a lot of debate about Judge Gorsuch and his candidacy for the Supreme Court. Let me first review some of the things that really have not been debated. One is the intellect and the education and the knowledge of this man. It is really extraordinary.

Judge Gorsuch attended Columbia University as an undergrad, Harvard Law School, and he went on to Oxford for postgraduate work.

Nobody disputes the intellect, the education, and the knowledge that this man brings to this job. Nobody disputes his experience and qualifications, either. How could they? He has spent 10 years on the Tenth Circuit Court of Appeals, the second highest level of courts in our American system. There is no question that Neil Gorsuch has the experience and the qualifications.

Character and temperament are extremely important—actually, essential—characteristics for a judge or a Justice. I have heard nobody criticize the character or temperament of Judge Gorsuch, whatsoever. In fact, he has only gotten glowing praise about both his integrity, his character, his temperament, and the way he treats people in his courtroom and throughout his life.

There is also no disputing that he has enjoyed very broad bipartisan support in the past and significantly to this day. First of all, there was not a single Senator who opposed his confirmation to the Tenth Circuit when he was nominated and confirmed.

President Barack Obama's Acting Solicitor General, a Democrat, has endorsed Neil Gorsuch for the Supreme Court. A bipartisan group of attorneys, former colleagues from his law firm, classmates of his, and many people across the political spectrum from both parties who know this man personally have strongly endorsed his candidacy.

So as to these very important criteria—his intellect, his education, his knowledge, his experience, his temperament, his character—everything about this man is really quite extraordinary, and that is not even disputed. That is almost universally acknowledged.

So what is the attack? What is the criticism that we hear about Judge Gorsuch? Well, one is this notion that somehow he is outside the mainstream. We have heard this from some of our colleagues who intend not to support Judge Gorsuch.

One of the things about being a circuit court judge is that it is actually quite easy to evaluate whether or not a circuit court judge is outside the mainstream because, as it happens, appellate court or circuit court judges don't rule alone. They rule in groups. It is usually a group of three when they are hearing a case as a subset of the full court, or it is the entire court. Either way, they are ruling with other judges.

So you can evaluate, for instance, how often they are by themselves, how often they are the sole minority dissenting view, because that might be an indication of someone who is outside the mainstream.

It is interesting. In the over 2,700 cases that Neil Gorsuch has decided on, in 99 percent of those cases, he was in the majority. In 97 percent of the cases, it was unanimous. How could that possibly be outside of the mainstream? That is not a valid argument at all.

As to the people who are trying to manufacture some opposition to Judge Gorsuch, what they are doing is they are cherry-picking a handful of the over 2,700 cases in which he has participated in, and they try to find a handful in which Judge Gorsuch did not rule in favor of litigants that our Democratic colleagues believe are politically sympathetic. That is what their argument has come down to.

The Democratic minority leader has been down on the floor for a speech, and I will quote from his speech. He said: "I saw a judge who repeatedly decided with insurance companies that wanted to deny disability benefits to employees."

The Democratic leader goes on to say: "I saw a judge who, in unemployment discrimination, sided with employers the great majority of the time."

Here is another quote: "Time and time again, his rulings favor the already powerful over ordinary Americans."

The Democratic leader went on to marvel: "Judge Gorsuch ruled against a teacher." "Judge Gorsuch ruled against a truck driver."

Now, even if you set aside the fact that the facts in these cases have been wildly distorted in the retelling that I have heard, and if you set aside the fact that even in those very cases in

which Judge Gorsuch has ruled, often he has ruled with the Democratic judges who enjoy the support of our Democratic colleagues, and even if you ignore the fact that in many of these cases he was bound by precedent—he had no choice—you could also ignore all the many other cases in which Judge Gorsuch ruled in favor of workers and unions and people who allege sexual harassment, environmentalists, immigrants, and other sympathetic litigants. The minority leader put all that aside. I think we have to ask a fundamental question: What is missing in this critique of Judge Gorsuch's decisions? What I find striking is that what is missing is any reference to the law. I don't hear them mention the law. I have not heard any of our Democratic colleagues, who intend to oppose Judge Gorsuch, say that he ignored the law or that he violated the law or that he misapplied the law or that he misunderstood the law. I don't hear anything of the sort.

Now, why do you suppose that is? I think I know why that is. I think because to many of the people who are threatening to oppose Neil Gorsuch, the law isn't what really matters the most. What really matters the most is that politically favored special interests or someone that they think the public will be sympathetic to has to win regardless of the law. They want a policy outcome and one that would benefit their perceived preferred litigants, rather than the law.

Here is what I think. I really think there are two unpardonable offenses in the minds of our friends and colleagues who are opposing Neil Gorsuch's nomination. The first is that Judge Gorsuch believes in the rule of law. I know he does. It is very, very clear. To some degree, there is a fundamental debate going on here between those who support his candidacy and those who oppose it, and it is fundamentally about the role of judges in the U.S. constitutional system.

One view, the view that I have—and I believe the one that Judge Gorsuch shares—is that the law totally matters. What the law says matters, and that includes the Constitution. The words matter. And not only that, but it is up to the American people to change laws or to change the Constitution, if the American people see fit. It is up to judges to impartially apply the law and the Constitution, as it is written, and that is an important thing here. Both of these are important.

Under our view of the world, a judge is supposed to see everyone the same regardless of race, sex, wealth, political affiliation, or other characteristics. A judge is obligated to neutrally apply the law. Whether you are a man or a woman, young or old, rich or poor, Black or White, that is not supposed to matter to a judge. There is a reason our symbol of justice, Lady Justice, is

depicted wearing a blindfold—it is because as a judge you are not supposed to decide based on these characteristics of a person; you are supposed to decide based on what the law says. This is fundamental to an independent judiciary, to a nation that lives by the rule of law.

But the other view, the critics' view—they constantly go back not to the law or the application of the law but to how sympathetic the litigants are. That is what matters most to them. That is an implicit rejection of the notion that everyone is equal before the law. Instead, in that world view, some are more equal than others and the law means whatever a judge thinks it should mean, and that is based significantly on whom the litigants are.

The same applies to the Constitution, in their world view, that of those who are opposing Judge Gorsuch. The Constitution can't really mean exactly what it says—that can be very inconvenient—and so what the Supreme Court is supposed to be, in the minds of our friends who are opposing Judge Gorsuch, the Supreme Court is really a permanently sitting constitutional convention. Make up the Constitution as it goes along. Decide what it means today as opposed to what it meant yesterday or what it might mean tomorrow. The judges are supposed to be acutely sensitive to the race, wealth, political affiliation of the people who come before them, and those criteria matter a great deal.

In fact, you have to ask yourself, if that is the way you view the world, why even bother having a trial? Why not have a checklist and see whether the litigants come down on the politically sympathetic side of the ledger, and once you know that, you can decide? Why bother with the hassles or a trial or a case?

I would suggest that this approach to the law—the law that depends on the race, ethnicity, or any other criteria of the litigants—such a law is not a law at all. That is how a banana republic imposes the law; that is not how America views the law.

So my view, as I stated earlier, that the law means exactly what it says and nothing other than what it says—and that also applies to the Constitution—that is a view which is often described as originalism. The opponents' view, especially with respect to the Constitution—they believe the Constitution is a living document, meaning changes over time, in their view. I would suggest that this is the fundamental choice between the rule of law in the former case and the rule by judges in the latter case.

Justice Scalia once said: "Every tin horn dictator in the world today, every president for life, has a Bill of Rights." The Bill of Rights only protects us if it is enforced and if it is enforced consist-

ently and equally for everyone who is involved. How much protection does our Bill of Rights provide if, as Chief Justice Hughes stated in 1907, "the Constitution is what the judges say it is"? Well, as Justice Scalia observed, once the original meaning of the Constitution can be set aside and judges can rewrite it, then they can rewrite and limit individual liberty or any other of the rights that are so fundamental to the nature of our country.

Let me give an example that makes this very specific. There is a case that came before the Supreme Court not very long ago called the *Kelo* decision. The Fifth Amendment states very clearly that the government cannot take private property unless it is "for public use." That is what it says in the Constitution. Look it up. Well, in the *Kelo* case, five Supreme Court Justices decided that public use can mean private use. The word "public" can mean "private." Specifically in this case, what they said was that the government can come along and take an individual's home and give it to a private company—in this case, to use as a parking lot for a private venture. This is blatantly unconstitutional. It is very, very clear. Yet that is what happened when five Justices decided they could just rewrite the Constitution as they prefer it.

Here is the thing about this: Even if you believe it is a good idea to be able to take someone's house and give it to another private developer because he has a better use for it than the homeowner, if you think that is a good idea—I don't happen to think that is a good idea, but you might. If you do, we have a mechanism for making that policy permissible. You change the Constitution. You amend the Constitution. You can strike that word or insert another clause. There are any number of ways you can change that.

But here is what is so important: Under our constitutional system, the only people who get to change the Constitution are the American people. They do it through their elected representatives in the Congress and in the State legislatures, but they are the sovereigns. It is the American people who get to make these decisions, who determine policy, not five unelected guys wearing black robes, because when they get to make that policy, they are not accountable to anyone. They can't be fired. The Presiding Officer and I can be fired. If we are not doing the job our constituents want us to do, we will be fired. That is how we are held accountable. Our constituents can replace us with people who will reflect the policies they want. That is why we are the policymakers under our constitutional system.

I believe Neil Gorsuch completely understands this. It is one of the reasons our friends on the other side of the aisle can't bring themselves to support him.

I think there were two unpardonable sins that Neil Gorsuch has committed. I just mentioned the first. I think the second one was that he was nominated by Donald Trump. We have folks in this Chamber who don't seem to be able to accept that they lost an election, and they are reflexively opposing whatever it is President Trump wants, and apparently they intend for that opposition to continue indefinitely.

In a public interview, the minority leader was quoted as saying: "It is hard for me to imagine a nominee that Donald Trump would choose that would get Republican support that we could support."

He was asked a follow-up question: "So will you do your best to hold the seat open?"

The Democratic minority leader replied: "Absolutely."

Hold the seat open for 4 years or maybe 8 years? This is outrageous, and it is unprecedented.

If the minority leader were to get his way, for the first time in the history of the Republic, we would have a Supreme Court nominee defeated by a partisan filibuster. Let me stress this. This has never happened before in the history of the country. How many times have we nominated and confirmed Supreme Court Justices? Never once have we had a partisan filibuster used to block the consideration of a nominee. We have had people withdraw. We have had people who were voted down.

The case of Abe Fortas was an unusual case where there was a bipartisan filibuster because there was a perception of ethics problems, and he, in fact, had to resign as an Associate Justice. The bipartisan filibuster was used when there was an attempt by President Johnson to elevate him to Chief Justice. That is not the precedent. There is no precedent.

Take the case of Clarence Thomas. In my lifetime, I am pretty sure Clarence Thomas was the most controversial nominee we have ever had. It was a brutal, very difficult, very contentious, really ugly process—the hearings, the nomination process, the confirmation process. In the end, Clarence Thomas was confirmed with 52 votes. Any Senator in the body could have insisted on a 60-vote threshold if it was there, but nobody did. No Senator did because the custom has been that Supreme Court Justices get confirmed if they have a majority of support. So what the minority leader wants to do is completely departing from that and establishing a new threshold.

The minority leader made an argument that is absolutely laughable. He suggested that because President Obama's nominees got 60 votes, well, then President Trump's should. What is laughable about that is the reason President Obama's nominees got 60 votes is because Republicans gave them those votes. I was running for the Sen-

ate at the time that Sonia Sotomayor was nominated, and I pointed out that there was a lot I disagreed about with her. I am sure I will not be happy with many of her decisions. But here we are in the President's new term—relatively early—and this is a qualified, capable person. I am not going to obstruct. I voted to confirm her, and a number of Republicans did join the Democrats, and President Obama got Justice Sotomayor and Justice Kagan confirmed to the bench.

The minority leader has suggested that there is this tradition of 60 votes. Well, you don't have to take my word for it; the Washington Post Fact Checker—not exactly the mouthpiece of the Republican Party—did their fact-checking analysis, and they said it was absolutely false. They gave him three Pinocchios.

It is also one of the many ironies of this that the very same Democrats who insist that we should allow them to permanently block any Supreme Court nominee because they won't provide the votes to get to 60 are the ones who actually did break the Senate tradition and establish a 50-vote threshold when they wanted to pack the D.C. Circuit Court of Appeals back in 2013. Now they suggest that if we use the same tactic they used—although we are doing it for a different reason—that this would be an abomination, that the Democrats would never do this. Well, actually, they did in 2013. But as for the circumstances we face now, there is no mystery about what they would have done because they told us just 12 days before the election.

Our Senator TIM KAINE, the Democratic nominee for Vice President, was asked: "What happens if," as everyone expected at the time, "Hillary Clinton becomes President and the Democrats take control of the Senate, if Republicans were to filibuster a Supreme Court nominee? What would you do?"

I will quote Senator KAINE. He said: "We will change the Senate rules to uphold the law, that the court will be nine members."

Here is the truth: If the election had gone differently, if Hillary Clinton had won and if Democrats were in control of the Senate, then Republicans would have probably provided the votes for a competent, capable, qualified Supreme Court nominee, just as Republicans did for Elena Kagan and Sonia Sotomayor. That is what history has shown. Unfortunately, our Democratic colleagues at this point seem unwilling—or at least some of them are—to provide the same bipartisan cooperation to a new President attempting to fill a vacancy that Republicans provided to President Obama.

Let me conclude with this: The case for confirming Judge Gorsuch was summed up pretty well by the editorial board of the Chicago Tribune—again, not exactly the RNC's mouthpiece—in endorsing Neil Gorsuch. They said:

Here is a judge who knows the law and knows the role of the judiciary: He isn't on the bench to make law, he's there to interpret it faithfully, because the separation of powers among the branches of government serves our democracy. Sometimes the result benefits liberal positions, sometimes conservative. . . . Some of Gorsuch's critics think judges should be creative and expansive depending on the political climate—to treat laws differently on a cold night than a warm one. Those critics suggest that they fear Gorsuch won't follow the law, but the opposite is more true: They fear he will. Gorsuch should be confirmed.

If our Democratic colleagues aren't willing to confirm Neil Gorsuch to the Supreme Court, then there is no one they are going to vote to confirm to the Supreme Court. And we cannot allow a Democratic minority to block an up-or-down vote and deny filling a vacancy on the Supreme Court for 4 or 8 years. We simply can't allow that to happen, and I trust that we won't.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, I have a great deal of respect for my friend from Pennsylvania, as we have worked together on a number of issues, but forgive me if my blood boils when I hear my Republican friends talk about breaking precedent in this body when it comes to the consideration of Supreme Court nominees. Forgive me if I get a little angry when I hear those on the other side of the aisle talk about Democrats' using exceptional measures, in their opinion, in order to oppose a Justice for the Supreme Court. Come on. Everybody knows what happened here last year. The Republican majority decided to deny the President of the United States—at the time, Barack Obama—the ability under the U.S. Constitution to nominate a Justice to the Supreme Court, not because of anything having to do with the merits of the nominee, Merrick Garland, but simply because the President was a Democrat. Everybody knows that is what happened. Everyone knows that precedent was broken and that comity was broken here in the Senate when the Republican majority decided not just to deny a vote on this floor but not to even give the courtesy of a meeting, of a hearing to Merrick Garland despite the fact that he was unquestionably qualified for that position.

It is a fiction to suggest that there is some strategy amongst Democrats on this nomination. We are all making up our minds individually. I decided yesterday that I was not going to support Judge Gorsuch because I think he is likely going to side on behalf of corporations and special interests instead

of my constituents and bring his politics to the bench in a way that I do not think squares with the people whom I represent. Yes, I am going to use my ability to vote on the floor of the Senate in order to stop his nomination.

I understand Republicans may not be happy about my decision and the decisions of others on this side of the aisle, but let's have a discussion about the merits of Judge Gorsuch, not the question of which side is breaking precedent because everybody remembers what happened to Merrick Garland. Nobody has forgotten that. This is not some quid pro quo, this is not some tit for tat, but to come down and pretend as if 2016 did not happen.

Mr. President, I would like to speak for a moment about a potential CRA—another CRA—that is perhaps coming to the floor this week or next week. It is one that would take away the ability of States to try to do something about the retirement crisis that is enveloping this country.

I speak as one of the youngest Members of this Chamber, and it scares me to death to think that half of Americans who are in their working years have no money saved for retirement today before a qualification for Social Security or Medicare. Even worse, a study that I looked at the other day suggested that 58 percent of Americans who are working have not even done the calculations as to how much money they will need in order to retire.

There is a retirement crisis in this country, and you can understand why, as wages have been essentially flat for tens of millions of Americans and employers have largely left the space of defined benefit plans. And there is just no money to save when you have to cobble together your paycheck to meet your budget every week and when your employer is not putting in the kind of plan he used to and the kind of contribution he used to. So you can understand why Americans are in this position.

State governments—those laboratories of experiments that I hear a lot of my friends talk about—have come up with an idea. There are 55 million working Americans who do not have a way to save for retirement out of their regular paychecks, meaning their employers are not offering them any way to set aside a portion of their incomes in order to save.

So that is one number—55 million Americans. Here is another: In my State, 44 percent of workers do not have access to retirement plans through their employers. That is about 600,000 people in Connecticut. Half of my State does not have access, when they show up to work, to retirement savings plans through their employers. Yet we know that employees who have access to a payroll deduction are 15 times more likely to save for retirement—not twice as likely, not 5 times as likely, but 15 times more likely.

It stands to reason that State legislatures would step in and say: OK, for employers who are not offering plans, we are going to give employees the ability to set aside a small portion of their earnings in a privately run plan that is sponsored through the State governments.

If the employer is not going to do it, then there is really no one else other than the State governments. In a handful of occasions, the States of decided to step in and offer this option to employees.

By the way, as far as I understand, it is not traditionally a State-run plan; it is a privately run plan. It is just that the State is acting as the conduit to get employees linked with private plans and to allow for a small portion of their paychecks to be set aside. Employees are 15 times more likely to save if they have access to that payroll deduction.

This is a pretty run-of-the-mill, typical State intervention in order to try to solve a problem that is real for State legislators. So it is a mystery to me as to why we would try to take that ability away from States.

What we are doing is taking away an ERISA exemption for States relative to these plans. Why that is important is that ERISA is all about the employer-employee relationship. There are important responsibilities that flow from employers to employees when they are engaging in a retirement plan that is offered through the workplace. But the State is not the employer of this individual; the State is simply acting as a conduit to get that employee into a private sector plan. So the ERISA rules simply do not work. They are a mismatch for this State innovation. The Federal Government, through regulation, has recognized that.

Importantly, in my State of Connecticut, which does have one of these plans, we provide ERISA-like protections, so the protections you get in ERISA, you get through this State innovation. It is just that the way in which the Federal Government normally requires it does not make sense because the State in this case is just the conduit, not the employer.

This sort of seems like a pretty run-of-the-mill exercise of State innovative power, a fairly run-of-the-mill exercise of Federal regulatory authority to allow for this innovation to happen, and it is hard to understand why we are taking it away, why we are taking this ability away from 600,000 Connecticut residents who, frankly, will not have access to easy retirement savings without it.

We have known that set-asides in your paycheck work. That is why we have provided incentives for employers to do it. But not every employer does it. Why? Because if you are a small employer, it just may not make sense administratively to establish one of these

plans. So States have decided to offer it themselves.

I know that the retirement industry may not love this idea because it might not make the same fees on these plans as it would if the plans were offered through the employer, but, frankly, these hundreds of thousands of people in my State are not going to be the retirement companies' customers without this innovation. It is not like these State-backed plans are stealing business from the private retirement plans. They were never going to be customers without their ability to put aside a little bit of money.

We have a retirement crisis in this country right now, and this is an innovative way to solve it. I know this is not yet scheduled for a vote, a Congressional Review Act vote that would take away the ability of States to offer these plans in a meaningful way, and I really hope we think twice about it. It sort of feels like we are just inventing CRAs to bring before the Senate and the House. We are kind of scraping the bottom of the barrel, and this one just does not make sense. This does not make sense.

Let States that want to pass this innovation, that want to give their constituents, their citizens the ability to save through payroll deductions, through payroll withholding, the ability to do that. Do not do the bidding of the big retirement providers, who may think they are going to make more money if the CRA passes, but in reality these folks were probably never their customers. Let States move forward with this innovation. Let the people of Connecticut and California see how it works so that maybe other States can learn from our experience.

I hope we can come to some agreement to leave this innovation alone and move on to some other important issue here and not risk doing something that is, frankly, going to exacerbate the retirement crisis that exists in this country. Republicans and Democrats should be trying to work together on this question of giving people more access to retirement plans.

For all of the things that we fight over, whether it be the healthcare law or whether it be a tax cut bill or a budget, this just seems like one of these issues in which we should set this CRA aside with respect to State innovations and try to find a way to find some common ground. I hope that is where we will head. It would really matter to my constituents in Connecticut, who are expecting to receive the benefit of this newfound access to retirement.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

NOMINATION OF NEIL GORSUCH

Mr. ALEXANDER. Mr. President, I notice my distinguished friend was indignant over the Supreme Court debate. I think each of us has a right to have his own opinion. Here is mine.

There is such a thing called the Thurmond-Leahy rule. It has been in place for a while. I think it reads that after June of a Presidential election year, the Senate will not confirm a President's nominees. That is a bipartisan rule that has been enforced by the Senate for several years. Senator MCCONNELL moved it up three months, from June to March—that is true—even though Democratic leaders said that is exactly what they would have done if the shoe had been on the other foot.

Democrats are saying that as a result of that—the 3-month change—which is what they said they would have done anyway, they are going to do something that has never been done before: They are going to deny a Supreme Court Justice a nomination by not allowing a majority vote. That has never happened in 230 years. Our nominations have always been decided by a majority vote. There was a little incident in 1968 with Abe Fortas when President Johnson sought to elevate him to Chief Justice, but that has been the tradition in the Senate. We have always approved Presidential nominees by a majority vote, and we have always approved Cabinet members by a majority vote, even controversial ones. We have never required them to get 60 votes—ever—and the same with Federal district judges. And the same was true with Federal circuit judges until the Democrats started using the filibuster to require 60 votes, as has been well documented here. So I think people need to know the facts.

What the Democrats are proposing to do next week—quite apart from the fact that Judge Gorsuch is one of the most eminently qualified people we have seen come around in a long time—flies in the face of 230 years of tradition in the Senate by insisting that a Presidential nominee to the Supreme Court requires more than 51 votes to be confirmed.

I looked very quickly back at my own votes. None of us are perfect, and I am not asking for any merit badges, but I wonder where the Democrats are who are trying to do at least what I was trying to do when President Obama was there. I found at least 10 times that I voted for cloture—voted to cut off debate—on controversial nominees with whom I disagreed, and then I voted against them when the vote was 51.

With Secretary of Labor Perez, cloture was invoked 60 to 40. If I had voted no, that would have denied him his Cabinet position. He is now the chairman of the Democratic National Committee. I cannot think of any Cabinet

member I disagreed more with, other than perhaps the one I am about to mention next, but I thought the President deserved to have his own nominee, and I thought we ought to respect the tradition of never having denied a Cabinet member a position because of a 60-vote requirement.

Another one was John King, the Education Secretary. I asked President Obama to appoint him or somebody of his choosing. I thought we needed an Education Secretary for a year even though I have great differences with John King. I respect him greatly, but I have differences with him.

So I got him confirmed as chairman—I don't want to say it that way. I asked the President to do it, as chairman of the committee. I saw that he had a prompt confirmation, and then I made sure he had enough votes to be confirmed—not by much. When it came to cloture, I may have even voted for him when it came to it, just because I thought the President deserved to have his own appointment.

Then there was Attorney General Lynch. Cloture was invoked with only 66 votes. I voted to end debate and have a vote on her.

Secretary of Defense Chuck Hagel—there was opposition to him. I voted no there on confirmation, but I voted to make sure that there was a vote. I voted for cloture.

For two National Labor Relations Board members and a National Labor Relations Board General Counsel, cloture was invoked by 64, 65, and 62 votes—very close. I voted against all three of them for confirmation, just as I did Secretary Perez, because I disagreed with them so much. But I thought that we ought to respect the fact that we confirm Presidential appointees by 51 votes.

There are three or four others, but I want to mention only one more specifically: District Court Judge John McConnell, Jr., from Rhode Island. There was an effort on this side of the aisle to deny him a cloture vote. I resisted that. I talked to some other Republicans. I voted for him for cloture. He got it 63 to 33. Then I voted against him for judge.

The importance of that was if he had had his nomination blocked by the cloture vote, he would have been the first Federal district judge in the history of the court to not have been allowed to have an up-or-down vote, majority vote. So I resisted that in that instance. I resisted that for Perez. I may have been the deciding vote; there were only 60 votes.

While I said I am not looking for merit badges, where are the Democrats who are willing to vote like that—to preserve the Senate's 230-year tradition of approving Presidential nominees by a majority vote? I think this is a terrible precedent, not justified, and I am sorry to see things heading in this direction.

Now I wish to make some remarks on another matter.

(The remarks of Mr. ALEXANDER pertaining to the introduction of S. 761 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Maryland.

HEALTHCARE

Mr. VAN HOLLEN. Mr. President, I was just listening to my friend, the Senator from Tennessee, and I think there are things we can do to improve the healthcare system and the Affordable Care Act. I am glad that the House soundly defeated the so-called TrumpCare bill, RyanCare, whatever you want to call it, but many of us have called for more competition in the exchanges through things like a public option. Also, I think all of us can agree that we need to reduce the skyrocketing costs of prescription drugs, and I think there are other things we can do. I welcome that discussion.

Mr. President, I am here now to talk about something else that is currently being done to help millions of Americans save for their retirement, to provide for a secure retirement. I know all of us have been involved over the years in debates about how we can strengthen our retirement security program for all Americans. We really have a three-legged stool here. One is Social Security. That is a bedrock of our retirement system. We need to make sure that we strengthen it, and we need to make sure that it is there for all future generations.

Second, many Americans have the opportunity to have a retirement plan through their employer where their employer guarantees them a certain defined benefit, a certain income stream when they retire.

And the third leg of this stool has been Americans' private savings, and we want to encourage more Americans to put aside those funds so that they can care for themselves and their families when they are no longer working.

That is what brings me to the floor today. Many big employers—including, I should say, the U.S. Senate and the U.S. House of Representatives, and the government—provide their employees with things like 401(k) plans. These are ways that people can put aside some of their income as they earn it, but put it aside tax-free for their retirement. And many millions of Americans—again, especially those who work for large employers—have that benefit. But if you work for a smaller employer or even a midsized employer, there is a very good chance that you do not have easy access to those 401(k) plans, to those retirement vehicles that are so essential to saving for retirement. In fact, there are about 55 million Americans, according to studies by both the AARP as well as the Brookings Institution—about 55 million of our fellow

Americans who do not have access to those 401(k) vehicles and other kinds of savings vehicles through their employers.

So in response to this problem, a number of States—five States, to be specific so far, including the State of Maryland—and some municipalities have come up with creative solutions that allow small- and medium-sized employers—those who are not currently offering those retirement vehicles directly—these State plans allow their employees to put aside a little money for their retirement and get the same tax-preferred benefits as people who work for big companies.

The reason small and medium-sized companies don't always provide the same retirement savings accounts as big companies is that it can impose a burden and costs on those small employers. So States have developed these other creative platforms to do it.

In my State of Maryland, this was an incredibly bipartisan process. Republican State legislators and Democratic State legislators came together and put together this State plan. The Republican Governor of Maryland, Governor Hogan, signed the legislation.

Today, about 1 million Marylanders—including a lot of young people who work for startups and other small businesses that don't have the wherewithal to provide these retirement savings platform—are benefiting by platforms which have been created to put money aside for their retirement. People are taking personal responsibility for their retirement. People who didn't have that opportunity before through their employers now have this vehicle to do it. It doesn't cost the Federal Government one penny. Taxpayers at the Federal level don't have to put anything in it. It is relatively low cost for the States and municipalities as well. They have to just create a platform, and they have people from across their States or municipalities benefiting from them.

In order for States to do that, they needed one small change in Federal law. Under the administration of President Obama, the Department of Labor made this fix to the Federal law which allowed these States and municipalities to develop these platforms that helped millions of Americans benefit from these tax savings accounts—just like, I would point out, every Senator in this body has access to those kind of savings accounts.

So I have a very simple question: Why in the world is it somehow a priority for this Senate to take away the access States have given to their residents and deny them that opportunity to take personal responsibility to put aside funds—tax-preferred funds—in these savings accounts to plan for their future? Why would we come down and say we are not going to allow this to happen anymore? I thought this was

the kind of experimentation we want to see at the State level and this is the kind of savings that we want people to do to take responsibility for their own retirement. Yet here we are about to come down with a big foot and say: No, you can't do that.

I am trying to figure out who is opposing this. I have been looking in my office for letters from people who are actually going to take responsibility for coming forward to say they want to deny this opportunity to save for millions of Americans—an opportunity that every Senator here has. It is easy for us. We are part of a big employer, the U.S. Government. We have 401(k) accounts, and so do people who work for big corporations. We need to extend that same opportunity to people who work for small employers and midsize employers that don't have the capacity and wherewithal to take that upon themselves, but they want their employees to benefit from these vehicles. So they have worked with States and municipalities to allow it to happen. Why would we ever want to pull the plug on that and deny our fellow Americans those opportunities to save for their future?

I can't figure out for the life of me how this somehow became a partisan issue here in the Congress. It wasn't partisan in the State of Maryland. Everybody got together and worked this out. Everyone agreed this was good for the people of Maryland.

So I ask our colleagues here to look at this as an opportunity to help encourage activities in our States that allow people to take the personal responsibility for their future that we are asking them to do. I ask all of our colleagues, really, to take a close look at this and to try to figure out why it is a bad idea to encourage States and municipalities, working with local employers—both small and medium-sized employers—to do what we have done in Maryland, what other States are doing, and what States can do going forward if we don't come down and slam the brakes on this innovative idea to help more Americans put aside money for their retirement.

Thank you, Mr. President.

The PRESIDING OFFICER (Mr. LEE). The Senator from Michigan.

Mr. PETERS. Mr. President, Michigan is a State that builds things. We invented the auto industry and created a new era of manufacturing. My State saw the American labor movement grow and fight to deliver the 40-hour workweek and safe workplace conditions. In Michigan, we work hard, and after a lifetime of hard work, we expect to be able to retire with dignity.

The American dream can mean different things to different people, but I believe there are some universal elements. We all want our children to prosper and see more opportunity than we have had. While we all need to have

a secure retirement, we dream of passing on to the next generation—whether it is a small business or a family farm, a home with the mortgage paid off, or a nest egg that has been built up over many decades. I fear this piece of the American dream—the ability to enjoy a comfortable retirement on the strength of your lifetime earnings—is slipping further and further away for increasing numbers of Americans.

The measures we are considering this week, which would repeal the Department of Labor's safe harbor for States and municipalities developing retirement plans, would be a step backwards. Generations ago, Congress heard the American people and agreed that it was simply unacceptable for retired and elderly Americans to live in poverty. The solution that followed was Social Security, perhaps the most effective anti-poverty program ever created.

Today, we must meet that challenge once again. We must preserve and strengthen Social Security, and I will fight for that every day that I am here in the Senate. But a modern, comprehensive retirement policy must be more than just a safety net. It must be a ladder to prosperity. A ladder provides a sturdy frame to help people climb and reach new heights, if they are willing to put forth the effort.

Unfortunately, far too many Americans lack access to private savings plans. Traditional defined-benefit plans—the pensions our parents and their parents relied on—are now providing historically low rates. Now, more than ever, expanded access to defined-contribution workplace retirement accounts is critical to our Nation's economic future. Solving the retirement crisis is a complicated puzzle, but one of the most important pieces is access.

Ninety percent of Americans with access to a workplace plan report saving for retirement, while just 20 percent of those without access to a plan say they have saved. Although this difference should be as clear as night and day to everybody, only about half of private sector workers have access to a 401(k) retirement plan. This leaves nearly 60 million Americans without access to a workplace plan. Make no mistake, the numbers are clear. Workers without access are disproportionately low-income and minority workers.

In an effort to address this sweeping problem, States and municipalities have begun work to create their own programs to support retirement savings programs for workers. Recognizing that States are truly the laboratories of democracy, the Obama administration's Department of Labor put forth policies providing safe harbors to States moving forward with these innovative programs.

Today, instead of working on a bipartisan infrastructure package or legislation to support American workers and

small businesses, we are debating the use of a fast-track procedure to undo these new policies and make it harder for cities and States to help tackle the retirement savings gap. If a State or city has a good idea that is helping Americans—all Americans—save for retirement, I think that is great. Why are we blocking States from creating innovative solutions? We should allow these programs to move forward so we can help workers responsibly save their hard-earned money. We should also allow these programs to move forward to see what actually works. The Federal Government certainly does not have a monopoly on good ideas, and States and cities cannot be the laboratories of democracy if we tie their hands. We need big ideas, we need small ideas, and, frankly, we need good ideas so we can get to work with what we need to do to solve this incredibly difficult problem.

A secure retirement cannot become a relic of the past. But this foundational piece of the American dream will only be true for this generation of workers if we start working on these solutions now. As our Nation wrestles with growing income inequality, we cannot weaken our ladders to prosperity and pull out the rungs that help hard-working families take the next steps upward. Solving the retirement crisis is about empowering workers to do the right thing for their families and for their future, and repealing these Department of Labor safe harbors will only move us in the wrong direction.

I urge my colleagues to oppose these resolutions of disapproval.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Ms. WARREN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. WARREN. Mr. President, Republicans are in charge of the Senate, and so far they haven't put up for a vote in this Congress a single piece of original legislation to help working families—not one. They haven't fixed a single piece of our crumbling infrastructure. They haven't put Americans back to work. They haven't brought down the soaring cost of prescription drugs. And they haven't done a thing to help the 55 million Americans who don't have access to a workplace retirement account to save for their retirement. But they have been busy.

Here is what they have done so far: They have made it easier for giant corporations to hide the payments they make to foreign countries. They have made it easier for companies to discharge filth into our rivers and streams. They have made it easier for Americans suffering from mental ill-

ness to buy guns. They have made it easier for hunters to shoot baby bears and wolf cubs from planes. They have made it easier for companies that get big-time, taxpayer-funded government contracts to steal wages from their employees. They have made it easier for employers to hide injuries their workers suffer on the job. They have made it easier for States to divert Federal education dollars away from struggling schools and students. They have made it easier for States to block people who are out of work from getting unemployment insurance payments that they are entitled to by law. And they have made it easier to keep local residents from having a say in how Federal lands are managed.

Now they are back at it again, this time to overturn a rule that will help millions of Americans start saving for their retirement. For years, the Republican-controlled Congress has done nothing to help the 55 million Americans who don't have an employer-provided retirement plan save for their retirement. Nothing. Because of this Federal inaction, 7 States have passed legislation to provide retirement accounts to their constituents, and 23 others are considering proposals. The efforts of just those 7 States could expand coverage to 15 of the 55 million Americans who don't currently have an employer-sponsored retirement account.

In addition to these State efforts, three cities are actively considering proposals to curb the retirement savings gap, potentially covering another 2 million Americans. Extending coverage to 17 million Americans would go a long way toward starting to chip away at the retirement crisis in this country.

Today, among working families on the verge of retirement, about one-third have no retirement savings of any kind, and another one-third have total savings that are less than 1 year's income. This is a real problem, and Senate Republicans should be working hard to come up with solutions to fix it. But if they don't have any ideas of their own, the least they can do is step aside and let the hard-working Governors, mayors, State treasurers, city councils, and State legislatures continue their important efforts to try to solve our retirement crisis.

Every single time the Senate has come to the floor of this Congress to overturn an Obama administration rule, Republican Senators have said they were voting to remove burdensome Federal regulations that “severely limit the role of State and local governments,” when local governments “could do a much better job of providing for the people of our State.” So why on earth are they now voting to make it harder for cities and States to help their own citizens save for retirement? Why? Three words: chamber of commerce.

The chamber of commerce and the trade associations for the giant financial firms have been fighting tooth and nail to kill these retirement initiatives. Their armies of lobbyists have been deployed to peddle misinformation about what these plans do, all because the giant financial firms that the chamber of commerce and the trade associations represent are worried that the city and State plans might actually offer better investment products with lower fees.

The American people are not calling their Senators asking us to work day in and day out to overturn rules to help them save for their retirement; 72 percent of Republicans and 83 percent of Democrats support these initiatives. They aren't calling us and asking us to make their water dirty or to let their employer put their lives at risk by cutting corners on safety either.

The American voters didn't send us to Washington to work for the lawyers and the lobbyists and the giant corporations that keep corporate profits soaring by skirting basic regulations.

This vote may be really good for filling the campaign coffers of Senate Republicans, and a few of them may pop champagne corks with their buddies at the chamber of commerce after this vote tonight, but Americans are watching, and they will be ready to fight back.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASEY. Mr. President, I ask unanimous consent that I be permitted to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

RUSSIA AND TRUMP CAMPAIGN INVESTIGATION

Mr. CASEY. Mr. President, I rise to express my grave concern about Russian aggression and interference in our political system. My concerns have been compounded over the last several weeks by the response to these allegations by President Trump and his administration.

First, let's step back for a moment. We know that the Russian Federation is an adversary of the United States. That is without question. Vladimir Putin is what I would like to call a 24-hour bad guy. There are a lot of other ways to express it, but that is one way. There is not a moment of the day when he isn't using his power to undermine our Nation's interests and the interests of freedom and democracy across the globe.

We know that the Russian regime kills journalists, jails and silences

their critics, and commits war crimes in places like Syria and Ukraine. Russia meddles in elections throughout the Western world.

Mr. Putin has a warped world view. His view is that the freedom and democratic rights of tens of millions of people in Europe should be subject to the interests of a few in the Kremlin because those countries lie within Russia's supposed sphere of influence.

The work done by our intelligence agencies indicates that Russia meddled in our election with the intent of aiding President Trump. We know that now. In January, our intelligence agencies concluded:

We assess Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the U.S. presidential election. Russia's goals were to undermine public faith in the U.S. democratic process, denigrate Secretary Clinton, and harm her electability and potential presidency. We further assess Putin and the Russian Government developed a clear preference for President-elect Trump.

That is what our intelligence agencies tell us, and I am quoting verbatim from that basic finding.

President Trump's refusal to accept the assessment of our intelligence agencies was deeply concerning—and that is an understatement. My concerns were compounded by the fact that President Trump ran on the most pro-Russian platform in modern history. Since President Trump has taken office, he has harshly criticized our allies, from Australia to Mexico, yet when it comes to Russia's provocations and war crimes, President Trump is silent.

This deference that President Trump shows to Mr. Putin is troubling and, when combined with Russia's meddling in our election, it raises profound questions that need answers. That is why I strongly support the establishment of an independent commission to investigate Russia's interference in our political system, and I believe that the Justice Department must appoint a special counsel to investigate this matter as well.

What the American people need to know, once and for all, is at least three things: No. 1, what specific actions Russia took to aid President Trump during the election; No. 2, whether U.S. persons had knowledge of or were involved in these actions; and, finally, No. 3, whether President Trump has financial entanglements with Russians associated with the Putin regime.

You could probably add other questions, but I think they are the three basic questions we have to answer.

So this is a grave problem with substantial national security implications. My constituents agree, as I am sure is the case in every other State. Just since January 1, more than 80,000 Pennsylvanians have written to my office about Russia. That is 80,000 Pennsylvanians. These are thoughtful let-

ters from Pennsylvanians who are so concerned about this issue that they took the time to write.

A constituent from Cumberland County, right in the middle of our State, wrote:

I am bothered by the reports of Russia trying to interfere with our democracy. I am particularly bothered by a lack of transparency in the administration with news reports of AG Sessions' undisclosed contact with Russia. Russia is having the effect they wanted by shaking confidence in our system.

That is a constituent from Cumberland County.

Another constituent from Northampton County, along the eastern side of our State, just north of Philadelphia, wrote this:

All politics aside, the investigation about Russia's actions is a concern to our republic. . . . Ultimately, it does not matter whether our elected officials are democrats or republicans, but it does matter that we all always put America's best interests first.

If the warnings from the U.S. intelligence community and the pleas from 80,000-plus Pennsylvanians aren't enough, then let's look at the numerous credible reports of contact between Russian officials and the Trump team. This body of reporting grows every day.

On January 18, McClatchy reported that "The FBI and five other law enforcement and intelligence agencies have collaborated for months in an investigation into Russian attempts to influence the November election, including whether money from the Kremlin covertly aided President-elect Donald Trump, two people familiar with the matter said."

On January 19, the Washington Post reported, "U.S. counterintelligence officials are sifting through intercepted communications and financial data as part of a wider look at possible ties between the Russian government and associates of President-elect Donald Trump, officials said."

Then again on January 19, the New York Times reported, "American law enforcement and intelligence agencies are examining intercepted communications and financial transactions as part of a broad investigation into possible links between Russian officials and associates of President-elect Donald J. Trump, including his former campaign chairman Paul Manafort, current and former senior American officials said."

We know that Mr. Trump's former campaign manager, Paul Manafort, previously worked for the Russian-backed President of Ukraine, Victor Yanukovich. According to an August 2016 report by the New York Times, "Handwritten ledgers show \$12.7 million in undisclosed cash payments designated for Mr. Manafort from Mr. Yanukovich's pro-Russian political party from 2007 to 2012, according to Ukraine's newly formed National Anti-Corruption Bureau."

In February 2017, when confronted by the New York Times about reports that

Trump associates may have been in contact with Russian officials during the election, Mr. Manafort said, "It's not like these people wear badges that say, 'I'm a Russian intelligence officer.'"

Then there is the case of a former member President Trump's foreign policy advisory committee, Carter Page. In September of 2016, Yahoo's Michael Isikoff reported, "U.S. intelligence officials are seeking to determine whether an American businessman identified by Donald Trump as one of his foreign policy advisers has opened up private communications with senior Russian officials—including talks about the possible lifting of economic sanctions if the Republican nominee becomes president, according to multiple sources who have been briefed on the issue."

In an interview with PBS's Judy Woodruff, Mr. Page was asked whether he met with Russian officials while he was on the Trump campaign. Ms. Woodruff asked, "Did you have any meetings—I will ask again—did you have any meetings last year with Russian officials in Russia, outside Russia, anywhere?" Mr. Page answered, "I had no meetings, no meetings. I might have said hello to a few people as they were walking by me at my graduation—the graduation speech that I gave in July, but no meetings."

Yet after USA Today reported that Mr. Page met with Russian Ambassador Sergey Kislyak at the Republican National Convention, Mr. Page told MSNBC's Chris Hayes that he would "not deny" meeting with the Russian Ambassador.

Furthermore, reporting by both USA Today and CNN helped get to the bottom of one of the enduring mysteries of this summer's Republican National Convention: why was the effort to insert a provision into the party's platform supporting lethal aid for Ukraine defeated? Last summer, Mr. Manafort said that the decision to defeat the provision supporting lethal aid "absolutely did not come from the Trump campaign."

In January of 2017, the Washington Post's David Ignatius reported that President Trump's National Security Adviser, Michael Flynn, engaged in discussions with Russian Ambassador Sergey Kislyak during the transition as then-President Obama was applying sanctions against Russia for its meddling in the U.S. elections. After the Russian Foreign Ministry vowed retaliation for the Obama administration sanctions, it was reported that several calls between Mr. Flynn and Ambassador Kislyak took place. The next day, President Putin announced he would not retaliate against the U.S. for the sanctions. The Nation was told by the Vice President that Mr. Flynn's contact with the Russian Ambassador was logistical in nature. Then it was revealed that the issue of sanctions

may have been discussed. Subsequently, General Flynn resigned his position.

Then, there is the issue of President Trump's associate, Roger Stone, who demonstrated in tweets last summer that he may have had advance knowledge of some of the hacked material. In October 2016, Mr. Stone admitted to a Miami TV station that he had "back-channel communications with WikiLeaks founder Julian Assange." Mr. Assange is the founder of Wikileaks, the website that Russian hackers appear to have used to deposit hacked documents during the 2016 campaign.

These revelations give credence to a February report by CNN: "High-level advisers close to then-presidential nominee Donald Trump were in constant communication during the campaign with Russians known to US intelligence, multiple current and former intelligence, law enforcement and administration officials tell CNN."

This summary is an illustrative list of many of the credible reports that are out there. Let's review just a few of the reports that have come to light since our intelligence agencies released their assessment.

In November of 2016, the President's spokesman at that time said: "The campaign had no contact with Russian officials," yet the Russian Deputy Foreign Minister had stated that "there were contacts during the campaign." On January 19, the New York Times reported that the communications of President Trump's former campaign manager, Paul Manafort, his former foreign policy adviser, Carter Page, and his longtime associate, Roger Stone, were under investigation for contacts with the Russians. Yet despite that, President Trump continued to say for weeks that all of these reports about an investigation and contacts with Russian officials were so-called fake news.

We have learned that the Trump administration's dismissals of these investigations and reports do not align with the facts. It seems that the administration has a strategy for all of these allegations—dodge and deceive, dodge and deceive.

After all the dodging and deceiving, sometimes we finally get admissions of the truth. Again, the facts are disturbing and have meaningful national security implications.

Here is an example of how these contacts may have actually changed policy. This past summer, ABC's George Stephanopoulos asked President Trump:

Then why did you soften the GOP platform on Ukraine?

Candidate Donald Trump responded:

I wasn't involved in that. Honestly, I was not involved.

In early March, USA Today reported that then-Trump advisers Carter Page

and J.D. Gordon met with Russian Ambassador Sergey Kislyak at the Republican Convention. In an interview with CNN, Mr. Gordon said that the effort to remove support for lethal security assistance to Ukraine from the Republican Party platform was done expressly to fulfill the wishes of then-Candidate Trump.

Now it is not uncommon for foreign officials to attend conventions. It is uncommon and completely, totally inappropriate for them to use that platform to shape our Nation's policies by a change in a party platform.

The dodging and deception continues. After insisting during his confirmation hearing that he had no contacts with Russian officials, it was reported that Attorney General Sessions, who was a top leader in President Trump's campaign, did indeed meet with the Russian Ambassador. There is nothing to hide about meeting with a foreign ambassador. That is part of our job as Senators, and Attorney General Sessions was a Member of the U.S. Senate. For example, in 2013, I met with the Russian Ambassador to advocate for Pennsylvania families torn apart by the Russian Government's ban on international adoptions. I was there with a significant group of other Senators from both parties. But why would Mr. Sessions provide incorrect information to the Judiciary Committee, and why wouldn't he immediately correct the record? That is a question that we have to ask, and that is a question that deserves an answer.

Finally, there is the issue of President Trump himself. We know that for many years he has expressed an interest in doing business in Russia. In 2008, Mr. Trump's executive vice president for acquisitions and development in his business said:

Russians make up a pretty disproportionate cross-section of a lot of our assets; say, in Dubai, and certainly with our project in SoHo and anywhere in New York. We see a lot of money pouring in from Russia.

So if one takes all of these reports together, plus the ones I have entered into the RECORD, one has to ask: What is going on? What is going on with all this information?

That is why my constituents and I have questions. That is why we need an independent commission and a special counsel appointed by the Justice Department. The administration owes the American people answers.

We cannot allow my constituent Pam's warning to come to fruition. We cannot allow Russia to exploit political differences to shake confidence in our democratic system. The United States has a proud tradition of rule of law and checks and balances. These are things that distinguish us from the autocratic and corrupt regimes around the world.

The longer it takes to get to the bottom of these questions, the longer it will be until we can get back to ad-

vancing meaningful policies to resist Russian aggression and stand with our European allies. We need to make a commitment to maintaining and expanding sanctions on Russia for a variety of malign activities: No. 1, the cyber attack on our elections; No. 2, their—the Russians'—indiscriminate bombing of civilians in support of the Assad regime in Syria; No. 3, their unabated support for separatists in eastern Ukraine; No. 4, the Russians' continued illegal annexation of Crimea.

The American people and the people of Pennsylvania, as well, have had enough of dodge and deceive on these issues. They want answers, and the only way to get them is by way of an independent commission and a special counsel.

The President and every Republican and every Democrat in the House and the Senate in all of Congress need to say once and for all, clearly, definitively, unequivocally: We will never allow this to happen again, and then work together to make that a reality. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TILLIS). Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, I am here on behalf of 55 million working Americans who lack access to retirement savings plans through their employers. These numbers underscore a very, very uncomfortable truth for many Americans—that there is a looming retirement crisis in our Nation.

Congress must do more to preserve, protect, and strengthen retirement savings for all Americans. I come to the floor to express my strong opposition to the legislation before us, which would do precisely the opposite.

H.J. Res. 67 would tear down ongoing efforts at the State and municipal levels to assist, not obstruct, hard-working Americans in preparing for financially stable and rewarding retirements.

I also want to express my very deep concern about efforts by my Republican colleagues to force a vote on H.J. Res. 66 in the very near future. I would advise my colleagues to reconsider their taking action on both of these misguided proposals right away.

While many private sector employers have the option to set up and their employees have the choice to contribute to their own retirement savings accounts, fewer than 10 percent of workers who are without access to a workplace plan contribute to retirement savings accounts outside of their employers.

To address this growing issue, in August of 2016, under the guidance of the Obama administration, the Department of Labor promulgated what has become known as the State-sponsored auto-IRA rule. This rule provides critical guidance for States on how to administer programs that are designed to improve access to retirement accounts among private sector employees. These State-facilitated retirement programs would allow State governments to provide automatic enrollment in State-sponsored IRA programs, with there being the opportunity to opt out at any time.

There are misguided and progressive proposals that seek to overturn the critical rulemaking that protects Americans in this process. If passed, these resolutions, very simply, will cripple ongoing efforts on the State level to ensure that retirement savings opportunities are more readily available for all workers.

In my home State of Connecticut, we have led efforts to find secure and innovative ways to address the growing retirement savings gap for nearly 600,000 working people in Connecticut who lack access to employer-based retirement savings. The Connecticut Retirement Security Authority has led this effort. It was created in 2016, and it is based on almost 2 years of market research, public hearings, meetings, and broad input from employers, potential participants, and representatives of the financial sector.

We are moving in the right direction in Connecticut. Programs that represent a strong step in the right direction have been fostered and built by encouraging State facilitation with private providers. These plans allow workers access to secure, low-cost retirement savings accounts in Connecticut. That effort would be set back by these proposals to undercut and reverse progress made at the Federal level. Incomprehensibly, these bills would severely undercut efforts to promote State and city auto-IRA programs. It is a blatant attack on these programs and on working families in Connecticut and elsewhere.

I urge my colleagues who believe that Congress should spend time in expanding, not limiting, access to innovative solutions to the American savings crisis to join me in opposing these resolutions.

They have broad economic implications. They set back job creation as well as economic progress. There are 55 million individuals—many of them in Connecticut—who lack the ability to save for retirement directly from their paychecks. This gap is exacerbated by the fact that nearly 20 percent of people between the ages of 55 and 64 have, virtually, zero in retirement savings. That is true of Connecticut and every State in our country.

A lack of retirement savings leads to disastrous results and jeopardizes ac-

cess to adequate meals, healthcare, and other necessities. Simply put, no American family and, certainly, no Connecticut family should be deterred or discouraged from planning for the future by saving responsibly.

I urge my colleagues to join me in voting no on H.J. Res. 66 and H.J. Res. 67 because States and municipalities should have the flexibility to implement proven strategies to support hard-working Americans who wish to prepare themselves for retirement.

RUSSIA AND TRUMP CAMPAIGN INVESTIGATION

Mr. President, I find in Connecticut—and, I am sure, my colleagues find around the country—that Americans are outraged and appalled by Russia's disinformation campaign that has been waged against our free and fair electoral process. There is no question now—the intelligence agencies have confirmed it—that Russia interfered in the campaign of this latest election.

Our electoral process is the bedrock of our democracy. Russian interference in our election is an attack on our democracy. Indeed, it is an attack on America. Some believe—and I join them in this concern—that it is an act of war.

As appalling as the Russians' actions have been, I am equally—if not more—concerned about the “see no evil, hear no evil” attitude of this administration. It was aided in its election by Russia's campaign of disinformation, malign theft, its dissemination of private data, propaganda, and cyber attack. That cyber attack was unconscionable and unprecedented in its scope and scale.

Our Nation's intelligence community has provided chilling and absolutely horrifying confirmation of this Russian interference in our democracy. Yet the White House continually dismisses these reports. This week, we are learning that they actually may be actively interfering with and trying to redirect efforts by Congress to discover the full extent of Russia's cyber intrusion.

The bottom line here is that only a special prosecutor at the Department of Justice can apply sunlight and conduct a vigorous, independent investigation. Only a special prosecutor can remove this stain on our democracy. Only a special prosecutor can provide our Nation with assurance that wrongdoing will be effectively investigated and then charged and prosecuted. Only a special prosecutor can give us the closure we need and deserve.

Every day, evidence mounts pointing to the need to investigate these Russian ties and contacts with the Trump campaign. The more we learn, the more troubled and outraged the American people become.

Just this week, revelations have surfaced that Representative NUNES, chairman of the Intelligence Committee in the House, met on White House grounds with a source who

showed him secret American intelligence reports that he then used to defend President Trump's claims that his closest associates were under surveillance by the Obama administration. That this information actually came from a meeting at the White House has intensified questions about where the information actually originated and whether the President's team is actually meddling in the congressional investigation. Chairman NUNES's actions have fatally tainted the House Intelligence Committee investigation and infected it with the virus of partisan bias.

Just yesterday, we also learned, based on letters obtained by the Washington Post, that the Trump administration sought to block former Acting Attorney General Sally Yates from testifying to Congress in the House investigation, adding additional taint. We all recall she is the one who blew the whistle on the real risk of General Flynn being blackmailed by the Kremlin. Instead of thanking her, the President fired her. After firing her for doing her job, the administration is now intent on stopping her as a witness from revealing exactly what the President knew about his adviser's ties to foreign interests.

The House investigation is incontrovertibly compromised by having a Trump surrogate running and organizing it and the administration—at least in appearance and likely in reality—controlling its access to the facts.

There is a growing body of evidence that clearly and unmistakably indicates that the Trump campaign and his associates were in contact with Russia during the election, and these deeply troubling claims of coordination with a foreign government to influence an American election deserve exacting and aggressive investigation.

The declassified report from the intelligence community clearly identifies Russia Today as a state-sponsored propaganda source that was integral to Putin's campaign to interfere in that election, and it makes it equally clear, and deplorably so, that former National Security Advisor Flynn accepted \$45,000 to praise Russia Today in Moscow and dine with Putin at the network's request.

We know as well that Attorney General Sessions and Jared Kushner, the President's son-in-law and now senior adviser, had unreported meetings with Russian officials, including the head of a Russian bank under U.S. sanctions. The President's former campaign manager, Paul Manafort, funneled millions of dollars into offshore accounts from a Russian oligarch through the Bank of Cyprus, which was owned at the time by Wilbur Ross, now serving as the President's Commerce Secretary.

These contacts form a network of facts and suspicion, but more than suspicion, there are real sources of information and facts. As Ronald Reagan said, "Facts are stubborn things."

These disclosures are all the more reason—indeed, compelling evidence—that a special prosecutor is necessary to investigate Russia's ties and contacts with the Trump campaign. Immediate, aggressive measures to hold Russia accountable and deter further aggression must be taken. Those actions must be based on facts as well, but we must acknowledge publicly that the need for deterrence requires effective responses, appropriate and necessary measures to send a message and inflict the kind of cost that is necessary to show Russia that we will never accept these kinds of attacks. At stake is not only Russia's view of this country and deterrence to further attacks but also the credibility and trust of the American people in the Department of Justice, and that is where a special prosecutor is absolutely vital.

I support the work of the Intelligence Committee in the Senate, and I trust the members of that committee to do their work responsibly. I believe as well that we should have a select committee—or, even better, an independent commission—that will make findings of fact, produce recommendations, have public proceedings, and then, in the interest of full transparency and disclosure, produce a report with recommendations that will help provide a path to avoid these kinds of attacks on our democracy in the future and potential collusion between Americans and those attacks.

I believe that an independent commission would serve a worthwhile purpose, but neither the Intelligence Committee, nor a select committee, nor an independent commission can do what is equally important, which is prosecute wrongdoers. None of these bodies, whether congressional or independent commission, can investigate criminal wrongdoing so as to assure an effective and successful prosecution. That work must be done with the FBI and supervision of an independent, special prosecutor who can investigate vigorously and independently and then take action and bring charges if they are warranted.

I support the investigation of the Intelligence Committee, which should do its work, the appointment of a select committee that can produce findings of fact and a report and recommendation, and an independent commission that can do the same kind of public, transparent, open disclosure. A special prosecutor does not produce a report; they and the team will produce a prosecution, if it is warranted. They are the only ones who can prosecute.

We cannot stand idle while Russia interferes and threatens our political infrastructure, which now includes our

electoral system. Neither can we stand idle while our Department of Justice is leaderless or, worse yet, has a prosecutor who also may be tainted by the fact that he reports to the Attorney General or to the President. The Attorney General has recused himself, with good reason, because he was implicated in allegations surrounding collusion between the Trump campaign and the Russian interference.

The allegations of collusion are serious. They must be investigated, and the investigation and potential prosecution must be done by someone who is independent—a special prosecutor. Revelation upon revelation day after day leaves us with no choice. In fact, we had no choice well before now, but the disclosures that have surfaced just within the last hours and days confirm that justice will not be vindicated unless we have a special prosecutor. That is why I have chosen to block the nomination and confirmation of the Deputy Attorney General. I will consider doing it with other nominees as well. I feel so strongly—and I hope my colleagues do as well—that a special prosecutor is necessary to vindicate justice, to make sure that Americans have trust and confidence in our Department of Justice and in the ability of the United States to protect its democracy and the integrity of its electoral process.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO JILL HRUBY

Mr. HEINRICH. Mr. President, it is an honor to recognize Jill Hruby and her team for their commitment to the success of Sandia National Laboratories and their commendable service to the Nation.

Since 2015, Ms. Hruby has been the president and director of Sandia National Laboratories and will be leaving the labs at the end of April.

It has been a pleasure working with her over the last 2 years.

With more than 12,000 employees, Sandia is our Nation's largest national laboratory with principal sites in Albuquerque, NM, and Livermore, CA.

The lab employs some of the best and brightest minds in the country and is indispensable to our national security and to maintaining our Nation's science and engineering superiority.

Ms. Hruby joined Sandia in 1983 to work on research in nanoscience, hydrogen storage, mechanical component design, thermal analysis, and microfluidics.

She served for 27 years at Sandia's California location, managing projects responsible for weapon components, microtechnologies, and materials processing.

In 2010, she came to New Mexico to serve as the vice president of the Energy, Nonproliferation, and High-Consequence Security Division and as the leader of Sandia's International, Homeland, and Nuclear Security Program Management Unit.

In July 2015, Ms. Hruby became the first woman to direct a national security laboratory.

Ms. Hruby has authored numerous publications, holds three patents in microfabrication, and won an R&D 100 Award in solid-state radiation detection. In 2016, the Society of Women Engineers presented Ms. Hruby with the Suzanne Jenniches Upward Mobility Award in celebration of her rise to a leadership role and her dedication to creating a nurturing environment for women in the workplace.

She has said that she wants her work to matter to others and to have a purpose greater than herself.

I commend Jill Hruby for her incredible record of service to our Nation addressing some of our most complex issues and challenges, and I wish her the best in all of her future endeavors.

ADDITIONAL STATEMENTS

RECOGNIZING THE STUDENTS OF CLAN OF MOR'DU

• Mr. KING. Mr. President, today I wish to recognize and to congratulate the students of the Clan of Mor'Du team for their recent State competition victory and their invitation to participate in the FIRST LEGO League World Festival.

As we enter a century of fast-paced innovation where science and technology continue to be at the epicenter of our daily lives, it is important to promote STEM education so that the next generation of engineers and entrepreneurs can fully harness the opportunities these new advancements bring to our society. Therefore, it is my honor to bring to the attention of the Senate a group of astounding young students and their coaches from Spruce Mountain Middle School who have stepped up to the plate to accept this challenge.

These outstanding students compete in the State's rigorous LEGO league,

where teams must build and program robots made from LEGO NXT kits to solve missions. Their dedication to excellence and their perseverance against teams from more prominent school districts has already lead them to two well-deserved statewide championship victories. In honor of their tireless efforts, the Clan of Mor'du have been invited to attend the FIRST LEGO League World Festival in St. Louis, MO, this spring. For most of these curious young students, it will be their first trip outside of Maine.

I wish to join the communities of Jay, Livermore, and Livermore Falls, as well as the State of Maine, in congratulating the Clan of Mor'du for their pioneering spirit and remarkable achievements. Their willingness to challenge themselves and work together as a team is a testament to the tenacity and ingenuity of Maine's great people.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries.

PRESIDENTIAL MESSAGE

REPORT OF THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO SIGNIFICANT MALICIOUS CYBER-ENABLED ACTIVITIES THAT WAS DECLARED IN EXECUTIVE ORDER 13694 ON APRIL 1, 2015—PM 4

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13694 of April 1, 2015, is to continue in effect beyond April 1, 2017.

Significant malicious cyber-enabled activities originating from, or directed by persons located, in whole or in substantial part, outside the United States, continue to pose an unusual and extraordinary threat to the national security, foreign policy, and

economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13694 with respect to significant malicious cyber-enabled activities.

DONALD J. TRUMP.
THE WHITE HOUSE, March 29, 2017.

MESSAGE FROM THE HOUSE

At 11:01 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following joint resolution, without amendment:

S.J. Res. 34. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Protecting the Privacy of Customers of Broadband and Other Telecommunications Services".

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1118. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, a report entitled "Report to the Congress: Medicare Payment Policy"; to the Committee on Finance.

EC-1119. A communication from the Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0285); to the Committee on Foreign Relations.

EC-1120. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the Performance Report for fiscal year 2016 for the Prescription Drug User Fee Act (PDUFA); to the Committee on Health, Education, Labor, and Pensions.

EC-1121. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the Financial Report for fiscal year 2016 for the Prescription Drug User Fee Act (PDUFA); to the Committee on Health, Education, Labor, and Pensions.

EC-1122. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the Financial Report for fiscal year 2016 for the Generic Drug User Fee Amendments; to the Committee on Health, Education, Labor, and Pensions.

EC-1123. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a financial report relative to the Medical Device User Fee Amendments of 2012 for fiscal year 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-1124. A communication from the Secretary, Judicial Conference of the United States, transmitting, a report of proposed

legislation entitled "Criminal Judicial Procedure, Administration, and Technical Amendments Act of 2017"; to the Committee on the Judiciary.

EC-1125. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Polyglycerol polyricinoleate; Tolerance Exemption" (FRL No. 9959-12) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1126. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Octadecanoic acid, 12-hydroxy-, homopolymer, ester with a, a', a'' -1,2,3-propanetriyltris[w-hydroxypoly(oxy-1,2-ethanediyl)]; Tolerance Exemption" (FRL No. 9958-97) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1127. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Isoamyl acetate; Exemption from the Requirement of a Tolerance" (FRL No. 9956-02) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1128. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fatty Acids, Montan-Wax, Ethoxylated; Tolerance Exemption" (FRL No. 9958-10) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1129. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Cyantraniliprole; Pesticide Tolerances" (FRL No. 9958-53) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1130. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Cloquintocet-mexyl; Pesticide Tolerances" (FRL No. 9959-11) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1131. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Aspergillus flavus AF36; Amendment to an Exemption from the Requirement of a Tolerance" (FRL No. 9959-92) received in the Office of the President of the Senate on March 22, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1132. A communication from the official performing the duties of the Under Secretary of Defense (Intelligence), transmitting, pursuant to law, a fiscal year 2016 report relative to data mining (OSS-2017-0298); to the Committee on Armed Services.

EC-1133. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Christopher C. Bogdan, United States Air Force, and his advancement to the grade

of lieutenant general on the retired list; to the Committee on Armed Services.

EC-1134. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Kevin W. Mangum, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-1135. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Wendy M. Masiello, United States Air Force, and her advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-1136. A communication from the Secretary of Defense, transmitting the report of five (5) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-1137. A communication from the Principal Director (Force Resiliency), performing the duties of the Assistant Secretary of Defense (Readiness), transmitting, pursuant to law, the National Guard and Reserve Equipment Report (NGRER) for fiscal year 2018; to the Committee on Armed Services.

EC-1138. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 13224 of September 23, 2001, with respect to persons who commit, threaten to commit, or support terrorism; to the Committee on Banking, Housing, and Urban Affairs.

EC-1139. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment to Securities Transaction Settlement Cycle" (RIN3235-AL86) received in the Office of the President of the Senate on March 27, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1140. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Missouri's Air Quality Implementation Plans; Open Burning Requirements" (FRL No. 9958-72-Region 7) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2017; to the Committee on Environment and Public Works.

EC-1141. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "State of Iowa; Approval and Promulgation of the Title V Operating Permits Program, the State Implementation Plan, and 112(1) Plan" (FRL No. 9957-84-Region 7) received during adjournment of the Senate in the Office of the President of the Senate on March 24, 2017; to the Committee on Environment and Public Works.

EC-1142. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Employee Consents" (Rev. Proc. 2017-28) received in the Office of the President of the Senate on March 27, 2017; to the Committee on Finance.

EC-1143. A communication from the Principal Deputy Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed

sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0321); to the Committee on Foreign Relations.

EC-1144. A communication from the Principal Deputy Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0308); to the Committee on Foreign Relations.

EC-1145. A communication from the Principal Deputy Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0307); to the Committee on Foreign Relations.

EC-1146. A communication from the Principal Deputy Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0306); to the Committee on Foreign Relations.

EC-1147. A communication from the Principal Deputy Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0305); to the Committee on Foreign Relations.

EC-1148. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Treaty with Australia Concerning Defense Trade Cooperation for 2016; to the Committee on Foreign Relations.

EC-1149. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Treaty with the United Kingdom Concerning Defense Trade Cooperation for 2016; to the Committee on Foreign Relations.

EC-1150. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), transmitting, pursuant to law, twenty-one (21) reports relative to vacancies in the U.S. Agency for International Development (USAID), received in the Office of the President of the Senate on March 28, 2017; to the Committee on Foreign Relations.

EC-1151. A communication from the General Counsel, Government Accountability Office, transmitting, pursuant to law, the Office's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1152. A communication from the Equal Employment Opportunity Director, Office of Civil Rights and Equal Opportunity, Social Security Administration, transmitting, pursuant to law, the Administration's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1153. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report

on D.C. Resolution 21-621, "Constitution and Boundaries for the State of Washington, D.C. Approval Resolution of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-1154. A communication from the Assistant Administrator of the Office of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Placement of Brivaracetam Into Schedule V" (Docket No. DEA-435) received in the Office of the President of the Senate on March 28, 2017; to the Committee on the Judiciary.

EC-1155. A communication from the Staff Director, U.S. Sentencing Commission, transmitting, pursuant to law, a report relative to the compliance of federal district courts with documentation submission requirements; to the Committee on the Judiciary.

EC-1156. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Debt Collection Recovery Activities of the Department of Justice for Civil Debts Referred for Collection Annual Report for Fiscal Year 2016"; to the Committee on the Judiciary.

EC-1157. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, the Uniform Resource Locators (URLs) for two reports entitled "2016 Annual Report of the Director of the Administrative Office of the United States Courts" and "Judicial Business of the United States Courts"; to the Committee on the Judiciary.

EC-1158. A communication from the Assistant Administrator of the Office of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Placement of FDA-Approved Products of Oral Solutions Containing Dronabinol [(+)-delta-9-tetrahydrocannabinol (delta-9-THC)] in Schedule II" (Docket No. DEA-435) received in the Office of the President of the Senate on March 28, 2017; to the Committee on the Judiciary.

EC-1159. A communication from the Chief of the Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Comprehensive Review of the Part 32 Uniform System of Accounts; Jurisdictional Separations and Referral to the Federal-State Joint Board" ((RIN3060-AK20) (FCC 17-15)) received in the Office of the President of the Senate on March 27, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1160. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking and Importing Marine Mammals Incidental to Russian River Estuary Management Activities" (RIN0648-BG37) received in the Office of the President of the Senate on March 23, 2017; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-14. A joint resolution adopted by the Legislature of the State of Michigan petitioning the United States Congress, pursuant to Article V of the United States Constitution, to call a convention of the states to propose amendments to the United States Constitution to require a balanced federal budget; to the Committee on the Judiciary.

ENROLLED SENATE JOINT RESOLUTION V

Resolved by the Senate and House of Representatives of the state of Michigan, That pursuant to article V of the constitution of the United States, the legislature of the state of Michigan petitions the congress of the United States of America, at its session, to call a convention of the states limited to proposing an amendment to the constitution of the United States requiring that in the absence of a national emergency, including, but not limited to, an attack by a foreign nation or terrorist organization within the United States of America, the total of all federal appropriations made by the congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints.

Resolved further, That this application is to be considered as covering the balanced budget amendment language of the presently outstanding balanced budget applications from other states, including, but not limited to, previously adopted applications from Alabama, Alaska, Arkansas, Colorado, Florida, Indiana, Iowa, Kansas, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, Pennsylvania, and Texas; and this application shall be aggregated with those applications for the purpose of attaining the two-thirds of states necessary to require the calling of a convention for proposing a balanced budget amendment, but shall not be aggregated with any applications on any other subject.

Resolved further, That this application constitutes a continuing application in accordance with article V of the constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject. It supersedes all previous applications by this legislature on the same subject.

Resolved further, That certified copies of this joint resolution be transmitted by the secretary of state to the president of the United States Senate, to the speaker of the United States House of Representatives, and to each member of this state's delegation to the congress and that printed copies be sent to each house of each state legislature in the United States.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BURR, from the Select Committee on Intelligence:

Special Report entitled "Report of the Select Committee on Intelligence United States Senate Covering the Period January 6, 2015 to January 2, 2017" (Rept. No. 115-13).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. INHOFE:

S. 755. A bill to amend the Pilot's Bill of Rights to facilitate appeals, to limit the re-

examination of airman certificates, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SULLIVAN (for himself, Mr. WHITEHOUSE, Mr. BOOKER, Mr. COONS, Mr. PETERS, Mr. INHOFE, Mr. TILLIS, and Ms. MURKOWSKI):

S. 756. A bill to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. FLAKE:

S. 757. A bill to amend the Homeland Security Act of 2002 to facilitate communication between U.S. Customs and Border Protection and border ranchers in Arizona and other border States, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BURR (for himself, Mr. TILLIS, Mr. NELSON, and Mr. RUBIO):

S. 758. A bill to amend the Public Health Service Act with respect to the Agency for Toxic Substances and Disease Registry's review and publication of illness and conditions relating to veterans stationed at Camp Lejeune, North Carolina, and their family members, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MCCAIN (for himself and Mr. ENZI):

S. 759. A bill to save taxpayers money by improving the manufacturing and distribution of coins and notes, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHATZ (for himself and Mr. SASSE):

S. 760. A bill to expand the Government's use and administration of data to facilitate transparency, effective governance, and innovation, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ALEXANDER (for himself and Mr. CORKER):

S. 761. A bill to amend the Internal Revenue Code of 1986 to allow individuals to receive a premium assistance credit for insurance not purchased on an Exchange, and for other purposes; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. WYDEN):

S. 762. A bill to amend the Internal Revenue Code of 1986 to reform provisions relating to whistleblowers; to the Committee on Finance.

By Mr. THUNE (for himself, Mr. NELSON, Mrs. FISCHER, and Mr. BOOKER):

S. 763. A bill to improve surface and maritime transportation security; to the Committee on Commerce, Science, and Transportation.

By Mr. BROWN (for himself and Mr. TILLIS):

S. 764. A bill to amend title 38, United States Code, to improve the enrollment of veterans in certain courses of education, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PERDUE:

S. 765. A bill to amend title 18, United States Code, to provide for penalties for the sale of any Purple Heart awarded to a member of the Armed Forces; to the Committee on the Judiciary.

By Mr. MANCHIN:

S. 766. A bill to amend titles 10 and 32, United States Code, to improve and enhance authorities relating to the employment, use, status, and benefits of military technicians (dual status), and for other purposes; to the Committee on Armed Services.

By Mr. BENNET (for himself, Mrs. SHAHEEN, Mr. BOOKER, Mr. CARDIN, Mr. SANDERS, Mr. MARKEY, Mr. MERKLEY, Mr. REED, Mr. DURBIN, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. UDALL, Ms. CORTEZ MASTO, Mr. HEINRICH, Ms. WARREN, Mr. WYDEN, Mr. FRANKEN, Ms. HASSAN, Mr. NELSON, Ms. HARRIS, Mrs. MURRAY, Mr. COONS, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Mr. SCHATZ, Mr. MENENDEZ, Mr. LEAHY, Mr. BLUMENTHAL, Mr. CARPER, Ms. HIRONO, Mr. MURPHY, and Mr. VAN HOLLEN):

S. 767. A bill to provide that the Executive Order entitled "Promoting Energy Independence and Economic Growth" and signed on March 28, 2017, shall have no force or effect, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. SHAHEEN:

S. 768. A bill to improve the productivity and energy efficiency of the manufacturing sector by directing the Secretary of Energy, in coordination with the National Academies and other appropriate Federal agencies, to develop a national smart manufacturing plan and to provide assistance to small- and medium-sized manufacturers in implementing smart manufacturing programs, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BOOZMAN (for himself and Mr. CASEY):

S. 769. A bill to amend title XVIII of the Social Security Act to align physician supervision requirements under the Medicare program for radiology services performed by advanced level radiographers with State requirements; to the Committee on Finance.

By Mr. SCHATZ (for himself, Mr. RISCH, Mr. THUNE, Ms. CANTWELL, and Mr. NELSON):

S. 770. A bill to require the Director of the National Institute of Standards and Technology to disseminate resources to help reduce small business cybersecurity risks, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. FRANKEN (for himself, Mr. SANDERS, Mr. WHITEHOUSE, Mr. BROWN, Ms. KLOBUCHAR, Ms. WARREN, Ms. BALDWIN, Mr. REED, Mrs. GILLIBRAND, Ms. HASSAN, Mr. DURBIN, Mr. VAN HOLLEN, Mr. MERKLEY, Mr. UDALL, Mr. BLUMENTHAL, and Mr. BOOKER):

S. 771. A bill to improve access to affordable prescription drugs; to the Committee on Finance.

By Mr. MCCAIN:

S. 772. A bill to amend the PROTECT Act to make Indian tribes eligible for AMBER Alert grants; to the Committee on Indian Affairs.

By Mr. BROWN (for himself and Mr. PERDUE):

S. 773. A bill to amend the Internal Revenue Code of 1986 to modify certain rules applicable to qualified small issue manufacturing bonds; to the Committee on Finance.

By Mr. HEITKAMP (for herself, Mr. DURBIN, Mr. FRANKEN, and Mr. BOOKER):

S. 774. A bill to address the psychological, developmental, social, and emotional needs of children, youth, and families who have experienced trauma, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CORNYN (for himself, Mr. CARDIN, Mr. RUBIO, Mr. DURBIN, Mr. MCCAIN, and Mr. MENENDEZ):

S. Res. 102. A resolution reaffirming the strategic partnership between the United States and Mexico, and recognizing bilateral cooperation that advances the national security and national interests of both countries; to the Committee on Foreign Relations.

By Mr. BURR (for himself and Mr. MANCHIN):

S. Res. 103. A resolution designating March 29, 2017, as "Vietnam Veterans Day"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 29

At the request of Mr. TESTER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 29, a bill to permit disabled law enforcement officers, customs and border protection officers, firefighters, air traffic controllers, nuclear materials couriers, members of the Capitol Police, members of the Supreme Court Police, employees of the Central Intelligence Agency performing intelligence activities abroad or having specialized security requirements, and diplomatic security special agents of the Department of State to receive retirement benefits in the same manner as if they had not been disabled.

S. 59

At the request of Mr. CRAPO, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 59, a bill to provide that silencers be treated the same as long guns.

S. 204

At the request of Mr. JOHNSON, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 204, a bill to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes.

S. 233

At the request of Mr. WARNER, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 233, a bill to authorize the Secretary of Veterans Affairs to carry out certain major medical facility leases of the Department of Veterans Affairs.

S. 322

At the request of Mr. PETERS, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 322, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 324

At the request of Mr. HATCH, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 324, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 348

At the request of Mr. FRANKEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 348, a bill to amend title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate lower covered part D drug prices on behalf of Medicare beneficiaries.

S. 366

At the request of Mr. ROUNDS, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 366, a bill to require the Federal financial institutions regulatory agencies to take risk profiles and business models of institutions into account when taking regulatory actions, and for other purposes.

S. 382

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 382, a bill to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters.

S. 387

At the request of Mr. PERDUE, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 387, a bill to amend the Consumer Financial Protection Act of 2010 to subject the Bureau of Consumer Financial Protection to the regular appropriations process, and for other purposes.

S. 465

At the request of Mr. ROUNDS, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 465, a bill to provide for an independent outside audit of the Indian Health Service.

S. 469

At the request of Mr. SANDERS, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 469, a bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the importation of affordable and safe drugs by wholesale distributors, pharmacies, and individuals.

S. 482

At the request of Mr. THUNE, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 482, a bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care.

S. 517

At the request of Mrs. FISCHER, the name of the Senator from Minnesota

(Mr. FRANKEN) was added as a cosponsor of S. 517, a bill to amend the Clean Air Act with respect to the ethanol waiver for Reid vapor pressure limitations under such Act.

S. 552

At the request of Mr. BROWN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 552, a bill to amend the Truth in Lending Act and the Electronic Fund Transfer Act to provide justice to victims of fraud.

S. 595

At the request of Mr. FLAKE, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 595, a bill to provide U.S. Customs and Border Protection with additional flexibility to expedite the hiring process for applicants for law enforcement positions, and for other purposes.

S. 717

At the request of Mr. SULLIVAN, the names of the Senator from Utah (Mr. HATCH) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 717, a bill to promote pro bono legal services as a critical way in which to empower survivors of domestic violence.

S. 722

At the request of Mr. CORKER, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 722, a bill to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes.

S. 748

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 748, a bill to protect United States citizens and residents from unlawful profiling, arrest, and detention, and for other purposes.

S. 751

At the request of Mr. WARNER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 751, a bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.

S. CON. RES. 6

At the request of Mr. BARRASSO, the names of the Senator from Wisconsin (Mr. JOHNSON), the Senator from West Virginia (Mr. MANCHIN) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

STATEMENTS ON INTRODUCED
BILLS AND JOINT RESOLUTIONS

By Mr. ALEXANDER (for himself
and Mr. CORKER):

S. 761. A bill to amend the Internal Revenue Code of 1986 to allow individuals to receive a premium assistance credit for insurance not purchased on an Exchange, and for other purposes; to the Committee on Finance.

Mr. ALEXANDER. Mr. President, the Health Care Options Act of 2017, introduced by Senator CORKER and me, would address the emergency in the health insurance exchanges in Tennessee and in other States. This legislation would allow any American who receives a subsidy and has no insurance available on their exchange next year to use that subsidy to buy any State-approved insurance off the exchange.

Second, the legislation would waive the Affordable Care Act requirement that these Americans—who, remember, have zero insurance options for their subsidies—have to pay a penalty for not purchasing the insurance.

Third, the legislation would bring peace of mind between now and the beginning of 2018 to millions of Americans—some of the most vulnerable people in our country—who face having zero options of health insurance to purchase with their subsidy in the year 2018 because of the collapsing ObamaCare exchange markets.

Here is why urgent action is needed. There are 11 million Americans who buy individual insurance now on the Affordable Care Act exchanges. Approximately 85 percent of them receive a subsidy to help them buy insurance. For those who don't like subsidies for people buying insurance, I would remind us that about 60 percent of insured Americans get insurance on the job, and the average tax break for people with employer sponsored insurance is about \$5,000. What we are talking about is the 4 percent of insured people who don't get insurance on the job, who don't get it from the government and Medicare and Medicaid, and this subsidy gives them some money to help them buy insurance if they are mostly low income.

While these 11 million make up only 4 percent of the total insured population in this country, this 4 percent is where much of today's political turmoil rests.

In the Knoxville area where I live, the one remaining insurance company on the Affordable Care Act exchange has pulled out for the year 2018. So it is a near certainty that there will be zero insurance options for 40,000 Tennesseans who live there and buy their insurance on the exchange. In other words, for approximately 34,000 Tennesseans living in Knoxville who rely on an Affordable Care Act subsidy to buy health insurance, their subsidies will be worth as much as a bus ticket in a town with no buses running.

There is a real prospect that the same thing may happen to all 230,000 Tennesseans who buy insurance on the exchange. As I said, 85 percent of them rely on a subsidy to afford insurance; they just will not have any insurance policies to buy.

The decision Friday by the House of Representatives to not vote on the health care bill changes nothing about the urgency of rescuing these 230,000 Tennesseans who buy insurance on the ObamaCare exchanges that our State insurance commissioner has told us are "very near collapse."

While Congress continues its work to enact long-term structural health reforms, we must take immediate action to help these 230,000 Tennesseans and millions of Americans in other States facing the same dire consequences.

This is not just a problem for Tennesseans. Last year, 7 percent of counties in the country had just one insurer offering plans on their Affordable Care Act exchange. This year, that 7 percent has risen to 32 percent of the counties in this country having just one insurer offering plans on the Affordable Care Act exchange. There are five States this year that have only a single insurer offering ACA plans in their entire State—Alabama, Alaska, Oklahoma, South Carolina, and Wyoming. And in nine States, there is only one insurer offering ACA plans in a majority of the counties in the States: Tennessee, North Carolina, West Virginia, Utah, Nevada, Arizona, Mississippi, Missouri, and Florida.

Next year, in 2018, we know the problem will be much worse. As more insurance companies announce their plans for the 2018 plan year, it is very likely that more counties across the Nation will face challenges similar to those in the Knoxville, Tennessee, area, where, again, having an ObamaCare subsidy will be as useful as having a bus ticket in a town with no buses running.

Now, there is a solution to this. As I mentioned, the legislation that Senator CORKER and I are introducing will do three things: First, it will allow Americans to use their Affordable Care Act subsidy—the money they are getting now—to purchase any health insurance plan outside of the exchange, as long as the insurance is approved by the State for sale in the individual market. That means Americans on the exchanges will have options to purchase insurance where the Affordable Care Act has left them with none. This option will be given to individuals who live in the counties where the Secretary of Health and Human Services certifies that there are zero options on the ACA exchange.

Second, when the Secretary certifies that there are zero insurance options on the exchange, the legislation will waive the Affordable Care Act's requirement to buy a specific health plan or pay a fine of as much as \$2,000 for a

family of four. The law's individual mandate, in other words, will not apply to these individuals. And, of course, it shouldn't. They shouldn't be penalized for not buying insurance when there is no insurance to buy.

The legislation's temporary authority would be in place only through the end of the 2019 plan year.

Third, I hope that this legislation will provide some peace of mind for those Knoxville area residents and Americans in counties across the country trapped in collapsing exchanges.

This is not a permanent solution. Congress has a responsibility to continue its work to solve this problem and to give more Americans more choices of lower cost health insurance.

Long term, Americans should have the freedom to make their own choices about their family's health care needs. But in the short term, we must act on behalf of 230,000 Tennesseans, some of the most vulnerable citizens in our State, and millions of other Americans in other States who are likely to have zero choices of insurance in 2018.

Earlier this afternoon, the Tennessee insurance commissioner, Julie Mix McPeak, who has testified before the Senate and made public statements that the Tennessee Affordable Care Act exchanges were in virtual collapse—what she means by that is no one will be selling insurance in them—issued this statement in support of the bill that Senator CORKER and I have introduced. She said:

This bill "would definitely be helpful for Tennessee consumers. We are in favor of any legislation that improves consumer choice and provides access for Tennesseans. It is completely unacceptable for our consumers to have a subsidy but no ability to purchase insurance on the exchange. We support any option that avoids that result."

I yield the floor.

By Mr. GRASSLEY (for himself
and Mr. WYDEN):

S. 762. A bill to amend the Internal Revenue Code of 1986 to reform provisions relating to whistleblowers; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, in 2006, I was successful in enacting much needed updates to the IRS whistleblower program. Up until that time, the program was entirely a voluntary award program. There was also no central office within the IRS for handling whistleblower claims. Given this, there was little incentive for whistleblowers to step forward potentially risking their careers.

My 2006 amendments sought to bolster the IRS whistleblower program by making a special program targeted at going after high-dollar tax cheats, such as corporations. It did this by making awards mandatory in cases where a whistleblower discloses tax fraud totaling \$2 million or more. Moreover, the 2006 amendments established the Whistleblower Office within the IRS to formalize and manage the program.

The IRS whistleblower program has turned into one of the most effective programs in addressing tax evasion—leading to the recovery of more than \$3 billion in taxes that otherwise would have been lost to fraud. I firmly believe the program has the potential to collect even greater sums going forward. However, for this to occur, the IRS is going to have to completely embrace the program and start to view whistleblowers as their allies.

The Government Accountability Office, GAO, issued a report on the program in 2015 that expressed concerns that long timelines and poor communication may be discouraging whistleblowers. This is exactly what I have been hearing from whistleblowers for years. Too often whistleblowers are waiting in the dark for years with no communication on where their claim is in the system.

While the IRS has made improvements in this area, I fear that without further improvements some whistleblowers may start to question whether stepping forward is worth their time and effort. My concern is exacerbated by the fact that under current law, IRS whistleblowers have no protections against employer retaliation for good-faith disclosures.

That is why I am pleased to be joined by Senator WYDEN today in introducing legislation that seeks to address these issues. The IRS Whistleblower Improvements Act would increase communication between the IRS and whistleblowers, while protecting taxpayer privacy, and provide legal protections to whistleblowers from employers retaliating against them for disclosing tax abuses.

To increase communication, our bill would specifically allow the IRS to exchange information with whistleblowers where doing so would be helpful to an investigation. It would further require the IRS to provide status updates to whistleblowers at significant points in the review process and allows for further updates at the discretion of the IRS. It does this while ensuring the confidentiality of this information is maintained.

Moreover, to protect whistleblowers from employer retaliation, our bill extends antiretaliation provisions to IRS whistleblowers that are presently afforded to whistleblowers under other whistleblower laws, such as the False Claims Act and Sarbanes-Oxley.

Too often, whistleblowers are treated like skunks at a picnic. This is unfortunate, as often the only way to discover fraud and abuse is for a whistleblower to step forward. It is time we roll out the welcome mat for IRS whistleblowers. Our bill takes a good step in that direction.

I urge my colleagues to join Senator WYDEN and me in supporting this commonsense legislation.

By Mr. BENNET (for himself,
Mrs. SHAHEEN, Mr. BOOKER, Mr.

CARDIN, Mr. SANDERS, Mr. MARKEY, Mr. MERKLEY, Mr. REED, Mr. DURBIN, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. UDALL, Ms. CORTEZ MASTO, Mr. HEINRICH, Ms. WARREN, Mr. WYDEN, Mr. FRANKEN, Ms. HASSAN, Mr. NELSON, Ms. HARRIS, Mrs. MURRAY, Mr. COONS, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Mr. SCHATZ, Mr. MENENDEZ, Mr. LEAHY, Mr. BLUMENTHAL, Mr. CARPER, Ms. HIRONO, Mr. MURPHY, and Mr. VAN HOLLEN):

S. 767. A bill to provide that the Executive Order entitled “Promoting Energy Independence and Economic Growth” and signed on March 28, 2017, shall have no force or effect, and for other purposes; to the Committee on Environment and Public Works.

Mr. BENNET. Mr. President, even with all the dysfunction in Congress, somehow the American people continue to expect that Washington will enact policies that bear at least some relationship to the challenges they face. Unfortunately, the administration's new Executive order on energy fails even that low bar.

This order will not expand energy production, it will not make us more energy independent, it will not create more American jobs, and it will also not protect us from the ravages of climate change. That last point is somewhat less surprising than the first because, unlike millions of Americans and 99 percent of scientists, this administration does not believe that climate change is real or that humankind is contributing to it.

To understand where this Executive order comes from, I think it is important to see where we were before this administration took office. Put simply, the United States was already on track to achieve energy independence. Our country is producing a tremendous amount of low-cost energy. Since 2008, solar energy production has grown more than 50-fold, wind power is up 3-fold, and oil production in the United States of America is up 75 percent. In fact, 5 years ago, we began producing more oil than we import.

You can see on this slide that over the period of time that the Obama administration was in office, oil production rose like this, and net imports have gone like this—an important fact considering our geopolitical situation in the world. We are also now producing so much natural gas that facilities that were built originally to import gas are now being reengineered to export gas from the United States. I, along with other people in this Chamber, have worked hard to try to make sure those facilities are expedited so we can get the benefit of that exported natural gas.

Even before President Trump rode to the rescue with his Executive order, the Wall Street Journal told us that

exports of natural gas could more than double over the next 5 years, just based on what we are doing already. We are also using energy far more efficiently in our homes, our appliances, and our automobiles, which is why the administration's action to reverse higher fuel standards last week—well, I just would say, talk about a solution in search of a problem. That is one.

There is not a person in Colorado who said to me: Michael, do you know what we ought to do? We ought to reduce the fuel efficiency standards on automobiles. We ought to create a regulatory environment where the United States can't sell competitive automobiles in the world. Nobody has said that because not only are they concerned about climate, they are concerned that we lead the world when it comes to innovation. And that order, just like a budget that cuts the EPA by 30 percent, that targets the climate scientists at the EPA, that targets the satellites that are above our heads so that we can't see what is happening on our planet—this is all so we can perpetuate a willful view that climate change doesn't exist, and it is the same thing with this Executive order.

All of the trends that are in place right now—right before this administration took office—have combined to reduce our reliance on foreign energy in recent years, even as our economy has grown and average prices at the pump, because of the abundant supply, remain under \$2.30. We are just a few years away from exporting as much oil and gas as we import. That is important for our country.

Colorado has been a huge part of America's growing energy independence and, by extension, our national security. That is because in many ways Colorado led the way in developing a commonsense approach to expanding energy production while ensuring clean air and a healthy planet. We brought environmentalists together with the oil and gas industry to develop one of the first State limits on methane pollution. It became a model for the country. We passed the first voter-led renewable energy standard in the Nation, which became a model for the country. We established our own limits on carbon pollution at the State level, and in this process we have created 13,000 renewable energy jobs, with wind jobs alone expected to triple by 2020. On average, these jobs pay over \$50,000. This is not some Bolshevik experiment or some socialist experiment. These are manufacturing jobs in the United States of America, in Colorado, that would not be there if it hadn't been for the policy decisions that were made in this body and in other parts of Washington, DC, and the supply chain that goes along with those manufactured turbines is critically important to our economy. At the same time we were doing all that, we preserved over 56,000

oil and gas jobs, even as drilling has slowed because of, again, abundant supply, to say nothing of the jobs Colorado has created just because it is a place where other people would like to live. They want to come to Colorado, as they want to go to Nevada, because there is a high quality of life. There is a lot of sunshine in both places.

I am pleased to have the chance to work with the Senator from Nevada to make sure we not only extended the investment tax credit with respect to solar, but we put language in there together—Republicans and Democrats together—to create an idea that those credits would kick in at the beginning of construction, not having to wait until the end. That has made a big difference to our solar industry.

Long ago, the State of Colorado and, I would say, many other States have broken past the false choice between our economy and the environment. That is the course we have charted in Colorado, and if the President were serious about energy independence, he would support that approach. Instead, he is trying to undermine it with this new order. By undoing national standards for carbon pollution, the order threatens to undercut our thriving clean energy industry. There are 465 solar and wind businesses across our State supporting over \$8 billion in investments. By retreating from the fight against climate change, the order recklessly endangers Colorado's \$646 billion outdoor recreation industry, not to mention the health of our national forests that line the banks of some of the most vital watersheds in America.

As the President targets our environment and clean energy economy with this Executive order, he has dressed it up as something good for jobs, as he did during the campaign. Yesterday, the President stood before a group of coal miners and promised to “cancel job-killing regulations” and “put our miners back to work.”

Just 2 weeks ago, I was on the Western Slope of Colorado, a region with a number of mining communities. These communities, some of whom have helped invent hydraulic fracture and directional drilling, know that their challenges have far more to do with low prices and competition from natural gas than from the EPA. They know that their way of life and the way of life of communities like theirs all across the United States require real solutions to help them grow and diversify their economies. These communities get it. They understand it, but the President clearly does not.

Just yesterday, the Wall Street Journal ran this article entitled “Despite Trump Move on Climate Change, Utilities’ Shift from Coal Is Set to Continue.” According to the article, last year, power from coal plants fell while power from natural gas rose 35 percent.

Nationwide major utilities are shedding coal and increasing natural gas and renewables. That is the reality of our energy market and of the global economy, but this administration, when it comes to energy and when it comes to climate, is not operating in reality. It is operating amongst political slogans. It is operating in the theater of the absurd, where policies have no relationship to problems, facts don't matter, and false promises to struggling Americans are just another political tactic to win a cable news cycle.

The American people deserve so much better. Colorado deserves so much better than that. That is why today I am introducing a bill alongside more than 30 Senators to rescind this disastrous order, protect American jobs, and preserve our path toward energy independence. The stakes could not be higher for our kids, our planet, and our economy. We cannot let this stand.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 102—RE-AFFIRMING THE STRATEGIC PARTNERSHIP BETWEEN THE UNITED STATES AND MEXICO, AND RECOGNIZING BILATERAL COOPERATION THAT ADVANCES THE NATIONAL SECURITY AND NATIONAL INTERESTS OF BOTH COUNTRIES

Mr. CORNYN (for himself, Mr. CARDIN, Mr. RUBIO, Mr. DURBIN, Mr. MCCAIN, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 102

Whereas the people of United States and Mexico enjoy shared cultural and economic ties and both nations share common values based on the desire to achieve peace, security, and prosperity in their respective countries;

Whereas the Governments of the United States and Mexico engage in bilateral cooperation on a broad range of issues that directly benefits each country's national security and national interests;

Whereas the United States and Mexico enjoy close diplomatic cooperation and Mexico has consistently voted with the United States at the United Nations on challenges related to Syria, North Korea, and Ukraine, as well as at the Organization of American States on issues related to Venezuela;

Whereas Mexico is an important security and defense partner to the United States, and regularly participates in training activities in coordination with United States Northern Command (NORTHCOM) and the North American Aerospace Defense Command (NORAD);

Whereas consecutive United States and Mexican administrations have increased bilateral defense and law enforcement cooperation on counterterrorism and counter-narcotics issues, including the illicit trafficking of weapons, money, people, and drugs across the United States Southern Border;

Whereas the Government of Mexico has utilized its military and Federal Police to combat the transnational criminal organizations that have waged campaigns of ruthless violence against the Mexican people and trafficked an immeasurable quantity of illegal drugs into the United States that have taken the lives of far too many Americans;

Whereas the administration of President Enrique Peña Nieto has extradited more than 270 individuals facing criminal charges to the United States, including Joaquin “El Chapo” Guzman on January 19, 2017;

Whereas the Government of Mexico has initiated an effort to reduce the growing domestic production of heroin through the eradication of poppy and destruction of labs used to make heroin;

Whereas Mexico has sought to improve anti-corruption efforts at the local, State, and Federal level by adopting a national anticorruption system and starting a transition from a presidentially appointed attorney general's office to a more independent prosecutor general's office selected by the Mexican Senate;

Whereas, through the Merida Initiative, which was launched in 2008, the Governments of the United States and Mexico have collaborated to combat organized crime, strengthen the rule of law, advance judicial reform, and address challenges to human rights in Mexico, including the involvement of security forces in extrajudicial killings of civilians, the disappearances of more than 23,000 individuals, and the unresolved forced disappearance of 43 students in Guerrero State in 2014;

Whereas the Governments of the United States and Mexico collaborate on a broad range of initiatives to strengthen the bilateral commercial and economic relationship, including the ongoing High Level Economic Dialogue, launched in 2013 to bring together cabinet officials from both countries to promote economic growth, job creation, a modern and efficient border, and competitiveness;

Whereas the United States and Mexico conducted \$583,600,000,000 in trade in goods and services in 2015, according to the Office of the U.S. Trade Representative;

Whereas Mexico is the United States' second largest export market and third largest trading partner;

Whereas trade with Mexico and Canada supports nearly 14,000,000 United States jobs; and

Whereas United States and Mexican citizens collaborate on a broad range of initiatives to foster entrepreneurship, innovation, and educational exchanges: Now, therefore, be it

Resolved, That the Senate—

(1) reaffirms the strategic partnership between the United States and Mexico, which is vital for the national security and economic well-being of both nations;

(2) supports continued diplomatic, economic, and security cooperation between the United States and Mexico, including undertaking joint efforts to address the common security challenges and opportunities for improved commerce that exist across their nearly 2,000 mile border;

(3) encourages enhanced security cooperation between the United States and Mexican militaries and law enforcement agencies to address common challenges such as counterterrorism and counternarcotics, including the increased trafficking of heroin and fentanyl;

(4) commits to continue the United States Government's partnership with the Government of Mexico to combat the transnational

criminal organizations that are undermining the rule of law in Mexico and projecting their influence in the form of illicit trafficking of weapons, money, people, and drugs across the United States Southern Border;

(5) supports efforts by the Government of Mexico to strengthen the rule of law, reduce corruption, and advance civil and human rights; and

(6) remains committed to a relationship between the United States and Mexico that is based on mutual respect and the promotion of shared democratic values and principles.

SENATE RESOLUTION 103—DESIGNATING MARCH 29, 2017, AS “VIETNAM VETERANS DAY”

Mr. BURR (for himself and Mr. MANCHIN) submitted the following resolution; which was considered and agreed to:

S. RES. 103

Whereas the Vietnam War was fought in the Republic of Vietnam from 1955 to 1975 and involved regular forces from the Democratic Republic of Vietnam and Viet Cong guerrilla forces in armed conflict with the United States Armed Forces, the armed forces of allies of the United States, and the armed forces of the Republic of Vietnam;

Whereas the United States Armed Forces became involved in Vietnam because the United States Government wanted to provide direct support by the Armed Forces to the Government of the Republic of Vietnam to defend against the growing threat of Communism from the Democratic Republic of Vietnam;

Whereas members of the United States Armed Forces began serving in an advisory role to the Government of South Vietnam in 1955;

Whereas as a result of the Gulf of Tonkin incidents on August 2 and 4, 1964, Congress overwhelmingly passed the Gulf of Tonkin Resolution (Public Law 88-408) on August 7, 1964, which provided to the President of the United States the authority to use armed force to assist the Republic of Vietnam in the defense of its freedom against the Democratic Republic of Vietnam;

Whereas, in 1965, United States Armed Forces ground combat units arrived in the Republic of Vietnam to join an already present 23,000 United States Armed Forces personnel;

Whereas, by September 1965, there were between 150,000 and 190,000 United States Armed Forces troops in Vietnam, and by 1969, a peak number of United States Armed Forces troops in Vietnam of approximately 549,500 troops was reached, including United States Armed Forces members supporting the combat operations from Thailand, Cambodia, Laos, and aboard Navy vessels;

Whereas, on January 27, 1973, the Agreement on Ending the War in Vietnam and Restoring Peace (commonly known as the “Paris Peace Accords”) was signed, which required the release of all United States prisoners-of-war held in North Vietnam and the withdrawal of all United States Armed Forces from South Vietnam;

Whereas, on March 29, 1973, the United States Armed Forces completed the withdrawal of combat units and combat support units from South Vietnam;

Whereas, on April 30, 1975, North Vietnamese regular forces captured Saigon, the capital of South Vietnam, effectively placing South Vietnam under Communist control;

Whereas more than 58,000 members of the United States Armed Forces lost their lives in the Vietnam War, and more than 300,000 members of the United States Armed Forces were wounded in Vietnam;

Whereas, in 1982, the Vietnam Veterans Memorial was dedicated in the District of Columbia to commemorate the members of the United States Armed Forces who died or were declared missing-in-action in Vietnam;

Whereas the Vietnam War was an extremely divisive issue among the people of the United States and a conflict that caused a generation of veterans to wait too long for the United States public to acknowledge and honor the efforts and services of those veterans;

Whereas members of the United States Armed Forces who served bravely and faithfully for the United States during the Vietnam War were often wrongly criticized for the decisions of policymakers that were beyond the control of those members of the United States Armed Forces; and

Whereas designating March 29, 2017, as “Vietnam Veterans Day” would be an appropriate way to honor the members of the United States Armed Forces who served in South Vietnam and throughout Southeast Asia during the Vietnam War: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 29, 2017, as “Vietnam Veterans Day”;;

(2) honors and recognizes the contributions of veterans who served in the United States Armed Forces in Vietnam or in support of operations in Vietnam during war and during peace;

(3) encourages States and local governments to designate March 29, 2017, as “Vietnam Veterans Day”; and

(4) encourages the people of the United States to observe Vietnam Veterans Day with appropriate ceremonies and activities that—

(A) provide the appreciation that veterans of the Vietnam War deserve;

(B) demonstrate the resolve that the people of the United States shall never forget the sacrifices and service of a generation of veterans who served in the Vietnam War;

(C) promote awareness of the faithful service and contributions of the veterans of the Vietnam War—

(i) during service in the United States Armed Forces; and

(ii) to the communities of the veterans since returning home;

(D) promote awareness of the importance of entire communities empowering veterans and the families of veterans in helping the veterans readjust to civilian life after service in the United States Armed Forces; and

(E) promote opportunities for veterans of the Vietnam War—

(i) to assist younger veterans returning from the wars in Iraq and Afghanistan in rehabilitation from wounds, both seen and unseen; and

(ii) to support the reintegration of younger veterans into civilian life.

AMENDMENTS SUBMITTED AND PROPOSED

SA 204. Mr. McCONNELL (for Mr. THUNE (for himself, Mr. SCHATZ, and Mr. NELSON)) proposed an amendment to the bill H.R. 353, to improve the National Oceanic and Atmospheric Administration’s weather research through a focused program of investment on affordable and attainable advances in observational, computing, and modeling capabilities

ties to support substantial improvement in weather forecasting and prediction of high impact weather events, to expand commercial opportunities for the provision of weather data, and for other purposes.

SA 205. Mr. McCONNELL (for Ms. CANTWELL) proposed an amendment to amend SA 204 proposed by Mr. McCONNELL (for Mr. THUNE) to the bill H.R. 353, *supra*.

TEXT OF AMENDMENTS

SA 204. Mr. McCONNELL (for Mr. THUNE (for himself, Mr. SCHATZ, and Mr. NELSON)) proposed an amendment to the bill H.R. 353, to improve the National Oceanic and Atmospheric Administration’s weather research through a focused program of investment on affordable and attainable advances in observational, computing, and modeling capabilities to support substantial improvement in weather forecasting and prediction of high impact weather events, to expand commercial opportunities for the provision of weather data, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Weather Research and Forecasting Innovation Act of 2017”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—UNITED STATES WEATHER RESEARCH AND FORECASTING IMPROVEMENT

Sec. 101. Public safety priority.

Sec. 102. Weather research and forecasting innovation.

Sec. 103. Tornado warning improvement and extension program.

Sec. 104. Hurricane forecast improvement program.

Sec. 105. Weather research and development planning.

Sec. 106. Observing system planning.

Sec. 107. Observing system simulation experiments.

Sec. 108. Annual report on computing resources prioritization.

Sec. 109. United States Weather Research program.

Sec. 110. Authorization of appropriations.

TITLE II—SUBSEASONAL AND SEASONAL FORECASTING INNOVATION

Sec. 201. Improving subseasonal and seasonal forecasts.

TITLE III—WEATHER SATELLITE AND DATA INNOVATION

Sec. 301. National Oceanic and Atmospheric Administration satellite and data management.

Sec. 302. Commercial weather data.

Sec. 303. Unnecessary duplication.

TITLE IV—FEDERAL WEATHER COORDINATION

Sec. 401. Environmental Information Services Working Group.

Sec. 402. Interagency weather research and forecast innovation coordination.

Sec. 403. Office of Oceanic and Atmospheric Research and National Weather Service exchange program.

- Sec. 404. Visiting fellows at National Weather Service.
- Sec. 405. Warning coordination meteorologists at weather forecast offices of National Weather Service.
- Sec. 406. Improving National Oceanic and Atmospheric Administration communication of hazardous weather and water events.
- Sec. 407. National Oceanic and Atmospheric Administration Weather Ready All Hazards Award Program.
- Sec. 408. Department of Defense weather forecasting activities.
- Sec. 409. National Weather Service; operations and workforce analysis.
- Sec. 410. Report on contract positions at National Weather Service.
- Sec. 411. Weather impacts to communities and infrastructure.
- Sec. 412. Weather enterprise outreach.
- Sec. 413. Hurricane hunter aircraft.
- Sec. 414. Study on gaps in NEXRAD coverage and recommendations to address such gaps.

SEC. 2. DEFINITIONS.

In this Act:

- (1) **SEASONAL.**—The term “seasonal” means the time range between 3 months and 2 years.
- (2) **STATE.**—The term “State” means a State, a territory, or possession of the United States, including a Commonwealth, or the District of Columbia.
- (3) **SUBSEASONAL.**—The term “subseasonal” means the time range between 2 weeks and 3 months.
- (4) **UNDER SECRETARY.**—The term “Under Secretary” means the Under Secretary of Commerce for Oceans and Atmosphere.
- (5) **WEATHER INDUSTRY AND WEATHER ENTERPRISE.**—The terms “weather industry” and “weather enterprise” are interchangeable in this Act, and include individuals and organizations from public, private, and academic sectors that contribute to the research, development, and production of weather forecast products, and primary consumers of these weather forecast products.

TITLE I—UNITED STATES WEATHER RESEARCH AND FORECASTING IMPROVEMENT

SEC. 101. PUBLIC SAFETY PRIORITY.

In conducting research, the Under Secretary shall prioritize improving weather data, modeling, computing, forecasting, and warnings for the protection of life and property and for the enhancement of the national economy.

SEC. 102. WEATHER RESEARCH AND FORECASTING INNOVATION.

(a) **PROGRAM.**—The Assistant Administrator for the Office of Oceanic and Atmospheric Research shall conduct a program to develop improved understanding of and forecast capabilities for atmospheric events and their impacts, placing priority on developing more accurate, timely, and effective warnings and forecasts of high impact weather events that endanger life and property.

(b) **PROGRAM ELEMENTS.**—The program described in subsection (a) shall focus on the following activities:

- (1) Improving the fundamental understanding of weather consistent with section 101, including the boundary layer and other processes affecting high impact weather events.
- (2) Improving the understanding of how the public receives, interprets, and responds to warnings and forecasts of high impact weather events that endanger life and property.

(3) Research and development, and transfer of knowledge, technologies, and applications to the National Weather Service and other appropriate agencies and entities, including the United States weather industry and academic partners, related to—

(A) advanced radar, radar networking technologies, and other ground-based technologies, including those emphasizing rapid, fine-scale sensing of the boundary layer and lower troposphere, and the use of innovative, dual-polarization, phased-array technologies;

(B) aerial weather observing systems;

(C) high performance computing and information technology and wireless communication networks;

(D) advanced numerical weather prediction systems and forecasting tools and techniques that improve the forecasting of timing, track, intensity, and severity of high impact weather, including through—

(i) the development of more effective mesoscale models;

(ii) more effective use of existing, and the development of new, regional and national cloud-resolving models;

(iii) enhanced global weather models; and

(iv) integrated assessment models;

(E) quantitative assessment tools for measuring the impact and value of data and observing systems, including Observing System Simulation Experiments (as described in section 107), Observing System Experiments, and Analyses of Alternatives;

(F) atmospheric chemistry and interactions essential to accurately characterizing atmospheric composition and predicting meteorological processes, including cloud microphysical, precipitation, and atmospheric electrification processes, to more effectively understand their role in severe weather; and

(G) additional sources of weather data and information, including commercial observing systems.

(4) A technology transfer initiative, carried out jointly and in coordination with the Director of the National Weather Service, and in cooperation with the United States weather industry and academic partners, to ensure continuous development and transition of the latest scientific and technological advances into operations of the National Weather Service and to establish a process to sunset outdated and expensive operational methods and tools to enable cost-effective transfer of new methods and tools into operations.

(c) **EXTRAMURAL RESEARCH.**—

(1) **IN GENERAL.**—In carrying out the program under this section, the Assistant Administrator for Oceanic and Atmospheric Research shall collaborate with and support the non-Federal weather research community, which includes institutions of higher education, private entities, and nongovernmental organizations, by making funds available through competitive grants, contracts, and cooperative agreements.

(2) **SENSE OF CONGRESS.**—It is the sense of Congress that not less than 30 percent of the funds for weather research and development at the Office of Oceanic and Atmospheric Research should be made available for the purpose described in paragraph (1).

(d) **ANNUAL REPORT.**—Each year, concurrent with the annual budget request submitted by the President to Congress under section 1105 of title 31, United States Code, for the National Oceanic and Atmospheric Administration, the Under Secretary shall submit to Congress a description of current and planned activities under this section.

SEC. 103. TORNADO WARNING IMPROVEMENT AND EXTENSION PROGRAM.

(a) **IN GENERAL.**—The Under Secretary, in collaboration with the United States weather industry and academic partners, shall establish a tornado warning improvement and extension program.

(b) **GOAL.**—The goal of such program shall be to reduce the loss of life and economic losses from tornadoes through the development and extension of accurate, effective, and timely tornado forecasts, predictions, and warnings, including the prediction of tornadoes beyond 1 hour in advance.

(c) **PROGRAM PLAN.**—Not later than 180 days after the date of the enactment of this Act, the Assistant Administrator for Oceanic and Atmospheric Research, in coordination with the Director of the National Weather Service, shall develop a program plan that details the specific research, development, and technology transfer activities, as well as corresponding resources and timelines, necessary to achieve the program goal.

(d) **ANNUAL BUDGET FOR PLAN SUBMITTAL.**—Following completion of the plan, the Under Secretary, acting through the Assistant Administrator for Oceanic and Atmospheric Research and in coordination with the Director of the National Weather Service, shall, not less frequently than once each year, submit to Congress a proposed budget corresponding with the activities identified in the plan.

SEC. 104. HURRICANE FORECAST IMPROVEMENT PROGRAM.

(a) **IN GENERAL.**—The Under Secretary, in collaboration with the United States weather industry and such academic entities as the Administrator considers appropriate, shall maintain a project to improve hurricane forecasting.

(b) **GOAL.**—The goal of the project maintained under subsection (a) shall be to develop and extend accurate hurricane forecasts and warnings in order to reduce loss of life, injury, and damage to the economy, with a focus on—

- (1) improving the prediction of rapid intensification and track of hurricanes;
- (2) improving the forecast and communication of storm surges from hurricanes; and
- (3) incorporating risk communication research to create more effective watch and warning products.

(c) **PROJECT PLAN.**—Not later than 1 year after the date of the enactment of this Act, the Under Secretary, acting through the Assistant Administrator for Oceanic and Atmospheric Research and in consultation with the Director of the National Weather Service, shall develop a plan for the project maintained under subsection (a) that details the specific research, development, and technology transfer activities, as well as corresponding resources and timelines, necessary to achieve the goal set forth in subsection (b).

SEC. 105. WEATHER RESEARCH AND DEVELOPMENT PLANNING.

Not later than 1 year after the date of the enactment of this Act, and not less frequently than once each year thereafter, the Under Secretary, acting through the Assistant Administrator for Oceanic and Atmospheric Research and in coordination with the Director of the National Weather Service and the Assistant Administrator for Satellite and Information Services, shall issue a research and development and research to operations plan to restore and maintain United States leadership in numerical weather prediction and forecasting that—

- (1) describes the forecasting skill and technology goals, objectives, and progress of the

National Oceanic and Atmospheric Administration in carrying out the program conducted under section 102;

(2) identifies and prioritizes specific research and development activities, and performance metrics, weighted to meet the operational weather mission of the National Weather Service to achieve a weather-ready Nation;

(3) describes how the program will collaborate with stakeholders, including the United States weather industry and academic partners; and

(4) identifies, through consultation with the National Science Foundation, the United States weather industry, and academic partners, research necessary to enhance the integration of social science knowledge into weather forecast and warning processes, including to improve the communication of threat information necessary to enable improved severe weather planning and decision-making on the part of individuals and communities.

SEC. 106. OBSERVING SYSTEM PLANNING.

The Under Secretary shall—

(1) develop and maintain a prioritized list of observation data requirements necessary to ensure weather forecasting capabilities to protect life and property to the maximum extent practicable;

(2) consistent with section 107, utilize Observing System Simulation Experiments, Observing System Experiments, Analyses of Alternatives, and other appropriate assessment tools to ensure continuous systemic evaluations of the observing systems, data, and information needed to meet the requirements of paragraph (1), including options to maximize observational capabilities and their cost-effectiveness;

(3) identify current and potential future data gaps in observing capabilities related to the requirements listed under paragraph (1); and

(4) determine a range of options to address gaps identified under paragraph (3).

SEC. 107. OBSERVING SYSTEM SIMULATION EXPERIMENTS.

(a) IN GENERAL.—In support of the requirements of section 106, the Assistant Administrator for Oceanic and Atmospheric Research shall undertake Observing System Simulation Experiments, or such other quantitative assessments as the Assistant Administrator considers appropriate, to quantitatively assess the relative value and benefits of observing capabilities and systems. Technical and scientific Observing System Simulation Experiment evaluations—

(1) may include assessments of the impact of observing capabilities on—

(A) global weather prediction;

(B) hurricane track and intensity forecasting;

(C) tornado warning lead times and accuracy;

(D) prediction of mid-latitude severe local storm outbreaks; and

(E) prediction of storms that have the potential to cause extreme precipitation and flooding lasting from 6 hours to 1 week; and

(2) shall be conducted in cooperation with other appropriate entities within the National Oceanic and Atmospheric Administration, other Federal agencies, the United States weather industry, and academic partners to ensure the technical and scientific merit of results from Observing System Simulation Experiments or other appropriate quantitative assessment methodologies.

(b) REQUIREMENTS.—Observing System Simulation Experiments shall quantitatively—

(1) determine the potential impact of proposed space-based, suborbital, and in situ observing systems on analyses and forecasts, including potential impacts on extreme weather events across all parts of the Nation;

(2) evaluate and compare observing system design options; and

(3) assess the relative capabilities and costs of various observing systems and combinations of observing systems in providing data necessary to protect life and property.

(c) IMPLEMENTATION.—Observing System Simulation Experiments—

(1) shall be conducted prior to the acquisition of major Government-owned or Government-leased operational observing systems, including polar-orbiting and geostationary satellite systems, with a lifecycle cost of more than \$500,000,000; and

(2) shall be conducted prior to the purchase of any major new commercially provided data with a lifecycle cost of more than \$500,000,000.

(d) PRIORITY OBSERVING SYSTEM SIMULATION EXPERIMENTS.—

(1) GLOBAL NAVIGATION SATELLITE SYSTEM RADIO OCCULTATION.—Not later than 30 days after the date of the enactment of this Act, the Assistant Administrator for Oceanic and Atmospheric Research shall complete an Observing System Simulation Experiment to assess the value of data from Global Navigation Satellite System Radio Occultation.

(2) GEOSTATIONARY HYPERSPECTRAL SOUNDER GLOBAL CONSTELLATION.—Not later than 120 days after the date of the enactment of this Act, the Assistant Administrator for Oceanic and Atmospheric Research shall complete an Observing System Simulation Experiment to assess the value of data from a geostationary hyperspectral sounder global constellation.

(e) RESULTS.—Upon completion of all Observing System Simulation Experiments, the Assistant Administrator shall make available to the public the results an assessment of related private and public sector weather data sourcing options, including their availability, affordability, and cost-effectiveness. Such assessments shall be developed in accordance with section 50503 of title 51, United States Code.

SEC. 108. ANNUAL REPORT ON COMPUTING RESOURCES PRIORITIZATION.

Not later than 1 year after the date of the enactment of this Act and not less frequently than once each year thereafter, the Under Secretary, acting through the Chief Information Officer of the National Oceanic and Atmospheric Administration and in coordination with the Assistant Administrator for Oceanic and Atmospheric Research and the Director of the National Weather Service, shall produce and make publicly available a report that explains how the Under Secretary intends—

(1) to continually support upgrades to pursue the fastest, most powerful, and cost-effective high performance computing technologies in support of its weather prediction mission;

(2) to ensure a balance between the research to operations requirements to develop the next generation of regional and global models as well as highly reliable operational models;

(3) to take advantage of advanced development concepts to, as appropriate, make next generation weather prediction models available in beta-test mode to operational forecasters, the United States weather industry, and partners in academic and Government research; and

(4) to use existing computing resources to improve advanced research and operational weather prediction.

SEC. 109. UNITED STATES WEATHER RESEARCH PROGRAM.

Section 108 of the Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102-567; 15 U.S.C. 313 note) is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking “; and” and inserting a semicolon;

(B) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(C) by inserting after paragraph (4) the following:

“(5) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives, not less frequently than once each year, a report, including—

“(A) a list of ongoing research projects;

“(B) project goals and a point of contact for each project;

“(C) the five projects related to weather observations, short-term weather, or subseasonal forecasts within Office of Oceanic and Atmospheric Research that are closest to operationalization;

“(D) for each project referred to in subsection (C)—

“(i) the potential benefit;

“(ii) any barrier to operationalization; and

“(iii) the plan for operationalization, including which line office will financially support the project and how much the line office intends to spend;

“(6) establish teams with staff from the Office of Oceanic and Atmospheric Research and the National Weather Service to oversee the operationalization of research products developed by the Office of Oceanic and Atmospheric Research;

“(7) develop mechanisms for research priorities of the Office of Oceanic and Atmospheric Research to be informed by the relevant line offices within the National Oceanic and Atmospheric Administration, the relevant user community, and the weather enterprise;

“(8) develop an internal mechanism to track the progress of each research project within the Office of Oceanic and Atmospheric Research and mechanisms to terminate a project that is not adequately progressing;

“(9) develop and implement a system to track whether extramural research grant goals were accomplished;

“(10) provide facilities for products developed by the Office of Oceanic and Atmospheric Research to be tested in operational simulations, such as test beds; and

“(11) encourage academic collaboration with the Office of Oceanic and Atmospheric Research and the National Weather Service by facilitating visiting scholars.”;

(2) in subsection (b), in the matter preceding paragraph (1), by striking “Not later than 90 days after the date of enactment of this Act, the” and inserting “The”; and

(3) by adding at the end the following new subsection:

“(c) SUBSEASONAL DEFINED.—In this section, the term ‘subseasonal’ means the time range between 2 weeks and 3 months.”.

SEC. 110. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEARS 2017 AND 2018.—For each of fiscal years 2017 and 2018, there are authorized to be appropriated to Office of Oceanic and Atmospheric Research—

(1) \$111,516,000 to carry out this title, of which—

(A) \$85,758,000 is authorized for weather laboratories and cooperative institutes; and

(B) \$25,758,000 is authorized for weather and air chemistry research programs; and

(2) an additional amount of \$20,000,000 for the joint technology transfer initiative described in section 102(b)(4).

(b) **LIMITATION.**—No additional funds are authorized to carry out this title and the amendments made by this title.

TITLE II—SUBSEASONAL AND SEASONAL FORECASTING INNOVATION

SEC. 201. IMPROVING SUBSEASONAL AND SEASONAL FORECASTS.

Section 1762 of the Food Security Act of 1985 (Public Law 99-198; 15 U.S.C. 313 note) is amended—

(1) in subsection (a), by striking “(a)” and inserting “(a) FINDINGS.—”;

(2) in subsection (b), by striking “(b)” and inserting “(b) POLICY.—”;

(3) by adding at the end the following:

“(c) **FUNCTIONS.**—The Under Secretary, acting through the Director of the National Weather Service and the heads of such other programs of the National Oceanic and Atmospheric Administration as the Under Secretary considers appropriate, shall—

“(1) collect and utilize information in order to make usable, reliable, and timely foundational forecasts of subseasonal and seasonal temperature and precipitation;

“(2) leverage existing research and models from the weather enterprise to improve the forecasts under paragraph (1);

“(3) determine and provide information on how the forecasted conditions under paragraph (1) may impact—

“(A) the number and severity of droughts, fires, tornadoes, hurricanes, floods, heat waves, coastal inundation, winter storms, high impact weather, or other relevant natural disasters;

“(B) snowpack; and

“(C) sea ice conditions; and

“(4) develop an Internet clearinghouse to provide the forecasts under paragraph (1) and the information under paragraphs (1) and (3) on both national and regional levels.

“(d) **COMMUNICATION.**—The Director of the National Weather Service shall provide the forecasts under paragraph (1) of subsection (c) and the information on their impacts under paragraph (3) of such subsection to the public, including public and private entities engaged in planning and preparedness, such as National Weather Service Core partners at the Federal, regional, State, tribal, and local levels of government.

“(e) **COOPERATION.**—The Under Secretary shall build upon existing forecasting and assessment programs and partnerships, including—

“(1) by designating research and monitoring activities related to subseasonal and seasonal forecasts as a priority in one or more solicitations of the Cooperative Institutes of the Office of Oceanic and Atmospheric Research;

“(2) by contributing to the interagency Earth System Prediction Capability; and

“(3) by consulting with the Secretary of Defense and the Secretary of Homeland Security to determine the highest priority subseasonal and seasonal forecast needs to enhance national security.

“(f) **FORECAST COMMUNICATION COORDINATORS.**—

“(1) **IN GENERAL.**—The Under Secretary shall foster effective communication, understanding, and use of the forecasts by the intended users of the information described in subsection (d). This may include assistance to States for forecast communication coordi-

nators to enable local interpretation and planning based on the information.

“(2) **REQUIREMENTS.**—For each State that requests assistance under this subsection, the Under Secretary may—

“(A) provide funds to support an individual in that State—

“(i) to serve as a liaison among the National Oceanic and Atmospheric Administration, other Federal departments and agencies, the weather enterprise, the State, and relevant interests within that State; and

“(ii) to receive the forecasts and information under subsection (c) and disseminate the forecasts and information throughout the State, including to county and tribal governments; and

“(B) require matching funds of at least 50 percent, from the State, a university, a non-governmental organization, a trade association, or the private sector.

“(3) **LIMITATION.**—Assistance to an individual State under this subsection shall not exceed \$100,000 in a fiscal year.

“(g) **COOPERATION FROM OTHER FEDERAL AGENCIES.**—Each Federal department and agency shall cooperate as appropriate with the Under Secretary in carrying out this section.

“(h) **REPORTS.**—

“(1) **IN GENERAL.**—Not later than 18 months after the date of the enactment of the Weather Research and Forecasting Innovation Act of 2017, the Under Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report, including—

“(A) an analysis of the how information from the National Oceanic and Atmospheric Administration on subseasonal and seasonal forecasts, as provided under subsection (c), is utilized in public planning and preparedness;

“(B) specific plans and goals for the continued development of the subseasonal and seasonal forecasts and related products described in subsection (c); and

“(C) an identification of research, monitoring, observing, and forecasting requirements to meet the goals described in subparagraph (B).

“(2) **CONSULTATION.**—In developing the report under paragraph (1), the Under Secretary shall consult with relevant Federal, regional, State, tribal, and local government agencies, research institutions, and the private sector.

“(i) **DEFINITIONS.**—In this section:

“(1) **FOUNDATIONAL FORECAST.**—The term ‘foundational forecast’ means basic weather observation and forecast data, largely in raw form, before further processing is applied.

“(2) **NATIONAL WEATHER SERVICE CORE PARTNERS.**—The term ‘National Weather Service core partners’ means government and non-government entities which are directly involved in the preparation or dissemination of, or discussions involving, hazardous weather or other emergency information put out by the National Weather Service.

“(3) **SEASONAL.**—The term ‘seasonal’ means the time range between 3 months and 2 years.

“(4) **STATE.**—The term ‘State’ means a State, a territory, or possession of the United States, including a Commonwealth, or the District of Columbia.

“(5) **SUBSEASONAL.**—The term ‘subseasonal’ means the time range between 2 weeks and 3 months.

“(6) **UNDER SECRETARY.**—The term ‘Under Secretary’ means the Under Secretary of Commerce for Oceans and Atmosphere.

“(7) **WEATHER INDUSTRY AND WEATHER ENTERPRISE.**—The terms ‘weather industry’ and ‘weather enterprise’ are interchangeable in this section and include individuals and organizations from public, private, and academic sectors that contribute to the research, development, and production of weather forecast products, and primary consumers of these weather forecast products.

“(j) **AUTHORIZATION OF APPROPRIATIONS.**—For each of fiscal years 2017 and 2018, there are authorized out of funds appropriated to the National Weather Service, \$26,500,000 to carry out the activities of this section.”.

TITLE III—WEATHER SATELLITE AND DATA INNOVATION

SEC. 301. NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION SATELLITE AND DATA MANAGEMENT.

(a) **SHORT-TERM MANAGEMENT OF ENVIRONMENTAL OBSERVATIONS.**—

(1) **MICROSATELLITE CONSTELLATIONS.**—

(A) **IN GENERAL.**—The Under Secretary shall complete and operationalize the Constellation Observing System for Meteorology, Ionosphere, and Climate-1 and Climate-2 (COSMIC) in effect on the day before the date of the enactment of this Act—

(i) by deploying constellations of microsatellites in both the equatorial and polar orbits;

(ii) by integrating the resulting data and research into all national operational and research weather forecast models; and

(iii) by ensuring that the resulting data of National Oceanic and Atmospheric Administration’s COSMIC-1 and COSMIC-2 programs are free and open to all communities.

(B) **ANNUAL REPORTS.**—Not less frequently than once each year until the Under Secretary has completed and operationalized the program described in subparagraph (A) pursuant to such subparagraph, the Under Secretary shall submit to Congress a report on the status of the efforts of the Under Secretary to carry out such subparagraph.

(2) **INTEGRATION OF OCEAN AND COASTAL DATA FROM THE INTEGRATED OCEAN OBSERVING SYSTEM.**—In National Weather Service Regions where the Director of the National Weather Service determines that ocean and coastal data would improve forecasts, the Director, in consultation with the Assistant Administrator for Oceanic and Atmospheric Research and the Assistant Administrator of the National Ocean Service, shall—

(A) integrate additional coastal and ocean observations, and other data and research, from the Integrated Ocean Observing System (IOOS) into regional weather forecasts to improve weather forecasts and forecasting decision support systems; and

(B) support the development of real-time data sharing products and forecast products in collaboration with the regional associations of such system, including contributions from the private sector, academia, and research institutions to ensure timely and accurate use of ocean and coastal data in regional forecasts.

(3) **EXISTING MONITORING AND OBSERVATION CAPABILITY.**—The Under Secretary shall identify degradation of existing monitoring and observation capabilities that could lead to a reduction in forecast quality.

(4) **SPECIFICATIONS FOR NEW SATELLITE SYSTEMS OR DATA DETERMINED BY OPERATIONAL NEEDS.**—In developing specifications for any satellite systems or data to follow the Joint Polar Satellite System, Geostationary Operational Environmental Satellites, and any other satellites, in effect on the day before the date of enactment of this Act, the Under Secretary shall ensure the specifications are

determined to the extent practicable by the recommendations of the reports under subsection (b) of this section.

(b) INDEPENDENT STUDY ON FUTURE OF NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION SATELLITE SYSTEMS AND DATA.—

(1) AGREEMENT.—

(A) IN GENERAL.—The Under Secretary shall seek to enter into an agreement with the National Academy of Sciences to perform the services covered by this subsection.

(B) TIMING.—The Under Secretary shall seek to enter into the agreement described in subparagraph (A) before September 30, 2018.

(2) STUDY.—

(A) IN GENERAL.—Under an agreement between the Under Secretary and the National Academy of Sciences under this subsection, the National Academy of Sciences shall conduct a study on matters concerning future satellite data needs.

(B) ELEMENTS.—In conducting the study under subparagraph (A), the National Academy of Sciences shall—

(i) develop recommendations on how to make the data portfolio of the Administration more robust and cost-effective;

(ii) assess the costs and benefits of moving toward a constellation of many small satellites, standardizing satellite bus design, relying more on the purchasing of data, or acquiring data from other sources or methods;

(iii) identify the environmental observations that are essential to the performance of weather models, based on an assessment of Federal, academic, and private sector weather research, and the cost of obtaining the environmental data;

(iv) identify environmental observations that improve the quality of operational and research weather models in effect on the day before the date of enactment of this Act;

(v) identify and prioritize new environmental observations that could contribute to existing and future weather models; and

(vi) develop recommendations on a portfolio of environmental observations that balances essential, quality-improving, and new data, private and nonprivate sources, and space-based and Earth-based sources.

(C) DEADLINE AND REPORT.—In carrying out the study under subparagraph (A), the National Academy of Sciences shall complete and transmit to the Under Secretary a report containing the findings of the National Academy of Sciences with respect to the study not later than 2 years after the date on which the Administrator enters into an agreement with the National Academy of Sciences under paragraph (1)(A).

(3) ALTERNATE ORGANIZATION.—

(A) IN GENERAL.—If the Under Secretary is unable within the period prescribed in subparagraph (B) of paragraph (1) to enter into an agreement described in subparagraph (A) of such paragraph with the National Academy of Sciences on terms acceptable to the Under Secretary, the Under Secretary shall seek to enter into such an agreement with another appropriate organization that—

(i) is not part of the Federal Government;

(ii) operates as a not-for-profit entity; and

(iii) has expertise and objectivity comparable to that of the National Academy of Sciences.

(B) TREATMENT.—If the Under Secretary enters into an agreement with another organization as described in subparagraph (A), any reference in this subsection to the National Academy of Sciences shall be treated as a reference to the other organization.

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated, out

of funds appropriated to National Environmental Satellite, Data, and Information Service, to carry out this subsection \$1,000,000 for the period encompassing fiscal years 2018 through 2019.

SEC. 302. COMMERCIAL WEATHER DATA.

(a) DATA AND HOSTED SATELLITE PAYLOADS.—Notwithstanding any other provision of law, the Secretary of Commerce may enter into agreements for—

(1) the purchase of weather data through contracts with commercial providers; and

(2) the placement of weather satellite instruments on cohosted government or private payloads.

(b) STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce, in consultation with the Under Secretary, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a strategy to enable the procurement of quality commercial weather data. The strategy shall assess the range of commercial opportunities, including public-private partnerships, for obtaining surface-based, aviation-based, and space-based weather observations. The strategy shall include the expected cost-effectiveness of these opportunities as well as provide a plan for procuring data, including an expected implementation timeline, from these nongovernmental sources, as appropriate.

(2) REQUIREMENTS.—The strategy shall include—

(A) an analysis of financial or other benefits to, and risks associated with, acquiring commercial weather data or services, including through multiyear acquisition approaches;

(B) an identification of methods to address planning, programming, budgeting, and execution challenges to such approaches, including—

(i) how standards will be set to ensure that data is reliable and effective;

(ii) how data may be acquired through commercial experimental or innovative techniques and then evaluated for integration into operational use;

(iii) how to guarantee public access to all forecast-critical data to ensure that the United States weather industry and the public continue to have access to information critical to their work; and

(iv) in accordance with section 50503 of title 51, United States Code, methods to address potential termination liability or cancellation costs associated with weather data or service contracts; and

(C) an identification of any changes needed in the requirements development and approval processes of the Department of Commerce to facilitate effective and efficient implementation of such strategy.

(3) AUTHORITY FOR AGREEMENTS.—The Assistant Administrator for National Environmental Satellite, Data, and Information Service may enter into multiyear agreements necessary to carry out the strategy developed under this subsection.

(c) PILOT PROGRAM.—

(1) CRITERIA.—Not later than 30 days after the date of the enactment of this Act, the Under Secretary shall publish data and metadata standards and specifications for space-based commercial weather data, including radio occultation data, and, as soon as possible, geostationary hyperspectral sounder data.

(2) PILOT CONTRACTS.—

(A) CONTRACTS.—Not later than 90 days after the date of enactment of this Act, the

Under Secretary shall, through an open competition, enter into at least one pilot contract with one or more private sector entities capable of providing data that meet the standards and specifications set by the Under Secretary for providing commercial weather data in a manner that allows the Under Secretary to calibrate and evaluate the data for its use in National Oceanic and Atmospheric Administration meteorological models.

(B) ASSESSMENT OF DATA VIABILITY.—Not later than the date that is 3 years after the date on which the Under Secretary enters into a contract under subparagraph (A), the Under Secretary shall assess and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives the results of a determination of the extent to which data provided under the contract entered into under subparagraph (A) meet the criteria published under paragraph (1) and the extent to which the pilot program has demonstrated—

(i) the viability of assimilating the commercially provided data into National Oceanic and Atmospheric Administration meteorological models;

(ii) whether, and by how much, the data add value to weather forecasts; and

(iii) the accuracy, quality, timeliness, validity, reliability, usability, information technology security, and cost-effectiveness of obtaining commercial weather data from private sector providers.

(3) AUTHORIZATION OF APPROPRIATIONS.—For each of fiscal years 2017 through 2020, there are authorized to be appropriated for procurement, acquisition, and construction at National Environmental Satellite, Data, and Information Service, \$6,000,000 to carry out this subsection.

(d) OBTAINING FUTURE DATA.—If an assessment under subsection (c)(2)(B) demonstrates the ability of commercial weather data to meet data and metadata standards and specifications published under subsection (c)(1), the Under Secretary shall—

(1) where appropriate, cost-effective, and feasible, obtain commercial weather data from private sector providers;

(2) as early as possible in the acquisition process for any future National Oceanic and Atmospheric Administration meteorological space system, consider whether there is a suitable, cost-effective, commercial capability available or that will be available to meet any or all of the observational requirements by the planned operational date of the system;

(3) if a suitable, cost-effective, commercial capability is or will be available as described in paragraph (2), determine whether it is in the national interest to develop a governmental meteorological space system; and

(4) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report detailing any determination made under paragraphs (2) and (3).

(e) DATA SHARING PRACTICES.—The Under Secretary shall continue to meet the international meteorological agreements into which the Under Secretary has entered, including practices set forth through World Meteorological Organization Resolution 40.

SEC. 303. UNNECESSARY DUPLICATION.

In meeting the requirements under this title, the Under Secretary shall avoid unnecessary duplication between public and private sources of data and the corresponding

expenditure of funds and employment of personnel.

TITLE IV—FEDERAL WEATHER COORDINATION

SEC. 401. ENVIRONMENTAL INFORMATION SERVICES WORKING GROUP.

(a) **ESTABLISHMENT.**—The National Oceanic and Atmospheric Administration Science Advisory Board shall continue to maintain a standing working group named the Environmental Information Services Working Group (in this section referred to as the “Working Group”)—

(1) to provide advice for prioritizing weather research initiatives at the National Oceanic and Atmospheric Administration to produce real improvement in weather forecasting;

(2) to provide advice on existing or emerging technologies or techniques that can be found in private industry or the research community that could be incorporated into forecasting at the National Weather Service to improve forecasting skill;

(3) to identify opportunities to improve—

(A) communications between weather forecasters, Federal, State, local, tribal, and other emergency management personnel, and the public; and

(B) communications and partnerships among the National Oceanic and Atmospheric Administration and the private and academic sectors; and

(4) to address such other matters as the Science Advisory Board requests of the Working Group.

(b) **COMPOSITION.**—

(1) **IN GENERAL.**—The Working Group shall be composed of leading experts and innovators from all relevant fields of science and engineering including atmospheric chemistry, atmospheric physics, meteorology, hydrology, social science, risk communications, electrical engineering, and computer sciences. In carrying out this section, the Working Group may organize into subpanels.

(2) **NUMBER.**—The Working Group shall be composed of no fewer than 15 members. Nominees for the Working Group may be forwarded by the Working Group for approval by the Science Advisory Board. Members of the Working Group may choose a chair (or co-chairs) from among their number with approval by the Science Advisory Board.

(c) **ANNUAL REPORT.**—Not less frequently than once each year, the Working Group shall transmit to the Science Advisory Board for submission to the Under Secretary a report on progress made by National Oceanic and Atmospheric Administration in adopting the Working Group's recommendations. The Science Advisory Board shall transmit this report to the Under Secretary. Within 30 days of receipt of such report, the Under Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a copy of such report.

SEC. 402. INTERAGENCY WEATHER RESEARCH AND FORECAST INNOVATION COORDINATION.

(a) **ESTABLISHMENT.**—The Director of the Office of Science and Technology Policy shall establish an Interagency Committee for Advancing Weather Services to improve coordination of relevant weather research and forecast innovation activities across the Federal Government. The Interagency Committee shall—

(1) include participation by the National Aeronautics and Space Administration, the Federal Aviation Administration, National

Oceanic and Atmospheric Administration and its constituent elements, the National Science Foundation, and such other agencies involved in weather forecasting research as the President determines are appropriate;

(2) identify and prioritize top forecast needs and coordinate those needs against budget requests and program initiatives across participating offices and agencies; and

(3) share information regarding operational needs and forecasting improvements across relevant agencies.

(b) **CO-CHAIR.**—The Federal Coordinator for Meteorology shall serve as a co-chair of this panel.

(c) **FURTHER COORDINATION.**—The Director of the Office of Science and Technology Policy shall take such other steps as are necessary to coordinate the activities of the Federal Government with those of the United States weather industry, State governments, emergency managers, and academic researchers.

SEC. 403. OFFICE OF OCEANIC AND ATMOSPHERIC RESEARCH AND NATIONAL WEATHER SERVICE EXCHANGE PROGRAM.

(a) **IN GENERAL.**—The Assistant Administrator for Oceanic and Atmospheric Research and the Director of National Weather Service may establish a program to detail Office of Oceanic and Atmospheric Research personnel to the National Weather Service and National Weather Service personnel to the Office of Oceanic and Atmospheric Research.

(b) **GOAL.**—The goal of this program is to enhance forecasting innovation through regular, direct interaction between the Office of Oceanic and Atmospheric Research's world-class scientists and the National Weather Service's operational staff.

(c) **ELEMENTS.**—The program shall allow up to 10 Office of Oceanic and Atmospheric Research staff and National Weather Service staff to spend up to 1 year on detail. Candidates shall be jointly selected by the Assistant Administrator for Oceanic and Atmospheric Research and the Director of the National Weather Service.

(d) **ANNUAL REPORT.**—Not less frequently than once each year, the Under Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on participation in such program and shall highlight any innovations that come from this interaction.

SEC. 404. VISITING FELLOWS AT NATIONAL WEATHER SERVICE.

(a) **IN GENERAL.**—The Director of the National Weather Service may establish a program to host postdoctoral fellows and academic researchers at any of the National Centers for Environmental Prediction.

(b) **GOAL.**—This program shall be designed to provide direct interaction between forecasters and talented academic and private sector researchers in an effort to bring innovation to forecasting tools and techniques to the National Weather Service.

(c) **SELECTION AND APPOINTMENT.**—Such fellows shall be competitively selected and appointed for a term not to exceed 1 year.

SEC. 405. WARNING COORDINATION METEOROLOGISTS AT WEATHER FORECAST OFFICES OF NATIONAL WEATHER SERVICE.

(a) **DESIGNATION OF WARNING COORDINATION METEOROLOGISTS.**—

(1) **IN GENERAL.**—The Director of the National Weather Service shall designate at least one warning coordination meteorologist at each weather forecast office of the National Weather Service.

(2) **NO ADDITIONAL EMPLOYEES AUTHORIZED.**—Nothing in this section shall be construed to authorize or require a change in the authorized number of full time equivalent employees in the National Weather Service or otherwise result in the employment of any additional employees.

(3) **PERFORMANCE BY OTHER EMPLOYEES.**—Performance of the responsibilities outlined in this section is not limited to the warning coordination meteorologist position.

(b) **PRIMARY ROLE OF WARNING COORDINATION METEOROLOGISTS.**—The primary role of the warning coordination meteorologist shall be to carry out the responsibilities required by this section.

(c) **RESPONSIBILITIES.**—

(1) **IN GENERAL.**—Subject to paragraph (2), consistent with the analysis described in section 409, and in order to increase impact-based decision support services, each warning coordination meteorologist designated under subsection (a) shall—

(A) be responsible for providing service to the geographic area of responsibility covered by the weather forecast office at which the warning coordination meteorologist is employed to help ensure that users of products of the National Weather Service can respond effectively to improve outcomes from weather events;

(B) liaise with users of products and services of the National Weather Service, such as the public, media outlets, users in the aviation, marine, and agricultural communities, and forestry, land, and water management interests, to evaluate the adequacy and usefulness of the products and services of the National Weather Service;

(C) collaborate with such weather forecast offices and State, local, and tribal government agencies as the Director considers appropriate in developing, proposing, and implementing plans to develop, modify, or tailor products and services of the National Weather Service to improve the usefulness of such products and services;

(D) ensure the maintenance and accuracy of severe weather call lists, appropriate office severe weather policy or procedures, and other severe weather or dissemination methodologies or strategies; and

(E) work closely with State, local, and tribal emergency management agencies, and other agencies related to disaster management, to ensure a planned, coordinated, and effective preparedness and response effort.

(2) **OTHER STAFF.**—The Director may assign a responsibility set forth in paragraph (1) to such other staff as the Director considers appropriate to carry out such responsibility.

(d) **ADDITIONAL RESPONSIBILITIES.**—

(1) **IN GENERAL.**—Subject to paragraph (2), a warning coordination meteorologist designated under subsection (a) may—

(A) work with a State agency to develop plans for promoting more effective use of products and services of the National Weather Service throughout the State;

(B) identify priority community preparedness objectives;

(C) develop plans to meet the objectives identified under paragraph (2); and

(D) conduct severe weather event preparedness planning and citizen education efforts with and through various State, local, and tribal government agencies and other disaster management-related organizations.

(2) **OTHER STAFF.**—The Director may assign a responsibility set forth in paragraph (1) to such other staff as the Director considers appropriate to carry out such responsibility.

(e) **PLACEMENT WITH STATE AND LOCAL EMERGENCY MANAGERS.**—

(1) IN GENERAL.—In carrying out this section, the Director of the National Weather Service may place a warning coordination meteorologist designated under subsection (a) with a State or local emergency manager if the Director considers doing so is necessary or convenient to carry out this section.

(2) TREATMENT.—If the Director determines that the placement of a warning coordination meteorologist placed with a State or local emergency manager under paragraph (1) is near a weather forecast office of the National Weather Service, such placement shall be treated as designation of the warning coordination meteorologist at such weather forecast office for purposes of subsection (a).

SEC. 406. IMPROVING NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMUNICATION OF HAZARDOUS WEATHER AND WATER EVENTS.

(a) PURPOSE OF SYSTEM.—For purposes of the assessment required by subsection (b)(1)(A), the purpose of National Oceanic and Atmospheric Administration system for issuing watches and warnings regarding hazardous weather and water events shall be risk communication to the general public that informs action to prevent loss of life and property.

(b) ASSESSMENT OF SYSTEM.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Under Secretary shall—

(A) assess the National Oceanic and Atmospheric Administration system for issuing watches and warnings regarding hazardous weather and water events; and

(B) submit to Congress a report on the findings of the Under Secretary with respect to the assessment conducted under subparagraph (A).

(2) ELEMENTS.—The assessment required by paragraph (1)(A) shall include the following:

(A) An evaluation of whether the National Oceanic and Atmospheric Administration system for issuing watches and warnings regarding hazardous weather and water events meets the purpose described in subsection (a).

(B) Development of recommendations for—

(i) legislative and administrative action to improve the system described in paragraph (1)(A); and

(ii) such research as the Under Secretary considers necessary to address the focus areas described in paragraph (3).

(3) FOCUS AREAS.—The assessment required by paragraph (1)(A) shall focus on the following:

(A) Ways to communicate the risks posed by hazardous weather or water events to the public that are most likely to result in action to mitigate the risk.

(B) Ways to communicate the risks posed by hazardous weather or water events to the public as broadly and rapidly as practicable.

(C) Ways to preserve the benefits of the existing watches and warnings system.

(D) Ways to maintain the utility of the watches and warnings system for Government and commercial users of the system.

(4) CONSULTATION.—In conducting the assessment required by paragraph (1)(A), the Under Secretary shall—

(A) consult with such line offices within the National Oceanic and Atmospheric Administration as the Under Secretary considers relevant, including the National Ocean Service, the National Weather Service, and the Office of Oceanic and Atmospheric Research;

(B) consult with individuals in the academic sector, including individuals in the

field of social and behavioral sciences, and other weather services;

(C) consult with media outlets that will be distributing the watches and warnings;

(D) consult with non-Federal forecasters that produce alternate severe weather risk communication products;

(E) consult with emergency planners and responders, including State and local emergency management agencies, and other government users of the watches and warnings system, including the Federal Emergency Management Agency, the Office of Personnel Management, the Coast Guard, and such other Federal agencies as the Under Secretary determines rely on watches and warnings for operational decisions; and

(F) make use of the services of the National Academy of Sciences, as the Under Secretary considers necessary and practicable, including contracting with the National Research Council to review the scientific and technical soundness of the assessment required by paragraph (1)(A), including the recommendations developed under paragraph (2)(B).

(5) METHODOLOGIES.—In conducting the assessment required by paragraph (1)(A), the Under Secretary shall use such methodologies as the Under Secretary considers are generally accepted by the weather enterprise, including social and behavioral sciences.

(c) IMPROVEMENTS TO SYSTEM.—

(1) IN GENERAL.—The Under Secretary shall, based on the assessment required by subsection (b)(1)(A), make such recommendations to Congress to improve the system as the Under Secretary considers necessary—

(A) to improve the system for issuing watches and warnings regarding hazardous weather and water events; and

(B) to support efforts to satisfy research needs to enable future improvements to such system.

(2) REQUIREMENTS REGARDING RECOMMENDATIONS.—In carrying out paragraph (1)(A), the Under Secretary shall ensure that any recommendation that the Under Secretary considers a major change—

(A) is validated by social and behavioral science using a generalizable sample;

(B) accounts for the needs of various demographics, vulnerable populations, and geographic regions;

(C) accounts for the differences between types of weather and water hazards;

(D) responds to the needs of Federal, State, and local government partners and media partners; and

(E) accounts for necessary changes to Federally operated watch and warning propagation and dissemination infrastructure and protocols.

(d) WATCHES AND WARNINGS DEFINED.—

(1) IN GENERAL.—Except as provided in paragraph (2), in this section, the terms “watch” and “warning”, with respect to a hazardous weather and water event, mean products issued by the Administration, intended for consumption by the general public, to alert the general public to the potential for or presence of the event and to inform action to prevent loss of life and property.

(2) EXCEPTION.—In this section, the terms “watch” and “warning” do not include technical or specialized meteorological and hydrological forecasts, outlooks, or model guidance products.

SEC. 407. NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION WEATHER READY ALL HAZARDS AWARD PROGRAM.

(a) PROGRAM.—The Director of the National Weather Service is authorized to establish the National Oceanic and Atmospheric Administration Weather Ready All Hazards Award Program. This award program shall provide annual awards to honor individuals or organizations that use or provide National Oceanic and Atmospheric Administration Weather Radio All Hazards receivers or transmitters to save lives and protect property. Individuals or organizations that utilize other early warning tools or applications also qualify for this award.

(b) GOAL.—This award program draws attention to the life-saving work of the National Oceanic and Atmospheric Administration Weather Ready All Hazards Program, as well as emerging tools and applications, that provide real-time warning to individuals and communities of severe weather or other hazardous conditions.

(c) PROGRAM ELEMENTS.—

(1) NOMINATIONS.—Nominations for this award shall be made annually by the Weather Field Offices to the Director of the National Weather Service. Broadcast meteorologists, weather radio manufacturers and weather warning tool and application developers, emergency managers, and public safety officials may nominate individuals or organizations to their local Weather Field Offices, but the final list of award nominees must come from the Weather Field Offices.

(2) SELECTION OF AWARDEES.—Annually, the Director of the National Weather Service shall choose winners of this award whose timely actions, based on National Oceanic and Atmospheric Administration Weather Radio All Hazards receivers or transmitters or other early warning tools and applications, saved lives or property, or demonstrated public service in support of weather or all hazard warnings.

(3) AWARD CEREMONY.—The Director of the National Weather Service shall establish a means of making these awards to provide maximum public awareness of the importance of National Oceanic and Atmospheric Administration Weather Radio, and such other warning tools and applications as are represented in the awards.

SEC. 408. DEPARTMENT OF DEFENSE WEATHER FORECASTING ACTIVITIES.

Not later than 60 days after the date of the enactment of this Act, the Under Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report analyzing the impacts of the proposed Air Force divestiture in the United States Weather Research and Forecasting Model, including—

(1) the impact on—

(A) the United States weather forecasting capabilities;

(B) the accuracy of civilian regional forecasts;

(C) the civilian readiness for traditional weather and extreme weather events in the United States; and

(D) the research necessary to develop the United States Weather Research and Forecasting Model; and

(2) such other analysis relating to the divestiture as the Under Secretary considers appropriate.

SEC. 409. NATIONAL WEATHER SERVICE; OPERATIONS AND WORKFORCE ANALYSIS.

The Under Secretary shall contract or continue to partner with an external organization to conduct a baseline analysis of National Weather Service operations and workforce.

SEC. 410. REPORT ON CONTRACT POSITIONS AT NATIONAL WEATHER SERVICE.

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Under Secretary shall submit to Congress a report on the use of contractors at the National Weather Service for the most recently completed fiscal year.

(b) **CONTENTS.**—The report required by subsection (a) shall include, with respect to the most recently completed fiscal year, the following:

(1) The total number of full-time equivalent employees at the National Weather Service, disaggregated by each equivalent level of the General Schedule.

(2) The total number of full-time equivalent contractors at the National Weather Service, disaggregated by each equivalent level of the General Schedule that most closely approximates their duties.

(3) The total number of vacant positions at the National Weather Service on the day before the date of enactment of this Act, disaggregated by each equivalent level of the General Schedule.

(4) The five most common positions filled by full-time equivalent contractors at the National Weather Service and the equivalent level of the General Schedule that most closely approximates the duties of such positions.

(5) Of the positions identified under paragraph (4), the percentage of full-time equivalent contractors in those positions that have held a prior position at the National Weather Service or another entity in National Oceanic and Atmospheric Administration.

(6) The average full-time equivalent salary for Federal employees at the National Weather Service for each equivalent level of the General Schedule.

(7) The average salary for full-time equivalent contractors performing at each equivalent level of the General Schedule at the National Weather Service.

(8) A description of any actions taken by the Under Secretary to respond to the issues raised by the Inspector General of the Department of Commerce regarding the hiring of former National Oceanic and Atmospheric Administration employees as contractors at the National Weather Service such as the issues raised in the Investigative Report dated June 2, 2015 (OIG–12–0447).

(c) **ANNUAL PUBLICATION.**—For each fiscal year after the fiscal year covered by the report required by subsection (a), the Under Secretary shall, not later than 180 days after the completion of the fiscal year, publish on a publicly accessible Internet website the information described in paragraphs (1) through (8) of subsection (b) for such fiscal year.

SEC. 411. WEATHER IMPACTS TO COMMUNITIES AND INFRASTRUCTURE.

(a) **REVIEW.**—

(1) **IN GENERAL.**—The Director of the National Weather Service shall review existing research, products, and services that meet the specific needs of the urban environment, given its unique physical characteristics and forecasting challenges.

(2) **ELEMENTS.**—The review required by paragraph (1) shall include research, products, and services with the potential to improve modeling and forecasting capabilities,

taking into account factors including varying building heights, impermeable surfaces, lack of tree canopy, traffic, pollution, and inter-building wind effects.

(b) **REPORT AND ASSESSMENT.**—Upon completion of the review required by subsection (a), the Under Secretary shall submit to Congress a report on the research, products, and services of the National Weather Service, including an assessment of such research, products, and services that is based on the review, public comment, and recent publications by the National Academy of Sciences.

SEC. 412. WEATHER ENTERPRISE OUTREACH.

(a) **IN GENERAL.**—The Under Secretary may establish mechanisms for outreach to the weather enterprise—

(1) to assess the weather forecasts and forecast products provided by the National Oceanic and Atmospheric Administration; and

(2) to determine the highest priority weather forecast needs of the community described in subsection (b).

(b) **OUTREACH COMMUNITY.**—In conducting outreach under subsection (a), the Under Secretary shall contact leading experts and innovators from relevant stakeholders, including the representatives from the following:

(1) State or local emergency management agencies.

(2) State agriculture agencies.

(3) Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) and Native Hawaiians (as defined in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517)).

(4) The private aerospace industry.

(5) The private earth observing industry.

(6) The operational forecasting community.

(7) The academic community.

(8) Professional societies that focus on meteorology.

(9) Such other stakeholder groups as the Under Secretary considers appropriate.

SEC. 413. HURRICANE HUNTER AIRCRAFT.

(a) **BACKUP CAPABILITY.**—The Under Secretary shall acquire backup for the capabilities of the WP-3D Orion and G-IV hurricane aircraft of the National Oceanic and Atmospheric Administration that is sufficient to prevent a single point of failure.

(b) **AUTHORITY TO ENTER AGREEMENTS.**—In order to carry out subsection (a), the Under Secretary shall negotiate and enter into 1 or more agreements or contracts, to the extent practicable and necessary, with governmental and non-governmental entities.

(c) **FUTURE TECHNOLOGY.**—The Under Secretary shall continue the development of Airborne Phased Array Radar under the United States Weather Research Program.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—For each of fiscal years 2017 through 2020, support for implementing subsections (a) and (b) is authorized out of funds appropriated to the Office of Marine and Aviation Operations.

SEC. 414. STUDY ON GAPS IN NEXRAD COVERAGE AND RECOMMENDATIONS TO ADDRESS SUCH GAPS.

(a) **STUDY ON GAPS IN NEXRAD COVERAGE.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce shall complete a study on gaps in the coverage of the Next Generation Weather Radar of the National Weather Service (“NEXRAD”).

(2) **ELEMENTS.**—In conducting the study required under paragraph (1), the Secretary shall—

(A) identify areas in the United States where limited or no NEXRAD coverage has resulted in—

(i) instances in which no or insufficient warnings were given for hazardous weather events, including tornadoes; or

(ii) degraded forecasts for hazardous weather events that resulted in fatalities, significant injuries, or substantial property damage; and

(B) for the areas identified under subparagraph (A)—

(i) identify the key weather effects for which prediction would improve with improved radar detection;

(ii) identify additional sources of observations for high impact weather that were available and operational for such areas on the day before the date of the enactment of this Act, including dense networks of x-band radars, Terminal Doppler Weather Radar (commonly known as “TDWR”), air surveillance radars of the Federal Aviation Administration, and cooperative network observers;

(iii) assess the feasibility and advisability of efforts to integrate and upgrade Federal radar capabilities that are not owned or controlled by the National Oceanic and Atmospheric Administration, including radar capabilities of the Federal Aviation Administration and the Department of Defense;

(iv) assess the feasibility and advisability of incorporating State-operated and other non-Federal radars into the operations of the National Weather Service;

(v) identify options to improve hazardous weather detection and forecasting coverage; and

(vi) provide the estimated cost of, and timeline for, each of the options identified under clause (v).

(3) **REPORT.**—Upon the completion of the study required under paragraph (1), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that includes the findings of the Secretary with respect to the study.

(b) **RECOMMENDATIONS TO IMPROVE RADAR COVERAGE.**—Not later than 90 days after the completion of the study under subsection (a)(1), the Secretary of Commerce shall submit to the congressional committees referred to in subsection (a)(3) recommendations for improving hazardous weather detection and forecasting coverage in the areas identified under subsection (a)(2)(A) by integrating additional observation solutions to the extent practicable and meteorologically justified and necessary to protect public safety.

(c) **THIRD-PARTY CONSULTATION REGARDING RECOMMENDATIONS TO IMPROVE RADAR COVERAGE.**—The Secretary of Commerce may seek reviews by, or consult with, appropriate third parties regarding the scientific methodology relating to, and the feasibility and advisability of implementing, the recommendations submitted under subsection (b), including the extent to which warning and forecast services of the National Weather Service would be improved by additional observations.

SA 205. Mr. MCCONNELL (for Ms. CANTWELL) proposed an amendment to amendment SA 204 proposed by Mr. MCCONNELL (for Mr. THUNE) to the bill H.R. 353, to improve the National Oceanic and Atmospheric Administration's weather research through a focused

program of investment on affordable and attainable advances in observational, computing, and modeling capabilities to support substantial improvement in weather forecasting and prediction of high impact weather events, to expand commercial opportunities for the provision of weather data, and for other purposes; as follows:

At the appropriate place, insert the following:

TITLE —TSUNAMI WARNING, EDUCATION, AND RESEARCH ACT OF 2017
SEC. 01. SHORT TITLE.

This title may be cited as the “Tsunami Warning, Education, and Research Act of 2017”.

SEC. 02. REFERENCES TO THE TSUNAMI WARNING AND EDUCATION ACT.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Tsunami Warning and Education Act enacted as title VIII of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Public Law 109-479; 33 U.S.C. 3201 et seq.).

SEC. 03. EXPANSION OF PURPOSES OF TSUNAMI WARNING AND EDUCATION ACT.

Section 803 (33 U.S.C. 3202) is amended—

(1) in paragraph (1), by inserting “research,” after “warnings,”;

(2) by amending paragraph (2) to read as follows:

“(2) to enhance and modernize the existing United States Tsunami Warning System to increase the accuracy of forecasts and warnings, to ensure full coverage of tsunami threats to the United States with a network of detection assets, and to reduce false alarms;”;

(3) by amending paragraph (3) to read as follows:

“(3) to improve and develop standards and guidelines for mapping, modeling, and assessment efforts to improve tsunami detection, forecasting, warnings, notification, mitigation, resiliency, response, outreach, and recovery;”;

(4) by redesignating paragraphs (4), (5), and (6) as paragraphs (5), (6), and (8), respectively;

(5) by inserting after paragraph (3) the following:

“(4) to improve research efforts related to improving tsunami detection, forecasting, warnings, notification, mitigation, resiliency, response, outreach, and recovery;”;

(6) in paragraph (5), as redesignated—

(A) by striking “and increase” and inserting “, increase, and develop uniform standards and guidelines for”; and

(B) by inserting “, including the warning signs of locally generated tsunami” after “approaching”;

(7) in paragraph (6), as redesignated, by striking “, including the Indian Ocean; and” and inserting a semicolon; and

(8) by inserting after paragraph (6), as redesignated, the following:

“(7) to foster resilient communities in the face of tsunami and other similar coastal hazards; and”.

SEC. 04. MODIFICATION OF TSUNAMI FORECASTING AND WARNING PROGRAM.

(a) IN GENERAL.—Subsection (a) of section 804 (33 U.S.C. 3203(a)) is amended by striking “Atlantic Ocean, Caribbean Sea, and Gulf of Mexico region” and inserting “Atlantic

Ocean region, including the Caribbean Sea and the Gulf of Mexico”.

(b) COMPONENTS.—Subsection (b) of section 804 (33 U.S.C. 3203(b)) is amended—

(1) in paragraph (1), by striking “established” and inserting “supported or maintained”;

(2) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively;

(3) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(4) by inserting after paragraph (1) the following:

“(2) to the degree practicable, maintain not less than 80 percent of the Deep-ocean Assessment and Reporting of Tsunamis buoy array at operational capacity to optimize data reliability;”.

(5) by amending paragraph (5), as redesignated by paragraph (3), to read as follows:

“(5) provide tsunami forecasting capability based on models and measurements, including tsunami inundation models and maps for use in increasing the preparedness of communities and safeguarding port and harbor operations, that incorporate inputs, including—

“(A) the United States and global ocean and coastal observing system;

“(B) the global Earth observing system;

“(C) the global seismic network;

“(D) the Advanced National Seismic system;

“(E) tsunami model validation using historical and paleotsunami data;

“(F) digital elevation models and bathymetry; and

“(G) newly developing tsunami detection methodologies using satellites and airborne remote sensing;”.

(6) by amending paragraph (7), as redesignated by paragraph (3), to read as follows:

“(7) include a cooperative effort among the Administration, the United States Geological Survey, and the National Science Foundation under which the Director of the United States Geological Survey and the Director of the National Science Foundation shall—

“(A) provide rapid and reliable seismic information to the Administrator from international and domestic seismic networks; and

“(B) support seismic stations installed before the date of the enactment of the Tsunami Warning, Education, and Research Act of 2017 to supplement coverage in areas of sparse instrumentation;”.

(7) in paragraph (8), as redesignated by paragraph (2)—

(A) by inserting “, including graphical warning products,” after “warnings”;

(B) by inserting “, territories,” after “States”; and

(C) by inserting “and Wireless Emergency Alerts” after “Hazards Program”; and

(8) in paragraph (9), as redesignated by paragraph (2)—

(A) by inserting “provide and” before “allow”; and

(B) by inserting “and commercial and Federal undersea communications cables” after “observing technologies”.

(c) TSUNAMI WARNING SYSTEM.—Subsection (c) of section 804 (33 U.S.C. 3203(c)) is amended to read as follows:

“(c) TSUNAMI WARNING SYSTEM.—The program under this section shall operate a tsunami warning system that—

“(1) is capable of forecasting tsunami, including forecasting tsunami arrival time and inundation estimates, anywhere in the Pacific and Arctic Ocean regions and providing adequate warnings;

“(2) is capable of forecasting and providing adequate warnings, including tsunami arrival time and inundation models where applicable, in areas of the Atlantic Ocean, including the Caribbean Sea and Gulf of Mexico, that are determined—

“(A) to be geologically active, or to have significant potential for geological activity; and

“(B) to pose significant risks of tsunami for States along the coastal areas of the Atlantic Ocean, Caribbean Sea, or Gulf of Mexico; and

“(3) supports other international tsunami forecasting and warning efforts.”.

(d) TSUNAMI WARNING CENTERS.—Subsection (d) of section 804 (33 U.S.C. 3203(d)) is amended to read as follows:

“(d) TSUNAMI WARNING CENTERS.—

“(1) IN GENERAL.—The Administrator shall support or maintain centers to support the tsunami warning system required by subsection (c). The Centers shall include—

“(A) the National Tsunami Warning Center, located in Alaska, which is primarily responsible for Alaska and the continental United States;

“(B) the Pacific Tsunami Warning Center, located in Hawaii, which is primarily responsible for Hawaii, the Caribbean, and other areas of the Pacific not covered by the National Center; and

“(C) any additional forecast and warning centers determined by the National Weather Service to be necessary.

“(2) RESPONSIBILITIES.—The responsibilities of the centers supported or maintained under paragraph (1) shall include the following:

“(A) Continuously monitoring data from seismological, deep ocean, coastal sea level, and tidal monitoring stations and other data sources as may be developed and deployed.

“(B) Evaluating earthquakes, landslides, and volcanic eruptions that have the potential to generate tsunami.

“(C) Evaluating deep ocean buoy data and tidal monitoring stations for indications of tsunami resulting from earthquakes and other sources.

“(D) To the extent practicable, utilizing a range of models, including ensemble models, to predict tsunami, including arrival times, flooding estimates, coastal and harbor currents, and duration.

“(E) Using data from the Integrated Ocean Observing System of the Administration in coordination with regional associations to calculate new inundation estimates and periodically update existing inundation estimates.

“(F) Disseminating forecasts and tsunami warning bulletins to Federal, State, tribal, and local government officials and the public.

“(G) Coordinating with the tsunami hazard mitigation program conducted under section 805 to ensure ongoing sharing of information between forecasters and emergency management officials.

“(H) In coordination with the Commandant of the Coast Guard and the Administrator of the Federal Emergency Management Agency, evaluating and recommending procedures for ports and harbors at risk of tsunami inundation, including review of readiness, response, and communication strategies, and data sharing policies, to the maximum extent practicable.

“(I) Making data gathered under this Act and post-warning analyses conducted by the National Weather Service or other relevant Administration offices available to the public.

“(J) Integrating and modernizing the program operated under this section with advances in tsunami science to improve performance without compromising service.

“(3) **FAIL-SAFE WARNING CAPABILITY.**—The tsunami warning centers supported or maintained under paragraph (1) shall maintain a fail-safe warning capability and perform back-up duties for each other.

“(4) **COORDINATION WITH NATIONAL WEATHER SERVICE.**—The Administrator shall coordinate with the forecast offices of the National Weather Service, the centers supported or maintained under paragraph (1), and such program offices of the Administration as the Administrator or the coordinating committee, as established in section 805(d), consider appropriate to ensure that regional and local forecast offices—

“(A) have the technical knowledge and capability to disseminate tsunami warnings for the communities they serve;

“(B) leverage connections with local emergency management officials for optimally disseminating tsunami warnings and forecasts; and

“(C) implement mass communication tools in effect on the day before the date of the enactment of the Tsunami Warning, Education, and Research Act of 2017 used by the National Weather Service on such date and newer mass communication technologies as they are developed as a part of the Weather-Ready Nation program of the Administration, or otherwise, for the purpose of timely and effective delivery of tsunami warnings.

“(5) **UNIFORM OPERATING PROCEDURES.**—The Administrator shall—

“(A) develop uniform operational procedures for the centers supported or maintained under paragraph (1), including the use of software applications, checklists, decision support tools, and tsunami warning products that have been standardized across the program supported under this section;

“(B) ensure that processes and products of the warning system operated under subsection (c)—

“(i) reflect industry best practices when practicable;

“(ii) conform to the maximum extent practicable with internationally recognized standards for information technology; and

“(iii) conform to the maximum extent practicable with other warning products and practices of the National Weather Service;

“(C) ensure that future adjustments to operational protocols, processes, and warning products—

“(i) are made consistently across the warning system operated under subsection (c); and

“(ii) are applied in a uniform manner across such warning system;

“(D) establish a systematic method for information technology product development to improve long-term technology planning efforts; and

“(E) disseminate guidelines and metrics for evaluating and improving tsunami forecast models.

“(6) **AVAILABLE RESOURCES.**—The Administrator, through the National Weather Service, shall ensure that resources are available to fulfill the obligations of this Act. This includes ensuring supercomputing resources are available to run, as rapidly as possible, such computer models as are needed for purposes of the tsunami warning system operated under subsection (c).”

(e) **TRANSFER OF TECHNOLOGY; MAINTENANCE AND UPGRADES.**—Subsection (e) of section 804 (33 U.S.C. 3203(e)) is amended to read as follows:

“(e) **TRANSFER OF TECHNOLOGY; MAINTENANCE AND UPGRADES.**—In carrying out this section, the Administrator shall—

“(1) develop requirements for the equipment used to forecast tsunami, including—

“(A) provisions for multipurpose detection platforms;

“(B) reliability and performance metrics; and

“(C) to the maximum extent practicable, requirements for the integration of equipment with other United States and global ocean and coastal observation systems, the global Earth observing system of systems, the global seismic networks, and the Advanced National Seismic System;

“(2) develop and execute a plan for the transfer of technology from ongoing research conducted as part of the program supported or maintained under section 6 into the program under this section; and

“(3) ensure that the Administration’s operational tsunami detection equipment is properly maintained.”

(f) **FEDERAL COOPERATION.**—Subsection (f) of section 804 (33 U.S.C. 3203(f)) is amended to read as follows:

“(f) **FEDERAL COOPERATION.**—When deploying and maintaining tsunami detection technologies under the program under this section, the Administrator shall—

“(1) identify which assets of other Federal agencies are necessary to support such program; and

“(2) work with each agency identified under paragraph (1)—

“(A) to acquire the agency’s assistance; and

“(B) to prioritize the necessary assets in support of the tsunami forecast and warning program.”

(g) **UNNECESSARY PROVISIONS.**—Section 804 (33 U.S.C. 3203) is further amended—

(1) by striking subsection (g);

(2) by striking subsections (i) through (k); and

(3) by redesignating subsection (h) as subsection (g).

(h) **CONGRESSIONAL NOTIFICATIONS.**—Subsection (g) of section 804 (33 U.S.C. 3203(g)), as redesignated by subsection (g)(3), is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and moving such subparagraphs 2 ems to the right;

(2) in the matter before subparagraph (A), as redesignated by paragraph (2), by striking “The Administrator” and inserting the following:

“(1) **IN GENERAL.**—The Administrator”;

(3) in paragraph (1), as redesignated by paragraph (3)—

(A) in subparagraph (A), as redesignated by paragraph (2), by striking “and” at the end;

(B) in subparagraph (B), as redesignated by paragraph (2), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(C) the occurrence of a significant tsunami warning.”; and

(4) by adding at the end the following:

“(2) **CONTENTS.**—In a case in which notice is submitted under paragraph (1) within 30 days of a significant tsunami warning described in subparagraph (C) of such paragraph, such notice shall include, as appropriate, brief information and analysis of—

“(A) the accuracy of the tsunami model used;

“(B) the specific deep ocean or other monitoring equipment that detected the incident, as well as the deep ocean or other monitoring equipment that did not detect the incident due to malfunction or other reasons;

“(C) the effectiveness of the warning communication, including the dissemination of warnings with State, territory, local, and tribal partners in the affected area under the jurisdiction of the National Weather Service; and

“(D) such other findings as the Administrator considers appropriate.”

SEC. 05. MODIFICATION OF NATIONAL TSUNAMI HAZARD MITIGATION PROGRAM.

(a) **IN GENERAL.**—Section 805(a) (33 U.S.C. 3204(a)) is amended to read as follows:

“(a) **PROGRAM REQUIRED.**—The Administrator, in coordination with the Administrator of the Federal Emergency Management Agency and the heads of such other agencies as the Administrator considers relevant, shall conduct a community-based tsunami hazard mitigation program to improve tsunami preparedness and resiliency of at-risk areas in the United States and the territories of the United States.”

(b) **NATIONAL TSUNAMI HAZARD MITIGATION PROGRAM.**—Section 805 (33 U.S.C. 3204) is amended by striking subsections (c) and (d) and inserting the following:

“(c) **PROGRAM COMPONENTS.**—The Program conducted under subsection (a) shall include the following:

“(1) Technical and financial assistance to coastal States, territories, tribes, and local governments to develop and implement activities under this section.

“(2) Integration of tsunami preparedness and mitigation programs into ongoing State-based hazard warning, resilience planning, and risk management activities, including predisaster planning, emergency response, evacuation planning, disaster recovery, hazard mitigation, and community development and redevelopment planning programs in affected areas.

“(3) Coordination with other Federal preparedness and mitigation programs to leverage Federal investment, avoid duplication, and maximize effort.

“(4) Activities to promote the adoption of tsunami resilience, preparedness, warning, and mitigation measures by Federal, State, territorial, tribal, and local governments and nongovernmental entities, including educational and risk communication programs to discourage development in high-risk areas.

“(5) Activities to support the development of regional tsunami hazard and risk assessments. Such regional risk assessments may include the following:

“(A) The sources, sizes, and other relevant historical data of tsunamis in the region, including paleotsunami data.

“(B) Inundation models and maps of critical infrastructure and socioeconomic vulnerability in areas subject to tsunami inundation.

“(C) Maps of evacuation areas and evacuation routes, including, when appropriate, traffic studies that evaluate the viability of evacuation routes.

“(D) Evaluations of the size of populations that will require evacuation, including populations with special evacuation needs.

“(E) Evaluations and technical assistance for vertical evacuation structure planning for communities where models indicate limited or no ability for timely evacuation, especially in areas at risk of near shore generated tsunami.

“(F) Evaluation of at-risk ports and harbors.

“(G) Evaluation of the effect of tsunami currents on the foundations of closely-spaced, coastal high-rise structures.

“(6) Activities to promote preparedness in at-risk ports and harbors, including the following:

“(A) Evaluation and recommendation of procedures for ports and harbors in the event of a distant or near-field tsunami.

“(B) A review of readiness, response, and communication strategies to ensure coordination and data sharing with the Coast Guard.

“(7) Activities to support the development of community-based outreach and education programs to ensure community readiness and resilience, including the following:

“(A) The development, implementation, and assessment of technical training and public education programs, including education programs that address unique characteristics of distant and near-field tsunami.

“(B) The development of decision support tools.

“(C) The incorporation of social science research into community readiness and resilience efforts.

“(D) The development of evidence-based education guidelines.

“(8) Dissemination of guidelines and standards for community planning, education, and training products, programs, and tools, including—

“(A) standards for—

“(i) mapping products;

“(ii) inundation models; and

“(iii) effective emergency exercises; and

“(B) recommended guidance for at-risk port and harbor tsunami warning, evacuation, and response procedures in coordination with the Coast Guard and the Federal Emergency Management Agency.

“(d) AUTHORIZED ACTIVITIES.—In addition to activities conducted under subsection (c), the program conducted under subsection (a) may include the following:

“(1) Multidisciplinary vulnerability assessment research, education, and training to help integrate risk management and resilience objectives with community development planning and policies.

“(2) Risk management training for local officials and community organizations to enhance understanding and preparedness.

“(3) In coordination with the Federal Emergency Management Agency, interagency, Federal, State, tribal, and territorial intergovernmental tsunami response exercise planning and implementation in high risk areas.

“(4) Development of practical applications for existing or emerging technologies, such as modeling, remote sensing, geospatial technology, engineering, and observing systems, including the integration of tsunami sensors into Federal and commercial submarine telecommunication cables if practicable.

“(5) Risk management, risk assessment, and resilience data and information services, including—

“(A) access to data and products derived from observing and detection systems; and

“(B) development and maintenance of new integrated data products to support risk management, risk assessment, and resilience programs.

“(6) Risk notification systems that coordinate with and build upon existing systems and actively engage decisionmakers, State, local, tribal, and territorial governments and agencies, business communities, nongovernmental organizations, and the media.

“(e) NO PREEMPTION WITH RESPECT TO DESIGNATION OF AT-RISK AREAS.—The establishment of national standards for inundation models under this section shall not prevent

States, territories, tribes, and local governments from designating additional areas as being at risk based on knowledge of local conditions.

“(f) NO NEW REGULATORY AUTHORITY.—Nothing in this Act may be construed as establishing new regulatory authority for any Federal agency.”.

(C) REPORT ON ACCREDITATION OF TSUNAMIREADY PROGRAM.—Not later than 180 days after the date of enactment of this Act, the Administrator of the National Oceanic and Atmospheric Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on which authorities and activities would be needed to have the TsunamiReady program of the National Weather Service accredited by the Emergency Management Accreditation Program.

SEC. 06. MODIFICATION OF TSUNAMI RESEARCH PROGRAM.

Section 806 (33 U.S.C. 3205) is amended—

(1) in the matter before paragraph (1), by striking “The Administrator shall” and all that follows through “establish or maintain” and inserting the following:

“(a) IN GENERAL.—The Administrator shall, in consultation with such other Federal agencies, State, tribal, and territorial governments, and academic institutions as the Administrator considers appropriate, the coordinating committee under section 805(d), and the panel under section 808(a), support or maintain”;

(2) in subsection (a), as designated by paragraph (1), by striking “and assessment for tsunami tracking and numerical forecast modeling. Such research program shall—” and inserting the following: “assessment for tsunami tracking and numerical forecast modeling, and standards development.

“(b) RESPONSIBILITIES.—The research program supported or maintained under subsection (a) shall—”; and

(3) in subsection (b), as designated by paragraph (2)—

(A) by amending paragraph (1) to read as follows:

“(1) consider other appropriate and cost effective solutions to mitigate the impact of tsunami, including the improvement of near-field and distant tsunami detection and forecasting capabilities, which may include use of a new generation of the Deep-ocean Assessment and Reporting of Tsunamis array, integration of tsunami sensors into commercial and Federal telecommunications cables, and other real-time tsunami monitoring systems and supercomputer capacity of the Administration to develop a rapid tsunami forecast for all United States coastlines;”;

(B) in paragraph (3)—

(i) by striking “include” and inserting “conduct”; and

(ii) by striking “and” at the end;

(C) by redesignating paragraph (4) as paragraph (5);

(D) by inserting after paragraph (3) the following:

“(4) develop the technical basis for validation of tsunami maps, numerical tsunami models, digital elevation models, and forecasts; and”;

(E) in paragraph (5), as redesignated by subparagraph (C), by striking “to the scientific community” and inserting “to the public and the scientific community”.

SEC. 07. GLOBAL TSUNAMI WARNING AND MITIGATION NETWORK.

Section 807 (33 U.S.C. 3206) is amended—

(1) by amending subsection (a) to read as follows:

“(a) SUPPORT FOR DEVELOPMENT OF AN INTERNATIONAL TSUNAMI WARNING SYSTEM.—The Administrator shall, in coordination with the Secretary of State and in consultation with such other agencies as the Administrator considers relevant, provide technical assistance, operational support, and training to the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific, and Cultural Organization of the United Nations, and such other international entities as the Administrator considers appropriate, as part of the international efforts to develop a fully functional global tsunami forecast and warning system comprised of regional tsunami warning networks.”;

(2) in subsection (b), by striking “shall” each place it appears and inserting “may”; and

(3) in subsection (c)—

(A) in paragraph (1), by striking “establishing” and inserting “supporting”; and

(B) in paragraph (2)—

(i) by striking “establish” and inserting “support”; and

(ii) by striking “establishing” and inserting “supporting”.

SEC. 08. TSUNAMI SCIENCE AND TECHNOLOGY ADVISORY PANEL.

(a) IN GENERAL.—The Act is further amended—

(1) by redesignating section 808 (33 U.S.C. 3207) as section 809; and

(2) by inserting after section 807 (33 U.S.C. 3206) the following:

“SEC. 808. TSUNAMI SCIENCE AND TECHNOLOGY ADVISORY PANEL.

“(a) DESIGNATION.—The Administrator shall designate an existing working group within the Science Advisory Board of the Administration to serve as the Tsunami Science and Technology Advisory Panel to provide advice to the Administrator on matters regarding tsunami science, technology, and regional preparedness.

“(b) MEMBERSHIP.—

“(1) COMPOSITION.—The Panel shall be composed of no fewer than 7 members selected by the Administrator from among individuals from academia or State agencies who have academic or practical expertise in physical sciences, social sciences, information technology, coastal resilience, emergency management, or such other disciplines as the Administrator considers appropriate.

“(2) FEDERAL EMPLOYMENT.—No member of the Panel may be a Federal employee.

“(c) RESPONSIBILITIES.—Not less frequently than once every 4 years, the Panel shall—

“(1) review the activities of the Administration, and other Federal activities as appropriate, relating to tsunami research, detection, forecasting, warning, mitigation, resiliency, and preparation; and

“(2) submit to the Administrator and such others as the Administrator considers appropriate—

“(A) the findings of the working group with respect to the most recent review conducted under paragraph (1); and

“(B) such recommendations for legislative or administrative action as the working group considers appropriate to improve Federal tsunami research, detection, forecasting, warning, mitigation, resiliency, and preparation.

“(d) REPORTS TO CONGRESS.—Not less frequently than once every 4 years, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Science,

Space, and Technology of the House of Representatives a report on the findings and recommendations received by the Administrator under subsection (c)(2)."

(b) **TABLE OF CONTENTS AMENDMENT.**—The table of contents in section 1(b) of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Public Law 109-479; 120 Stat. 3575) is amended by striking the item relating to section 808 and inserting the following:

"Sec. 808. Tsunami Science and Technology Advisory Panel.

"Sec. 809. Authorization of appropriations."

SEC. 09. REPORTS.

(a) **REPORT ON IMPLEMENTATION OF TSUNAMI WARNING AND EDUCATION ACT.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, the Administrator of the National Oceanic and Atmospheric Administration shall submit to Congress a report on the implementation of the Tsunami Warning and Education Act enacted as title VIII of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Public Law 109-479; 33 U.S.C. 3201 et seq.), as amended by this Act.

(2) **ELEMENTS.**—The report required by paragraph (1) shall include the following:

(A) A detailed description of the progress made in implementing sections 804(d)(6), 805(b), and 806(b)(4) of the Tsunami Warning and Education Act the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Public Law 109-479; 33 U.S.C. 3201 et seq.).

(B) A description of the ways that tsunami warnings and warning products issued by the Tsunami Forecasting and Warning Program established under section 804 of the Tsunami Warning and Education Act (33 U.S.C. 3203), as amended by this Act, may be standardized and streamlined with warnings and warning products for hurricanes, coastal storms, and other coastal flooding events.

(b) **REPORT ON NATIONAL EFFORTS THAT SUPPORT RAPID RESPONSE FOLLOWING NEAR-SHORE TSUNAMI EVENTS.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, the Administrator and the Secretary of Homeland Security shall jointly, in coordination with the Director of the United States Geological Survey, Administrator of the Federal Emergency Management Agency, the Chief of the National Guard Bureau, and the heads of such other Federal agencies as the Administrator considers appropriate, submit to the appropriate committees of Congress a report on the national efforts in effect on the day before the date of the enactment of this Act that support and facilitate rapid emergency response following a domestic near-shore tsunami event to better understand domestic effects of earthquake derived tsunami on people, infrastructure, and communities in the United States.

(2) **ELEMENTS.**—The report required by paragraph (1) shall include the following:

(A) A description of scientific or other measurements collected on the day before the date of the enactment of this Act to quickly identify and quantify lost or degraded infrastructure or terrestrial formations.

(B) A description of scientific or other measurements that would be necessary to collect to quickly identify and quantify lost or degraded infrastructure or terrestrial formations.

(C) Identification and evaluation of Federal, State, local, tribal, territorial, and military first responder and search and res-

cue operation centers, bases, and other facilities as well as other critical response assets and infrastructure, including search and rescue aircraft, located within near-shore and distant tsunami inundation areas on the day before the date of the enactment of this Act.

(D) An evaluation of near-shore tsunami response plans in areas described in subparagraph (C) in effect on the day before the date of the enactment of this Act, and how those response plans would be affected by the loss of search and rescue and first responder infrastructure described in such subparagraph.

(E) A description of redevelopment plans and reports in effect on the day before the date of the enactment of this Act for communities in areas that are at high-risk for near-shore tsunami, as well identification of States or communities that do not have redevelopment plans.

(F) Recommendations to enhance near-shore tsunami preparedness and response plans, including recommended responder exercises, predisaster planning, and mitigation needs.

(G) Such other data and analysis information as the Administrator and the Secretary of Homeland Security consider appropriate.

(3) **APPROPRIATE COMMITTEES OF CONGRESS.**—In this subsection, the term "appropriate committees of Congress" means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Science, Space, and Technology, the Committee on Homeland Security, and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

Section 809 of the Act, as redesignated by section 08(a)(1) of this Act, is amended—

(1) in paragraph (4)(B), by striking "and" at the end;

(2) in paragraph (5)(B), by striking the period at the end and inserting "and"; and

(3) by adding at the end the following:

"(6) \$25,800,000 for each of fiscal years 2016 through 2021, of which—

"(A) not less than 27 percent of the amount appropriated for each fiscal year shall be for activities conducted at the State level under the tsunami hazard mitigation program under section 805; and

"(B) not less than 8 percent of the amount appropriated shall be for the tsunami research program under section 806."

SEC. 11. OUTREACH RESPONSIBILITIES.

The Administrator of the National Oceanic and Atmospheric Administration, in coordination with State and local emergency managers, shall develop and carry out formal outreach activities to improve tsunami education and awareness and foster the development of resilient communities. Outreach activities may include—

(1) the development of outreach plans to ensure the close integration of tsunami warning centers supported or maintained under section 804(d) of the Tsunami Warning and Education Act (33 U.S.C. 3203(d)), as amended by this Act, with local Weather Forecast Offices of the National Weather Service and emergency managers;

(2) working with appropriate local Weather Forecast Offices to ensure they have the technical knowledge and capability to disseminate tsunami warnings to the communities they serve; and

(3) evaluating the effectiveness of warnings and of coordination with local Weather Forecast Offices after significant tsunami events.

SEC. 12. REPEAL OF DUPLICATE PROVISIONS OF LAW.

(a) **REPEAL.**—The Tsunami Warning and Education Act enacted by Public Law 109-424 (120 Stat. 2902) is repealed.

(b) **CONSTRUCTION.**—Nothing in this section may be construed to repeal, or affect in any way, the Tsunami Warning and Education Act enacted as title VIII of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Public Law 109-479; 33 U.S.C. 3201 et seq.).

AUTHORITY FOR COMMITTEES TO MEET

Mr. HELLER. Mr. President, I have 15 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry, is authorized to meet during the session of the Senate on March 29, 2017 following the first roll call vote to vote on the nomination of George "Sonny" Perdue, of Georgia, to be Secretary of Agriculture.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Wednesday, March 29, 2017, at 10 a.m. in room SD-G50 of the Dirksen Senate Office Building.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Wednesday, March 29, 2017, at 2:30 p.m. in room SD-G50 of the Dirksen Senate Office Building, to hold a hearing on the Nomination of the Jeffrey A. Rosen.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, March 29, 2017, at 10 a.m., in room 406 of the Dirksen Senate office building, to conduct a hearing entitled, "Cleaning up our nation's Cold War legacy sites."

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, March 29, 2017, in room 628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a hearing on "Native Youth: Promoting Diabetes Prevention Through Healthy Living."

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session

of the Senate on Wednesday, March 29, 2017, in room 628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a business meeting.

COMMITTEE ON SMALL BUSINESS AND
ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship is authorized to meet during the session of the Senate Wednesday, March 29, 2017 at 3 p.m. in 428A Russell Senate Office Building to conduct a hearing entitled Examining How Small Businesses Confront and Shape Regulations.

COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Wednesday, March 29, 2017 to conduct a hearing entitled "The Arc of Alzheimer's" in room 106 of the Dirksen Senate Office Building at 2:30 p.m.

SELECT COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Wednesday, March 29, 2017 from 12 p.m., in room SH-219 of the Senate Hart Office Building.

SUBCOMMITTEE ON AIRLAND

The Subcommittee on Airland of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, March 29, 2017, at 3:30 p.m.

SUBCOMMITTEE ON EMERGING THREATS AND
CAPABILITIES

The Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, March 29, 2017, at 10 a.m. in open session.

SUBCOMMITTEE ON READINESS AND
MANAGEMENT SUPPORT

The Subcommittee on Readiness and Management Support of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, March 29, 2017, at 2:15 p.m., in open session.

SUBCOMMITTEE ON FEDERAL SPENDING
OVERSIGHT AND EMERGENCY MANAGEMENT

The Subcommittee on Federal Spending Oversight and Emergency Management of the Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, March 29, 2017, at 2:30 p.m. to conduct a hearing entitled "The Effect of Borrowing on Federal Spending."

SUBCOMMITTEE ON EAST ASIA, THE PACIFIC, AND
INTERNATIONAL CYBERSECURITY

The Committee on Foreign Relations Subcommittee on East Asia, The Pacific, and International Cybersecurity Policy is authorized to meet during the session of the Senate on Wednesday, March 29, 2017, at 2:15 p.m., to hold a hearing entitled "American Leadership in the Asia-Pacific, Part 1: Security Issues."

SUBCOMMITTEE ON WESTERN HEMISPHERE

The Committee on Foreign Relations subcommittee on Western Hemisphere

is authorized to meet during the session of the Senate on Wednesday, March 29, 2017, at 10:15 a.m., to hold a hearing entitled "The U.S.-Mexico Relationship: Advancing Security and Prosperity on Both Sides of the Border."

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that Dara Greene, my intern, be granted privileges of the floor for the balance of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, pursuant to Public Law 101-509, the reappointment of the following individual to serve as a member of the Advisory Committee on the Records of Congress: Deborah Skaggs Speth of Kentucky.

NATIONAL ASBESTOS AWARENESS
WEEK

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 98 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 98) designating the first week of April 2017 as "National Asbestos Awareness Week."

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 98) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 27, 2017, under "Submitted Resolutions.")

VIETNAM VETERANS DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 103, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 103) designating March 29, 2017, as "Vietnam Veterans Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 103) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

WEATHER RESEARCH AND FORE-
CASTING INNOVATION ACT OF
2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 353, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 353) to improve the National Oceanic and Atmospheric Administration's weather research through a focused program of investment on affordable and attainable advances in observational, computing, and modeling capabilities to support substantial improvement in weather forecasting and prediction of high impact weather events, to expand commercial opportunities for the provision of weather data, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. NELSON. Mr. President, for years, I have been working to make sure that the National Oceanic and Atmospheric Administration has reliable tools to forecast hurricanes. Today the Senate will come together on legislation to get us closer to that goal. In May 2016, just before the start of hurricane season, the Commerce Committee held a hearing on preparedness. At that hearing, I asked the then-Director of the National Hurricane Center, Dr. Rick Knabb, about the fact that NOAA has two P3 propeller aircraft that fly into the storm, but only the one Gulfstream jet that can fly high enough and long enough to get above the storm. Flying above the storm is critical because the scientists drop sondes out of the belly of the aircraft that fall through the storm sending measurements of the entire vertical profile. This is vital to telling us where the storm is headed and whether it is weakening or strengthening.

Having only one Gulfstream is a single point of failure because, if the plane is out of commission, we do not

have a backup ready to go. Unfortunately, my fears were realized a few short months later. During a Hurricane Hermine reconnaissance mission, NOAA had to ground the Gulfstream for emergency corrosion repairs. Luckily, a plane owned by the National Science Foundation and the University Corporation for Atmospheric Research was not on a mission at the time and was able to fill in for the NOAA Gulfstream, but you can imagine that this will not always be the case. While the hurricane season seems to be getting longer, the NOAA plane is getting older. We must have a reliable backup. So, in January, I filed S. 153, legislation to require NOAA to acquire sufficient backup capability for our hurricane hunter aircraft. I am pleased today that the Senate will unanimously pass this measure as part of a broader weather bill.

I take comfort that even in times of great divisiveness, the Senate can come together on matters of public safety. The power of Mother Nature must be taken seriously. Consider the flooding in California or the devastating tornadoes that hit Louisiana, Georgia, and Florida early this year. In 2016, Hurricane Matthew took 46 lives in the United States alone. In addition to requiring backup capability for the hurricane hunters, the broader bill we will pass tonight, the Weather Research and Forecasting Innovation Act, will improve NOAA's ability to understand, predict, and—most importantly—to warn people about all kinds of weather events that dramatically affect the economy and people's daily lives. It also includes a reauthorization of the Tsunami Warning, Education, and Research Act. These provisions will give NOAA the tools to protect life and property and to support continued economic growth. It is my hope that the House follows suit.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Thune substitute amendment at the desk be considered; the Cantwell amendment at the desk be considered and agreed to; the Thune substitute amendment, as amended, be agreed to; the bill, as amended, be considered read a third time and passed; and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 204) in the nature of a substitute was considered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The amendment (No. 205) was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The amendment (No. 204), as amended, was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 353), as amended, was passed.

ORDERS FOR THURSDAY, MARCH 30, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, March 30; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate resume consideration of H.J. Res. 67, with all debate time being expired; finally, that the joint resolution be read a third time, and the Senate vote on passage of the joint resolution with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator MURKOWSKI.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alaska.

ALASKA'S SESQUICENTENNIAL

Ms. MURKOWSKI. Mr. President, I have come to the floor this evening in celebration of an important milestone, but speaking about it actually presents a little bit of a challenge. In our current environment, how do you give a statement about a Secretary of State, a Chairman of the Foreign Relations Committee, a Russian Ambassador, and an exchange of millions of dollars without making sensational headlines? Well, my answer to that is you tell the story of Alaska and the Treaty of Cession that brought Alaska into our Nation on March 30, 1867, exactly 150 years ago tomorrow.

If we are going to be fair, this story actually begins years before 1867. The United States and Russia had been in discussions over Russia's territorial claims since 1856, but the domestic turmoil and the Civil War in the United States stymied progress. So it wasn't until March 11, 1867, when Edouard de Stoeckl, Russia's Foreign Minister to the United States, met with then-Secretary of State William Seward that discussions really began in earnest.

From that time on, things really picked up speed. Just a few weeks later, on March 29, 1867—150 years ago today—Stoeckl received a cable from

Czar Alexander II, approving a deal—a deal that would transfer Russia's interests in North America to the United States. In my office, I actually have a copy, a replica of the deal that was written, along with the note for \$7.2 million. That was the deal, but closing it in time was far from certain.

With work in this Congress rapidly wrapping up ahead of its April adjournment—can you imagine that, actually having an adjournment around this body in April? But that was the way it was 150 years ago. There was little time to complete an agreement and see it ratified, but Secretary Seward was determined, and despite some rather lackluster interest from President Andrew Johnson, he pressed forward with this.

When Ambassador Stoeckl received the cable, he went to Seward's house on Lafayette Square to deliver the news to him. According to the National Archives, Mr. Stoeckl said: "Tomorrow, if you like, I will come to the department, and we can enter upon the treaty." To which Seward replied: "Why wait until tomorrow, Mr. Stoeckl? Let us make the treaty tonight."

Secretary Seward was not merely a determined man; he was really a very canny man—canny because before he met Ambassador Stoeckl, he consulted with the chairman of the Senate Foreign Relations Committee, who at the time was Charles Sumner of Massachusetts. He did this to ensure smooth action by the U.S. Senate in approving a treaty. In other words—and this is a lesson that all good members of the executive branch should perhaps take to heart—the Secretary consulted with the Congress before taking action.

Conveniently, Senator Sumner and Secretary Seward lived on opposite sides of Lafayette Square from each other, and, according to the National Archives, they were able to meet at Secretary Seward's home. While Senator Sumner made no commitments about the passage of the treaty, he did send a note to Secretary Seward later that evening saying that following its adjournment at noon on Saturday, March 30, "the Senate would be glad to proceed at once with Executive business" and consider the treaty. With that, Ambassador Stoeckl and Secretary Seward went to work, crafting the treaty that night and long into the morning, finally putting their signatures to it at 4 a.m. on Saturday, March 30, 1867.

By 10 a.m. that same day, Secretary Seward had met with the Cabinet and with President Johnson to execute a proclamation calling the Senate into special session on Monday, April 1.

It was in Senator Sumner's famous speech to the Senate that day that the word "Alaska" was first officially used to describe the new territory. The word

"Alaska" is Aleut in origin. Traditionally translated as "mainland," it literally means, "the object toward which the action of the sea is directed."

It is important that I pause in reciting how Alaska came into the United States, first as a territory and later as a full member of our Union, by recognizing that while Western nations made deals about who "owned" the lands and the waters of Alaska, a diverse and vibrant Native people had already lived there for at least 14,000 years. While explorers, scientists, trappers, and settlers had come to Alaska from all over the world, the vast majority of our population were Alaska Natives.

Thankfully, after years of wrongful and misguided policies of assimilation, we in Congress now appreciate the incredible history and cultures of Alaska's indigenous peoples and have worked diligently to fulfill our trust responsibilities to them. Today, major landmarks like Denali, which is the highest mountain in North America, are again known by their rightful Native names. Today, Tribes are empowered to provide healthcare and other services to their people, and Federal agencies are required to consult with Alaskan Native Tribes on issues that impact their daily lives.

While we can all wrestle with the inherent challenge created for many by words like "purchase" and recognize historical injustice, we must also look at the moment through the eyes of those who played a part—to see the opportunity as they did—so that we may capture it to better inform our future.

Senator Sumner's words remind us that what he, Secretary Seward, and others saw then was a foundation for opportunity, which continues in Alaska to this day. For example, in his remarks, Senator Sumner referenced a communication from the legislature of the Washington Territory to President Andrew Johnson in 1866. He said:

Your memorialists, the Legislative Assembly of Washington Territory, beg leave to show that abundance of codfish, halibut, and salmon of excellent quality have been found along the shores of the Russian possessions. Your memorialists respectfully request your Excellency to obtain such rights and privileges of the Government of Russia as will enable our fishing vessels to visit the ports and harbors of its possessions to the end that fuel, water, and provisions may be easily obtained, that our sick and disabled fishermen may obtain sanitary assistance, together with the privilege of curing fish and repairing vessels in need of repair.

Long before my advocacy for Alaska's fisheries here in the United States Senate, long before my warnings about the dangers of genetically modified seafood, Washington and Alaska had a strong connection that was built on the bounty of our oceans. The economic importance of Alaska's fisheries was a prime consideration in America's acquisition of Alaska even then. It was a

critical part of our effort to attain Statehood some 50-plus years ago. And today, it has grown into a fundamental element of the Pacific Northwest's economy.

Alaska's seafood industry now creates an estimated 118,000 jobs, \$5.8 billion in annual income, and \$14.6 billion in economic output nationally. We feed America, and we feed the world, with everything from our cod and our crab to our halibut and our salmon. Alaska's seafood exports alone would rank sixth compared to all other seafood-producing nations—not States, but nations.

Yet fisheries were but a small part of the justification Senator Sumner offered his colleagues at the time. The prime consideration is one that today remains unappreciated by most Americans. Senator Sumner stated the following:

The projection of maps is not always calculated to present an accurate idea of distances. From measurement on a globe it appears that a voyage from San Francisco to Hong Kong by the common way of the Sandwich islands, is 7,140 miles, but by way of the Aleutian islands it is only 6,060 miles, being a saving of more than one thousand miles, with the enormous additional advantage of being obliged to carry much less coal. Of course a voyage from Sitka, or from Puget sound, the terminus of the North Pacific railroad, would be shorter still. . . . To unite the east of Asia with the west of America is the aspiration of commerce now as when the English navigator recorded his voyage.

Thus said Senator Sumner. The cession of Alaska secured the Pacific trade route with Asia for America. And today, that great circle route represents the path that thousands of vessels annually take from ports along the west coast of the United States to Asia and back again. Chances are that the products created through the hard work of Americans in the middle of our country transit through Alaskan waters on their way to Asia.

Beyond the economic linkages, Alaska's geography has long been an asset recognized not just by our domestic strategic institutions but also by our enemies. While the Japanese attack on Pearl Harbor is a day that will live in infamy, the Japanese campaign in the Aleutians has been called the Forgotten Battle. Six months after Pearl Harbor, the Japanese bombed Dutch Harbor and occupied Attu and Kiska in the Aleutian Islands. Alaska Natives were captured and sent to Japan. On May 11, 1943, the United States moved to retake Attu, landing 11,000 troops on the island. Some 1,000 Americans and more than 2,000 Japanese lost their lives in the fighting—the only land battle on American soil during World War II.

The Japanese attacked the Aleutians for the same reason that Senator Sumner supported the purchase of Alaska—for control of the Pacific transportation routes.

Many historians believe Japanese Admiral Yamamoto launched the attack

to protect his nation's northern flank. The United States fought to regain those islands for the very same reason.

Brigadier General William "Billy" Mitchell—often called the "father of the Air Force"—told Congress back in 1935:

I believe that in the future, whoever holds Alaska will hold the world. I think it is the most important strategic place in the world.

Most of us in Alaska think that Billy Mitchell was correct.

Just as Alaska straddles the great circle route across the Pacific, it sits at the center of the air crossroads of the world. Ted Stevens International Airport in Anchorage sits halfway between Tokyo and New York City and less than 9½ hours by air from 90 percent of the industrialized world.

Think about that. Oftentimes we think about Alaska as so remote and so far away, but when you look at that globe and you look at Alaska's geographic position, we are in the center.

The airport is No. 2 in the United States for landed cargo weight and No. 6 in the world for cargo throughput. In 2012, 71 percent of all Asia-bound air cargo from the United States and 82 percent of all U.S.-bound air cargo from Asia transited through it.

It is no exaggeration to say that the significance of Alaska to the airborne and maritime trade of the United States likely exceeds even the treaty's biggest boosters' dreams back in 1867.

Alaska's strategic significance is now more important than ever. Our natural resources have provided energy and minerals for our Nation for decades—from the oil on our North Slope to our gold, silver, copper, and other metals. We are a storehouse of just about everything that you can think of and everything that you need in modern society.

We are blessed with an abundance of natural resources. We have committed to harnessing them responsibly. As long as there is an understanding of that here in Washington, DC, we will continue to produce every type of energy and many types of minerals for the good of our Nation.

Alaska also remains key to our Nation's defense. North Korea's consistent disregard for international norms and their aggressive attempts to acquire ballistic nuclear capabilities threaten our national security. The investments that we must continue to make in Alaska's missile defense infrastructure are fundamental to our national security interests.

Thanks to my colleagues here in the Senate and the Pentagon's continued recognition of Alaska's strategic importance, we continue to leverage our strategic location for America's national security. The installation of the long-range discrimination radar at Clear, the stationing of F-35s at Eielson, and the continued support for the 425th at Joint Base Elmendorf-

Richardson—or JBER, as we call it—are just some of the critical investments we are making and must continue to make in Alaska.

Understanding the opportunity of Alaska also means understanding the geography and the environment of our State. In preparing for this speech, I was struck by a latter part of the communication from the Washington Territorial Legislature to President Andrew Johnson in 1866. It stated:

Your memorialists finally pray your Excellency to supply such ships as may be spared from the Pacific Naval Fleet in exploring and surveying the fishing banks known to navigators to exist along the Pacific Coast from the Cortes Banks to the Bering Straits, and as in duty bound, your memorialists will ever pray.

I would be remiss if I didn't note that—historical language aside—this request reads as if it could have been submitted to the Budget Committee by the current delegations from Alaska and Washington.

As we prepare to celebrate the 150th anniversary of the Treaty of Cession tomorrow, our sesquicentennial, it is important to remind ourselves just how little has changed in our understanding of Alaska—understanding where it is, how far we have come, and how far we have yet to go when it comes to mapping and to charting.

In 2015, a couple of years ago, I had the honor of attending a celebration back home. It was an event where we celebrated a landmark event—that 57 percent of our land in the State had finally been mapped. That is how young a State Alaska really is. Recognizing that we just do not have accurate mapping in the State, it kind of struck me. For what else do we celebrate 50 percent of completion of anything, except for us? We were making some progress, and it was worthy of celebration.

As bad as our basic mapping is, the situation is worse offshore in our waters, in the same places where the Washington Territorial Legislature asked for assistance back in 1866.

So 150 years ago, we were asking for assistance with the charting, but after 150 years, just 2.5 percent of the U.S. Arctic has been surveyed to modern standards. Just 2.5 percent of the U.S. Arctic has been surveyed to modern standards. Some 91 percent of the U.S. Arctic has either not been surveyed at all or relies on lead line readings, many of which were taken prior to the Treaty of Cession in 1867.

We talked to the Coast Guard and continue to hear stories about Captain Cook's voyage up to the north. It was actually a voyage on which a relative of mine, John Gore, was with Captain Cook, and they literally would put lead lines over the side of the ship, drop them down, and then recorded the readings.

Again, 91 percent of the U.S. Arctic has either not been surveyed or was surveyed with lead lines, and we are still relying on this data.

The U.S. has been chairing the Arctic Council now for 2 years. As we wrap up our term at the Arctic Council, I fear that we have accomplished much less than I, and many Alaskans, had hoped. It is Alaska that makes the United States an Arctic nation, a fact that was appreciated even at the time this body considered the appropriations for the treaty.

In a letter to the chairman of the House Foreign Affairs Committee in 1868, Joseph Wilson, who was the Commissioner of the General Land Office at the Department of the Interior, relayed the importance of the treaty to the committee, including this:

It gives her [the United States] also a hold upon the coast of the great circumpolar ocean, the importance of which, as yet imperfectly appreciated in the country, is awakening very great interest in Europe. England, Denmark, Sweden, France, and Germany are contemplating and organizing movements looking to the exploration and occupancy of the unappropriated northern regions of this continent—movements which it becomes us to watch with jealousy, and promptly circumvent.

Think about that statement 150 years ago.

Well, today, Russia, China, India, and a great number of other nations are looking to the Arctic as an emerging region of international significance, and they are seizing the opportunities that we continue to defer there.

I greatly appreciate my colleagues' attention to these issues, particularly the work of my colleague from Maine and the members of the Arctic Caucus, as we work to raise awareness and press administrations to put the same sort of energy and effort into the region that other nations are. They, too, see the importance of the Arctic to our national interest, as Commissioner Wilson did back in 1898.

After noting the importance of the Arctic attributes of Alaska, Commissioner Wilson went on to say:

Judged from this standpoint alone, and supposing the entire country of Alaska to be a mere polar desert and utterly uninhabitable, the developments of a very few years will show that the acquisition of this territory at the stipulated price is one of the most advantageous arrangements that our diplomacy ever secured.

Think about those words: \$7.2 million and the United States has Alaska.

So when Commissioner Wilson said that in a few years it would “show that the acquisition of this territory at the stipulated price is one of the most advantageous arrangements that our diplomacy ever secured,” I would suggest, President Trump, this was a deal. We got a great deal with Alaska.

Popular history may refer to “Seward's folly” or you hear that when you are reading it in history books, or it is also referred to as America's acquisition of “Walrussia” when describing the Treaty of Cession, but that ignores the broad support that the treaty actu-

ally had at the time. For example, the editors of the Charleston Daily News Miner recognized this on April 12, 1867:

As that territory is said to contain the highest mountain in the world, he [Secretary Seward] has provided a fit pinnacle from which the American Eagle can, when the days of good feeling come back, spread itself over the immense country that will then lie peacefully beneath the shadow of its wings.

Indeed, there was opposition to the Treaty of Cession. Two Members of this body even voted against ratifying the treaty, but 37 did vote to ratify. And while the appropriations actually took another year, as appropriations often do, the treaty was largely viewed as a success.

From Alaska's fisheries to its minerals, from its oil and gas resources to its diverse and vibrant cultures, and from its position on important trade routes to its significance to our national security, Alaska's contribution to America has been and continues to be as big as our geography.

We are still a young State. I was actually born in the Territory of Alaska. I am just the sixth Senator to have the honor of serving my State in this body. But while we might be young and small in population, we are very, very rich in spirit.

In his speech on this floor, Senator Sumner said: “Small beginnings, therefore, are no discouragement to me, and I turn with confidence to the future.”

So I stand before the Senate today grateful for the future that Senator Sumner and Secretary Seward saw for Russian America. They were men of vision who brought a diverse, challenging, rich territory under the wing of the United States. Alaska, I believe, is better for it and so is America.

I appreciate the Senate's indulgence to tell a bit of the story of this day in our national experience and would like to close my remarks as Senator Sumner did on this floor nearly 150 years ago today by quoting him.

As these extensive possessions, constituting a corner of the continent, pass from the Imperial Government of Russia, they will naturally receive a new name. They will be no longer Russian America. How shall they be called? Clearly, . . . Alaska.

Clearly, Alaska.

Mr. President, as we celebrate the sesquicentennial of Alaska's purchase from Russia, I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

The PRESIDING OFFICER (Mr. PERDUE). The Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 7:10 p.m., adjourned until Thursday, March 30, 2017, at 9:30 a.m.

EXTENSIONS OF REMARKS

HONORING THE MINNESOTA
TRANSGENDER HEALTH COALITION'S 10TH ANNIVERSARY

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Mr. ELLISON. Mr. Speaker, I rise today to commemorate the 10th anniversary of the Minnesota Transgender Health Coalition, Minnesota's largest organization led by and for the trans community.

In 2002, concerned community members began to organize around the difficulties they and other trans people face in finding accessible, culturally competent healthcare. Organizers began hosting meetings and events as part of the University of Minnesota's GLBTA Programs Office and the Schochet Center for GLBT Studies. After years of activity, the group incorporated on March 30, 2007 to become a trans-led health service and rights organization, founded on their principles of racial, social and economic justice.

MTHC is a unique organization. In addition to organizing for trans-inclusive public policies, they provide direct medical and psychological support for hundreds of people from all over the Midwest. Through their Shot Caller program, MTHC ensures that trans folks, people with diabetes, and anyone else prescribed shots can get free help taking them in a safe, supportive space. They run a successful harm reduction program that includes syringe exchange, safe sex materials, and more. With a Community Innovation grant from the Headwaters Foundation for Justice, MTHC expanded three youth-oriented programs called Gender Jam, Little Rainbows and GR8. Since November 2016, their longest-running support groups have been pushed to capacity, reflecting both the success and great need for their programs. MTHC's reach also extends far beyond the LGBTQ community; in fact, dozens of people that MTHC helps regularly do not identify as LGBTQ. In this way, they have become a true center of community health in our state.

Through their advocacy, MTHC has worked with the City of Minneapolis, the Minnesota Department of Education, and many other public groups. They've advocated for stronger inclusion for and protection of trans youth in schools, effective policies to address bullying, access to life-saving transition healthcare, and more. Due to their tremendous leadership in the Twin Cities and around the Midwest, MTHC was named a Community Champion of Pride for the 2016 Twin Cities Pride festival.

During my time in Congress, I have been guided by generosity, inclusion, and justice for all. Organizations like the Minnesota Transgender Health Coalition represent the best of these values. We know that if we don't fight for all aspects of racial, social, and eco-

nomie justice, we won't have any of them. I am honored to represent the Minnesota Transgender Health Coalition in Congress, and I can't wait to see what they accomplish in the next decade of leadership.

HONORING PRINCIPAL JULIE
PIERCE ON HER SELECTION AS
ALABAMA'S 2017 NATIONAL DIS-
TINGUISHED PRINCIPAL

HON. BRADLEY BYRNE

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Mr. BYRNE. Mr. Speaker, I rise today to recognize Principal Julie Pierce of Fairhope Elementary School on being selected as Alabama's National Distinguished Principal of 2017. This is a remarkable and extraordinary achievement, and it shows Ms. Pierce's steadfast dedication to the young men and women she has taught and guided throughout her distinguished career that has spanned over 27 years.

A native of Oneonta, Ms. Pierce graduated from the University of Alabama with a degree in business and began work as an accountant before embarking on her career in education. She obtained her master's degree in Elementary Education from the University of Alabama at Birmingham, and later a certificate in Educational Leadership from the University of South Alabama.

Prior to her time at Fairhope Elementary School, Ms. Pierce served as principal of Gulf Shores Elementary, assistant principal at J. Larry Newton School, reading coach at Summerdale School, second grade teacher in Gunterville and Albertville, and fifth grade teacher in Orlando, Florida. Ms. Pierce has been shaping our nation's youth for over a quarter century, giving them the tools they need to succeed in life.

Having spent much of my public life working in education policy, I have had the opportunity to spend a lot of time in our local classrooms. I am always struck by the hard work these men and women do on a daily basis, and they rarely get the attention they deserve. Great educators really care about their students and work very hard to get the most out of them. It is clear Ms. Pierce possesses these very important qualities.

So, on behalf of Alabama's First Congressional District, I want to thank Principal Julie Pierce for her dedicated service and congratulate her on being selected as Alabama's 2017 National Distinguished Principal.

HONORING THE CHRISTENING OF
THE USS "THOMAS HUDNER",
DDG-116

HON. SETH MOULTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Mr. MOULTON. Mr. Speaker, I rise today, along with Ms. PINGREE of Maine, Mr. POLIQUIN of Maine, Ms. TSONGAS of Massachusetts, and Ms. FRANKEL of Florida to celebrate the christening of the USS *Thomas Hudner*, DDG-116. This destroyer is named in honor of Captain Thomas J. Hudner Jr., a retired officer of the United States Navy and a former naval aviator.

Born in Fall River, Massachusetts, Hudner attended the United States Naval Academy after graduating from Phillips Academy in Andover, Massachusetts. On December 4, 1950, Hudner and his wingman, Ensign Jesse L. Brown, were patrolling near the Chosin Reservoir in North Korea when Brown's Corsair was struck by ground fire. Hudner intentionally crash-landed his own aircraft on a snowy mountain to help Brown. Brown died of his injuries and Hudner was forced to evacuate.

Hudner received the Congressional Medal of Honor for his actions in trying to save the life of his wingman and received numerous military decorations including the Legion of Merit and the Bronze Star Medal. Following the incident, Hudner held positions aboard several U.S. Navy ships and with a number of aviation units, including a brief stint as Executive Officer of the USS *Kitty Hawk* during a tour in the Vietnam War. He retired from active duty in 1973. Since then, he has worked for various veterans' organizations throughout the United States.

In May 2012, the Secretary of the Navy announced that an Arleigh Burke-class guided missile destroyer will be named USS *Thomas Hudner*. On Saturday, April 1, the Hudner family, the Brown family, veterans from across all branches, elected officials and the community of Phillips Academy will gather for the joyous occasion of the christening of the ship. It is a ship that embodies the spirit of Captain Hudner's school—non sibi, or not for self. He leads his life in that spirit from Fall River, to Andover, to the Chosin Reservoir and on to his continued service to the veterans community.

Together with Ms. PINGREE, Mr. POLIQUIN, Ms. TSONGAS, and Ms. FRANKEL, we wish our very best to the Hudner and Brown families, and to the Phillips Academy community in the days to come.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HONORING THE MILITARY
SERVICE OF PAUL LEMMON

HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Mr. BABIN. Mr. Speaker, I rise today to recognize Mr. Paul Lemmon, as well as the entire Lemmon family, for their incredible service and sacrifice to the United States of America.

It is always an honor for me to recognize those American heroes who sacrificed so much defending and preserving our freedom in World War II. This truly was the greatest generation.

The Lemmon family devoted their lives to serving this nation, and it is with great admiration that I thank United States Navy veteran Edgar Paul Lemmon for his heroic actions during World War II in the Pacific theater.

Mr. Lemmon courageously answered the call to serve and defend his country at the age of 17. He was awarded the Purple Heart for injuries he suffered while his ship was sweeping the beachhead for mines to clear the way for the Marines on Iwo Jima. Mr. Lemmon and his five other brothers all served in the Armed Services. Two of his brothers were killed in action.

We thank Mr. Lemmon—as well as his entire family—for their bravery and sacrifice to our great nation.

HONORING WHITTIER POLICE
OFFICER KEITH BOYER

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Mr. ROYCE of California. Mr. Speaker, I rise to honor fallen Whittier Police Officer Keith Boyer. He was killed in the line of duty on February 20, 2017, and his funeral was March 3, 2017.

Officer Boyer is the 5th law enforcement officer to be killed and the first officer fatality from the State of California in 2017. He was born Nov. 27, 1963, in San Gabriel. He graduated from La Serna High School in 1981, and earned a dispatcher course certificate from Golden West College in 1989. He grew up in his hometown of Whittier, where he would serve his community for 25 years.

As was pointed out in the Whittier Daily News, he 'loved his job' because it gave him the opportunity to help people. Officer Boyer received several commendations from the Department for his work, including the Chaplain's Award for his handling of a child abuse call in 2016. He served on Whittier's Crime Impact Team, the SWAT team, as a traffic officer, a school resource officer at La Serna High School, and as a K-9 handler.

Last year was the 25th anniversary of the dedication of the National Law Enforcement Officers Memorial in Washington D.C. Today, the Memorial bears the names of over 20,000 federal, state, and local officers who have fallen while serving their communities. This year, Officer Boyer will be added to that wall.

Mr. Speaker, I thank Officer Boyer for his dedicated service and for making the ultimate sacrifice in the line of duty. I ask my colleagues in the House to join me in extending my sympathies to his family during this difficult time.

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed Roll Call vote numbers 197, 198, 199, 200, 201, and 202. Had I been present, I would have voted nay each of these votes.

JENNIFER KRNETA

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Mr. SHIMKUS. Mr. Speaker, I rise to acknowledge Jennifer Krneta from Belleville, IL. Jennifer is a Case Worker with Caritas Family Solutions, a foster care organization, in Belleville.

Jennifer has served as an exemplary Case Worker in Belleville for several years. Her actions came to the attention of our office thanks to a letter written by A1C Dakota Greenwood, a current member of the United States Air Force who is serving at Osan Air Force Base. In this letter, Dakota captured the tremendous impact that Jennifer has had on Dakota's life and upbringing.

After the tragic death of Dakota's mother at the hands of a drunk driver, Dakota grew up in foster care and transitioned between living with several extended relatives, group homes, and foster families. Throughout childhood, Dakota faced poverty, hunger, neglect, and abuse. Through all of these adversities, Dakota credits Jennifer as the only person who showed devotion to improving Dakota's life. Dakota believes that without Jennifer's positive influence, Dakota would not be alive today.

In addition, Jennifer played an essential role in helping Dakota to enlist in the Air Force. It was Jennifer who cared enough to ask about Dakota's life goals and interests. It was Jennifer who helped Dakota identify that service in the U.S. Air Force matched those goals and interests. And it was Jennifer who ensured that Dakota was prepared to meet with an Air Force recruiter when the time came.

I offer my deepest admiration and gratitude to Jennifer Krneta for all that she has done for A1C Dakota Greenwood and all that Jennifer continues to do for the foster children of Southern Illinois. I hope that she continues to make life better for these children for many years to come.

PERSONAL EXPLANATION

HON. JAMES A. HIMES

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Mr. HIMES. Mr. Speaker, on March 28, 2017, I was unable to be present to cast my vote on H. Res. 229, the rule providing for consideration of the Honest and Open New EPA Science Treatment Act of 2017 (H.R. 1430). Had I been present for roll call No. 198, I would have voted "NAY."

RECOGNIZING EDWARDSVILLE
HIGH SCHOOL'S SENIOR GUARD
MARK SMITH

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to recognize Edwardsville High School's senior guard Mark Smith, who is now better known as Mr. Basketball of Illinois for the 2016-2017 season.

Mark received the Mr. Basketball honor after a senior season in which he filled up the stats sheet. Over the course of the season, Mark averaged 21.9 points, 8.2 rebounds, 8.4 assists, and 2.1 steals per game. He recorded double figures in 31 of the Tigers' 32 games, and had eight games in which he scored more than 30 points. In the championship game of the Ottawa sectional, Mark scored a career-high 45 points in Edwardsville's win over Danville.

Outside of Mark's individual statistics, the Tigers boys' basketball season was an unforgettable one in the Metro East, as the team finished 30-2 and played in the Class 4A Super-Sectional in Normal.

In addition to the Mr. Basketball honor, Mark was named the "Illinois Gatorade Player of the Year," and has scholarship offers from multiple Division 1 schools.

I am proud to congratulate Mark on his spectacular senior season and receiving this honor. I look forward to continuing to follow his basketball career.

HOLY SEE ARTICLES

HON. FRANCIS ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today to share with my colleagues several more articles that I have written over the years regarding the Holy See. As a Member of the Europe, Eurasia, and Emerging Threats Subcommittee on Foreign Affairs, these pieces serve to outline and inform discussions that our Committee will cover in the 115th Congress.

RELIGION AND DEMOCRACY: THE EMERGING
DIPLOMACY OF POPE BENEDICT XVI

While many Americans only see him as a spiritual leader of Roman Catholics, the

Pope exerts an often subtle but undeniable influence in international affairs. The Pope is the final authority of the Holy See, which derives its name from "seat" in Latin and signifies the repository of authority and direction over the organization and affairs of the Church. As an institution and sovereign, the Holy See is the "oldest diplomatic entity in the world."

During the two World Wars, Popes Benedict XV and Pius XII boldly promoted peace without preconditions. The jovial Pope John XXIII and more reserved Pope Paul VI implemented the Vatican II reforms. The unforgettable legacy of John Paul II, the Polish Pope, is his unswerving opposition to communism. The current Pope Benedict XVI, formerly known as Cardinal Joseph Ratzinger, continues the diplomatic tradition of the Holy See aimed at salvaging faith in some parts of the world and promoting reason in others.

While Benedict XVI is often characterized as being less media-centric and charismatic than his predecessor, Pope John Paul II, he demonstrated remarkable strategic focus and clarity in his papal visit to the United Kingdom, September 16-20, 2010. His spirit of goodwill enabled him to overcome vocal and hostile opposition to the visit and, as a result, this visit will likely be remembered as a defining moment for the diplomacy of the Holy See.

In his in-flight press conference, the Pope made it clear that he wasn't willing to compromise or soften his outreach, saying that "a Church that seeks to be particularly attractive is already on the wrong path, because the Church does not work for her own ends, she does not work to increase numbers and thus power." Free of constraints of political correctness or hegemonic aspirations, the Holy See has often exhibited a unique clarity and honesty in its discourse. The visit to the United Kingdom was no exception.

During the same press conference, the Pope expressed his gratitude towards Queen Elizabeth for elevating the trip to the level of a state visit. The Pope said that the visit reflected the "common responsibility of politics and religion for the future of the continent and the future of humanity: the large, shared responsibility so that the values that create justice and politics and which come from religion, share the journey in our time." This is a universal message, not just intended for Britons but also for a global audience.

There was a great deal of controversy surrounding the Pope's trip. Notable antireligious personalities, such as Christopher Hitchens and Richard Dawkins, called for the British authorities to arrest the Pope immediately upon his arrival due to their opinion that the Church had criminally enabled child abuse. The Guardian opposed the visit and accused the Holy See of increasing the number of impoverished families and of the spread of HIV/AIDS in Africa by its position on the use of condoms. As George Weigel has pointed out in a December 2010 essay, "Fail, Britannia," even the Catholic left was seduced to some degree by the intense criticisms. For example, Sir Stephen Wall, an advisor to the Diocese of Westminster and to Prime Minister Tony Blair, wrote that "individuals have their own values . . . changing moral code is a normal part of social evolution."

All of this controversy allowed the Pope to draw the clearest comparisons yet in his five year papacy between the state of affairs in the modern world today and aspirations for a

more fully human order. During the UK trip, the Pope succeeded in articulating two critical challenges: (1) the risk of an increasing marginalization of religion—encapsulated in the phrase, "dictatorship of relativism," and (2) the need for combining and rationally accommodating both reason and religion in the modern world. The fact that two-thirds of all papal visits to date have been to Europe certainly reinforces the Pontiff's hopes for the re-evangelization of Europe.

In his address to diplomatic, business and academic leaders at Westminster Hall, the Pope laid out the case for the coexistence of religion and politics. "Britain has emerged as a pluralist democracy which places great value on freedom of speech . . . with a strong sense of the individual's rights and duties." He also said that such a stance squares with Catholic social teaching and "its overriding concern to safeguard the unique dignity of every person . . . and in its emphasis on the duty of civil authority to foster the common good." Contrary to the critics of his visit, the Pope showed that a platform for good government and justice is created by mutually reinforced reason and faith.

These concepts are linked to Vatican II (1962-1965), which was a turning point for the evolution of Church relations in the world, building upon past traditions and policies while finding new approaches with which to confront the global realities of the 1960s. This human dignity and the essential, inherent rights of man as demonstrated in its most significant pronouncements, specifically *Pacem in Terris*, *Gaudium et Spes* and *Dignitatis Humanae*.

Benedict's predecessor, Pope John Paul II, had witnessed a Holy See diplomacy reacting to a different set of world challenges. Shaped by a different personal background, he applied these same principles in his diplomacy. His entire lifetime of experiences drove him, along with President Ronald Reagan, to focus on the evils of communism. In his address to the United Nations on October 3, 1979, Pope John Paul II "gave a speech in defense of basic human rights that left the delegates from communist countries worried" wherein he said that politics must begin with "a proper understanding of the dignity of the human person" and that respect for human rights was "the prerequisite to true peace." Elaborating his message further, John Paul II told an audience of scientists in 2000 that "faith is not afraid of reason" because they "are like two wings on which the human spirit rises to the contemplation of truth."

These two examples illustrate the continuity of thought of Holy See diplomacy and the important symmetries between two "modern" popes, often less recognized than their differences. More open to inter-religious and pluralistic, democratic process, these two popes have done much to foster the dialogue about the place of religion in democracy, culture, and the political morality of society.

RELIGION AND DEMOCRACY

President Richard Nixon, a staunch anti-communist, was capable of rapprochement with China at a time when opposition to such an outreach was strong. While not exactly analogous and on an entirely different plane, an unstintingly conservative Pope has been able to actively engage nonbelievers and the most secular of peoples in robust dialogue. Cardinal Ratzinger honed his intellectual arguments in several publications and has become a leader for theologians. Just over a year before he was elected pope, then Cardinal Ratzinger worked with the

noted neo-socialist Jürgen Habermas to write a series of essays in the book, *The Dialectics of Secularization: On Reason and Religion*. This is the same person who spoke out against the "dictatorship of relativism" in the 2005 conclave that elected him. This Pope is simultaneously capable of speaking forcefully about his positions while actively engaging the most ardent dissidents.

Many link the Pope's focus on the need for religion as a building block of democracy with his boyhood experiences during the Third Reich. British Historian Michael Burleigh reveals Nazi leaders' determination to "demolish the moral authority of the Catholic Church" in order to later abrogate citizens' rights. The Pope believes that once religion becomes attenuated and removed from society, then the void is filled by an authoritarian dictatorship and there is no longer a check or balance to political power.

This concept has also been expressed by President George W. Bush, as he has often said that free people foster peace because they can change out their leaders. There is a similar history with the evolution of dissent in communist Russia, from Alexander Solzhenitsyn, who gave life to the focus on human rights in Russia, to Pope John Paul II.

Former Secretary of State Madeleine Albright writes that part of the failure of the opposition to communism in Vietnam was the fact that the Saigon government repressed Buddhism—the "largest noncommunist institution in the country"—leaving an obvious void. She also criticized in her book those who sought to ignore or downplay the role of religion in many of the foreign policy conflicts she dealt with during her time in government, like Northern Ireland, Muslim India and pre-revolutionary Iran, saying, "Religion is a large part of what motivates people and shapes their views of justice and right behavior."

At least in the United States, statistical research backs up the Pope's philosophical and theological perspective. Robert Putnam and David Campbell, in their new work, *American Grace: How Religion Divides and Unites Us*, put forward empirical social science research to argue for the value of religion in establishing good behavior and improved citizenship. Their data show when religion matters to people, they are more charitable with their time and their money, and they belong to more civic organizations. The research also correlates positively with political involvement of all ideologies and voting. Interestingly, the data show that the more religious one is, the more likely that person is to feel that tax evasion is "always wrong." These are behaviors which are essential to a smoothly functioning democracy which is engaged in preserving its freedoms. Their research proves empirically what George Washington thought in 1796, that "of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports."

RELIGION AND REASON

The Pope's concern for the perils of secularism has led to the second front of his personal diplomacy, the quest for a mutual relationship between reason and religion. His first opportunity to raise this issue came with the Islamic outrage over the publication of a cartoon of the Prophet Mohammed by the Danish cartoonist Kurt Westergaard in 2005. The Pope's comment that "intolerance and violence can never be justified as response[s] to offenses" parallels the U.S. State Department's official position, which defended freedom of speech even when it was

unpopular to do so. Both the United States and Holy See offered courageous support for journalists the world over. This issue continued as recently as last Fall when a group of extremists attempted to bomb the Swedish newspaper Jyllands-Posten because it had reprinted the cartoon as a demonstration of free speech.

Months later, Pope Benedict's first foray into the global spotlight after his election featured highly publicized remarks at his former teaching post, the University of Regensburg. The Pope referred to Byzantine emperor Manuel II Paleologus saying Islam is Prophet Mohammed's "command to spread by the sword the faith he preached" in an effort to express his concern over the extremism, aggression and immutability reflected in certain Islamic doctrines and parts of the Koran.

As the sound bite reverberated around the world, evoking a variety of reactions, the broader meaning and intent of his expressions that day have resonated more profoundly as a global discussion and analysis of the Koran, Islam and its relations to the modern world have ensued.

The crucial point, reinforced constantly since Regensburg, is that reason and religion can—and indeed must—co-exist in the modern world. The only way forward is to continually foster this mutual relationship. What is a quest for rationality tempering fervor and fanaticism in some expressions of Islam and other religious traditions is coupled, at least by the Pope and the Holy See, with more fervor and excitement about religion in the modern, secular state.

Since Regensburg there have been numerous debates and publications commenting on the issue of the immutability of the word of the Prophet Mohammed expressed in the Koran, on whether Shiite or Sunni Islam is more subject to interpretation and contextualization and about what the Enlightenment meant or should mean for Islam. These issues are important and relevant to the discussion of religion in modernity and underscore the urgency of the need for workable doctrines, policies and intellectual frameworks within which to create opportunities for reconciliation and conflict avoidance.

Again in his address at Westminster Hall, the Pope postulated that advocates of both secular rationality and religious belief "need one another and should not be afraid to enter into a profound and ongoing dialogue, for the good of our civilization."

The harsh reality of the fault line between reason and religion has received greater international attention following the United Kingdom visit. Religious intolerance recently fueled two deadly church bombings in the Middle East. The October 31, 2010 massacre in Baghdad killed more than 50 Syrian Catholics and 23 Coptic Christians were murdered in Alexandria, Egypt on January 1, 2011, all while attending services. These events tragically reaffirm the Pope's UK call for religious freedom.

CONCLUSION

In his five years as pope, Benedict has led a diplomatic mission embracing the positive role of religion in politics, global justice and the peaceful evolution of civilization. Occasionally blunt and sometimes misunderstood, he has not shrunk from the 21st century challenges of secularization and radicalism and has lent his lifetime of theological and philosophical study to help solve these seemingly intractable problems.

In his address for the celebration of the World Day of Peace on January 1, 2011, deliv-

ered almost as the attack in Alexandria was taking place, the Pope highlighted the humanizing and civilizing role of religion in the development of civil society. Pope Benedict XVI said, "Freedom and respect are inseparable;" and, moreover, that "religious freedom is the condition for the pursuit of truth." He went on to quote from the Vatican II Declaration on Religious Freedom *Dignitatis Humanae*: "in exercising their rights, individuals and social groups are bound by the moral law to have regard for the rights of others." Once again, in this message broadly addressed to all people, the Pope reaffirmed the critical linkages of religious freedom and human dignity to the pursuit of justice and peace, and to the truth and objective credibility which reason adduces to the profession of faith.

Though a relatively older Pope when he was elected, Pope Benedict XVI has shown vigor and spirit in expressing the diplomacy of the Holy See. The September trip to the United Kingdom urged preservation and enhancement of the role of religion in modern society and government, and continues to call for dialogue and the coexistence of religion and reason in today's world.

RECOGNIZING BREA BEAL, MS. BASKETBALL OF ILLINOIS FOR 2017

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Ms. BUSTOS. Mr. Speaker, I rise today to congratulate Brea Beal of Rock Island for being named this year's Ms. Basketball of Illinois.

Brea is the first Quad-City basketball player to be awarded the title of Ms. Basketball of Illinois, and I would like to recognize her for her tremendous talent. As a former college basketball player myself, I understand the time, hard work and dedication that goes into being awarded such a title. Additionally, Brea has consistently been ranked as one of the top basketball players in the state. Last year, she was the only freshman to make the Class 4A Illinois Basketball Coaches Association all-state first team and has showed continued growth in skill and heart. She is ranked as one of the top sophomore prospects in the nation, scoring more than 1,200 points in her young basketball career and only the third sophomore ever to be named Ms. Basketball of Illinois. At this rate, Brea is on pace to break almost every Western Big 6 Conference record by the time she graduates.

Not only does Brea lead on the court as the captain of the basketball team, she's also deeply involved in our community, spending time volunteering when she isn't practicing. Moreover, she is strong academically and maintains a 3.6 grade point average.

It is because of passionate young leaders like Brea that I am especially proud to serve Illinois 17th Congressional District. Again, I'd like to congratulate Brea Beal for making the Quad-Cities proud, and wish her every success in her bright future.

HONORING THE LIFE OF AHMED "KATHY" KATHRADA

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Mr. COHEN. Mr. Speaker, I awakened today to the news of a gentleman from South Africa, who was a man of historic proportion, an anti-apartheid activist and a blessed man, Ahmed Kathrada, known as Kathy, passed away.

I had the privilege to meet this great man on two occasions, once in August 2009 and again in June 2016 while on a Congressional Delegation honoring the 50th Anniversary of Robert F. Kennedy's famous June 6, 1966 "Ripples of Hope" human rights speech. I was totally awed by his life and his peaceful nature.

Kathy Kathrada spent decades in jail with Nelson Mandela, then spent the first years of democracy helping to shape South Africa's government after the fall of apartheid.

Kathy was an Indian gentleman and when he was eight years old his family moved from Schweizer-Reneke two hundred miles away to Johannesburg because there were no schools for Indians. Not only were there no schools for Indians, but when he was sent to prison there were no cells for Indians either.

He became, at a very early age, an activist for social reform and against apartheid, first for Indian rights and then against apartheid and for South African rights. He became a political activist at 12 years old and at 17 years old, he was arrested for the first time after he left school to join the Transvaal Passive Resistance Council.

Kathy came into prominence in July 1963, when he was arrested with other anti-apartheid activists in Rivonia. That October, he was indicted on charges of trying to overthrow the government, start a guerrilla war, and open the door to invasion by foreign powers. On April 1964, he was sentenced to life in prison, at hard labor, along with Nelson Mandela, Walter Sisulu, Denis Goldberg, Govan Mbeki, Raymond Mhlaba, Elias Motsoaledi, and Andrew Mlangeni. The Rivonia trial became a signature moment in the struggle against apartheid. Mr. Kathrada spent 26 years and 3 months behind bars, 18 of them on Robben Island, the apartheid regime's most notorious prison.

When he was in prison, he was sent to work in a limestone quarry for more than a decade. At one point, Mr. Kathrada, Mr. Mandela, and Mr. Sisulu were put on a meager ration of rice gruel as punishment for supposedly not working hard enough. Because Kathy was a mixed-race convict, he was given long trousers while black convicts had to wear shorts without socks and even rations were distributed by race. Mr. Kathrada refused to accept his privileges unless they were also extended to his black comrades. He and other African National Congress (ANC) leaders helped Nelson Mandela draft his memoirs in prison and smuggle them out. While in prison, Mr. Kathrada obtained four university degrees, two in history and two in African politics.

When he was released from prison, he wasn't bitter, he practiced only peace and was

committed to resolving race relations in South Africa. He was elected Parliament as a member of the ANC in the first all-inclusive democratic South African elections in 1994 and was appointed to be a political advisor to President Nelson Mandela in the newly created post of Parliamentary Counsellor. He left parliamentary politics in 1999.

After his release, Kathy preached forgiveness. He befriended the people who had been his guards and who had subjected him. He actually moved back to Robben Island in 1999—this time to a private house, where he lived for nearly five years as the president of the Robben Island Museum where he led tours of the museums. On my second trip to South Africa, where I met him for the second time, it was remarkable to see the prison guards hand the key to the prison to the former prisoner.

Kathy remained dedicated to the ANC for the rest of his life and he was never afraid to speak his mind. He was a member of his neighborhood branch and attended national functions of the ANC. Last April, he called on President Zuma to resign, after South Africa's highest court found that the president violated his oath of office by refusing to pay back public money spent on renovations to his rural home. He was never afraid to criticize corruption and promote the values of love and peace. He lamented that South Africa remained so geographically divided and economically disparate. He always worked for a non-sexist, non-racial, democratic South Africa.

He received four honorary degrees in his life including from the University of Kentucky, Michigan State, and the University of Missouri. He is rightly revered in South Africa and around the world. Kathy was a great human being and a humanitarian individual who served the Indian people, the South African nation, and humanity in a superb fashion. Kathy is survived by his longtime partner Barbara Hogan, a former political prisoners and government minister. His was a life well-lived. I was fortunate to have met him, and I am sorry for his loss.

CONGRATULATING THE SILSBEE BULLDOGS FOR THEIR STATE CHAMPIONSHIP VICTORY

HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Mr. BABIN. Mr. Speaker, I rise today to congratulate the Silsbee Bulldogs for winning the Class 4-A State Basketball Championship on March 11, 2017 at the Alamodome in San Antonio, Texas. There is no doubt it takes an incredible amount of persistence, hard work, passion and skill to accomplish this feat. These young men have shown all of these qualities and I applaud each and every one of them. I would like to personally recognize each one of them and their coaches.

Players: Bruce Newton, Calvin Tyler, Michael McCain, Braelon Bush, Jordyn Adams, Trajan Harris, Willie Jones, Adonis Thomas, Jadon Bass, Landyn Tyler, Chris Martin, Chris Thomas, Decoby Jones, Kalon Barnes and

Devon McCain; Superintendent: Richard Bain; Principal: Paul Trevino; Athletic Director: Randy Smith; Assistant Athletic Director: Kim Albers; Head Coach: Joe Sigler; Assistant Coaches: Ira Brooks and James Collins; Manager: Jerome Boykins; Athletic Trainer: John Williamson; Student Trainer: Brittany Stephens.

I wish each one of them continued success on and off the basketball court. Go Bulldogs.

H.R. 479, THE NORTH KOREA STATE SPONSOR OF TERRORISM DESIGNATION ACT OF 2017

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Mr. POE of Texas. Mr. Speaker, North Korea spent 20 years on the State Sponsor of Terrorism list for acts of international terrorism and its dangerous proliferation activities. But in 2008, North Korea was taken off the state sponsors of terrorism list in exchange for its commitment to dismantle its nuclear program.

Nine years later, we've lived up to our end of the bargain while North Korea has carried out four nuclear tests. Not only that—but little Kim has escalated his support for international terrorism.

In 2009 alone, three North Korean arms shipments bound for terrorist groups were interdicted. North Korean experts have advised both Hezbollah and Hamas in the construction of their terrorist tunnel networks.

North Korea has directly menaced the U.S. using new-age digital terrorism, launching cyber-attacks against U.S. government agencies and Sony Pictures.

Last month Kim Jon-un's half-brother was brutally assassinated in Malaysia by suspected North Korean operatives using the chemical weapon VX nerve agent.

North Korea's actions have only grown more flagrant since being removed from the terrorism list. Kim's actions threaten our infrastructure, our economy, and ultimately our national security.

That's why I introduced H.R. 479 The North Korea State Sponsor of Terrorism Designation Act. My bill requires the Secretary of State to determine whether or not North Korea meets the criteria for a State Sponsor of Terrorism. It also expresses the sense of Congress that North Korea likely meets the criteria for designation as an SST. North Korea is a State Sponsor of terrorism.

And that's just the way it is.

EXPRESSING THE SENSE OF CONGRESS THAT THE SUPREME COURT MISINTERPRETED THE FIRST AMENDMENT TO THE CONSTITUTION IN THE CASE OF BUCKLEY V. VALEO RESOLUTION

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Ms. KAPTUR. Mr. Speaker, I rise today to introduce the "Expressing the Sense of Con-

gress that the Supreme Court Misinterpreted the First Amendment to the Constitution in the Case of Buckley v. Valeo" Resolution, an important bill to promote and preserve free speech.

The landmark Supreme Court case Buckley v. Valeo was decided over forty years ago. Justice Byron White called the decision "a mortal danger against which effective preventive and curative steps must be taken."

In the wake of a Presidential election where spending approached \$5 billion, we see the influence of wealthy donors. They are granted an inordinate amount of influence over the politicians they elect. True to form, it appears to have endowed donors with an unusually high number of Cabinet positions in the Trump Administration. Nearly 38 percent of President Trump's high-level government posts were given to campaign donors.

Congress must end the current practice of allowing elections to be bought by the highest bidder. If money equals free speech, then lack of money equals lack of free speech.

We must ensure that our campaigns are reflective of the people's voices, not those of Wall Street and corporations. Buckley v. Valeo took this inviolate First Amendment right away from the people. In order to secure free speech as a right of "we the people," this misinterpretation must be readdressed.

PERSONAL EXPLANATION

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Mr. HUDSON. Mr. Speaker, on roll call no. 186, I was unavoidably detained. Had I been present, I would have voted Aye.

TRIBUTE TO THE EDITOR OF MIDLAND DAILY NEWS AT THE HEARST CORPORATION JOHN H. "JACK" TELFER II

HON. JOHN R. MOOLENAAR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Mr. MOOLENAAR. Mr. Speaker, I rise today to pay tribute to Jack Telfer, the Editor of the Midland Daily News, upon his retirement.

Jack was born and raised in Port Huron where he attended St. Clair County Community College and earned his Associates degree. He went on to attend Central Michigan University and graduated with a Bachelors in Journalism in 1978. After finishing school, Jack began his career in journalism as a court and police beat reporter for the Daily Tribune.

Jack went on to become the Editor of the Huron Daily Tribune in 1983. His leadership was exceptional and he earned the Hearst Eagle Award, which is the company's highest award for excellence. In 1991, he moved to Midland to become the Editor of the Midland Daily News, another Hearst Publication. In his 25 years at the Midland Daily News, he has been a cornerstone of the paper's success

and helped lead it to the 2016 Michigan Press Association Newspaper of the Year award.

Outside of work, Jack's wife Jeanne, daughter Renee and son John Telfer III along with their spouses and his grandchildren have been the biggest part of his life. Jack looks forward to spending more time with them and further imparting his legacy of faith and love of hockey.

Jack has been especially helpful in giving back to Michigan's Fourth District. He has had strong involvement with the United Way of Midland, volunteering and serving on the board. His strategic thinking has helped the organization and our community.

On behalf of the Fourth Congressional District of Michigan, I am honored today to recognize Jack Telfer for his lifetime of work in media and for his commitment to the Midland Community.

TO CONGRATULATE AND HONOR
ANGELINA M. PENNISI STEINER
FOR HER LITERARY ACHIEVEMENTS

HON. MATT GAETZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Mr. GAETZ. Mr. Speaker, today I rise to congratulate and honor Angelina M. Pennisi Steiner for her literary achievements. At the age of thirteen, her poem "The Rusty Clock" was selected to be included in the award-winning Children's Album of Poetry Archives. After submitting another poem, "A Nightly Wish," Mrs. Steiner became the only person in her school to be included twice. In 2014, her first book, "Chasing Dreams" was published. Now, her second book, "Beautiful Words Coming My Way" is being published and archived in the Library of Congress.

Mrs. Steiner joined the Plant City Senior Center several years ago, where she shared her talents in weekly poetry readings. She became a member of the Florida Writer's Association, has been a guest at Winter Haven's "Meet the Artist Event in the Park," and was the featured guest speaker at Bruton Memorial Library. Angelina recently participated in the 36th Annual Tampa Bay Senior Talent Showcase.

A loving wife, and a mother of four children, Mrs. Steiner is inspired from everyday events, and has the talent to paint a beautiful picture through her poetry. Her rare talent and literary achievements must not go unrecognized. It makes me proud that a constituent of mine has achieved success in her literary endeavors.

IN RECOGNITION OF RHUDINE
DORSEY

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Mr. BISHOP of Georgia. Mr. Speaker, it is my honor and pleasure to extend my personal

congratulations to an exceptional community leader and outstanding citizen, Mrs. Rhudine Warren Nelson Dorsey, fondly known as Dina, as she celebrates 45 years of service with the Georgia Legal Services Program.

Dina was born to John and Minnie Warren in Columbus, Georgia. As an "Army brat," her family moved around a lot and she attended several schools. She finished high school at William H. Spencer High School in Columbus, Georgia. She furthered her education at Columbus College (now Columbus State University) and Chattahoochee Valley Community College.

In 1972, Dina began working at the Georgia Legal Services Program, formerly the Legal Aid Society, and has been an advocate for low-income clients with the organization ever since. She started as a receptionist under the management of attorney Rufe McCombs. She has since served as Domestic Relations Coordinator, Communications Coordinator, Pro Bono Coordinator, and Paralegal. In these roles, she has helped numerous clients collect countless dollars owed to them by government agencies such as the Social Security Administration.

The Georgia Legal Services Program was founded in 1971, just one year before Dina began to work there. While independent of the Georgia State Bar, the organization was formed to establish a statewide legal services program and provide expanded legal services in Macon, Columbus and Savannah. Today, the Georgia Legal Services Program serves about 10,000 clients a year directly and many more through free legal clinics and "Ask a Lawyer" days.

Dina's work with the Georgia Legal Services Program over the past 45 years has been widely recognized in the Columbus community. In 2006, she received the Liberty Bell Award from the Columbus Bar Association. That same year, she received the Mayor's Commission on Unity and Diversity Distinguished Woman Award.

Dr. Benjamin E. Mays often said: "You make your living by what you get; you make your life by what you give." Not only has Dina established a legacy in advocating for quality legal services for low-income people, but she has also done a tremendous job of giving back to the great city of Columbus, and I am very grateful for her tireless efforts to make the community stronger. A woman of great integrity, her efforts, her dedication, and her expertise in her field are unparalleled, but her heart for helping others is what has made her life's work truly special.

On a personal note, I have been blessed to know Dina since 1972 when I first moved to Columbus. She and her family have been dear friends to me and my family and I can say without reservation that she is one of the most passionate and warmhearted individuals with whom I have had the pleasure of working.

Mr. Speaker, I ask my colleagues to join me in extending our sincerest appreciation to Mrs. Rhudine Dorsey as she celebrates 45 years of service with the Georgia Legal Services Program.

HONORING THE LIFE OF MR.
DONALD ELY

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Mr. BARLETTA. Mr. Speaker, it is with a heavy heart that I honor the life of my friend, Mr. Don Ely, and express my deepest condolences to his family and friends.

On March 13, 2017, at 81 years old, Don passed away. The people of Sunbury and the greater community of Pennsylvania's 11th District, along with myself, will miss him greatly and are forever thankful for the service he provided his community.

Don began his career as a clergyman, serving congregations across the Commonwealth for nearly a decade before launching his career in education. Don was an accomplished school teacher, having taught history, government, and civics for over 32 years at Shikellamy High School in Sunbury. During the majority of his teaching years, he continued his work as a pastor until he had completed 25 years of his ministry. In addition to his work as a pastor and an educator, Don was also active in politics. He became a member of the Northumberland County Republican Committee in 1987 and the Republican State Committee in 1992, never missing a single meeting. Don was instrumental in supporting Republican candidates on the local, state, and federal levels. He was also an active, contributing member of the Heritage Foundation, the Commonwealth Foundation of Pennsylvania, and Pennsylvanians for Effective Government. Whether it was his years of leadership for the Republican Party of Pennsylvania, his work as a teacher, or his dedication to his family, Don's impact on the Sunbury community will not soon be forgotten.

Don is survived by his wife of 49 years, Lois Kirkpatrick Ely, and their three children, Kathleen Ely Lybarger, Dr. Stephen Ely and his wife Herta, and Yvonne Ely Renaud, his grandchildren, Olivia, Sophia, and Luke Lybarger, James, Ethan, and Patrick Renaud, George and Stephen Ely, his niece, Sandra Smith Kastel, as well as Philip Smith and Cindy Smith Leist.

Mr. Speaker, please join me in honoring the legendary life of Mr. Don Ely.

TRIBUTE TO DR. LUNS C.
RICHARDSON

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a patriotic American, outstanding South Carolina, and very special friend and constituent, Dr. Luns C. Richardson. He is retiring after 43 years as President of Morris College in his hometown of Sumter, South Carolina, the alma mater of both my parent.

Dr. Luns C. Richardson is the longest serving college president in South Carolina and the ninth president of Morris College. He is a

native of Hartsville, where he graduated from Butler High School in 1945 as Class Valedictorian. He received the A.B. degree (magna cum laude) from Benedict College and the M.A. degree in higher education administration at Teachers College, Columbia University. He pursued additional studies at my alma mater, South Carolina State University, Rutgers University and the University of Tennessee at Knoxville.

Dr. Richardson held several significant positions in secondary, vocational and higher education before becoming President of Morris College in 1974. He served fifteen years at Denmark Technical College (then known as South Carolina Area Trade School) as Dean of Men, Chaplain and teacher, two years as the principal of St. Helena High School, Frogmore, South Carolina, and one year as the principal of Wilson High School, in Florence, South Carolina. He also served six years at Benedict College, the last sixteen months as Acting President. Prior to his assuming the presidency of Morris College, he was the Executive Vice President at Voorhees College in Denmark, South Carolina. He served as pastor of Thankful Baptist Church in Bamberg, South Carolina for 56 years, 1958 until 2014.

My family's relationship with Morris College is very personal. My mother graduated from Morris College in 1953 when I was 12 years old. My father studied theology at Morris in the early 1940s for three years but was not allowed to finish his studies because he had not graduated from high school. Having been born in 1897 in segregated South Carolina, my father was never allowed to advance beyond the seventh grade. Though he was not allowed to graduate in 1945 as he should have, thanks to Dr. Richardson and the Board of Trustees, he was posthumously awarded his Bachelor of Theology Degree 58 years later in 2003, a most proud moment for my family and for me.

Under Dr. Richardson's leadership, numerous developments have taken place at Morris College: the liquidation of a half-million indebtedness, the construction of 17 new buildings, an increase in library holdings to more than 132,000 volumes, faculty upgrading to 72 percent earned doctorates, curriculum expansion including at least 16 new majors and an Army ROTC unit.

The endowment has grown from \$30,000 to more than \$12 million. He also led Morris College in its initial accreditation by the Southern Association of Colleges and Schools Commission on Colleges in 1978 and to membership in the United Negro College Fund in 1982.

Dr. Richardson has received more than 100 honors and awards, locally, statewide, regionally, and nationally from Greek letter organizations, churches, conventions, schools, colleges, civic organizations, states and cities. Benedict College and Teachers College, Columbia University, have named him outstanding alumnus. Morris College, Benedict College, and Coker College have conferred on him honorary doctorate degrees, as well as Simmons Bible College in Louisville, Kentucky. As a leader in the community and throughout South Carolina, he has served on many Boards and Commissions to include the South Carolina Chamber of Commerce Board.

Mr. Speaker, the full list of Dr. Richardson's accomplishments could fill volumes in the

Congressional Record. It suffices to say, Dr. Luns C. Richardson is a giant of a man whose impact on the countless lives he touched, the City of Sumter, the state of South Carolina and indeed the entire nation will be felt throughout the ages.

PERSONAL EXPLANATION

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Ms. MCCOLLUM. Mr. Speaker, I missed a vote on March 24, 2017 to approve the Journal. I would have voted to approve the previous day's Journal.

H.R. 390, IRAQ AND SYRIA GENOCIDE EMERGENCY RELIEF AND ACCOUNTABILITY ACT OF 2017

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2017

Mr. POE of Texas. Mr. Speaker, the evil group, ISIS, intentionally targeted Christians worldwide because of their religious belief. But ISIS did not only target Christians. They targeted any religious group, including some Muslims who disagree with them.

These sick folks are proud of the fact that they commit genocide. ISIS fighters posted videos and pictures online of their barbaric beatings of Christians and others who refused to bow to their ideology.

Thanks to these horrendous crimes against humanity, for the first time since Jesus there are almost no Christians left in this part of the world. There were 1.5 million Christians in Iraq in 2003. Since that time, terrorists have either killed or forced Christians to run for their lives.

The massacres committed by this terrorist group in the name of a perverted jihad religion are the worst crimes we have seen in our lifetime. H.R. 390 will help those groups that have suffered unimaginable atrocities at the hands of ISIS get the assistance they need. I am proud to be a cosponsor of this bill. This legislation demands ISIS be held accountable for what it does. By identifying these perpetrators of genocide we will be able to hold criminal trials and bring them to justice. After all, isn't justice what we do in the United States?

And that is just the way it is.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and

any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, March 30, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 3

10 a.m.

Committee on the Judiciary

Business meeting to consider the nominations of Neil M. Gorsuch, of Colorado, to be an Associate Justice of the Supreme Court of the United States, and Rod J. Rosenstein, of Maryland, to be Deputy Attorney General, and Rachel L. Brand, of Iowa, to be Associate Attorney General, both of the Department of Justice.

SH-216

APRIL 4

9:30 a.m.

Committee on Armed Services

To hold hearings to examine United States Strategic Command programs.

SD-G50

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine fencing along the southwest border.

SD-342

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine efforts to protect U.S. energy delivery systems from cybersecurity threats.

SD-366

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine FDA user fee agreements, focusing on improving medical product regulations and innovation for patients.

SD-430

2:30 p.m.

Committee on Appropriations

Subcommittee on Commerce, Justice, Science, and Related Agencies

To hold hearings to examine national water hazards and vulnerabilities, focusing on improved forecasting for responses and mitigation.

SD-192

Committee on Armed Services

Subcommittee on Cybersecurity

To receive a closed briefing on cyber threats to the United States.

SVC-217

Committee on Commerce, Science, and Transportation

Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security

To hold hearings to examine keeping goods moving, focusing on continuing to enhance multimodal freight policy and infrastructure.

SR-253

APRIL 5	Committee on Commerce, Science, and Transportation	10:30 a.m.
9:30 a.m.	Business meeting to consider pending calendar business.	Committee on Appropriations
Committee on Homeland Security and Governmental Affairs	SH-216	Subcommittee on Department of Defense
To hold hearings to examine improving border security and public safety.	Committee on Health, Education, Labor, and Pensions	To hold closed hearings to examine intelligence programs and threat assessment.
SD-342	To hold hearings to examine the nomination of Scott Gottlieb, of Connecticut, to be Commissioner of Food and Drugs, Department of Health and Human Services.	SVC-217
10 a.m.	SD-430	2 p.m.
Committee on Appropriations	Joint Economic Committee	Committee on Foreign Relations
Subcommittee on Transportation, Housing and Urban Development, and Related Agencies	To hold hearings to examine the decline of economic opportunity in the United States, focusing on causes and consequences.	Subcommittee on Africa and Global Health Policy
To hold hearings to examine protecting our midshipmen, focusing on preventing sexual assault and sexual harassment at the U.S. Merchant Marine Academy.	LHOB-1100	To hold hearings to examine a progress report on conflict minerals.
SD-192		SD-419
	APRIL 6	
		9:30 a.m.
		Committee on Armed Services
		To hold hearings to examine United States Southern Command and United States Northern Command.
		SD-G50

SENATE—Thursday, March 30, 2017

The Senate met at 9:30 a.m. and was called to order by the Honorable DEAN HELLER, a Senator from the State of Nevada.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Our Father in Heaven, we sing of Your steadfast love and proclaim Your faithfulness to all generations. Make us one Nation, truly wise, with righteousness exalting us in due season.

Today, inspire our lawmakers to walk in the light of Your countenance. Abide with them so that Your wisdom will influence each decision they make as You restrain them from speaking in haste. Keep them from evil so that they will not be brought to grief, enabling them to avoid the pitfalls that lead to ruin. May they put country before self, people before politics, and patriotism before partisanship. Empower them to glorify You in all they say and do.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 30, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable DEAN HELLER, a Senator from the State of Nevada, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. HELLER thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

HONORING OFFICER NICK RODMAN

Mr. MCCONNELL. Mr. President, I would like to begin this morning by paying tribute to a fallen hero. Yesterday, Officer Nick Rodman of the Louisville Metro Police Department passed away after a crash in west Louisville on Tuesday night.

Officer Rodman had served in the department for 3 years, where he followed in a strong family tradition of law enforcement. In his life, he showed compassion and dedication, which are among the best virtues of public service.

According to LMPD Chief Steve Conrad, Officer Rodman is the second officer in the department's history to be killed in the line of duty.

Officer Rodman's tragic death reminds us of the tremendous debt of gratitude we owe to all of the courageous men and women like him who daily put themselves into harm's way to defend our communities. They deserve our utmost respect.

This morning, I ask all of my colleagues to join me in expressing our deepest sympathy to Officer Rodman's family, friends, and fellow officers. They will all be in our prayers.

CONGRESSIONAL REVIEW ACT RESOLUTIONS

Mr. MCCONNELL. Mr. President, on an entirely different matter, the Senate will soon act to prevent workers from being forced into risky government-run savings plans. Then we will turn our attention to an additional opportunity to protect the American people from Executive overreach with another resolution under the Congressional Review Act.

On its way out the door, the Obama administration issued a regulation that prohibited States from allocating certain health preventative-care funds in a way that best serves local communities. It substituted Washington's judgment for the needs of real people, controlling Americans' access to healthcare services while hurting the community health centers that so many Americans—especially women—depend upon. This regulation is an unnecessary restriction on States that know their residents' own needs a lot better than the Federal Government.

Fortunately, by sending the CRA resolution before us to the President's desk, we can once again return power back to the people, and we will do so without decreasing funding for women's healthcare by a single penny.

I would like to recognize my colleague, Senator JONI ERNST, who intro-

duced the Senate companion to the House resolution we will vote on, for her leadership on this important issue. I look forward to supporting it later today.

NOMINATION OF NEIL GORSUCH

Mr. MCCONNELL. Mr. President, many Members came to the floor yesterday to debate the Gorsuch nomination. We will have all of next week to continue the debate. I encourage my colleagues to continue discussing this important nomination.

Two months ago today, before Neil Gorsuch had even been nominated, I spoke on the Senate floor about the rhetoric we could expect to hear from the other side after the President's nominee was announced.

I predicted then that we would see many on the left "[try] to paint whomever is actually nominated in apocalyptic terms." It "doesn't matter who this Republican President nominates," I said then. It "doesn't matter who any Republican President nominates, really," I continued. No matter the nominee, I said back before we had the nominee, "we can expect to hear a lot of end-times rhetoric from the left . . . [and] [i]n fact, we already have."

I was alluding then to the fact that, sight unseen, we had already begun hearing from those on the far left who vowed to oppose anyone—anyone the President nominated. The Democratic leader even joined in, saying he would oppose anyone from the President's list of candidates and would "fight it tooth-and-nail, as long as we have to" in order to keep Justice Scalia's seat open, even for the entirety of the President's term.

Remember, that was before Judge Gorsuch was even selected, before we knew his credentials, before we had heard from the current and former colleagues of his, before we had examined his judicial record, and well before his hearing before the Judiciary Committee.

Our friends across the aisle made it clear then that their opposition to this nominee would have nothing to do with the nominee himself. In fact, I said we could expect to hear a number of convoluted excuses as to why they wouldn't support the President's yet-to-be named nominee—excuses that would amount to little more than their dissatisfaction with the outcome of the election.

Sure enough, that is just what we have seen over the past few weeks. They are opposing this well-qualified

nominee despite his impressive credentials, bipartisan support, and excellent testimony before the committee.

Judge Neil Gorsuch is such an outstanding candidate, so noncontroversial, so well-esteemed by people across the political spectrum that Democrats have been forced to talk about pretty much anything: President Trump, think tanks, you name it—anything but the nominee himself.

Yesterday's comments by the Democratic leader are a good example. He gave a lengthy speech about why he wouldn't support Judge Gorsuch, but when you boil it down, his remarks had little to do with Judge Gorsuch at all.

Essentially, he concluded that because Judge Gorsuch had earned the praise of legal groups like the Federalist Society, Democrats should not support him. By the way, all current sitting Justices have participated in events with this same organization. Let me say that again: All current sitting Supreme Court Justices have participated in Federalist Society activities. That includes Justices who were nominated by Democratic Presidents, including President Clinton and President Obama.

So, yes, Judge Gorsuch has received high praise from a number of conservatives—he certainly has—just as he has earned the support of centrists and leftists as well.

As I have pointed out on several occasions, many long-time Democrats you might not expect have even complimented Judge Gorsuch—people like President Obama's former Acting Solicitor General Neal Katyal, President Obama's legal mentor, Professor Laurence Tribe, President Carter's district court appointee, Judge John Kane, President Clinton's appointee to the Tenth Circuit and former chief judge of that court, Judge Robert Henry, and liberal Harvard Law Professor Noah Feldman, and so many more.

Judge Gorsuch has such a proven record of judicial independence and impartiality that people from the left to the right and everywhere in between have voiced their confidence in his fitness to serve on the High Court. That would explain why the American Bar Association—which, according to the Democratic leader and former Democratic Judiciary chairman, is the “gold standard” for evaluating judges—gave Gorsuch its highest rating possible: unanimously “well qualified.”

So let's be clear. The support for Judge Gorsuch is anything but one-sided.

The Democratic leader also noted his concerns yesterday about the process by which we arrived at this point. As we all know, this Supreme Court nominee process has been historically transparent. Here is what I mean. Months and months ago, then-Presidential Candidate Trump took the unprecedented action of compiling a list of po-

tential nominees he would consider nominating to the Supreme Court. These potential nominees were made public for the American people, including every Senator, to review.

Before making his selection, now-President Trump's White House consulted on a bipartisan basis with each and every Democrat on the Senate Judiciary Committee, as well as numerous other Senators. The President followed through with his pledge, selecting from that public list Judge Neil Gorsuch of Colorado, who we can all agree is well qualified to serve on the Supreme Court and whom the Senate confirmed to his current position without a single vote in opposition.

Since being nominated, Judge Gorsuch has continued this transparent process by meeting face-to-face with nearly 80 Senators—from both parties, obviously.

So you see, this process has been as straightforward and bipartisan as possible from the very beginning—before we even knew that the President would, indeed, be making this nomination.

Only in the upside-down world of my Democratic colleagues is telling the entire world months before one is even elected President the list of people he would choose from, if he became the President, a “secret” process. I can't think of anything less secret than putting out that list in the middle of a hotly contested Presidential election process.

So, look, it is time to move beyond this hollow rhetoric and get back to the serious business of governing. Confirming Judge Gorsuch would mark a significant step in that direction. He has proved himself a worthy successor to the Supreme Court. He has earned high acclaim along the way from various news publications and lawyers and judges and clerks who represent all walks of life and all political ideologies.

People like David Frederick, a long-time Democrat and board member of the left-leaning American Constitution Society, may have summed it up best in a recent Washington Post op-ed. Here is what he said: “The Senate should confirm [Gorsuch] because there is no principled reason to vote no.”

No principled reason to oppose him, none.

As this American Constitution Society member says, there is not one single principled reason to oppose Judge Gorsuch, so it makes sense that Democrats can't come up with a single substantive reason to oppose him either.

I suggest the absence of a quorum

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

NOMINATION OF NEIL GORSUCH

Mr. SCHUMER. Mr. President, as we prepare to consider the nomination of Judge Neil Gorsuch for the Supreme Court, I would like to take a moment this morning to discuss the false choice Republicans are presenting about his confirmation.

The Republican majority wants everyone to believe that by the end of next week one of two things must happen: Either Judge Gorsuch will pass with 60 votes or they must exercise the nuclear option and change the rules of the Senate so that he can pass on a simple majority vote. As Republicans tell it, one inexorably follows from the other. They are talking about next week as if they have no choice but to go nuclear if Judge Gorsuch doesn't earn 60 votes.

It is absolutely false. It is complete hokum. This is not some inevitable showdown. The Republicans control this body. They can choose to go nuclear or not. The ball is entirely in their court. In the past, when a President's nominee didn't get enough support for confirmation for whatever reason, the President just picked another nominee. If it comes to that, that is what this President should do. If Judge Gorsuch fails to garner 60 votes, the answer isn't to irrevocably change the rules of the Senate, the answer is to change the nominee. It is not Gorsuch or bust.

The Republicans are playing a game of unnecessary and dangerous brinksmanship. If it comes to a rules change—and I sincerely hope that it does not for the sake of the grand traditions of this body, for the sake of the advice and consent clause of the Constitution, but if it does—it will be squarely on the shoulders of the Republican Party and the Republican leader—a Republican Party that broke 230 years of precedent when it refused to even consider President Obama's nominee, Chief Judge Merrick Garland, with almost a year left in Obama's Presidency. There was no vote—not even a hearing—and Republicans accuse Democrats of the first partisan filibuster of a Supreme Court nominee? What Republicans did to Merrick Garland was worse than a filibuster. They didn't even grant him the basic courtesy of a filibuster. Merrick Garland actually was a consensus nominee with Republican buy-in for the Supreme Court.

Second, President Trump totally dispatched with the notion of “advice and consent” by pledging, before he was even elected, to nominate a Supreme Court Justice off of a preapproved list of hard-right, conservative judges put together by the Heritage Foundation and the Federalist Society. Contrast that with Bill Clinton, who sought and took the advice of the Republican Judiciary Chairman, ORRIN HATCH, in nominating Justices Ginsburg and Breyer. He did not pick his first choice, Bruce Babbitt, because ORRIN HATCH said that would be a bad idea and could not bring the kind of unity we needed. How about Democratic President Obama, who took, again, the advice of ORRIN HATCH when he picked Merrick Garland. There was bipartisan consultation. That is why the process worked. There is none now. The Heritage Foundation and the Federalist Society are not simply mainstream organizations, as every Republican knows, but they are organizations on the hard-right of the Republican side who often threaten Republicans if they don’t vote the right way—the far-right way. So we are not talking about “advise and consent.” We are talking about something that was done without any consultation and a political move by a President to shore up his base with the hard rightwing.

What President Trump did was worse than simply ignoring article II of the Constitution. President Trump actively sought the advice and consent of rightwing special interest groups instead of the Senate. That is another Supreme Court-related precedent that the Republicans discard. Because President Trump made that choice, now Republicans are saying they have no choice but to change the rules? It is illogical and self-serving. For all the handwringing of my friends on the other side of the aisle that they cannot imagine Democrats voting against Judge Gorsuch, I would like to remind them that only three of the current Senators on the Republican side voted for either of President Obama’s confirmed nominees. Let me repeat that. Only three of the current Senators on the Republican side voted for either one of President Obama’s confirmed nominees. Most voted for neither, and every single one of them lined up to conduct an “audacious” partisan blockade of Merrick Garland.

It is true the norms and precedents and traditions have been eroded by both sides. We changed the rules for lower court nominees in 2013 after years of unprecedented obstruction by Republicans on routine circuit and district court judges. Still, I am on the record as regretting that decision. But this is in an order of magnitude much greater than that. This is the Supreme Court. This is the Court that is the final arbiter of U.S. law and the Constitution. We Democrats have serious

principled concerns about Judge Gorsuch, his record, his long history of ties to ultraconservative interests, and his almost instinctive tendency to side with special power interests over average citizens. We have principled concerns about how Judge Gorsuch was groomed by hard-right conservative billionaires, like Mr. Phillip Anschutz. We have principled concerns about how Judge Gorsuch was selected off a preapproved list of conservative judges made by organizations who spent three decades campaigning to move our judiciary far to the right.

Judge Gorsuch had a chance to answer these concerns in his hearings. We were all waiting and hoping, but our questions were met with practiced evasions. He couldn’t even answer whether *Brown v. Board* was decided correctly.

Instead of considering the possibility of another nominee should Judge Gorsuch fail to reach 60 votes, our Republican friends are threatening to press the big red button for him.

Again, the Republicans are creating a false choice—Judge Gorsuch or the nuclear option—in an attempt to avoid the blame if they change the rules, and it just doesn’t wash. The Republicans control this body. They are in the driver’s seat, and they are the only reason that we are here today. They held this seat open for over 1 year so that this President could install someone hand-picked by the Heritage Foundation and the Federalist Society—a lifetime appointment for this President, whose campaign is under investigation by the FBI for potential ties to Russia.

I just repeat to my Republican colleagues: You don’t need to change the rules if Judge Gorsuch doesn’t get 60 votes. You are not required to do so. You just need to change the nominee and do some bipartisan consultation as Presidents of both parties have done in the past.

AFFORDABLE CARE ACT

Mr. SCHUMER. Now on the ACA, Mr. President. The HHS Secretary appeared before the House appropriators yesterday and testified that, under his direction, the Department of Health and Human Services may try to undermine our Nation’s healthcare system in several ways. Specifically, he hinted that he might make it easier for insurers to offer coverage without certain essential benefits and refused to say if he would continue certain programs that stabilize our healthcare markets. That is in line with steps this administration has already taken to undermine the healthcare law, such as when they discontinued the public advertising campaigns that encouraged people to sign up for insurance. All of these things harm our Nation’s healthcare system, and they should be ceased immediately.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF LABOR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.J. Res. 67, which the clerk will report.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 67) disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees.

The ACTING PRESIDENT pro tempore. Under the previous order, all time is expired.

The joint resolution was ordered to a third reading and was read the third time.

The ACTING PRESIDENT pro tempore. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. RUBIO. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

The PRESIDING OFFICER (Mr. STRANGE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 99 Leg.]

YEAS—50

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Johnson	Shelby
Cornyn	Kennedy	Strange
Cotton	Lankford	Sullivan
Crapo	Lee	Thune
Cruz	McCain	Tillis
Daines	McConnell	Toomey
Enzi	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Paul	

NAYS—49

Baldwin	Brown	Casey
Bennet	Cantwell	Coons
Blumenthal	Cardin	Corker
Booker	Carper	Cortez Masto

Donnelly	Klobuchar	Schatz
Duckworth	Leahy	Schumer
Durbin	Manchin	Shaheen
Feinstein	Markey	Stabenow
Franken	McCaskill	Tester
Gillibrand	Menendez	Udall
Harris	Merkley	Van Hollen
Hassan	Murphy	Warner
Heinrich	Murray	Warren
Heitkamp	Nelson	Whitehouse
Hirono	Peters	Wyden
Kaine	Reed	
King	Sanders	

NOT VOTING—1

Isakson

The joint resolution (H.J. Res. 67) was passed.

The PRESIDING OFFICER. The majority leader.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY SECRETARY OF HEALTH AND HUMAN SERVICES—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to H.J. Res. 43.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to H.J. Res. 43, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by Secretary of Health and Human Services relating to compliance with title X requirements by project recipients in selecting sub-recipients.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

The yeas and nays resulted—yeas 50, nays 50, as follows:

[Rollcall Vote No. 100 Leg.]

YEAS—50

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Corker	Isakson	Shelby
Cornyn	Johnson	Strange
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young
Fischer	Paul	

NAYS—50

Baldwin	Collins	Harris
Bennet	Coons	Hassan
Blumenthal	Cortez Masto	Heinrich
Booker	Donnelly	Heitkamp
Brown	Duckworth	Hirono
Cantwell	Durbin	Kaine
Cardin	Feinstein	King
Carper	Franken	Klobuchar
Casey	Gillibrand	Leahy

Manchin	Nelson	Tester
Markey	Peters	Udall
McCaskill	Reed	Van Hollen
Menendez	Sanders	Warner
Merkley	Schatz	Warren
Murkowski	Schumer	Whitehouse
Murphy	Shaheen	Wyden
Murray	Stabenow	

The VICE PRESIDENT. On this vote, the yeas are 50, the nays are 50. The Senate being equally divided, the Vice President votes in the affirmative, and the motion to proceed is agreed to.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY SECRETARY OF HEALTH AND HUMAN SERVICES

The VICE PRESIDENT. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I yield back all Republican time in relation to H.J. Res. 43.

The VICE PRESIDENT. The time is yielded back.

The Senator from Washington.

Mrs. MURRAY. Mr. President, this vote had to be held open in order to allow time for Vice President PENCE to come down and break a tie.

My colleagues and I came to the floor weeks ago to make clear that this harmful legislation should not come to the floor. Republicans didn't listen to us, and they didn't listen to women across the country who made it clear that restricting women's access to the full range of reproductive care is unacceptable. We are not going to give up. We are going to keep holding them accountable, and we are going to keep making sure that women's voices are heard.

I want to thank all of my colleagues who have already come and will continue to come to the floor today to stand against this shameful, dangerous resolution.

The march that was held after President Trump was inaugurated was one of the most inspiring events I have ever had the opportunity to be a part of. Millions of people—men and women—marched in Seattle in my home State, here in Washington, DC, and in cities and towns in between and all across the world. They carried signs, they chanted, and they made it absolutely clear that when it comes to women's rights and healthcare, people across the country do not want to go backward. Since then, millions of people have continued to speak up and stand up. And last Friday, by the way, was no different.

Republicans have been threatening for years now to dismantle the Affordable Care Act, but it took just a few weeks for families nationwide to stand up and fight back and shut down a deeply harmful plan that would have taken healthcare away from tens of millions of people, spiked our premiums, targeted seniors for higher costs, and cut off access to critical services at Planned Parenthood.

I was so inspired by the countless people who bravely shared their personal stories about their health and their loved ones in order to make clear just how damaging—and even deadly—TrumpCare would have been. I am proud to say that women led the way and made it known, in no uncertain terms, that Republicans would be held fully accountable for the disastrous TrumpCare legislation.

And try as they might, last week, Republicans couldn't ignore them. This was an absolute, undeniable victory for women and families in this country.

But while TrumpCare was dealt a significant blow last week, it is clear the terrible ideas that underpin it live on now, today, in this Republican Congress. It is unprecedented that we are here, with the Vice President breaking a tie vote on an attack on women's health across this country.

We are here today, once again, because President Trump and Republicans in Congress are not getting the message. Today, continuing on their extreme, anti-women agenda, Senate Republicans are rushing now to roll back a rule that protects family planning providers from being discriminated against and denied Federal funding.

Let me explain a little bit about what family planning providers mean to our communities. Those providers that are part of the title X program—which has, by the way, bipartisan history—deliver critical healthcare services nationwide, and they are especially needed in our rural and our frontier areas.

In 2015 alone, title X provided basic primary and preventive healthcare services—services like Pap tests and breast exams and birth control and HIV testing—to more than 4 million low-income women and men at nearly 4,000 health centers. In my home State of Washington, tens of thousands of patients are able to receive care at these centers each year, and they often have nowhere else to turn for their healthcare. In fact, 40 percent of women who receive care at health centers funded by title X consider it to be their only source of healthcare.

So taking resources away from these providers, which this resolution would do, would be cruel, and it would have the greatest impact on women and families who need it the most. It would undo a valuable effort by the Obama administration to ensure that healthcare providers are evaluated for Federal funding based on their ability to provide the services in question, not on ideology. In doing so, this resolution would make it even easier for States led by extreme politicians to deny family planning providers Federal dollars, not because of the quality of care that they get or provide or their value to the communities they serve, but based on whether the politicians in

charge—the politicians in charge—agree that women should be able to exercise their constitutionally protected right to reproductive healthcare.

This is wrong. It is dangerous, and we cannot let this stand.

If Republicans think that millions of people who stood up last week have suddenly stopped paying attention, they are sorely mistaken. And if they think that Senate Democrats are not going to fight back, they have another thing coming. They can expect every single Democrat in the Senate—and I hope some Republicans who are concerned about losing healthcare providers in their States—to fight back against this resolution with everything they have.

This vote won by a tie vote, and the Vice President was the tie vote. It will take one Republican this afternoon on the final vote to say yes for the women in their State and States' rights to say no. That is all we are asking for the women of this country.

While I have the floor, I want to say we should all be aware there is more headed our way. In a matter of weeks, we all know that government funding is going to run out. Everybody understands this. I know that since they didn't get their way last week and they are pushing this resolution so hard today to the point where they bring the Vice President to break a tie, it is a safe bet that extreme Republicans are going to try to attach riders that try to take away Planned Parenthood funding in the spending bill for the rest of this year.

So I want to be very clear from the outset: That is a complete nonstarter. We have been here before. We have shown that we can win, and we are going to fight these efforts every step of the way.

So I urge people across the country to let their Senators know that this is not acceptable. Stand up for women and families and for their rights to take care of their own reproductive healthcare at the facility that provides for them in their own communities.

I urge my colleagues: Don't make the same mistake again. End the damaging political attacks on women, and stand with millions of women and men and families. They need us.

Thank you.

I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The clerk will report the joint resolution.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 43) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by Secretary of Health and Human Services relating to compliance with title X requirements by project recipients in selecting subrecipients.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, I rise today in a near empty Chamber. Indeed, there is no Republican colleague here today. Our Republican colleagues have yielded back all their time on this resolution, and the reason they have yielded back all their time is that they apparently have no interest in appearing here and talking about a resolution of disapproval of a rule that is vital to ensuring that women have access to the family planning provider of their choice. It is really that simple.

Defending Planned Parenthood is what we have done on this side. Defunding Planned Parenthood has been the interest on the other side of the aisle.

They have also taken an inordinate interest in reinstating gender ratings in health insurance and are now damaging title X networks through this resolution. They have demonstrated an unmitigated desire to cut women's access to healthcare in order, apparently, to win political points. But their actions today show that the politics of this issue and, most importantly, the people of America are not on their side.

Title X is a critical program delivering important family planning and preventive health services in underserved areas of our great Nation. In 2015 alone, title X programs provided basic primary and preventive healthcare services. We are talking about Pap tests, breast exams, birth control, and HIV testing for more than 4 million low-income women and men at nearly 4,000 health centers across the country. For 40 percent of women, their visit to a family planning health center is the only healthcare they receive annually. Think of that number for a moment. Forty percent of those women have no access elsewhere except at these healthcare centers.

By overriding this regulation, Republicans will allow States and title X grantees to pick and choose who provides these services based on arbitrary criteria that have nothing to do with the quality of services patients will receive. It is no wonder that none of them is here to talk about it. Now, if they were here—and they have said so in public—they might argue that they support this resolution because they oppose abortion. So let me be clear. This regulation is about access to family planning services, not about access to abortion.

I know many of my colleagues disagree with me that abortion should be safe and legal. They have shown that disagreement by their repeated at-

tempts to undermine *Roe v. Wade* and make it harder for women to access constitutionally protected healthcare.

While they may disagree, it is still the law of the land. In any event, this regulation is not about access to abortion. This regulation is about ensuring that States cannot discriminate against qualified providers that are an essential part of a safety net that serves women who have no place else to go. Those providers are willing to provide necessary, culturally sensitive care to individuals who otherwise would simply be without access to that care.

Title X funding does not go to abortion services. It goes to provide much needed family planning services. There is so much that the title X program does that I believe my colleagues would agree is absolutely vital to the health of women. I know we agree on wanting to reduce teen and unintended pregnancies. Without the contraceptive care provided by title X sites, the teen pregnancy rate would be 30 percent higher and the unintended pregnancy rate would have been 33 percent higher. We should agree on that point.

We should also agree on wanting to find ways to save money in the healthcare system. In 2010, health services provided at title X centers resulted in net savings of \$7 billion in Federal and State funds. Those savings are indicative of the fact that every dollar invested in publicly funded family planning saves taxpayers \$7. That is a great deal for the taxpayers of our Nation. That is a humane and profoundly significant deal for the women whose lives are bettered. We should all agree that preventing disease and saving health and lives is not only about dollars and cents. It is about the future of our Nation.

Title X began as a bipartisan program to support family planning services over 40 years ago, an era that was less divisive and when this Chamber was less divided. I urge my colleagues to recognize the importance of ensuring these services. States cannot restrict an already overburdened network of safety net providers.

Family planning services are provided through State, county, and local health departments, as well as hospitals, family planning councils, Planned Parenthood, and federally qualified health centers. Providers that focus on reproductive health comprise 72 percent of all title X-supported sites, and they are critical to delivering high-quality family planning services. They are particularly able to offer the full range of contraceptive methods and to help women start and effectively use the methods that will work best for them individually.

There is simply no excess capacity in that safety net system now. For Republicans to allow States to remove providers from the networks based on arbitrary criteria is simply unwise and,

in fact, unconscionable. The foundation of the program's success is the longstanding intent that its provider network be designed by the communities it serves to help patients have access to trusted, highly qualified, family planning providers.

Just a few weeks ago, I met with some providers and volunteers from Planned Parenthood of North Hartford. I was deeply impressed with their dedication, their skill, and their humanity. In a high-need, low-income community like North Hartford, access to primary care is limited. Young men and women who come to this clinic have chronic health conditions, such as diabetes, depression, high blood pressure, and headaches. Left untreated, they have to be addressed at emergency rooms at much higher costs.

The clinicians recognized that there was an additional need for health services and for other providers in the community to meet them, but they were currently unable to do so. So they decided to initiate full-scope primary care services in Hartford, in addition to the comprehensive women's health services, so as to fully serve the men and women who choose to come to Planned Parenthood of North Hartford for their reproductive health and family planning care needs.

Patients there are seen for acute conditions and chronic problems, physicals, preventive vaccinations, as well as services to quit smoking. If there were ever a cost-effective program anywhere in the United States, then the North Hartford project is a sterling example.

Just to give one example, recently, a young woman came to this Planned Parenthood for birth control. She was found to have high blood pressure. So her provider started her on blood pressure medication and counseled her on dietary and lifestyle changes. She started exercising regularly and improved her diet, lost 30 pounds, and no longer needed the medication to control her blood pressure. Is that kind of treatment cost effective? The facts speak for themselves—the real facts—giving patients a choice, giving them a chance, giving them the counseling and care they need to save dollars and save lives.

Community healthcare centers like that in North Hartford simply cannot accommodate all the family planning patients who would lose coverage or funding if title X funds to Planned Parenthood affiliates, like Planned Parenthood of Southern New England, are eliminated. That is a lesson of this Planned Parenthood that is undeniable.

That may well be why our Republican colleagues have yielded back all of their time.

The real facts are undeniable. The real need is irrefutable. My colleagues and I are here today not because we are

asking for more money or a change in how the funding program is used. We are standing up and speaking out against shortsighted efforts that would restrict access to family planning services for some of the most vulnerable patients—many of them voiceless in these halls; faceless, otherwise—in areas that are least able to absorb this cruel and inhumane change in the rules.

I ask my colleagues to oppose this resolution and to stand strong for women's and men's healthcare across the country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, the Congressional Review Act, or CRA, resolution we are debating today is the latest attack in the unrelenting Republican crusade against funding—or defunding—Planned Parenthood. They have tried everything: passing stand-alone bills, attaching poison pills to must-pass bills, threatening a government shutdown, struggling and failing to pass TrumpCare.

Today, we are debating whether to repeal an administrative action that protects abortion providers, like Planned Parenthood, that receive title X funding. Just a little while ago, Vice President PENCE was here to break a tie because Republicans in Congress couldn't get enough men to tell women what to do with their bodies.

For nearly 50 years, title X funding has helped low-income Americans access vital health services like birth control and cervical and breast cancer screenings. Title X funding has been a healthcare lifeline for millions of women in all parts of the country. But if this Congressional Review Act resolution is passed, Planned Parenthood clinics across our country can be prohibited from receiving title X funding, even though it is currently illegal to use Federal dollars to fund abortion services. Let me repeat: No Federal dollars can be used to fund abortion services, period.

I understand the strong anti-abortion belief held by some of my colleagues, but I don't understand why this translates into relentless attacks on an organization that uses no Federal funds for abortion. Planned Parenthood uses Federal funds to provide vital healthcare services to millions of people, mainly women. Yes, I acknowledge there are men who go to Planned Parenthood also.

In 2014, Planned Parenthood provided over 600,000 cancer screenings and over 4 million tests and treatments for sexually transmitted infections. But this is a factual argument, and we have learned over the years that many of my Republican colleagues simply will not listen to facts when it comes to Planned Parenthood.

Let me share a few stories from my constituents about the trans-

formational impact Planned Parenthood has had in their lives. Perhaps after hearing these stories, we will think twice about attacking the vital services Planned Parenthood provides all across our country.

Hawaii is home to a large military community. Taylor from Honolulu is a military spouse who wrote to me that she and other military dependents turn to Planned Parenthood because of long wait times and confidentiality concerns within the military healthcare system. Taylor wrote:

My friend was experiencing severe cramping and pelvic pain to the point where she had to utilize a sick day. When she visited the medical services provider through the military, they scheduled her for an appointment for four days out. She was sent home with no pelvic exam or ultrasound. The pain was so severe that she went to Planned Parenthood because she could not wait to see her primary care physician. They immediately performed a pelvic exam, an ultrasound, and an STD screening. She was diagnosed with pelvic inflammatory disease. Annually, 100,000 women become infertile as a result of PID, so receiving quick treatment for this condition is critical.

Taylor continued:

Defunding Planned Parenthood means that individuals who experience common reproductive healthcare issues like this would have lessened chances of receiving quick, necessary and comprehensive medical care. Had it not been for Planned Parenthood, she could have lost her ability to have children in the future.

Do my Republican colleagues want to deprive military spouses of vital healthcare services?

I also heard from Tiffany, a student at the University of Hawaii, who went to a Planned Parenthood clinic after a pregnancy scare. She wrote:

I was afraid because I knew that having a child was beyond my means. I was just starting out my university years at 21; and I have extremely conservative parents who would have surely not approved of my actions. I knew how difficult having a child was for someone in my situation, especially while going to school, and risking sacrificing my future, my key to stepping out of poverty, was not an option. I was unemployed and had Medicaid at the time as well, and Planned Parenthood accommodated my financial situation.

Thankfully, I discovered I was not pregnant, and Planned Parenthood took the extra time to sit me through my options without any judgment whatsoever. I was also prescribed birth control, offered an STD test, and was given Plan B in the event I ever missed my birth control. The sense of relief, reassurance, and care I felt walking out of the clinic left me with a very strong impression, especially after so many days of anxiety.

Do my Republican colleagues want to take away resources that help thousands of young women like Tiffany fulfill their full potential?

These stories aren't rhetoric. They aren't hyperbole. They aren't spin. They are powerful reminders that each day, women turn to Planned Parenthood in a time of need.

Some of my colleagues have argued that all these thousands of women who go to Planned Parenthood clinics can go to community health centers if Planned Parenthood clinics have to close because of defunding.

This morning, I met with over a dozen leaders from Hawaii's community health centers. So I asked them, could you take in all of Planned Parenthood's patients? Their answer was an unequivocal no. Our communities cannot afford to lose Planned Parenthood clinics.

A vote for this CRA is a vote to deprive women like Taylor and Tiffany and millions more throughout our country of these important healthcare services. Let's stop these attacks on women's healthcare. I urge my colleagues to vote no.

I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I come to the floor to join my colleagues in opposing this misguided measure, which would leave millions of women and families with fewer healthcare options, and it would drastically decrease women's access to basic primary and preventive health services, including lifesaving cancer screenings and HIV testing.

Make no mistake about it, as my colleagues have said, the primary target of this legislation is Planned Parenthood. For years now, we have seen Republican leaders in Congress attempt to defund this essential healthcare provider, which serves millions of women nationwide, including nearly 12,000 women in New Hampshire, most of them with incomes below or near the poverty line. The sad irony of these attacks is that study after study has shown that restricting access to birth control and other family planning methods actually increases the number of abortions.

The authoritative Guttmacher Institute estimates that in 2014 alone, contraceptive care provided under title X helped women avert more than 900,000 unintended pregnancies and 326,000 abortions. Without contraceptive care provided by title X funded centers, the U.S. rates of unintended pregnancy and preventable abortions would be an estimated 33 percent higher, and the teen pregnancy rate would be 30 percent higher.

At the end of the Obama administration, teen pregnancy in the United States was at its lowest point since we have been keeping track. As Senator HIRONO said, these services don't provide abortions. Federal law expressly forbids the use of Federal funds to pay for abortion, except to save the life of the mother.

So the real issue here is not about abortion. This is about ensuring that American women have access to the

basic healthcare they need, where they want to receive it. This is just a mean-spirited effort to keep women from seeing the provider they want to see and getting care at rates they can afford. For 40 percent of women, their visit to a family planning center is the only care they receive annually.

In 2015 alone, title X provided basic primary and preventive healthcare services such as Pap tests, breast exams, birth control, and HIV testing to more than 4 million women and men at nearly 4,000 health centers. Planned Parenthood plays an essentially important role in delivering health services to low-income, uninsured, and vulnerable individuals, including in rural areas.

I am sure that every person in this Chamber has received letters and emails and phone calls from constituents on this issue. They are pleading with us: Don't take away our access to healthcare from Planned Parenthood.

I received a letter from Sandra Sonnichsen of Goshen, NH. She writes:

Planned Parenthood was my only affordable source of gynecological healthcare for most of my life. I received good, wise, and thoughtful care. I think it is not extreme to say they saved my life. Abortions were not involved. They—

Meaning Planned Parenthood—remain very important, especially for poor or uninsured women. There are not enough alternate low cost women's clinics available. Not providing birth control services to women who want it is not a good economic or social solution. Don't let it be defunded.

In a follow-up call, Sandra said that without Planned Parenthood, she would not have had any healthcare at all. Because her mother died of breast cancer, Sandra is deeply grateful that she has been able to receive mammograms, thanks to Planned Parenthood.

I also heard from Meredith Murray of Exeter, NH. She says:

Nine years ago I graduated from college and immediately began my journey to become a medical provider. . . . During this time in my life, I was surviving almost entirely on student loans. And I knew that during this time, especially, I needed to ensure that I was doing all I could to prevent pregnancy. . . . With my insurance—an IUD would have cost \$900. That was not possible for me to afford. Then I remembered—Planned Parenthood. . . . I was informed, due to title X funding, my IUD would be completely covered. I continued to use Planned Parenthood services for the next 5 years for my routine screenings while in medical school. The care I received was phenomenal. As I proceeded through my medical training, I strived to be as kind, compassionate, and knowledgeable as those who work Planned Parenthood health centers. I am now a practicing medical provider, married, and still using an IUD because Planned Parenthood offered me that opportunity.

I received this letter from Samantha Fox of Bow, NH. She writes:

In 2007, I was a 19-year-old just barely starting out when I was denied health insurance due to a preexisting condition. Had I been able to access affordable coverage, my

preexisting condition, a reproductive system disorder, would have been easily manageable. . . . At that time, I was able to access care through Planned Parenthood, which likely preserved my ability to conceive in the future.

And finally, let me share this message from Robina Parise of Rye, NH. She says:

I started utilizing the services at Planned Parenthood for birth control when I was about 17 years old. . . . Planned Parenthood made sure I was protected and healthy. They gave me access to vital protection and healthcare when I could not get it anywhere else. They regularly called me with reminders to have exams and to pick up my prescription. Planned Parenthood is the reason my husband and I were able to graduate from high school and college. . . . I'm not sure what our lives would be like now without their support.

I don't know. Do the people who are voting for this CRA believe it would be better to have allowed the people whom I just talked about—to prohibit their access to these healthcare services so that their lives would have been disrupted, so they might not have finished college, so we wouldn't have another doctor in the world, so they wouldn't be able to afford healthcare? I hope we will listen to our constituents who have been speaking out in passionate support of Planned Parenthood and other family planning clinics.

This is about respecting women's access to healthcare services, including millions of vulnerable women who have nowhere else to turn for essential care. This is also about respecting women's constitutionally protected right to make our own reproductive choices. We must not allow Congress to strip away investments in family planning clinics by allowing States to discriminate.

Finally, I want to point out that we haven't heard from any of our colleagues on the other side of the aisle who are voting for this measure about why they think it is so critical. I don't know. Maybe they are not willing to come to the floor and tell my constituents why they should be denied access to healthcare from the provider they want. Well, I am disappointed that we haven't heard from anyone who is willing to stand up and defend this vote. I hope they are going to have to defend it to the American people.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I want to thank my colleagues who are here speaking out against this shameful resolution that is before us today that goes after women's rights and their opportunity to make their own healthcare decisions with their own provider.

I, too, want to echo the comments that were just made. I find it amazing that the Republicans have yielded back all of their time. They are not going to come out here and defend their vote; they are just going to take the vote.

In fact, it seems clear to me that President Trump is clearly focused on attacking women's healthcare—so much so that he sent his women's health adviser, Vice President PENCE, here just moments ago to break a tie on this latest disgusting attack on women's healthcare. It is truly appalling.

Women and men across the country are watching what is happening here today, watching what Republicans are trying to do, and they are paying attention.

NOMINATION OF NEIL GORSUCH

Madam President, I wish today's resolution was the only shameful attack on women's health to talk about, but sadly that is not the case. So I do want to take a few minutes at this time to talk about another one that is very critical to women and families—not just today, but actually for years and years to come it will be happening, and that is the Supreme Court.

Last week I announced I would be voting against Judge Neil Gorsuch's nomination to the Supreme Court, and I will oppose a cloture motion ending debate. I did not reach that conclusion lightly. I consider my decisions about whether to support a lifetime appointment to the Supreme Court to be among the most important and consequential choices I make as a Senator. But I made it in part because this is not a normal nomination.

This process really began about 12 months ago when Senate Republicans refused to even consider President Obama's nominee to the Supreme Court, Judge Merrick Garland. And because since President Trump entered office, he has shown complete disregard for the law, for our Constitution, for the well-being of families across the country, leaving me unable to trust that he is acting in our Nation's best interest, I am unable to support his choice for the Supreme Court.

In addition to my deep concerns about this process and this administration, I also have strong concerns about this nominee specifically. Today, as Republicans appear to be rushing Judge Gorsuch's nomination through the Judiciary Committee as fast as they can, I want to lay out why putting Judge Gorsuch on the Supreme Court would be an attack on women's health, rights, and opportunity, one that has the potential to undo decades of progress we have made toward making sure women are equally able to participate in and contribute to our country.

The Trump administration has broken almost every one of its promises, but one it has certainly kept is its promise to do everything in its power to turn back the clock on women's health and women's rights. Extreme Republicans in Congress are doing the same and have more, apparently, in store. Right now, we are debating whether to undo a rule that prevents

discrimination against family planning providers based on the kinds of services they provide to women. Congressional Republicans are already gearing up to attach riders to the coming budget bills in order to cut off access to critical services at Planned Parenthood for millions of patients in this country. There are similar attempts to undermine women's access to healthcare in cities and States nationwide.

More often than we would like, the Supreme Court is going to be the place of last resort for protecting women's hard-fought gains. The buck has to stop with the Supreme Court on women's health and rights.

I do not want Judge Neil Gorsuch anywhere near the bench. Time and again, Judge Gorsuch has sided with the extreme rightwing and against the tens of millions of women and men who believe that in this 21st century, women should be able to make their own choices about their own bodies.

Let me give a few examples. When the Tenth Circuit ruled in the case of *Hobby Lobby v. Burwell* that a woman's boss—a woman's boss—could decide whether her insurance would include birth control, Judge Gorsuch didn't just agree, he thought the ruling should have gone further. That alone would be enough for me to oppose this nomination, but unfortunately there is more.

Judge Gorsuch has argued that birth control coverage included in the ACA as an essential part of a woman's healthcare—one that has now benefited 55 million women—is what he calls a “clear burden” on employers that would not long survive.

When it comes to Planned Parenthood, he has already weighed in on the side of defunding our Nation's largest provider of women's healthcare. What was his reasoning? Well, Judge Gorsuch thought that in light of completely discredited sting videos taken by extreme conservatives, women in the State of Utah should have a harder time accessing the care they need. Just this week, the makers of those false videos, by the way, got 15 felony charges. Women deserve independence and objectivity in a Supreme Court Justice, and that is clearly not it.

Attempts to control women's bodies aren't always about reproductive rights. Sure enough, Judge Gorsuch is on the wrong side here as well. He concurred in a ruling against a transgender woman who was denied regular access to hormone therapy while she was in prison. This ruling rejected the idea that under our Constitution, denying healthcare services is cruel and unusual punishment. Think about that. That is not the kind of judgment I want to see on the bench, and I think most families would agree.

I also want to be clear as well about what Judge Gorsuch's nomination could mean for a woman's constitu-

tionally protected right to safe, legal abortion services under the historic ruling in *Roe v. Wade*, which was, by the way, reaffirmed just last summer by the Court. In his nomination hearings, Judge Gorsuch wouldn't give a clear answer on whether he would uphold this ruling which has meant so much to so many women and families over the last four decades.

Judge Gorsuch has donated repeatedly to politicians who are dead-set on interfering with women's constitutionally protected healthcare decisions, and he has even made deeply inaccurate comparisons between abortion and assisted suicide.

I remember the days before *Roe v. Wade* very clearly. I heard and saw firsthand the stories of women faced with truly impossible choices during those times. Women from all across the country have shared deeply personal experiences because they know what it would mean to go backward. I know that millions of women who have already done so much to lead the resistance against this administration and its damaging, divisive agenda are going to fight this nomination as hard as they can. They know the Trump Presidency will be damaging enough for 4 years, but Judge Gorsuch's nomination could roll back progress for women over a lifetime. I am proud to stand with them and do everything I can to make sure they are heard loud and clear here in the Senate, and I oppose Judge Gorsuch's nomination in light of everything it would mean for women now and for generations to come. Next week is when we will vote on that.

Today here in the Senate, we just saw a historic moment. The Senate Republicans put forth a resolution that would allow States to deny funding to providers in their States who provide healthcare services for women—funding that is desperately needed. They got only 50 votes, and those in opposition got 50 votes, so they brought over the Vice President of the United States, and he broke that tie in order for us to be here to debate this resolution now. This vote will now occur, under the order, later this afternoon, and he will be brought back once again to deny women the healthcare choices they deserve to have. It is a sad day for the Senate.

I want my friends, colleagues, and the women who have stood up and have spoken out since the day after the election, marched here in Washington, DC, and across the country, to know that I stand with them. My voice will not be silenced. I will continue to fight back.

I will say one more time that it will take one more Republican on the other side this afternoon—one—to stand up and let their voice be heard and say that women should get access equally in their States for the healthcare they deserve.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARDIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. Madam President, I rise to express my strong opposition to H.J. Res. 43, a resolution of disapproval with respect to the title X regulation—a resolution which effectively endorses discriminatory practices toward family planning and safety net providers.

Title X is the Nation's only Federal grant program that is dedicated solely to providing individuals with comprehensive family planning and related preventive health services. Last year, title X funding made it possible for nearly 4,000 health centers to provide basic primary and preventive healthcare services to over 4 million low-income women and their families. I am talking about critical services, such as Pap tests, cervical cancer screenings, contraception, breast exams, and HIV testing.

In Maryland, there are 55 title X funded health centers that span the State. These include federally qualified health centers, local health departments, Planned Parenthood clinics, and school-based health centers. In fiscal year 2015, Maryland received over \$3.8 million in title X funding and provided health services to over 64,000 patients. These are low-income, underinsured, and uninsured individuals who would otherwise lack access to such basic healthcare.

As many of my colleagues know, Planned Parenthood, a high-quality health provider, has been under constant attack by the Republicans, who want to eliminate the organization's Federal funding. Just last week, the Republicans' Affordable Care Act repeal-and-replace bill threatened to defund Planned Parenthood, which is a trusted healthcare provider, by eliminating clinics' Medicaid reimbursements. This week, Republicans want to roll back protections that were put in place for family planning clinics and allow for discrimination against our Nation's family planning providers.

What I find even more disappointing is that this is a major policy shift for our Nation, and we are using a procedure known as the Congressional Review Act to make that decision. Yet those who support this are not even taking to the floor to defend it. This is outrageous that one would use a procedure to repeal this type of funding and not even be on the floor to defend those actions.

In December of 2016, the Obama administration finalized the regulation before us today to protect family planning providers from such discrimina-

tion. The regulation was intended to protect access to care in States that have issued their own regulations and legislation that block family planning providers from receiving title X funds. By overriding this regulation, Republicans will empower States to pick and choose who provides these services, but it will be based on arbitrary criteria that will have nothing to do with the quality of services the patients will receive. Republicans are actively condoning discrimination against providers, which will, ultimately, deny women and their families access to family planning and preventive health services.

It is not just Democrats who are concerned. Multiple healthcare providers have come out against this resolution because discrimination against any healthcare provider is wrong. Let me name just a few of the groups that oppose this action: the American Academy of Pediatrics, the American Academy of Family Physicians, and the American Congress of Obstetricians and Gynecologists. They are all alarmed because they know low-income, underinsured, and uninsured patients will be unable to access needed health services if it passes.

In Maryland, for example, 84 percent of the 64,000-plus patients served with title X funds have incomes at or below 100 percent of the Federal poverty line. That means that they earn \$11,770 a year or less—under \$12,000 a year. How do you expect these families to be able to get their healthcare needs met if this resolution of disapproval is passed? Ninety-four percent of title X patients in Maryland earn less than \$29,425 a year. Overturning this regulation will hurt our most vulnerable communities.

Let's be clear about this. This is not about abortion. There is no Federal funding for abortion. This is about low-income men and women not having access to pregnancy testing, contraceptive services, pelvic exams, high blood pressure and diabetes screenings, STD and HIV/AIDS screenings, infertility services, and health education. It is a war on the poor, and it is a war on access to preventive healthcare.

The American people deserve better from their elected officials. I am committed to fighting these reckless attempts to repeal a reasonable regulation that has been promulgated to prevent discriminatory practices that will harm thousands of low-income women and their families in Maryland and across our Nation.

I urge my colleagues to reject this procedural resolution, which will allow discrimination and deny adequate care to low-income families.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. WARREN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SASSE). Without objection, it is so ordered.

Ms. WARREN. Mr. President, since coming to Washington, I have observed something interesting about Republican politicians. Republicans talk a big game about respecting women, but when it comes time to vote on laws to help real, live, American women, a lot of Republicans turn their backs.

Take PAUL RYAN, Speaker of the House of Representatives. Just a few months ago, Speaker RYAN was adamant that American women deserve respect. "Women," he said, "are to be championed and revered."

"Championed and revered"—so what exactly does championing and revering women mean to Speaker RYAN? Does it mean he will promote policies that make us healthier, that he will help us access basic medical services, that he thinks we can make our own decisions about our bodies without government interference? No.

Over the past few months, Speaker RYAN has worked overtime on the American Health Care Act—a bill that would make it harder for millions of women to access healthcare. That miserable bill even included a special provision singling out certain health clinics and stripping them of the funding they use to provide women's health services.

Last week, PAUL RYAN failed to get that bill out of the House, but Republicans are back to take another shot at cutting women's access to healthcare. This time the plan is to undermine the title X family planning program. This plan, just like their healthcare bill, is incredibly unpopular, even with Republicans who had to rush Vice President PENCE over from the White House this morning to cast a deciding vote to start this debate on attacking women's healthcare.

Title X is a bipartisan program started back in 1970. It is the only Federal grant program dedicated to providing Americans with high-quality, low-cost family planning services. Title X funded clinics provide birth control, cancer screening, STI testing, and counseling. Just so there is no confusion about this, title X dollars cannot be used to fund abortion services—none.

In 2015 alone, title X clinics helped 2.9 million women access birth control. They provided over 700,000 Pap smears, performed 1.1 million HIV tests, and gave over 1 million breast exams. And PAUL RYAN's way of making sure that women are "championed and revered" is to try to reduce their access to these lifesaving services.

Last December, the Department of Health and Human Services passed a very simple rule to keep States from pulling political shenanigans to shut

down women's health centers. The rule prevents States from blocking a healthcare provider from the program "for reasons other than its ability to provide Title X services." In other words, follow the law. If a provider is doing a bad job at delivering family planning services, by all means, kick them out of the program. But you don't get to kick someone out because you don't like the name of their organization or you don't like their politics or because of your politics or because of any other dumb reason that has nothing to do with their ability to deliver women's health services.

In February, House Republicans voted to overturn this rule. So PAUL RYAN's version of championing and revering women is to let States close down women's health centers. Now Senate Republicans plan to do the same thing. Sure, Republicans give a bunch of reasons, but American women are not stupid. We know pretext when we see it. So let's just call it like it is. Republicans want to weaken the title X program because they want to make it harder for women to access reproductive health clinics, like Planned Parenthood, that also provide safe, legal abortion services.

Just so we are clear, there are over 3,900 title X funded health centers. Only 10 percent of those health centers are affiliated with Planned Parenthood. The vast majority of centers getting title X money have nothing to do with Planned Parenthood, and the vast majority of Planned Parenthood's activities have nothing to do with abortion. But women should be able to choose a reproductive health provider without the interference of Republican politicians, and millions of women choose Planned Parenthood every year. The Congress representing those women should stop demonizing Planned Parenthood and stand with Planned Parenthood.

Yes, as it stands, title X makes sure that if women's healthcare centers, including Planned Parenthood, offer first-rate care, then their work will be reimbursed. The Senate should reject any efforts to change that.

Women in this country work their tails off. They should be able to choose their own healthcare providers. They don't need a "champion" to choose for them. They don't need to be "revered" into passive silence. Women want the respect that they deserve and to be able to access medical care without Republican politicians getting in the way.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I rise in opposition to the title X CRA. It is just a continued abuse of power, something we have never seen in this body—one after another, after another, along party-line votes—to overturn rules and overturn decisions that this government has made. It is disgraceful that this body is debating yet another effort that will threaten a woman's right to healthcare.

Title X ensures that women across the country have access to affordable healthcare, including family planning at clinics that are convenient and affordable. These are a vital resource for preventive care and for primary care.

Overturning this rule will allow States to discriminate against providers, allow States to pick and choose and potentially put thousands of healthcare centers out of business. We know that because we have seen this kind of activity in some State legislatures. These clinics are often the only places women and men have to turn to for basic health services.

Why do this in the same week that the House, fortunately, failed to throw 20 million people off of health insurance and throw off 200,000 Ohioans who are getting opioid addiction treatment and who have insurance because of the Affordable Care Act? The House did not do that, but now the Senate wants to do this? Again, it compromises people's healthcare, as it takes away, in some cases, their insurance and, in other cases, their clinics and health services they cannot get elsewhere.

Some 6 in 10 women who turn to title X for visits to family planning health centers say it is their regular source of healthcare. Many of them have nowhere else to turn. They either cannot afford healthcare elsewhere or they live too far away from another health center for there to be meaningful access to basic healthcare.

Let's be clear. This is not about defunding abortion, clearly. The Federal Government does not provide funding for abortions. I will say that again. The Federal Government does not provide funding for abortions, period. I support a woman's right to make a personal, private healthcare decision for herself and with her doctor. No matter your personal feelings about abortion, whether you call yourself pro-choice or pro-life or something else, surely, we can agree that cancer screenings and programs that have helped bring down Ohio's teen pregnancy and STD rates are a good thing. Cutting these services will have a real and serious impact on women and families across Ohio.

If these actions by men—and it is, overwhelmingly, by men in Washington—whose healthcare is paid for by taxpayers continue to chip away at women's healthcare access, we will see more undiagnosed cancers, more untreated illnesses, and more unintended pregnancies.

I emphasize again that these are mostly men in this body, or men down the hall in the other body, who are voting—men with insurance that is paid for by taxpayers. Their insurance is subsidized by tax dollars. Last week, down the hall, they voted to take away healthcare—in this case, mostly for women but also for men—for people who are getting opioid treatment.

In case after case, privileged Members of this body, who get insurance paid for by taxpayers, take healthcare services away from, literally, millions of Americans. It is shameful. It is morally questionable. It is something we, simply, should not do.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PERDUE). Without objection, it is so ordered.

Mr. LEAHY. Mr. President, what is the legislative situation?

The PRESIDING OFFICER. The Senate is considering H.J. Res. 43.

Mr. LEAHY. Mr. President, I wish to speak for just a few minutes about H.J. Res. 43. I see this as a misguided and unfortunate attack on healthcare for women. Certainly that is what I am hearing from women from the State of Vermont.

Three months into the 115th Congress, the Senate has yet to consider real legislation aimed at addressing the many challenges we Americans face today. Instead, the Senate, with simple-majority votes—permissible through the rarely used Congressional Review Act—is rolling back key protections for the American people that were put in place by the last administration. Never mind that the current administration has the power to address certain aspects of regulations that they wish to rewrite. No. They could address these. They could seek a rewriting of them. They could seek legislation. But, instead, Republicans in Congress are intent on using this blunt procedure to unravel years of very careful and deliberative work. These raw power plays are part of the Trump-Republican "know-nothing, anti-science" agenda, in which the winners are not the American people. They are not the women of my State. They are not the average person you might meet. Instead, they are typically the wealthy and powerful special interests and big polluters. They win, and the losers are real Americans.

Today, we are considering the 12th such resolution, one that rolls back protections under the Title X program. Title X of the Public Health Service Act is the only Federal grant program dedicated to providing those eligible

with comprehensive family planning and preventive health services. In rural areas—and every single State has a rural area, but my State is especially rural—we know that Title X is crucial in making sure women have access to the basic healthcare they need. Unfortunately, in recent years, some States have made exceptions about which providers may deliver services under Title X, excluding family planning clinics.

Seeing the burden these rules would place on women seeking healthcare, the Obama administration finalized a regulation in December 2016 that protects these providers from this type of discrimination, and women from these hardships. The resolution we are considering today would undo this regulation, once again allowing States to discriminate against providers, thereby limiting access to healthcare services for millions—that is not hyperbole; it really is millions—of women and their families. Worse still, the resolution would prevent a similar rule or regulation from being implemented in the future.

In Vermont, our sole Title X provider is Planned Parenthood. Even in a State as rural as Vermont, no one has to drive longer than 45 minutes to reach a clinic. That is important to us. We consider 4 to 5 inches of snow a heavy dusting, but we often have 10 to 15 inches of snow. Nobody should have to drive farther than that to reach healthcare.

This type of access is critical for those who need these services. It is especially important because for 40 percent of women, their visit to a family planning health center is the only healthcare they receive during the year. Vermonters are lucky because our State recognizes that this issue isn't about abortion, it is about ensuring the best network of providers for the people of our State. But other States have already worked to undermine family planning clinics like Planned Parenthood.

The passage of this resolution will allow these discriminatory efforts to advance, especially discriminatory efforts against women. There is no question about it: A vote for this resolution is a vote against women. This resolution would not only affect the lives of millions of American women, but it would also affect the lives of men and young people who trust and depend on family planning clinics for their basic healthcare needs, including for annual health exams, cervical and breast cancer screenings, and HIV screenings.

Last year in Vermont—keep in mind that Vermont has a population of just over 600,000 people—Planned Parenthood centers provided vital primary and preventive services to more than 16,000 patients. In a small State like Vermont, this harmful impact cannot be overstated.

Those who support this resolution argue that the States should be able to

determine who receives Title X grants, and that women under this program can simply find another clinic to go to. Well, that is simply not the case. In fact, that argument is false. It is a lie. Family planning clinics overwhelmingly serve populations in rural and medically underserved parts of the country where access to healthcare, especially for low-income individuals, is difficult.

It is easy—easy—for Senators to vote to cut off this healthcare for women and children and people in rural areas because each one of us, if we need healthcare, can walk 2 minutes down this hall and walk to the Capitol physician and say “I am a U.S. Senator. I need healthcare,” and we are going to get it. While that may be the reality for 100 people in this body, it is not the reality for millions and millions of people in every single State we represent.

What this partisan resolution would do is force women and families in States who depend on family planning clinics for their healthcare to find another doctor—and often very few are available—or what is more likely, go without care at all. So they don't get preventive care, they don't get check-ups, and they don't find the first indication that they may be facing melanoma or some other serious health problem. That undermines all of our efforts, which we should be joining, to strengthen our Nation's healthcare system, to try to make our healthcare system at least as good as many other countries', and to ensure access to care for everyone.

This Republican resolution marks just the latest overreach and intrusion into women's healthcare.

We even voted for a resolution to allow people to spy on what you do on the internet, and then sell that information for their own profit, destroying your privacy, but making money doing it.

Until the House failed to even take it up, the Senate was scheduled to consider a reconciliation bill this week that would have defunded Planned Parenthood and would have allowed health insurers to deny coverage for maternity care, thus requiring women to pay more for health insurance.

In the last Congress, it was more of the same—deny coverage for maternity care, and then go out and say: We believe in the right to life. Clearly not so much for the mother when she needs maternity care.

Should we really walk back from the remarkable progress we have made as a nation in women's health? Of course not. But I am concerned that we will still see the same irresponsible attack surfacing again and again.

Look, it is 2016; it is not 1917. It is time for the mean-spirited and ideological assaults on women's healthcare to end. Women are not second-class citizens. My wife is not, my daughter is

not, and my three granddaughters are not. They deserve the same access to care as men.

I urge my colleagues to vote against this resolution that will degrade the healthcare and access to healthcare, of so many Americans.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. GILLIBRAND. Mr. President, I rise to oppose the title X Congressional Review Act resolution of disapproval.

This resolution would permit discrimination against family planning healthcare providers that provide primary preventive and reproductive healthcare services to millions of women around the country. It will allow States to take away Federal funding from family planning clinics and make it much harder for millions of American women to meet with their healthcare providers and access basic care.

I am struggling to understand, amidst all these problems we are having to solve in this country and around the world, why this Congress seems to have such a singular fixation on controlling women's access to basic healthcare. This legislation is so far out of touch with the actual needs of our constituents. If we cut funding for women's health clinics, is that going to create more good-paying jobs? Is it going to open more factories in our upstate rural towns? I don't believe it will. It is certainly not going to make anyone healthier.

There are millions of American women, including thousands of women in my State of New York, who rely on title X health clinics for treatments, preventive care, and for family planning services. They need these health clinics because they provide contraception counseling, cancer screening, and medical expertise right there in their communities. Many of the women who use these services have nowhere else to go for access because title X clinics are often the only affordable option for them and may even be the only place within driving distance of their communities. Yet, once again, my colleagues are pushing legislation to limit women's options for accessing healthcare and making it harder for thousands of New York women to get the care and treatments they need. I continue to be amazed by how little empathy there seems to be for millions of women in our country who don't have the resources to travel to a major hospital outside of their communities and desperately need these local clinics to stay healthy.

Let's be very clear about who this legislation would hurt the most. This bill will hurt women in small towns and rural communities more than anyone else. It will cause lower income women to struggle even more. Every single one of my colleagues has many women in their States who rely on title X clinics and would suffer if these clinics had their Federal funding taken away.

So I urge my colleagues in this Chamber: When it is time to vote on this legislation, think about the women who live in your States. Think about the women who live in small towns and rural communities who are just trying to access basic women's healthcare services that they can afford. Think about the women who don't have big hospitals or big cities nearby. Think about the women who don't have enough money to travel. The bill is going to hurt them. It will make their lives harder, not easier.

We all have the responsibility to stand up for the women in our States, and that includes defending their access to healthcare and basic family planning services. I urge my colleagues to vote against this very discriminatory resolution.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Mr. President, I rise today in opposition to the Congressional Review Act measure, which would allow discrimination against title X family planning providers, which in turn could roll back access to family planning and preventive health services for women and their families in New Hampshire and across our country.

Throughout my time in public service, I have always fought to ensure that women have meaningful access to the healthcare they need. I have fought to ensure that they can make their own healthcare decisions, and, in doing so, control their own destinies.

To compete economically on a level playing field, women must be able to make their own decisions about if—or when—to start a family. They should not have to pay more than men do for healthcare. They should be able to visit providers of their own choice who understand their healthcare needs. To fully participate not only in our economy but also in our democracy, women must be recognized for their capacity to make their own healthcare decisions, just as men are. They also must have full independence to make their own health decisions, just as men do.

During my time as Governor of New Hampshire, I restored family planning funds and pushed to restore State funding for Planned Parenthood, and I am going to continue fighting to ensure that women have the care they need, while standing firm against efforts here in Congress to roll back the progress that has been made.

Unfortunately, the vote we are taking today is a continuation of a partisan agenda that has been focused on restricting the care that women and their families can receive. The fact that Vice President MIKE PENCE was called in to cast the deciding vote to advance this measure shows just how far Republican leadership will go in order to undermine women's access to critical healthcare.

For more than 40 years, title X has provided women and their families with comprehensive family planning and preventive health services. When the legislation was originally passed in 1970, it was part of a bipartisan effort, with the support of prominent Republicans. In the years that have followed, title X has been essential in delivering important services to some of our Nation's most underserved communities. That is why, in New Hampshire, title X and Planned Parenthood still have broad support in our communities, even if they have been the subject of political gamesmanship here in Washington.

Title X has support from Granite Staters because they have seen the real difference it has made in their lives and in the lives of their neighbors. They know that in some parts of the State there are no other options or, if other options do exist, they don't provide women with the same expertise and commitment to reproductive health that title X providers do.

For those in rural communities, for low-income women and men, and for members of the LGBTQ community, title X supported health centers have been a major source of preventive care and reproductive health services, including cancer screenings, birth control, HIV and STI tests, and counseling services. And title X's important public health services translate into savings for taxpayers. In 2010, title X investments resulted in net savings for Federal and State governments of \$7 billion.

The measure we are voting on today would undermine this progress and the safety net for countless citizens. This measure would allow States to discriminate against providers and take away investments in family planning clinics, ultimately taking away these key services for those who need them most.

Last year, more than 4 million women and men at over 4,000 health centers across our Nation received care through title X. This includes around 20,000 patients in New Hampshire, including roughly 11,000 patients receiving care through title X supported Planned Parenthood centers. Those services can't just be replaced by other providers, even community health centers that do great work. But two counties in New Hampshire don't have a community health center at all. Others don't have the capacity to replace this

work or this specialized experience that can make a critical difference to a woman's health.

In New Hampshire and other States, Planned Parenthood and the community health centers are often partners, working in tandem to get patients the reproductive healthcare they need. But when I hear from community health centers around New Hampshire, they tell me they would not be able to pick up the slack if Planned Parenthood is defunded.

Make no mistake about it, this CRA, which would let States discriminate against providers in the title X program, combined with the consistent attempts to defund Planned Parenthood by some in Congress, would be a disaster for women in New Hampshire and all across the Nation. That is why a number of leading advocates have come out against these efforts to overturn title X regulations, including the American Congress of Obstetricians and Gynecologists, the American Academy of Pediatrics, the National Family Planning & Reproductive Health Association, the Human Rights Campaign, and dozens more. I share their concerns and oppose the measure we will consider today, and I am going to continue to fight against these attempts to roll back access to reproductive health and preventive services.

It is critical that we have a healthcare system that ensures that all women and their families can get the care they need. What we cannot do is eliminate services and discriminate against providers who have been providing critical, cost-effective healthcare to millions of Americans for decades. I strongly oppose this effort to undermine the title X program, and I will vote against this measure today.

We need just one more vote, and I urge my colleagues to listen to the voices of their constituents and vote no today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, last week the Senate watched the House and the American people watched the House because the House was on the verge of taking away access to healthcare for 24 million Americans. Then last Thursday, a week ago from today, the House said: We are going to postpone that vote. We are not sure we have the votes to take healthcare away from 24 million Americans, but maybe we will vote tomorrow, Friday.

That was 6 days ago. Friday came, and the House said: No, we are not going to do that vote today because we don't have the votes.

Why didn't they have the votes? Because across the country, millions of Americans said that taking away healthcare is the wrong thing to do—to take away healthcare from Medicaid expansion, the Oregon Health Plan; to

take away healthcare by restricting standard Medicaid as it existed before ACA; to take away the healthcare bill of rights that people so much appreciated; to undermine the ability of low-income working families to buy policies with significant subsidies on the exchange—all of that.

The House set it aside. I thought that was tremendous because this week, we are not going to have a diabolical bill destroying healthcare here on the floor of the Senate. But the majority party decided: No, we can't go a week without destroying healthcare, so we are going to put up this Congressional Review Act that would take healthcare away from 5 million mostly low-income women who gain access to healthcare through Planned Parenthood. We won't bring up on the floor the bill that failed in the House for 24 million Americans; no, we will just focus on 5 million mostly low-income women and take away their healthcare.

That is what this vote is about right now, later today. Clearly this attack on healthcare for women across America is wrong, just as it was wrong to try to destroy healthcare for 24 million Americans. It is an attack on women's right to choose what to do with their own bodies. It is an attack on the basic decency and compassion of the American people.

Since 1970, the title X family planning provider network has been dedicated to providing individuals with comprehensive family planning and critical health services, such as screenings for breast and prostate cancer and sexually transmitted diseases.

Just in 2015 alone, title X provided basic primary and preventive healthcare services, including Pap tests and breast exams and birth control and HIV testing, to more than 4 million low-income women and men at nearly 4,000 health centers across the country. That is a huge impact on the health of the individuals served through title X.

In 2010, title X services prevented 87,000 preterm or low birth weight births. I can tell you, when my wife Mary was carrying each of our two children, I so much hoped that we would not have a complication that would result in a low birth weight birth or a preterm birth in which the child might not even survive. So failing to provide that care is really setting back not just the health of thousands of babies but maybe affecting whether they live or die.

Title X services prevented 2,000 cases of cervical cancer. That is a big deal, cervical cancer, and it is a good deed to have title X services preventing it.

For 40 percent of women in America, their visit to a title X family planning health center is the only healthcare they receive annually.

So let's be honest about what repealing this rule means. It means family

planning providers can be discriminated against by States that want to withhold Federal funding from family planning providers for reasons other than their ability to offer family planning services. It means less access to quality care and less access to affordable care.

By overriding this regulation, Republicans empower States to pick and choose who provides services on a criteria that has nothing to do with the quality of care patients receive. States have done this in the past, and it resulted in dramatically fewer women accessing critical family planning and healthcare services.

We know what this is about. It is about any Federal funding for Planned Parenthood, an organization that provides care and resources to 5 million women every year. They have been doing it for 100 years. And they are the target. But what has been their mission? Their mission has been to provide easy and affordable access to address reproductive health and enable women to make their own decisions about their healthcare. But now, thanks to this Congressional Review Act proposal before us, that principle is under attack, that principle of easy and affordable access to women's healthcare and women's control over healthcare choices, to keep the politicians out of their choices. This resolution is about putting the politician in charge of the individual healthcare decisions of women in America, and that is just wrong.

I encourage my colleagues to take a close look at this. You were spared having to vote on eliminating healthcare for 24 million Americans, but now you are required today to vote on eliminating healthcare for 5 million women—mostly low-income women—in America. Are you going to attack the healthcare of those women? Are you going to injure the babies they are carrying? There will be more low birth weight and preterm babies. That is the wrong thing to do.

Vote no.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, just yesterday, the White House held a forum on empowering women. Sean Spicer said the President made women's empowerment a priority throughout the campaign, but earlier today, Vice President PENCE traveled to the Capitol to cast a tie-breaking vote to move ahead on a resolution to undermine women's access to preventive healthcare. That doesn't sound like women's empowerment to me.

Title X was enacted in 1970. It passed the Senate unanimously at that time and was signed into law by a Republican President. Title X is the only Federal healthcare program dedicated solely to providing comprehensive family planning and other related preven-

tive healthcare services so important to women, as well as preventive services for men.

Last year alone, 4 million women and men at 4,000 health centers all across our country got basic care because of title X funding—critical Pap tests to head off cases of cervical cancer, counseling to help women plan for a healthy pregnancy, contraception, breast exams, HIV testing, vaccinations. These services prevented 87,000 preterm or low birth weight babies and 2,000 cases of cervical cancer. These health services also save money. The taxpayer saves \$7 for every \$1 invested in preventive healthcare.

For more than 2 million people, the title X funded clinic is their only source of healthcare. This matters to small towns and rural communities all across Michigan, as well as all across the country. Title X funds clinics in three-fourths of all the counties in the United States. In Michigan, you can benefit from the services in the beautiful Upper Peninsula of Michigan, where I will be this weekend, where funds support the health department in Iron County, or the Planned Parenthood clinic in Marquette—at the opposite end of the State, down in the southeastern corner—where funds support the health department in Monroe County.

So what are we voting on today? Plain and simple, this is an effort to take away women's family planning and other healthcare services. Right now, title X funds are awarded solely based on the provider's ability to serve the patient, as it should be. Republicans want to discriminate against certain family planning services, certain providers, and reduce access to this care, frankly, based on politics or their own personal beliefs.

The vote this afternoon is very simple: It is about basic healthcare for women. A "yes" vote is a vote against women in Michigan and all across our country. A "yes" vote will take away healthcare. A "yes" vote will take away healthcare for millions of Americans.

I strongly urge my colleagues to vote no.

Mr. VAN HOLLEN. Mr. President, the majority is continuing its assault on women's reproductive healthcare rights, this time using the Congressional Review Act to reverse a rule and tear a hole in our safety net for access to family planning and preventative healthcare. The resolution before us would overturn the Department of Health and Human Services' rule, which reinforces regulations that prevent States from denying title X funds to health clinics like Planned Parenthood, even though none of these funds are used for abortions. Repealing this rule would limit access to healthcare, which would harm public health in communities that rely on this funding.

Congress created the Title X Family Planning Program with bipartisan support in 1970 to help provide comprehensive basic primary, family planning, and preventative services to uninsured and low-income people. It continues to be the only Federal grant dedicated to providing family planning and preventative service. Recipients of the grants use the program's funding to provide basic healthcare, such as cancer screenings, HIV testing, and family planning counseling to 4 million women and men. Both public and private entities run title X service sites. These sites broaden access to healthcare services in rural parts of our country. Often, they are the only option for the populations they serve. About 40 percent of women who use title X service sites say that they are their primary healthcare service provider.

Despite the benefits of the funding, States have taken actions that discriminate against family planning clinics. Texas, for example, slashed its family planning budget by 65 percent. As a result, Texas forced a quarter of its family planning providers to close their doors to patients in need.

To ensure that States do not discriminate against family planning providers, the Obama administration issued a rule that forbids States from withholding title X funding for family planning providers for any reason other than being unable to deliver effective services. This rule prevents States like Texas from attempting to defund needed providers like Planned Parenthood. This rule protects access to vital preventative services that provide a safety net for our country's most vulnerable patients.

All people should have a right to affordable, high-quality healthcare. Reversing this rule will deny critical healthcare services to women, men, and their families. I urge a "no" vote.

Ms. STABENOW. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I have to say that this is a sad day for the Senate. I know many of us here today—certainly my Democratic colleagues—are truly appalled. Once again, instead of working on the many pressing issues at hand, Republicans are continuing their tired, dangerous obsession with attacking women's health.

Once again, women's health is being used as a political football, with Republicans attempting to cut off access to vital healthcare services. Once

again, millions of families across the country are watching Congress, wondering why there isn't just one more Republican who will stand up for them.

The Republicans just held a vote open for nearly an hour to force a vote that would allow politicians to discriminate against family planning providers. Of course, whenever they can't make a vote, when women's health is being attacked, whom do Senate Republicans call to break that tie in the Senate? Vice President MIKE PENCE.

We have actually seen this before. We all remember what happened in the nomination of Secretary DeVos, and we all know that enough is enough. This is shameful. This is wrong. It cannot stand.

Families have spoken time and again, and they have made it absolutely career that when it comes to women's rights and healthcare, they do not want to go backward. But today, thanks to my colleagues on the other side of the aisle, thanks to Vice President PENCE, the Senate will hold a vote on whether critical healthcare services should be taken away from millions of women across the country.

Let's not forget, it hasn't even been a week since people nationwide completely rejected TrumpCare, that disastrous bill that would have undermined women's rights and healthcare in so many ways.

Now, here in the Senate today, we are about to vote on whether a young woman should be able to go to the provider that she trusts to get birth control; whether it is Pap tests, breast exams, birth control, or HIV testing, which should be more or less available to women across the country; whether healthcare providers are evaluated for Federal funding based on their ability to provide services or ideology; whether women are able to exercise their constitutionally protected rights to reproductive healthcare; and whether the Senate is going to turn back the clock today on women's health.

For me and for Democrats, and I know even for some Republicans, it is disappointing, deeply disappointing, that we are even having this vote today—a vote that was jammed through, with 48 Democrats and 2 Republicans voting no and Vice President PENCE coming down to break the tie.

Put simply, rolling back this rule today will put at risk women's lives, like a constituent of mine from Tacoma, WA. She wrote me a letter recently to tell me the many reasons this is so important to her.

When she was 20, she was uninsured. She had no other options. A family planning center was there for her. During a routine Pap test, her doctor discovered a precancerous condition in her cervix. That led to surgery, which saved her life and saved her fertility.

Without access to that provider, she would not have been able to get a reg-

ular Pap smear and checkup and most likely would have developed cervical cancer. She would not have been able to get pregnant, go on to have a daughter, become a community college counselor, and today, at the age of 65, be cancer-free.

I hope that some of my Republican colleagues are listening and that they think of women just like this, whose lives are healthier and have been saved because of the services of so many family planning centers. That is who I will be thinking about. That is what has always kept me going.

I urge people across the country right now to let Senators know that this vote today, this rule is not OK. It is not acceptable. Make phone calls. Go on Facebook. Tweet about it. Everything helps. Tell your Senator today that in about an hour, with their vote, to stand up for you, for your family, and for women across the country.

We need only one more Republican—one more—to join us. This vote that we are about to have in about an hour is dead even, on the razor's edge. Fifty Senators—48 Democrats and 2 Republicans—will vote to reject this harmful, disgusting resolution. We just need one more Republican to join us, to stand on the side of women and men and families, and put an end to this damaging political attack on women.

I am sure people will hear about this. I am going to be here on the floor. Many of my colleagues are going to be out here talking about it. People nationwide will have the opportunity to know exactly where every Republican stands on this.

I urge our Republican colleagues: Stop to think about what you are doing, taking away the ability of women in communities across our country to go to the provider they trust for the care that is most important to them, their families, and our country's future. I urge them to make the right choice.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, most Americans agree—and I think last week's vote in the House indicated—that there is something special about healthcare. This just isn't the right of every American to own an SUV; it is the right of every American to have access to healthcare. That is really at the heart of our healthcare debate.

There are some who believe that health insurance ought to be another product on the shelf, and if you have enough money, you can buy it. But there are others, like me, who believe it is more fundamental.

Healthcare in America, as far as I am concerned, should be a right—not a privilege, a right—so that it doesn't go just to wealthy people. Everyone should have that peace of mind.

I have told the story many times on the floor of the Senate—and many of us

are products of our own life experience. My wife and I got married when I was a student in law school here at Georgetown, in Washington. God sent us a beautiful little girl right away, but she had some medical problems—serious ones—and I didn't have any health insurance. I was a law student, had no real income, a wife, and a baby with a medical problem.

I ended up sitting in the charity ward of the local children's hospital with a number in my hand, waiting to see who would come through the door to provide me with healthcare for my little girl. I had never felt worse in my life as a father, as a husband, to think that I had reached this point where I didn't have health insurance, and I wasn't sure that I was bringing the very best medical care to my little girl.

Well, I never forgot that experience in the many years since, and I never will. I don't believe anybody should be sitting in that chair, worried because they don't have health insurance—whether they have the kind of healthcare that their family needs.

I think that is at the heart of this debate on our healthcare system in America and its future. What we are talking about today is part of it, as well, because we had decided 40 years ago—maybe more—that we were going to make sure, if you were poor in America, as a woman, you would still have access to basic healthcare. Poverty would not exclude you from healthcare. So we created this title X program to provide healthcare primarily for low-income families but for women and children. The services that are provided are basic life-and-death services—everything from breast and cervical care screening, high blood pressure screening, anemia, diabetes testing, and so on.

There is not much debate as to whether we should provide those services, but you know what this is all about. It is not about what I just read. It is about family planning, and it is about abortion. That is what this is really all about.

The Republicans who are voting to deny women access to healthcare are saying: We are doing this to reduce the incidence of abortion.

There is something they should admit: You cannot spend one penny of Federal money for abortion services, except in cases of rape, incest, or where the life of the mother is in danger. Not here in the United States, not overseas.

What they say instead is: Well, we don't want to provide any money to any place that might use their own funds for abortion services, like Planned Parenthood. So we have this amendment before us.

For thousands of women and families in my State of Illinois, as Senator MURRAY has explained, it means the Republicans—who were all for choice in healthcare—don't want women of lim-

ited means to have their ultimate choice of Planned Parenthood for their services. So the Republicans have brought in the Vice President of the United States to vote in the Senate Chamber.

For those who are following the Senate, that doesn't happen very often. It has to be a big deal. And it must be a big deal to the Vice President and to the Republican Party to bring back one of our colleagues, who has been on the mend from medical care, and to bring in the Vice President to make that difference.

Their argument is: Well, we are just trying to reduce the number of abortions.

Well, if you have taken anything beyond Birds and Bees 101, there are some things that you might know. We had a study in St. Louis that was reported in 2012 that tells many people who are at least aware of the basics of how children are born something that we knew already and knew intuitively. Here is what it found:

The abortion rate in the St. Louis area declined by more than 20 percent from 2008 to 2010, coinciding with a research study that gave free birth control to thousands of area women.

Although the drop in abortions in St. Louis cannot be attributed solely to the project, the abortion rate for the rest of Missouri—

Not in the study—remained constant.

Contraception is key to reducing unintended pregnancies and abortions, said Dr. Jeff Peipert. "We need to remove cost barriers," Peipert said. "I think all women should have equal access."

Teenage participants—

In this study—

experienced a birth rate of 6.3 babies per 1,000 girls, compared with the national rate of 34.3, according to the study published . . . in the journal *Obstetrics and Gynecology*.

There were an average of six abortions a year for every 1,000 women in the project, compared with the national rate of 20.

Coincidence? I don't think so.

When you make family planning accessible to potential mothers and to the families, people are educated and make informed choices. There are fewer unplanned pregnancies. There are fewer teenage pregnancies. There are fewer abortions.

So the Republicans, by reducing the access of women to clinics and agencies that are providing family planning, reduce the likelihood they will get the information they need and the likelihood that abortions will increase—exactly the opposite of what they say they are trying to do.

Common sense dictates that—whatever your position is on abortion and choice—if you believe that an uninformed and uneducated young mother is the right person to make this decision as to whether they are going to have a family, I think you understand what all of us do: Information, assistance, and quality healthcare is criti-

cally important for women to make the right choice for themselves and their families and to avoid unplanned pregnancies.

We are now experiencing the lowest rates of unplanned pregnancies in the United States in the last 30 years and the lowest incidence of teenage pregnancies in the last 30 years, and the abortion rate is going down. It works. It is connecting.

This vote that the Republicans are forcing us to take—which the President, I am afraid, would sign, if it were sent to his desk—really gets at the heart of the issue. If you want to reduce the number of abortions in America, if you want to make them safe, legal, and rare, as they say, for goodness' sake, provide basic family planning information and services to women who otherwise might not have it.

This is a war against Planned Parenthood and a few other facilities that is mindless. It really is stopping information from people who desperately need it. Without that information, there will be bad results—bad results that often lead to abortions.

So I would just say flat out that we don't talk a lot about the A-word, "abortion," on the floor, but that is really what is driving this debate. That is what is really behind it.

I hope that one more Republican colleague will decide that if you are truly against abortion, you should be in favor of family planning and giving basic information and counseling to young women who need it. That was proven in St. Louis. It is proven by our human experience. I hope my colleagues will join me in opposing this effort.

I thank the Senator from Washington for leading this debate on the floor.

Mr. President, I yield the floor.

Mrs. MURRAY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I rise this afternoon on the pending business of the CRA that would allow States to discriminate against women's healthcare providers.

Before I begin, I want to recognize the members of the HELP Committee. Senator MURRAY, who understands this issue as well as anyone in our caucus and speaks powerfully about it, has been such a great leader on these issues, even in these difficult times when we are in the minority. I think our entire caucus is grateful to her and all of the members of the HELP Committee. It is an outstanding group of people.

As my colleagues have explained, this CRA would empower States to discriminate against healthcare providers, specifically title X family planning providers. The practical result of this measure is that State legislatures would pass laws to deny certain providers the funding they need to operate, which would prevent access to family planning and preventive care for millions of American women.

This CRA is just another example of the Republican war on women. It would let States treat women as second-class citizens who do not deserve the same access to healthcare as men. Some States say this is about abortion, but let me be clear. This is not about abortions. In fact, title X funding cannot be used to pay for abortion services. Some of our Republicans who are sort of tied in a knot on abortion say they are for other kinds of health services, contraception and things like that, but this would take that away. Our Republican friends could not get TrumpCare through, which sought to shut down Planned Parenthood for a year. Now they have moved on to this measure. It is just bad policy.

Title X clinics are a critical resource for women, especially in rural areas. This bill would hurt those areas most. Many of my Republican friends represent rural areas. I would like to remind them that in many of these places—and I have several in Upstate New York—these clinics are the only family planning and preventive care services that are available. Sometimes they are the only healthcare services available at all. I am sure that is why two of my Republican colleagues, with a great deal of courage—the Senators from Maine and Alaska—voted against moving to debate on this measure. They know that it would hurt women and hurt families in their States, particularly in the rural areas, and, of course, Maine and Alaska are both rural States.

For the second time this year, the Republicans had to beckon Vice President PENCE down from the White House to break a tie here in the Senate on a measure that has bipartisan opposition.

President Trump, who once said, “No one has more respect for women than I do,” sent Vice President PENCE down here to the Senate to break a tie on a bill that would allow States to discriminate against women’s health providers. The next time the President says, “No one has more respect for women than I do,” I would ask the women of America to not look at his words but his actions because this is just another example in which the President has said one thing, but his policies have done exactly another.

I urge my Republican friends, particularly those in rural States, where this could really hurt, to please think about it and vote against this CRA. We

only need one more vote to stop this resolution that would allow States to dramatically reduce the access for women to essential healthcare services. I urge each of my Republican friends to consult their conscience before they vote in the next hour.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, I rise to express my opposition to the resolution of disapproval that is currently before the Senate, which would decimate Federal title X funding for healthcare providers across our Nation who provide vital preventive care and family planning services.

Let me put it in simpler terms. Republicans in Congress are once again rushing to advance legislation that will make it harder for Michiganders to get the healthcare they need. Just last week, we saw Speaker RYAN and President Trump in their efforts to take away healthcare from 24 million Americans and to defund Planned Parenthood, but this is a new week, and we are seeing a new assault on healthcare.

Today’s resolution is just the latest in a long series of attacks against Planned Parenthood. A vote for this legislation is a vote to make it harder for millions of Americans to access birth control, cancer screenings, and testing for sexually transmitted infections.

“Title X funding” sounds arcane, but it is actually pretty straightforward. It is a bipartisan program which was established more than 40 years ago and which provides individuals with family planning and preventive health services. Not one penny covers abortion. Let me say that again. Not one penny covers abortion—not one. This is established Federal law, and anyone who says otherwise is simply lying to you or has no idea of what he is talking about.

We should take a step back and ask, what can we agree on here? I think every Senator would agree that we want to reduce unintended pregnancies and teen pregnancies and save money and prevent cancer. Today, unfortunately, we are voting to do the opposite.

Right now, we have the lowest rate of teen pregnancies in our Nation’s history, and we are getting ready to heavily restrict a successful program that saves \$7 for every public dollar invested. Preventive screenings are quick, affordable, and save lives. Cancer devastates families, ends lives, and is expensive to treat. Historically, low teen pregnancy rates have not happened in a vacuum; they have happened because of concerted efforts to promote education and prevention and give women a say in their own health.

The pain inflicted today will not be felt uniformly; it will disproportionately hurt people in rural and under-

served areas in which these clinics are more often than not the primary sources of healthcare. Michigan has 19 Planned Parenthood clinics, and half are located in areas that are federally designated as “rural and medically underserved.” As a direct result of title X funds, Michigan family planning clinics prevent over 18,000 unintended pregnancies and over 1,000 cases of sexually transmitted diseases and cervical cancer each and every year.

Every woman has a fundamental right to make her decisions about her reproductive health. The government has absolutely no right to stand in her way. I strongly oppose this resolution and implore just one more of my Republican colleagues to join me in stopping this misguided effort.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I rise to join my colleagues in speaking about the harmful effects of this resolution of disapproval.

I thank the Senator from Michigan for his words and for the very important point that we are seeing the lowest number of teen pregnancies that we have seen for a long, long time. Why would you want to mess with something that is finally reducing the number of teen pregnancies?

I thank Senator MURRAY, who has been here diligently leading in this effort, because rolling this rule back will result in something very simple: It will result in less access to care for women and families.

Title X funding supports vital family planning and related preventive care for low-income, uninsured, and young people across this country. Every year, more than 4 million people, including many who are living in rural and medically underserved areas, go to the over 4,000 health centers that rely on this funding. This includes 41 service sites in Minnesota that provide access to cancer screenings, birth control, and testing for sexually transmitted infections. In fact, 40 percent of women who receive care at title X clinics consider it to be their only source of healthcare—40 percent—which is incredibly important in rural areas.

One thinks of, just recently, in the last few years, the Zika scare. People wanted to go and get birth control. They wanted to know what they could do to prevent themselves from getting Zika in order to save the lives of their babies. This is true, and this is what will be happening if they make these cuts.

The regulation we are voting on today should be common sense. It simply makes clear that funds will be awarded solely based on a provider’s ability to serve a patient, and it guarantees that women have access to the care they are entitled to under Federal law.

We should be strengthening our efforts to provide better and more affordable care that best serves patients. Instead, repealing this rule will take essential services away from women when they need them most. By overriding this regulation, States will now pick and choose who provides these services, which will be based on arbitrary criteria that has nothing to do with the quality of services patients will receive. That should be our benchmark—the quality of services.

When States have done this in the past, it has blocked access to critical family planning and healthcare services for many women, including those in rural areas who rely on the health centers that need these funds.

As Senator MURRAY said this morning, women across the country have made it clear that restricting women's access to the full range of reproductive care is unacceptable.

We have a situation in which this existing rule has yielded the lowest number of teen pregnancies in years. We have a situation in which two of our Republican colleagues have joined us in opposition to this repeal. We have a situation in which the Vice President of the United States had to come in and break a tie.

Do you know what I would say? I would say that this resolution should be disapproved of, that rolling this rule back will result in less access to care for women and families, and that this rule should stay in place.

I yield the floor.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I come to the floor today, just as I have many times before, to stop another rightwing attack on title X funding and to defend access to healthcare for millions of women.

Not even a week has passed since the American people successfully beat back Republican efforts to repeal the Affordable Care Act and give insurance companies permission to charge women higher premiums simply because of their gender. Yet apparently less than a week is not too soon for Republicans to launch yet another attack on women's access to healthcare. This morning, my Republican colleagues needed the Vice President of the United States to come to Capitol Hill and cast a vote to overturn protections for 4 million patients served by title X funded health centers every year.

For many low-income women, title X funding is the lifeline that ensures their access to birth control, testing for sexually transmitted infections, cancer screenings, and other basic health services. In fact, 85 percent of the people served by family planning centers like Planned Parenthood have incomes below 200 percent of the Federal poverty level. Approximately 20 percent of these patients identify as

Latina, and approximately 14 percent identify as Black.

In 2015 alone, title X funded nearly 800,000 Pap tests, breast exams to 1 million women, nearly 5 million tests for STIs, and 1 million HIV tests. Title X did not pay for a single abortion. Indeed, no Federal funding goes to abortion-related care. And indeed, for every dollar that title X funding spent, we saved about \$4 and prevented nearly 2 million unintended pregnancies per year.

Family planning services at New Jersey's title X funded health centers helped prevent 20,500 unintended pregnancies in 2014, which would have likely resulted in 10,000 unintended births and 7,400 abortions. Without publicly funded family planning, the number of unintended pregnancies in New Jersey would be 21 percent higher. Title X funded services produce significant cost savings to the Federal and State governments. Services provided at title X supported sites in New Jersey accounted for nearly \$232.9 million in such savings in 2010 alone.

I hope President Trump knows that when my Republican colleagues vote to defund Planned Parenthood, they aren't voting to stop a single abortion; they are voting to defund the family planning care that helps avoid unwanted pregnancies and reduce the need for abortion.

A vote to defund title X is a vote to defund breast cancer exams. A vote to defund title X is a vote to defund cervical cancer screenings. A vote to defund title X is a vote to defund testing for sexually transmitted diseases.

The American people—those who voted for President Trump—voted for more affordable healthcare, certainly not less. Not one of my Republican colleagues has come to the floor to make the case in favor of repealing title X—not one. But if my Republican colleagues prevail in this cynical vote, they will jeopardize access to affordable family planning services; they will force many health centers to stop providing care to patients; and they will leave doctors, nurses, and other healthcare providers working on the frontlines to abandon those who need them the most.

I, for one, refuse to allow the GOP to pander to the extreme elements of their party and in doing so limit a woman's access to affordable, accessible healthcare. This vote is about every one of our sisters, our daughters, our grandchildren. This vote is about women across this country, and I don't understand how we can take away their access to the healthcare they so critically need.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I see my colleague from Illinois is here. While she is setting up, I just want ev-

erybody to realize what is happening here. We are debating a rule that, should the Republicans—with the Vice President voting to break the tie this afternoon—put it in place, will allow the discrimination of healthcare providers for women across the country.

I have many Democratic colleagues here making the case for those women, mostly low income, who have no other access, particularly in our rural and urban regions. I just want to note that there are no Republicans out here saying why this rule needs to be passed. They just want it done, over with; the Vice President to break the tie, and it is out of here. We are noticing. Women are noticing. People are noticing.

I thank all of my Democratic colleagues and a few brave Republicans who are with us for their support to get this done. We need one more Republican to be able to defeat this.

I yield to my colleague.

The PRESIDING OFFICER. The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, this vote to allow States to defund Planned Parenthood and other title X funded health programs is simply shameful and dangerous, and millions of Americans across this country, including tens of thousands of women and men in Illinois, are going to suffer as a result.

This vote is particularly devastating to the 2.7 million Americans who depend on Planned Parenthood for their basic preventive healthcare each year. I personally understand what is at stake with this vote because I have been there. When I was working my way through college as a waitress, with the help of Pell grants and student loans and student work-study, I relied on Planned Parenthood for my basic healthcare, for services that are just as simple as a simple physical that I needed to get that waitressing job. I went to Planned Parenthood because that is all I could afford on a student's budget, and I needed to get that second job.

While I can relate to the obvious good that Planned Parenthood does, many of our colleagues on the other side of the aisle, unfortunately, simply cannot. They don't understand what is at stake.

Let's take a look at my home State of Illinois. In Illinois alone, Planned Parenthood serves 64,000 patients annually. Of those, 34,000 seek testing for sexually transmitted diseases, and nearly 7,000 are seeking out cancer screenings. So by defunding this organization, what they are really doing is stripping thousands of Illinoisans and Americans all across this country from access to essential healthcare. That is simply unacceptable.

We can't play politics with women's healthcare. Planned Parenthood should be able to do its job and continue providing quality care and services without fear of partisan or discriminatory attacks.

The bottom line is that Planned Parenthood is one of the Nation's largest women's healthcare providers, and it is essential to the health of our families and our country.

This vote makes taking away not just Planned Parenthood's funding but funding from any organization that receives title X easier, turning women around the country into second-class citizens and harming millions of Americans in the process. Why would we make it easier to take away a health center that helps our women's public health system and serves as a lifeline for affordable, preventive services like physicals, disease testing, and cancer screenings? Women and men all over the country need these services. Our States and our local communities need these services because they meet a need that would otherwise not be met.

I want the men and women across this country to know that I am not going to give up. Democrats are not going to give up. I will continue to fight to protect title X funding and the patients who depend on it. It is just too important.

I yield the floor.

Mrs. MURRAY. Mr. President I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. CANTWELL. Mr. President, I rise to join my colleagues here on the Senate floor, and I thank the Senator from Washington for her leadership on this issue. I rise to join my colleagues in voicing strong opposition and deep concern on H.J. Res. 43, a resolution of disapproval we are considering today in the U.S. Senate.

This resolution will threaten access to healthcare for thousands of women and families in the State of Washington and millions of people across the Nation.

H.J. Res. 43 would make it easier for States to discriminate against healthcare providers who serve low-income and vulnerable patients under title X of the Public Health Services Act.

Title X is the only Federal funding program dedicated to supporting the family planning safety net, and it was widely supported by the public when it was enacted with strong bipartisan support. So despite what my colleagues say on the other side of the aisle, this issue is something where all my colleagues should make sure we are not taking away access to healthcare.

My colleagues on the other side of the aisle in the House—and I know my colleague, the senior Senator from Washington, can testify to this, have

on many occasions tried to de-fund Planned Parenthood. They have used Planned Parenthood as a bargaining chip in a litany of high-stakes legislative negotiations. They even tried to shut down the Federal Government because they didn't want to fund Planned Parenthood. Moreover, during the 114th Congress, Republicans voted 22 times to undermine women's health. Today, they are continuing the same thing.

These health centers are an essential part of communities' delivery systems. They provide preventive services. They help prevent deadly disease. They save taxpayers money. They help families with their healthcare. Time and again, constituents in our States tell us how access to these high quality care centers translates into economic empowerment, independence, and the ability to thrive in their lives and careers. In short, these health centers don't just provide good healthcare for America. They provide a good economic strategy for America.

In our State, 34 Planned Parenthood centers provide contraceptive care, breast cancer screening, and STD and HIV screening and treatment, and they have prevented thousands of unintended pregnancies thanks to their efforts and outreach. In the very isolated communities of Pullman, Moses Lake, and Shelton, and many more, they are oftentimes the only family provider that will furnish care to low-income individuals. Major medical organizations—representing obstetricians, gynecologists, family physicians, and pediatricians—have also made it clear that this resolution is divorced from medical science and will hurt patients.

I urge my colleagues to resist continuing their senseless political crusade. I hope they will be smart enough to understand that a healthcare strategy is an economic strategy. I hope they will defeat this resolution.

GONZAGA BULLDOGS

Mr. President, what a great moment—my colleague from Washington is here, and my colleague from Nevada is here as well. I just want to clarify something. We definitely want to cheer on the Gonzaga Bulldogs in Saturday's game. But so many people say: Where is Gonzaga? It is in Spokane, WA, and we are very proud of Spokane. It is a city that hosts Hoopfest, a three-on-three basketball game that many people attend, and an enormous Bloomsday race that so many people come to from across the country right on the first of May. I think somewhere around 60,000 people are in that race. But we are also so proud that we also have a Gonzaga School of Law graduate here on the Senate floor—the Senator from Nevada. Gonzaga also produces great academic minds.

So for everybody from Spokane, congratulations and good luck on Saturday's big game.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Ms. CORTEZ MASTO. Mr. President, I say to my colleague from the great State of Washington, I do know where Gonzaga is, and I am with you. As a graduate from the Gonzaga School of Law, we are going to the final four, and this time we are going to win. I am very excited.

Congratulations to the players, the coach, and to everyone at the school.

Mr. President, I take the floor today to urge my colleagues across the aisle to stand up for their constituents and vote against the measure on the floor, which will restrict access to safe, affordable, basic healthcare to millions of Americans across this country. This measure will allow States to discriminate against title X family planning clinics for no other reason than petty partisan politics that degrade women's access to healthcare and turn it into a Republican talking point.

These clinics provide essential family planning and health services to millions of American women, men, and families—many of whom are poor and low-income and in rural areas. This measure will cause these families to suffer by limiting their access to healthcare.

In my home State of Nevada, there are 23 clinics that risk losing funds as a result of this measure. These clinics are in Nevada's major cities and in our rural areas, like Hawthorne, Lovelock, Pahrump, Tonopah, Ely, Winnemucca, and Fallon. For many families in our rural areas, these clinics are the only healthcare facilities where they can access family planning services, as well as basic primary and preventive healthcare services.

The votes today empower States to discriminate against providers and, in turn, threaten the health and safety of the men, women, and families who rely on these clinics for basic and, at times, lifesaving services. We should be promoting access to healthcare, especially for our vulnerable communities. We should be expanding access to care, especially for Americans living in rural areas.

Republicans' actions today are an affront to American women and families. Their political agenda and shortsighted approach will do nothing but cause harm to Americans. It is time for Republicans to stop playing politics with women's health and actually put Americans' health and safety first.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, instead of focusing on bipartisan reforms to improve access to healthcare for the American people, Republicans are again pursuing divisive policies that jeopardize women's health and put politics, politicians, and the government between a woman and her doctor. This

measure that we are debating this afternoon attacks a critical healthcare program known as the Title X Family Planning Program.

The Title X Family Planning Program provides basic healthcare, like cancer screenings, contraception, and HIV testing to more than 4 million women and men. This politically motivated provision that we have before us today would allow States to discriminate against trusted health providers like Planned Parenthood. In eight counties in Wisconsin, Planned Parenthood is the only health clinic that provides the full range of publicly funded contraceptive services.

I met with Laurie from Bristol, WI, who told me that as a young teacher, she went to Planned Parenthood and they discovered that she had cysts and tumors in her ovaries. The providers immediately helped her get the care she needed. She had quick surgery and was able to recover, which allowed her to eventually have a family.

Republicans are playing doctor and telling women they can't access basic primary and preventive healthcare services at the health center of their choice. This would cut off access to care for millions of men and women, prohibiting access to high-quality, preventive services just because of the sign on the door. They would prevent women like Laurie from accessing life-saving services when they need it the most.

We have already seen too many States enact record numbers of laws and regulations that restrict a woman's access to reproductive health services and the freedom to make her own healthcare decisions. In my home State of Wisconsin, our Republican Governor has signed a number of laws that target healthcare providers and simply have left far too many Wisconsin women out in the cold. He signed a law that forces women to undergo unnecessary and invasive medical procedures, and he has imposed unreasonable requirements on the doctors that deliver care to women. He has worked to close health clinics, including several Planned Parenthood clinics. But he hasn't stopped there. He also signed two laws that would effectively defund Wisconsin Planned Parenthood, which could leave thousands of Wisconsin residents without access to critical health services.

The threat in Wisconsin and in States across the country—and right here in Congress—is clear: Politicians across the country are playing doctor, and this is a dangerous game for women and their families. The millions of Americans who rely on title X for primary care and their trusted providers are being held hostage. They are being used as a political punching bag by congressional Republicans. Their agenda is to attack women's health.

Women's access to comprehensive healthcare—the healthcare they need

and deserve—should never depend upon their ZIP Code. So I urge my colleagues to oppose this dangerous measure and to protect title X programs for all of our families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, we are here today because Republicans' discrimination against women knows no boundaries. They think a woman's right to choose is still up for discussion. It is not.

Let me be clear. A woman's right to choose is a discussion for a woman and her doctor. That is it. A healthcare provider receiving Federal funds should be judged on their ability to serve a patient. That is it.

Today, Republicans are voting on a measure that would allow States to discriminate against family planning providers simply because they do not like the populations they treat or the services they provide. It would embolden a State to restrict Federal funding for only health centers that serve primarily minority populations or patients who identify as LGBTQ, and it would allow a State to strip away Federal investments in family planning clinics that serve women's reproductive health needs.

These are not hypothetical concerns. Women's reproductive care is under attack by extreme rightwing Republicans across this country. State politicians introduced more than 500 bills restricting access to reproductive healthcare in 2016, enacting more than 60 new abortion restrictions last year.

Let's be clear. The result of today's vote means that there will be less access to care for women and families across this country. Health centers receiving title X funding provide basic primary and preventive healthcare services, such as HIV testing and contraception, to more than 4 million women and men at nearly 4,000 healthcare centers nationwide. It is because of the work done at these centers that we are now at a 30-year low in unintended pregnancies, a historic low in teen pregnancies, and we have the lowest rate of abortions since the Supreme Court ruled that abortion was legal in 1973. We are a healthier Nation because of family planning clinics that receive title X funding.

Now, more than ever, we need to stand and raise our voice against the Republican Party's agenda of discrimination. It is about fighting for the freedom to make decisions in our personal lives without the fear of interference from our own government. It is about the access to opportunity that comes from quality, affordable healthcare and making sure that access is never restricted, no matter what gender you are. But with Donald Trump as President and both Chambers of Congress now controlled by the GOP, national

Republicans are in the best position in decades to enact a radical agenda that rolls back women's rights. Today is just one step in their massive plan to take women's rights right back to the 19th century.

I know they will not back down from enacting their radical agenda, but I also know that we who want to protect women's rights will not back down from this fight. It is a historic battle. This vote is a historic vote.

I urge all Members to vote no.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I am pleased to be here with the Senator from the Commonwealth of Massachusetts and the ranking member of the HELP Committee to address this important issue.

You would think that after the healthcare debacle last week, the other side would have gotten the message, which is that the American people didn't send us to Washington to take away their healthcare.

When I think about healthcare in Colorado, I think about sort of a circle that contains healthcare that people in my State are either getting or not getting, and some part of that is ObamaCare, that is for sure, but a lot of it has nothing to do with that. They are unhappy with the way our healthcare system works. They want more access than they have. The House bill went at this in exactly the wrong direction from where they are interested in going.

I would like to work with Republicans and Democrats to solve that, but this afternoon we are here once again because the resolution before us would risk funding for vital primary care, preventive and family planning services for more than 4 million Americans across our country, especially women and those who live in rural communities of my State and other States.

Since 1970, this body has supported title X funding to expand access to affordable healthcare for low-income men and women. We did that because we understood that it wasn't just the right thing to do, we recognized that it was a good investment. Each dollar invested in publicly funded family planning programs saves the government over \$7 in Medicaid-related costs.

The other side rails against Medicaid spending. In fact, last week, they had a bill that cut it by about \$850 billion. But if they succeed on this vote today, Medicaid spending will almost certainly rise as a result of what they are trying to do.

We supported title X funding with both Republican majorities and Democratic majorities in the Senate. Now a narrow majority is trying to ram this measure through.

This isn't supported by a consensus of Americans, and you know it is not

when Vice President PENCE has to drive over here from the White House to cast a tie-breaking vote. Just yesterday, the Vice President was at a White House forum on women's empowerment. It begs the question: Did he learn anything at the forum?

It is easy for Senators, apparently, to vote against healthcare for struggling Americans. I wonder sometimes whether the reason for that is that we are not affected by this vote. That is doubly true when 50 Senators—overwhelmingly men—vote to cut healthcare for millions of low-income women.

The vote today has real consequences for Colorado. If this measure passes, it will threaten to cut funding for title X health centers serving over 52,000 men, women, and teens each year. It will also risk funding for the over 20 Planned Parenthood clinics throughout Colorado that provide healthcare services to more than 86,000 men, women, and teens. Planned Parenthood is a critical part of Colorado's healthcare system, providing essential services in a quarter of the State's counties. This support is especially vital for our rural areas. Two weeks ago, I visited Alamosa and Durango, CO, where these health centers are some of the only places women can turn to for preventive care and family planning services.

We should not do this. Pediatricians are against it. Family physicians are against it. Nurses are against it. But on the other side, we have a narrow majority voting to strip funding for vital primary and preventive care, including breast cancer screenings and HIV testing.

I would invite anyone voting against this measure, including the Vice President, to come to Alamosa and Durango and see what these health centers are doing in our communities. I invite them to come and meet the people they help, the lives they change.

I urge my colleagues to vote against this measure. It will hurt many of our fellow Americans. It will hurt women in my State and particularly working people, and it should not pass.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I hear colleagues from the other side of the aisle talk again and again about how they want patient-centered healthcare. That is the refrain—patient-centered healthcare. Make no mistake about what this resolution is all about. It turns that phrase on its head because what it says to certainly women who are patients: You are not free to go get the healthcare you want.

It seems like this never ends—another day, another effort to deny women the opportunity to have the kinds of healthcare choices and the healthcare services that they feel strongly about.

I am not going to take long; I know colleagues are in a hurry. I just want

to say that the next time you hear this lofty rhetoric—particularly from the majority—about how everything they are going to do in American healthcare is going to put the patients at the center of healthcare, give people more choices, and protect the freedom that they talk about in healthcare—understand, if you vote for this resolution, you are repudiating all of those speeches. I have heard Senator MURRAY talk about it. She says it very eloquently.

The bottom line is that this resolution not only doesn't support that lofty rhetoric about patients being at the center of healthcare, this resolution deprives women of choices and access to healthcare services they want.

I hope my colleagues will join Senator MURRAY and understand the dangerous consequences of what is at stake. Oppose this resolution and save the Vice President the trip to the Hill.

I yield back.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I want Senate Republicans who are about to take this vote—and Vice President PENCE—to be very clear on what they are about to do. As a direct result of their choices today, extreme politicians in States across the country will have greater power to take away women's choices.

I think it speaks volumes that the vote to uphold this rule—which simply says family planning centers, where women can exercise their constitutionally protected rights, should not be discriminated against—is bipartisan. But do you know what I think is most striking about this vote? The deafening silence from the group of almost entirely male Republican Senators who are voting today to make it harder for women to get the healthcare they need. Not one spoke today to justify this vote. Where are those Republican Senators? Why did they feel so entitled not just to interfere with women's healthcare decisions but to do so without explaining themselves? If they are ashamed of their votes, which they should be, they had ample opportunity to reconsider.

I came to the floor with my Democratic colleagues weeks ago to urge Republicans not to bring this damaging legislation to the floor. We asked for just one Republican vote today to prevent this attack on women's health. And women across the country, in Republican and Democratic States, called, emailed, tweeted, and organized to say that these restrictions on women's access to healthcare have no place in our country or in the 21st century. But what have these 50 Senate Republicans done? They refused to listen, and they refused to answer for their actions.

Frankly, women deserve better. The thing is, women know it. So today, as a woman, I am angry. As a mother and

a grandmother, I am furious about what attacks like this mean for our daughters and our granddaughters, especially those who are struggling and disproportionately rely on family planning centers. But as a Senator, I am more confident than ever that Republicans who fail to listen to the women of this country do so at their own peril. I have had the chance to see how much impact women have when they call and march and organize and make their voices heard.

The fact that Vice President PENCE had to come and break this tie today, that Senate Republican leaders could not twist enough arms to pass this bill on their own, is clear evidence. So is the failure of House Republicans' abysmal TrumpCare bill, which would have cut off access to critical services at Planned Parenthood.

I know without a doubt that Republican Senators who vote against women and with their extreme base today and who rely on this anti-women administration to jam this resolution through will be held accountable both by women across the country and women right here in the Senate. We will keep making our voices heard. We will fight back against these attacks on our rights and our own self-determination, and ultimately, you can be sure, we will win.

I yield the floor.

I yield back the time on this side.

The joint resolution was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. INHOFE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The yeas and nays resulted—yeas 50, nays 50, as follows:

[Rollcall Vote No. 101 Leg.]

YEAS—50

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Corker	Isakson	Shelby
Cornyn	Johnson	Strange
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young
Fischer	Paul	

NAYS—50

Baldwin	Brown	Casey
Bennet	Cantwell	Collins
Blumenthal	Cardin	Coons
Booker	Carper	Cortez Masto

Donnelly	Klobuchar	Sanders
Duckworth	Leahy	Schatz
Durbin	Manchin	Schumer
Feinstein	Markey	Shaheen
Franken	McCaskill	Stabenow
Gillibrand	Menendez	Tester
Harris	Merkley	Udall
Hassan	Murkowski	Van Hollen
Heinrich	Murphy	Warner
Heitkamp	Murray	Warren
Hirono	Nelson	Whitehouse
Kaine	Peters	Wyden
King	Reed	

The VICE PRESIDENT. On this vote, the yeas are 50, the nays are 50. The Senate being equally divided, the Vice President votes in the affirmative, and the joint resolution, H.J. Res. 43, is passed.

The majority leader.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following leader remarks on Monday, April 3, the Senate proceed to the consideration of Calendar No. 18, S. 89, with the time until 5:30 p.m. equally divided in the usual form, and that following the use or yielding back of time, the bill be read a third time and the Senate vote on passage with no intervening action or debate. I further ask that following the vote on passage, the Senate proceed to executive session for consideration of Calendar No. 24, the nomination of Elaine Duke to be Deputy Secretary of Homeland Security. I further ask that at a time to be determined by the majority leader, with the concurrence of the Democratic leader, on Tuesday, April 4, the Senate vote on confirmation of the nomination, and that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER (Mr. CASSIDY). Is there objection?

Without objection, it is so ordered.

The Senator from Iowa.

CONGRESSIONAL REVIEW ACT RESOLUTION

Mrs. ERNST. Mr. President, I rise to thank my colleagues for their support of my legislation to overturn President Obama's eleventh hour rule that revokes States' rights to determine the best eligible subgrantees for title X family planning funding. It should be the right of our States to allocate subgrants under the title X program in the way that best fits the needs of the people living there. Unfortunately, like many other rules that were issued during the Obama administration, this rule attempted to empower Federal bureaucrats in Washington and silence our States.

As we all know, States are closer to and more familiar with the healthcare providers and patients within their borders and should be able to make their own decisions about the best eli-

gible title X subgrantees, be they hospitals, federally qualified community health centers, or other types of providers. A number of States have acted in recent years to prioritize title X subgrants to more comprehensive providers, where women can receive greater preventive and primary care than they can with providers like Planned Parenthood.

The Obama administration's rule attempted to claim that providers like Planned Parenthood can "accomplish title X programmatic objectives more effectively." This rhetoric does not match the reality. In fact, after Representative DIANE BLACK and I led more than 100 of our colleagues in pointing that out to the Obama administration, HHS acknowledged the challenge of measuring effectiveness across all types of title X recipients and subrecipients and therefore removed the word "effectively" from the final rule.

So why was this rule implemented in the first place? It is because the Obama administration wanted to do everything it could to secure Federal funding streams for Planned Parenthood before they turned over the keys to the Trump administration. With our vote today, we prevented that from happening.

But let me be clear. Although it is no secret that I do not believe Planned Parenthood—the Nation's single largest provider of abortion services—is deserving of Federal taxpayer dollars, this legislation does not prevent Planned Parenthood or any other specific entity from receiving title X funds. If States like Washington or Massachusetts want to distribute title X subgrants to Planned Parenthood, this legislation to overturn the Obama administration's rule will not prevent them from doing so, nor does overturning the rule reduce overall funding levels for the Title X Family Planning Program.

In fact, this legislation does not in any way decrease women's healthcare funding. Rather, overturning the rule merely empowers States over a Washington-knows-best mentality and assures that States have the ability to identify the best eligible title X subgrantees. It restores local control and ensures that States aren't forced by the Federal Government to provide abortion providers like Planned Parenthood with taxpayer dollars.

I appreciate my colleagues' support of this legislation, and I look forward to President Trump signing it and scrapping the Obama administration's overreaching eleventh-hour rule.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, on January 18, 2017, two days before President Obama left office, he finalized a rule and put it in place to require States—regardless of their decisions in

their State—to have to use Planned Parenthood, removing the decision making from each State.

In the past, it had been very straightforward. States were allowed the opportunity to be able to examine who was the best decision maker to be able to help and the best provider of care in their community for title X funding. For that family planning funding, when it occurs and when it goes through the process, the States made the decision, looked at the providers, found out who the most comprehensive provider was, who could provide the best healthcare, and they made that final decision.

President Obama, two days before he left office, finalized a rule to remove that right from States and to compel each State to be able to use Planned Parenthood.

States like mine and many other States said: We want to do family planning in our State. We want to have comprehensive healthcare in our State, but we do not want to provide Federal funds to the single largest provider of abortion in the country. That was a reasonable decision that our State lawmakers could make to be able to protect the lives of women in our State and to protect the lives of children for the future. That reasonable, common-sense method was removed two days before President Obama left office.

I am proud to say that the House of Representatives and the Senate today voted to strike that rule from the last two days of President Obama's term to compel States to be able to use Planned Parenthood in their States, to be able to give the option back to the States again.

I look forward to President Trump signing it. I would remind the President of this one simple thing, though. This does not strike funding away from women's care. This doesn't take funding away from any of the family planning. This doesn't even force States to not use Planned Parenthood. It is a simple statement of where we used to be: States could choose to have Planned Parenthood as a part of their title X funding, or not. It is their choice. If some States want to do that, they may continue to do that. Other States should not be compelled to do that with taxpayer funds, though.

That is the new status quo as soon as President Trump signs it—to be able to return to a basic doctrine: States should not be compelled to have taxpayer funds used toward Planned Parenthood title X funding.

I am proud that this Senate just passed this resolution. It is a reasonable act for us to be able to do, and I look forward to the President's signature.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

NOMINATION OF NEIL GORSUCH

Mr. COTTON. Mr. President, when his nomination comes to the floor next week, I will vote to confirm Neil Gorsuch to the Supreme Court. This is my first time voting on a Supreme Court nominee, and I don't take the decision lightly. It is a lifetime appointment, after all, and the Court's rulings have shaped our country's history—for good and for ill—and will continue to shape our future. But after reading Judge Gorsuch's writings, meeting with him in person, and listening to his testimony, I can say with confidence that it is not a hard call. I believe Judge Gorsuch will be a fine addition to the Supreme Court.

There is no denying Judge Gorsuch's distinctive qualifications. We all know his credentials: Columbia, Harvard law, and an Oxford doctorate to boot. He clerked for an appellate judge and two Supreme Court Justices. He had many years of experience in both private practice and in public service and, of course, over 10 years as an appellate judge. He possesses fine judicial temperament: highly erudite, highly accomplished, and highly regarded by those who know him best. It is no surprise, then, that the American Bar Association, in a unanimous vote, declared him "well qualified" for the job.

While I wouldn't outsource our responsibilities to any advocacy organization, I would note that the minority leader himself once said the ABA rating is "the gold standard by which judicial candidates are judged."

But, of course, Judge Gorsuch is not just filling any seat, but the seat once held by the late Justice Antonin Scalia. Justice Scalia was a giant of American jurisprudence. Most Justices earn their place in history by writing opinions, giving voice to their colleagues, and speaking for the Court as a whole. Justice Scalia did that many times throughout his career, of course, but he did something more. He changed the way judges—both conservative and liberal—think about the law and defend their decisions. He reminded us all that a judge's job is to apply the law—including the Constitution, our most fundamental law—as written, to the case before him, not to rewrite it all together.

Adhering to the law, even when the judge doesn't like the result, is the greatest public service that a judge can render, because to respect the rule of law is ultimately to respect the rule of the people.

This is what Justice Scalia taught and what he inspired a whole generation of judges and lawyers to understand. As we prepare to fill his seat on the Supreme Court, let us also acknowledge that no man can fill his shoes. We honor the memory of Justice Scalia and we thank his wife, Maureen, and his whole family for sharing this great man with our country for so long.

Judge Gorsuch is a child of the Scalia generation. He has long advocated for and followed the originalist judicial craft—one rooted in the text, structure, and history of our Constitution, which is to say that he respects the rule of law and he respects the people. Whether defending the religious liberty of the Little Sisters of the Poor or the Fourth Amendment rights of a regular household, he has shown a profound respect for the Constitution. I also think he has demonstrated throughout his career a firm independence of thought. He has had his influences and his mentors, his promoters and his critics, but I believe he will be his own man—as he should be.

So I am pleased to announce my support for the next Associate Justice of the Supreme Court, Judge Neil Gorsuch. I look forward to his confirmation next week.

MORNING BUSINESS

Mr. COTTON. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COTTON. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I wish to initially speak about the bipartisan Veterans Choice Program Improvement Act, but first I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHATZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VETERANS CHOICE PROGRAM
IMPROVEMENT ACT

Mr. SCHATZ. Mr. President, distance or delays should never be the reason that veterans don't get the healthcare they need, but that is exactly what is happening to veterans across the country. That is why the Veterans Choice Program was started—so that thousands of veterans and their families can get the care they deserve when and where they need it. Instead of traveling long distances or waiting months on a list, veterans can use the Choice Program to get the healthcare they need in their own communities.

As the ranking member of the Military Construction and Veterans Affairs Appropriations Subcommittee, I want to give a little perspective on what would happen to our veterans if we don't pass the bipartisan Veterans Choice Program Improvement Act.

Now, I know that the Choice Program is not funded through my subcommittee, but what we do today has an impact on the VA as a whole. If the Veterans Choice Program Improvement Act does not pass, the funding we appropriated to the VA will expire before it has all been used. It is not a small amount of funding. It is \$1 billion, and the VA does not have \$1 billion elsewhere in the budget to make up for this loss.

In other words, if we don't pass this bill, it is going to be a disaster for veterans because all of the veterans who use this program for their healthcare are going to have to go back to the VA. That means the wait times that everybody was complaining about over the last couple of years will grow longer and longer and longer, and especially in rural America, where access to care is such a challenge, it will get worse and worse.

To manage the increase in patient load, the VA will have to scramble to find funding that can take away from other VA programs, including hospital maintenance and medical equipment. That is what is going to happen if we don't pass this bill. This is an urgent matter for veterans across the country. Whether you are a participant in the VA Choice Program or you go to a traditional VA clinic or hospital, one way or another, this is going to impact you.

Now, I know the Choice Program isn't perfect, but this temporary extension, coupled with the improvements in the system contained in the bill, gives Congress the time we need to develop a long-term, comprehensive solution. And while we are working on a solution, let's not punish veterans by cutting off \$1 billion toward a program that is designed to improve services for people who have served our country.

So I hope we can come together to find a way to pass this bill. Our veterans are counting on us.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. UDALL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RUSSIA AND TRUMP CAMPAIGN
INVESTIGATION

Mr. UDALL. Mr. President, I know several Members are ready to come here and talk on a veterans issue, and they will let me know when they are ready to start. I thought there might be a good chance to get this in.

Our democracy is under attack. U.S. intelligence agencies have concluded that the Russian Government interfered in the U.S. Presidential election

and intervened to help Candidate Trump. Around the same time, Candidate Trump began making flattering statements about Russian President Putin and proposing pro-Russia policy changes while criticizing longstanding U.S. allies, including in Europe.

President Trump continues to defend Putin and offend Western allies. Now we have come to learn that there are unexplained ties between the President, his campaign staff, his associates, and Russia; that many close to the President had meetings and telephone calls with Russian officials during the campaign and the transition; most critically, that the FBI and the Department of Justice are investigating whether the President and his associates coordinated or conspired with the Russian Government to interfere with the Presidential election—an investigation that began last July and is likely to continue for months.

The President and his associates keep giving the American people reason for worry—inaccurate denials, evasive answers, explosive attacks they can't back up, scheming with the chair of the House Intelligence Committee on the committee's investigation of the White House. New, very disturbing information comes to light every day.

A recent CNN/Opinion Research Corporation poll showed that two thirds of Americans believe a special prosecutor should be appointed. The American people want answers. What was the scope of the interference? Who knew what, and when? How can we protect ourselves and our allies, who are facing similar cyber attacks? What is the appropriate government response to such an attack?

I appreciate the work the Senate Intelligence Committee is doing. I believe that is the first step, but I believe we must go further. That is why I am again calling for an independent, bipartisan national commission modeled on the 9/11 Commission to fully investigate Russia's interference with our election and our election processes and to investigate the ties between the President, his family businesses, and his close associates and Russia that may threaten our national security. I am also again calling on the Department of Justice to appoint a special counsel to investigate potential criminal conduct that may jeopardize our security.

Questions about the President's ties to Russia will divide the country, undermine his Presidency, and distract Congress, unless we take these steps. The American people are right to be concerned. The President's stance on Russia is perplexing, starting when he first denounced the role of NATO last spring, calling it "obsolete," suggesting that it would be OK if NATO broke up. Then, he publicly asked Russia to hack Hillary Clinton's emails.

Then, Mr. Trump's campaign manager, Paul Manafort, was forced to re-

sign because of his close political and financial ties to Ukraine's former pro-Russian President. He became the subject of a multi-agency investigation. We don't have the full story, but we do know that he failed to register as a foreign agent while he lobbied for pro-Russian Ukrainian interests in the United States. It appears that Manafort has a \$10 million contract with a Russian oligarch who is very close to Putin that would "greatly benefit the Putin Government" and that he had at least 15 offshore bank accounts in Cyprus that even Cypriot bank officials thought were suspicious. Once those bank officials began asking about money laundering activities, Manafort closed the accounts rather than answer questions.

During his campaign, Mr. Trump stated that he would "be looking at" whether to recognize Crimea as Russian and to lift sanctions. President Trump and his team apparently took little or no interest in the debate over the party platform in the Republican National Convention, except for one thing—Ukraine. They intervened with delegates to get more Russia-friendly language in the Republican Party platform. Candidate Trump's national security policy staffer J.D. Gordon told CNN: "This was the language Donald Trump himself wanted . . . and advocated for . . . back in March." Now Gordon is reportedly under investigation for his ties to Russia.

We have all heard the President compliment President Putin, calling him a strong leader. Why is the President so enamored, when Putin's actions are authoritarian, violent, and anti-democratic? Putin seeks to weaken NATO and the European Council. He annexed Crimea in violation of international law and treaties. He interfered with our national election. Putin has crushed free press in the Russian Federation, placing restriction upon restriction on the press, quashing independent news organizations, and harassing and jailing journalists. The President's outspoken admiration is inexplicable.

So we are still left with a President who has expressed policy views toward Russia that run counter to U.S. ideals and treaty obligations, as well as global norms of international affairs. While we don't know the full extent of the President's financial, personal, and political ties to Russia and Putin, we have plenty of reason to seek an impartial investigation. The President still has not released his tax returns, unlike any previous modern President. His son Donald Junior volunteered, as far as back as 2008, that "Russians make up a pretty disproportionate cross-section of a lot of our assets. . . . We see a lot of money pouring in from Russia."

In 2013, Mr. Trump said on a talk show: "Well, I've done a lot of business with the Russians."

Due to his history of bankruptcies, no major U.S. bank would loan to Donald Trump in recent years. So he has needed new sources of capital for his real estate projects. There is growing reason to believe that Russia—or at least wealthy Russians—have financial interests in the Trump organization. Recent reports link the President and his companies to ten wealthy former Soviet businessmen with alleged ties to criminal organizations or money laundering. The extent of corruption and criminal ties among the oligarchs of Russia are well known, and to stay wealthy oligarchs, they must stay friendly with the Putin regime.

Is the Trump organization reliant on Russian capital or loans from Russian banks? What relationships are there between Russian oligarchs that are tied to the Russian Government and the Trump organization and between those former Soviet businessmen and Trump's properties? We need to get to the bottom of this, with a credible, deliberate, nonpartisan investigation.

Mr. Trump has surrounded himself with associates with close Russian ties—not just Mr. Manafort. Michael Flynn headed to Russia within 18 months after his retirement as the head of the Defense Intelligence Agency to celebrate the 10th anniversary of the Russian Government's media outlet RT. Secretary John Kerry called RT a "propaganda bullhorn" for Putin. Mr. Flynn was paid for that trip by RT, a potential violation of the emoluments clause of the Constitution, and appeared regularly on RT. Flynn, of course, had to resign as National Security Advisor after 24 days in office. But the President knew of Flynn's misrepresentations weeks before he was fired and did nothing until it became public. We now know that Russia's payments to Flynn were generous. In 2015, Russian entities paid him \$65,000. We know he worked for pay as a foreign agent for Turkey during the campaign and during the transition, but he failed to register as an agent at the time, as required by law.

Other Trump associates and campaign staff—Roger Stone, Carter Page, and Mr. Gordon—all are reportedly under investigation for intercepted communications and financial transactions with Russia. Stone admitted at least 16 contacts with Guccifer 2.0, the Twitter handle covering for Russian intelligence that released the Democratic National Committee hacked emails.

Page, who has strong financial ties with Russia, admitted to meeting with the Russian Ambassador during the Republican Convention and traveling to Russia during the campaign.

The President's Attorney General was forced to recuse himself from any Department of Justice investigation into Trump and Russia because he did not disclose to the Senate Foreign Relations Committee that he met with

the Russian Ambassador during the campaign.

Now the President's son-in-law and senior adviser is set to testify before the Senate's Intelligence Committee. He will talk about his contacts with the Russian ambassador, a close Putin ally who is head of a Russian-owned bank.

Where does it stop, folks? Where does it stop?

These contacts give us enough reason for pause. Combined with Mr. Trump's positions on NATO, sanctions relief, and Russia's human rights violations, they raise serious security questions for the United States and NATO. As I said, we need an independent prosecutor at the helm to ensure that the whole of the investigation is not compromised—one who is not subject to White House pressure and not in a position of investigating his or her boss—and a bipartisan commission along the lines of the 9/11 Commission that is independent of politics.

The chair of the House Intelligence Committee is compromised and damaged beyond repair. He has coordinated with the subjects of his committee's investigation, and he has completely lost credibility. I compliment my Senate colleagues who are working together on an investigation. But the Senate committee does not have the resources to fully investigate this, and the ranking Democrat on the committee agrees we need an independent investigation that could go further, that could be public, and could be transparent.

A former Acting Director of the CIA called the Russian interference in our election one of the most successful covert operations in history. Former Vice President Cheney has said that what they did could be "considered an act of war." By covert interference in a U.S. election, Russia pursued a policy to install its favorite candidate as President of the United States. Yet the President has dismissed the National Security Agency findings, accused our national security agencies of acting like Nazi Germany, and leveled fake charges at the former President.

The American people are not fooled, and they want Congress to get to the bottom of this. We in Congress have a solemn duty to the American people to do just that.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. TESTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VETERANS CHOICE PROGRAM IMPROVEMENT ACT

Mr. TESTER. Mr. President, I rise today in support of the bipartisan Vet-

erans Choice Program Improvement Act. I will start my remarks by saying that Chairman ISAKSON was here earlier, and he had a meeting he had to get to. JOHNNY has been through a tough surgery, and it is good to have JOHNNY back. But the fact of the matter is he supports this bill. He is an original cosponsor of this bill. The same could be said of Senator BLUMENTHAL, who also had a meeting and wanted to be here, once again. We heard from Senator SCHATZ earlier. This bill truly has bipartisan support, not only in the VA Committee but also in this body.

The reason people support this piece of legislation is because it brings much needed reforms to the Choice Program while ensuring that veterans can access care in their communities. It is a good bill.

A few years back, the Choice Program was established with the very best of intentions. In my home State of Montana, it is a fact that veterans were waiting far too long for an appointment at the VA and oftentimes had to drive over 100 miles for the appointment. The Choice Program was supposed to allow these veterans to access care closer to home. Unfortunately, it has not been working out the way it should, and veterans have been inundated with redtape and a government contractor that struggles to schedule appointments and pay providers on time. That is why we all worked together—Democrats and Republicans and even Independents—on this bill to put forth these much needed reforms.

The Veterans Choice Program Improvement Act cuts redtape so veterans can access care more quickly. In fact, I made it clear from the get-go that I would not vote to extend the Choice Program until Congress and the VA have addressed some of the biggest concerns I have been hearing from Montana veterans and community providers.

Once we get the bill passed, this program reimburses community providers more quickly for the care they provide to our veterans. It reduces out-of-pocket costs for veterans receiving care through the Choice Program. It improves the sharing of medical records between the VA and the community providers to better ensure seamless care for veterans, whether they are seeing a VA doctor or a doctor in their community. It allows the VA to access all the funding initially appropriated for this program to ensure that veterans' access to care is not disrupted.

This bill is not going to fix everything, but it is certainly a step in the right direction. With this legislation, combined with assurances that I have received from VA Montana, VA folks within the State will be allowed to schedule appointments for Montana's veterans directly instead of going through an inept government contract.

It is my hope that we can make the Choice Program work the way it was intended when we first set it up, with the goal of serving those who have served our country.

I again express my appreciation for taking this bill up on the floor, this Veterans Choice Program Improvement Act, and I think it is a prime example of how this body needs to work together to solve problems—in this case, for our veterans community. We should push this bill out as soon as possible.

I yield the floor to Senator MORAN.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I appreciate the remarks, as well as the working together with the Senator from Montana as we tried to make certain that a program that is so valuable to veterans across the country—in my case particularly, veterans who live in rural America, in Kansas—to make certain that veterans can attain the care they have earned and the care they deserve.

We had a scandal at the VA in which many tragic things happened, and Congress came together at that time and passed the Choice Act. What that law basically has given our veterans is, if they live more than 40 miles from a VA facility—in other words, if they live a long distance from access to care—they can, at their choice, have that care at home: hometown hospital, hometown physician, pharmacy, physical therapy. They can see a provider in their hometown.

In so many instances in Kansas—in fact, I have mentioned this before on the Senate floor. The House district I represented as a Congressman is larger than the State of Illinois, and there is no VA hospital in that congressional district. So veterans not having to travel 2, 3, 4, 5 hours to Denver or to Wichita or to Amarillo is of such value to our veterans, particularly those who have a disability or are aging. What we did in the passage of Choice was so useful to so many veterans.

The other part of that was that if you couldn't get the care you needed within 30 days at the VA, you could then attain your care at home. Again, with the backlog that was occurring at the VA, the lack of providers, this became important to another set of veterans who, because of their health condition, couldn't afford to wait that long to see a physician, to have surgery.

This is important legislation. If you are somebody who cares about veterans, you need to be in favor of this Choice Act. If you are someone who cares about particularly rural or veterans who need timely care, you especially ought to be supportive of Choice.

The challenge we have is that the Choice Act is expiring. It expires August 7, and it needs to be extended.

There are dollars available in the program. Mandatory spending is available to pay for the services to a later date.

As the Senator from Montana indicated, there are a number of provisions that haven't worked very well in Choice because of the bureaucratic nature of the program, the way the program has been established. One of those that are most important is that you have veterans on one side who need the care and choose Choice, but you also need a willing provider. The local hospital, the local physician needs to be willing to provide that care. I have never known a provider who was not honored to provide care to a veteran, but the challenge in many instances becomes whether that provider, that doctor or hospital gets reimbursed, gets paid.

This legislation has a number of reforms, but in my view, one of the most critical and most important is to make the VA the payer, to make the VA be the entity that writes out the check to pay the hospital bill, to pay the physician for the services provided.

So this is another reform that improves really on both sides. It eliminates some of the bureaucracy that a veteran goes through and the number of times a veteran may receive a notice that he or she owes money that should be paid by the Choice Program, and it also encourages—by paying them—the physician or the hospital to provide the service. These are important reforms, important changes in the Choice Act that are worthy of our support.

What is transpiring here are a couple of reforms to the Choice Program and its extension to a later date, until the money expires, so the Choice Program can continue, and Congress can now take that time to determine what we want to do with the Choice Program into the future after that point in time. I appreciate the way in which this legislation has worked.

Often I get asked whether there is any hope that Congress can work together, that Republicans and Democrats can solve problems. This is an example of where that is taking place today, by the care and concern we all have for our veterans and the good will that exists by those who serve in Congress to make sure that good things happen for our military men and women who are now veterans.

I regret that the chairman of the Veterans' Committee, the Senator from Georgia, Mr. ISAKSON, is unable to be with us, but, as the Senator from Montana indicated, he is fully supportive of this legislation. In fact, he is an original sponsor of the legislation.

I add my voice and ask my colleagues to agree to the unanimous consent resolution, that this legislation be passed. It will be another step in solving problems and caring for those who served our Nation.

Yesterday, I was at the Arlington National Cemetery—a reminder of the

debt we owe to so many people. Those are veterans who are now deceased. Those are military men and women who have now died. Those who are living deserve the care and treatment that our VA can provide and the opportunities that our providers in our hometowns can assist in providing.

We want to make sure that good things continue to happen. We want to improve the quality of service, get the problems out of the Choice Program, and make sure those who are so deserving of quality care actually receive it.

I yield back to the Senator from Montana.

Mr. TESTER. Mr. President, I would like to thank the good Senator from Kansas for his comments and his leadership not only on the VA Committee on which we both serve but also as chairman of the Appropriations MILCON-VA Subcommittee, the subcommittee that really sees how the money is going to be utilized within the VA. I think Senator MORAN has covered just about all of it. I just want to go back and say one thing.

We are going to have a unanimous consent. I am told there will be an objection to it. That is truly unfortunate because this has been a bipartisan effort. It has cleared everyone in the Senate except one person, to my knowledge, and I think that is unfortunate.

One of the complaints I hear is that the primary payer provision of this bill is the problem. The primary payer provision of this bill requires the VA to be exactly that—the primary payer of the bills. My question would be, Why is this a bad thing? Right now veterans are being hamstrung and delayed, and the folks who provide the benefits, the providers, are not getting the dollars in a timely manner. I would just ask, if the VA is not going to be the primary payer, who is?

These folks have put it on the line for this country, and they come back in different shape than when they left, after they bore the battles of war. Some of the injuries are seen; some of the injuries are unseen. And we are not going to say "You know what. Don't worry about it. We are going to make sure you get the care, and we are going to make sure it is paid for"? It is part of the cost of war. So when we send our young men and women off to war, we ought to be thinking about this stuff. And we have a solution. We have a solution to part of the problems with the Choice Program.

If we get this bill passed, it will give us the opportunity to work together to get a long-term bill passed before the first of the year to really address the needs of our veterans so that there are wraparound services at the VA that veterans can count on.

I would just say that this is supposed to be a very deliberative body, and for the most part, it is pretty deliberative.

But when you have a situation of a program that we put into effect—that Congress passed and the Senate had a big part of writing—and it is not working, we ought to fix it, and this bill fixes it in good part. We have some more to do, as I said, but this bill is a step in the right direction in cutting redtape and making it easier for veterans to find care and get care, whether it is in the VA or outside the VA. It is also something that the Veterans Administration sorely needs to move it forward.

I just want to say that we come in here and we have good arguments and good discussions, and sometimes politics comes into the discussion. In this particular case, folks have come to the table—whether it is Senator ISAKSON or Senator MCCAIN or Senator MORAN or me or any of the others on the Veterans' Affairs Committee—and we have come up with a solution that 99 percent of the people in this body agree with, but we can't get it across the finish line. And we wonder why our popularity is in the single digits in this country.

I am just going to close by saying I want to thank everybody from both sides of the aisle who worked together to get this bill crafted and get this bill to this point. I hope that at some point in time, people will take a look at this bill for what it does and realize that there aren't bogeymen in this bill, that our veterans deserve us to work together to find solutions to move the ball forward so they can get the healthcare they were promised when they signed on the dotted line to protect this country.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, it is my understanding that one of my colleagues is en route to speak and perhaps object to this motion that is to be made. I would ask my colleague from Montana if he would mind holding for a few moments until that Senator arrives.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. TESTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TESTER. Mr. President, I was going to ask for unanimous consent that S. 544, the bill we have been talking about, be discharged for immediate consideration, and then someone would have to object to that unanimous consent request—otherwise it would move forward.

I am going to do this on Monday. I hope the Senator who is truly going to object to this will have the opportunity

to talk to Secretary Shulkin and Chairman ISAKSON, and he will find out that both those people are in support of this bill.

Hopefully we can come in and do a unanimous consent and get this bill passed on Monday. This is a bill that is good for America's veterans. I think it is good for our community providers, and I think it is very good for the VA. We will hold off today and take care of this after the weekend.

I would like to once again thank all the folks who worked on this bill. A special thank-you to Senator MORAN for his statements today.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MERRICK GARLAND AND FILLING THE SUPREME COURT VACANCY

Mr. CARPER. Mr. President, I rise today to lend my voice in support of perhaps one of the most qualified individuals ever nominated to the U.S. Supreme Court. I am referring, of course, to Chief Justice Merrick Garland.

Over 1 year ago, on March 16, 2016, a President who was twice elected by significant margins in both the popular vote and the electoral college nominated Judge Garland to fill the vacancy left by the death of Justice Antonin Scalia. President Obama upheld his constitutional duty by submitting a name to the Senate to fill this vacancy.

By submitting the name of Merrick Garland, he gave the Senate a man who has spent his career working to build consensus and to find principled compromises. His impeccable credentials speak for themselves: Harvard undergrad, top of his class; Harvard Law, top of his class; law clerk to Judge Friendly on the Second Circuit and Justice Brennan on the Supreme Court. He served in the Justice Department after a time in private practice.

When tragedy befell Oklahoma City in April of 1995, Merrick Garland led the investigation that brought justice to the perpetrators of that unthinkable act of terrorism. Judge Gorsuch called this work "The most important thing I have ever done in my life."

His career was far from over at that point. In 1997, Republicans and Democrats joined together to confirm Judge Garland to the DC Circuit Court of Appeals, which is often called the "second highest court in the land."

Here is what Senator ORRIN HATCH, former chairman of the Senate Judiciary Committee and currently the President pro tempore of the Senate, said of him at the time:

Merrick B. Garland is highly qualified to sit on the DC Circuit. His intelligence and his scholarship cannot be questioned. . . . His legal experience is equally impressive. . . . Accordingly, I believe Mr. Garland is a fine nominee. I know him personally, I know of his integrity, I know of his legal ability, I know of his honesty, I know of his acumen, and he belongs on the court.

Those are not my words. Those are the words of Senator ORRIN HATCH, a good friend and colleague.

Over the past two decades on the DC Circuit Court of Appeals, Judge Garland established a reputation as a thoughtful judge, a fair judge, a man of high integrity, a judicial moderate, and a consensus builder in a day and age when we need consensus builders—not here but on the Supreme Court and other courts.

Even those who may disagree with him tend to find themselves thinking a little harder about their own views after hearing his.

During his 2005 confirmation hearing to serve as Chief Justice, John Roberts, who served with Judge Garland on the DC Circuit, stated these words: "Any time Judge Garland disagrees, you know you're in a difficult area."

Thank you, Chief Justice Roberts.

In 2013, Judge Garland was promoted to chief judge on the DC Circuit Court of Appeals, the second highest court in the land—the chief judge, presiding over that court.

When President Obama nominated him to the Supreme Court over 1 year ago, Judge Garland brought with him more Federal judicial experience than any nominee in the history of the United States.

When I met with Judge Garland last year, I got to know him beyond just his resume. Ironically, he had actually performed the marriage ceremony for my former chief of staff and his bride several years ago.

I was struck by Judge Garland's humility and by his personal character, his personal traits. Even as a nominee for the Supreme Court, he continued to serve his community as a mentor to elementary school students right here in Washington, DC. Imagine that. A chief judge of the DC Circuit Court of Appeals taking time every week to mentor some kid who needs another good role model in his or her life. That is something that Judge Garland has done for about two decades.

Over 1 year later, as I stand here today, a seat on the Supreme Court—what should be, in my view, Judge Garland's seat—remains vacant. Our Republican colleagues, in an unprecedented display of what I think is obstructionism and partisanship, denied Judge Garland a hearing and a vote. Many of our Republican colleagues refused to even meet with him. He was denied both a hearing in the Judiciary Committee and a cloture vote in the full Senate.

Well, since the Senate Judiciary Committee began holding public hear-

ings on Supreme Court nominees 101 years ago, in 1916, no Supreme Court nominee had ever been denied a hearing and a vote.

I will say that again. No Supreme Court nominee had ever been denied a hearing and a vote—well, until Judge Garland.

According to the highly respected website, SCOTUSblog, we read these words:

The historical record does not reveal any instances since at least 1900 of the president failing to nominate and/or the Senate failing to confirm a nominee in a presidential election year because of the impending election.

That is right off the blog.

Judge Garland was denied a hearing and a vote. In fact, during the 1988 Presidential election year, Justice Anthony Kennedy was confirmed by the Senate 97 to 0—not 51 to 49, not 60 to 40, but 97 to 0. But Judge Garland was denied a hearing and a vote.

Our Constitution, the one that every Member of this great deliberative body has sworn an oath to uphold, standing right over there, requires the Senate to provide its advice and consent to Supreme Court nominees.

Over the years, there have been a lot of questions as to what advice and consent entails. Judge Garland was denied a hearing and a vote. A good man—I think an extraordinary man—was treated badly, as was our Constitution.

I believe the unprecedented obstruction our Republican colleagues mounted last year against Judge Garland was a shameful chapter for the U.S. Senate. Mr. Garland, a consensus builder, one of the most qualified judges in our country, waited 293 days for a hearing and a vote that ultimately never came. I am still deeply troubled by those 293 wasted days, and I am still deeply troubled by the way Judge Garland was treated. I believe Judge Garland still deserves a hearing and still deserves a vote.

While I do not believe that two wrongs make a right, I believe this may be our only opportunity to right a wrong and erase the enormous black mark that the Senate's failure to consider Judge Garland leaves on this chapter of American history. I think it is unacceptable to put partisan politics over fidelity to our U.S. Constitution. Confirming anyone for this vacancy other than Judge Garland would be a stamp of approval for playing politics with Supreme Court nominees.

From where I sit, upholding our oath to protect the Constitution means finding agreement on moving Judge Garland's nomination forward at the same time as that of Judge Neil Gorsuch, President Trump's nominee. When President Trump lost the popular vote by nearly 3 million votes last year and narrowly won the electoral college, he promised to be a President for all Americans. I think a fair question is, Has he upheld that promise?

Well, let's decide—an unconstitutional Muslim ban, an unnecessary and overpriced wall on the southern border, a failed healthcare bill that would have provided less coverage for more money, a rollback of environmental protections for all of us who don't want to drink dirty water and don't want to breathe dirty air. If you ask me, the President has broken the promise to be a President for all Americans. Now I realize that others may differ and disagree, but his nomination of Judge Gorsuch represents what I believe is another broken promise.

I have heard from middle-class folks, from workers up and down my State, from special education teachers, from immigrant communities, from women who depend on access to healthcare, and my guess is my colleagues have as well. Many of them fear that Judge Gorsuch is not on their side. Despite his impressive resume, I share those same concerns.

At this time, I believe it is appropriate to hit the pause button until an agreement can be reached that provides justice for Judge Garland while restoring credibility to the U.S. Senate. I believe that is only bolstered by the cloud that lingers over President Trump's campaign.

As FBI Director Comey testified last week, there is an ongoing investigation to determine the links between Russia and the Trump campaign and whether there was any coordination between the Trump campaign and Russia to interfere in the 2016 election. It has also been widely reported in the media that officials from the upper echelon of the Trump campaign have close ties to Vladimir Putin's interests in weakening democratic governments throughout the West. There are many Americans who believe that Judge Gorsuch has been nominated for a stolen Supreme Court seat. There are also a number of Americans who believe that he has been nominated by a man whose campaign may have coordinated with foreign adversaries on stealing a Presidential election.

Let me be clear. At the moment, no evidence has been made public to indicate that this is the case, but there are few nominations that any President will make that will have more of an impact on our Constitution and on the lives of everyday Americans than the U.S. Supreme Court. To hastily move forward with Judge Gorsuch, who is 49 years old and can serve on the Supreme Court well into the middle of this century, without first getting to the bottom of the suspicious and irregular actions of the Trump campaign officials, I believe, would be a mistake.

The American people need to know that the President's campaign was above reproach before we decide whether Judge Gorsuch merits approval for a lifetime appointment.

I will close my remarks by offering a word of caution to my colleagues. We

have maintained and preserved a 60-vote threshold for Supreme Court nominees to prevent Democrats and Republicans from choosing political expediency over bipartisan consensus. If Judge Gorsuch fails to obtain 60 votes on the cloture vote next week, I think it could signal one of three things. First, that Judge Gorsuch's views are outside the judicial mainstream; second, that we still have an opportunity to rectify the injustice done to Judge Garland and to our Constitution; or third, that we still do not know the nature of the relationship between the Trump campaign and Russia—a country whose leadership has ordered an attack on our election and our democracy, as well as a whole lot of other countries around the world.

If Judge Gorsuch fails to achieve 60 votes on the first try or the next try, it does not mean that his nomination will not move forward at some point in the future. It means we have hit the pause button. It may very well be that while we pause, another vacancy on the Court could emerge. Who knows when another vacancy might occur? But if you ask me, another vacancy might present the Senate with an opportunity to right what I believe is a historic wrong, and we should see if the other objections that have been raised about Judge Gorsuch could be addressed before we change the rules of the Senate in favor of the party in power.

In closing, I will say again that Judge Garland waited 293 days for a hearing and a vote that never came. Judge Gorsuch waited 48 days for a hearing, and we will be voting on his nomination next week. Talk about a rush to judgment.

The PRESIDING OFFICER (Mr. YOUNG). The Senator's time has expired.

Mr. CARPER. I would ask the Presiding Officer for 15 seconds, please.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. Talk about a rush to judgment. We have time. The American people are watching us, and history will judge us. Let's make sure we get this right.

Let's make sure we get this right.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

ISSUES BEFORE THE SENATE

Mr. HATCH. Mr. President, as we approach the end of another week in the Senate with a 2-week recess on the horizon, I think it is a good time to reflect on where we are on various high-profile efforts and to talk about the pathways forward.

As is generally the case when any new administration comes into office, the Republican majorities in both the House and Senate began 2017 with an ambitious agenda in order to make

good on the promises we have made to the American people over the last several years. Many of the key items on the agenda fall squarely in the jurisdiction of the Senate Finance Committee, which I chair. That being the case, my colleagues on the committee and I have been hard at work, trying to find the right solutions on things like healthcare, tax reform, and trade policy.

I don't think I am going to surprise anyone when I say it hasn't been easy. Honestly, I think that might be the biggest understatement of the year.

Things have been difficult for a number of reasons. One reason is that we are coming off of a bitter election year, one that shocked a number of our colleagues. After a hotly contested campaign, it can sometimes take a while for things to return to normal. However, I don't think that excuses the tactics and rhetoric we have seen from our friends on the other side of the aisle.

In any of these big-ticket policy efforts, whether we are talking about repealing and replacing ObamaCare, fixing the Tax Code, or updating America's trade policy, cooperation between the legislative and the executive branches is key. My Democratic colleagues know this, which, I suppose, is probably the reason they appeared to be bound and determined to prevent any meaningful cooperation from happening.

Now don't get me wrong; I don't expect my friends to change their views and back policies that they find disagreeable. However, you would think, at the very least, that they would allow the new President to get his team in place, a courtesy that has typically been extended to past Presidents, regardless of party. Yet over the last few months, we have seen a systematic effort from our Democratic colleagues to smear, attack, and undermine the vast majority of executive branch nominees. In many cases, after the baseless attacks have failed to gain traction, they have used every procedural tool at their disposal, including surprise boycotts of committee mark-ups, in order to slow down the confirmation process.

This level of obstruction with regard to nominees is unprecedented. And I think it is safe to say that it has slowed our efforts down somewhat, which, I suppose, is the exact reason our colleagues have taken this path. Still, despite these childish tactics, the teams are coming together, and we are moving forward in a number of key areas. As I said, it still hasn't been easy, but to paraphrase a number of important figures, nothing worth doing is ever easy.

For example, on healthcare, I think it is safe to say that the ongoing effort to repeal and replace ObamaCare took a hit last week, but I don't think that

has weakened anyone's resolve. ObamaCare is a disaster, and one way or another, it has to go away. The American people are demanding that we take action, and I expect that the volume of those demands is only going to go up.

I commend Speaker RYAN for his efforts thus far, and I commend all my colleagues in the House and Senate for their commitment to repealing and replacing the so-called Affordable Care Act. I remain hopeful that in the near future we can find a workable path forward, and that includes my Democratic colleagues as well.

On tax reform we have some indications that the Trump administration intends to be more actively engaged in finding and developing a path forward. I have said for years that if we are going to be successful in tax reform—a goal shared by Members of both parties—it is going to take Presidential leadership and cooperation by both parties. While President Obama was generally unwilling to meaningfully engage on tax reform, President Trump and his team appear to be anxious to drive the process, and I welcome that.

As with healthcare reform, there are some differences of opinion with regard to tax reform. Still, I think there is a remarkable amount of agreement, at least among Republicans, on the major issues we need to deal with to fix our broken Tax Code.

Overall, I would say that the Republicans in the Senate, the House, and the White House agree on about 80 percent of the major tax reform issues, and a number of key and fundamental questions are answered in that 80 percent. For example, we all generally agree on the need for comprehensive reform. We agree on the need to bring down tax rates for businesses and job creators. We agree that we need a simplified rate structure on the individual side. We agree on the need to fix the international tax rules to level the playing field for American companies and encourage more investment in the United States, and we generally agree on key process issues, including the appropriate revenue baselines and the use of macroeconomic analysis in budget scoring.

Still, that 20 percent of issues where we don't necessarily agree is not insignificant. We will need to find a consensus path forward on those issues as well. One area where we have yet to reach a consensus—and the one getting the most attention—is on the proposed border adjustment tax. People have a number of opinions about this, and I have had numerous people in my office on both sides of the issue. As I said, there are a number of opinions on this proposal, and they have been more than willing to express them publicly. As for myself, I am anxious to see what it looks like once our friends in the House put it all together.

It is too early for me to express a definitive position now. So at this point, all I will say is that I have some basic questions about the proposal.

For example, who will ultimately bear the tax? To what extent will it be borne by consumers, workers, shareholders, and, of course, foreigners?

Another question: Is the proposal consistent with our international trade obligations?

Finally, since border adjustability will likely be a significant shift in business tax policy, would it require us to make adjustments to ensure that we don't unduly increase the tax burden on specific industries? If so, what adjustments would be necessary, and how would they be structured?

I look forward to receiving more details on this proposal. However, here in the Senate, we also have some work to do, and I have been actively working with the members of the Finance Committee to find various solutions to our Nation's tax problems.

At the end of the day, I don't think it will surprise anyone to hear me say that I believe we are going to need to have a robust and substantive tax reform process in the Senate. In my view, it is not realistic to think that the Senate will simply take up and pass a House bill without our Members having a significant input on the substance of the bill. That is how the Congress is supposed to operate, and I think that is what will produce the best result in the end.

I look forward to continuing to work with my colleagues in the House on tax reform. I also appreciate the willingness of the new Treasury Secretary and the President's National Economic Council to lead on this effort, and I look forward to continuing to work with them as well.

I will also say this: My hope is that both parties can find a way to work together on tax reform. While we have procedural tools at our disposal to get tax reform legislation through Congress with strictly Republican votes, I personally believe that it would be better to find a bipartisan path forward. A bipartisan bill would allow us to put in place more lasting reforms and give the overall effort additional credibility.

I am sure there are some who think it is impossible for Republicans and Democrats to work together on something of this magnitude, but I have been in the Senate for a long time, and I think my record for bipartisanship speaks for itself. I believe we can and should work together, and I am willing to talk and work with anyone who is willing to set politics aside and engage in good faith on these matters.

I have been banging a drum on tax reform for 6 years now, and throughout that time, I have invited my Democratic colleagues to join in this effort. I will do so again today. Hopefully, some of our colleagues on the other side will take me up on this offer.

Finally, I want to say a few words about U.S. trade policy. Trade is another area in which President Trump has some ambitious plans and in which, up to now, progress has been hindered. Before I delve into that, let me reiterate a key point.

In 2015, Congress outlined its trade priorities with our legislation to renew the trade promotion authority, which was signed into law by President Obama. The TPA statute gives clear guidance as to what a trade agreement should look like if it is going to win Congress's approval.

President Trump was fortunate to come into office with TPA already in effect, and I am committed to working with him to enact trade agreements that meet those standards established by the TPA law. When it comes to new trade agreements or revisions to modernize existing trade agreements, that is my top priority as chairman of the Senate committee with jurisdiction over trade policy. Our trade laws are designed to give Congress a voice in both the negotiation and implementation of trade agreements.

In addition to priorities and objectives outlined under TPA, there is the Office of the U.S. Trade Representative, which is intended to be the chief intermediary between Congress and, of course, the administration on trade policy matters. In other words, in order for the two branches to effectively work together on trade, the Office of the USTR needs to be fully functional and fully staffed.

Unfortunately, up to now, some on the other side have been making unreasonable and wholly unrelated demands in relation to the confirmation of President Trump's nominee to be USTR even though he has support from Members of both parties. This is unfortunate. However, I am working with my colleagues to remove any remaining roadblocks, and I am hoping we can make progress on this very soon.

As one can see, we have quite a bit of work to do here in Congress, and I am only talking about a handful of the major issues before us. I am very concerned. There are, of course, many other priorities we need to address and matters we need to resolve. I am hoping that in the coming weeks and months, as we put more distance between us and the 2016 election, more of our colleagues on both sides will be amenable to working together to address these kinds of issues even if it means allowing President Trump to claim some successes.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Minnesota.

IMPROVING ACCESS TO AFFORDABLE PRESCRIPTION DRUGS ACT

Mr. FRANKEN. Mr. President, I rise to talk about a path forward on healthcare.

Last week, Republicans in the House failed to pass the American Health Care Act—a deeply flawed policy that amounted to little more than a massive tax break for the wealthy at the expense of working people. The failure of that bill means that, as Speaker RYAN put it, the ACA is the law of the land for the foreseeable future. So today I would like to invite my colleagues on the other side of the aisle to leave repeal efforts behind and instead roll up their sleeves and work with me and other Democrats to improve the system we already have, which is the law of the land for the foreseeable future. It is time to pass commonsense reforms that build on the successes of the ACA and lower healthcare costs.

In a recent HELP Committee hearing, Chairman ALEXANDER said that he wanted to work on a bipartisan basis to stabilize the individual market. Great. Let's do that. We should reinstate and strengthen programs that help insurance companies stay in the marketplace and continue to serve even the sickest patients. We should pass a public option to make sure there is competition in every market. We should provide more tax credits to more people.

While we work on those things, there is something else we should do, something that, together with a group of my colleagues, I introduced a bill about yesterday. It is time to bring down healthcare costs for everyone by reducing the price of prescription drugs. It is time to pass the Improving Access to Affordable Prescription Drugs Act.

I think all of us would agree that no one should have to choose between affording a lifesaving drug and putting food on the table for one's family, but right now that is happening. Companies are setting prices that are beyond the reach of consumers and that are driving up costs for insurers and taxpayers.

One in five Americans says he has not filled a prescription simply because he could not afford it. Others are rationing care due to high prices. A study published just last month found that about 10 percent of cancer patients skipped their medication and about 13 percent delayed filling their prescriptions. We have all been shocked by the stories of EpiPen's prices shooting up nearly 500 percent. The price of insulin has more than doubled in the last 5 years.

Drug companies can essentially set whatever prices they want. As a result, in recent years, drug companies have secured some of the highest profit margins of any industry.

Drug prices are too high. That is why my colleagues and I are introducing comprehensive legislation to tackle prescription drug prices. We want to make sure companies cannot exploit the sick and dying to make a profit. The bill includes 17 policy changes that

will improve transparency, promote affordability, spur innovation, and enhance competition. Today, I would like to highlight just three of those provisions.

First, transparency. This legislation requires drug companies to disclose how much they spend on research, manufacturing, and marketing, as well as research grants from the Federal Government, to help all of us understand why prices for lifesaving drugs are so high. It is especially galling that so many drugs that are developed with taxpayer dollars are unaffordable for so many Americans. Getting this information would help all of us hold drug companies accountable, and that can be an important step toward bringing prices down.

Second—something that President Trump called for on the campaign trail—the bill will allow Medicare to negotiate lower prices for prescription drugs. It is just common sense that the biggest buyer of pharmaceutical products in America should be able to use its negotiating clout to bring prices down.

Third, the bill would end the practice of so-called pay-for-delay. Right now, drug companies that make the expensive brand-name drugs will pay other companies that make generic alternatives to keep their products off the market. This is called pay-for-delay. It is outrageous, and it is increasingly common. This bill will stop these agreements once and for all.

There is a lot more that this bill does. It penalizes companies that price-gouge for lifesaving medicine, and I think we can all agree on that. It puts a cap on out-of-pocket drug costs in insurance plans. It speeds up generic competition. It funds new innovation and includes a number of other provisions.

Tackling the high cost of prescription drugs is an issue many of my colleagues care deeply about. This bill reflects many of their ideas and proposals, and I am grateful for their work with me. Moreover, it is obvious that the public is ready for action on this issue. Overwhelming majorities of Americans in both parties support government action to curb out-of-control drug prices.

I am eager to hear from colleagues on both sides of the aisle and from the administration about how we can work together to pass the reforms into law. This is an area of health policy that Democrats are eager to work on, and we hope the President will stand by his promise to stand up to drug companies and reduce costs for American families. It is morally wrong that some people are denied access to lifesaving drugs because they cannot afford them, and it is something we can fix.

I am in the Senate so that I can fight for policies that improve people's lives. That is why I am here. With this bill,

I am trying to do exactly that. I hope my colleagues on both sides of the aisle will join me in helping to bring down the cost of prescription drugs.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AFFORDABLE CARE ACT

Mr. DURBIN. Mr. President, for 7 years, Republicans in Congress have promised to “repeal and replace ObamaCare,” but not once during those 7 years did they actually put together a piece of legislation to make good on that promise.

Not once during those 7 years did Republican leaders actually convene serious hearings and meetings with patients, hospitals, insurers, and medical groups to discuss how best to reform our healthcare system, instead preferring to just rail against the law.

Not once during those 7 years did congressional Republicans actually try to sit down with Democrats and work on a bipartisan basis to improve upon the law.

But here is what they did do: They did everything possible to gum up the works, with many Republican Governors even refusing to expand Medicaid, denying millions of their constituents access to healthcare.

They went on TV, did interviews, and held campaign rallies about how all of the challenges facing our healthcare system, challenges that we faced even before we passed the ACA, was the fault of ObamaCare and made empty promises about “repeal and replace.”

Congressional Republicans voted over 60 times to repeal the Affordable Care Act when they knew President Obama was in office and he would veto repeal—60 times.

Now, with Republicans controlling the House, the Senate, the White House, you know what they are doing? Nothing—they cancelled their vote last Friday to repeal the law.

Why? As evidenced last week, they are incapable of developing a proposal that garners the support of their own Republican Caucus. They are incapable of bringing a piece of legislation to the House Floor for a vote, despite having a large Republican majority in the House.

Now, after 17 legislative days of trying to ram through a bill that would have thrown at least 24 million people off their health insurance, reduced protections for 178 million people who have employer-based coverage, increased costs for seniors and rural communities, and given a huge tax break

to drug companies and the wealthiest Americans, Republicans are giving up.

Time to move on, they say; time to tackle tax reform, they say.

Well, I, along with the majority of Americans who have benefited from this law, am relieved.

The Affordable Care Act is not perfect—no law is.

It made sure 20 million more Americans could get health insurance, including 1 million Illinoisans. As a result, our uninsured rate is at its lowest level in our Nation's history.

Young people are staying on their parents' plans till age 26, and seniors are seeing big savings on their prescription drugs.

Women can no longer be charged more than men for the same coverage, and people with preexisting conditions can no longer be discriminated against.

Annual and lifetime caps on benefits are a thing of the past, and people now have access to maternity and newborn care, as well as mental health and substance abuse treatment.

Now that Republicans have acknowledged that the Affordable Care Act is, as Speaker RYAN stated, "the law of the land . . . for the foreseeable future," it is time to start building off of it.

Like Medicare and Social Security before it, it is time to make some bipartisan modifications that can help improve the law.

We need to increase insurer competition because, in too many of our communities, there are not enough options.

We need to address individual market premium increases because, for too many of our constituents, an affordable health plan is still out of reach.

I, along with many of my Democratic colleagues, have put forth ideas to deal with some of these issues.

I support the creation of a "public plan," which would both increase competition in areas that are lacking and drive down premiums since, as Medicare has demonstrated time and again, the Federal Government can be more efficient than private for-profit companies.

I support legislation to bring down the high cost of prescription drugs, which are driving up premiums for families nationwide.

BlueCross BlueShield of Illinois now pays more for prescription drugs than they do on inpatient hospital costs, and they readily admit that drug costs are contributing to premium hikes.

We need to allow Medicare to negotiate drug prices. We need to end "pay for delay" agreements and get cheaper drugs on the market quicker. We need to prohibit direct-to-consumer advertising. We need more transparency into how drug prices are set, and we need penalties on drug companies that gouge the American public.

I also support enforcing portions of the law that Republicans have sabo-

tagged and undermined since its inception. We need to allow the "risk corridor" program to operate unimpeded. We need to expand Medicaid in all States, especially since we know that premiums are highest and competition lowest in nonexpansion States, and we need to enforce the law—which is why the very first order of business going forward must be for President Trump to rescind the Executive order he issued on January 20.

The President's order directed the heads of all Federal agencies responsible for implementing and enforcing the Affordable Care Act to stand down, to not implement the law, to not enforce the law.

Now that the page has hopefully been turned on the ugly "repeal" chapter of this saga, it is time for the President and his administration to faithfully implement, enforce, and help improve this law.

I am calling on the President and congressional Republicans: Now is the time to stop undermining the law that is enjoying record support from Americans.

Now is not time to throw sand in the law's eyes, put a spoke in its wheel, and then turn around, gloat, and blame Democrats when it does not function properly.

The Affordable Care Act while championed by Democrats and President Obama, included over 100 Republican amendments and, for better or worse, borrowed heavily from Republican ideas for the marketplace.

Let's end these partisan games.

This law—the good and the shortcomings—is on all of us to improve.

Democrats have ideas, but we cannot do it alone. Remember, the Republican Party controls the House, the Senate, and the White House.

They are in charge. If improvements are going to be made, Republicans are going to have to get serious.

Now that the half-baked repeal effort has collapsed, my hope is that Republicans will finally be willing to sit down and work with Democrats. I know I am ready to pull up a chair.

RUSSIA AND TRUMP CAMPAIGN INVESTIGATION

Mr. DURBIN. Mr. President, last week in testimony to the House Intelligence Committee, FBI Director Comey confirmed what many of us have been urging for months: the need for an independent commission to look into the Russian act of cyber war on our election and any possible collusion with members of the Trump campaign.

Comey confirmed that the FBI was "investigating the nature of any links between individuals associated with the Trump campaign and the Russian government, and whether there was any coordination between the campaign and Russian efforts."

He continued that FBI agents would pursue the investigation "no matter how long that takes."

This is incredible. I am not surprised, but it is incredible. Our Nation's top law enforcement agency is investigating possible links between those involved in President Trump's campaign and a foreign adversary known to have conducted an aggressive intelligence operation to help him get elected, and all the while, this President continues to deny any such attack, praise the dictator who launched the attack, and pursue policies that mirror those of the attacker, including the weakening of the Western security alliance.

Yet what has been the priority of the majority party amid this mounting and serious breach, one we already knew about 5 months ago?

Has it been to set up an independent commission to look into this unprecedented threat to our Nation and democracy? No.

Has it been to work with the White House to disclose all information in an open and transparent manner to clear up any concerns or suspicions? No, in fact the opposite—we still haven't even seen the President's tax returns to get answers on Russian money in his businesses.

Has it been to pass sanctions on Russia for its attack on our Nation? No.

Has it been to pass meaningful cyber security legislation, legislation blocked by the majority in the last Congress to make sure our next elections in less than 2 years are secure from attack? No.

So what has been the priority instead? Well, last week, the majority voted to make it easier to kill baby bears and their mothers in their dens. The majority also reversed internet privacy protections for consumers. A few weeks ago, the majority voted to reverse a law to help mitigate corruption in some of the world's most impoverished nations.

Of course, the majority failed to advance TrumpCare, which would have stripped 24 million Americans of healthcare, a cruel bill that would have disproportionately hurt those who voted for President Trump.

This is a dereliction of our responsibility here in the Congress. Not one of these issues is more important than getting to the bottom of possible collusion with the Russians or of the possibility that some in the White House have been compromised by a foreign government.

I want to praise the few on the majority side who have spoken out on the need for an investigation, including Senator GRAHAM and Senator MCCAIN. They noted early on the need for an independent investigation.

Today a majority of Americans also want an independent commission. I am again calling for the same. We need an

independent commission, one led by American statesmen or women of unquestioned reputation, say Sandra Day O'Connor or Colin Powell.

We did this after the attack of September 11, and this attack and its unanswered questions demand nothing less again today.

JUSTICE AND THE RULE OF LAW IN CENTRAL AMERICA

Mr. LEAHY. Mr. President, last week I spoke about the importance of the rule of law in Guatemala and praised the work of Attorney General Thelma Aldana and the commissioner of the International Commission Against Impunity in Guatemala, Ivan Velasquez. These two individuals have helped to create hope among the Guatemalan people in the possibility of justice in a country where the justice system has too often been used to perpetuate corruption, impunity, and inequality.

The International Commission Against Impunity in Guatemala, or CICIG, has been strongly supported by the United States. I commended President Morales when, shortly after taking office last January, he extended CICIG's mandate. He has affirmed that he supports CICIG's mandate through September 2019, for which, again, I commend him.

Last week, I expressed a concern that had been conveyed to me by several individuals that President Morales might recommend against renewal of Mr. Velasquez as commissioner beyond September 2017, when Mr. Velasquez's current term expires. In response, according to press reports, President Morales denied this and said he supports Mr. Velasquez for as long as Mr. Velasquez does the job he is supposed to do.

Ivan Velasquez is a respected former judge from Colombia who has carried out his responsibilities as the commissioner of CICIG with professionalism. He and Attorney General Aldana have collaborated on sensitive, complex cases, which until recently would never have been prosecuted in Guatemala, given its history of impunity. It is important that their collaboration continue for as long as possible.

I welcome President Morales's public statement of support for CICIG and for Mr. Velasquez, particularly at a time when the U.S. Congress is again being asked to provide hundreds of millions of dollars to support the Alliance for Prosperity Plan. That plan, which is in its early stages, has the potential to make progress in combating the poverty, lack of opportunity, inequality, violence, and impunity that are among the key contributors to migration from Central America to the United States. These are deeply rooted problems that the Central American countries and the United States have a strong interest in working together to address.

For the Alliance for Prosperity Plan to succeed, each of the Central American governments needs to take steps that their predecessors were unwilling or unable to take. Those steps include ensuring that senior government officials and their advisers are people of integrity; redefining the antagonistic relationship between government and civil society, to one of mutual respect for each other's legitimate role; fully supporting efforts to combat corruption by CICIG and by the Mission to Support the Fight Against Corruption and Impunity in Honduras—El Salvador should also recognize the important role these entities are playing and support the establishment of a similar commission to combat corruption and impunity in that country—increasing the budget of the Office of the Attorney General, so they have the necessary personnel, training, equipment, and protection to carry out their responsibilities throughout the country, especially in areas where they have never had the resources to operate; supporting the independence of the judiciary, including the selection of judges based on their qualifications and the principle of equal access to justice; and building transparent and accountable institutions of democracy that can withstand attempts to subvert the rights of the people, including demilitarizing law enforcement and building professional, civilian police forces.

It is the responsibility of the Central American governments to take these steps and, by doing so, create the conditions for building more prosperous, equitable, and just societies. If they do that and they meet the other conditions in U.S. law, the United States should support them.

CONGRESSIONAL REVIEW ACT RESOLUTIONS

Mrs. FEINSTEIN. Mr. President, today I wish to express my disappointment in today's vote on H.J. Res. 67 and my strong opposition to H.J. Res. 66. These resolutions overturn rules issued by the Department of Labor that are essential to providing increased access to retirement savings programs at the city and State levels.

Among all working families in America ages 32 to 61, the median family in America had only \$5,000 saved in 2013. This indicates to me that we are clearly facing a retirement savings crisis.

In California, 7.5 million workers don't have access to a retirement savings plan through their jobs, including 3.4 million women. Of those without a workplace retirement savings plan, almost 5 million are individuals of Color, and over 3.5 million are Latino.

The good news is that, when a person has access to a retirement savings program through their workplace, they are 15 times more likely to save for retirement.

In California, legislators have been working for more than 4 years to create the Secure Choice program as a way of addressing the retirement crisis we face. This program allows workers to easily save for retirement through a deduction made directly from their paycheck.

Those who need access to a workplace retirement program the most, individuals with lower incomes, are far less likely to have that access. These are the people who stand to gain the most from the Secure Choice program and lose the most by Congress halting its progress.

Let me share some examples of the people who would be impacted. Most eligible employees work for small businesses that might not be able to offer retirement savings plans on their own, and nearly half of eligible workers work in the retail, hospitality, healthcare, and manufacturing industries.

This program supports lower- and middle-class workers by providing access to the tools they need to control their financial future. The average wage of workers eligible for this program is \$35,000, and 80 percent of eligible workers earn less than \$50,000.

We are facing a time of deep income inequality and must stand up for programs that support the middle class, like Secure Choice. Nationwide, the bottom 90 percent of households have seen their income drop compared to what it was in 1970. Meanwhile, the top 1 percent has seen their household income triple.

As workers struggle to make ends meet, it is appalling to me that Congress would actively take away a key resource for financial planning.

Californians want to ensure that all employees have access to a retirement savings program. The Department of Labor's State rule clears the way for California to set up programs like Secure Choice by clarifying employers' obligations to the accounts.

This rule would also help small businesses compete for qualified workers who expect and deserve access to a workplace retirement savings program. Small Business California supports the Department of Labor's rule paving the way for these programs and opposes this resolution.

Finally, in California, our State chapter of the Chamber of Commerce specifically asked for an opinion from the Department of Labor on employer obligations. Once the Department of Labor's rule was issued, CalChamber no longer opposed the California bill.

In fact, the legislation that passed in California requires the State board to report a finalized rule from the Department of Labor. Overturning the Department of Labor's rule completely ignores the effort and care taken in California to craft a program that works for both employees and employers.

Nationally, almost half of working-age households do not have retirement savings accounts, and 55 million people don't have access to a workplace retirement plan. This is shocking.

According to the Economic Policy Institute, the median retirement account savings for families ages 56 to 61 was only \$17,000 in 2013. This is only slightly higher than the 2016 poverty threshold for a household of two people aged 65 and older. It is inconceivable that a family could afford to finance their retirement with only \$17,000 in savings.

Supporting retirement savings is not a partisan issue. In fact a bipartisan group of State treasurers oppose this resolution, as does the National Conference of State Legislatures.

We are facing a retirement savings crisis in our country, and the Department of Labor's rule is a simple, commonsense guideline that make it easier for individuals to save for retirement.

While today's vote is a disappointing development for city programs, I will keep fighting to support California's Secure Choice program. I strongly urge my colleagues to stand up for American workers and support their access to retirement savings programs by opposing H.J. Res. 66, should it come up for a vote on the Senate floor.

Thank you.

DISCHARGE PETITION—S.J. RES. 19

We, the undersigned Senators, in accordance with chapter 8 of title 5, United States Code, hereby direct that the Senate Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S.J. Res. 19, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Consumer Financial Protection relating to pre-paid accounts under the Electronic Fund Transfer Act and the Truth in Lending Act.

David Perdue, Mike Crapo, Rob Portman, Steve Daines, Lamar Alexander, Mike Rounds, John Cornyn, Mitch McConnell, Roger Wicker, Ted Cruz, Patrick Toomey, Ron Johnson, Mike Lee, Shelley Moore Capito, John Hoeven, James Lankford, Thom Tillis, John Kennedy, James M. Inhofe, John Boozman, John Thune, Michael B. Enzi, Johnny Isakson, James E. Risch, Tom Cotton, Thad Cochran, Jeff Flake, Luther Strange, Richard Shelby, Pat Roberts, John Barrasso.

ADDITIONAL STATEMENTS

TRIBUTE TO GARY PETERSEN

• Ms. CANTWELL. Mr. President, today I wish to pay tribute to a dear friend, honorable servicemember, and dedicated public servant. On March 3, Gary Petersen retired from over a half-century career of private and public service supporting scientific achievement and advocacy for the people of my home State of Washington. Gary

has worked tirelessly to support the Hanford cleanup and the Pacific Northwest National Laboratory, PNNL, and has undoubtedly bolstered our Nation's security during the 52 years that he has lived and worked in the Tri-Cities.

Gary and I have collaborated closely many times over the years on many projects. Most recently, he played a key role in organizing the energy workforce roundtable held at PNNL with Department of Energy Secretary Moniz in August of last year. Gary has been a steadfast advocate for cleaning up the Hanford site, funding for the world-class research and development at PNNL, and for the continued growth of the Volpentest HAMMER Training Center at the Hanford site. I am confident that Washington State, and especially the Tri-Cities, would not be as well positioned to tackle our Nation's future energy challenges if not for over 50 years of Gary Petersen's tireless work.

Originally from Omak, a small city located in Okanogan County, Gary joined the Army and was stationed in the Tri-Cities in January 1960. After a duty station transfer to Korea, Gary returned and graduated with a communications degree from Washington State University. Shortly after graduation, Gary started with Battelle, a company that had a contract for a research and development lab located at Hanford. That lab provided crucial services during the Cold War and is now known as PNNL. Gary went on to work for Westinghouse on the Fast Flux Test Facility, the Washington Public Power Supply System, and spent time with the International Nuclear Safety Program, a cooperative nuclear energy safety effort between the U.S. and Soviet Union. After retiring from Battelle in 2002, Gary served on the Tri-City Development Council, TRIDEC, an organization dedicated to improving the economic health of the Tri-Cities area.

During his 14 years at TRIDEC, Gary has been a relentless supporter for DOE's missions at Hanford and PNNL and a champion for the larger Tri-City community and our State by ensuring important projects received needed Federal resources. Gary is the type of constituent every member hopes to have in their communities back home—a very involved citizen. He has been a strong advocate for the issues that matter to the people of Washington while also understanding the importance of communicating with his political representatives. My relationship with Gary has been invaluable, and he has been instrumental in many of my proudest career accomplishments.

Gary shares my vision for why establishing the Manhattan Project National Historical Park was so important. We worked together for many years to champion and ultimately see

the creation of the Manhattan Project National Historical Park. The legislation I authored preserved the central landmark of the Hanford site and the park, the B Reactor, the first full-scale plutonium production nuclear reactor ever built and a tremendous technological achievement for its time. The park also includes the Bruggemann Agricultural Warehouse, the White Bluffs Bank, the historic Hanford High School, and the Hanford Irrigation District's Allard Pump House. Visitors from 70 countries have already visited the B Reactor, demonstrating the uniqueness of the park and the curiosity people have about this chapter of American and world history. We all owe Gary a debt of gratitude for the establishment of this park.

Today the Tri-Cities is home to a vibrant agricultural industry, some of the best healthcare available, two colleges that are training workers to meet the varied needs of the region's businesses, increasing wine tourism, and a newly expanded airport. Gary has touched all of these projects and many more.

I am incredibly proud to have worked with Gary and to call him a friend. Gary, thank you for all of your years of advocacy for the Tri-Cities. I join Washingtonians in thanking him for his longstanding service and wish him and his wife, Margaret, all the best in the future.●

TRIBUTE TO JENNY GENDER

• Mr. DAINES. Mr. President, this week, I have the distinct honor of recognizing Jenny Genger of Jefferson County for her selfless commitment to others in her local community. Jenny is a wonderful example of a local leader who is always willing to take on additional responsibility and devote her time and talent to others.

Jenny graduated from the University of Montana with a degree in sociology. At her graduation in Missoula, one of the soldiers in the honor guard escorting the national flag caught her attention. With that chance encounter as the spark, the two were married about a year later. The young couple settled near Helena, in Montana City, where today they are raising their four children. In Helena, Jenny became very active in the Mothers of Preschoolers, also known as MOPS, by serving initially as the director of hospitality, and then after a period of rapid growth, she graciously took on additional duties as the president of a newly formed MOPS group. Jenny served in this capacity for nearly 8 years.

A few years ago, Jenny passed on her MOPS leadership baton and began serving as the chairperson for the education program in her church. As chairperson, Jenny spurred a program to have educational activities available during parent-teacher conferences in

order to help parents attend the conferences. Jenny also volunteers each week at the local pregnancy resource center and coordinates the center's annual banquet. Not only does Jenny excel at serving her community, she has done so even while her husband, Noah, a Montana Army National Guard pilot, was gone for nearly a year conducting missions in southwest Asia.

Montana is a State with many unsung heroes, and people like Jenny are the community glue that make Montana a great place to raise a family. For her efforts to serve, educate, and inspire those around her, Montana is sincerely thankful. Thank you, Jenny.●

REMEMBERING COLONEL EDWIN DON STRICKFADEN

● Mr. RISCH. Mr. President, my colleague Senator MIKE CRAPO joins me today in honoring the life of Colonel Edwin Don Strickfaden, who dedicated 35 years to protecting the citizens of Idaho through his service in Idaho law enforcement.

Colonel Strickfaden led the Idaho State Police, ISP, with distinction, serving as director when two Idaho law enforcement agencies were combined to form one ISP and leading the force to accomplish many law enforcement successes furthering the security of our communities. Current Idaho State Police director Colonel Ralph Powell recognized Colonel Strickfaden as a "champion for all law enforcement throughout the state," and a "charismatic leader" who "worked tirelessly to keep us safe." Colonel Strickfaden—Ed to most of us—joined Idaho law enforcement in 1967 after serving 4 years in the U.S. Air Force. A native Idahoan, Ed was born on August 3, 1945, to Don and Ruth Strickfaden in Nez Perce, ID, and served many communities throughout Idaho before retiring in 2002 making a home with his wife, Barbara, in Salmon, ID. Barbara has worked for my Gubernatorial and U.S. Senate offices, which has given us more opportunities to interact with this remarkable Idahoan.

Colonel Strickfaden was known for his thoughtful, reasoned, and inspiring leadership. Although this example of his bravery and devotion to helping others was already highlighted in a 2003 CONGRESSIONAL RECORD statement, it is worthy of repeating as it is emblematic of how he served. Colonel Strickfaden was honored by then-Governor Cecil Andrus for diving into the icy December waters of the Clearwater River to rescue a woman from a submerged vehicle. His sense of duty and clear empathy for the people he served was an outstanding example to many.

Colonel Strickfaden made an extraordinary difference in the lives of Idahoans he served and the many who knew him. We thank him for his outstanding service as we join his family,

including Barbara and their beloved children, grandchildren, and great-grandchild and many friends in mourning his passing and honoring his loving legacy.●

TRIBUTE TO HOT SHOTS INC.

● Mr. RISCH. Mr. President, known for its diverse natural resources and awe-inspiring landscapes, Idaho is a place of countless possibilities, where citizens with determination and ambition can lay the foundation for their own success. I am particularly proud of my home State's entrepreneurs who continue to pioneer new enterprises that bring our communities together and inspire a creative spirit in Idahoans across the State. These traits are well represented in this month's Small Business of the Month. As chairman of the Senate Committee on Small Business and Entrepreneurship, I am pleased to honor Hot Shots Inc. delivery service as the Senate Small Business of the Month for March 2017.

Founded by Lance and Mary Curtis, Hot Shots Inc. is a family-owned and operated small business headquartered in Boise, ID. The innovative vision of the company is driven by a management team with over 50 years of combined experience in courier services. Hot Shots Inc. has provided delivery services in the Boise area since 1998. Their offerings are distinct in that they are capable of delivering anything from small parcels to large freight throughout the Treasure Valley, Sun Valley, Magic Valley, and Twin Falls, all with a same-day guarantee. Over the years, this company has earned and maintained a high level of trust in the Boise area, as is evident through their special delivery service which allows them to access a number of secure locations such as corporate, banking, medical, government, and military sites. Part of what makes Hot Shots Inc. a successful enterprise is its use of modern technology, specifically its utilization of an online ordering system, a GPS package tracking system, and an email notification system. The company has adapted with technological advances, making all of these changes to support mobile transactions. All of these advances help instill confidence in every customer that his or her package, parcel, or shipment will arrive on time. This commitment to customer service has helped the company excel in its field and allowed Hot Shots Inc. to enter new markets such as warehousing.

Hot Shots Inc. has been a pillar of the community since they first opened their doors. This family-run business has displayed its commitment to the Boise community in a variety of ways, whether by delivering diapers for the Idaho Diaper Bank or through their support of the Idaho Foodbank Backpack Program, among other commu-

nity service activities. I would like to extend my sincerest congratulations to Lance and Mary Curtis and the employees of Hot Shots Inc. for being chosen as the March 2017 Small Business of the Month. You make our great State proud, and I look forward to watching your continued growth and success.●

150TH ANNIVERSARY OF THE PURCHASE OF ALASKA

● Mr. SULLIVAN. Mr. President, today, March 30, marks that 150th anniversary of the date when President Andrew Johnson signed the treaty with Russia for the purchase of Alaska. It is a big day for my State, and for the past few months, I have been diving into the archives and doing some research about the treaty and about the first few years of challenges following the signing. As you can imagine, building a State out of a frontier, particularly one so far away from the rest of the country and in such an extreme climate, was challenging, to say the least. It demanded, and still does, a certain kind of person with a certain kind of toughness, vision, and a determination to work for the good of all. Let me give you an example of what it has required.

Some members of the first territorial legislature in 1913—46 years after the purchase—who lived in far flung places faced a challenge. Specifically how to get to Juneau to begin to hash out creating the rules of a new territory.

Of course, there were no commercial airlines in those days—no snow machines, so four members from Nome—lawyers, miners, and businessmen—hitched up their dog teams, headed to Valdez, and took a steamship to Juneau. It took them nearly 2 months to get there. When they did arrive, the first order of business was this: granting women the right to vote, 7 years before Congress ratified the 19th Amendment.

That is the heritage of every one in Alaska, and that is the same spirit, of traveling far against the odds, to do what is right, that still animates my great State. It animates people who haven't even been to Alaska. My State is more than a place with set geographic boundaries. My State is also an idea, a dream; it goes beyond borders and represents so much about America that we hold dear: beauty, freedom, self-sufficiency. It has been this way even before Alaska became a territory—when a group of people, led by former Secretary of State William Seward, pushed the country to buy Alaska from Russia for \$7.2 million. As has been proven, that was a good deal.

Every week, I have been coming down to recognize an Alaskan of the Week, a special person who gives their time, energy, and talents to making our State the best in the country.

Today I want to speak about someone who I will call an honorary Alaskan. Today I would like to name Senator Charles Sumner our posthumous Alaskan of the Week. Senator Sumner never set foot in my State, but he knew Alaska well. We are a State because of him, and others, including Secretary of State William Seward, who had vision and tenacity.

Senator Sumner was born on January 6, 1811, in Boston, MA. He was a lawyer, a professor, and then a politician. He was a man of purpose, principle, and many, many words and opinions. In fact, he was nearly caned to death while working in the Senate Chambers, by one of his colleagues—a congressman from the South—for expressing his opinions on the horrors of slavery. It was a deplorable act, and it cast a pall of shame over this body for years. Senator Sumner never really recovered, but after a long convalescence, he set his sights on the Alaska Purchase.

He was skeptical, at first, until Secretary of State Seward got his ear, and he immersed himself into the accounts of the promise of this new territory, which turned him into an ardent supporter. On April, 8, 1867, Senator Sumner, using only notecards, gave a 3-hour speech on the Senate floor about our State.

He spoke of Alaska's abundant resources. He saw the Pacific as the ocean of the future and argued that Alaska is the key to that future. He spoke of the treasures—the gold in our land, the veins of coal, our huge mineral deposits, and the treasures below the Arctic Ocean. He talked about the "multitudes of fish," the thousands of acres of timber, and the opening of new trade routes.

He and others saw in Alaska the "Eden of the North"—a future which would entail up to 1 million self-sufficient Americans supported by the resources of the land. Owning Alaska would give us greater control of the next "great theater of action" in the Arctic and Asia-Pacific, for both national security and economic reason.

In the new territory of Alaska, "Commerce will find new arms; the country new defenders, the national flag new hands to bear it aloft," Senator Sumner argued. A "boundless and glorious future," awaits, he and other supporters argued.

Senator Sumner ended his epic 1867 speech by arguing that the whole territory, not just the peninsula, should be given the name by the people who lived here. "It should be indigenous, original, coming from the soil," he said. "Alaska," he concluded, "the great land."

The day after Sumner's Senate speech, the once-skeptical U.S. Senate approved the purchase by a vote of 37 to 2. One hundred and fifty years later, Alaska has made good on that early promise. We have contributed enor-

mous resources to our country. We are vital to our country's national defense, our national pride, and our economic growth. We still have the vision of Secretary of State Seward and Senator Sumner driving us toward a brighter future. Thanks to Senator Sumner and to the people of Massachusetts who gave us such a brave leader—our honorary Alaskan of the Week. ●

MESSAGES FROM THE HOUSE

At 9:35 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1430. An act to prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible.

ENROLLED JOINT RESOLUTION SIGNED

The message further announced that the Speaker has signed the following enrolled joint resolution:

S.J. Res. 34. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Protecting the Privacy of Customers of Broadband and Other Telecommunications Services".

The enrolled joint resolution was subsequently signed by the President pro tempore (Mr. HATCH).

At 1:00 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1431. An act to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1430. An act to prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible; to the Committee on Environment and Public Works.

H.R. 1431. An act to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes; to the Committee on Environment and Public Works.

MEASURES DISCHARGED

The following joint resolution was discharged by petition, pursuant to 5 U.S.C. 802(c), and placed on the calendar:

S.J. Res. 19. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Consumer Financial Protection relating to prepaid accounts under the Electronic Fund Transfer Act and the Truth in Lending Act.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, March 30, 2017, she had presented to the President of the United States the following enrolled joint resolution:

S.J. Res. 34. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Protecting the Privacy of Customers of Broadband and Other Telecommunications Services".

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 110. A bill to require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, and for other purposes (Rept. No. 115-14).

S. 129. A bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes (Rept. No. 115-15).

S. 168. A bill to amend and enhance certain maritime programs of the Department of Transportation (Rept. No. 115-16).

By Mr. ISAKSON, from the Committee on Veterans' Affairs:

Special Report entitled "Legislative and Oversight Activities During the 114th Congress by the Senate Committee on Veterans' Affairs" (Rept. No. 115-17).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation:

Special Report entitled "Report on the Legislative Activities of the Senate Committee on Commerce, Science, and Transportation During the 114th Congress" (Rept. No. 115-18).

By Mr. GRASSLEY, from the Committee on the Judiciary:

Special Report entitled "Report on the Activities of the Senate Committee on the Judiciary During the 114th Congress" (Rept. No. 115-19).

By Mr. SHELBY, from the Committee on Rules and Administration:

Special Report entitled "Review of Legislative Activity During the 114th Congress" (Rept. No. 115-20).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 141. A bill to improve understanding and forecasting of space weather events, and for other purposes (Rept. No. 115-21).

By Mr. CORKER, from the Committee on Foreign Relations:

Special Report entitled "Legislative Activities Report of the Committee on Foreign Relations, United States Senate, One Hundred Fourteenth Congress" (Rept. No. 115-22).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. ROBERTS for the Committee on Agriculture, Nutrition, and Forestry.

*Sonny Perdue, of Georgia, to be Secretary of Agriculture.

By Mr. ALEXANDER for the Committee on Health, Education, Labor, and Pensions.

*R. Alexander Acosta, of Florida, to be Secretary of Labor.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HATCH:

S. 775. A bill to streamline the R-1 religious worker visa petition process; to the Committee on the Judiciary.

By Mr. WYDEN:

S. 776. A bill to amend the Internal Revenue Code of 1986 to provide for the taxation and regulation of marijuana products, and for other purposes; to the Committee on Finance.

By Mr. WYDEN (for himself, Mr. PAUL, Mr. BENNET, and Mrs. MURRAY):

S. 777. A bill to amend the Internal Revenue Code of 1986 to allow deductions and credits relating to expenditures in connection with marijuana sales conducted in compliance with State law; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself, Mr. PORTMAN, Mr. MANCHIN, and Mr. KING):

S. 778. A bill to require the use of prescription drug monitoring programs and to facilitate information sharing among States; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself, Mr. GRASSLEY, Ms. HEITKAMP, and Mr. LEAHY):

S. 779. A bill to enhance civil penalties under the Federal securities laws, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WYDEN:

S. 780. A bill to amend the Controlled Substances Act to reduce the gap between Federal and State marijuana policy, and for other purposes; to the Committee on Finance.

By Mr. CASSIDY (for himself, Mr. KING, and Mr. MANCHIN):

S. 781. A bill to amend the Public Health Service Act to limit the liability of health care professionals who volunteer to provide health care services in response to a disaster; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN (for himself, Mr. BLUMENTHAL, Mr. HELLER, and Ms. KLOBUCHAR):

S. 782. A bill to reauthorize the National Internet Crimes Against Children Task Force Program, and for other purposes; to the Committee on the Judiciary.

By Ms. BALDWIN (for herself and Ms. MURKOWSKI):

S. 783. A bill to amend the Public Health Service Act to distribute maternity care health professionals to health professional shortage areas identified as in need of maternity care health services; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ISAKSON (for himself, Mr. TESTER, Mr. MORAN, Mr. BOOZMAN, Mr. HELLER, Mr. CASSIDY, Mr. ROUNDS, Mr. TILLIS, Mr. SULLIVAN, Mrs. MURRAY, Mr. SANDERS, Mr. BROWN, Mr. BLUMENTHAL, Ms. HIRONO, and Mr. MANCHIN):

S. 784. A bill to provide for an increase, effective December 1, 2017, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SULLIVAN (for himself and Ms. MURKOWSKI):

S. 785. A bill to amend the Alaska Native Claims Settlement Act to provide for equitable allotment of land to Alaska Native veterans; to the Committee on Energy and Natural Resources.

By Mrs. SHAHEEN:

S. 786. A bill to establish a grant program relating to the prevention of student and student athlete opioid misuse; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GARDNER (for himself and Mr. PETERS):

S. 787. A bill to require the Center for Medicare and Medicaid Innovation to test the effect of including telehealth services in Medicare health care delivery reform models; to the Committee on Finance.

By Mr. MCCAIN:

S. 788. A bill to direct the Secretary of Veterans Affairs to conduct an independent review of the deaths of certain veterans by suicide, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CRUZ (for himself, Mr. CORNYN, Mr. COTTON, and Mr. BOOZMAN):

S. 789. A bill to exempt from the Lacey Act and the Lacey Act Amendments of 1981 certain water transfers between any of the States of Texas, Arkansas, and Louisiana; to the Committee on Environment and Public Works.

By Mr. HATCH (for himself and Mr. BENNET):

S. 790. A bill to amend the Carl D. Perkins Career and Technical Education Act of 2006 to encourage innovation, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PETERS (for himself and Mr. RISCH):

S. 791. A bill to amend the Small Business Act to expand intellectual property education and training for small businesses, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. TILLIS (for himself, Mr. KING, Mr. THUNE, Ms. COLLINS, Mr. ROUNDS, Mr. CORNYN, Ms. MURKOWSKI, and Mr. BLUNT):

S. 792. A bill to amend the Immigration and Nationality Act to establish an H-2B temporary non-agricultural work visa program, and for other purposes; to the Committee on the Judiciary.

By Mr. BOOKER (for himself, Mrs. CAPITO, Ms. CANTWELL, Mr. MCCAIN, Mr. PETERS, Mr. INHOFE, Mr. WHITEHOUSE, Mr. WICKER, Mr. BLUMENTHAL, Mr. PORTMAN, and Mr. SCHATZ):

S. 793. A bill to prohibit sale of shark fins, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ISAKSON (for himself, Mr. CARPER, Mr. BOOZMAN, and Ms. STABENOW):

S. 794. A bill to amend title XVIII of the Social Security Act in order to improve the process whereby Medicare administrative contractors issue local coverage determinations under the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. BENNET (for himself and Mr. HATCH):

S. 795. A bill to amend the Carl D. Perkins Career and Technical Education Act of 2006 regarding dual or concurrent enrollment and early college high schools; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER (for himself, Mr. THUNE, and Mr. KING):

S. 796. A bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided education assistance to employer payments of student loans; to the Committee on Finance.

By Mr. BROWN (for himself and Mr. HELLER):

S. 797. A bill to amend the Internal Revenue Code of 1986 to make permanent the Volunteer Income Tax Assistance matching grant program; to the Committee on Finance.

By Mr. CASSIDY (for himself, Mr. BROWN, and Mr. TILLIS):

S. 798. A bill to amend title 38, United States Code, to expand the Yellow Ribbon G.I. Education Enhancement Program to apply to individuals pursuing programs of education while on active duty, to recipients of the Marine Gunnery Sergeant John David Fry scholarship, and to programs of education pursued on half-time basis or less, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WARNER (for himself and Mr. RUBIO):

S. 799. A bill to simplify and improve the Federal student loan program through income-contingent repayment to provide stronger protections for borrowers, encourage responsible borrowing, and save money for taxpayers; to the Committee on Finance.

By Ms. CANTWELL (for herself, Mr. WHITEHOUSE, and Mr. DURBIN):

S. 800. A bill to protect taxpayers from liability associated with the reclamation of surface coal mining operations, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DONNELLY (for himself, Ms. HEITKAMP, Mr. TESTER, and Mr. MANCHIN):

S.J. Res. 39. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ (for himself, Mr. BENNET, Mr. BOOKER, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN,

Mrs. FEINSTEIN, Ms. HARRIS, Mr. HEINRICH, Mr. LEAHY, Mr. MARKEY, Mr. MERKLEY, Mrs. MURRAY, Mr. SANDERS, Mr. SCHUMER, Mr. UDALL, and Ms. WARREN):

S. Res. 104. A resolution honoring the accomplishments and legacy of Cesar Estrada Chavez; to the Committee on the Judiciary.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. Res. 105. A resolution recognizing 2017 as the 100th anniversary of the creation of the 41st Division; to the Committee on Armed Services.

By Mr. WICKER (for himself and Mr. CARDIN):

S. Res. 106. A resolution expressing the sense of the Senate to support the territorial integrity of Georgia; to the Committee on Foreign Relations.

By Mrs. CAPITO (for herself and Mr. MANCHIN):

S. Res. 107. A resolution congratulating the rifle team of West Virginia University on winning the 2017 National Collegiate Athletic Association Rifle Championship; considered and agreed to.

ADDITIONAL COSPONSORS

S. 96

At the request of Ms. KLOBUCHAR, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 96, a bill to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications.

S. 129

At the request of Mr. NELSON, his name was added as a cosponsor of S. 129, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

S. 130

At the request of Ms. BALDWIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 130, a bill to require enforcement against misbranded milk alternatives.

S. 200

At the request of Mr. MARKEY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 200, a bill to prohibit the conduct of a first-use nuclear strike absent a declaration of war by Congress.

S. 253

At the request of Mr. CARDIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 253, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 382

At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 382, a bill to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters.

S. 407

At the request of Mr. CRAPO, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of S. 407, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 431

At the request of Mr. THUNE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 431, a bill to amend title XVIII of the Social Security Act to expand the use of telehealth for individuals with stroke.

S. 464

At the request of Mr. MARKEY, the names of the Senator from Louisiana (Mr. CASSIDY) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 464, a bill to amend title XVIII of the Social Security Act to provide for a permanent Independence at Home medical practice program under the Medicare program.

S. 512

At the request of Mr. BARRASSO, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 512, a bill to modernize the regulation of nuclear energy.

S. 693

At the request of Ms. BALDWIN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 693, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 720

At the request of Mr. PORTMAN, the names of the Senator from Utah (Mr. HATCH), the Senator from Georgia (Mr. PERDUE), the Senator from Kansas (Mr. ROBERTS) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 720, a bill to amend the Export Administration Act of 1979 to include in the prohibitions on boycotts against allies of the United States boycotts fostered by international governmental organizations against Israel and to direct the Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes.

S. 722

At the request of Mr. CORKER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 722, a bill to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts

of international terrorism, and violations of human rights, and for other purposes.

S. 733

At the request of Ms. MURKOWSKI, the names of the Senator from Montana (Mr. DAINES), the Senator from North Dakota (Mr. HOEVEN) and the Senator from Alabama (Mr. STRANGE) were added as cosponsors of S. 733, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

S.J. RES. 2

At the request of Mr. CRUZ, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S.J. Res. 2, a joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve.

S. RES. 92

At the request of Mr. LEE, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. Res. 92, a resolution expressing concern over the disappearance of David Sneddon, and for other purposes.

S. RES. 100

At the request of Mr. BROWN, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. Res. 100, a resolution condemning illegal Russian aggression in Ukraine on the three year anniversary of the annexation of Crimea.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Mr. GRASSLEY, Ms. HEITKAMP, and Mr. LEAHY):

S. 779. A bill to enhance civil penalties under the Federal securities laws, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, the Stronger Enforcement of Civil Penalties Act, which I reintroduce today with Senator GRASSLEY, Senator HEITKAMP, and Senator LEAHY, will enhance the ability of securities regulators to protect investors and demand greater accountability from market players. Even after the financial crisis that crippled the economy, we continue to see calculated wrongdoing by some on Wall Street, and without the consequence of meaningful penalties to serve as an effective deterrent, I fear this disturbing culture of misconduct will persist.

Today, the amount of penalties the Securities and Exchange Commission, or SEC can fine an institution or individual is limited by statute. During hearings I held in 2011 in the Securities, Insurance, and Investment Banking Subcommittee, I learned how this limitation significantly interferes with the SEC's ability to perform its enforcement duties. At that time, the

agency had been criticized by a Federal judge for not obtaining a larger settlement against Citigroup, a major player in the financial crisis that settled with the SEC in an amount that was a fraction of the cost the bank had inflicted on investors. The SEC explained that the reason for the low settlement amount was a statutory prohibition against levying a larger penalty. Indeed, then SEC Chairman Mary L. Schapiro in 2011 also explained that “the Commission’s statutory authority to obtain civil monetary penalties with appropriate deterrent effect is limited in many circumstances.”

The bipartisan bill Senator GRASSLEY and I are reintroducing finally updates the SEC’s civil penalties statute. This bill strives to make potential and current offenders think twice before engaging in misconduct by increasing the maximum civil monetary penalties permitted by statute, directly linking the size of the maximum penalties to the amount of losses suffered by victims of a violation and substantially raising the financial stakes for repeat offenders of our Nation’s securities laws.

Specifically, our bill would give the SEC more options to tailor penalties to the specific circumstances of a given violation. In addition to raising the per violation caps for severe, or “tier three,” violations to \$1 million per offense for individuals and \$10 million per offense for entities, the legislation would also give the SEC additional options to obtain greater penalties based on the ill-gotten gains of the violator or on the financial harm to investors.

Our bill also addresses the disturbing trend of repeat offenders on Wall Street through two provisions. The first would allow the SEC to triple the penalty cap applicable to recidivists who have been held either criminally or civilly liable for securities fraud within the previous 5 years. The second would allow the SEC to seek a civil penalty against those that violate existing Federal court or SEC orders, an approach that would be more efficient, effective, and flexible than the current civil contempt remedy. Both of these changes would substantially improve the ability of the SEC’s enforcement program to ratchet up penalties for recidivists.

Slightly more than half of all U.S. households are invested in the stock market. They deserve a strong cop on the beat that has the tools it needs to go after fraudsters and pursue the difficult cases arising from our increasingly complex financial markets. The Stronger Enforcement of Civil Penalties Act will give the SEC more tools to demand meaningful accountability from Wall Street, which in turn will increase transparency and confidence in our financial system. I urge our colleagues to support this important bipartisan legislation to enhance the

SEC’s ability to protect investors and to deter and crack down on fraud.

By Mr. CORNYN (for himself, Mr. BLUMENTHAL, Mr. HELLER, and Ms. KLOBUCHAR):

S. 782. A bill to reauthorize the National Internet Crimes Against Children Task Force Program, and for other purposes; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 782

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Providing Resources, Officers, and Technology To Eradicate Cyber Threats to Our Children Act of 2017” or the “PROTECT Our Children Act of 2017”.

SEC. 2. REAUTHORIZATION OF THE NATIONAL INTERNET CRIMES AGAINST CHILDREN TASK FORCE PROGRAM.

Title I of the PROTECT Our Children Act of 2008 (42 U.S.C. 17601 et seq.) is amended—

(1) in section 105(h) (42 U.S.C. 17615(h)), by striking “2016” and inserting “2022”; and

(2) in section 107(a)(10) (42 U.S.C. 17617(a)(10)), by striking “fiscal year 2018” and inserting “each of fiscal years 2018 through 2022”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 104—HONORING THE ACCOMPLISHMENTS AND LEGACY OF CESAR ESTRADA CHAVEZ

Mr. MENENDEZ (for himself, Mr. BENNET, Mr. BOOKER, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Ms. HARRIS, Mr. HEINRICH, Mr. LEAHY, Mr. MARKEY, Mr. MERKLEY, Mrs. MURRAY, Mr. SANDERS, Mr. SCHUMER, Mr. UDALL, and Ms. WARREN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 104

Whereas César Estrada Chávez was born on March 31, 1927, near Yuma, Arizona;

Whereas César Estrada Chávez spent his early years on a family farm;

Whereas, at the age of 10, César Estrada Chávez joined the thousands of migrant farm workers laboring in fields and vineyards throughout the Southwest after a bank foreclosure resulted in the loss of the family farm;

Whereas César Estrada Chávez, after attending more than 30 elementary and middle schools and achieving an eighth grade education, left school to work full-time as a farm worker to help support his family;

Whereas, at the age of 17, César Estrada Chávez entered the United States Navy and served the United States with distinction for 2 years;

Whereas, in 1948, César Estrada Chávez returned from military service to marry Helen

Fabela, whom he had met while working in the vineyards of central California;

Whereas César Estrada Chávez and Helen Fabela had 8 children;

Whereas, as early as 1949, César Estrada Chávez was committed to organizing farm workers to campaign for safe and fair working conditions, reasonable wages, livable housing, and the outlawing of child labor;

Whereas, in 1952, César Estrada Chávez joined the Community Service Organization, a prominent Latino civil rights group, and worked with the organization to coordinate voter registration drives and conduct campaigns against discrimination in east Los Angeles;

Whereas César Estrada Chávez served as the national director of the Community Service Organization;

Whereas, in 1962, César Estrada Chávez left the Community Service Organization to found the National Farm Workers Association, which eventually became the United Farm Workers of America;

Whereas César Estrada Chávez was a strong believer in the principles of non-violence practiced by Mahatma Gandhi and Dr. Martin Luther King, Jr.;

Whereas César Estrada Chávez effectively used peaceful tactics, including fasting for 25 days in 1968, 25 days in 1972, and 38 days in 1988, to call attention to the terrible working and living conditions of farm workers in the United States;

Whereas, under the leadership of César Estrada Chávez, the United Farm Workers of America organized thousands of migrant farm workers to fight for fair wages, health care coverage, pension benefits, livable housing, and respect;

Whereas, through his commitment to non-violence, César Estrada Chávez brought dignity and respect to the organized farm workers and became an inspiration to and a resource for individuals engaged in human rights struggles throughout the world;

Whereas the influence of César Estrada Chávez extends far beyond agriculture and provides inspiration for individuals working to better human rights, empower workers, and advance the American Dream, which includes all inhabitants of the United States;

Whereas César Estrada Chávez died on April 23, 1993, at the age of 66 in San Luis, Arizona, only miles from his birthplace;

Whereas more than 50,000 individuals attended the funeral services of César Estrada Chávez in Delano, California;

Whereas César Estrada Chávez was laid to rest at the headquarters of the United Farm Workers of America, known as “Nuestra Señora de La Paz”, located in the Tehachapi Mountains in Keene, California;

Whereas, since the death of César Estrada Chávez, schools, parks, streets, libraries, and other public facilities, as well as awards and scholarships, have been named in his honor;

Whereas 10 States and dozens of communities across the United States honor the life and legacy of César Estrada Chávez each year on March 31;

Whereas, during his lifetime, César Estrada Chávez was a recipient of the Martin Luther King, Jr. Peace Prize;

Whereas, on August 8, 1994, César Estrada Chávez was posthumously awarded the Presidential Medal of Freedom;

Whereas President Barack Obama honored the life of service of César Estrada Chávez by proclaiming March 31, 2012, to be “César Chávez Day”;

Whereas, on October 8, 2012, President Barack Obama authorized the Secretary of the Interior to establish a César Estrada

Chávez National Monument in Keene, California; and

Whereas the United States should continue the efforts of César Estrada Chávez to ensure equality, justice, and dignity for all people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the accomplishments and example of a great hero of the United States, César Estrada Chávez;

(2) pledges to promote the legacy of César Estrada Chávez; and

(3) encourages the people of the United States to commemorate the legacy of César Estrada Chávez and to always remember his great rallying cry, “¡Sí, se puede!”, which is Spanish for “Yes, we can!”.

SENATE RESOLUTION 105—RECOGNIZING 2017 AS THE 100TH ANNIVERSARY OF THE CREATION OF THE 41ST DIVISION

Mr. WYDEN (for himself and Mr. MERKLEY) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 105

Whereas the War Department issued General Order No. 95 on July 18, 1917, which formally established the 41st Division within the Army;

Whereas the 41st Division was organized on September 18, 1917, at Camp Greene in North Carolina;

Whereas the 41st Division was originally comprised of National Guard citizen-soldiers from Oregon, Washington, Idaho, Montana, and Wyoming and also had members from Colorado, North Dakota, South Dakota, New Mexico, and the District of Columbia;

Whereas, during World War I, the 41st Division deployed to the Western Front, providing valuable support both as a training and replacement division;

Whereas the 41st Division demobilized at Camp Dix in New Jersey on February 22, 1919, following the armistice of November 1918;

Whereas the 41st Division was reorganized and Federally recognized on January 3, 1930, with the headquarters of the 41st Division located at Portland, Oregon;

Whereas the 41st Division participated in a set of training exercises in 1937 where Oregon soldiers forded the Nisqually River in western Washington in a daring night crossing;

Whereas, after the Japanese attack on Pearl Harbor in 1941, the 41st Division set up defensive positions along the coastline of the United States from the Canadian border to Camp Clatsop in Oregon;

Whereas the 41st Division was reorganized as the 41st Infantry Division on February 17, 1942, and, by the following May, was one of the first divisions of the Armed Forces to deploy overseas to Australia for jungle and amphibious warfare training;

Whereas the 41st Infantry Division participated in the campaigns in New Guinea and the Philippines, enduring some of the most vicious jungle warfare of any allied force during the war;

Whereas the bloodiest engagement of the 41st Infantry Division occurred on the island of Biak against more than 10,000 determined Japanese troops;

Whereas members of the 41st Infantry Division had been known as “Sunsetters” after their unit’s setting sun insignia but earned a second nickname, “the Junglers”, in recognition of their experience and expertise in

jungle warfare following the service of the unit in Biak and across the Pacific Theater;

Whereas the 41st Division was inactivated on December 31, 1945, on the island of Honshu in Japan;

Whereas, in 1968, the Oregonian element of the 41st Infantry Division was reorganized and redesignated as the 41st Infantry Brigade within the Oregon National Guard, transferring the colors and honors of its division predecessor;

Whereas elements of the 41st Infantry Brigade—

(1) deployed to—

(A) Saudi Arabia in 1999 as part of Joint Task Force-Southwest Asia;

(B) the Sinai Peninsula in 2001 in support of the Multinational Force and Observers and Operation Enduring Freedom;

(C) Iraq in 2003 and 2004 in support of Operation Iraqi Freedom; and

(D) Afghanistan in 2006 in support of Combined Joint Task Force Phoenix; and

(2) were activated in 2005 to help provide disaster relief in the aftermath of Hurricane Katrina and Hurricane Rita in Louisiana and Texas, respectively;

Whereas the 41st Infantry Brigade was reorganized and redesignated as the 41st Infantry Brigade Combat Team on September 1, 2008;

Whereas the entire 41st Infantry Brigade Combat Team deployed to Iraq in 2009, marking the first full deployment for the unit since World War II, to provide base and convoy security in support of Operation Noble Eagle and Operation Iraqi Freedom;

Whereas elements of the 41st Infantry Brigade Combat Team deployed to Afghanistan in 2014 in support of Operation Enduring Freedom, Operation Freedom’s Sentinel, and the Resolute Support mission led by the North Atlantic Treaty Organization;

Whereas the citizen-soldiers of the 41st Division, the 41st Infantry Division, and the 41st Infantry Brigade—

(1) came from a diverse set of backgrounds;

(2) were employed in a wide range of civilian professions;

(3) brought their civilian experience to bear in fulfilling their military duties;

(4) served the United States selflessly; and

(5) fought with bravery and honor across many generations; and

Whereas the citizen-soldiers of the 41st Infantry Brigade Combat Team continue to uphold this tradition, protecting Oregon and serving the United States both at home and abroad through their courage and dedication: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes—

(A) 2017 as the 100th anniversary of the formation of the 41st Division; and

(B) the century of service to the United States by the 41st Division;

(2) expresses gratitude to the many Oregonians and others who served in the 41st Division, the 41st Infantry Division, the 41st Infantry Brigade, and the 41st Infantry Brigade Combat Team;

(3) honors the memory of the members of the 41st Division, the 41st Infantry Division, the 41st Infantry Brigade, and the 41st Infantry Brigade Combat Team who have fallen in the line of duty; and

(4) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) General Michael E. Stencel, the Adjutant General of Oregon; and

(B) Lieutenant Colonel Eric Riley, commander of the 41st Infantry Brigade Combat Team.

SENATE RESOLUTION 106—EXPRESSING THE SENSE OF THE SENATE TO SUPPORT THE TERRITORIAL INTEGRITY OF GEORGIA

Mr. WICKER (for himself and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 106

Whereas principle IV of the Helsinki Final Act of 1975 states, “The participating States will respect the territorial integrity of each of the participating States. Accordingly, they will refrain from any action inconsistent with the purposes and principles of the Charter of the United Nations against the territorial integrity, political independence or the unity of any participating State, and in particular from any such action constituting a threat or use of force. . . and participating States will likewise refrain from making each other’s territory the object of military occupation.”;

Whereas the Charter of the United Nations states, “All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state.”;

Whereas, since 1993, the sovereignty and territorial integrity of Georgia have been reaffirmed by the international community in all United Nations Security Council resolutions on Georgia;

Whereas the Government of Georgia has pursued a peaceful resolution of the conflict with Russia over Georgia’s territories of Abkhazia and the Tskhinvali region/South Ossetia;

Whereas the recognition by the Government of the Russian Federation of Abkhazia and Tskhinvali region/South Ossetia on August 26, 2008, was in violation of the sovereignty and territorial integrity of Georgia and contradicting principles of Helsinki Final Act of 1975, the Charter of the United Nations, and the August 12, 2008, Ceasefire Agreement;

Whereas the United States-Georgia Charter on Strategic Partnership, signed on January 9, 2009, underscores that “support for each other’s sovereignty, independence, territorial integrity and inviolability of borders constitutes the foundation of our bilateral relations.”;

Whereas, according to the Government of Georgia’s “State Strategy on Occupied Territories”, the Government of Georgia has committed itself to a policy of peaceful engagement, the protection of economic and human rights, freedom of movement, and the preservation of cultural heritage, language, and identity for the people of Abkhazia and the Tskhinvali region/South Ossetia;

Whereas the August 2008 war between the Russian Federation and Georgia resulted in civilian and military casualties, the violation of the sovereignty and territorial integrity of Georgia, and large numbers of internally displaced persons;

Whereas the annual United Nations General Assembly Resolution on the “Status of Internally Displaced Persons and Refugees from Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia” recognizes that the right of return of all internally displaced persons and refugees and their descendants, regardless of ethnicity, as well as their property rights, remains unfulfilled;

Whereas the Government of the Russian Federation is building barbed wire fences and installing, so-called “border signs” and

other artificial barriers along the occupation line and depriving the people residing within the occupied regions and in the adjacent areas of their fundamental rights and freedoms, including, the freedom of movement, family life, education in their native language, and other civil and economic rights;

Whereas the August 12, 2008, Ceasefire Agreement, agreed to by the Governments of the Russian Federation and Georgia—

(1) provides that all troops of the Russian Federation shall be withdrawn to pre-war positions;

(2) provides that free access shall be granted to organizations providing humanitarian assistance in regions affected by the violence in August 2008; and

(3) launched the Geneva International Discussions between Georgia and the Russian Federation;

Whereas, on November 23, 2010, President of Georgia Mikheil Saakashvili declared before the European Parliament that “Georgia will never use force to restore its territorial integrity and sovereignty”;

Whereas, on March 7, 2013, the bipartisan Resolution of the Parliament of Georgia on Basic Directions of Georgia’s Foreign Policy confirmed “Georgia’s commitment for the non-use of force, pledged by the President of Georgia in his address to the international community from the European Parliament in Strasburg on November 23, 2010”;

Whereas, on June 27, 2014, in the Association Agreement between Georgia and the European Union, Georgia reaffirmed its commitment “to restore its territorial integrity in pursuit of a peaceful and lasting conflict resolution, of pursuing the full implementation of” the August 12, 2008, ceasefire agreement;

Whereas, despite the unilateral legally binding commitment to the non-use of force pledged by the Government of Georgia, the Government of the Russian Federation still refuses to reciprocate with its own legally binding non-use of force pledge;

Whereas the European Union Monitoring Mission (EUMM) is still denied access to the occupied regions of Abkhazia and the Tskhinvali region/South Ossetia, despite the fact that its mandate covers the whole territory of Georgia within its internationally recognized borders;

Whereas the Government of the Russian Federation continues to enhance its military bases illegally stationed in occupied regions of Abkhazia and the Tskhinvali region/South Ossetia without the consent of the Government of Georgia or a mandate from the United Nations or other multilateral organizations;

Whereas the Government of the Russian Federation continues the process of aggression carried out against Georgia since the early 1990s and occupation of Georgia’s territories following the August 2008 Russia-Georgia War;

Whereas the March 5, 2017, closure of two crossing points on the Administrative Boundary Line (ABL) with Abkhazia in the villages of Nabakevi and Otobaia violated fundamental rights to freedom of movement, privacy, and family life, as well as access to education and health care for the local population, contravening commitments to work towards enhanced security and improved living conditions for the conflict-affected population;

Whereas President of the Russian Federation Vladimir Putin has ordered his government to conclude an agreement to effectively incorporate the military of Georgia’s South Ossetia region into the Russian armed

forces’ command structure, thereby impeding the peace process;

Whereas the Government of the Russian Federation’s policy vis-à-vis Georgia and the alarming developments in the region illustrate that the Government of the Russian Federation does not accept the independent choice of sovereign states and strives for the restoration of zones of influence in the region, including through the use of force, occupation, factual annexation, and other aggressive acts; and

Whereas the United States applied the doctrine of non-recognition in 1940 to the countries of Estonia, Latvia, and Lithuania, and every Presidential administration of the United States honored this doctrine until independence was restored to those countries in 1991: Now, therefore, be it

Resolved, That the Senate—

(1) supports the policy, popularly known as the “Stimson Doctrine”, of the United States to not recognize territorial changes effected by force, and affirms that this policy should continue to guide the foreign policy of the United States;

(2) condemns the military intervention and occupation of Georgia by the Russian Federation and its continuous illegal activities along the occupation line in Abkhazia and Tskhinvali region/South Ossetia;

(3) calls upon the Government of the Russian Federation to withdraw its recognition of Georgia’s territories of Abkhazia and the Tskhinvali region/South Ossetia as independent countries, to refrain from acts and policies that undermine the sovereignty and territorial integrity of Georgia, and to take steps to fulfill all the terms and conditions of the August 12, 2008, Ceasefire Agreement between Georgia and the Russian Federation;

(4) stresses the necessity of progress on core issues within the Geneva International Discussions, including a legally binding pledge from the Government of the Russian Federation on the non-use of force, the establishment of international security arrangements in the occupied regions of Georgia, and the safe and dignified return of internally displaced persons and refugees to the places of their origin;

(5) urges the United States Government to declare unequivocally that the United States will not under any circumstances recognize the de jure or de facto sovereignty of the Russian Federation over any part of Georgia, its airspace, or its territorial waters, including Abkhazia and the Tskhinvali region/South Ossetia;

(6) urges the President to deepen cooperation with the Government of Georgia in all areas of the United States-Georgia Charter on Strategic Partnership, including Georgia’s advancement towards Euro-Atlantic integration;

(7) urges the President to place emphasis on enhancing Georgia’s security through joint military training and providing self-defensive capabilities in order to enhance Georgia’s independent statehood and national sovereignty; and

(8) affirms that a free, united, democratic, and sovereign Georgia is in the long-term interest of the United States as it promotes peace and stability in the region.

SENATE RESOLUTION 107—CONGRATULATING THE RIFLE TEAM OF WEST VIRGINIA UNIVERSITY ON WINNING THE 2017 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION RIFLE CHAMPIONSHIP

Mrs. CAPITO (for herself and Mr. MANCHIN) submitted the following resolution; which was considered and agreed to:

S. RES. 107

Whereas, in 2017, the West Virginia University Mountaineers rifle team (referred to in this preamble as the “Mountaineers”) completed an undefeated regular season with a record of 12 wins and no losses and won the Great America Rifle Conference championship for the eighth consecutive year;

Whereas, on March 11, 2017, the Mountaineers won the National Collegiate Athletic Association (referred to in this preamble as the “NCAA”) Rifle Championship;

Whereas the 2017 NCAA Rifle Championship is the fifth consecutive title for the Mountaineers;

Whereas the Mountaineers have now won 19 national championships, securing team NCAA titles in 1983, 1984, 1986, 1988, 1989, 1990, 1991, 1992, 1993, 1995, 1996, 1997, 1998, 2009, 2013, 2014, 2015, 2016, and 2017;

Whereas the Mountaineers have won more national championships than any other rifle program in the United States;

Whereas the Mountaineers shot a championship-record 4723 aggregate score at the 2017 NCAA Rifle Championship;

Whereas freshman Milica Babic won the 2017 NCAA air rifle championship;

Whereas freshman Morgan Phillips won the NCAA smallbore title and earned the Top Performer Award of the NCAA Rifle Championship;

Whereas the Mountaineers swept the NCAA individual titles in 2017, the fifth time that shooters from the Mountaineers have swept the individual championships; and

Whereas Head Coach Jon Hammond and all members of the Mountaineers, including Jack Anderson, Will Anti, Milica Babic, Noah Barker, Elizabeth Gratz, Jean-Pierre Lucas, Morgan Phillips, and Ginny Thrasher, completed a record performance to claim the 2017 national title: Now, therefore, be it

Resolved, That the Senate congratulates the West Virginia University rifle team on winning the 2017 National Collegiate Athletic Association Rifle Championship.

AUTHORITY FOR COMMITTEES TO MEET

Mr. COTTON. Mr. President, I have 7 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on March 30, 2017, in the President’s room, S-216 in the Capitol, in order to vote on the nomination of George

“Sonny” Perdue, of Georgia, to be Secretary of Agriculture.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, March 30, 2017, at 9:30 a.m., in open session to consider the nomination of Honorable Heather A. Wilson to be Secretary of the Air Force.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Senate Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, March 30, 2017, beginning at 9:30 a.m. in Room 366 of the Dirksen Senate Office Building in Washington, DC.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Senate Committee on Energy and Natural Resources is authorized to meet during the session of the Senate in order to hold a hearing on Thursday, March 30, 2017, beginning at 2:30 p.m. in Room 366 of the Dirksen Senate Office Building in Washington, DC.

COMMITTEES ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, March 30, 2017 at 10 a.m., to hold a hearing entitled *The Road Ahead: U.S. Interests, Values, and the American People*.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet in executive session during the session of the Senate on Thursday, March 30, in between votes in S-216, to consider the following: Nomination of Alexander Acosta to serve as Secretary of Labor.

SELECT COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Thursday, March 30, 2017 from 10 a.m. for Panel I, and from 2 p.m. for Panel II, in room SD-106 of the Senate Dirksen Office Building to hold open hearings entitled *Disinformation: A Primer in Russian Active Measures and Influence Campaigns*.

PRIVILEGES OF THE FLOOR

Mr. BROWN. Mr. President, I ask unanimous consent that Melissa Rubenstein, a fellow in my office, be granted floor privileges for the remainder of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING THE RIFLE TEAM OF WEST VIRGINIA UNIVERSITY ON WINNING THE 2017 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION RIFLE CHAMPIONSHIP

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 107, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 107) congratulating the rifle team of West Virginia University on winning the 2017 National Collegiate Athletic Association Rifle Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 107) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR MONDAY, APRIL 3, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m. on Monday, April 3; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, APRIL 3, 2017, AT 3 P.M.

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:17 p.m., adjourned until Monday, April 3, 2017, at 3 p.m.

HOUSE OF REPRESENTATIVES—Thursday, March 30, 2017

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Ms. FOXX).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

March 30, 2017.

I hereby appoint the Honorable VIRGINIA FOXX to act as Speaker pro tempore on this day.

PAUL D. RYAN,

Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, thank You for giving us another day. Send Your spirit upon the Members of this people's House to encourage them in their official tasks. Especially during this season of budget deliberations, give them wisdom and an accurate understanding of the needs of the citizens of this country, most particularly those with narrow margins in their life options.

As the trees of the city are bright with flowers, may Your spirit enlighten the minds of those who serve, and may the beauty of Your creation show forth in the creative work of our Congress.

May all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Washington (Mr. KILMER) come forward and lead the House in the Pledge of Allegiance.

Mr. KILMER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five requests

for 1-minute speeches on each side of the aisle.

CONGRATULATING PAT BRADFORD

(Mr. ROUZER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROUZER. Madam Speaker, I rise today to make special mention of Pat Bradford, who recently stepped down as publisher and editor of the local paper she founded, the Lumina News.

The Lumina News has served as the voice of Wrightsville Beach and its surrounding communities since 2002. This local paper covers a wide range of topics but sets itself apart by covering matters especially important to coastal communities.

The Lumina News has consistently been ranked first in its North Carolina Press Association newspaper category. In fact, first in nine new top awards for 2016.

With her recent departure from the paper, Pat is focusing her attention on the very successful monthly sister publication which she co-founded, the Wrightsville Beach Magazine.

I have had the pleasure of getting to know Pat in the past few years and will certainly miss interacting with her as publisher and editor of the Lumina News.

Congratulations to you, Pat, for your continued success in all these endeavors and for your continued contributions to the Wrightsville Beach community and beyond.

BERTEL SPIER CELEBRATES HER 107TH BIRTHDAY

(Mr. KILMER asked and was given permission to address the House for 1 minute.)

Mr. KILMER. Madam Speaker, on Thursday, March 31, 1910, Bertel Spier was born, and tomorrow she will celebrate her 107th birthday.

Just imagine what she has seen: two world wars, technological advancements beyond our wildest dreams. When she sees a video on a telephone, she cannot believe it.

She has an extraordinary legacy: a loving daughter, four adoring and adorable great-grandchildren, and three grandsons to whom she is a hero. I am proud to be one of them.

My grandma is someone who is a testament to the greatness of this Nation and of the importance of what happens in this building.

She immigrated to the U.S. from Holland and was welcomed here and accepted here, built a life here. That is part of the greatness of this Nation.

A person born 10 years before women's suffrage, she proudly voted herself this past November. That is part of the greatness of this Nation.

A person who outlived any projected retirement, she has been able to retire and live with dignity because of two of our country's most successful public policies: Medicare and Social Security. That is part of the greatness of this Nation, too.

Madam Speaker, it is such an honor for me to say four of the most extraordinary and almost unbelievable words that I may ever say on this floor: Happy 107th birthday, Oma. We love you.

MOMENT OF SILENCE HONORING JON RICHARDS

(Mr. JODY B. HICE of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JODY B. HICE of Georgia. Madam Speaker, I rise today with a heavy heart to celebrate the life of Jon Richards, a Georgia treasure, a brilliant political journalist, a selfless mentor. He passed away this past Sunday after a battle with cancer. Our prayers go out and we grieve for the family and friends of Jon during this difficult time.

Madam Speaker, Jon grew up in Cincinnati, Ohio, and later moved to Lawrenceville, Georgia, where he became active in various Gwinnett County civic, social, and political organizations.

He was well respected on both sides of the political aisle, serving with endless passion as editor-in-chief of georgiapol.com. Most notably, however, was his devotion to mentoring high school and college students who were interested in politics, and he left a lasting impression.

Madam Speaker, Jon was known by the Gwinnett community as someone who lived life to its fullest and made the most of every day. His leadership was unmatched and cannot be overstated.

I am grateful to know that, through Christ, we will be able to meet again.

Madam Speaker, I would ask my colleagues to stand and join with me for a moment of silence to honor the life and legacy of Jon Richards, who will be sorely missed by many.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

INVESTIGATING RUSSIA'S INFLUENCE ON OUR ELECTION

(Ms. VELÁZQUEZ asked and was given permission to address the House for 1 minute.)

Ms. VELÁZQUEZ. Madam Speaker, Russia's efforts to influence our election constitutes a direct assault on our democracy. These alarming events must be thoroughly investigated. In particular, we must determine if any Americans collaborated in these attacks and are legally culpable.

Sadly, the House Intelligence Committee chairman is either unwilling or incapable of conducting a fair investigation. How can Mr. NUNES run this investigation if he is briefing the President before talking with members of his committee? How can he be secretly meeting with so-called sources at the White House?

Madam Speaker, the American people need to know that democracy is intact, and that requires a full, fair, and impartial investigation.

Since December, I have repeatedly called for the Department of Justice to appoint a special counsel. I have also cosponsored legislation to create a bipartisan commission to investigate.

The bottom line is this: Chairman NUNES has lost all credibility. He must recuse himself. We need a real investigation. Appoint a special counsel now.

RECOGNIZING NATIONAL FROZEN FOOD MONTH

(Mr. NEWHOUSE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NEWHOUSE. Madam Speaker, I rise to recognize March as National Frozen Food Month.

In my district, growers count on our food processors to ensure that their agricultural products make it from farms to kitchen tables.

Jobs in agriculture depend on the ability to transport our products to buyers across the country and around the world. In my district, there are over 6,000 jobs in the frozen food industry, ensuring that families across the U.S. can enjoy Washington's agricultural products.

As a farmer and a former State director of agriculture, I understand how important frozen foods are to enable timely delivery and freshness, despite seasonal changes. Freezing reduces food waste and increases safety and affordability. Freezing also allows Americans to have access to the diverse array of food products they enjoy every day.

Join me in celebrating National Frozen Food Month and all those who work to ensure that the U.S. has the safest, most reliable, and most affordable food supply in the world.

ENDING GLOBAL HUNGER WITH RISE AGAINST HUNGER

(Mr. MCGOVERN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCGOVERN. Madam Speaker, Rise Against Hunger, under the leadership of Rod Brooks, is a charitable organization committed to ending global hunger by 2030. They partner with other charities, faith-based organizations, and corporations to host meal-packaging events across the country where volunteers assemble nutritious meals that are sent to over 40 countries.

On Tuesday, I had the opportunity to participate in a Rise Against Hunger meal-packaging event sponsored by The Kraft Heinz Company. I joined 100 volunteers to package 7,500 meals that will reach hungry families across the globe.

Last year alone, Rise Against Hunger engaged over 387,000 volunteers at over 3,000 events nationwide to assemble over 64 million meals that reached nearly 1.1 million hungry people.

I applaud Kraft Heinz and its CEO, Bernardo Hees, for their commitment to packing 1 billion meals over the next 5 years. I appreciate all that Rise Against Hunger does to address chronic malnutrition and alleviate poverty worldwide.

Working together, we can end hunger now.

RUSSIA'S INTERFERENCE IN OUR DEMOCRATIC PROCESS

(Mr. CARBAJAL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARBAJAL. Madam Speaker, I rise today because the American people have the right to know the truth regarding Russia's interference in our democratic process.

I am a member of the House Armed Services Committee, and the message I hear from our military leaders is consistent: Russia is a top threat to the United States and our interests.

Russia has not only used its military to destabilize regions around the world, but it has completely undermined and disrupted the democratic values of this country.

This is unacceptable. And yet my colleagues from the other side of the aisle refuse to do their job as an oversight body and establish a bipartisan, independent commission to investigate Russia's egregious behavior.

We have a responsibility to be transparent with the American people. I strongly urge my Republican colleagues to not only immediately establish an independent investigation into Russia's interference in our election, but I also call for the release of President Trump's tax returns.

America's security and values are on the line. Any treasonous and unlawful relations with Russia cannot be tolerated.

EPA SCIENCE ADVISORY BOARD REFORM ACT OF 2017

Mr. LUCAS. Madam Speaker, pursuant to House Resolution 233, I call up the bill (H.R. 1431) to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 233, the bill is considered read.

The text of the bill is as follows:

H.R. 1431

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "EPA Science Advisory Board Reform Act of 2017".

SEC. 2. SCIENCE ADVISORY BOARD.

(a) INDEPENDENT ADVICE.—Section 8(a) of the Environmental Research, Development, and Demonstration Authorization Act of 1978 (42 U.S.C. 4365(a)) is amended by inserting "independently" after "Advisory Board which shall".

(b) MEMBERSHIP.—Section 8(b) of the Environmental Research, Development, and Demonstration Authorization Act of 1978 (42 U.S.C. 4365(b)) is amended to read as follows:

"(b)(1) The Board shall be composed of at least nine members, one of whom shall be designated Chairman, and shall meet at such times and places as may be designated by the Chairman.

"(2) Each member of the Board shall be qualified by education, training, and experience to evaluate scientific and technical information on matters referred to the Board under this section. The Administrator shall ensure that—

"(A) the scientific and technical points of view represented on and the functions to be performed by the Board are fairly balanced among the members of the Board;

"(B) at least ten percent of the membership of the Board are from State, local, or tribal governments;

"(C) persons with substantial and relevant expertise are not excluded from the Board due to affiliation with or representation of entities that may have a potential interest in the Board's advisory activities, so long as that interest is fully disclosed to the Administrator and the public and appointment to the Board complies with section 208 of title 18, United States Code;

"(D) in the case of a Board advisory activity on a particular matter involving, or for which the Board has evidence that it may involve, a specific party, no Board member having an interest in the specific party shall participate in that activity;

"(E) Board members may not participate in advisory activities that directly or indirectly involve review or evaluation of their own work, unless fully disclosed to the public and the work has been externally peer-reviewed;

“(F) Board members shall be designated as special Government employees;

“(G) no registered lobbyist is appointed to the Board; and

“(H) a Board member shall have no current grants or contracts from the Environmental Protection Agency and shall not apply for a grant or contract for 3 years following the end of that member's service on the Board.

“(3) The Administrator shall—

“(A) solicit public nominations for the Board by publishing a notification in the Federal Register;

“(B) solicit nominations from relevant Federal agencies, including the Departments of Agriculture, Defense, Energy, the Interior, and Health and Human Services;

“(C) solicit nominations from—

“(i) institutions of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))); and

“(ii) scientific and research institutions based in work relevant to that of the Board;

“(D) make public the list of nominees, including the identity of the entities that nominated each, and shall accept public comment on the nominees;

“(E) require that, upon their provisional nomination, nominees shall file a written report disclosing financial relationships and interests, including Environmental Protection Agency grants, contracts, cooperative agreements, or other financial assistance, that are relevant to the Board's advisory activities for the three-year period prior to the date of their nomination, and relevant professional activities and public statements for the five-year period prior to the date of their nomination; and

“(F) make such reports public, with the exception of specific dollar amounts, for each member of the Board upon such member's selection.

“(4) Disclosure of relevant professional activities under paragraph (3)(E) shall include all representational work, expert testimony, and contract work as well as identifying the party for which the work was done.

“(5) Except when specifically prohibited by law, the Agency shall make all conflict of interest waivers granted to members of the Board, member committees, or investigative panels publicly available.

“(6) Any recusal agreement made by a member of the Board, a member committee, or an investigative panel, or any recusal known to the Agency that occurs during the course of a meeting or other work of the Board, member committee, or investigative panel shall promptly be made public by the Administrator.

“(7) The terms of the members of the Board shall be three years and shall be staggered so that the terms of no more than one-third of the total membership of the Board shall expire within a single fiscal year. No member shall serve more than two terms over a ten-year period.”

(c) RECORD.—Section 8(c) of such Act (42 U.S.C. 4365(c)) is amended—

(1) in paragraph (1)—

(A) by inserting “or draft risk or hazard assessment,” after “at the time any proposed”;

(B) by striking “formal”; and

(C) by inserting “or draft risk or hazard assessment,” after “to the Board such proposed”; and

(2) in paragraph (2)—

(A) by inserting “or draft risk or hazard assessment,” after “the scientific and technical basis of the proposed”; and

(B) by adding at the end the following: “The Board's advice and comments, including dissenting views of Board members, and

the response of the Administrator shall be included in the record with respect to any proposed risk or hazard assessment, criteria document, standard, limitation, or regulation and published in the Federal Register.”

(d) MEMBER COMMITTEES AND INVESTIGATIVE PANELS.—Section 8(e)(1)(A) of such Act (42 U.S.C. 4365(e)(1)(A)) is amended by adding at the end the following: “These member committees and investigative panels—

“(i) shall be constituted and operate in accordance with the provisions set forth in paragraphs (2) and (3) of subsection (b), in subsection (h), and in subsection (i);

“(ii) do not have authority to make decisions on behalf of the Board; and

“(iii) may not report directly to the Environmental Protection Agency.”

(e) PUBLIC PARTICIPATION.—Section 8 of such Act (42 U.S.C. 4365) is amended by amending subsection (h) to read as follows:

“(h)(1) To facilitate public participation in the advisory activities of the Board, the Administrator and the Board shall make public all reports and relevant scientific information and shall provide materials to the public at the same time as received by members of the Board.

“(2) Prior to conducting major advisory activities, the Board shall hold a public information-gathering session to discuss the state of the science related to the advisory activity.

“(3) Prior to convening a member committee or investigative panel under subsection (e) or requesting scientific advice from the Board, the Administrator shall accept, consider, and address public comments on questions to be asked of the Board. The Board, member committees, and investigative panels shall accept, consider, and address public comments on such questions and shall not accept a question that unduly narrows the scope of an advisory activity.

“(4) The Administrator and the Board shall encourage public comments, including oral comments and discussion during the proceedings, that shall not be limited by an insufficient or arbitrary time restriction. Public comments shall be provided to the Board when received, and shall be published in the Federal Register grouped by common themes. If multiple repetitious comments are received, only one such comment shall be published along with the number of such repetitious comments received. Any report made public by the Board shall include written responses to significant comments, including those that present an alternative hypothesis-based scientific point of view, offered by members of the public to the Board.

“(5) Following Board meetings, the public shall be given 15 calendar days to provide additional comments for consideration by the Board.”

(f) OPERATIONS.—Section 8 of such Act (42 U.S.C. 4365) is further amended by amending subsection (i) to read as follows:

“(i)(1) In carrying out its advisory activities, the Board shall strive to avoid making policy determinations or recommendations, and, in the event the Board feels compelled to offer policy advice, shall explicitly distinguish between scientific determinations and policy advice.

“(2) The Board shall clearly communicate uncertainties associated with the scientific advice provided to the Administrator or Congress.

“(3) The Board shall ensure that advice and comments reflect the views of the members and shall encourage dissenting members to make their views known to the public, the Administrator, and Congress.

“(4) The Board shall conduct periodic reviews to ensure that its advisory activities are addressing the most important scientific issues affecting the Environmental Protection Agency.

“(5) The Board shall be fully and timely responsive to Congress.”

SEC. 3. RELATION TO THE FEDERAL ADVISORY COMMITTEE ACT.

Nothing in this Act or the amendments made by this Act shall be construed as supplanting the requirements of the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 4. RELATION TO THE ETHICS IN GOVERNMENT ACT OF 1978.

Nothing in this Act or the amendments made by this Act shall be construed as supplanting the requirements of the Ethics in Government Act of 1978 (5 U.S.C. App.).

The SPEAKER pro tempore. The gentleman from Oklahoma (Mr. LUCAS) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 30 minutes.

The Chair recognizes the gentleman from Oklahoma.

□ 0915

GENERAL LEAVE

Mr. LUCAS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill, H.R. 1431.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. LUCAS. Madam Speaker, I yield myself such time as I may consume.

I thank Chairman SMITH and Environment Subcommittee Chairman BIGGS for their hard work on this important piece of legislation. I also thank my good friend, Representative PETERSON for, yet again, working—helping, I should say—to make this bill a bipartisan effort. I appreciate his willingness to sponsor this bill with me.

I had the opportunity to speak in favor of this legislation when it passed this House with bipartisan support in the 114th Congress. Now, I come to the floor yet again to urge my colleagues to vote in favor of this important reform. The SAB Reform Act was a good bill then, and it is a good bill now. This is a policy that is built on the values we should uphold regardless of which side of the political aisle we are on or who happens to be the President.

H.R. 1431, the Science Advisory Board Reform Act, ensures the best experts are free to undertake a balanced and open review of regulatory science. The Board was established to provide scientific advice to the EPA and Congress, and to review the quality and relevance of science EPA uses for regulations. But in recent years, shortcomings with the process have arisen. Opportunities for public participation have been limited, potential conflicts of interest have gone unchecked, and the ability of the Board to speak independently has been curtailed.

If the administration undermines the Board's independence or prevents it from providing advice to Congress, the valuable advice these experts can provide is wasted.

Despite the existing requirement that the EPA's advisory panels be fairly balanced in terms of point of view represented, the Science, Space, and Technology Committee has identified a number of past problems that have undermined the panel's credibility and work product. These include a number of advisory members who received money from the EPA. At the very least, this could create the appearance of a conflict of interest.

Some of the panelists have taken public and even political positions on issues they are advising about. For example, a lead reviewer of the EPA's hydraulic fracking study published an anti-fracking article titled, "Regulate, Baby, Regulate." Now, this clearly is not an objective viewpoint, and should be publicly disclosed.

Public participation is limited during most board meetings. Interested parties have almost no ability to comment on the scope of the work, and meeting records are often incomplete and hard to obtain.

This bill is both pro-science, and pro-sound science. This bill is founded upon recommendations for reform outlined by the National Academy of Sciences, and the EPA's Peer Review Handbook. This bill ensures that the Board is balanced, transparent, and independent, all of which will help prevent the SAB from being manipulated by any group.

H.R. 1431 makes sound science the driving force of the Board, no matter who is the chief executive officer of our government.

Perhaps most importantly, this bill seeks to increase public participation that benefits all stakeholders. Currently, valuable opportunities for diverse perspectives are limited. The Federal Government does not have a monopoly on the truth. Ask your constituents back home if they know that.

The public has important expertise that can't afford to be ignored in a democracy. State, local, tribal, and private sectors have a long history of qualified scientific experts. Their contributions should be taken seriously.

Unfortunately, the history of the SAB shows that private sector representation is often lacking or simply nonexistent. Instead, in the past, EPA has picked the Board, ignoring the knowledge, experience, and contributions of those experts. This bill ensures that qualified experts are not excluded simply due to their affiliation. This will add value and credibility to future Board reviews.

Mr. PETERSON and I recognize the important role science should play in our policy debates and provides safeguards to give the public confidence in science. It restores the independent

Science Advisory Board as a defender of scientific integrity.

Madam Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I yield myself such time as I may consume.

I rise in opposition to H.R. 1431, the EPA Science Advisory Board Reform Act of 2017. Like the bill we considered yesterday, the so-called HONEST Act, H.R. 1431 is designed to harm the Environmental Protection Agency's ability to use science to make informed decisions.

The bill before us today claims to reform the EPA's Science Advisory Board. And let's talk about what these reforms would mean.

First, the bill establishes a series of roadblocks to prevent independent academic scientists from serving on the Board. It accomplishes this by turning the term "conflict of interest" on its head by excluding scientists who have done the most relevant research on the topic being considered by the Board. The bill also prohibits Science Advisory Board members from obtaining extramural research grants for 3 years after their service on the Board, which would be a major disincentive for scientists to serve on the panel.

At the same time that this bill makes it much more difficult for academic researchers to serve on the Science Advisory Board, the bill also makes it much easier for corporate interests to serve. This is accomplished by gutting actual financial conflict-of-interest restrictions against industry representatives. Under this legislation, those industry representatives would simply have to disclose their financial conflicts, and they could serve on panels directly related to their corporate interests.

Finally, H.R. 1431 imposes exhaustive and duplicative notice-and-comment requirements on the Science Advisory Board. I say these requirements are exhaustive because, in addition to being an open-ended process, the Board would also have to respond in writing to any and all significant comments. In fact, I find it hard to believe that the advisory process created by this bill could ever be completed.

Of course, that is the real purpose of this provision. It is designed to throw sand in the gears of the Science Advisory Board process, and prevent board members from ever rendering their expert advice.

These additions are totally unnecessary. The Science Advisory Board already has statutorily mandated notice-and-comment obligations, and the Federal Advisory Committee Act already applies to their activities.

So if this bill passes, what would happen?

As an example, I will turn to a case study from the early 1990s. At that

time, the EPA was forming a Scientific Advisory Panel to review evidence of harm from secondhand tobacco smoke. Thanks to internal tobacco industry documents that have been made public, we now know that Big Tobacco made a concerted effort to stack the Scientific Advisory Panel with tobacco industry hacks.

We take it for granted now that tobacco smoke is dangerous, but at that time, in the early nineties, Big Tobacco had succeeded in muddying the scientific waters around this issue by investing tens of millions of dollars in a coordinated attempt to defraud the American people.

If H.R. 1431 had been in effect back then, Big Tobacco likely would have succeeded in co-opting the Science Advisory Board.

What would the effects have been on public health to have had the EPA's science review body controlled by tobacco interests?

That is why a number of public health and environmental interest groups have come out against H.R. 1431. In a letter penned by the American Lung Association, the American Public Health Association, and several other health groups, the effects of H.R. 1431 are summed up like this:

"In short, EPA's Science Advisory Board Reform Act would limit the voice of scientists, restrict the ability of the Board to respond to important questions, and increase the influence of industry in shaping EPA policy. This is not the best interest of the American public."

I couldn't agree more. I strongly urge Members to oppose this misguided bill.

Madam Speaker, I reserve the balance of my time.

Mr. LUCAS. Madam Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. SMITH), the chairman of the Science, Space, and Technology Committee, a fellow who has worked very diligently on the committee for many years.

Mr. SMITH of Texas. Madam Speaker, I would like to thank the gentleman from Oklahoma, Mr. LUCAS, the vice chairman of the Science, Space, and Technology Committee for yielding to me, and I would also like to thank him for his leadership on H.R. 1431, the Environmental Protection Agency Science Advisory Board Reform Act of 2017.

This bill gives much needed transparency, fairness, and balance to the EPA's Science Advisory Board. These reforms will strengthen the public's trust of the science the EPA uses to support its regulations.

It also allows more public participation in the EPA science review process, and it requires the SAB to be more responsive to the public and to congressional questions, inquiries, and oversight.

Last Congress, similar legislation passed the House with bipartisan support. I appreciate Mr. LUCAS and the

ranking member of the Agriculture Committee, Representative PETERSON, for introducing this legislation.

Madam Speaker, I support this bill, and recommend it to my colleagues.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Madam Speaker, I rise today in strong opposition to H.R. 1431, the EPA Science Advisory Board Reform Act.

Madam Speaker, H.R. 1431 is a blatant attempt to cripple the important mission of the EPA by stacking the EPA Science Advisory Board with industry insiders.

When Congress established the Science Advisory Board in 1978 to review the scientific data that informs the EPA's regulatory process, they did that with the requirement that the Board be balanced with representatives from industry and academia. The legislation we are considering today would skew that balance in favor of industry, with the intent of slowing down the EPA's regulatory process.

With a significant respect for the vice chair from Oklahoma, it makes no sense to suggest that the representatives of regulated corporate interests, however expert, can be credibly described as "defenders of scientific integrity."

I am particularly concerned about the double standard mandated by this bill. On the one hand, the bill makes it easier for industry representatives to serve on the Board by only requiring that they disclose their conflicts of interest. There is no recusal requirement for industry insiders, no matter how deep their financial ties may go or how much their industry is regulated by the EPA. But, astonishingly, on the other hand, the same scientists and researchers who received EPA research grants or contracts are automatically disqualified from service. Any scientists or researcher would be precluded from accepting any grant or contract for 3 years after their service.

So the scientists who spent their whole career becoming the world's top experts on a given topic must choose between advising our public health or continuing their research. They can bring their knowledge to the EPA and give up that work or continue.

Why oh why would we make it more difficult for the scientists and academic experts to participate in the Science Advisory Board while at the same time making it easier for industry experts to participate? Why would we want less science on the Science Advisory Board?

This proposal does nothing to advance science or protect public health. Instead, it creates senseless hurdles, burdensome red tape for the Science Advisory Board, and makes it more difficult to achieve its mission. We need

to let scientists and researchers do their jobs by opposing this legislation.

Mr. LUCAS. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. HIGGINS), a member of the Environment Subcommittee of the Committee on Science, Space, and Technology.

□ 0930

Mr. HIGGINS of Louisiana. Mr. Speaker, I rise today in support of H.R. 1431, the EPA Science Advisory Board Reform Act, of which I am an original cosponsor.

This bill intends not to deny science, but to deny manipulated science. This is a commonsense, good-government piece of legislation that will discourage ideologically based decisions by the Science Advisory Board and set it back on a path of making objective, science-based conclusions as originally intended by Congress.

Further, this bill would promote accountability within SAB, while also strengthening public participation, ensuring that there is a diverse makeup on its various boards and panels, reinforcing a strong system of peer-review requirements that work toward reducing conflicts of interest, providing ample opportunity for dissenting views by panelists, and, most importantly, requiring conclusions and reasonings be made available to the public.

Mr. Speaker, this is a crucial piece of legislation. The rules and regulations coming out of the Environmental Protection Agency have real-world implications on families in my State of Louisiana and, indeed, across the Nation.

The current system in place allows for the EPA to set forth ideological, biased, and nonscience-based rules and regulations. The standards set forth by this bill promote the use of good science and a strong and open system of transparency and peer review.

I urge all my colleagues to vote "yes" on H.R. 1431.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 4 minutes to the gentlewoman from Massachusetts (Ms. TSONGAS).

Ms. TSONGAS. Mr. Speaker, since President Trump took office, I have heard from hundreds of my constituents who are concerned about attacks by this new administration on the Environmental Protection Agency and the potential, long-term negative impacts on public health, clean water, clean air, and our Nation's work to play a leading role in combating climate change.

Thelma from Lowell wrote:

Without EPA and its mission to protect our water and air, I fear that all the work done over the past 40 years will be erased.

Ingrid from Groton wrote:

I need to be able to trust that the EPA will protect our air, water, land, and health. But Scott Pruitt has worked so closely with polluters, even suing the EPA more than a

dozen times, how can we trust that he will protect our health and safety?

And demonstrating just how personal an issue this is for many people, Katherine from Acton wrote to me:

This is my first time writing a congressional Representative, and I am proud to be doing so now, though my motivation is less heartening. As a mother of two precocious young kids, I have little time to do much beyond the essentials of daily living, much less writing a letter, so I assure you this one is written out of a feeling of necessity.

She went on to say:

Environmental pollution is real and in our backyards. It contaminates our air, our water, and our land. Cleanup of these pollutants is extremely difficult, if not impossible, and the implications for our health are astounding.

Unfortunately, the legislation before us today will do nothing to assuage the fears of my constituents and millions of others around the country who support independent, unbiased, science-based decisionmaking at the EPA, which is essential to protecting public health, clean water, and combating climate change.

Instead of promoting sound science, this legislation would weaken the scientific expertise of the EPA's Science Advisory Board, the independent body that reviews scientific and technical information used in EPA decision-making and provides scientific advice to the EPA Administrator.

If Congress really wants to promote sound science, I would urge consideration of the Scientific Integrity Act, legislation that I introduced along with Ranking Member EDDIE BERNICE JOHNSON of Texas and Representatives LOWENTHAL and TONKO. Our bill will protect scientific research at Federal agencies from political interference and special interests. This legislation currently has 93 cosponsors, and it deserves debate in this House.

The majority is trying to claim that the legislation before us today helps us achieve goals similar to those of the Scientific Integrity Act, but my constituents aren't fooled.

I urge my colleagues to vote "no" on H.R. 1431.

Mr. LUCAS. Mr. Speaker, I yield myself such time as I may consume.

I include in the RECORD the following letters: a letter of support from the Chamber of Commerce of the United States, a letter of support from the American Chemistry Council, a letter of support from the National Cotton Council of America, another letter of support from the Chamber of Commerce of the United States, a letter of support from the Independent Petroleum Association of America, a letter of support from the CO₂ Coalition, and a letter of support from the Cato Institute.

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
Washington, DC, March 29, 2017.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of

Commerce supports the “Honest and Open New EPA Science Treatment (HONEST) Act of 2017” and the “EPA Science Advisory Board Reform Act of 2017.” These bills would improve the transparency and reliability of scientific and technical information that Federal agencies rely heavily upon to support new regulatory actions.

The HONEST Act is designed to ensure that the studies and data Federal agencies cite when they write new regulations, standards, guidance, assessments of risk—or take other regulatory action—are clearly identified and available for public review. Additionally, information must be sufficiently transparent to allow study findings to be reproduced and validated. This is a critical safeguard to assure the public that the data Federal agencies rely on is scientifically sound, unbiased, and reliable.

The EPA Science Advisory Board Reform Act of 2017 would help ensure that the Science Advisory Board (SAB), which directly counsels the U.S. Environmental Protection Agency (EPA) on key scientific and technical issues, is unbiased and transparent in performing its duties. The bill would establish requirements that SAB members are qualified experts, that conflicts of interest and sources of bias are disclosed, that the views of members—including dissenting members—are available to the public, and that the public has the opportunity to participate in the advisory activities of the Board and view EPA’s responses. Because EPA relies on SAB reviews and studies to support new regulations, standards, guidance, assessments of risk, and other actions, the actions of the SAB must be transparent and accountable. This is a critical safeguard to assure the public that the data Federal agencies rely on is scientifically sound and unbiased.

The HONEST Act and the EPA Science Advisory Board Reform Act would improve the transparency and trustworthiness of scientific and technical reviews and information that agencies, including EPA, rely on to justify regulatory actions that can significantly affect society. The American public must have confidence that the scientific and technical data driving regulatory action can be trusted. Accordingly, the Chamber supports these important bills.

Sincerely,

NEIL L. BRADLEY,
Senior Vice President & Chief Policy
Officer, Government Affairs.

AMERICAN CHEMISTRY COUNCIL,
Washington, DC, March 29, 2017.

Hon. FRANK LUCAS,
House Committee on Science, Space, and Technology, Washington, DC.

DEAR VICE CHAIRMAN LUCAS: On behalf of the American Chemistry Council (ACC), we want to thank you for introducing H.R. 1431 “EPA Science Advisory Board Reform Act of 2017,” to help improve the science employed by the U.S. Environmental Protection Agency (EPA) in the Agency’s regulatory decision making processes.

The proposed legislation would increase the transparency and public confidence in the EPA’s peer review panels.

The Science Advisory Board Reform Act would improve the peer review process—a critical component of the scientific process used by EPA in their regulatory decisions about potential risks to human health or the environment. The Act would make peer reviewers accountable for responding to public comment, strengthen policies to address conflicts of interest, ensure engagement of a

wide range of perspectives of qualified scientific experts in EPA’s scientific peer review panels and increase transparency in peer review reports.

We commend you for your leadership and commitment to advance this important issue. We look forward to working with you and other cosponsors for quick passage of H.R. 1431.

Sincerely,

CAL DOOLEY,
President and CEO.

NATIONAL COTTON COUNCIL
OF AMERICA,
Washington, DC, March 27, 2017.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and Technology, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: On behalf of the National Cotton Council, thank you and your committee for the work on the EPA Science Advisory Board Reform Act of 2017 (H.R. 1431) and the Honest and Open New EPA Science Treatment Act of 2017—HONEST Act (H.R. 1430). We support both of these critically important bills in an effort to return sound science and transparency to the regulatory process that affects our members and all of agriculture.

The NCC is the central organization of the United States cotton industry. Its members include growers, ginners, cottonseed processors and merchandizers, merchants, cooperatives, warehousemen and textile manufacturers. A majority of the industry is concentrated in 17 cotton-producing states stretching from California to Virginia. U.S. cotton producers cultivate between 9 and 12 million acres of cotton with production averaging 12 to 18 million 480-lb bales annually. The downstream manufacturers of cotton apparel and home furnishings are located in virtually every state. Farms and businesses directly involved in the production, distribution and processing of cotton employ more than 125,000 workers and produce direct business revenue of more than \$21 billion. Annual cotton production is valued at more than \$5.5 billion at the farm gate, the point at which the producer markets the crop. Accounting for the ripple effect of cotton through the broader economy, direct and indirect employment surpasses 280,000 workers with economic activity of almost \$100 billion. In addition to the cotton fiber, cottonseed products are used for livestock feed, and cottonseed oil is used as an ingredient in food products as well as being a premium cooking oil.

As you know, agriculture struggles with many factors in the production of fiber, food, and fuel, but the regulatory impact and burdens on our industry have greatly increased over the last several years. In addition, we have found ourselves unable to adequately defend and maintain many of our crop protection products and technologies because we are often unable to access the data used by federal government agencies to place additional restrictions on these products and technologies. We believe these two bills—H.R. 1430 and H.R. 1431—will greatly improve the transparency of regulatory review process. These two bills will substantially enhance the role of sound science that was intended to be a centerpiece of the regulatory process.

We look forward to working with you and your colleagues in Congress to get these bills enacted into law. If you have any questions or need any additional information from us,

please have your staff contact Steve Hensley in our office.

Sincerely,

REECE LANGLEY,
Vice President—Washington Operations.

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
Washington, DC, March 8, 2017.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space and Technology, House of Representatives, Washington, DC.

Hon. EDDIE BERNICE JOHNSON,
Ranking Member, Committee on Science, Space and Technology, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH AND RANKING MEMBER JOHNSON: The U.S. Chamber of Commerce supports the “Honest and Open New EPA Science Treatment (HONEST) Act of 2017” and the “EPA Science Advisory Board Reform Act of 2017.” These bills would improve the transparency and reliability of scientific and technical information that Federal agencies rely heavily upon to support new regulatory actions.

The HONEST Act is designed to ensure that the studies and data Federal agencies cite when they write new regulations, standards, guidance, assessments of risk—or take other regulatory action—are clearly identified and available for public review. Additionally, information must be sufficiently transparent to allow study findings to be reproduced and validated. This is a critical safeguard to assure the public that the data Federal agencies rely on is scientifically sound, unbiased, and reliable.

The EPA Science Advisory Board Reform Act of 2017 would help ensure that the Science Advisory Board (SAB), which directly counsels the U.S. Environmental Protection Agency (EPA) on key scientific and technical issues, is unbiased and transparent in performing its duties. The bill would establish requirements that SAB members are qualified experts, that conflicts of interest and sources of bias are disclosed, that the views of members—including dissenting members—are available to the public, and that the public has the opportunity to participate in the advisory activities of the Board and view EPA’s responses. Because EPA relies on SAB reviews and studies to support new regulations, standards, guidance, assessments of risk, and other actions, the actions of the SAB must be transparent and accountable. This is a critical safeguard to assure the public that the data Federal agencies rely on is scientifically sound and unbiased.

The HONEST Act and the EPA Science Advisory Board Reform Act would improve the transparency and trustworthiness of scientific and technical reviews and information that agencies, including EPA, rely on to justify regulatory actions that can significantly affect society. The American public must have confidence that the scientific and technical data driving regulatory action can be trusted. Accordingly, the Chamber supports these important bills.

Sincerely,

NEIL L. BRADLEY,
Senior Vice President & Chief Policy
Officer, Government Affairs.

MARCH 8, 2017.

Hon. LAMAR S. SMITH,
Chairman, House Committee on Science, Space and Technology, Washington, DC.

DEAR CHAIRMAN SMITH: The American Exploration & Production Council (“AXPC”)

and the Independent Petroleum Association of America strongly support the enactment of both the EPA Science Advisory Board Reform Act and the Honest and Open New EPA Science-Treatment Act and are most grateful to you and your committee for your efforts in respect of the important objectives set forth in each of these pieces of proposed legislation.

AXPC is a national trade association representing 33 of America's largest and most active independent natural gas and crude oil exploration and production companies, each with considerable experience drilling, operating, and producing oil and natural gas on federal lands. AXPC members are "independent" in that their operations are limited to exploration for and production of oil and natural gas. Moreover, its members operate autonomously, unlike their fully integrated counterparts, which operate in additional segments of the energy business, such as downstream refining and marketing. AXPC members are leaders in developing and applying innovative and advanced technologies necessary to explore for and produce oil and natural gas, both offshore and onshore, from non-conventional sources.

IPAA represents the thousands of independent oil and natural gas explorers and producers, as well as the service and supply industries that support their efforts, that will most directly be impacted by the U.S. Environmental Protection Agency (EPA) policy decisions to regulate methane directly from the oil and natural gas sector. Independent producers develop about 95 percent of American oil and natural gas wells, produce 54 percent of American oil, and produce 85 percent of American natural gas. Historically, independent producers have invested over 150 percent of their cash flow back into American oil and natural gas development to find and produce more American energy. IPAA is dedicated to ensuring a strong, viable American oil and natural gas industry, recognizing that an adequate and secure supply of energy is essential to the national economy.

The EPA's Science Advisory Board is a critical link in the EPA's policy making process and must, therefore, be unbiased and motivated only to seek the best possible policy result based on the best possible, publicly available, verifiable data. Moreover, open, public debate must be encouraged, not discouraged. The goal must be to get the best possible result, which is why the EPA Science Advisory Board Reform Act should be enacted.

Science used to support or as a basis for regulations or other policies should be based on publicly available scientific and technical data so as to allow for and even encourage independent fact finding and analysis. Transparency is critical to this process. The Honest and Open New EPA Science Treatment Act would accomplish this result.

AXPC and IPAA urge passage of both of these critical pieces of legislation and stand ready to assist in any way you believe we might be able to add value to this process.

Should you have any questions or require additional information contact AXPC or IPAA. Thank you for your good work on these and other issues.

Very truly yours,

V. BRUCE THOMPSON,
President, AXPC.

LEE O. FULLER,
Executive Vice President, IPAA.

CO2 COALITION,

Arlington, VA, March 8, 2017.

House Committee on Science, Space, and Technology, Washington, DC.

DEAR REPRESENTATIVE LAMAR SMITH AND THE COMMITTEE: The CO2 Coalition supports the purpose and principles of the "Honest and Open New EPA Science Treatment Act of 2017" and the "EPA Science Advisory Board Reform Act of 2017." We would, in fact, support such principles applied on a government-wide basis.

The scientific method demands that the results of scientific studies be capable of replication. While it is generally up to individual scientists, journals and the larger scientific community as to how the replication requirement is satisfied, when it comes to science used to set public policy, there can be no doubt that the relevant methods and data must be publicly available for purposes of replication.

With respect to the federal government obtaining independent science advice from outside advisors, it goes without saying that advisory panels should not be unduly influenced by members hoping to curry government favor or to advance personal agendas. Panels should be truly independent and unbiased. Clear and enforceable standards will help meet this goal.

Sincerely,

WILLIAM HAPPER,
President, CO2 Coalition.

CATO,

Washington, DC, March 8, 2017.

Hon. LAMAR S. SMITH,
Chairman, Committee on Science, Space, and Technology, House of Representatives.

DEAR CONGRESSMAN SMITH: Recently, Committee staff sent me copies of two draft pieces of legislation, the "HONEST Act" and the "EPA Science Advisory Board Reform Act of 2017".

The Cato Institute interprets its tax-exempt status as precluding any specific support of adoption (or recommendation of rejection) for pending legislation. However, I can comment on substantive aspects of such legislation.

The HONEST Act would require that regulations promulgated by EPA be backed by reproducible and transparent science. In the area of climate change, this will surely provoke a timely inquiry as to whether the climate models that are used to calculate the Social Cost of Carbon, and the justification of subsequent regulations, are indeed "science". I would argue that they are not.

A climate model is merely a complicated mathematical statement of multiple hypotheses. These include a prediction of a general warming of surface temperatures, and a greater warming of the tropical troposphere. All subsequent changes in weather regimes—such as rainfall, winter snows, and Atlantic hurricanes derive from the warming and its distribution.

As such, a reasonable test of hypothesis would be to examine the performance of these models as carbon dioxide has accumulated in the atmosphere, and during the period in which we have multiple, independent measures of bulk atmospheric global temperatures, which would be from 1979 to the present. As I noted in recent (February 28) testimony, there is a clear systematic failure of these models, with the central estimate of warming generally twice as large as what is being observed as a whole in the troposphere, and as much as seven times larger than what is being observed in the tropical upper troposphere.

This, and other recent refereed publications are finally beginning to detail the subjective fashion by which the equilibrium climate sensitivity is being derived, argue that these models do not constitute science in the classical sense. It would be more appropriate to call the field "climate studies".

Litigation deriving from the HONEST Act is likely to uncover this problem, with the likelihood that EPA's 2009 Endangerment Finding, which empowers subsequent regulation of carbon dioxide, should be vacated because of a lack of verifiable science associated with its determination.

The other piece of legislation will open up the EPA Science Advisory Board(s) to more institutional diversity and less political selection.

I hope you find my comments useful, and stand available to answer any questions or provide any amplifications you may desire.

Cordially,

PATRICK J. MICHAELS, Ph.D.,
Director, Center for the Study of Science.

Mr. LUCAS. Mr. Speaker, I would note to the body, part of the challenge that we face here today on this bill is like so many challenges we face as Members of Congress: How do you avoid the short-term perspective? How do you take the long view? How do you set into motion things that, while they might not, perhaps, give us the great advantage in the short-term sense that either side of the room would want, in the long-term, they are in the best interest of the body?

I would remind my colleagues, the Scientific Advisory Board is appointed by the EPA; the EPA is managed by the Director; the Director is appointed by the President of the United States. If you believe that the work product, if you believe that the rules that have been generated by this in recent years reflect your perspective, I understand that, but nothing is ever static.

We have recently had a change of administration. We have a change of direction in the leadership of the EPA. That will be reflected in all the appointments and the actions of the EPA.

I implore my colleagues, we need to work in the perspective of what is in the long-term interest; and that long-term interest is providing scientific review at the SAB that our fellow citizens have confidence in and that will generate good rules and regulations when they have to be created.

Following this course of action advocated in H.R. 1431 will not make my most conservative constituents happy because they want to duplicate what they believe my most liberal constituents have advocated for years, but our goal here is not to empower one or the other side in these perspectives to force their will upon the country. Our responsibility with the SAB is to create a process where we can have confidence in the results and where, when appropriate, the end resulting regulations, the rules that come from it, will be in the best long-term interest of the Nation as a whole.

I know there are requirements in here that, if you have taken money as

a scientist to do a research project from the EPA, you have to cool off for 3 years. But what is wrong with allowing a little separation between the people who take money to do the studies and then become the judges of other studies in the knowledge that perhaps the people who have done the studies will judge their studies? What is wrong with that?

And the public disclosure about allowing people with knowledge and expertise to participate, too, if they have a conflict through these disclosures, we will know. I would hope that whoever leads the EPA on whatever day would act in a responsible fashion.

I just want, through this bill, to change the system so that the perception is out there that the SAB and the scientific process and the rulemaking that comes from it at EPA are being gained by one perspective or the other because that is in no one's best interest.

I know we live in tough times and challenging times to legislate. I think my colleagues know, in the legislation I have worked on before, that I have always worked across the aisle. I have always worked with every perspective within this body. I have always tried to take that long-ball perspective. I know it is a challenging time, but think about that as we continue this well-meaning, good-spirited, very focused debate.

I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I include in the RECORD correspondence in opposition to this bill: a letter from the American Lung Association, the Alliance of Nurses for Healthy Environments, Asthma and Allergy Foundation of America, the American Public Health Association, the National Medical Association, the Health Care Without Harm Association, the Physicians for Social Responsibility, and the American Thoracic Society; along with a letter from the Clean Water Action, Earthjustice, League of Conservation Voters, and Natural Resources Defense Council; as well as a letter from the League of Conservation Voters.

MARCH 27, 2017.

DEAR REPRESENTATIVE: The undersigned health and medical organizations are writing to express our opposition to the EPA Science Advisory Board Reform Act of 2017 and the Honest and Open New EPA Science Treatment Act of 2017. Our organizations are dedicated to saving lives and improving public health.

Science is the bedrock of sound medical and public health decision-making. The best science undergirds everything our organizations do to improve health. Under the Clean Air Act, EPA has long implemented a transparent and open process for seeking advice from the medical and scientific community on standards and measures to meet those standards. Both of these bills would restrict the input of scientific experts in the review of complex issues and add undue industry influence into EPA's decision-making process.

As written, the EPA Science Advisory Board Reform Act would make unneeded and unproductive changes that would:

Restrict the ability of scientists to speak on issues that include their own expertise;

Block scientists who receive any EPA grants from serving on the EPA Scientific Advisory Board, despite their having the expertise and conducted relevant research that earned them these highly competitive grants;

Prevent the EPA Scientific Advisory Board from making policy recommendations, even though EPA administrators have regularly sought their advice in the past;

Add a notice and comment component to all parts of the EPA Scientific Advisory Board actions, a burdensome and unnecessary requirement since their reviews of major issues already include public notice and comment; and

Reallocate membership requirements to increase the influence of industry representatives on the scientific advisory panels.

In short, EPA Science Advisory Board Reform Act would limit the voice of scientists, restrict the ability of the Board to respond to important questions, and increase the influence of industry in shaping EPA policy. This is not in the best interest of the American public.

We also have concerns with the HONEST Act. This legislation would limit the kinds of scientific data EPA can use as it develops policy to protect the American public from environmental exposures and permit violation of patient confidentiality. If enacted, the legislation would:

Allow the EPA administrator to release confidential patient information to third parties, including industry;

Bolster industry's flawed arguments to discredit research that documents the adverse health effects of environmental pollution; and

Impose new standards for the publication and distribution of scientific research that go beyond the robust, existing requirements of many scientific journals.

Science, developed by the respected men and women scientists at colleges and universities across the United States, has always been the foundation of the nation's environmental policy. EPA's science-based decision-making process has saved lives and led to dramatic improvements in the quality of the air we breathe, the water we drink and the earth we share. All Americans have benefited from the research-based scientific advice that scientists have provided to EPA.

Congress should adopt policy that fortifies our scientists, not bills that undermine the scientific integrity of EPA's decision-making or give polluters a disproportionate voice in EPA's policy-setting process.

We strongly urge you to oppose these bills. Sincerely,

KATIE HUFFLING, RN, CNM,
*Director, Alliance of
Nurses for Healthy
Environments.*

HAROLD P. WIMMER,
*National President
and CEO, American
Lung Association.*

GEORGES C. BENJAMIN, MD,
*Executive Director,
American Public
Health Association.*

STEPHEN C. CRANE, PhD,
MPH,
*Executive Director,
American Thoracic
Society.*

CARY SENNETT, MD, PhD,
FACP,
*President & CEO,
Asthma and Allergy
Foundation of Amer-
ica.*

PAUL BOGART,
*Executive Director,
Health Care Without
Harm.*

RICHARD ALLEN WILLIAMS,
MD,
*117th President, Na-
tional Medical Asso-
ciation.*

JEFF CARTER, JD,
*Executive Director,
Physicians for Social
Responsibility.*

MARCH 29, 2017.

DEAR CHAIRMAN SMITH AND RANKING MEMBER JOHNSON: We are writing to express our strong opposition to the draft legislation, the "EPA Science Advisory Board Reform Act of 2017" (H.R. 1431). The bill, which would amend the Environmental Research, Development, and Demonstration Authorization Act of 1978, would hinder the ability of the Environmental Protection Agency's Science Advisory Board (EPA SAB) to reach timely, independent, objective, credible conclusions that can form the basis of policy. While the bill is not identical to previous versions of this legislation, the bill would still weaken longstanding conflict-of-interest considerations for industry scientists while imposing unprecedented and unnecessary limitations on government-funded scientists, and complicating the SAB review process, with no discernible benefit to EPA or the public.

Our most serious specific concerns with the bill are described below, in the order in which the provisions appear:

P.3, lines 1-8, creating Section 8(b)(2)(C) in the underlying Act, promotes inclusion of panelists with financial conflicts, as long as they disclose their conflicts and obtain a waiver.

As with previous versions of this legislation, the bill shifts the current presumption against including people with financial conflicts on the SAB. The bill appears to effectively mandate the inclusion of scientists with financial conflicts, as long as the conflicts are disclosed, notwithstanding the reference to one portion of existing ethics law. Disclosure does not eliminate the problems that can occur when someone with a conflict influences policy guidance.

Policies and practices to identify and eliminate persons with financial conflicts, interests, and undue biases from independent scientific advisory committees have been implemented by all the federal agencies, the National Academy of Sciences, and international scientific bodies such as the International Agency for Research on Cancer of the World Health Organization. The bill's provisions are inconsistent with a set of nearly universally accepted scientific principles to eliminate or limit financial conflicts. Following these principles is the way agencies, the public, and Congress should ensure their scientific advice is credible and independent.

Moreover, EPA already grants exemptions as needed to allow scientists to participate if their expertise is required despite their potential conflicts.

P.3, line 23 to P.4, line 2, creating a Section 8(b)(2)(H) in the underlying Act, establishes an arbitrary and unwarranted bar on non-industry scientists who are receiving grants or

contracts from EPA, or who may do so in the future.

This provision would bar participation by any academic or government scientist who is currently receiving a grant or under contract from EPA, and bar any Board member from seeking any grant or contract from EPA for three years after the end of their term on the Board. This arbitrary and unwarranted limitation on current or future recipients of government funding would severely limit the ability of EPA to get the best, most independent scientists on its premier advisory board—as well as any committees or panels of the board—without any evidence that no-strings government funding, such as research grants, constitute a conflict of interest.

P.6, lines 1–21, amending Section 8(c) of the underlying act, expands the scope of the SAB's work, and increases the burden.

This provision broadens the scope of documents that must be submitted to the SAB for review to include every risk or hazard assessment proposed by the agency, a dramatic and unnecessary expansion. The expansion would provide an expanded platform for the new industry-stacked panels envisioned by this bill to challenge proposed actions by EPA, including hazard and risk assessments.

P.8, lines 8–23 creating a Section 8(h)(4) in the underlying Act, ensures endless delay, burden and red tape under the guise of “transparency.”

This provision would give industry unlimited time to present its arguments to the SAB. Industry representatives already dominate proceedings because of their greater numbers and resources. In addition, the requirement for the SAB to respond in writing to “significant” public comments is vague (e.g., who defines what is “significant,” and how?) and would tie down the SAB with needless and burdensome process. It also misconstrues the nature of both the SAB's role and the role of public comment in the SAB process. The role of the SAB is to provide its expert advice to the Agency. The role of the public comments during this phase is to provide informative input to the SAB as it deliberates, but the final product of the SAB deliberation is advice from the panel members, not an agency proposal or decision that requires response to public comment. Members of the public, including stakeholders, have multiple opportunities to provide input directly to the agency.

In short, the “EPA Science Advisory Board Reform Act of 2017” would alter the nature of the SAB, which has been largely successful in providing the EPA expert review of key scientific and technical questions and would encourage industry conflicts in the review of scientific materials. It would also pile new and burdensome requirements on the Board, severely hampering its work and effectiveness. The result would be to further stall and undermine important public health, safety and environmental measures.

We urge you to abandon plans to advance this legislation. We would be happy to discuss our concerns with you further.

Sincerely,

CLEAN WATER ACTION.
EARTHJUSTICE.
LEAGUE OF CONSERVATION
VOTERS (LCV).
NATURAL RESOURCES
DEFENSE COUNCIL.

LEAGUE OF CONSERVATION VOTERS,

Washington, DC, March 28, 2017.

Re Oppose H.R. 1430 and H.R. 1431—Attacks on Science and Public Health.

United States House,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of our millions of members, the League of Conservation Voters (LCV) works to turn environmental values into national, state, and local priorities. Each year, LCV publishes the National Environmental Scorecard, which details the voting records of members of Congress on environmental legislation. The Scorecard is distributed to LCV members, concerned voters nationwide, and the media.

LCV urges you to vote NO on H.R. 1430 and H.R. 1431. These two bills are backdoor attempts to undermine the Environmental Protection Agency's ability to use science in decision-making and obstruct the process for developing effective public health safeguards.

H.R. 1430, the “HONEST Act”, would endanger public health by making it extremely difficult for the EPA to use the best available science. The bill contains favorable exemptions for industry and would restrict the health studies that the EPA is able to use by requiring that data is shared with anyone willing to sign a vague confidentiality agreement. These provisions would severely limit the EPA's ability to use data that includes studies with confidential health information. These types of studies are the basis for the best research on pollution's effects on people, but include individual health records that are legally required to remain confidential. H.R. 1430 would cripple the EPA's ability to develop effective public health safeguards by forcing them to disregard the results of these studies, resulting in less protective standards.

H.R. 1431, the “EPA Science Advisory Board Reform Act of 2017”, would undermine the ability of the Science Advisory Board to provide independent, objective, and credible scientific advice to the EPA. This bill would facilitate greater industry influence of the Scientific Advisory Board by weakening conflict-of-interest protections while unnecessarily and arbitrarily limiting the participation of subject experts. Additionally, new burdens imposed on the Board and provisions that allow industry to significantly prolong the Board's scientific review process would delay key public health and environmental protections.

These two bills would significantly undermine the EPA's ability to protect public health and the environment. LCV urges you to REJECT H.R. 1430 and H.R. 1431 and will consider including votes on these bills in the 2017 Scorecard. If you need more information, please call my office and ask to speak with a member of our Government Relations team.

Sincerely,

GENE KARPINSKI,
President.

Ms. EDDIE BERNICE JOHNSON of Texas. I yield 2 minutes to the gentleman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, less science, more pollution—that is, unbelievably, the Republican plan.

I want to just refer to what my colleague said. This is not long-ball time. This is emergency time where we have to deal with a worldwide environmental crisis, and this bill is just the

latest attack on clean air and clean water. And as the threat of climate change becomes increasingly clear, Republicans are trying to reverse the progress that we have made to address this global challenge.

President Trump proposed gutting the Environmental Protection Agency, and this week he signed an executive order to ignore the effects of climate change, increase drilling on Federal lands, and undo efforts to promote renewable energy.

Meanwhile, Republicans in Congress have voted to block environmental protections. Republicans are replacing President Obama's Clean Power Plan with, essentially, a dirty power plan that will pollute our air and contaminate our water and put our children and our grandchildren at risk. Those actions further confirm Republicans' place on the wrong side of history.

It is time for America to lead, not to ignore reality. We should be investing in clean, job-producing energy. We should be at the forefront of the fight against climate change.

My constituents and most Americans expect to drink clean water and breathe fresh air. They want to protect our planet for future generations. Republicans, today, have it backward. We need more science and less pollution.

I urge my colleagues to oppose the bill and resist those attacks on our environment.

Mr. LUCAS. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. SCHWEIKERT), the former chairman of the Science, Space, and Technology's Subcommittee on Environment.

Mr. SCHWEIKERT. Mr. Speaker, have you ever had that *deja vu* all over again? Haven't we been doing this one since, what, 2013, 2014?

I accept I have been off the committee now for 4 years; yet we are talking past each other. I hear the gentleman and some of the others say things. It is a 12-page bill. It hasn't changed that much in the last couple Congresses.

How many of us would like to go back to the 2013 inspector general report that basically suggested going this direction because of the conflicts in these advisory committees?

□ 0945

If you really, once again—and this is sort of similar to yesterday's discussion—if you really care about the environment, then you really care about the data and the information and sort of the ethics and honesty of those who are both reviewing the data and giving you advice.

So what happens when the inspector general of the EPA hands you a report and says: These committees, these advisory councils are rife with conflicts? People who are on these advisory boards are making money.

Now, accept much of what we do here in Washington, D.C., if not almost all of it, is about the cash, and it is one of the ugly secrets that is not a secret, but we all pretend. It is always about the money.

Let's try something novel. Let's actually—this was an inspector general's report under the Obama administration. Why wouldn't we step up and respect it? It was very simple.

Hey, we need some more diversity on these advisory boards. And wouldn't it be wonderful if we had people advising us on air quality policy in non-attainment areas, or in regional interests that also weren't selling products, selling reports, making money off data with the EPA?

I mean, if it was reversed, if it was some other agency, if this same set of ethical lapses was reversed, I believe the left would be apoplectic. But the fact of the matter is that so many of these individual organizations that are represented on these advisory boards, that are making money from the EPA, even though they are advising in their own behalf, happen to be friends of the left. That makes it okay.

The ethical standards are the ethical standards. I have no concept how the left can oppose the concept of structured diversity.

Why shouldn't those of us from the Southwest, where substantial portions of my State are Native American, have a voice? Why should we allow people on these advisory committees who, once again, are selling products, selling data, making a living, making money, one step away from the very work they are advising on?

It is a 12-page bill. It is not that complicated. I will make the argument that it makes our air, our water, the things around us safer, better, healthier, and it makes the way we get there sounder and more ethical, and we remove conflicts that right now taint the very decisions that are coming out of these advisory boards.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Let me thank the other side for their vigorous defense of this bill.

I must say that I am a nurse by profession, and I appreciate the gains we have made for using scientific data to determine what is unhealthy for the people; and it really does disturb me to see these protections being torn apart.

It is really unfortunate that we have spent so much time putting these protections of the people in place to see that, in this administration, they will probably fly away. Only the people of this Nation will be the losers, with more healthcare costs when they don't even want health care; more people not able to get out of dirty areas.

I live in the State of Texas where we have seen the detriment of all of the lack of these protections before they

came about. Scientists are in science because they believe in the theories that put forth the procedures for us to follow for the safety and protection of human beings.

I regret that we are at a point this time in history where we are willing to throw all that away because of allowing the polluting companies to have more to say about policy. I regret that I have to stand against my colleagues that feel so strongly about getting rid of these protections, but I cannot sit idly by without saying that our Nation will not be in better shape when we take away all the protections for the people and their health.

Everybody wants clean air and clean food and protections from the damage that a bad environment brings, and all this is taking away those protections.

I ask everyone to vote "no" on this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. LUCAS. Mr. Speaker, I include in the RECORD the second set of letters which I referred to earlier.

NATIONAL ASSOCIATION OF
HOME BUILDERS,
Washington, DC, March 8, 2017.

Hon. LAMAR SMITH,
House of Representatives,
Washington, DC.

DEAR CHAIRMAN SMITH: On behalf of the 140,000 members of the National Association of Home Builders (NAHB), I am writing to express NAHB's strong support for the Honest and Open New EPA Science Treatment Act of 2017 and the EPA Science Advisory Board Reform Act of 2017. These bills would ensure an open and honest scientific process by allowing the public access to the science that underpins regulations developed by Environmental Protection Agency (EPA) and ensuring that scientists advising the EPA on regulatory decisions are not the same scientists receiving EPA grants.

It is important for the EPA to use sound science in order to support their rulemakings. Far too often, the EPA relies on science that lacks transparency and reliability to buttress their rulemakings. This is a consequence of the EPA conducting their scientific review of rulemakings behind closed doors. The EPA frequently ignores scientific integrity by limiting public participation, excluding state and private sector expertise, and pushing a specific agenda by appointing scientists who are biased. In some cases, scientists that have been appointed to review proposed regulations have received EPA grants which the EPA disregards as a conflict of interest.

The EPA should not be able to create costly regulations without being transparent, fair and open to public input when considering the science behind a rulemaking. However, the EPA has sacrificed the integrity of the rulemaking process by using biased science to push their agenda. It is important to address these shortcomings so that future rules can be transparent and honest.

For these reasons, NAHB urges the House Science, Space and Technology Committee to support the Honest and Open New EPA Science Treatment Act of 2017 and the EPA Science Advisory Board Reform Act of 2017, in order to bring transparency and integrity to the regulatory process.

Thank you for giving consideration to our views.

Sincerely,

JAMES W. TOBIN III,
Executive Vice President & Chief Lobbyist,
Government Affairs and Communications Group.

SMALL BUSINESS &
ENTREPRENEURSHIP COUNCIL,
Vienna, VA, March 7, 2017.

Hon. FRANK LUCAS,
House of Representatives,
Washington, DC.

Hon. LAMAR SMITH,
Chairman, Science, Space and Technology Committee,
House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH AND REPRESENTATIVE LUCAS: On behalf of the Small Business & Entrepreneurship Council (SBE Council) and its more than 100,000 members nationwide, I am pleased to voice our strong support for the "EPA Science Advisory Board Reform Act of 2017."

This important legislation reforms the Environmental Protection Agency's (EPA's) Science Advisory Board (SAB) and its subpanels by strengthening public participation, improving the process for selecting expert advisors, expanding transparency requirements by board members, opening the board's research to public review, and limiting nonscientific policy advice. The reforms proposed by the legislation are especially critical given the growing impact of EPA's regulations on America's small business sector, the controversial science used as the basis to advance certain rulemakings, and the need to ensure that sound science is guiding EPA actions.

Balance, independence and transparency are critical to EPA's scientific advisory process. The bill addresses key concerns with the SAB, such as placing limitations on its members who receive environmental research grants, applying conflict of interest standards, and ensuring balanced representation on the board's membership.

These are sensible reforms that will strengthen the SAB's integrity and work, and by extension EPA's regulatory process.

SBE Council supports solutions that improve the regulatory system to ensure the voice of small businesses and entrepreneurs is heard and considered, that they operate and compete under rational rules, and transparency throughout the regulatory process. The "EPA Science Advisory Board Reform Act of 2017" is an important legislative initiative that brings fairness, transparency and objectivity to the SAB and EPA rulemakings.

Please let SBE Council know how we can further support your efforts to advance this important legislation into law. Thank you for your leadership, and support of America's small business and entrepreneurial sector.

Sincerely,

KAREN KERRIGAN,
President & CEO.

NATIONAL STONE, SAND &
GRAVEL ASSOCIATION,
Alexandria, VA.

The National Stone Sand and Gravel Association supports both The Honest and Open New Science Treatment Act of 2017 (HONEST Act) and the EPA Science Advisory Board Reform Act of 2017.

Both acts go a long way towards addressing many of the current issues our industry

has with regulatory science, and we encourage the House Committee on Science, Space, and Technology to mark up both pieces of legislation.

Our association represents 100,000 jobs across the United States. The regulatory burden on our workforce dramatically impacts our ability to provide cost-effective materials for America's roads, runways, bridges and ports. Our members pride themselves on their commitment to environmental stewardship and are heavily involved in sustainability and reclamation in their communities.

Federal regulations must balance industry's voice and environmental and health concerns. Unfortunately, we often see problems in the scientific underpinnings of regulations when agencies select studies that are neither public nor reproducible as the basis of new rules. This practice chips away at the credibility of any regulatory action and makes it difficult for industries to respect the regulatory process. Our members have the right to comment on regulations and it is not reasonable to ask hard working men and women of any industry to trust that an agency has selected good science without if an agency is not being transparent.

Stakeholder input in the regulatory process is required under federal law and valuable for the justification and the implementation of rules.

NSSGA stands ready to work with Congress to ensure that industry, states and the scientific community can work together openly and honestly to create regulations.

Sincerely,

MICHAEL W. JOHNSON,
President and CEO,
National Stone, Sand & Gravel Association.

PORTLAND CEMENT ASSOCIATION,
Washington, DC, March 7, 2017.

Chairman LAMAR SMITH,
The Committee on Science, Space, and Technology, Washington, DC.

Ranking Member EDDIE BERNICE JOHNSON,
The Committee on Science, Space, and Technology, Washington, DC.

DEAR CHAIRMAN SMITH AND RANKING MEMBER BERNICE JOHNSON: The Portland Cement Association (PCA) supports the EPA Science Advisory Board (SAB) Reform Act of 2017 and the Honest and Open New EPA Science Treatment Act (HONEST Act) of 2017. PCA is the premier policy, research, education, and market intelligence organization serving America's cement manufacturers. PCA members represent 92 percent of U.S. cement production capacity and have facilities in all 50 states. The Association promotes safety, sustainability, and innovation in all aspects of construction, fosters continuous improvement in cement manufacturing and distribution, and generally promotes economic growth and sound infrastructure investment.

PCA supports these bills because they would improve fairness and transparency in the regulatory process, while promoting use of the best available science. As you know, SAB reform is needed to update and strengthen the scientific foundation of EPA's regulatory decisions. The SAB Reform Act would improve the Science Advisory Board by ensuring balance among its members and providing better public access to scientific information and data. SAB reform is an important step toward improving EPA's regulatory process, public access to information, and transparency.

The HONEST Act would similarly improve transparency and access to information. Scientists reviewing agency studies and

rulemakings need a fair chance to evaluate and validate the studies EPA relies on in the rulemaking process. The HONEST Act protects the sensitive and confidential information often covered by confidentiality agreements, while allowing EPA to make critical information available for public comment and access. The HONEST Act follows the data access requirements of many scientific journals. This level of transparency and potential for peer review are critical to improving regulatory decisions.

PCA supports the Committees' efforts to improve accountability, public access, and better science in the EPA rulemaking process. Please feel free to contact Rachel Derby, PCA's Vice President of Government Affairs, for further information on this matter.

Sincerely,

A. TODD JOHNSTON,
Executive Vice President, Government Affairs.

AMERICAN FARM
BUREAU FEDERATION,
Washington, DC, March 8, 2017.

Hon. LAMAR SMITH,
Chair, House Committee on Science, Space, and Technology, Washington, DC.

Hon. EDDIE BERNICE JOHNSON,
Ranking Member, House Committee on Science, Space, and Technology, Washington, DC.

DEAR CHAIRMAN SMITH AND RANKING MEMBER JOHNSON: Later this week, the House Science, Space, and Technology Committee will consider legislation to provide for Scientific Advisory Board (SAB) member qualifications and public participation. The American Farm Bureau strongly supports this legislation and pledges our commitment to work with the committee in pressing for its swift consideration.

This legislation is a priority because it reforms the SAB process by strengthening public participation, improving the process of selecting expert advisors, and expanding the overall transparency of the SAB. While the SAB should be a critical part of the scientific foundation of the U.S. Environmental Protection Agency's (EPA) regulatory process, EPA has systematically used its authority to silence dissenting scientific experts. Rather than promote fairness, transparency and independence to ensure unbiased scientific advice, EPA routinely has ignored its own Peer Review Handbook and silenced dissenting voices on expert panels.

This legislation seeks to reinforce the SAB process as a tool that can help policymakers with complex issues while preventing EPA from muzzling impartial scientific advice. This legislation deserves strong, bipartisan support. We applaud your leadership in this effort and will work with you to ensure passage.

Sincerely,

ZIPPY DUVALL,
President.

MARCH 9, 2017.

Hon. LAMAR SMITH,
Chairman, House Science, Space, and Technology Committee, Washington, DC.

DEAR CHAIRMAN SMITH: We are writing to express our strong support for H.R. 1430, the "Honest and Open New EPA Science Treatment Act of 2017" (HONEST Act), and H.R. 1431, the "EPA Science Advisory Board Reform Act of 2017."

For too long now, the Environmental Protection Agency has hidden key scientific data from the public and corrupted its own boards of outside science advisors. This subversion of science and the regulatory process has produced costly, job-killing regulations

of dubious-to-no merit to public health and the environment.

We welcome these bills in the names of transparent government, and unbiased and balanced peer review.

Sincerely,

CRAIG RICHARDSON,
President, Energy &
Environment Action
Team (E&E Action).

AMY OLIVER COOKE,
Executive vice president,
Independence
Institute.

KATHLEEN SGAMMA,
President, Western Energy Alliance.

Mr. LUCAS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, again, I reiterate to my colleagues, this is a situation where the goal really is not to empower one perspective or one faction over another. The goal, ultimately, of this bill—and, yes, this did come out of the inspector general's report, the initial work and effort. The goal of the bill is to add transparency, accountability. The goal of the bill is to increase the American people's confidence in the work product that is then used by the EPA to craft the rules and regulations that impact every life in this country on a daily basis.

Whatever your perspective may be, remember, the pendulum in this great Nation, when it comes to the executive branch, in my time, every 8 years, has swung back and forth. Just because at the present moment or the past moment you think you got your perspective's way, or if perhaps you think with the pendulum swing now you will get your perspective's way, that is not what the focus should be here.

I would also remind my colleagues, in my 23 years, I have served in the minority soon to be for 4½ years. But the other 18½ years, I have served in the majority. I have served in the majority. So when I step up to you and say we can do better, we can enhance the quality of information, we can do it in a way that the American people have more confidence in ultimately what goes on, and we can do it in a way that makes it more difficult for anyone to hijack the process, I say that sincerely.

There is nothing wrong with full disclosure for everyone who can add to the process, who should be available for consideration. There is nothing wrong with a financial cooling-off between benefiting from the studies and analyzing someone else's studies. There is nothing wrong with this.

But if you stay with the status quo, this Board and this Agency are in change. Get ready for 8 years of a dramatically different way of doing things.

Now, maybe you are so confident that the pendulum will swing back again that you are willing to accept that. But as for me, I want to stay between the lines. I want to focus in ways that, for the long term, represent the best interests of this great country.

Mr. Speaker, I ask my colleagues to vote for H.R. 1431. I ask my colleagues to think about 10 or 20 years down the road. I ask my colleagues to put the long-term best interests of their constituents first.

Mr. Speaker, I yield back the balance of my time.

Mr. PETERSON. Mr. Speaker, I am proud to be an original co-sponsor of H.R. 1431, the EPA Science Advisory Board Reform Act of 2017 and urge my colleagues to vote in support.

The Science Advisory Board's work is important to making sure the EPA considers all scientific information when writing regulations that will impact American farmers, families and small businesses. Unfortunately, concerns have been raised about the current review process.

This legislation addresses those concerns and builds on the work done in the 2014 Farm Bill to create an agriculture committee under the Science Advisory Board. This bill is necessary to ensure the EPA takes into account the best information possible with input from public and independent stakeholders.

H.R. 1431 will ensure a balanced and independent Science Advisory Board and will help alleviate some of the unintended consequences surrounding EPA regulations.

The SPEAKER pro tempore (Mr. FLEISCHMANN). All time for debate has expired.

Pursuant to House Resolution 233, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. FOSTER. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. FOSTER. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Foster moves to recommit the bill H.R. 1431 to the Committee on Science, Space, and Technology with instructions to report the same back to the House forthwith, with the following amendments:

Page 5, line 4, strike "and".

Page 5, line 9, strike the period and insert "and".

Page 5, after line 9, insert the following:

"(I) a Board member, during that member's term of service on the Board and for a period of 3 years following the end of that member's service on the Board, shall not be employed with any corporate or other entity which has interests before the Board.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois is recognized for 5 minutes in support of his motion.

Mr. FOSTER. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

This amendment is a commonsense and logical addition to this bill. It will help ensure that members of the EPA's Science Advisory Board will act in the best interests of the American people and our environment.

I think that we can all agree that, now more than ever, we need integrity in government. And this amendment would simply prohibit any member of the EPA's Science Advisory Board from being employed by any entity, corporate or otherwise, which has interests before the Board. This prohibition would be in place during the member's time on the Board and would extend for 3 years after they leave the Board.

My Republican colleagues have taken up this bill with the stated intent of protecting the scientific integrity of the EPA, and this amendment will go a long way to making sure that they keep their word.

The underlying bill also includes a similar prohibition on board members applying for a grant or contract from the EPA during their service or for 3 years after. And as the chairman just said, there is nothing wrong with a financial cooling-off period.

However, the authors of this bill are apparently concerned that members of the Board would be tempted to favor environmental concerns in the hopes of getting an EPA grant. Therefore, it also stands to reason that they should worry equally about a board member tilting the scales in favor of a specific industry in return for future financial compensation or career advancement, the classic revolving door problem.

So what this motion to recommit does is something that I think we all should be able to agree is a good thing. We have seen too many people in the President's Cabinet who appear to have connections too close to the big interests they regulate rather than the interests of the American people.

This amendment would ensure that no one can unduly personally profit from their time at the EPA, and that members are there to represent the interests of the American people and our environment rather than their own self interests.

Finally, I would like to close by bringing up a more general question of why we seem to be having variations on this repetitive theme of whether or not we can pollute our way out of the structural and economic challenges that our country faces.

Mr. Speaker, you and your party have been very successful at selling yourselves and your supporters on the idea that if we can just, once again, dump unlimited pollutants into our rivers and streams, into our groundwater, our food, air, lungs, our bloodstreams and those of our children, then everything will be great again in America.

This week, we saw our President surrounded by earnest and hopeful young

coal miners as he gutted environmental regulations and promised them that all their jobs were coming back. And then we have seen interviews on TV with desperate families in Appalachia using up their life savings to pay for training for underground coal jobs that they have been told will be coming back now that Donald Trump is President.

Then we have seen interviews with coal executives quietly pointing out that those jobs will not come back; that it was machines and fundamental economic forces that took those jobs in coal country.

The story is the same in oil country, where even as oil production has rebounded, the jobs and wages have not come back because of automation, the same way that machines took the jobs in rural America, manufacturing America, and increasingly middle class, white-collar America.

□ 1000

So until we realize that we are all in this together and that a fundamental restructuring of our economy is needed rather than a mindless retraction of the protections on environmental quality on the land that we will pass on to our children, then I am afraid that we are destined to repeat this infinite loop of marginally productive debate. I urge my colleagues to vote "yes" on this motion to recommit.

Mr. Speaker, I yield back the balance of my time.

Mr. LUCAS. I claim the time in opposition to the motion, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Mr. Speaker, I look at this language—and I am a farmer by trade; I am not an attorney; I will confess that—but the phrase "or other entity" seems to be a very broad concept. How will that affect people who work for research foundations at institutions of higher education? How will that affect entities, people who are part of so-called think tanks in places like Washington, D.C.? I personally believe the language is intended more to simply turn the bill inside out.

On that basis, I would ask my colleagues to reject the motion to recommit with instructions and to pass the underlying bill.

But I go one step further, and I offer this in the most sincerest of ways: if you look at the discussion today and if you look at the discussion that has gone on for some time on these issues, it is almost as though there are those with certain perspectives who are trying to force their will—their perspective of what is right and wrong scientifically or economically or socially—on the rest of the country, on the rest of us, and, for that matter, on the rest of the world.

That is why I am the author of this bill. No one entity should have the

power by manipulating the bureaucratic process or the rulemaking process to enforce their definitions of everything on the rest of us. We have both the right and the responsibility to judge this information and to make decisions about what is in our enlightened self-interest, as the old economist would say, or in the best interest of the country or of society as a whole.

That is why I want all of us—the great American people—to have access and some certainty about the people and the process that are driving everything in our world.

Reject the motion, pass the bill, create greater transparency, incorporate more input, and when it is necessary to have rules and regulations, generate good rules and regulations so that we all have a chance to prosper and to live up to our potential in this country. Don't let the tyranny of the idealistic—whatever perspective they may have—drive us all into despair and destruction.

With that, I respectfully ask my colleagues to reject this motion and pass the underlying bill.

I yield back the balance of my time, Mr. Speaker.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. FOSTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage of the bill.

The vote was taken by electronic device, and there were—yeas 189, nays 233, not voting 7, as follows:

[Roll No. 207]

YEAS—189

Adams	Clark (MA)	Doggett
Aguilar	Clarke (NY)	Doyle, Michael
Barragán	Clay	F.
Bass	Cleaver	Ellison
Beatty	Clyburn	Engel
Bera	Cohen	Eshoo
Beyer	Connolly	Españillat
Bishop (GA)	Conyers	Esty
Blumenauer	Cooper	Evans
Blunt Rochester	Correa	Foster
Bonamici	Costa	Frankel (FL)
Boyle, Brendan	Courtney	Fudge
F.	Crist	Gabbard
Brady (PA)	Crowley	Galleo
Brown (MD)	Cuellar	Garamendi
Brownley (CA)	Cummings	Gonzalez (TX)
Bustos	Davis (CA)	Gottheimer
Butterfield	Davis, Danny	Green, Al
Capuano	DeFazio	Green, Gene
Carbajal	DeGette	Grijalva
Cárdenas	Delaney	Gutiérrez
Carson (IN)	DeLauro	Hanabusa
Cartwright	DelBene	Hastings
Castor (FL)	Demings	Heck
Castro (TX)	DeSaulnier	Higgins (NY)
Chu, Judy	Deutch	Himes
Cicilline	Dingell	Hoyer

Huffman	Maloney, Sean	Sánchez
Jackson Lee	Matsui	Sarbanes
Jayapal	McCollum	Schakowsky
Jeffries	McEachin	Schiff
Johnson (GA)	McGovern	Schneider
Johnson, E. B.	McNerney	Schrader
Jones	Meeks	Scott (VA)
Kaptur	Meng	Scott, David
Keating	Moore	Serrano
Kelly (IL)	Moulton	Sewell (AL)
Kennedy	Murphy (FL)	Shea-Porter
Khanna	Nadler	Sherman
Kihuen	Napolitano	Sires
Kildee	Neal	Smith (WA)
Kilmer	Nolan	Soto
Kind	Norcross	Speier
Krishnamoorthi	O'Halleran	Suozi
Kuster (NH)	O'Rourke	Swalwell (CA)
Langevin	Pallone	Takano
Larsen (WA)	Panetta	Thompson (CA)
Larson (CT)	Pascarell	Thompson (MS)
Lawrence	Payne	Titus
Lawson (FL)	Pelosi	Tonko
Lee	Perlmutter	Torres
Levin	Peters	Tsongas
Lewis (GA)	Peterson	Vargas
Lieu, Ted	Pingree	Veasey
Lipinski	Pocan	Vela
Loeb	Polis	Velázquez
Lofgren	Price (NC)	Visclosky
Lowenthal	Raskin	Walz
Lowe	Rice (NY)	Wasserman
Lujan Grisham,	Richmond	Rosen
M.	Roybal-Allard	Waters, Maxine
Luján, Ben Ray	Ruiz	Watson Coleman
Lynch	Ruppersberger	Welch
Maloney,	Ryan (OH)	Yarmuth
Carolyn B.		

NAYS—233

Abraham	DesJarlais	Katko
Aderholt	Diaz-Balart	Kelly (MS)
Allen	Donovan	Kelly (PA)
Amash	Duncan (SC)	King (IA)
Amodei	Duncan (TN)	King (NY)
Arrington	Dunn	Kinzing
Babin	Emmer	Knight
Bacon	Farenthold	Kustoff (TN)
Banks (IN)	Faso	Labrador
Barletta	Ferguson	LaHood
Barr	Fitzpatrick	LaMalfa
Barton	Fleischmann	Lamborn
Bergman	Flores	Lance
Biggs	Fortenberry	Latta
Bilirakis	Fox	Lewis (MN)
Bishop (MI)	Franks (AZ)	LoBiondo
Bishop (UT)	Frelinghuysen	Long
Black	Gaetz	Loudermilk
Blackburn	Gallagher	Love
Blum	Garrett	Lucas
Bost	Gibbs	Luetkemeyer
Brady (TX)	Gohmert	MacArthur
Brat	Goodlatte	Marchant
Bridenstine	Gosar	Marshall
Brooks (AL)	Gowdy	Massie
Brooks (IN)	Granger	Mast
Buchanan	Graves (GA)	McCarthy
Buck	Graves (LA)	McCauley
Bucshon	Graves (MO)	McClintock
Budd	Griffith	McHenry
Burgess	Grothman	McKinley
Byrne	Guthrie	McMorris
Carter (GA)	Harper	Rodgers
Carter (TX)	Harris	McSally
Chabot	Hartzer	Meadows
Chaffetz	Hensarling	Meehan
Cheney	Herrera Beutler	Messer
Coffman	Hice, Jody B.	Mitchell
Cole	Higgins (LA)	Moolenaar
Collins (GA)	Hill	Mooney (WV)
Collins (NY)	Holding	Mullin
Comer	Hollingsworth	Murphy (PA)
Comstock	Hudson	Newhouse
Conaway	Huizenga	Noem
Cook	Hultgren	Nunes
Costello (PA)	Hunter	Olson
Cramer	Hurd	Palazzo
Crawford	Issa	Palmer
Curberson	Jenkins (KS)	Paulsen
Curbelo (FL)	Jenkins (WV)	Pearce
Davidson	Johnson (LA)	Perry
Davis, Rodney	Johnson (OH)	Pittenger
Denham	Johnson, Sam	Poe (TX)
Dent	Jordan	Poliquin
DeSantis	Joyce (OH)	Posey

Ratcliffe	Schweikert	Upton
Reed	Scott, Austin	Valadao
Reichert	Sensenbrenner	Wagner
Renacci	Sessions	Walberg
Rice (SC)	Shimkus	Walden
Roby	Shuster	Walker
Roe (TN)	Simpson	Walorski
Rogers (AL)	Sinema	Walters, Mimi
Rogers (KY)	Smith (MO)	Weber (TX)
Rohrabacher	Smith (NE)	Webster (FL)
Rokita	Smith (NJ)	Wenstrup
Rooney, Francis	Smith (TX)	Westerman
Rooney, Thomas	Smucker	Williams
J.	Stefanik	Wilson (SC)
Ros-Lehtinen	Stewart	Wittman
Roskam	Stivers	Womack
Ross	Taylor	Woodall
Rothfus	Tenney	Yoder
Rouzer	Thompson (PA)	Yoho
Royce (CA)	Thornberry	Young (AK)
Russell	Tiberi	Young (IA)
Rutherford	Tipton	Zeldin
Sanford	Trott	
Scalise	Turner	

NOT VOTING—7

Calvert	Quigley	Wilson (FL)
Duffy	Rush	
Marino	Slaughter	

□ 1029

Messrs. FLORES, CRAWFORD, GROTHMAN, Ms. GRANGER, and Mrs. BLACKBURN changed their vote from “yea” to “nay.”

Ms. BLUNT ROCHESTER, JACKSON LEE, Messrs. HIGGINS of New York, and LANGEVIN changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. SESSIONS was allowed to speak out of order.)

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENT PROCESS FOR H.R. 1343, ENCOURAGING EMPLOYEE OWNERSHIP ACT, AND H.R. 1219, SUPPORTING AMERICA'S INNOVATORS ACT

Mr. SESSIONS. Mr. Speaker, yesterday, the Rules Committee issued announcements outlining the amendment processes for two measures likely to come before the Rules Committee next week.

An amendment deadline has been set for Monday, April 3, at 10 a.m., for the following measures:

H.R. 1343, Encouraging Employee Ownership Act; and H.R. 1219, Supporting America's Innovators Act.

The text of these measures is available on the Rules Committee website. Feel free to contact me or my staff if anyone has any questions.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 229, noes 193, not voting 7, as follows:

[Roll No. 208]

AYES—229

Abraham
Aderholt
Allen
Amash
Amodel
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Billrakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cramer
Crawford
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy

Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo

Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—193

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer

Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield

Capuano
Carbajal
Cárdenas
Cardón (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline

Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Costello (PA)
Courtney
Crist
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Española
Esty
Evans
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gotheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer

Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebbeck
Lofgren
Lowenthal
Lowe
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta

Pascarell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Raskin
Rice (NY)
Richmond
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Soto
Speier
Stefanik
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—7

Calvert
Duffy
Marino

Mullin
Quigley
Rush

□ 1040

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CALVERT. Mr. Speaker, on rollcall votes 207 and 208 I was unable to vote due to obligations in my congressional district. Had I been present, I would have voted “no” on rollcall 207, the Motion to Recommit, and “yes” on rollcall 208, related to H.R. 1431, the EPA Science Advisory Board Reform Act of 2017, which would ensure EPA administrator and the Science Advisory Board make public all reports and relevant scientific information at the same time they are received by members of the Science Advisory Board.

PERSONAL EXPLANATION

Mr. DUFFY. Mr. Speaker, on March 30, 2017, on rollcall No. 207 on motion to recommit with instructions, I am not recorded. Had I been present, I would have voted “nay.”

On rollcall No. 208 on final passage of H.R. 1431, the EPA Science Advisory Board Re-

form Act of 2017, I am not recorded. Had I been present, I would have voted “aye.”

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote Nos. 203, 204, 205, 206, 207, and 208. Had I been present, I would have voted “aye” on votes 205 and 207. I would have voted “nay” on votes 203, 204, 206, and 208.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I rise for the purpose of inquiring of the majority leader the schedule for the week to come.

I yield to the gentleman from California (Mr. MCCARTHY), my friend.

Mr. MCCARTHY. I thank the gentleman for yielding.

Mr. Speaker, on Monday the House will meet at noon for morning-hour and 2 p.m. for legislative business. Votes will be postponed until 6:30.

On Tuesday and Wednesday, the House will meet at 10 a.m. for morning-hour and noon for legislative business.

On Thursday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m.

On Friday, no votes are expected in the House.

Mr. Speaker, the House will consider a number of suspensions next week, a complete list of which will be announced by close of business tomorrow.

In addition, the House will consider several bipartisan measures from the Committee on Financial Services that will create jobs and support American entrepreneurship. First, H.R. 1343, the Encouraging Employee Ownership Act, sponsored by Representative RANDY HULTGREN, which will open up more opportunities for employees to share a stake in the companies they work for every day.

Next, H.R. 1219, the Supporting America's Innovators Act, sponsored by Chief Deputy Whip PATRICK MCHEENRY. This bill will increase access to capital for America's small businesses and startups and ensure our entrepreneurs have the best chance to succeed. Mr. MCHEENRY's bill is also a key component of our Innovation Initiative in the House, which aims to accelerate private sector innovation and leverage more innovation in government.

Finally, Mr. Speaker, additional legislative items are possible, and I will relay scheduling information to Members if any items are added.

Mr. HOYER. I thank the gentleman for that information.

As the majority leader knows, after today we will have 8 legislative days left before the CR runs out on April 28. We will be gone, as the gentleman knows, for 2 weeks, or a few more days

than that, for the Easter break. We have not enacted any appropriation bills except for the MILCON-VA and the Defense Appropriation bill we passed through this House in a bipartisan vote and that is pending in the Senate.

□ 1045

Given the limited number of days in session before April 28, we are going to require relatively quick action if we are to fund the government for the balance of the year past April 28.

Mr. Leader, can you tell me—because no appropriation bill or CR or omnibus was on the schedule for next week, can the gentleman tell me when he expects some form of continuing to authorize expenditures for the balance of the year between now and September 30 will occur?

Mr. Speaker, I yield to my friend.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

Discussions are ongoing about the appropriations process and how to ensure the government is funded after April 28.

I thank my good friend from Maryland for being a good faith negotiating partner in this effort.

I do not currently anticipate floor action next week. But as always, I will advise Members as soon as possible when action is scheduled in the House.

Mr. HOYER. Mr. Speaker, I thank the gentleman for those comments.

Does the gentleman contemplate the possibility of a short-term CR being necessary?

Mr. Speaker, I yield to my friend.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding again.

I was encouraged by the bipartisan agreements we reached on the MILCON/VA bill and the defense appropriations bill. As you know, together, these two bills make up roughly one half of our total discretionary spending.

However, I was disappointed to hear that Democrats have apparently walked away from the negotiating table on further bipartisan agreements like these. Personally, I was disappointed to hear rumors that Democrats are hoping for a government shutdown.

The New York Times is reporting that, “as a minority party struggling to show resistance in the era of President Trump”—Democrats—“are now ready to let the lights of government go dark.”

I sincerely hope these rumors and reports are not true. I know the gentleman disagrees with ever having a government shutdown.

As I mentioned, discussions are ongoing about how to ensure the government is funded after April 28. I want everybody to know that my door is always open, especially to you, my friend

from Maryland, and any other House colleague who wants to play a constructive role in the process. I firmly believe the government will not shut down. It will be funded as we continue further.

Mr. HOYER. Mr. Speaker, I thank the gentleman for that information and comments.

Frankly, I want to tell the majority leader, honestly, nobody on my side, maybe someplace else, but nobody on my side is wanting to shut down the government. We don't want to shut down the government.

Of course, I will remind my friend, the majority leader—and I appreciate his comments about our cooperation and ability to work together—the only way the government has been kept open over the last 5 years has been with Democratic votes. My friend didn't have 218 votes on his side of the aisle that would do that. So I think that belies the fact that we want to shut down the government.

I would assure my friend that that is neither our intent or desire. As a matter of fact, we want to work quickly to avoid that happening. That is not good for, obviously, the American people, it is not good for managers trying to plan on how to deliver services, and it is certainly not good for our Federal employees. So I would want to work with you to make sure that doesn't happen.

As we have in the past, we will be prepared to provide votes, as we have every time, to ensure that that does not happen.

Let me ask my friend, as we work towards the end of not shutting down government and passing, hopefully, an omnibus which will complete the 2017 appropriations process and fund the government through September 30, let me ask him—he was quoting some information. I have a quote for him as well. I know he would be disappointed if I didn't have a quote. This is not nearly as difficult as some of the others, however. It says:

House Republicans are considering making another run next week at the passing of the healthcare bill that they abruptly pulled from the floor in a setback to their efforts to repeal ObamaCare. Two Republican lawyers say the leaders are discussing holding a vote, even staying into next weekend, if necessary, but it is unclear what changes would be made to the GOP's healthcare bill . . .

That was in Bloomberg News on March 29.

Does the majority leader have any information or expectation that we would be considering another bill seeking to repeal the Affordable Care Act next week? I know the majority leader didn't announce that for next week, and I know on Thursday we will break for the Easter break.

Mr. Speaker, I yield to my friend.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding.

The gentleman does know, from the widespread disagreement, that

ObamaCare is failing. He disagrees with that, but the majority of Americans agree that it is collapsing and that we have to solve this problem.

As of today, I do not have anything scheduled for next week. But as we continue discussions with our Members as we move forward, I anticipate in the future that we would have that vote.

Mr. HOYER. Mr. Speaker, I thank the gentleman for that information.

If I hear what the gentleman just said, my interpretation is that we don't expect anything next week, but that does not mean that we don't expect something in the future. Is that a correct reading of it?

Mr. Speaker, I yield to my friend.

Mr. MCCARTHY. That is correct.

Mr. HOYER. Mr. Speaker, I yield back the balance of my time.

ADJOURNMENT FROM THURSDAY, MARCH 30, 2017, TO MONDAY, APRIL 3, 2017

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday, April 3, 2017, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore (Mr. BACON). Is there objection to the request of the gentleman from California?

There was no objection.

CONGRATULATING PENN STATE WRESTLING NATIONAL CHAMPS

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to celebrate the Penn State men's wrestling team for winning the NCAA Division I National Championship earlier this month in St. Louis, Missouri.

Mr. Speaker, Penn State has been a force to be reckoned with in Division I wrestling. This is Penn State's sixth title in 7 years. It is the second consecutive national title.

I could not be more proud of my alma mater or this team that gave us a season to remember.

Many college athletes dream about participating at the NCAA championships. It marks the pinnacle of their athletic careers.

Among the Nittany Lion national champions, All-Americans Bo Nickal, Jason Nolf, and Zain Retherford combined for a total of 82.5 points, which would have placed the trio sixth overall in the final team standings.

Penn State also made history with All-Americans true freshman Mark Hall and redshirt freshman Vincenzo Joseph earning their first titles to become the first freshmen NCAA champions in program history.

Congratulations to Coach Sanderson and the Nittany Lions on this outstanding achievement. Your hard work and dedication shows, and you are the pride of Happy Valley.

SUPPORTING PLANNED PARENTHOOD

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Mr. Speaker, I rise today to express my unwavering support for Planned Parenthood.

Planned Parenthood is America's most trusted provider of reproductive health care. One in five American women has chosen Planned Parenthood for health care at least one time in her life.

The heart of Planned Parenthood is in our local and rural communities. These healthcare centers provide a wide range of safe, reliable health care; and the majority is preventive care, which helps prevent unintended pregnancies through contraception, reduce the spread of sexually transmitted infections through testing and treatment, and screen for cervical and other cancers.

In my district, Planned Parenthood was instrumental in providing the following services to over 50,000 constituents in 2016, including:

23,215 pregnancy tests and counseling;

5,798 breast exams; and

5,052 pap smears.

This is the end of Women's History Month. That is why I am here today to stand with Planned Parenthood, and I will continue to fight.

NATIONAL VIETNAM WAR VETERANS DAY

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, this week was the first-ever celebration of National Vietnam War Veterans Day.

Over 40 years ago, after the last remaining Vietnam veterans returned home, many faced poor treatment from the country they were fighting to protect. These brave men and women are getting the welcome home finally that they deserve.

Earlier this week, the U.S. Senate introduced a bill that was passed, which introduced the Vietnam War Veterans Recognition Act, which unanimously passed both the House and Senate, and President Trump signed it into law earlier this week.

I was proud to join my colleagues in supporting this bill. The overwhelmingly bipartisan support is proof that finally the perception of Vietnam veterans has shifted over the years as folks begin to better understand the sacrifices they have made.

Over 9 million Americans served in the military during the Vietnam war, and over 2.7 million actually served in Vietnam. I personally know many who came from my district and now live in northern California.

Over the course of the war, the United States of America suffered 58,000 casualties, with hundreds of thousands more wounded and disabled. We need to remember the sacrifice they made, whether it was from Agent Orange or disabilities, or even the 22 veterans we lose each day to suicide.

We welcome home the Vietnam veterans. I am glad we could have this recognition for them.

INVESTIGATE RUSSIA'S INFLUENCE

(Mr. BROWN of Maryland asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Maryland. Mr. Speaker, the Russian cloud over this White House and over our democracy is darkening. I rise today to call on this body to come together to create a bipartisan, independent commission to investigate the full extent of Russia's influence on the Trump administration and our democracy.

Mr. Putin wants to weaken America and our allies, and he views democracy and human rights as obstacles to Russia's reemergence as a global power.

After Russia maliciously hacked emails and distributed false information to influence our elections for their favorite candidate, they have turned their eye to Germany and France. They want to sow disunity and weakness among Western democracies and undermine the transatlantic alliance.

Mr. Speaker, we must know the full truth of the Trump administration's ties to Putin and the Kremlin. There are too many unanswered questions about financial ties, personal ties, and political ties. Every new tie we discover is followed by another distorted fact from the administration.

The American people are demanding answers now. This House cannot become an accomplice to the administration's desperate efforts to divert attention from this investigation. An independent commission is now the only way to find out what happened and ensure it never happens again.

Mr. Speaker, we must follow the facts. We can't let ourselves be attacked this way ever again.

RECOGNIZING GRANDVIEW HIGH SCHOOL GIRLS BASKETBALL

(Mr. COFFMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COFFMAN. Mr. Speaker, I rise today to recognize the Grandview High

School girls basketball team from Aurora, Colorado. The Wolves triumphed in their 61-32 victory over Lakewood High School in the Colorado 5A State Championship.

Grandview finished the season with an impressive 27-1 record and celebrated the culmination of their season with the first girls basketball State championship win for their school.

Senior Michaela Onyenwere walked off the court with a game-high of 25 points and 8 rebounds.

During the championship game, the Grandview Wolves proved that with hard work, dedication, and perseverance anything is possible. The team was led to the championship title through the committed leadership of their coach, Josh Ulitzky, and his commendable staff.

Again, congratulations to the Grandview High School girls basketball team on their continued success and for their victory in the Colorado 5A State Championship.

□ 1100

ADDRESSING CLIMATE CHANGE

(Mr. SCHNEIDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHNEIDER. Mr. Speaker, addressing climate change is one of the most important long-term challenges for our future. But this week's executive order from President Trump reverses recent progress and will worsen this slow-burning crisis.

The order undercuts the Clean Power Plan, weakens restrictions on emissions, and expands Federal coal mining leases. It undermines the success of the Paris Agreement and damages our relations with the signatories, including China and India. At the same time, the order makes it harder for our government and military to plan for the already occurring consequences of climate change—including assessing its impact on national security policy.

That is why today I am introducing the CLIMATE Act to prevent the irresponsible executive order from being implemented. Whether the Trump administration recognizes it or not, the international community understands climate change is real and is rapidly embracing a renewable energy future. The administration's decision to move our energy policy backwards only weakens the United States' global leadership role, making it more likely that green energy jobs of tomorrow will be created elsewhere.

We must come together to support policies that grow clean energy jobs in the United States and ensure we pass on a healthier planet to the next generation.

COMBATING ANTI-SEMITISM

(Mr. KUSTOFF of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUSTOFF of Tennessee. Mr. Speaker, I rise today in support of H.R. 1730, the Combating Anti-Semitism Act of 2017. I am proud to introduce this important legislation with my colleague from the other side of the aisle, Representative DEREK KILMER from Washington.

Since this January, we have seen a wave of disturbing violence and threats towards religious institutions across America. In 2017 alone, more than 100 bomb threats have been made at 81 Jewish Community Centers across our Nation in 33 States. Tennessee, the State I call home, is also on that list. It is time that we send a clear message: religious intolerance has no place in this country.

The Combating Anti-Semitism Act of 2017 would increase the penalty for these violent threats and make them punishable as hate crimes under Federal law. We have a moral duty and responsibility to protect the rights of all Americans to worship freely and without fear, whether at a church, a synagogue, or any religious institution.

With this bill, we will deter threats and stand united against religious intolerance.

HONORING BARB LUTZ

(Ms. CHENEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CHENEY. Mr. Speaker, I rise today to honor Barb Lutz. Barb has spent her entire adult life faithfully serving our military as a Federal civil service employee, primarily at F.E. Warren Air Force Base in Cheyenne, as well as in Europe.

Barb has held numerous positions at the base and is currently the executive assistant to the commander of the 20th Air Force and Task Force 214 at F.E. Warren. She is responsible for providing the commander and vice commander with executive support, as well as serving as protocol specialist for the headquarters staff.

After a distinguished 43-year career, Barb is retiring this week. When Barb's current and former coworkers at F.E. Warren reached out to me about recognizing her, General Cotton best summed up how her colleagues feel about her when he said: "We all know Barb is a national treasure."

I want to thank Barb for all she has done for Wyoming and for the country over her 43-year career, and I wish Barb and her family the best in retirement.

TOPICS OF THE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of Jan-

uary 3, 2017, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, it is my privilege to be recognized to address you here on the floor of the United States House of Representatives and to once again continue this dialogue that we have with you, all of our Members and staff and the American people.

To initiate this dialogue, I yield to the gentleman from Wisconsin (Mr. GALLAGHER) of the Eighth Congressional District, born in Green Bay.

AMERICAN EXCEPTIONALISM

Mr. GALLAGHER. Mr. Speaker, every time I have the privilege of addressing this body, I am reminded of how lucky we all are to live in a country where I am free to speak my mind without fear of retribution or retaliation. It is one of the great privileges of being an American. Yet for far too many around the world, freedom of conscience is still a distant dream.

Nowhere is this more apparent than in Russia, where Vladimir Putin's thuggish regime has poisoned the promise of the post-Soviet era and day by day has slid Russia back into the dark shadows of autocracy. Just last Sunday, thousands of Russians took to the streets and squares in protest of the Kremlin's corruption. And in return, Russian police arrested hundreds of protesters, including Vladimir Putin's political challenger, Alexei Navalny.

But the Putin regime's barbarity isn't just a polite policy difference. Russians of exceptional courage are dying, including as recently as last week, as the regime cultivates an atmosphere of fear and intimidation.

Vladimir Putin's campaign of murder is not limited to domestic political opponents. Like all dictators, Putin seeks to rally his nation's support by channeling public fear and anger against external enemies. Time and again, first in Georgia, then in Ukraine, and now in Syria, Vladimir Putin has warned us exactly who he is. As recent as last night, the commander of CENTCOM announced that Russia is likely providing support to the Taliban in Afghanistan.

Mr. Speaker, I am afraid we have exhausted our warnings. Russian aggression, if left unchecked, may soon cross a line past which there is no return.

You see, what Vladimir Putin wants is fundamentally at odds with American interests. After the Second World War, America laid the foundation for a new and better world, drawn together by common values and forged from the fires of war. We did this not just because we are a generous people but because we are a wise people.

Farsighted American statesmen realized that creating the architecture for peace in Europe was a far better investment than returning to isolationism

and then one day having to pay the butcher's bill, as we did twice during the first half of the 20th century.

As Europe is changing, Vladimir Putin dreams of restoring the Soviet Union's prestige and power, and his ultimate goal is clear: the end of the postwar-American project in Europe and the return of power politics unencumbered by the rules of the road that we established to our benefit in concert with our allies.

And so the stakes, in my mind, could not be any higher. If we do not stand up to Putin now, his aggression will continue until one day he goes too far. On that day, we may face an unimaginable choice between war or the destruction of the NATO alliance. And whichever we choose, we will have lost.

Despite Putin telling us exactly who he is, I have heard some say we should try to work with Russia to find areas of common ground. Yet we have seen firsthand how the last administration's reset has not led to better relations but to a tide of Russian aggression.

I do not believe Putin desires war with the United States. What he desires is the fruits of conquest without the cost. He holds the cards of a bluff, and he is gradually raising the stakes in an effort to get us to fold. Fortunately, it is the U.S., not Russia, who holds the stronger hand. We cannot, and we must not, give Putin the acquiescence he requires to succeed in his plot to overturn the world we created.

When it comes to Russia's interference in our elections, we must put the country and the sanctity of our democracy far above partisan interests. For any American to collaborate against our own government with a government that seeks to undermine our country would, indeed, be nothing short of treasonous. But I call on my Democrat friends to resist the urge to treat this critical issue as nothing more than an opportunity to score political points.

And I call on my fellow Republicans to unwaveringly pursue investigations into efforts by Vladimir Putin to undermine our democracy, wherever they may lead.

I will close with this, Mr. Speaker. In our twilight struggle against the clouds of dictatorship, we must maintain what the former Soviet dissident Natan Sharansky calls moral clarity. Sharansky contrasts free societies with fear societies, where citizens live in perpetual unease. While even free societies are not perfect, they must never play into the hands of fear society propagandists who assert the dubious sense of moral relativism.

After all of these years, we are still Ronald Reagan's America—a light on a hill shining brightly as a beacon for all mankind. There is no moral equivalence between the United States and any society based upon fear, let alone Vladimir Putin's Russia.

American exceptionalism remains buried deep in all our bones. We are not just a free society; we are the model free society. Our values and our deeds will endure long after each of us in this Chamber is gone.

Mr. Speaker, the conflict before us is a simple one: we cannot fall prey to false equivalencies or fail to recognize our adversaries for who they are. Let us steel ourselves today in this Chamber and rise to stop Mr. Putin's aggression in its tracks, both against our own Nation and against those who have proven themselves to be our closest friends and allies.

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Wisconsin for his statement here and for bringing up the topic of American exceptionalism and bringing us back through some of this history that we need to revisit from time to time. That statement is very valuable to us.

Mr. Speaker, I yield to the gentleman from Texas (Mr. BABIN), an exceptional American in his own right.

TERMINATE GRANTS TO SANCTUARY CITIES

Mr. BABIN. Mr. Speaker, I wish to thank the gentleman from Iowa, my good friend for yielding to me.

I rise to express my strong support for the announced policy by Attorney General Jeff Sessions that will terminate U.S. Department of Justice grants to sanctuary cities. These are the localities that have chosen not to cooperate with the Federal Government when it seeks to deport already-detained criminal aliens.

Under this Trump policy, your hard-earned tax dollars will no longer go to cities and counties that thumb their nose at the Federal immigration authorities and refuse to cooperate.

In President Trump's first 2 months in office, this administration has acted to secure our borders, to encourage compliance with Federal immigration law, and to deport criminal aliens. The previous administration put out the welcome mat for criminal aliens. Thanks to Trump, the welcome mat has now been removed.

A few short days ago, the national news broke on how two illegal aliens from Central America raped a 14-year-old girl in the boys bathroom of a public high school in Rockville, Maryland. These two young men, Henry Sanchez-Milian, an 18-year-old from Guatemala, and Jose Montano, a 17-year-old from El Salvador, came across our southern border last year as unaccompanied minors. The Obama administration initially targeted them for deportation proceedings, but they were later released to join relatives in Maryland.

When asked about the situation, Rockville school officials said that the legal status of these two individuals did not matter, as Rockville has declared itself to be a sanctuary city. I beg to differ. It does matter. If the Federal Government had done its duty and

immediately returned these illegal immigrants to their home country, this young girl would not have been brutally raped.

For the sake of this young girl, we must secure our borders. This vicious crime would never have taken place had the Obama administration followed the law and secured our borders. The good news is that the new administration is working hard to secure our borders, to deport criminal aliens, and to protect the lives of American citizens.

Cracking down on sanctuary cities is an important first step. In the first month of the Trump administration, ICE issued 3,083 detainees. These are orders for local authorities to keep criminal aliens in custody for 48 hours to enable U.S. Immigration and Customs Enforcement, or ICE, agents to come and get these criminal aliens for deportation. 206 of these detainees were just declined, meaning that local authorities deliberately ignored ICE's detainer requests and released these individuals back out onto American streets.

This is especially concerning because 44 percent of those individuals had already been convicted of crimes in the United States. These weren't just petty crimes, folks. These include: homicide, rape, assault, domestic violence, indecent exposure with a minor, sex offense against a minor, aggravated assault with a weapon, resisting an officer, vehicle theft, kidnapping, driving under the influence, hit-and-run, and sexual assault.

Thank you, Mr. President, for holding accountable these sanctuary cities that released these criminals back out onto our streets.

We are also working to force foreign countries to take back their criminal alien citizens; 25-year-old Casey Chadwick was murdered by an illegal alien from Haiti, Jean Jacques. Jacques had been released 6 months earlier and ordered deported after serving a 19-year sentence for attempted murder.

Haiti had refused multiple times to take back Jacques, and under the Obama administration policy, Jacques was simply released onto U.S. streets to return to his life of crime, although Haiti had gladly taken billions of U.S. aid. That is why I have introduced H.R. 82, the Criminal Alien Deportation Enforcement Act. My bill withholds foreign aid from countries that do not repatriate their criminal aliens.

This commonsense step ensures that countries that benefit from the goodwill of the United States must hold up their end of the bargain and take back their criminal aliens. And through his recent executive order, President Trump declared that he would restrict the issuance of visas to certain residents of noncooperative countries. Congress should support the President by locking in this enforcement with legis-

lation so that a future President does not reverse this enforcement.

□ 1115

On behalf of the American people, I applaud President Trump and I call on my colleagues to cosponsor my legislation to lock in these protections for future generations of Americans and keep them safe.

Mr. KING of Iowa. Reclaiming my time, I would like to pose a question to the gentleman from Texas.

The bill that you have proposed that mirrors the President's executive order to limit people coming in from those six countries, do you have the bill number for that? H.R.?

Mr. BABIN. That is H.R. 80.

Mr. KING of Iowa. 880?

Mr. BABIN. H.R. 80.

The gentleman from Iowa, I am going to correct myself. That is H.R. 81, H.R. 81.

Mr. KING of Iowa. Okay. And you also have H.R. 82.

Mr. BABIN. I have H.R. 82, which I just discussed, and that is the repatriation of criminal aliens.

Mr. KING of Iowa. For the record, I believe I am a cosponsor of both of those pieces of legislation.

Mr. BABIN. You are, Mr. KING. You are a sponsor. And I thank you for your cosponsorship and trying to keep our American citizens, our constituents, safe.

Mr. KING of Iowa. Reclaiming my time from the gentleman from Texas, I appreciate the approach that you brought to this Congress. It is not hard for me to get behind, and I support legislation that is brought by Mr. BABIN. He has been looking at the safety and security of the American people and coming up with good, solid, principled ideas on how to restore and strengthen our national security.

Each of those two pieces of legislation, the numbers which I did not know until now, H.R. 81 and H.R. 82, are pieces of legislation that I and many other conservatives have signed on to in our endeavor to make Americans safe again. This great America, making it great again, part of it is to make America safe again.

I would add to this, Mr. Speaker, that I am appalled at the audacity of the judges who are either out on the left coast or well beyond the left coast, as far west as Hawaii, who would just step in without any kind of a constitutional, foundational background in their arguments or decisions, without citing the statute is this, that Congress has the authority to control immigration in the United States of America.

If we want to pass a piece of legislation and it is in law that says the only people that we will let come into America are green Martians, then that is the law, and that is what a judge is obligated to determine when they read the law.

But on top of that, not only does Congress set the terms on what legal immigration is into America—and it is clear and it is defined—but we grant the President of the United States the authority to determine those who will not be allowed to come into America, just like any other sovereign nation-state in the world that controls its borders.

And if we don't have the authority, if Congress doesn't have the constitutional authority that is clearly defined, and if the statutes that are produced by Congress and signed into law by previous Presidents do not set that statutory authority on who comes into America but a judge someplace in Seattle or Hawaii can supercede the will of the American people, can supercede the supreme law of the land, the Constitution of the United States, can supercede Federal law just because, in their whim, they think a law might mean something that it doesn't say, that is what we are dealing with, Mr. Speaker. I intend to move further on this and examine these judges more closely.

As a matter of fact—and I thank the gentleman from Texas. But we had a hearing either earlier this week or last week—and my weeks run together, Mr. Speaker—and this hearing was a hearing where we discussed some of this statutory authority.

In fact, it was this week. I remember one of the witnesses, and the witness was a Sheriff Hodgson out of Maryland; and he testified that a State legislator in Maryland had learned that there was likely to be an ICE raid into a particular community, and the representative posted on their Facebook, essentially: Don't go out of your homes. Be careful because you might be picked up and deported if you are illegally in America.

That heads-up from an elected State official, I asked him this question, and his answer concurred with my opinion, that it is a direct violation of 8 U.S.C. 1324, which is a Federal ban on harboring illegal aliens. To harbor them, to encourage them to come here or stay here—and it can be either willfully or for financial purposes. If that is the case, they are facing a Federal felony of up to 10 years in a penitentiary; that is, if it is for profit. But if it is not for profit, then they are only facing 5 years in a Federal penitentiary for facilitating illegal immigration, harboring illegal aliens.

When I read the statute into the RECORD before the Judiciary Committee, it was clear to me that Sheriff Hodgson had read that statute multiple times. I don't know that he had it completely memorized, but he knew exactly what it meant; and he concurred with me that I believe the Justice Department should be investigating, should be looking into State legislators or any citizen—they are subject to the

same laws as all the rest of us—who is harboring illegal aliens. We should bring this on the highest profile level that we can.

And furthermore, we have a judge out in Washington, again, who, according to news reports, helped facilitate an illegal alien who was before this judge's court to go out the back door when there were ICE agents waiting, guarding the front door. That also is a violation of 8 U.S.C. 1324, harboring illegal aliens.

So Congress passes laws, and these laws are to be respected; and we cannot be a real civilization if we don't have respect for the rule of law, Mr. Speaker. And not only has respect for the rule of law been so eroded, we had a previous President, and that is President Obama, who openly and blatantly violated the supreme law of the land, the Constitution, according to his definition.

Twenty-two times Barack Obama said he didn't have the authority to grant a legal status to the people who are defined as DREAMers, the deferred action for children of—I guess they say—well, it is children of aliens is what it really is. But President Obama, 22 times on videotape and who knows how many times it wasn't on videotape, said: I don't have the constitutional authority to change the law. Congress has to do that.

When he was pressed to change the law and he said he didn't have that authority those 22 times, then he concluded that he could get away with it anyway. He issued the order, the DACA order—two of them that are really openly and blatantly unconstitutional. DAPA, the Deferred Action for Parents of Americans, that is how they called it. Again, it is parents of those who were born here to illegal parents, and we need to move the birthright citizenship bill to put an end to that.

The President knew he didn't have the authority for that DAPA program, and he knew he didn't have the authority for the DACA program, and he said so at least 22 times. Then he issued those orders, and the executive branch of government began to carry out the President's orders, which are in violation of the law. So he has commanded the executive branch of government to violate the law.

Subsequent to the DACA order going out, President Obama went to Chicago and gave a speech and said publicly—and this is on videotape, too. He said this: I changed the law.

Mr. Speaker, no President ever had constitutional authority to change the law. It is Congress that writes all the laws in the House and in the Senate. The President gets an opportunity to sign them into law, and, as President, he is free to lobby the Congress to change the law. But no President should have the audacity to stand up in front of his hometown and the world and say: I changed the law.

Now, do we remember, Mr. Speaker, that there was a big national outrage over that statement or over the constitutional violations? No. There wasn't a great outrage. I am greatly outraged, and I remain outraged, but the American people were relatively complacent about this.

Now, there were plenty of them that did some work on this, true, but it wasn't like a big cultural movement. I would remind you about what happens when we are extremely offended by violations of law and decency. That is when Republicans and Democrats get together and do something about it.

One of those things I can think of, Mr. Speaker, is this. I reach in my pocket and I pull out—this is an acorn. I carry an acorn in my pocket every day, and I have done that for, oh, I don't know how long now—pretty close to 10 years.

But I brought an amendment to the floor of the House of Representatives to cut off all funding to ACORN about 2 years before we heard of the videotapes that came out of ACORN that were collected by James O'Keefe and Hannah Giles because I knew what was going on. I had had an investigator that was feeding me information. And I came to the floor and made an effort to cut off all the funding that was supporting ACORN, which admitted later on to 440- or maybe 444,000 false or fraudulent voter registration forms that they paid people commissions to produce.

Some of those forms included Mickey Mouse and the entire Dallas Cowboys football team, all registered to vote.

ACORN employees were paid on commission to collect the voter registrations. They were subverting our electoral process. They were advocating all kinds of things from within ACORN and helping to facilitate, as we know the allegation, prostitution and others.

This was so bad—this was so bad that Democrats were outraged. I know, Mr. Speaker, it is hard to fathom this now. But Democrats were outraged. Republicans were outraged. And when those videos became replete throughout the American consciousness, you—and I say, Mr. Speaker, I say the American people rose up and they called their Members of Congress, and they did interviews on TV, and they wrote letters to the editor. It was the talk of the coffee shop and the church and the school and the work and the town. America revolted at the idea that we would be sending hundreds of millions of tax dollars to an organization that was so immoral and so corrupt.

Underneath that was the corruption of our electoral process. So we came together here with moral and constitutional outrage and cut off all funding to ACORN or any of their affiliates or subordinates or successors, and that has been part of the appropriation process here ever since.

I carry this acorn in my pocket to remind me, to remind me not to ever let something like that happen again. But also, it is a point of pride for me when I hold this in my hand because I am proud of the American people, Mr. Speaker. It was the American people that got that done with bipartisan outrage about what was happening to our Republic and to the legitimacy of our elections in this Republic.

And I would remind people, Mr. Speaker, that we have a Constitution that I have said is the supreme law of the land. It is the foundation upon which our country is built. But that foundation sits on something. It sits on a bedrock, and the bedrock that it sits on is legitimate elections.

We can watch our Constitution erode by decisions in the Supreme Court and by loss of understanding of what its original meaning is and what it is to be a constitutional and contractual guarantee to succeeding generations, we can lose our Constitution that way, or we could just lose our country by allowing the bedrock that our Constitution sits on, legitimate elections, to be eroded and destroyed.

That is what I think the American people understood, maybe instinctively, maybe intuitively, maybe intellectually, what was happening to our country. All of that went together to build a giant snowball of public outrage that ripped the funding out from underneath ACORN, and we will hold that now for a long term and, hopefully, for the very long and increasingly healthy life of this Republic.

That is what needs to happen when we are outraged, when we see our Constitution being undermined. We did that with ACORN, and it is a symbol of what the American people should be doing.

But when you have a President of the United States that takes an oath of office to preserve, protect, and defend the Constitution of the United States so help him God, and in that oath it is specified in another section of the Constitution that he, meaning the President, take care that the laws be faithfully executed—we call that the Take Care Clause—well, the President, President Obama, did not take care that the laws be faithfully executed. He refused to enforce the law. He refused to enforce the immigration law, and he issued orders that ordered his subordinates throughout the executive branch of government, including the Border Patrol, custom border protection, ICE, and USCIS, to defy the law.

The law of the United States says that, when law enforcement encounters someone who is unlawfully present in the United States, they shall—not “may,” but “shall”—be placed into removal proceedings. That is the law.

Had that been the case and if the law had been followed, if the law had been followed ever since Ronald Reagan

signed the amnesty act in 1986—which, by the way, was a legal act. I thought it was poor judgment on the part of President Reagan. He let us down on a principle of the rule of law. Thirty-plus years ago I knew that we would be fighting for a long, long time to restore the respect for the rule of law, particularly with regard to immigration.

When I watched the debate take place here in this Congress and in the House and in the Senate and I read what I could read about that, I reasoned that, even though we were losing in the House, the rule of law was losing in the House on the amnesty debate in 1986, and even though the rule of law lost in the Senate, I was confident that Ronald Reagan understood the principle that, if you reward people for breaking the law, there would have been more people that break the law.

□ 1130

If you say that this is the last amnesty ever, you also will have to continually fight the argument of we didn't really mean that; there are these other circumstances.

The three—well, it actually started out to be 1 million people that were going to get amnesty in 1986. And the rationale, which I don't actually think was rational, was we can't enforce the law against these million people that are here illegally, but we need to have the rule of law. So what we will do is we will grant an amnesty to the million people that are here illegally.

Then our promise will be, from this point forward, everybody who enters into the United States, or is unlawfully in the United States will have to face the law, and we will deport everybody that has violated our immigration laws. We will enforce the law from this point forward, from 1986.

Ronald Reagan believed he was going to get that; and, by the way, he did command the executive branch of government, and the Republicans did run the executive branch of government not only from 1986, but all the way up until 1993, when Bill Clinton took office.

But what happened was they didn't get the enforcement. There was fraud. It was well over a million people—it was closer to 3 million people—who received amnesty under the 1986 amnesty act; and those 3 million people then were legalized in America, by law. And I don't dispute the validity of the law, but they were rewarded for breaking the law. That is what the amnesty did.

So I have talked to a number of them along the way, and they will argue: Yes, we deserved amnesty. We came to America. We wanted to live here. It is a good thing. My family is better off.

Well, is the rule of law better off, is America's Constitution better off, is our civilization better off because we decided that we would ignore the law and reward people for breaking it?

By the way, is the debate over? Did we restore the respect for the rule of law since 1986, Mr. Speaker? Or, instead, have we seen the respect for the rule of law be eroded day by day, week by week, month by month, year by year, over the last 30-plus years since the amnesty act of 1986?

That is what happened. Ronald Reagan saw it in his lifetime. He recognized that and would have liked to have had that bill back again.

I have had the conversation with a glorious American, then-Attorney General Ed Meese, III, who also recognized that the advice that President Reagan got from his Cabinet on whether to sign the amnesty act in 1986, whether that advice was good, and I will tell you that the Cabinet members that I am aware of would like to have reversed that decision after they saw the actual results.

Well, it is not that I am the most clairvoyant Member of the United States Congress, but I can assert with great confidence here into this CONGRESSIONAL RECORD, Mr. Speaker, I saw this coming in 1986. I wasn't in public life. I just wanted to raise my family and run my business and live with the freedoms that are guaranteed to me as an American citizen under the Constitution, but I wanted the rule of law.

I had been raised with a deep and abiding respect for the law. My father would sit me down at the supper table with the Code of Iowa on one side and the Constitution on the other side, and he would lecture to me how this fits. He would say over and over again: This is the law, and you will abide by the law. If you don't like it, if you think the law is not right, true, or just, there are means by which you go about changing it.

You can go lobby your State Representative. You can lobby your Congressman. You can run for office, which is what I ended up doing. And I am here defending the Constitution and the rule of law.

But we also are a First World country. We are the leaders of civilization for the world. We are the leaders of western civilization for the world. We are the American civilization. The American civilization is a dominant component of Western civilization, and if we take the values that formed America out of the values of the world, we don't have a lot of science and technology in progress to work with. We don't have a lot of economic dynamism.

I know that there have been wars and there have been dictators that have popped up within Western civilization. But, fortunately, we haven't had a dictator pop up in our American civilization. And one of the big reasons for that is because of our Constitution, and because we have public debate, and we come here to the floor of the House, and over there to the floor of the Senate, and across America, again, in our

coffee shops, in our churches, in our workplaces and out on our parks and our streets, and we discuss this openly.

We should listen to other people's ideas and we should consider what they have to say and we should evaluate that. That is what our Founding Fathers envisioned. And as these ideas merge, what will happen is that sometimes there will be people on the right that are never going to compromise, and there will be some people on the left that are never going to compromise.

Maybe that doesn't matter so much because the people in the middle get to hear both of those arguments and make their own decisions, and they can move left or they can move right. But over time, we build a consensus. And when we get to that consensus, that is when we can move legislation here in the House and over in the Senate and to the President's desk for a signature, and then America continues to become an even better place.

But we have to have open dialogue to do this, and we have to have the rule of law that gives order to our society. If the rule of law is sacrificed because people are ruled more by their hearts than they are their heads, I would say: Come back to the history of America. Study our Founding Fathers. Read the Federalist Papers. Deliberate on this Constitution that we have, deliberate on this supreme law of the land and understand how deep the thought that went into the words that are there that are our guarantees.

Our Founding Fathers understood that we had to continue to educate each generation and raise them up not only in an understanding of the Constitution—and I double assert its original meaning—but they needed to be raised with an American experience. That is why it is required that our President of the United States be born in America. And that “born in America” is essentially shorthand for we want to ensure that all of our Presidents are raised with an American experience. That is how to interpret that.

I am not here to slice or dice, Mr. Speaker, the actual locations of birth of any President. And we have seen that Congress has some authority to address it by statute, should we choose to do that. But I am asserting that it is essential that the American civilization be preserved, protected, and expanded; and that we have leaders that are raised with the American experience that will come here and defend the American culture and civilization. And that is so important, that the leader of our thought process, the leader of the destiny and the direction of America is the President of the United States, our Commander in Chief.

The words that our President says reset and redirect America. We saw it happen under the 8 years of Barack Obama. We are seeing it begin now

under the beginnings of the 65 or 66 days of the Trump administration, Mr. Speaker, and we have noticed that the dialog in America immediately shifts to: What is the President thinking about? What is the President talking about? What is the President tweeting about?

I think there is a high degree of anxiety on the part of the mainstream media, because they are never really off the clock because this President might wake up at 3 in the morning and send out a tweet that resets things. And so I am fine with that. I think it is important that we understand the thoughts of the President.

By the way, he isn't all-powerful. I used to say to the previous President: You are only the President. It is the American people that run this shop, and through a lot of different mechanisms.

But the President does have a lot of authority and he gets to set the tone for the debate and he gets to define many things, but especially the foreign policy.

But we still have this constraint, and the power of the purse exists here, especially in the House of Representatives. If the House doesn't appropriate money, nobody gets any money. That is kind of like when they say: If mama ain't happy, nobody's happy. Well, if Congress doesn't appropriate money, nobody gets any money.

So that power of the purse was designed by our Founding Fathers to be the controlling factor of the things that go on in this country. And if a President is out of line, we are obligated to shut the money off to those things that are out of line. Of course, the Senate will have to concur with any spending that the House should initiate, but just the same, it is the power of the purse that controls much of this.

But we are to be guided and bound by the Constitution. Earlier this morning, as the chairman of the Constitution and Civil Justice Subcommittee of the House Judiciary Committee, I held a hearing on constitutional rights, in particular the Kelo decision that came down in—if I get my date right—June 23 of 2005.

That decision was about property rights in New London, Connecticut, that the local government had decided that they were going to act by condemning the private property locally so that they could hand that private property over for a private interest to do expansion and development on multiple homes within the area of New London, Connecticut.

I recall my outrage when the Supreme Court ruled that that was constitutional; for a local government to condemn private property for private use, all it had to do was be facilitated by local government.

I had not read the decision at that time. In fact, I hadn't read the dissent.

I had read part of the decision. But within a week, we brought a resolution of disapproval of the Supreme Court's decision on Kelo to the floor of this House. And, yes, I was engaged in that debate and some of the shaping of the resolution.

But the Supreme Court of the United States, which is there to protect the Constitution itself, to interpret the Constitution and the law, effectively stripped three words out of the Fifth Amendment of our Constitution.

The Fifth Amendment reads like this: “. . . nor shall private property be taken for public use without just compensation.”

Well, the people in New London Connecticut, particularly the Kelo family, had their private property, their home condemned, confiscated under eminent domain and handed over to private use and through the entity of local government. So I was outraged. America was outraged.

By the way, that is another time like I showed you the acorn, Mr. Speaker, but the Kelo decision was another time that the American people rose up and said: We disagree with this decision.

And it was—the polling that I recall from the time, 11-1, opposed the Supreme Court's decision that would allow local government to confiscate private property.

I came to this floor to add to the debate. And at the time I was queued up to speak, the speaker ahead of me was over at this podium, the gentleman from Massachusetts, Mr. Barney Frank. Now, he and I had a history of disagreeing on a lot of issues, and I expected to disagree with Mr. Frank on that issue. So I sat here in a chair in front with my notepad to take notes on Mr. Frank's statements so I would be prepared to step up and rebut him because my turn was coming next.

I am writing notes furiously, keeping up with his quotes. And while this is going on, and he was almost finished with his speech before I realized I agreed with everything Barney Frank said on Kelo. Everything.

So I spoke, I came down here to this podium and gave my speech, but my speech fully supported the statement by Mr. Frank. And I added to that, that the effect of that decision was to strip those three words out of the Fifth Amendment “for public use.” I made that argument as emphatically as I was prepared to do, that now the Fifth Amendment of the Constitution that guarantees our property rights says: “Nor shall private property be taken without just compensation.”

In other words, they have to pay you for it. But you don't get to keep your home if there is a private interest out there that can convince a local government that they will pay more taxes on that property than you are paying on that property.

Stripping those three words out of the Fifth Amendment was the exact effect of the Kelo decision. I did not

know it at that time because later on is when I picked up the dissent, one of the last dissents written by Justice O'Connor, who had exactly the same analysis in her dissent as I had in my speech and, as I believe without utter clarity of the statement, that Mr. Frank would have agreed with it if he didn't say it or not.

So here we are. The American people have risen up and we have said: We disagree with the Supreme Court. We want to restore our Constitution, but amending it is pretty difficult.

By the way, if you wanted to amend the Fifth Amendment of the Constitution to fix Kelo, to have the Fifth Amendment mean "nor shall private property be taken for public use without just compensation," if you want the Fifth Amendment to mean that—I asked a witness today: How do you rewrite the Fifth Amendment and amend our Constitution when the Supreme Court has so, I will say, subverted the meaning, they had de facto stricken those three words out?

How do you rewrite it? Do you start with: We really mean it this time that "nor shall private property be taken," we really mean "without just compensation," we really mean it "for public use without just compensation"?

Do we keep adding? Do we really mean it? Or are there words in the language that can prevent a court from doing what they decide to do from an activist standpoint?

I don't think so. And a number of times I have tried to write amendments to the Constitution to fix problems that have been created by an activist court.

□ 1145

So I will say the Kelo decision in 2005 was a precursor to things that happened by the Supreme Court, although they are not connected and cited; and that would be June 2015—June 24 and June 25, 2015, as a matter of fact. It was *King v. Burwell*, the decision when the Supreme Court, on a Thursday—I believe if you look at the calendar, Mr. Speaker, it will be a Thursday, June 24, 2015, when the Supreme Court concluded and issued a decision that they could rewrite *ObamaCare*, that they could rewrite the statute—the law that was actually passed here by hook, crook, and legislative shenanigan, but still within the boundaries of the Constitution.

The law gave no authority to the Federal Government to establish exchanges under *ObamaCare*, but the Court considered this, and they concluded that: We must have really meant to say "or Federal Government" when Congress wrote that the States may establish exchanges. The de facto result of the *King v. Burwell* decision was that the States—and added these three words, in effect—"or Federal Government" may establish exchanges

under the law. The Supreme Court added words to the law. If they can add words to the law, then they can also subtract words from the law.

So I am appalled by this. This is Thursday, and before I can get my feet back underneath me, having been essentially knocked over by a Supreme Court truck believing that they would be bound by something within the Constitution, before that can happen, I am pulling into a Catholic church in Logan, Iowa, to do a 10 a.m. meeting with some priests and members of the parish synchronized just by providence or happenstance with former Senator Rick Santorum, who has been a definitive voice on marriage. We were both listening to the radio as we pulled into that church to do a joint event, and for the first time we had heard about the *Obergefell* decision, the decision that came down on Friday, June 25, 2015.

That decision goes even beyond the idea that the Court can insert words into Federal statute that was previously duly passed by Congress and signed by the President. And now under the gay marriage decision of *Obergefell*, the Supreme Court not only found a new right in the Constitution, they created a command in the Constitution—a command.

It is not in the Constitution about same-sex marriage. Our Founding Fathers never envisioned such a thing. There is no one that can assert that it was even in the imagination of any Founding Father. Neither can they assert that it was in the imagination of anybody that was in this Congress when the 14th Amendment was passed out of this Congress—out of the House and the Senate—and ratified by the American people with 75 percent of the legitimate States at the time.

No one can assert that that ever was out there in, let's just say, the emanations and penumbras of the Constitution or especially the 14th Amendment, the equal protection clause of the Constitution. They can't assert that.

They asserted in the *Roe v. Wade* decision that this right to privacy becomes a right to abortion under any circumstances to speak of—almost any circumstances, Mr. Speaker. They asserted that it was in the emanations and penumbras, and they kind of made it up. They found it in that shadowy area along the edge of the clouds that we all see something different if we see anything at all, but they could see something that nobody else had seen, and they wrote that into the decision.

But this *Obergefell* decision goes even beyond that, even beyond the audacity of *Roe v. Wade*, *Doe v. Bolton*, *Griswold v. Connecticut*, and the *Eisenstadt* decision. It goes beyond all of those.

It is this: the Supreme Court created—not only found a right, but they created a command in the Constitution.

And here is the command: if you are a political subdivision in America that recognizes civil marriage, then thou shalt conduct same-sex marriages and recognize same-sex marriages, regardless of where they might take place, but they shall take place in your jurisdiction as well. That is the *Obergefell* decision.

Now, if this had been a decision of the United States Congress, it would have been litigated and found unconstitutional. We don't have the enumerated power or the constitutional authority to impose same-sex marriage on America. That is outside the reach of this Congress, and I think there are Democrats that will agree with me on that, Mr. Speaker. But if the States were to pass same-sex marriage laws, they do have that constitutional authority. If that had happened in a statutory way, I would accept that. I don't agree with it, but I would accept it as a constitutional function of a legitimate subdivision within the United States.

That is how we need to do things in this country, in a constitutional fashion, not bypass the will of the people and allow the Supreme Court to assert an authority that they do not have constitutionally. I can chase this all the way back to *Marbury v. Madison* and have to take that argument apart, I know, with some of the people that would carry on this argument. But in the end, it is this: We get into big trouble when we start establishing special rights for immutable characteristics.

If you look at Title VII of the Civil Rights Act—and I don't have it committed exactly to memory, but in Title VII of the Civil Rights Act, there is protection there for religion, but that is a specific constitutional protection in the First Amendment. Beyond that, it is protection for immutable characteristics that have to do with race, ethnicity, and national origin. I am fine with putting in disability. That is an immutable characteristic. Age is another immutable characteristic. And sex is an immutable characteristic. Gender is not, and sexual orientation is not.

When you go into that zone, then you are giving special protected status for characteristics that cannot be independently identified and can, at least potentially, be willfully changed. That is a zone that is too blurry a zone for law, and it is a zone then for our culture to accept, embrace, and love people of all walks of life and recognize that we are all God's children, we are all created in His image, and because of our immutable characteristics, they are tied to our origins.

By the way, our rights do come from God and not from government. If we think somehow that rights come from government, then it is okay for government to take our rights away. But they don't come from government. Our

Founding Fathers understood that. In fact, they articulated that better than anyone ever had. They had a tough job. They had to first understand this divine right of humanity, natural law, as they described it. They had to first understand it, then they had to articulate it, then they had to debate it among themselves. They had disagreements amongst themselves, but they reached a consensus that got to the Declaration and a consensus that got to the ratification of the Constitution.

We fought a gruesome and a ghastly civil war to put away the sin of slavery. That also was a movement that came from the people of America and the people of Western civilization and the world. Slavery is an institution that has been part of every ancient civilization back to the beginning. America stepped up pretty early in this process. Great Britain was ahead of us. Not many other nations beat us to that punch. It was a brutal thing that America went through, but it was a consensus of America in the end that ended that.

So, Mr. Speaker, I am making this point that this America that we are is built upon the pillars of American exceptionalism. Those pillars are inherited from Western civilization whose roots go to Western Europe, they go to Rome, they go to Greece, and they go back to Mosaic law. We have been a wise-enough civilization to adopt those values from outside of Western civilization that give us vitality, just like our English language has this unique vitality. One of the reasons for it is that it is adaptable, it is flexible. We are not stuck in time and place. We take on words into our language. Every year there is a list of new words that go into the dictionary because we create them to take care of the meaning that we need.

Daniel Hannan, a member of the European Parliament from the United Kingdom, has written a book about the English language. I think of Winston Churchill's book, "A History of the English-Speaking Peoples." I read that book carefully forward and back and digested it so to speak. When I finished it, I remember I looked up at the ceiling, and it was about 1:30 in the morning, and I thought: My gosh, wherever the English language has gone, freedom has accompanied the language.

Now, Churchill didn't ever write that, that I recall, in his book, but that was a conclusion that came to me. I would call it an inescapable conclusion that might only mean "if you think like I do." But he laid the case out without saying that the English language has carried freedom.

Well, Daniel Hannan's book—the title of which I forget at the moment, Mr. Speaker—goes further. He says that, as he sits in the European Parliament—and he is multilingual—he will have earpieces on listening to the

interpreter while he is listening to another language in this ear, and the language he gets interpreted into his ear doesn't necessarily carry out the same values and meaning. His analysis is that the English language not only is a carrier of freedom, but it is a language that articulates freedom unique to any other, and that you can't really understand God-given liberty without having an understanding of the English language that has such a utility in our carrying out and talking about our values of language and liberty.

Liberty means something different from freedom. We have got two words, liberty and freedom. Many other languages only have one word, and they just use that word universally. But in our spirit is this—freedom is this: a wild coyote has freedom. He can jump the fences and go wherever he wants to go. But freedom is different. He has that freedom. But liberty is bridled by morality. We have liberty in America. We are bridled by the morality of the obligation that we are a civilization and a culture that is part of Judeo-Christianity, descended, at a minimum, from Judeo-Christianity, and our values that are rooted in there, as I said, are traceable back to Mosaic law.

We have to have a morality within America if we are going to be an America that achieves and that we can aspire, that the arc of history takes us to soaring heights instead of flattening that arc of history out and perhaps diminishing into the Third World.

So I revere this country, Mr. Speaker, and I revere our Constitution and our rule of law. The people in this country, all of us who are part of this civilization and part of this culture, all of us who get up every day and go out and do things to lift others up, all of us who scrub out some of the things that aren't so great and elevate those things that are great and pull ourselves together, whether it is a mom and a child, a dad and a child, whether it is a church group, whether it is home school, public school, or parochial school, whether it is work, whether it is your volunteer group, if you are out there handing out pamphlets to advance your cause and adding to the civil dialogue in America, keep a moral foundation behind it, and add to that civil dialogue, if we continue to do that, and if we protect, understand, and teach the values of America, and in particular the understanding and the original meaning of our Constitution, we will continue to be an even greater country.

Mr. Speaker, I appreciate the privilege to address you here on the floor of the House of Representatives. I am privileged to serve here and privileged to have the opportunity to go home and carry out some of the things that I have talked about here in this last hour.

Mr. Speaker, I yield back the balance of my time.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to without amendment a joint resolution of the House of the following title:

H.J. Res. 67. Joint Resolution disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees.

The message also announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 353. An act to improve the National Oceanic and Atmospheric Administration's weather research through a focused program of investment on affordable and attainable advances in observational, computing, and modeling capabilities to support substantial improvement in weather forecasting and prediction of high impact weather events, to expand commercial opportunities for the provision of weather data, and for other purposes.

The message also announced that pursuant to Public Law 101-509, the Chair, on behalf of the Majority Leader, announces the appointment of the following individual to serve as a member of the Advisory Committee on the Records of Congress:

Deborah Skaggs Speth of Kentucky.

□ 1200

REPEALING HEALTH CARE LAW

The SPEAKER pro tempore (Mr. BANKS of Indiana). Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, it is indeed a pleasure to follow my good friend from Iowa, STEVE KING. I know Mr. KING cares deeply about America. He not only cares deeply, but having been in the private sector in business where he, like our President, was involved in building things and making things work and making things accessible, he has good solutions. I have no doubt if he were not in Congress, he probably would have gotten the bid on the sections of the wall that the President is taking bids on even now.

We are at an interesting time. It has been interesting to see some of the messages. Some are hurtful. I know the liberal papers like the Longview newspaper immediately pick up on any dissension in the Republican Party, especially if it is aimed at conservatives like me. I don't know why we use the term "conservative." It used to be just somebody with common sense that believed in keeping our word, believed in following the Constitution.

We seem to get in trouble when we don't follow the Constitution. For example, it makes very clear that everyone who is an American citizen is supposed to have rights. We can't assure

the rights of every person in every other country. That would turn into this remarkable experiment in a republican form of government that we have here.

It is really a democratic Republic—a Republic where you select representatives so that you don't have big gangs running around as a majority wreaking havoc when people disagree with them. We elect representatives so they can come together and, hopefully, read bills and not have to vote on them so they can find out what is in them, go ahead and read the bills in advance and hopefully have something to do with the writing of the bills, especially things that affect people's health.

When we see messages like have come out today, it is unpleasant. One was apparently sent out from the White House, condemning the Freedom Caucus, apparently, because we have the audacity to want Republicans, including those at the White House, to keep our promise. I still remain in favor of—as do my friends on the Freedom Caucus and a lot of others—and remain committed to our promise to repeal ObamaCare.

I realize there can be honest disagreement. Some think if we give more power to Health and Human Services, more Federal Government, and give more power to the people we trust in the Federal Government, whom I do trust, then they can do what Congress is not willing to do, and that is repeal ObamaCare and have a system in place that will assure people can get health care that is affordable.

The fact is most people talk about how we have got to make sure people can get health insurance. And then, over the years, they use the term “health care” synonymously with “health insurance.” Actually, the fact is we should be most concerned about people, all Americans, having access to affordable health care, whether they have insurance or not.

One of the problems that health insurance has gotten into over the last 50 years is that health insurance has ceased to be insurance. Under ObamaCare, health insurance was certainly not insurance.

If you look up the root of insurance, the word “insure,” insurance was intended to be something you could purchase very cheaply that would insure against an unforeseeable event some point in the future, maybe a catastrophic accident, a chronic disease, something that you don't expect and you hope never happens. For the insurance companies, it is actually a form of legalized wager that you are paying a little amount, hoping that never happens, but just in case it does, insurance will be able to take care of it at that point.

We have long since lost the idea of true insurance, and people began paying health insurance companies not to

insure against an unforeseeable event in the future, but to pay them to manage their health care, to tell their doctors what medication they could prescribe, what procedures they would cover to help their patients, telling the patients which doctors they could see.

Actually, the truth is, as the Federal Government got more and more involved, we saw less and less insurance and more and more insurance companies managing people's health care, and the managing insurance companies were actually following the lead of the Federal Government.

The more we passed laws regarding health care and insurance, the more the Federal Government had a say in people's health care and well-being and the more insurance companies moved into a management role, much as the Federal Government in Medicare and Medicaid moved into a governing role.

This morning, I am meeting with constituents that are very caring individuals and who provide health centers that are extremely affordable, very, very cheap, but provide quality care for people that can't afford the care. They don't have to go to the emergency room, which costs more than going to a clinic for minor matters. It saves a lot of money. It is a lot of cheaper.

Of course, emergency room care is about the most expensive care you can get, and people who don't have insurance often go and line up at emergency rooms, which drives up the cost of everybody's health care and everybody's health insurance. We can break the cycle of that.

I understand there are very well-meaning friends on the Republican side of the aisle that think if we just give the Federal Government, give Health and Human Services, more power to control all of this, we have a guy in place that I do believe can do great things to cure the ills of health care.

My problem is, if we don't repeal the outrage known as ObamaCare, or the Affordable Care Act—which is really unaffordable—if we don't actually repeal it here in the House, have the Senate repeal it, then no matter how much those in the executive branch and those in Health and Human Services, including my friend, the Secretary, no matter how much they do to help Americans, the next liberal that comes in, the next Kathleen Sebelius who comes in thinking she knows more about what is best for you than you do, then all of those great reforms will go out the window. Because the Secretary will have more authority and more ability to make regulation under the Republican proposed bill, then I am quite certain that somebody that comes in, like Kathleen Sebelius, who knows better what you need than you do, will make sure that the regulations and the overreach become even more burdensome.

I totally understand the President's frustration. He was told that the Re-

publican bill would basically repeal ObamaCare. The truth is I totally agree with the President. We need to act to repeal ObamaCare. I stand with the President, through whatever hardship, to repeal ObamaCare.

I have heard people referring already to the Republican bill as SwampCare. There are some good things in the bill, but it appears to analysts that I trust and have a reputation for being accurate that premiums will go up and that this bill is not going to really bring down health insurance costs and that they may go up for the next 2 years.

Hopefully, in 2019, after Republicans have lost the majority because we didn't keep our promise, they are projecting that in 2019 the prices will go down maybe 10 percent if everything works out well. That would be good for the new Democratic majority because they will have taken office and they will get all the credit for costs coming down.

Even though it is very slightly, they will get the credit, and Republicans will be left out to dry, which means the American Dream—freedom, entrepreneurship, the ability to decide what health care you need, when, without government or an insurance company telling you otherwise—that dream of personal independence will be gone, and you will see a new America that begins to reflect the values of the former Soviet Union, which anybody that studies history like I majored in and never quit studying, you know there has never, ever been a time when socialism succeeded. It always has failed. It always will fail.

Even the Apostle Paul's effort to bring into the common storehouse and share and share alike, eventually he realized his error and that it is going to work in Heaven, but it is not going to work here. So, new rule: If you don't work, you don't eat.

The Pilgrims, just a beautiful Compact: Bring into the common storehouse, share and share alike. But after so many died that first winter, they realized: Maybe it will work out better if we let people have private property and they get to keep, use however they want, whatever they produce. What a great idea.

That kind of entrepreneurship, that kind of encouragement and incentive in this world for people to do well, to control their own destiny, is what made America the greatest country in the history of the world.

Now, as we proceeded over the years, we have moved toward more and more socialism, especially in the last 50 years. We have now allowed people like Bill Ayers to take over our educational facilities. They have been successful.

I understand 30, 40 percent of young people coming out of college today think that socialism would be a good thing. Well, it would be in a perfect world, where everybody worked as hard

as they could and then shared and shared alike, but we have seen in this world that will never work. The only way socialism remains as long as it does, as it did in the Soviet Union, is if you have a ruthless totalitarian government that takes people's freedom away. But even then, it is all going to be for nothing.

We have an article from Mark Miller in Reuters, and the title is: "Republican Health Reform Is the Real Disaster for Older Americans."

One of the things I have got to say, Mr. Speaker, I was hoping in our bill—since we know and we have talked about all these years since ObamaCare passed that it cuts \$716 billion from Medicare, and seniors need help. They are beginning to experience rationed health care the way the VA has been administering to our veterans for too long.

Hopefully, we will get that fixed. I don't know the person that President Trump appointed to head up the VA. She has been part of the VA system, so I am concerned she may not be able to deliver on reenergizing the VA to actually help veterans.

With all the problems that have existed across the Veterans Administration, which are a clear example of what happens when a federal government takes complete charge of a medical system, and with all the veterans we have in record numbers committing suicide because they just feel so hopeless—they feel like there is nowhere to turn. The VA doesn't help them. They have got nowhere to turn, and they do take that irreversible step of hopelessness. People that are seeing that in the VA now are coming and saying they want the Federal Government to have more control over people's health care, kind of like the VA, because that is such a good thing.

□ 1215

Do we need more people killing themselves in the general society at the levels of our precious veterans?

I mean, let's take care of our veterans. Let's drop that to zero for veterans and let's work on it for the general population.

I do believe that the bill that my friend Dr. TIM MURPHY helped push through, did such a great job on—it was bipartisan; we had people on both sides of the aisle working fervently on that bill—I think will be able to do some good. For 30 years or so the pendulum swung too far against people getting the mental health care they needed. So it is good to see that change.

But, Mr. Speaker, this bill—I left at the end of the week last week, and I know a lot of people were down, and I was in part, but the other side was. I really felt like this was going to be a good week, we were going to come together, we were going to discuss, we

were going to find a way to come together. I thought on Tuesday—Monday evening, as I saw our leadership getting together with members of our party, I thought: Yeah, I bet we can get something by the end of the week. I got the feeling most of the Republicans felt if we don't have a bill that we can agree on and get passed for the good of the American people, let's actually take steps.

Okay, our leadership said we can't repeal ObamaCare. Well, let's repeal at least as much as we can. Let's at least repeal as much as we did 2 years ago. Let's at least not give more power to Health and Human Services. Let's at least take out some of the requirements from ObamaCare that have caused premiums to skyrocket. We are told: Well, trust HHS because they will be able to help bring down premiums so we don't have to take that action in this body ourselves.

For all of those who were ignorant and didn't understand, the Freedom Caucus was trying to reach an agreement so that we could vote a bill out of this House, but those of us in the Freedom Caucus all had heard over and over from constituents: You have got to do something to bring down the cost of our health insurance, of our health care. Our deductible is too high, we will never be able to get to our insurance help. Our premiums are so high.

I heard from businesspeople that their costs have tripled in the last few years. They cannot afford to stay in business and keep paying these high premiums for their employees. They will have to leave them high and dry, which means they go to Medicaid. And I am really shocked that even people in the Obama administration would brag about adding millions of people to Medicaid, which has not been the help that people needed. We were told: Oh, no, ObamaCare will drive them to great insurance.

No; it has driven millions to Medicaid that is even worse than Medicare.

So I know most of the Republicans on this side of the aisle believe that so many States have good solutions. So what is our solution to help the States?

Gee, if we give more power to the Federal Government, then they could start a high-risk pool that will be able to pull people out of the insurance policies where premiums are spiking, and then the Federal Government will run that for a while and then devolve it back to the States.

I am sorry, Mr. Speaker, in my time in Congress and even my time on the bench as a judge and chief justice, I have watched government, and I just don't trust government. That was something I shared with our Founders. That was something Justice Scalia told to a group from my home in Tyler. There were probably 50 or 60 seniors who came up.

I asked: Is there something special you would like to see or do while you are here?

They said: Well, you seem to be friends with Justice Scalia. Do you think we could meet him?

Well, I will ask. Well, son of a gun, Justice Scalia found the time, and we met him over at the Supreme Court.

He said: Well, what questions do you have?

He didn't start with a speech.

He said: Well, okay, LOUIE said you wanted to meet me. Here I am. What questions have you got?

He leaned back against the table at the front of the room, and nobody said anything.

He said: Oh, come on, I have taken time. I want to come here and let you meet me.

I loved how abrupt he was and straight to the point.

He said: Come on, here I am, have the courage, ask your question.

One of our seniors said: Well, Justice Scalia, would you say that the United States is the most free country in the history of the world because of our Bill of Rights, that it is the best ever?

Justice Scalia surprised me, but then I thought, well, yeah, he is exactly right.

He said: Oh, gosh, no. The Soviets had a better bill of rights than we have. It had a lot more rights in there. No, no, no. The reason we are the most free country in the history of the world is because the Founders did not trust government. So they gave us a Constitution that tried to put as many obstacles as it possibly could between people in Washington—at the time, first New York, Philadelphia, then Washington. But people at the Federal level creating laws or regulations, they wanted it as hard as possible. That is why the President is not a Prime Minister selected by the Congress. It is why we have three branches instead of one or two. They wanted to make it hard to pass laws.

He went into further deliberation on that. It was very informative. He was exactly right. I studied the Soviet Government. I remember in college when I was at Texas A&M I did a paper—and I got an A on it—about the Soviet Constitution, the Soviet rights. They did have more rights spelled out. But the trouble is, their founders wanted government to do things, and trusted government implicitly so that it was totalitarian, so the bill of rights they wrote meant nothing, the Constitution meant nothing.

That is where we are headed here, it is with bureaucrats having taken charge over people's lives, their health care, their financial situations, usurping or at least getting copies of people's finance records. You used to have to get a warrant to do that.

Now the Consumer Financial Protection Bureau just gets them when they

want to. That should be illegal. It should be unconstitutional. It should require a warrant with probable cause established under oath that a crime has been committed and this person probably committed it. I used to sign warrants if probable cause was established. Not anymore.

Under Obama, the Democratic Congress passed a law saying: Yeah, let them do whatever they want to somehow help us with our financial situation.

Well, when you combine what they have done with what the NSA, CIA, and Justice Department have done to invade people's rights, we are severely limited in the privacy we once had.

I know there were people who were shocked that Congress passed a bill regarding internet privacy rights, but the fact is that our party should have done a better job of getting the message out of what it really did. It just repealed the intrusion that the Obama administration had with regulation and got us back to where we were a few years ago. So there are still protections; it is just not the intrusiveness of the Federal Government that President Obama created.

Some of us were convinced that he was not as concerned with privacy rights as we were or as others in America were, and he was not as concerned about the United States' control of the internet as we were because he gives away the ability to do websites to an international group instead of trusting the United States. That is different. President Obama didn't trust the United States to be fair to the world. Those of us in Congress, at least on our side of the aisle, thought we would do a better job. I still think we will do a better job.

What has been heartbreaking the last day and a half is to see it doesn't appear that Republican leaders are trying to work with conservatives to get to a solution. We have now seen the solution is: go to war with those who want to stand on the Constitution; contact everybody who donates to the National Republican Congressional Committee, the National Republican Party, contact the big donors who donate to candidates; and make sure they send messages to all the Republicans that they better get on board and vote for a bill that those people who are calling never read, like some of us have, and that they didn't research. They are just trusting the people they have been donating to to do the right thing.

If that were the case, Republicans would have repealed ObamaCare a long time ago, and it would have been the first thing we took up in January, and we would never have had ObamaCare because Republicans would have stopped it when we did have the chance. We had multiple chances. But that is another story for another day.

So I am sorry, this bill is going to ultimately result in Republicans losing

the majority. But that is not my number one concern. Yes, it bothers me that I think this bill could lead to our loss of majority in 2018; and, yes, it concerns me that, from what I am hearing from friends across the aisle, the first thing they want to do if they get the majority in 2018 is impeach and remove from office Donald Trump.

So it has really been amazing to see the war develop the last day and a half, that those in October who stood with the President when our leaders were saying: Forget Trump. Our numbers are clear, he has no chance of winning. So our best hope is for every Republican Member to save yourself. Win your election so that when Hillary Clinton is President next January, we can, in the House, rein her in.

But I am so grateful the rank and file of our party stood fast and said: No, if Trump doesn't win, we are not going to rein in president Hillary Clinton. She will do whatever she wants.

Heck, we couldn't even get our party to impeach Koskinen when the guy clearly lied to us here. Other members of the Cabinet in the Obama administration clearly lied, and we couldn't get our group together to remove per-juring people from the Cabinet?

At least now, hopefully, we are going to get the documentation that shows the kind of crimes that were being committed in the last administration.

But in the meantime, people are hurting. They need their premiums to come down. I know we can trust Health and Human Services in this administration to try to bring down costs. But the words of my late friend Justice Scalia: If you guys in Congress, with the power to repeal a bad bill, don't have the guts to do it, don't come running across the street to us and ask us to repeal your bad bill. Heck, just go to the floor, repeal the bad law, and leave us alone.

That is all I am asking, Mr. Speaker. The courts have not worked out extremely well for people who love the Constitution in recent years, and I know the President is frustrated. He is probably nearly as frustrated as I am almost maybe. I am told that maybe some of these anti-Freedom Caucus tweets originated with his Chief of Staff Priebus.

But I want to suggest, as Sam Rayburn did when he was Speaker: My friends, Mr. Speaker, the Republican brothers and sisters are not your enemy. They are your friends. They want to repeal ObamaCare, bring down costs, get more control back to people. If we pass a bill that doesn't bring down premiums and give the American people hope and not give more power to the government and hope they do a better job in this administration, then we will deserve to be voted out.

I just hope, Mr. Speaker, we will do what we promised to do. I hope those who are getting calls and emails de-

manding they call their representatives, if they have been big donors, tell their Congressmen to get on board with the bill. I hope they will trust us who are reading the bills on their behalf.

Mr. Speaker, I yield back the balance of my time.

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON ETHICS FOR THE 115TH CONGRESS

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ETHICS,
March 29, 2017.

Hon. PAUL D. RYAN,
*House of Representatives,
The Capitol, Washington, DC.*

MR. SPEAKER: Pursuant to clause 2 of rule XI, I submit to the House the Rules of the Committee on Ethics for the 115th Congress for publication in the Congressional Record.

Sincerely,

SUSAN W. BROOKS,
Chairwoman.

Enclosures.

(Adopted March 22, 2017)

FOREWORD

The Committee on Ethics is unique in the House of Representatives. Consistent with the duty to carry out its advisory and enforcement responsibilities in an impartial manner, the Committee is the only standing committee of the House of Representatives the membership of which is divided evenly by party. These rules are intended to provide a fair procedural framework for the conduct of the Committee's activities and to help ensure that the Committee serves well the people of the United States, the House of Representatives, and the Members, officers, and employees of the House of Representatives.

PART I—GENERAL COMMITTEE RULES

RULE 1. GENERAL PROVISIONS

(a) So far as applicable, these rules and the Rules of the House of Representatives shall be the rules of the Committee and any subcommittee. The Committee adopts these rules under the authority of clause 2(a)(1) of Rule XI of the Rules of the House of Representatives, 115th Congress.

(b) The rules of the Committee may be modified, amended, or repealed by a vote of a majority of the Committee.

(c) When the interests of justice so require, the Committee, by a majority vote of its members, may adopt any special procedures, not inconsistent with these rules, deemed necessary to resolve a particular matter before it. Copies of such special procedures shall be furnished to all parties in the matter.

(d) The Chair and Ranking Minority Member shall have access to such information that they request as necessary to conduct Committee business.

RULE 2. DEFINITIONS

(a) "Committee" means the Committee on Ethics.

(b) "Complaint" means a written allegation of improper conduct against a Member, officer, or employee of the House of Representatives filed with the Committee with the intent to initiate an inquiry.

(c) "Inquiry" means an investigation by an investigative subcommittee into allegations against a Member, officer, or employee of the House of Representatives.

(d) "Investigate," "Investigating," and/or "Investigation" mean review of the conduct

of a Member, officer, or employee of the House of Representatives that is conducted or authorized by the Committee, an investigative subcommittee, or the Chair and Ranking Minority Member of the Committee.

(e) "Board" means the Board of the Office of Congressional Ethics.

(f) "Referral" means a report sent to the Committee from the Board pursuant to House Rules and all applicable House Resolutions regarding the conduct of a House Member, officer, or employee, including any accompanying findings or other supporting documentation.

(g) "Investigative Subcommittee" means a subcommittee designated pursuant to Rule 19(a) to conduct an inquiry to determine if a Statement of Alleged Violation should be issued.

(h) "Statement of Alleged Violation" means a formal charging document filed by an investigative subcommittee with the Committee containing specific allegations against a Member, officer, or employee of the House of Representatives of a violation of the Code of Official Conduct, or of a law, rule, regulation, or other standard of conduct applicable to the performance of official duties or the discharge of official responsibilities.

(i) "Adjudicatory Subcommittee" means a subcommittee designated pursuant to Rule 23(a) that holds an adjudicatory hearing and determines whether the counts in a Statement of Alleged Violation are proved by clear and convincing evidence.

(j) "Sanction Hearing" means a Committee hearing to determine what sanction, if any, to adopt or to recommend to the House of Representatives.

(k) "Respondent" means a Member, officer, or employee of the House of Representatives who is the subject of a complaint filed with the Committee or who is the subject of an inquiry or a Statement of Alleged Violation.

(l) "Office of Advice and Education" refers to the Office established by section 803(i) of the Ethics Reform Act of 1989. The Office handles inquiries; prepares written opinions in response to specific requests; develops general guidance; and organizes seminars, workshops, and briefings for the benefit of the House of Representatives.

(m) "Member" means a Representative in, or a Delegate to, or the Resident Commissioner to, the U.S. House of Representatives.

RULE 3. ADVISORY OPINIONS AND WAIVERS

(a) The Office of Advice and Education shall handle inquiries; prepare written opinions providing specific advice, including reviews of requests for privately-sponsored travel pursuant to the Committee's travel regulations; develop general guidance; and organize seminars, workshops, and briefings for the benefit of the House of Representatives.

(b) Any Member, officer, or employee of the House of Representatives may request a written opinion with respect to the propriety of any current or proposed conduct of such Member, officer, or employee.

(c) The Office of Advice and Education may provide information and guidance regarding laws, rules, regulations, and other standards of conduct applicable to Members, officers, and employees in the performance of their duties or the discharge of their responsibilities.

(d) In general, the Committee shall provide a written opinion to an individual only in response to a written request, and the written opinion shall address the conduct only of the inquiring individual, or of persons for whom

the inquiring individual is responsible as employing authority.

(e) A written request for an opinion shall be addressed to the Chair of the Committee and shall include a complete and accurate statement of the relevant facts. A request shall be signed by the requester or the requester's authorized representative or employing authority. A representative shall disclose to the Committee the identity of the principal on whose behalf advice is being sought.

(f) Requests for privately-sponsored travel shall be treated like any other request for a written opinion for purposes of paragraphs (g) through (l).

(1) The Committee's Travel Guidelines and Regulations shall govern the request submission and Committee approval process for privately-sponsored travel consistent with House Rules.

(2) A request for privately-sponsored travel of a Member, officer, or employee shall include a completed and signed Traveler Form that attaches the Private Sponsor Certification Form and includes all information required by the Committee's travel regulations. A private sponsor offering officially-connected travel to a Member, officer, or employee must complete and sign a Private Sponsor Certification Form, and provide a copy of that form to the invitee(s).

(3) Any individual who knowingly and willfully falsifies, or who knowingly and willfully fails to file, a Traveler Form or Private Sponsor Certification Form may be subject to civil penalties and criminal sanctions pursuant to 18 U.S.C. §1001.

(g) The Office of Advice and Education shall prepare for the Committee a response to each written request for an opinion from a Member, officer, or employee. Each response shall discuss all applicable laws, rules, regulations, or other standards.

(h) Where a request is unclear or incomplete, the Office of Advice and Education may seek additional information from the requester.

(i) The Chair and Ranking Minority Member are authorized to take action on behalf of the Committee on any proposed written opinion that they determine does not require consideration by the Committee. If the Chair or Ranking Minority Member requests a written opinion, or seeks a waiver, extension, or approval pursuant to Rules 3(m), 4(c), 4(e), or 4(h), the next ranking member of the requester's party is authorized to act in lieu of the requester.

(j) The Committee shall keep confidential any request for advice from a Member, officer, or employee, as well as any response thereto. Upon request of any Member, officer, or employee who has submitted a written request for an opinion or submitted a request for privately-sponsored travel, the Committee may release to the requesting individual a copy of their own written request for advice or submitted travel forms, any subsequent written communications between such individual and Committee staff regarding the request, and any Committee advisory opinion or travel letter issued to that individual in response. The Committee shall not release any internal Committee staff work product, communications, or notes in response to such a request, except as authorized by the Committee.

(k) The Committee may take no adverse action in regard to any conduct that has been undertaken in reliance on a written opinion if the conduct conforms to the specific facts addressed in the opinion.

(l) Information provided to the Committee by a Member, officer, or employee seeking

advice regarding prospective conduct may not be used as the basis for initiating an investigation under clause 3(a)(2) or clause 3(b) of Rule XI of the Rules of the House of Representatives, if such Member, officer, or employee acts in good faith in accordance with the written advice of the Committee.

(m) A written request for a waiver of clause 5 of House Rule XXV (the House gift rule), or for any other waiver or approval, shall be treated in all respects like any other request for a written opinion.

(n) A written request for a waiver of clause 5 of House Rule XXV (the House gift rule) shall specify the nature of the waiver being sought and the specific circumstances justifying the waiver.

(o) An employee seeking a waiver of time limits applicable to travel paid for by a private source shall include with the request evidence that the employing authority is aware of the request. In any other instance where proposed employee conduct may reflect on the performance of official duties, the Committee may require that the requester submit evidence that the employing authority knows of the conduct.

RULE 4. FINANCIAL DISCLOSURE

(a) In matters relating to Title I of the Ethics in Government Act of 1978, the Committee shall coordinate with the Clerk of the House of Representatives, Legislative Resource Center, to assure that appropriate individuals are notified of their obligation to file reports required to be filed under Title I of the Ethics in Government Act and that such individuals are provided in a timely fashion with filing instructions and forms developed by the Committee.

(b) The Committee shall coordinate with the Legislative Resource Center to assure that information that the Ethics in Government Act requires to be placed on the public record is made public.

(c) Any reports required to be filed under Title I of the Ethics in Government Act filed by Members of the Board of the Office of Congressional Ethics that are forwarded to the Committee by the Clerk shall not be subject to paragraphs (d) through (q) of this Rule. The Office of Congressional Ethics retains jurisdiction over review of the timeliness and completeness of filings by Members of the Board as the Board's supervising ethics office.

(d) The Chair and Ranking Minority Member are authorized to grant on behalf of the Committee requests for reasonable extensions of time for the filing of Financial Disclosure Statements. Any such request must be received by the Committee no later than the date on which the Statement in question is due. A request received after such date may be granted by the Committee only in extraordinary circumstances. Such extensions for one individual in a calendar year shall not exceed a total of 90 days. No extension shall be granted authorizing a non-incumbent candidate to file a statement later than 30 days prior to a primary or general election in which the candidate is participating.

(e) An individual who takes legally sufficient action to withdraw as a candidate before the date on which that individual's Financial Disclosure Statement is due under the Ethics in Government Act shall not be required to file a Statement. An individual shall not be excused from filing a Financial Disclosure Statement when withdrawal as a candidate occurs after the date on which such Statement was due.

(f) Any individual who files a report required to be filed under Title I of the Ethics

in Government Act more than 30 days after the later of—

(1) the date such report is required to be filed, or

(2) if a filing extension is granted to such individual, the last day of the filing extension period, is required by such Act to pay a late filing fee of \$200. The Chair and Ranking Minority Member are authorized to approve requests that the fee be waived based on extraordinary circumstances.

(g) Any late report that is submitted without a required filing fee shall be deemed procedurally deficient and not properly filed.

(h) The Chair and Ranking Minority Member are authorized to approve requests for waivers of the aggregation and reporting of gifts as provided by section 102(a)(2)(C) of the Ethics in Government Act. If such a request is approved, both the incoming request and the Committee response shall be forwarded to the Legislative Resource Center for placement on the public record.

(i) The Chair and Ranking Minority Member are authorized to approve blind trusts as qualifying under section 102(f)(3) of the Ethics in Government Act. The correspondence relating to formal approval of a blind trust, the trust document, the list of assets transferred to the trust, and any other documents required by law to be made public, shall be forwarded to the Legislative Resource Center for such purpose.

(j) The Committee shall designate staff who shall review reports required to be filed under Title I of the Ethics in Government Act and, based upon information contained therein, indicate in a form and manner prescribed by the Committee whether the Statement appears substantially accurate and complete and the filer appears to be in compliance with applicable laws and rules.

(k) Each report required to be filed under Title I of the Ethics in Government Act shall be reviewed within 60 days after the date of filing.

(l) If the reviewing staff believes that additional information is required because (1) the report required to be filed under Title I of the Ethics in Government Act appears not substantially accurate or complete, or (2) the filer may not be in compliance with applicable laws or rules, then the reporting individual shall be notified in writing of the additional information believed to be required, or of the law or rule with which the reporting individual does not appear to be in compliance. Such notice shall also state the time within which a response is to be submitted. Any such notice shall remain confidential.

(m) Within the time specified, including any extension granted in accordance with clause (d), a reporting individual who concurs with the Committee's notification that the report required to be filed under Title I of the Ethics in Government Act is not complete, or that other action is required, shall submit the necessary information or take appropriate action. Any amendment may be in the form of a revised report required to be filed under Title I of the Ethics in Government Act or an explanatory letter addressed to the Clerk of the House of Representatives.

(n) Any amendment shall be placed on the public record in the same manner as other reports required to be filed under Title I of the Ethics in Government Act. The individual designated by the Committee to review the original report required to be filed under Title I of the Ethics in Government Act shall review any amendment thereto.

(o) Within the time specified, including any extension granted in accordance with clause (d), a reporting individual who does

not agree with the Committee that the report required to be filed under Title I of the Ethics in Government Act is deficient or that other action is required, shall be provided an opportunity to respond orally or in writing. If the explanation is accepted, a copy of the response, if written, or a note summarizing an oral response, shall be retained in Committee files with the original report.

(p) The Committee shall be the final arbiter of whether any report required to be filed under Title I of the Ethics in Government Act requires clarification or amendment.

(q) If the Committee determines, by vote of a majority of its members, that there is reason to believe that an individual has willfully failed to file a report required to be filed under Title I of the Ethics in Government Act or has willfully falsified or willfully failed to file information required to be reported, then the Committee shall refer the name of the individual, together with the evidence supporting its finding, to the Attorney General pursuant to section 104(b) of the Ethics in Government Act. Such referral shall not preclude the Committee from initiating such other action as may be authorized by other provisions of law or the Rules of the House of Representatives.

RULE 5. MEETINGS

(a) The regular meeting day of the Committee shall be the second Tuesday of each month, except when the House of Representatives is not meeting on that day. When the Committee Chair determines that there is sufficient reason, meetings may be called on additional days. A regularly scheduled meeting need not be held when the Chair determines there is no business to be considered.

(b) The Chair shall establish the agenda for meetings of the Committee, and the Ranking Minority Member may place additional items on the agenda.

(c) All meetings of the Committee or any subcommittee shall occur in executive session unless the Committee or subcommittee, by an affirmative vote of a majority of its members, opens the meeting to the public.

(d) Any hearing held by an adjudicatory subcommittee, or any sanction hearing held by the Committee, shall be open to the public unless the Committee or subcommittee, by an affirmative vote of a majority of its members, closes the hearing to the public.

(e) A subcommittee shall meet at the discretion of its Chair.

(f) Insofar as practicable, notice for any Committee or subcommittee meeting shall be provided at least seven days in advance of the meeting. The Chair of the Committee or subcommittee may waive such time period for good cause.

RULE 6. COMMITTEE STAFF

(a) The staff is to be assembled and retained as a professional, nonpartisan staff.

(b) Each member of the staff shall be professional and demonstrably qualified for the position for which the individual is hired.

(c) The staff as a whole and each individual member of the staff shall perform all official duties in a nonpartisan manner.

(d) No member of the staff shall engage in any partisan political activity directly affecting any congressional or presidential election.

(e) No member of the staff or outside counsel may accept public speaking engagements or write for publication on any subject that is in any way related to the employment or duties with the Committee of such individual without specific prior approval from the Chair and Ranking Minority Member.

(f) All staff members shall be appointed by an affirmative vote of a majority of the members of the Committee. Such vote shall occur at the first meeting of the membership of the Committee during each Congress and as necessary during the Congress.

(g) Subject to the approval of the Committee on House Administration, the Committee may retain counsel not employed by the House of Representatives whenever the Committee determines, by an affirmative vote of a majority of the members of the Committee, that the retention of outside counsel is necessary and appropriate.

(h) If the Committee determines that it is necessary to retain staff members for the purpose of a particular investigation or other proceeding, then such staff shall be retained only for the duration of that particular investigation or proceeding.

(i) Outside counsel may be dismissed prior to the end of a contract between the Committee and such counsel only by a majority vote of the members of the Committee.

(j) In addition to any other staff provided for by law, rule, or other authority, with respect to the Committee, the Chair and Ranking Minority Member each may appoint one individual as a shared staff member from the respective personal staff of the Chair or Ranking Minority Member to perform service for the Committee. Such shared staff may assist the Chair or Ranking Minority Member on any subcommittee on which the Chair or Ranking Minority Member serves. Only paragraphs (c) and (e) of this Rule and Rule 7(b) shall apply to shared staff.

RULE 7. CONFIDENTIALITY

(a) Before any Member or employee of the Committee, including members of an investigative subcommittee selected under clause 5(a)(4) of Rule X of the House of Representatives and shared staff designated pursuant to Committee Rule 6(j), may have access to information that is confidential under the rules of the Committee, the following oath (or affirmation) shall be executed in writing: "I do solemnly swear (or affirm) that I will not disclose, to any person or entity outside the Committee on Ethics, any information received in the course of my service with the Committee, except as authorized by the Committee or in accordance with its rules."

Copies of the executed oath shall be provided to the Clerk of the House as part of the records of the House. Breaches of confidentiality shall be investigated by the Committee and appropriate action shall be taken.

(b) No member of the staff or outside counsel may make public, unless approved by an affirmative vote of a majority of the members of the Committee, any information, document, or other material that is confidential, derived from executive session, or classified and that is obtained during the course of employment with the Committee.

(c) Committee members and staff shall not disclose any evidence relating to an investigation to any person or organization outside the Committee unless authorized by the Committee.

(d) Members and staff of the Committee shall not disclose to any person or organization outside the Committee, unless authorized by the Committee, any information regarding the Committee's or a subcommittee's investigative, adjudicatory, or other proceedings, including but not limited to: (i) the fact or nature of any complaints; (ii) executive session proceedings; (iii) information pertaining to or copies of any Committee or subcommittee report, study or other document which purports to express the views,

findings, conclusions or recommendations of the Committee or subcommittee in connection with any of its activities or proceedings; or (iv) any other information or allegation respecting the conduct of a Member, officer, or employee of the House. This rule shall not prohibit the Chair or Ranking Minority Member from disclosing to the Board of the Office of Congressional Ethics the existence of a Committee investigation, the name of the Member, officer or employee of the House who is the subject of that investigation, and a brief statement of the scope of that investigation in a written request for referral pursuant to Rule 17A(k). Such disclosures will only be made subject to written confirmation from the Board that the information provided by the Chair or Ranking Minority Member will be kept confidential by the Board.

(e) Except as otherwise specifically authorized by the Committee, no Committee member or staff member shall disclose to any person outside the Committee the name of any witness subpoenaed to testify or to produce evidence.

(f) Except as provided in Rule 17A, the Committee shall not disclose to any person or organization outside the Committee any information concerning the conduct of a respondent until it has transmitted a Statement of Alleged Violation to such respondent and the respondent has been given full opportunity to respond pursuant to Rule 22. The Statement of Alleged Violation and any written response thereto shall be made public at the first meeting or hearing on the matter that is open to the public after such opportunity has been provided. Any other materials in the possession of the Committee regarding such statement may be made public as authorized by the Committee to the extent consistent with the Rules of the House of Representatives. If no public hearing is held on the matter, the Statement of Alleged Violation and any written response thereto shall be included in the Committee's final report on the matter to the House of Representatives.

(g) Unless otherwise determined by a vote of the Committee, only the Chair or Ranking Minority Member of the Committee, after consultation with each other, may make public statements regarding matters before the Committee or any subcommittee.

(h) The Committee may establish procedures necessary to prevent the unauthorized disclosure of any testimony or other information received by the Committee or its staff.

RULE 8. SUBCOMMITTEES—GENERAL POLICY AND STRUCTURE

(a) Notwithstanding any other provision of these Rules, the Chair and Ranking Minority Member of the Committee may consult with an investigative subcommittee either on their own initiative or on the initiative of the subcommittee, shall have access to evidence and information before a subcommittee with whom they so consult, and shall not thereby be precluded from serving as full, voting members of any adjudicatory subcommittee. Except for the Chair and Ranking Minority Member of the Committee pursuant to this paragraph, evidence in the possession of an investigative subcommittee shall not be disclosed to other Committee members except by a vote of the subcommittee.

(b) The Committee may establish other noninvestigative and nonadjudicatory subcommittees and may assign to them such functions as it may deem appropriate. The membership of each subcommittee shall pro-

vide equal representation for the majority and minority parties.

(c) The Chair may refer any bill, resolution, or other matter before the Committee to an appropriate subcommittee for consideration. Any such bill, resolution, or other matter may be discharged from the subcommittee to which it was referred by a majority vote of the Committee.

(d) Any member of the Committee may sit with any noninvestigative or nonadjudicatory subcommittee, but only regular members of such subcommittee may vote on any matter before that subcommittee.

RULE 9. QUORUMS AND MEMBER DISQUALIFICATION

(a) The quorum for the Committee or an investigative subcommittee to take testimony and to receive evidence shall be two members, unless otherwise authorized by the House of Representatives.

(b) The quorum for an adjudicatory subcommittee to take testimony, receive evidence, or conduct business shall consist of a majority plus one of the members of the adjudicatory subcommittee.

(c) Except as stated in clauses (a) and (b) of this rule, a quorum for the purpose of conducting business consists of a majority of the members of the Committee or subcommittee.

(d) A member of the Committee shall be ineligible to participate in any Committee or subcommittee proceeding in which such Member is the respondent.

(e) A member of the Committee may seek disqualification from participating in any investigation of the conduct of a Member, officer, or employee of the House of Representatives upon the submission in writing and under oath of an affidavit of disqualification stating that the member cannot render an impartial and unbiased decision. If the Committee approves and accepts such affidavit of disqualification, the Chair shall so notify the Speaker and ask the Speaker to designate a Member of the House of Representatives from the same political party as the disqualified member of the Committee to act as a member of the Committee in any Committee proceeding relating to such investigation.

RULE 10. VOTE REQUIREMENTS

(a) The following actions shall be taken only upon an affirmative vote of a majority of the members of the Committee or subcommittee, as appropriate:

- (1) Issuing a subpoena.
- (2) Adopting a full Committee motion to create an investigative subcommittee.
- (3) Adopting or amending of a Statement of Alleged Violation.
- (4) Finding that a count in a Statement of Alleged Violation has been proved by clear and convincing evidence.
- (5) Sending a letter of reproof.
- (6) Adopting a recommendation to the House of Representatives that a sanction be imposed.
- (7) Adopting a report relating to the conduct of a Member, officer, or employee.
- (8) Issuing an advisory opinion of general applicability establishing new policy.

(b) Except as stated in clause (a), action may be taken by the Committee or any subcommittee thereof by a simple majority, a quorum being present.

(c) No motion made to take any of the actions enumerated in clause (a) of this Rule may be entertained by the Chair unless a quorum of the Committee is present when such motion is made.

RULE 11. COMMITTEE RECORDS

(a) All communications and all pleadings pursuant to these rules shall be filed with

the Committee at the Committee's office or such other place as designated by the Committee.

(b) All records of the Committee which have been delivered to the Archivist of the United States shall be made available to the public in accordance with Rule VII of the Rules of the House of Representatives.

RULE 12. BROADCASTS OF COMMITTEE AND SUBCOMMITTEE PROCEEDINGS

(a) Television or radio coverage of a Committee or subcommittee hearing or meeting shall be without commercial sponsorship.

(b) Not more than four television cameras, operating from fixed positions, shall be permitted in a hearing or meeting room. The Committee may allocate the positions of permitted television cameras among the television media in consultation with the Executive Committee of the Radio and Television Correspondents' Galleries.

(c) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and any member of the Committee, or the visibility of that witness and that member to each other.

(d) Television cameras shall not be placed in positions that unnecessarily obstruct the coverage of the hearing or meeting by the other media.

PART II—INVESTIGATIVE AUTHORITY

RULE 13. HOUSE RESOLUTION

Whenever the House of Representatives, by resolution, authorizes or directs the Committee to undertake an inquiry or investigation, the provisions of the resolution, in conjunction with these Rules, shall govern. To the extent the provisions of the resolution differ from these Rules, the resolution shall control.

RULE 14. COMMITTEE AUTHORITY TO INVESTIGATE—GENERAL POLICY

(a) Pursuant to clause 3(b) of Rule XI of the Rules of the House of Representatives, the Committee may exercise its investigative authority when:

(1) information offered as a complaint by a Member of the House of Representatives is transmitted directly to the Committee;

(2) information offered as a complaint by an individual not a Member of the House is transmitted to the Committee, provided that a Member of the House certifies in writing that such Member believes the information is submitted in good faith and warrants the review and consideration of the Committee;

(3) the Committee, on its own initiative, undertakes an investigation;

(4) a Member, officer, or employee is convicted in a Federal, State, or local court of a felony;

(5) the House of Representatives, by resolution, authorizes or directs the Committee to undertake an inquiry or investigation; or

(6) a referral from the Board is transmitted to the Committee.

(b) The Committee also has investigatory authority over:

(1) certain unauthorized disclosures of intelligence-related information, pursuant to House Rule X, clauses 11(g)(4) and (g)(5); and

(2) reports received from the Office of the Inspector General pursuant to House Rule II, clause 6(c)(5).

RULE 15. COMPLAINTS

(a) A complaint submitted to the Committee shall be in writing, dated, and properly verified (a document will be considered properly verified where a notary executes it with the language, "Signed and sworn to (or affirmed) before me on (date) by (the name of

the person))” setting forth in simple, concise, and direct statements—

(1) the name and legal address of the party filing the complaint (hereinafter referred to as the “complainant”);

(2) the name and position or title of the respondent;

(3) the nature of the alleged violation of the Code of Official Conduct or of other law, rule, regulation, or other standard of conduct applicable to the performance of duties or discharge of responsibilities; and

(4) the facts alleged to give rise to the violation. The complaint shall not contain innuendo, speculative assertions, or conclusory statements.

(b) Any documents in the possession of the complainant that relate to the allegations may be submitted with the complaint.

(c) Information offered as a complaint by a Member of the House of Representatives may be transmitted directly to the Committee.

(d) Information offered as a complaint by an individual not a Member of the House may be transmitted to the Committee, provided that a Member of the House certifies in writing that such Member believes the information is submitted in good faith and warrants the review and consideration of the Committee.

(e) A complaint must be accompanied by a certification, which may be unsworn, that the complainant has provided an exact copy of the filed complaint and all attachments to the respondent.

(f) The Committee may defer action on a complaint against a Member, officer, or employee of the House of Representatives when the complaint alleges conduct that the Committee has reason to believe is being reviewed by appropriate law enforcement or regulatory authorities, or when the Committee determines that it is appropriate for the conduct alleged in the complaint to be reviewed initially by law enforcement or regulatory authorities.

(g) A complaint may not be amended without leave of the Committee. Otherwise, any new allegations of improper conduct must be submitted in a new complaint that independently meets the procedural requirements of the Rules of the House of Representatives and the Committee’s Rules.

(h) The Committee shall not accept, and shall return to the complainant, any complaint submitted within the 60 days prior to an election in which the subject of the complaint is a candidate.

(i) The Committee shall not consider a complaint, nor shall any investigation be undertaken by the Committee, of any alleged violation which occurred before the third previous Congress unless the Committee determines that the alleged violation is directly related to an alleged violation which occurred in a more recent Congress.

RULE 16. DUTIES OF COMMITTEE CHAIR AND RANKING MINORITY MEMBER

(a) Whenever information offered as a complaint is submitted to the Committee, the Chair and Ranking Minority Member shall have 14 calendar days or 5 legislative days, whichever occurs first, to determine whether the information meets the requirements of the Committee’s rules for what constitutes a complaint.

(b) Whenever the Chair and Ranking Minority Member jointly determine that information submitted to the Committee meets the requirements of the Committee’s rules for what constitutes a complaint, they shall have 45 calendar days or 5 legislative days, whichever is later, after the date that the Chair and Ranking Minority Member deter-

mine that information filed meets the requirements of the Committee’s rules for what constitutes a complaint, unless the Committee by an affirmative vote of a majority of its members votes otherwise, to—

(1) recommend to the Committee that it dispose of the complaint, or any portion thereof, in any manner that does not require action by the House, which may include dismissal of the complaint or resolution of the complaint by a letter to the Member, officer, or employee of the House against whom the complaint is made;

(2) establish an investigative subcommittee; or

(3) request that the Committee extend the applicable 45-calendar day period when they determine more time is necessary in order to make a recommendation under paragraph (1) or (2) of Rule 16(b).

(c) The Chair and Ranking Minority Member may jointly gather additional information concerning alleged conduct which is the basis of a complaint or of information offered as a complaint until they have established an investigative subcommittee or the Chair or Ranking Minority Member has placed on the agenda the issue of whether to establish an investigative subcommittee.

(d) If the Chair and Ranking Minority Member jointly determine that information submitted to the Committee meets the requirements of the Committee rules for what constitutes a complaint, and the complaint is not disposed of within 45 calendar days or 5 legislative days, whichever is later, and no additional 45-day extension is made, then they shall establish an investigative subcommittee and forward the complaint, or any portion thereof, to that subcommittee for its consideration. If at any time during the time period either the Chair or Ranking Minority Member places on the agenda the issue of whether to establish an investigative subcommittee, then an investigative subcommittee may be established only by an affirmative vote of a majority of the members of the Committee.

(e) Whenever the Chair and Ranking Minority Member jointly determine that information submitted to the Committee does not meet the requirements for what constitutes a complaint set forth in the Committee rules, they may (1) return the information to the complainant with a statement that it fails to meet the requirements for what constitutes a complaint set forth in the Committee’s rules; or (2) recommend to the Committee that it authorize the establishment of an investigative subcommittee.

RULE 17. PROCESSING OF COMPLAINTS

(a) If a complaint is in compliance with House and Committee Rules, a copy of the complaint and the Committee Rules shall be forwarded to the respondent within 5 days with notice that the complaint conforms to the applicable rules.

(b) The respondent may, within 30 days of the Committee’s notification, provide to the Committee any information relevant to a complaint filed with the Committee. The respondent may submit a written statement in response to the complaint. Such a statement shall be signed by the respondent. If the statement is prepared by counsel for the respondent, the respondent shall sign a representation that the respondent has reviewed the response and agrees with the factual assertions contained therein.

(c) The Committee staff may request information from the respondent or obtain additional information relevant to the case from other sources prior to the establishment of an investigative subcommittee only when so

directed by the Chair and Ranking Minority Member.

(d) The respondent shall be notified in writing regarding the Committee’s decision either to dismiss the complaint or to create an investigative subcommittee.

RULE 17A. REFERRALS FROM THE BOARD OF THE OFFICE OF CONGRESSIONAL ETHICS

(a) The Committee has exclusive jurisdiction over the interpretation, administration, and enforcement of the Code of Official Conduct pursuant to clause 1(g) of House Rule X. Receipt of referrals from the Board under this rule does not limit the Committee’s discretion to address referrals in any way through the appropriate procedures authorized by Committee Rules. The Committee shall review the report and findings transmitted by the Board without prejudice or presumptions as to the merit of the allegations.

(b)(1) Whenever the Committee receives either (A) a referral containing a written report and any findings and supporting documentation from the Board; or (B) a referral from the Board pursuant to a request under Rule 17A(k), the Chair shall have 45 calendar days or 5 legislative days after the date the referral is received, whichever is later, to make public the report and findings of the Board unless the Chair and Ranking Minority Member jointly decide, or the Committee votes, to withhold such information for not more than one additional 45-day period.

(2) At least one calendar day before the Committee makes public any report and findings of the Board, the Chair shall notify in writing the Board and the Member, officer, or employee who is the subject of the referral of the impending public release of these documents. At the same time, the Chair shall transmit a copy of any public statement on the Committee’s disposition of the matter and any accompanying Committee report to the individual who is the subject of the referral.

(3) All public statements and reports and findings of the Board that are required to be made public under this Rule shall be posted on the Committee’s website.

(c) If the OCE report and findings are withheld for an additional 45-day period pursuant to paragraph (b)(1), the Chair shall—

(1) make a public statement on the day of such decision or vote that the matter referred from the Board has been extended; and

(2) make public the written report and findings pursuant to paragraph (b) upon the termination of such additional period.

(d) If the Board transmits a report with a recommendation to dismiss or noting a matter as unresolved due to a tie vote, and the matter is extended for an additional period as provided in paragraph (b), the Committee is not required to make a public statement that the matter has been extended pursuant to paragraph (b)(1).

(e) If the Committee votes to dismiss a matter referred from the Board, the Committee is not required to make public the written report and findings of the Board pursuant to paragraph (c) unless the Committee’s vote is inconsistent with the recommendation of the Board. A vote by the Committee to dismiss a matter is not considered inconsistent with a report from the Board that the matter is unresolved by the Board due to a tie vote.

(f) Except as provided by paragraph (g):

(1) If the Committee establishes an investigative subcommittee respecting any matter referred by the Board, then the report and findings of the Board shall not be made public until the conclusion of the investigative subcommittee process. The Committee

shall issue a public statement noting the establishment of an investigative subcommittee, which shall include the name of the Member, officer, or employee who is the subject of the inquiry, and shall set forth the alleged violation.

(2) If any such investigative subcommittee does not conclude its review within one year after the Board's referral, then the Committee shall make public the report of the Board no later than one year after the referral. If the investigative subcommittee does not conclude its review before the end of the Congress in which the report of the Board is made public, the Committee shall make public any findings of the Board on the last day of that Congress.

(g) If the vote of the Committee is a tie or the Committee fails to act by the close of any applicable period(s) under this rule, the report and the findings of the Board shall be made public by the Committee, along with a public statement by the Chair explaining the status of the matter.

(h)(1) If the Committee agrees to a request from an appropriate law enforcement or regulatory authority to defer taking action on a matter referred by the Board under paragraph (b)—

(A) The Committee is not required to make public the written report and findings of the Board pursuant to paragraph (c), except that if the recommendation of the Board is that the matter requires further review, the Committee shall make public the written report of the Board but not the findings; and

(B) The Committee shall make a public statement that it is deferring taking action on the matter at the request of such law enforcement or regulatory authority within one day (excluding weekends and public holidays) of the day that the Committee agrees to the request.

(2) If the Committee has not acted on the matter within one year of the date the public statement described in paragraph (h)(1)(B) is released, the Committee shall make a public statement that it continues to defer taking action on the matter. The Committee shall make a new statement upon the expiration of each succeeding one-year period during which the Committee has not acted on the matter.

(i) The Committee shall not accept, and shall return to the Board, any referral from the Board within 60 days before a Federal, State, or local election in which the subject of the referral is a candidate.

(j) The Committee may postpone any reporting requirement under this rule that falls within that 60-day period until after the date of the election in which the subject of the referral is a candidate. For purposes of calculating any applicable period under this Rule, any days within the 60-day period before such an election shall not be counted.

(k)(1) At any time after the Committee receives written notification from the Board of the Office of Congressional Ethics that the Board is undertaking a review of alleged conduct of any Member, officer, or employee of the House at a time when the Committee is investigating, or has completed an investigation of the same matter, the Committee may so notify the Board in writing and request that the Board cease its review and refer the matter to the Committee for its consideration immediately. The Committee shall also notify the Board in writing if the Committee has not reached a final resolution of the matter or has not referred the matter to the appropriate Federal or State authorities by the end of any applicable time period specified in Rule 17A (including any permissible extension).

(2) The Committee may not request a second referral of the matter from the Board if the Committee has notified the Board that it is unable to resolve the matter previously requested pursuant to this section. The Board may subsequently send a referral regarding a matter previously requested and returned by the Committee after the conclusion of the Board's review process.

RULE 18. COMMITTEE-INITIATED INQUIRY OR INVESTIGATION

(a) Notwithstanding the absence of a filed complaint, the Committee may consider any information in its possession indicating that a Member, officer, or employee may have committed a violation of the Code of Official Conduct or any law, rule, regulation, or other standard of conduct applicable to the conduct of such Member, officer, or employee in the performance of the duties or the discharge of the responsibilities of such individual. The Chair and Ranking Minority Member may jointly gather additional information concerning such an alleged violation by a Member, officer, or employee unless and until an investigative subcommittee has been established. The Chair and Ranking Minority Member may also jointly take appropriate action consistent with Committee Rules to resolve the matter.

(b) If the Committee votes to establish an investigative subcommittee, the Committee shall proceed in accordance with Rule 19.

(c) Any written request by a Member, officer, or employee of the House of Representatives that the Committee conduct an investigation into such person's own conduct shall be considered in accordance with subsection (a) of this Rule.

(d) An inquiry shall not be undertaken regarding any alleged violation that occurred before the third previous Congress unless a majority of the Committee determines that the alleged violation is directly related to an alleged violation that occurred in a more recent Congress.

(e)(1) An inquiry shall be undertaken by an investigative subcommittee with regard to any felony conviction of a Member, officer, or employee of the House of Representatives in a Federal, State, or local court who has been sentenced. Notwithstanding this provision, the Committee has the discretion to initiate an inquiry upon an affirmative vote of a majority of the members of the Committee at any time prior to conviction or sentencing.

(2) Not later than 30 days after a Member of the House is indicted or otherwise formally charged with criminal conduct in any Federal, State, or local court, the Committee shall either initiate an inquiry upon a majority vote of the members of the Committee or submit a report to the House describing its reasons for not initiating an inquiry and describing the actions, if any, that the Committee has taken in response to the allegations.

RULE 19. INVESTIGATIVE SUBCOMMITTEE

(a)(1) Upon the establishment of an investigative subcommittee, the Chair and Ranking Minority Member of the Committee shall designate four members (with equal representation from the majority and minority parties) to serve as an investigative subcommittee to undertake an inquiry. Members of the Committee and Members of the House selected pursuant to clause 5(a)(4)(A) of Rule X of the House of Representatives are eligible for appointment to an investigative subcommittee, as determined by the Chair and Ranking Minority Member of the Committee. At the time of appointment, the

Chair shall designate one member of the subcommittee to serve as the Chair and the Ranking Minority Member shall designate one member of the subcommittee to serve as the ranking minority member of the investigative subcommittee. The Chair and Ranking Minority Member of the Committee may serve as members of an investigative subcommittee, but may not serve as non-voting, ex-officio members.

(2) The respondent shall be notified of the membership of the investigative subcommittee and shall have 10 days after such notice is transmitted to object to the participation of any subcommittee member. Such objection shall be in writing and must be on the grounds that the subcommittee member cannot render an impartial and unbiased decision. The members of the Committee shall engage in a collegial discussion regarding such objection. The subcommittee member against whom the objection is made shall be the sole judge of any disqualification and may choose to seek disqualification from participating in the inquiry pursuant to Rule 9(e).

(b) In an inquiry undertaken by an investigative subcommittee—

(1) All proceedings, including the taking of testimony, shall be conducted in executive session and all testimony taken by deposition or things produced pursuant to subpoena or otherwise shall be deemed to have been taken or produced in executive session.

(2) The Chair of the investigative subcommittee shall ask the respondent and all witnesses whether they intend to be represented by counsel. If so, the respondent or witnesses or their legal representatives shall provide written designation of counsel. A respondent or witness who is represented by counsel shall not be questioned in the absence of counsel unless an explicit waiver is obtained.

(3) The subcommittee shall provide the respondent an opportunity to present, orally or in writing, a statement, which must be under oath or affirmation, regarding the allegations and any other relevant questions arising out of the inquiry.

(4) The staff may interview witnesses, examine documents and other evidence, and request that submitted statements be under oath or affirmation and that documents be certified as to their authenticity and accuracy.

(5) The subcommittee, by a majority vote of its members, may require, by subpoena or otherwise, the attendance and testimony of witnesses and the production of such books, records, correspondence, memoranda, papers, documents, and other items as it deems necessary to the conduct of the inquiry. Unless the Committee otherwise provides, the subpoena power shall rest in the Chair and Ranking Minority Member of the Committee and a subpoena shall be issued upon the request of the investigative subcommittee.

(6) The subcommittee shall require that testimony be given under oath or affirmation. The form of the oath or affirmation shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this subcommittee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?" The oath or affirmation shall be administered by the Chair or subcommittee member designated by the Chair to administer oaths.

(c) During the inquiry, the procedure respecting the admissibility of evidence and rulings shall be as follows:

(1) Any relevant evidence shall be admissible unless the evidence is privileged under

the precedents of the House of Representatives.

(2) The Chair of the subcommittee or other presiding member at any investigative subcommittee proceeding shall rule upon any question of admissibility or relevance of evidence, motion, procedure, or any other matter, and may direct any witness to answer any question under penalty of contempt. A witness, witness counsel, or a member of the subcommittee may appeal any rulings to the members present at that proceeding. A majority vote of the members present at such proceeding on such appeal shall govern the question of admissibility, and no appeal shall lie to the Committee.

(3) Whenever a person is determined by a majority vote to be in contempt of the subcommittee, the matter may be referred to the Committee to determine whether to refer the matter to the House of Representatives for consideration.

(4) Committee counsel may, subject to subcommittee approval, enter into stipulations with the respondent and/or the respondent's counsel as to facts that are not in dispute.

(d) Upon an affirmative vote of a majority of the subcommittee members, and an affirmative vote of a majority of the full Committee, an investigative subcommittee may expand the scope of its inquiry.

(e) Upon completion of the inquiry, the staff shall draft for the investigative subcommittee a report that shall contain a comprehensive summary of the information received regarding the alleged violations.

(f) Upon completion of the inquiry, an investigative subcommittee, by a majority vote of its members, may adopt a Statement of Alleged Violation if it determines that there is substantial reason to believe that a violation of the Code of Official Conduct, or of a law, rule, regulation, or other standard of conduct applicable to the performance of official duties or the discharge of official responsibilities by a Member, officer, or employee of the House of Representatives has occurred. If more than one violation is alleged, such Statement shall be divided into separate counts. Each count shall relate to a separate violation, shall contain a plain and concise statement of the alleged facts of such violation, and shall include a reference to the provision of the Code of Official Conduct or law, rule, regulation, or other applicable standard of conduct governing the performance of duties or discharge of responsibilities alleged to have been violated. A copy of such Statement shall be transmitted to the respondent and the respondent's counsel.

(g) If the investigative subcommittee does not adopt a Statement of Alleged Violation, it shall transmit to the Committee a report containing a summary of the information received in the inquiry, its conclusions and reasons therefore, and any appropriate recommendation.

RULE 20. AMENDMENTS TO STATEMENTS OF ALLEGED VIOLATION

(a) An investigative subcommittee may, upon an affirmative vote of a majority of its members, amend its Statement of Alleged Violation anytime before the Statement of Alleged Violation is transmitted to the Committee; and

(b) If an investigative subcommittee amends its Statement of Alleged Violation, the respondent shall be notified in writing and shall have 30 calendar days from the date of that notification to file an answer to the amended Statement of Alleged Violation.

RULE 21. COMMITTEE REPORTING REQUIREMENTS

(a) Whenever an investigative subcommittee does not adopt a Statement of Al-

leged Violation and transmits a report to that effect to the Committee, the Committee may by an affirmative vote of a majority of its members transmit such report to the House of Representatives;

(b) Whenever an investigative subcommittee adopts a Statement of Alleged Violation but recommends that no further action be taken, it shall transmit a report to the Committee regarding the Statement of Alleged Violation; and

(c) Whenever an investigative subcommittee adopts a Statement of Alleged Violation, the respondent admits to the violations set forth in such Statement, the respondent waives the right to an adjudicatory hearing, and the respondent's waiver is approved by the Committee—

(1) the subcommittee shall prepare a report for transmittal to the Committee, a final draft of which shall be provided to the respondent not less than 15 calendar days before the subcommittee votes on whether to adopt the report;

(2) the respondent may submit views in writing regarding the final draft to the subcommittee within 7 calendar days of receipt of that draft;

(3) the subcommittee shall transmit a report to the Committee regarding the Statement of Alleged Violation together with any views submitted by the respondent pursuant to subparagraph (2), and the Committee shall make the report, together with the respondent's views, available to the public before the commencement of any sanction hearing; and

(4) the Committee shall by an affirmative vote of a majority of its members issue a report and transmit such report to the House of Representatives, together with the respondent's views previously submitted pursuant to subparagraph (2) and any additional views respondent may submit for attachment to the final report; and

(d) Members of the Committee shall have not less than 72 hours to review any report transmitted to the Committee by an investigative subcommittee before both the commencement of a sanction hearing and the Committee vote on whether to adopt the report.

RULE 22. RESPONDENT'S ANSWER

(a)(1) Within 30 days from the date of transmittal of a Statement of Alleged Violation, the respondent shall file with the investigative subcommittee an answer, in writing and under oath, signed by respondent and respondent's counsel. Failure to file an answer within the time prescribed shall be considered by the Committee as a denial of each count.

(2) The answer shall contain an admission to or denial of each count set forth in the Statement of Alleged Violation and may include negative, affirmative, or alternative defenses and any supporting evidence or other relevant information.

(b) The respondent may file a Motion for a Bill of Particulars within 10 days of the date of transmittal of the Statement of Alleged Violation. If a Motion for a Bill of Particulars is filed, the respondent shall not be required to file an answer until 20 days after the subcommittee has replied to such motion.

(c)(1) The respondent may file a Motion to Dismiss within 10 days of the date of transmittal of the Statement of Alleged Violation or, if a Motion for a Bill of Particulars has been filed, within 10 days of the date of the subcommittee's reply to the Motion for a Bill of Particulars. If a Motion to Dismiss is filed, the respondent shall not be required to

file an answer until 20 days after the subcommittee has replied to the Motion to Dismiss, unless the respondent previously filed a Motion for a Bill of Particulars, in which case the respondent shall not be required to file an answer until 10 days after the subcommittee has replied to the Motion to Dismiss. The investigative subcommittee shall rule upon any motion to dismiss filed during the period between the establishment of the subcommittee and the subcommittee's transmittal of a report or Statement of Alleged Violation to the Committee or to the Chair and Ranking Minority Member at the conclusion of an inquiry, and no appeal of the subcommittee's ruling shall lie to the Committee.

(2) A Motion to Dismiss may be made on the grounds that the Statement of Alleged Violation fails to state facts that constitute a violation of the Code of Official Conduct or other applicable law, rule, regulation, or standard of conduct, or on the grounds that the Committee lacks jurisdiction to consider the allegations contained in the Statement.

(d) Any motion filed with the subcommittee pursuant to this rule shall be accompanied by a Memorandum of Points and Authorities.

(e)(1) The Chair of the investigative subcommittee, for good cause shown, may permit the respondent to file an answer or motion after the day prescribed above.

(2) If the ability of the respondent to present an adequate defense is not adversely affected and special circumstances so require, the Chair of the investigative subcommittee may direct the respondent to file an answer or motion prior to the day prescribed above.

(f) If the day on which any answer, motion, reply, or other pleading must be filed falls on a Saturday, Sunday, or holiday, such filing shall be made on the first business day thereafter.

(g) As soon as practicable after an answer has been filed or the time for such filing has expired, the Statement of Alleged Violation and any answer, motion, reply, or other pleading connected therewith shall be transmitted by the Chair of the investigative subcommittee to the Chair and Ranking Minority Member of the Committee.

RULE 23. ADJUDICATORY HEARINGS

(a) If a Statement of Alleged Violation is transmitted to the Chair and Ranking Minority Member pursuant to Rule 22, and no waiver pursuant to Rule 26(b) has occurred, the Chair shall designate the members of the Committee who did not serve on the investigative subcommittee to serve on an adjudicatory subcommittee. The Chair and Ranking Minority Member of the Committee shall be the Chair and Ranking Minority Member of the adjudicatory subcommittee unless they served on the investigative subcommittee. The respondent shall be notified of the designation of the adjudicatory subcommittee and shall have 10 days after such notice is transmitted to object to the participation of any subcommittee member. Such objection shall be in writing and shall be on the grounds that the member cannot render an impartial and unbiased decision. The members of the Committee shall engage in a collegial discussion regarding such objection. The member against whom the objection is made shall be the sole judge of any disqualification and may choose to seek disqualification from serving on the subcommittee pursuant to Rule 9(e).

(b) A majority of the adjudicatory subcommittee membership plus one must be present at all times for the conduct of any business pursuant to this rule.

(c) The adjudicatory subcommittee shall hold a hearing to determine whether any counts in the Statement of Alleged Violation have been proved by clear and convincing evidence and shall make findings of fact, except where such violations have been admitted by respondent.

(d) The subcommittee may require, by subpoena or otherwise, the attendance and testimony of such witnesses and production of such books, records, correspondence, memoranda, papers, documents, and other items as it deems necessary. A subpoena for documents may specify terms of return other than at a meeting or hearing of the subcommittee. Depositions, interrogatories, and sworn statements taken under any investigative subcommittee direction may be accepted into the hearing record.

(e) The procedures set forth in clause 2(g)(1)–(4), (6)–(7) and (k) of Rule XI of the Rules of the House of Representatives shall apply to adjudicatory hearings. All such hearings shall be open to the public unless the adjudicatory subcommittee, pursuant to such clause, determines that the hearings or any part thereof should be closed.

(f)(1) The adjudicatory subcommittee shall, in writing, notify the respondent that the respondent and respondent's counsel have the right to inspect, review, copy, or photograph books, papers, documents, photographs, or other tangible objects that committee counsel intends to use as evidence against the respondent in an adjudicatory hearing. The respondent shall be given access to such evidence, and shall be provided the names of witnesses committee counsel intends to call, and a summary of their expected testimony, no less than 15 calendar days prior to any such hearing. Except in extraordinary circumstances, no evidence may be introduced or witness called in an adjudicatory hearing unless the respondent has been afforded a prior opportunity to review such evidence or has been provided the name of the witness.

(2) After a witness has testified on direct examination at an adjudicatory hearing, the Committee, at the request of the respondent, shall make available to the respondent any statement of the witness in the possession of the Committee which relates to the subject matter as to which the witness has testified.

(3) Any other testimony, statement, or documentary evidence in the possession of the Committee which is material to the respondent's defense shall, upon request, be made available to the respondent.

(g) No less than 5 days prior to the hearing, the respondent or counsel shall provide the adjudicatory subcommittee with the names of witnesses expected to be called, summaries of their expected testimony, and copies of any documents or other evidence proposed to be introduced.

(h) The respondent or counsel may apply to the subcommittee for the issuance of subpoenas for the appearance of witnesses or the production of evidence. The application shall be granted upon a showing by the respondent that the proposed testimony or evidence is relevant and not otherwise available to respondent. The application may be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.

(i) No later than two weeks or 5 legislative days after the Chair of the Committee designates members to serve on an adjudicatory subcommittee, whichever is later, the Chair of the adjudicatory subcommittee shall establish a schedule and procedure for the hearing and for prehearing matters. The procedures may be changed either by the Chair

of the adjudicatory subcommittee or by a majority vote of the members of the subcommittee. If the Chair makes prehearing rulings upon any question of admissibility or relevance of evidence, motion, procedure, or any other matter, the Chair shall make available those rulings to all subcommittee members at the time of the ruling.

(j) The procedures regarding the admissibility of evidence and rulings shall be as follows:

(1) Any relevant evidence shall be admissible unless the evidence is privileged under the precedents of the House of Representatives.

(2) The Chair of the subcommittee or other presiding member at an adjudicatory subcommittee hearing shall rule upon any question of admissibility or relevance of evidence, motion, procedure, or any other matter, and may direct any witness to answer any question under penalty of contempt. A witness, witness counsel, or a member of the subcommittee may appeal any ruling to the members present at that proceeding. A majority vote of the members present at such proceeding on such an appeal shall govern the question of admissibility and no appeal shall lie to the Committee.

(3) Whenever a witness is deemed by a Chair or other presiding member to be in contempt of the subcommittee, the matter may be referred to the Committee to determine whether to refer the matter to the House of Representatives for consideration.

(4) Committee counsel may, subject to subcommittee approval, enter into stipulations with the respondent and/or the respondent's counsel as to facts that are not in dispute.

(k) Unless otherwise provided, the order of an adjudicatory hearing shall be as follows:

(1) The Chair and Ranking Minority Member of the subcommittee shall open the hearing with equal time and during which time, the Chair shall state the adjudicatory subcommittee's authority to conduct the hearing and the purpose of the hearing.

(2) The Chair shall then recognize Committee counsel and the respondent's counsel, in turn, for the purpose of giving opening statements.

(3) Testimony from witnesses and other relevant evidence shall be received in the following order whenever possible:

(i) witnesses (deposition transcripts and affidavits obtained during the inquiry may be used in lieu of live witnesses) and other evidence offered by the Committee counsel,

(ii) witnesses and other evidence offered by the respondent,

(iii) rebuttal witnesses, as permitted by the Chair.

(4) Witnesses at a hearing shall be examined first by counsel calling such witness. The opposing counsel may then cross-examine the witness. Redirect examination and recross examination by counsel may be permitted at the Chair's discretion. Subcommittee members may then question witnesses. Unless otherwise directed by the Chair, questions by Subcommittee members shall be conducted under the five-minute rule.

(5) The Chair shall then recognize Committee counsel and respondent's counsel, in turn, for the purpose of giving closing arguments. Committee counsel may reserve time for rebuttal argument, as permitted by the Chair.

(1) A subpoena to a witness to appear at a hearing shall be served sufficiently in advance of that witness' scheduled appearance to allow the witness a reasonable period of time, as determined by the Chair of the adju-

dicatory subcommittee, to prepare for the hearing and to employ counsel.

(m) Each witness appearing before the subcommittee shall be furnished a printed copy of the Committee rules, the relevant provisions of the Rules of the House of Representatives applicable to the rights of witnesses, and a copy of the Statement of Alleged Violation.

(n) Testimony of all witnesses shall be taken under oath or affirmation. The form of the oath or affirmation shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this subcommittee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?" The oath or affirmation shall be administered by the Chair or Committee member designated by the Chair to administer oaths.

(o) At an adjudicatory hearing, the burden of proof rests on Committee counsel to establish the facts alleged in the Statement of Alleged Violation by clear and convincing evidence. However, Committee counsel need not present any evidence regarding any count that is admitted by the respondent or any fact stipulated. Committee counsel or respondent's counsel may move the adjudicatory subcommittee to make a finding that there is no material fact at issue. If the adjudicatory subcommittee finds that there is no material fact at issue, the burden of proof will be deemed satisfied.

(p) As soon as practicable after all testimony and evidence have been presented, the subcommittee shall consider each count contained in the Statement of Alleged Violation and shall determine by a majority vote of its members whether each count has been proved. If a majority of the subcommittee does not vote that a count has been proved, a motion to reconsider that vote may be made only by a member who voted that the count was not proved. A count that is not proved shall be considered as dismissed by the subcommittee.

(q) The findings of the adjudicatory subcommittee shall be reported to the Committee.

RULE 24. SANCTION HEARING AND CONSIDERATION OF SANCTIONS OR OTHER RECOMMENDATIONS

(a) If no count in a Statement of Alleged Violation is proved, the Committee shall prepare a report to the House of Representatives, based upon the report of the adjudicatory subcommittee.

(b) If an adjudicatory subcommittee completes an adjudicatory hearing pursuant to Rule 23 and reports that any count of the Statement of Alleged Violation has been proved, a hearing before the Committee shall be held to receive oral and/or written submissions by counsel for the Committee and counsel for the respondent as to the sanction the Committee should recommend to the House of Representatives with respect to such violations. Testimony by witnesses shall not be heard except by written request and vote of a majority of the Committee.

(c) Upon completion of any proceeding held pursuant to clause (b), the Committee shall consider and vote on a motion to recommend to the House of Representatives that the House take disciplinary action. If a majority of the Committee does not vote in favor of the recommendation that the House of Representatives take action, a motion to reconsider that vote may be made only by a member who voted against the recommendation. The Committee may also, by majority vote, adopt a motion to issue a Letter of Reproval or take other appropriate Committee action.

(d) If the Committee determines a Letter of Reprimand constitutes sufficient action, the Committee shall include any such letter as a part of its report to the House of Representatives.

(e) With respect to any proved counts against a Member of the House of Representatives, the Committee may recommend to the House one or more of the following sanctions:

(1) Expulsion from the House of Representatives.

(2) Censure.

(3) Reprimand.

(4) Fine.

(5) Denial or limitation of any right, power, privilege, or immunity of the Member if under the Constitution the House of Representatives may impose such denial or limitation.

(6) Any other sanction determined by the Committee to be appropriate.

(f) With respect to any proved counts against an officer or employee of the House of Representatives, the Committee may recommend to the House one or more of the following sanctions:

(1) Dismissal from employment.

(2) Reprimand.

(3) Fine.

(4) Any other sanction determined by the Committee to be appropriate.

(g) With respect to the sanctions that the Committee may recommend, reprimand is appropriate for serious violations, censure is appropriate for more serious violations, and expulsion of a Member or dismissal of an officer or employee is appropriate for the most serious violations. A recommendation of a fine is appropriate in a case in which it is likely that the violation was committed to secure a personal financial benefit; and a recommendation of a denial or limitation of a right, power, privilege, or immunity of a Member is appropriate when the violation bears upon the exercise or holding of such right, power, privilege, or immunity. This clause sets forth general guidelines and does not limit the authority of the Committee to recommend other sanctions.

(h) The Committee report shall contain an appropriate statement of the evidence supporting the Committee's findings and a statement of the Committee's reasons for the recommended sanction.

RULE 25. DISCLOSURE OF EXCULPATORY INFORMATION TO RESPONDENT

If the Committee, or any investigative or adjudicatory subcommittee at any time receives any exculpatory information respecting a Complaint or Statement of Alleged Violation concerning a Member, officer, or employee of the House of Representatives, it shall make such information known and available to the Member, officer, or employee as soon as practicable, but in no event later than the transmittal of evidence supporting a proposed Statement of Alleged Violation pursuant to Rule 26(c). If an investigative subcommittee does not adopt a Statement of Alleged Violation, it shall identify any exculpatory information in its possession at the conclusion of its inquiry and shall include such information, if any, in the subcommittee's final report to the Committee regarding its inquiry. For purposes of this rule, exculpatory evidence shall be any evidence or information that is substantially favorable to the respondent with respect to the allegations or charges before an investigative or adjudicatory subcommittee.

RULE 26. RIGHTS OF RESPONDENTS AND WITNESSES

(a) A respondent shall be informed of the right to be represented by counsel, to be provided at the respondent's own expense.

(b) A respondent may seek to waive any procedural rights or steps in the disciplinary process. A request for waiver must be in writing, signed by the respondent, and must detail what procedural steps the respondent seeks to waive. Any such request shall be subject to the acceptance of the Committee or subcommittee, as appropriate.

(c) Not less than 10 calendar days before a scheduled vote by an investigative subcommittee on a Statement of Alleged Violation, the subcommittee shall provide the respondent with a copy of the Statement of Alleged Violation it intends to adopt together with all evidence it intends to use to prove those charges which it intends to adopt, including documentary evidence, witness testimony, memoranda of witness interviews, and physical evidence, unless the subcommittee by an affirmative vote of a majority of its members decides to withhold certain evidence in order to protect a witness, but if such evidence is withheld, the subcommittee shall inform the respondent that evidence is being withheld and of the count to which such evidence relates.

(d) Neither the respondent nor respondent's counsel shall, directly or indirectly, contact the subcommittee or any member thereof during the period of time set forth in paragraph (c) except for the sole purpose of settlement discussions where counsels for the respondent and the subcommittee are present.

(e) If, at any time after the issuance of a Statement of Alleged Violation, the Committee or any subcommittee thereof determines that it intends to use evidence not provided to a respondent under paragraph (c) to prove the charges contained in the Statement of Alleged Violation (or any amendment thereof), such evidence shall be made immediately available to the respondent, and it may be used in any further proceeding under the Committee's rules.

(f) Evidence provided pursuant to paragraph (c) or (e) shall be made available to the respondent and respondent's counsel only after each agrees, in writing, that no document, information, or other materials obtained pursuant to that paragraph shall be made public until—

(1) such time as a Statement of Alleged Violation is made public by the Committee if the respondent has waived the adjudicatory hearing; or

(2) the commencement of an adjudicatory hearing if the respondent has not waived an adjudicatory hearing; but the failure of respondent and respondent's counsel to so agree in writing, and therefore not receive the evidence, shall not preclude the issuance of a Statement of Alleged Violation at the end of the period referenced in (c).

(g) A respondent shall receive written notice whenever—

(1) the Chair and Ranking Minority Member determine that information the Committee has received constitutes a complaint;

(2) a complaint or allegation is transmitted to an investigative subcommittee;

(3) that subcommittee votes to authorize its first subpoena or to take testimony under oath, whichever occurs first; or

(4) that subcommittee or the Committee votes to expand the scope of the inquiry of the investigative subcommittee.

(h) Whenever an investigative subcommittee adopts a Statement of Alleged Violation and a respondent enters into an agreement with that subcommittee to settle a complaint on which the Statement is based, that agreement, unless the respondent requests otherwise, shall be in writing and

signed by the respondent and the respondent's counsel, the Chair and Ranking Minority Member of the subcommittee, and outside counsel, if any.

(i) Statements or information derived solely from a respondent or respondent's counsel during any settlement discussions between the Committee or a subcommittee thereof and the respondent shall not be included in any report of the subcommittee or the Committee or otherwise publicly disclosed without the consent of the respondent.

(j) Whenever a motion to establish an investigative subcommittee does not prevail, the Committee shall promptly send a letter to the respondent informing the respondent of such vote.

(k) Witnesses shall be afforded a reasonable period of time, as determined by the Committee or subcommittee, to prepare for an appearance before an investigative subcommittee or for an adjudicatory hearing and to obtain counsel.

(l) Prior to their testimony, witnesses shall be furnished a printed copy of the Committee's Rules of Procedure and the provisions of the Rules of the House of Representatives applicable to the rights of witnesses.

(m) Witnesses may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights. The Chair may punish breaches of order and decorum, and of professional responsibility on the part of counsel, by censure and exclusion from the hearings; and the Committee may cite the offender to the House of Representatives for contempt.

(n) Each witness subpoenaed to provide testimony or other evidence shall be provided the same per diem rate as established, authorized, and regulated by the Committee on House Administration for Members, officers and employees of the House, and, as the Chair considers appropriate, actual expenses of travel to or from the place of examination. No compensation shall be authorized for attorney's fees or for a witness' lost earnings. Such per diem may not be paid if a witness had been summoned at the place of examination.

(o) With the approval of the Committee, a witness, upon request, may be provided with a transcript of the witness' own deposition or other testimony taken in executive session, or, with the approval of the Chair and Ranking Minority Member, may be permitted to examine such transcript in the office of the Committee. Any such request shall be in writing and shall include a statement that the witness, and counsel, agree to maintain the confidentiality of all executive session proceedings covered by such transcript.

RULE 27. FRIVOLOUS FILINGS

If a complaint or information offered as a complaint is deemed frivolous by an affirmative vote of a majority of the members of the Committee, the Committee may take such action as it, by an affirmative vote of a majority, deems appropriate in the circumstances.

RULE 28. REFERRALS TO FEDERAL OR STATE AUTHORITIES

Referrals made under clause 3(a)(3) of Rule XI of the Rules of the House of Representatives may be made by an affirmative vote of two-thirds of the members of the Committee.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The Speaker announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 34. Joint Resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Protecting the Privacy of Customers of Broadband and Other Telecommunications Services".

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 30 minutes p.m.), under its previous order, the House adjourned until Monday, April 3, 2017, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

940. A letter from the Acting Secretary of the Army, Department of Defense, transmitting the Annual Report to Congress on the Activities of the Western Hemisphere Institute for Security Cooperation for 2016, pursuant to 10 U.S.C. 2166(i); Public Law 106-398, Sec. 1 (as amended by Public Law 107-314, Sec. 932(a)(1)); (116 Stat. 2625); to the Committee on Armed Services.

941. A letter from the Acting Under Secretary for Acquisition, Technology, and Logistics, Department of Defense, transmitting the Department of Defense Chemical Demilitarization Program Semi-Annual Report to Congress for March 2017, pursuant to 50 U.S.C. 1521(j); Public Law 99-145, Sec. 1412 (as amended by Public Law 112-239, Sec. 1421(a)); (126 Stat. 204); to the Committee on Armed Services.

942. A letter from the Secretary, Department of Defense, transmitting a letter authorizing five officers to wear the insignia of the grade of brigadier general, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

943. A letter from the Assistant Administrator, Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Placement of Brivaracetam Into Schedule V [Docket No.: DEA-435] received March 28, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

944. A letter from the Assistant Administrator, Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting the Department's interim final rule — Schedules of Controlled Substances: Placement of FDA-Approved Products of Oral Solutions Containing Dronabinol [(—)-delta-9-tetrahydrocannabinol (delta-9-THC)] in Schedule II [Docket No.: DEA-344] received March 28, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

945. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, "DHCD Should Improve Management of the Housing Production Trust Fund to Better Meet Affordable Housing Goals", pursuant to Public Law 93-198, Sec. 455(d); (87 Stat. 803); to the Committee on Oversight and Government Reform.

946. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, "Internal Control Weaknesses Found in the Marion S. Barry Summer Youth Employment Program", pursuant to Public Law 93-198, Sec. 455(d); (87 Stat. 803); to the Committee on Oversight and Government Reform.

947. A letter from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting the Bureau's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

948. A letter from the Associate General Counsel for General Law, Office of the General Counsel, Department of Homeland Security, transmitting a notification of designation of acting officer and a notification of discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

949. A letter from the EEO Director, Office of Civil Rights and Equal Opportunity, Social Security Administration, transmitting the Administration's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

950. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting a report entitled, "Debt Collection Recovery Activities of the Department of Justice for Civil Debts Referred for Collection Annual Report for Fiscal Year 2016", pursuant to 31 U.S.C. 3718(c); Public Law 97-452, Sec. 1(16)(A) (as amended by Public Law 99-578, Sec. 1(4)); (100 Stat. 3305); to the Committee on the Judiciary.

951. A letter from the Staff Director, United States Sentencing Commission, transmitting a report on the compliance of the federal district courts with documentation submission requirements of 28 U.S.C. 994(w)(1), pursuant to 28 U.S.C. 994(w)(3); to the Committee on the Judiciary.

952. A letter from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting notification that the Department takes no position on enactment of H.R. 654, the Pacific Northwest Earthquake Preparedness Act of 2017; to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BRADY of Texas: Committee on Ways and Means. House Resolution 186. Resolution of inquiry directing the Secretary of the Treasury to provide to the House of Representatives the tax returns and other specified financial information of President Donald J. Trump; adversely (Rept. 115-73). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. ROYCE of California, Ms. ADAMS, Ms. BASS, Mrs. BEATTY, Mr. BERA, Ms. BLUNT ROCHESTER, Ms. BONAMICI, Mr. BUTTERFIELD, Mr. CAPUANO, Mr. CARTWRIGHT, Mr. CASTRO of Texas, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLAY, Mr. COHEN, Mr. CRIST, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFAZIO, Mr. DELANEY, Mrs. DEMINGS, Mr. DENT, Mr. DESAULNIER, Mrs. DINGELL, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. ELLISON, Mr. ENGEL, Mr. FOSTER, Ms. FRANKEL of Florida, Mr. GARAMENDI, Mr. GRIJALVA, Ms. HANABUSA, Mr. HECK, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Ms. KELLY of Illinois, Mr. KIHUEN, Mr. KILDEE, Mr. KING of New York, Mr. LARSON of Connecticut, Mrs. LAWRENCE, Ms. LEE, Mr. LEVIN, Mr. TED LIEU of California, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mr. SEAN PATRICK MALONEY of New York, Ms. MCCOLLUM, Mr. MCEACHIN, Mr. MCNERNEY, Mr. MEEKS, Ms. MENG, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. O'ROURKE, Mr. PALLONE, Mr. PAYNE, Mr. PERLMUTTER, Mr. PETERS, Mr. RICHMOND, Ms. ROSLEHTINEN, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SEWELL of Alabama, Ms. SHEA-PORTER, Mr. SHERMAN, Ms. SINEMA, Ms. SPIER, Mr. SWALWELL of California, Mr. THOMPSON of California, Ms. TITUS, Mr. TONKO, Mr. VARGAS, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Ms. MAXINE WATERS of California, Mr. WELCH, Ms. WILSON of Florida, Mrs. LOWEY, Mr. HASTINGS, Mr. POLIS, Mr. SMITH of Washington, Ms. STEFANIK, Ms. ESHOO, Mr. CLEAVER, Mr. HIMES, Mr. DAVID SCOTT of Georgia, Mr. YARMUTH, Mr. HIGGINS of New York, Mr. EVANS, Ms. JUDY CHU of California, Ms. TSONGAS, Ms. SÁNCHEZ, Mr. BRADY of Pennsylvania, Mr. REED, Mr. BILIRAKIS, Mr. RASKIN, Ms. MOORE, Mr. MACARTHUR, Mr. BLUMENAUER, Mr. CONNOLLY, Mr. BROWN of Maryland, Mr. COOPER, Mr. ESPAILLAT, Mr. GUTIÉRREZ, Mrs. WATSON COLEMAN, Ms. KUSTER of New Hampshire, Mr. SARBANES, Mr. TROTT, Mr. LANCE, Miss RICE of New York, Mr. STIVERS, Mr. KATKO, Mr. VALADAO, Mrs. MIMI WALTERS of California, Mr. MCCAUL, Mr. PAULSEN, Ms. HERRERA BEUTLER, Mrs. LOVE, Mr. HURD, Mr. BACON, and Mr. BERGMAN):

H.R. 19. A bill to establish in the Smithsonian Institution a comprehensive women's history museum, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Natural Resources, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of Utah:

H.R. 1800. A bill to direct the Secretary of Agriculture to transfer certain Federal land to facilitate scientific research supporting Federal space and defense programs; to the Committee on Natural Resources.

By Mr. TIPTON:

H.R. 1801. A bill to delay the effective date of the final rule of the Bureau of Consumer Financial Protection titled “Prepaid Accounts under the Electronic Fund Transfer Act (Regulation E) and the Truth In Lending Act (Regulation Z)” to the Committee on Financial Services.

By Ms. ESTY (for herself, Mr. COSTELLO of Pennsylvania, Mr. LANGEVIN, Mr. MURPHY of Pennsylvania, Mr. RYAN of Ohio, and Mrs. RADEWAGEN):

H.R. 1802. A bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs; to the Committee on Veterans’ Affairs.

By Mr. DUNN:

H.R. 1803. A bill to establish the Constitutional Government Review Commission, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARR:

H.R. 1804. A bill to amend the Internal Revenue Code of 1986 to allow a 3-year recovery period for all race horses; to the Committee on Ways and Means.

By Mr. BARR:

H.R. 1805. A bill to amend the Internal Revenue Code of 1986 to reduce the holding period used to determine whether horses are section 1231 assets to 12 months; to the Committee on Ways and Means.

By Mr. BARR:

H.R. 1806. A bill to amend the Internal Revenue Code of 1986 to allow the expensing of race horses; to the Committee on Ways and Means.

By Mr. GOHMERT (for himself, Mr. SESSIONS, Mr. SAM JOHNSON of Texas, Mr. WESTERMAN, Mr. WEBER of Texas, Mr. RATCLIFFE, Mr. HIGGINS of Louisiana, Mr. BABIN, and Mr. JOHNSON of Louisiana):

H.R. 1807. A bill to exempt from the Lacey Act and the Lacey Act Amendments of 1981 certain water transfers between any of the States of Texas, Arkansas, and Louisiana; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GUTHRIE (for himself and Mr. COURTNEY):

H.R. 1808. A bill to amend and improve the Missing Children’s Assistance Act, and for other purposes; to the Committee on Education and the Workforce.

By Mr. LEWIS of Minnesota (for himself, Ms. FOXX, Mr. ROKITA, Mr. SCOTT of Virginia, Mrs. DAVIS of California, and Ms. WILSON of Florida):

H.R. 1809. A bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CURBELO of Florida (for himself and Mr. BLUMENAUER):

H.R. 1810. A bill to amend the Internal Revenue Code of 1986 to allow deductions and credits relating to expenditures in connection with marijuana sales conducted in compliance with State law; to the Committee on Ways and Means.

By Mr. TAYLOR (for himself and Mr. CORREA):

H.R. 1811. A bill to amend the American Recovery and Reinvestment Act of 2009 to prohibit the use of funds appropriated to the Department of Homeland Security for the procurement of uniforms not manufactured in the United States, and for other purposes; to the Committee on Homeland Security.

By Mr. SCHNEIDER (for himself, Mr. TONKO, Ms. MATSUI, Mr. CRIST, Mr. BEYER, Ms. CASTOR of Florida, Mr. COHEN, Mr. CONNOLLY, Mr. DELANEY, Mr. GARAMENDI, Mr. GRIJALVA, Ms. HANABUSA, Mr. JOHNSON of Georgia, Ms. LEE, Mr. LIPINSKI, Mrs. CAROLYN B. MALONEY of New York, Mr. MCNERNEY, Mrs. MURPHY of Florida, Mr. NADLER, Mr. PETERS, Mr. POCAN, Mr. POLIS, Mr. PERLMUTTER, Mr. QUIGLEY, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Mr. SUOZZI, Ms. TSONGAS, Mr. HUFFMAN, Mr. RASKIN, Mr. BLUMENAUER, Mr. CLAY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. PRICE of North Carolina, Mr. HASTINGS, and Mr. CARTWRIGHT):

H.R. 1812. A bill to provide that the Executive order entitled “Promoting Energy Independence and Economic Growth” (March 28, 2017), shall have no force or effect, to prohibit the use of Federal funds to enforce the Executive order, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Oversight and Government Reform, the Judiciary, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROGERS of Alabama (for himself, Mr. BARLETTA, Mr. GAETZ, Mr. BROOKS of Alabama, Mr. AUSTIN SCOTT of Georgia, Mr. FRANKS of Arizona, Mr. CULBERSON, Mr. KELLY of Mississippi, and Mr. CRAWFORD):

H.R. 1813. A bill to amend the Electronic Fund Transfer Act to impose a fee for remittance transfers to certain foreign countries, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Foreign Affairs, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KINZINGER (for himself and Mr. LOEBSACK):

H.R. 1814. A bill to encourage spectrum licenses to make unused spectrum available for use by rural and smaller carriers in order to expand wireless coverage; to the Committee on Energy and Commerce.

By Mr. ESPAILLAT (for himself, Ms. BONAMICI, Mr. SERRANO, Mr. BEYER, Ms. MOORE, Mr. CORREA, Mr. EVANS, Mr. ELLISON, Mr. AL GREEN of Texas, Ms. NORTON, Mr. CÁRDENAS, Mr. GALLEGO, Mrs. NAPOLITANO, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mr. BLUMENAUER, Mr. MCGOVERN, Ms. BARRAGÁN, Mr. WELCH, Mr. PERLMUTTER, Ms. JACKSON LEE, Mr. VARGAS, Ms. SCHAKOWSKY, Mr. TED LIEU of California, and Mr. POLIS):

H.R. 1815. A bill to amend section 287 of the Immigration and Nationality Act to limit immigration enforcement actions at sensitive locations, to clarify the powers of immigration officers at sensitive locations, and for other purposes; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska (for himself, Mr. LARSEN of Washington, Mr. GARAMENDI, and Mr. HUNTER):

H.R. 1816. A bill to authorize the Secretary of the Navy to enter into a contract for the procurement of heavy icebreakers; to the Committee on Armed Services.

By Mr. DEFAZIO (for himself and Mr. BLUMENAUER):

H.R. 1817. A bill to prohibit the use of the poisons sodium fluoroacetate (known as “Compound 1080”) and sodium cyanide for predator control; to the Committee on the Judiciary.

By Mr. DENHAM (for himself, Mr. JONES, Mr. FARENTHOLD, Mr. LOBIONDO, Mr. GAETZ, Ms. TSONGAS, Mr. ROSS, and Mr. JOHNSON of Ohio):

H.R. 1818. A bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes; to the Committee on Natural Resources.

By Mr. CARTWRIGHT (for himself, Mr. GRIJALVA, Mrs. DINGELL, Mr. CÁRDENAS, Ms. CLARK of Massachusetts, Mr. CONNOLLY, Ms. DELBENE, Mr. HUFFMAN, Mr. ELLISON, Mr. BLUMENAUER, Mr. BEYER, Mr. LANGEVIN, Mrs. LAWRENCE, Ms. LEE, Mr. TED LIEU of California, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCGOVERN, Mrs. NAPOLITANO, Ms. NORTON, Mr. POCAN, Mr. POLIS, Mr. QUIGLEY, Ms. SLAUGHTER, Mr. TONKO, Ms. TSONGAS, Mrs. WATSON COLEMAN, and Mr. LOWENTHAL):

H.R. 1819. A bill to protect taxpayers from liability associated with the reclamation of surface coal mining operations, and for other purposes; to the Committee on Natural Resources.

By Mr. BLUMENAUER (for himself, Mr. GARRETT, Mr. POLIS, Mr. AMASH, Ms. TITUS, and Mr. ROHRBACHER):

H.R. 1820. A bill to authorize Department of Veterans Affairs health care providers to provide recommendations and opinions to veterans regarding participation in State marijuana programs; to the Committee on Veterans’ Affairs.

By Mr. BARTON (for himself and Mr. LEWIS of Georgia):

H.R. 1821. A bill to amend the Internal Revenue Code of 1986 to increase the standard charitable mileage rate for delivery of meals to elderly, disabled, frail, and at-risk individuals; to the Committee on Ways and Means.

By Mrs. BLACKBURN:

H.R. 1822. A bill to amend the Public Health Service Act to limit the liability of health care professionals who volunteer to provide health care services in response to a disaster; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER:

H.R. 1823. A bill to amend the Internal Revenue Code of 1986 to provide for the taxation and regulation of marijuana products, and for other purposes; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 1824. A bill to amend the Controlled Substances Act to reduce the gap between Federal and State marijuana policy, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees

on Energy and Commerce, Ways and Means, Financial Services, Natural Resources, Education and the Workforce, Veterans' Affairs, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COLLINS of New York (for himself, Ms. SCHAKOWSKY, Mr. KIND, Mr. TIBERI, Mr. HARPER, Mr. KELLY of Pennsylvania, and Mr. MEEHAN):

H.R. 1825. A bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONNOLLY:

H.R. 1826. A bill to amend title XIX of the Social Security Act to redistribute Federal funds that would otherwise be made available to States that do not provide for the Medicaid expansion in accordance with the Affordable Care Act to those States electing to provide those Medicaid benefits, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DELANEY (for himself, Mr. JONES, Ms. PINGREE, Ms. SINEMA, Mrs. NAPOLITANO, Ms. MOORE, Mr. BEN RAY LUJÁN of New Mexico, Mr. RASKIN, Mr. DEFAZIO, Mrs. DINGELL, Mr. BROWN of Maryland, Mr. RUSH, Mr. CONYERS, Mr. MCGOVERN, Ms. SHEA-PORTER, Mr. GARAMENDI, Mr. NORTON, Mr. RYAN of Ohio, Mr. KEATING, Mr. HASTINGS, Mr. YARMUTH, Mr. LARSON of Connecticut, Mr. POCAN, Ms. SEWELL of Alabama, and Mr. CARSON of Indiana):

H.R. 1827. A bill to amend the Family and Medical Leave Act of 1993 to provide a partial exemption to veterans from the eligibility requirements, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Oversight and Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JENKINS of Kansas (for herself and Mr. KIND):

H.R. 1828. A bill to amend title XVIII of the Social Security Act to provide for payments for certain rural health clinic and Federally qualified health center services furnished to hospice patients under the Medicare program; to the Committee on Ways and Means.

By Mr. KILMER (for himself and Mr. RUSSELL):

H.R. 1829. A bill to temporarily authorize recently retired members of the armed forces to be appointed to certain civil service positions, require the Secretary of Defense to issue certain notifications, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS of Georgia:

H.R. 1830. A bill to amend the Internal Revenue Code of 1986 to provide that a deduction equal to fair market value shall be allowed

for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor; to the Committee on Ways and Means.

By Mr. MACARTHUR (for himself, Mr. PASCRELL, and Ms. BLUNT ROCH-ESTER):

H.R. 1831. A bill to amend title XVIII of the Social Security Act to permit hospitals in all-urban States to be considered Medicare dependent hospitals, and for other purposes; to the Committee on Ways and Means.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. MEEKS, Ms. KELLY of Illinois, Ms. JAYAPAL, Ms. SPEIER, Mr. NADLER, Ms. LEE, Mr. COHEN, Mr. LYNCH, Ms. CLARKE of New York, Ms. ADAMS, Ms. BROWNLEY of California, Mr. LARSEN of Washington, Ms. CASTOR of Florida, Mr. BLUMENAUER, and Ms. TSONGAS):

H.R. 1832. A bill to authorize the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention; to the Committee on Energy and Commerce.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Ms. VELÁZQUEZ, Ms. NORTON, Mr. ELLISON, Ms. CLARKE of New York, Mr. VARGAS, Ms. PLASKETT, Mr. CARSON of Indiana, Mr. EVANS, and Ms. ADAMS):

H.R. 1833. A bill to encourage initiatives for financial products and services that are appropriate and accessible for millions of American small businesses that do not have access to the financial mainstream; to the Committee on Financial Services.

By Mrs. MCMORRIS RODGERS (for herself and Ms. SEWELL of Alabama):

H.R. 1834. A bill to amend title XVIII of the Social Security Act to establish a national Oncology Medical Home Demonstration Project under the Medicare program for the purpose of changing the Medicare payment for cancer care in order to enhance the quality of care and to improve cost efficiency, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MOONEY of West Virginia:

H.R. 1835. A bill to prohibit United States voluntary and assessed contributions to the United Nations if the United Nations imposes any tax or fee on any United States person or continues to develop or promote proposals for such a tax or fee; to the Committee on Foreign Affairs.

By Mr. NADLER (for himself, Mrs. BLACKBURN, Mr. CONYERS, Mr. ISSA, Mr. DEUTCH, and Mr. THOMAS J. ROONEY of Florida):

H.R. 1836. A bill to amend title 17, United States Code, to provide fair treatment of radio stations and artists for the use of sound recordings, and for other purposes; to the Committee on the Judiciary.

By Mr. NORCROSS (for himself and Mr. MCKINLEY):

H.R. 1837. A bill to require the Secretary of Energy to establish a pilot competitive grant program for the development of a skilled energy workforce, and for other purposes; to the Committee on Education and the Workforce.

By Mr. NUNES (for himself, Mr. LARSON of Connecticut, Mr. STEWART, Mr. SCHWEIKERT, Mr. GARAMENDI, Mr.

SMITH of Washington, Mrs. BLACKBURN, Mr. LAMBORN, Mr. VEASEY, Mr. TIPTON, Mr. YOUNG of Alaska, Mr. SESSIONS, Mr. ROE of Tennessee, Mrs. WALORSKI, Mr. NORCROSS, Mr. PASCRELL, Mr. BUCSHON, Mr. HENSARLING, Ms. SÁNCHEZ, Mr. LANCE, Mr. STIVERS, Mr. SWALWELL of California, Mr. DAVID SCOTT of Georgia, Ms. JENKINS of Kansas, Mr. LOESACK, Mr. KILDEE, Mr. PETERS, Mr. FARENTHOLD, and Mr. SAM JOHNSON of Texas):

H.R. 1838. A bill to amend title XVIII of the Social Security Act to modernize payments for ambulatory surgical centers under the Medicare program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. O'ROURKE:

H.R. 1839. A bill to amend title 5, United States Code, to clarify the timing of deposits relating to the Civil Service Retirement System with respect to crediting military service, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. PAULSEN (for himself, Mr. THOMPSON of California, Mr. GENE GREEN of Texas, Mr. WALZ, Mr. RUSH, and Mr. SHIMKUS):

H.R. 1840. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for clinical testing expenses for qualified infectious disease drugs and rapid diagnostic tests; to the Committee on Ways and Means.

By Mr. POLIS:

H.R. 1841. A bill to provide for the regulation of marijuana products, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Ways and Means, Natural Resources, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RATCLIFFE:

H.R. 1842. A bill to amend title 18, United States Code, to include State crimes of violence as grounds for an enhanced penalty when sex offenders fail to register or report certain information as required by Federal law, to include prior military offenses for purposes of recidivist sentencing provisions, and for other purposes; to the Committee on the Judiciary.

By Mr. ROSKAM (for himself, Mr. CROWLEY, Mr. HOLDING, Mr. REED, Mr. MARCHANT, Mr. BUCHANAN, Mr. MEEHAN, Mr. RENACCI, Mr. SMITH of Missouri, Mr. RICE of South Carolina, Mr. COLLINS of Georgia, and Mr. HARRIS):

H.R. 1843. A bill to amend title 31, United States Code, to prohibit the Internal Revenue Service from carrying out seizures relating to a structuring transaction unless the property to be seized derived from an illegal source or the funds were structured for the purpose of concealing the violation of another criminal law or regulation, to require notice and a post-seizure hearing for such seizures, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUIZ (for himself and Ms. STEFANIK):

H.R. 1844. A bill to require the Secretary of Veterans Affairs to use existing authorities to furnish health care at non-Department of Veterans Affairs facilities to veterans who live more than 40 miles driving distance from the closest medical facility of the Department that furnishes the care sought by the veteran; to the Committee on Veterans' Affairs.

By Mr. SMUCKER:

H.R. 1845. A bill to amend title XVIII of the Social Security Act to facilitate the transition to Medicare for individuals enrolled in group health plans, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WASSERMAN SCHULTZ (for herself and Mr. SMITH of Texas):

H.R. 1846. A bill to reauthorize the National Internet Crimes Against Children Task Force Program, and for other purposes; to the Committee on the Judiciary.

By Mr. YOHO (for himself, Ms.

BROWNLEY of California, Mr. SCHRAEDER, Mr. MARINO, Mr. COHEN, Mr. COLLINS of New York, Ms. SCHAKOWSKY, Ms. ADAMS, Mr. AGUILAR, Mr. AMODEI, Ms. BARRAGÁN, Mr. BARLETTA, Ms. BASS, Mrs. BEATTY, Mr. BERA, Mr. BISHOP of Michigan, Mr. BLUMENAUER, Ms. BONAMICI, Ms. BORDALLO, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BRAT, Mr. BUCHANAN, Mrs. BUSTOS, Mr. BUTTERFIELD, Mr. CALVERT, Mr. CARBAJAL, Mr. CÁRDENAS, Mr. CAPUANO, Mr. CASTRO of Texas, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. COFFMAN, Mrs. COMSTOCK, Mr. CONNOLLY, Mr. COOK, Mr. CORREA, Mr. COURTNEY, Mr. CONYERS, Mr. COSTELLO of Pennsylvania, Mr. CRIST, Mr. CUMMINGS, Mr. CURBELO of Florida, Mr. RODNEY DAVIS of Illinois, Mrs. DAVIS of California, Mr. DeFAZIO, Mr. DELANEY, Ms. DeLAURO, Ms. DELBENE, Mrs. DEMINGS, Mr. DENHAM, Mr. DENT, Mr. DEUTCH, Mr. DONOVAN, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. ELLISON, Mr. EMMER, Mr. ENGEL, Mr. ESPAILLAT, Ms. ESTY, Mr. FASO, Mr. FARENTHOLD, Mr. FITZPATRICK, Mr. FOSTER, Ms. FRANKEL of Florida, Mr. FRANKS of Arizona, Ms. GABBARD, Mr. GALLAGHER, Mr. GALLEGGO, Mr. GARAMENDI, Mr. GONZALEZ of Texas, Mr. GOSAR, Mr. GOTTHEIMER, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIÉRREZ, Mr. HASTINGS, Mr. HECK, Ms. HERRERA BEUTLER, Mr. HIGGINS of New York, Mr. HIMES, Mr. HUFFMAN, Ms. JACKSON LEE, Mr. JEFFRIES, Mr. JOHNSON of Ohio, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. JONES, Mr. JOYCE of Ohio, Ms. KAPTUR, Mr. KEATING, Mr. KELLY of Pennsylvania, Ms. KELLY of Illinois, Mr. KENNEDY, Mr. KHANNA, Mr. KIHUEN, Mr. KILDEE, Mr. KILMER, Mr. KING of New York, Mr. KRISHNAMOORTHY, Ms. KUSTER of New Hampshire, Mr. LANCE, Mr. LANGEVIN, Mr. LARSEN of Washington, Mrs. LAWRENCE, Mr. LAWSON of Flor-

ida, Ms. LEE, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. TED LIEU of California, Mr. LIPINSKI, Mr. LOBIONDO, Mr. LOEBSACK, Mr. LOWENTHAL, Mrs. LOWEY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mr. MACARTHUR, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Mr. MARSHALL, Ms. MATSUI, Mr. BEYER, Mr. McEACHIN, Mr. MCGOVERN, Mr. MCHENRY, Mr. MCNERNEY, Ms. MCSALLY, Mr. MEEHAN, Mr. MEEKS, Ms. MENG, Ms. MOORE, Mr. MOULTON, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL, Mr. NOLAN, Mr. NORCROSS, Ms. NORTON, Mr. O'HALLERAN, Mr. O'ROURKE, Mr. PALLONE, Mr. DANNY K. DAVIS of Illinois, Mr. PAYNE, Mr. PERLMUTTER, Mr. PERRY, Mr. PETERS, Ms. PINGREE, Mr. POCAN, Mr. POLIS, Mr. PRICE of North Carolina, Ms. MCCOLLUM, Mr. QUIGLEY, Mr. RASKIN, Miss RICE of New York, Mr. PANETTA, Ms. ROSEN, Mr. ROSKAM, Mr. ROSS, Ms. ROYBAL-ALLARD, Mr. ROYCE of California, Mr. RUIZ, Mr. RUPPERSBERGER, Mr. RUSH, Mr. RYAN of Ohio, Mr. SABLAN, Ms. SÁNCHEZ, Mr. SARBANES, Mr. LAHOOD, Mr. SCHIFF, Mr. SCHNEIDER, Mr. SCHWEIKERT, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SHERMAN, Ms. SINEMA, Mr. SIRES, Mr. SMITH of Washington, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. SOTO, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, Ms. TENNEY, Mr. THOMPSON of Pennsylvania, Mr. THOMPSON of California, Ms. TITUS, Mr. TONKO, Mrs. TORRES, Ms. TSONGAS, Mr. TURNER, Mr. VEASEY, Mr. VELA, Ms. VELÁZQUEZ, Mr. WALKER, Mr. WALZ, Ms. WASSERMAN SCHULTZ, Mr. WELCH, Mr. WILLIAMS, Ms. WILSON of Florida, Mr. YARMUTH, Mr. YODER, Mr. YOUNG of Iowa, Mr. YOUNG of Alaska, and Mr. ZELDIN):

H.R. 1847. A bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WILSON of South Carolina:

H. Res. 234. A resolution expressing the sense of the House of Representatives regarding the importance of effective education in civics and government in elementary and secondary schools throughout the Nation; to the Committee on Education and the Workforce.

By Mr. THOMPSON of Mississippi:

H. Res. 235. A resolution directing the Secretary of Homeland Security to transmit certain documents to the House of Representatives relating to the Department of Homeland Security's research, integration, and analysis activities relating to Russian Government interference in the elections for Federal office held in 2016; to the Committee on Homeland Security.

By Mr. SMITH of Nebraska (for himself, Mr. YOHO, Mr. TIBERI, Ms. JENKINS of Kansas, Mr. BACON, Mr. BOST, Mr. GIBBS, Mr. KING of Iowa, Mr. MARSHALL, Mr. PAULSEN, Mr. SEN-SENRENNER, and Mrs. WAGNER):

H. Res. 236. A resolution recognizing the importance of the United States-Japan partnership and supporting the pursuit of closer trade ties between the United States and Japan; to the Committee on Ways and Means.

By Mr. CÁRDENAS (for himself, Ms. BROWNLEY of California, Mr. CORREA, Mr. AGUILAR, Mr. RUIZ, Ms. BARRAGÁN, Mr. SOTO, Mr. TAKANO, Mr. GRIJALVA, Mrs. WATSON COLEMAN, Mr. GALLEGGO, Mr. CASTRO of Texas, Mr. VARGAS, Mrs. NAPOLITANO, Mr. ESPAILLAT, Mr. GONZALEZ of Texas, Mr. O'HALLERAN, Mr. CARBAJAL, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. TED LIEU of California, Mr. KIHUEN, Ms. JAYAPAL, Mr. LEWIS of Georgia, Mr. VELA, Ms. ROYBAL-ALLARD, Ms. NORTON, Mr. BEN RAY LUJÁN of New Mexico, Ms. MOORE, Ms. SCHAKOWSKY, Ms. VELÁZQUEZ, Mr. DOGGETT, Ms. SÁNCHEZ, Mr. SIRES, Mr. AL GREEN of Texas, Mr. SERRANO, Mr. PASCRELL, Mr. COHEN, Mr. GUTIÉRREZ, Mr. SABLAN, Mr. CONYERS, Ms. TITUS, Ms. SPEIER, and Mr. GENE GREEN of Texas):

H. Res. 237. A resolution honoring the accomplishments and legacy of César Estrada Chávez; to the Committee on Oversight and Government Reform.

By Mr. CARTER of Texas (for himself, Mr. RUPPERSBERGER, Mr. JONES, Mr. WILLIAMS, Mr. BANKS of Indiana, Mr. FRANKS of Arizona, Ms. JACKSON LEE, Mr. JORDAN, Mr. AUSTIN SCOTT of Georgia, Mr. McCAUL, Mr. CARSON of Indiana, and Mr. MARSHALL):

H. Res. 238. A resolution expressing the sense of the House of Representatives that the Secretary of the Army should report on the status of future Ground Combat Vehicles of the Army; to the Committee on Armed Services.

MEMORIALS

Under clause 3 of rule XII,

15. The SPEAKER presented a memorial of the Legislature of the State of North Dakota, relative to House Concurrent Resolution No. 3009, urging Congress to amend the 2014 farm bill to allow counties to use raw yield data from insurance companies to supplement the national agriculture statistics survey to calculate payments under the Agriculture Risk Coverage program when an insufficient number of surveys are returned to accurately calculate payments; which was referred to the Committee on Agriculture.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 19.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. BISHOP of Utah:

H.R. 1800.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution provides Congress with the authority and responsibility to “provide for the common Defense and general Welfare of the United States,” and to “promote progress of Science.” This measure will help ensure that public lands already in use for important scientific and defense-based research will remain available into the future to support those important public purposes.

By Mr. TIPTON:

H.R. 1801.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: “The Congress shall have power . . . To regulate commerce with foreign nations, and among the several States, and with the Indian tribes.”

By Ms. ESTY:

H.R. 1802.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution.

By Mr. DUNN:

H.R. 1803.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the Constitution of United States of America

By Mr. BARR:

H.R. 1804.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. BARR:

H.R. 1805.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. BARR:

H.R. 1806.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. GOHMERT:

H.R. 1807.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, providing Congress the authority to regulate Commerce with Foreign Nations, and among the Several States, and with Indian Tribes

By Mr. GUTHRIE:

H.R. 1808.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. LEWIS of Minnesota:

H.R. 1809.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. CURBELO of Florida:

H.R. 1810.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. TAYLOR:

H.R. 1811.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and Post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court; and Offenses against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SCHNEIDER:

H.R. 1812.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. ROGERS of Alabama:

H.R. 1813.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 gives Congress the express authority to regulate commerce with foreign nations and provide for the common defense.

By Mr. KINZINGER:

H.R. 1814.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution

By Mr. ESPAILLAT:

H.R. 1815.

Congress has the power to enact this legislation pursuant to the following:

Article One of the United States Constitution, section 8, clause 18:

The Congress shall have Power—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

Or

Article One of the United States Constitution, Section 8, Clause 3:

The Congress shall have Power—To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes;

By Mr. YOUNG of Alaska:

H.R. 1816.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. DEFAZIO:

H.R. 1817.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper / for carrying out the powers vested in Congress)

By Mr. DENHAM:

H.R. 1818.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution: “The Congress shall have the power . . . To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;”

By Mr. CARTWRIGHT:

H.R. 1819.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes.) [Page H3967]

By Mr. BLUMENAUER:

H.R. 1820.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. BARTON:

H.R. 1821.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mrs. BLACKBURN:

H.R. 1822.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. BLUMENAUER:

H.R. 1823.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. BLUMENAUER:

H.R. 1824.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. COLLINS of New York:

H.R. 1825.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. CONNOLLY:

H.R. 1826.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. DELANEY:

H.R. 1827.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Ms. JENKINS of Kansas:

H.R. 1828.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 9:

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.

By Mr. KILMER:

H.R. 1829.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. LEWIS of Georgia:

H.R. 1830.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. MACARTHUR:

H.R. 1831.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States provides that:

"The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States. . . ."

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1832.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1833.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3

By Mrs. McMORRIS RODGERS:

H.R. 1834.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is the power of the Congress to regulate Commerce as enumerated by Article I, Section 8, Clause 1 as applied to providing for the general welfare of the United States through the administration of the Medicare program under Title 18 if the Social Security Act.

By Mr. MOONEY of West Virginia:

H.R. 1835.

Congress has the power to enact this legislation pursuant to the following:

This legislation is authorized by Article I, Section 8 of the Constitution: "To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States."

By Mr. NADLER:

H.R. 1836.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution; Article 1, Section 8, Clause 8 of the United States Constitution; and Article 1, Section 8, Clause 18 of the United States Constitution.

By Mr. NORCROSS:

H.R. 1837.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. NUNES:

H.R. 1838.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution of the United States.

By Mr. O'ROURKE:

H.R. 1839.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. PAULSEN:

H.R. 1840.

Congress has the power to enact this legislation pursuant to the following:

Article I Section VIII which provides Congress the authority to lay and collect taxes, duties, impost, excises, to pay the debts and provide for the common defense and general welfare of the United States.

By Mr. POLIS:

H.R. 1841.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution (relating to the general welfare of the United States); and Article I, Section 8, Clause 3 of the U.S. Constitution (relating to the power to regulate interstate commerce).

By Mr. RATCLIFFE:

H.R. 1842.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 3

By Mr. ROSKAM:

H.R. 1843.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the U.S. Constitution, providing, in relevant part, that "[t]he Congress shall have the power to lay and collect taxes, duties, impost and excises, to pay the debts and provide for the common defense and general welfare of the United States."

By Mr. RUIZ:

H.R. 1844.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution

By Mr. SMUCKER:

H.R. 1845.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 Section 8 of Article I of the Constitution

By Ms. WASSERMAN SCHULTZ:

H.R. 1846.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. YOHO:

H.R. 1847.

Congress has the power to enact this legislation pursuant to the following:

Clause 3, Section 8 of Article 1 of the United States Constitution which reads: "The Congress shall have Power To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 51: Ms. SEWELL of Alabama.
H.R. 60: Mr. CRAWFORD, Mr. TROTT, Ms. BARRAGÁN, Mr. ABRAHAM, and Mr. VELA.

H.R. 112: Mr. DEUTCH.

H.R. 179: Mr. NORCROSS.

H.R. 247: Mr. ROUZER and Mr. BACON.

H.R. 377: Mr. ABRAHAM, Mr. PERRY, Mr. BRAT, Mr. JODY B. HICE of Georgia, Mr. GOSAR, and Mr. HARRIS.

H.R. 400: Mr. McCAUL.

H.R. 490: Mrs. WAGNER.

H.R. 519: Mr. NEWHOUSE.

H.R. 545: Mr. PERRY, Mr. GRIFFITH, and Mr. MAST.

H.R. 548: Mr. MCKINLEY.

H.R. 662: Mr. MEEHAN.

H.R. 692: Mrs. HARTZLER.

H.R. 747: Ms. MICHELLE LUJAN GRISHAM of New Mexico and Mr. NUNES.

H.R. 804: Ms. BASS.

H.R. 807: Mr. SOTO, Mr. POE of Texas, and Mr. SAM JOHNSON of Texas.

H.R. 816: Mr. LOWENTHAL.

H.R. 845: Ms. ADAMS.

H.R. 849: Mr. PITTINGER, Mr. LAMALFA, Mr. HUIZENGA, Ms. HERRERA BEUTLER, Mr. RODNEY DAVIS of Illinois, Mr. POE of Texas, Ms. BARRAGÁN, and Mr. SMITH of Missouri.

H.R. 873: Mr. GROTHMAN.

H.R. 909: Mr. VARGAS.

H.R. 959: Mr. CAPUANO and Ms. ROYBAL-ALLARD.

H.R. 986: Mr. YOUNG of Alaska.

H.R. 1017: Mr. RASKIN.

H.R. 1022: Mr. HUFFMAN.

H.R. 1148: Mr. SCHRADER and Mr. CÁRDENAS.

H.R. 1150: Mr. COOK.

H.R. 1158: Mr. POCAN and Mr. POLIQUIN.

H.R. 1232: Mr. GRIJALVA.

H.R. 1235: Ms. KUSTER of New Hampshire, Ms. ESTY, and Mr. CICILLINE.

H.R. 1245: Mr. RASKIN.

H.R. 1268: Ms. DELLAURO, Ms. WASSERMAN SCHULTZ, Mrs. NOEM, Mr. MEEHAN, Mr. YOUNG of Iowa, Mr. POCAN, Mr. SENSENBRENNER, and Mr. DEFazio.

H.R. 1314: Mr. BARR.

H.R. 1315: Mr. SMITH of Texas.

H.R. 1334: Mr. DUNCAN of Tennessee.

H.R. 1337: Mr. HULTGREN.

H.R. 1358: Mr. BRENDAN F. BOYLE of Pennsylvania and Ms. SHEA-PORTER.

H.R. 1454: Mr. DUFFY.

H.R. 1498: Ms. DELBENE and Mr. GUTIÉRREZ.

H.R. 1501: Ms. BLUNT ROCHESTER.

H.R. 1516: Mr. GENE GREEN of Texas.

H.R. 1525: Mr. NEWHOUSE.

H.R. 1542: Mr. HECK, Mr. OLSON, Mr. TIPPON, and Mr. COLE.

H.R. 1544: Ms. HERRERA BEUTLER and Ms. SLAUGHTER.

H.R. 1551: Mr. KELLY of Pennsylvania.

H.R. 1552: Mr. MESSER, Mr. COLE, Mr. FRANCIS ROONEY of Florida, and Mrs. WAGNER.

H.R. 1588: Mr. JONES.

H.R. 1612: Mr. DEUTCH, Mr. EVANS, and Mr. LARSON of Connecticut.

H.R. 1614: Mr. CÁRDENAS and Ms. WASSERMAN SCHULTZ.

H.R. 1626: Mr. SOTO, Mr. KUSTOFF of Tennessee, and Mr. ABRAHAM.

H.R. 1629: Ms. LEE.

H.R. 1635: Mr. ROKITA and Mr. HUDSON.

H.R. 1639: Mr. BROOKS of Alabama and Mr. SOTO.

H.R. 1644: Mr. KEATING, Mr. SIRES, Mr. CICILLINE, Mr. CHABOT, and Mr. POE of Texas.

H.R. 1665: Mr. GRAVES of Louisiana.

H.R. 1667: Mr. SCHNEIDER.

H.R. 1671: Mr. ROGERS of Alabama.

H.R. 1698: Mr. MARSHALL, Mr. MCKINLEY, Mr. TED LIEU of California, Ms. TENNEY, Mr. DUFFY, Mr. BOST, Mr. LEVIN, Mr. HARRIS, Mr. BISHOP of Utah, Mr. GRAVES of Missouri, Mr. SOTO, Mr. SARBANES, Ms. HERRERA BEUTLER, Ms. CASTOR of Florida, Mr. GROTHMAN, Mrs. LOVE, Mr. THOMAS J. ROONEY of Florida, Mr. BROOKS of Alabama, Mr. CURBELO of Florida, Mr. HUDSON, Mr. REICHERT, Mr. QUIGLEY, Mr. BISHOP of Michigan, Mr. KENNEDY, Mr.

BERGMAN, Mr. TROTT, Mr. ROSS, and Mrs. BEATTY.

H.R. 1729: Mr. GOSAR, Ms. NORTON, and Mr. RASKIN.

H.R. 1731: Mr. SHUSTER.

H.R. 1762: Mr. MCGOVERN and Mr. SEAN PATRICK MALONEY of New York.

H.R. 1789: Mr. LOEBSACK.

H.R. 1795: Mr. GOODLATTE and Mr. COLLINS of Georgia.

H.J. Res. 59: Mr. FRANKS of Arizona.

H. Con. Res. 8: Mr. FORTENBERRY.

H. Con. Res. 10: Mr. HULTGREN, Mr. DEFazio, Mr. MEEHAN, and Mr. RODNEY DAVIS of Illinois.

H. Con. Res. 13: Ms. CHENEY, Mr. BUDD, and Mr. AUSTIN SCOTT of Georgia.

H. Res. 92: Mr. SIRES and Mr. SUOZZI.

H. Res. 184: Mr. NEAL, Mr. LARSON of Connecticut, Mr. TAKANO, and Ms. EDDIE BERNICE JOHNSON of Texas.

H. Res. 199: Mr. POE of Texas and Mr. MCCAUL.

H. Res. 202: Mr. POE of Texas and Ms. JACKSON LEE.

PETITIONS, ETC.

Under clause 3 of rule XII,

32. The SPEAKER presented a petition of the City of Miami Beach, Florida, relative to Resolution No. 2017-29768, strongly opposing the letter issued by the U.S. Departments of Justice and Education on February 22, 2017 which withdrew and rescinded prior policy guidance by the Obama Administration that required schools to allow transgender students access to sex-segregated facilities and activities based on their gender identity; which was referred to the Committee on Education and the Workforce.

EXTENSIONS OF REMARKS

IN HONOR OF THE 2016 NATIONAL
DAY OF THE REPUBLIC OF CHINA

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2017

Mr. GOSAR. Mr. Speaker, I am honored to rise today in recognition of the 38th anniversary of the Taiwan Relations Act (TRA). Signed by President Carter on April 10, 1979, the TRA had strong support from Congress and that support remains strong to this day.

One of the most important aspects of our friendship with Taiwan is trade. In 2016, trade between the United States and Taiwan accounted for an estimated \$86.9 billion. In addition, Taiwan remains our 10th largest trading partner in the world. Because of this important relationship, an updated U.S.-Taiwan bilateral trade agreement would be an asset to our trade balance, our economic strength, and our strategic partnership with our ally Taiwan. We have had a great relationship with Taiwan over the years and it is my hope, and my expectation, that we will build on our partnership to create even more prosperity for America and Taiwan. I will work with both my colleagues in Congress and the President to move such an agreement to fruition.

There has been—and remains—a unique balance for the United States in dealing with Taiwan, the Republic of China, and the People's Republic of China. We value our relationship with each as major trading partners and key allies in the war on terrorism and violent religious extremism. When Chinese President Xi visits the United States, our nation will welcome him and further our friendship, but we will not waiver in our friendship and strategic support of Taiwan.

The Taiwan Relations Act is a cornerstone of our foreign relations in Asia and we will continue our long-term strategy of defending our allies, making new allies in the region, and promoting peace and prosperity through trade and defense policies.

Mr. Speaker, it's an honor to recognize the anniversary of the TRA and the entrepreneurial spirit of the people of Taiwan.

IN RECOGNITION OF KATHY
REDMAN

HON. RON DeSANTIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2017

Mr. DeSANTIS. Mr. Speaker, it is my privilege to honor Ms. Kathy Redman's almost 39 years of distinguished federal service.

On April 1, 2017, Ms. Redman will retire as the Southeast Regional Director for U.S. Citizenship and Immigration Services (USCIS). In

her current role, she leads USCIS operations in nine states, Puerto Rico, and the U.S. Virgin Islands and manages nearly 1,000 employees.

From her humble beginnings as an inspector at JFK airport in New York City, Ms. Redman has become a trusted USCIS employee who has served in posts from New Delhi to Detroit. Over the course of her career, she has naturalized more than 40,000 new Americans.

Ms. Redman's expertise and knowledge of our nation's immigration laws have been an invaluable resource to my office. Ms. Redman and her staff have assisted countless constituents by expediting appointments in time of crisis and resolving complicated applications.

On one memorable occasion, Ms. Redman helped our office expedite a Naturalization ceremony for the spouse of a deploying Air Force officer. It is always a treasured moment when a new American takes the oath of allegiance to support and defend our Constitution. I wish Ms. Redman all the best as she begins her retirement in our beautiful state of Florida.

CONGRATULATING LETTERKENNY
ARMY DEPOT ON ITS 10TH
SHINGO MEDALLION AND ITS
COMMITMENT TO OPERATIONAL
EXCELLENCE

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2017

Mr. SHUSTER. Mr. Speaker, I rise today to congratulate Letterkenny Army Depot in my district on receiving its 10th Shingo Medallion for Operational Excellence.

Shingo Prizes are awarded to organizations that not only provide great results, but also go above and beyond to cultivate a culture of enablers and streamliners in the workplace. The high bar set to achieve the award led Businessweek to dub Shingo Awards the "Nobel Prize of Manufacturing." Letterkenny made history in 2005 when it became the first Army Depot to win a Shingo Institute prize, when the depot was awarded the Silver Medallion.

Eleven years later, Letterkenny Army Depot was just awarded this year's Bronze Medallion for its Patriot launcher new-build program—its 10th medallion in 13 years. This is the first time an Army depot built a new Patriot air and missile defense system major end item, and to have it result in a Shingo Medallion exemplifies Letterkenny Army Depot's deep commitment to manufacturing excellence. With more than 20 years of experience in working with the Patriot missile system, and now 10 Shingo Medallions in the last 13 years, it is clear that Letterkenny is delivering outstanding results and support to our national defense.

Mr. Speaker, I am proud to congratulate Letterkenny Army Depot on its 10th Shingo Medallion. This is an outstanding achievement, and I encourage all of my colleagues to celebrate Letterkenny's success as a crucial installation to central Pennsylvania and to the security of our nation.

GUN VIOLENCE RESEARCH
LEGISLATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2017

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today I am proud to reintroduce legislation to authorize the use of federal funds for long overdue research on firearm safety and gun violence.

For too long, Congress has failed to address the public health crisis caused by gun violence. On average, there are 32,000 deaths and 76,000 injuries from gun violence each year in the United States. Gun deaths now outpace traffic fatalities in our country. It is time to address the epidemic of gun violence and prevent future incidents. Public health research will help identify effective solutions we can implement in order to save lives.

The bill I introduce today, with companion legislation introduced by Sen. ED MARKEY, would authorize \$10 million in annual funding for the Centers for Disease Control and Prevention (CDC) through Fiscal Year 2023. This funding will allow the CDC to implement the research agenda outlined in a 2013 report issued by the Institutes of Medicine that identified areas in need of study to better understand the underlying causes of gun violence and develop strategies for prevention.

We have more gun-related deaths than any other developed country, yet we have put prohibitions in place that prevent us from obtaining comprehensive, scientific information about the causes and characteristics of gun violence. This public health crisis cannot be ignored any longer. This legislation addresses the epidemic of gun violence and identifies the best strategies to prevent future incidents.

I'm proud this bill has gained the support of leading groups on gun violence prevention, like Everytown for Gun Safety, and the public health community—including the American Medical Association (AMA). The AMA said "gun violence in the United States is a public health crisis requiring a comprehensive public health response and solution." I could not agree more.

I hope my colleagues will join me in supporting this important legislation that can save lives.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

CONGRATULATIONS MINNETONKA
BOYS ALPINE TEAM**HON. ERIK PAULSEN**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2017

Mr. PAULSEN. Mr. Speaker, I rise before you today to congratulate the Minnetonka High School Boys Alpine Skiing Team on recently winning the Minnesota High School State Championship.

Led by seniors Sergi Piguille and Marshall Quist, who finished with combined times of 1:17:98 and 1:21:39, respectively, the Skippers were able to defeat rival Edina 166–151.

This is Minnetonka High School's fifth alpine skiing title in their program's history, which illustrates these athletes' dedication to the pursuit of excellence on the slopes and in the classroom. Their state championship title is a testament to their passion and love for the sport, and commitment in putting their best effort forward in all that they do.

Congratulations to head coach Dave Gartner, the parents, and every member of the Minnetonka Alpine Skiing Team on your impressive victory. Our community is proud of you for being tremendous student athletes. Go Skippers.

RECOGNITION OF GOLDEN APPLE
AWARD RECIPIENTS**HON. FRANCIS ROONEY**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2017

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today to thank our outstanding teachers of Collier County, Florida, and to recognize their hard work and dedication to our community.

Teaching may be the most challenging, yet most important, profession in our country. Teachers inspire, mentor, and motivate our children to succeed. Every one of us undoubtedly has had a teacher in our life that shaped us into who we are today. We are deeply thankful for our dedicated teachers who so greatly impact our young people and the future of our communities.

I want to congratulate the following teachers who have gone above and beyond the call of duty, and who will be recognized at the annual Golden Apple Celebration of Teachers Dinner tomorrow night. Myra Janco Daniels will be awarded the Heart of the Apple for her devotion to education. Joanna Campanile, Anne Fredette, Ashley Lynn Heirls, Maria LaRocco, Janell Matos, Amanda McCoy and Stacy Smith are recipients of the Golden Apple. Tara Barr, Staci Haralson Barretta, Steven Becker, Brandon Carter, Kristin Downs, Susan Ellard, Staci Fisher, Sabrina Kovacs, John Krupp, Veronica Mamone, Kyle Manders, Kristin Merrill, Joseph Merrill, Dawn Peck, Lindsey Sebela, Christina Svec, Aaron Thayer, Marisa Vessella and Amity Wyss were named Teachers of Distinction.

These teachers truly make a difference in their students' lives and I am thankful for the positive impact they have on our community

HONORING THE LIFE OF BELOVED
SHELBY ANN CARTER**HON. DARIN LaHOOD**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2017

Mr. LAHOOD Mr. Speaker, I rise today to honor the life of Shelby Ann Carter, a loving mother, daughter, fiancée, and friend.

In Wyoming, Illinois, our community sadly experienced a tragic loss of a young woman's life on January 30, 2017. Shelby Ann Carter passed away from smoke inhalation during a fire which consumed her home. Shelby's final moments were spent in a successful effort to save the life of her baby girl.

In the midst of the fire, Shelby had the strength to save the life of her newly born daughter, Keana. Shelby acted heroically by strapping Keana into a car seat and dropping her out of the second story window, an act which ultimately saved her child's life. Strapped in the car seat, Keana safely landed in a pile of debris, where the emergency response teams found her. Keana was then rushed to the hospital and released with only a small burn, but otherwise unharmed.

Shelby graduated from Stark County High School in 2014. She was a bright student, who spent her time after school playing basketball. Shelby's classmates characterized her as a smart and friendly young woman who loved spending time with children. Her proudest moment was when she became a mother to Keana.

Shelby will always be in the hearts and minds of her community and friends throughout Central Illinois. I would like to commend her courageous actions and send my condolences to her friends and family. May God bless her in heaven.

RECOGNITION OF GRANDVIEW
HIGH SCHOOL GIRLS BASKETBALL**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2017

Mr. COFFMAN. Mr. Speaker, I rise today to recognize the Grandview High School Girls-Basketball team, from Grandview High School in Aurora, Colorado. The Wolves triumphed in their 61–32 victory over Lakewood High School in the Colorado 5A state championship game.

Grandview finished the season with an impressive 27–1 record, and celebrated the culmination of their season with the first girls-basketball state championship win for their school.

Senior Michaela Onyenwere walked off the court with the game-high 25 points and eight rebounds.

During their performances in the state championship game, the Grandview Wolves proved that with hard work, dedication, and perseverance anything is possible. The team was led to the championship title through the committed leadership of their coach, Josh Ulitzy, and his commendable staff.

Again, congratulations to the Grandview High School Girls-Basketball Team on their

continued success, and for their victory in the Colorado's 5A State Championship.

OKAWVILLE HIGH SCHOOL 2016–17
BOYS' BASKETBALL TEAM**HON. JOHN SHIMKUS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2017

Mr. SHIMKUS. Mr. Speaker, I rise to acknowledge the Okawville High School boys' basketball team upon finishing second in the 2016–2017 Illinois State Class 1A Basketball Tournament. This is a remarkable achievement for the Okawville coaches, teammates, and community as a whole.

The Okawville Rockets had an impressive year and an exciting tournament performance. The Rockets finished the regular season with a win-loss record of 32–4. By the end of the year, senior Noah Frederking led Okawville with the most rebounds in school history. Mr. Frederking also scored over 2800 points over the course of his high school career, making him the leading all-time scorer for Okawville and the entire Metro East area. The Rockets went on to win their regional games against Lebanon High School and Marissa High School. The Rockets followed that win by hosting two victories over New Berlin High School and Carrollton High School in their sectional games.

In their state super-sectional game, the Rockets faced off against Menden Unity High School. After falling behind by 8 points before halftime, the Rockets looked to their defense to carry their comeback. The Rockets did not allow Menden Unity to score a single basket from the floor throughout the entire second half of the game, and rallied for an incredible win to take them to the championship game.

Led by Head Coach Jon Kraus and Assistant Coaches Ryan Heck, Mike Frederking, and Jackie Smith, team members were Payten Harre, Josh Madrid, Caleb Frederking, Will Aubel, Logan Riechmann, Wyatt Krohne, Luke Hensler, Shane Ganz, Drew Frederking, Noah Frederking, Tyler Roesener, Payton Riechmann, Lane Schilling, and Kirklen Meier. Managers Max Aubel and Jarad Barnes also assisted the team throughout its season and playoff run.

I look forward to watching their future successes in both their academic and athletic pursuits and wish them all the best in these endeavors.

Mr. Speaker, I congratulate the Okawville Rockets on an impressive season, and I commend them for making the 15th district of Illinois proud.

IN RECOGNITION OF THE
DOWNRIVER COMMUNITY CON-
FERENCE ON THE DATE OF ITS
40TH ANNIVERSARY

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the Downriver Community Conference on the date of its 40th Anniversary. The DCC has provided workforce training and job resources to Downriver for decades and has been instrumental in improving the quality of life for the area's residents.

Founded in 1977, the Downriver Community Conference is an organization dedicated to promoting enhanced economic growth and well-being through its workforce training, economic development and additional community services available to southern Wayne County and its residents. The DCC has been key to helping increase the quality of life while working to preserve jobs and attract a skilled workforce through its efforts. In 2003, the DCC successfully supported a proposed takeover of Great Lakes Steel operations in Ecorse and River Rouge, a move that saved hundreds of jobs in the community. The DCC also coordinates emergency services across member communities, and has supported cleanup efforts at the Detroit International Wildlife Refuge. These multifaceted operations undertaken by the DCC have been critical to attracting a talented workforce to the area while making southern Wayne County a desirable place to live.

The DCC has proven to be an effective advocate on behalf of Downriver, and its work has produced tangible results that make a real difference in the lives of individuals in participating communities. Through its affiliation with Michigan Works!, the organization has been critical to helping provide individuals with the skills they need to succeed in trades and other in-demand fields. Additionally, the organization's coordinated approach makes it eligible for federal and state grants that would normally be unavailable to individual communities. The DCC's ability to leverage the unique strengths of the Downriver community has made it a model in effective and sustainable workforce and community development efforts.

Mr. Speaker, I ask my colleagues to join me in honoring the Downriver Community Conference and date of its 40th Anniversary Dinner. The organization has played an integral role in the growth and development of southern Wayne County and the surrounding areas.

FIRST RESPONDER APPRECIATION
DAY

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2017

Mr. DENHAM. Mr. Speaker, I rise today to recognize the inaugural First Responder Appreciation Day on April 1, 2017, in Ripon, California.

Policemen, firefighters, and emergency medical servicemen play a crucial role in our local communities. In Ripon, they work diligently to serve the city and surrounding areas, improving the lives of those they have vowed to protect. Their job is not always easy and often not safe, but it is one they selflessly perform nonetheless. For this reason, First Responders deserve our unwavering recognition.

The Ripon City Council acknowledged this on November 8, 2016, when they passed a resolution to establish the first Saturday in April of each year as First Responders Appreciation Day. Dedicated to honoring all First Responders, past and present, this annual celebration serves as a reminder that we must not forget those who keep us safe.

I applaud the City of Ripon for honoring our local heroes and their incredible service. This Saturday is the first of many celebrations that will focus on the daily sacrifices performed by these brave men and women.

Mr. Speaker, please join me in honoring all First Responders and commending the city of Ripon for implementing First Responders Appreciation Day.

SMITHSONIAN WOMEN'S HISTORY
MUSEUM ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2017

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, as we conclude Women's History Month, I am pleased to introduce the Smithsonian Women's History Museum Act along with Rep. ED ROYCE and 128 bipartisan cosponsors.

In November 2016, a bipartisan commission that was created through a bill I authored submitted its recommendations to Congress about establishing a women's history museum in our nation's capital. The Commission unanimously said in its report that the U.S. needs and deserves such a museum to properly tell our whole history. In fact, in the entire country, there is no comprehensive museum solely devoted to women's history. Women make up half the population, but are only depicted in about 10 percent of history book material, about 5 percent of national monuments and a fraction of the hundreds of statues on Capitol grounds. By not telling or preserving the stories of women who shaped our country, we are in danger of losing them completely. And that would be a great loss to us all.

This bill has been decades in the making and it is based on the excellent American Museum of Women's History Congressional Commission final report, which was the result of 18 months of thorough study. The bill would establish a Smithsonian museum dedicated to women's history prominently located on the National Mall. It calls for the Smithsonian Board of Regents to designate a site for the museum within six months of enactment, and the cost of construction would be raised privately. The museum will be governed by a 25-member Advisory Council appointed by the Board of Regents.

I am honored that so many of my colleagues on both sides of the aisle have joined

me in this historic effort because honoring women's history should not be a partisan issue. All Americans—men and women of all ages—deserve to learn and be inspired by the stories of the women who contributed to our country's history.

I am always struck by the story of Sybil Ludington. Everyone has heard of Paul Revere's ride, but few know that Ludington, the daughter of a colonel in the Continental Army, was just a 16 year old girl when she rode through the night an even greater distance than Revere to warn her father's troops about the approaching British forces.

I have worked on this issue for many years and believe that establishing a women's history museum on the National Mall is long overdue. I hope that all of my colleagues will join me in this important effort to create an enduring tribute to women's history for generations to come.

HONORING FRANK BARBARO

HON. J. LUIS CORREA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2017

Mr. CORREA. Mr. Speaker. I'd like to take a few moments today to honor one my constituents, Mr. Frank Barbaro, for his decades of incredible service to Orange County.

Mr. Barbaro was born in Detroit, Michigan and arrived in California in 1954. From a young age, it was clear that Mr. Barbaro was bound to be successful. By the time he was a teenager, Frank hosted his own radio show which aimed to find employment opportunities for young people.

After graduating from Garden Grove High School, Mr. Barbaro went on to graduate magna cum laude from the University of Southern California and then earn his law degree, also from USC.

As a lawyer, Mr. Barbaro distinguished himself among his peers in several noteworthy cases. Mr. Barbaro won 11 multimillion dollar verdicts for his clients.

Mr. Barbaro began his career in politics in 1977 as Chair of the Democratic Party of California. In 2001, Mr. Barbaro was asked by his colleagues to serve as chair once again which he did until his resignation in 2013. Mr. Barbaro also served as the chair for the Orange County campaigns of President Carter and President Obama.

During his time as party chair and successful attorney, Frank's colleagues praised his ability to inspire and work with others. Above all, Mr. Barbaro sought to be inclusive and bring people together despite their differences.

Mr. Barbaro also made helping others a personal goal, such as when he organized the "Front Line Defense Fund" which delivered food to the United Food and Commercial workers during their strike.

Mr. Speaker, Frank Barbaro is an example to all of us of the tremendous importance of hard work and dedication in service to others. I am honored to recognize the accomplishments of Mr. Barbaro and the positive impact he has made on Orange County.

CONGRATULATING ANDERS BJORK
ON BEING NAMED A FINALIST
FOR THE HOCKEY HUMANI-
TARIAN AWARD

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2017

Mrs. WALORSKI. Mr. Speaker, I rise today to congratulate Anders Bjork, a junior at the University of Notre Dame, on being named one of five finalists for the 2017 Hockey Humanitarian Award.

Each year, the Hockey Humanitarian Award recognizes college hockey's "finest citizen." Recipients of this award are individuals who have made significant, long-lasting contributions to their communities in a true, humanitarian spirit.

Anders has been a member of the Fighting Irish Men's Hockey team since his freshman year at Notre Dame. But for Anders, his life here in South Bend is about more than being a student athlete. He is part of this community and plays an integral role in making it better. His dedication is especially clear in his experience working with children in need at a local elementary school.

Shortly before last season started, Anders began volunteering in a third grade class at Perley Fine Arts Academy after his coach encouraged the team to meet new community service goals. Anders' weekly trips to the elementary school quickly became much more than a way to fulfill a coach's request. He built deep relationships with the students and became a regular fixture in the classroom. He even has his own desk.

The bond forged between the young kids and Anders was not hard to see. Anders found a way to fit in not only with the classroom dynamic but also with the individual students. For the Perley students Anders is a mentor, a role model, and a friend. Through Anders' uplifting spirit and kind heart, these third graders are able to open up to and really learn from him.

His incredible commitment of time and talent and his positive impact on these kids is an inspiration to us all. I am so proud of Anders for this much deserved recognition as a finalist for the Hockey Humanitarian Award.

Mr. Speaker, on behalf of Indiana's 2nd District, I want to thank Anders Bjork for providing the wonderful support and encouragement I'm sure will stay with these children for years to come. He has truly left a mark on the South Bend community, and I look forward to the great things that lie ahead in his future.

TRIBUTE TO PAT HENSLEY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Pat Hensley of Council Bluffs, Iowa, on his retire-

ment from Hy-Vee food store after 38 dedicated years of service.

Pat has worked for Hy-Vee since 1979, when he began a part-time job at a local store. Early on, Hy-Vee recognized his leadership skills, and over the years trusted him in a number of positions, from managing stores, overseeing the company's western district, helping to lead the government relations department, and finishing his career serving as senior vice president, non-foods. Over his 38-year career Pat's goal was to ensure, as the commercials said, that there was a helpful smile in every aisle, and that Hy-Vee was an enjoyable environment for customers and employees alike. Pat is leaving behind a legacy of dedication and hard work after decades of service to one of Iowa's premier companies.

Mr. Speaker, I am proud to recognize Pat today for his outstanding career at Hy-Vee. I ask that my colleagues in the United States House of Representatives join me in congratulating Pat on this momentous occasion and in wishing him and his family nothing but the best in his retirement.

CONGRATS MINNETONKA BOYS
SWIMMING TEAM

HON. ERIK PAULSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2017

Mr. PAULSEN. Mr. Speaker, I rise today to congratulate the Minnetonka Boys High School Swimming Team on winning the Minnesota Swim and Dive High School State Championship.

After finishing second in the state the past two years, the Skippers were determined to claim the top spot this year. Led by senior Sam Schilling, Minnetonka dominated the competition by winning many of the events and breaking multiple state records along the way too. They even set the National Public High School 200-yard medley relay record, coming in at 1:29:20, a few tenths faster than the previous record set in Indiana earlier this season.

The championship victory earned by the boys on the Minnetonka High School swim team is a testament to their unwavering commitment to hard work and excellence.

Mr. Speaker, Your families, friends, and our entire community are very proud of each and every one of these outstanding student athletes. Congratulations.

INTRODUCTION OF THE "INVEST-
ING IN AMERICA'S SMALL BUSI-
NESSES ACT OF 2017"

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2017

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, this week is National Small Business Week, a time each year for our nation to

recognize and celebrate the critical contributions of America's entrepreneurs and small business owners.

I am pleased to support our nation's small businesses by introducing the Investing in America's Small Businesses Act of 2017. This important legislation allows Community Development Financial Institutions, known as CDFIs, to extend affordable credit to more small businesses in underserved communities through microloans. These small loans, under \$50,000, give businesses working capital, help them invest in new equipment or supplies, and have no pre-payment penalties.

I'm proud that the Investing in America's Small Businesses Act has gained the endorsements of the CDFI Coalition, the Opportunity Finance Network and the National Federation of Community Development Credit Unions, the national voices for these community-based institutions.

The bill provides grants for CDFIs to establish loan-loss reserve funds for microloans, which will help CDFIs leverage private investment to expand small business lending in underserved communities.

Small businesses are critical engines of economic development and job creation. In underserved communities, however, small businesses with low-income and minority owners often have limited access to affordable credit they need to meet everyday demands or expand their operations. According to a study commissioned by the U.S. Small Business Administration in 2013, "the major constraint limiting the growth, expansion, and wealth creation of small firms—especially women- and minority-owned businesses—is inadequate capital."

Community Development Financial Institutions serve exactly these communities—with great success and economic benefit. In fact, a 2014 report by the Darden School of Business at the University of Virginia found that despite serving predominately low-income markets, CDFI banks and credit unions had virtually the same level of performance as mainstream financial institutions. Despite this demonstrated success, CDFIs often lack the capital to meet the needs of many promising small businesses.

In FY 2016 the total funding from applications to the CDFI Fund was four times greater than the resources available. Private sector investments are not enough to address the significant need for small business credit in underserved communities. CDFIs need access to capital now more than ever. Research shows that minority and low income-owned businesses typically encounter higher borrowing costs, receive smaller loans and see their loan applications rejected more often. The CDFI Fund is well-placed to provide struggling small businesses and entrepreneurs in underserved communities access to affordable credit through microloans.

Let's give small businesses in underserved areas the tools they need to create jobs and develop their communities. I am pleased to introduce this bill, and urge my colleagues to join in support.

SENATE—Monday, April 3, 2017

The Senate met at 3:01 p.m. and was called to order by the Honorable TODD YOUNG, a Senator from the State of Indiana.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Beautiful Savior, You have been our dwelling place in all generations, and we are sustained by Your steadfast love. Today, surround our Senators with the shield of Your favor as they labor to keep our Nation strong.

Lord, this week our lawmakers must make critical decisions that may affect this legislative body for years to come. Teach them to be obedient to Your commands, doing Your will, and following Your leading. May they be quick to listen, slow to speak, and slow to anger.

Lord, manifest Your power through their labors so that this Nation will remain a shining city on a hill.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 3, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TODD YOUNG, a Senator from the State of Indiana, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. YOUNG thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

OLD VESSELS EXEMPTION ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of S. 89, which the clerk will report.

The bill clerk read as follows:

A bill (S. 89) to amend title 46, United States Code, to exempt old vessels that only operate within inland waterways from the fire-retardant materials requirement if the owners of such vessels make annual structural alterations to at least 10 percent of the areas of the vessels that are not constructed of fire-retardant materials and for other purposes.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 5:30 p.m. will be equally divided in the usual form.

If no one yields time, the time will be charged equally.

The Senator from West Virginia.

NOMINATION OF NEIL GORSUCH

Mrs. CAPITO. Mr. President, I come to the floor today to express my strong support for the confirmation of Judge Neil Gorsuch to be the next Associate Justice of the U.S. Supreme Court. Few individuals over the last century have impacted the American legal discourse as profoundly as the late Justice Antonin Scalia.

In the wake of his untimely passing last February, Justice Scalia left behind a legacy of faithfully applying the law and upholding the principles of our Constitution. Judge Neil Gorsuch is a worthy successor to Judge Antonin Scalia.

Judge Gorsuch understands the protections granted in the Constitution, including the separation of powers, federalism, and the Bill of Rights. He knows that the Constitution provides Americans with an indispensable safeguard against government overreach.

His past opinions demonstrate that he will honor constitutional protections afforded through due process, the right to bear arms, equal protection under the law, and religious freedom.

Legal experts from across the political spectrum are very much in agreement with the Gorsuch nomination. The American Bar Association's Standing Committee on the Federal Judiciary unanimously gave Judge Gorsuch the highest possible rating of "well qualified" for the Supreme Court. I couldn't agree more.

One of Judge Gorsuch's associates, the chief judge of the Tenth Circuit

who served with Judge Gorsuch, has said about him:

Judge Gorsuch brings to the bench a powerful intellect combined with a probing and analytical approach to every issue. He brings to each case a strong commitment to limit his analysis to that case—its facts, the record, and the law cited and applicable. He does not use his judicial role as a vehicle for anything other than deciding the case before him.

President Obama's former Solicitor General Neal Katyal penned an op-ed in the New York Times supporting Judge Gorsuch and wrote:

I have no doubt that if confirmed, Judge Gorsuch would help restore confidence in the rule of law.

His years on the bench reveal a commitment to judicial independence—a record that should give the American people confidence that he will not compromise principle to favor the president who appointed him.

Those are the words of the Solicitor General who argued on behalf of President Obama's administration in front of the Supreme Court.

Judge Gorsuch has been through the confirmation process before—as we have heard many times on this floor—when Senators, some of them in this body today, approved his nomination to the Court of Appeals for the Tenth Circuit without opposition.

I was privileged to meet with Judge Gorsuch several weeks ago, and it was clear to me through our conversation, a thorough examination of his record, and watching last week's hearing in the Judiciary Committee that Judge Gorsuch will decide cases fairly, based on our Constitution and laws. Isn't that the way it should be? This is what West Virginians expect from a Supreme Court Justice.

Newspapers in my State have recognized this nominee's strong qualifications of independence and respect for the rule of law. The Charleston Daily Mail editorialized:

Gorsuch has strong legal credentials and deserves to be confirmed.

He is the kind of pick that any president should make, Democrat or Republican, because of his proven qualities necessary for any justice: a strong understanding and respect for the nation's founding document, the U.S. Constitution.

The Wheeling Intelligencer and News Register wrote:

During hearings last week, Gorsuch's suitability for a high court post was made abundantly clear.

He is precisely the type of judge—faithful to the Constitution not ideology on specific issues—the nation needs.

And the Martinsburg Journal said:

Gorsuch seems to believe in using the plain language of the Constitution to decide cases, regardless of his own preferences.

That—someone who believes only the people not the courts can change the Constitution—is precisely the type of Supreme Court justice we Americans need.

The American people benefited from an open and transparent Supreme Court process that led to Judge Gorsuch being nominated.

During the 2016 Presidential election, both candidates were transparent about the type of Supreme Court Justice they would appoint if elected. President Trump released a list of 21 names, a list that included Judge Gorsuch, and promised voters that he would fill this Supreme Court vacancy with someone from that list. Voters paid attention.

According to an NBC News exit poll, 70 percent of voters said the selection of a Supreme Court Justice was either the most important factor in their vote for President or an important factor. Let me state that again—70 percent.

The American people weighed in, and President Trump acted wisely in selecting Judge Gorsuch. He is a mainstream judge who is well qualified for the U.S. Supreme Court.

Unfortunately, the Democratic leader has indicated that his party intends to engage in an unprecedented partisan filibuster of this nomination. A filibuster of a nominee of this caliber would be a tremendous mistake, I believe, that would harm the Senate as an institution. There has never been a Supreme Court nomination that has been defeated by a partisan filibuster of the type that the Senate Democrats are telegraphing. It is one thing to vote against a nominee on whatever grounds a Senator may wish, but it is quite another to filibuster in an effort to block a nomination that has been submitted by a duly elected President who has the support of the majority of the Senate.

Senators have always enjoyed the ability to filibuster nominations. That ability has remained available because Senators have shown restraint in applying the power that comes along with requiring unlimited debate. The clear tradition of the Senate—and this is a body of tradition, I have learned—over the course of its 230 years of history is a confirmation by a majority vote. That tradition has been demonstrated in recent Supreme Court nominations.

President Obama nominated both Sonia Sotomayor and Elena Kagan to the Supreme Court. Neither Justice Sotomayor nor Justice Kagan faced a filibuster in the Senate.

President George W. Bush nominated John Roberts as Chief Justice. There was no filibuster attempt against that nomination.

President Bill Clinton nominated Ruth Bader Ginsburg and Stephen Breyer to the Supreme Court. Neither faced a filibuster.

President George H.W. Bush nominated David Souter and Clarence

Thomas to the Supreme Court. Neither Justice faced a filibuster even though 48 Senators voted against the Thomas nomination.

One recent Supreme Court nomination did require a cloture vote when a group of Democrat Senators attempted to block a vote on the nomination of Justice Alito's nomination, but a large majority of Senators—72, in fact—invoked cloture, which preserved the bipartisan practice of rejecting filibusters against Supreme Court nominees. Among those who rejected the Alito filibuster in 2006 were the two Democratic Senators from my State—Senator Robert C. Byrd and Senator Jay Rockefeller. There were 72 Senators who voted to invoke cloture on Justice Alito's nomination, but only 58 ended up voting for the final confirmation.

The Senate has a very clear history of rejecting the use of the filibuster on Supreme Court nominations, but there is no justification for a filibuster on the Gorsuch nomination. Neil Gorsuch is a mainstream judge with the highest possible rating from the American Bar Association. He was confirmed by the Senate, without objection, in the year 2006. His service on the Tenth Circuit Court of Appeals has earned him the respect of his judicial colleagues, and he has demonstrated the independence and respect for the law that the American people expect from a Supreme Court Justice. I hope that at least eight of my Democratic colleagues will join us regardless of how they, ultimately, will vote on Judge Gorsuch's confirmation. I hope they will recognize the need to invoke cloture on this nomination.

The Senate will confirm Judge Gorsuch to the Supreme Court. For the good of the Nation and for the good of the Senate, there should be no filibuster of this well-qualified nominee.

I yield the floor.

I suggest the absence of a quorum.

THE ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

THE ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, first, let me thank my friend and colleague from Nebraska for her indulgence.

EXPLOSION IN SAINT PETERSBURG, RUSSIA

Before I begin, Mr. President, I want to express our concern here in the United States for our friends in Saint Petersburg, Russia, in the wake of an explosion on their subway system this morning. Russia has been in the news a lot recently, typically in adversarial terms. Today is a time to remember that, whatever our differences, we wish

no ill to the people of any nation. Our thoughts and prayers are with the families of the Russians who were killed this morning. We wish a swift recovery to the injured and hope the perpetrators are soon brought to justice.

NOMINATION OF NEIL GORSUCH

Mr. President, I rise this afternoon on the nomination of Judge Neil Gorsuch to the Supreme Court, which was just advanced by the Judiciary Committee.

This afternoon, it has become clear that Judge Gorsuch does not have the 60 votes that are necessary to end debate on his nomination. So now the focus is shifting away from the issue of whether Judge Gorsuch will get 60 votes on the cloture motion and toward the fundamental question before us: Will the majority leader break the rules of the Senate in order to get Judge Gorsuch on the bench?

My friend, the majority leader, has said several times that Judge Gorsuch will be confirmed by the end of this week one way or another. What he really means when he says that is, if Judge Gorsuch does not earn 60 votes in the Senate, which is now the likely outcome, the Republicans must—underline “must”—exercise the nuclear option to pass Judge Gorsuch on a simple majority vote.

I think the majority leader reasons that if he says it enough times, folks will start believing it—that he has no choice—but they should not. It is a premise no one should swallow. The majority leader is setting up a false choice of supporting Judge Gorsuch or he will have no choice but to break the rules. Maybe, to the majority leader, the nuclear option is the only option, but there are many alternatives. The majority leader makes up his mind independent of what Democrats do on issue after issue, but on this one, he says he has no choice. Maybe he has no choice because the rightwing of the Republican Party—organizations like the Heritage Foundation—will go after him if he does not, but he certainly has a choice to do the right and courageous thing.

Instead, Republicans are playing the game of “they started it.” They say Democrats started this process by changing the rules for lower court nominees in 2013. They fail to mention the history that led to that change. The reason that Majority Leader Reid changed the rules was that Republicans had ramped up the use of the filibuster to historic proportions.

They filibustered 79 nominees in the first 4 years of President Obama's Presidency. To put that in perspective, prior to President Obama, there were 68 filibusters on nominations under all other Presidents—from George Washington to George Bush. Under President Obama, exclusively, in the first 4 years of his administration, Republicans filibustered 79 nominees. They

deliberately kept open the DC Court of Appeals because it has such influence over decisions that are made by the government.

We all know the hard-right Federalist Society and the hard-right Heritage Foundation want to limit what government can do. The deal we made in 2005—a group of Senators, the so-called Gang of 14—allowed several of the most conservative jurists in the land to become judges and be confirmed to that circuit court. Yet, when President Obama came in, our Republican colleagues insisted on holding three seats of that court open. They, literally, said that they would not allow the seats to be filled at all by President Obama.

Sound familiar? Merrick Garland knows it is.

At the time, I pleaded several times with Senator ALEXANDER, my dear friend from Tennessee, to let us vote on some of the judges for the DC Circuit. I asked him to go to Senator MCCONNELL and say that the pressure on our side to change the rules after all of these filibusters was going to be large. Let's avoid it, I said. But Senator MCCONNELL said no.

Republicans had refused all of our overtures to break the deadlock that they had imposed. So if the majority leader wants to conduct this partisan "they started it" exercise, I am sure we could trace it all the way back to the Burr-Hamilton duel.

The fact is that the Republicans blocked Merrick Garland by using the most unprecedented maneuvers. Now we are likely to block Judge Gorsuch, and that means neither party has gotten its party's choice in the last 2 years.

We can go back and forth and blame each other, but in the recent history of the vacancy caused by Justice Scalia's death, we have both lost. We lost Merrick Garland because of the majority leader's unprecedented blockade, and Republicans will lose on Judge Gorsuch because we are doing something we think is reasonable in asking that he be able to earn 60 votes as so many others have. We think the two are not equivalent, but in either case, we have both lost.

We are back to square one, and Republicans have total freedom of choice in this situation. No one is forcing them to break the rules. They don't have to treat the nuclear option as if it were their first and only option. It is a false choice.

To my friends on the other side, the answer isn't to change the rules; the answer is to change the nominee. Presidents of both parties have done so in the past when Supreme Court picks failed to merit confirmation. Again, the answer isn't to change the rules; the answer is to change the nominee.

The majority leader should have the vision and courage to see past this im-

passe, and I believe he should seriously consider a different option. The President, Senate Republicans, and Democrats should sit down together to come up with a mainstream nominee who can earn bipartisan support. We are willing to meet with them anywhere, anytime to discuss a consensus nominee.

Now, I know my colleagues on the other side will say Judge Gorsuch was a mainstream nominee and Democrats would never support any judge nominated by President Trump. We disagree. We probably can't support any nominee whose sole vetting is by the Heritage Foundation and the Federalist Society. They were the sole gatekeepers for the Scalia vacancy, and each is well known to be a right-wing, wealthy special interest group dedicated to moving the bench way to the right. Their selection of Judge Gorsuch shows it. Both the New York Times and the Washington Post did analyses done by experts that showed that Judge Gorsuch would be a very, very conservative—many would say rightwing—Justice on the bench. The New York Times said he would be the second most conservative Justice on the bench—second only to Justice Thomas—and more conservative than the late Justice Scalia. The Washington Post actually said he would be the most conservative Justice on the bench, based on his record—even more conservative than the very, very conservative Justice Thomas.

In fact, we Democrats have never let special interest groups be the gatekeeper. We have never said to any special interest group, as President Trump did: Give us a list, and we will choose from that list. That is what Republicans did. We have never done it.

In the past, Presidents have done just what we are suggesting for selecting Supreme Court Justices. President Bill Clinton sought and took the advice of Republican Judiciary Committee Chairman ORRIN HATCH in nominating Justices Ginsburg and Breyer instead of Bruce Babbitt. President Obama took the advice of Republican Senators when he picked Merrick Garland—a consensus, mainstream nominee.

President Trump, on the other hand, ignored the Senate and only sought the advice and consent of rightwing special interest groups when making Supreme Court picks. He was running. He had to shore up his support on the hard right. So he said: I am outsourcing the entire selection process to two groups—which, again, are not consensus groups. They would admit that themselves—the Heritage Foundation and the Federalist Society. Lo and behold, the process didn't produce a nominee who could earn 60 votes. By contrast, Justice Ginsburg earned 93 votes and Justice Breyer earned 87.

So we are offering President Trump and our friends on the other side a way

forward. They don't have to break the rules to get a Justice on the bench. They don't have to break the Senate confirmation process, fundamentally weakening the constitutional principle of advice and consent, to get a Justice on the bench. President Trump could simply consult with Members of both parties to try and come up with a consensus nominee who could get approved and meet a 60-vote threshold.

The answer, again, isn't to change the rules. It is to change the nominee.

We Democrats are not going to oppose every Republican nominee. Of course, we realize a nominee selected this way would not completely agree with our views, but Judge Gorsuch is so far out of the mainstream that he isn't able to earn votes to pass the Senate. Even Justices Roberts and Alito—two very conservative judges—earned a bunch of Democratic votes, and each got more than 60—one, in his nomination, and the other, 72 votes in the cloture process.

So the Republicans are free actors. They can choose to go nuclear or they can sit down with Democrats and find a way forward that preserves the grand traditions of this body.

The majority leader himself has said the one thing the two leaders have always agreed upon is to protect the integrity of this institution. He continued, and this is a direct quote: "I think we can stipulate . . . that in the Senate, it takes 60 votes on controversial matters."

MITCH MCCONNELL: In the Senate, it takes 60 votes on controversial matters. He has long stood for that proposition for the many years I have been here.

A Supreme Court seat, I believe, meets the majority leader's standard for 60 votes. I hope that instead of crippling the Senate in a partisan way—removing that 60-vote threshold for controversial matters like the Supreme Court—my Republican friends consider the option of working together to find a solution we can both accept. It may seem like a novel concept around here, but that option is always on the table.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

WORKPLACE ADVANCEMENT ACT

Mrs. FISCHER. Mr. President, I rise this afternoon to discuss a true American value: equal pay for equal work. This is something that we all believe in, and tomorrow is National Equal Pay Day. It is a meaningful reminder that equal pay remains among the challenges before us.

Women make the world work. We are breadwinners for our families. We are also financial planners, nurses, and teachers. We have always been a powerful force, and our progress has been hard-earned.

Women today are managers, entrepreneurs, public servants, and CEOs,

and our country is stronger for it. But despite these great strides, there is more work to do to encourage prosperity for America's families.

For nearly 4 years in this body, I have led discussions about equal pay. I am encouraged by the interest from the White House on addressing the workplace challenges that women face today. To that end, I have reintroduced a proposal I believe will make a real difference for families. It is called the Workplace Advancement Act.

The idea behind it is fairly universal and straightforward: equal pay through empowerment. The bill aims to empower employees—especially women—with information about wages so they can be informed advocates for their compensation. When it comes to discussing wages in the workplace, sometimes it can hurt to ask. A culture of silence and fear of retaliation can keep people in the dark about how their compensation compares to others. The Workplace Advancement Act would lift that fear, free up information, and create a more transparent workplace.

A simple principle is at play here. When workers, especially women, have more information, they can more confidently pursue favorable work and wage arrangements. Knowledge is power. With this flexibility, women can better negotiate arrangements that make sense for them. For example, they might be willing to accept less pay if they can have Fridays free for doctors' appointments or family time or simply as a day for self-care.

The Workplace Advancement Act contains language similar to an Executive order that President Obama issued in 2014. Many congressional Democrats requested this action, which is actually more limited in scope than my legislation. Some even praised it. Senator HEINRICH called the action "a critical step to ensure that every woman has a fair shot at fairness and economic success." Congresswoman SUSAN DAVIS of California said the action was a "historic step forward."

Importantly, for employers, the Workplace Advancement Act would not impose new Federal regulations, and no employer would be compelled to disclose salary information. It simply prevents retaliatory action against employees who ask after it.

Fifty-three Republicans and five Democrats in the Senate supported a version of the Workplace Advancement Act last Congress. With bipartisan support like this, this bill is possible.

Let's take advantage of this rare moment when we have common ground on a commonsense and straightforward solution. Let's come together so we can look families in the eye and say: We heard you. We have heard you on this issue, and we are going to take action on it.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

NOMINATION OF NEIL GORSUCH

Mr. MCCONNELL. Mr. President, this week is an important one for the American people, for the Supreme Court, and for the Senate. The Judiciary Committee just reported out Judge Neil Gorsuch's nomination—the next step in considering the Supreme Court nominee before the full Senate. It was unfortunate to see our Democratic colleagues on the committee break with recent precedent and not support this clearly well-qualified and widely respected Supreme Court nominee.

I would remind colleagues that in addition to simply agreeing to an up-or-down vote on their nominations on the Senate floor, Republicans offered each of the last four first-term Supreme Court nominees of Democratic Presidents Clinton and Obama at least some bipartisan support in the committee votes. Judge Gorsuch is no less qualified than those four nominees of Presidents Clinton and Obama, and it is disappointing he didn't get the same bipartisan support in the committee today.

It now seems apparent that this well-qualified and widely respected judge will be subject to the first successful partisan filibuster in the history of the Senate—the first successful partisan filibuster in the history of the Senate. This is a new low but not entirely surprising given that the Democratic leader announced before the nomination was even made that it was hard for him to imagine a nominee this President would nominate whom he could support. He even went so far as to say that he would be willing to fight the nomination "tooth and nail" and might even "keep the seat open" in perpetuity. It is not too late for our Democratic colleagues to make the right choice.

This week, the Senate will continue to debate Judge Gorsuch's nomination here on the floor. This is a matter of great importance, which is why we are planning to dedicate this week's floor time almost entirely to continued robust debate of this nomination rather than double-tracking it with legislative items, as has been done in the past. Already, several Members from both sides of the aisle have come to the floor day after day to offer their viewpoints on Judge Gorsuch. I would encourage Members to take advantage of this time to continue discussing his excellent credentials, judicial back-

ground, and broad support from across the political spectrum in our country.

Let me remind colleagues the many ways in which Judge Gorsuch has shown himself to be an outstanding nominee to serve on the High Court.

Judge Gorsuch was unanimously confirmed to his current position as a Federal judge. Not a single Democrat opposed him then, including Senators Obama, Clinton, Biden, LEAHY, and SCHUMER. He has participated in more than 2,700 cases since then. He has been in the majority 99 percent of the time. He has enjoyed the unanimous support of his fellow judges 97 percent of the time.

The American Bar Association—a group the Democratic leader called the "gold standard" for evaluating judicial nominations—awarded him its highest possible rating, unanimously "well qualified."

He has amassed a wide array of supporters, including Democrats and Republicans, current and former colleagues, the legal community, and editorial boards all across our country. They say Gorsuch is eminently well-qualified. As Judge John Kane, a Carter appointee, put it, "I'm not sure we could expect better [than Judge Gorsuch], or that better presently exists."

They say that Gorsuch is independent. Neal Katyal, President Obama's former Acting Solicitor General, said he has "no doubt that if confirmed, Judge Gorsuch would help to restore confidence in the rule of law" because Gorsuch's "years on the bench reveal a commitment"—a commitment—"to judicial independence."

They say Gorsuch is fair and impartial. The Denver Post editorial board noted that "Gorsuch is a brilliant legal mind and talented writer whom observers praise for his ability to apply the law fairly and consistently." They went on: "[W]e appreciate his desire to strictly interpret the Constitution," the paper continued, "based on the intent of our nation's founders, even when those rulings might contradict his personal beliefs."

They say Gorsuch is highly revered by Democrats and Republicans. As USA TODAY noted in its editorial endorsing Gorsuch's confirmation just today, "He has gotten an array of glowing references, including from some Democrats and liberals." I mentioned some this morning; there are many more.

Here is just one additional example of how praise for Judge Gorsuch has bridged the political divide: Despite their ideological differences, former Colorado Governor Bill Ritter, a Democrat, and former Colorado attorney general John Suthers, a Republican, agree that Judge Gorsuch should be confirmed. They said:

Gorsuch's temperament, personal decency and qualifications are beyond dispute.

It is time to use this confirmation process to examine and exalt the characteristics of a judge who demonstrates that he or she is scholarly, compassionate, committed to the law, and will function as part of a truly independent, apolitical judiciary. Judge Gorsuch fits that bill.

It reminds us of what David Frederick, a board member of the left-leaning American Constitution Society and longtime Democrat, recently said: "The Senate should confirm [Gorsuch] because there is no principled reason to vote no."

"There is no principled reason to vote no." He is absolutely right. So it goes without saying that there is no principled reason to block an up-or-down vote on this supremely qualified nominee, either.

I look forward to joining my Senate colleagues in supporting Judge Gorsuch's nomination to the Supreme Court later this week.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. ERNST). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. TESTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDING THE VETERANS ACCESS, CHOICE, AND ACCOUNTABILITY ACT OF 2014

Mr. TESTER. Madam President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of S. 544 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title. The senior assistant legislative clerk read as follows:

A bill (S. 544) to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. TESTER. Madam President, I know of no further debate on the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 544) was passed, as follows:

S. 544

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MODIFICATION OF TERMINATION DATE FOR VETERANS CHOICE PROGRAM.

Section 101(p)(2) of the Veterans Access, Choice, and Accountability Act of 2014 (Pub-

lic Law 113-146; 38 U.S.C. 1701 note) is amended by striking "or the date that is 3 years after the date of the enactment of this Act, whichever occurs first".

SEC. 2. ELIMINATION OF REQUIREMENT TO ACT AS SECONDARY PAYER FOR CARE RELATING TO NON-SERVICE-CONNECTED DISABILITIES AND RECOVERY OF COSTS FOR CERTAIN CARE UNDER CHOICE PROGRAM.

(a) IN GENERAL.—Section 101(e) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) is amended—

(1) in the subsection heading, by striking "OTHER HEALTH-CARE PLAN" and inserting "RESPONSIBILITY FOR COSTS OF CERTAIN CARE";

(2) in paragraph (1), in the paragraph heading, by striking "TO SECRETARY" and inserting "ON HEALTH-CARE PLANS";

(3) by striking paragraphs (2) and (3);

(4) by redesignating paragraph (4) as paragraph (2); and

(5) by adding at the end the following new paragraph:

"(3) RECOVERY OF COSTS FOR CERTAIN CARE.—

"(A) IN GENERAL.—In any case in which an eligible veteran is furnished hospital care or medical services under this section for a non-service-connected disability described in subsection (a)(2) of section 1729 of title 38, United States Code, or for a condition for which recovery is authorized or with respect to which the United States is deemed to be a third party beneficiary under Public Law 87-693, commonly known as the 'Federal Medical Care Recovery Act' (42 U.S.C. 2651 et seq.), the Secretary shall recover or collect from a third party (as defined in subsection (i) of such section 1729) reasonable charges for such care or services to the extent that the veteran (or the provider of the care or services) would be eligible to receive payment for such care or services from such third party if the care or services had not been furnished by a department or agency of the United States.

"(B) USE OF AMOUNTS.—Amounts collected by the Secretary under subparagraph (A) shall be deposited in the Medical Community Care account of the Department. Amounts so deposited shall remain available until expended."

(b) CONFORMING AMENDMENT.—Paragraph (1) of such section is amended by striking "paragraph (4)" and inserting "paragraph (2)".

SEC. 3. AUTHORITY TO DISCLOSE CERTAIN MEDICAL RECORDS OF VETERANS WHO RECEIVE NON-DEPARTMENT OF VETERANS AFFAIRS HEALTH CARE.

Section 7332(b)(2) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

"(H)(i) To a non-Department entity (including private entities and other Federal agencies) that provides hospital care or medical services to veterans as authorized by the Secretary.

"(ii) An entity to which a record is disclosed under this subparagraph may not re-disclose or use such record for a purpose other than that for which the disclosure was made."

Mr. TESTER. Madam President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TESTER. Madam President, I want to thank Senator MORAN and

members of the Veterans' Affairs Committee for all their good work, Senator MCCAIN for his good work, and Chairman JOHN ISAKSON for his good work on this bill.

This Veterans Choice Program Improvement Act is an important piece of legislation that is going to really ensure that veterans can access care in their communities. It is a critically important piece of legislation that we should get done and get done now.

I think this body could learn from the work that was done on the Veterans' Affairs Committee under the leadership of Chairman ISAKSON for the veterans of this country. I don't think my home State of Montana is any exception. Veterans have been waiting far too long for an appointment at the VA and oftentimes had to drive 100 miles for an appointment. That is why we set up the Choice Program. It was supposed to allow these veterans to get their healthcare closer to home. Unfortunately, it did not work the way it should have. And we were inundated with redtape and a government contractor that struggled to schedule appointments with providers on time.

This Veterans Choice Program Improvement Act is not the end all. It is not what is going to fix the Choice Program in its entirety, but it certainly is a step in the right direction, a step that needed to be taken, and I commend the body for allowing this step to be taken.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Madam President, I thank the Senator from Montana for his efforts to see that this legislation gets passed. I am pleased to see that we have been joined in a unanimous way by the Senate, Republicans and Democrats working together to see that our veterans receive better care.

In addition to the Senator from Montana, I thank Mr. MCCAIN, the Senator from Arizona, who is joining us on the floor. I also thank Senator ISAKSON in particular, the chairman of the Veterans' Affairs Committee, for his leadership in seeing that we are here today to bring this legislation across the finish line.

The House passed legislation similar to this, so this is an opportunity for us to get an accomplishment—not for a pat on our backs but for the improvement in the care of those who served our Nation. I asked this question on the Senate floor before: Of all the people in the United States, who would you expect to get the best care possible? While we want every American to have high-quality care and access to medical treatment, we certainly want to make certain those who served our country and to whom a commitment was made that they would receive care—we want that commitment fulfilled, and we want it done in a way

that is advantageous and easy for our veterans.

The Senator from Montana is correct. The Choice Act is a significant improvement, in my mind, for accessing care. Kansas is not quite as large as the State of Montana, but we are a large rural State, and it is a long distance to a VA hospital. So Choice was brought into play to try to alleviate the backlog, the lack of providers within the VA, and the wait times that veterans faced, but also to try to satisfy the needs of veterans who live long distances from a VA facility.

So Choice is in place, but it still has been a difficult time for many veterans across the country and certainly at home. It is the most common conversation I have when I am back in Kansas. In fact, I had a townhall meeting in southwest Kansas, in Dodge City, and it is veterans who, in the public forum, will tell me about the problems with the VA and particularly with Choice, or they will line up after or before that meeting to tell me in person that they need help.

This legislation does three significant things. More is to come. We need a permanent act. This is an extension of the Choice Act that expires on August 7, so continuing the program is the first step while we work out the desired outcome of a long-term permanent program.

Secondly, it provides the money through that period of time. It allows the expenditure of dollars to pay for Choice.

Third, it eliminates the intermediary—somebody separate from the VA in paying the bills—and that reduces the bureaucracy and burden on our veterans.

I was just looking through what we call casework, things Kansans bring to our office to try to get solved. Front and center is the number of veterans who are being harassed by collection agencies for bills they thought would be paid by the VA through the Choice Program, and they are not being paid in a timely fashion. This eliminates the intermediary—the manager of the program—from paying the bills and restores that authority to the VA to write out the checks with the goal of reducing the bureaucracy and paperwork for the veterans. It also increases the timeliness for the payment that is due the healthcare provider—the doctor, the pharmacy, and the hospital.

Again, as a rural American, many of our providers are struggling. Hospital doors are a challenge to remain open in rural communities across my State. And that long wait for a reimbursement check for services provided months ago also creates a burden on that hospital, that healthcare provider. So timely payment certainly will benefit the veterans, but it also increases the chances of the stability of healthcare providers in rural commu-

nities across my State and around the country.

Finally, it increases the ability for the sharing of medical records between the VA and that community healthcare provider.

Choice is in place to help those veterans who need to have care more quickly and who need to have care closer to home. This bill improves that program and extends it, and that is a significant development. I appreciate the opportunity I have had to work with the Senators from Arizona, Montana, and Georgia to make sure we got to the point we are today. I appreciate my colleagues' unanimous support for the passage of this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Madam President, I want to thank the Senator from Kansas for all the hard work he has done, and the Senator from Montana. On the rare occasion I come to praise him, I would like to give him my deep and heartfelt appreciation for his work in a bipartisan fashion on this issue. I mean that with all sincerity. I also thank our distinguished chairman, Senator ISAKSON. I also think I share with my colleagues an appreciation for Dr. Shulkin, the new Secretary of the Veterans' Administration, who has been an active and helpful participant in this effort.

Most everything has been said except that I would like to remind my colleagues that we now have—since the enactment in 2014, over 7 million appointments have been made using the Choice Program. Now, over 30,000 appointments are successfully made each week under the Choice Program.

The programs are set to expire in a few months, and, as pointed out by my colleagues, the VA has already begun to limit care for pregnant mothers, as well as cancer patients, because their treatment would extend beyond August. Soon all veterans will be kicked off the Choice Program.

I would just like to point out to my colleagues, if I could, that this crisis started in Phoenix, AZ, where 15,000 veterans were put on a wait list and over 40 veterans died while awaiting care. That is not acceptable in this Nation.

I believe the Choice Program is a major step forward. The truth is, the VA has a lot more to do to provide for the care we have obligated this Nation to on behalf of those who have fought and sacrificed for our Nation. The Choice Card has made a major step forward. I hope we can consider removing any geographic or other limitations associated with it. But what the Senators from Kansas and Montana have done today is to make sure this program continues and why it is important to pass it today—not one dollar Congress authorized to care for veterans under the Choice Program should go unused.

Let me mention what we have done. There are 7 million additional appointments for veterans in their communities, and over 1.5 million veterans have benefited from using the Choice Card that they would not have had otherwise. Some 350,000 more doctors, nurse practitioners, and physician assistants are available to treat veterans. There are 235,000 appointments per month through Veterans Choice—more than 10,000 per workday. The Veterans Choice Program more than doubles the number of medical providers nationwide that treat veterans. In Arizona, 11,700 medical providers in veterans communities have treated over 100,000 disabled veterans.

The Veterans Choice Card is being used at 700 hospitals and nearly 10,000 clinics nationwide. The Western Region is paying more than 90 percent of Veterans Choice doctors in less than 30 days and answering 900,000 phone calls per month, with an average time to answer of under 25 seconds. Over 3,000 veterans received hepatitis C treatments due to Veterans Choice funding.

There are still kinks in the operation. There are still bottlenecks. There are still times when veterans' payments, particularly, have not been done in a timely fashion, as the Senator from Kansas mentioned. Hopefully, that will change now. As with any program, it had its difficulties in its beginning. But I want to tell my colleagues that we should make the Choice Card available for any veteran, no matter where they happen to reside. It should be, I believe, the basis of our next effort. But in the meantime, I want to thank again the Senator from Kansas for his hard work.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OLD VESSELS EXEMPTION ACT— Continued

UVALDE COUNTY, TEXAS, BUS ACCIDENT

Mr. CORNYN. Madam President, I wanted to come to the floor to talk about the important work for the Senate this week, now that the Judiciary Committee has voted on the Judge Neil Gorsuch nomination and he is available for floor consideration. But I wanted, first, to extend my deepest condolences to the families and friends of those tragically killed in an automobile crash near New Valley, TX, last week.

A bus carrying a group of 14 members of the First Baptist Church in New Braunfels collided with a pickup truck on Highway 83. Thirteen people were killed and two others, including the

driver of the other vehicle, were injured. You can imagine how heart-breaking this has been to everyone involved. I can't begin to imagine the pain and the grief felt by their loved ones, their church family, and their entire close-knit community of New Braunfels, TX, just north of San Antonio.

I had the opportunity to speak with the pastor of First Baptist of New Braunfels, Pastor McLean, the day after the accident. He is leading his congregation and that community during this very difficult time. He is shepherding his flock, though, with grace and strength. There is a phrase I am reminded of in times like this. After the terrible explosion in West Texas, I had a county commissioner from that area tell me: Being a Texan doesn't describe where you are from, it describes who your family is.

Today, our family is mourning. But I know Pastor McLean and all of my fellow Texans and all Americans really lift up this community in prayer, along with the families and friends of those we lost.

I am grateful to the first responders and medical professionals who were first to arrive at the scene of the accident and lent a hand to those in need.

NOMINATION OF NEIL GORSUCH

Separately, Madam President, as I have indicated, this is an important week for the American people. Earlier today, the Judiciary Committee voted to send Judge Gorsuch's nomination to the Senate floor for full consideration. Later this week, he will be confirmed as the next Associate Justice of the U.S. Supreme Court. For the past several weeks and through 20 grueling hours of questioning before the Judiciary Committee, Judge Gorsuch has proven to be one of the most qualified nominees to the Court in modern history.

Republicans in the Senate said we would give the American people a voice in who would select the next Supreme Court Justice. In a sense, we had a referendum of whether it would be a nominee selected by Donald Trump or by Hillary Clinton. On November 8, we saw the outcome of that election. This week, that referendum will be answered when the country will have its ninth Justice on the Supreme Court.

Unfortunately, our Democratic colleagues are doing their very best to decide that they should mount the first partisan filibuster of a Supreme Court nominee in American history. This is truly unprecedented. I know sometimes people want to talk about 1968 and the Abe Fortas nomination, but not even then was there a partisan filibuster that successfully blocked the confirmation of a Supreme Court Justice.

What I am talking about is blocking the ability to have an up-or-down vote. I am not talking about how people vote on the confirmation vote. I am talking

about allowing us to have a vote—that up-or-down vote—or denying it by virtue of the filibuster. I, for one, have been encouraged to see people from across the country speaking out and urging our colleagues to drop their obstruction and to allow such an up-or-down vote on an incredibly qualified, upstanding, and brilliant judge.

Editorials from all over the country have registered their opposition to the idea of a filibuster and have done so rather bluntly. The Chicago Tribune, for example, said: "Neil Gorsuch earns his Supreme Court seat." The Boston Herald says: "Shame on Senate Dems." The Boston Herald specifically said that those going along with the strategy were "blindly partisan for whom any nomination made by President Trump would never be qualified."

The Denver Post, in the home State of Judge Gorsuch, urged Senators to confirm Judge Gorsuch to the Supreme Court and specifically urged the senior Senator from Colorado, Senator BENNET, not to cooperate with this blind partisanship and this filibuster but rather to allow the judge an up-or-down vote on the Senate floor.

Their editorial title made that much clearer. They said: "Michael Bennet should buck Democrats and speak up for Neil Gorsuch."

The Billings Gazette in Montana had this to say: "Democrats refuse to rise above petty partisan politics."

The Richmond Times-Dispatch took the junior Senator from Virginia to task and said: His opposition to Judge Gorsuch, "suggests he can't come up with a defensible reason to oppose the nomination."

Finally in New Hampshire, the New Hampshire Union Leader editorial last week was titled: "Confirm Gorsuch: Dems plan pointless filibuster." "Pointless" about sums it up. There is no doubt that Judge Gorsuch is qualified. He has received the highest rating from the American Bar Association, which reportedly interviewed 500 leading lawyers and practitioners in the country, and the ratings system of the American Bar Association has been called by many of our Senate Democratic colleagues the "gold standard" when it comes to confirmations.

Among the legal and local communities, Judge Gorsuch enjoys broad bipartisan support, but that seems to make no difference to our friends across the aisle who voted on a party-line vote not to send his nomination from the Judiciary Committee. Of course, their minority position lost when the majority of the committee voted today to send that nomination to the floor.

I can't help but think that they are in an unenviable position, torn by their desire to do what they know is the right thing when it comes to confirming a good judge, and, on the other hand, being attacked by their own par-

ty's political base, telling them that if they vote to confirm this judge, they are somehow going to suffer some political damage.

Of these newspapers I mentioned, not one of them endorsed Donald Trump for President—not one. But unlike some of our Senate colleagues, they are able to distinguish between President Trump and Judge Neil Gorsuch, instead of using Donald Trump as a proxy not to vote to confirm Neil Gorsuch.

These newspapers are urging Senate Democrats to drop this pointless filibuster because they understand that it will not be President Trump we will be voting on next week. It is Judge Neil Gorsuch. Now, after repeatedly moving the goalposts for this nominee, my Democratic friends are saying that he has to pass the "traditional" threshold of 60 votes. Well, that is a made-up standard.

Throughout our Nation's history, the Senate has not had a tradition of filibustering judges. It was a strategy cooked up by Senator SCHUMER, Laurence Tribe from Harvard Law School, and other liberal activists to try to block President George W. Bush's judges when he was President of the United States. So there is no 60-vote threshold in Senate tradition. Actually, there have only been four cloture votes for a Supreme Court nominee—only four—and none of them for a partisan filibuster that actually succeeded in blocking an up-or-down vote for a nominee.

One of the newspaper fact checks concluded with this. They said: "There is no traditional 60-vote 'standard' or 'rule' for Supreme Court nominations, no matter how much or how often Democrats claim otherwise." This should be a time when the Senate should come together in a bipartisan fashion and do what it is supposed to do when we receive the nomination of such a highly qualified person.

Judge Gorsuch has won bipartisan approval. People across the country understand that, as do a number of independent Democrats here in the Senate, and they understand the dangerous path the minority leader is setting us and them on. Unfortunately, the Democratic leader wants to mount the first successful partisan filibuster of a Supreme Court nominee in our history.

But I would point out that no Republican Senator in the Senate has ever voted to filibuster a Supreme Court nominee, including those nominated by Democratic Presidents. As a matter of fact, Justice Clarence Thomas was confirmed with 52 votes. If the threshold were really 60, then he would not currently be serving on the Supreme Court of the United States. Even such polar opposites as Justice Scalia and Justice Ginsburg were confirmed by virtually unanimous votes because people understood that once the President was

elected, that the President's choice should matter, and the Senate should not artificially try to lift up a 60-vote threshold in order to block, effectively, the will of the voters in choosing the president.

A few years ago, when we considered the nominations of Justice Sotomayor and Justice Kagan, we gave both nominees a simple up-or-down vote. So our friends across the aisle have a simple but very important decision to make. They can listen to the extremist groups on the left that are urging them to resist at all costs or they can assert some of their independence.

As of today, several of our Democratic colleagues have done exactly that. I congratulate them. I am glad Senator HEITKAMP, Senator MANCHIN, and Senator DONNELLY have said they will assert their prerogative, as Senators, to allow an up-or-down vote for this nominee and actually vote for them. I hope they stand firm, but I hope, more importantly, more of their colleagues will demonstrate the same sort of independence from the radical base of the Democratic Party that says no to everything this President does. I hope they at least afford Judge Gorsuch an up-or-down vote because, if the Democrats successfully block Judge Gorsuch, there is literally no nominee from this President who they will not block—plain and simple.

So as we have been saying, Judge Gorsuch will be confirmed at the end of this week, but it is up to the Democrats as to how that happens.

Madam President, I yield the floor.

Mr. CARDIN. Madam President, I wish to express my opposition to S. 89 because it exempts certain vessels—actually one specific vessel called the *Delta Queen*—from current fire retardant construction standards and, according to the U.S. Coast Guard, represents “an unacceptable degree of fire safety risk. . . .”

Maritime history has numerous examples of catastrophic on-board fires followed by the passage—or attempted passage—of laws designed to improve safety and protect passengers and crew.

In response to the sinking of the RMS *Titanic*, in 1914, the International Maritime Organization, IMO, prescribed emergency equipment and safety procedures IMO-flagged ships were required to have in place.

The 1934 fire on the SS *Morro Castle* prompted the adoption of multiple Federal safety regulations, including the use of fire retardant construction materials.

A series of fires aboard international passenger ships in the early 1960s prompted the U.S. to enact the Safety of Life at Sea Act, SOLAS, which mandated that “no passenger vessel of the United States shall be granted a certificate of inspection [. . .] unless the vessel is constructed of fire-retardant materials.”

Congress delayed the implementation of the SOLAS mandate first until 1968, then until 1970, then again until 1973, but only for U.S. passenger vessels operating on inland rivers.

In 1973, Congress again delayed the effect of the mandate, but this time EXPRESSLY for one ship—the *Delta Queen*—and only for one 5-year period “while a new [overnight passenger] riverboat is being constructed.”

Despite the clear intent of Congress in 1973, the various owners of the *Delta Queen* successfully secured exemptions from SOLAS for the *Delta Queen* in 1986, 1991, and 1996.

Their attempts to seek a 10-year extension in 2007 and a 15-year extension in 2013 were unsuccessful, so they made another run in the 114th Congress and now in the 115th Congress with S. 89.

Current law requires passenger vessels with overnight accommodations for 50 or more passengers to be constructed of fire-retardant materials, unless an exemption is made, but in the case of the *Delta Queen*, the U.S. Coast Guard has consistently opposed legislation to provide the *Delta Queen* an exemption to remain in service as an overnight passenger cruise vessel.

A Coast Guard Special Inspection Report on the *Delta Queen* in 2008 found “an unnecessary and unacceptable accumulation of combustible fire load.” In a January 8, 2016, letter to Senator BILL NELSON, the Coast Guard's then-Assistant Secretary of Legislative Affairs wrote “the Department of Homeland Security is resigned to oppose continuously any legislation that would provide any form of statutory relief for the steamer *Delta Queen*.”

S. 89 is contrary to public safety. It is contrary to the Safety of Life at Sea Act regulations which have been in full force in the U.S. since 1966, and it is contrary to the guidance of the U.S. Coast Guard.

The *Delta Queen* is an old ship made of wood. The boilers are original and open to the wood superstructure. There are no structural boundaries to contain a fire and only one means of egress.

I understand that supporters of S. 89 are concerned about the historic preservation of this ship and the economic opportunities that operation of the ship could bring to its homeport.

We should first and foremost be concerned with the safety of the people who will work on the ship and vacation on the ship and that they can have the same opportunities and experiences on a ship that is compliant with the reasonable safety standards that have been in place in this country for more than 50 years.

Mr. CORNYN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. FLAKE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF NEIL GORSUCH

Mr. FLAKE. Madam President, as I have done from the time he was nominated and as I will continue to do until he is confirmed, I rise to support the nomination of Neil Gorsuch to serve on the Supreme Court. Judge Gorsuch is an accomplished, mainstream jurist. I look forward to helping make sure he can receive a vote here on the Senate floor.

In the weeks since his nomination, I have spoken at length about his qualifications to serve on the Supreme Court. I have recognized him as a conservative champion of religious liberty, a defender of the separation of powers, and a westerner who will bring some much needed geographic diversity and a regional perspective to the Court.

During his confirmation hearing before the Senate Judiciary Committee, Judge Gorsuch showed the country what it means to be a judge.

Big or small, popular or unpopular, powerful or powerless, Judge Gorsuch promised to render judgments based on the facts of the case, nothing else. He also has a remarkable record of respectful cooperation with judges appointed by Presidents of both parties.

During his decade-long tenure on the Tenth Circuit Court of Appeals, Judge Gorsuch participated in more than 2,700 appeals. These comprised some of the most difficult cases across six States. Of those cases, 97 percent of them were decided unanimously—97 percent.

Judge Gorsuch was in the majority 99 percent of the time. He was in the majority on those cases 99 percent of the time. This is a testament to Judge Gorsuch's ability to consider other points of view and to seek out consensus, where possible. To try to paint Judge Gorsuch as an ideologue simply doesn't work. Those are essential qualities for any prospective Supreme Court Justice.

Now that we have reported Judge Gorsuch out of committee as of today, I would like to say a few words on the obstacles that stand in the way of his being considered here on the Senate floor.

As we proceed with Judge Gorsuch's confirmation, I would like to explain my support for confirming him in light of what transpired in the waning months of the previous administration.

For nearly 230 years, Presidents have been making nominations to the Supreme Court. According to the Congressional Research Service: “From the appointment of the first Justices in 1789 through its consideration of Nominee Elena Kagan in 2010, the Senate has confirmed 124 Supreme Court nominations out of 160 received.”

I would like to reiterate that number. Out of 160 Supreme Court nominations in our Nation's history, 124 were confirmed.

The Congressional Research Service goes on to state: "Of the 36 nominations which were not confirmed, 11 were rejected outright in roll-call votes by the Senate, while nearly all of the rest, in the face of substantial committee or Senate opposition to the nominee or the President, were withdrawn by the President, or were postponed, tabled, or never voted on by the Senate."

The manner in which the Senate decides to provide its constitutional advice and consent on Presidential nominations has varied over the centuries with respect to nominations. This includes decisions not to take up Supreme Court nominees.

As Jonathan Adler put it in his article in the *George Mason Law Review*:

Much as the Senate may reject a legislative proposal that originated in the House of Representatives by voting it down, killing it in committee, or simply refusing to take up the measure, the Senate may withhold its consent by voting against confirmation of a nominee, rejecting the nominee in committee, or simply refusing to act.

Is refusing to act the preferred outcome? I can certainly see where some would say no, as would I.

However, the history of the Senate demonstrates that to do otherwise in similar circumstances, as we just experienced is, in fact, a rare exception.

To cite Adler's law review article again, he states: "The last time a Supreme Court vacancy arose in the calendar year of a Presidential election and was filled prior to [the] election was in 1932."

President Obama nominated Judge Merrick Garland to the Supreme Court in the heat of the 2016 Presidential election. When he was nominated, I understood the frustration of those on the other side of the aisle over the fate of that nomination.

I met Judge Garland. He is a good man and a good judge, but the decision by the majority not to take up Judge Garland's nomination was not inconsistent with a longstanding practice of filling Supreme Court vacancies after elections.

This brings us today to why I support confirming Judge Gorsuch to the Supreme Court. There is no question about the appropriateness of confirming Supreme Court nominees during the first years of the President's term, let alone the first 3 months. In fact, there is absolutely no justification for filibustering a highly qualified Supreme Court nominee put forward by the President who was just elected. That is just unprecedented.

There was an attempt to use this tactic in 2006 with Justice Samuel Alito's nomination to the Supreme Court, but he garnered sufficient bipartisan support so that cloture was invoked.

Today, it appears that we will not enjoy that same rational support. My preference would be to change the behavior of Senators rather than change

the rules of the Senate. But here we are, where a nominee who would have received unanimous or nearly unanimous support just a few years ago is about to be filibustered.

My question is this: If we can't confirm a judge like Judge Gorsuch under contemporary use of Senate rules, who can we confirm?

It looks as if we will move forward later this week and make the rest of the Executive Calendar subject to the same simple majority threshold. Again, a change in Senate rules is not my preferred outcome, but this rule change will simply make *de jure* what was *de facto* prior to 2003, when filibusters were virtually never used on the President's Executive Calendar.

Now, I want to make clear my steadfast support to preserve the legislative filibuster. We need to distinguish between the President's Executive Calendar, which has traditionally never been filibustered or subject to filibuster, and the legislative filibuster, which is used frequently here to ensure that we work across the aisle.

The Framers of our Constitution had the wisdom to create a Senate with a strong minority to serve as a check on runaway power. If we were to eliminate the legislative filibuster, we would cease to be that check, and, indeed, the Senate would cease to be the Senate.

We have a qualified mainstream jurist before us. That is Judge Gorsuch. I encourage all of my colleagues to give him fair consideration and to advance his nomination to an up-or-down vote. I will be voting to confirm him, and I urge my colleagues to do the same.

I yield back the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. MCCASKILL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MORAN). Without objection, it is so ordered.

Mrs. MCCASKILL. Mr. President, I rise to ask my colleagues to support the bill that is in front of us, S. 89, which will allow the historic *Delta Queen* paddle wheeler to return to operation on the Mississippi and Ohio Rivers.

This bill is supported by the National Trust for Historic Preservation, the Seafarers International Union of North America, along with a whole lot of excited people who live in Kimmswick, MO, where this boat will have its home base.

The *Delta Queen* is an important piece of history. The vessel connects us to a time before railroads and highways, when rivers were key arteries of travel and commerce in this country. It was first placed on the National Reg-

ister of Historic Places in 1970 and was designated as a national historic landmark in 1989.

The *Delta Queen's* steel hull was originally built in pieces in Scotland and then was assembled in Stockton, CA, in 1926, until the beginning of World War II, when it ferried passengers between Sacramento and San Francisco. During the war, she was acquired by the U.S. Navy to support its operations in the San Francisco Bay. Following the war, she was taken to Cincinnati, where she took passengers up and down the river system for the next 60 years.

Three different U.S. Presidents have sailed on the *Delta Queen*—Herbert Hoover, Missouri's own Harry Truman, and Jimmy Carter. In fact, President Carter went on a week-long campaign tour on the vessel in 1979, along the Upper Mississippi.

For years, this vessel was home-ported in Cincinnati and was later used as a hotel in Chattanooga. Should the bill before us be enacted, the *Delta Queen* will be home-ported in Kimmswick, MO, just south of St. Louis. There, its operations will create more than 170 jobs and have an economic impact of more than \$36 million, which is a big impact for one boat in a small community.

The bill before the Senate today would reinstate the exemption that the *Delta Queen* repeatedly received in the past when it was grandfathered from regulations that occurred in 1966, which prevented wooden boats from having passengers overnight. Congress repeatedly renewed this waiver from 1968 to 2008 and recognized that these regulations were primarily designed for ships on the high seas and that this ship was a link to an important time period in American history.

Over the 40 years that the *Delta Queen* had its exemption, it operated without incident, but the exemption was allowed to expire in 2008. S. 89 adds a new number of safety provisions as a condition of the waiver, making it a very strong improvement over every previous waiver that was issued by Congress during that time period.

I will not go through the long list of safety requirements that are contained in this legislation. Suffice it to say that they must alter the boat; they must protect the engine and boiler systems with non-flammable materials, and they must receive special training.

The owner cannot disclaim any liability for any crewmember's or passenger's injury or death.

The Coast Guard has to conduct an annual audit and inspection of the vessel. In order to receive the waiver, the vessel must have the boilers and generators that meet current Coast Guard standards, which means that the current owners of the boat are going to invest millions in order to bring it up to the safety standards that are necessary

for today's traveling public. It has to have noncombustible enclosures that are equipped with fire suppression systems, and multiple forms of egress are provided off the vessel's bow and stern.

It is also reiterated in this legislation that the Coast Guard has the authority to immediately withdraw its certification of inspection for the owners' failure to comply with any requirement in this bill, in addition to other penalties permitted by law.

In short, we have taken important steps to make this historic piece of riverboat history safe for the traveling public. Frankly, I think people need to remember the lengths to which we go in restoring and preserving historic buildings in this country. We do not make them tear them down. Rather, we make them comply with certain safety standards. We treasure the fact that we are saving historic buildings all over this country.

This is saving a historic vessel. It is very important that we save this vessel not only for what it represents to our country but also for what it means in jobs and economic activity to an important area of the State that I love to call home.

I thank Senators BROWN, BLUNT, BOOZMAN, CASSIDY, COTTON, KENNEDY, and PORTMAN, who joined me in introducing this legislation, and Chairman THUNE and Ranking Member NELSON, who have been so helpful in moving it through the Commerce, Science, and Transportation Committee.

I know it is a phrase that we like to use around here and that sometimes it is not true, but this really is a bipartisan effort. This really is an example of people coming together who have common sense in order to put a boat back on the river that means a lot to history, that means a lot to the traveling public, and that uses common sense in addressing safety concerns that are necessary because of the historic nature of the boat.

I ask that all of my colleagues support this bill and return the *Delta Queen* to her rightful place on the Mighty Mississippi.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. CRAPO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time has expired.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. CRAPO. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The bill having been read the third time, the question is, Shall the bill pass?

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. ISAKSON) and the Senator from Pennsylvania (Mr. TOOMEY).

Mr. DURBIN. I announce that the Senator from Washington (Ms. CANTWELL) is necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 85, nays 12, as follows:

[Rollcall Vote No. 102 Leg.]

YEAS—85

Alexander	Franken	Perdue
Baldwin	Gardner	Peters
Barrasso	Graham	Portman
Bennet	Grassley	Reed
Blunt	Harris	Risch
Booker	Hassan	Roberts
Boozman	Hatch	Rounds
Brown	Heinrich	Rubio
Burr	Heitkamp	Sanders
Capito	Heller	Sasse
Carper	Hirono	Schatz
Casey	Hoeven	Schumer
Cassidy	Inhofe	Scott
Cochran	Johnson	Shaheen
Coons	Kaine	Shelby
Corker	Kennedy	Stabenow
Cornyn	King	Strange
Cortez Masto	Klobuchar	Sullivan
Cotton	Lankford	Tester
Crapo	Leahy	Thune
Cruz	Lee	Tillis
Daines	Markey	Udall
Donnelly	McCain	Warner
Duckworth	McCaskey	Warren
Enzi	McConnell	Whitehouse
Ernst	Merkley	Wicker
Feinstein	Moran	Young
Fischer	Nelson	
Flake	Paul	

NAYS—12

Blumenthal	Gillibrand	Murphy
Cardin	Manchin	Murray
Collins	Menendez	Van Hollen
Durbin	Murkowski	Wyden

NOT VOTING—3

Cantwell	Isakson	Toomey

The bill (S. 89) was passed, as follows:

S. 89

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FIRE-RETARDANT MATERIALS EXEMPTION.

Section 3503 of title 46, United States Code, is amended to read as follows:

“§ 3503. Fire-retardant materials

“(a)(1) A passenger vessel of the United States having berth or stateroom accommodations for at least 50 passengers shall be granted a certificate of inspection only if—

“(A) the vessel is constructed of fire-retardant materials; and

“(B) the vessel—

“(i) is operating engines, boilers, main electrical distribution panels, fuel tanks, oil tanks, and generators that meet current Coast Guard regulations;

“(ii) is operating boilers and main electrical generators that are contained within noncombustible enclosures equipped with fire suppression systems; and

“(iii) has multiple forms of egress off the vessel's bow and stern.

“(2) Before December 1, 2028, this section does not apply to any vessel in operation before January 1, 1968, and operating only within the Boundary Line.

“(b)(1) When a vessel is exempted from the fire-retardant standards of subsection (a)—

“(A) the owner or managing operator of the vessel shall—

“(i) notify in writing prospective passengers, prior to the sale of any ticket for boarding and to be affirmatively recognized by such passenger prior to purchase, and any crew member that the vessel does not comply with applicable fire safety standards due primarily to the wooden construction of passenger berthing areas; and

“(ii) display in clearly legible font prominently throughout the vessel, including in each state room the following: ‘THIS VESSEL FAILS TO COMPLY WITH SAFETY RULES AND REGULATIONS OF THE U.S. COAST GUARD.’;

“(B) the owner or managing operator of the vessel—

“(i) may not disclaim liability to a passenger or crew member for death, injury, or any other loss caused by fire due to the negligence of the owner or managing operator; and

“(ii) shall acquire prior to entering service, and maintain, liability insurance in an amount to be prescribed by the Federal Maritime Commission;

“(C) the penalties provided in section 3504(c) of this title apply to a violation of this subsection;

“(D) the owner or managing operator of the vessel shall—

“(i) make annual structural alteration to not less than 10 percent of the areas of the vessel that are not constructed of fire retardant materials;

“(ii) prioritize alterations in galleys, engineering areas of the vessel, including all spaces and compartments containing, or adjacent to spaces and compartments containing, engines, boilers, main electrical distribution panels, fuel tanks, oil tanks, and generators;

“(iii) ensure, to the satisfaction of the Coast Guard, that the combustible fire-load has been reduced pursuant to clause (i) during each annual inspection for certification; and

“(iv) provide advance notice to the Coast Guard regarding the structural alterations made pursuant to clause (i) and comply with any noncombustible material requirements prescribed by the Coast Guard;

“(E) the Coast Guard, in making the determination required in subparagraph (D)(iii), shall consider, to the extent practicable, the goal of preservation of the historic integrity of the vessel in areas carrying or accessible to passengers or generally visible to the public;

“(F) the owner or managing operator of the vessel shall annually notify all ports of call and State emergency management offices of jurisdiction that the vessel does not comply with applicable fire safety standards due primarily to the wooden construction of passenger berthing areas;

“(G) the crews manning such vessel shall receive specialized training, above minimum standards, in regards to shipboard firefighting that is specialized for exempted vessels and approved by the Coast Guard; and

“(H) the owner or managing operator of the vessel shall, to the extent practicable, take all steps to retain previously trained crew knowledgeable of such vessel or to hire

crew trained in operations aboard exempted vessels.

"(2) The Secretary shall conduct an annual audit and inspection of any vessel exempted from the fire-retardant standards of subsection (a).

"(c) The Secretary shall prescribe regulations to carry out this section. Such regulations shall include the manner in which prospective passengers are to be notified.

"(d) In addition to other penalties permitted by law, the Secretary is authorized to immediately withdraw a certificate of inspection for a passenger vessel that does not comply with any requirement under this section."

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider Executive Calendar No. 24, which the clerk will report.

The senior assistant legislative clerk read the nomination of Elaine C. Duke, of Virginia, to be Deputy Secretary of Homeland Security.

The PRESIDING OFFICER. The Senator from Wisconsin.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. JOHNSON. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF ELAINE DUKE

Mr. JOHNSON. Mr. President, I rise today in support of Elaine Duke's nomination to be the seventh Deputy Secretary for the Department of Homeland Security.

The Department of Homeland Security Deputy Secretary serves as the chief operating officer of the Federal Government's third largest agency. The Deputy Secretary manages 240,000 men and women responsible for securing our borders and aviation system, enforcing immigration laws, defending cyberspace, preparing for disasters, assisting in counterterrorism efforts, and preventing terrorist attacks. In short, the Deputy Secretary is critically important to our homeland security.

On March 15, Ms. Duke was approved by the Senate Committee on Homeland Security and Governmental Affairs by a voice vote. She has overwhelming bipartisan support.

I want to remind everyone of Ms. Duke's qualifications and, particularly, of her dedication to public service through both Republican and Demo-

cratic administrations. Ms. Duke is no stranger to this body. In 2008, she was confirmed by a voice vote to be the Department's Under Secretary for Management. As a testament to her character and dedication, she was asked by President Obama to stay on when he came into office. She served in the Obama administration for a year and a half before retiring from Federal service. In total, Ms. Duke has been a public servant for 28 years.

It is also noteworthy that Ms. Duke has been endorsed by at least the last five Department of Homeland Security Deputy Secretaries, from both Democratic and Republican administrations. This is what they had to say about her:

For this job, the Nation needs someone with impeccable integrity, strong management and leadership skills and experience in protecting the safety, security, and resilience of our Nation. This person must be able to collaborate routinely . . . and ensure that every Congressionally-appropriated dollar is well and wisely spent.

Together, we respectfully attest that Elaine is extraordinarily well qualified to serve in the position for which she has now been nominated. Elaine knows DHS. She has been a senior leader at DHS under two presidents. She sets an unwavering standard of excellence for all who consider themselves committed to public service.

As chairman of the Homeland Security and Governmental Affairs Committee, I worked hard to move 30 of President Obama's nominees through the committee on a bipartisan basis. I am pleased that we will be sending to DHS a career public servant whose experience and management skills will immediately assist Secretary Kelly and the mission of the Department to defend our homeland.

For the sake of our national and homeland security, I encourage my colleagues to support Ms. Duke's nomination to be the next Deputy Secretary for the Department of Homeland Security.

NOMINATION OF NEIL GORSUCH

Mr. JOHNSON. Mr. President, I would like to use my remaining time to voice my strong support of Judge Gorsuch's nomination to the Supreme Court. Let me stress that Judge Gorsuch won my vote when I first heard his definition of the role of a judge. Let me quote:

It is the role of a judge to apply, not alter, the work of the people's representatives. A judge who likes every outcome he reaches is very likely a bad judge, stretching for results he prefers rather than those the law demands.

That is the quintessential definition of the role of a judge. I met with Judge Gorsuch last Tuesday morning, and in that meeting he further reinforced my support. I asked Judge Gorsuch and voiced my concern that far too often we have seen judges evolve into super-legislators—judicial activists on the

court. I asked the judge: How can I be assured that won't happen with you? To paraphrase his response to me, he said: Senator, I am going to follow the law; you will not like some of my decisions.

That was music to my ears. I realize there is a lot of bad law, and we have a judge who follows the law and applies it. Sometimes I am not going to like those decisions, but that is OK. That is the role of a judge.

He went on to say: I am not itching to be anything other than a good judge. He further said that legislative power cannot be delegated. Judge Gorsuch gave me a great deal of confidence that he is well qualified and that he deserves to fill some pretty big shoes—Justice Scalia's seat on the Supreme Court.

It is not just I who considers Judge Gorsuch well qualified. The ABA has given Judge Gorsuch their "well qualified" rating, which is the highest possible rating. Of course, Democratic Leader SCHUMER, in a Washington Post article from March 18, 2001, said: "The ABA's evaluation is the gold standard by which judicial candidates are judged."

Vice President Biden, back in 1994, talking about the ABA rating system said:

I look at no other recommendation more closely. I value no recommendation more highly.

So the ABA says Judge Gorsuch is highly qualified, and I agree. Judge Gorsuch also has bipartisan support. I am heartened by the fact that three of our Democratic colleagues in the Senate have already voiced their support for Judge Gorsuch. Of course, President Obama's Solicitor General, Neal Katyal, also said:

Judge Gorsuch is one of the most thoughtful and brilliant judges to have served our Nation over the last century. As a judge, he has always put aside his personal views to serve the rule of law. To boot, as those of us who have worked with him can attest, he is a wonderfully decent and humane person. I strongly support his nomination to the Supreme Court.

Again, that is a quote from President Obama's Solicitor General. My final comment has to do with the fact that this is the will of the American people. In my lifetime, I really cannot remember when a Presidential election elevated the issue of Supreme Court nominations to as high a level as it was elevated in this election. As a matter of fact, this election, point blank, elevated this particular vacancy.

So many of my Republican colleagues said exactly what I said: It is so close to the election; so why don't we let the American people decide not only the direction of this country but the composition of the Supreme Court. The American people spoke. The voters in my State of Wisconsin spoke. They voted for the 10 electoral votes in support of President Trump, and they

voted to elect me to confirm President Trump's nominee to this Supreme Court vacancy.

I believe it is our duty to listen to the voices of the voters, the American people, the voters of Wisconsin. I am hoping that my junior Senator colleague from Wisconsin will listen to the voices of Wisconsin voters and vote at least for cloture. Maybe you don't have to vote for confirmation, but let's vote for cloture so this good, fine, decent, humane, high-integrity, well-qualified judge—Judge Neil Gorsuch—will be the next Supreme Court Justice of the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

U.S.-CHINA RELATIONSHIP

Mr. GARDNER. Mr. President, I thank my colleague from Wisconsin for his remarks on Judge Gorsuch. I look forward to this debate this week as we work to confirm Judge Gorsuch to the U.S. Supreme Court in a bipartisan fashion.

This evening, though, I come to the floor to talk about another very important issue that is happening in this country this week; that is, the U.S.-China relationship that will be highlighted this week as President Trump prepares to meet with President Xi for the first time later this week.

This summer presents a tremendous opportunity for President Trump to expressly state our hope for the relationship, while also elucidating the valid concerns and questions we have about some of China's policies and its future directions.

I am also leading a bipartisan letter with Senator SCHATZ, and I hope my colleagues will join me in expressing our thoughts about this important relationship.

The U.S.-China relationship is the most consequential relationship in the world. We must get it right. Beijing must also get it right. So today I will address what I hope President Trump will focus on in his conversation with President Xi and also outline a legislative initiative that I am leading in Congress to strengthen our policies in the Asia-Pacific region.

I believe the most urgent challenge between our two nations is the coming nuclear crisis on the North Korean Peninsula. Last year alone, North Korea conducted two nuclear tests and a staggering 24 ballistic missile launches. Kim Jong Un is committed to developing his nuclear missile program with one goal in mind—to have a reliable capability to deliver a nuclear warhead to Seoul, Tokyo, and, most importantly, to the continental United States.

President Trump has said that the United States will not allow that to happen. I am encouraged by the Presi-

dent's resolve. However, the road to stopping Pyongyang undoubtedly lies through Beijing. Beijing is the reason the regime acts so boldly and with relative few consequences.

China is the only country that holds the diplomatic and economic leverage necessary to put the real squeeze on the North Korean regime. So while the United States argues over strategic patience or measured resolve, China must go beyond mere articulation of concern and lay out a transparent path forward on how they will work to denuclearize North Korea.

For our part, President Trump must lay out a simple calculus for President Xi: The United States will deploy every economic, diplomatic, and, if necessary, military tool at our disposal to deter Pyongyang and to protect our allies. China has a responsibility globally to do the same. As part of our toolbox, the administration should tell China it will now significantly ramp up the sanctions track. Last Congress, I led the North Korea Sanctions and Policy Enhancement Act, which passed the Senate by a vote of 96 to 0.

This legislation was the first stand-alone legislation in Congress regarding North Korea to impose mandatory sanctions on the regime's proliferation activities, human rights violations, and malicious cyber behavior. The administration must fully enforce this legislation, including imposing secondary sanctions on any Chinese entities that are aiding Pyongyang.

In addition, China must faithfully implement all United Nations Security Council resolutions with regard to North Korea, particularly resolutions 2270 and 2321, negotiated last year, which require China to drastically reduce coal imports from North Korea. China's record in this has been lackluster so far. China should stop being complicit in the labor abuses of Pyongyang and shut off avenues of cyber attack, as well, that are being perpetrated by North Korea through Chinese channels.

Two weeks ago, China's Foreign Minister, Wang Yi, called on the United States and South Korea to halt their annual joint military exercises in exchange for North Korea's suspending its missile and nuclear activities, a deal that the Trump administration rightfully rejected. We should let Beijing know that the United States will not negotiate with Pyongyang at the expense of the security of our allies.

Moreover, before any talks, we must demand that Pyongyang first meet the denuclearization commitments it had already agreed to and subsequently chose to discard. President Trump should unequivocally condemn the economic pressure exerted by Beijing on Seoul over the deployment of the Terminal High Altitude Area Defense, or THAAD, on South Korean territory. THAAD is a defensive system that in

no way threatens China, and Beijing knows this.

Most importantly, President Trump should indicate to President Xi that a denuclearized Korean Peninsula is in both nation's interests. But to achieve this goal, Beijing must be made to choose whether it wants to work with the United States as a responsible leader to stop the madman in Pyongyang or bear and acknowledge the consequences of keeping him in power.

Another looming crisis in U.S.-China relations is the escalation of tension in the East and South China Seas. China's recent destabilizing activities and actions in the East China Sea and the South China Sea are contrary to international law, pose an increased risk of future conflict, and necessitate a strong U.S. and regional response.

Their actions seem at odds with their words. China has declared an illegitimate air defense identification zone in the East China Sea, has dramatically expanded its land reclamation activities in the South China Sea, and has clearly added a military element to it. Since 2013, according to the Department of Defense, China has reclaimed over 3,200 acres of artificial features in the South China Sea.

On July 12, 2016, an international tribunal in the Hague ruled that China violated the sovereignty of the Philippines with regard to maritime disputes between the two nations. Since 2015, China has also built facilities with potential military uses on the artificial islands, including three airstrips—two more than 10,000-feet long, and one nearly 9,000-feet long—hangers that can shelter jet fighters, harbors, anti-aircraft batteries, radars, and structures that could house surface-to-air missiles.

This last week, the Center for Strategic and International Studies Asia Maritime Transparency Initiative reported that major construction of military dual-use infrastructure on the "Big 3"—Subi, Mischief, and Fierly Cross Reefs—is wrapping up, with naval, air, radar, and defensive facilities largely complete.

Beijing can now deploy military assets, according to AMTI, including combat aircraft and mobile missile launchers to the Spratly Islands at any time.

The United States must have consistent and assertive diplomatic engagement with China to reinforce that these rogue activities fall outside of accepted international norms. The U.S. defense posture in this region should remain exactly what Secretary of Defense Ashton Carter said at the Shangri-La Dialogue in Singapore on May 30, 2015. I quote Secretary Carter:

The United States will fly, sail, and operate wherever international law allows, as U.S. forces do all over the world. America, alongside its allies and partners in the regional architecture, will not be deterred

from exercising these rights—the rights of all nations.

A consistent, deliberate, and assertive policy to do just that is imperative for the United States. During the upcoming summit, I hope that President Trump can set an agenda for positive economic engagement with China and recognize that this is a two-way street. As the top two economies in the world, our nations are inextricably linked, and we must continue to build a trade partnership that benefits the United States, our companies, and U.S. exporters. However, this engagement also means ensuring that China plays fair.

First and foremost, China must stop its state-sponsored and state-endorsed theft of foreign intellectual property. According to a report by the Intellectual Property Commission, chaired by ADM Dennis Blair, the former U.S. Commander of the Pacific Command, and John Huntsman, the former Ambassador to China, the theft of U.S. intellectual property is estimated at over \$300 billion annually, and China accounts for about 50 to 80 percent of that amount.

China must understand that this behavior with regard to the massive and well documented theft of foreign intellectual property is unacceptable and antithetical to international norms. China also needs significant improvement to its legal system and to further open its economy to foreign and private investment.

China must understand that new regulations that seek to discriminate against American companies, anti-market policies that favor state-owned enterprises, lack of transparency, and other policies that create an uneven playing field for the United States and our enterprises in China are not acceptable, and that those protectionist behaviors will only further isolate China or hurt their global competitiveness, if they are adopted globally, as they seek to engage further in the world's economy.

While many American firms still look to China as a top priority to grow and succeed in the global marketplace, without tangible economic and legal reforms within China, I fear that these opportunities will be more limited in the future and seriously jeopardize the bilateral commercial relations between our two nations. But if Beijing changes course, the upside of these reforms for China and the United States can be enormous.

A pillar of any nation that seeks a prosperous future and a future with a strong relationship with the United States must be international freedoms. As President Kennedy once stated: "The rights of every man are diminished when the rights of one man are threatened."

President Trump should heed President Kennedy's wise words and raise China's deplorable human rights record

with President Xi. Chinese authorities are intensifying human rights abuses and cracking down on civil society. According to the State Department's 2015 Human Rights Report on China: "Repression and coercion markedly increased during the year against organizations and individuals involved in civil and political rights advocacy and public interest and ethnic minority issues."

According to the State Department's 2015 International Religious Freedom Report on China: "Over this past year, there continued to be reports that the government physically abused, detained, arrested, tortured, sentenced to prison, or harassed adherents of both registered and unregistered religious groups for activities related to their beliefs and practices."

We simply cannot and will not accept this type of behavior from a nation that wants to be thought of as a genuine global partner of the United States. I believe that China's rise can only be peaceful and balanced with a vigorous U.S. presence in the Asia-Pacific region that is able to check Beijing's worst impulses.

Last May, while attending the Shangri-La Dialogue, I heard a tremendous amount of concern from the region's top leaders about U.S. presence in the Asia-Pacific region and our commitment to remaining engaged in this critical part of the world. The Trump administration is inheriting a flawed Asia rebalance policy from the previous administration, which was right in rhetoric but ultimately came up short in meaningful action. The new administration and the new Congress ushers in a new era of opportunities with regard to U.S. policy toward the Asia Pacific.

But despite the political changes in Washington, U.S. policy imperatives will remain the same. The Asia-Pacific region has been and will be crucial and critical to U.S. economic and national security interests for generations to come. By 2050, experts estimate that Asia will account for over half of the global population and half of the world's gross domestic product.

We cannot ignore the fundamental fact that this region is critical for the U.S. economy to grow and to create jobs through export opportunities. Last week, I held a committee hearing with Ambassador Bob Gallucci, former Ambassador to South Korea, and Congressman Randy Forbes, from Virginia, who was the chairman of some key committees as they dealt with Asia and our naval forces.

In Congressman Forbes' testimony, he also expressed the importance of this region, the Asia Pacific, in these terms: In the coming decades, this is the region where the largest armies in the world will camp. This is the region where the most powerful navies in the world will gather. This is the region

where over one-half of the world's commerce will take place and two-thirds will travel. This is the region where a maritime superhighway—transporting good or bad things—linking the Indian subcontinent, Southeast Asia, Australia, Northeast Asia, and the United States begins. This is the region where five of America's seven defense treaties are located. This is the region where two superpowers will compete to determine which world order will prevail. This is the region where the seeds of conflict that could most engulf the world will probably be planted.

This is why I am pursuing legislation called the Asia Reassurance Initiative Act, ARIA, a new approach that will put American interests first by reassuring our allies, deterring our adversaries, and securing U.S. leadership in the region for future generations.

The ARIA will pursue three broad goals.

First, it will strengthen U.S. security commitments to our allies and build partner capacity in the Asia Pacific to deter aggression, project power, and combat terrorism. To do so, the ARIA legislation will authorize funds to bolster U.S. military presence in the region, grow partner nation maritime capabilities to deter aggression in their territorial waters, and build new counterterrorism partner programs in Southeast Asia to combat the growing presence of ISIS and other terrorist organizations.

ARIA will also enshrine a policy of regularly enforcing U.S. freedom of navigation and overflight rights in the East and South China Seas.

We will reaffirm our longstanding treaty alliances with Australia, South Korea, and Japan, and call for building new regional security partnerships. We will unequivocally back our ally Taiwan, including authorizing new arms sales and providing for enhanced diplomatic contacts with Taipei.

Second, ARIA will promote diplomatic engagement and securing U.S. market access in the Asia Pacific region as essential elements for the future growth of the U.S. economy and success of American businesses. To do so, ARIA will also require that the Trump administration find new and innovative ways to economically engage the region. We will require the U.S. Government to enhance our trade facilitation efforts and increase opportunities for U.S. businesses to find new export markets in the Asia Pacific. U.S.-made exports to Asia will mean more good-paying American jobs at home, which is a great situation for this country.

Third, it will enshrine promotion of democracy, human rights, and transparency as key U.S. policy objectives in the Asia Pacific region, particularly in Southeast Asia. From Manila to

Rangoon, we should advocate for principled policies that emphasize accountability and transparency as indispensable elements of building any security or economic partnerships with the United States.

To inform this initiative, I have met with numerous key stakeholders in Congress and the administration. I am also holding a series of hearings in my subcommittee, the first of which took place last week.

I look forward to working with the Congress and all of our colleagues as we work to advance this initiative. I welcome the input of my colleagues as well.

There is no doubt that the rise of China over the last 30-plus years has been remarkable. China has lifted 500 million people from poverty since Premier Deng Xiaoping began his economic reforms in 1979, and it is now the second largest economy in the world. In that time, our relationship with China has emerged as perhaps the world's most important bilateral relationship, both from an economic and security perspective.

I believe that a mature, productive, and peaceful relationship with Beijing is in the national security and economic interests of the United States. For both nations, the importance of this relationship can make a significant difference for the world.

While the United States can and should seek to engage China, we must do so with a clear vision of what we want from Beijing, not just over the next 4 years but also over the next 40 years. So it is my sincere hope that President Trump leads with this sense of strategy and purpose when he meets President Xi later this week.

I know my colleague from Ohio has joined us, so I again want to express my appreciation to my colleague from Ohio for his leadership on a number of issues, including the opiate epidemic that has struck so many of our communities and States. It is so terrifying.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I want to thank my colleague from Colorado. He does chair a subcommittee that I am a part of. We had a great hearing last week, talking about China and the South China Sea issues, as he mentioned. We did talk about North Korea and the need for this summit between President Xi and President Trump to include a discussion of how China could be more constructive, including the possibility of additional sanctions on North Korea to try to get some sort of pressure on the North Koreans to do the right thing and back off their nuclear program.

We also talked about trade. To level the playing field, we need trade, particularly allowing U.S. companies to have the ability to do what Chinese

companies can do here in this country. And my colleague talked a little about that this evening.

I will say—because he mentioned the issue of opioids—there is another topic that I hope President Trump will raise with President Xi, and that is this issue of synthetic heroin being produced in China, which actually comes into our communities. In Denver, CO, or in Columbus, OH, we have through the mail system these poisons coming in, synthetic heroin coming through the mail from China.

We are told by law enforcement officials that most of these laboratories are in China. These are evil scientists in China who are making this incredibly potent, dangerous drug. It is 30 to 50 times more powerful than heroin. Three flakes of it can kill you. They are putting it into packages and sending it into our communities through the mail.

It is a topic that I hope comes up—in addition to the very important ones that my colleague has raised and we talked about in the hearing last week—which is: How do you get China to actually crack down on these laboratories? And how do you get them to schedule these drugs so that they are illegal in China, to ensure the inputs into the laboratories and the final drug itself?

By the way, the Chinese should have a strong interest in this because, I will guarantee you, there are people in China who are also becoming addicted to opioids because of this inexpensive, incredibly dangerous synthetic heroin that is being promoted by these Chinese scientists.

My hope is that this will be a successful summit and among the very important issues raised is this opioid issue, which is so important to our communities.

THE “DELTA QUEEN”

Mr. PORTMAN. Mr. President, I also wanted to talk briefly, if I could, about the legislation we just passed, S. 89. It has to do with the *Delta Queen*. The *Delta Queen* is a wooden ship that is very important to my community of Cincinnati. It is part of our Queen City heritage.

The boat was actually in Cincinnati during my childhood. From 1946 until 1985, it called Cincinnati home. It is a beautiful paddle wheeler, and people love to get on it and go down the Mississippi River.

It is no longer docked in Cincinnati, which is why the folks in Missouri were interested in this legislation tonight too. We just had a big vote, over 80 votes in favor of simply saying, for the first time since 2008: Let's allow people to spend the night on this boat and go overnight on this boat, despite the fact that there is legislation called the 1966 Safety at Sea law, which prohibits

wooden boats of a certain size from carrying overnight passengers. Let's make an exception here because the *Delta Queen* is willing to undergo the kind of renovations that are necessary to make it safe. It also requires new safety requirements for the *Delta Queen* going forward.

So I really appreciate the fact this vote was taken tonight. It is about a treasured part of our history. It is also about the economy because it will produce tourism and economic advancements all along the river everywhere the river stops, including in my hometown of Cincinnati. We are going to welcome the *Delta Queen* back if this legislation can be enacted into law.

It is now going over to the House. It is in committee there. We hope that the House will do as the Senate did tonight and pass this legislation.

This is my button. It says “Save the Delta Queen,” which I am not going to wear on the floor of the Senate because of the rules. It doesn't mean I don't care.

I thank my colleagues tonight for helping us to be able to get this legislation through.

NOMINATION OF ELAINE DUKE

Mr. PORTMAN. Mr. President, I want to talk briefly about a nomination that is coming before us this week. This is for Elaine Duke to be the Deputy Homeland Security Secretary.

This is an incredibly important job. Some of you remember the Homeland Security Department was made up of about 23 different departments and agencies coming together. It is a huge management challenge. The key job of the Deputy Secretary is to try to manage all of that.

We are very fortunate that Elaine Duke is willing to step forward and take on this responsibility. My hope is that we will have a bipartisan vote here on the floor of the Senate for her confirmation and that we do it quickly this week because they need her there.

She came before our Committee on Homeland Security and Governmental Affairs last month. We had a very productive hearing. I had the honor of introducing her to the committee because she has Ohio roots. We are very proud of those Ohio roots.

She has had a long, distinguished career all across the country in the Federal Government, but she still calls Ohio home, and much of her family continues to reside in Ohio. Her dad, Frank Costanzo, is a first-generation American who still lives in Cleveland, OH. I have also known her uncle, Dominick Costanzo, for over 25 years. He is a friend and a neighbor. Boy, he is very proud of his niece, as is her whole family.

This family has instilled in her a midwestern work ethic that you see in the great work she has done for the

Federal Government over the past 28 years. She has worked as a senior member of various administrations. We are really fortunate that she is willing to now continue to serve.

She started her career as a GS-7 contract specialist for the U.S. Air Force. Over the next 28 years, she assumed bigger and bigger responsibilities in the Air Force, the Navy, the Federal Railroad Administration, the Smithsonian, and finally, the Department of Homeland Security.

In 2008, she was confirmed unanimously by this Senate to serve as the Under Secretary for Management at DHS. In this latest role, she, of course, was a key member of the DHS leadership team for both Secretary Chertoff and Secretary Napolitano, and they strongly support her.

She has earned a reputation for being an expert on issues of contracting, on acquisitions, on procurement, on property management, on organizational change, and on human resources. All of these, as I said earlier, are key issues right now at the Department of Homeland Security, so she will help it to be managed better, which will protect all of us.

Serving in these administrations—both Republican and Democrat—she did earn the respect of folks from both sides of the aisle. I find it interesting that all five previously confirmed DHS Deputy Secretaries have unanimously and strongly recommended her confirmation—all five of the previously confirmed ones. They said in their letter:

Elaine is extraordinarily well-qualified to serve in the position for which she has now been nominated. . . . Elaine knows DHS. She has been a senior leader at DHS under two presidents. She sets an unwavering standard of excellence for all who consider themselves committed to public service.

I look forward to having this vote. I hope we will have resounding support on a bipartisan basis for the nomination.

Secretary Kelly is doing a good job. General Kelly has an incredibly distinguished career. We are fortunate that he has stepped up as Secretary also. He needs her. He needs his deputy in place to help him run the Department, and the men and women serving in DHS today need her on the job.

Mr. President, I yield the floor.

MAIN STREET FAIRNESS ACT

Ms. COLLINS. Mr. President, I wish to speak in support of the Main Street Fairness Act, which will help to create tax parity for passthrough companies, the significant majority of which are small businesses. I was very pleased to be joined by my friend and colleague from Florida, Senator NELSON, in introducing this bipartisan bill.

Small businesses are our Nation's job creators. According to the Small Busi-

ness Administration, small businesses employ more than half of all workers and have generated two-out-of-three net new jobs since the 1970s.

Small businesses also make an outsized contribution to our Nation's economy, generating half of our Nation's GDP, 54 percent of all U.S. sales, 41 percent of private sector payroll, and one-third of our Nation's export value. Their success is critical to the health of our economy.

Unfortunately, our Nation's small businesses face a higher tax burden that affects their ability to compete with large firms in the marketplace. In fact, a recent survey by the National Federation of Independent Business, NFIB, found that concerns about Federal taxes on business income ranked third on the list of the top 10 problems facing small businesses.

Nearly all of our Nation's small businesses are organized as passthroughs, meaning that their profits are passed on to their owners and reported on individual income tax returns. This means that small business income is subject to taxation at individual rates, which can be as high as 39.6 percent at the Federal level and can exceed 50 percent in some States. If we want our small businesses to grow and create jobs, we must reduce these high marginal rates.

I believe Congress should undertake comprehensive tax reform to make our Tax Code simpler, fairer, and more pro-growth. As we do so, we must make sure American businesses of every size are given the opportunity to compete. Aligning the tax rate for passthroughs with our corporate tax rate will ensure small businesses are not left behind. That is why Senator NELSON and I introduced the Main Street Fairness Act, which will link the tax rates of passthrough entities and large corporations, to ensure that small businesses never pay a higher tax rate than large companies.

This simple change will help make sure that small businesses remain healthy and strong, so they can continue to serve as our Nation's job creators, as they have for so many years. I would note that the Main Street Fairness Act has been endorsed by the NFIB, the leading voice for America's small businesses, and I urge my colleagues to join us in supporting it.

I ask unanimous consent to have a letter of endorsement from the NFIB printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL FEDERATION OF
INDEPENDENT BUSINESS,
Washington, DC, April 3, 2017.

Hon. SUSAN COLLINS,
U.S. Senate, Dirksen Senate Office Building,
Washington, DC.

Hon. BILL NELSON,
U.S. Senate, Hart Senate Office Building,
Washington, DC.

DEAR SENATORS COLLINS AND NELSON: On behalf of the National Federation of Independent Business (NFIB), the nation's leading small business advocacy organization, we write in strong support of S. 707—The Main Street Fairness Act. This legislation would reduce taxes on pass-through businesses and make them more competitive, and ensure that all businesses, large and small alike, compete on a level playing field going forward.

The vast majority of small businesses are organized as pass-through entities, which pay tax on business income at the individual tax rates, which are currently as high as 39.6 percent, and not at the corporate tax rate, which is currently as high as 35 percent. Such entities include any company organized as a sole proprietorship, partnership, LLC, or S-Corporation. The Main Street Fairness Act would ensure that those passthrough businesses never pay a higher tax rate than businesses organized as C-Corporations, and immediately reduce the tax rate on pass-through businesses currently paying more than 35 percent.

Small businesses are the major source of growth and job creation in our economy. In fact, according to the Small Business Administration (SBA), small businesses account for 64 percent of the net new private sector jobs created in America and make up 99.7 percent of U.S. employer firms. The high tax burden currently facing small businesses holds back investments, growth, hiring, and entrepreneurship. One in five small businesses struggles with cash-flow, which is needed to not only run their businesses but also support their families. Specifically, after-tax income is an especially important source of capital for small businesses. High tax rates mean less money that small business owners have to reinvest back into their business.

Because of this, small businesses strongly support tax reform that simplifies the tax code, lowers tax rates on businesses, and promotes economic growth. The Main Street Fairness Act will help ensure that all businesses, regardless of how they organize, enjoy the benefits of any reduction in tax rates that would be included in tax reform. We appreciate your continued leadership on this key issue and look forward to working with you as Congress considers tax reform.

Sincerely,

JUANITA D. DUGGAN,
President & CEO.

Mr. NELSON. Mr. President, today I want to join my friend SUSAN COLLINS and talk about why I support the Main Street Fairness Act. I am glad to partner on this bill with the Senator from Maine.

The bill does one simple thing: It ensures small businesses don't have to pay higher taxes than the largest corporations. This is the type of common sense that we need more of in Washington.

There are 2.3 million small businesses in Florida, employing around 43.2 percent of the State's workforce. They are the primary engine of job growth in the

country, and are a proven means for economic mobility.

Under most circumstances, small businesses are subject to the same rules as large corporations but are treated differently under the Tax Code. They already have a hard enough time competing with large multinational corporations, which can hire an endless stream of high-priced tax lawyers to shift their income abroad and avoid U.S. taxes.

We should be doing all we can to put small businesses on a more level playing field. Part of that starts with this bill, but it doesn't end here. We need to do comprehensive tax reform.

This bill should be part of that conversation, as one way we could help small businesses. It is not the only way, and I am certainly open to other ideas, but we need to have a serious talk about how we are going to freshen up the Tax Code and help the economy grow.

I know a lot of my colleagues have different ideas about what tax reform should look like, but I think we should all be able to agree that it needs to be real reform, not just a temporary tax cut. It needs to support a technology-driven economy and help us transition to a greener, fairer economy—with a lot less disparity.

Tax reform should also generate enough added revenue to pay for the infrastructure we desperately need. That includes the crumbling roads and bridges that threaten the safety of millions of Americans and are a tax on small businesses. We also need to invest in our water infrastructure, energy infrastructure, ports, railways, public schools, and affordable housing infrastructure.

At the same time, tax reform needs to be deficit neutral. You might ask, how are we going to pay for all this? Well, we can start by getting rid of outdated special interest tax breaks that are no longer needed or don't make sense in the 21st century.

We can also eliminate tax loopholes that allow companies to shift profits abroad and lead to corporate inversions.

This bill, the Main Street Fairness Act, is a good start, but it shouldn't end here. We need to have a serious, deliberative effort to develop a bipartisan tax reform package.

TRIBUTE TO WAYNE KINNEY

Mr. WYDEN. Mr. President, today I wish to commemorate the retirement of my friend Wayne Kinney.

Wayne is retiring as my central Oregon field representative after more than two decades of outstanding service to our State—and more specifically serving at one point or another the residents of Baker, Crook, Deschutes, Gilliam, Grant, Harney, Hood River, Jefferson, Klamath, Lake, Malheur,

Morrow, Sherman, Umatilla, Union, Wallowa, Wheeler, and Wasco Counties.

Suffice to say, Wayne knows everyone, and most of those folks could spend hours recounting their own tales of this quintessential public servant.

Simply put, he will be deeply missed.

But before Wayne takes his well-deserved retirement to his native New England—where he can be nearer to family and maintain closer supervision of his beloved Boston Red Sox and New England Patriots—I want to share my personal appreciation for this exemplary public servant, all-around good guy, and wonderfully avuncular curmudgeon.

Wayne can forever lay claim to a significant piece of Oregon history. He opened Oregon's first Senate field office east of the Cascades shortly after I first took office in 1996.

Wayne opened and ran my eastern Oregon office in La Grande before moving to Bend.

In his service to Oregonians, he has put more miles than anybody I know on Oregon roads, at all hours, in all kinds of weather, to towns where there often are more cows than people.

Wayne's fierce sense of loyalty and commitment to public service has driven him to cover all the ground he has over the years from Wasco to Wagontire, Ontario to Olene, Joseph to John Day, Bend to Burns, Madras to Mitchell, and all points in between.

That loyalty extends to the rural communities he serves and the Oregonians in those communities who might not otherwise have a voice.

Wayne always keeps the door open for cattlemen, farmers, and countless others who often feel the government is removed from their struggles.

It is Wayne's ability to reach out and make connections with all of those folks that played such a large part in ensuring "every nook and cranny" in Oregon gets a voice.

Wayne is not just a champion in general for rural Oregon communities. He has also proven to be an able advocate for creating opportunities for rural women that allows them to bring their voices into statewide discussions.

Let me tell a couple of anecdotes about Wayne to provide a glimpse into this wonderful character—and all that he has meant to Oregon.

For my colleagues who have not been to central and eastern Oregon, I would only note that the distances between towns can be great, but Wayne never let those long drives be a roadblock.

In fact, his goal was to be anywhere and everywhere. He achieved that goal by—I believe in his words—making sure that, if anybody was so much as dedicating a new soda machine, he would be there to put in the first dollar.

Just as great at times as the challenges of distance in his area are the weather challenges. Again, Wayne never let that be a roadblock.

I remember well flying into rural Condon, OR, for a townhall in the snow, and who should I see with the local police chief sweeping the runway of snow? Wayne.

It has been said by some that there is an unbridgeable urban-rural divide in Oregon. I know from more than 800 townhalls in every part of Oregon, that is untrue.

In fact, I have come to use the term "the Oregon way" to describe how it is in our State's DNA to put aside partisanship in favor of civil conversations to find the best solutions.

Among the many tributes in recent days in Oregon to my friend, I was struck by something I read about Wayne that captures how he "lived and breathed" the Oregon way.

On Wayne's Facebook page recently, a Republican posted this powerful praise: "Had lunch today with a good friend. Politically, Wayne and I are polar opposites. He is a Democrat, an officer with the Oregon Democratic Party and staff member with Senator Wyden, and I have served on the Executive Committee of the Oregon Republican Party, as well as County Central Committee Chairman. Over the years, we have had some great discussions, even disagreements about some very important issues, but we have handled our disagreements respectfully and remained friends. Wayne has announced his retirement and is also leaving our great state to move back east so he can be near family. The Oregon Democrats, and Senator Wyden are losing a tremendous asset, and a great leader of their Party."

Oregon truly is losing a tremendous asset, and so am I.

I will miss Wayne tremendously, but I take heart that his work will live on in the issues he has resolved for Oregon and the relationships he has deepened among Oregonians.

As Wayne begins his well-earned retirement, he has my eternal gratitude, and he has Oregon's.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Ridgway, one of his secretaries.

PRESIDENTIAL MESSAGE

REPORT RELATIVE TO PRINCIPLES FOR REFORMING THE MILITARY SELECTIVE SERVICE PROCESS—PM 5

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Armed Services:

To the Congress of the United States:

I transmit herewith Principles for Reforming the Military Selective Service Process, in accordance with section 555 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328), which calls for the President to establish principles for reform of the military selective service process in support of the National Commission on Military, National, and Public Service.

DONALD J. TRUMP.
THE WHITE HOUSE, April 3, 2017.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1161. A communication from the Chief of Staff, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Connect America Fund; Universal Service Reform—Mobility Fund" ((WC Docket No. 10-90, WT Docket No. 10-208) (FCC 17-11)) received in the Office of the President of the Senate on March 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1162. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Mullin, Texas)" ((MB Docket No. 16-362) (DA 17-237)) received in the Office of the President of the Senate on March 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1163. A communication from the Director of Congressional Affairs, Office of New Reactors, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Functional Design, Qualification, and Inservice Testing Programs for Pumps, Valves, and Dynamic Restraints" (NUREG-0800, Section 3.9.6) received in the Office of the President of the Senate on March 29, 2017; to the Committee on Environment and Public Works.

EC-1164. A communication from the Director of Congressional Affairs, Office of New Reactors, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Control Rod Drive Systems" (NUREG-0800, Section 3.9.4) received in the Office of the President of the Senate on March 29, 2017; to the Committee on Environment and Public Works.

EC-1165. A communication from the Director of Congressional Affairs, Office of New Reactors, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Dynamic Testing and Analysis of Systems, Structures, and Components" (NUREG-0800, Section 3.9.2) received in the Office of the President of the Senate on March 29, 2017; to the Committee on Environment and Public Works.

EC-1166. A communication from the Director of Congressional Affairs, Office of New Reactors, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Reactor Pressure Vessel Internals" (NUREG-0800, Section 3.9.5) received in the Office of the President of the Senate on March 29, 2017; to the Committee on Environment and Public Works.

EC-1167. A communication from the Director of Congressional Affairs, Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Safety Evaluation by the Office of Nuclear Reactor Regulation License Renewal Appendix A for 'BWRVIP-241: BWR Vessel and Internals Project, Probabilistic Fracture Mechanics Evaluation for the Boiling Water Reactor Nozzle-to-Vessel Shell Welds and Nozzle Blend Radii,' and 'BWRVIP-108NP: BWR Vessel and Internals Project, Technical Basis for the Reduction of Inspection Requirements for the Boiling Water Reactor Nozzle-to-Vessel Shell Weld and Nozzle Blend' Project No. 704" (BWRVIP-241, appendix A and BWRVIP-108NP) received in the Office of the President of the Senate on March 29, 2017; to the Committee on Environment and Public Works.

EC-1168. A communication from the Chairman of the Federal Deposit Insurance Corporation, transmitting, pursuant to law, the Corporation's fiscal year 2016 report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1169. A communication from the General Counsel, Government Accountability Office, transmitting, pursuant to law, the Office's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1170. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Internal Control Weaknesses Found in Marion S. Barry Summer Youth Employment Program"; to the Committee on Homeland Security and Governmental Affairs.

EC-1171. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "DCHD Should Improve Management of the Housing Production Trust Fund to Better Meet Affordable Housing Goals"; to the Committee on Homeland Security and Governmental Affairs.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. GRASSLEY for the Committee on the Judiciary.

Neil M. Gorsuch, of Colorado, to be an Associate Justice of the Supreme Court of the United States.

Rod J. Rosenstein, of Maryland, to be Deputy Attorney General.

Rachel L. Brand, of Iowa, to be Associate Attorney General.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LEE (for himself, Mr. ALEXANDER, Mr. BLUNT, Mrs. CAPITO, Mr.

CORNBYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. FLAKE, Mr. HATCH, Mr. JOHNSON, Mr. KENNEDY, Mr. MCCONNELL, Mr. PERDUE, Mr. RISCH, Mr. ROUNDS, Mr. SCOTT, Mr. TOOMEY, Mr. UDALL, and Mr. WICKER):

S. 801. A bill to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN (for himself, Mr. BOOKER, Mr. PORTMAN, Mr. MENENDEZ, Mr. GRAHAM, and Mr. SCOTT):

S. 802. A bill to award a Congressional Gold Medal in honor of Lawrence Eugene "Larry" Doby in recognition of his achievements and contributions to American major league athletics, civil rights, and the Armed Forces during World War II; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. REED (for himself and Mr. GRASSLEY):

S. 803. A bill to amend the Internal Revenue Code of 1986 to deny tax deductions for corporate regulatory violations; to the Committee on Finance.

By Mr. HELLER (for himself and Mrs. MURRAY):

S. 804. A bill to improve the provision of health care for women veterans by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SANDERS:

S. 805. A bill to impose a tax on certain trading transactions to invest in our families and communities, improve our infrastructure and our environment, strengthen our financial security, expand opportunity and reduce market volatility; to the Committee on Finance.

By Mr. SANDERS (for himself, Ms. HARRIS, Ms. WARREN, Mr. BLUMENTHAL, Mr. MURPHY, and Mrs. GILLIBRAND):

S. 806. A bill to amend the Higher Education Act to ensure College for All; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CARDIN (for himself, Mr. RUBIO, Mr. KAINE, Mr. YOUNG, and Mr. MENENDEZ):

S. Res. 108. A resolution reaffirming the commitment of the United States to the United States-Egypt partnership; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 89

At the request of Mrs. McCASKILL, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 89, a bill to amend title 46, United States Code, to exempt old vessels that only operate within inland waterways from the fire-retardant materials requirement if the owners of such vessels make annual structural alterations to at least 10 percent of the areas of the vessels that are not constructed of fire-retardant materials and for other purposes.

S. 175

At the request of Mr. MANCHIN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 175, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 178

At the request of Mr. GRASSLEY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 178, a bill to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases.

S. 198

At the request of Mr. RUBIO, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 198, a bill to require continued and enhanced annual reporting to Congress in the Annual Report on International Religious Freedom on anti-Semitic incidents in Europe, the safety and security of European Jewish communities, and the efforts of the United States to partner with European governments, the European Union, and civil society groups, to combat anti-Semitism, and for other purposes.

S. 324

At the request of Mr. HATCH, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 324, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 339

At the request of Mr. NELSON, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 339, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 382

At the request of Mr. MENENDEZ, the names of the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Washington (Ms. CANTWELL) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 382, a bill to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters.

S. 407

At the request of Mr. CRAPO, the names of the Senator from Indiana (Mr. DONNELLY) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 407, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 413

At the request of Mrs. CAPITO, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 413, a bill to amend title XVIII of the Social Security Act to prohibit prescription drug plan sponsors and MA-PD organizations under the Medicare program from retroactively reducing payment on clean claims submitted by pharmacies.

S. 430

At the request of Mr. COTTON, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 430, a bill to provide for compliance enforcement regarding Russian violations of the Intermediate-Range Nuclear Forces (INF) Treaty, and for other purposes.

S. 445

At the request of Ms. COLLINS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 445, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 473

At the request of Mr. TESTER, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 473, a bill the amend title 38, United States Code, to make qualification requirements for entitlement to Post-9/11 Education Assistance more equitable, to improve support of veterans receiving such educational assistance, and for other purposes.

S. 540

At the request of Mr. THUNE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 540, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 544

At the request of Mr. TESTER, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 544, a bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes.

S. 583

At the request of Mr. CORNYN, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Delaware (Mr. COONS), the Senator from Arkansas (Mr. COTTON), the Senator from North Dakota (Ms. HEITKAMP), the Senator from West Virginia (Mr. MANCHIN), the Senator from Alaska (Mr. SULLIVAN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 583, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds to hire veterans as career law enforcement officers, and for other purposes.

S. 593

At the request of Mrs. CAPITO, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 593, a bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States.

S. 616

At the request of Mr. GRASSLEY, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 616, a bill to amend section 721 of the Defense Production Act of 1950 to include the Secretary of Agriculture and the Secretary of Health and Human Services as members of the Committee on Foreign Investment in the United States and to require the Committee to consider the security of the food and agriculture systems of the United States as a factor to be considered when determining to take action with respect to foreign investment, and for other purposes.

S. 623

At the request of Mr. RUBIO, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 623, a bill to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes.

S. 655

At the request of Mr. RISCH, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 655, a bill to exempt certain 16- and 17-year-old individuals employed in logging operations from child labor laws.

S. 681

At the request of Mr. TESTER, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to improve the benefits and services provided by the Department of Veterans Affairs to women veterans, and for other purposes.

S. 692

At the request of Mrs. FISCHER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 692, a bill to provide for integrated plan permits, to establish an Office of the Municipal Ombudsman, to promote green infrastructure, and to require the revision of financial capability guidance.

S. 733

At the request of Ms. MURKOWSKI, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 733, a bill to protect and enhance opportunities for recreational

hunting, fishing, and shooting, and for other purposes.

S. 751

At the request of Mr. WARNER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 751, a bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.

S. 774

At the request of Ms. HEITKAMP, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 774, a bill to address the psychological, developmental, social, and emotional needs of children, youth, and families who have experienced trauma, and for other purposes.

S. 792

At the request of Mr. TILLIS, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 792, a bill to amend the Immigration and Nationality Act to establish an H-2B temporary non-agricultural work visa program, and for other purposes.

S. 796

At the request of Mr. WARNER, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 796, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided education assistance to employer payments of student loans.

S.J. RES. 11

At the request of Mr. BARRASSO, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S.J. Res. 11, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Bureau of Land Management relating to "Waste Prevention, Production Subject to Royalties, and Resource Conservation".

S. RES. 54

At the request of Mr. BLUMENTHAL, the names of the Senator from Virginia (Mr. Kaine) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. Res. 54, a resolution expressing the unwavering commitment of the United States to the North Atlantic Treaty Organization.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself and Mr. GRASSLEY):

S. 803. A bill to amend the Internal Revenue Code of 1986 to deny tax deductions for corporate regulatory violations; to the Committee on Finance.

Mr. REED. Mr. President, today I am reintroducing, along with Senator GRASSLEY, the Government Settlement

Transparency and Reform Act. This bill closes a loophole in the Tax Code that allows corporations to claim tax writeoffs for payments made at the direction of the government to settle investigations into illegal and abusive corporate behavior.

Corporations accused of illegal activity routinely settle out of court with government agencies because it allows all parties to avoid the time, expense, and uncertainty of going to trial. While there is nothing wrong with settlements that correct wrongful corporate practices and compensate for the resulting harm caused by a corporation, the Tax Code often permits offending companies to claim a business tax deduction for any portion of a settlement that is not paid directly to the government as a penalty or fine for a violation of the law. The Tax Code on this point is vague, and big businesses exploit this by characterizing settlement penalties as tax-deductible business expenses.

Illegal corporate behavior is not an ordinary business activity, and it shouldn't be subsidized by taxpayers. Yet, according to a 2015 study by U.S. Public Interest Research Group, PIRG, corporate settlements over a single 3-year period totaled nearly \$80 billion, and corporations could claim business deductions for at least \$48 billion of that amount. Moreover, there is no consistent, transparent way to track how these settlements can and will be treated by businesses for tax purposes.

The Reed-Grassley bill addresses these problems by amending the Tax Code to require the government and the settling party to reach clear agreements on how settlement payments should be treated for tax purposes. It also clarifies which settlement payments are punitive and therefore non-deductible. It increases transparency by requiring the government to file a return at the time of settlement that accurately states the tax treatment of amounts to be paid by offending businesses. Last Congress, it was estimated that this legislation would raise \$218 million in revenue over a ten-year budget window.

When a major corporate scandal breaks national news, Rhode Islanders and all Americans deserve to know that Federal regulators are protecting their interests by handing down punishments that deter future illegal and abusive business practices. That deterrent effect is undermined if corporations can claim a deduction for any penalty and build the cost of breaking the law into their business models.

I want to thank Senator GRASSLEY for working with me again on this legislation and for being a champion for reform in this area. I urge our colleagues to join us by cosponsoring this legislation and seeking its passage.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 108—RE-AFFIRMING THE COMMITMENT OF THE UNITED STATES TO THE UNITED STATES-EGYPT PARTNERSHIP

Mr. CARDIN (for himself, Mr. RUBIO, Mr. KAINE, Mr. YOUNG, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 108

Whereas after almost four decades of close cooperation, the United States-Egypt partnership has been built on shared objectives and interests with enduring bipartisan support in Congress;

Whereas the Government and people of Egypt play a critical role in global and regional politics;

Whereas the United States-Egypt partnership is vital for the peace, stability, and prosperity of the Middle East;

Whereas Egypt has been an intellectual and cultural center of the Arab world, and continues to be an important country based on its geography, demography, and historic leadership role;

Whereas Egypt remains one of the top recipients of United States foreign assistance worldwide, having received \$77,000,000,000 in bilateral foreign aid from the United States, including \$1,300,000,000 per year in military aid;

Whereas Egypt's 1979 peace treaty with Israel remains one of the most significant diplomatic achievements for the promotion of Arab-Israeli peace;

Whereas for almost forty years, Egypt, Israel, and the United States have collaborated to counter terrorism, prevent illicit smuggling, and enhance regional stability;

Whereas the United States has welcomed Egypt's participation in the Global Coalition to Counter ISIS;

Whereas Egypt and the United States held a Strategic Dialogue in Cairo, Egypt on August 2, 2015, based on the shared commitment to deepen the bilateral relationship;

Whereas Egypt can play an important role in facilitating negotiated settlements to end the conflicts in Libya, Syria, and Yemen, restarting the Middle East Peace Process, and defeating ISIS;

Whereas the Egyptian people continue to be the victims of heinous terrorist attacks, including the December 11, 2016, ISIS bombing of the Saint Mark's Coptic Orthodox Cathedral, which killed 28 people including women and children;

Whereas the Government of Egypt reached an agreement with the International Monetary Fund in November 2016 to take important steps toward economic stabilization, such as liberalizing its foreign exchange system and reducing costly fuel subsidies;

Whereas President Abdel Fattah el-Sisi, in a televised interview on September 16, 2016, said that he is very committed to preserving human rights in Egypt and that Egypt will not return to tyranny;

Whereas the Department of State's 2016 Country Reports on Human Rights Practices notes, with respect to Egypt, that—

(1) "[t]he most significant human rights problems were excessive use of force by security forces, deficiencies in due process, and the suppression of civil liberties";

(2) "[t]here were numerous reports that the government [of Egypt] or its agents committed arbitrary or unlawful killings while

making arrests or holding persons in custody”;

(3) “[c]onditions in the prisons and detention centers were harsh and potentially life-threatening due to overcrowding, physical abuse, inadequate medical care, poor infrastructure, and poor ventilation”; and

(4) “[s]everal international and local human rights groups . . . reported a spike in enforced disappearances [in Egypt], alleging authorities increasingly relied on this tactic to intimidate critics”;

Whereas credible local organizations estimate that thousands of people are detained solely for political reasons in Egypt, including for peacefully protesting or calling for a change in government;

Whereas in March 2017, President el-Sisi pardoned 203 prisoners many of whom had been jailed for taking part in protests;

Whereas United States citizen Aya Hijazi, her husband Mohammed Hassanein, and other members of the Belady Foundation have been unjustly imprisoned in Egypt since May 2014;

Whereas the Parliament of Egypt’s passage of legislation restricting the work of non-governmental organizations undermines Egypt’s stated commitment to protecting constitutionally guaranteed rights and to furthering Egypt’s democratic transition;

Whereas the media is regularly harassed by Egyptian authorities and Egypt was the world’s third-highest jailer of journalists in 2016, according to the Committee to Protect Journalists;

Whereas respect for democracy, inclusive governance, human rights, and civil liberties have been core pillars of United States foreign policy since at least the 1970s;

Whereas Egypt will ensure its security, economic prosperity, and transition to democracy by protecting the constitutionally guaranteed rights of all Egyptians;

Whereas the last official visit to the United States by an Egyptian head of state was in August 2009;

Now, therefore, be it

Resolved, That the Senate—

(1) welcomes Egyptian President Abdel Fattah el-Sisi to the United States;

(2) expresses hope that President el-Sisi’s visit will open a new chapter in United States-Egyptian relations as both sides pledge to work toward greater cooperation based on shared interests and values;

(3) acknowledges the central and historic importance of the United States-Egypt partnership in advancing the common interests of both countries;

(4) hopes that President el-Sisi will highlight in public statements the value of ties between the United States and Egypt;

(5) recognizes that Egypt faces legitimate security threats and expresses condolences for the loss of life suffered by the Egyptian people in attacks by violent extremist organizations;

(6) stands with the Egyptian people as they confront violent extremism and threats on land and sea borders;

(7) appreciates Egypt’s regional role as a partner and mediator;

(8) recognizes the necessity for Egypt’s leaders to take steps toward genuine political reform that prioritizes human rights, fundamental freedoms, and the rule of law;

(9) demands the immediate release of unjustly imprisoned American citizens, including Aya Hijazi, who has been detained in Egypt since May 2014 on unsubstantiated charges;

(10) demands an immediate end to the harassment and interference in the operations of independent civil society and media organizations in Egypt, including the closure of Case 173 and the revision of Egypt’s non-governmental organization law in accordance with international best practices;

(11) encourages the United States and Egypt to increase cooperation—

(A) to combat terrorism in a manner consistent with international human rights law;

(B) to promote principles of good governance; and

(C) to ensure respect for the universal rights of the Egyptian people;

(12) reaffirms the commitment of the United States to support the Government of Egypt with assistance, training, and other resources as it combats terrorism, addresses security in the Sinai Peninsula, and enhances Egypt’s border security and maritime security while recognizing the need to monitor security assistance to ensure accountability and due process of law;

(13) clarifies that any proposed restructuring of United States assistance to Egypt, which is subject to the approval of Congress, will take into account progress on meaningful political reform, human rights, and fundamental freedoms;

(14) congratulates the Egyptian government on their engagement with the International Monetary Fund and their difficult, but necessary, steps to stabilize the economy;

(15) supports Egypt’s economic reform efforts;

(16) calls on the United States Government to develop a new strategy for joint efforts—

(A) to bolster trade between the United States and Egypt and investment in the Egyptian private sector;

(B) to combat corruption; and

(C) to promote higher education; and

(17) urges the President of the United States and the Secretary of State to engage the Egyptian Government on new ways to advance the bilateral relationship economically, militarily, diplomatically, and through cultural exchanges, while ensuring respect for the universal rights of the Egyptian people.

AUTHORITY FOR COMMITTEES TO MEET

Mr. FLAKE. Mr. President, I have one request for a committee to meet during today’s session of the Senate. It has the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committee is authorized to meet during today’s session of the Senate:

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate, on April 3, 2017, at 10 a.m., in SH-216 of the Hart Senate Office Building.

The PRESIDING OFFICER. The majority leader.

ORDERS FOR TUESDAY, APRIL 4, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, April 4; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate resume executive session to consider the nomination of Elaine Duke, with the time until 12 noon equally divided in the usual form; further, that at 12 noon, the Senate vote on confirmation of the Duke nomination with no intervening action or debate; finally, that following the disposition of the Duke nomination, the Senate recess until 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:02 p.m., adjourned until Tuesday, April 4, 2017, at 10 a.m.

HOUSE OF REPRESENTATIVES—Monday, April 3, 2017

The House met at noon and was called to order by the Speaker pro tempore (Mr. DENHAM).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 3, 2017.

I hereby appoint the Honorable JEFF DENHAM to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

SQUARING RHETORIC WITH THE BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. COURTNEY) for 5 minutes.

Mr. COURTNEY. Mr. Speaker, perhaps the most powerful moment on Inauguration Day when the President gave his speech was when he reminded his supporters and the people who were assembled there that there were too many in America who were forgotten by the Federal Government; and that it was his promise that he would, in fact, remember them in terms of how he developed policies and programs during his time as President. It is a message which obviously he used quite effectively on the campaign trail. I think personally it is what propelled him into the White House.

Fast forward to where we are today, Mr. Speaker. It is hard to really square that rhetoric with the budget, which was submitted a couple of weeks ago by the Trump administration. The one agency which probably has the closest connection to rural America, that part of the country which he was addressing in his comments on Inauguration Day,

the U.S. Department of Agriculture, was cut by 20 percent in terms of what came over from the White House.

Again, that was the third largest hit of any Federal agency of the entire Federal Government, the U.S. Department of Agriculture. It does so much in terms of helping farmers, small town America, and rural America in terms of dealing with the challenges which, again, I think, were just a huge, powerful undercurrent in last November's election.

In particular, the budget proposes eliminating completely the USDA Rural Development for drinking water and wastewater programs, which, again, for so many communities, is desperately needed.

Again, the property tax base of small town and rural towns across the country really cannot, by themselves, pay for sewer plants, pay for drinking water upgrades. I know because I come from one of those districts.

Even in Connecticut, the eastern half of the State, the Second Congressional District is small town, rural America for which the USDA Rural Development programs have been the lifeblood of making sure that community facilities and, again, a decent quality of life are possible.

So, for example, in towns like Vernon, Connecticut, where I am from, the Bolton Lake sewer plant was just finished a couple of years ago through USDA Rural Development. In the town of Putnam, \$28 million over just the last couple of years, they just built a new fire station, the north Putnam fire station, with USDA Rural Development.

Stafford, Connecticut, there was a sewer plant upgrade. Windham, Connecticut, there was a new community health facility, which was a community facilities program, through USDA Rural Development. There were projects in Thompson, Connecticut, \$2.4 million for water and sewer; Brooklyn, Connecticut, \$1.3; Killingly, and the list goes on and on.

This budget, let's be clear, doesn't just give this program a little haircut or tailor it back. It eliminates it. It eviscerates this type of help which, again, rural communities, with their own resources, are incapable of accomplishing on their own.

Mr. Speaker, a budget is more than just a collection of numbers. It is a statement of your priorities. It is about what is important to you as an executive or as a legislator, and this budget fails that test for rural Amer-

ica, for the forgotten Americans which the President addressed on Inauguration Day.

I am confident that, in this Chamber, there is potential for a bipartisan group of Members to push back on this type of really just backwards budgeting and backwards priority.

Again, in terms of what my father told me a long time ago: Talk is cheap. Put your money where your mouth is. Put your budget where your rhetoric is.

On that score, this administration has failed that test. It has also failed it with the Sea Grant program for fishermen in America. Again, 90 percent of seafood that is consumed in this country is from overseas.

Even though we are a great maritime country, the Sea Grant program helps fishermen deal with all the complexity of the maritime domain in terms of regulations. I have seen it in Connecticut.

Again, my district borders on Long Island Sound. We have seen shellfish growers coming back to life because of the Sea Grant program administered through the University of Connecticut Avery Point Campus that has given these really hardworking, inspiring entrepreneurs the tools that they need to again give America a domestic seafood industry. It is just ridiculous when you look at the disproportion of imported seafood that is consumed on the tables of Americans all across the country.

Later today, 100 House Members, on a bipartisan basis, will be releasing a letter of support for the Sea Grant program. Congressman ZELDIN, Republican from Long Island, and myself led that letter. Again, this is where our focus ought to be in terms of this country.

If you really care about making America great again, it is about giving people out there in the great heartland and in the coastal sections of this country the tools that they need to grow, thrive, innovate, and succeed. This budget fails that test.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 6 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WESTERMAN) at 2 p.m.

PRAYER

Reverend Dr. Dan C. Cummins, Skyline Wesleyan Church, San Diego, California, offered the following prayer:

Almighty God and Father, how good and pleasant it is for brethren to dwell together in unity. It is like sweet perfume upon our heads.

Let us walk together in the vocation wherewith we are called, with all lowliness and meekness, forbearing one another in love, keeping the unity of the spirit in the bonds of kindness, till we all come into the harmony of faith and the knowledge of God's Son unto a more perfect union, till we are no longer children tossed and carried about by every wind of opposition.

Let us speak the truth in love that we may grow up into You in all things. Sanctify us, Lord, through the truth. Thy Word is truth.

And the glory You have given us; for what purpose, O God? That we may be one? Yes, that we all may be one.

I pray this in Jesus' name.
Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

CONGRATULATING GAMECOCKS,
NATIONAL CHAMPIONS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, last night, the Gamecocks women's basketball team made history, winning the NCAA National Championship for the first time in school history. Defeating Mississippi State 67-55, the Gamecocks dominated the all-SEC game, leading the Bulldogs in scoring and in rebounds.

Early in the season, the Gamecocks set their sights on the championship,

themeing the season as 100, with the "1" reflecting their commitment to one goal, one team, one dream, one family, and one focus. They never gave up their goals, and their dedication clearly paid off.

I join all of Gamecock Nation in celebrating this remarkable victory.

We are also grateful for the Gamecock men, who, in the Final Four, were ahead of number one Gonzaga in the last 3 minutes until the disturbing Zags pulled ahead.

Special congratulations to superstar A'ja Wilson of Heathwood Hall and Hopkins, South Carolina, who had a great game, scoring a team high 22 points, and who was also named most outstanding player in the Final Four.

Congratulations as well to Head Coach Dawn Staley, President Harris Pastides, and USC First Lady Patricia Pastides.

The Gamecocks women's basketball team joins Clemson's football team and Coastal Carolina's baseball team as the third college national championship from South Carolina in just 1 year. Go Gamecocks.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

Welcome, Timmerman School of Forest Acres, South Carolina, to the Capitol.

REMEMBERING LOUISVILLE
METRO POLICE OFFICER NICK
RODMAN

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, tomorrow the city of Louisville will lay to rest Officer Nick Rodman, a loving husband, father, son, and friend, who died in the line of duty last week.

The special commitment that the men and women of law enforcement make to protect and serve their fellow citizens is one that the Rodman family holds dear, and Nick felt that call to service deeply, growing up as the son and brother of fellow officers.

He is survived by the loves of his life: his wife, Ashley; his young son, Mason; and his newborn daughter, Ellie Jean.

I ask my colleagues and our Nation to join me, the Louisville Metro Police Department, and our entire city in honoring this public servant as he is laid to rest.

To Nick's wife, Ashley: I hope the memories you have with your husband will be a source of comfort as you face this heartbreaking tragedy. The city of Louisville joins you in grief, and we will ensure that Nick will always be remembered.

CONFIRM JUDGE GORSUCH

(Mr. BABIN asked and was given permission to address the House for 1 minute.)

Mr. BABIN. Mr. Speaker, I rise today to strongly urge my colleagues in the United States Senate to confirm Judge Neil Gorsuch to the U.S. Supreme Court.

Since being nominated by President Trump, Judge Gorsuch has provided unprecedented transparency and access. He has completed three rounds of intense questioning by the Senate Judiciary Committee, which totaled nearly 20 hours and covered nearly 1,200 questions. This was the longest hearing of any nominee in the 21st century.

During this time, Judge Gorsuch showed himself to be uniquely qualified and experienced to serve on our Nation's highest court. In fact, he showed the exact same qualification that previously earned him unanimous approval by the U.S. Senate in 2006 to serve on the Tenth Circuit Court of Appeals. Then-Senators Obama, Biden, Clinton, and SCHUMER were all serving in the Senate at that time and raised no objections whatsoever to Judge Gorsuch's nomination.

Mr. Speaker, it is time for the Senate to put politics aside and confirm Judge Gorsuch to the U.S. Supreme Court.

COMMUNICATION FROM THE
CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 30, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 30, 2017, at 4:45 p.m.:

That the Senate agreed to without amendment H.J. Res. 43.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 7 minutes p.m.), the House stood in recess.

□ 1704

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ROGERS of Kentucky) at 5 o'clock and 4 minutes p.m.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Mariel Ridgway, one of his secretaries.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

CONDEMNING NORTH KOREA'S DEVELOPMENT OF MULTIPLE
INTERCONTINENTAL BALLISTIC MISSILES

Mr. ROYCE of California. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 92) condemning North Korea's development of multiple intercontinental ballistic missiles, and for other purposes, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 92

Whereas the Democratic People's Republic of Korea (DPRK), also known as North Korea, possesses a ballistic missile and nuclear weapons development program that poses a grave threat to the United States, United States allies South Korea and Japan, and to regional and global security;

Whereas North Korea's ballistic missile program has demonstrated an increasing ability to reach the United States, which constitutes a credible and growing threat to the security of the American people;

Whereas North Korea has demonstrated a willingness and ability to proliferate its ballistic missile and nuclear weapons technology to a variety of countries, including the Islamic Republic of Iran and the Syrian Arab Republic, which the United States has designated as state sponsors of terrorism;

Whereas, on January 6, 2016, North Korea detonated a nuclear device, marking its fourth nuclear test to date;

Whereas, on February 7, 2016, North Korea, utilizing a modified version of the Taepodong-2 ballistic missile, launched a "satellite" into space;

Whereas according to the U.S. Intelligence Community's 2016 Worldwide Threat Assessment, North Korea is "committed to developing a long-range, nuclear-armed missile that is capable of posing a direct threat to the United States; it has publicly displayed its KN08 road-mobile ICBM on multiple occasions";

Whereas, on April 28, 2016, Deputy Secretary of State Antony Blinken, in a hearing before the Foreign Affairs Committee of the House of Representatives, testified "the benefits of [the trilateral] relationship are crystal clear in the face of the region's most acute challenge—the challenge from North Korea and its provocative acts in the nuclear missile domain";

Whereas, on August 24, 2016, North Korea successfully tested a submarine-launched ballistic missile, firing the missile over 300 miles from a submerged submarine;

Whereas, on September 9, 2016, North Korea conducted its fifth nuclear test, which it claimed was a warhead that could be miniaturized for its ballistic missiles;

Whereas, on September 15, 2016, Admiral Harry Harris, Commander of U.S. Pacific Command, stated "Combining nuclear warheads with ballistic missile technology in the hands of a volatile leader like Kim Jong-un, is a recipe for disaster";

Whereas, on September 16, 2016, Secretary of Defense Ashton Carter stated "Everyone can see that North Korea is determined to try to expand its missile threat to the peninsula, to the region, and to the United States";

Whereas in 2016 North Korea willfully and repeatedly violated multiple United Nations Security Council resolutions, through its nuclear tests, missile tests, and satellite launch;

Whereas, on January 6, 2017, Deputy Secretary of State Antony Blinken stated that North Korea had conducted 24 missile tests in the past year, as well as two nuclear tests and "in our assessment, we have a qualitative improvement in their capabilities in the past year as a result of this unprecedented level of activity";

Whereas, on January 8, 2017, North Korea declared that it is ready to test-launch an intercontinental ballistic missile (ICBM);

Whereas, on February 11, 2017, North Korea launched an intermediate-range ballistic missile off its eastern coast while President Donald Trump hosted Japanese Prime Minister Shinzo Abe on an official visit to the United States;

Whereas, on February 18, 2017, the People's Republic of China announced that it would suspend all coal imports from North Korea, a significant source of revenue to the North Korean regime;

Whereas, on February 27, 2017, the United Nations Panel of Experts on North Korea determined that "The Democratic People's Republic of Korea is flouting sanctions through trade in prohibited goods, with evasion techniques that are increasing in scale, scope and sophistication";

Whereas, on March 6, 2017, North Korea launched four intermediate range missiles, three of which landed approximately 200 miles off the coast of Japan;

Whereas South Korea and the United States have made an alliance decision to deploy the Terminal High Altitude Area Defense (THAAD) system as a self-defensive measure to ensure the security of South Korea and its people, and to protect alliance military forces from the growing threat of North Korea's nuclear weapons and ballistic missile program; and

Whereas a nuclear North Korea with a functional and operational intercontinental ballistic missile program would pose a direct threat to the United States and United States interests: Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns North Korea's development of multiple intercontinental ballistic missiles (ICBMs);

(2) welcomes the deployment of the Terminal High Altitude Area Defense (THAAD) system in South Korea to counter North Korea's missile threat, which supports an alliance security decision;

(3) urges the Government of the People's Republic of China to immediately cease its

diplomatic intimidation and economic coercion against South Korea in an attempt to block the THAAD deployment;

(4) reaffirms the United States support for a layered, integrated, multi-tier missile defense system to protect Americans and allies in Northeast Asia;

(5) supports continued bilateral security cooperation between the United States and South Korea and the consideration of additional measures to strengthen the alliance, including expanded foreign military sales, joint exercises, and other actions as appropriate;

(6) reaffirms, in view of the ICBM threat by North Korea, the commitment of the United States to its alliances and to trilateral cooperation with South Korea and Japan, which is critical for the preservation of peace and stability in Northeast Asia and throughout the world;

(7) supports and urges the full implementation of the intelligence sharing agreement between Japan and South Korea signed on November 23, 2016, concerning the direct exchange of intelligence on North Korean threats;

(8) calls upon the People's Republic of China to use its considerable leverage to pressure North Korean leaders to cease their provocative behavior and abandon and dismantle their nuclear and missile programs, and comply with all relevant United Nations Security Council resolutions;

(9) calls on the United States to fully enforce all existing economic sanctions on North Korea and to seek to continuously adapt the sanctions regime to address evasive techniques employed by the North Korean regime; and

(10) calls on the Secretary of State to undertake a comprehensive and rigorous diplomatic effort to urge allies and other countries to fully enforce, and build upon, existing international sanctions on North Korea.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from California (Mr. SHERMAN) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. ROYCE).

GENERAL LEAVE

Mr. ROYCE of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me begin here by thanking Mr. WILSON for his leadership on H. Res. 92. What this resolution does is to describe in alarming detail the growing sophistication of North Korea's missile and nuclear weapons program. This, of course, poses a direct threat to the United States as well as to our allies.

Last year alone, North Korea, as we will recall, conducted more than 20 missile tests, including one from a submarine, and they are doing this in pursuit of an intercontinental ballistic

missile capable of striking the United States. Kim Jong-un has detonated two separate nuclear devices in the same year, a first for this rogue regime. Today, the Kim regime's aggression continues, and recent satellite imagery indicates that Pyongyang is now prepared to detonate its sixth nuclear device.

With every test, North Korea gains valuable knowledge that has enabled it to make significant improvements to this developing arsenal. Bear in mind that North Korea has cooperated on its program with these countries, and I would like the Members to think on this: they have cooperated with Iran, they have cooperated with Syria on a nuclear program, and they have cooperated with Pakistan. This, of course, is undermining U.S. security, but, frankly, it undermines the security of the entire global counter-proliferation system.

That is why I strongly support the passage of this resolution. I have been in North Korea, and let me tell you, this resolution, which condemns North Korea's development of an ICBM and calls for the United States and others to immediately address this urgent threat, is very necessary at this time.

Fortunately, the new administration already has several tools at its disposal. One of those is a bill that we wrote up in the committee, a bill authored by myself and ELIOT ENGEL, the North Korea Sanctions and Policy Enhancement Act. It was signed last year, and it was also taken up at the U.N. Security Council and passed at the Security Council office. This resolution, among other things, empowers the President to ramp up pressure on the North Korean regime by sanctioning foreign companies that do business with—and therefore enable—the regime.

The deployment of the anti-missile defense system THAAD to the Korean Peninsula must also continue as quickly as possible, and China should end its economic intimidation of our ally South Korea in response to this deployment. THAAD will serve as a vital first line of defense protecting U.S. personnel in the region and protecting our allies from Kim Jong-un.

As this resolution notes, China needs to do its part to implement the sanctions contained in multiple U.N. Security Council resolutions. President Trump should press this issue with President Xi when the two meet this week. With these steps, I believe the United States can again exert effective pressure on the Kim regime.

As H. Res. 92 emphasizes, Congress stands ready to help counter North Korea's belligerent behavior and maintain peace and maintain stability in the Asia Pacific.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, March 30, 2017.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs,
Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning H. Res. 92, a resolution "Condemning North Korea's development of multiple intercontinental ballistic missiles, and for other purposes," as amended. There are certain provisions in the legislation which fall within the Rule X jurisdiction of the Committee on Armed Services.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important legislation, I am willing to waive this committee's further consideration of H. Res. 92. I do so with the understanding that by waiving consideration of the resolution the Committee on Armed Services does not waive any future jurisdictional claim over the subject matters contained in the legislation which fall within its Rule X jurisdiction.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,
WILLIAM M. "MAC" THORNBERRY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, March 30, 2017.

Hon. WILLIAM M. "MAC" THORNBERRY,
Chairman, House Armed Services Committee,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H. Res. 92, Condemning North Korea's development of multiple intercontinental ballistic missiles, and for agreeing to be discharged from further consideration of that resolution so that it may proceed expeditiously to consideration by the House.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of the Committee on Armed Services, or prejudice its jurisdictional prerogatives on this resolution or similar legislation in the future.

I will seek to place our letters on H. Res. 92 into the Congressional Record during floor consideration. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,
EDWARD R. ROYCE,
Chairman.

Mr. SHERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H. Res. 92.

I am the chief Democratic cosponsor and the gentleman from South Carolina is the sponsor of this resolution condemning North Korea's development of multiple intercontinental ballistic missiles, and for other purposes. It should be noted that this resolution now has 120 bipartisan cosponsors, including the ranking member and chairman of the committee, the chairman of the Asia and the Pacific Sub-

committee, and myself as ranking member of the Asia and the Pacific Subcommittee.

This resolution is necessary at a time when the regime of Kim Jong-un is as belligerent as ever. His intentions are clear. He is conducting intermediate and intercontinental ballistic missile tests and nuclear tests for the purpose of being in a position to intimidate the United States and the rest of the world. Just this month the regime in Pyongyang released a fake propaganda video showing the imagined destruction of a U.S. aircraft carrier by its forces.

In addition to the five nuclear weapons North Korea has already tested, Kim Jong-un continues to test ballistic missiles, including submarine-launched ballistic missiles, and is moving toward intercontinental ballistic missiles. These missiles have as one of their chief purposes to be able to reach the continental United States and particularly the Pacific Coast of the United States.

We used to have the luxury of saying that North Korea just wants attention; they just want this or that concession. But now their goal is clear. It is to threaten hundreds of millions of Americans. It is clear that North Korea is testing missiles and bombs for the purpose of developing warheads that can do just that.

The resolution we are considering today, H. Res. 92, condemns North Korea's intercontinental ballistic missile tests, calls for the United States to apply economic sanctions on North Korea, and calls on China to pressure North Korean leaders to cease their provocative behavior, abandon and dismantle their nuclear missile program, and it calls upon China to curtail, or at least threaten to curtail, their economic support of Pyongyang.

President Xi is coming to the United States. He will meet with our President in Florida. And I hope that the recent comments that we are going to handle this issue on our own are not what comes out of Florida, because, instead, we must demand that China pressure North Korea.

According to the U.S.-China Economic and Security Review Commission, China accounts for over 90 percent of North Korea's foreign trade and approximately 95 percent of its foreign direct investment. Beijing needs to know that there are serious challenges to its relationship with the United States if it does not assist us in this effort. Officials in Beijing cannot assume that their companies will always have access to the United States market.

There are those who say it is unthinkable to link our trading relationship with China to its position on North Korea. I believe it is unthinkable for us not to use all the tools at our disposal to try to prevent the least predictable leader in the world—and perhaps the least stable—from having the

capacity to hit the United States mainland with intercontinental nuclear-tipped ballistic missiles.

Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I yield 4 minutes to the gentleman from South Carolina (Mr. WILSON), who is a senior member of both the Foreign Affairs Committee and the Armed Services Committee and the author of this resolution.

Mr. WILSON of South Carolina. Mr. Speaker, I was grateful to visit North Korea on a congressional delegation in 2003 with House Foreign Affairs Ranking Member ELIOT ENGEL on a delegation led by Congressman Curt Weldon of Pennsylvania. While there, we witnessed a regime obsessed with a Potemkin-like appearance and preservation to the detriment of its own citizens who have been reduced to destitution and starvation.

□ 1715

After seeing the devastation of the people at the hands of the totalitarian regime, I have been even more invested in the need to hold the regime in Pyongyang accountable for threatening neighbors.

In early February, I introduced this bipartisan resolution in response to North Korea's threat to test an intercontinental ballistic. Their threat is concerning because an ICBM has the capability of reaching the West Coast of the United States.

The rapid pace of North Korea's growing offensive nuclear weapons development is alarming to the United States and our allies. In just a few short months, North Korea has appeared to successfully test an ICBM; launched a satellite; tested four simultaneous ballistic missiles, three of which landed in Japanese territorial waters; had a failed missile launch; and tested a ballistic missile engine. The regime also claims to be planning another nuclear test for later this month.

Sadly revealing, the regime in North Korea recently released a propaganda video depicting a missile striking a U.S. aircraft carrier and calling for the destruction of the American people.

North Korea is rapidly advancing their capabilities, working to miniaturize nuclear technology to deliver a nuclear weapon anywhere in the world. Sadly, 8 years of strategic patience only enabled the dictatorship. We cannot afford to stand by as this regime grows in power and influence, threatening the United States and our allies.

I am grateful that President Donald Trump is taking the regime and its threats seriously. Secretary of Defense Jim Mattis and Secretary of State Rex Tillerson recently visited our allies in South Korea and Japan; and the U.S. Ambassador to the United Nations, Nikki Haley, has led the efforts for strengthening international sanctions against North Korea.

The administration has also demonstrated peace through strength by backing up their commitments to our allies with action. We have begun deploying the THAAD missile defense system, recently resumed the annual military training exercises with South Korea, and deployed attack drones to support our servicemembers stationed in the region. This defends the extraordinary people of South Korea, who have developed one of the most prosperous nations on Earth.

As we work to check the growing influence and missile capability of North Korea, Congress, too, has a vital role, starting with passage of H. Res. 92 to forcefully condemn North Korea for these actions and call for the consideration of all available sanctions on the regime and the individuals or businesses who sustain it. We are clear: the United States must stand strong against North Korea for American families and our South Korean allies.

I appreciate the consideration of H. Res. 92, with 120 bipartisan cosponsors. I know that America is fortunate to have the leadership of House Foreign Affairs Chairman ED ROYCE, serving in a bipartisan manner with Ranking Member ELIOT ENGEL.

I urge my colleagues to vote in support of the resolution.

Mr. SHERMAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ROYCE of California. I yield 3 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN), the chairman emeritus of the committee who chairs the Foreign Affairs Subcommittee on the Middle East and North Africa and has authored previous legislation to address the North Korean threat.

Ms. ROS-LEHTINEN. Mr. Speaker, I commend the commitment that Chairman ROYCE and Ranking Member ENGEL have shown in holding North Korea accountable for its illicit activity, and it is a long list.

Mr. Speaker, I want to also commend my good friend and colleague, Congressman JOE WILSON, for authoring this important measure, H. Res. 92, condemning North Korea's development of multiple intercontinental ballistic missiles, or ICBMs.

Recently, North Korea has made the calculation that it either needs to flex its muscles through the test of ballistic missiles or, at the very least, provoke an international response so that the regime can use it as propaganda against the West.

We have seen dozens of missile tests over the past year, and, just as troubling, at least two nuclear tests. I know that this is resolution condemning North Korea's provocative action, but I do think this is an opportunity to call attention to the Iranian nuclear and ballistic missile program. What I and some of my colleagues have

been saying for years now is that Iran has been following the North Korea playbook.

We signed a weak and dangerous nuclear deal with North Korea, and what was the result? A nuclear-armed Pyongyang that is testing and upgrading its ballistic and nuclear program unchecked and possibly even proliferating these materials, or at least the know-how, to Iran.

We concluded a weak and dangerous nuclear deal with Iran, and you can be sure, if we don't do more to press Iran, we will be welcoming another dangerous regime to the nuclear weapons club.

While we rightfully condemn North Korea for its provocations, we must be mindful that, if we follow the same path and make the same mistakes, it will be Iran in a few years that will have a nuclear weapon and ballistic missile program that can threaten global security, and that is in none of our interests.

I urge my colleagues to fully support Mr. WILSON's measure, Mr. Speaker, but I also urge them to realize the failures of past policies and what got us here to this point with North Korea and not to allow the same mistakes to happen with respect to Iran.

Mr. SHERMAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ROYCE of California. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. CHABOT), a senior member of the Foreign Affairs Committee.

Mr. CHABOT. Mr. Speaker, I rise in support of H. Res. 92, condemning North Korea's development of multiple intercontinental ballistic missiles.

Without question, North Korea's relentless effort to develop ballistic missiles poses a serious threat to the security of the United States, especially to our allies in the region, and possibly all across the globe.

For the past several years, Kim Jong-un has made significant strides in their nuclear missile program. It seems like every few weeks we hear new reports concerning the growing North Korea nuclear threat. North Korea has conducted multiple nuclear tests and demonstrated that it is bound and determined to develop a ballistic missile capable of delivering a nuclear warhead to the continental United States.

It has also become abundantly clear that the Kim regime will continue to work toward a nuclear warhead, no matter the cost. Just today, a senior North Korean defector stated that the young, irresponsible dictator will do anything to remain in power and that Kim believes nuclear weapons will help guarantee his rule.

We must condemn these actions and begin taking concrete steps to mitigate the growing North Korean threat. I also believe we must work closer than

ever with our South Korean partners and increase our already strong security alliance by assisting with technological developments, carrying out more joint exercises, and quickly making the Terminal High Altitude Area Defense systems, or THAAD, in South Korea operational.

I commend my friend, Mr. WILSON of South California, for his leadership in championing H. Res. 92. I also want to thank Chairman ROYCE and the ranking member, Mr. ELIOT ENGEL, for, again, using the format of the Foreign Affairs Committee in a bipartisan manner.

This is one committee in the House—and there are a few others—that works very much in a bipartisan manner. This is one we do need to be united on. The threat from Kim Jong-un is serious. It is dangerous. It is a threat to world peace. We need to take it seriously. H. Res. 92 goes in the right direction. I, again, want to thank Mr. WILSON for proposing it.

Mr. SHERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I will add a comment to the upcoming visit of President Xi to Florida and President Trump's statement in advance of that: Well, we don't need China to get tough on North Korea.

The fact is, President Trump has not given us a plan that would put effective pressure on Pyongyang that does not involve China. There is no magic road to dealing with the North Korean threat that does not go through Beijing.

My fear is that, in the guise of being the tough guy who doesn't need China's help, in fact, President Trump is preparing to fail to get China's help in controlling North Korea, is preparing to be weak in dealing with China and to weakly accept their unwillingness to act, and then disguising it all in some machismo statement of strength: Oh, we don't need China.

We do need China. There is no plan to control North Korea that doesn't involve China. Macho statements are not an excuse for real strength in dealing with President Xi.

Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. MIMI WALTERS of California).

Mrs. MIMI WALTERS of California. Mr. Speaker, I rise today in support of H. Res. 92, condemning North Korea's development of multiple intercontinental ballistic missiles.

The world has watched in fear as this brutal dictatorship has labored to miniaturize a nuclear warhead capable of being delivered by an ICBM. Across the 45th District, Californians are anxious about the growing threat from North Korea and its efforts to develop the capability to strike the West Coast.

Orange County is home to a large Korean-American population who have spoken out forcefully against this rogue regime, fearing for the life of their Korean kin and the safety of the entire world. As I tell all concerned constituents when I am back home in California, and I will repeat here today: I share your concern and will do all I can to ensure we eliminate this threat.

Mr. Speaker, just today, an interview with the most high-profile North Korean defector in two decades was released. The man's warning was dire: Kim Jong-un will use nuclear weapons at the slightest sign of an imminent threat to his rule.

The time for the old strategy of strategic patience has passed. We must take serious actions now to prevent a nuclear weapon from ever threatening the United States or one of our allies. I urge the President to address this grave threat with the Chinese President at their upcoming summit.

I thank my friend, the gentleman from South Carolina, for undertaking this effort, and I am proud to join him in this fight.

Mr. SHERMAN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I would simply say that I commend the gentleman from South Carolina, Mr. WILSON, for authoring this resolution, which has secured the support of 120 bipartisan cosponsors, including the chair and ranking member of the full committee and the chair and, in my case, ranking member of the relevant subcommittee.

I, again, call on my colleagues to join me in supporting H. Res. 92, condemning North Korea's development of multiple intercontinental ballistic missiles, and for other purposes.

We need an official congressional condemnation of North Korea's continued ballistic missile testing and its related nuclear program. We need to ramp up sanctions on North Korea, while applying pressure to China, hopefully later this week, for being North Korea's economic lifeline.

Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, North Korea, as we all know, poses an urgent threat to the United States and to our allies. Experts say that, in less than 4 years, Kim Jong-un will likely have the ability to make a reliable intercontinental ballistic missile topped by a nuclear warhead capable of targeting the continental United States. They also expect that, by then, North Korea may have accumulated enough nuclear material to build up to 100 warheads for those ICBMs they have been making.

In an interview, the President says he is going to discuss this growing threat and Kim Jong-un's behavior with Chinese President Xi this week.

As he says, China has great influence over North Korea, and China will either decide to help us with North Korea or they won't, but, if they do, that will be very good for China.

It will be good for China because we have made it very clear that this is a key interest of the United States. We do not want to see North Korea able to proliferate this kind of weaponry. They have already tested this off of a submarine. It would be irresponsible for us, China, and every member of the international community not to take steps now to cut off all hard currency into North Korea that allows that regime to continue down this path.

□ 1730

This threat is real, and that demands real response. I appreciate JOE WILSON bringing this resolution because, as he notes, one other point that I think we have to make, the deployment of THAAD needs to be completed as quickly as possible.

The President must also utilize the economic tools that Congress has given him with the act authored by myself and Mr. ENGEL to cut off funding for the regime of Kim Jong-un. I would also encourage the administration to pursue all opportunities to strengthen our economic and security relationships with our partners throughout the Asia Pacific right now because, as we know, our allies there are equally concerned about this development.

I thank the author of this resolution, Mr. JOE WILSON, and, of course, my committee's ranking member, Mr. ENGEL. I want to thank Mr. SHERMAN as well for working on this resolution.

Mr. Speaker, I yield back the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I stand in strong support of H. Res. 92, Condemning North Korea's development of multiple intercontinental ballistic missiles.

The security of our nation and allies rests on a global community of nations acting in a responsible manner. For too long the Asia-Pacific region has been rocked with instability because of North Korea's irresponsible behavior. Last year, the North Korean regime conducted two nuclear tests and twenty missile tests, including successfully testing a submarine-launched ballistic missile. This is a marked increase from two nuclear tests and 42 missile tests over the previous seven years. In February 2017, North Korea fired a ballistic missile that landed in the sea between the Korean Peninsula and Japan, sending shockwaves among our two closest allies in the Asia-Pacific.

Passing this resolution will reaffirm our commitment to trilateral missile defense cooperation with South Korea and Japan and to an interoperable, multi-tier missile defense system that will protect Americans and our allies on the Korean Peninsula. At a time of increasing belligerence by North Korea, our allies need such security assurances. This bill will also urge the President to promptly deploy the Terminal High Altitude Area Defense (THAAD)

system in South Korea, apply all available economic sanctions on North Korea, and consider additional measures to strengthen bilateral security cooperation with South Korea, including increases in foreign military sales and joint exercises.

Like many of my colleagues, the constituents whom I represent want assurance that the United States is secure from all external threats, including the potential threat of weaponized intercontinental ballistic missiles (ICBMs). ICBMs are designed to travel between 5,500 km and 10,000 km. California is about 9,000 km from North Korea. Given that the North Korean regime has made steady advances in its nuclear weapons program over the past few years, it is not surprising that my California colleagues are increasingly alarmed by Pyongyang's actions.

The level of bipartisan support for H. Res. 92 reflects the importance of the threat North Korea poses to global stability. Our security and the security of our allies is an issue that crosses party lines. It is imperative to our national security interests that North Korea does not develop a weaponized ICBM capable of reaching any part of our country.

This resolution provides more assurance to our allies in the Asia-Pacific and sends a message to the North Korean regime that all Americans are united in our determination to safeguard our country against foreign threats. I strongly urge my colleagues to vote yes on the resolution.

Mr. CONNOLLY. Mr. Speaker, I rise today in support of H. Res. 92, condemning North Korea's intercontinental ballistic missile and nuclear weapons program.

I am pleased to cosponsor this resolution, which reaffirms the U.S. commitment to security on the Korean Peninsula.

It is undeniable that North Korea's nuclear and ballistic missile programs have accelerated in recent years. In 2016 alone, the regime conducted two nuclear tests and more than 20 missile tests.

In its most recent test, North Korea simultaneously launched four intermediate-range ballistic missiles toward the Sea of Japan, three of which landed within Japan's exclusive economic zone (EEZ).

In response to the threat emanating from Pyongyang, the United States and South Korea made a joint decision to deploy the Terminal High Altitude Area Defense (THAAD) system to protect South Korean security and alliance military forces.

Once deployment is completed, THAAD will provide upgraded ballistic missile defense capabilities on the Korean Peninsula.

This resolution urges China to cease its attempts to block THAAD and calls upon Beijing to pressure the North Korean regime to dismantle its weapons programs.

Importantly, H. Res. 92 calls on the United States to both enforce sanctions on North Korea and to undertake a rigorous diplomatic effort to urge the global community to fully enforce international sanctions on North Korea.

The Korean Peninsula remains one of the most dangerous flashpoints on the globe.

Navigating this complex web of regional stakeholders will require patient and committed U.S. leadership to avert the ever-present potential of conflict.

I ask that my colleagues support this resolution, which demonstrates our commitment to halting the regime's destabilizing provocations.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, H. Res. 92, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROYCE of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

REAFFIRMING THE UNITED STATES-ARGENTINA PARTNERSHIP AND RECOGNIZING ARGENTINA'S ECONOMIC REFORMS

Mr. ROYCE of California. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 54) reaffirming the United States-Argentina partnership and recognizing Argentina's economic reforms, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 54

Whereas, on November 22, 2015, the citizens of the Argentine Republic elected Mauricio Macri as their President;

Whereas President Macri has pledged to promote greater national unity, rebuild the economy, combat domestic corruption, strengthen freedom of the press, defend human rights abroad, attract foreign direct investment, return to international credit markets, and reassert Argentina's leadership globally;

Whereas President Macri has emphasized his intention to seek closer ties with the United States and restore the bilateral partnership previously enjoyed by both countries;

Whereas the Argentine Republic has been a major non-NATO ally of the United States since 1998 and is the only country designated as such in Latin America;

Whereas United States-Argentina relations are historically characterized by comprehensive commercial ties and strong bilateral cooperation on human rights, peacekeeping, science and technology, non-proliferation, and education, as well as on regional and global issues;

Whereas, in an appearance with President Macri at the Casa Rosada in Buenos Aires in March 2016, President Barack Obama said that "our countries share profound values in common—respect for human rights, for individual freedoms, for democracy, for justice, and for peace";

Whereas Secretary of State John Kerry visited Argentina in August 2016 to launch a High-Level Dialogue to develop and sustain cooperation on bilateral, regional, and global challenges, including democratic development and protection of human rights in Latin America;

Whereas Secretary Kerry, during his visit, stated that "the United States strongly sup-

ports President Macri's effort to deepen Argentina's integration with the global economy" and that "our governments will be supporting policies that are aimed at strong, sustainable, and balanced economic growth";

Whereas the United States Department of the Treasury no longer opposes multilateral development banks lending to Argentina because of the Government of Argentina's "progress on key issues and positive economic policy trajectory";

Whereas President Macri prioritized Argentina resolving its 15-year standoff with private creditors stemming from the 2001-2002 economic crisis, which facilitated Argentina's return to international financial markets;

Whereas the Macri Administration lifted controls on trade, currency, and poultry, enhanced the quality and transparency of government data, and eliminated subsidies on electricity, water, and gas;

Whereas Argentina is Latin America's third largest economy and the International Monetary Fund, in April 2016, claimed the Macri Administration "embarked on an ambitious, much needed transition to remove domestic imbalances and distortions and correct relative prices"; and

Whereas the Government of Argentina has expressed a renewed commitment to bring the perpetrators of the 1994 bombing of the Asociación Mutual Israelita Argentina (AMIA) building, that occurred in Buenos Aires on July 18, 1994, killing 85 people and injuring hundreds, to justice: Now, therefore, be it

Resolved, That the House of Representatives—

(1) upholds its commitment to the partnership between the United States and Argentina and reaffirms that the Argentine Republic is a major non-NATO ally of the United States;

(2) encourages the Department of State to coordinate a new interagency strategy to increase cooperation with the Government of Argentina on areas of bilateral, regional, and global concern;

(3) commends the Government of Argentina for making far-reaching economic reforms that will benefit the people of Argentina, stimulate economic growth, and deepen Argentina's integration with the global economy;

(4) praises the Government of Argentina for resolving most of its business disputes at the World Bank's International Centre for the Settlement of Investment Disputes (ICSID) thereby hastening their re-entry into world financial markets to the benefit of the Argentine people; and

(5) encourages the Government of Argentina to continue to investigate and prosecute those responsible for the 1994 bombing of the Asociación Mutual Israelita Argentina (AMIA) building in Buenos Aires, as well as the January 2015 death of AMIA special prosecutor Alberto Nisman.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New Jersey (Mr. SIRES) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to put any extraneous material in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

Let me just start by thanking Mr. SIREs, the author of this measure, and I rise in support of it. It reaffirms the United States-Argentina partnership.

After over a decade of economic mismanagement and corruption and alliances with the likes of Iran—well, we should say the Ayatollah in Iran—and alliances with the regime in Venezuela, the people of Argentina used their vote to usher in a new era of what I would call economic common sense and a new era of regional leadership.

Since assuming the Presidency in December 2015, President Macri has undertaken difficult economic reforms to undo the damage caused by his predecessor's policy and taken reforms to return to the global markets. He tore up the laughable agreement that President Cristina Kirchner signed with Iran to investigate the 1994 Hezbollah bombing of the Jewish community center, which killed 85 and injured hundreds of other people in the Jewish community in Argentina. He has shown regional leadership in condemning Venezuela's human and democratic rights violations.

As the new Argentinian Government undertakes difficult reforms, it needs the moral support of its allies in the region, including the support of this body. This measure seeks to reaffirm the partnership, the friendship that we share with Argentina. It commends the government's hard work in bringing Argentina back from economic ruin.

This measure also encourages the Government of Argentina to make good on its promise to finally bring the perpetrators of the 1994 bombing there of the Jewish community center to justice, while thoroughly investigating the January 2015 death of special prosecutor Alberto Nisman. As my colleagues know, immediately before his mysterious death, Nisman was set to issue a thorough report on his findings that the government of Cristina Kirchner had colluded with Iran to conceal Iran's role in orchestrating that 1994 terrorist attack at the hands of the Iranian proxy in this case, Hezbollah.

Mr. Speaker, let me just mention another subject here. In South America, we are watching Venezuela lose any semblance of democracy or human rights. Last week, Venezuela's democratically elected National Assembly was dissolved. The Venezuelan people are greatly suffering. As Argentina has dropped its support of these authoritarians and stands with the rest of the region in strong condemnation of authoritarianism in Venezuela, the Venezuelan Government is now more isolated than ever.

Back to H. Res. 54. This reflects this body's support of and friendship with Argentina, and it reflects our gratitude for Argentine leadership in support of economic and democratic reform.

Again, I thank Mr. SIREs for this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. SIREs. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this resolution.

I would like to start by thanking Chairman ROYCE, Ranking Member ENGEL, and their staffs for working with me to bring H. Res. 54 to the floor. I would like to thank my friend from South Carolina, Chairman JEFF DUNCAN, who is in charge of the Subcommittee on the Western Hemisphere and led a delegation to Argentina last March to help restart relations with the Macri administration.

H. Res. 54 reaffirms the strong U.S. partnership with Argentina and acknowledges their President Mauricio Macri for his efforts to make the necessary changes and bring Argentina back into the international community. President Macri worked hard to stimulate growth and bring Argentina back as a powerful player in the region after years of isolationist views from the Kirchners.

I was pleased to visit Argentina last year and see, firsthand, the changes the new government was making, and it was refreshing to see the progress already being made. Most importantly, we received assurances from the Macri administration that they will restart the investigation into the horrific 1994 bombing of the AMIA Jewish center in Buenos Aires, which left 85 dead and hundreds more injured, and the untimely and suspicious death of prosecutor Alberto Nisman, who was found dead on the eve of delivering his explosive report which outlined the connections between the bombing, Iran, and former Argentina President Cristina Kirchner's efforts to cover up these links. Unfortunately, the victims of these attacks and their families still lack answers to what really occurred, and the troubling reports of Iran's role in the bombing deserves thorough investigation that finally brings the perpetrators to justice.

Argentina is a great partner and a friend, and I believe we must continue to support our friends and continue to grow this critical relationship. Once again, I thank my colleagues for their support of this resolution and urge Members of the House to support H. Res. 54 to further strengthen the great ties our country has with Argentina.

Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina (Mr. DUNCAN), who chairs the Subcommittee on the

Western Hemisphere of the Committee on Foreign Affairs. He is the primary cosponsor of this measure.

Mr. DUNCAN of South Carolina. Mr. Speaker, I briefly want to mention the country of Colombia. Tremendous flooding and mudslides there have taken more than 200 lives. Colombia is in my prayers, the prayers of the Subcommittee on the Western Hemisphere, and the prayers of all of America.

Mr. Speaker, I rise in strong support of H. Res. 54, which reaffirms America's partnership with Argentina, and applaud the economic reforms undertaken in recent years.

I applaud Ranking Member SIREs for his leadership on this issue. Last year, he and I led a congressional delegation to Argentina to see the differences in the country under the new leadership of President Macri and to reextend a hand of friendship of the United States.

Though the previous government followed the path of ruinous economic and foreign policies, I saw new optimism that the new Macri administration would right these wrongs. For example, at the Organization of American States, Argentina has been supportive of the actions of OAS Secretary General Almagro, urging the Venezuelan Government to respect democracy, human rights, and the rule of law.

In addition, President Macri is working to find justice for the 1994 AMIA bombing terrorist attack—the largest loss of life from an act of terror in this hemisphere prior to 9/11—and the murder of the AMIA special prosecutor, Alberto Nisman. It is my sincerest hope that he will find the perpetrators and hold them accountable for these heinous acts of terror.

In conclusion, the United States should be very clear that we are thankful for President Macri's courage and willingness to take unpopular but principled positions. I urge the new Trump administration to do all in its power to take the steps outlined in this legislation and advance a deeper bilateral relationship.

Mr. SIREs. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, I rise in strong support of H. Res. 54 and commend its authors and cosponsors.

With the new administration of President Macri, I think that there will be a deepening relationship between the United States and Argentina, and this resolution recognizes that. It also encourages the Argentine Government to continue to investigate and prosecute those responsible for the 1994 bombing of the Argentine-Israeli Mutual Association, located then in the center of Buenos Aires, and the death of Argentine special prosecutor Alberto Nisman, who died mysteriously 1 day before he was going to submit a report to the Argentine Congress regarding that 1994 bombing.

I think it is apparent that that 1994 bombing was conducted by Iran in co-operation with Hezbollah, and we all want to encourage the Argentine Government to find out whether there was foul play in the death of Alberto Nisman and, if so, who was behind what has all the hallmarks of an assassination designed to prevent that report from being submitted to the Argentine people and Congress.

I commend the authors of this legislation. I urge its adoption.

Mr. ROYCE of California. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Ms. ROSELEHTINEN), chairman emeritus of the Committee on Foreign Affairs and a cosponsor of this measure.

Ms. ROSELEHTINEN. Mr. Speaker, I thank Chairman ROYCE for the time.

Mr. Speaker, I am so proud to be standing here in strong support of the measure of my very good friend from New Jersey, Mr. ALBIO SIRE. H. Res. 54 is so important. It reaffirms the U.S.-Argentina partnership and recognizes Argentina's economic reforms. As Mr. ROYCE said, I am proud to be an original cosponsor of Mr. SIRE's important resolution.

Up until the recent election of President Macri, Argentina was going in the wrong direction. Since Macri came to office, he has made some tough but much-needed economic reforms. He has shown that Argentina is willing to be engaged in areas of mutual interest to our two countries and expand our bilateral relations. President Macri's commitment to these reforms should be commended.

But he hasn't just shown strong leadership on economic reforms. President Macri has shown strong character and leadership to the rule of law and pursuit of justice. He has done so by announcing his intention to continue to investigate and prosecute those responsible for the 1994 bombing of the Argentine-Israeli Mutual Association, AMIA, in Buenos Aires, Argentina.

Last month, we marked the 25th anniversary of the terrorist attack on the Israeli Embassy in Buenos Aires, which was followed by the 1994 AMIA attack. It is no secret that the Iranian-backed terrorist group Hezbollah was responsible for these attacks; yet, to this day, Mr. Speaker, Iran and Hezbollah have evaded justice.

□ 1745

The United States should support President Macri as he continues his investigation and seeks to hold those responsible accountable to make sure that he can bring them to justice for their deadly terror attacks.

We should also applaud and support his decision to investigate the suspicious circumstances involving the death of the special prosecutor of these cases, Alberto Nisman. Alberto had uncovered links between Hezbollah and

these terror attacks, and I would speak with Alberto frequently about these troublesome ties.

Nisman was a good man and a strong supporter of human rights. We must help President Macri and the people of Argentina continue Nisman's work and legacy by bringing those responsible for his death and for those dastardly terrorist attacks to justice.

We can start by signaling to the people of Argentina that we support their government and that we value our bilateral relationship. Passing Mr. SIRE's resolution will do just that. We will send that message.

I urge my colleagues to support Mr. SIRE's measure.

Mr. SIRE. Mr. Speaker, I yield myself such time as I may consume for the purpose of closing.

In conclusion, let me say that the U.S.-Argentina relationship is critical, and I stand in strong support of H. Res. 54.

Argentina's new President, Mauricio Macri, has done a tremendous job reforming their outdated and isolationist economic policies. Most importantly, the Macri administration has renewed its efforts to find the long sought after justice for the bombing of the AMIA Jewish Cultural Center, whose perpetrators are still evading justice.

His efforts have improved the lives of countless Argentines, and I look forward to working with his government to continue building on the progress we have already made.

I urge my colleagues to join me in supporting this resolution and thank them all for their support.

Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank my colleagues; I want to thank Mr. SIRE, ranking member of the Subcommittee on Western Hemisphere; and I thank the chairman of that committee, Mr. DUNCAN, for their leadership in bringing this measure to the floor.

This important resolution reaffirms our relationship with the people and the government of Argentina. It calls on the State Department to develop an interagency strategy to maximize our cooperation with Argentina as our countries work together to promote democracy, to promote human rights, and to promote economic freedom across the Americas.

Mr. Speaker, I urge all my colleagues to support this measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, H. Res. 54, as amended.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

NORTH KOREA STATE SPONSOR OF TERRORISM DESIGNATION ACT OF 2017

Mr. ROYCE of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 479) to require a report on the designation of the Democratic People's Republic of Korea as a state sponsor of terrorism, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 479

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "North Korea State Sponsor of Terrorism Designation Act of 2017".

SEC. 2. REPORT ON DESIGNATION OF GOVERNMENT OF NORTH KOREA AS A STATE SPONSOR OF TERRORISM.

(a) FINDINGS.—Congress finds the following:

(1) The United States Government designated the Government of North Korea a state sponsor of terrorism on January 20, 1988.

(2) On October 11, 2008, North Korea's designation as a state sponsor of terrorism was rescinded, following commitments by the Government of North Korea to dismantle its nuclear weapons program. However, North Korea has failed to live up to these commitments.

(3) On October 22, 2015, the United States Special Representative for North Korea Policy with the Department of State, testified before the House Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade that North Korea's "conduct poses a growing threat to the United States, our friends in the region, and the global non-proliferation regime" and the Deputy Coordinator for Homeland Security, Screening, and Designations with the U.S. Department of State noted that "weapons transfers that violate nonproliferation or missile control regimes could be a relevant factor for consideration, depending on the circumstances, consistent with the statutory criteria for designation as a state sponsor of terrorism".

(4) The Government of North Korea has harbored members of the Japanese Red Army since a 1970 hijacking and continues to harbor the surviving hijackers to this day.

(5) On July 16, 2010, in the case of *Calderon-Cardona v. Democratic People's Republic of Korea* (case number 08-01367), the United States District Court for the District of Puerto Rico found that the Government of North Korea provided material support to the Japanese Red Army, designated as a foreign terrorist organization between 1997 and 2001, in furtherance of a 1972 terrorist attack at Lod Airport, Israel that killed 26 people, including 17 Americans.

(6) In the case of *Chaim Kaplan v. Hezbollah* (case number 09-646), a United States district court found in 2014 that North Korea materially supported terrorist attacks by Hezbollah, a designated foreign terrorist organization, against Israel in 2006.

(7) In June 2010, Major Kim Myong-ho and Major Dong Myong-gwan of North Korea's

Reconnaissance General Bureau pled guilty in a South Korean court to attempting to assassinate Hwang Jang-yop, a North Korean dissident in exile, on the orders of Lieutenant General Kim Yong-chol, the head of North Korea's Reconnaissance General Bureau. The court sentenced each defendant to 10 years in prison.

(8) In March 2015, the Government of South Korea concluded that North Korea was responsible for a December 2014 cyber attack against multiple nuclear power plants in South Korea. The South Korean Government stated that the attacks were intended to cause a malfunction at the plants' reactors, and described the attacks as acts of "cyber-terror targeting our country".

(9) On December 19, 2015, the Federal Bureau of Investigation (FBI) concluded that North Korea was responsible for a cyber attack on Sony Pictures Entertainment and a subsequent threat of violence against theaters that showed the film "The Interview". The FBI concluded that the "Guardians of Peace", which sent the threat to Sony Pictures Entertainment, was a unit of North Korea's Reconnaissance General Bureau, its foreign intelligence service.

(10) Malaysian authorities have alleged that officials from North Korea's secret police and Foreign Ministry were involved in the poisoning and killing of the estranged half-brother of the country's leader, Kim Jong-nam, using the chemical weapon VX nerve agent, a substance banned for use as a weapon by the United Nations Chemical Weapons Convention, on February 13, 2017, in Kuala Lumpur.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the Government of North Korea likely meets the criteria for designation as a state sponsor of terrorism and, if so should be so designated.

(c) DETERMINATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a determination as to whether the Government of North Korea meets the criteria for designation as a state sponsor of terrorism.

(d) FORM.—The determination required by subsection (c) shall be submitted in unclassified form, but may include a classified annex, if appropriate.

SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Foreign Relations of the Senate; and

(B) the Committee on Foreign Affairs of the House of Representatives.

(2) NORTH KOREA.—The term "North Korea" means the Government of the Democratic People's Republic of Korea.

(3) STATE SPONSOR OF TERRORISM.—The term "state sponsor of terrorism" means a country the government of which the Secretary of State has determined, for purposes of section 6(j) of the Export Administration Act of 1979 (50 U.S.C. 4605(j)) (as in effect pursuant to the International Emergency Economic Powers Act), section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371), section 40 of the Arms Export Control Act (22 U.S.C. 2780), or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from California (Mr. SHERMAN) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. ROYCE).

GENERAL LEAVE

Mr. ROYCE of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, last month, I was pleased to hear Secretary of State Rex Tillerson say that the State Department is considering a range of measures to respond to Kim Jong-un's dangerous provocations in Northeast Asia. One immediate step should be listing North Korea as a state sponsor of terrorism, a status it should have never lost.

In 2008, North Korea's designation as a state sponsor of terror was rescinded following the regime's promise to dismantle its nuclear weapons program. Well, North Korea got its delisting, but it kept its nuclear program, as proven by its fourth test and as proven by its fifth test last year.

Since 2008, not only has North Korea's nuclear weapons program advanced, so too has its support for terrorism. Let me explain that. The Kim regime has continued to supply surface-to-air missiles and explosives to terrorist groups like Hezbollah. In addition to that, the actions taken by North Korea include the firing of repeated rounds on South Korean civilians on the island of Yeonpyeong and carrying out targeted assassinations of North Korean defectors, including the recent assassination of Kim Jong-un's half brother, who had been living in exile.

Recall that this murder, which took place in broad daylight at Kuala Lumpur International Airport, involved the use of VX nerve agent, which is a chemical weapon banned under international law. Now, a liter of this substance contains enough lethal doses to kill 1 million people. It has no other purpose than being an instrument of death. This they used to assassinate the President's own half brother.

Mr. Speaker, the Foreign Affairs Committee has focused extensively on the urgent threat by North Korea to the U.S. and our allies in Asia. It is critical that we use every tool at our disposal to ramp up the pressure on the Kim regime.

I know just how aggressive North Korea can be. I saw a ship of the South Korean Navy that had been lifted from the bottom of the sea. It had been split in two by a torpedo fired by a North Korean submarine. Over 40 South Korean sailors were killed in that attack.

This is the kind of behavior we have seen from Kim Jong-un. This is why I rise in support of Judge TED POE's bill, H.R. 479, which pushes the State Department to relist North Korea as a state sponsor of terrorism.

The state sponsor of terrorism label is a very powerful one. In addition to imposing sanctions and other restrictions, the designation itself earns a state pariah status internationally. And that is deserved. After all, these are countries whose governments backed the killings of innocent people, innocent civilians, as a matter of policy.

Frankly, the Department should never have removed North Korea's designation in the first place.

I am glad that this legislation demands a reevaluation. I think I know what that result will be.

I thank the bill's author, Judge TED POE, who has a deep sense, as a former judge, of justice and has pursued this issue for a long time. I also thank the ranking member for working with our offices on this important and timely measure. The flawed delisting of North Korea has also been a particular focus to the chairman emeritus of the Foreign Affairs Committee, Ms. ROSELEHTINEN, and so I want to recognize her contributions as well.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, April 3, 2017.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs,
Washington, DC.

DEAR CHAIRMAN ROYCE: I am writing with respect to H.R. 479, the "North Korea State Sponsor of Terrorism Designation Act of 2017." As a result of your having consulted with us on provisions on which the Committee on Ways and Means has a jurisdictional interest, I will not request a sequential referral on this measure.

The Committee on Ways and Means takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of H.R. 479.

Sincerely,

KEVIN BRADY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, April 3, 2017.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR CHAIRMAN BRADY: Thank you for consulting with the Foreign Affairs Committee on H.R. 479, the North Korea State Sponsor of Terrorism Designation Act of 2017, and for agreeing to forgo a sequential referral request so that the bill may proceed expeditiously to the House floor.

I agree that your declining to pursue a sequential referral in this case does not diminish or alter the jurisdiction of the Committee on Ways and Means, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on this bill into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with the Committee on Ways and Means as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

Mr. SHERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to support H.R. 479, the North Korea State Sponsor of Terrorism Designation Act of 2017.

I want to associate myself with the chairman's remarks. He summarizes well the need to adopt this legislation. I want to commend Judge POE for introducing this legislation. I was very pleased to introduce it alongside him.

We earlier considered H. Res. 92. In that debate, we discussed the nuclear and missile program of North Korea. Now it is time to focus for the next few minutes on their use of terrorism.

We need to consider North Korea's obvious state support of terrorism around the world. North Korea has engaged in kidnappings, targeted assassination, cyber attacks, and support to terrorist organizations in various regions.

North Korea was designated as a state sponsor of terrorism in 1988, but it was taken off that list in 2008, following commitments by Pyongyang to dismantle its nuclear weapons program. We dismantled their status as a state sponsor of terrorism. North Korea certainly has not dismantled its nuclear program.

Kim Jong-un has only increased the pace of his nuclear ballistic missile testing and is nowhere near dismantling that program. So now it is time to focus again on North Korea's terrorist actions around the world.

We can go back several decades when the North Korean Government kidnapped Japanese civilians—some because of their talents in making movies; most in order to force them to teach Japanese etiquette to North Korean spies.

Now, you may say: Well, that was decades ago. Why are we designating them as a state sponsor of terrorism now?

Well, those people still have not been released to this day. And, if they have passed on, their bodies have not been returned to their families.

We are all aware of how North Korea engaged in cyberterrorism against Sony Pictures because Sony Pictures made a movie they didn't like.

We know that, just a month or so ago, a North Korean agent killed Kim Jong-nam, the half brother of North Korean leader Kim Jong-un. This act of terrorism took place at the airport in Malaysia and was summarized by the chairman.

In the case of Chaim Kaplan v. Hezbollah, a United States District Court found that, in 2014, North Korea materially supported terrorist attacks by Hezbollah, a designated foreign terrorist organization.

And finally—and this list is incomplete but last on my list—is North Korea's assistance in helping Assad try to develop nuclear weapons of his own. We are aware that Assad's nuclear facility, built almost entirely based on North Korean technology and using North Korean equipment, was destroyed in 2007. Assad has murdered hundreds of thousands, it looks like the figure is now half a million, of his own citizens. Imagine the destruction Assad would have engaged in had he been able to develop nuclear weapons with the support and technology of North Korea.

H.R. 479, the North Korea State Sponsor of Terrorism Designation Act, expresses the sense of Congress that North Korea likely meets the criteria to be designated as a state sponsor of terrorism and requires a determination by the Secretary of State within 90 days as to whether or not North Korea meets that standard.

This bill is an important step in confronting North Korea's support for terrorism around the world and for the danger that it poses to the civilized world.

Mr. Speaker, I call upon my colleagues to join me in supporting this bill, and I reserve the balance of my time.

□ 1800

Mr. ROYCE of California. Mr. Speaker, I would also like to recognize the contribution here of Mr. SHERMAN, who is the ranking member on the committee, and to acknowledge also the force of his argument.

Kim Jong-un is an individual who not only kidnaps his neighbors, but also, in the past, this rogue regime has become expert at transferring the methods to kill civilians to other rogue regimes around the world. And based upon his past behavior, it is only too plausible that if they get this weapon, they will do it again.

Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. POE), the chairman of the Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade, and the dogged author of this bill who has pushed this issue for a long time.

Mr. POE of Texas. Mr. Speaker, I thank the chairman and the ranking member, Mr. SHERMAN, for his cosponsorship of this legislation.

Mr. Speaker, North Korea was on the State Sponsors of Terrorism list for 20 years. It was taken off in 2008 for purely diplomatic reasons.

North Korea agreed to freeze and disable its nuclear program as the result of international efforts known as the Six-Party Talks. In exchange, the United States decided to remove North Korea from the State Sponsors of Terrorism list.

Fast forward 9 years later, North Korea remains off the list while it races toward the capability to send a nuclear warhead to American shores. There has been no secret about this. Little Kim has said he wants to send intercontinental ballistic missiles to the United States.

North Korea has conducted four nuclear tests since 2008. Recent satellite images suggest that it is preparing for yet another nuclear test.

North Korea is also doing all the things that got it placed on the State Sponsors of Terrorism list in the first place. North Korea harbored Japanese Red Army terrorists who participated in the hijacking of a jet in 1970. These terrorists are still living happily in North Korea today. Press reports suggest that little Kim is even arming and training Hamas and Hezbollah terrorists.

A U.S. district court actually found in 2014 that North Korea materially supported terrorist attacks by Hezbollah against Israel.

North Korea has also moved toward a new form of terrorism: cyber warfare. We all remember the 2014 North Korea cyber attack against Sony Pictures that included direct threats against its employees and a warning to "Remember the 11th of September 2001." In March of 2015, North Korea launched a cyber attack against nuclear power plants in South Korea.

North Korea is not just active over cyber. It has a long history of actually killing folks, dissidents in particular, all over the world. In February, North Korean agents killed little Kim's half brother in Malaysia using a chemical VX nerve agent.

North Korea has helped Assad develop chemical weapons. Thankfully, Israel took out those chemical weapons some time ago.

Mr. Speaker, North Korea's actions have not gotten any better. They have only become more dangerous and more treacherous. In addition, North Korea

is working with Iran, the world's number one state sponsor of terror, on developing nuclear weapons and intercontinental ballistic missiles.

It is clear that North Korea is a state sponsor of terrorism. At the very least, the State Department should go back to the drawing board and assess whether or not North Korea meets the criteria for designation as a state sponsor of terrorism. And that is what this bill does, H.R. 479, the North Korea State Sponsor of Terrorism Designation Act.

It is high time we call out little Kim, the loose cannon of East Asia, for what he is: a terrorist in a terrorist state.

And that is just the way it is.

Mr. SHERMAN. Mr. Speaker, I would note that this bill passed our committee without any opposition.

Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN), and I thank the gentlewoman from Florida again for her contribution on this legislation.

Ms. ROS-LEHTINEN. Mr. Speaker, I stand in full support of Judge POE's bill, H.R. 479, the North Korea State Sponsor of Terrorism Designation Act of 2017.

Over the years, as the chairman has said, I have repeatedly and explicitly called for Pyongyang to be redesignated as a state sponsor of terrorism, SST, country.

I stood in ardent opposition to the Bush administration's decision to remove North Korea from the SST list, and in the years past, I introduced similar legislation to the gentleman from Texas (Mr. POE), which would see Pyongyang back on the list where it belongs.

The removal from the list was a failure of the nuclear negotiations with North Korea, a concession given for nothing but empty promises in return.

In much the same way that the Obama administration removed Cuba from the SST list 2 years ago, the Bush administration got empty promises in return for these terrible concessions, while the Obama administration couldn't even get empty promises.

These designations are much more important than just tools for negotiation, Mr. Speaker. They are there because these countries actively support terror or they support or facilitate countries that do support terror. They pose a very serious risk to U.S. national security and global stability. This is not something to take lightly, and removing North Korea from the SST list was a very serious error in judgment.

It is far past time, Mr. Speaker, to correct this mistake, and it has to start by having an honest and transparent determination made on Pyongyang, its support for terror, and its ties to other state sponsor of terrorism states like Iran.

I support Judge POE's bill, and I urge my colleagues to do the same.

Mr. SHERMAN. Mr. Speaker, I yield myself such time as I may consume.

In closing, this bill is an important step in confronting North Korea's support for terrorism around the world. We should not stand idle while North Korea engages in terrorism, including kidnappings, target assassinations, cyber attacks, support for other terrorist organizations, and nuclear proliferation.

I again call upon my colleagues to join me in passing this bill, H.R. 479, the North Korea State Sponsor of Terrorism Designation Act of 2017.

I note that this bill passed our full committee without a single opponent.

Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

I again want to thank Judge POE for his determination to have North Korea labeled as a terrorist state. As Judge POE notes, that is just the way it is.

With the passage of this bill today, we are going to take another step, I think, toward pushing back on that regime's destructive ambitions.

I think also it is worth noting that we have a recently published U.N. panel of experts on North Korea. They put out this report that says that North Korea continues to illicitly ship dual-use items to both Syria and Iran. Now, those are two terrorist regimes.

So I hope that the new administration will move quickly to relist North Korea and continue to seek ways to increase pressure on the regime through the sanctions bill that we passed out of here today and other measures.

Mr. Speaker, I urge my colleagues to support this important measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 479, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROYCE of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 3, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 3, 2017, at 4:32 p.m.:

That the Senate passed S. 544.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

PRINCIPLES FOR REFORMING THE MILITARY SELECTIVE SERVICE PROCESS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 115-27)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Armed Services and ordered to be printed:

To the Congress of the United States:

I transmit herewith Principles for Reforming the Military Selective Service Process, in accordance with section 555 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328), which calls for the President to establish principles for reform of the military selective service process in support of the National Commission on Military, National, and Public Service.

DONALD J. TRUMP.
THE WHITE HOUSE, April 3, 2017.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 6 o'clock and 10 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOODALL) at 6 o'clock and 30 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1343, ENCOURAGING EMPLOYEE OWNERSHIP ACT OF 2017

Mr. BUCK, from the Committee on Rules, submitted a privileged report (Rept. No. 115-75) on the resolution (H. Res. 240) providing for consideration of the bill (H.R. 1343) to direct the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers

to provide certain disclosures relating to compensatory benefit plans, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PRO-
VIDING FOR CONSIDERATION OF
H.R. 1304, SELF-INSURANCE PRO-
TECTION ACT

Mr. BUCK, from the Committee on Rules, submitted a privileged report (Rept. No. 115-76) on the resolution (H. Res. 241) providing for consideration of the bill (H.R. 1304) to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to exclude from the definition of health insurance coverage certain medical stop-loss insurance obtained by certain plan sponsors of group health plans, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1219, SUPPORTING AMERICA'S INNOVATORS ACT OF 2017, AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM APRIL 7, 2017, THROUGH APRIL 24, 2017

Mr. BUCK, from the Committee on Rules, submitted a privileged report (Rept. No. 115-77) on the resolution (H. Res. 242) providing for consideration of the bill (H.R. 1219) to amend the Investment Company Act of 1940 to expand the investor limitation for qualifying venture capital funds under an exemption from the definition of an investment company, and providing for proceedings during the period from April 7, 2017, through April 24, 2017, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Res. 92, by the yeas and nays:

H.R. 479, by the yeas and nays,

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

CONDEMNING NORTH KOREA'S DEVELOPMENT OF MULTIPLE INTERCONTINENTAL BALLISTIC MISSILES

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 92) condemning

North Korea's development of multiple intercontinental ballistic missiles, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, as amended.

The vote was taken by electronic device, and there were—yeas 398, nays 3, not voting 28, as follows:

[Roll No. 209]

YEAS—398

Adams	Cooper	Green, Gene
Aderholt	Correa	Griffith
Aguilar	Costa	Grothman
Allen	Costello (PA)	Guthrie
Amodei	Courtney	Hanabusa
Arrington	Cramer	Harper
Babin	Crawford	Harris
Bacon	Crist	Hartzler
Banks (IN)	Crowley	Hastings
Barr	Cuellar	Heck
Barragán	Culberson	Hensarling
Bass	Cummings	Herrera Beutler
Beatty	Curbelo (FL)	Hice, Jody B.
Bera	Davidson	Higgins (LA)
Bergman	Davis (CA)	Higgins (NY)
Beyer	Davis, Rodney	Hill
Biggs	DeFazio	Himes
Bilirakis	DeGette	Holding
Bishop (MI)	Delaney	Hollingsworth
Bishop (UT)	DeLauro	Hoyer
Black	DelBene	Hudson
Blackburn	Demings	Huffman
Blum	Denham	Huizenga
Blumenauer	Dent	Hultgren
Blunt Rochester	DeSantis	Hunter
Bonamici	DeSaulnier	Hurd
Bost	DesJarlais	Issa
Boyle, Brendan	Deutch	Jackson Lee
F.	Diaz-Balart	Jayapal
Brady (PA)	Dingell	Jeffries
Brady (TX)	Doggett	Jenkins (KS)
Brat	Donovan	Johnson (GA)
Brooks (AL)	Doyle, Michael	Johnson (LA)
Brooks (IN)	F.	Johnson (OH)
Brown (MD)	Duffy	Johnson, E. B.
Brownley (CA)	Duncan (SC)	Johnson, Sam
Buchanan	Duncan (TN)	Jordan
Buck	Dunn	Joyce (OH)
Bucshon	Ellison	Kaptur
Budd	Emmer	Katko
Burgess	Eshoo	Keating
Bustos	Espallat	Kelly (IL)
Byrne	Esty	Kelly (MS)
Calvert	Evans	Kelly (PA)
Capuano	Farenthold	Kennedy
Carbajal	Ferguson	Khanna
Cárdenas	Fitzpatrick	Kihuen
Carson (IN)	Fleischmann	Kildee
Carter (GA)	Flores	Kilmer
Carter (TX)	Fortenberry	King (IA)
Cartwright	Foster	King (NY)
Castor (FL)	Foxx	Kinzinger
Castro (TX)	Frankel (FL)	Knight
Chabot	Franks (AZ)	Krishnamoorthi
Chaffetz	Frelinghuysen	Kuster (NH)
Cheney	Fudge	Kustoff (TN)
Chu, Judy	Gabbard	Labrador
Cicilline	Gaetz	LaHood
Clark (MA)	Gallagher	LaMalfa
Clarke (NY)	Gallego	Lamborn
Cleaver	Garamendi	Lance
Clyburn	Garrett	Langevin
Coffman	Gibbs	Larsen (WA)
Cohen	Gonzalez (TX)	Larson (CT)
Cole	Goodlatte	Latta
Collins (GA)	Gosar	Lawrence
Collins (NY)	Gotthelmer	Lawson (FL)
Comer	Gowdy	Lee
Comstock	Granger	Levin
Conaway	Graves (GA)	Lewis (GA)
Connolly	Graves (LA)	Lewis (MN)
Conyers	Graves (MO)	Lipinski
Cook	Green, Al	LoBiondo

Loeb	Pearce	Shuster
Lofgren	Pelosi	Sinema
Long	Perlmutter	Sires
Loudermilk	Perry	Smith (MO)
Love	Peters	Smith (NE)
Lowenthal	Peterson	Smith (NJ)
Lowe	Pingree	Smith (TX)
Lucas	Pittenger	Smith (WA)
Luetkemeyer	Pocan	Smucker
Lujan Grisham, M.	Poe (TX)	Soto
Lujan, Ben Ray	Poliquin	Speier
Lynch	Polis	Stefanik
MacArthur	Posey	Stewart
Maloney,	Price (NC)	Stivers
Carolyn B.	Quigley	Suozzi
Maloney, Sean	Raskin	Swalwell (CA)
Marchant	Ratcliffe	Takano
Marino	Reed	Taylor
Marshall	Reichert	Tenney
Mast	Renacci	Thompson (CA)
Matsui	Rice (NY)	Thompson (PA)
McCarthy	Rice (SC)	Thornberry
McCaul	Roe (TN)	Tiberi
McCollum	Rogers (KY)	Tipton
McEachin	Rohrabacher	Titus
McGovern	Rokita	Tonko
McHenry	Rooney, Francis	Torres
McKinley	Rooney, Thomas J.	Trott
McMorris	Ros-Lehtinen	Tsongas
Rodgers	Rosen	Turner
McNerney	Roskam	Upton
McSally	Ross	Valadao
Meadows	Rothfus	Vargas
Meehan	Rouzer	Veasey
Meeks	Roybal-Allard	Vela
Meng	Royce (CA)	Velázquez
Messer	Ruiz	Walberg
Mitchell	Ruppersberger	Walden
Moolenaar	Rush	Walker
Mooney (WV)	Russell	Walorski
Moore	Rutherford	Walters, Mimi
Moulton	Ryan (OH)	Walz
Mullin	Sánchez	Wasserman
Murphy (PA)	Sanford	Schultz
Nadler	Sarbanes	Waters, Maxine
Napolitano	Scalise	Watson Coleman
Neal	Schakowsky	Weber (TX)
Newhouse	Schiff	Webster (FL)
Noem	Schneider	Welch
Nolan	Schrader	Wenstrup
Norcross	Schweikert	Westerman
Nunes	Scott (VA)	Williams
O'Halleran	Scott, Austin	Wilson (FL)
O'Rourke	Scott, David	Wilson (SC)
Olson	Sensenbrenner	Wittman
Pallone	Serrano	Womack
Palmer	Sessions	Woodall
Panetta	Sewell (AL)	Yarmuth
Pascarell	Shea-Porter	Yoder
Paulsen	Sherman	Young (AK)
Payne	Shimkus	Young (IA)
		Zeldin

NAYS—3

Amash Jones
NOT VOTING—28

Abraham	Gohmert	Roby
Barletta	Grijalva	Rogers (AL)
Barton	Gutierrez	Simpson
Bishop (GA)	Jenkins (WV)	Slaughter
Bridenstine	Kind	Thompson (MS)
Butterfield	Lieu, Ted	Visclosky
Clay	McClintock	Wagner
Davis, Danny	Murphy (FL)	Yoho
Engel	Palazzo	
Faso	Richmond	

□ 1852

Ms. MOORE changed her vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. WAGNER. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 209.

NOTICE OF INTENTION TO OFFER
RESOLUTION RAISING A QUES-
TION OF THE PRIVILEGES OF
THE HOUSE

Mr. JEFFRIES. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I rise to give notice of my intent to raise a question of the privileges of the House.

The form of the resolution is as follows:

A resolution expressing the sense of the House of Representatives that President Donald Trump shall publicly disclose his tax return information, which would conform with an important tradition connected to occupancy of the White House, as well as uphold his promise to the American people that he would release his tax returns.

Whereas, every President since Gerald Ford has disclosed his tax return information to the American people;

Whereas, in May 2014 Donald Trump stated during a television interview: "If I decide to run for office I'll produce my tax returns absolutely. I would love to do that";

Whereas, in February 2015 Donald Trump stated during a radio interview: "I have no objection to certainly showing tax returns";

Whereas, in February 2016 Donald Trump stated during a televised Republican Presidential debate: "I will absolutely give my returns, but I'm being audited now for two or three years, so I can't do it until the audit is finished, obviously";

Whereas, in May 2016 Donald Trump stated during a television interview: "I will really gladly give them. When the audit ends, I'll present them. That should be before the election";

Whereas, the IRS has made clear that any taxpayer, including Donald Trump, may release his tax returns at any time while under audit;

Whereas, the House of Representatives by constitutional design is the institution closest to the American people, and an overwhelming majority of the American people think Donald Trump should release his tax returns immediately;

Whereas, 17 different intelligence agencies in the United States have concluded that Vladimir Putin and his Russian regime interfered with our Presidential election for the purpose of helping Donald Trump;

Whereas, multiple high-level Trump associates were in regular contact with Russian operatives and intelligence agents during the same time that Russia was hacking into our democracy;

Whereas, multiple high-level Trump associates have financial ties to the Russian regime;

Whereas, Paul Manafort, Donald Trump's former campaign chairman, engineered a pro-Russia change in the Republican Party platform in July 2016 and has received millions of dollars from pro-Russian oligarchs to advance Putin's agenda;

Whereas, Michael Flynn, Donald Trump's first National Security Adviser, resigned in disgrace for misleading to Vice President Mike Pence about potentially unlawful phone calls to the Russian Ambassador and failed to disclose financial compensation received from a Russian propaganda media outlet closely tied to Vladimir Putin;

Whereas, Carter Page, a top foreign policy adviser to the Trump campaign, has now acknowledged visiting the Kremlin in the midst of the 2016 Presidential election;

Whereas, Jeff Sessions, Donald Trump's Attorney General, misled the Senate under oath by failing to disclose his meetings with the Russian Ambassador that took place in July 2016 at the Republican National Convention and again in September of 2016;

Whereas, Michael Cohen, Donald Trump's personal attorney, now acknowledges being in contact with Russian operatives at the same time the attacks on our democracy were taking place;

Whereas, Jared Kushner, a senior White House advisor and Donald Trump's son-in-law, now acknowledges previously undisclosed meetings with the Russian Ambassador;

Whereas, Roger Stone, a self-described political trickster and Donald Trump's long-time consigliere, now acknowledges being in contact with the Russian-aligned hacker Guccifer II and predicted during the campaign that John Podesta's emails would soon be exposed;

Whereas, Ian Fleming, the renowned British author has observed, "Once is happenstance. Twice is coincidence. Three times is enemy action";

Whereas, Donald Trump has shown an unrestrained willingness to criticize and insult allies of the United States of America;

Whereas, Donald Trump wrongly accused Great Britain, our closest ally, of wiretapping Trump Tower in New York City;

Whereas, Donald Trump declined to shake German Chancellor Angela Merkel's hand while seated together during their recent joint appearance at the White House;

Whereas, Donald Trump stated in a recent C-PAC speech that "Paris is no longer Paris";

Whereas, Donald Trump threatened to cancel a refugee transfer agreement with our ally Australia and reportedly hung up on the Prime Minister;

Whereas, Donald Trump told the President of Mexico that America would deploy military personnel to that sovereign nation if our southern neighbor does not deal with its "bad hombres";

Whereas, Donald Trump has repeatedly criticized our strategic and military alliance with Western European allies and called NATO "obsolete";

Whereas, Donald Trump refuses to say a negative word about Vladimir Putin or his corrupt Russian regime;

Whereas, Bill O'Reilly interviewed Donald Trump on Super Bowl Sunday and asked about Putin's brutal and murderous regime;

Whereas, Donald Trump responded, "There are a lot of killers. You think our country's so innocent?", suggesting a moral equivalence between the United States and Russia;

Whereas, Yogi Berra, the great Yankee catcher and philosopher-king, once observed "that's too coincidental to be a coincidence";

Whereas, Donald Trump tweeted on January 11: "I have nothing to do with Russia—no deals, no loans, no nothing";

Whereas, Donald Trump Jr. once stated: "Russians make up a pretty disproportionate cross-section of a lot of our assets. We see a lot of money pouring in from Russia";

Whereas, disclosure of Donald Trump's tax returns will help the American people and their elected Representatives in this House better understand Trump's financial ties, if any, to Putin's Russia;

Whereas, the American people have a right to know whether financial conflicts of interest exist between the President of the United States and a hostile foreign power;

Whereas, the chairmen of the House Ways and Means Committee, Joint Committee on Taxation, and Senate Finance Committee have the authority to request Donald Trump's tax returns under section 6103 of the Tax Code; and

Whereas, the FBI is conducting a criminal and counterintelligence investigation into Russian interference with the recent Presidential election, including possible collusion between the Trump campaign and the Kremlin;

Now, therefore, be it resolved that the House of Representatives shall:

One, immediately request tax return information of Donald J. Trump for tax years 2007 through 2016 for review in closed executive session by the Committee on Ways and Means, as provided under section 6103 of the Internal Revenue Code, and vote to report the information therein to the full House of Representatives; and

Two, postpone consideration of comprehensive tax reform legislation until after the elected Representatives of the American people in this House have been able to review Trump's tax returns and ascertain how any changes to the Tax Code might financially benefit the President of the United States.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from New York will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

NORTH KOREA STATE SPONSOR OF TERRORISM DESIGNATION ACT OF 2017

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 479) to require a report on the designation of the Democratic People's Republic of Korea as a state sponsor of terrorism, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 394, nays 1, not voting 34, as follows:

[Roll No. 210]

YEAS—394

Adams	Calvert	DeFazio
Aderholt	Capuano	DeGette
Aguilar	Carbajal	Delaney
Allen	Cárdenas	DeLauro
Amash	Carson (IN)	DelBene
Arrington	Carter (GA)	Demings
Babin	Carter (TX)	Denham
Bacon	Cartwright	Dent
Banks (IN)	Castor (FL)	DeSantis
Barr	Castro (TX)	DeSaulnier
Barragán	Chabot	DesJarlais
Bass	Chaffetz	Deutch
Beatty	Cheney	Diaz-Balart
Bera	Chu, Judy	Dingell
Bergman	Cicilline	Doggett
Beyer	Clark (MA)	Donovan
Biggs	Clarke (NY)	Doyle, Michael
Bilirakis	Cleaver	F.
Bishop (MI)	Coffman	Duncan (SC)
Bishop (UT)	Cohen	Duncan (TN)
Black	Cole	Dunn
Blackburn	Collins (GA)	Ellison
Blum	Collins (NY)	Emmer
Blumenauer	Comer	Eshoo
Blunt	Conaway	Españolat
Bonamici	Connolly	Esty
Bost	Conyers	Evans
Boyle, Brendan	Cook	Farenthold
F.	Cooper	Faso
Brady (PA)	Correa	Ferguson
Brady (TX)	Costa	Fitzpatrick
Brat	Costello (PA)	Fleischmann
Brooks (AL)	Courtney	Flores
Brooks (IN)	Cramer	Fortenberry
Brown (MD)	Crawford	Foster
Brownley (CA)	Crist	Fox
Buchanan	Crowley	Frankel (FL)
Buck	Cuellar	Franks (AZ)
Bucshon	Culberson	Frelinghuysen
Budd	Curbelo (FL)	Fudge
Burgess	Davidson	Gabbard
Bustos	Davis (CA)	Gaetz
Byrne	Davis, Rodney	Gallagher

Gallego	Laundermilk	Rouzer
Garamendi	Love	Roybal-Allard
Garrett	Lowenthal	Royce (CA)
Gibbs	Lowey	Ruiz
Gonzalez (TX)	Lucas	Ruppersberger
Goodlatte	Luetkemeyer	Rush
Gosar	Lujan Grisham,	Russell
Gottheimer	M.	Rutherford
Gowdy	Luján, Ben Ray	Ryan (OH)
Granger	Lynch	Sánchez
Graves (GA)	MacArthur	Sanford
Graves (LA)	Maloney,	Sarbanes
Graves (MO)	Carolyn B.	Scalise
Green, Al	Maloney, Sean	Schakowsky
Green, Gene	Marchant	Schiff
Griffith	Marino	Schneider
Grothman	Marshall	Schrader
Guthrie	Mast	Schweikert
Hanabusa	Matsui	Scott (VA)
Harper	McCarthy	Scott, Austin
Harris	McCaul	Scott, David
Hartzler	McCollum	Sensenbrenner
Hastings	McEachin	Serrano
Heck	McGovern	Sessions
Hensarling	McHenry	Sewell (AL)
Herrera Beutler	McKinley	Shea-Porter
Hice, Jody B.	McMorris	Sherman
Higgins (LA)	Rodgers	Shimkus
Higgins (NY)	McNerney	Shuster
Hill	McSally	Sinema
Himes	Meadows	Sires
Holding	Meehan	Smith (MO)
Hollingsworth	Meeke	Smith (NE)
Hoyer	Meng	Smith (NJ)
Hudson	Messer	Smith (TX)
Huffman	Mitchell	Smith (WA)
Huizenga	Moolenaar	Smucker
Hultgren	Mooney (WV)	Soto
Hunter	Moore	Stefanik
Hurd	Moulton	Stewart
Issa	Mullin	Stivers
Jackson Lee	Murphy (PA)	Suozzi
Jayapal	Nadler	Swalwell (CA)
Jeffries	Napolitano	Takano
Jenkins (KS)	Neal	Taylor
Jenkins (WV)	Newhouse	Tenney
Johnson (GA)	Noem	Thompson (CA)
Johnson (LA)	Nolan	Thompson (PA)
Johnson (OH)	Norcross	Thornberry
Johnson, E. B.	Nunes	Tiberi
Johnson, Sam	O'Halleran	Tipton
Jones	O'Rourke	Titus
Jordan	Olson	Tonko
Joyce (OH)	Pallone	Torres
Kaptur	Palmer	Trott
Katko	Panetta	Tsongas
Keating	Pascrell	Turner
Kelly (IL)	Paulsen	Upton
Kelly (MS)	Payne	Valadao
Kelly (PA)	Pearce	Vargas
Kennedy	Perlmutter	Veasey
Khanna	Perry	Vela
Kihuen	Peters	Velázquez
Kildee	Peterson	Wagner
Kilmer	Pingree	Walberg
King (IA)	Pittenger	Walden
King (NY)	Pocan	Walker
Kinzinger	Poe (TX)	Walorski
Knight	Poliquin	Walters, Mimi
Krishnamoorthi	Posey	Walz
Kuster (NH)	Price (NC)	Wasserman
Kustoff (TN)	Quigley	Schultz
Labrador	Raskin	Waters, Maxine
LaHood	Ratcliffe	Watson Coleman
LaMalfa	Reed	Weber (TX)
Lamborn	Reichert	Webster (FL)
Lance	Renacci	Welch
Langevin	Rice (NY)	Wenstrup
Larsen (WA)	Rice (SC)	Westerman
Larson (CT)	Roe (TN)	Williams
Latta	Rogers (KY)	Wilson (FL)
Lawrence	Rohrabacher	Wilson (SC)
Lawson (FL)	Rokita	Wittman
Lee	Rooney, Francis	Womack
Levin	Rooney, Thomas	Woodall
Lewis (GA)	J.	Yarmuth
Lewis (MN)	Ros-Lehtinen	Yoder
Lipinski	Rosen	Young (AK)
LoBiondo	Roskam	Young (IA)
Loebach	Ross	Zeldin
Long	Rothfus	

NAYS—1

Massie

NOT VOTING—34

Abraham	Duffy	Polis
Amodei	Engel	Richmond
Barletta	Gohmert	Roby
Barton	Grijalva	Rogers (AL)
Bishop (GA)	Gutiérrez	Simpson
Bridenstine	Kind	Slaughter
Butterfield	Lieu, Ted	Speier
Clay	Lofgren	Thompson (MS)
Clyburn	McClintock	Visclosky
Comstock	Murphy (FL)	Yoho
Cummings	Palazzo	
Davis, Danny	Pelosi	

□ 1915

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING WORLD AUTISM AWARENESS DAY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, yesterday, the world celebrated Autism Awareness Day.

Each year, Autism Speaks asks people across the Nation and around the globe to "Light It Up Blue" in an effort to increase understanding and acceptance.

Last night, right here in our Nation's Capital, the White House joined hundreds of iconic landmarks as it illuminated the exterior blue. Individuals wore blue clothing or turned their on-line profile photos blue.

Autism spectrum disorders affect an estimated 1 out of every 68 children in the United States. These families face enormous challenges in assisting their loved ones over the course of their lifetimes. Each year, an estimated 50,000 youth will turn 18 in the United States, and many face a services cliff when school-based programs end.

Men and women living on the autism spectrum have made incredible contributions to our society. We must continue to research the causes of autism and work to strengthen opportunities for individuals with autism to live full lives.

Together, we can increase understanding and acceptance as we celebrate and support so many Americans who live with autism.

GORSUCH NOMINATION

(Mrs. WATSON COLEMAN asked and was given permission to address the House for 1 minute.)

Mrs. WATSON COLEMAN. Mr. Speaker, Judge Neil Gorsuch's lifelong appointment to the Supreme Court would have serious consequences for all Americans, but especially the health and well-being of African-American women.

In 2013, by ruling that corporations have the right to deny access to contraceptives on employer-sponsored health insurance plans, Judge Gorsuch proved that he believes the reproductive decisions of women nationwide can and should impact their livelihood. This is problematic and troubling.

For Black women and so many women across the world, birth control is a matter of health and life. We rely on contraception to treat endometriosis, manage uterine fibroids, unplanned pregnancies, and quell PMS symptoms.

In 2013, Judge Neil Gorsuch made the decision that his overarching commitment to religious freedom as a constitutional and statutory right is more important than lifesaving reproductive care.

In 2013, he proved he should not be confirmed to the United States Supreme Court. For this reason and a host of others, I implore my colleagues in the Senate to take all available steps to oppose Judge Gorsuch's nomination.

RECOGNIZING THE CITY OF WEST MIAMI ON ITS 70TH ANNIVERSARY

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise tonight to pay tribute to the city of West Miami in recognition of its 70th anniversary.

What began as a small town of 700 residents has flourished into a haven for nearly 7,000 south Floridians, including my constituents, Senator MARCO RUBIO and Miami-Dade County commissioners and former West Miami Mayor Rebeca Sosa, who are proud to call West Miami home.

While the city itself is less than 1 square mile, the tremendous growth that has graced West Miami in the past 70 years has led to the creation of some of the finest public parks and summer camps in our State.

To celebrate its founding, local officials, businesses, residents, and their families will gather together on Saturday, April 8, at Cooper Park, in celebration of this incredible milestone.

I am honored to represent the city of West Miami, and I thank all who have dedicated countless hours to making this corner of south Florida special for all of us to enjoy.

HONORING EQUAL PAY DAY

(Mr. KRISHNAMOORTHY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KRISHNAMOORTHY. Mr. Speaker, I rise to speak in honor of Equal Pay Day, which is tomorrow.

Women in our country earn, on average, 78 cents for every dollar that a

man makes. For women of color, that gap is larger. Even in my own district, the Eighth Congressional District of Illinois, where the overall disparity is smaller, women still only earn 83 cents on the dollar.

The pay gap is not simply a women's issue, but a challenge for all Americans. Gender wage disparities are a fundamental obstacle to millions of families trying to make ends meet.

At a time when nearly two-thirds of mothers are primary, sole, or co-breadwinners for their families, the pay gap makes it that much harder to pay for groceries, housing, child care, and all the other necessities of daily life.

I am proud to be an original cosponsor of the Paycheck Fairness Act and hope all my colleagues will join me in supporting this bill to address pay discrimination.

PROTESTING THE ARREST OF REVEREND CAO SAN QIANG

(Mr. CONAWAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONAWAY. Mr. Speaker, I rise today to shed light on the religious persecution of Christians by the Chinese Government.

On March 5 of this year, Reverend Cao San Qiang, also known as "Pastor John," was arrested and is still behind bars in the Yunnan province of southwest China. I believe that his arrest and detention was for inflated charges leveled against him simply because he is a Christian.

Pastor John has been a permanent resident of the United States since 1990, where he attended seminary and became a pastor in Greensboro, North Carolina. He is married, with two children, and is kind and humble. Even though he was living a comfortable life in the United States, he kept his Chinese citizenship so he could continue to travel there and spread the good word of Jesus Christ.

He has been ministering to the impoverished people of Myanmar and the Yunnan province of China for over a decade. In these last 3 years, he helped build and staff 16 schools in northern Myanmar.

For years, Pastor John regularly crossed the border on his small motorcycle loaded with food and medicine, without incident. For some reason, this time, he was arrested and charged as a smuggler.

Since his arrest, Chinese officials have raided and threatened a number of Christian churches in several provinces. I urge the State Department to seek Pastor John's immediate release from Chinese custody and to stop further raids before other innocent individuals become casualties of aggressive religious persecution.

CONGRATULATING FAIRMONT HEIGHTS HORNETS

(Mr. BROWN of Maryland asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Maryland. Mr. Speaker, I rise to congratulate the Fairmont Heights Hornets for winning their first State basketball championship in 36 years.

After trailing by as much as 9 points, the Hornets, under the leadership of Coach Chuck Henry, won the 1A boys State title by a score of 65-52. The team of young scholars was resilient, played hard, and never panicked.

Credit is due to Coach Henry, who has taken his team to the State championship after only 2 years on the job. He is a role model, had high expectations for his students, and constantly pushed them to play better on the court and achieve more in the classroom. Throughout the season, Coach Henry never lost faith in his young team.

Mr. Speaker, the students on the winning Fairmont Heights team may not go on to play in the NCAA or the NBA, but the memories of this moment, the bonds they have built, and the lessons they have developed will stay with them for a lifetime.

Fairmont Heights High School has a proud legacy. When it opened its doors in 1950, it was only one of two high schools in the State of Maryland for African Americans. Now, nearly 70 years later, the school has made history again. This team has made Prince George's County and the entire Fourth Congressional District very proud.

Go, Hornets.

PROTECTING OUR BORDER

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, the past several days, I had my first-ever tour of our southwest border. During my visit, I met with Border Patrol agents in New Mexico and Texas, as well as ranchers and business leaders on the border.

Border security was a significant issue in the last election, as Americans are concerned about the flow of illegal narcotics and aliens across the border. Although gaps in security remain, I saw an impressive array of assets, including drones and manned aircraft, walls, cameras, and other materiel.

More impressive, however, are the men and women who work for Customs and Border Protection, who, at no small risk to themselves, work to keep America secure. They are very encouraged lately as they see policy changes coming that will allow them to enforce

our laws. Mr. Speaker, these individuals are literally on the front line defending our Nation and communities, and I thank them for their service.

I understand that there are job opportunities with Border Patrol. For those seeking a public service career doing something bigger than themselves, that is something to consider.

EQUAL PAY DAY

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, over 50 years ago, President John F. Kennedy signed into law the Equal Pay Act, landmark legislation which requires that men and women in the same workplace be given equal pay for equal work.

Unfortunately, equal pay for equal work has not become a reality. In fact, women are paid between 79 and 80 cents for every dollar that men are paid for doing the exact same job. In fact, it takes women until tomorrow, April 4, to earn what men were paid in the previous year.

For women of color, the gap is even wider. In 2015, African-American women made 65 cents for every dollar earned by their White male counterparts. For Hispanic women, it is even worse. They earn 58 cents for every dollar earned by their White male counterparts.

Women pay a huge price because of the wage gap. Today, families rely increasingly on women's wages to make ends meet; and with less take-home pay, women have less money to cover the everyday needs of their family.

Mr. Speaker, it is time for Congress to right the wrong. Let's pass the Pay-check Fairness Act and send it to the President's desk for signature.

□ 1930

END COMMERCIAL WHALING

(Mr. GAETZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GAETZ. Mr. Speaker, our great ally Australia has long been the leading voice in the world to end commercial whaling. I rise to let them know that they are not alone and to announce the filing of bipartisan legislation to support an end to commercial whaling.

Another of our valued allies, Japan, unfortunately continues this depraved practice. In fact, the Japanese whaling fleet has just returned home, having killed 333 Antarctic minke whales.

Despite the global ban on commercial whaling, Japan continues the slaughter on the seas under a thinly veiled claim of research. Research into whales is important, but all available

science shows that this research can be conducted with nonlethal testing and biopsies.

The Japan whale hunt isn't about research. It is about whale meat. In 2012, a Japanese minister even commented that the minke whale offers great flavor and aroma as sashimi. I think that is disgusting.

The Japanese whalers shoot the world's majestic mammals with exploding harpoons and electric lances. Death can often take hours.

Commercial and fake research hunting of whales must end. I thank Australia for its leadership. I ask Japan to be honest with the world and end this barbaric practice.

JOBS SHOULD BE JOB ONE

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, the consensus for this Friday's Bureau of Labor Statistics jobs report is that it will show the economy added about 178,000 new private sector jobs in March. That is a good number, though not as good as the March numbers in recent years.

As The New York Times put it: "Growth in the first 3 months of the Trump administration is looking much the way it did" in the growth under President Obama.

But because of the current administration's inaction on vital economic issues, like infrastructure spending, right now about one in three market experts now think that a near-term stock market correction may be in the cards.

Instead of doing the things we need to do to rev up the economy, this body has been spending time trying to make it harder for women to access contraceptives, gutting our right to privacy on the internet, and trying to take health care away from millions of Americans. That is no way, Mr. Speaker, to create jobs.

How about we do what the President said he wanted to do? Let's make the investments that we need now that will stimulate the creation of good jobs—good-paying jobs for Americans. That should be job number one for this Congress.

HAPPY 108TH BIRTHDAY TO MARY COFFEY

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, 100 years is a century. It is a really long time. 108 years of life is a blessing.

A young lady I work for in the Texas 22nd Congressional District, who lives in my hometown of Sugar Land, is such

a blessing. Her name is Mary Coffey, and she celebrated her 108th birthday on March 20.

In a recent article in the Fort Bend Star, Mary described her keys to being blessed: Number one, trust Jesus and read several Bible studies with your friends; number two, get plenty of exercise; number three, eat healthy; and number four is about personal hygiene, have jar after jar after jar of Pond's cold cream available when you need it most.

For 108 years, Mary has inspired all of us.

Happy 108th birthday, Mary. Let's go out; maybe go out dancing if you promise not to wear me out.

INVESTIGATION INTO RUSSIAN CONNECTIONS IS LONG OVERDUE

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, today The Washington Post reported that the United Arab Emirates arranged a secret meeting in January between Blackwater founder and major Trump contributor Erik Prince and a Russian close to President Vladimir Putin. The meeting was an apparent effort to establish a back-channel line of communication between Moscow and President-elect Donald Trump, according to U.S., European, and Arab officials.

Erik Prince, by the way, is the brother to Betsy DeVos, the Secretary of Education. The UAE's incentive to broker this meeting comes from the deteriorating relationship between them and Iran. They wanted to drive a wedge between Russia, Iran, and Syria. Agreement on that deal would need a handsome reward, like the easing of U.S. sanctions on the Russian Federation for its invasion of Ukraine.

Blackwater is the private security firm that became infamous for U.S. abuses in Iraq after a series of incidents, including one in 2007 in which the company's guards were charged and criminally convicted of killing civilians.

"Officials said Zayed and his brother, the UAE's national security adviser, coordinated the Seychelles meeting with Russian Government officials with the goal of establishing an unofficial back channel between Trump and Putin." The UAE at one point paid Erik Prince's firm a reported half a billion dollars to consult on defensive security.

An independent bipartisan commission to investigate Trump officials and Russian connections is long overdue.

[From the Washington Post, Apr. 3, 2017]
BLACKWATER FOUNDER HELD SECRET SEYCHELLES MEETING TO ESTABLISH TRUMP-PUTIN BACK CHANNEL

(By Adam Entous, Greg Miller, Kevin Sieff and Karen DeYoung)

The United Arab Emirates arranged a secret meeting in January between Blackwater

founder Erik Prince and a Russian close to President Vladimir Putin as part of an apparent effort to establish a back-channel line of communication between Moscow and President-elect Donald Trump, according to U.S., European and Arab officials.

The meeting took place around Jan. 11—nine days before Trump's inauguration—in the Seychelles islands in the Indian Ocean, officials said. Though the full agenda remains unclear, the UAE agreed to broker the meeting in part to explore whether Russia could be persuaded to curtail its relationship with Iran, including in Syria, a Trump administration objective that would likely require major concessions to Moscow on U.S. sanctions.

Though Prince had no formal role with the Trump campaign or transition team, he presented himself as an unofficial envoy for Trump to high-ranking Emiratis involved in setting up his meeting with the Putin confidant, according to the officials, who did not identify the Russian.

Prince was an avid supporter of Trump who gave \$250,000 last year to support the GOP nominee's campaign, records show. He has ties to people in Trump's circle, including Stephen K. Bannon, now serving as the president's chief strategist and senior counselor. Prince's sister Betsy DeVos serves as education secretary in the Trump administration. And Prince was seen in the Trump transition offices in New York in December.

U.S. officials said the FBI has been scrutinizing the Seychelles meeting as part of a broader probe of Russian interference in the 2016 U.S. election and alleged contacts between associates of Putin and Trump. The FBI declined to comment.

The Seychelles encounter, which one official said spanned two days, adds to an expanding web of connections between Russia and Americans with ties to Trump—contacts that the White House has been reluctant to acknowledge or explain until they have been exposed by news organizations.

"We are not aware of any meetings and Erik Prince had no role in the transition," said Sean Spicer, the White House press secretary.

"Erik had no role on the transition team. This is a complete fabrication," said a spokesman for Prince in a statement. "The meeting had nothing to do with President Trump. Why is the so-called underresourced intelligence community messing around with surveillance of American citizens when they should be hunting terrorists?"

Prince is best known as the founder of Blackwater, a security firm that became a symbol of U.S. abuses in Iraq after a series of incidents including one in 2007 in which the company's guards were accused—and later criminally convicted—of killing civilians in a crowded Iraqi square. Prince sold the firm, which was subsequently rebranded, but has continued building a private paramilitary empire with contracts across the Middle East and Asia.

Prince would probably have been seen as too controversial to serve in any official capacity in the Trump transition or administration. But his ties to Trump advisers, experience with clandestine work and relationship with the royal leaders of the Emirates—where he moved in 2010 amid mounting legal problems for his American business—would have positioned him as an ideal go-between.

The Seychelles meeting came after private discussions in New York involving high-ranking representatives of Trump, Moscow and the Emirates.

The White House has acknowledged that Michael T. Flynn, Trump's original national

security adviser, and Trump adviser and son-in-law Jared Kushner met with the Russian ambassador to the United States, Sergey Kislyak, in late November or early December in New York.

Flynn and Kushner were joined by Bannon for a separate meeting with the crown prince of Abu Dhabi, Sheikh Mohamed bin Zayed al-Nahyan, who made an undisclosed visit to New York later in December, according to the U.S., European and Arab officials who spoke on the condition of anonymity to discuss sensitive matters.

In an unusual breach of protocol, the UAE did not notify the Obama administration in advance of the visit, though officials found out because Zayed's name appeared on a flight manifest.

Officials said Zayed and his brother, the UAE's national security adviser, coordinated the Seychelles meeting with Russian government officials with the goal of establishing an unofficial back channel between Trump and Putin.

Officials said Zayed wanted to be helpful to both leaders who had talked about working more closely together, a policy objective long advocated by the crown prince. The UAE, which sees Iran as one of its main enemies, also shared the Trump team's interest in finding ways to drive a wedge between Moscow and Tehran.

Zayed met twice with Putin in 2016, according to Western officials, and urged the Russian leader to work more closely with the Emirates and Saudi Arabia—an effort to isolate Iran.

At the time of the Seychelles meeting and for weeks afterward, the UAE believed that Prince had the blessing of the new administration to act as its unofficial representative. The Russian participant was a person whom Zayed knew was close to Putin from his interactions with both men, the officials said.

When the Seychelles meeting took place, official contacts between members of the incoming Trump administration and the Russian government were under intense scrutiny, both from federal investigators and the press.

Less than a week before the Seychelles meeting, U.S. intelligence agencies released a report accusing Russia of intervening clandestinely during the 2016 election to help Trump win the White House.

The FBI was already investigating communications between Flynn and Kislyak. The Washington Post's David Ignatius first disclosed those communications on Jan. 12, around the time of the Seychelles meeting. Flynn was subsequently fired by Trump for misleading Vice President Pence and others about his discussions with Kislyak.

Yousef Al Otaiba, the UAE's ambassador in Washington, declined to comment.

Government officials in the Seychelles said they were not aware of any meetings between Trump and Putin associates in the country around Jan. 11. But they said luxury resorts on the island are ideal for clandestine gatherings like the one described by the U.S., European and Arab officials.

"I wouldn't be surprised at all," said Barry Faure, the Seychelles secretary of state for foreign affairs. "The Seychelles is the kind of place where you can have a good time away from the eyes of the media. That's even printed in our tourism marketing. But I guess this time you smelled something."

Trump has dismissed the investigations of Russia's role in the election as "fake news" and a "witch hunt."

The level of discretion surrounding the Seychelles meeting seems extraordinary

given the frequency with which senior Trump advisers, including Flynn and Kushner, had interacted with Russian officials in the United States, including at the high-profile Trump Tower in New York.

Steven Simon, a National Security Council senior director for the Middle East and North Africa in the Obama White House, said: "The idea of using business cutouts, or individuals perceived to be close political leaders, as a tool of diplomacy is as old as the hills. These unofficial channels are desirable precisely because they are deniable; ideas can be tested without the risk of failure."

Current and former U.S. officials said that while Prince refrained from playing a direct role in the Trump transition, his name surfaced so frequently in internal discussions that he seemed to function as an outside adviser whose opinions were valued on a range of issues, including plans for overhauling the U.S. intelligence community.

He appears to have particularly close ties to Bannon, appearing multiple times as a guest on Bannon's satellite radio program over the past year as well as in articles on the Breitbart Web site that Bannon ran before joining the Trump campaign.

In a July interview with Bannon, Prince said those seeking forceful U.S. leadership should "wait till January and hope Mr. Trump is elected." And he lashed out at President Barack Obama, saying that because of his policies "the terrorists, the fascists, are winning."

Days before the November election, Prince appeared on Bannon's program again, saying that he had "well-placed sources" in the New York City Police Department telling him they were preparing to make arrests in the investigation of former congressman Anthony Weiner (D-N.Y.) over allegations he exchanged sexually explicit texts with a minor. Flynn tweeted a link to the Breitbart report on the claim. No arrests occurred.

Prince went on to make a series of unfounded assertions that damaging material recovered from Weiner's computers would implicate Hillary Clinton and her close adviser, Huma Abedin, who was married to Weiner. He also called Abedin an "agent of influence very sympathetic to the Muslim Brotherhood."

Prince and his family were major GOP donors in 2016. After the Republican convention, he contributed \$250,000 to Trump's campaign, the national party and a pro-Trump super PAC led by GOP mega-donor Rebekah Mercer. The Center for Responsive Politics reported that the family gave more than \$2.7 million to GOP candidates and super PACs, including about \$2.7 million from his sister, DeVos, and her husband.

Prince's father, Edgar Prince, built his fortune through an auto-parts company. Betsy married Richard DeVos Jr., heir to the Amway fortune.

Erik Prince has had lucrative contracts with the UAE government, which at one point paid his firm a reported \$529 million to help bring in foreign fighters to help assemble an internal paramilitary force capable of carrying out secret operations and protecting Emirati installations from terrorist attacks.

The Trump administration and the UAE appear to share a similar preoccupation with Iran. Current and former officials said that Trump advisers were focused throughout the transition period on exploring ways to get Moscow to break ranks with Tehran.

"Separating Russia from Iran was a common theme," said a former intelligence official in the Obama administration who met

with Trump transition officials. "It didn't seem very well thought out. It seemed a little premature. They clearly had a very specific policy position, which I found odd given that they hadn't even taken the reins and explored with experts in the U.S. government the pros and cons of that approach."

Michael McFaul, former U.S. ambassador to Russia, said he also had discussions with people close to the Trump administration about the prospects of drawing Russia away from Iran. "When I would hear this, I would think, 'Yeah that's great for you guys, but why would Putin ever do that?'" McFaul said. "There is no interest in Russia ever doing that. They have a long relationship with Iran. They're allied with Iran in fighting in Syria. They sell weapons to Iran. Iran is an important strategic partner for Russia in the Middle East."

Following the New York meeting between the Emiratis and Trump aides, Zayed was approached by Prince, who said he was authorized to act as an unofficial surrogate for the president-elect, according to the officials. He wanted Zayed to set up a meeting with a Putin associate. Zayed agreed and proposed the Seychelles as the meeting place because of the privacy it would afford both sides. "He wanted to be helpful," one official said of Zayed.

Wealthy Russians and Emirati royalty have a particularly large footprint on the islands. Signs advertising deep-sea fishing trips are posted in Cyrillic. Russian billionaire Mikhail Prokhorov owns North Island, where Prince William and Catherine, Duchess of Cambridge, went on their honeymoon in 2011. Sheikh Khalifa bin Zayed al-Nahyan, president of the UAE, built a hilltop palace for himself with views across the chain of islands.

The Emiratis have given hundreds of millions of dollars to the Seychelles in recent years for causes including public health and affordable housing. But when the Emirati royal family visits, they are rarely seen.

"The jeep comes to their private jet on the tarmac and they disappear," said one Seychellois official who spoke on the condition of anonymity because he did not want to be seen as criticizing the Emiratis.

Zayed, the crown prince, owns a share of the Seychelles Four Seasons, a collection of private villas scattered on a lush hillside on the main island's southern shore, overlooking the Indian Ocean, according to officials in the Seychelles. The hotel is tucked away on a private beach, far from the nearest public road.

Current and former U.S. officials who have worked closely with Zayed, who is often referred to as MBZ, say it would be out of character for him to arrange the Jan. 11 meeting without getting a green light in advance from top aides to Trump and Putin, if not the leaders themselves. "MBZ is very cautious," said an American businessman who knows Zayed. "There had to be a nod."

The Seychelles meeting was deemed productive by the UAE and Russia but the idea of arranging additional meetings between Prince and Putin's associates was dropped, officials said. Even unofficial contacts between Trump and Putin associates had become too politically risky, officials said.

Sieff reported from the Seychelles. Julie Tate, Devlin Barrett, Matea Gold, Tom Hamburger and Rosalind S. Helderman contributed to this report.

HONORING CHIEF CLINT GREENWOOD

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, early this morning, Precinct 3 Assistant Chief Clint Greenwood put on his uniform, secured his badge over his heart, and he headed off to work.

As he arrived at the courthouse at 7 a.m., shots suddenly rang out. After the smoke cleared, Chief Greenwood was shot in the neck. His fellow officers rushed to his aid, and he was airlifted to a nearby Houston hospital, but it was too late. Texas lost another one of its finest men in blue.

The suspect is still at large, but not for long. As the investigation develops, it is still unclear if Deputy Chief Greenwood was specifically targeted or if he was ambushed because he wore the uniform. Law enforcement will do everything in their power to find and apprehend the murderous outlaw.

Chief Greenwood dedicated 30 years of his life to the law. I knew Clint when I worked as a judge in Houston, Texas. He was a prosecutor. He was a defense lawyer. He worked for the sheriff's department, and now more recently as a member of the constable's office. He was of strong character and a proud Texas lawman.

Texas prays for Chief Greenwood's family and the Harris County, Texas, constable's office. Our men and women who wear the badge are the best we have. They protect and serve our communities. Chief Greenwood's life may be gone, but his memory serves as a reminder of all those who give their lives for the thin blue line. Back the blue, Mr. Speaker. Back the blue.

And that is just the way it is.

ELECTRIC UTILITY TRANSMISSION LINES IN NATIONAL FORESTS

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, tonight I am pleased to announce the Electric Reliability and Forest Protection Act of 2017, cosponsored by my colleague Representative SCHRADER of Washington.

Thousands of miles of electric utility transmission lines run through our national forests, key infrastructure that literally keeps the lights on across the West. Unfortunately, existing Forest Service rules hinder effective removal of hazardous trees and safe management of transmission rights-of-way. In too many cases, the inability to address hazards in a timely fashion results in blackouts, damaged infrastructure, and even forest fires, something we have too much of in the West, as you know. This all could be prevented if electric utilities were allowed to remove the dangers in a timely fashion.

This bill will reform that broken system by streamlining the process for utilities to receive Forest Service approval for long-term transmission maintenance plans, allowing them to take immediate action to remove hazardous trees as soon as they are identified, before they cause a fire.

This is a widely supported rule by rural communities, rural electric cooperatives, and many others. It is a good bipartisan effort. Let's get it done.

THE SMITH FAMILY ACHIEVED THE AMERICAN DREAM THROUGH HARD WORK

The SPEAKER pro tempore (Mr. BERGMAN). Under the Speaker's announced policy of January 3, 2017, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 60 minutes as the designee of the majority leader.

Ms. FOXX. Mr. Speaker, last month I had the privilege of meeting Lisa and Chad Smith and their charming son Jamil during a visit to Newland, North Carolina, in the Fifth District.

The Smiths are the proprietors of Forage Soaps, which began in 2014 with a \$50 purchase of supplies and a trip to the Avery County Farmers Market to sell their first batch of wild-crafted soaps made in their kitchen. Wild-crafted refers to plants collected from their natural or indigenous habitat. The Smiths handpicked these botanicals fresh from the trail with minimal environmental impact to ensure long-term sustainability.

Well, that first batch turned into a second batch and a third batch, and so on. As they continued to make soap, they bought better equipment and invested in larger orders of supplies. Word spread about their soap, and before they knew it, the Smiths were receiving invitations to attend craft and artisan shows. They were invited to put their soap in several local galleries, and it wasn't long before they were filling their first wholesale order.

Today their business includes a retail location that also functions as their studio as well as several small satellite locations and an online store. Chad works for Mountain Electric Cooperative full time, and Lisa has a master's degree in organic chemistry and biology. She has been making soap for more than 20 years.

The Smiths adopted Jamil when he was 18 months old. They were told he would never be able to speak and may never be able to walk. Today he does both and is attending school and thriving with their loving care. He even helps out with the business, where he loves to mix oils and wild-craft herbs. Their older children help with deliveries and during special events, while their grandchildren like to come on weekends to help stock shelves and run the cash register. It is truly a family affair.

Lisa likes to say she and Chad built their business one bar of soap at a time. They didn't take out business loans or expect to be an overnight success. Instead, they started small and grew a little bit at a time, working long, hard hours, and eventually reinvesting in their business.

The Smiths are living proof that one can achieve the American Dream through hard work. It is an honor to represent them in Congress.

Mr. Speaker, I yield to the gentleman from Florida (Mr. GAETZ).

THE FLORIDA EVERGLADES

Mr. GAETZ. Mr. Speaker, I thank the gentlewoman for yielding.

I rise to speak on an issue important to so many Floridians, and that is the Florida Everglades. The Everglades are Florida. They are as iconic as the Blue Angels, the space shuttle, and even the orange. No one in Florida is unaffected by the fate of the Everglades. This is why I join my colleagues on both sides of the aisle in encouraging President Trump to remain focused on Everglades restoration.

Congress has invested in these projects before, and the Everglades ecosystem is improving as a result. But there is debate about how to proceed. In short, the question is: Should the government buy more Everglades land?

I say no. Forty-two percent of the land in south Florida is already owned by the government. We should get the government out of the real estate business, not deeper into it.

Instead of a land buy, we must finish the Comprehensive Everglades Restoration Plan. Since 2000, this plan has enjoyed bipartisan support. Taxpayer dollars go toward important environmental work. The plan respects private property rights, doesn't harm agricultural communities who play a critical role in Florida's economies, and advances the cause of restoration.

Florida's Everglades are a national treasure. We can't afford to lose them. Finishing the Comprehensive Everglades Restoration Plan will ensure that our river of grass will be around for generations to come.

Mr. Speaker, I take particular pride in thanking both Congressmen ROONEYs from my State for their outstanding leadership.

Ms. FOXX. Mr. Speaker, I yield back the balance of my time.

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CONFIRMATION OF NEIL GORSUCH TO THE SUPREME COURT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 60 minutes as the designee of the minority leader.

Ms. NORTON. Mr. Speaker, I am very pleased to come to the floor this

evening to coanchor the Congressional Black Caucus hour about the present nominee to the Supreme Court, Neil Gorsuch.

I am very pleased that my good friend from Texas, Representative SHEILA JACKSON LEE, a distinguished member of the Judiciary Committee, has agreed to coanchor this hour with me.

Mr. Speaker, I am chair of the working group for the Congressional Black Caucus that looks at nominees for Federal courts. So, I have buried myself in the record of Neil Gorsuch and wrote the testimony that we submitted to the Senate.

What I will do is speak for a few minutes generally about the nominee, and then I will go to my good friend from Texas. I am very pleased that another good friend, Mr. DON PAYNE, Jr., is here from the State of New Jersey, and we will hear from him as well.

Now, just as the Congress has been polarized so has the court been polarized, if you look at the liberal and conservative blocks in that way. But, of course, since the death of Supreme Court Justice Antonin Scalia, there has been a 4-4 split. Justice Anthony Kennedy, who is still a Member of the Court is not always a predictable conservative, though he tends to vote with the conservatives.

What has happened in the Senate is entirely predictable, at least today. In an unprecedented move, the Senate refused to hear from or even meet the nominee of President Obama. There was almost a full year, yet the Senate refused to take up that nominee.

What happened today was not payback. If you listened to the testimony, you would see that there are good reasons why the Senate Democrats today decided to filibuster Judge Gorsuch.

I want to begin because I am speaking for the Congressional Black Caucus with his views as they affect African-Americans and, by definition, others who depend upon the antidiscrimination laws and the Constitution of the United States.

There is more than enough in the record on race related matters from Judge Gorsuch's 10th Circuit service to oppose his nomination. But let me focus for a moment on his pre-court service, which seems to have predicted what he would do in the court of appeals.

He was a principal deputy to the principal who had jurisdiction over the Civil Rights Division. We have to pay attention to the fact that the inspector general, during Judge Gorsuch's time in the Justice Department, found that the Civil Rights Division, where he had some oversight, had been politicized in order to stifle civil rights enforcement. As you might imagine, the Congressional Black Caucus had to pay attention to that finding by a neutral investigator.

We also are very concerned about how Gorsuch is a Justice Department Official treated a Georgia election law. As we know, election laws from the South—of course, there has been a historic decision that has made the Voting Rights Act far less effective than it was—but certainly during most of the time of the Act, Southern states had to go through the Justice Department to see if the laws in southern States, that had kept African-Americans from voting for reasons of race, to see if newly enacted laws affecting voting rights, in fact, discriminated against African-Americans and others or not.

A Georgia election law was found by the Civil Rights Division to be discriminatory. Judge Gorsuch was part of the team that overturned the Civil Rights Division. That was, of course, challenged in the courts. And the ruling of the Justice Department that precluded the law—that said it was all right to go ahead with this law that the Civil Rights Division had found discriminated against Blacks—the court overturned that finding of the Justice Department.

It used quite pregnant language. The District Court said that the Georgia election law was reminiscent of Jim Crow laws. Those words have special meaning in our history—and I speak not here about African-Americans alone. But if you have found yourself in the minority on any issue—it could be a First Amendment issue, it could be a criminal justice issue—you want a court that will protect your rights, not only the rights of the majority.

But this nominee has shown a hostility to litigation in the courts that have been the primary ways we have vindicated constitutional rights and the rights of minorities of every kind. In a telling op-ed, this nominee, Mr. Gorsuch, said: "American liberals have become addicted to the courtroom, relying on judges and lawyers rather than elected leaders and the ballot box, as the primary means of effecting their social agenda."

What? What else was there? The majority had enforced laws against the minority—in this case, African-Americans. He conceded that *Brown v. Board of Education* the school desegregation decision. But he went on to say that liberals should "kick their addiction" to constitutional litigation. This is a man who wants to get on the Court whose most important mission is constitutional litigation.

I submit to you that even the Justice who epitomized conservatism, Justice Scalia, never showed hostility coming to Court to vindicate the rights of people who felt themselves to be offended. So in that respect, I think it is clear that—and this is a very important respect—Judge Gorsuch is more conservative than Justice Scalia was on the Court.

Nothing could be more concerning than a Justice who says: Look, the preferred way to vindicate your rights is the political process.

Who would disagree with that?

It is the failure of the political process that sends people to the court.

It shows, it seems to me, little appreciation for the Bill of Rights itself. The entire Bill of Rights is about the rights of the minority. And again, the word "minority" means any of us could be in that minority at any given point. You could be in that minority when it comes to religious rights. You could be in that minority because of a search and seizure case. You could be in that minority because of a free speech case. And, yes, you could be in that minority because you are part of a classic minority group.

That is why the 13th, 14th, and 15th Amendments were added to the Bill of Rights. The Framers, of course, shared Gorsuch's preference for the political process. A Constitution is a, small D, democratic document. But they created a separation of powers government knowing full well that majoritarian democracy sometimes treads on the rights of minorities. That is why we have the Supreme Court of the United States which Mr. Gorsuch seeks a seat.

Mr. Speaker, before I go on to discuss some cases, I yield to the gentleman from New Jersey, (Mr. PAYNE), my good friend from New Jersey's 10th Congressional District.

Mr. PAYNE. Mr. Speaker, I appreciate the gentlewoman from the District of Columbia's leadership throughout the years on many of these issues.

Mr. Speaker, confirmation of Judge Gorsuch to the Supreme Court would be detrimental to the interests of working Americans, particularly African-Americans and other vulnerable communities.

Just as President Trump's agenda prioritizes special interests, Judge Gorsuch's record shows that he favors powerful interests and businesses over regular people. His hostility to class action lawsuits would threaten protections for workers, especially African-Americans and other minorities.

What is particularly of concern to me is Gorsuch's opinion in what is known as the "frozen trucker" case. Gorsuch ruled against an African-American truck driver who, after breaking down in freezing weather, ignored his supervisor by unhitching the broken trailer from his truck and driving away in search of assistance.

In freezing cold weather, the truck driver is nearly freezing to death. He has a truck that won't work with frozen brakes. They are telling him to move—to use the truck and drive away. If he takes his truck with frozen brakes, the harm potentially to other citizens is great. An 18-wheeler truck with no brakes, that doesn't seem logical.

Gorsuch believed that the employee should have followed the orders, even though the driver's life was at risk. Gorsuch was the sole vote against the driver, who was put in the position of having to choose between freezing to death, driving an unsafe vehicle and endangering the lives of others, or unhitching his trailer and seeking help.

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Judge Gorsuch's record is also troubling when it comes to issues around police accountability. Gorsuch believes in granting police qualified immunity, which protects law enforcement from being held liable for any excessive use of force. Now, this is deeply concerning given the widespread use of excessive force against African Americans by police and the increasing number of police shooting deaths of unarmed African Americans.

This is particularly concerning to me. I come from Newark, New Jersey, and the police department is being overseen by a Federal monitor following a 2014 review that determined officers repeatedly violated citizens' civil rights.

Additionally, Gorsuch's record on civil rights is deeply troubling. The National Bar Association, our Nation's oldest and largest national association of predominantly African-American lawyers and judges, notes that Gorsuch has shown a strong tendency to be biased in favor of powerful corporate interests and unapologetically biased against workers and victims of civil and human rights violations.

The confirmation of Gorsuch would threaten the protections and the rights of African Americans. Gorsuch is in lockstep with the President, favoring the wealthy over ordinary Americans. This is why I oppose his confirmation.

Even those who disagree that Gorsuch would bring a biased view to the Court should see the necessity in delaying consideration of Gorsuch, given the ongoing controversy over the Trump-Russia connection. It is inappropriate to rush forward with a lifetime appointment made by a President who is under investigation by the FBI and trapped in scandal. The Senate should delay consideration of Gorsuch until an independent commission investigates Russia's election interference and any ties between Trump and Russia.

Let me just say that Judge Gorsuch has put on a very good show in front of the Senate, seeming to be very confident and thoughtful, but never really answering a lot of the questions that were asked of him.

We feel that this jurist should not sit on the highest court in the land because of the bias that he has shown against working people and regular citizens in this country. Justice is supposed to be blind, but it seems that this jurist has a bias against the Amer-

ican working class person, the normal Joe, the minority looking for an equal break, and to have him sit on the highest court in the land would be a grave, grave mistake.

Ms. NORTON. Mr. Speaker, I thank the gentleman from New Jersey (Mr. PAYNE) for those cogent remarks.

I yield to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman from New Jersey (Mr. PAYNE) for his very careful scrutiny of Judge Gorsuch and for participating with us tonight.

It gives me great privilege to join with the distinguished Congresswoman from the District of Columbia (Ms. NORTON) to be able to really articulate what is at stake with the potential for Gorsuch to be the ninth member of the United States Supreme Court.

As I do that, allow me to offer a personal note of sympathy to my hometown, to the Constable's Office, in the shooting and death of Chief Clinton Greenwood, to his family for his tragic death, and to acknowledge the service that he has given in many, many ways as a law enforcement officer and attorney committed to the implementation of the law. My sympathy goes to his family and to his colleagues.

I also want to acknowledge the tragedy in Russia and the loss of life, which indicates how close all of us are around the world and that we should be committed to the fight against terrorism, wherever it may be.

If I might, I applaud the Democratic Senators, in this instance, in the other body to express my appreciation for taking a fight that many would be critical of. Now, that fight I don't put in the context of politics or partisanship. I have not heard one Senator who is opposing Judge Gorsuch and is not supporting or participating in the filibuster mention one word about the political elections or the process that occurred in 2016.

I have heard truly deliberative analysis that I think is important to recount, Congresswoman NORTON. I am delighted with the gentlewoman from the District of Columbia and the distinguished leadership that the gentlewoman gives us as the chair of the Judicial Nominating Committee for the Congressional Black Caucus, a position that the gentlewoman has served ably for years and has resulted in some outstanding jurists because of her leadership that the Congressional Black Caucus has been able to advocate for.

During the tenure of President Barack Obama, as the gentlewoman from the District of Columbia worked very closely on his nominees, distinguished jurists have been placed on the Federal bench and in the Supreme Court to no one's complaint. In addition, President Obama followed protocol and consulted with Members of the other party in the United States Senate.

Unfortunately, we are now ending this process with the nomination of Judge Gorsuch by the President of the United States, this President who announced it as a campaign trick by issuing a list of individuals that he had not vetted but had been given by those who were bartering: This is a list, and you will have our support in the election.

My fear is that that is not the context in which distinguished jurists should be appointed to the Supreme Court. There is no doubt that this was bait for voters to be able to fall in the column of this particular individual who now holds the office.

So no criticism should go to my colleagues in the other body who realize that this is about life-or-death matters. This is about the millions of Americans who will suffer at the hands of Judge Gorsuch on the United States Supreme Court. I am more convinced now.

I am grateful for their debate because, as they have debated in a very detailed, passionate manner, I hope that they have been able to provide light and education to Americans who may be watching and trying to understand the “no” vote and the “yes” vote, the filibuster, that it is not in any way anyone’s political desire to not have the Supreme Court working on behalf of the American people, adhering to the high calling and ultimate judgment of the Supreme Court, which is to recognize settled law and to be able to respect the rights of all Americans and not skew this Court to the point that some Americans will be left out in the hall of justice.

Why should my friends in the other body who have taken this courageous stand yield to false criticism and pontificating and grandstanding about they have never seen this before, the other persons who have voted “yes” have never seen this before, this is outrageous, a qualified individual.

I have no angst against the person. He has ascended to the Tenth Circuit Court of Appeals. He has colleagues who respect him. He showed himself respectful before the Senate Judiciary Committee; in fact, some called him charming and engaging. Again, I make mention of the fact that this is about life and death.

So let me put in the context a very important statement made by Amanda Bronstad in the National Law Journal article, February 28, 2017: “Neil Gorsuch ‘Piercingly Textual’ and Often Pro-Defense on Class Actions and Arbitration.”

“According to a careful review of Gorsuch’s decisions, his textualist approach, more than ideology, is the common theme of his opinions on class actions, arbitration, and mass torts. And yet, though some of his decisions have favored plaintiffs, Gorsuch’s careful judicial reasoning and parsing of

statutory language has more often led him to side with the defense,” leaving most others out in the cold.

In addition, Judge Gorsuch has a disdain for those who seek to redress their civil rights and other remedies of law.

In a 2015 article published in the conservative National Review, these are his words:

“American liberals have been addicted to the courtroom, relying on judges and lawyers rather than elected leaders and the ballot box, as the primary means of effecting their social agenda on everything from gay marriage to assisted suicide to the use of vouchers for private school education.

“This overweening addiction to the courtroom as the place to debate social policy is bad for the country and bad for the judiciary.”

Well, Judge Gorsuch, let me tell you a thing or two. I grew up in a segregated America. At my birth, African Americans were treated unequally in terms of education as well as accommodations, as well as the right to vote. We couldn’t even march in some places in the Deep South without being shot at, losing our lives, being hosed at, and dogs making sure that our young kids were intimidated and even bitten.

Maybe he fails to remember the four little girls in the 16th Street Baptist Church in Birmingham, called the bombing in Birmingham, in 1963. Maybe he fails to remember the tragedy of the Edmond Pettus Bridge or Jimmie Lee Jackson shot dead in the streets of Selma. Or maybe he doesn’t understand *Brown v. Board of Education*, *Roe v. Wade*, *Miranda v. Arizona*, *Gideon v. Wainwright*, *New York Times v. Sullivan*, *Obergefell v. Hodges*, and *Shelby County v. Holder*. These cases are dealing with issues such as the right to vote, the right to an equal education, the Fourth Amendment interpretation of the right to be protected from unreasonable search and seizure, and the First Amendment right to freedom of the press.

□ 2015

Maybe he doesn’t understand that these cases have brought to America the image and the recognition of justice. It doesn’t seem that he has that interpretation.

So I just want to read another interpretation of his record by the Leadership Conference on Civil and Human Rights.

“Judge Gorsuch’s decade-long record on the Federal bench, as well as his writings, speeches, and activities throughout his career, demonstrate he is a judge with an agenda.”

What a frightening proposition, that he goes to the Supreme Court, having given the impression that he is just an open book, genuinely concerned.

“His frequent dissents and concurrences show he is out of the main stream of legal thought and unwilling

to accept the constructs of binding precedent and stare decisis when they dictate results he disfavors.”

Stare decisis is something that we learned in law school, but that is a very appropriate and important basis of decisions.

“If confirmed to the Supreme Court, which is closely divided on many critical issues, Judge Gorsuch would tip the balance in a direction that would undermine many of our core rights and legal protections. He lacks the impartiality and independence the American people expect and deserve from the Federal bench.”

Let me make one or two other points that I think are so very important. I hope to put my entire statement into the RECORD, and we will be engaging, and I know that my colleague will have further comments, but I want to make sure that we point back to those who are criticizing a very courageous stance because they are taking the stance, my friends in the other body, in the backdrop of all these accolades and how genuine and charming he is. I have said that before.

But he is going against the backdrop of protocol—no engagement with the Democratic Senators, no adherence to the President, when he was President-elect, who pledged to the Nation that he would be the President of all Americans—because it rings hollow to tens of millions of Americans.

My colleague from New Jersey mentioned the truck driver story. It was a 2-1 decision. He was dissenting. No person with common sense and knowledge of the law would reject the understanding that this individual acted not against the instructions of his employer in leaving a truck that—by the way, the cargo area of the truck—nothing was violated, no product was taken, with bad brakes, and in jeopardy of his life, if he had left the cargo portion of the truck and tried to drive away on this frozen night, after waiting 3 hours in a cabin where he was freezing to death, he would have died.

Yet Judge Gorsuch did not think that was important enough to rule in favor of this African-American who had a 2-1 decision. He thought that the employer could fire him; and there was no factual basis for that, that he did something when it was a balmy day, and he just went off recklessly because he didn’t want to be bothered or he was tired or he was hungry. That was not the case.

That is cruel, Judge Gorsuch. Your conservative ideology and professed judicial philosophy of original intent has harmed many.

He is not an unbiased judge. At best, he is a younger, more charming version of Judge Robert Bork, who was rejected 58-42 by the Senate in 1987. So he has a history of ruling against people who have used the legal system to hold government officials accountable.

The gentleman who was fired was fired, I think, 7 years ago, and has not been able to find a job yet.

By the way, the truck's heater didn't work.

His words were—Judge Gorsuch dissented and said the employee should have followed orders, even at the risk of serious injury.

In *NLRB v. Community Health Services*, Judge Gorsuch again dissented from a majority opinion that found in favor of employees, where a hospital was required to award back pay to 13 employees whose hours had been reduced, in violation of the National Labor Relations Act.

As the ranking member on the Subcommittee on Crime, Terrorism, Homeland Security and Investigations, we are trying to find the right kind of balance between police and community. But Judge Gorsuch has ruled that there is no reason to give police any punishment, such as the case when an individual used a stun gun and the victim died.

Judge Gorsuch's judicial record on police accountability minimized the Fourth Amendment protections against warrantless search and seizure.

I will continue my discussions of Judge Gorsuch. I will come back again and finish my comments on issues dealing with, again, civil rights and the rights of women.

I am delighted to cohost and comanage this hour dealing with the nomination of Judge Gorsuch.

Ms. NORTON. I thank my friend for her comments.

Mr. Speaker, I was the chair, before I came to Congress, in another life, of the Equal Employment Opportunity Commission, dealing with job discrimination in our country. I was interested, in my own research on Judge Gorsuch to find that he has written more opinions in discrimination cases than other cases.

Now, the Rocky Mountain States of the Tenth Circuit do not have large numbers of African Americans, but the way in which the Supreme Court has interpreted antidiscrimination laws doesn't, in fact, basically differ from one group.

The EEOC also has jurisdiction over disability discrimination. For example, the Court has always indicated that anti-discrimination laws should be read broadly in order to capture discrimination. Whether we are talking about the antidiscrimination laws as they affect women or racial or ethnic minorities or religious minorities, the Supreme Court simply will not read these laws narrowly.

But that is not how Judge Gorsuch has operated on the Tenth Circuit. He has given a cramped interpretation of the antidiscrimination laws, and yet it is interesting to note that, when there is a claim of discrimination based on religion, he gives a very broad interpretation.

He is perhaps best known for his opinion in the so-called Hobby Lobby case. This is the case in which he found that a closely held corporation was within its rights when it refused to adopt the Affordable Health Care Act's mandate that women and men be granted contraceptive protection as a part of health insurance. Judge Gorsuch found that this was a violation of the rights of the closely held corporation, the first time there has been such a holding.

It is very interesting also to note that right after that, there was a case called *Little Sisters of the Poor*. Now, the *Little Sisters of the Poor*, unlike the closely held corporation, is, in fact, a religious organization, and they too said they do not wish to have contraception be a part of any of the institutions that they govern.

Remember, we had a religious organization there, not a closely held corporation. The Court found that, to accommodate both women and the religious scruples of the *Little Sisters*, the *Little Sisters* had only to acknowledge that they did not desire to enforce the contraceptive mandate, and then it would be taken away from them and would be done by a third party, by the government. That was allowed as a way to accommodate the *Little Sisters*. Judge Gorsuch opposed that and wrote an opposing opinion.

So to see this difference in the way he treats discrimination, reading antidiscrimination statutes affecting minorities of every kind in a narrow fashion; when he finds religious discrimination by statute, he reads those statutes very broadly.

His technical rulings are of statutes that the Supreme Court has broadly interpreted, would have made these statutes worthless. You simply cannot enforce antidiscrimination statutes by treating them as though they were technical statutes that, for example, govern financial dealings. And yet this nominee has brought that kind of interpretation of antidiscrimination statutes.

I was shocked at his holding in *Hwang v. Kansas State University*, which illustrates what I am saying. There, a professor brought a case because her university had refused to follow the guidance of the Equal Employment Opportunity Commission. She was entitled to a 6-month leave to accommodate her condition. This is a statute involving disability rights. She took that 6-month leave and asked to have it extended until a day certain, not indefinitely, to recover further from cancer and a bone marrow transplant.

Now, the EEOC guidance said that an additional leave beyond 6 months was possible as an accommodation to an employee unless there was an undue hardship. There was no undue hardship.

But this nominee, Judge Gorsuch, found that the "6 months was more

than enough to comply with the law in nearly every case"—yes, in nearly every case—but the EEOC guidance said that there obviously could be extensions. I can think of no case that would call for more of an extension than a professor who said: I will come back on a date certain, but I have a cancer diagnosis, and I have had a bone marrow transplant.

I hope that that case would give some pause to anyone who hears about it. The nominee has been quite consistent in how he has ruled in the Tenth Circuit, which gives every reason to believe that he is going to carry that consistency to the Supreme Court.

I was very interested to see how he ruled on a Planned Parenthood case where the Governor of Utah had seen these notorious false videos that purported to show the sale of fetal tissue.

□ 2030

Now, those videos—every court that has considered those videos have found that they had nothing to do with Planned Parenthood and what it actually did. So this matter has been litigated in a number of circuits. It was litigated in the 10th Circuit in a case called *Planned Parenthood Association of Utah v. Herbert*; and the 10th Circuit found, as the other circuits have, that these videos were not, in fact, associated with Planned Parenthood—the false videos that surfaced.

Interestingly, the court, on rehearing, which Judge Gorsuch had sought, characterized his dissenting opinion as "mischaracterization of this litigation and the panel opinion at several turns."

Here again, we see Judge Gorsuch going out of his way to rule in a fashion that he sees as necessary to sustain his broad views of religious claims. I am trying to give you an overview of Judge Gorsuch's opinions in a number of different areas, and I am mystified by how he would reach the conclusions he has reached in discrimination cases.

Here is one that is very revealing: *A.F. ex rel Christine B. v. Espanola Public Schools*, where a student was found by Judge Gorsuch not to be able to sue for violation of the Americans with Disabilities Act because she had earlier settled a suit for violations of another act, the so-called IDEA Act.

Well, she has a right under both laws. She would have obviously raised perhaps different claims, but his view was that she should not be in court. This closing of the courts must be taken seriously in evaluating Judge Gorsuch. Because if you can't get into court in the first place, particularly if you are a member of a minority group, or for the moment find yourself in the minority on a particular issue, then you are out of court before you are in court. You have lost before you cross the threshold.

I can't imagine why Judge Gorsuch didn't allow a student to continue

when she had, in frustration, left her school because of violations of her disability rights. That frustration, as far as he was concerned, closed the courthouse door to her.

Why would we want to interpret discrimination laws in a fashion that you can't get into court to make your case?

A particularly cruel case, *Compass Environmental v. OSHRC*, a case where Gorsuch wrote the dissent, involved a worker who was electrocuted and died as a result. The corporation had trained its workers. This worker happened to be hired after the training had taken place; therefore, was not aware of all of the safeguards.

The Occupational Safety and Health Review Commission found that the electrocution of the worker could have been avoided if the corporation, *Compass Environmental*, had provided the necessary training. So it cited *Compass* and it fined *Compass*. Gorsuch dissented. He found that the company had not violated the law. The company hadn't provided the requisite training. The man was electrocuted, and it is very instructive what Judge Gorsuch said:

"Administrative agencies enjoy remarkable powers in our legal order. Their interpretations of ambiguous statutes control even when everyone thinks Congress really meant something else."

He didn't like the administrative ruling, so he dissented and would have ruled against the family of a man who was electrocuted.

That is not a man I want on the Supreme Court. This is not a man who knows how to interpret the discrimination statutes which have always been interpreted broadly by the Federal courts. This is not a man who should sit on the Supreme Court of the United States.

Mr. Speaker, I now yield to the gentlewoman from Texas (Ms. JACKSON LEE), my good friend who is co-anchoring this hour with me, who would like to say a few words.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentlewoman for again articulating the really egregious opinions, judicial approach, and temperament of Judge Gorsuch.

I will conclude my remarks with a focus on the issues of women's rights as well as some cases dealing with immigration.

Immigration, Mr. Speaker, is a crucial issue that we are addressing now. In fact, I will cite an incident that happened in our district—or in my district or in my community just a few days ago, which means, as we proceed, there may be a number of cases coming to the Federal courts and the district court because I think, as my colleague has indicated—both of us have indicated—that the courts are for petitioning. That is what the courts are for.

It seems that Judge Gorsuch wants to slam the door. And this is a—how

should I say it—a metaphor. It is not a precise comment by the judge, but annoyed that people have to come and use the courts. As he has indicated, minorities and women and others want to use the court for their social agenda.

And for fear of being redundant, I feel moved—my passion is so strong because, Judge Gorsuch: Have you walked at any moment in your life in my shoes as a woman and as a minority?

Have you walked in the shoes of the little children who made the plaintiffs of *Brown v. Board of Education of Topeka*?

Were you in any way discriminated against with respect to education?

Have you ever been a victim of stop and frisk?

Have you ever been incarcerated for something you did not do?

Have you ever been a woman who had been subjected to sexual harassment or discrimination?

Do you understand the purpose of title VII?

Do you understand the value of affirmative action both in policy and in law?

Just a few weeks ago we got an effective and important decision on affirmative action out of this Supreme Court, in a court that is 4–4.

I don't think that is the case. And I just, again, want to take this as I cite these cases. I just want to, again, cite Amanda Bronstad, that some of his decisions may have favored one or two plaintiffs. I am not going to deny that. But Gorsuch's careful judicial reasoning and parsing of statutory language has more than often led him to side with the defense.

That is not the role of a Supreme Court Justice. It is not to side with anyone. It is to have the view on the basis of the appeal within the context of precedence and others how a decision should be rendered.

So these are Judge Gorsuch's decisions:

In *Strickland v. UPS*, Gorsuch dissented from a ruling giving a female UPS driver a chance to prove sex discrimination, arguing that the plaintiff had not provided evidence that she was treated less favorably than her male colleagues, even though in the documents submitted in the lower court, her coworkers testified and gave written testimony detailing the level of mistreatment they witnessed her receiving while employed by UPS.

In *Hwang v. Kansas State University* involved a professor employed by Kansas State University who was diagnosed with cancer, and after treatments, requested an extension of her disability—another woman—due to a flu outbreak on campus which could potentially compromise her health. And Judge Gorsuch talked about "showing up" as an essential job function, and that the Rehabilitation Act

should not be used as a safety net for employees who cannot work. I think her request was an extension, not a forever.

Two women, among others, that he found no reason to be supportive of. He could not find no legal precedent, nothing that would give him the ability to make a decision that was within the law and humane, even though he was in the dissent.

And then in *Planned Parenthood Association of Utah v. Herbert*, the Governor of that State, again, he dissented against the court's majority, impacting women's health, to decline a full court review of the case—the court's majority decision to decline a full court review of the case, in which Governor Herbert of Utah stripped Federal funding away from Planned Parenthood. Neither party requested a full court review; however, Judge Gorsuch decided to deviate from court practices and norms to signal his favor of Governor Herbert's decision.

Other women—he continues to show hostility toward women's rights and his willingness to overlook institutions that discriminate against women. His record indicates that.

Let me finish with this comment on immigration—and if I might, Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore (Mr. DUNN). The gentlewoman has 2 minutes remaining.

Ms. JACKSON LEE. Mr. Speaker, let me finish quickly and let my colleague from the District of Columbia close.

Let me indicate an immigration case, and he voted to affirm the district's court granting of summary judgment which blocked a title VII national origin discrimination case from going to trial, despite evidence of animus, unlawful reverification and document abuse by the employer.

Mr. Speaker, as a senior member of the House Committee on the Judiciary, Ranking Member of the Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, and member of the Congressional Voting Rights Caucus, I rise today to express my views regarding the nomination of Judge Neil Gorsuch to be Associate Justice of the Supreme Court.

The Supreme Court is the highest court in the land and the final arbiter of our Constitution and laws, and its rulings can impact the lives and rights of all Americans as shown in the cases of *Brown v. Board of Education*, *Roe v. Wade*, *Miranda v. Arizona*, *Gideon v. Wainwright*, *New York Times v. Sullivan*, *Obergefell v. Hodges*, and *Shelby County v. Holder*, to name but a few.

Judge Gorsuch is a judge with an agenda, as demonstrated by his record on the federal bench, as well as his writings, speeches, and activities throughout his career.

Judge Gorsuch's frequent dissents and concurrences show he is out of the mainstream of legal thought and unwilling to accept the constructs of binding precedent and stare decisis when they dictate results he disfavors.

Judge Gorsuch's appointment to the Court would tip the balance in a direction that would undermine many of the core rights and legal protections Americans cherish.

For the reasons I will discuss in detail, the Senate should reject his nomination and not consent to his confirmation as the next Associate Justice of the U.S. Supreme Court.

On Election Night the President-Elect pledged to the nation that he would be a president to all Americans.

That pledge will ring hollow to tens of millions of Americans in light of his nomination of Judge Neil M. Gorsuch to be an Associate Justice of the U.S. Supreme Court.

Perhaps nothing would do more to reassure the American people that the President is committed to unifying the nation than the nomination and appointment of a person to be Associate Justice who has a record of championing and protecting, rather than opposing and undermining, the precious right to vote; the constitutionally guaranteed right of privacy, criminal justice reform, and support for reform of the nation's immigration system so that it is fair and humane.

That is not to be found in the record or character of Judge Gorsuch.

It should not be forgotten that the vacancy at issue was created in February 2016 by the death of Justice Antonin Scalia and should have been filled by the confirmation of the eminently qualified Judge Merrick Garland, Chief Judge of the U.S. Court of Appeals for the D.C. Circuit.

In fact, the only reason Judge Garland is not now on the Court is because Republican Senators disregarded a century of precedent and their constitutional oaths and refused to consider the nomination because it was made by President Obama.

Judge Gorsuch's conservative ideology and professed judicial philosophy of "original intent," which more accurately should be called the doctrine of predetermined result, has been at the core of his prior legal decisions.

He is not an unbiased judge; at best, he is a younger, more charming version of Judge Robert Bork, who was rejected 58–42 by the Senate in 1987.

Unlike his predecessors, Presidents Obama, Clinton, Reagan, Eisenhower among them, the current President did not consult in advance with the bipartisan leadership of the Senate and its Judiciary Committee.

Instead, the President selected Judge Gorsuch from the list of names provided him by the right-wing legal group, the Federalists Society.

Judge Gorsuch's adherence to originalism is alarming and should raise concerns for all Americans because on a narrowly divided Court, his could be the deciding vote to dismantle many of the constitutional safeguards and protections upheld by the Court that have moved the country forward and made it better.

Judge Gorsuch has a history of ruling against people who have used the legal system to hold government officials accountable.

He has also used the bench to rule in favor of large corporations routinely and against the rights of workers.

He has been lenient on those that have used excessive force and police brutality.

His record demonstrates hostility towards equal opportunity, worker's rights, women's

access to reproductive healthcare services, and protections for persons with disabilities.

For example, in *TransAm Trucking, Inc. v. Administrative Review Board*, the majority held that a trucking company unlawfully fired an employee in violation of federal whistleblower protections.

The employee, Alphonse Maddin, was a truck driver whose brakes broke down in the middle of a freezing January night in Illinois.

The truck heater didn't work either, and he got so cold that he couldn't feel his feet or torso, and he had trouble breathing.

Nonetheless, his boss ordered him to wait in the truck until a repairperson arrived.

After waiting for three hours, Mr. Maddin finally drove off in the truck and left the trailer behind, in search of assistance.

His employer fired him a week later for violating company policy by abandoning his load while under dispatch.

The panel majority said the firing was unlawful, but Judge Gorsuch dissented and said the employee should have followed orders even at the risk of serious injury.

In *NLRB v. Community Health Services, Inc.*, Judge Gorsuch again dissented from a majority opinion that found in favor of employees, where a hospital was required to award back pay to 13 employees whose hours had been reduced in violation of the National Labor Relations Act.

Judge Gorsuch's frequent and recurring dissents in workers' rights cases suggest a refusal to follow binding case law when it leads to results that favor workers rather than businesses and employers.

In *Strickland v. UPS*, Gorsuch dissented from a ruling giving a female UPS driver a chance to prove sex discrimination, arguing that the plaintiff had not provided evidence that she was treated less favorably than her male colleagues even though her coworkers testified and gave written testimony detailing the level of mistreatment they witnessed her receiving while employed by UPS.

Hwang v. Kansas State University involved a professor employed by Kansas State University who was diagnosed with cancer, and after treatments requested an extension for her disability due to a flu outbreak on the campus, which could potentially compromise her health.

Judge Gorsuch ruled that "showing up" for work is an essential job function and that the Rehabilitation Act should not be used as a safety net for employees who cannot work.

In *Planned Parenthood Association of Utah v. Herbert*, Judge Gorsuch dissented against the court's majority decision to decline a full court review of the case, in which, Governor Herbert of Utah stripped federal funding away from Planned Parenthood.

Neither party requested a full court review, however, Judge Gorsuch desired to deviate from court practices and norms to signal his favor for Governor Herbert's decision.

This particular case amplifies Judge Gorsuch's inability to remain impartial when deciding cases that may conflict with his personal beliefs.

Throughout his tenure as a Judge, Gorsuch's record indicates his hostility toward women's rights and his willingness to overlook institutions that discriminate against women.

Women will likely be disproportionately impacted by Judge Gorsuch's appointment to the

United States Supreme Court and any decisions related to health, labor, and reproductive justice.

Judge Gorsuch's record shows that he believes police officers always should be granted qualified immunity, allowing police officers and other government officials to avoid being held accountable for the excessive use of force.

His record on police immunity aligns with President Trump's belief in police impunity.

In cases where victims of excessive force did not pose an imminent threat to police safety, Judge Gorsuch has a tendency to side with police.

Judge Gorsuch's judicial record on police accountability minimizes the Fourth Amendment protections against warrantless search and seizure.

In three separate cases, Gorsuch ruled in favor of police searches of vehicles without a warrant.

As an Associate Justice of the Supreme Court of the United States, Judge Gorsuch would be one of the nine individuals tasked with one of the most critical systems of American democracy.

Because of the decisions rendered by the Supreme Court of the United States, women have been granted reproductive rights, de jure segregation and discrimination against African-Americans has been abolished and their right to vote protected, workers have been granted security from exploitative labor practices; and marriage equality is the law of the land.

If confirmed to a evenly divided United States Supreme Court, it is unlikely that Judge Gorsuch would have a balanced, unbiased view of important issues.

Judge Gorsuch's extreme judicial philosophy of original intent would likely lead him to cast decisive, out-of-the-mainstream votes that reverse significant gains in the areas of police accountability, civil rights and liberties, women's reproductive rights, and workers' rights.

Judge Gorsuch's record in each of these areas should raise concerns for all Americans.

Opposing Judge Gorsuch is not a difficult decision; for members of the communities represented by CBC members, it is a matter of survival, of life and death.

An Associate Justice would be expected to be an independent jurist capable of rendering judicial decisions that prevent executive overreach.

No senator should vote to confirm the nomination of Judge Neil Gorsuch as Associate Justice if he or she has the slightest doubt that he possesses the character, qualities, integrity, and commitment to justice and equality needed for this position.

There is so much to say about Judge Gorsuch, so much to say about the stance that is being taken by colleagues who are not being political, who are not talking about the 2016 election, who are simply talking about the courthouse door being slammed in the face of the most vulnerable.

I believe that this judge should not ascend to the United States Supreme Court.

Ms. NORTON. I thank my good friend for helping us document why we believe this is not the time for this Justice to be on the Supreme Court.

We recognize that it is not the House of Representatives that decides this matter, but the Congressional Black Caucus represents 17 million Americans who will be deeply affected by who sits on this Court. I appreciate that we have had this full hour to express our views.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BISHOP of Georgia (at the request of Ms. PELOSI) for today on account of delayed by weather.

ADJOURNMENT

Ms. NORTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 45 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, April 4, 2017, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

953. A letter from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting the Bureau's Consumer Response Annual Report, pursuant to 12 U.S.C. 5493(b)(3)(C); Public Law 111-203, Sec. 1013(b)(3)(C); (124 Stat. 1969); to the Committee on Financial Services.

954. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations; Tazewell County, IL [Docket No.: FEMA-2016-0002] received March 28, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

955. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations; Otsego County, New York [Docket No.: FEMA-2016-0002] received March 28, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

956. A letter from the Chairman, Federal Financial Institutions Examination Council, transmitting the Council's 2016 Annual Report to Congress, pursuant to Sec. 1006(f) of the Financial Regulatory and Interest Rate Control Act of 1978 (12 U.S.C. 3305); to the Committee on Financial Services.

957. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final NUREG — Reactor Pressure Vessel Internals [Section 3.9.5] received March 30, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

958. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services,

transmitting the Department's final rule — Requirements to Submit Prior Notice of Imported Food; Technical Amendments [Docket No.: FDA-2017-N-0011] received March 31, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

959. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Mullin, Texas) [MB Docket No.: 16-362] (RM-11776) received March 30, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

960. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final NUREG — Control Rod Drive Systems [Section 3.9.4] received March 30, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

961. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final evaluation of vendor submittal — Safety Evaluation by the Office of Nuclear Reactor Regulation License Renewal Appendix A for "BWRVIP-241: BWR Vessel and Internals Project, Probabilistic Fracture Mechanics Evaluation for the Boiling Water Reactor Nozzle-to-Vessel Shell Welds and Nozzle Blend RADII", and "BWRVIP-108NP: BWR Vessel and Internals Project, Technical Basis for the Reduction of Inspection Requirements for the Boiling Water Reactor Nozzle-to-Vessel Shell Welds and Nozzle Blend" [Project No. 704] received March 30, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

962. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final NUREG — Dynamic Testing and Analysis of Systems, Structures, and Components [Section 3.9.2] received March 30, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

963. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final NUREG — Functional Design, Qualification, and Inservice Testing Programs for Pumps, Valves, and Dynamic Restraints [Section 3.9.6] received March 30, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

964. A letter from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Removal of Certain Persons from the Entity List [Docket No.: 170103009-7300-02] (RIN: 0694-AH28) received March 30, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

965. A letter from the General Counsel, Administrative Conference of the United States, transmitting the Conference's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

966. A letter from the Director, Equal Employment Opportunity and Inclusion, Farm Credit Administration, transmitting the Ad-

ministration's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

967. A letter from the Director, Equal Employment Opportunity and Inclusion, Farm Credit System Insurance Corporation, transmitting the Corporation's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

968. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

969. A letter from the Director, Office of Equal Employment Opportunity Programs, National Archives and Records Administration, transmitting the Administration's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

970. A letter from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the Department's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

971. A letter from the Acting OEO Director, Securities and Exchange Commission, transmitting the Commission's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

972. A letter from the Director, Congressional Affairs and Public Relations, U.S. Trade and Development Agency, transmitting the Agency's FY 2016, No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Omitted from the Record of 3/30/2017]

Mr. GOODLATTE: Committee on the Judiciary. H.R. 732. A bill to limit donations made pursuant to settlement agreements to which the United States is a party, and for other purposes, with an amendment (Rept. 115-72). Referred to the Committee of the Whole House on the state of the Union.

[Submitted March 31, 2017]

Mr. GOODLATTE: Committee on the Judiciary. House Resolution 184. Resolution of inquiry requesting the President and directing the Attorney General to transmit, respectively, certain documents to the House of Representatives relating to communications with the government of Russia, with an amendment; adversely (Rept. 115-74). Referred to the House Calendar.

[Submitted April 3, 2017]

Mr. BUCK: Committee on Rules. House Resolution 240. Resolution providing for consideration of the bill (H.R. 1343) to direct the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers to provide certain disclosures relating to compensatory benefit plans (Rept. 115-75). Referred to the House Calendar.

Mr. BYRNE: Committee on Rules. House Resolution 241. Resolution providing for consideration of the bill (H.R. 1304) to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to exclude from the definition of health insurance coverage certain medical stop-loss insurance obtained by certain plan sponsors of group health plans (Rept. 115-76). Referred to the House Calendar.

Mr. BUCK: Committee on Rules. House Resolution 242. Resolution providing for consideration of the bill (H.R. 1219) to amend the Investment Company Act of 1940 to expand the investor limitation for qualifying venture capital funds under an exemption from the definition of an investment company, and providing for proceedings during the period from April 7, 2017, through April 24, 2017 (Rept. 115-77). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ROE of Tennessee (for himself, Mr. WALDEN, and Mr. HIGGINS of Louisiana):

H.R. 1848. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program on the use of medical scribes in Department of Veterans Affairs medical centers; to the Committee on Veterans' Affairs.

By Mr. TROTT:

H.R. 1849. A bill to amend the Fair Debt Collection Practices Act to exclude law firms and licensed attorneys who are engaged in activities related to legal proceedings from the definition of a debt collector, to amend the Consumer Financial Protection Act of 2010 to prevent the Bureau of Consumer Financial Protection from exercising supervisory or enforcement authority with respect to attorneys when undertaking certain actions related to legal proceedings, and for other purposes; to the Committee on Financial Services.

By Mr. AMASH (for himself, Mr. MOOLENAAR, Mrs. DINGELL, Mr. HUIZENGA, Mr. KILDEE, Mr. BERGMAN, Mr. MITCHELL, Mr. WALBERG, Mr. LEVIN, Mrs. LAWRENCE, Mr. TROTT, Mr. BISHOP of Michigan, Mr. CONYERS, and Mr. UPTON):

H.R. 1850. A bill to designate the facility of the United States Postal Service located at 907 Fourth Avenue in Lake Odessa, Michigan, as the "Donna Sauers Besko Post Office"; to the Committee on Oversight and Government Reform.

By Ms. BORDALLO:

H.R. 1851. A bill to direct the Secretary of Homeland Security to develop and implement a fully automated electronic system for travel authorization for the Guam and Northern Mariana Islands visa waiver program, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a

period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CORREA (for himself, Mr. O'HALLERAN, Ms. VELÁZQUEZ, Mrs. NAPOLITANO, Mr. ESPAILLAT, Mr. GALLEGOS, Ms. BARRAGAN, Mr. SERRANO, Mr. CÁRDENAS, Mr. GUTIÉRREZ, Ms. TITUS, Mr. FOSTER, Mr. AGUILAR, Mr. KIHUEN, Mrs. TORRES, Mr. TED LIEU of California, Mr. DESAULNIER, Ms. BASS, Mr. TAKANO, Ms. ROYBAL-ALLARD, Ms. JUDY CHU of California, Mr. RUIZ, Mr. SCHRADER, Ms. MAXINE WATERS of California, Ms. LOFGREN, Mr. GRIJALVA, Mr. CONNOLLY, Mr. HUFFMAN, and Ms. BLUNT ROCHESTER):

H.R. 1852. A bill to require the White House and each agency to provide an official website in Spanish, Chinese, Tagalog, and Vietnamese, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CROWLEY:

H.R. 1853. A bill to authorize the Attorney General, in consultation with the Director of the National Institute of Mental Health, to carry out a pilot program in correctional facilities in order to provide mental health services and other social services to eligible individuals, and for other purposes; to the Committee on the Judiciary.

By Mr. JENKINS of West Virginia (for himself and Mr. RYAN of Ohio):

H.R. 1854. A bill to require the use of prescription drug monitoring programs and to facilitate information sharing among States; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JONES (for himself and Mr. MASSIE):

H.R. 1855. A bill to repeal the authorizations for office space, office expenses, franking and printing privileges, and staff for former Speakers of the House of Representatives; to the Committee on House Administration.

By Mr. LYNCH:

H.R. 1856. A bill to amend title 28, United States Code, with respect to certain tort claims arising out of the criminal misconduct of confidential informants, and for other purposes; to the Committee on the Judiciary.

By Mr. LYNCH (for himself and Mr. CUMMINGS):

H.R. 1857. A bill to require Federal law enforcement agencies to report to Congress serious crimes, authorized as well as unauthorized, committed by their confidential informants; to the Committee on the Judiciary.

By Mr. MARINO (for himself, Mr. BRADY of Pennsylvania, Mr. EVANS, Mr. KELLY of Pennsylvania, Mr. PERRY, Mr. THOMPSON of Pennsylvania, Mr. COSTELLO of Pennsylvania, Mr. MEHAN, Mr. FITZPATRICK, Mr. SHUSTER, Mr. BARLETTA, Mr. ROTHFUS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. DENT, Mr. SMUCKER, Mr. CARTWRIGHT, and Mr. MURPHY of Pennsylvania):

H.R. 1858. A bill to designate the facility of the United States Postal Service located at 4514 Williamson Trail in Liberty, Pennsyl-

vania, as the "Staff Sergeant Ryan Scott Ostrom Post Office"; to the Committee on Oversight and Government Reform.

By Mr. MARINO:

H.R. 1859. A bill to amend the Intermodal Surface Transportation Efficiency Act of 1991 to designate a portion of United States Route 15 in Pennsylvania as part of the Interstate System, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MEEKS:

H.R. 1860. A bill to ensure fairness in the recoupment of certain Federal disaster assistance, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RENACCI (for himself, Mr. PAS-

CRELL, Mr. SERRANO, Ms. FUDGE, Mr. ALLEN, Mrs. BROOKS of Indiana, Mr. BLUMENAUER, Mr. KIND, Mr. MACARTHUR, Mr. LIPINSKI, Mr. FRELINGHUYSEN, Mr. PALLONE, Mr. STIVERS, Mr. ROTHFUS, Mr. AMODEI, Mr. PEARCE, Mr. LANCE, Mr. KINZINGER, Mr. KELLY of Pennsylvania, Mr. FARENTHOLD, Mrs. COMSTOCK, Mr. KNIGHT, Mr. CAPUANO, Mr. CUMMINGS, Mr. SCOTT of Virginia, Mr. JOYCE of Ohio, Mr. CICILLINE, Ms. STEFANIK, Mr. BARLETTA, Mr. GUTHRIE, Mr. ROE of Tennessee, Mrs. BLACK, Mr. SIRES, Mr. VALADAO, Mrs. MURPHY of Florida, Mr. SOTO, Mr. BUCSHON, Mr. KILMER, Mrs. WALORSKI, Mr. GIBBS, Mr. SWALWELL of California, Mr. KING of New York, Mr. WELCH, Ms. DELAURO, Mr. LEVIN, Mr. HIGGINS of New York, Mr. CLEAVER, Ms. DEGETTE, Mr. NORCROSS, Mr. PAYNE, Mr. SCHRADER, Ms. SCHAKOWSKY, Mr. RICHMOND, Mrs. CAROLYN B. MALONEY of New York, Mr. NADLER, Mr. CONNOLLY, Ms. MENG, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. KENNEDY, Mrs. WATSON COLEMAN, Mr. CÁRDENAS, Ms. MAXINE WATERS of California, Mr. BISHOP of Michigan, Mr. BYRNE, Mr. LATTI, Mr. TURNER, Mr. GOHMERT, Mr. ROSKAM, Mr. SMITH of New Jersey, Mr. COLLINS of New York, Mr. MCCAUL, Mr. BISHOP of Utah, Miss RICE of New York, Mr. MOULTON, Mr. LARSON of Connecticut, Mr. BRADY of Pennsylvania, Mr. VARGAS, Ms. TSONGAS, Mr. GENE GREEN of Texas, Mr. CLAY, Mr. DANNY K. DAVIS of Illinois, Mr. RYAN of Ohio, Mr. STEWART, Mr. ROHRABACHER, Mr. RODNEY DAVIS of Illinois, Mr. MCKINLEY, Mr. SMITH of Texas, Mr. WOODALL, Mr. LONG, Mr. OLSON, Mr. WITTMAN, Mr. HOLDING, Mr. JODY B. HICE of Georgia, Mr. HUDSON, Mr. DAVIDSON, Mr. TIBERI, Mr. BERGMAN, Mr. CHABOT, Mr. ISSA, Mr. LAMALFA, Mr. WALBERG, Mr. PERLMUTTER, Mr. JEFFRIES, Mr. PETERS, Mr. GOTTHEIMER, Mr. CRAWFORD, Mrs. BLACKBURN, Mr. WALKER, Mr. JOHNSON of Ohio, Mr. MARINO, Mr. PITTINGER, Mr. HUNTER, Mr. COOK, Mr. YODER, and Mr. BRAT):

H.R. 1861. A bill to award a Congressional Gold Medal in honor of Lawrence Eugene "Larry" Doby in recognition of his achievements and contributions to American major league athletics, civil rights, and the Armed Forces during World War II; to the Committee on Financial Services.

By Mrs. ROBY:

H.R. 1862. A bill to amend title 18, United States Code, to expand the scope of certain

definitions pertaining to unlawful sexual conduct, and for other purposes; to the Committee on the Judiciary.

By Ms. ROS-LEHTINEN (for herself and Mr. ENGEL):

H.R. 1863. A bill to designate the area between the intersections of Wisconsin Avenue, Northwest and Davis Street, Northwest and Wisconsin Avenue, Northwest and Edmunds Street, Northwest in Washington, District of Columbia, as "Boris Nemtsov Plaza", and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. RYAN of Ohio (for himself and Ms. HERRERA BEUTLER):

H.R. 1864. A bill to amend the Elementary and Secondary Education Act of 1965 to allow local educational agencies to use Federal funds for programs and activities that address chronic absenteeism; to the Committee on Education and the Workforce.

By Mrs. WAGNER (for herself, Mrs. BEATTY, Mr. SMITH of New Jersey, Ms. CLARKE of New York, Mr. POE of Texas, Mrs. CAROLYN B. MALONEY of New York, Mr. ROYCE of California, Mrs. ROBY, Mr. KINZINGER, and Ms. JENKINS of Kansas):

H.R. 1865. A bill to amend the Communications Act of 1934 to clarify that section 230 of such Act does not prohibit the enforcement against providers and users of interactive computer services of Federal and State criminal and civil law relating to sexual exploitation of children or sex trafficking, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WEBER of Texas:

H.R. 1866. A bill to amend the Internal Revenue Code of 1986 to disallow certain biodiesel and alternative fuel tax credits for fuels derived from animal fats; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 1867. A bill to amend the Alaska Native Claims Settlement Act to provide for equitable allotment of land to Alaska Native veterans; to the Committee on Natural Resources.

By Mr. FRANKS of Arizona (for himself and Mr. ROYCE of California):

H.J. Res. 93. A joint resolution proposing an amendment to the Constitution of the United States to protect the rights of crime victims; to the Committee on the Judiciary.

By Mr. ENGEL (for himself, Mr. SMITH of New Jersey, Ms. BASS, and Mr. ELLISON):

H. Res. 239. A resolution supporting ongoing efforts by the United States Government, in concert with the United Nations and the donor community, to respond to drought and food insecurity in the Horn of Africa; to the Committee on Foreign Affairs.

By Mrs. BEATTY (for herself and Mr. STIVERS):

H. Res. 243. A resolution supporting the goals and ideals of "Financial Literacy Month"; to the Committee on Oversight and Government Reform.

By Mr. GAETZ (for himself, Ms. WASSERMAN SCHULTZ, Mr. GRIJALVA, Ms. TENNEY, and Mr. HASTINGS):

H. Res. 244. A resolution expressing support for Japan to end its whaling in all forms and to strengthen measures to conserve whale populations; to the Committee on Foreign Affairs, and in addition to the Committee on Natural Resources, for a period to be subse-

quently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARRETT (for himself, Mr. SCOTT of Virginia, Mr. BRAT, and Mr. TAYLOR):

H. Res. 245. A resolution expressing support for designation of April 23 as "Barbara Johns Day" to highlight the important role Ms. Barbara Rose Johns (Powell) played in the Civil Rights Movement, in *Brown v. Board of Education* and the desegregation of schools, and her role in the history of the United States and the lives of United States citizens; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

16. The SPEAKER presented a memorial of the Legislature of the State of South Dakota, relative to House Concurrent Resolution No. 1014, expressing the strongest support for, and unity with, the State of Israel and recognizing Jerusalem, as Israel's undivided capital; to the Committee on Foreign Affairs.

17. Also, a memorial of the Senate of the State of Nevada, relative to Senate Joint Resolution No. 2, ratifying the proposed amendment to the Constitution of the United States providing that equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex; to the Committee on the Judiciary.

18. Also, a memorial of the Legislature of the State of Wyoming, relative to House Joint Resolution No. 2, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; to the Committee on the Judiciary.

19. Also, a memorial of the Legislature of the State of Wyoming, relative to Senate Joint Resolution No. 2, requesting the Congress to enact legislation requiring revenues received by the federal government from wind and solar energy developments on lands of the United States be shared equally with the state in which those developments are located; jointly to the Committees on Natural Resources and Agriculture.

20. Also, a memorial of the Legislature of the State of Wyoming, relative to House Joint Resolution No. 8, urging Congress to ensure that the federal government upholds the federal trust responsibility to provide for the health care needs of American Indians by continuing access to adequate Medicaid resources with one hundred percent (100%) federal coverage; jointly to the Committees on Natural Resources and Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ROE of Tennessee:

H.R. 1848.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. TROTT:

H.R. 1849.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. AMASH:

H.R. 1850.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7 states: "The Congress shall have Power . . . To establish Post Offices and post Roads."

By Ms. BORDALLO:

H.R. 1851.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted Congress under Article IV, Section 3 of the United States Constitution.

By Mr. CORREA:

H.R. 1852.

Congress has the power to enact this legislation pursuant to the following:

(1) The U.S. Constitution including Article 1, Section 8.

By Mr. CROWLEY:

H.R. 1853.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. JENKINS of West Virginia:

H.R. 1854.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the United States Constitution.

By Mr. JONES:

H.R. 1855.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 5, and Article I, Section 8

By Mr. LYNCH:

H.R. 1856.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. LYNCH:

H.R. 1857.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. MARINO:

H.R. 1858.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7 "The Congress shall have Power to . . . establish Post Offices and Post Roads."

By Mr. MARINO:

H.R. 1859.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. MEEKS:

H.R. 1860.

Congress has the power to enact this legislation pursuant to the following:

Necessary and proper clause, Article 1, Section 8, Clause 18 of the Constitution

By Mr. RENACCI:

H.R. 1861.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18, to make all laws which shall be necessary and proper for carrying into execution the foregoing powers

By Mrs. ROBY:

H.R. 1862.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Ms. ROS-LEHTINEN:

H.R. 1863.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. RYAN of Ohio:

H.R. 1864.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mrs. WAGNER:

H.R. 1865.

Congress has the power to enact this legislation pursuant to the following:

Amendment XIII of the Constitution, which states that "Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction. Section 2. Congress shall have power to enforce this article by appropriate legislation."

Amendment XIV of the Constitution, which states that "nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Article I, Section 8, Clause 3 of the Constitution, which states "To regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

By Mr. WEBER of Texas:

H.R. 1866.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common defence and general Welfare of the United State; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. YOUNG of Alaska:

H.R. 1867.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. FRANKS of Arizona:

H.J. Res. 93.

Congress has the power to enact this legislation pursuant to the following:

Article V: "The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution"

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 19: Mr. FASO.

H.R. 24: Mr. POLIS.

H.R. 31: Mr. OLSON.

H.R. 36: Mr. ARRINGTON and Mr. COLLINS of New York.

H.R. 37: Mr. ARRINGTON.

H.R. 44: Mr. PETERS and Mr. GARRETT.

H.R. 60: Mr. MARSHALL and Ms. WILSON of Florida.

H.R. 91: Ms. PINGREE.

H.R. 111: Mr. CURBELO of Florida.

H.R. 147: Mr. ARRINGTON.

H.R. 198: Mr. BROOKS of Alabama.

H.R. 253: Ms. SEWELL of Alabama.

H.R. 299: Ms. KAPTUR, Mr. BRADY of Pennsylvania, Ms. JACKSON LEE, Mr. MEEKS, Mr. WALDEN, and Ms. SCHAKOWSKY.

H.R. 351: Ms. VELÁZQUEZ and Mr. MARSHALL.

H.R. 352: Mr. ARRINGTON.

H.R. 365: Mr. BANKS of Indiana.

H.R. 367: Mr. PALAZZO, Mr. RUTHERFORD, and Mr. HOLLINGSWORTH.

H.R. 390: Mr. SHERMAN.

H.R. 392: Ms. KUSTER of New Hampshire, Mr. WILLIAMS, Mrs. BEATTY, Mr. COOK, Mr. RUTHERFORD, Mr. MARSHALL, Mr. KILMER, Mr. BISHOP of Georgia, and Mrs. LAWRENCE.

H.R. 421: Ms. HERRERA BEUTLER.

H.R. 429: Mr. GALLAGHER.

H.R. 457: Mr. GARAMENDI, Mr. RYAN of Ohio, Mr. TAKANO, Ms. BORDALLO, and Mr. HIMES.

H.R. 465: Mr. UPTON.

H.R. 474: Mr. POLIQUIN.

H.R. 477: Mr. YOUNG of Iowa.

H.R. 530: Ms. JAYAPAL.

H.R. 553: Mr. RATCLIFFE.

H.R. 635: Mr. CICILLINE.

H.R. 656: Mr. RATCLIFFE.

H.R. 664: Ms. GABBARD.

H.R. 669: Ms. JUDY CHU of California.

H.R. 671: Mr. PALLONE.

H.R. 672: Mr. SUOZZI.

H.R. 676: Mr. DEFazio, Ms. CASTOR of Florida, Mr. GENE GREEN of Texas, Mr. PRICE of North Carolina, Mr. CICILLINE, Mr. PANETTA, Mr. BROWN of Maryland, and Mr. CARSON of Indiana.

H.R. 721: Ms. KUSTER of New Hampshire.

H.R. 746: Mr. CLAY.

H.R. 747: Mrs. NAPOLITANO, Mr. COOK, and Mr. BROOKS of Alabama.

H.R. 800: Mr. SOTO.

H.R. 807: Mr. RUSH.

H.R. 813: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 820: Mr. PERLMUTTER, Mr. HARPER, and Mr. RASKIN.

H.R. 828: Ms. BLUNT ROCHESTER and Mrs. COMSTOCK.

H.R. 846: Mr. BROWN of Maryland, Mr. ROE of Tennessee, Mr. BERGMAN, Mr. GRIJALVA, Mr. COHEN, Mr. DESJARLAIS, and Mr. GARRETT.

H.R. 849: Mr. WEBER of Texas, Mr. LANCE, Mr. BILIRAKIS, Mr. LONG, Mr. HILL, Ms. TENNEY, Mr. KUSTOFF of Tennessee, Mr. KATKO, Mr. ROTHFUS, and Mr. JOHNSON of Ohio.

H.R. 880: Mr. RUPPERSBERGER, Mr. GUTHRIE, and Mr. KILMER.

H.R. 898: Mr. AL GREEN of Texas.

H.R. 904: Mr. JOHNSON of Georgia.

H.R. 919: Mr. NEAL.

H.R. 930: Mr. YOUNG of Alaska, Mr. ELLISON, Mr. MASSIE, Ms. TENNEY, Mr. LARSEN of Washington, Mr. MEEKS, Mr. O'ROURKE, Mr. THOMPSON of California, Mr. PITTENGER, Ms. JENKINS of Kansas, Mr. SOTO, Mr. JOHNSON of Georgia, Ms. CASTOR of Florida, Mr. COHEN, Mr. ALLEN, Mr. ROTHFUS, Mr. PAYNE, Mr. SMITH of Washington, Mr. PETERS, Mr. JEFFRIES, Mr. JOYCE of Ohio, Mr. WEBSTER of Florida, Mr. RODNEY DAVIS of Illinois, Ms. DEGETTE, Mr. WENSTRUP, Mr. CLAY, Mr. PASCRELL, Mr. HIGGINS of New York, Ms. ADAMS, Mr. BISHOP of Georgia, Mr. CÁRDENAS, Mr. DIAZ-BALART, Ms. JAYAPAL, Mr. THOMAS J. ROONEY of Florida, Mr. RUSH, Mr. SERRANO, Ms. STEFANIK, Mrs. WATSON COLEMAN, Mr. STEWART, Ms. MCCOLLUM, Mrs. NOEM, Ms. MENG, Mr. NOLAN, Mr. LAWSON of Florida, Mr. KRISHNAMOORTHY, Mr. TAKANO, Mr. SENSENBRENNER, Mr. HASTINGS, Mrs. MURPHY of Florida, Mr. SAM JOHNSON of Texas, and Mr. FASO.

H.R. 941: Mr. BANKS of Indiana.

H.R. 959: Mr. ENGEL and Ms. JENKINS of Kansas.

H.R. 977: Mr. RASKIN.

H.R. 986: Mr. ISSA, Mr. ROE of Tennessee, and Ms. JENKINS of Kansas.

H.R. 1022: Mr. POCAN, Mr. CONYERS, Ms. MCCOLLUM, and Mrs. DAVIS of California.

H.R. 1038: Mr. LOWENTHAL.

H.R. 1054: Mr. BLUMENAUER and Mr. MCGOVERN.

H.R. 1057: Mr. NEWHOUSE, Mr. CARTER of Georgia, Mr. THOMPSON of Pennsylvania, and Mr. AGUILAR.

H.R. 1072: Mr. GAETZ.

H.R. 1099: Mr. KIND.

H.R. 1115: Mr. CARTWRIGHT.

H.R. 1116: Mr. LEWIS of Minnesota, Mr. KING of New York, Mr. ARRINGTON, and Mr. DESANTIS.

H.R. 1120: Mr. CÁRDENAS and Mr. GRIJALVA.

H.R. 1136: Mr. RUTHERFORD, Mr. COSTA, Mr. HIGGINS of Louisiana, Mr. JONES, Mr. GRIFFITH, Mr. BLUM, and Mr. CUELLAR.

H.R. 1143: Mr. HASTINGS.

H.R. 1144: Ms. JAYAPAL.

H.R. 1148: Mrs. DAVIS of California and Mr. ENGEL.

H.R. 1155: Mr. GRIJALVA.

H.R. 1175: Mr. HUDSON and Mr. SMUCKER.

H.R. 1192: Mr. ARRINGTON.

H.R. 1206: Mr. SENSENBRENNER.

H.R. 1222: Mr. FITZPATRICK.

H.R. 1223: Mr. BACON and Mr. WEBSTER of Florida.

H.R. 1243: Ms. NORTON and Mr. KATKO.

H.R. 1251: Mr. TAKANO.

H.R. 1279: Mr. MCGOVERN and Mr. PETERS.

H.R. 1284: Ms. PINGREE and Mr. TAKANO.

H.R. 1299: Mr. CARTWRIGHT.

H.R. 1303: Mr. GENE GREEN of Texas.

H.R. 1318: Mr. HIMES.

H.R. 1326: Mr. CAPUANO.

H.R. 1334: Mr. GRAVES of Georgia and Mr. GROTHMAN.

H.R. 1337: Mr. REICHERT.

H.R. 1361: Mr. HARPER.

H.R. 1380: Ms. PINGREE.

H.R. 1384: Mr. BACON, Mr. NOLAN, Mr. EMMER, Mr. GARAMENDI, Mr. PETERSON, Mr. BRADY of Pennsylvania, Mr. BERGMAN, Mr. STIVERS, Mr. LEWIS of Minnesota, Mr. HARPER, and Ms. ROSEN.

H.R. 1399: Mr. ROE of Tennessee.

H.R. 1406: Mr. MEEKS.

H.R. 1409: Mr. YARMUTH.

H.R. 1426: Mr. COURTNEY and Mr. TIPTON.

H.R. 1438: Mr. PETERS and Mr. CAPUANO.

H.R. 1442: Ms. NORTON and Mr. FITZPATRICK.

H.R. 1445: Mr. CORREA and Mr. O'ROURKE.

H.R. 1454: Mr. PALMER and Mr. BRAT.

H.R. 1457: Mrs. ROBY.

H.R. 1473: Ms. PINGREE and Ms. ESHOO.

H.R. 1491: Mrs. TORRES, Mr. COOK, and Mr. MCCLINTOCK.

H.R. 1494: Mr. O'ROURKE, Mr. PETERS, and Mr. CAPUANO.

H.R. 1496: Mr. RUIZ and Mr. AGUILAR.

H.R. 1552: Mr. HUNTER, Mr. LONG, Mr. SMITH of Missouri, Mr. LUETKEMEYER, Mr. MOOLENAAR, Mr. SMUCKER, Mrs. HARTZLER, Mr. ROUZER, and Mr. HUDSON.

H.R. 1563: Mrs. LOWEY, Mr. LANCE, and Mr. DESJARLAIS.

H.R. 1569: Mr. RYAN of Ohio.

H.R. 1584: Mrs. LOWEY.

H.R. 1589: Mr. GARAMENDI, Ms. MATSUI and Ms. SPIER.

H.R. 1612: Ms. JAYAPAL.

H.R. 1626: Mr. ALLEN, Ms. MCCOLLUM, Mr. YOUNG of Iowa, Mr. AUSTIN SCOTT of Georgia, and Mr. ARRINGTON.

H.R. 1627: Mr. FITZPATRICK, Mr. NOLAN, Ms. JENKINS of Kansas, Mr. CRAMER, Mr. VELA,

Mr. THOMPSON of Pennsylvania, Mr. HUIZENGA, and Mr. COFFMAN.

H.R. 1639: Mr. RUSH and Mr. HECK.

H.R. 1644: Mr. AUSTIN SCOTT of Georgia and Mr. GUTHRIE.

H.R. 1661: Mr. GONZALEZ of Texas.

H.R. 1672: Mr. MURPHY of Pennsylvania.

H.R. 1676: Mr. LAMBORN, Mr. DUNCAN of Tennessee, Mr. WILSON of South Carolina, Mr. SENSENBRENNER, Mr. KING of New York, Mr. JOYCE of Ohio, Mr. DEFazio, Ms. SPEIER, Mr. GALLEGO, Ms. FRANKEL of Florida, Mr. RYAN of Ohio, Mr. COHEN, Ms. DEGETTE, Mr. BARR, Mr. THOMPSON of California, Mr. ROE of Tennessee, Ms. MATSUI, and Mr. PETERSON.

H.R. 1694: Mr. HUDSON and Mr. YOHO.

H.R. 1697: Mrs. LOVE, Mr. THOMAS J. ROONEY of Florida, Mr. GROTHMAN, Mr. LAMBORN, Mr. ROSS, Mr. CHABOT, Mr. BISHOP of Michigan, Mr. NUNES, Mr. COFFMAN, Mrs. WAGNER, Mr. ROE of Tennessee, Mr. PERRY, Ms. CASTOR of Florida, Mr. HILL, Mr. JOYCE of Ohio, Mr. DAVID SCOTT of Georgia, and Ms. BARRAGÁN.

H.R. 1698: Mr. CHABOT, Mr. SEAN PATRICK MALONEY of New York, Mr. ROE of Tennessee, Mr. PALLONE, Mrs. WAGNER, Ms. ROYBAL-ALLARD, Mr. SCHRADER, Mr. PERRY, Mr. CARBAJAL, Mr. GOTTHEIMER, Mr. JOYCE of Ohio, Mr. SMUCKER, Mr. MAST, Mr. DAVID SCOTT of Georgia, Mr. BROWN of Maryland,

Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. JOHNSON of Georgia, Ms. BARRAGÁN, Mr. KATKO, and Mr. ROUZER.

H.R. 1701: Mrs. LOVE and Mr. BRAT.

H.R. 1711: Mr. MCNERNEY, Mr. VEASEY, Mr. PRICE of North Carolina, and Mr. BEN RAY LUJÁN of New Mexico.

H.R. 1716: Ms. ADAMS.

H.R. 1718: Mr. YOHO, Mr. DUNCAN of South Carolina, and Mr. GAETZ.

H.R. 1721: Mr. PITTENGER and Mr. JONES.

H.R. 1737: Mr. POE of Texas.

H.R. 1748: Mr. ESPAILLAT and Mr. POCAN.

H.R. 1784: Mr. MOULTON.

H.R. 1794: Mr. BERA, Mr. FOSTER, Mr. GONZALEZ of Texas, Mr. SCHNEIDER, and Mr. COFFMAN.

H.R. 1810: Mr. POLIS, Ms. DEGETTE, Mr. DEFazio, Mr. PERLMUTTER, and Mr. HECK.

H.R. 1828: Ms. DELBENE.

H.R. 1832: Mr. SUOZZI, Ms. WASSERMAN SCHULTZ, and Mr. ENGEL.

H.R. 1847: Mr. WITTMAN, Mr. REED, Mr. KATKO, Mr. HARRIS, Ms. FUDGE, Mr. DOGETT, and Ms. STEFANIK.

H.J. Res. 33: Mr. CARBAJAL.

H.J. Res. 51: Mr. BOST and Mr. HARRIS.

H. Con. Res. 10: Mr. POCAN and Mr. RYAN of Ohio.

H. Res. 15: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. FITZPATRICK, Mr. YODER, Ms. JENKINS of Kansas, Ms. BARRAGÁN, Mr. BROWN of Maryland, and Mr. CLEAVER.

H. Res. 30: Mr. ENGEL and Mr. KIHUEN.

H. Res. 43: Mr. GALLAGHER.

H. Res. 92: Mrs. MIMI WALTERS of California.

H. Res. 129: Mr. ROE of Tennessee, Mr. TIPTON, Mr. WESTERMAN, Mr. JONES, Mrs. WAGNER, Mr. THOMPSON of Pennsylvania, Mr. MEEHAN, Mr. SCOTT of Virginia, Ms. SINEMA, Mr. THOMAS J. ROONEY of Florida, Mr. WEBSTER of Florida, and Mr. SESSIONS.

H. Res. 140: Mrs. CAROLYN B. MALONEY of New York.

H. Res. 142: Mr. COSTA.

H. Res. 145: Mr. SUOZZI.

H. Res. 188: Mr. HIGGINS of New York, Mr. PETERS, Mr. CAPUANO, Mr. COHEN, Mr. DELANEY, Mr. COOK, and Mr. GARRETT.

H. Res. 214: Mr. HECK.

H. Res. 219: Mr. COMER.

H. Res. 220: Mrs. LOWEY, Mr. FORTENBERRY, and Mrs. LAWRENCE.

H. Res. 222: Mr. COLE.

H. Res. 232: Mr. MESSER and Mrs. WALORSKI.

H. Res. 235: Ms. JACKSON LEE, Mr. LANGEVIN, Mr. RICHMOND, Mr. KEATING, Mr. PAYNE, Mr. VELA, Mrs. WATSON COLEMAN, Miss RICE of New York, Mr. CORREA, Mrs. DEMINGS, and Ms. BARRAGÁN.

EXTENSIONS OF REMARKS

REMEMBERING DR. CHARLES
LEMAISTRE

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. OLSON. Mr. Speaker, I rise today to honor the late Dr. Charles LeMaistre after he passed away this January at 92.

Charles was the president of The University of Texas MD Anderson Cancer Center until 1996 when he retired. He was a charismatic physician and educator who focused much of his career on cancer prevention. Charles emphasized the dangers of smoking and served on the first U.S. Surgeon General's Advisory Committee on Smoking and Health. He was also the national president of the American Cancer Society. Ronald DePinho, the current president of MD Anderson, described Charles as "one of the giants of cancer medicine." Charles' legacy will live on and continue to save lives. His dedication to healthcare innovation will be greatly missed.

On behalf of the Twenty-Second Congressional District of Texas, we mourn the loss of Dr. Charles LeMaistre. He truly was a beloved Texan. Our thoughts and prayers are with his family.

RECOGNIZING AND CONGRATULATING THE BATANGAS AND SOUTHERN TAGALOG ASSOCIATION OF GUAM ON ITS 40TH ANNIVERSARY

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Ms. BORDALLO. Mr. Speaker, I rise today to recognize the contributions and achievements of the Batangas and Southern Tagalog Association (BASTA) of Guam to the Guam community for the past forty years. The small organization was established on July 16, 1977 as the Batangas Association by Eddie Espina, Rey Gonzalves, Marcy Manipol, and Ronnie Saludo. Over the past forty years, the group has worked hard to fulfill its mission as a non-profit, civic club promoting friendship and understanding among the Batanguenos community and other residents of Guam.

The organization grew steadily over the years, and in 1984 the board opened its membership to embrace Filipinos in the club from surrounding provinces and soon became the Batangas and Southern Tagalog Association. BASTA membership is now open to a wider group of people from various islands in the Philippines including Batangas, Cavite, Laguna, Rizal, Aurora, Quezon, Palawan, Mindoro Occidental, Mindoro Oriental,

Marinduque, and Romblon. Members of BASTA have chosen to make Guam their home and have positively contributed to the growth of Guam as educators, nurses, entrepreneurs, skilled workers, engineers, and every other profession.

Over BASTA's forty years of service to Guam, the organization has contributed to many non-profit and charitable organizations. BASTA has given generously to causes such as the Guam Lytico-Bodig Association, American Red Cross, Catholic Social Services, Make-A-Wish Foundation, Alee Shelter, Guam Diabetes Association, American Cancer Society and many others. BASTA also contributes to many causes in the Philippines during times of need and natural disaster, and supporting education efforts through the building and maintenance of school facilities.

A unique feature of BASTA is the youth branch of the organization. The BASTA Youth are made up of the children and young relatives of its members and are active in carrying out the mission of the organization. The BASTA Youth have raised funds to support the club through song and dance productions, which later morphed into what is now BASTA's annual Christmas caroling fund-raising. BASTA has become a very popular group during the holiday season, performing their lively carols at venues across Guam to support their mission.

I congratulate the Batangas and Southern Tagalog Association of Guam on the occasion of their 40th Anniversary of serving the people of Guam. I join the people of Guam in thanking them for their contributions to our island.

ERIN TORMEY, FARMER OF THE
YEAR AWARD

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Ms. SPEIER. Mr. Speaker, I rise today to recognize a special spirit that glides along the coast of San Mateo County throughout the year. Her name is Erin Tormey and she is being honored by the Half Moon Bay Chamber of Commerce as Farmer of the Year. For all the farmers who have been recognized, Erin Tormey is certainly an awardee who stands out. She is an exceptional leader, inspirational personality, and an outstanding businesswoman. She is also deeply admired by all who know her, and for good reason.

Erin is the founder of the Half Moon Bay Farmers Market and the Pacifica Farmers Market. Since 2002 in Half Moon Bay, and 2007 in Pacifica, Erin has orchestrated a nutritious public health extravaganza for coastal residents. Her market draws producers and shoppers from distant points to offer quality fruits and vegetables at reasonable prices to local residents and to visitors.

By county standards, Erin Tormey is relatively new to agriculture, starting the Irish Ridge Ranch in 1996. She raises Heritage Layer hens and operates an apple orchard that grows Rare Pioneer and Heritage Apples. Once established, Erin branched out to establish the farmers market and became active in community improvement through her advocacy for healthy farm products.

She recognized that many families did not know about the benefits of fresh produce and vegetables. Working with the State of California, her market was selected to participate as a pilot site for MARKET WATCH, a program to encourage low income families and seniors to shop at farmers markets. The market promotes nutrition education and was a statewide leader in participating in the WIC program. Low income families of our coastal communities count on Erin and her fellow farmers to balance their diets and to help them maintain healthy eating habits.

Erin's dedication to the coastside extends beyond farming to education and to public engagement. She was the inaugural executive director of the Cabrillo Education Foundation. Imagine rising before the sun, harvesting eggs for the day, getting your children ready for school, and then raising your hand to raise money for their education. I note that she doesn't rise with the sun. That would be too late. Erin Tormey challenges the sun to rise and to keep up with her while she powers through her day.

In addition to her other accomplishments, Erin is a founding Director of the HEAL Project, an award-winning curriculum that teaches math and science through lessons drawn from agriculture. She is also a founding member of the San Mateo Food Systems Alliance. Among its many purposes, the group encourages gardens in schools to teach students about nutrition, cooperates with our local food bank, and encourages non-farmers to educate themselves about farming and its challenges.

California's agricultural leadership has recognized Erin's talents. She was appointed by the Secretary of Agriculture to a Direct Marketing Ad-hoc Committee, as an alternate, to help rework legislation governing certified Farmers Markets. She was also appointed to a 3-year term on the steering committee of the California Alliance of Certified Farmers Markets.

Finally, I know Erin well because we co-operate annually in producing one of the high points of the year for 700 seniors in San Mateo county and San Francisco: My annual Seniors on the Move conference held in San Mateo includes a segment to teach attendees about fresh food preparation and eating well to enhance their health and well-being. Erin's cheerful face and enthusiastic promotion of fresh fruits and vegetables are the highlight of this day. Seniors run or walk as swiftly as possible to where the free bags of fresh fruit and vegetables are dispensed.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mr. Speaker, I ask the Members of the House of Representatives to join me in honoring Erin Tormey on the occasion of her selection as Farmer of the Year. Her hens know her as the careful steward of their production but we know Erin as the thoughtful steward of our health and community spirit. May both her flock and we, her friends, neighbors and customers, thrive in the years ahead

HONORING MICHAEL MAYFIELD

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a public servant, Michael Mayfield. Mr. Mayfield has shown what can be done through tenacity, dedication and a desire to serve the City of Vicksburg.

Mr. Mayfield is a graduate of the Vicksburg Public School System. He is also a graduate of Hinds Community College where he graduated with high honors in Basic Electronic and Electricity. He is also certified with the Environmental Protection Agency.

Michael Mayfield was elected to the North Ward Alderman position in July 2005. Prior to this election, he served 10 years on the Warren County Board of Supervisors as Supervisor of District 2. The North Ward Alderman represents the citizens of the northern district of Vicksburg.

Mr. Mayfield is a member and deacon at the Mt. Zion No. 4 Baptist Church. He is a member of the Warren County Children Shelter, the Central Mississippi Planning and Development District and a member of the Steering Community for Warren Yazoo Mental Health.

Mr. Mayfield is the father of three children and has two grandchildren. He has been married to the former Bertha McCaLpin for thirty-three years.

Mr. Speaker, I ask my colleagues to join me in recognizing Alderman Michael Mayfield for his services to the City of Vicksburg and Warren County.

ASHLEY MEDINA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Ashley Medina for receiving the Adams County Mayors and Commissioners Youth Award.

Ashley Medina is a 6th grader at Pinnacle Charter School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Ashley Medina is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Ashley Medina for winning the Adams County

Mayors and Commissioners Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

HONORING ALEXANDRIA'S 67 VIETNAM WAR FALLEN HEROES ON THE COMMONWEALTH OF VIRGINIA'S WELCOME HOME VIETNAM VETERANS DAY

HON. DONALD S. BEYER, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. BEYER. Mr. Speaker, I rise today to remember and honor the 67 men from Alexandria who made the ultimate sacrifice in Southeast Asia during the Vietnam War for our freedoms and liberties. Those men include forty-four Soldiers, fifteen Marines, five U.S. Air Force pilots and three Sailors. Their combat duty in Southeast Asia extended over an eleven-year period from May 1962 to June 1973. Their heroism and meritorious service resulted in the award of: one Medal of Honor; one Navy Cross; five Silver Stars; five Distinguished Flying Crosses; twenty-seven Bronze Star Medals; one Prisoner of War Medal; one Soldier's Medal; fifty-one Purple Heart Medals; and forty-four Air Medals. Six families await the return of the remains of those who are still missing in action in a far-off land.

All the families mourn the loss of their loved ones. Their fellow citizens salute these men for their service and honor their sacrifices.

The names of all 67 men are on the Captain Rocky Versace Plaza and Vietnam Veterans Memorial located in Alexandria, VA.

MEMORIAL TRIBUTE TO LOIS WILLIAMS

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. SCHIFF. Mr. Speaker, I rise today to honor the memory of Lois Williams, of Burbank, California, who passed away on March 21, 2017.

Lois Tuttle was born on February 25, 1921 in Kansas City, Missouri where she was raised with her brother Karl. In 1947, Lois married Bill Williams and they moved to California in 1951, settling in the Burbank area of southern California.

With a passion for social justice, Lois was an ardent advocate for the rights of workers to organize and join in the democratic political process. A staunch defender of the union movement, she assisted in writing curriculum for teaching union history in schools, worked on labor law negotiations, and was a founding member of Citizens for Utility Rate Balance. Ms. Williams was Executive Secretary and Treasurer of the Council of the Engineers and Scientists Organization and an officer at the Engineers and Scientists Guild-Lockheed Section, where she helped advance many progressive programs, and was an early pro-

ponent of portable pensions, health care for all, conversion policy in the defense industry and child care in the workplace.

Affiliated with the Democratic Party since she first voted for Harry Truman, Lois was active in many democratic organizations and clubs where she held leadership positions. She served as President of the Verdugo Hills Democratic Club, President of the MidValley Democratic Club, Regional Vice President and Chair of the Endorsements Committee of the California Democratic Council, a Steering Committee member of the Stonewall Democratic Club, Secretary and Treasurer of the 43rd Assembly District Committee, and a member of Democrats for Neighborhood Action. In addition, Lois was a long-serving member of the California Democratic Party State Central Committee and the Los Angeles County Democratic Central Committee, and was a founding member of the 27th Congressional District Democratic Club. In 2012, Lois was honored with the Action Democrats of the San Fernando Valley's Mimi and Lou Robins Distinguished Achievement Award.

Preceded in death by her husband of 62 years, Bill Williams, Lois is survived by her daughter, Lyn Shaw and son-in-law, Jim Hilfenhaus.

Lois was an irreplaceable part of the local community, and she will be greatly missed. I ask all members to join me in remembering Lois Williams.

IN HONOR OF SUPERIOR COURT JUDGE ALBERT H. MALDONADO

HON. JIMMY PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. PANETTA. Mr. Speaker, I rise today to recognize Monterey County Superior Court Judge, Albert H. Maldonado for his 22 years of service in Monterey County courts.

In 1969, Judge Maldonado received his bachelor's degree from the University of Redlands. In 1974, he earned his Juris Doctorate from the University of California, Boalt Hall School of Law in Berkeley. Prior to finishing law school, Judge Maldonado served the U.S. Army from 1970-1971 where he received a number of awards, including: the Bronze Star, Vietnam Service Medal, and the Vietnam Campaign Medal.

In 1995, Judge Maldonado was appointed to the bench in the Municipal Court at the Monterey Judicial District, becoming the second Mexican-American to be appointed since 1836. In 2000, Judge Maldonado became a Superior Court Judge for the state of California. During his twenty-two years of service, Judge Maldonado worked to solve a range of social and legal issues on behalf of Monterey County, including drug treatment, criminal and civil mental health, and criminal matters.

Judge Maldonado has been an exemplary figure for social change through the framework of public and legal service. A proud Mexican-American, Judge Maldonado is the first person of Mexican descent to be appointed to the bench by a California governor in 150 years. My congressional district is a heavily Mexican

populated district, and Judge Maldonado's mark in Monterey County's legal field history will undoubtedly continue to be a seed of inspiration for generations to come.

As someone who has dedicated their career to public service, it is an honor to recognize Judge Albert Maldonado for his many years in the legal field and his unending efforts to create a positive impact for the lives in Monterey County. On behalf of California's District 20, I would like to thank Judge Maldonado for the many years of service and positive involvement in our community, and wish him a wonderful retirement. There is no doubt that Judge Maldonado's commitment to social justice inside and outside the courtroom will continue to be an inspiration to us all.

BETSABE ABIGAIL TORRES

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Betsabe Abigail Torres for receiving the Adams County Mayors and Commissioners Youth Award.

Betsabe Abigail Torres is a student at Vantage Point High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Betsabe Abigail Torres is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Betsabe Abigail Torres for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

IN RECOGNITION OF DR. GEORGE D. VERMEIRE

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. MEEHAN. Mr. Speaker, I rise today to honor Dr. George D. Vermeire for his exemplary medical care in Pennsylvania. In recognition of his dedication and involvement in the osteopathic medical profession, Dr. Vermeire was named the 106th President of the Pennsylvania Osteopathic Medical Association.

Dr. Vermeire is a graduate of the University of Pittsburgh and later achieved his D.O. from the Philadelphia College of Osteopathic Medicine. He completed his postgraduate training at Ziegler-Botsford Hospitals in Farmington Hills, Michigan, and he has served as a member of the board of trustees. Shortly thereafter, he was elected vice president and president-elect of the Association. He also serves as a delegate of the Pennsylvania Osteopathic

Medical Association and the American Osteopathic Association.

He has distinguished himself as a dedicated family physician and leader of the osteopathic profession, and I honor all of the work Dr. Vermeire accomplished in our community.

I congratulate him on his installation as the 106th President of the Pennsylvania Osteopathic Medical Association, and wish him the best for a successful and rewarding tenure.

SYLVIE MEI LIM'S ARTWORK SELECTED FOR NASA SPACE CALENDAR

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Sylvie Mei Lim of Katy, TX, for having her artwork selected by NASA's Commercial Crew Program to be featured in a calendar.

Fulfilling her dream of sending something to space, this sixth grade Katy Junior High student's artwork will have the first spot in NASA's Children's Artwork Calendar for the month of January 2017. Her piece will be featured alongside drawings from all over the world, such as Spain, Romania, India, Portugal and London. The calendar will be sent to space for astronauts to enjoy while in the International Space Station. Sylvie's artwork will be the only one from Texas. Way to go.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Sylvie for having her artwork selected for NASA's Children's Artwork Calendar. We are proud to have her artwork represent TX22 in space.

HONORING REVEREND ISIAK JACKSON, JR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Reverend Isiac Jackson, Jr., who began his formal education at Rogers High School in Canton, Mississippi, receiving his high school diploma in 1965. He attended Prentiss Junior College for two years and completed his undergraduate education at Alcorn State University where he attained a Bachelor of Sciences degree in Elementary Education in 1973.

Before becoming a Minister of the Gospel, Rev. Jackson taught in the Canton Public School System for years. Other experiences consists of: working as Supervisor I, Madison County Food Stamp Office; Instructor at the Mississippi Baptist Seminary Extension and served for one year as Justice Court Judge, in Canton, Mississippi; Drug Coordinator for Canton Public School System; Moderator in the Madison Baptist Association; Executive Secretary of the General Missionary Baptist Convention of Mississippi, Inc., served as Presi-

dent of the Mississippi Baptist Seminary and was elected President of the General Missionary Baptist State Convention of Mississippi, Inc. in the July 2010 session.

Reverend Jackson is the Pastor of Liberty Missionary Baptist Church in Canton, MS. He is married to Ora Jackson and they have three children: Michal, Ghika (George), and Isiac, III.

During Reverend Jackson's struggle, he stated, ". . . And He said unto them, Go ye into the world, and preach the gospel to every creature. (St. Mark 16:15). 'Every individual on God's earth feels that they are in charge of their destiny and that they know what is best for them. God, being as mighty as He is, sometimes has other plans for us. Until our faith is accepted, there is often a constant struggle between God and man—with God being the victor.' After his struggle was over, Reverend Jackson began his ministry in 1978. One of his favorite scriptures is: "Study to show thyself approved unto God, a workman that needeth not be ashamed, rightly dividing the word of truth. (Timothy 2:15)." Reverend Jackson elected to further his knowledge in the teachings of the Almighty at the Reformed Theological Seminary in Jackson, Mississippi, where he received a Master of Divinity Degree. Reverend Jackson received his Doctor of Ministry degree in May, 1999. His dissertation for the degree is entitled the "Discipling of Black Men Within the Local Church".

Mr. Speaker, I ask my colleagues to join me in recognizing Reverend Isiac Jackson, Jr.

IN HONOR OF THE WESTERVILLE CENTRAL HIGH SCHOOL BOYS BOWLING TEAM

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. TIBERI. Mr. Speaker, I rise today to recognize the Westerville Central High School Boys Bowling team for winning the Division I Boys Bowling Tournament.

An achievement such as this certainly deserves recognition. The Ohio High School Athletic Association has enabled talented teams and individuals to earn state titles since its founding in 1907. Throughout this time, the champions of OHSA state level competitions have represented the most dedicated and accomplished athletes in Ohio. Each year these elite competitors join the long ranks of those who embody Ohio's proud history of athletic success.

The Westerville Central Boys Bowling team's victory caps a tremendous season. This sort of success is earned only through many hours of practice, perspiration and hard work. They have set a new standard for future athletes to reach. Everyone at Westerville Central High School can be extremely proud of their performance.

On behalf of the citizens of Ohio's 12th Congressional District, I congratulate the boys bowling team on their state championship. I wish them continued success in both their athletic and academic endeavors.

RECOGNIZING SERGEANT PATRICK O'MALLEY

HON. NORMA J. TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mrs. TORRES. Mr. Speaker, I rise today to honor Sergeant Patrick O'Malley of the Pomona Police Department for his unyielding commitment to improve the lives of residents in my district every single day.

Sgt. O'Malley may be a native of the Sunshine State, but it is our Golden State that has been the beneficiary of his strong work ethic and compassionate character since he moved here in 1971. He started his career as a police officer with the L.A. County Sheriff's Department Academy in 1991, graduating a year later in 1992. In 1993, my district received a wonderful addition when Sgt. O'Malley joined the Pomona Police Department. Since then, he has continued his life-long devotion to public service through his career in law enforcement of more than 25 years.

While Sgt. O'Malley has had a commendable career with numerous assignments including the Gang Team, Patrol Operations, Traffic Bureau, Detective Bureau, and the MAIT Investigation team, perhaps his most admirable assignment came when he met BreAunna Barnett.

"An angel with a badge," is the phrase that BreAunna's mother, Leanne, uses to refer to Sgt. O'Malley. Mr. Speaker, in what could only be described as a mother's worst fear, Leanne almost lost her daughter to the drug addiction epidemic that plagues our country today. The unequivocal love of a mother and the pure integrity of an officer brought Leanne and Sgt. O'Malley together. While many would have given up, Sgt. O'Malley committed himself to finding and helping BreAunna.

When he found BreAunna she initially rejected his attempts to help, but that did not stop Sgt. O'Malley, who refused to give up. Over time, Sgt. O'Malley gained her trust and eventually helped her receive proper treatment. Even after recovery, Sgt. O'Malley still continued to check up on BreAunna.

In the most tumultuous of times, we find hope in individuals like Sgt. O'Malley, the very same hope that BreAunna experienced. Yes, indeed, he is an angel with a badge.

Sgt. O'Malley's case is especially relevant and worth highlighting in the environment that we find ourselves today where communities' distrust in police officers has reached unprecedented levels. The positive work that our police officers perform often goes unnoticed, and instead we only see the negative. We look to stories like that of Sgt. O'Malley's to remind us that the simple act of caring goes a long way and that taking a community policing approach works.

Sgt. O'Malley did not shy away from a challenge and is a reminder that we too should not shy away from helping each other out.

For his endless contributions and commitment to my community, and because he teaches us to go above and beyond what is asked, I would like to recognize Sergeant Patrick O'Malley on the House floor today.

RECOGNIZING WORLD AUTISM AWARENESS DAY

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. KATKO. Mr. Speaker, I rise today in recognition of the Margaret L. Williams Developmental Evaluation Center of the Upstate Medical Center Golisano Children's Hospital for its World Autism Awareness Day event on April 2nd.

This year marks the third year that the Center has worked with the Central New York community to light up notable Downtown Syracuse buildings in blue to highlight the beginning of April as World Autism Month.

Light it Up Blue is a unique, global campaign to increase understanding and acceptance of autism. Thousands of iconic landmarks, buildings, and community centers nationwide "Light it Up Blue" in support of individuals living with autism and to help promote understanding and acceptance of autism.

While there is no known cause or cure for autism, increased awareness of the multiple types of autism spectrum disorder enables families to seek early and proper treatment.

I commend the Margaret L. Williams Developmental Evaluation Center of the Upstate Medical Center Golisano Children's Hospital for its efforts to support and enhance autism awareness in Central New York.

BRANDON LUJAN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Brandon Lujan for receiving the Adams County Mayors and Commissioners Youth Award.

Brandon Lujan is a 12th grader at Mapleton School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Brandon Lujan is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Brandon Lujan for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

IN HONOR OF FIRST BAPTIST CHURCH OF HEADLAND'S 150TH ANNIVERSARY

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mrs. ROBY. Mr. Speaker, I rise today to honor First Baptist Church (FBC) of Headland

in Headland, Alabama upon its 150th Anniversary.

In 1867, eight people in a small village formerly known as "Heads Land" gathered to establish what was then known as The Baptist Church of Christ at Bethlehem, led by Reverend Thomas Scott. The church officially took the name of "The First Baptist Church, Headland, Alabama" in December of 1969. It has been housed at three separate locations, with its current home residing on East Church Street. The church campus has expanded with the additions of a Sunday School Annex, a Children's Building, a pastorium which now serves as church offices, and a Ministry Center. From its humble beginnings, the church has now grown to a current membership of 1,068, making it the largest church in Henry County.

Over the years, FBC Headland has expanded its reach with its TV Ministry, Food Pantry, Child Development Center, Church Counseling Ministry, and multiple Worship Services and Sunday School Classes. FBC Headland's mission statement is "Glorifying God by Knowing Christ and Making Him Known," and I commend them for their dedication to ministries that do just that.

The City of Headland is fortunate to have had the touch of FBC Headland upon its community for 150 years. FBC Headland has been an example of the faithfulness and providence of the Lord and I am excited to see what He will do through their ministry in the years to come.

Mr. Speaker, it is my privilege to recognize First Baptist Church of Headland's 150 years of fellowship, worship, and service.

HOUSTON METHODIST WEST HOSPITAL EARNs FIVE STAR SERVICE AWARD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Houston Methodist West Hospital for receiving the 2016 Exemplary Five Star Service Award by the Texas Department of State Health Services' Vital Statistics Unit.

Houston Methodist West earned this award for its birth registration achievements for the sixth year in a row. This prestigious award recognizes excellence in certification and training, customer service, timeliness, and accuracy in filing birth certificates. Houston Methodist West is one of only 10 hospitals in Texas to receive the Exemplary Five Star Service Award.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Houston Methodist West Hospital for receiving the Five Star Service Award. We all benefit from their commitment to quality healthcare and we thank them for their hard work to keep Houstonians healthy.

DANIELLE HERRERA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Danielle Herrera for receiving the Adams County Mayors and Commissioners Youth Award.

Danielle Herrera is a student at Northglenn High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Danielle Herrera is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Danielle Herrera for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

HONORING TAMERA JONES**HON. BENNIE G. THOMPSON**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, Tamera Jones is the daughter of Mr. Timothy and Felicia Jones of Clinton, MS. Currently, Tamera is an Honor student of Clinton High School.

Tamera is a very outgoing young lady that has served in several capacities in her school, showing great leadership skills and the qualities of a great team member. Tamera is a member of Mu Alpha Theta, HOSA, FEA, FCA and also a volunteer throughout the community. Not only is Tamera a positive influence within her school, but she is the 2016 Miss Teen of Mississippi. In November, she will be competing for Miss Teen of America, a scholarship and recognition pageant that recognizes teenagers from each state based on their scholastic record, community service and development. When she graduates from High School, Tamera will attend Tougaloo College with her Bachelor's degree in Biological Science and will go on to UMMC to receive her PhD in Pediatric Surgery.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Tamera Jones for her hard work and dedication at Clinton High School and throughout the communities of Mississippi.

APPLAUDING ALEX SCHRIVER FOR HIS SERVICE TO ALABAMA'S FIRST CONGRESSIONAL DISTRICT

HON. BRADLEY BYRNE

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. BYRNE. Mr. Speaker, I rise today to share my deep appreciation to Alex Schriver for his years of service to Alabama's First Congressional District. Alex's last day serving the people of Southwest Alabama was Friday, March 31st.

Alex has served as the Chief of Staff in my Congressional office since I was sworn in on January 8, 2014. In this role, he has overseen my entire Congressional staff, served as my primary policy advisor, managed day-to-day operations of the office, and so much more. As it is often said, it is the job of the Chief of Staff to keep the train on the tracks, and Alex has done exactly that while building out a team of first-rate individuals. That is a testament to his strong leadership and steady demeanor.

Alex grew up in Tennessee and graduated from Auburn University. I first met him in 2009 during my gubernatorial campaign. It did not take long for me to realize that Alex was not your average campaign staffer. He would always go above and beyond and possessed a keen instinct that made him a valued member of the campaign team.

Alex went on to serve as the Chairman of the College Republican National Committee, where he oversaw 75 full-time staff and a record budget of \$16 million. In that role, he helped champion important conservative values and shape the national message.

When I decided to run for Congress in the 2013 special election, Alex was the obvious choice to serve as the campaign manager for my special election campaign. Special elections are particularly challenging given the dynamics surrounding them. As a testament to his aptitude and leadership, I was able to win a nine-person primary and go on to win the general election in December.

Alex has a rare blend of passion, confidence, compassion, knowledge, and toughness that has allowed him to be successful in his career. As he leaves my staff to move into the position of Senior Vice President at Targeted Victory, I have no doubt he will continue to be successful due to the same core qualities.

Mr. Speaker, Alex has been a dedicated and devoted member of my team, and he has served the people of Alabama's First Congressional District exceedingly well. I wish him nothing but the best in his future endeavors.

IAN RODRIGUEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Ian Rodriguez

for receiving the Adams County Mayors and Commissioners Youth Award.

Ian Rodriguez is an 8th grader at Shadow Ridge Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Ian Rodriguez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Ian Rodriguez for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

IN RECOGNITION OF THE AMERICAN WOODMARK CORPORATION'S NEW CORPORATE HEADQUARTERS

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise to share with you and our colleagues, the establishment of a long-term relationship between a stellar national company, the American Woodmark Corporation, and Frederick County, which surrounds the City of Winchester, in the Northern Shenandoah Valley. The American Woodmark Corporation, a leading manufacturer of quality kitchen and bath cabinets with over 5,000 employees nationwide, has decided to invest \$30 million to build a new national corporate headquarters in Frederick County, in the 10th Congressional District of Virginia.

The project will bring its corporate employees together from four leased sites in the Winchester area to a central corporate office, strengthening interpersonal connections and driving greater efficiency in the company's day-to-day operations. The consolidation will mean that all 377 positions will be retained and that 55 new positions will eventually be created.

There was strong competition for American Woodmark's investment, and I want to acknowledge the hard work of Frederick County officials Patrick Barker of the Frederick County Economic Development Authority and his staff, as well as Chairman Chuck DeHaven and members of the Board of Supervisors, in working with the Virginia Economic Development Partnership to secure a \$550,000 grant from the Commonwealth's Opportunity Fund and for providing a \$350,000 economic development grant from Frederick County.

In addition to the financial incentives and a very hospitable business environment, the extraordinary quality of life in the Northern Shenandoah Valley clearly played a role in American Woodmark's decision. Emanating from its agrarian roots, the Valley's friendly, caring culture causes charitable organizations to thrive and those less fortunate to be well cared for. The Valley's quality of life is further enhanced

by great schools and libraries, a first rate regional health care system, and cultural variety that includes civil war battlefields, national parks and museums, as well as a university conservatory that is welcoming to the community. In fact, Forbes has ranked the Northern Shenandoah Valley in its top 20 "Best Small Places for Business and Careers" in the nation.

Mr. Speaker, I ask you and our colleagues to join me in congratulating and thanking Cary Dunston, president and CEO of American Woodmark, and its Board of Directors, on choosing to establish its central corporate office in Frederick County and in wishing the corporation great success in all of its future endeavors.

SENATOR ARTHENIA L. JOYNER,
TAMPA BAY'S WOMEN'S HISTORY
MONTH HONOREE

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Ms. CASTOR of Florida. Mr. Speaker, I rise today to honor the accomplishments of a true champion of progress, Senator Arthenia L. Joyner. Today, I recognize her as my Tampa Bay's Women's History Month honoree. Her invaluable contributions to Hillsborough County and the lives of our neighbors are an inspiration to us all. Today, on behalf of my neighbors, I recognize her selfless dedication, honor her valuable unceasing work, and thank her for her love of her and my home town.

Senator Arthenia Joyner was born in Lakeland, Florida on February 3, 1943 and later relocated with her family to Tampa in the late 1940s. Growing up during the time of segregation, Senator Joyner and her family have always played an active role on issues concerning civil rights. Henry Joyner, Moses White and Kid Mason, to name a few, were at the heart of Tampa's once thriving black business community on Central Avenue. Senator Joyner has been key in preserving and honoring the history of Central Avenue, once populated by black-owned businesses, restaurants and night clubs.

Senator Joyner earned her B.S. from Florida A&M University in 1964 and her J.D. from Florida A&M University College of Law in 1968. Facing segregation and discrimination, she has always been out front. She participated in the first civil rights demonstrations in Tampa and was arrested twice while attending Florida A&M University when participating in efforts to desegregate movie theaters. Senator Joyner again "found a way to get in the way", in the words of my colleague Representative JOHN LEWIS, when she was arrested outside the South Africa embassy in D.C. for protesting against South Africa's apartheid government.

After law school, unable to find anyone in the legal profession willing to hire an African-American woman, she opened her own practice becoming the first African-American female lawyer in Hillsborough County and has practiced law there for forty-seven years, longer than any black woman in the history of

Florida. Senator Arthenia Joyner served as an attorney, public school teacher and legal assistant for former State Representative, Joe Lang Kershaw. She was elected to the Florida House of Representatives in 2000 where she served three terms. In 2006 Senator Joyner was then elected to represent District 19 in the Florida Senate for two terms. She was appointed by her Senate peers to serve as the Florida Senate Democratic Leader for the 2014 to 2016 term, making her the first African-American woman to hold the position.

Throughout her legislative service, Senator Joyner has been recognized as a stalwart supporter of a wide variety of issues centered on human rights, civil rights, criminal and civil justice reform, health policies, and consumer protection. Her knowledge, passion and leadership made her a trusted public servant who knew how to get things done for her state and her neighbors. Senator Joyner currently serves as the National Vice President of the National Organization of Black Elected Legislative Women (NOBEL/Women) and the State Director for Women in Government. Recently she was appointed to represent the Florida Senate on the Criminal Justice Committee of the National Conference of State Legislatures. And, most recently Senator Joyner was chosen for the important role serving on the Constitutional Revision Commission by Chief Justice Jorge Labarga.

The Tampa Bay Times has praised Senator Joyner for being "a strong supporter of civil rights, health care, and open government." In 2014, Senator Arthenia Joyner was awarded the L. Clayton Nance Award presented annually by the Florida Public Defender Association (FPDA) to those advancing the organization's mission of ensuring equal justice. The FPDA also recognized her legislative work and support of juvenile sentencing reform bill, HB 7035. Representative Laura Hall (AL), National President for NOBEL Women, stated that Senator Joyner doesn't only advocate for the state of Florida, but "she fights for the civil rights of others across this nation."

Senator Joyner has served her community and state but her service has also had global reach. It has been said that among her most prestigious awards are appointments by President Clinton to the U.S. Delegation to the Population Conference in Cairo, Egypt and the U.S. Delegation to the United Nations 4th World Conference on Women in Beijing, China.

Mr. Speaker, on behalf of the citizens of our Tampa Bay community, I am proud to honor my friend Senator Arthenia Joyner as my Tampa Bay's Women's History Month honoree. As Senator Joyner would say, "your word is your bond," as she encourages our community to stand for what they believe in. Following in the footsteps of her distinguished family and leaving big footprints of her own for all of us to follow, her courage and total commitment to human rights and improving the lives of all of us have helped not only the Tampa community, but our state, nation and the world.

DULLES HIGH WINS ACADEMIC DECATHLON CHAMPIONSHIP

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate the Dulles High School Academic Decathlon team of Sugar Land, TX, for winning the Texas State Academic Decathlon.

This was the Dulles High Academic Decathlon teams' first decathlon state championship since 1987. The theme of the competition was World War II, where students were tested in economics, literature, mathematics, music, science and social science. Three team members earned individual recognition as well: Madison Gabino receiving first place in the Scholastic Division, Ethan Tu in second, and Jared Roth in fifth place. Dulles High is the only team in the Fort Bend Independent School District to ever win a State Academic Decathlon title, let alone two.

On behalf of the Twenty-Second Congressional District of Texas, I want to again congratulate the Dulles High School Academic Decathlon team for winning the Texas State Academic Decathlon. We are very proud of their success.

ELI TRUJILLO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Eli Trujillo for receiving the Adams County Mayors and Commissioners Youth Award.

Eli Trujillo is an 8th grader at the International School at Thornton Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Eli Trujillo is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Eli Trujillo for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING ORELIA GAIL SIAS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable professional lady, Ms. Orelia Gail Sias of Cleveland, Mississippi.

Orelia was born to the late Roosevelt and Pauline Sias of Mayersville, Mississippi. She is

a graduate of Delta State University and received a Bachelor of Science Degree in Business Administration.

Ms. Sias' parents were farmers and owned over 400 acres of land. She realized at an early age that she could accomplish anything she set her heart to do, coming from a household where her parents were the prime example of that philosophy. Therefore, she embarked on her life journey by furthering her education and securing stable employment opportunities with Cleveland State Bank in August of 1986 as a switchboard operator, but knew that her desire was to move up in the financial institute. While in her 30 years with Cleveland State Bank, she moved up in the ranks to her current position as a Customer Representative in the Electronic Banking Division, where she handled customer fraud issues. In 2008, she began a part-time career with Walgreen's as a Pharmacy Technician and became a National Board Certified Pharmacy Technician.

Ms. Sias is very active with numerous community and civic organizations and has received numerous accolades and awards for her dedication to the community. She is politically involved and participated in the 2012 National Democratic Convention held in Charlotte, North Carolina. In 2013, she participated in President Barack Obama's inauguration ceremony in Washington, D.C., and while there she visited the Dr. Martin Luther Museum, his statue and other sites. Although she has influence in the community and through her professional careers, Orelia considers her greatest achievement is to honor the legacy which her parents instilled in her through their teachings: "To have respect and dignity for everyone your life paths allows you to and that will be returned to you". Family is of the utmost importance to Ms. Sias and she enhances others' lives by being an example and she offers mentorship to the younger generations.

Ms. Sias lives her life in servitude to others. She opens her home to those needing a place to stay and loan her vehicle to those who may be in need of transportation. She is someone who is admired and loved by her co-workers, community leaders, and her community for her professional style, her frankness of speech and how she carries herself.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Orelia Sias for being an outstanding professional lady in the Mississippi Delta.

IN HONOR OF SHERRY HABER

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Ms. SPEIER. Mr. Speaker, I rise to honor Sherry Haber, a remarkable community leader and tireless advocate for children, who is being recognized as the Hillsborough Citizen of the Year by the Associated Parents' Group. This award honors a resident who has made a sustained and significant contribution to the community, especially to the education and well-being of our children. Sherry is truly de-

serving of this honor. There is no task too big or too small for Sherry to handle and if you want to get something done, you hand it to her.

Sherry served as Parent Group President for North Hillsborough School from 2009 to 2010. It was on her watch that the lower playground was installed and the hot lunch program was implemented. In her role as Art in Action Chair, she established the tradition of hosting an art show during North's annual open house, expanded Art in Action from 3rd through 5th grade to include K through 5th grade, was instrumental in launching the school's first talent show and choreographed multiple group performances. She also led efforts to renovate the library, chaired the 5th grade promotion and worked on the year book committee for eight years. For six years, she opened her home for the annual teacher appreciation lunch.

When Sherry's two children Ben and Cami moved on to Crocker Middle School, she again served as Parent Group President from 2012 to 2013 and repeated many of her contributions. She implemented a hot lunch program, established the Crocker Art Show and coordinated the Janet Chun Mural project. She also was graduation chair and organized the first Flash Mob.

From 2013 to 2015, Sherry served as communications chair of the Hillsborough Schools Foundation and hosted many successful fundraisers. For the last two years, she has served as the President of the Burlingame High School Music Boosters which means she has been supporting 150 students in band and choir. She even organized the band's first performance trip to Anaheim in over 20 years.

In addition to her deep involvement in the schools, Sherry found time to be a Den Leader for the Boy Scouts and Troop Leader for the Girl Scouts for a total of ten years. For six years, she was a volunteer for Hillsborough's Memorial Day Parade. In 2015, she served on the Israeli Art Show Committee at Peninsula Temple Shalom. Sherry Haber has an inexhaustible reservoir of energy and passion for children, our community and the arts.

Sherry is originally from Sacramento. She went to Punahou School in Honolulu, Hawaii and earned her BA in English at Stanford University. She and her husband of 24 years, Scott Haber, live with their two children in Hillsborough.

Mr. Speaker, I ask the members of the House of Representatives to join me in honoring an exemplary citizen, a dedicated community leader and a devoted mother and wife. Sherry Haber never stops giving of herself and she does it with enjoyment of life (*joie de vivre*), I join with all Hillsborough residents in saying we are very fortunate to have her as a neighbor and friend.

RECOGNIZING DOMINIC
BARANDICA

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. DENHAM. Mr. Speaker, I rise today to recognize and congratulate Dominic

Barandica, who will soon be named California's Young Man of Distinction by Youth Focus, Inc.

Dominic is deserving of the highest commendation for his dedication to the advancement of safety in high school football. Using helmet sensors, Dominic has extensively researched the consequences of repetitive head impacts by high school players. Since starting, he has obtained a sensor for every football athlete in the Modesto City High School system and has been a featured speaker on the issue at the Doctors Medical Center Sports Medicine Symposium. An accomplished athlete himself, Dominic has already accepted an early decision offer to play football for Case Western Reserve University.

In addition to his athletic accomplishments, Dominic has proven to be an incredible leader, serving as Gregori High School's Freshman Class President and Commissioner of Community Service, the President of the Inter High School Council of ASB Presidents of Modesto City High Schools, and as student representative to the Modesto City School Board, representing over 40,000 high school students.

He's shown his dedication to academics as an active member of the Mock Trial and Science Bowl Teams, and has been recognized as an AP Scholar with Distinction for his continued scholastic achievements. Finally, Dominic has embodied an unwavering commitment to community service as an Eagle Scout, a recipient of the President's Volunteers Service Gold Award and the American Red Cross Youth Hero Award.

Mr. Speaker, please join me in congratulating Dominic Barandica for his recognition from the Youth Focus Group as California's Young Man of Distinction. His outstanding achievements and dedication to our community deserve to be commended.

JAZZLYN WILSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jazzlyn Wilson for receiving the Adams County Mayors and Commissioners Youth Award.

Jazzlyn Wilson is a 7th grader at Bennett Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Jazzlyn Wilson is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jazzlyn Wilson for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

JESSICA WICKERSHEIM

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jessica Wickersheim for receiving the Adams County Mayors and Commissioners Youth Award.

Jessica Wickersheim is a student at Adams City High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Jessica Wickersheim is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jessica Wickersheim for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

IN RECOGNITION OF DR. STEPHEN OSTROFF

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. SESSIONS. Mr. Speaker, together with Congressman ERIC SWALWELL, we rise today to thank Acting Commissioner of the Food and Drug Administration (FDA), Dr. Stephen M. Ostroff, and his team for their efforts to assist Congress and the Administration in improving patient enrollment, retention, minority participation and equitable access in cancer clinical trials, especially among underserved and underrepresented populations.

Patient participation is the single most critical ingredient to successful cancer trials being completed on time and on budget as well as bringing life-saving cancer drugs to market.

Unfortunately, most cancer clinical trials only provide for the cost of the trial drug and require the patient to cover all other costs affiliated with participation including but not limited to travel, lodging, and ancillary medical costs.

The result of this has been abysmally low cancer participation rates. Overall, only 6 percent of eligible cancer patients participate in clinical trials and a mere 5 percent of those participants represent the Black, Hispanic, Asian, Native American and Pacific Islander populations combined. According to Tufts Research, 38 percent of all clinical trials fail to finish on time or within budget due to lack of enrollment, and an astonishing 11 percent of trials fail to ever enroll a single patient, primarily due to the financial burden on patients to participate.

Joined by over a dozen of our colleagues from both sides of the aisle, we sent a letter to the FDA regarding possible misperceptions surrounding the regulatory meaning of inducement and coercion and asked for its assistance in providing clarity.

The FDA's letter in response we include in the RECORD today, helps provide this needed clarity, explaining that reimbursement is neither inducement, coercion, nor even a so-called "benefit" but rather fair compensation creating parity and equality in cancer trial access. The letter also states the FDA's commitment to further addressing our concerns when it finalizes guidance on this issue.

Accordingly, we, along with our colleagues, will continue our dialogue with national stakeholders, patient advocacy organizations, the pharmaceutical industry, and the Administration to continue to improve patient enrollment, retention, minority participation and equitable access in cancer clinical trials, especially among underserved and underrepresented patients.

U.S. FOOD & DRUG ADMINISTRATION,
Silver Spring, MD, March 22, 2017.

HON. PETE SESSIONS,
House of Representatives,
Washington, DC.

DEAR MR. SESSIONS: Thank you for the discussion on September 21, 2016, with Dr. Robert Califf, the former Commissioner of the U.S. Food and Drug Administration (FDA or the Agency) and Dr. Richard Pazdur, regarding the improvement of patient participation, enrollment, retention, and equitable access to oncology clinical trials. In a follow-up letter dated October 6, 2016, you asked the Agency to confirm that it views reimbursement for travel expenses to and from clinical trial sites, including reimbursement for travel costs such as parking and lodging, as permissible and suggested that such reimbursement should not be construed as coercion or inducement.

As discussed with you on September 21, 2016, FDA generally would not consider reimbursement for such expenses to be undue influence or coercion intended to induce participation in a clinical trial. FDA has stated in the past that it is not uncommon for subjects to be paid for their participation in research, and has provided guidance on how those payments should be addressed during Institutional Review Board (IRB) review of a proposed clinical trial. When appropriate, the informed consent would identify any additional costs to the participant that may result from participation in the research and whether such expenses would be reimbursed.

In July 2014, FDA issued a draft guidance entitled, "Informed Consent Information Sheet Guidance for IRBs, Clinical Investigators, and Sponsors," which provides recommendations on informed consent content and the informed consent process. In this draft guidance, the issue of additional cost and payment to research participants is briefly addressed. For example, we recommend that, beyond the costs directly related to participation in the research, it may be appropriate to identify additional costs that the subject may incur. Additional costs may include the loss of income when the subject takes time off from work to participate in the clinical investigation and transportation costs. The consent form would also make clear whether and, if so, how funds for reimbursement will be made available to subjects, or the form would provide direction to subjects regarding how to obtain further information. The draft guidance also states that FDA considers payment to subjects for participation in clinical investigations to be compensation for expenses and inconveniences, not a benefit of participation in research and that if payments are provided, the consent process should not identify them

as benefits. Further guidance on when payments to research participants may be considered coercive or an exercise of undue influence is available on FDA's webpage "Payment to Research Subjects—Information Sheet."

As we finalize the draft guidance, we will look for ways to address your concerns about reimbursement of these types of expenses so that the final guidance will be more useful to patients and our stakeholders. We will also take advantage of our educational outreach activities to clarify this issue with the research community.

Thank you again for bringing this important issue to our attention. Please let us know if you have any further questions.

Sincerely,
STEPHEN M. OSTROFF, M.D.,
Acting Commissioner of Food and Drugs.

RECOGNIZING ARNOLD SMEENK

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. REED. Mr. Speaker, I rise today to congratulate Arnold Smeenk on his retirement and recognize his distinguished career in the field of mortgage banking.

Mr. Smeenk joined First Maryland Mortgage Corp. in December 1993. He built an impressive portfolio of clients and projects, which directly contributed to the company's successful merger with M&T Realty Capital Corp. In recognition of his excellent work, Mr. Smeenk earned the prestigious President's Council Award in three consecutive years. In 2007, he was promoted to National Production Manager and Group Vice President. In these positions, Mr. Smeenk was responsible for managing the company's origination platform and supervising employees in nine states. Under his leadership, the sales team originated almost \$16 billion in deals. Mr. Smeenk will retire on April 3, after more than 23 years of service to M&T Realty Capital Corp.

Even more impressive than Mr. Smeenk's professional resumé is his commitment to serving his community. Arnold and his wife, Anne, have opened their home and their hearts to those in need. From taking in foster children and providing assistance to troubled youths, to repairing inner-city homes and building a school for deaf children in Mexico, Arnold and Anne have worked tirelessly to help people overcome difficult circumstances. Through the Smeenk Family Foundation, they have financially supported countless Christian ministries and charitable organizations, including the Charles Finney School and the new Pregnancy Resource Center in Corning, New York.

I ask my colleagues to join me in congratulating Arnold Smeenk on an impressive career and wishing him all the best in his well-deserved retirement.

KENDALL WILLS EARNS BOY
SCOUT EAGLE RANK AWARD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Kendall Camilo Wills of Sugar Land, TX, for earning his Boy Scout Eagle Rank Award.

Eagle Rank is the highest achievement a Boy Scout can earn. To earn this distinguished award, Kendall had to achieve the Life Scout rank, earn a total of 21 merit badges, and develop and provide leadership to others in a service project. The Boy Scouts of America will also award Kendall with the Catholic religious award, Ad Altare Dei. Kendall is also a member of the Order of the Arrow, the Boy Scouts national honor society.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Kendall Camilo Wills for earning his Boy Scout Eagle Rank Award. We are confident he will have continued success in his future endeavors. We are very proud.

HONORING JUANITA WINSTON
SMITH-OWENS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor the legacy of a dedicated servant, Mrs. Juanita Winston Smith-Owens.

Mrs. Smith-Owens, who was the seventh child of sixteen children, was born to the late Johnnie and Ruby Winston on December 6, 1917 in Pickens, MS. After aging and a short period of illness, Juanita completed her earthly journey while at Westminster Terrance Healthcare Center on August 4, 2016. It was a peaceful passing when she took her Savior's hand and transcended into eternity.

Mrs. Smith-Owens received her early childhood education from the Little Red Schoolhouse formerly known as Richland High School in Pickens, MS.

Mrs. Smith-Owens was married to the late Fred Smith, and this union was blessed with eight children. After the death of her husband, she later married Jerry Lee Owens and to this union no children were born, but she gave her wisdom and love to three stepchildren.

Mrs. Smith-Owens confessed a hope in Christ at an early age and was baptized at Crossroad Missionary Baptist Church, currently known as Mt. Sinai Missionary Baptist Church in Pickens, MS under the pastorate of Reverend Don Sutton. In later years, she joined and united with Newport Missionary Baptist Church under the pastorate of Reverend J.L. Cross where she served in several capacities: Mother's Board, Church Secretary, Sunday School Teacher, President of the Usher Board, and a member of the Choir. She also served for many years as the Treasurer of the Lebanon District Association and Vice

President of the District Rose Hill Convention. Mrs. Smith-Owens served faithfully. She later moved to Jackson, MS with her children and united as a watch-care member from Mt. Calvary Missionary Baptist Church under the pastorate of Reverend Jeffery Stegall. Again, she relocated to Louisville, KY where she united with Community Baptist Church under the pastorate of Reverend William T. Shoemaker.

Mrs. Smith-Owens lived a long industrious, hard working life. For many years, she labored as an agriculturalist and a cook at Double Quick Store No. 19 in Lexington, MS for 16 years and she gave true light to the phrase "Be the job large or small do it well or not at all." She retired from public work in 1989 and enjoyed traveling throughout the United States with her children.

Mrs. Smith-Owens was preceded in death by: her beloved mother, Ruby Walker; father, Johnny Winston; spouses: Fred Smith and Jerry L. Owens; two daughters: Mildred Smith, and Patsie Williams; two sons: Andrew Smith and John Smith; two granddaughters: Jacqueline Campbell-Jones and Racine Smith; one step-son, Lathan Jefferson; three brothers: Louis Stuart, Jesse Castel and Melvin; seven sisters: Ora, Eliza, Ida, Vivian, Lottie, Lela Mae, and Cora; and two son-in-laws: Charles Smith and Roy Williams.

Mrs. Smith-Owens leaves to rejoice her legacy and cherish her memories: four children: Richard (Burnette) Smith, Myron Smith, Dorothy Williams of Jackson, MS and Regina Commodore of Louisville, KY; two step-daughters: Geraldine Owens and Debbie Horton of Chicago, IL; three sisters: Julie (Jack) Greer of Lexington, MS, Thelma (Samuel) Greene, and Gertrude (Charles) Green of Chicago, IL; twenty six (26) grandchildren; a host of great-grandchildren, great-great grandchildren, nieces, nephews, a multitude of cousins and a legion of friends.

Mr. Speaker, I ask my colleagues to join me in recognizing the legacy of Mrs. Juanita Winston Smith-Owens for her life and works to be remembered.

MAJOR GENERAL H. MICHAEL
EDWARDS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Major General H. Michael Edwards, The Adjutant General of the State of Colorado, for his combined service of more than 44 years in the United States Air Force and the Colorado National Guard.

Major General Edwards' remarkable service to our state and our nation is much appreciated. His leadership skills were evident even as a cadet attending the United States Air Force Academy; transitioning to Student pilot while attending Undergraduate Pilot Training. He continued to hone his flying skills, serving a distinguished career flying various aircraft from the T-38 to the F-4s. Major General Edwards' command expertise was showcased as he rose through the ranks, becoming commander of the 140th Wing, Buckley Air Force

Base, Colorado, and as the Director of the Combined Air Operations Center, Al Udeid Air Base, State of Qatar. His honorable military career is significant, culminating in the selection and service as The Adjutant General, Colorado National Guard.

Major General Edwards has also advised my office on military and National Guard matters and assisted in a number of medal and service recognition ceremonies. His congenial manner, yet focused approach to his command has led to admiration and respect by all Coloradans.

I extend my deepest congratulations to Major General H. Michael Edwards for his dedication, commitment and service to our community, state and nation.

IN RECOGNITION OF THE FRESNO
COUNTY FARM BUREAU

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. VALADAO. Mr. Speaker, I rise today to recognize the Fresno County Farm Bureau in celebration of its 100 year anniversary of advocating for agriculture on behalf of the Central Valley.

The Fresno County Farm Bureau has been dedicated to bringing farmers and ranchers together to promote agriculture in the Central Valley since 1917. The organization was started by George Feaver, J.A. Poytress, Sam Heisinger, H.W. Wrightson, Charles Parlier, and Leroy Smith. Leroy Smith was the first Extension Service farm advisor assigned to Fresno County, which spurred his desire to initiate the Fresno County Branch.

The Fresno County Farm Bureau is one of fifty-three county Farm Bureaus, and represents over four thousand members. The members include farmers, ranchers, and dairy producers who put food on Americans' dinner table every night. As a voice for agriculture, the organization has a goal of preserving California's fresh, local, and diverse agrarian culture for generations to come. It also leads the industry in addressing issues that result in long-term viability for agriculture through political action, community outreach, and public education. The Farm Bureau achieves their goal of advocating for the Central Valley by promoting economic vitality of the region through the work of its members.

The Fresno County Farm Bureau has been known to encourage all citizens to be supportive and appreciative of the incredible contribution farmers, ranchers, and farm workers make daily to the Central Valley community and economy.

Mr. Speaker, today I ask my colleagues to join me in recognizing the Fresno County Farm Bureau on 100 years of contributions to our country and our Valley's agriculture industry. We commemorate the service of all the members of this organization who have worked collectively to improve, protect, and promote agriculture in the San Joaquin Valley, which has now become one of the breadbaskets of our nation. I ask my colleagues to join me in recognizing the incredible contribution our farmers and ranchers make to the

Central Valley community and our nation's economy.

HONORING NATIONAL PET DAY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. HASTINGS. Mr. Speaker, I rise today in honor of National Pet Day, which takes place every year on April 11th. While loving our pets is something we do every day, National Pet Day encourages us to give special care to pets who may not get that extra attention. This day was founded in 2006 by Pet and Family Lifestyle Expert and Animal Welfare Advocate Colleen Paige, to help raise public awareness about the plight of many different kinds of animals. This is a common sentiment among animal rights activists, and I want to give recognition to all the organizations we have worked with personally in the mission to protect our beloved pets. The Animal Hope and Wellness Foundation, the Humane Society of the United States, and Social Compassion in Legislation have worked extensively to better the lives of our four-legged friends. Together, we introduced H.R. 1406, the Dog and Cat Meat Trade Prohibition Act of 2017, which prohibits the slaughter and trade of dogs and cats for human consumption in the United States.

On January 6, 2017, I reintroduced H. Res. 30—Condemning the Dog Meat Festival in Yulin, China, and urging China to end the dog meat trade. This horrific festival dates back to 2009 through 2010, when it was launched by dog meat traders as a commercial enterprise to boost flagging sales of dog meat. More than 10,000 dogs are reported to be captured, transported and slaughtered every year for this Dog Meat festival, with more than 10 million dogs killed annually in China for the dog meat trade. Animal welfare groups have found that a number of these dogs are stolen pets taken from their homes, still wearing their collars when they reach the slaughterhouse. Many dogs die during transport to the slaughterhouses after days or weeks without food or water, and others suffer illness and injury during transport, such as broken bones. These dogs suffer mentally from watching other dogs being disemboweled and blow-torched in front of them.

Yulin's dog slaughter takes place in residential areas and public marketplaces, imposing scenes of extreme animal cruelty on local residents, including young children who may, as a result, suffer psychological trauma and desensitization. The capture, transport, and butchering of dogs and the consumption of dog meat poses a risk to human health by exposing people to a multitude of diseases, including rabies and cholera. This practice, in my opinion, is completely unacceptable, and can be stopped by the diligent efforts of members of the Chinese government. Although the Yulin city government withdrew as a sponsor of the Dog Meat Festival, it has taken no meaningful action to enforce China's existing laws and regulations on animal disease control, food safety, trans-provincial dog transport, or youth protection, all of which are breached by the dog meat trade.

Activists from across the globe have continued the fight against this barbaric practice. I have been honored to work with Humane Society International, the Animal Hope and Wellness Foundation, the Vanderpump Dog Foundation, Duo Duo, the Animal Welfare Institute, People for the Ethical Treatment of Animals (PETA), Citizens Lobbyists for H. Res. 30, as well as countless other organizations to bring awareness and hopefully change to this inhumane practice and torture of dogs.

Next month, I will be introducing a resolution denouncing the global dog meat trade, by urging all countries that allow this cruel and barbaric practice to end it once and for all. Furthermore, in the lead up to the Yulin Dog Meat Festival and after the introduction of my global dog meat trade resolution, I do plan on holding another Congressional Briefing on Capitol Hill to provide an opportunity for animal rights activists to speak on behalf of the voiceless.

I also want to recognize and thank the animal welfare organizations in Palm Beach and Broward Counties, whose tireless efforts each and every single day are to be commended. In Palm Beach, the Animal Rescue Force South Florida; Peggy Adams; Palm Beach County Animal Care & Control; Justin Bartlett; Second Chance; Big Dog Ranch Rescue; Gaisha, Tundra & Spirit's Place Husky Rescue; Adopt a Cat Foundation; Tri-County Animal Rescue; South Florida Rabbit Rescue, and the Everglades Golden Retriever Rescue. In Broward County, the Florida Humane Society, Humane Society of Broward County; Broward County Animal Care and Adoption Center, Animal Aid, Inc.; and Abandoned Pet Rescue.

The work that all of these organizations do for animals is truly heartwarming and the lengths that they go to ensure their welfare is inspiring. National Pet Day reminds us to do all that we can to make certain animals are taken care of everywhere. Whether it is taking supplies to animal shelters, volunteering, helping a friend with his or her pets who is recovering from an illness, or adopting a pet.

Mr. Speaker, in honor of National Pet Day, I once again want to reiterate my heartfelt gratitude to those who have dedicated their lives to help, protect, and save animals not only here in the United States, but also across the globe.

MITCHELL MONTALVO INVITED TO JOIN NATIONAL SOCIETY OF COLLEGIATE SCHOLARS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Mitchell Montalvo of Katy, TX, for being invited to join the National Society of Collegiate Scholars (NSCS).

Mitchell is studying computer engineering at the University of Houston, where he accepted a full scholarship from the U.S. Air Force. Membership to NSCS is by invitation only and based on a student's class standing and grade-point average. NSCS is part of the Association of College Honor Societies and is the only interdisciplinary honors organization

for first and second year college students in the country. After graduating, Mitchell plans to enter the Air Force as a second lieutenant, specializing in cyber warfare.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Mitchell Montalvo for his invitation to join NSCS. We are very proud of him and look forward to his future service to our country.

HONORING WILLIE WHITE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Willie White, who is an Educator, a Leader and Public Servant.

Willie is a native of Canton, MS, where he and his older brother, Booker T. Jones, grew up and were raised by their grandparents. He is the second oldest child of Earl Jones and Lonnie B. White Bratton. In the late forties, both parents relocated to different Northern states, married and other siblings were born. The 68 year old, credits his stern grandparents for him becoming the man he is today.

After receiving his Elementary and High School education from the Madison County Public School District, he entered Alcorn State University in the fall of 1967 on a track scholarship. To avoid being drafted by the Army or the Marine Corp after receiving draft notices from both, he joined the Navy in 1970, where he served for twenty-one years on active duty and ten years reserved duty. During this time he served three tours in the Vietnam War. Because of his brave and heroic acts, he was inducted into the San Diego Aerospace Museum Hall of Champions in Balboa Park in San Diego, CA in 1989, along with receiving numerous other medals and awards.

Willie retired from the military in 1990 and began working as a Logistic Management Specialist for Naval Air Technical Data and Engineering Service Command (NATEC), which is a department of the defense supporting the war fighters. During this time, he graduated from Defense Acquisition University, San Diego, CA.

His tenure as an athlete, a high school, college and military track coach combined for more than forty years. He received all conference honors in football and track for the U.S. Navy, qualified in Track & Field for the U.S. Olympic team in 1972, but due to military obligations was unable to attend; California High School Coach of the year five times, and received the KGTV Channel 10 San Diego award in 1999 for outstanding citizenship in the community. He also served as chaplain and spiritual leader for the Mill Park Home Boys organization in San Diego, California.

In 1963 and 1966, Willie marched with Dr. Martin Luther King, Jr. in Canton, MS. In 2000 he was awarded the Martin Luther King, Jr. award in Canton, for his participation in these marches trying to ensure equal and civil rights for all mankind.

Since moving to Grenada, MS in 2011, where he now calls home, Willie has been very active in the community. He is continuing

to use his knowledge and skills volunteering in various clubs, groups and civic organizations. He serves as president of the Male choir, an usher and on the Board of Trustees at Greater Pleasant Grove M.B. Church, Gore Springs, MS. He has membership in the following organizations: Grenada 100 Black Men of America, Inc., The American Legion and V.F.W. Post, Grenada Baptist District Association Men Division, Grenada Chamber of Commerce Smile Team, Montgomery-Carroll-Grenada County Alcorn State University Alumni Chapter, Alcorn State University National Alumni Association, Community Relations Council member for Finch-Henry Job Corps Center, and a board member of Central Mississippi Incorporated. Willie also volunteers at Grenada High School by giving assistance to the track coach and the ROTC program.

He is the father of four children, ten grandchildren and five great grandchildren. Willie is currently married to his college sweetheart Mildrette Netter White, a 1968 Olympic Gold Medalist. When he is not busy giving back to the community, he enjoys singing, listening to music, gardening, traveling and spending time with his family and friends.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Willie White, an Educator, a Leader and Public Servant, for his dedication to serving others and giving back to the African American Community.

**VARTEGA CARBON FIBER
RECYCLING**

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Vartega Carbon Fiber Recycling for winning the 2016 Innovative Technology Award from the Jeffco EDC.

The award recognizes a company that is on the forefront of new and advanced technologies and show leadership in the industries of aerospace, aviation, bioscience, energy, photonics, nontechnology or the like.

Founded in 2014, Vartega is a technology development company specializing in the carbon fiber-reinforced plastic recycling process. Repurposing scrap materials, their innovative technology and processes enables them to provide low-cost carbon fiber for mass-market applications while maximizing the environmental benefit of carbon fiber. Using low-cost recycled carbon fiber, the Vartega process helps to reduce fuel consumption and waste, and it diverts thousands of tons of waste from landfills each year.

I extend my deepest congratulations to Vartega Carbon Fiber Recycling for this well-deserved recognition from the Jeffco EDC.

**INTRODUCTION OF THE WHITE
HOUSE ACCOUNTABILITY FOR
LANGUAGE DIVERSITY ACT**

HON. J. LUIS CORREA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. CORREA. Mr. Speaker, in January, I wrote to President Trump requesting information about why the Spanish language option on the White House website was deleted. Although the White House did state that a Spanish option was under development, in the almost two months since I wrote the letter, I have not received a response nor has an official White House Spanish website been published.

As I stated in my letter to President Trump, there are many taxpayers whose first language is not English. Spanish along with Chinese, Tagalog, and Vietnamese are the most commonly spoken languages in the U.S. Constituents benefit tremendously from having language options to access their government and receive information that may impact their lives. This is why it is imperative that the White House and federal agencies continue to be accessible to all taxpayers.

It is vital for my constituents and all Americans to be able to follow issues that affect their lives. I will continue to work to ensure that more taxpayers have access to information in the language they choose to utilize at home and in their communities.

Therefore, today, I am introducing the White House Accountability for Language Diversity Act. This legislation will require the White House and federal agencies to establish Spanish, Chinese, Tagalog, and Vietnamese language options for their official websites. This will ensure that millions of taxpayers have the option of accessing up-to-date information in their preferred language.

**CONGRATULATING NYC HEALTH +
HOSPITALS WOODHULL**

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Ms. VELÁZQUEZ. Mr. Speaker, I rise to congratulate NYC Health + Hospitals Woodhull on their recognition from the Human Rights Campaign (HRC) for an outstanding commitment to LGBTQ healthcare equality.

In the HRC's Healthcare Equality Index, Woodhull earned the distinction of being a Leader in LGBTQ Healthcare Equality. When compared with other hospitals, Woodhull exemplifies fair practices and policies towards the LGBTQ community.

This honor reflects Woodhull's deep and unwavering commitment to serving underrepresented communities with the utmost professionalism and care. To ensure cultural competence, staff at Woodhull have undergone comprehensive training to meet the needs of the LGBTQ community.

Woodhull has a proud history of serving the residents of North Brooklyn, regardless of their

ability to pay. Many of these residents are my constituents and one of my top priorities is making sure that our diverse community is treated with the respect and dignity they deserve.

When it comes to receiving healthcare, no individual should fear discrimination based on sexual orientation. It is crucial that all Americans receive high quality care and I applaud Woodhull for their inclusivity and dedication to serving the LGBTQ community.

**HIGH SCHOOL ROBOTICS TEAM
QUALIFIES FOR ROBOTICS
WORLD CHAMPIONSHIP**

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate the Cinco Ranch High School Robotics Team 624, CRYptonite, of Katy, TX, for qualifying for the For Inspiration and Recognition of Science and Technology (FIRST) Robotics Competition World Championship.

To qualify for the FIRST World Championship, CRYptonite had to win the Chairman's Award, which goes to the team that best emulates the goals of FIRST. FIRST's mission is to inspire students to be tomorrow's science and technology leaders through engaging and innovative programs and competitions. To earn the Chairman's Award, CRYptonite had to demonstrate excellence over several years, by doing robot demos in schools, businesses and public venues. CRYptonite also played a big part in the building of the Robert Shaw Center for STEAM (science, technology, engineering, arts and math), which has raised awareness and interest in robotics competitions in the Katy Independent School District. CRYptonite will compete in the FIRST World Championship in Houston this April 19 through 22.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to CRYptonite for qualifying for the FIRST Robotics Competition World Championship. We wish them good luck and look forward to seeing their future success.

**HONORING HENRY "LIL SONNY"
NICKSON, JR.**

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Tunica County Board Supervisor Henry "Lil Sonny" Nickson, Jr.

Supervisor Nickson was born to Mary and Henry Nickson, Sr. He has one sister, Sharla Brown-Nickson and was raised in Tunica, MS. Mr. Nickson is 40 years old. He is an 8th grade Social Studies teacher at Tunica Middle School in the Tunica County School District. He previously served two terms on the Board of Alderman for the Town of Tunica. Mr. Nickson was the First African American elected to this position in Tunica County's history.

He currently is in his second term as Tunica County Supervisor/District No. 4.

Supervisor Nickson is recognized amongst his family, his community, and his colleagues as a man of integrity and for the service, compassion, and outstanding spirit he has. He regularly attends and serves as a member of Pleasant Ridge Missionary Baptist Church in Tunica, Mississippi.

Supervisor Nickson attended and graduated from public high school in Tunica County. After earning his high school diploma from Rosa Fort High School (1994), he attended Jackson State University in Jackson, MS (Spr '99) as a Business Management Major. He became a member of Phi Beta Sigma Fraternity, Inc. Alpha Beta Chapter. He is a member of Keystone No. 20, Masonic Lodge. For a few years after graduating from Jackson State University, Mr. Nickson enrolled in graduate school at Jackson State University (MAT Alternative Route Teaching Program). Also, he worked as a substitute teacher at Murrah High School and Mazzio's Pizza in Jackson, MS. After 2 years in Jackson, he returned to Tunica to be closer to his children and family.

On his return back to his hometown, Henry started jobs as a teacher's aide in the Tunica County School District and Jailor at the Tunica County Sheriff's Department. Also, Henry began the journey to become a licensed teacher. After a year as a substitute teacher, in 2001 Henry was hired as a GED/ESL/BASIC skills instructor for Coahoma Community College (Adult Basic Education Program). During the next several years, Henry would get promoted at the Tunica County Sheriff's Department as: Jail Supervisor (Corporal), County Team Leader (Coahoma Community College/Adult Basic Education Program), served as Planning Commissioner (Tunica County District No. 4), served as Tunica County Coordinator for Congressman THOMPSON, and returned back to the Tunica County School District as an In-School Suspension Coordinator and GED instructor. In 2009, Henry obtained his teacher's license and was hired at Tunica Middle School as a Social Studies Teacher/Coach and in 2010 obtained his Masters of Art Degree in Teaching from Belhaven University. Henry is currently working on completing his EDS in Educational Leadership and Administration Program at Delta State University.

Although he excelled in his employment, Supervisor Nickson's political career has been rewarding. In 2005, He became the 1st African American to qualify and win a political seat in the Town as Alderman/Ward No. 5. After an unsuccessful bid for state representative/District No. 9 in 2007, he regrouped and in 2012 was elected to the Tunica County Board of Supervisors (after an unsuccessful bid in 2003) and is currently in his 2nd term as Vice-president of the Tunica County Board of Supervisors.

Supervisor Nickson is married to Lashunna Owens-Nickson (Jackson State University '04) of Heidelberg, MS. They have eight children: Henri, Chasidy, Anthony, James, Chasity (Jackson State University), Khalid (Jackson State University), Khalil (Jackson State University) and Nikesha (Concorde Nursing Program).

Supervisor Henry "Lil Sonny" Nickson, Jr.'s leadership, passion, dedication, dependability,

and service has made him synonymous with being one of the best, if not the best, elected official and community leader in the state of Mississippi. At the end of the day, Henry "Lil Sonny" Nickson, Jr. is recognized for his service to God, his family, his country, his community, and the people that seek his help.

Mr. Speaker, I ask my colleagues to join me in recognizing Supervisor Henry "Lil Sonny" Nickson, Jr. for his dedication to serving this great state and country.

IN HONOR OF CAROL GUTIERREZ

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Ms. SPEIER. Mr. Speaker, I rise to honor Carol Gutierrez, a teacher in the Hillsborough City School District for 27 years, who is being honored with the Community Care Award from the Associated Parents' Group. This award is given to a non-resident employee of the school district who has made sustained, significant and lasting contributions that have touched the lives of our children and benefited the community as a whole.

Carol has taught at West and North Hillsborough Elementary schools and was also a writing enrichment teacher at South for one year. Her love of children and drive to prepare them for the real world and successful lives has earned her the admiration and adoration of her students, their parents and her colleagues alike. The school district is extraordinarily fortunate to have such a top-notch and dedicated teacher.

Carol's secret to success is that she teaches students to trust their own instincts and to follow their own passions. The students also learn to share those passions with fellow students in their own classes and in other classes, which creates a wonderful learning environment that nurtures individualism and community at the same time.

In her current position as a 2nd grade teacher at North, Carol incorporates art, technology, cooperative learning and exploration time to engage her students. Examples of such activities include Business Day, Design Thinking Challenges and Recycled Art. Her classroom is vibrant, comfortable, welcoming and open. It is with good reason that one of her recent students said, "School can't get better than this. I love Ms. Gutierrez."

As a 5th grade teacher at West, Carol and two of her colleagues developed and refined a community service jobs program and a trip to our Nation's Capital. They also differentiated instruction with theme projects, led a math peer tutor program at lunch and promoted interest in world culture by hosting an annual geography bee. Carol also served as a new teacher mentor for the district.

Carol was born in East Chicago, Indiana and earned her BA from U.C. Berkeley. She and her husband Michael Gutierrez have three children, Nikolas, Katie and Joseph. In her spare time, Carol enjoys spending time with her family, drawing, cooking and exercising.

Mr. Speaker, I ask the Members of the House of Representatives to join me in recog-

nizing an exemplary and beloved teacher in the Hillsborough City School District. Carol Gutierrez brings out the best in every single one of her students and sets them on a path to success and life-long learning.

INTRODUCTION OF A BILL TO ESTABLISH AN ELECTRONIC SYSTEM FOR TRAVEL AUTHORIZATION FOR THE GUAM CNMI VISA WAIVER PROGRAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Ms. BORDALLO. Mr. Speaker, today I reintroduce legislation to authorize and establish an Electronic System for Travel Authorization (ESTA) for the Guam-CNMI Visa Waiver Program, and direct revenue from the established system to fund CBP operations and staffing needs for ports of entry in Guam and the CNMI.

The regional Guam-CNMI VWP recognizes Guam's unique location in Asia, and the need to be more competitive for tourists from other Asian nations. With Guam's primary source of economic revenue being tourism from Asia, my legislation would address several issues that have hampered our visitor industry and that continue to cost CBP millions of dollars annually in processing costs. The majority of foreign arrivals at Guam International Airport are those traveling under the Guam-CNMI VWP, and long immigration lines are a recurring issue due to limited staffing capacity when arrivals peak at Guam International Airport. At their peak, sometimes 1,200 passengers arrive when multiple flights arrive nearly simultaneously the wait times at immigration can be as long as two and a half hours.

I recognize that there are complaints about long wait lines at other international ports of entry. However, the long wait-times have caused harm to Guam's reputation in our primary visitor markets of Japan and South Korea. In fact, Japan television shows and radio programs have mocked the long lines and wait times at Guam International Airport, which has negatively impacted Guam's standing as a family-friendly destination for our Asian allies. The flight from Japan or South Korea is a little over three hours and, sadly, some of these visitors have waited about as long, or at times longer, in line than it takes to travel from their home country to Guam. That is unacceptable and runs counter to the previous Administration's goal of improving the arrivals process for international travelers arriving in the United States, as outlined in a memorandum to heads of executive departments and agencies on May 22, 2014. My legislation would work to address the problems that are occurring with long wait times at our respective ports of entry. Tourism is critical to the economies of the region, and we cannot let an antiquated visitor entry system and inadequate staffing harm our economy.

Establishing an ESTA specific to the Guam-CNMI Visa Waiver Program would help to address several issues faced by visitors arriving at Guam International Airport. First, the current

process relies on a paper-based system which is cumbersome and only adds to the delays when arriving. The bill would allow CBP to automate that process and, as a result, save an estimated \$4 million annually that is used by CBP to process and file the paper forms. This is a commonsense reform that will save the federal government money and improve the customer experience at Guam International Airport and ports of entry in the CNMI.

Admittedly, CBP has the authority to create an ESTA system for the Guam-CNMI Visa Waiver Program. However, they do not have the authority to direct revenues collected from this automated process towards staffing at ports of entry in Guam and CNMI. As such, it is the consensus of tourism industry leaders and other stakeholders that there is an ultimate need for this legislation. I am informed that staffing has not increased in Guam since after the 9/11 attacks. The CBP staffing pattern was sufficient, but as the number of tourists grows on Guam the lines have also grown and the staffing has not kept up with demand. Making the visitor entry process into ports of entry in Guam and CNMI electronic is part of the solution, but additional staffing is still required especially since nearly 50 percent of our visitors are first-time visitors and cannot avail themselves of Automated Passport Control (APC) systems.

I am proud of the innovative programming that brings people from all over the world to Guam. For example last year, Guam hosted the Festival of the Pacific Arts (FestPac) a quadrennial cultural event for island nations in the Pacific, which is the largest gathering for Pacific peoples to unite and strengthen our cultural ties. Over 12,000 visitors, cultural performers, and native artists came to Guam to participate in FestPac, and I appreciated the commitment of former Commissioner R. Gil Kerlikowske to ensure there was adequate staffing at Guam International Airport. But that additional staffing was accomplished by approving extra overtime for employees which is a costly endeavor. Events like FestPac show the maturation and growth of Guam's tourism industry. Improving the processes and capabilities of our ports of entry to ensure a pleasant experience for our visitors is a top priority, and the solutions must be long-standing and sustainable. We cannot simply rely on overtime of employees to meet the current and emerging demands at our main international port of entry.

An ESTA for the Guam-CNMI Visa Waiver Program is an innovative, sustainable, common-sense, and cost-saving technological solution that would save the federal government millions, improve the visitor experience for our tourists, and increase resources to improve CBP capabilities by freeing up important personnel capacity to effectively monitor real threats to our national security. An electronic system for travel authorization would ultimately modernize and improve a Visa Waiver Program that continues to benefit the people of Guam and CNMI. My bill would help ensure that federal policy enhances economic opportunities and development in our region instead of being an impediment

PERSONAL EXPLANATION

HON. STEPHANIE N. MURPHY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mrs. MURPHY of Florida. Mr. Speaker, on April 3, 2017, I was unavoidably absent in the House Chamber due to a family medical emergency. Due to these unforeseen circumstances, I was unable to vote on two legislative measures on the floor.

I want to express my strong support for H. Res. 92, a resolution condemning North Korea's development of multiple intercontinental ballistic missiles. I am a cosponsor of this measure. Had I been present and voting on Roll Call No. 209, I would have voted "aye."

Likewise, I support H.R. 479, the North Korea State Sponsor of Terrorism Designation Act of 2017. This bill expresses the sense of Congress that the Government of North Korea likely meets the criteria for designation as a state sponsor of terrorism and, if so, should be so designated. The bill also requires the State Department to provide a report to Congress on actions the Government of North Korea has taken to support terrorism. Had I been present and voting on Roll Call No. 210, I would have voted "aye."

NORTH KOREA STATE SPONSOR OF TERRORISM DESIGNATION ACT (H.R. 479) AND CONDEMNING NORTH KOREA'S DEVELOPMENT OF INTERNATIONAL BALLISTIC MISSILES (H. RES. 92)

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Mr. SMITH of New Jersey. Mr. Speaker, North Korea is an existential threat to its neighbors and a global menace that requires constant vigilance and close cooperation between the U.S. and its regional allies. Ignoring North Korea's dangerous actions has been a bipartisan problem of the last three Administrations—and it is one that continues to need bipartisan solutions from the Congress.

Secretary Tillerson announced recently that the U.S. will no longer be guided by the policy of "strategic patience." The U.S. cannot sit on the sidelines while Kim Jong-un proliferates nuclear and missile technology, sponsors terrorism and human trafficking efforts, and continues to abuse the North Korean people.

We trust that the threat posed by North Korea will be high on the agenda of President Trump and President Xi meeting this week. As we all know, the Chinese government's actions have not always been helpful.

Though the U.N. Commission of Inquiry on North Korea recommended the U.N. impose targeted sanctions on the North Korean leaders responsible for massive crimes against humanity, China blocked effective U.N. actions.

China's February announcement that it would cut off coal exports to North Korea is a needed and important step. But senior Chinese officials, such as Foreign Minister Wang

Yi, continue to describe the China-North Korea relationship as being one of "like lips to teeth." In other words, there is little daylight between Beijing and Pyongyang.

Such statements are not helpful when North Korea's nuclear proliferation and its development of multiple intercontinental ballistic missiles threaten to destabilize the world. The U.S. Intelligence Community's 2016 Worldwide Threat Assessment concluded that North Korea is "committed to developing a long-range, nuclear-armed missile that is capable of posing a direct threat to the United States."

Despite China's objections, there is need for deployment of the Terminal High Altitude Area Defense (THAAD) system and to conduct joint military exercises to strengthen coordination and cooperation posed by the threat of the North Korean military.

The threat to the U.S. and its allies is not only in East Asia, but in the Middle East as well. We are certain that Iran, to whom the past Administration released billions of dollars, is one of North Korea's nuclear partners. As witnesses testified at a joint hearing last July held jointly by three Foreign Affairs subcommittees, there is ample evidence that Iran has a longstanding nuclear collaboration with North Korea.

We should be very concerned that the Iranians will at some point acquire fissile material beyond what they are allowed to produce for themselves and threaten U.S. regional allies, including Israel.

We must continue to uncover both Pyongyang's enablers and those it enables. We should target with sanctions those individuals responsible for gross human rights violations inside the so-called "hermit kingdom" and stop money and materials from reaching terrorists and nuclear proliferators globally.

There is growing evidence that sanctions are having some effect. We know that high-level diplomats, military leaders, and the families of high-ranking officials are defecting—they are recognizing that they will be held accountable if they continue to support Kim Jong-Un's barbaric regime.

I urge support for the legislation offered today and commend my colleagues for bringing this important legislation before the House.

WHAT DO WE HAVE TO LOSE: THE SUPREME COURT

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, this week, the United States Senate will consider the nomination of Judge Neil M. Gorsuch to the U.S. Supreme Court. Since President Trump first nominated Judge Gorsuch in January of this year, there has been fierce debate regarding his credentials, political leanings, and the circumstances surrounding his nomination.

The circumstances surrounding Judge Gorsuch's nomination are alarming. It is only due to Republican obstructionism during President Obama's Administration that Congress is even considering Judge Gorsuch's nomination.

After the passing of Justice Antonin Scalia in February 2016, Republicans in the Senate made an unprecedented move to stall the nomination of Judge Merrick Garland—President Obama's nominee—for a record 293 days. It was the source of tremendous tension during President Obama's final year in the White House, and undermined the integrity of the highest court in our lands and our delicate system of checks and balances. Under Senate Majority Leader MITCH MCCONNELL's leadership, Senate Republicans refused to hold a single hearing, vote, or take a single action to advance Judge Garland's nomination.

Freshly uncovered ties between President Trump and his close allies and advisors to the Kremlin have also raised numerous concerns about his nominees and the individuals who President Trump is selecting to fill the most trusted positions within our government. With the resignation of retired Gen. Michael Flynn, former National Security Advisor, former Trump campaign manager Paul Manafort, and foreign policy advisor Carter Page, there is a clear pattern emerging in President Trump's Administration. Members of Congress and others have begun asking questions, and the American people deserve answers before we allow President Trump's nominations to move forward.

Judge Gorsuch's record on the issues also deserves additional scrutiny. While Judge Gorsuch's conservative views are not an outright cause for concern, his record on issues impacting minority groups, women, and workers, and his positions favoring police immunity and corporate interests are cause for concern.

Mr. Speaker, this Congress needs to come together to carefully evaluate Judge Gorsuch's nomination to the Supreme Court. Given President Trump's alleged ties to the Russian Government, I believe it is wise to suspend any of President Trump's nominations until Congress can satisfy any concerns surrounding these ties. It is also hypocritical for Republicans in Congress to cry foul of Democrats for trying to delay Judge Gorsuch's nomination when just a few months prior, Republicans had unjustly delayed President Obama's nominee for a record-setting 293 days. We must act in the best interests of our own country, and I believe that entails delaying the nomination of Judge Neil Gorsuch.

OPPOSING NOMINATION OF JUDGE NEIL M. GORSUCH TO BE ASSOCIATE JUSTICE OF THE SUPREME COURT

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 3, 2017

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the House Committee on the Judiciary, Ranking Member of the Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, and member of the Congressional Voting Rights Caucus, I rise today to express my views regarding the nomination of Judge Neil Gorsuch to be Associate Justice of the Supreme Court.

The Supreme Court is the highest court in the land and the final arbiter of our Constitu-

tion and laws, and its rulings can impact the lives and rights of all Americans as shown in the cases of *Brown v. Board of Education*, *Roe v. Wade*; *Miranda v. Arizona*; *Gideon v. Wainwright*; *New York Times v. Sullivan*; *Obergefell v. Hodges*; and *Shelby County v. Holder*, to name but a few.

Judge Gorsuch is a judge with an agenda, as demonstrated by his record on the federal bench, as well as his writings, speeches, and activities throughout his career.

Judge Gorsuch's frequent dissents and concurrences show he is out of the mainstream of legal thought and unwilling to accept the constructs of binding precedent and stare decisis when they dictate results he disfavors.

Judge Gorsuch's appointment to the Court would tip the balance in a direction that would undermine many of the core rights and legal protections Americans cherish.

For the reasons I will discuss in detail, the Senate should reject his nomination and not consent to his confirmation as the next Associate Justice of the U.S. Supreme Court.

On Election Night the President-Elect pledged to the nation that he would be a president to all Americans.

That pledge will ring hollow to tens of millions of Americans in light of his nomination of Judge Neil M. Gorsuch to be an Associate Justice of the U.S. Supreme Court.

Perhaps nothing would do more to reassure the American people that the President is committed to unifying the nation than the nomination and appointment of a person to be Associate Justice who has a record of championing and protecting, rather than opposing and undermining, the precious right to vote; the constitutionally guaranteed right of privacy, criminal justice reform, and support for reform of the nation's immigration system so that it is fair and humane.

That is not to be found in the record or character of Judge Gorsuch.

It should not be forgotten that the vacancy at issue was created in February 2016 by the death of Justice Antonin Scalia and should have been filled by the confirmation of the eminently qualified Judge Merrick Garland, Chief Judge of the U.S. Court of Appeals for the D.C. Circuit.

In fact, the only reason Judge Garland is not now on the Court is because Republican Senators disregarded a century of precedent and their constitutional oaths and refused to consider the nomination because it was made by President Obama.

Judge Gorsuch's conservative ideology and professed judicial philosophy of "original intent," which more accurately should be called the doctrine of predetermined result, has been at the core of his prior legal decisions.

He is not an unbiased judge; at best, he is a younger, more charming version of Judge Robert Bork, who was rejected 58–42 by the Senate in 1987.

Unlike his predecessors, Presidents Obama, Clinton, Reagan, Eisenhower among them, the current President did not consult in advance with the bipartisan leadership of the Senate and its Judiciary Committee.

Instead, the President selected Judge Gorsuch from the list of names provided him by the right-wing legal group, the Federalists Society.

Judge Gorsuch's adherence to originalism is alarming and should raise concerns for all Americans because on a narrowly divided Court, his could be the deciding vote to dismantle many of the constitutional safeguards and protections upheld by the Court that have moved the country forward and made it better.

Judge Gorsuch has a history of ruling against people who have used the legal system to hold government officials accountable.

He has also used the bench to rule in favor of large corporations routinely and against the rights of workers.

He has been lenient on those that have used excessive force and police brutality.

His record demonstrates hostility towards equal opportunity, worker's rights, women's access to reproductive healthcare services, and protections for persons with disabilities.

For example, in *TransAm Trucking, Inc. v. Administrative Review Board*, the majority held that a trucking company unlawfully fired an employee in violation of federal whistleblower protections.

The employee, Alphonse Maddin, was a truck driver whose brakes broke down in the middle of a freezing January night in Illinois.

The truck heater didn't work either, and he got so cold that he couldn't feel his feet or torso, and he had trouble breathing.

Nonetheless, his boss ordered him to wait in the truck until a repairperson arrived.

After waiting for three hours, Mr. Maddin finally drove off in the truck and left the trailer behind, in search of assistance.

His employer fired him a week later for violating company policy by abandoning his load while under dispatch.

The panel majority said the firing was unlawful, but Judge Gorsuch dissented and said the employee should have followed orders even at the risk of serious injury.

In *NLRB v. Community Health Services, Inc.*, Judge Gorsuch again dissented from a majority opinion that found in favor of employees, where a hospital was required to award back pay to 13 employees whose hours had been reduced in violation of the National Labor Relations Act.

Judge Gorsuch's frequent and recurring dissents in workers' rights cases suggest a refusal to follow binding case law when it leads to results that favor workers rather than businesses and employers.

In *Strickland v. UPS*, Gorsuch dissented from a ruling giving a female UPS driver a chance to prove sex discrimination, arguing that the plaintiff had not provided evidence that she was treated less favorably than her male colleagues even though her coworkers testified and gave written testimony detailing the level of mistreatment they witnessed her receiving while employed by UPS.

Hwang v. Kansas State University involved a professor employed by Kansas State University who was diagnosed with cancer, and after treatments requested an extension for her disability due to a flu outbreak on the campus, which could potentially compromise her health.

Judge Gorsuch ruled that "showing up" for work is an essential job function and that the Rehabilitation Act should not be used as a safety net for employees who cannot work.

In *Planned Parenthood Association of Utah v. Herbert*, Judge Gorsuch dissented against

the court's majority decision to decline a full court review of the case, in which, Governor Herbert of Utah stripped federal funding away from Planned Parenthood.

Neither party requested a full court review, however, Judge Gorsuch desired to deviate from court practices and norms to signal his favor for Governor Herbert's decision.

This particular case amplifies Judge Gorsuch's inability to remain impartial when deciding cases that may conflict with his personal beliefs.

Throughout his tenure as a Judge, Judge Gorsuch's record indicates his hostility toward women's rights and his willingness to overlook institutions that discriminate against women.

Women will likely be disproportionately impacted by Judge Gorsuch's appointment to the United States Supreme Court and any decisions related to health, labor, and reproductive justice.

Judge Gorsuch's record shows that he believes police officers always should be granted qualified immunity, allowing police officers and other government officials to avoid being held accountable for the excessive use of force.

His record on police immunity aligns with President Trump's belief in police impunity.

In cases where victims of excessive force did not pose an imminent threat to police safety, Judge Gorsuch has a tendency to side with police.

Judge Gorsuch's judicial record on police accountability minimizes the Fourth Amendment protections against warrantless search and seizure.

In three separate cases, Judge Gorsuch ruled in favor of police searches of vehicles without a warrant.

As an Associate Justice of the Supreme Court of the United States, Judge Gorsuch would be one of the nine individuals tasked with one of the most critical systems of American democracy.

Because of the decisions rendered by the Supreme Court of the United States, women have been granted reproductive rights, de jure segregation and discrimination against African-Americans has been abolished and their right to vote protected, workers have been granted security from exploitative labor practices; and marriage equality is the law of the land.

If confirmed to a evenly divided United States Supreme Court, it is unlikely that Judge Gorsuch would have a balanced, unbiased view of important issues.

Judge Gorsuch's extreme judicial philosophy of original intent would likely lead him to cast decisive, out-of-the mainstream votes that reverse significant gains in the areas of police accountability, civil rights and liberties, women's reproductive rights, and workers' rights.

Judge Gorsuch's record in each of these areas should raise concerns for all Americans.

Opposing Judge Gorsuch is not a difficult decision; for members of the communities represented by CBC members, it is a matter of survival, of life and death.

An Associate Justice would be expected to be an independent jurist capable of rendering judicial decisions that prevent executive overreach.

No senator should vote to confirm the nomination of Judge Neil Gorsuch as Associate Justice if he or she has the slightest doubt

that he possesses the character, qualities, integrity, and commitment to justice and equality needed for this position.

[From the National Law Journal, Mar. 22, 2017]

LAWYERS IN GORSUCH 'FROZEN TRUCKER' CASE SURPRISED AT ATTENTION

(By Marcia Coyle)

The case of the frozen trucker sounds like a Conan Doyle mystery but it has become a focal point in Judge Neil Gorsuch's confirmation hearings, to the surprise of the lawyers who faced off before the judge—and to the frustration of one of them.

"Would I have anticipated this last year? Of course not," said Robert Fetter of Detroit's Miller Cohen, who represented the truck driver in a suit over the lawfulness of his termination. "It's just a strange set of circumstances that gets this case on the national radar."

Attorney Brad Thoenen of Kansas City, Missouri's Seigfreid Bingham, who represented the trucking company in the case, said: "From a professional perspective, I'm very intrigued how this little case that I got to work on now comes up in something as important as this." He added: "It's kind of cool."

The case is Transam Trucking v. Administrative Review Board, which the U.S. Court of Appeals for the Tenth Circuit—Gorsuch's home for the past decade—ruled on last year.

The 2-1 panel, with Gorsuch in dissent, ruled for truck driver Alphonse Maddin.

Gorsuch's dissent has loomed large in U.S. Senate Democrats' portrayal of the nominee as a judge who more often than not sides with the companies against the "little guy." Democrats have challenged Gorsuch often about the dissent during his Senate Judiciary Committee hearings, which continued Wednesday.

The backstory, in brief: [Alphonse] Maddin, driving through Illinois, had waited more than three hours in freezing temperatures in an unheated truck for assistance. The brakes had frozen on his trailer. He was fired after disconnecting the trailer and driving off because his feet and legs were going numb. His employer had instructed him to stay with the truck until a repair team arrived or to drive the truck while pulling the trailer with the failed brakes.

In his dissent, Gorsuch said the law only forbids firing an employee who refuses to operate a vehicle out of safety concerns. "The trucker in this case wasn't fired for refusing to operate his vehicle," Gorsuch wrote. "The trucker was fired only after he declined the statutorily protected option (refuse to operate) and chose instead to operate his vehicle in a manner he thought wise but his employer did not."

RELUCTANT PARTICIPANT

Maddin and two others who were negatively affected by Gorsuch opinions recently appeared at a press conference sponsored by several Senate Democrats. A Detroit resident, Maddin has been unable to find work as a driver since his firing seven years ago and is "somewhat homeless," said Fetter, who has stayed in touch.

"He's a reluctant participant in these things," Fetter said in an interview this week. "He is just a regular guy and kind of shocked his case is getting this attention."

The case began more than seven years ago when Maddin, on his own, filed a complaint with the Occupational Safety and Health Administration. The agency undertook an investigation. Maddin had been unable to find a lawyer to represent him until he reached

Fetter. That happened around the time the OSHA ruled against him.

"I saw there was an issue and wanted to represent him," Fetter recalled. "I had a lot of empathy for what he went through."

Through administrative proceedings, Maddin ultimately won. The company then turned to the U.S. Court of Appeals for the Tenth Circuit.

"I'm a Detroit lawyer," Fetter said. "I practice in circuit courts pretty regularly, either the Sixth or D.C. circuits. We have maybe one case in the history of the firm that gets to the Tenth Circuit; it has pretty egregious facts and we happen to get to Judge Gorsuch on the panel. He writes a dissent with this textualist argument that keys it up for interest in a Supreme Court confirmation hearing. That set of circumstances is pretty astounding."

At oral argument in the case, Fetter said, Gorsuch was "incredibly" hostile in tone towards him and the Labor Department attorney who shared his argument time.

"It was not pleasant," Fetter said of the experience.

Fetter said he has been watching some of Gorsuch's hearing and would normally pay attention to a U.S. Supreme Court confirmation hearing. "Whether I would watch as much as I did [Tuesday], probably not," he added. "I've looked at this one with particular interest. I'm watching Judge Gorsuch being grilled by [Sen. Al] Franken over my case and I'm feeling some sympathy for him, but then I remember my case, and I have no sympathy."

The Gorsuch hearing is the first that Thoenen, the lawyer for Transam, has watched.

"We were certainly interested in seeing how [the Transam case] would come up," he said. "We were aware of it when he was nominated and as the nomination process has gone on, we've been watching to see how it gets portrayed."

MUCH MORE TO THE STORY

The portrayal of the case, he said, has been a source of frustration to the firm, which has represented Transam for a number of years.

"The narrative is: Frozen trucker and frozen trucker gets fired from job," Thoenen said. "There's much, much more to the story that doesn't come out."

Thoenen continued: "As soon as he made his original complaint, OSHA came into Transam and had a couple of days investigation, talked to all of the people involved and found no violation, no retaliation by Transam. [Maddin] lost that round. That never gets mentioned in the narrative right now, only that seven judges ruled for him and Gorsuch is [the] only one to rule against him."

The facts, as found by an administrative law judge, were "vigorously disputed," including a nonworking heater and auxiliary power, Thoenen said.

Thoenen's firm, Seigfreid Bingham, is "kind of a unique little player in the market," he said. "We view ourselves as outside general counsel for a lot of clients," he said. "Primarily we represent clients in and around Kansas City."

Thoenen came into the case after the administrative law judge's opinion.

As surprising as is the trucker case's notoriety, more surprising perhaps is how long it took to end the case itself, Thoenen said.

"This event occurred in January 2009," he recalled. "We got the appellate opinion in 2016. Four years before that was the ALJ decision and another two to two-and-half years for the Administrative Review Board to affirm."

During the Gorsuch hearings, senators and the nominee talked about access to justice and the length of litigation, Thoenen said. "It is unbelievable that this case would go on for seven-and-a-half years."

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, April 4, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 5

9:30 a.m.

Committee on Homeland Security and Governmental Affairs
To hold hearings to examine improving border security and public safety.

SD-342

10 a.m.

Committee on Appropriations
Subcommittee on Transportation, Housing and Urban Development, and Related Agencies
To hold hearings to examine protecting our midshipmen, focusing on preventing sexual assault and sexual har-

assment at the U.S. Merchant Marine Academy.

SD-192

Committee on Commerce, Science, and Transportation
Business meeting to consider pending calendar business.

SH-216

Committee on Environment and Public Works

Business meeting to consider proposed legislation entitled, "Wildlife Innovation and Longevity Driver (WILD) Act", S. 518, to amend the Federal Water Pollution Control Act to provide for technical assistance for small treatment works, S. 692, to provide for integrated plan permits, to establish an Office of the Municipal Ombudsman, to promote green infrastructure, and to require the revision of financial capability guidance, and S. 675, to amend and reauthorize certain provisions relating to Long Island Sound restoration and stewardship.

SD-406

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine the nomination of Scott Gottlieb, of Connecticut, to be Commissioner of Food and Drugs, Department of Health and Human Services.

SD-430

Joint Economic Committee

To hold hearings to examine the decline of economic opportunity in the United States, focusing on causes and consequences.

LHOB-1100

10:30 a.m.

Committee on Appropriations
Subcommittee on Department of Defense
To hold closed hearings to examine intelligence programs and threat assessment.

SVC-217

2 p.m.

Committee on Foreign Relations
Subcommittee on Africa and Global Health Policy
To hold hearings to examine a progress report on conflict minerals.

SD-419

3 p.m.

Committee on Banking, Housing, and Urban Affairs
Subcommittee on Economic Policy
To hold hearings to examine the current state of retirement security in the United States.

SD-538

APRIL 6

9:30 a.m.

Committee on Armed Services
To hold hearings to examine United States Southern Command and United States Northern Command.

SD-G50

10 a.m.

Committee on Commerce, Science, and Transportation
Subcommittee on Aviation Operations, Safety, and Security
To hold hearings to examine FAA reauthorization, focusing on perspectives on rural air service and the general aviation community.

SR-253

Committee on Finance

To hold hearings to examine the 2017 tax filing season, focusing on Internal Revenue Service operations and the taxpayer experience.

SD-215

Joint Committee on the Library

Organizational business to consider committee rules for the 115th Congress.

SC-4

10:10 a.m.

Joint Committee on Printing
Organizational business meeting to consider committee rules for the 115th Congress.

SC-4

2 p.m.

Select Committee on Intelligence
To receive a closed briefing on certain intelligence matters.

SH-219

HOUSE OF REPRESENTATIVES—Tuesday, April 4, 2017

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. GRAVES of Louisiana).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 4, 2017.

I hereby appoint the Honorable GARRET GRAVES to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

CLIMATE CHANGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, there has been a lot going on around here lately. We have been conducting investigations, holding hearings, and some of us have even tried and failed to fundamentally change the way we provide health care in this country.

It has been easy to get distracted by the dozens of different headlines and breaking news stories we see each week. But no matter what else is going on here in Washington, one thing continues unabated: each day, the United States, like every other country on Earth, continues to release tons and tons of carbon dioxide into the atmosphere, and now we are starting to see the effects.

Over the last couple of years, the U.S. has joined 20 other countries from around the world in growing its economy while reducing its annual emissions into the atmosphere. This is not a small feat, and decoupling emissions from growth is the first step toward the substantive action needed to address the growing climate crisis. But I

find this concept of reducing emissions can sometimes be a little misleading.

In the last few years, the U.S. has reduced the rate that it emits greenhouse gases. But even if we are doing it more slowly, we are still emitting harmful pollution into our air.

Imagine, Mr. Speaker, standing at the edge of an empty swimming pool with a garden hose. For a while, water was spewing out of that hose at a torrent; and each year, the volume got greater and greater. Now, the water is still running, but we have begun to turn the speed down. However, even if we manage to slow the rate of water going in, the pool still has more water than when we started and is still filling up.

Our atmosphere is that pool. For nearly 100 years, it has been filling up with greenhouse gases. And they don't just go away when the calendar flips. Reducing the annual emissions is vital, but we can't lose track of all the gases that have been accumulated year after year.

If we are going to hit the international goal of limiting climate warming to 2 degrees Celsius, we need to start acting now. Yet, this august body has been behind the curve on this issue for years.

Our colleagues seem content to ignore the climate crisis, to hold hearings with discredited, crank pseudoscientists bought and paid for by corporate interests, or to deny the value of scientific thinking altogether, an approach that is all too familiar given the post-research, post-intelligence, post-truth mindset that we have seen from this administration. They have adopted a "hear no evil, see no evil, speak no evil" approach to climate change, hoping they can ignore it until it goes away. Sadly, that is not the way the world works.

We can't unfill the pool by pretending there is no such thing as water. This form of denial has been evolving over time. First, we heard that there was no way that climate is changing at all.

Now that the changes in the atmosphere are beyond doubt, we are starting to hear that climate is changing but there is nothing we can do about it. In addition to being flat out false, that type of thinking is unbecoming of a nation that put the first man on the Moon, pioneered instantaneous communication, and has led the world in the fight against countless deadly diseases.

Last month, we heard the Administrator of the Environmental Protection

Agency question the very fundamentals of atmospheric science, a particularly dismaying thing from the man charged with leading the fight against climate change. This type of willful scientific ignorance has serious consequences. It will cost lives.

Children will be exposed to harmful, asthma-inducing pollution because we didn't act fast enough to clean our air. They will die because crops that could be counted on for generations will no longer grow. They will be forced from their homes because melting polar ice is driving sea levels higher and higher.

We cannot deny these impacts. We cannot continue to hear no evil and see no evil when these changes are happening all around us, resulting in devastating consequences that affect every aspect of our life.

Instead, the time has come to speak up and speak loudly like our lives and the world depend on it, as it truly does.

RECOGNIZING VICTORIA RIOS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to recognize an outstanding young lady from our south Florida community, Victoria Rios.

Vicki is the winner of the 2016 Congressional App Challenge from my congressional district, and she is a remarkable senior high student at Gulliver Preparatory.

Her app, Simple Sign, was created out of the most noble and sincere desire to help those with hearing impairment, and her app was inspired by her special needs younger sister, Zoe.

Simple Sign is an easy-to-use app that includes photos and videos that helps individuals easily and quickly learn sign language through a cell phone or tablet.

The future of our great Nation relies on innovators from all backgrounds and walks of life in STEM careers, and I could not be more proud of Vicki choosing this extraordinary calling. I hope that this accomplishment will inspire her classmates, friends, and other young women across south Florida to pursue a career in STEM fields.

Congratulations, Victoria, and I cannot wait to see all of the amazing designs that you will create in the future.

2017 AIDS WALK MIAMI

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to encourage all of south Florida to participate in the 2017 AIDS

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Walk Miami on Sunday, April 23, at Soundscape Park located in my congressional district of Miami Beach.

This 5K walk through the streets of beautiful South Beach seeks to cultivate a culture of awareness and prevention, as well as help provide services for the more than 15,000 individuals who have been impacted by HIV/AIDS in our south Florida community.

Since 1989, this AIDS walk has been one of Miami's largest HIV/AIDS awareness charity event and continues to attract thousands of participants from all over the Nation who walk together to raise funds to prevent new infections, maximize the health outcomes and quality of life of those infected, and ultimately end the HIV/AIDS epidemic in south Florida.

Unfortunately, last year, south Florida led our Nation in AIDS-related deaths, and Miami was one of the Nation's top HIV hotspots.

This walk lends vital support to local groups and organizations, such as Care Resource and the Food for Life Network, that are working to transform the lives of patients and caregivers throughout our south Florida community.

The Food for Life Network food bank provides and delivers groceries, meals, and nutritional education to men, women, and children living with HIV/AIDS in Miami-Dade County. Since 1987, its staff and volunteers have provided over 1.5 million meals and groceries as well as other crucial services, such as free screening for sexually transmitted diseases, free medical and dental care, access to health and nutrition specialists, and so much more, Mr. Speaker.

Care Resource is improving the health and quality of life of our diverse south Florida community, especially those impacted by HIV/AIDS, by providing essential health services, such as pediatric and dental care, immunizations, HIV primary care, and more.

It is because of the work and commitment of organizations like these that AIDS is no longer a death sentence and patients can live long and fulfilling lives.

So, again, Mr. Speaker, I invite everyone in south Florida to come out to the 2017 AIDS Walk Miami and help celebrate our great success against this disease and the great progress that we have achieved for the thousands living with HIV/AIDS in south Florida and to reaffirm our strong commitment to the work that is yet to be done.

Together we can achieve the goal of an AIDS-free generation in the near future.

COMMEMORATING THE WORK OF THE HUMANE SOCIETY

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to commemorate one of the Nation's largest animal protection organizations, The Humane Society of the United States.

Each year, The Humane Society and its affiliates provide sanctuaries, veterinary programs, emergency shelters, and rescues to over 100,000 animals, leading in efforts to confront animal cruelty and providing care and services to many animals in need.

In addition, The Humane Society works tirelessly to educate and advocate by providing essential training and services to local shelters and animal groups lacking resources and through policy initiatives on both the State and national level.

Animal welfare and wildlife conservation are vital to our south Florida community. That is why, Mr. Speaker, I am so pleased to pay tribute to the outstanding commitment of all the volunteers of The Humane Society of the United States and wish all of them great success as we continue working together to combat animal cruelty and negligence to create a better world for all animals.

MILITARISM, MATERIALISM, AND RACISM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. COHEN) for 5 minutes.

Mr. COHEN. Mr. Speaker, this is the 49th anniversary of the assassination of Dr. Martin Luther King, Jr.

Dr. King, Jr., was, sadly, struck down in Memphis, Tennessee, by an aberrant individual who wanted to kill him and chased him all over the country. It so happened that Memphis was the spot that he had that final opportunity.

In Memphis, there will be activities today celebrating the life of Dr. King and commitments to community service in his spirit.

Ironically, today, while it is the 49th anniversary of his assassination, it is also the 50th anniversary of his greatest speech, in my opinion. Not the "I've Been to the Mountaintop" speech that he made the night before in Memphis, the great speech where he said: I have been to the mountaintop, and I may not get there with you; but I want you to know tonight, that we, as a people, will get to the promised land.

His greatest speech, in my opinion, was the speech at the Riverside Church in New York, in Manhattan, on April 4 of 1967, when he spoke of the three isms that bother this country and are the enemies of this country: militarism, materialism, and racism.

The speech was called "Beyond Vietnam." A prescient Dr. King saw the need to get out of Vietnam, to make a unilateral step, cease the bombing, save lives. He was indeed right about that. We should have gotten out of Vietnam then, but we didn't.

It was months later that Richard Nixon interfered with the peace process for political reasons and got word to Vietnam not to participate; that they might get a better deal from Nixon;

and that stopped President Johnson from possibly concluding the war in 1968.

The racism, the militarism, and the materialism are still pervasive. Dr. King wouldn't like what he sees today. We have a budget giving 56 or \$57 billion extra to the military and cutting away from diplomacy efforts, foreign aid efforts that militate against war. And it takes away from funding for people, African Americans and poor people in America, who need government assistance.

That is part of what Dr. King was concerned about in this "Beyond Vietnam" speech. And here it is 50 years later and we still suffer with the same tight budget and the same misguided priorities.

We have an Attorney General who is looking at ending consent decrees on police violence against African Americans in Baltimore, Maryland, and also in Ferguson, a suburb of St. Louis, Missouri.

We are going the wrong direction, and it is sad that one of our greatest prophets and one of our greatest leaders told us about it 50 years ago.

Have we learned.

The disparity in wealth is greater than ever in this country. The rich are getting richer and richer and richer. It is incomprehensible that there are billionaires—and there are lots of them out there—and that the tax breaks that we offer in the Tax Code are going to give millionaires and billionaires hundreds of thousands and millions of dollars of tax breaks at the expense of government programs for people who don't have enough.

There is no consideration of a minimum wage. And Dr. King was strong on believing that if people worked a full-time job, they shouldn't be paid a part-time wage.

□ 1015

We need to go a lot further. We need to reflect on Dr. King's Riverside speech and understand that it is still a guide for us, and we need to look at a more understanding budget that cares about people first and not the military industrial complex that President Eisenhower warned us about; that we try to avoid wars through diplomacy and foreign aid and goodwill; and that we support our people with WIC programs and LIHEAP programs and Meals on Wheels and health care and public education; and that we try to give tax breaks to the middle class—large tax breaks, and not tax breaks to those who already have enough.

Thank you, Dr. King. You served us well. We mourn your loss. We remember your words.

CELEBRATING THE 40TH ANNIVERSARY OF WIC

The SPEAKER pro tempore. The Chair recognizes the gentleman from

Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, the Special Supplemental Nutrition Program for Women, Infants, and Children—or WIC—is a short-term intervention program designed to help ensure pregnant women and their children are able to meet healthy nutritional needs.

WIC began in 1972 as a supplemental food pilot program aimed at improving the health of pregnant mothers, infants, and children in response to a growing concern of malnutrition among low-income families. By 1974, WIC was operating in 45 States and became a permanent program in 1975.

WIC provides participants with monthly benefits redeemable for specific foods to supplement their diets, as well as related nutrition and health services. WIC provides quality nutrition education and services; breastfeeding promotion and education; a monthly food package; and access to maternal, prenatal, and pediatric healthcare services. WIC has served 8.3 million participants each month through 10,000 clinics nationwide in 2014; 806,000 pregnant women; 592,000 breastfeeding women; 575,000 postpartum women; 2 million infants; and 4.3 million children.

Mr. Speaker, numerous studies have shown that pregnant women who participate in WIC have longer pregnancies, leading to fewer premature births. They have fewer low and very low birth weight babies. They experience fewer fetal and infant deaths, and they seek prenatal care earlier in pregnancy and consume more of key nutrients, such as iron, protein, calcium, vitamins A and C.

WIC has been addressing the nutrition and health needs of low-income families for more than 40 years. I rise today as chairman of the Agriculture Subcommittee on Nutrition but also as someone who knows firsthand how important WIC is for many Americans.

In the early 1980s, when my wife, Penny, and I were just starting out, we were eligible for WIC based on our income. We used WIC to supplement our personal resources at the time to ensure that Penny, who was expecting our first son, was healthy. Back then, WIC truly helped us supplement what we needed after our personal resources and the family assistance and support came into play.

Nutrition influences health at every stage of life. Good nutrition during pregnancy is especially important to support fetal development and protect mothers from pregnancy-related risks of gestational diabetes, excessive weight gain, hypertension, and iron deficiency anemia. Good nutrition in early childhood can promote development and foster healthy behaviors that may carry over into adulthood.

Mr. Speaker, the facts are clear: WIC works. Let's ensure this program re-

mains viable for generations to come. WIC truly provides a competitive edge that will give everyone a fair shot at life—a fair start in life, and the American people deserve no less.

TRUMP'S GROWING LIST OF PERSONAL AND BUSINESS ENTANGLEMENTS

The SPEAKER pro tempore (Mr. NEWHOUSE). The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I rise today to bring attention to President Trump's ever-growing risk of personal and business entanglements. They call into question his ability to serve impartially in the interests of the American people. Both he and his administration remain closely linked to private companies and foreign entities whose interests are often in direct opposition to those of the United States.

For example, we are well aware of the increasing boldness of the Chinese regime and its efforts to extend their economic and military influence. Despite portraying China publicly as a threat to economic growth of the United States, the President has selected Goldman Sachs' executive, Gary Cohn, to be his director of the National Economic Council. That is about one of seven individuals from Goldman Sachs who have been brought into this administration. Mr. Cohn has just sold his \$16 million holding in a Chinese bank. This same state-owned Chinese bank also happens to be the largest tenant in Trump Tower in Manhattan. Isn't that a coincidence?

Wilbur Ross, President Trump's choice for Commerce Secretary, presents similar conflicts of interest. As a man who will play a major role in shaping U.S. trade policy, Mr. Ross continues to hold a stake worth tens of millions of dollars in the international shipping company, Diamond S Shipping Group, a company that not only operates ships that fly the Chinese flag, but those ships also call on ports in countries, such as Iran and Sudan, that are under U.S. sanctions for being state sponsors of terrorism.

We also know that The Trump Organization was recently awarded sole rights to the President's name for products sold in China. He had waited 10 years to get those rights. The case was settled just mere days after President Trump's phone call with Chinese President Xi Jinping, when the President reversed his prior stance on Chinese unification and gave a full-throated endorsement to what he termed "One China" policy. That was a reversal from what he had done just after the election.

Meanwhile, according to The New York Times, President Trump's son-in-law, Jared Kushner, was recently negotiating a real estate deal worth hun-

dreds of millions of dollars with a Chinese company closely tied to its government. And while it has been reported that the deal was called off, the fact that Mr. Kushner is continuing to negotiate private real estate deals while serving as a White House employee is deeply troubling.

It was announced last week that Ivanka Trump will now be joining her husband in the White House as an adviser to the President with top secret security clearance. While she has stepped down from her former role at her fashion licensing company that uses the Trump name, her decision to transfer her brand's assets into a trust run by her own brother-in-law—and her arrangement to continue to receive fixed payments from the company—is a matter of serious concern given her role in the administration.

The ever-growing list of valid concerns about the Trump administration's conflicting entanglements are taking place at the same time that the President is proposing \$18 billion in reductions for the 2017 appropriations process—while he himself, his daughter, son-in-law, and his Cabinet members continue to benefit off the American taxpayer.

While the President spends millions of tax dollars on securing his residences in New York and in Florida and flying to his so-called southern White House almost every weekend, he is slashing to zero the Great Lakes Restoration Initiative—an absolutely critical program that directly impacts my district and many others responsible for preserving the world's largest body of fresh water from serious and growing environmental threats. What is right about that?

President Trump also wants to eliminate TIGER grants, a highly successful transportation program that provides funding for communities across America with backlogged infrastructure projects that create jobs and produce robust economic benefits. Everyone agrees on that.

He has also called for a nearly \$3 billion draconian reduction to foreign operations endangering our national security. We are the leader of the free world the last time I looked, and, meanwhile, he and his family spend millions of American taxpayer dollars on travel and security costs for themselves.

With an investigation into President Trump's possible entanglements with Putin's Russia already underway, and members of the President's family and administration engaging in increasingly brazen conflicts of interest, this Congress should pass legislation to prevent these increasingly apparent conflicts of interest from endangering our Nation and the American people. It is only a matter of time before his conflicts of interest harm our country.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

PLANNED PARENTHOOD V. WOMEN'S HEALTH CLINICS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Missouri (Mrs. WAGNER) for 5 minutes.

Mrs. WAGNER. Mr. Speaker, I rise today in honor of life and in respect for the conscience rights of all citizens of this free Nation.

I was proud to preside over the floor of the U.S. House of Representatives a few short weeks ago as we voted in favor of No Taxpayer Funding for Abortion Act to strike down an Obama administration policy that forces Americans to fund abortion providers.

We also passed H.J. Res. 43, which is another step closer to restoring the rights of States to decide how to distribute title X funding for women's health care. The measures ensure that States are not forced to fund abortion providers like Planned Parenthood.

Based on its own annual report, Planned Parenthood performs the most abortions in the United States. It commits more than 320,000 abortions every year, 887 each day. Mr. Speaker, that is one abortion every 97 seconds. Three unborn children's lives will be taken by Planned Parenthood as I stand here this morning.

Recently, Planned Parenthood has begun attacking me as a supposed enemy of women's health care. Nothing could be further from the truth. All Missourians deserve quality health care, which is one reason I oppose taxpayer funding of Planned Parenthood. This organization does not provide general women's health or mammogram screenings. That is a fallacy.

In the State of Missouri, there are 12 Planned Parenthood facilities scattered across our 114 counties. However, Mr. Speaker, we are grateful to have 588 healthcare clinics that prioritize women's health and wellness. That is 49 healthcare clinics for every 1 Planned Parenthood health center. So instead of driving 100 miles or more to a Planned Parenthood in Missouri, women can receive the quality care they need within their own communities.

Last Congress, I voted to increase funding to those very clinics by hundreds of millions of dollars. Congress has a sincere duty to not only defund big abortion but to radically change the conversation around life issues.

Members of Congress and this administration understand that life is beautiful, that children are a blessing, that abortion is not healthcare. It kills children, and it hurts women.

Rest assured that our work to protect life, all life, has only just begun.

HONORING SACRIFICES OF AFRICAN-AMERICAN WOMEN DURING WORLD WAR II

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LEE) for 5 minutes.

Ms. LEE. Mr. Speaker, each year during Women's History Month, we pause to commemorate the contributions women have made to this country, but we should really commemorate women every day. So I am here today in April to amplify the contributions of women of color, particularly African-American women. Far too often, the blood, sweat, and tears sown by women of color goes unrecognized. So many are truly hidden figures.

Mr. Speaker, this morning, I want to honor the sacrifices African-American women made for this country during World War II. Sadly, to this day, their sacrifices have gone unacknowledged, and as the daughter of a World War II veteran and a Korean veteran, I am honored to shed light on a few of the tremendous contributions of African-American women during World War II. I want to rise to highlight the courageous efforts of more than 800 African-American women from the 6888th Central Postal Directory Battalion, which was the first all-women, all-Black unit deployed in World War II.

The 6888th, its nickname "Six Triple Eight", was an all-women, all-Black unit that helped boost morale among Allied troops by working through major mail backlogs in Europe during World War II.

□ 1030

To sort through the major backlog of mail in Europe, the women were divided into three subunits that allowed them to run the postal service 24 hours a day, 7 days a week, processing 65,000 pieces of mail per 8-hour shift.

The battalion endured the harsh winter of Europe, dimly lit rooms, and rat-infested headquarters to carry out their mission. Adding insult to injury, these courageous women also faced segregation and discrimination from the very country they were working to defend. The women were forced to run their own mess halls, hair salon, refreshment bar, and other facilities because of segregationist Department of Defense policies.

Yet despite the harsh conditions of war and unequal treatment, the women of the 6888th Battalion cleared a 6-month backlog of mail in just 3 months while posted in Britain. In France, they cleared a 3-year mail backlog in just 6 months. Thanks to their tireless efforts, United States soldiers were finally able to receive lost letters from loved ones during the war.

The courage exhibited by the 6888th proved once again that senseless acts of cruelty are no match for the will and determination of African-American women.

But in July 1945, tragedy struck Private First Class Mary J. Barlow, Private First Class Mary H. Bankston, and Sergeant Dolores M. Browne, who lost their lives in a Jeep accident. Recognizing their fellow comrades' sacrifices, the women of the 6888th pooled their personal resources to properly bury these women. These women who tragically lost their lives while serving in Europe are buried at the Normandy American Cemetery, which I was privileged to visit a couple of years ago.

Their contributions and sacrifices deserve to be celebrated. These Black women proudly sacrificed their lives for a country that did not value them due to racial discrimination and bigotry. So it is with great pride that I speak their names today, hoping that more people will come to acknowledge their sacrifice and the sacrifices of their fellow sisters during World War II.

I want to thank our Military Construction, Veteran Affairs Appropriations Chair Congressman CHARLIE DENT, then-Ranking Member SANFORD BISHOP, as well as our full committee Chair ROGERS and Ranking Member LOWEY for their support in the Appropriations Committee to help us uncover this great history, and also the American Battle Monuments Commission.

These great sheroes need to be brought to the attention of the American people so that they can properly be recognized for their sacrifices and their legacies.

It is my hope that the United States will no longer be shy about recognizing the value, accomplishments, and sacrifices of Black women in history. I am hopeful that we will come to know the many nameless sheroes of the Black community. These hidden figures have fought many battles, have sacrificed so much, and have paved the way for Black women to move forward in spite of the barriers which we are still trying to break.

On today, Equal Pay Day, I am reminded that African-American women earn 63 cents on the dollar. We are still at the bottom of the economic ladder. I urge my colleagues to fight for pay equality and gender equality as we continue to honor the lives and legacies of so many African-American women who truly are hidden figures but who have done so much to make this a better country.

A TRIBUTE FOR ROBERT "BOB" RAWLINGS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Colorado (Mr. TIPTON) for 5 minutes.

Mr. TIPTON. Mr. Speaker, today I rise to honor the life of Robert "Bob" Rawlings of Pueblo, Colorado. Bob passed away at the age of 92, on March 24, 2017.

Born in 1924, Bob graduated from Bent High School in 1942. He immediately pursued a college education at Colorado College in Colorado Springs, but, ultimately, he decided to enlist in the Navy that same year.

Bob received a commission from the University of Colorado Boulder in 1943 and served honorably as the executive officer of subchaser 648 in the Pacific campaign of World War II. Bob was part of an effort to liberate over 100 British and Dutch prisoners of war during his time in service.

After receiving an honorable discharge from the Navy in 1946, Bob returned to school at Colorado College and earned his bachelor's degree in economics in 1947. Bob took a job as a reporter at the Pueblo Chieftain, the place he would work for the next seven decades, ultimately climbing the ladder to serve as chairman and as editor of the paper.

Bob always championed his hometown and used his career with the Chieftain as a platform to advocate his passion for Pueblo and for the surrounding region. A vocal supporter of protecting Pueblo's resources, Bob spent 70 years delivering news to the people of southern Colorado. His character and his life's work represent the very best of Pueblo and the entire State of Colorado.

Mr. Speaker, Bob Rawlings served his community as a philanthropist, a journalist, a sailor, and as a family man. Although Bob referred to himself as the world's worst golfer, Bob will be remembered by so many in his hometown as one of its best citizens.

While I am saddened by his death, I am honored to have known Bob. His presence will be missed by so many, but his impact in the community, however, will be remembered forever.

SPEAKING FOR EQUAL PAY DAY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Ms. CLARKE) for 5 minutes.

Ms. CLARKE of New York. Mr. Speaker, I rise today on behalf of women and men of New York's Ninth Congressional District on this, the anniversary of the signing of the Equal Pay Act by President John F. Kennedy.

It has been 54 years since the Equal Pay Act was signed into law, yet women in the United States who work full-time, year-round, on average still only earn 80 cents for every dollar earned by men. This amounts to a yearly gap of \$10,470 between full-time working men and women.

For African-American women like myself, the pay gap is even larger. African-American women working full-time, year-round, on average still only earn 63 cents for every dollar earned by White, non-Hispanic men.

In my own district, in Brooklyn, men earn \$49,691, while women earn only

\$42,487. Mr. Speaker, that is just not acceptable.

On Equal Pay Day 2017, we are calling upon Congressional Republicans to work with Democrats in getting the long overdue Paycheck Fairness Act enacted into law.

Pay inequity not only affects women, it affects children and families and our national economy as a whole. That is because so many women in our country are the sole or co-bread winner in two-thirds of families with children. Families increasingly rely on women's wages to help make ends meet, and with less take-home pay, women have less for the everyday needs of their families: groceries, mortgages, rent, child care, and doctor visits.

President Barack Obama signed several orders to address gaps in Federal equal pay protections, protecting segments of the civilian workforce from pay discrimination, despite congressional gridlock. Rather than working with Democrats to promote equal pay, House Republicans have voted nine times since 2013 to block the Paycheck Fairness Act from being considered on the House floor.

So let's see whether Donald Trump, who claims he respects women more than anyone else, demonstrates through his deeds in real and substantive plans to do more to help working women and their families.

Mr. Trump, it is time to put the money where your mouth is.

THE REMARKABLE LIFE OF EDNA YODER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kansas (Mr. YODER) for 5 minutes.

Mr. YODER. Mr. Speaker, I rise today with a heavy heart to honor the life and legacy of a Kansas pioneer woman. Last week I joined my family in Yoder, Kansas, to celebrate the life and legacy of my grandma, Edna Yoder, who recently passed at the age of 105 years old.

I was very close to my grandma, as many of us are to our grandparents. She was a sweet and kind woman who could tell a good story, never met a stranger, and had an infectious laugh. I spent much of my childhood listening to her hum church hymns while cooking a country meal or quilting another masterpiece.

As one of 14 children, born in 1911, she grew up in another era, attending school in a one-room schoolhouse, a time without cell phones or television or even electricity and the other modern conveniences we take for granted today. Yet somehow she survived and had a remarkable life. She saw hard times from the Dust Bowl to the Great Depression to countless world events over the past century.

When she was born, women didn't have the right to vote in America; but

even well past turning 100 years old, she was voting in local elections, even for President of the United States. She saw a lot of Presidents come and go—19, as a matter of fact.

She saw America progress from a country really still recovering from the deep wounds of our Civil War to the world's most indispensable, vital, and vibrant nation. She saw us defeat Hitler in Nazi Germany. She saw us bring freedom and peace around the globe to men, women, and children who had never experienced it before.

She was born less than 10 years after Orville and Wilbur Wright took off on their first flight at Kitty Hawk, and yet she would watch Neil Armstrong set foot on the Moon while she was just in her fifties. But as the world changed around her, she quietly lived her entire life near Yoder, Kansas, where she raised her children on the same farm that I grew up on.

She worked tirelessly on that farm, milking cows at dawn and bringing in the Kansas wheat harvest in the hot sun. She didn't ask for much: food on the table, a roof over her head, and a better life for her children and grandchildren.

Mr. Speaker, we like to call them the Greatest Generation. She was a living embodiment of the values that help make America the greatest country in the world. She was guided every day by her faith in God, and she was truly blessed with more than a century of good health and good spirits in return. She loved her family and deeply believed in hard work and self-determination.

She and her husband, Orie, were married for 49 years, and together they raised their four children and nine grandchildren, and they even watched one of them make it all the way from that farm in Yoder, Kansas, to the United States House of Representatives here in Washington, D.C. Family always came first for her.

In her later years, she passed the time reading her Bible, playing in the bell choir, and, of course, quilting and playing lots of games. In fact, the last time I saw her recently, we played bingo together, and we wiped out the competition at her retirement home one last time. She was sharp into her final hours.

She was born into a home that did not have a telephone, but in her final days, we were also able to communicate from Kansas to Washington via FaceTime so I would have a chance to speak with her.

We recently had her services at the Yoder Mennonite Church, built just after she born. This was the church she was raised in, was baptized in, was married in, and the church in which we laid her to eternal rest.

From 1911 to 2017, what a ride, what a remarkable life and unforgettable woman. Through it all, she stayed true

to what was important to her and what makes America such a strong nation: her faith, her family, and her Kansas prairie values.

Grandma, we were so blessed to have so many years with you. You lived an amazing 105 years. I think if we look closely and we listen closely, you gave us a roadmap for a long and happy life. As you pass on to eternal life, please know that you are an inspiration to all of us every day. May you rest in peace, Grandma.

Mr. Speaker, may you and my colleagues in this body join me in keeping her in your prayers.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 45 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Dear God, we give You thanks for giving us another day.

Bless abundantly the Members of this people's House. During this season of new growth, may Your redemptive power help them to see new ways to productive service, fresh approaches to understanding each other, especially those across the aisle, and renewed commitment to solving the problems facing our Nation.

The disagreements on the Hill are profound. Send Your spirit of hope and goodwill upon those who are struggling through current, contentious issues.

May all Members, and may we all, be transformed by Your grace and better reflect the sense of wonder, even joy at the opportunities to serve that are ever before us.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from North Carolina (Ms.

ADAMS) come forward and lead the House in the Pledge of Allegiance.

Ms. ADAMS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

DENY TERRORISTS THE RECRUITS OF THE NEXT GENERATION

(Mr. KINZINGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINZINGER. Mr. Speaker, we woke up this morning to yet more horrific images of dozens of people killed by another chemical weapons attack in Syria.

Mr. Speaker, this included children who were gasping for their last breath as they perished because of the brutal, murderous dictator Bashar al-Assad, who decided that chemical weapons would be used to extinguish their life.

Mr. Speaker, for 6 years, we have failed in the Western world to address this horrific act. In fact, for the first time since World War II, we are accepting the use of chemical weapons as just a normal part of everyday life.

Mr. Speaker, the Western world, the free world, needs to stand up, needs to make clear that Assad needs to go, and needs to stand up for humanity, lest we see these images again.

We wonder how to defeat terrorism. Mr. Speaker, you do it by denying terrorists the recruits of the next generation, of which Bashar al-Assad is creating many.

HAWAII'S PUBLIC SAFETY DISPATCHERS AND RADIO TECHNICIANS

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, I would like to extend a warm mahalo to Hawaii's public safety dispatchers and radio technicians who provide an essential service to our community.

These hardworking men and women process more than 1.4 million 911 calls each year in Hawaii and are literally the first line of response in an emergency situation. Their ability to relay accurate and up-to-date information is essential to the success of our police officers, firefighters, paramedics, and to the safety of those in desperate need of help.

Last year, Hawaii's public safety telecommunicators helped our State become one of the very first in the Na-

tion to implement a text-to-911 program that is helping to close the gap in emergency response. This program addresses a very real need for situations where you may have a home invasion or domestic violence scenario where making a phone call to 911 safely is simply not possible.

Mahalo to our telecommunicators for leading the way on this initiative and for your work every single day on behalf of Hawaii's people.

MOMENT OF SILENCE HONORING DONALD BURGETT

(Mr. BISHOP of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BISHOP of Michigan. Mr. Speaker, I rise today to honor the memory of World War II veteran, noted author, and longtime Eighth Congressional District resident Donald Burgett, who recently passed away at the age of 81.

Don was an Army paratrooper, and he participated in the opening operations of the Normandy invasion with A Company, 506th Parachute Infantry of the 101st Airborne Division.

After his service, Mr. Burgett published four books, including "Curraheel" published in 1967 and endorsed by President Dwight D. Eisenhower. Mr. Burgett used his photographic memory to paint vivid scenes during the chaos of war.

In addition to his writing, he also was an active member of several veterans organizations, including the VFW, American Legion, Disabled American Veterans, and the Military Order of the Cooties. He was a local builder and loved spending time outdoors.

Don is survived by his wife, Twyla, his 5 children, 12 grandchildren, and 28 great-grandchildren. A memorial is being held for him this week in his honor in his hometown of Howell, Michigan.

Mr. Speaker, I ask for a moment of silence for this great American patriot.

May God bless Don and his family.

OUR DEMOCRACY UNDER ATTACK

(Ms. KELLY of Illinois asked and was given permission to address the House for 1 minute.)

Ms. KELLY of Illinois. Mr. Speaker, it pains me to come to this Chamber this morning to say that nothing was done as our democracy came under attack.

We know Russia intervened in our Presidential election. This was not done in the interest of the people, by the people, or for the people of America. It was done to make America a vehicle for Russian interests.

You know that, in 2016, President Trump said he hoped Russia would hack our former Secretary of State's

emails. You know General Michael Flynn was forced to resign due to his unreported contact with Russian agents, who he also had business ties to.

Yesterday, you learned that the President had a contractor meet with Russian officials on his behalf to have a back channel to the Kremlin.

Where is the transparency from the White House? How is it that Meals on Wheels is the enemy, but you turn a blind eye to an attack on democracy by Vladimir Putin?

Russian spies have long attacked American businesses. Now they are attacking our freedom. You must investigate the Russian grip on our government. We must investigate swiftly and seriously.

Mr. Speaker, this is on your watch.

The SPEAKER pro tempore (Mr. POE of Texas). Members are reminded to address their remarks to the Chair.

CELEBRATING THE MASTERS

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, as you know, I have the honor of representing the 12th Congressional District of Georgia and the good people who live and work there.

This week, thousands will gather in Augusta to take part in a tradition unlike any other.

Beginning in 1934, the Masters, hosted by the Augusta National Golf Club, has become the most prestigious golf tournament in the world. Known for its lightning-fast greens and gorgeous azaleas, this tournament captivates the world for both the talent of those playing and its beauty. Since its inception, many legends have conquered the greens to prove their skill and earn the coveted green jacket.

This year will be a little somber, as we will deeply miss another of the great legends, four-time Masters champion Arnold Palmer. His presence will certainly be missed on that first tee as an honorary starter and throughout this great week.

I wish the best to all those competing in this truly remarkable event and invite those who are traveling from far and wide to experience and enjoy the wonderful hospitality of the 12th Congressional District of Georgia and my home, Augusta.

REJECT THE NEW HEALTHCARE BILL

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Mr. Speaker, word coming out of the White House and House Republicans is that there is a new healthcare bill, and this

bill would obliterate the patient protections for preexisting conditions and eviscerate essential benefits and cost controls.

Under the new healthcare scam, insurance companies could opt out of all consumer protections. In other words, insurance companies could write fake policies with big premiums and little or no coverage.

Mr. Speaker, under this plan, a parent of a kid who is struck with childhood cancer could still buy a policy, but the policy is worthless because the policy would not have to cover their children's cancer treatment.

This is how House Republicans and the insurance lobby plan to get out from under their obligation to cover preexisting conditions.

This means more power for the insurance companies and less protection for good people, the American people, who play by the rules. This plan should be rejected again. It is deceitful, cold, cruel, and wrong.

GORDIAN KNOT

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, I rise today to highlight legislation I recently introduced, the VA GORDIAN KNOT Act, which would help improve and reform the Department of Veterans Affairs.

In Greek mythology, the Gordian knot represents a complex problem that needs out-of-the-box thinking to solve, and that is exactly what we need.

The VA's Gordian knot is its repeated manipulation of key data and overall lack of accountability. The VA has been known to yield less-than-truthful information when it comes to collecting and reporting data about patient care, appointment wait times, and employee hiring and firing practices.

This behavior is an erosion of public trust and a disservice to our Nation's veterans, our true heroes. It also makes it difficult to properly address the VA's shortcomings and enhance its successes because there are successes as well.

The VA GORDIAN KNOT Act requires the VA to standardize its data collecting and reporting mechanisms and increases oversight of the integrity and accuracy of the information.

I believe this bill is absolutely necessary to reform the VA and assist in its mission to care for our true American heroes.

EQUAL PAY DAY

(Ms. ADAMS asked and was given permission to address the House for 1 minute.)

Ms. ADAMS. Mr. Speaker, it is Equal Pay Day. I rise to support not only women but the American family and the economy.

Women drive our economy. We buy more goods. We own more small businesses, and we earn more degrees. Despite this, we still earn less than men. This should embarrass every lawmaker in this Chamber and every person listening.

In 2017, Mr. Speaker, how can we justify underpaying women across this Nation? Women still earn 20 percent less than their male counterparts, and it is even worse for Black and Hispanic women.

Shortchanging women shortchanges our children and our economy. When women succeed, we all succeed. Women and our families demand paycheck fairness. We stand boldly united today embracing the words of Florynce Kennedy who said: We won't agonize. We will organize. We will show up and cut up until Molly earns the same pay as Billy.

As Susan B. Anthony said: "Men, their rights and nothing more. Women, their rights and nothing less."

I urge you to call your Representatives, demand that we support you by supporting the Paycheck Fairness Act.

RECOGNIZING SERVICE ACADEMY APPOINTEES

(Mr. DUNN asked and was given permission to address the House for 1 minute.)

Mr. DUNN. Mr. Speaker, I rise today to recognize three outstanding young people from Florida's Second Congressional District who will be continuing their education serving our country next year at the Naval Academy and at West Point.

Sean Moriarty and Zachary Moser will be attending the United States Naval Academy. Sean plays football at Arnold High School, and Zac is on the swim team at Rutherford High School.

Shane Ferry will be attending the United States Military Academy, West Point. He attends Mosley High School and is a member of the wrestling team.

The bar is high and the competition is stiff to earn entry into our service academies, and it should be. I am confident that each of these young men possess the character, ability, and determination to excel at Annapolis and West Point and to earn the privilege to do extraordinary things for our Nation and for those who they will one day command.

As they join their Federal fellow cadets and midshipmen, they also have our support and our gratitude for choosing this life of service.

Thank you and good luck.

□ 1215

INDEPENDENT COMMISSION NEEDED TO INVESTIGATE TRUMP'S TIES WITH RUSSIA

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, Republicans are now joining Democrats in calling for Chairman NUNES to recuse himself from the House Intelligence Committee's current investigation into Russia's interference in the 2016 election.

By working hand in glove with the White House around an investigation that centers on the President and his administration, the chairman has blown the integrity of this investigation. Through his actions, he has shown he cannot lead an impartial investigation. His actions demonstrate why Congress must establish a bipartisan, independent commission to investigate President Trump's political and personal business ties to Russia.

The majority of the American people favor an independent commission, outside of Congress, according to polling done by the Associated Press. This is a serious matter. Our democracy is at stake. Our national security is at stake.

Congress must call a bipartisan, independent commission to investigate these troubling connections between President Trump and Russia.

HONORING STEPHEN P. COUNIHAN

(Mr. MEEHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MEEHAN. Mr. Speaker, I rise on behalf of Stephen P. Counihan, and I rise with my colleagues all around the greater Boston area, as we seek to raise the spirits of Stephen, who is currently battling cancer. "Counni," as he is affectionately known, is currently the tennis coach at Suffolk University, where he has led four championship teams to great renown in the greater Boston area. But it was in the 1970s, as a standout defenseman at Bowdoin College where Counihan got the name "Counni-Orr" because of his remarkable presence on the ice and his cool capacity under pressure.

Now, Stephen is facing one of the great challenges of his life, as he deals not only with the chemotherapy, but the potential surgery that we are looking at in the month of April ahead.

Counni, I want you to know that all of your colleagues from Beta Theta Pi, from Bowdoin College hockey team, from the greater Bowdoin community, in fact, the entire Boston area, stand with you today. Win one more championship for us, Counni, so we can all celebrate together when we have you back collectively.

UNIVERSITY OF NORTH CAROLINA: NCAA CHAMPIONS

(Mr. PRICE of North Carolina asked and was given permission to address the House for 1 minute.)

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to congratulate the University of North Carolina at Chapel Hill's men's basketball team for winning the 2017 NCAA Division I National Championship, in the face of a spirited challenge from Gonzaga University.

As a proud alumnus of UNC-Chapel Hill, the Nation's first public university, I was delighted to cheer on the entire team—players, coaches, and staff—during their outstanding performance yesterday in the Nation's most competitive and most popular collegiate athletic tournament.

The Tar Heels have now played in a record 20 NCAA Final Four games, the most of all time, and last night marked their sixth NCAA National Championship and seventh overall National Championship. The years 1957, 1982, 1993, 2005, and 2009 are seared in the minds of North Carolina basketball fans, and I know I speak for our entire State when I say how delighted we are to add 2017 to that list!

The teamwork, camaraderie, and determination of this year's team were evident throughout the entire season as they struggled to overcome their heartbreaking defeat in the last seconds of the 2016 National Championship game. While their tournament finishes may have been a little closer than we wished, the team managed six wins against a formidable slate of opponents. These 15 young men played hard, played smart, and played together.

Mr. Speaker, I include in the RECORD the names of the players, coaches, and staff.

UNC MEN'S BASKETBALL ROSTER

Nate Britt, Upper Marlboro, Md.; Theo Pinson, Greensboro, N.C.; Joel Berry, II, Apopka, Fla.; Kennedy Meeks, Charlotte, N.C.; Isaiah Hicks, Oxford, N.C.; Tony Bradley, Bartow, Fla.; Shea Rush, Fairway, Kan.; Kanler Coker, Gainesville, Ga.; Brandon Robinson, Douglasville, Ga.; Seventh Woods, Columbia, S.C.; Aaron Rohlman, Gastonia, N.C.; Stilman White, Wilmington, N.C.; Luke Maye, Huntersville, N.C.; Justin Jackson, Tomball, Texas; Roy Williams, Head Coach; Steve Robinson, Assistant Coach; Hubert Davis, Assistant Coach; C.B. McGrath, Assistant Coach; Brad Frederick, Director of Basketball Operations; Sean May, Director of Player Personnel; Jonas Sahratian, Strength & Conditioning Coordinator; Eric Hoots, Director of Player Development.

Mr. PRICE of North Carolina. Mr. Speaker, we could not be prouder of our team's victory last night.

To paraphrase the greatest basketball player of all time and a fellow UNC alumnus, Michael Jordan, who was perhaps channeling Yogi Berra, "The ceiling truly is the roof."

Hark the sound, and Go Heels!

THANKING SNAPa

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this afternoon I will meet with leaders from the School Nutrition Association of Pennsylvania, commonly called SNAPa, which is a statewide organization of school nutrition professionals.

SNAPa works to advance quality child nutrition programs through education and advocacy. Organized in 1955, SNAPa is an all-volunteer board of directors elected by its member, which currently stands at more than 2,300 individuals.

As chairman of the Agriculture Subcommittee on Nutrition and a senior member of the House Education and the Workforce Committee, I know the essential services that SNAPa works to provide. Students throughout the Commonwealth receive high-quality, low-cost meals thanks to SNAPa.

Mr. Speaker, it is important to remember that, for some students, the only meal that they receive is at school. This organization works to keep our children healthy and ensure that they have healthy food options through school meal programs. SNAPa is recognized as the authority on school nutrition in Pennsylvania.

I sincerely thank SNAPa for advancing the availability, quality, and acceptance of school nutrition programs as an essential part of education in Pennsylvania for more than 60 years.

RECOGNIZING THE ACHIEVEMENT OF HENRY HALGREN

(Mr. POLIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POLIS. Mr. Speaker, it is my pleasure to rise today to recognize the achievement of Henry Halgren from Fort Collins, Colorado. Henry is a sixth grader at Liberty Common School, a middle school, a public charter school that is very high-performing in my district. He is the victor from all of Colorado in the National Geographic Bee this last week.

He competed against over 100 kids at the University of Denver, and he was able to answer as a sixth grader the following question: Altamira Cave, known for its prehistoric paintings, is found in the province of Cantabria in the north part of what European country?

Henry knew that the answer was Spain. He got it right. He won a \$30,000 scholarship to CU, some prize money, and an atlas.

I am proud to say he will be coming here to Washington, D.C., to represent the Second Congressional District of Colorado in May. And if he is able to win against the competitors from other

States, the prize for that is a \$50,000 scholarship and a family tour to the Galapagos Islands.

Congratulations not only to Henry, but to all the participants who showed such a keen interest in learning about the world around them and about our planet.

Mr. Speaker, I want to congratulate Henry and his family and everybody who participates in furthering the knowledge about geography.

RECOGNIZING MONTH OF THE MILITARY CHILD

(Mr. MARSHALL asked and was given permission to address the House for 1 minute.)

Mr. MARSHALL. Mr. Speaker, I rise today in recognition of April as the Month of the Military Child. I have the utmost respect for the families of the military's men and women; specifically, the children of our Nation's military, who are the bedrock of military families. These children make sacrifices—relocations, new schools, and the absence of a parent on deployment—and they deserve our gratitude.

Due to the unique circumstances the children are put under, I stand before you today to commend the children of those currently serving in my district at Fort Riley in Kansas, and the children of those serving around the Nation. I call on my colleagues to provide continued support of our military children and families whose sacrifice is not always recognized, but certainly is revered.

CONGRATULATIONS TO READING RED KNIGHTS' VICTORY

(Mr. SMUCKER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMUCKER. Mr. Speaker, I rise today to congratulate the Reading High School men's basketball team on their first State championship in school history. The Red Knights finished their historic season with a 30-3 record, and beat Pine-Richland 64-60 in the Class 6A Boys Final to bring a championship to the city of Reading.

This is a group of outstanding young men led by senior guard and McDonald's All-American Lonnie Walker. This team is a staple in the Berks County community.

Lonnie may have said it best himself after the championship victory: "What we did wasn't even about Reading High basketball. It was about the city of Reading. It was about the community, all the schools, the young kids we inspired. This is for them."

I couldn't be more proud today to represent these young men. I look forward to the continued success of this team, and I look forward to watching Lonnie continue his basketball career at the University of Miami.

Congratulations to the Reading Red Knights team, the coaches, their families, the faculty, staff, and students that made this championship possible.

REMEMBERING MARTIN LUTHER KING, JR.

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, I rise today to recognize that on this day, April 4, 49 years ago, Martin Luther King, Jr., was assassinated on a hotel balcony in Memphis, Tennessee.

We all know the story: the most prominent civil rights activist in the sixties, if not of our entire Nation's history, was shot dead in cold blood at the still very young age of 39 years old. It is a tragic tale of a man who had accomplished much and still had more to accomplish, but we should note this day as remembrance to honor the sacrifice he risked and he made during a very difficult time in our Nation's history.

He demonstrated to the world that it was not the color of a person's skin that we should be judged, but by the nature of their character. He led by example in an era of violence that violence was not the answer.

The peaceful protests he organized were an illustration of how to go about achieving social change in America, building bridges of understanding. The image of the Selma bridge comes to mind.

His strong Christian beliefs helped him to see what many others could not, and opened the doors for millions to follow in his path.

Mr. King's work is not done. It is very saddening to still see so many in racial strife in these days in our Nation, but he showed the right way to lead, the right way to peacefully protest, and the right way to inspire to fulfill his famous dream.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 4, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 4, 2017, at 9:28 a.m.:

That the Senate passed S. 89.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 1343, ENCOURAGING EM- PLOYEE OWNERSHIP ACT of 2017

Mr. BUCK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 240 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 240

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1343) to direct the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers to provide certain disclosures relating to compensatory benefit plans. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-11 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by the Member designated in the report, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for a division of the question; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 1 hour.

Mr. BUCK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BUCK. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. BUCK. Mr. Speaker, I rise today in support of the rule and the underlying legislation. Americans have always been a people known for taking ownership. We take ownership of our lives and livelihoods, working hard to provide for our families. We take ownership in our communities, setting standards of conduct. We take ownership in all our political process, voting for the right candidates. We have even taken ownership in our world, fighting evil actors and regimes to maintain peace.

□ 1230

H.R. 1343, the bill we are discussing today, allows employees to take ownership in their companies. This is the American way.

Under SEC rule 701, private companies can offer their own securities to employees, enabling those employees to take a stake in the company. This is a great deal for both businessowners and employees. I doubt either side of the aisle would disagree.

Rule 701 allows employers to better recruit talented employees and pay them without having to borrow money or sell securities. For some companies, especially younger ones, compensating employees through equity is vital for survival.

These younger companies need the top talent but often can't pay the top salaries. Rule 701 allows them to offer potential recruits a tradeoff: accept a lower salary now for more equity in the company later.

By giving the employees a stake in the company, businessowners reward the employees for their continued hard work and innovation. Workers have an opportunity to buy into the mission and future of the company. They have the opportunity to reap what they sow, making their work more meaningful and fulfilling.

Mr. Speaker, H.R. 1343 simply raises the reporting threshold for companies who issue securities to their employees as compensatory benefits. Right now, any company that issues more than \$5 million of securities in a yearlong period faces significant reporting requirements, including financial statements and disclosure of risk factors. These requirements cost small businesses time and money, making them less likely to issue stock as compensation for their employees. That is why this legislation moves the threshold up to \$10 million.

The original \$5 million threshold was added to rule 701 in 1999 and hasn't been updated since. By easing the threshold and indexing it to inflation every 5 years, we allow companies to increase the amount of stock they offer to employees. Additionally, raising the threshold will prevent private companies from having to disclose confidential financial information.

America is known for taking ownership, but we are also known for innovation. Our technology industry, especially, has propelled our economy and quality of life forward. But so many great tech companies started as small startups, struggling along from month to month before the financial rewards of their hard work could be achieved.

Thinking about the young companies right now that have grand innovative visions for improving our quality of life, this legislation will help them thrive. The employees already pour so much of their livelihoods into the venture. This bill will reward those workers with equity so that their perseverance and investment will pay off.

Mr. Speaker, before I close, I would like to discuss the broad support for this bill. I indicated earlier that both sides of the aisle can support this legislation, and I want to highlight that bipartisan support for the bill.

H.R. 1343 has equal numbers of Republican and Democratic sponsors. Further, the bill passed out of the Financial Services Committee 48-11. A majority of the Democrats on the committee supported the bill. A similar bill passed with a bipartisan vote last Congress, with more than two dozen Democrats joining Republicans to pass the bill. And in the Senate, this same basic proposal passed the Senate Banking Committee by a voice vote just a few weeks ago.

Mr. Speaker, it is clear to see why this proposal is generating so much bipartisan support. With a higher threshold, companies can focus their time on innovating and creating jobs instead of filling out paperwork. Employees, meanwhile, can take a stake in their company and their own future. I urge my colleagues to vote for this important rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I thank the gentleman for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to the rule, one that provides for consideration of H.R. 1343, the Encouraging Employee Ownership Act.

I strongly support the underlying legislation. I wish it had been brought forward to the floor under an open rule that allowed Democrats and Republicans to freely offer amendments that could be adopted by a simple majority vote.

Before we get to the specifics of the bill, I want to talk about the importance of employee ownership. I join my friend and colleague from my neighboring district in Colorado in extolling the virtues of employee stock ownership, of ensuring that employees in the company are stakeholders and able to benefit from the value that is being created.

You know, we have different stakeholders in our economy, and when you look at a company, you have different stakeholders that that company is responsible to and caters to: You have the shareholders, you have the employees, and you have the customers. In running a company, as I have done, it is always a constant balancing act to make sure that you are able to satisfy the legitimate demands of all those various stakeholders.

Now, one of the things that has been out of whack in our economy the last few decades is that a disproportionate share of the value creation has gone to the shareholders and the customers, often to the detriment of the employees.

Now, everybody has benefited as consumers and as customers with revolutions in prices and consumer technology. It is so exciting to see people, you know, where a flat screen television used to be out of reach, you now see them in nearly every home; and, in many cases, they cost less than a television would have cost that was significantly smaller 10 years ago—not to mention the remarkable mobile computing devices that middle class families and working families carry in their pockets with them that contains more processing power than a \$3,000 computer did just a decade ago.

Consumers have benefited and shareholders have benefited. There has been an unprecedented increase in private equity markets, in stocks, a huge amount of value creation in the American economy, both on the balance sheet as well as in the market valuation of companies.

Now, the issue is that, while all of this has happened, wages have largely stagnated. A lot of the increases in efficiency and economic growth have gone to benefit consumers and shareholders. Employees and workers have felt, legitimately so, that they haven't seen their share of value creation.

Now, there are a number of reasons for that. One of those has been the weakening of the union movement that gave workers a collective voice. But if you look at what some of the remedies are, really none can make a bigger impact than employee stock ownership. This bill doesn't change the ball on that. It is a positive step.

There are a lot of other ideas that I hope we can talk about in a bipartisan way. Fundamentally, we need to create an economy that works for everyone, one in which employees and workers can directly benefit from the increase in value of the firm that they helped create. And what better way to do that than employee stock ownership in a variety of models and options for that. This bill deals with one; but we have ESOPs, we have co-ops, we have employee stock option plans, to name a few.

Companies find that it is in their interest to help improve morale and maintain a stable employee base to align the incentives of employees with shareholders and, of course, to help align the success of our economy with the success of all the stakeholders in our economy.

H.R. 1343 is a bipartisan bill. It was passed last year; it will pass again overwhelmingly this year. It sends a strong statement that Democrats and Republicans in the House of Representatives want to make employee stock ownership easier. Hopefully, this is a starting point rather than an ending point.

The two other bills the Chamber is considering are also bipartisan, and I am hopeful that they can move forward expeditiously.

Now, that stands in stark contrast to some of the other actions of this Chamber, for instance, the 15 Congressional Review Act resolutions which simply sought to undo some of the positive steps that President Obama took rather than put forward a proactive agenda of where Republicans actually want to lead the Nation.

We also spent countless hours debating healthcare legislation that, thankfully, didn't go anywhere because it would have left 24 million Americans without health insurance and increased premiums by 15 to 20 percent for those who were lucky enough not to lose their insurance altogether.

I am glad that we have been able to move past that towards a more bipartisan discussion here that will fundamentally help American innovators and entrepreneurs and help lead to a fair economy that works better for everybody, that shows that Democrats and Republicans can work together to create a real solution that addresses a real problem and takes a first step towards creating an economy that works for workers, consumers, and shareholders.

I am hopeful that we can continue this trend after the district work period and move forward on bipartisan legislation that will simplify our complex Tax Code and realign incentives in a positive way, fix our broken immigration system, and make sure that we have the infrastructure we need for our country to succeed in the 21st century. I hope that my colleagues are encouraged by the strong bipartisan show of support for H.R. 1343 and we can work together to bring more bipartisan legislation to the floor instead of divisive bills that make problems even larger.

This bill, very simply, updates an SEC rule from 1999 that will allow private companies to offer employees a greater stake in the place they work without requiring additional paperwork or regulation—a simple and good idea.

Currently, a private company that offers over \$5 million in securities through compensation for employees is required to provide additional disclosures which can, A, often serve as a detriment to going over the \$5 million in compensatory stock for their employees, and, B, take up costs, administrative overhead, should they choose to proceed. H.R. 1343 simply raises that threshold from \$5 million to \$10 million, and this legislation gives a private company more flexibility to reward and retain employees of all levels.

Employee ownership of various structures has benefits to both the company, the employees, and the overall economy. It helps align the interests. It results in more productivity, higher employee retention. It can help make a business more profitable and more sustainable. It helps make the American economy and the amazing value that is

created work for everybody rather than just one of the stakeholder groups.

For many startups and small businesses, giving employees a stake in the business is a great way to provide an additional benefit, an incentive. It gives companies flexibility to attract new employees when they are starting up, to retain talent as a company grows and matures.

Providing workers stakes in their company helps strengthen their retirement savings. Employee stock ownership plans, or ESOPs, are a type of retirement plan that offers employees an ownership stake without upfront costs. In Colorado, there are 118 businesses that use employee-owned ESOPs as a way to promote employee ownership.

A good example of an ESOP is Fire Safety Services. The owner, Jeff, wanted to offer his employees a stake in the business. He converted his business to an ESOP, an employee-owned company, that allowed him to create a succession plan so the business can stay locally owned by the people who worked to create the value. Jeff noted that, after the conversion, employee morale was up and sales were up.

One of our most famous examples of employee-owned companies is in my district in Fort Collins, Colorado: New Belgium Brewing. From the perspective of the employees, New Belgium has a very strong corporate culture of personal and collective growth. The employee owners are concerned about their own professional development and that of their colleagues. They have a vested stake in the management, economic health, and stability of the company.

This bill is a commonsense approach and makes it easier for companies to give their employees ownership opportunities. It is a small first step towards encouraging an economy that works for everybody.

Now, I want to make sure that this legislation helps employees at all income levels have access to ownership opportunities and that workers' retirement savings are not put in jeopardy by an overconcentration in company stock. That is why I offered an amendment requiring GAO to do a study on the impact of this legislation on employee participation and ownership and the effect this legislation has on securities held by retirement plans that are governed by ERISA.

I very much look forward and am grateful that the rule has made in order my amendment. This study will give us important information on how these changes impacting employee ownership also affect retirement. It will give this body information that we need to move forward.

The example of my amendment is an example of the many great ideas that Democrats and Republicans could have brought forward had this been brought forward under an open rule. What bet-

ter bill to bring forward under an open rule than this kind of bipartisan bill where there is nobody in this body who is trying to undermine or sabotage this bill?

There may be some Members who vote against it on both sides, I don't know, but the overwhelming majority are for it. I think there are Democrats and Republicans with great ideas who would love the opportunity to take 10 or 15 minutes—10 minutes as I am afforded under this rule. How many other Republicans and Democrats would love that same opportunity to offer amendments to improve this bill to make it even better?

The good news is employee ownership is not a partisan issue. Employee ownership strengthens our economy, helps small and medium-sized and large businesses across our entire economic spectrum create and retain jobs, and promotes an increased retirement savings for the middle class. These companies are often anchor businesses in our communities that go beyond offering jobs but are involved with sponsoring Little League or being involved with community nonprofits by giving back, by helping local charities and helping support an ecosystem of entrepreneurship by helping other entrepreneurs get off the ground through mentorship networks and angel funding networks.

I am a strong supporter of this bill and, of course, want to point out that it is simply a starting place. We have a long way to go with encouraging employee ownership in all of its forms—ESOPs, co-ops, stock options, outright stock grants—and any other ways that we can come up with or that the private sector can come up with that allow a stake in the company and in the value being created to reside with the employees, aligning their incentive, making our economy work for everybody, and ensuring that stakeholders have balanced benefits from our overall growth.

I support this bill. I wish it had been brought to the floor under an open rule. I oppose the rule.

Mr. Speaker, I reserve the balance of my time.

□ 1245

Mr. BUCK. Mr. Speaker, I just want to respond briefly to my friend from Colorado's comments about the nature of the rule. The Rules Committee did make in order every single germane rule that was offered to this bill.

Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. HULTGREN).

Mr. HULTGREN. Mr. Speaker, I want to thank my friends, colleagues from Colorado for their work on this, for their support of this important legislation.

I rise today to speak in support of the rule providing for consideration of H.R. 1343, the Encouraging Employee

Ownership Act of 2017. I am proud to be a sponsor of this legislation, and I am grateful for the consideration it has been given by the House, and I am encouraged by its strong record of bipartisan support. The bill has passed the House in prior Congresses as part of larger capital markets packages, but this is the first time the legislation will be considered on its own.

We have had very constructive debate on the bill in the Financial Services Committee over the last few years. This debate has allowed us to build a strong consensus around this uniting principle: What is good for the company should also be good for the employee, and vice versa.

We want it to be easy for companies to offer stock compensation to their employees. This is a company issue, and this is a jobs issue, but this is also a workforce issue. The title of this legislation does not betray its intent. We believe encouraging employee ownership is important.

Agreement on the benefits of employee ownership has contributed to the strong bipartisan support enjoyed by this legislation. It has three Republican and three Democratic original cosponsors. Furthermore, the majority of Republicans and Democrats voted in favor of the Encouraging Employee Ownership Act when it was considered in the House Financial Services Committee just last month. We are simply expanding on something that is working.

The Securities and Exchange Commission, the investor protection regulator, has never raised issue with reduced disclosures available under rule 701, so we are simply saying this tool should be made available to more companies and to their employees. We do this by adjusting for inflation the threshold for the amount of securities that can be issued each year under rule 701.

Again, I want to thank my colleagues from Colorado. I want to thank all for the work in the Financial Services Committee, and I look forward to the House's consideration and, hopefully, passage of this important legislation.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

You know, the beauty of an open rule, which we did see when the Democrats had the majority and we have not seen since the Republicans took the majority, is it allows the floor debate to inspire good ideas. It allows Democrats and Republicans to bring forward amendments, subject to germaneness, that can be considered and voted upon.

Frankly, it seems like the Republicans didn't have much for us to do this week. This would have been a perfect week to try an open rule; and I know that Democrats and Republicans would have, consistent with the spirit of an open rule, brought forth good ideas and offered them. Good ideas would have been included in the bill.

But most importantly, we could have set a precedent that open rules work and an open process that values our contributions as legislators and as representatives of 750,000 Americans who would be able to work to improve legislation. So I think that we need to move in that direction. Let the debate on the floor and the back-and-forth inspire new collaboration between Democrats and Republicans, new ideas, new ways of working together.

Here you have a concept that Democrats and Republicans join together in support of. How can we reduce the costs or the red tape around administering employee ownership? We would love to remove barriers to employee ownership that exist across all forms of employee ownership.

We would love to see an economy that works for everybody, one that values employees and workers as stakeholders that share in the economic growth that they helped create. That is a big part of the answer to the discrepancies in our economy and the simple fact—yes, fact—that the majority of the benefit of our economic growth has resided with a few and, generally, with shareholders and executives rather than workers.

So at the same time we can continue to move forward with conveying value to consumers, I think we can also find a way to make sure that workers are able to participate in the value that is created in our economy. But to be able to do so, we should have an open process that allows Democrats and Republicans to bring forward germane amendments that improve the bill, to create an even better and more comprehensive effort to encourage employee ownership.

Employee ownership ultimately touches a number of different committees. There are issues around employee ownership that affect government procurement. There are issues that would reside in the Ways and Means Committee under taxes. There are issues that reside in the Judiciary Committee, and, yes, Financial Services and regulator issues as well.

I am hopeful that Democrats and Republicans can work together to create a comprehensive omnibus approach to improving access to employee ownership for firms across our country.

Mr. Speaker, I reserve the balance of my time.

Mr. BUCK. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. HUIZENGA).

Mr. HUIZENGA. Mr. Speaker, small businesses and entrepreneurs are what drive the American economy. I meet with these folks all the time when I am back home in the Second District, as I know my colleagues do when they are back in their districts, and we see firsthand the benefits that these people's dreams, their innovations, their hard work, and as they provide to our communities that inspiration.

These innovators, entrepreneurs, and risk-takers are critical to our country's economic growth and prosperity. In fact, small businesses are responsible for more than 60 percent of all of the net new jobs. Let me repeat that. Small businesses are responsible for more than 60 percent of all the net new jobs over the past two decades. This isn't just a one-time blip. This is over the last two decades.

So if our Nation is going to have an economy that provides opportunities for every American, then we must promote and encourage success and growth for our small businesses, our startups, and our entrepreneurs. It is this notion that I think brings us to this legislation we are discussing here today.

H.R. 1343, the Encouraging Employee Ownership Act, would simply level the playing field for small companies by updating Federal rules that allow small businesses to better compensate their employees with ownership in those businesses.

Currently, the SEC rule 701 permits private companies to offer their own securities as part of written compensation agreements with employees, directors, general partners, trustees, officers, or other certain consultants without having to comply with rigid Federal securities registration requirements. The SEC rule 701, therefore, allows small companies to reward their employees.

Despite the SEC having the authority to increase the \$5 million threshold via a rulemaking, the SEC has once again chosen to prioritize what, I would argue, are highly politicized regulatory undertakings instead of focusing on its core mission, which includes the facilitation of capital formation. That is one of the key core jobs of the Securities and Exchange Commission. Well, if the SEC isn't going to focus its priorities, then Congress will help them do that. So that is why we are here today on this bill.

I believe it is imperative that small businesses not only in West Michigan, but across America, have the ability to compete. A critical element of competition and success is, first, that small businesses be able to offer compensation packages that attract and retain top-tier talent in their fields. In today's world, that includes rewarding employees with stock options. To me, this is common sense. Small-business employees have a clear and vested interest in the success of their employers, and oftentimes they are attracted to it.

I know, having some younger children myself that are coming into adulthood, they are looking for that excitement. They are looking for that opportunity. They are looking to be builders themselves.

Well, by increasing the rule 701 threshold to \$10 million, it will give

these private companies more flexibility to attract, reward, and retain those employees. This simple change would allow companies to offer twice as much stock to their employees annually without having to trigger additional disclosure information to investors about those compensation packages that include securities offerings.

By reforming this regulatory burden, Mr. Speaker, startups, small businesses, and emerging growth companies will be better equipped to attract highly talented individuals from companies that are better capitalized and able to provide cash compensation. By incentivizing employees with stock options, small businesses will now be able to compete on a more level playing field in order to retain those valuable employees rather than seeing them flee to cash, frankly.

This bill is an example, I believe, of positive, bipartisan results that can be achieved when Republicans and Democrats reach across the aisle. I commend our sponsors of the bills, Representative HULTGREN, who spoke a little earlier; Representatives DELANEY, HIGGINS, MACARTHUR, SINEMA, and STIVERS, for their leadership on this issue; and my friend from Colorado, as well, and what he is doing.

I encourage all my colleagues to support this rule and the underlying bill.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have had the opportunity to convene several roundtables in my district featuring employee-owned businesses, and it has been great to hear their stories, whether it is New Belgium Brewing, talking to employee owners who are excited to spend their time building value for themselves and creating stability in their own job and bringing a wonderful craft brew product to people in all the States in which they distribute, or medical care companies and so many others that have different variations of employee ownership.

As a private sector entrepreneur before I came to Congress, I founded several companies in the technology sector. My companies used stock options for every employee, ranging from entry-level front desk and telephone all the way to executive positions; and, frankly, Mr. Speaker, that has become the standard in the tech industry.

So many venture-backed companies and technology companies provide stock options across the board such that people who participate in building that value are able to also participate in sharing the value that is created. That is one of the great aspects of the technology sector, in particular, and the startup sector that I hope can export to other sectors.

On the margins, this bill will make it a little bit easier for small and mid-sized companies to provide equity compensation to employees. But again, we

need to do a lot more. We need to do a lot more culturally to make this the norm. We need to do a lot more from a tax perspective and from a regulatory perspective to make it easier for companies to share ownership with employees so that employees can benefit from the value that is being created.

It is considered the cultural norm and the best practice within the technology entrepreneurship sector, and I hope that that can carry across to other sectors as well. It is very important to have an economy that works for everybody, and employee ownership is a critical linchpin of that effort.

Mr. Speaker, we are debating on a rule and a bill that makes it easier for companies to offer employee stock as part of their compensation; but, unfortunately, the backdrop to this discussion is that there continues to be an enduring wage gap in which women are simply not paid the same as men for doing the same job. Any efforts by us to strengthen compensation packages continue to remain hollow for 51 percent of the country—women.

Today is Equal Pay Day. I wish you, Mr. Speaker, a happy Equal Pay Day, and it is time that we do something to address pay and equity in our country.

If we defeat the previous question, I will offer an amendment to the rule to bring up Representative DELAURO's Paycheck Fairness Act in addition to the legislation we have been debating, H.R. 1343. So what that means is I will still bring forward this legislation. I will just also bring forward the Paycheck Fairness Act, which I am a proud cosponsor of.

Sometimes when we move the previous question, we bring forward a piece of legislation in lieu of the legislation that we bring to the floor under the rule. In this case, once we defeat the previous question, I will offer both of those bills: this employee stock ownership bill and the bill to address paycheck inequity, the Paycheck Fairness Act.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, the gentleman from Connecticut (Ms. DELAURO) may be joining us on the floor in a few minutes to talk about her proposal.

I have an article written by Ms. DELAURO that I include in the RECORD.

[From *Cosmopolitan*, Apr. 4, 2017]

WE WILL WIN THE FIGHT FOR EQUAL PAY

(By Rosa DeLauro)

Think about 20 cents. It doesn't feel very significant—there isn't much you could buy with it. But over a lifetime, those 20 cents add up in a major way.

Today, we have reached yet another Equal Pay Day—the day on which the average woman's earnings finally catch up to what the average man made last year. This year's Equal Pay Day falls 94 days into 2017—94 days too late.

Women are nearly half the workforce—yet they still only earn about 80 cents on average, to a man's dollar. The gap widens even further when you consider women of color—African-American women make 63 cents on the dollar, while Latinas make only 54 cents on average, compared with what white men earn. This is unacceptable.

The National Women's Law Center found that based on today's wage gap, a woman starting her career now will lose \$418,800 over a 40-year career. For African-Americans, the losses are \$840,040. And for Latinas, the lifetime gap is over \$1 million.

These disparities exist at all levels of education and occupation—even at the very top. The world champion U.S. women's soccer team is fighting for pay equality, as are Academy-Award winning actresses from Emma Stone to Viola Davis and Patricia Arquette, who have used their platforms to call for equal pay in Hollywood.

Men and women in the same job should have the same pay. Period. Wage discrimination takes place not just on the soccer field or the silver screen, but in the board room, on the factory floor, and in countless other workplaces across the country. That is why I am fighting for equal pay—for all women.

I am fighting for AnnMarie in Massachusetts, who found out, years into her job, that the university she worked for was paying men more for the same work. I am fighting for Terri in Tennessee, who only discovered she was making less than she deserved because her husband held the exact same job and was paid more! And I am fighting for ReShonda in Iowa, who discovered that her own father was paying women less when she went to work in the family business. Pay discrimination in the workplace is real—and it is happening everywhere.

Pay inequity does not just affect women—it affects children, families, and our economy as a whole. That is because women in this country are the sole or co-breadwinner in half of families with children. The biggest problem facing our country today is that families are not making enough to live on—and closing the wage gap would help address that problem.

Over 50 years ago, Congress came together—in a bipartisan fashion—to pass the Equal Pay Act and end what President John F. Kennedy called “the serious and endemic problem” of unequal wages. The Equal Pay Act made it illegal for employers to pay men and women differently for substantially equal work. Yet we still have so far to go to close the wage gap.

In 2009, we took a critical step forward with the passage of the Lilly Ledbetter Fair Pay Act, which kept the courthouse door open to sue for pay discrimination. But we must continue the fight and finish the job by passing into law the Paycheck Fairness Act.

I first introduced the Paycheck Fairness Act on June 24, 1997—almost 20 years ago. The Paycheck Fairness Act will mean real progress in the fight to eliminate the gender wage gap and help families. The act ensures that employers who try to justify paying a man more than a woman for the same job must show the disparity is not sex-based, but job-related and necessary. It prohibits employers from retaliating against employees who discuss or disclose salary information with their coworkers. The bill would also

allow women to join together in class-action lawsuits where there are allegations of sex-based pay discrimination.

The bill actually passed the House twice, with bipartisan support. Yet it has never made it to the president's desk—despite the fact that this is an issue that affects every single state in this country. In the last session of Congress, I was proud to have every single Democratic member of Congress signed onto the Paycheck Fairness Act—and even one Republican!

But we need to keep fighting. When women raise their voices, we get results. Take the recent victory for the U.S. women's national hockey team who were able to negotiate a historic new contract to address pay inequality. They spoke up—even threatening to boycott the International Ice Hockey Federation World Championship games—and their voices were heard.

In January, I attended the Women's March in Washington. The organic energy—the real, tangible power of the people—was unlike anything I have ever seen. It was a stark reminder of what we can achieve together, when we speak with one voice and demand what we deserve.

When I looked out at the sea of pink hats and powerful, handmade signs, I thought of my mother. When she was born, women could not even vote. Yet today, her daughter is a congresswoman. When we fight for equal pay for equal work, we carry on the legacy of all the women who have fought before us. And when we finally succeed, we will create a better future for all the women who will follow us.

Equal pay is an idea whose time has come—in fact, it is long overdue. But we have the power. We have the momentum. And I believe that we will win.

Mr. POLIS. Mr. Speaker, Congresswoman DELAURO's article from *Cosmopolitan* magazine, dated April 4, 2017, today, talks about how, over a lifetime, the 20 cents that women are missing every paycheck on a dollar earned by men adds up. In fact, the National Women's Law Center found that a woman starting her career now will lose over \$400,000 over a 40-year career. That could be a house. That could be college for two kids or three kids. That could be a family vacation every year. That means a lot, which is why we need to defeat the previous question and move forward on both of these worthy bills.

Mr. Speaker, I reserve the balance of my time.

□ 1300

Mr. BUCK. Mr. Speaker, I have no other speakers, and I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume, and say to the gentleman that I do have one other speaker on the way.

Mr. Speaker, this bill under consideration is a small but significant step to help companies increase worker ownership to help improve the overall equity of our economy. I hope that this bill, along with the other two coming to the floor later this week, are the start of something. I hope they are a sign that this body will actually consider meaningful, bipartisan, practical, and com-

monsense legislation to address the issues the American people sent us to Washington to fix: creating jobs, growing our economy, reforming our Tax Code, and fixing our broken immigration system.

I hope my colleagues support the underlying legislation, H.R. 1343, oppose the rule, and defeat the previous question so I can bring forward not only the employee stock ownership rule, but also the Paycheck Fairness Act here on Equal Pay Day across America so that we can make sure as we are talking about making sure that women receive the same cash and ownership in recognition of their efforts as employees across the country.

This bill will hopefully pass overwhelmingly. I just wish it could be an example of how we could work under an open rule and give Democrats and Republicans a chance to build upon and improve legislation. There have been zero open rules under Speaker RYAN since he has taken over the Speaker's gavel promising, ironically, a more open process. It is about time.

If not this bill, what bill, Mr. Speaker? If not a bill with strong bipartisan support that Democratic and Republican leaders are committed to bringing across the finish line, when can we have an open process that allows us as legislators to bring forward our amendments in response to debate on the floor in realtime?

I wish that this would have been that bill. And I hope that by defeating this rule, we can send a message back to the Rules Committee that we should consider open rules for these kinds of bipartisan legislation.

Promoting employee stock ownership is incredibly important. To have a multistakeholder economy that works for everybody will help address a lot of the legitimate concerns that Americans have, that workers and employees have not shared, and the great amount of value that has been created.

Mr. Speaker, I yield 4 minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURO) to further discuss our proposal on the previous question on Equal Pay Day and the Paycheck Fairness Act.

Ms. DELAURO. Mr. Speaker, I rise in strong opposition to the previous question and to the rule. If we defeat this rule, we can enable the House of Representatives to vote on the Paycheck Fairness Act.

Today is Equal Pay Day. This is the day that the average woman's earnings finally catch up to what the average man made last year—and we are 94 days into 2017.

Women are nearly half the workforce, yet they still only earn about 80 cents, on average, to a man's dollar. The gap widens even further when you consider women of color. African-American women make 63 cents on the dollar, while Latinas make only 54

cents, on average, compared with White men.

This is unacceptable. The National Women's Law Center found that, based on today's wage gap, a woman starting her career will lose \$418,800 over a 40-year career. For African-American women, the losses are \$840,000. For Latinas, the lifetime gap is over \$1 million.

This disparity, by the way, exists at all levels of education and occupation—even at the very top. The world champion U.S. women's soccer team is fighting for pay equity, as are Academy Award-winning actresses like Emma Stone and Viola Davis, who have used their platforms to call for equal pay in Hollywood. The fact that women at the top of their field feel the repercussions of this issue speaks to its pervasiveness. Women from the boardroom to the factory floor and in every industry in every State are hurt by the wage gap.

The biggest issue of our time is that people are not making enough to live on, and their jobs just don't pay them enough money. Pay inequity does not just affect women; it affects children, families, and our economy as a whole, and that is because women in this country are the sole or co-breadwinner in half of families with children today.

I first introduced the Paycheck Fairness Act on June 24, 1997, almost 20 years ago. The Paycheck Fairness Act will mean real progress in the fight to eliminate the gender wage gap and help families. The act ensures that employers who try to justify paying a man more than a woman for the same job must show the disparity is not sex-based but job-related and necessary. It prohibits employers from retaliating against employees who discuss or disclose salary information with their coworkers. The bill would allow women to join together in class action lawsuits where there are allegations of sex-based pay discrimination.

This bill, by the way, has passed the House of Representatives twice in a bipartisan way. Today we have 198 cosponsors of that bill, and, yes, it is bipartisan. We can pass this piece of legislation in this body. We have not been able to get it to the President's desk despite the fact that this is an issue that affects every single State in this country.

Every year I hope we never have to recognize this day again because equal pay will be the law of the land. Men and women in the same job deserve the same pay. It is true in the House of Representatives; it should be true all over this country. We are men and women in this body who come from different parts of the country with different skill sets, different educational backgrounds, and different philosophies, and, yes, we get paid the same amount of money. Let's make sure that the Paycheck Fairness Act is the

law of the land. The time has come for equal pay.

Mr. BUCK. Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself the balance of my time.

I want to thank Ms. DELAURO for her tireless advocacy on behalf of equal pay. I would also encourage my colleagues to join me in cosponsoring the Equal Rights Amendment to the U.S. Constitution. It is about time. Today, on Equal Pay Day, let's enshrine equality between men and women into the U.S. Constitution.

If we can defeat the previous question, we will bring forward H.R. 1343, the employee stock ownership bill, but we will also bring forward the Paycheck Fairness Act so that we can do a little more work of the people's work here in the House of Representatives and help make sure that we can look ourselves in the mirror knowing that men and women will both benefit equally from a hard day's work.

Mr. Speaker, I encourage my colleagues to vote "no" on the rule to defeat the previous question and to vote "yes" on H.R. 1343 as a first step to encouraging an economy that works for everybody and employee stock ownership.

Mr. Speaker, I yield back the balance of my time.

Mr. BUCK. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, we often talk about coming together in support of good policy. We all have friends on both sides of the aisle, and we routinely promise to work together on issues upon which we agree. Most of us speak in front of our constituents about our desire to work with the other party. However, we all know that Americans perceive us to be constantly engaged in partisan conflict.

It is unfortunate that we are not able to work together on good legislation more often. It is understandable that Americans feel disappointed by Washington's partisan sniping. But here before us today is a bill with wide bipartisan support. Not only has it already received numerous bipartisan votes, there were only two amendments offered to the bill. One amendment was withdrawn because it was not germane. The other amendment from my good friend from Colorado and the Rules Committee, Mr. POLIS, is simply requiring a report.

Why is this bill so noncontroversial?

I believe it has to do with the process by which we received this legislation. The Committee on Financial Services held hearings as far back as 2015 in which problems with the SEC rule were raised by small-business owners.

The sponsor of this bill, Mr. HULTGREN, worked with his Democratic colleagues on the committee and introduced a proposal to reform the SEC rule. Chairman HENSARLING held a full

committee markup last month which allowed for full debate and amendment, and now we have the bill on the floor this week. Good process produces good policy. But perhaps equally as important, good process helps instill faith in this institution. When Americans see us take up an issue, hear their concerns, and work together to find a commonsense solution, they will trust us to tackle even bigger problems.

This may not be the largest legislative product that Chairman HENSARLING and the Financial Services Committee produce in this Congress, but, nevertheless, it is an important work that is helping us solve problems faced by American small businesses. This legislation ensures that the employees of America's small businesses can take ownership in their companies and their jobs. It reduces regulatory encroachment on America's job creators and helps our small businesses expand and grow.

I thank Representative HULTGREN for bringing this bill before us. I commend Chairman HENSARLING for working with both sides of the aisle and for following a good process on this legislation.

Mr. Speaker, I urge my colleagues to vote "yes" on the rule and vote "yes" on the bill.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 240 OFFERED BY
MR. POLIS

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1869) to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1869.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution. . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BUCK. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 1304, SELF-INSURANCE PROTECTION ACT

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 241 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 241

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1304) to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to exclude from the definition of health insurance coverage certain medical stop-loss insurance obtained by certain plan sponsors of group health plans. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Alabama is recognized for 1 hour.

Mr. BYRNE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BYRNE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BYRNE. Mr. Speaker, in 2010, then-President Obama said: "If you like your health insurance plan, you can keep it."

Unfortunately, at least 4.7 million Americans now know that was simply

not true. ObamaCare was a takeover of the American healthcare system. The law's mandates have been burdensome, destroying 300,000 small-business jobs and forcing an estimated 10,000 small businesses to close. Premiums are skyrocketing, and choices are dwindling.

House Resolution 241 provides for the consideration of H.R. 1304, the Self-Insurance Protection Act, an important part of the Republican effort to repair the damage ObamaCare has done to insurance markets. More than 150 million Americans—62 percent of workers—receive their health insurance from their employer. In fact, almost all firms with at least 200 or more employees offer health benefits, and just over half of smaller firms with 3 to 199 employees offer health insurance.

Overwhelmingly, Americans and their employers like this system of employer-sponsored health care; and for many years, employer health plans have been successfully regulated by the Employee Retirement Income Security Act, or ERISA.

□ 1315

Typically, small and large employers offer healthcare coverage to employees either in self-funded arrangements or purchase fully insured plans from an insurer.

Under self-insurance plans, employers cover the costs of their employees' medical expenses. Employers can either process claims in-house or work with a third-party administrator to oversee and implement the plans.

ERISA regulates both fully insured and self-insured plans, but only self-insured plans are exempt from the patchwork of mandates imposed under State insurance law. Furthermore, employer-sponsored self-insured plans are not subject to the same requirements under ObamaCare, as are fully insured plans.

Thus, self-insurance plans are desirable and successful because they are free from many government restrictions and regulations and allow employers to tailor their plans to meet the unique needs of their employees and to innovate.

For example, these plans do not require employees to purchase government-mandated coverage options that their employees do not want or need. This helps lower costs for working families while ensuring access to high-quality health care.

In hearings before the Education and the Workforce Committee, on which I sit, we heard testimony that today self-insurance is often the only way employers can afford coverage, thanks to the burdens of ObamaCare.

Mr. Speaker, in Alabama, we like to say: if it ain't broke, don't fix it. Prior to ObamaCare, there were problems in our Nation's healthcare system, but the successful model of employer self-insurance wasn't one of them. Today,

self-insurance remains perhaps the best way for employers to provide health care to their workers.

Unfortunately, the prior administration seemed intent on disrupting this successful healthcare model. Rather than leave self-insurance plans alone, they repeatedly explored ways to impose new regulations that would negatively impact self-insurance. Specifically, the Obama administration wanted to disrupt the model by regulating stop-loss insurance and treating it as if it were health insurance.

Employers who self-insure often purchase stop-loss insurance to cover large medical claims and to protect against the financial risks such claims can pose. Despite decades of Federal regulation on employer health plans under ERISA, stop-loss insurance has never been regulated by the Federal Government. That is because stop-loss insurance is actually a financial risk management tool designed to protect employers from catastrophic claim expenses. Remarkably, in a regulatory grab, the Obama administration tried to reclassify it as "group health insurance."

Mr. Speaker, if the last 7 years have taught us anything, it is that more Federal control over health insurance does not make health care more affordable for the American people. Stop-loss insurance is not health insurance, and it should not be regulated like it is.

The Self-Insurance Protection Act simply updates the law to make clear that Federal bureaucrats cannot redefine stop-loss insurance as group health insurance. This is about reaffirming longstanding policies and ensuring workers continue to have access to a health insurance model that is proven to lower costs and provide flexibility to consumers.

This bill will provide workers and employers alike with the regulatory certainty that they have desperately wanted and needed. They shouldn't have to worry about unelected Federal bureaucrats stepping in and destroying their healthcare system.

To put it simply, this bill is necessary in order to prevent future bureaucratic overreach that would destroy the self-insurance model that has been so successful for so many working families.

I also think this bill is an area where we should have some bipartisan cooperation. It passed out of the Education and the Workforce Committee earlier this year on a voice vote, and I hope it earns bipartisan support here in the full House.

As we continue our efforts to increase choices, lower costs, and provide better healthcare options for working families, let us not forget to shore up and protect the health insurance programs that are actually working and getting the job done.

Mr. Speaker, I urge my colleagues to support House Resolution 241 and the underlying bill.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman for yielding me the customary 30 minutes for debate.

Mr. Speaker, I rise today to debate a rule for a piece of legislation that many on this side of the aisle do not necessarily have a serious issue with. The attempt here today is to ensure that a thing that is already happening continues to happen.

I suppose that, the next time we meet, we will take up a bill that declares that the Moon is not the Sun. Doing so is a complete waste of time, but that does not seem to necessarily be dispositive when deciding whether we should legislate on an issue these days.

Look, I get it. My friends across the aisle took one on the chin the other week when their Affordable Care Act repeal bill—a bill they spent 17 days working on, even though they had 7 long years to prepare for it—went down in flames in a most public and spectacular fashion, and now they need some time to dust themselves off and become reoriented.

The problem is, while they are doing that, while they are recovering from the miserable failure that was their attempt to strip 24 million Americans of their health care, they are burning valuable time—time that should be used to tackle more pressing issues like addressing the debt ceiling and fixing our crumbling infrastructure.

Let me also take this opportunity to remind my Republican colleagues that, while we spend our time here today debating these filler bills, there are only 7 legislative days, including today, remaining before the government runs out of funding. But are we tackling any of these importance issues or ensuring the government remains open? No.

Instead, we have before us a bill that addresses an issue that is not an issue. On top of that, this legislation was actually supposed to be the third bucket of their three-bucket strategy to end health care for millions of Americans.

We saw how sturdy the first bucket was a couple of weeks ago. In fact, the bucket we are talking about today was actually referred to as the “sucker’s bucket” by Senator CRUZ. That is not exactly a glowing endorsement.

Indeed, some, like Senator COTTON, have referred to all this bucket talk as simply a bunch of political spin. Whatever it is, it is certainly a bucket that has a hole in it.

In all of the uncertainty facing my Republican friends, one thing becomes crystal clear: they have no plan whatsoever to help working Americans achieve the American Dream. They are

adrift, in general, and most particularly when it comes to health care.

What do they really want? At first, it was repeal, then it was repeal and replace, then it was repeal and delay, followed finally by access to coverage, and would you believe another one: patient-centered.

That is repeal, repeal and replace, repeal and delay, access to coverage, and patient-centered. We still don’t have a plan. Then it turned toward a three-bucket strategy that makes little to any sense, let alone to the American people but even to powerful elected leaders in the Republican Party.

At the end of the day, Mr. Speaker, do you know what all this talk was? Exactly what Senator COTTON said: nothing but political spin.

My fear is that it will all come down to whatever it takes to win in the eyes of the other side of the aisle, regardless of the consequences to the American people.

While we were told there was no plan B, we now hear there is a plan B. Donald John Trump “doesn’t lose,” and doesn’t like to lose. So I guess they are going to pass something, even if it is just this bill that does absolutely nothing, just so our Republican friends can say they did something. I am sure Donald John Trump will tweet about this great victory.

Mr. Speaker, Republicans must end their secretive plan B option and embrace the opportunity to do what is right, which is to pursue a path that strengthens and builds upon the strong foundation that has been set by the Affordable Care Act.

Democrats stand ready to work with my friends in the Republican Party on this task to continue to provide affordable coverage to millions of American citizens.

Mr. Speaker, I reserve the balance of my time.

Mr. BYRNE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, my colleague from Florida said that the Moon is not the Sun. Well, stop-loss insurance is not health insurance, but the Obama administration tried to make it so. Because they tried to make it so, we need to put into statutory law what I think we all agree on both sides of the aisle not only is the law but should be the law so that there is no question about it in the future. It is unfortunate we have to do that, but, because of some of the actions of the prior administration, it is necessary.

He talked about the strong foundation of the ACA, ObamaCare. That foundation is crumbling beneath the program. We now have more insurers jumping out of exchanges. My home State of Alabama is down to one carrier on the exchange. Soon enough, we may find that, in Alabama, like some other States, there are no carriers. This isn’t a foundation. It is a founda-

tion made of sand—and the sand is leaking out. Something has to be done.

Today’s bill is a step—not the only step—in that direction. I know my colleagues on the other side of the aisle agree with what we are doing here in substance, and I wish we would just come together and get this bill done so that we can assure that the self-insured smaller employers and larger employers have the protection that they need for the working families that participate in their programs.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, yesterday, Donald John Trump signed into law a measure that eliminates Americans’ internet privacy. With Trump’s signature, internet service providers will now be able to sell your personal information to the highest bidder.

Mr. Speaker, we stand here ready to fight for the privacy of the American people.

If we defeat the previous question, I am going to offer an amendment to the rule to bring up legislation which would reinstate the Federal Communications Commission’s internet privacy rule.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS. Mr. Speaker, I yield 5 minutes to the gentlewoman from Nevada (Ms. ROSEN), a member of the Armed Services and Science, Space, and Technology Committees to discuss our proposal.

Ms. ROSEN. Mr. Speaker, if today’s vote on the previous question fails, we will have the opportunity to vote on my bill, H.R. 1868, Restoring American Privacy Act of 2017, which will reverse last night’s disastrous action by President Trump when he signed a partisan congressional resolution allowing internet providers to sell their customers’ personal information without their knowledge or consent.

Before my time in Congress, I started my career as a systems analyst. I have firsthand experience writing code, and I can tell you that the first thing to protect vulnerable and sensitive data is to make sure it is kept private.

S.J. Res. 34, which the House passed last Tuesday, unraveled those vital protections for sensitive information belonging to millions of Americans nationwide.

□ 1330

The resolution negating essential protections for private citizens was signed by President Trump last night.

The October 2016 FCC rule was the only rule that required internet service providers to obtain consumers' permission before selling their private internet browsing history and other sensitive information.

I am simply shocked that my colleagues across the aisle would vote for a measure that violates American privacy by selling your most personal and intimate information, including your email content and your app usage, all without your consent. Not only is this wrong and a blatant violation of policy, but it jeopardizes Americans' personal data and puts them at risk of hacking.

Repealing the FCC rule with S.J. Res. 34 allows broadband providers to turn over your info to the highest bidder or anyone else they want, including the government, without a warrant, without ever telling you. That is right. I will repeat it. Repealing the FCC rule with S.J. Res. 34 allows broadband providers to turn over your private information to the highest bidder or anyone else they want, including the government, without a warrant, without ever telling you.

Even worse, S.J. Res. 34 also tells providers they no longer have to use reasonable measures to protect consumers' personal information. This is absolutely unacceptable. We are living in a time where identity theft and internet hacking has become the new norm. We must provide consumers with these protections. No American wants their most personal information to be up for grabs.

Eliminating this rule prevents the FCC from publishing rules that are substantially the same absent additional legislation, establishing a very dangerous precedent for private citizens. Americans should have the right to decide how their internet providers use their personal information.

What this bill does, Mr. Speaker, is simple. This bill makes clear that the American people's browser histories are not for sale. The American people's health information: not for sale. The American people's financial information: not for sale. And the American people's location data: not for sale.

It is a simple concept and one I hope my colleagues across the aisle will recognize and support. The American people don't want the legislation that was signed last night. In overwhelming numbers, they are calling Congress and letting it be known that they want to keep their private information private.

I am proud to stand up for the American people by introducing the Restoring American Privacy Act of 2017, which reverses this misguided resolution and says, once and for all, that ISPs cannot sell customers' personal information without their knowledge, without their permission. This bill says that your privacy is not for sale, period.

Mr. BYRNE. Mr. Speaker, I reserve the balance of my time to close.

Mr. HASTINGS. Mr. Speaker, I yield myself the balance of my time.

It is time for my friends on the other side of the aisle to end their self-proclaimed political spin designed to bewilder and confuse average Americans, making them believe that their Republican representatives are fighting for the future of their health care and the health care of their families, when what they are really doing is fighting for powerful corporate interests.

Now is the time for us to face facts and accept truths.

Fact: House Republicans made an attempt to replace the Affordable Care Act with a bill that caused such an outcry from their own constituents that they were forced to pull it.

Truth: There are serious issues in health care that need to be addressed for the betterment of all Americans, and it is going to take the effort of both parties in both the House and the Senate working together to strengthen our healthcare system.

No more smokescreens, no more political rhetoric, only collaborative discourse using only the well-being of the American people as our compass. It is this approach that will steer us back onto course for the betterment of this and future generations. Unfortunately, this bill does not further that effort.

Mr. Speaker, I urge a "no" vote on the rule and underlying measure, and I yield back the balance of my time.

Mr. BYRNE. I yield myself the balance of my time.

Mr. Speaker, I thank my colleague from Florida for his remarks. I completely agree with him. Both parties should be working together to make sure that we provide what we can reasonably for the health care of the people of America, and we should be collaborating, not just in this House across the aisle but in the Senate as well. I think it is a good place to start right here with this bill because we really don't have a substantive disagreement about this bill.

Both sides understand that stop-loss insurance is not health insurance. It is just the Obama administration tried to turn it into that. This bill would stop that and bring the certainty we need back to these self-insured plans that mainly small employers have and make sure that we have in place for working families across America a system that is working for them and maintain that.

I hope that my colleagues on the other side of the aisle will join with us, will collaborate with us, and that our colleagues in the other House, in the Senate, will do as well and pass this legislation because it truly is bipartisan in substance and, I hope today, in the vote.

Mr. Speaker, I again urge my colleagues to support House Resolution 241 and the underlying bill.

The material previously referred to by Mr. HASTINGS is as follows:

AN AMENDMENT TO H. RES. 241 OFFERED BY
MR. HASTINGS

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1868) to provide that providers of broadband Internet access service shall be subject to the privacy rules adopted by the Federal Communications Commission on October 27, 2016. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1868.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate

vote on adopting the resolution. . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here’s how the Republicans describe the previous question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler’s Procedure in the U.S. House of Representatives, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority’s agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BYRNE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of the resolution, if ordered; ordering the previous question on House Resolution 240; and adoption of House Resolution 240, if ordered.

The vote was taken by electronic device, and there were—yeas 232, nays 188, not voting 9, as follows:

[Roll No. 211]

YEAS—232

Abraham	Barr	Bost
Aderholt	Barton	Brady (TX)
Allen	Bergman	Brat
Amash	Biggs	Brooks (AL)
Amodei	Bilirakis	Brooks (IN)
Arrington	Bishop (MI)	Buchanan
Babin	Bishop (UT)	Buck
Bacon	Black	Bucshon
Banks (IN)	Blackburn	Budd
Barletta	Blum	Burgess

Byrne	Hultgren	Ratcliffe
Calvert	Hunter	Reed
Carter (GA)	Hurd	Reichert
Carter (TX)	Issa	Renacci
Chabot	Jenkins (KS)	Rice (SC)
Chaffetz	Jenkins (WV)	Roby
Cheney	Johnson (LA)	Roe (TN)
Coffman	Johnson (OH)	Rogers (KY)
Cole	Johnson, Sam	Rohrabacher
Collins (GA)	Jones	Rokita
Collins (NY)	Jordan	Rooney, Francis
Comer	Joyce (OH)	Rooney, Thomas J.
Comstock	Katko	Ros-Lehtinen
Conaway	Kelly (MS)	Roskam
Cook	Kelly (PA)	Ross
Costello (PA)	King (IA)	Rothfus
Cramer	King (NY)	Rouzer
Crawford	Kinzing	Royce (CA)
Culberson	Knight	Russell
Curbelo (FL)	Kustoff (TN)	Rutherford
Davidson	Labrador	Sanford
Davis, Rodney	LaHood	Scalise
Denham	LaMalfa	Schweikert
Dent	Lamborn	Scott, Austin
DeSantis	Lance	Sensenbrenner
DesJarlais	Latta	Sessions
Diaz-Balart	Lewis (MN)	Shimkus
Donovan	LoBiondo	Shuster
Duffy	Long	Simpson
Duncan (SC)	Loudermilk	Smith (MO)
Duncan (TN)	Love	Smith (NE)
Dunn	Lucas	Smith (NJ)
Emmer	Luetkemeyer	Smith (TX)
Farenthold	MacArthur	Smucker
Faso	Marchant	Stefanik
Ferguson	Marino	Stewart
Fitzpatrick	Marshall	Stivers
Fleischmann	Massie	Taylor
Flores	Mast	Tenney
Fortenberry	McCarthy	Thompson (PA)
Fox	McCaul	Thornberry
Franks (AZ)	McClintock	Tiberi
Frelinghuysen	McHenry	Tipton
Gaetz	McKinley	Trott
Garrett	McMorris	Turner
Gibbs	Rodgers	Upton
Gohmert	McSally	Valadao
Goodlatte	Meadows	Wagner
Gosar	Meehan	Walberg
Gowdy	Messer	Walden
Granger	Mitchell	Walker
Graves (GA)	Moolenaar	Walorski
Graves (LA)	Mooney (WV)	Walters, Mimi
Graves (MO)	Mullin	Weber (TX)
Griffith	Murphy (PA)	Webster (FL)
Guthrie	Newhouse	Wenstrup
Harper	Noem	Westerman
Harris	Nunes	Williams
Hartzler	Olson	Wilson (SC)
Hensarling	Palazzo	Wittman
Herrera Beutler	Palmer	Womack
Hice, Jody B.	Paulsen	Woodall
Higgins (LA)	Pearce	Yoder
Hill	Perry	Yoho
Holding	Pittenger	Young (AK)
Hollingsworth	Poe (TX)	Young (IA)
Hudson	Poliquin	Zeldin
Huizenga	Posey	

NAYS—188

Adams	Chu, Judy	DeSaulnier
Aguilar	Cicilline	Deutch
Barragán	Clark (MA)	Dingell
Bass	Clarke (NY)	Doggett
Beatty	Clay	Doyle, Michael F.
Bera	Cleaver	Ellison
Beyer	Clyburn	Engel
Bishop (GA)	Cohen	Eshoo
Blumenauer	Connolly	Espallat
Blunt Rochester	Conyers	Esty
Bonamici	Cooper	Evans
Boyle, Brendan F.	Correa	Foster
Brady (PA)	Courtney	Frankel (FL)
Brown (MD)	Crist	Fudge
Brownley (CA)	Crowley	Gabbard
Bustos	Cuellar	Gallagher
Butterfield	Cummings	Garamendi
Capuano	Davis (CA)	Gonzalez (TX)
Carbajal	DeFazio	Gottheimer
Cárdenas	DeGette	Green, Al
Carson (IN)	Delaney	Green, Gene
Cartwright	DeLauro	Grijalva
Castor (FL)	DeBene	Gutiérrez
Castro (TX)	Demings	Hanabusa

Hastings	Maloney,	Sánchez
Heck	Carolyn B.	Sarbanes
Higgins (NY)	Maloney, Sean	Schakowsky
Himes	Matsui	Schiff
Hoyer	McCollum	Schneider
Huffman	McGovern	Schrader
Jackson Lee	McNerney	Scott (VA)
Jayapal	Meeks	Scott, David
Jeffries	Meng	Serrano
Johnson (GA)	Moore	Sewell (AL)
Johnson, E. B.	Moulton	Shea-Porter
Kaptur	Nadler	Sherman
Keating	Napolitano	Sinema
Kelly (IL)	Neal	Sires
Kennedy	Nolan	Smith (WA)
Khanna	Norcross	Soto
Kihuen	O'Halleran	Speier
Kildee	O'Rourke	Suozi
Kilmer	Pallone	Swalwell (CA)
Kind	Panetta	Takano
Krishnamoorthi	Pascarell	Thompson (CA)
Kuster (NH)	Payne	Thompson (MS)
Langevin	Pelosi	Titus
Larsen (WA)	Perlmutter	Tonko
Larson (CT)	Peters	Torres
Lawrence	Peterson	Tsongas
Lawson (FL)	Pingree	Vargas
Lee	Pocan	Veasey
Levin	Polis	Vela
Lewis (GA)	Price (NC)	Velázquez
Lieu, Ted	Quigley	Walsh
Lipinski	Raskin	Wasserman
Loebbeck	Rice (NY)	Schultz
Lofgren	Richmond	Waters, Maxine
Lowenthal	Rosen	Watson Coleman
Lowe	Roybal-Allard	Welch
Lujan Grisham,	Ruiz	Wilson (FL)
M.	Ruppersberger	Yarmuth
Luján, Ben Ray	Rush	
Lynch	Ryan (OH)	

NOT VOTING—9

Bridenstine	Grothman	Rogers (AL)
Davis, Danny	McEachin	Slaughter
Gallagher	Murphy (FL)	Visclosky

□ 1403

Mr. BRADY of Pennsylvania, Ms. KUSTER of New Hampshire, Messrs. RUSH, JOHNSON of Georgia, and Ms. CLARKE of New York changed their vote from “yea” to “nay.”

Mr. ISSA changed his vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. ROGERS of Kentucky). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HASTINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 234, noes 184, not voting 11, as follows:

[Roll No. 212]

AYES—234

Abraham	Bergman	Brooks (IN)
Aderholt	Biggs	Buchanan
Allen	Bilirakis	Buck
Amash	Bishop (MI)	Bucshon
Amodei	Bishop (UT)	Budd
Arrington	Black	Burgess
Babin	Blackburn	Byrne
Bacon	Blum	Calvert
Banks (IN)	Bost	Carter (GA)
Barletta	Brady (TX)	Carter (TX)
Barr	Brat	Chabot
Barton	Brooks (AL)	Chaffetz

Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa

NOES—184

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy

Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch

Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebach
Lowenthal
Lowe
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.

Bridenstine
Davis, Danny
Gallagher
Grothman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1413

Mr. PETERS changed his vote from “aye” to “no.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 1343, ENCOURAGING EMPLOYEE OWNERSHIP ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 240) providing for consideration of the bill (H.R. 1343) to direct the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers to provide certain disclosures relating to compensatory benefit plans, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 229, nays 187, not voting 13, as follows:

Maloney, Sean
Matsui
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarella
Payne
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rohrabacher
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)

NOT VOTING—11

Hoyer
McEachin
Murphy (FL)
Pelosi

Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Rogers (AL)
Slaughter
Visclosky

[Roll No. 213]

YEAS—229

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Garrett
Gibbs
Gohmert

Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson

NAYS—187

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.

Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy

Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney

Crist	Khanna	Pocan	Bergman	Guthrie	Peters	Doggett	Lawrence	Rice (NY)
Crowley	Kihuen	Polis	Biggs	Harper	Pittenger	Doyle, Michael F.	Lawson (FL)	Richmond
Cuellar	Kildee	Price (NC)	Bilirakis	Harris	Poe (TX)	Ellison	Lee	Rosen
Cummings	Kilmer	Quigley	Bishop (MI)	Hartzler	Poliquin	Engel	Levin	Roybal-Allard
Davis (CA)	Kind	Raskin	Bishop (UT)	Hensarling	Posey	Eshoo	Lewis (GA)	Ruiz
DeFazio	Krishnamoorthi	Rice (NY)	Black	Herrera Beutler	Ratcliffe	Espallat	Lieu, Ted	Ruppersberger
DeGette	Kuster (NH)	Richmond	Blackburn	Hice, Jody B.	Reed	Esty	Lipinski	Rush
Delaney	Langevin	Rosen	Blum	Higgins (LA)	Reichert	Evans	Loeb sack	Ryan (OH)
DeLauro	Larsen (WA)	Roybal-Allard	Bost	Hill	Renacci	Foster	Loftgren	Sánchez
DelBene	Larson (CT)	Ruiz	Brady (TX)	Holding	Rice (SC)	Frankel (FL)	Lowenthal	Sarbanes
Demings	Lawrence	Ruppersberger	Brat	Hollingsworth	Roby	Fudge	Lowey	Schakowsky
DeSaulnier	Lawson (FL)	Rush	Brooks (AL)	Hudson	Roe (TN)	Gabbard	Lujan Grisham, M.	Schiff
Deutch	Lee	Ryan (OH)	Brooks (IN)	Huizenga	Rogers (KY)	Gallego	Luján, Ben Ray	Schrader
Dingell	Levin	Sánchez	Buchanan	Hultgren	Rohrabacher	Garamendi	Lynch	Scott (VA)
Doggett	Lewis (GA)	Sarbanes	Buck	Hunter	Rokita	Gonzalez (TX)	Maloney, Carolyn B.	Scott, David
Doyle, Michael F.	Lieu, Ted	Schakowsky	Bucshon	Issa	Rooney, Francis J.	Green, Al	Maloney, Sean	Serrano
Ellison	Lipinski	Schiff	Budd	Jenkins (KS)	Ros-Lehtinen	Green, Gene	Matsui	Sewell (AL)
Engel	Loeb sack	Schneider	Burgess	Jenkins (WV)	Roskam	Grijalva	McCollum	Shea-Porter
Eshoo	Loftgren	Schrader	Byrne	Johnson (LA)	Ross	Gutiérrez	McGovern	Sherman
Espallat	Lowey	Scott (VA)	Calvert	Johnson (OH)	Rothfus	Hanabusa	McNerney	Sires
Esty	Lujan Grisham, M.	Scott, David	Carter (GA)	Johnson, Sam	Rouzer	Hastings	Meeks	Smith (WA)
Evans	Luján, Ben Ray	Serrano	Carter (TX)	Jones	Heck	Higgins (NY)	Meng	Soto
Foster	Lynch	Sewell (AL)	Chabot	Jordan	Hicks	Himes	Moore	Speier
Frankel (FL)	Maloney, Carolyn B.	Sinema	Chaffetz	Joyce (OH)	Russell	Huffman	Moulton	Swalwell (CA)
Fudge	Maloney, Sean	Sires	Cheney	Katko	Rutherford	Jackson Lee	Nadler	Takano
Gabbard	Matsui	Smith (WA)	Coffman	Kelly (MS)	Sanford	Jayapal	Napolitano	Thompson (CA)
Gallego	McCollum	Soto	Cole	Kelly (PA)	Scalise	Jeffries	Neal	Thompson (MS)
Garamendi	McGovern	Speier	Collins (GA)	King (IA)	Schneider	Johnson (GA)	Nolan	Titus
Gonzalez (TX)	McNerney	Suozi	Collins (NY)	King (NY)	Schweikert	Johnson, E. B.	Norcross	Tonko
Gottheimer	Meeks	Swalwell (CA)	Comstock	Kinzinger	Scott, Austin	Kaptur	O'Rourke	Torres
Green, Al	Meng	Takano	Conaway	Knight	Sensenbrenner	Keating	Pallone	Tsongas
Green, Gene	Moore	Thompson (CA)	Cook	Kustoff (TN)	Sessions	Kennedy	Panetta	Vargas
Grijalva	Moulton	Thompson (MS)	Costa	Labrador	Shimkus	Khanna	Pascrell	Veasey
Gutiérrez	Nadler	Titus	Costello (PA)	LaMalfa	Shuster	Kihuen	Payne	Vela
Hanabusa	Napolitano	Tonko	Cramer	Lamborn	Simpson	Kildee	Perlmutter	Velázquez
Hastings	Neal	Torres	Lance	Lewis (MN)	Sinema	Kilmer	Peterson	Walz
Heck	Nolan	Tsongas	Latta	LoBiondo	Smith (MO)	Kind	Pingree	Wasserman
Higgins (NY)	Norcross	Vargas	Lewis (TX)	Long	Smith (NE)	Krishnamoorthi	Pocan	Schultz
Himes	Veasey	Velázquez	Love	Loudermilk	Smith (NJ)	Kuster (NH)	Polis	Waters, Maxine
Huffman	Walz	Walsh	Lucas	Love	Smith (TX)	Langevin	Price (NC)	Watson Coleman
Jackson Lee	Wasserman	Wasserman	Luetkemeyer	Love	Smucker	Larsen (WA)	Quigley	Welch
Jayapal	Schultz	Wasserman	MacArthur	Lucas	Stefanik	Larson (CT)	Raskin	Wilson (FL)
Jeffries	Schultz	Wasserman	Marchant	Stewarts	Stewart			Yarmuth
Johnson (GA)	Waters, Maxine	Wasserman	Marino	Suozi	Taylor			
Johnson, E. B.	Watson Coleman	Wasserman	Marshall	Taylor	Tenney			
Jones	Welch	Wasserman	Duffy	Thompson (PA)	Thompson (PA)			
Kaptur	Wilson (FL)	Wasserman	Duncan (SC)	Thornberry	Tiberi			
Keating	Yarmuth	Wasserman	Duncan (TN)	Tipton	Trott			
Kelly (IL)		Wasserman	Dunn	Turner	Turner			
Kennedy		Wasserman	Emmer	Upton	Upton			

NOT VOTING—13

Bridenstine	Hurd	Rogers (AL)
Davis, Danny	McCarthy	Slaughter
Gallagher	McEachin	Visclosky
Grothman	Murphy (FL)	
Hoyer	Pelosi	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1421

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HASTINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 177, not voting 14, as follows:

[Roll No. 214]

AYES—238

Abraham	Amodei	Banks (IN)
Aderholt	Arrington	Barletta
Allen	Babin	Barr
Amash	Bacon	Barton

Adams	Butterfield	Conyers
Aguiar	Capuano	Cooper
Baragán	Carbajal	Correa
Bass	Cárdenas	Courtney
Beatty	Carson (IN)	Crist
Bera	Cartwright	Crowley
Beyer	Castor (FL)	Cuellar
Bishop (GA)	Castro (TX)	Cummings
Blumenauer	Chu, Judy	Davis (CA)
Blunt Rochester	Cicilline	DeFazio
Bonamici	Clark (MA)	DeGette
Boyle, Brendan F.	Clarke (NY)	DeLauro
	Clay	DelBene
Brady (PA)	Cleaver	Demings
Brown (MD)	Clyburn	DeSaulnier
Brownley (CA)	Cohen	Deutch
Bustos	Connolly	Dingell

NOES—177

NOT VOTING—14

Bridenstine	Hurd	Pelosi
Davis, Danny	Kelly (IL)	Rogers (AL)
Gallagher	McCarthy	Slaughter
Grothman	McEachin	Visclosky
Hoyer	Murphy (FL)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1430

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. KELLY of Illinois. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 214.

PERSONAL EXPLANATION

Mr. GALLAGHER. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 211, "yea" on rollcall No. 212, "yea" on rollcall No. 213, and "yea" on rollcall No. 214.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

WEATHER RESEARCH AND FORECASTING INNOVATION ACT OF 2017

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 353) to improve the National Oceanic and Atmospheric Administration's weather research through a focused program of investment on affordable and attainable advances in observational, computing, and modeling capabilities to support substantial improvement in weather forecasting and prediction of high impact weather events, to expand commercial opportunities for the provision of weather data, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Weather Research and Forecasting Innovation Act of 2017”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—UNITED STATES WEATHER RESEARCH AND FORECASTING IMPROVEMENT

Sec. 101. Public safety priority.

Sec. 102. Weather research and forecasting innovation.

Sec. 103. Tornado warning improvement and extension program.

Sec. 104. Hurricane forecast improvement program.

Sec. 105. Weather research and development planning.

Sec. 106. Observing system planning.

Sec. 107. Observing system simulation experiments.

Sec. 108. Annual report on computing resources prioritization.

Sec. 109. United States Weather Research program.

Sec. 110. Authorization of appropriations.

TITLE II—SUBSEASONAL AND SEASONAL FORECASTING INNOVATION

Sec. 201. Improving subseasonal and seasonal forecasts.

TITLE III—WEATHER SATELLITE AND DATA INNOVATION

Sec. 301. National Oceanic and Atmospheric Administration satellite and data management.

Sec. 302. Commercial weather data.

Sec. 303. Unnecessary duplication.

TITLE IV—FEDERAL WEATHER COORDINATION

Sec. 401. Environmental Information Services Working Group.

Sec. 402. Interagency weather research and forecast innovation coordination.

Sec. 403. Office of Oceanic and Atmospheric Research and National Weather Service exchange program.

Sec. 404. Visiting fellows at National Weather Service.

Sec. 405. Warning coordination meteorologists at weather forecast offices of National Weather Service.

Sec. 406. Improving National Oceanic and Atmospheric Administration communication of hazardous weather and water events.

Sec. 407. National Oceanic and Atmospheric Administration Weather Ready All Hazards Award Program.

Sec. 408. Department of Defense weather forecasting activities.

Sec. 409. National Weather Service; operations and workforce analysis.

Sec. 410. Report on contract positions at National Weather Service.

Sec. 411. Weather impacts to communities and infrastructure.

Sec. 412. Weather enterprise outreach.

Sec. 413. Hurricane hunter aircraft.

Sec. 414. Study on gaps in NEXRAD coverage and recommendations to address such gaps.

TITLE V—TSUNAMI WARNING, EDUCATION, AND RESEARCH ACT OF 2017

Sec. 501. Short title.

Sec. 502. References to the Tsunami Warning and Education Act.

Sec. 503. Expansion of purposes of Tsunami Warning and Education Act.

Sec. 504. Modification of tsunami forecasting and warning program.

Sec. 505. Modification of national tsunami hazard mitigation program.

Sec. 506. Modification of tsunami research program.

Sec. 507. Global tsunami warning and mitigation network.

Sec. 508. Tsunami science and technology advisory panel.

Sec. 509. Reports.

Sec. 510. Authorization of appropriations.

Sec. 511. Outreach responsibilities.

Sec. 512. Repeal of duplicate provisions of law.

SEC. 2. DEFINITIONS.

In this Act:

(1) **SEASONAL.**—The term “seasonal” means the time range between 3 months and 2 years.

(2) **STATE.**—The term “State” means a State, a territory, or possession of the United States, including a Commonwealth, or the District of Columbia.

(3) **SUBSEASONAL.**—The term “subseasonal” means the time range between 2 weeks and 3 months.

(4) **UNDER SECRETARY.**—The term “Under Secretary” means the Under Secretary of Commerce for Oceans and Atmosphere.

(5) **WEATHER INDUSTRY AND WEATHER ENTERPRISE.**—The terms “weather industry” and “weather enterprise” are interchangeable in this Act, and include individuals and organizations from public, private, and academic sectors that contribute to the research, development, and production of weather forecast products, and primary consumers of these weather forecast products.

TITLE I—UNITED STATES WEATHER RESEARCH AND FORECASTING IMPROVEMENT

SEC. 101. PUBLIC SAFETY PRIORITY.

In conducting research, the Under Secretary shall prioritize improving weather data, modeling, computing, forecasting, and warnings for the protection of life and property and for the enhancement of the national economy.

SEC. 102. WEATHER RESEARCH AND FORECASTING INNOVATION.

(a) **PROGRAM.**—The Assistant Administrator for the Office of Oceanic and Atmospheric Research shall conduct a program to develop improved understanding of and forecast capabilities for atmospheric events and their impacts, placing priority on developing more accurate, timely, and effective warnings and forecasts of high impact weather events that endanger life and property.

(b) **PROGRAM ELEMENTS.**—The program described in subsection (a) shall focus on the following activities:

(1) Improving the fundamental understanding of weather consistent with section 101, including the boundary layer and other processes affecting high impact weather events.

(2) Improving the understanding of how the public receives, interprets, and responds to warnings and forecasts of high impact weather events that endanger life and property.

(3) Research and development, and transfer of knowledge, technologies, and applications to the National Weather Service and other appropriate agencies and entities, including the United States weather industry and academic partners, related to—

(A) advanced radar, radar networking technologies, and other ground-based technologies, including those emphasizing rapid, fine-scale sensing of the boundary layer and lower troposphere, and the use of innovative, dual-polarization, phased-array technologies;

(B) aerial weather observing systems;

(C) high performance computing and information technology and wireless communication networks;

(D) advanced numerical weather prediction systems and forecasting tools and techniques that improve the forecasting of timing, track, intensity, and severity of high impact weather, including through—

(i) the development of more effective mesoscale models;

(ii) more effective use of existing, and the development of new, regional and national cloud-resolving models;

(iii) enhanced global weather models; and

(iv) integrated assessment models;

(E) quantitative assessment tools for measuring the impact and value of data and observing systems, including Observing System Simulation Experiments (as described in section 107), Observing System Experiments, and Analyses of Alternatives;

(F) atmospheric chemistry and interactions essential to accurately characterizing atmospheric composition and predicting meteorological processes, including cloud microphysical, precipitation, and atmospheric electrification processes, to more effectively understand their role in severe weather; and

(G) additional sources of weather data and information, including commercial observing systems.

(4) A technology transfer initiative, carried out jointly and in coordination with the Director of the National Weather Service, and in cooperation with the United States weather industry and academic partners, to ensure continuous development and transition of the latest scientific and technological advances into operations of the National Weather Service and to establish a process to sunset outdated and expensive operational methods and tools to enable cost-effective transfer of new methods and tools into operations.

(c) **EXTRAMURAL RESEARCH.**—

(1) **IN GENERAL.**—In carrying out the program under this section, the Assistant Administrator for Oceanic and Atmospheric Research shall collaborate with and support the non-Federal weather research community, which includes institutions of higher education, private entities, and nongovernmental organizations, by making funds available through competitive grants, contracts, and cooperative agreements.

(2) **SENSE OF CONGRESS.**—It is the sense of Congress that not less than 30 percent of the funds for weather research and development at the Office of Oceanic and Atmospheric Research should be made available for the purpose described in paragraph (1).

(d) **ANNUAL REPORT.**—Each year, concurrent with the annual budget request submitted by the President to Congress under section 1105 of title 31, United States Code, for the National Oceanic

and Atmospheric Administration, the Under Secretary shall submit to Congress a description of current and planned activities under this section.

SEC. 103. TORNADO WARNING IMPROVEMENT AND EXTENSION PROGRAM.

(a) *IN GENERAL.*—The Under Secretary, in collaboration with the United States weather industry and academic partners, shall establish a tornado warning improvement and extension program.

(b) *GOAL.*—The goal of such program shall be to reduce the loss of life and economic losses from tornadoes through the development and extension of accurate, effective, and timely tornado forecasts, predictions, and warnings, including the prediction of tornadoes beyond 1 hour in advance.

(c) *PROGRAM PLAN.*—Not later than 180 days after the date of the enactment of this Act, the Assistant Administrator for Oceanic and Atmospheric Research, in coordination with the Director of the National Weather Service, shall develop a program plan that details the specific research, development, and technology transfer activities, as well as corresponding resources and timelines, necessary to achieve the program goal.

(d) *ANNUAL BUDGET FOR PLAN SUBMITTAL.*—Following completion of the plan, the Under Secretary, acting through the Assistant Administrator for Oceanic and Atmospheric Research and in coordination with the Director of the National Weather Service, shall, not less frequently than once each year, submit to Congress a proposed budget corresponding with the activities identified in the plan.

SEC. 104. HURRICANE FORECAST IMPROVEMENT PROGRAM.

(a) *IN GENERAL.*—The Under Secretary, in collaboration with the United States weather industry and such academic entities as the Administrator considers appropriate, shall maintain a project to improve hurricane forecasting.

(b) *GOAL.*—The goal of the project maintained under subsection (a) shall be to develop and extend accurate hurricane forecasts and warnings in order to reduce loss of life, injury, and damage to the economy, with a focus on—

(1) improving the prediction of rapid intensification and track of hurricanes;

(2) improving the forecast and communication of storm surges from hurricanes; and

(3) incorporating risk communication research to create more effective watch and warning products.

(c) *PROJECT PLAN.*—Not later than 1 year after the date of the enactment of this Act, the Under Secretary, acting through the Assistant Administrator for Oceanic and Atmospheric Research and in consultation with the Director of the National Weather Service, shall develop a plan for the project maintained under subsection (a) that details the specific research, development, and technology transfer activities, as well as corresponding resources and timelines, necessary to achieve the goal set forth in subsection (b).

SEC. 105. WEATHER RESEARCH AND DEVELOPMENT PLANNING.

Not later than 1 year after the date of the enactment of this Act, and not less frequently than once each year thereafter, the Under Secretary, acting through the Assistant Administrator for Oceanic and Atmospheric Research and in coordination with the Director of the National Weather Service and the Assistant Administrator for Satellite and Information Services, shall issue a research and development and research to operations plan to restore and maintain United States leadership in numerical weather prediction and forecasting that—

(1) describes the forecasting skill and technology goals, objectives, and progress of the Na-

tional Oceanic and Atmospheric Administration in carrying out the program conducted under section 102;

(2) identifies and prioritizes specific research and development activities, and performance metrics, weighted to meet the operational weather mission of the National Weather Service to achieve a weather-ready Nation;

(3) describes how the program will collaborate with stakeholders, including the United States weather industry and academic partners; and

(4) identifies, through consultation with the National Science Foundation, the United States weather industry, and academic partners, research necessary to enhance the integration of social science knowledge into weather forecast and warning processes, including to improve the communication of threat information necessary to enable improved severe weather planning and decisionmaking on the part of individuals and communities.

SEC. 106. OBSERVING SYSTEM PLANNING.

The Under Secretary shall—

(1) develop and maintain a prioritized list of observation data requirements necessary to ensure weather forecasting capabilities to protect life and property to the maximum extent practicable;

(2) consistent with section 107, utilize Observing System Simulation Experiments, Analyses of Alternatives, and other appropriate assessment tools to ensure continuous systemic evaluations of the observing systems, data, and information needed to meet the requirements of paragraph (1), including options to maximize observational capabilities and their cost-effectiveness;

(3) identify current and potential future data gaps in observing capabilities related to the requirements listed under paragraph (1); and

(4) determine a range of options to address gaps identified under paragraph (3).

SEC. 107. OBSERVING SYSTEM SIMULATION EXPERIMENTS.

(a) *IN GENERAL.*—In support of the requirements of section 106, the Assistant Administrator for Oceanic and Atmospheric Research shall undertake Observing System Simulation Experiments, or such other quantitative assessments as the Assistant Administrator considers appropriate, to quantitatively assess the relative value and benefits of observing capabilities and systems. Technical and scientific Observing System Simulation Experiment evaluations—

(1) may include assessments of the impact of observing capabilities on—

(A) global weather prediction;

(B) hurricane track and intensity forecasting;

(C) tornado warning lead times and accuracy;

(D) prediction of mid-latitude severe local storm outbreaks; and

(E) prediction of storms that have the potential to cause extreme precipitation and flooding lasting from 6 hours to 1 week; and

(2) shall be conducted in cooperation with other appropriate entities within the National Oceanic and Atmospheric Administration, other Federal agencies, the United States weather industry, and academic partners to ensure the technical and scientific merit of results from Observing System Simulation Experiments or other appropriate quantitative assessment methodologies.

(b) *REQUIREMENTS.*—Observing System Simulation Experiments shall quantitatively—

(1) determine the potential impact of proposed space-based, suborbital, and in situ observing systems on analyses and forecasts, including potential impacts on extreme weather events across all parts of the Nation;

(2) evaluate and compare observing system design options; and

(3) assess the relative capabilities and costs of various observing systems and combinations of

observing systems in providing data necessary to protect life and property.

(c) *IMPLEMENTATION.*—Observing System Simulation Experiments—

(1) shall be conducted prior to the acquisition of major Government-owned or Government-leased operational observing systems, including polar-orbiting and geostationary satellite systems, with a lifecycle cost of more than \$500,000,000; and

(2) shall be conducted prior to the purchase of any major new commercially provided data with a lifecycle cost of more than \$500,000,000.

(d) *PRIORITY OBSERVING SYSTEM SIMULATION EXPERIMENTS.*—

(1) *GLOBAL NAVIGATION SATELLITE SYSTEM RADIO OCCULTATION.*—Not later than 30 days after the date of the enactment of this Act, the Assistant Administrator for Oceanic and Atmospheric Research shall complete an Observing System Simulation Experiment to assess the value of data from Global Navigation Satellite System Radio Occultation.

(2) *GEOSTATIONARY HYPERSPECTRAL SOUNDER GLOBAL CONSTELLATION.*—Not later than 120 days after the date of the enactment of this Act, the Assistant Administrator for Oceanic and Atmospheric Research shall complete an Observing System Simulation Experiment to assess the value of data from a geostationary hyperspectral sounder global constellation.

(e) *RESULTS.*—Upon completion of all Observing System Simulation Experiments, the Assistant Administrator shall make available to the public the results an assessment of related private and public sector weather data sourcing options, including their availability, affordability, and cost-effectiveness. Such assessments shall be developed in accordance with section 50503 of title 51, United States Code.

SEC. 108. ANNUAL REPORT ON COMPUTING RESOURCES PRIORITIZATION.

Not later than 1 year after the date of the enactment of this Act and not less frequently than once each year thereafter, the Under Secretary, acting through the Chief Information Officer of the National Oceanic and Atmospheric Administration and in coordination with the Assistant Administrator for Oceanic and Atmospheric Research and the Director of the National Weather Service, shall produce and make publicly available a report that explains how the Under Secretary intends—

(1) to continually support upgrades to pursue the fastest, most powerful, and cost-effective high performance computing technologies in support of its weather prediction mission;

(2) to ensure a balance between the research to operations requirements to develop the next generation of regional and global models as well as highly reliable operational models;

(3) to take advantage of advanced development concepts to, as appropriate, make next generation weather prediction models available in beta-test mode to operational forecasters, the United States weather industry, and partners in academic and Government research; and

(4) to use existing computing resources to improve advanced research and operational weather prediction.

SEC. 109. UNITED STATES WEATHER RESEARCH PROGRAM.

Section 108 of the Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102-567; 15 U.S.C. 313 note) is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking “; and” and inserting a semicolon;

(B) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(C) by inserting after paragraph (4) the following:

“(5) submit to the Committee on Commerce, Science, and Transportation of the Senate and

the Committee on Science, Space, and Technology of the House of Representatives, not less frequently than once each year, a report, including—

“(A) a list of ongoing research projects;

“(B) project goals and a point of contact for each project;

“(C) the five projects related to weather observations, short-term weather, or subseasonal forecasts within Office of Oceanic and Atmospheric Research that are closest to operationalization;

“(D) for each project referred to in subparagraph (C)—

“(i) the potential benefit;

“(ii) any barrier to operationalization; and

“(iii) the plan for operationalization, including which line office will financially support the project and how much the line office intends to spend;

“(6) establish teams with staff from the Office of Oceanic and Atmospheric Research and the National Weather Service to oversee the operationalization of research products developed by the Office of Oceanic and Atmospheric Research;

“(7) develop mechanisms for research priorities of the Office of Oceanic and Atmospheric Research to be informed by the relevant line offices within the National Oceanic and Atmospheric Administration, the relevant user community, and the weather enterprise;

“(8) develop an internal mechanism to track the progress of each research project within the Office of Oceanic and Atmospheric Research and mechanisms to terminate a project that is not adequately progressing;

“(9) develop and implement a system to track whether extramural research grant goals were accomplished;

“(10) provide facilities for products developed by the Office of Oceanic and Atmospheric Research to be tested in operational simulations, such as test beds; and

“(11) encourage academic collaboration with the Office of Oceanic and Atmospheric Research and the National Weather Service by facilitating visiting scholars.”;

(2) in subsection (b), in the matter preceding paragraph (1), by striking “Not later than 90 days after the date of enactment of this Act, the” and inserting “The”; and

(3) by adding at the end the following new subsection:

“(c) **SUBSEASONAL DEFINED.**—In this section, the term ‘subseasonal’ means the time range between 2 weeks and 3 months.”.

SEC. 110. AUTHORIZATION OF APPROPRIATIONS.

(a) **FISCAL YEARS 2017 AND 2018.**—For each of fiscal years 2017 and 2018, there are authorized to be appropriated to Office of Oceanic and Atmospheric Research—

(1) \$111,516,000 to carry out this title, of which—

(A) \$85,758,000 is authorized for weather laboratories and cooperative institutes; and

(B) \$25,758,000 is authorized for weather and air chemistry research programs; and

(2) an additional amount of \$20,000,000 for the joint technology transfer initiative described in section 102(b)(4).

(b) **LIMITATION.**—No additional funds are authorized to carry out this title and the amendments made by this title.

TITLE II—SUBSEASONAL AND SEASONAL FORECASTING INNOVATION

SEC. 201. IMPROVING SUBSEASONAL AND SEASONAL FORECASTS.

Section 1762 of the Food Security Act of 1985 (Public Law 99-198; 15 U.S.C. 313 note) is amended—

(1) in subsection (a), by striking “(a)” and inserting “(a) FINDINGS.—”;

(2) in subsection (b), by striking “(b)” and inserting “(b) POLICY.—”; and

(3) by adding at the end the following:

“(c) **FUNCTIONS.**—The Under Secretary, acting through the Director of the National Weather Service and the heads of such other programs of the National Oceanic and Atmospheric Administration as the Under Secretary considers appropriate, shall—

“(1) collect and utilize information in order to make usable, reliable, and timely foundational forecasts of subseasonal and seasonal temperature and precipitation;

“(2) leverage existing research and models from the weather enterprise to improve the forecasts under paragraph (1);

“(3) determine and provide information on how the forecasted conditions under paragraph (1) may impact—

“(A) the number and severity of droughts, fires, tornadoes, hurricanes, floods, heat waves, coastal inundation, winter storms, high impact weather, or other relevant natural disasters;

“(B) snowpack; and

“(C) sea ice conditions; and

“(4) develop an Internet clearinghouse to provide the forecasts under paragraph (1) and the information under paragraphs (1) and (3) on both national and regional levels.

“(d) **COMMUNICATION.**—The Director of the National Weather Service shall provide the forecasts under paragraph (1) of subsection (c) and the information on their impacts under paragraph (3) of such subsection to the public, including public and private entities engaged in planning and preparedness, such as National Weather Service Core partners at the Federal, regional, State, tribal, and local levels of government.

“(e) **COOPERATION.**—The Under Secretary shall build upon existing forecasting and assessment programs and partnerships, including—

“(1) by designating research and monitoring activities related to subseasonal and seasonal forecasts as a priority in one or more solicitations of the Cooperative Institutes of the Office of Oceanic and Atmospheric Research;

“(2) by contributing to the interagency Earth System Prediction Capability; and

“(3) by consulting with the Secretary of Defense and the Secretary of Homeland Security to determine the highest priority subseasonal and seasonal forecast needs to enhance national security.

“(f) **FORECAST COMMUNICATION COORDINATORS.**—

“(1) **IN GENERAL.**—The Under Secretary shall foster effective communication, understanding, and use of the forecasts by the intended users of the information described in subsection (d). This may include assistance to States for forecast communication coordinators to enable local interpretation and planning based on the information.

“(2) **REQUIREMENTS.**—For each State that requests assistance under this subsection, the Under Secretary may—

“(A) provide funds to support an individual in that State—

“(i) to serve as a liaison among the National Oceanic and Atmospheric Administration, other Federal departments and agencies, the weather enterprise, the State, and relevant interests within that State; and

“(ii) to receive the forecasts and information under subsection (c) and disseminate the forecasts and information throughout the State, including to county and tribal governments; and

“(B) require matching funds of at least 50 percent, from the State, a university, a nongovernmental organization, a trade association, or the private sector.

“(3) **LIMITATION.**—Assistance to an individual State under this subsection shall not exceed \$100,000 in a fiscal year.

“(g) **COOPERATION FROM OTHER FEDERAL AGENCIES.**—Each Federal department and agen-

cy shall cooperate as appropriate with the Under Secretary in carrying out this section.

“(h) **REPORTS.**—

“(1) **IN GENERAL.**—Not later than 18 months after the date of the enactment of the Weather Research and Forecasting Innovation Act of 2017, the Under Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report, including—

“(A) an analysis of the how information from the National Oceanic and Atmospheric Administration on subseasonal and seasonal forecasts, as provided under subsection (c), is utilized in public planning and preparedness;

“(B) specific plans and goals for the continued development of the subseasonal and seasonal forecasts and related products described in subsection (c); and

“(C) an identification of research, monitoring, observing, and forecasting requirements to meet the goals described in subparagraph (B).

“(2) **CONSULTATION.**—In developing the report under paragraph (1), the Under Secretary shall consult with relevant Federal, regional, State, tribal, and local government agencies, research institutions, and the private sector.

“(i) **DEFINITIONS.**—In this section:

“(1) **FOUNDATIONAL FORECAST.**—The term ‘foundational forecast’ means basic weather observation and forecast data, largely in raw form, before further processing is applied.

“(2) **NATIONAL WEATHER SERVICE CORE PARTNERS.**—The term ‘National Weather Service core partners’ means government and nongovernment entities which are directly involved in the preparation or dissemination of, or discussions involving, hazardous weather or other emergency information put out by the National Weather Service.

“(3) **SEASONAL.**—The term ‘seasonal’ means the time range between 3 months and 2 years.

“(4) **STATE.**—The term ‘State’ means a State, a territory, or possession of the United States, including a Commonwealth, or the District of Columbia.

“(5) **SUBSEASONAL.**—The term ‘subseasonal’ means the time range between 2 weeks and 3 months.

“(6) **UNDER SECRETARY.**—The term ‘Under Secretary’ means the Under Secretary of Commerce for Oceans and Atmosphere.

“(7) **WEATHER INDUSTRY AND WEATHER ENTERPRISE.**—The terms ‘weather industry’ and ‘weather enterprise’ are interchangeable in this section and include individuals and organizations from public, private, and academic sectors that contribute to the research, development, and production of weather forecast products, and primary consumers of these weather forecast products.

“(j) **AUTHORIZATION OF APPROPRIATIONS.**—For each of fiscal years 2017 and 2018, there are authorized out of funds appropriated to the National Weather Service, \$26,500,000 to carry out the activities of this section.”.

TITLE III—WEATHER SATELLITE AND DATA INNOVATION

SEC. 301. NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION SATELLITE AND DATA MANAGEMENT.

(a) **SHORT-TERM MANAGEMENT OF ENVIRONMENTAL OBSERVATIONS.**—

(1) **MICROSATELLITE CONSTELLATIONS.**—

(A) **IN GENERAL.**—The Under Secretary shall complete and operationalize the Constellation Observing System for Meteorology, Ionosphere, and Climate-1 and Climate-2 (COSMIC) in effect on the day before the date of the enactment of this Act—

(i) by deploying constellations of microsatellites in both the equatorial and polar orbits;

(ii) by integrating the resulting data and research into all national operational and research weather forecast models; and

(iii) by ensuring that the resulting data of National Oceanic and Atmospheric Administration's COSMIC-1 and COSMIC-2 programs are free and open to all communities.

(B) ANNUAL REPORTS.—Not less frequently than once each year until the Under Secretary has completed and operationalized the program described in subparagraph (A) pursuant to such subparagraph, the Under Secretary shall submit to Congress a report on the status of the efforts of the Under Secretary to carry out such subparagraph.

(2) INTEGRATION OF OCEAN AND COASTAL DATA FROM THE INTEGRATED OCEAN OBSERVING SYSTEM.—In National Weather Service Regions where the Director of the National Weather Service determines that ocean and coastal data would improve forecasts, the Director, in consultation with the Assistant Administrator for Oceanic and Atmospheric Research and the Assistant Administrator of the National Ocean Service, shall—

(A) integrate additional coastal and ocean observations, and other data and research, from the Integrated Ocean Observing System (IOOS) into regional weather forecasts to improve weather forecasts and forecasting decision support systems; and

(B) support the development of real-time data sharing products and forecast products in collaboration with the regional associations of such system, including contributions from the private sector, academia, and research institutions to ensure timely and accurate use of ocean and coastal data in regional forecasts.

(3) EXISTING MONITORING AND OBSERVATION-CAPABILITY.—The Under Secretary shall identify degradation of existing monitoring and observation capabilities that could lead to a reduction in forecast quality.

(4) SPECIFICATIONS FOR NEW SATELLITE SYSTEMS OR DATA DETERMINED BY OPERATIONAL NEEDS.—In developing specifications for any satellite systems or data to follow the Joint Polar Satellite System, Geostationary Operational Environmental Satellites, and any other satellites, in effect on the day before the date of enactment of this Act, the Under Secretary shall ensure the specifications are determined to the extent practicable by the recommendations of the reports under subsection (b) of this section.

(b) INDEPENDENT STUDY ON FUTURE OF NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION SATELLITE SYSTEMS AND DATA.—

(1) AGREEMENT.—

(A) IN GENERAL.—The Under Secretary shall seek to enter into an agreement with the National Academy of Sciences to perform the services covered by this subsection.

(B) TIMING.—The Under Secretary shall seek to enter into the agreement described in subparagraph (A) before September 30, 2018.

(2) STUDY.—

(A) IN GENERAL.—Under an agreement between the Under Secretary and the National Academy of Sciences under this subsection, the National Academy of Sciences shall conduct a study on matters concerning future satellite data needs.

(B) ELEMENTS.—In conducting the study under subparagraph (A), the National Academy of Sciences shall—

(i) develop recommendations on how to make the data portfolio of the Administration more robust and cost-effective;

(ii) assess the costs and benefits of moving toward a constellation of many small satellites, standardizing satellite bus design, relying more on the purchasing of data, or acquiring data from other sources or methods;

(iii) identify the environmental observations that are essential to the performance of weather models, based on an assessment of Federal, academic, and private sector weather research, and the cost of obtaining the environmental data;

(iv) identify environmental observations that improve the quality of operational and research weather models in effect on the day before the date of enactment of this Act;

(v) identify and prioritize new environmental observations that could contribute to existing and future weather models; and

(vi) develop recommendations on a portfolio of environmental observations that balances essential, quality-improving, and new data, private and nonprivate sources, and space-based and Earth-based sources.

(C) DEADLINE AND REPORT.—In carrying out the study under subparagraph (A), the National Academy of Sciences shall complete and transmit to the Under Secretary a report containing the findings of the National Academy of Sciences with respect to the study not later than 2 years after the date on which the Administrator enters into an agreement with the National Academy of Sciences under paragraph (1)(A).

(3) ALTERNATE ORGANIZATION.—

(A) IN GENERAL.—If the Under Secretary is unable within the period prescribed in subparagraph (B) of paragraph (1) to enter into an agreement described in subparagraph (A) of such paragraph with the National Academy of Sciences on terms acceptable to the Under Secretary, the Under Secretary shall seek to enter into such an agreement with another appropriate organization that—

(i) is not part of the Federal Government;

(ii) operates as a not-for-profit entity; and

(iii) has expertise and objectivity comparable to that of the National Academy of Sciences.

(B) TREATMENT.—If the Under Secretary enters into an agreement with another organization as described in subparagraph (A), any reference in this subsection to the National Academy of Sciences shall be treated as a reference to the other organization.

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated, out of funds appropriated to National Environmental Satellite, Data, and Information Service, to carry out this subsection \$1,000,000 for the period encompassing fiscal years 2018 through 2019.

SEC. 302. COMMERCIAL WEATHER DATA.

(a) DATA AND HOSTED SATELLITE PAYLOADS.—Notwithstanding any other provision of law, the Secretary of Commerce may enter into agreements for—

(1) the purchase of weather data through contracts with commercial providers; and

(2) the placement of weather satellite instruments on cohosted government or private payloads.

(b) STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce, in consultation with the Under Secretary, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a strategy to enable the procurement of quality commercial weather data. The strategy shall assess the range of commercial opportunities, including public-private partnerships, for obtaining surface-based, aviation-based, and space-based weather observations. The strategy shall include the expected cost-effectiveness of these opportunities as well as provide a plan for procuring data, including an expected implementation timeline, from these non-governmental sources, as appropriate.

(2) REQUIREMENTS.—The strategy shall include—

(A) an analysis of financial or other benefits to, and risks associated with, acquiring commercial weather data or services, including through multiyear acquisition approaches;

(B) an identification of methods to address planning, programming, budgeting, and execution challenges to such approaches, including—

(i) how standards will be set to ensure that data is reliable and effective;

(ii) how data may be acquired through commercial experimental or innovative techniques and then evaluated for integration into operational use;

(iii) how to guarantee public access to all forecast-critical data to ensure that the United States weather industry and the public continue to have access to information critical to their work; and

(iv) in accordance with section 50503 of title 51, United States Code, methods to address potential termination liability or cancellation costs associated with weather data or service contracts; and

(C) an identification of any changes needed in the requirements development and approval processes of the Department of Commerce to facilitate effective and efficient implementation of such strategy.

(3) AUTHORITY FOR AGREEMENTS.—The Assistant Administrator for National Environmental Satellite, Data, and Information Service may enter into multiyear agreements necessary to carry out the strategy developed under this subsection.

(c) PILOT PROGRAM.—

(1) CRITERIA.—Not later than 30 days after the date of the enactment of this Act, the Under Secretary shall publish data and metadata standards and specifications for space-based commercial weather data, including radio occultation data, and, as soon as possible, geostationary hyperspectral sounder data.

(2) PILOT CONTRACTS.—

(A) CONTRACTS.—Not later than 90 days after the date of enactment of this Act, the Under Secretary shall, through an open competition, enter into at least one pilot contract with one or more private sector entities capable of providing data that meet the standards and specifications set by the Under Secretary for providing commercial weather data in a manner that allows the Under Secretary to calibrate and evaluate the data for its use in National Oceanic and Atmospheric Administration meteorological models.

(B) ASSESSMENT OF DATA VIABILITY.—Not later than the date that is 3 years after the date on which the Under Secretary enters into a contract under subparagraph (A), the Under Secretary shall assess and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives the results of a determination of the extent to which data provided under the contract entered into under subparagraph (A) meet the criteria published under paragraph (1) and the extent to which the pilot program has demonstrated—

(i) the viability of assimilating the commercially provided data into National Oceanic and Atmospheric Administration meteorological models;

(ii) whether, and by how much, the data add value to weather forecasts; and

(iii) the accuracy, quality, timeliness, validity, reliability, usability, information technology security, and cost-effectiveness of obtaining commercial weather data from private sector providers.

(3) AUTHORIZATION OF APPROPRIATIONS.—For each of fiscal years 2017 through 2020, there are authorized to be appropriated for procurement, acquisition, and construction at National Environmental Satellite, Data, and Information Service, \$6,000,000 to carry out this subsection.

(d) OBTAINING FUTURE DATA.—If an assessment under subsection (c)(2)(B) demonstrates the ability of commercial weather data to meet

data and metadata standards and specifications published under subsection (c)(1), the Under Secretary shall—

(1) where appropriate, cost-effective, and feasible, obtain commercial weather data from private sector providers;

(2) as early as possible in the acquisition process for any future National Oceanic and Atmospheric Administration meteorological space system, consider whether there is a suitable, cost-effective, commercial capability available or that will be available to meet any or all of the observational requirements by the planned operational date of the system;

(3) if a suitable, cost-effective, commercial capability is or will be available as described in paragraph (2), determine whether it is in the national interest to develop a governmental meteorological space system; and

(4) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report detailing any determination made under paragraphs (2) and (3).

(e) **DATA SHARING PRACTICES.**—The Under Secretary shall continue to meet the international meteorological agreements into which the Under Secretary has entered, including practices set forth through World Meteorological Organization Resolution 40.

SEC. 303. UNNECESSARY DUPLICATION.

In meeting the requirements under this title, the Under Secretary shall avoid unnecessary duplication between public and private sources of data and the corresponding expenditure of funds and employment of personnel.

TITLE IV—FEDERAL WEATHER COORDINATION

SEC. 401. ENVIRONMENTAL INFORMATION SERVICES WORKING GROUP.

(a) **ESTABLISHMENT.**—The National Oceanic and Atmospheric Administration Science Advisory Board shall continue to maintain a standing working group named the Environmental Information Services Working Group (in this section referred to as the “Working Group”)—

(1) to provide advice for prioritizing weather research initiatives at the National Oceanic and Atmospheric Administration to produce real improvement in weather forecasting;

(2) to provide advice on existing or emerging technologies or techniques that can be found in private industry or the research community that could be incorporated into forecasting at the National Weather Service to improve forecasting skill;

(3) to identify opportunities to improve—

(A) communications between weather forecasters, Federal, State, local, tribal, and other emergency management personnel, and the public; and

(B) communications and partnerships among the National Oceanic and Atmospheric Administration and the private and academic sectors; and

(4) to address such other matters as the Science Advisory Board requests of the Working Group.

(b) **COMPOSITION.**—

(1) **IN GENERAL.**—The Working Group shall be composed of leading experts and innovators from all relevant fields of science and engineering including atmospheric chemistry, atmospheric physics, meteorology, hydrology, social science, risk communications, electrical engineering, and computer sciences. In carrying out this section, the Working Group may organize into subpanels.

(2) **NUMBER.**—The Working Group shall be composed of no fewer than 15 members. Nominees for the Working Group may be forwarded by the Working Group for approval by the Science Advisory Board. Members of the Work-

ing Group may choose a chair (or co-chairs) from among their number with approval by the Science Advisory Board.

(c) **ANNUAL REPORT.**—Not less frequently than once each year, the Working Group shall transmit to the Science Advisory Board for submission to the Under Secretary a report on progress made by National Oceanic and Atmospheric Administration in adopting the Working Group's recommendations. The Science Advisory Board shall transmit this report to the Under Secretary. Within 30 days of receipt of such report, the Under Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a copy of such report.

SEC. 402. INTERAGENCY WEATHER RESEARCH AND FORECAST INNOVATION COORDINATION.

(a) **ESTABLISHMENT.**—The Director of the Office of Science and Technology Policy shall establish an Interagency Committee for Advancing Weather Services to improve coordination of relevant weather research and forecast innovation activities across the Federal Government. The Interagency Committee shall—

(1) include participation by the National Aeronautics and Space Administration, the Federal Aviation Administration, National Oceanic and Atmospheric Administration and its constituent elements, the National Science Foundation, and such other agencies involved in weather forecasting research as the President determines are appropriate;

(2) identify and prioritize top forecast needs and coordinate those needs against budget requests and program initiatives across participating offices and agencies; and

(3) share information regarding operational needs and forecasting improvements across relevant agencies.

(b) **CO-CHAIR.**—The Federal Coordinator for Meteorology shall serve as a co-chair of this panel.

(c) **FURTHER COORDINATION.**—The Director of the Office of Science and Technology Policy shall take such other steps as are necessary to coordinate the activities of the Federal Government with those of the United States weather industry, State governments, emergency managers, and academic researchers.

SEC. 403. OFFICE OF OCEANIC AND ATMOSPHERIC RESEARCH AND NATIONAL WEATHER SERVICE EXCHANGE PROGRAM.

(a) **IN GENERAL.**—The Assistant Administrator for Oceanic and Atmospheric Research and the Director of National Weather Service may establish a program to detail Office of Oceanic and Atmospheric Research personnel to the National Weather Service and National Weather Service personnel to the Office of Oceanic and Atmospheric Research.

(b) **GOAL.**—The goal of this program is to enhance forecasting innovation through regular, direct interaction between the Office of Oceanic and Atmospheric Research's world-class scientists and the National Weather Service's operational staff.

(c) **ELEMENTS.**—The program shall allow up to 10 Office of Oceanic and Atmospheric Research staff and National Weather Service staff to spend up to 1 year on detail. Candidates shall be jointly selected by the Assistant Administrator for Oceanic and Atmospheric Research and the Director of the National Weather Service.

(d) **ANNUAL REPORT.**—Not less frequently than once each year, the Under Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on participation in such program and shall highlight any innovations that come from this interaction.

SEC. 404. VISITING FELLOWS AT NATIONAL WEATHER SERVICE.

(a) **IN GENERAL.**—The Director of the National Weather Service may establish a program to host postdoctoral fellows and academic researchers at any of the National Centers for Environmental Prediction.

(b) **GOAL.**—This program shall be designed to provide direct interaction between forecasters and talented academic and private sector researchers in an effort to bring innovation to forecasting tools and techniques to the National Weather Service.

(c) **SELECTION AND APPOINTMENT.**—Such fellows shall be competitively selected and appointed for a term not to exceed 1 year.

SEC. 405. WARNING COORDINATION METEOROLOGISTS AT WEATHER FORECAST OFFICES OF NATIONAL WEATHER SERVICE.

(a) **DESIGNATION OF WARNING COORDINATION METEOROLOGISTS.**—

(1) **IN GENERAL.**—The Director of the National Weather Service shall designate at least one warning coordination meteorologist at each weather forecast office of the National Weather Service.

(2) **NO ADDITIONAL EMPLOYEES AUTHORIZED.**—Nothing in this section shall be construed to authorize or require a change in the authorized number of full time equivalent employees in the National Weather Service or otherwise result in the employment of any additional employees.

(3) **PERFORMANCE BY OTHER EMPLOYEES.**—Performance of the responsibilities outlined in this section is not limited to the warning coordination meteorologist position.

(b) **PRIMARY ROLE OF WARNING COORDINATION METEOROLOGISTS.**—The primary role of the warning coordination meteorologist shall be to carry out the responsibilities required by this section.

(c) **RESPONSIBILITIES.**—

(1) **IN GENERAL.**—Subject to paragraph (2), consistent with the analysis described in section 409, and in order to increase impact-based decision support services, each warning coordination meteorologist designated under subsection (a) shall—

(A) be responsible for providing service to the geographic area of responsibility covered by the weather forecast office at which the warning coordination meteorologist is employed to help ensure that users of products of the National Weather Service can respond effectively to improve outcomes from weather events;

(B) liaise with users of products and services of the National Weather Service, such as the public, media outlets, users in the aviation, marine, and agricultural communities, and forestry, land, and water management interests, to evaluate the adequacy and usefulness of the products and services of the National Weather Service;

(C) collaborate with such weather forecast offices and State, local, and tribal government agencies as the Director considers appropriate in developing, proposing, and implementing plans to develop, modify, or tailor products and services of the National Weather Service to improve the usefulness of such products and services;

(D) ensure the maintenance and accuracy of severe weather call lists, appropriate office severe weather policy or procedures, and other severe weather or dissemination methodologies or strategies; and

(E) work closely with State, local, and tribal emergency management agencies, and other agencies related to disaster management, to ensure a planned, coordinated, and effective preparedness and response effort.

(2) **OTHER STAFF.**—The Director may assign a responsibility set forth in paragraph (1) to such other staff as the Director considers appropriate to carry out such responsibility.

(d) **ADDITIONAL RESPONSIBILITIES.**—

(1) **IN GENERAL.**—Subject to paragraph (2), a warning coordination meteorologist designated under subsection (a) may—

(A) work with a State agency to develop plans for promoting more effective use of products and services of the National Weather Service throughout the State;

(B) identify priority community preparedness objectives;

(C) develop plans to meet the objectives identified under paragraph (2); and

(D) conduct severe weather event preparedness planning and citizen education efforts with and through various State, local, and tribal government agencies and other disaster management-related organizations.

(2) **OTHER STAFF.**—The Director may assign a responsibility set forth in paragraph (1) to such other staff as the Director considers appropriate to carry out such responsibility.

(e) **PLACEMENT WITH STATE AND LOCAL EMERGENCY MANAGERS.**—

(1) **IN GENERAL.**—In carrying out this section, the Director of the National Weather Service may place a warning coordination meteorologist designated under subsection (a) with a State or local emergency manager if the Director considers doing so is necessary or convenient to carry out this section.

(2) **TREATMENT.**—If the Director determines that the placement of a warning coordination meteorologist placed with a State or local emergency manager under paragraph (1) is near a weather forecast office of the National Weather Service, such placement shall be treated as designation of the warning coordination meteorologist at such weather forecast office for purposes of subsection (a).

SEC. 406. IMPROVING NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMUNICATION OF HAZARDOUS WEATHER AND WATER EVENTS.

(a) **PURPOSE OF SYSTEM.**—For purposes of the assessment required by subsection (b)(1)(A), the purpose of National Oceanic and Atmospheric Administration system for issuing watches and warnings regarding hazardous weather and water events shall be risk communication to the general public that informs action to prevent loss of life and property.

(b) **ASSESSMENT OF SYSTEM.**—

(1) **IN GENERAL.**—Not later than 2 years after the date of the enactment of this Act, the Under Secretary shall—

(A) assess the National Oceanic and Atmospheric Administration system for issuing watches and warnings regarding hazardous weather and water events; and

(B) submit to Congress a report on the findings of the Under Secretary with respect to the assessment conducted under subparagraph (A).

(2) **ELEMENTS.**—The assessment required by paragraph (1)(A) shall include the following:

(A) An evaluation of whether the National Oceanic and Atmospheric Administration system for issuing watches and warnings regarding hazardous weather and water events meets the purpose described in subsection (a).

(B) Development of recommendations for—

(i) legislative and administrative action to improve the system described in paragraph (1)(A); and

(ii) such research as the Under Secretary considers necessary to address the focus areas described in paragraph (3).

(3) **FOCUS AREAS.**—The assessment required by paragraph (1)(A) shall focus on the following:

(A) Ways to communicate the risks posed by hazardous weather or water events to the public that are most likely to result in action to mitigate the risk.

(B) Ways to communicate the risks posed by hazardous weather or water events to the public as broadly and rapidly as practicable.

(C) Ways to preserve the benefits of the existing watches and warnings system.

(D) Ways to maintain the utility of the watches and warnings system for Government and commercial users of the system.

(4) **CONSULTATION.**—In conducting the assessment required by paragraph (1)(A), the Under Secretary shall—

(A) consult with such line offices within the National Oceanic and Atmospheric Administration as the Under Secretary considers relevant, including the National Ocean Service, the National Weather Service, and the Office of Oceanic and Atmospheric Research;

(B) consult with individuals in the academic sector, including individuals in the field of social and behavioral sciences, and other weather services;

(C) consult with media outlets that will be distributing the watches and warnings;

(D) consult with non-Federal forecasters that produce alternate severe weather risk communication products;

(E) consult with emergency planners and responders, including State and local emergency management agencies, and other government users of the watches and warnings system, including the Federal Emergency Management Agency, the Office of Personnel Management, the Coast Guard, and such other Federal agencies as the Under Secretary determines rely on watches and warnings for operational decisions; and

(F) make use of the services of the National Academy of Sciences, as the Under Secretary considers necessary and practicable, including contracting with the National Research Council to review the scientific and technical soundness of the assessment required by paragraph (1)(A), including the recommendations developed under paragraph (2)(B).

(5) **METHODOLOGIES.**—In conducting the assessment required by paragraph (1)(A), the Under Secretary shall use such methodologies as the Under Secretary considers are generally accepted by the weather enterprise, including social and behavioral sciences.

(c) **IMPROVEMENTS TO SYSTEM.**—

(1) **IN GENERAL.**—The Under Secretary shall, based on the assessment required by subsection (b)(1)(A), make such recommendations to Congress to improve the system as the Under Secretary considers necessary—

(A) to improve the system for issuing watches and warnings regarding hazardous weather and water events; and

(B) to support efforts to satisfy research needs to enable future improvements to such system.

(2) **REQUIREMENTS REGARDING RECOMMENDATIONS.**—In carrying out paragraph (1)(A), the Under Secretary shall ensure that any recommendation that the Under Secretary considers a major change—

(A) is validated by social and behavioral science using a generalizable sample;

(B) accounts for the needs of various demographics, vulnerable populations, and geographic regions;

(C) accounts for the differences between types of weather and water hazards;

(D) responds to the needs of Federal, State, and local government partners and media partners; and

(E) accounts for necessary changes to Federally operated watch and warning propagation and dissemination infrastructure and protocols.

(d) **WATCHES AND WARNINGS DEFINED.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), in this section, the terms “watch” and “warning”, with respect to a hazardous weather and water event, mean products issued by the Administration, intended for consumption by the general public, to alert the general public to the potential for or presence of the

event and to inform action to prevent loss of life and property.

(2) **EXCEPTION.**—In this section, the terms “watch” and “warning” do not include technical or specialized meteorological and hydrological forecasts, outlooks, or model guidance products.

SEC. 407. NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION WEATHER READY ALL HAZARDS AWARD PROGRAM.

(a) **PROGRAM.**—The Director of the National Weather Service is authorized to establish the National Oceanic and Atmospheric Administration Weather Ready All Hazards Award Program. This award program shall provide annual awards to honor individuals or organizations that use or provide National Oceanic and Atmospheric Administration Weather Radio All Hazards receivers or transmitters to save lives and protect property. Individuals or organizations that utilize other early warning tools or applications also qualify for this award.

(b) **GOAL.**—This award program draws attention to the life-saving work of the National Oceanic and Atmospheric Administration Weather Ready All Hazards Program, as well as emerging tools and applications, that provide real-time warning to individuals and communities of severe weather or other hazardous conditions.

(c) **PROGRAM ELEMENTS.**—

(1) **NOMINATIONS.**—Nominations for this award shall be made annually by the Weather Field Offices to the Director of the National Weather Service. Broadcast meteorologists, weather radio manufacturers and weather warning tool and application developers, emergency managers, and public safety officials may nominate individuals or organizations to their local Weather Field Offices, but the final list of award nominees must come from the Weather Field Offices.

(2) **SELECTION OF AWARDEES.**—Annually, the Director of the National Weather Service shall choose winners of this award whose timely actions, based on National Oceanic and Atmospheric Administration Weather Radio All Hazards receivers or transmitters or other early warning tools and applications, saved lives or property, or demonstrated public service in support of weather or all hazard warnings.

(3) **AWARD CEREMONY.**—The Director of the National Weather Service shall establish a means of making these awards to provide maximum public awareness of the importance of National Oceanic and Atmospheric Administration Weather Radio, and such other warning tools and applications as are represented in the awards.

SEC. 408. DEPARTMENT OF DEFENSE WEATHER FORECASTING ACTIVITIES.

Not later than 60 days after the date of the enactment of this Act, the Under Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report analyzing the impacts of the proposed Air Force divestiture in the United States Weather Research and Forecasting Model, including—

(1) the impact on—

(A) the United States weather forecasting capabilities;

(B) the accuracy of civilian regional forecasts;

(C) the civilian readiness for traditional weather and extreme weather events in the United States; and

(D) the research necessary to develop the United States Weather Research and Forecasting Model; and

(2) such other analysis relating to the divestiture as the Under Secretary considers appropriate.

SEC. 409. NATIONAL WEATHER SERVICE; OPERATIONS AND WORKFORCE ANALYSIS.

The Under Secretary shall contract or continue to partner with an external organization

to conduct a baseline analysis of National Weather Service operations and workforce.

SEC. 410. REPORT ON CONTRACT POSITIONS AT NATIONAL WEATHER SERVICE.

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Under Secretary shall submit to Congress a report on the use of contractors at the National Weather Service for the most recently completed fiscal year.

(b) **CONTENTS.**—The report required by subsection (a) shall include, with respect to the most recently completed fiscal year, the following:

(1) The total number of full-time equivalent employees at the National Weather Service, disaggregated by each equivalent level of the General Schedule.

(2) The total number of full-time equivalent contractors at the National Weather Service, disaggregated by each equivalent level of the General Schedule that most closely approximates their duties.

(3) The total number of vacant positions at the National Weather Service on the day before the date of enactment of this Act, disaggregated by each equivalent level of the General Schedule.

(4) The five most common positions filled by full-time equivalent contractors at the National Weather Service and the equivalent level of the General Schedule that most closely approximates the duties of such positions.

(5) Of the positions identified under paragraph (4), the percentage of full-time equivalent contractors in those positions that have held a prior position at the National Weather Service or another entity in National Oceanic and Atmospheric Administration.

(6) The average full-time equivalent salary for Federal employees at the National Weather Service for each equivalent level of the General Schedule.

(7) The average salary for full-time equivalent contractors performing at each equivalent level of the General Schedule at the National Weather Service.

(8) A description of any actions taken by the Under Secretary to respond to the issues raised by the Inspector General of the Department of Commerce regarding the hiring of former National Oceanic and Atmospheric Administration employees as contractors at the National Weather Service such as the issues raised in the Investigative Report dated June 2, 2015 (OIG-12-0447).

(c) **ANNUAL PUBLICATION.**—For each fiscal year after the fiscal year covered by the report required by subsection (a), the Under Secretary shall, not later than 180 days after the completion of the fiscal year, publish on a publicly accessible Internet website the information described in paragraphs (1) through (8) of subsection (b) for such fiscal year.

SEC. 411. WEATHER IMPACTS TO COMMUNITIES AND INFRASTRUCTURE.

(a) **REVIEW.**—

(1) **IN GENERAL.**—The Director of the National Weather Service shall review existing research, products, and services that meet the specific needs of the urban environment, given its unique physical characteristics and forecasting challenges.

(2) **ELEMENTS.**—The review required by paragraph (1) shall include research, products, and services with the potential to improve modeling and forecasting capabilities, taking into account factors including varying building heights, impermeable surfaces, lack of tree canopy, traffic, pollution, and inter-building wind effects.

(b) **REPORT AND ASSESSMENT.**—Upon completion of the review required by subsection (a), the Under Secretary shall submit to Congress a report on the research, products, and services of

the National Weather Service, including an assessment of such research, products, and services that is based on the review, public comment, and recent publications by the National Academy of Sciences.

SEC. 412. WEATHER ENTERPRISE OUTREACH.

(a) **IN GENERAL.**—The Under Secretary may establish mechanisms for outreach to the weather enterprise—

(1) to assess the weather forecasts and forecast products provided by the National Oceanic and Atmospheric Administration; and

(2) to determine the highest priority weather forecast needs of the community described in subsection (b).

(b) **OUTREACH COMMUNITY.**—In conducting outreach under subsection (a), the Under Secretary shall contact leading experts and innovators from relevant stakeholders, including the representatives from the following:

(1) State or local emergency management agencies.

(2) State agriculture agencies.

(3) Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) and Native Hawaiians (as defined in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517)).

(4) The private aerospace industry.

(5) The private earth observing industry.

(6) The operational forecasting community.

(7) The academic community.

(8) Professional societies that focus on meteorology.

(9) Such other stakeholder groups as the Under Secretary considers appropriate.

SEC. 413. HURRICANE HUNTER AIRCRAFT.

(a) **BACKUP CAPABILITY.**—The Under Secretary shall acquire backup for the capabilities of the WP-3D Orion and G-IV hurricane aircraft of the National Oceanic and Atmospheric Administration that is sufficient to prevent a single point of failure.

(b) **AUTHORITY TO ENTER AGREEMENTS.**—In order to carry out subsection (a), the Under Secretary shall negotiate and enter into 1 or more agreements or contracts, to the extent practicable and necessary, with governmental and non-governmental entities.

(c) **FUTURE TECHNOLOGY.**—The Under Secretary shall continue the development of Airborne Phased Array Radar under the United States Weather Research Program.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—For each of fiscal years 2017 through 2020, support for implementing subsections (a) and (b) is authorized out of funds appropriated to the Office of Marine and Aviation Operations.

SEC. 414. STUDY ON GAPS IN NEXRAD COVERAGE AND RECOMMENDATIONS TO ADDRESS SUCH GAPS.

(a) **STUDY ON GAPS IN NEXRAD COVERAGE.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce shall complete a study on gaps in the coverage of the Next Generation Weather Radar of the National Weather Service (“NEXRAD”).

(2) **ELEMENTS.**—In conducting the study required under paragraph (1), the Secretary shall—

(A) identify areas in the United States where limited or no NEXRAD coverage has resulted in—

(i) instances in which no or insufficient warnings were given for hazardous weather events, including tornadoes; or

(ii) degraded forecasts for hazardous weather events that resulted in fatalities, significant injuries, or substantial property damage; and

(B) for the areas identified under subparagraph (A)—

(i) identify the key weather effects for which prediction would improve with improved radar detection;

(ii) identify additional sources of observations for high impact weather that were available and operational for such areas on the day before the date of the enactment of this Act, including dense networks of x-band radars, Terminal Doppler Weather Radar (commonly known as “TDWR”), air surveillance radars of the Federal Aviation Administration, and cooperative network observers;

(iii) assess the feasibility and advisability of efforts to integrate and upgrade Federal radar capabilities that are not owned or controlled by the National Oceanic and Atmospheric Administration, including radar capabilities of the Federal Aviation Administration and the Department of Defense;

(iv) assess the feasibility and advisability of incorporating State-operated and other non-Federal radars into the operations of the National Weather Service;

(v) identify options to improve hazardous weather detection and forecasting coverage; and

(vi) provide the estimated cost of, and timeline for, each of the options identified under clause (v).

(3) **REPORT.**—Upon the completion of the study required under paragraph (1), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that includes the findings of the Secretary with respect to the study.

(b) **RECOMMENDATIONS TO IMPROVE RADAR COVERAGE.**—Not later than 90 days after the completion of the study under subsection (a)(1), the Secretary of Commerce shall submit to the congressional committees referred to in subsection (a)(3) recommendations for improving hazardous weather detection and forecasting coverage in the areas identified under subsection (a)(2)(A) by integrating additional observation solutions to the extent practicable and meteorologically justified and necessary to protect public safety.

(c) **THIRD-PARTY CONSULTATION REGARDING RECOMMENDATIONS TO IMPROVE RADAR COVERAGE.**—The Secretary of Commerce may seek reviews by, or consult with, appropriate third parties regarding the scientific methodology relating to, and the feasibility and advisability of implementing, the recommendations submitted under subsection (b), including the extent to which warning and forecast services of the National Weather Service would be improved by additional observations.

TITLE V—TSUNAMI WARNING, EDUCATION, AND RESEARCH ACT OF 2017

SEC. 501. SHORT TITLE.

This title may be cited as the “Tsunami Warning, Education, and Research Act of 2017”.

SEC. 502. REFERENCES TO THE TSUNAMI WARNING AND EDUCATION ACT.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Tsunami Warning and Education Act enacted as title VIII of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Public Law 109-479; 33 U.S.C. 3201 et seq.).

SEC. 503. EXPANSION OF PURPOSES OF TSUNAMI WARNING AND EDUCATION ACT.

Section 803 (33 U.S.C. 3202) is amended—

(1) in paragraph (1), by inserting “research,” after “warnings,”;

(2) by amending paragraph (2) to read as follows:

“(2) to enhance and modernize the existing United States Tsunami Warning System to increase the accuracy of forecasts and warnings, to ensure full coverage of tsunami threats to the

United States with a network of detection assets, and to reduce false alarms;”;

(3) by amending paragraph (3) to read as follows:

“(3) to improve and develop standards and guidelines for mapping, modeling, and assessment efforts to improve tsunami detection, forecasting, warnings, notification, mitigation, resiliency, response, outreach, and recovery;”;

(4) by redesignating paragraphs (4), (5), and (6) as paragraphs (5), (6), and (8), respectively;

(5) by inserting after paragraph (3) the following:

“(4) to improve research efforts related to improving tsunami detection, forecasting, warnings, notification, mitigation, resiliency, response, outreach, and recovery;”;

(6) in paragraph (5), as redesignated—

(A) by striking “and increase” and inserting “, increase, and develop uniform standards and guidelines for”; and

(B) by inserting “, including the warning signs of locally generated tsunami” after “approaching”;

(7) in paragraph (6), as redesignated, by striking “, including the Indian Ocean; and” and inserting a semicolon; and

(8) by inserting after paragraph (6), as redesignated, the following:

“(7) to foster resilient communities in the face of tsunami and other similar coastal hazards; and”.

SEC. 504. MODIFICATION OF TSUNAMI FORECASTING AND WARNING PROGRAM.

(a) IN GENERAL.—Subsection (a) of section 804 (33 U.S.C. 3203(a)) is amended by striking “Atlantic Ocean, Caribbean Sea, and Gulf of Mexico region” and inserting “Atlantic Ocean region, including the Caribbean Sea and the Gulf of Mexico”.

(b) COMPONENTS.—Subsection (b) of section 804 (33 U.S.C. 3203(b)) is amended—

(1) in paragraph (1), by striking “established” and inserting “supported or maintained”;

(2) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively;

(3) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(4) by inserting after paragraph (1) the following:

“(2) to the degree practicable, maintain not less than 80 percent of the Deep-ocean Assessment and Reporting of Tsunamis buoy array at operational capacity to optimize data reliability;”.

(5) by amending paragraph (5), as redesignated by paragraph (3), to read as follows:

“(5) provide tsunami forecasting capability based on models and measurements, including tsunami inundation models and maps for use in increasing the preparedness of communities and safeguarding port and harbor operations, that incorporate inputs, including—

“(A) the United States and global ocean and coastal observing system;

“(B) the global Earth observing system;

“(C) the global seismic network;

“(D) the Advanced National Seismic system;

“(E) tsunami model validation using historical and paleotsunami data;

“(F) digital elevation models and bathymetry; and

“(G) newly developing tsunami detection methodologies using satellites and airborne remote sensing;”;

(6) by amending paragraph (7), as redesignated by paragraph (3), to read as follows:

“(7) include a cooperative effort among the Administration, the United States Geological Survey, and the National Science Foundation under which the Director of the United States Geological Survey and the Director of the National Science Foundation shall—

“(A) provide rapid and reliable seismic information to the Administrator from international and domestic seismic networks; and

“(B) support seismic stations installed before the date of the enactment of the Tsunami Warning, Education, and Research Act of 2017 to supplement coverage in areas of sparse instrumentation;”;

(7) in paragraph (8), as redesignated by paragraph (2)—

(A) by inserting “, including graphical warning products,” after “warnings”;

(B) by inserting “, territories,” after “States”; and

(C) by inserting “and Wireless Emergency Alerts” after “Hazards Program”; and

(8) in paragraph (9), as redesignated by paragraph (2)—

(A) by inserting “provide and” before “allow”; and

(B) by inserting “and commercial and Federal undersea communications cables” after “observing technologies”.

(c) TSUNAMI WARNING SYSTEM.—Subsection (c) of section 804 (33 U.S.C. 3203(c)) is amended to read as follows:

“(c) TSUNAMI WARNING SYSTEM.—The program under this section shall operate a tsunami warning system that—

“(1) is capable of forecasting tsunami, including forecasting tsunami arrival time and inundation estimates, anywhere in the Pacific and Arctic Ocean regions and providing adequate warnings;

“(2) is capable of forecasting and providing adequate warnings, including tsunami arrival time and inundation models where applicable, in areas of the Atlantic Ocean, including the Caribbean Sea and Gulf of Mexico, that are determined—

“(A) to be geologically active, or to have significant potential for geological activity; and

“(B) to pose significant risks of tsunami for States along the coastal areas of the Atlantic Ocean, Caribbean Sea, or Gulf of Mexico; and

“(3) supports other international tsunami forecasting and warning efforts.”.

(d) TSUNAMI WARNING CENTERS.—Subsection (d) of section 804 (33 U.S.C. 3203(d)) is amended to read as follows:

“(d) TSUNAMI WARNING CENTERS.—

“(1) IN GENERAL.—The Administrator shall support or maintain centers to support the tsunami warning system required by subsection (c). The Centers shall include—

“(A) the National Tsunami Warning Center, located in Alaska, which is primarily responsible for Alaska and the continental United States;

“(B) the Pacific Tsunami Warning Center, located in Hawaii, which is primarily responsible for Hawaii, the Caribbean, and other areas of the Pacific not covered by the National Center; and

“(C) any additional forecast and warning centers determined by the National Weather Service to be necessary.

“(2) RESPONSIBILITIES.—The responsibilities of the centers supported or maintained under paragraph (1) shall include the following:

“(A) Continuously monitoring data from seismological, deep ocean, coastal sea level, and tidal monitoring stations and other data sources as may be developed and deployed.

“(B) Evaluating earthquakes, landslides, and volcanic eruptions that have the potential to generate tsunami.

“(C) Evaluating deep ocean buoy data and tidal monitoring stations for indications of tsunami resulting from earthquakes and other sources.

“(D) To the extent practicable, utilizing a range of models, including ensemble models, to predict tsunami, including arrival times, flooding estimates, coastal and harbor currents, and duration.

“(E) Using data from the Integrated Ocean Observing System of the Administration in co-

ordination with regional associations to calculate new inundation estimates and periodically update existing inundation estimates.

“(F) Disseminating forecasts and tsunami warning bulletins to Federal, State, tribal, and local government officials and the public.

“(G) Coordinating with the tsunami hazard mitigation program conducted under section 805 to ensure ongoing sharing of information between forecasters and emergency management officials.

“(H) In coordination with the Commandant of the Coast Guard and the Administrator of the Federal Emergency Management Agency, evaluating and recommending procedures for ports and harbors at risk of tsunami inundation, including review of readiness, response, and communication strategies, and data sharing policies, to the maximum extent practicable.

“(I) Making data gathered under this Act and post-warning analyses conducted by the National Weather Service or other relevant Administration offices available to the public.

“(J) Integrating and modernizing the program operated under this section with advances in tsunami science to improve performance without compromising service.

“(3) FAIL-SAFE WARNING CAPABILITY.—The tsunami warning centers supported or maintained under paragraph (1) shall maintain a fail-safe warning capability and perform backup duties for each other.

“(4) COORDINATION WITH NATIONAL WEATHER SERVICE.—The Administrator shall coordinate with the forecast offices of the National Weather Service, the centers supported or maintained under paragraph (1), and such program offices of the Administration as the Administrator or the coordinating committee, as established in section 805(d), consider appropriate to ensure that regional and local forecast offices—

“(A) have the technical knowledge and capability to disseminate tsunami warnings for the communities they serve;

“(B) leverage connections with local emergency management officials for optimally disseminating tsunami warnings and forecasts; and

“(C) implement mass communication tools in effect on the day before the date of the enactment of the Tsunami Warning, Education, and Research Act of 2017 used by the National Weather Service on such date and newer mass communication technologies as they are developed as a part of the Weather-Ready Nation program of the Administration, or otherwise, for the purpose of timely and effective delivery of tsunami warnings.

“(5) UNIFORM OPERATING PROCEDURES.—The Administrator shall—

“(A) develop uniform operational procedures for the centers supported or maintained under paragraph (1), including the use of software applications, checklists, decision support tools, and tsunami warning products that have been standardized across the program supported under this section;

“(B) ensure that processes and products of the warning system operated under subsection (c)—

“(i) reflect industry best practices when practicable;

“(ii) conform to the maximum extent practicable with internationally recognized standards for information technology; and

“(iii) conform to the maximum extent practicable with other warning products and practices of the National Weather Service;

“(C) ensure that future adjustments to operational protocols, processes, and warning products—

“(i) are made consistently across the warning system operated under subsection (c); and

“(ii) are applied in a uniform manner across such warning system;

“(D) establish a systematic method for information technology product development to improve long-term technology planning efforts; and

“(E) disseminate guidelines and metrics for evaluating and improving tsunami forecast models.

“(6) AVAILABLE RESOURCES.—The Administrator, through the National Weather Service, shall ensure that resources are available to fulfill the obligations of this Act. This includes ensuring supercomputing resources are available to run, as rapidly as possible, such computer models as are needed for purposes of the tsunami warning system operated under subsection (c).”.

(e) TRANSFER OF TECHNOLOGY; MAINTENANCE AND UPGRADES.—Subsection (e) of section 804 (33 U.S.C. 3203(e)) is amended to read as follows:

“(e) TRANSFER OF TECHNOLOGY; MAINTENANCE AND UPGRADES.—In carrying out this section, the Administrator shall—

“(1) develop requirements for the equipment used to forecast tsunami, including—

“(A) provisions for multipurpose detection platforms;

“(B) reliability and performance metrics; and

“(C) to the maximum extent practicable, requirements for the integration of equipment with other United States and global ocean and coastal observation systems, the global Earth observing system of systems, the global seismic networks, and the Advanced National Seismic System;

“(2) develop and execute a plan for the transfer of technology from ongoing research conducted as part of the program supported or maintained under section 6 into the program under this section; and

“(3) ensure that the Administration’s operational tsunami detection equipment is properly maintained.”.

(f) FEDERAL COOPERATION.—Subsection (f) of section 804 (33 U.S.C. 3203(f)) is amended to read as follows:

“(f) FEDERAL COOPERATION.—When deploying and maintaining tsunami detection technologies under the program under this section, the Administrator shall—

“(1) identify which assets of other Federal agencies are necessary to support such program; and

“(2) work with each agency identified under paragraph (1)—

“(A) to acquire the agency’s assistance; and

“(B) to prioritize the necessary assets in support of the tsunami forecast and warning program.”.

(g) UNNECESSARY PROVISIONS.—Section 804 (33 U.S.C. 3203) is further amended—

(1) by striking subsection (g);

(2) by striking subsections (i) through (k); and

(3) by redesignating subsection (h) as subsection (g).

(h) CONGRESSIONAL NOTIFICATIONS.—Subsection (g) of section 804 (33 U.S.C. 3203(g)), as redesignated by subsection (g)(3), is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and moving such subparagraphs 2 ems to the right;

(2) in the matter before subparagraph (A), as redesignated by paragraph (2), by striking “The Administrator” and inserting the following:

“(1) IN GENERAL.—The Administrator”;

(3) in paragraph (1), as redesignated by paragraph (3)—

(A) in subparagraph (A), as redesignated by paragraph (2), by striking “and” at the end;

(B) in subparagraph (B), as redesignated by paragraph (2), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(C) the occurrence of a significant tsunami warning.”; and

(4) by adding at the end the following:

“(2) CONTENTS.—In a case in which notice is submitted under paragraph (1) within 30 days of a significant tsunami warning described in subparagraph (C) of such paragraph, such notice shall include, as appropriate, brief information and analysis of—

“(A) the accuracy of the tsunami model used;

“(B) the specific deep ocean or other monitoring equipment that detected the incident, as well as the deep ocean or other monitoring equipment that did not detect the incident due to malfunction or other reasons;

“(C) the effectiveness of the warning communication, including the dissemination of warnings with State, territory, local, and tribal partners in the affected area under the jurisdiction of the National Weather Service; and

“(D) such other findings as the Administrator considers appropriate.”.

SEC. 505. MODIFICATION OF NATIONAL TSUNAMI HAZARD MITIGATION PROGRAM.

(a) IN GENERAL.—Section 805(a) (33 U.S.C. 3204(a)) is amended to read as follows:

“(a) PROGRAM REQUIRED.—The Administrator, in coordination with the Administrator of the Federal Emergency Management Agency and the heads of such other agencies as the Administrator considers relevant, shall conduct a community-based tsunami hazard mitigation program to improve tsunami preparedness and resiliency of at-risk areas in the United States and the territories of the United States.”.

(b) NATIONAL TSUNAMI HAZARD MITIGATION PROGRAM.—Section 805 (33 U.S.C. 3204) is amended by striking subsections (c) and (d) and inserting the following:

“(c) PROGRAM COMPONENTS.—The Program conducted under subsection (a) shall include the following:

“(1) Technical and financial assistance to coastal States, territories, tribes, and local governments to develop and implement activities under this section.

“(2) Integration of tsunami preparedness and mitigation programs into ongoing State-based hazard warning, resilience planning, and risk management activities, including predisaster planning, emergency response, evacuation planning, disaster recovery, hazard mitigation, and community development and redevelopment planning programs in affected areas.

“(3) Coordination with other Federal preparedness and mitigation programs to leverage Federal investment, avoid duplication, and maximize effort.

“(4) Activities to promote the adoption of tsunami resilience, preparedness, warning, and mitigation measures by Federal, State, territorial, tribal, and local governments and nongovernmental entities, including educational and risk communication programs to discourage development in high-risk areas.

“(5) Activities to support the development of regional tsunami hazard and risk assessments. Such regional risk assessments may include the following:

“(A) The sources, sizes, and other relevant historical data of tsunami in the region, including paleotsunami data.

“(B) Inundation models and maps of critical infrastructure and socioeconomic vulnerability in areas subject to tsunami inundation.

“(C) Maps of evacuation areas and evacuation routes, including, when appropriate, traffic studies that evaluate the viability of evacuation routes.

“(D) Evaluations of the size of populations that will require evacuation, including populations with special evacuation needs.

“(E) Evaluations and technical assistance for vertical evacuation structure planning for communities where models indicate limited or no ability for timely evacuation, especially in areas at risk of near shore generated tsunami.

“(F) Evaluation of at-risk ports and harbors.

“(G) Evaluation of the effect of tsunami currents on the foundations of closely-spaced, coastal high-rise structures.

“(6) Activities to promote preparedness in at-risk ports and harbors, including the following:

“(A) Evaluation and recommendation of procedures for ports and harbors in the event of a distant or near-field tsunami.

“(B) A review of readiness, response, and communication strategies to ensure coordination and data sharing with the Coast Guard.

“(7) Activities to support the development of community-based outreach and education programs to ensure community readiness and resilience, including the following:

“(A) The development, implementation, and assessment of technical training and public education programs, including education programs that address unique characteristics of distant and near-field tsunami.

“(B) The development of decision support tools.

“(C) The incorporation of social science research into community readiness and resilience efforts.

“(D) The development of evidence-based education guidelines.

“(8) Dissemination of guidelines and standards for community planning, education, and training products, programs, and tools, including—

“(A) standards for—

“(i) mapping products;

“(ii) inundation models; and

“(iii) effective emergency exercises; and

“(B) recommended guidance for at-risk port and harbor tsunami warning, evacuation, and response procedures in coordination with the Coast Guard and the Federal Emergency Management Agency.

“(d) AUTHORIZED ACTIVITIES.—In addition to activities conducted under subsection (c), the program conducted under subsection (a) may include the following:

“(1) Multidisciplinary vulnerability assessment research, education, and training to help integrate risk management and resilience objectives with community development planning and policies.

“(2) Risk management training for local officials and community organizations to enhance understanding and preparedness.

“(3) In coordination with the Federal Emergency Management Agency, interagency, Federal, State, tribal, and territorial intergovernmental tsunami response exercise planning and implementation in high risk areas.

“(4) Development of practical applications for existing or emerging technologies, such as modeling, remote sensing, geospatial technology, engineering, and observing systems, including the integration of tsunami sensors into Federal and commercial submarine telecommunication cables if practicable.

“(5) Risk management, risk assessment, and resilience data and information services, including—

“(A) access to data and products derived from observing and detection systems; and

“(B) development and maintenance of new integrated data products to support risk management, risk assessment, and resilience programs.

“(6) Risk notification systems that coordinate with and build upon existing systems and actively engage decisionmakers, State, local, tribal, and territorial governments and agencies, business communities, nongovernmental organizations, and the media.

“(e) NO PREEMPTION WITH RESPECT TO DESIGNATION OF AT-RISK AREAS.—The establishment of national standards for inundation models under this section shall not prevent States, territories, tribes, and local governments from designating additional areas as being at risk based on knowledge of local conditions.

“(f) NO NEW REGULATORY AUTHORITY.—Nothing in this Act may be construed as establishing new regulatory authority for any Federal agency.”.

(c) **REPORT ON ACCREDITATION OF TSUNAMI-READY PROGRAM.**—Not later than 180 days after the date of enactment of this Act, the Administrator of the National Oceanic and Atmospheric Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on which authorities and activities would be needed to have the Tsunami-Ready program of the National Weather Service accredited by the Emergency Management Accreditation Program.

SEC. 506. MODIFICATION OF TSUNAMI RESEARCH PROGRAM.

Section 806 (33 U.S.C. 3205) is amended—

(1) in the matter before paragraph (1), by striking “The Administrator shall” and all that follows through “establish or maintain” and inserting the following:

“(a) **IN GENERAL.**—The Administrator shall, in consultation with such other Federal agencies, State, tribal, and territorial governments, and academic institutions as the Administrator considers appropriate, the coordinating committee under section 805(d), and the panel under section 808(a), support or maintain”;

(2) in subsection (a), as designated by paragraph (1), by striking “and assessment for tsunami tracking and numerical forecast modeling. Such research program shall—” and inserting the following: “assessment for tsunami tracking and numerical forecast modeling, and standards development.”

“(b) **RESPONSIBILITIES.**—The research program supported or maintained under subsection (a) shall—”;

(3) in subsection (b), as designated by paragraph (2)—

(A) by amending paragraph (1) to read as follows:

“(1) consider other appropriate and cost effective solutions to mitigate the impact of tsunami, including the improvement of near-field and distant tsunami detection and forecasting capabilities, which may include use of a new generation of the Deep-ocean Assessment and Reporting of Tsunamis array, integration of tsunami sensors into commercial and Federal telecommunications cables, and other real-time tsunami monitoring systems and supercomputer capacity of the Administration to develop a rapid tsunami forecast for all United States coastlines”;

(B) in paragraph (3)—

(i) by striking “include” and inserting “conduct”;

(ii) by striking “and” at the end;

(C) by redesignating paragraph (4) as paragraph (5);

(D) by inserting after paragraph (3) the following:

“(4) develop the technical basis for validation of tsunami maps, numerical tsunami models, digital elevation models, and forecasts; and”;

(E) in paragraph (5), as redesignated by subparagraph (C), by striking “to the scientific community” and inserting “to the public and the scientific community”.

SEC. 507. GLOBAL TSUNAMI WARNING AND MITIGATION NETWORK.

Section 807 (33 U.S.C. 3206) is amended—

(1) by amending subsection (a) to read as follows:

“(a) **SUPPORT FOR DEVELOPMENT OF AN INTERNATIONAL TSUNAMI WARNING SYSTEM.**—The Administrator shall, in coordination with the Secretary of State and in consultation with such other agencies as the Administrator considers relevant, provide technical assistance,

operational support, and training to the Inter-governmental Oceanographic Commission of the United Nations Educational, Scientific, and Cultural Organization, the World Meteorological Organization of the United Nations, and such other international entities as the Administrator considers appropriate, as part of the international efforts to develop a fully functional global tsunami forecast and warning system comprised of regional tsunami warning networks.”;

(2) in subsection (b), by striking “shall” each place it appears and inserting “may”;

(3) in subsection (c)—

(A) in paragraph (1), by striking “establishing” and inserting “supporting”;

(B) in paragraph (2)—

(i) by striking “establish” and inserting “support”;

(ii) by striking “establishing” and inserting “supporting”.

SEC. 508. TSUNAMI SCIENCE AND TECHNOLOGY ADVISORY PANEL.

(a) **IN GENERAL.**—The Act is further amended—

(1) by redesignating section 808 (33 U.S.C. 3207) as section 809; and

(2) by inserting after section 807 (33 U.S.C. 3206) the following:

“SEC. 808. TSUNAMI SCIENCE AND TECHNOLOGY ADVISORY PANEL.

“(a) **DESIGNATION.**—The Administrator shall designate an existing working group within the Science Advisory Board of the Administration to serve as the Tsunami Science and Technology Advisory Panel to provide advice to the Administrator on matters regarding tsunami science, technology, and regional preparedness.

“(b) **MEMBERSHIP.**—

“(1) **COMPOSITION.**—The Panel shall be composed of no fewer than 7 members selected by the Administrator from among individuals from academia or State agencies who have academic or practical expertise in physical sciences, social sciences, information technology, coastal resilience, emergency management, or such other disciplines as the Administrator considers appropriate.

“(2) **FEDERAL EMPLOYMENT.**—No member of the Panel may be a Federal employee.

“(c) **RESPONSIBILITIES.**—Not less frequently than once every 4 years, the Panel shall—

“(1) review the activities of the Administration, and other Federal activities as appropriate, relating to tsunami research, detection, forecasting, warning, mitigation, resiliency, and preparation; and

“(2) submit to the Administrator and such others as the Administrator considers appropriate—

“(A) the findings of the working group with respect to the most recent review conducted under paragraph (1); and

“(B) such recommendations for legislative or administrative action as the working group considers appropriate to improve Federal tsunami research, detection, forecasting, warning, mitigation, resiliency, and preparation.

“(d) **REPORTS TO CONGRESS.**—Not less frequently than once every 4 years, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Science, Space, and Technology of the House of Representatives a report on the findings and recommendations received by the Administrator under subsection (c)(2).”.

(b) **TABLE OF CONTENTS AMENDMENT.**—The table of contents in section 1(b) of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Public Law 109-479; 120 Stat. 3575) is amended by striking the item relating to section 808 and inserting the following:

“Sec. 808. Tsunami Science and Technology Advisory Panel.

“Sec. 809. Authorization of appropriations.”.

SEC. 509. REPORTS.

(a) **REPORT ON IMPLEMENTATION OF TSUNAMI WARNING AND EDUCATION ACT.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, the Administrator of the National Oceanic and Atmospheric Administration shall submit to Congress a report on the implementation of the Tsunami Warning and Education Act enacted as title VIII of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Public Law 109-479; 33 U.S.C. 3201 et seq.), as amended by this Act.

(2) **ELEMENTS.**—The report required by paragraph (1) shall include the following:

(A) A detailed description of the progress made in implementing sections 804(d)(6), 805(b), and 806(b)(4) of the Tsunami Warning and Education Act the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Public Law 109-479; 33 U.S.C. 3201 et seq.).

(B) A description of the ways that tsunami warnings and warning products issued by the Tsunami Forecasting and Warning Program established under section 804 of the Tsunami Warning and Education Act (33 U.S.C. 3203), as amended by this Act, may be standardized and streamlined with warnings and warning products for hurricanes, coastal storms, and other coastal flooding events.

(b) **REPORT ON NATIONAL EFFORTS THAT SUPPORT RAPID RESPONSE FOLLOWING NEAR-SHORE TSUNAMI EVENTS.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, the Administrator and the Secretary of Homeland Security shall jointly, in coordination with the Director of the United States Geological Survey, Administrator of the Federal Emergency Management Agency, the Chief of the National Guard Bureau, and the heads of such other Federal agencies as the Administrator considers appropriate, submit to the appropriate committees of Congress a report on the national efforts in effect on the day before the date of the enactment of this Act that support and facilitate rapid emergency response following a domestic near-shore tsunami event to better understand domestic effects of earthquake derived tsunami on people, infrastructure, and communities in the United States.

(2) **ELEMENTS.**—The report required by paragraph (1) shall include the following:

(A) A description of scientific or other measurements collected on the day before the date of the enactment of this Act to quickly identify and quantify lost or degraded infrastructure or terrestrial formations.

(B) A description of scientific or other measurements that would be necessary to collect to quickly identify and quantify lost or degraded infrastructure or terrestrial formations.

(C) Identification and evaluation of Federal, State, local, tribal, territorial, and military first responder and search and rescue operation centers, bases, and other facilities as well as other critical response assets and infrastructure, including search and rescue aircraft, located within near-shore and distant tsunami inundation areas on the day before the date of the enactment of this Act.

(D) An evaluation of near-shore tsunami response plans in areas described in subparagraph (C) in effect on the day before the date of the enactment of this Act, and how those response plans would be affected by the loss of search and rescue and first responder infrastructure described in such subparagraph.

(E) A description of redevelopment plans and reports in effect on the day before the date of

the enactment of this Act for communities in areas that are at high-risk for near-shore tsunami, as well identification of States or communities that do not have redevelopment plans.

(F) Recommendations to enhance near-shore tsunami preparedness and response plans, including recommended responder exercises, predisaster planning, and mitigation needs.

(G) Such other data and analysis information as the Administrator and the Secretary of Homeland Security consider appropriate.

(3) APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Science, Space, and Technology, the Committee on Homeland Security, and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 510. AUTHORIZATION OF APPROPRIATIONS.

Section 809 of the Act, as redesignated by section 08(a)(1) of this Act, is amended—

(1) in paragraph (4)(B), by striking “and” at the end;

(2) in paragraph (5)(B), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(6) \$25,800,000 for each of fiscal years 2016 through 2021, of which—

“(A) not less than 27 percent of the amount appropriated for each fiscal year shall be for activities conducted at the State level under the tsunami hazard mitigation program under section 805; and

“(B) not less than 8 percent of the amount appropriated shall be for the tsunami research program under section 806.”.

SEC. 511. OUTREACH RESPONSIBILITIES.

The Administrator of the National Oceanic and Atmospheric Administration, in coordination with State and local emergency managers, shall develop and carry out formal outreach activities to improve tsunami education and awareness and foster the development of resilient communities. Outreach activities may include—

(1) the development of outreach plans to ensure the close integration of tsunami warning centers supported or maintained under section 804(d) of the Tsunami Warning and Education Act (33 U.S.C. 3203(d)), as amended by this Act, with local Weather Forecast Offices of the National Weather Service and emergency managers;

(2) working with appropriate local Weather Forecast Offices to ensure they have the technical knowledge and capability to disseminate tsunami warnings to the communities they serve; and

(3) evaluating the effectiveness of warnings and of coordination with local Weather Forecast Offices after significant tsunami events.

SEC. 512. REPEAL OF DUPLICATE PROVISIONS OF LAW.

(a) REPEAL.—The Tsunami Warning and Education Act enacted by Public Law 109–424 (120 Stat. 2902) is repealed.

(b) CONSTRUCTION.—Nothing in this section may be construed to repeal, or affect in any way, the Tsunami Warning and Education Act enacted as title VIII of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Public Law 109–479; 33 U.S.C. 3201 et seq.).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from Oregon (Ms. BONAMICI) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 353, the Weather Research and Forecasting Innovation Act of 2017 advances weather research and technology and will transform our Nation's weather industry.

I thank the vice chairman of the Science Committee, Mr. LUCAS, for sponsoring this legislation.

We must better understand short-term weather events so that we can better protect lives and property. Severe weather routinely affects large portions of the United States. Nearly every year, we witness the devastating effects of tornadoes and intense storms across our country. This bill will ensure that Americans are more protected from severe weather because of accurate supercomputing, forecasts, and earlier warnings.

H.R. 353 directs the National Oceanic and Atmospheric Administration, NOAA, to prioritize its research to improve weather data, modeling, computing, forecasting, and warnings. This enables NOAA to support its core mission of protecting lives and property.

The bill strengthens NOAA's ability to study the underlying atmospheric science while simultaneously advancing innovative technologies and reforming operations to provide better weather data models and forecasts.

Also, the legislation creates a tornado research program to develop more accurate, effective, and timely tornado forecasts. This program will increase our understanding of these deadly events, just as the Hurricane Forecast Improvement Program advanced our ability to predict and forecast hurricanes.

The bill improves weather observation systems through the use of observing system simulation experiments and next generation computing and modeling capabilities. These requirements will help ensure we use the best and most appropriate technologies to protect our country from severe weather. It prompts NOAA to actively embrace new commercial data and private sector weather solutions through a multiyear commercial weather data pilot program. Further, it directs NOAA to seriously consider commercial data options rather than rely on slow, costly, and often delayed government-owned satellites.

For far too long, our government has relied on these massive multibillion-

dollar government weather satellites. The government has failed to consider other options that could help strengthen our weather industry. The Science Committee has jurisdiction over NOAA's satellite office and conducts ongoing oversight of the agency's satellite program. Our conclusion is that NOAA is in need of real reform.

Over the years, events at NOAA have revealed mismanagement, cost overruns, and launching delays of its weather satellites. This detracts from our ability to accurately predict our own weather, which places Americans in harm's way. It is also a tremendous burden to taxpayers who have to pay the massive bills for these satellites. This is a waste of resources that should be put to better use.

This bill gives NOAA a new vision and allows NOAA the flexibility to buy new, affordable, and potentially better sources of data from the private sector. With more and better options, we can finally have the power to make real improvements to our weather forecasting capabilities. This is long overdue.

The bill also creates a much-needed technology transfer fund in NOAA's research office to help push technologies into operation. This ensures that the technologies that are developed are effectively employed and do not sit idly on the lab bench.

I again thank the gentleman from Oklahoma (Mr. LUCAS) and I thank the former Environment Subcommittee chairman, Mr. BRIDENSTINE, for their initiative on this issue. I also want to thank Senator THUNE for helping produce bipartisan and bicameral legislation that will protect all Americans from harmful weather events. Americans from coast to coast will now be better prepared for severe weather with the passage of this bill.

Recently, we have seen the devastating effects of severe weather across our country, especially in Texas, Oklahoma, Louisiana, Missouri, Kansas, Alabama, and Mississippi, among other States. This bill will help these residents be better prepared so that they can protect their property and their families.

I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Ms. BONAMICI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 353, the Weather Research and Forecasting Innovation Act, which also includes the Tsunami Warning, Education, and Research Act.

The Weather Research and Forecasting Innovation Act is a product of hard work and negotiation over the past two Congresses. I want to thank Congressman FRANK LUCAS, Chairman LAMAR SMITH, and former Environment Subcommittee Chairs JIM BRIDENSTINE

and CHRIS STEWART, who were great partners in getting us here today.

The National Oceanic and Atmospheric Administration is responsible for important work at the cutting edge of science and public service. Weather forecasting is one of the most critical tasks for our country. At a time when budget uncertainty jeopardizes some of the most fundamental services NOAA provides to our Nation, it is imperative that we support legislation like H.R. 353 to give the agency the resources and flexibility needed to fulfill its mission.

The northwest Oregon communities I represent and communities across the country rely on timely and accurate weather forecasts to decide when to harvest their crops, when to go to sea to fish, how to navigate the roads safely when there is freezing rain or snow and to prepare for possible flood conditions.

The National Weather Service provides excellent forecasting products to support our economy, but with the increasing frequency and severity of severe weather events, there can be and should be improvements in our forecasting capabilities and delivery. Improvements in forecasts can provide more lead time to allow communities to prepare, especially in severe weather events. More effective communication of forecast information to the public and those in harm's way can reduce the loss of life and property.

This bill connects the research side of NOAA—the Office of Oceanic and Atmospheric Research—more effectively to the forecasting needs of the National Weather Service, cultivating a research-to-operations pipeline that is essential for the continued improvement of our weather forecasting enterprise. The bill contains several provisions that will improve interactions and information sharing between NOAA's researchers and the National Weather Service. It improves communication between NOAA and the broader research and private weather communities. The bill also formally establishes the pilot program currently operating at NOAA to engage in contracts with the commercial sector for weather forecasting data.

Even the best forecasts will not adequately serve the public's needs unless there are effective communication systems in place. H.R. 353 directs NOAA to do more research, listen to experts, and improve its risk communication techniques.

The bill also establishes interagency coordination through the Office of Science and Technology Policy across multiple agencies outside NOAA that share responsibilities for weather research and forecast communications. This is essential, and it highlights the important role the Office of Science and Technology Policy and NOAA share to help speed the adoption of best

tools and practices across the various agencies of the Federal Government.

The legislation before us today also includes the Tsunami Warning, Education, and Research Act, legislation I have introduced over the past three Congresses. The Tsunami Warning, Education, and Research Act seeks to improve our country's understanding of the threat posed by tsunami events by improving forecasting and notification systems, developing supportive technologies, and supporting local community outreach preparedness and response plans. This bill helps to address the risk faced by communities on both coasts and in the Gulf of Mexico by improving our mitigation and research program and enhancing community outreach and planning.

Many, if not most, of my colleagues represent districts that have experienced some kind of natural disaster. The threat of a catastrophic earthquake and tsunami is real because of the Cascadia Subduction Zone. West Coast Members take this threat very seriously.

I have heard from coastal communities, people who fish, the tourism and maritime industries, marine and public safety officials, sheriffs, emergency managers, small-business owners, older Americans, and students who are concerned that their communities are not prepared for a tsunami.

Students at Seaside High School, a coastal community in my district, engaged in a year-long project to educate Oregonians about the threat a tsunami has on lives and property. Three of the four public schools in Seaside are still located inside the tsunami inundation zone. The high school students have practiced their evacuation route, and they know that, in the projected time between a major earthquake and the devastating wave of a tsunami, they couldn't make it to higher ground. That is unacceptable.

The University of Oregon and Oregon State University are working on seismic warning systems and tsunami preparedness to help make sure that our communities are prepared and have the best research available to give the most warning time possible, and this bill compliments their work.

I am proud to have worked on this legislation which is so important to the people of northwest Oregon and all coastal communities, but I do remain very concerned that the funding level is below current spending. This cut would have serious consequences. The operation and maintenance funding for the buoy network we rely on to detect tsunami could decrease, adding hours of delay in appropriately warning coastal communities.

Tsunami warning centers in Alaska and Hawaii are likely to see a reduction in staff, resulting in gaps in coverage and creating greater risks because of time delays in sending out ac-

curate warnings and, in some instances, not being able to provide adequate warning at all.

Tsunami are among the most deadly natural disasters. In the past two decades, tsunami have caused the deaths of roughly a quarter million people around the world. These disasters also have profound economic consequences. The 2001 tsunami in Japan caused more than \$200 billion in economic losses.

We are fortunate, in the United States, to have been spared these catastrophes so far.

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But our coastlines, from the Gulf of Mexico to Alaska, are very susceptible to the same kind of disasters we have seen in Indonesia and in Japan. It is not a matter of if, it is a matter of when.

Tsunami program activities protect coastal Oregonians just as hurricane forecasting protects coastal Floridians, Carolinians, and others up and down the East Coast of the United States. It is important that we reauthorize these lifesaving activities, and just as important to provide the necessary funding to support them.

I will work tirelessly with my colleagues to make sure this program receives the full funding it needs to serve our communities and save lives and property.

Although there are always areas where we can do more, this underlying bill, the Weather Research and Forecasting Innovation Act, with the tsunami bill, is a good bipartisan agreement and one that I am proud to support while continuing to ask for current levels of funding.

I ask my colleagues to join me in voting "yes" on H.R. 353.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from Oklahoma (Mr. LUCAS), who is the vice chairman of the Science, Space, and Technology Committee, and also the sponsor of this legislation.

Mr. LUCAS. Mr. Speaker, I want to thank the gentleman from Texas, Chairman SMITH, for his continued leadership on the Science, Space, and Technology Committee, and for bringing forward this important legislation.

H.R. 353, the Weather Research and Forecasting Innovation Act of 2017, prioritizes improving weather forecasting for the protection of lives and property at the National Oceanic and Atmospheric Administration. This is a core program of the agency that has been in need of improved direction and investment for years.

The bill directs NOAA to develop plans to restore our country's leadership in weather forecasting. It is no secret that many people in our weather community are distraught that our forecasting capacities have deteriorated in recent years. Some even say

that America no longer has the best weather prediction system in the world. In fact, we routinely rely on forecasts of other countries to predict what will happen in this country. This is unacceptable, but I am glad we are here today to pass legislation that will dramatically improve our weather forecasting system.

The bill before us today enhances our ability to predict severe weather by focusing research and computing resources on improved weather forecasting, quantitative observing data planning, next generation modeling, and an emphasis on research-to-operations technology transfer.

As a Representative from Oklahoma, I understand the need for accurate and timely weather predictions firsthand. Every year, the loss of life from deadly tornadoes in my home State are a stark reminder that we can do better to predict severe weather events and provide longer lead times to protect Americans in harm's way.

I am proud that this legislation has a dedicated tornado warning improvement program. The goal of this program is to reduce the loss of life from tornadoes by advancing the understanding of fundamental meteorological science. This will allow detection and notifications of severe weather that are more accurate, effective, and timely. Constituents in my home State will benefit greatly from longer tornado warning lead times, which will save lives and better protect property.

Being better prepared for severe weather events is of the utmost importance. The bill will improve our forecasting by encouraging innovations and new technologies through a joint technology transfer fund at NOAA's Office of Oceanic and Atmospheric Research. This transfer is essential to get new forecasting, models, and technologies out of the research side of NOAA and into the operational forecasts to better protect our country.

Furthermore, the legislation will enhance our forecasting by directing NOAA to engage new commercial data and private sector solutions. This legislation includes a pilot project, which will provide NOAA a clear demonstration of the valuable data from commercial technologies. The private sector has the potential to aid our forecasting skill while reducing government cost with innovative solutions. In order to increase our weather skills, we must not limit ourselves by solely relying on government data.

This legislation packs in multiple efforts to protect lives and property from severe weather. From encouraging new technologies both inside and outside of NOAA to the careful planning and prioritization of weather research, this legislation will put our country back on track to be a world leader in weather prediction.

The time has come for Americans to have the most accurate and timely

weather predictions. They deserve nothing less.

Mr. Speaker, I urge my colleagues to vote for the bill.

Ms. BONAMICI. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the ranking member of the Science, Space, and Technology Committee.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of H.R. 353, the Weather Research and Forecasting Innovation Act of 2017.

Climate and weather are not fundamentally partisan concerns; they affect all of our constituents, regardless of their party affiliation. The bill we are considering today, which is the culmination of more than 4 years of bipartisan compromise and negotiation, demonstrates what can be accomplished when we work together to address the concerns of our constituents.

Mr. Speaker, weather affects all of us each and every day. It is a constant presence in our lives. Extreme weather events, which are becoming more severe and more frequent, are damaging lives and property in my home State of Texas, across the continental U.S., and all the way to the islands of Hawaii.

Sadly, the devastation caused by tornadoes, hurricanes, and other severe weather incidents have become a far more familiar occurrence and, really, too much of it for far more Americans. It should go without saying that we need to help Americans avoid and cope with these potentially devastating events by utilizing the very best weather forecasting and warning capabilities.

In that regard, the National Weather Service and the Office of Oceanic and Atmospheric Research, or NOAA, play a central role in protecting the lives and property of every American. H.R. 353 will help accelerate innovation that NOAA can make use of, turning cutting-edge weather research into essential weather forecasting tools and products; tools the forecasters can then use to protect American lives.

The legislation improves collaboration and cooperation within NOAA and removes barriers that exist between the weather research community, our Nation's forecasters, and the private sector weather enterprise. Improving these relationships will strengthen the accuracy and timing of our weather predictions and, ultimately, will save lives and make our communities safer.

H.R. 353 also reauthorizes NOAA's tsunami warning activities. Communities along our Western Coasts are particularly impacted by the threat of tsunamis. While this bill reauthorizes tsunami warning and research activities at NOAA, it does so at a level far below current agency spending. Such a cut makes little sense. Even in a tough fiscal climate, we should be wary of cuts to programs that negatively affect

our ability to protect American lives and property from natural disasters.

I want to applaud Environment Subcommittee Ranking Member SUZANNE BONAMICI for her fight to retain funding for these programs at their current level, and I hope that we can work together with our colleagues to maintain current tsunami funding when it comes time for appropriations.

Mr. Speaker, strengthening our resilience to severe weather events is both vital and necessary to strengthen our Nation's economic security. H.R. 353 will advance our weather forecasting capabilities, and I urge my colleagues to support its passage.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. BIGGS), who is the chairman of the Environment Subcommittee.

Mr. BIGGS. Mr. Speaker, I thank the gentleman from Texas, Chairman SMITH, for yielding me time to speak on this important legislation.

It has become increasingly apparent with every major weather event that our forecasting services are desperately in need of a major overhaul. I am happy to support legislation that will do just that.

H.R. 353, the Weather Research and Forecasting Innovation Act, will put our country's weather forecasting back on track to provide citizens with lifesaving predictions and warnings.

I specifically point to this bill's innovative language on weather technology planning. H.R. 353 calls on NOAA to evaluate the combination of observing systems it needs to meet weather forecasting requirements. It also requires the agency to conduct experiments on different observing systems to evaluate their costs and benefits.

Such reforms will grant NOAA more flexibility to develop new technologies while scrapping older approaches that do not bring enough value to our forecasts. We need to better assess our observing system resources instead of continuing to rely on outdated methods.

This bill will help push NOAA to consider new approaches, including those from the private sector. For its part, the growing private sector has signaled it is ready and willing to work with NOAA to bring better weather forecasting to our citizens, and we should welcome this development.

I am confident that H.R. 353 will create the kind of meaningful change that we want to see at NOAA. This bill will better protect American lives and property with more accurate weather forecasting. I applaud the sponsors. I encourage all Members to support this bill.

Ms. BONAMICI. Mr. Speaker, I continue to reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from

North Carolina (Mr. PITTENGER), who is also a member of the Financial Services Committee.

Mr. PITTENGER. Mr. Speaker, I thank the chairman for his exceptional leadership on this very important legislation.

In 2012, 7-year-old Jamal Stevens was in his bed when a tornado tore through the house, tossing him onto the embankment along Interstate 485, hundreds of feet from his room.

The warning from the National Weather Service came 10 minutes later, after the tornado had already touched down. This is because my hometown of Charlotte relies on radar nearly 100 miles away, meaning that the National Weather Service is using weak or inaccurate readings when issuing crucial safety warnings for Charlotteans.

In 2013, the current system provided a tornado warning, but for citizens in an entirely wrong neighborhood. More recently, a tornado in December of 2015 struck neighboring Union County with no warning from the National Weather Service.

Fortunately, our region has not suffered any fatalities due to the inadequate coverage, but we shouldn't wait for tragedy to act.

The Weather Research and Forecasting Innovation Act requires the Commerce Department to identify weak coverage areas and identify solutions to the problem by improving existing government radars or incorporating non-Federal radars into the National Weather Service's operations.

Americans across the country rely on the National Weather Service to detect and provide warning for severe weather such as thunderstorms and tornadoes. But Charlotte is currently the largest metropolitan area without an adequate radar coverage. Addressing this shortcoming is an important step for public safety.

With that in mind, I do urge my colleagues to support H.R. 353. I thank the chairman so much for his support on this critical legislation.

Ms. BONAMICI. Mr. Speaker, I continue to reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. HIGGINS), who is a very active member of the Science, Space, and Technology Committee.

Mr. HIGGINS of Louisiana. Mr. Speaker, I thank the gentleman from Texas, Chairman SMITH, for yielding me time to highlight my support for H.R. 353, the Weather Research and Forecasting Innovation Act of 2017.

This past weekend, deadly storms ravaged Louisiana's Third District, my district, tragically taking the lives of Francine Gotch and her 3-year-old daughter, Nevaeh Alexander, when their singlewide trailer flipped during high winds produced by a tornado.

The United States was once at the forefront of weather forecasting; how-

ever, that ability has diminished over the years with the capabilities of some other countries now paralleling or even exceeding our own.

I do not know if a better weather forecasting service would have made a difference this past weekend. However, as elected officials, we must make it a priority to protect American lives and property to the fullest extent.

□ 1500

We must never waver in this most significant responsibility. This legislation will put America back on track to lead the world in accurately predicting severe weather events with a renewed focus on increasing weather research and placing new technologies into operation.

More specifically, this bill also creates a tornado forecasting improvement program to develop more accurate, effective, and timely tornado forecasts that will allow for increased tornado warning lead times, which is crucial to saving lives and would perhaps have saved the lives of that mother and her young daughter this past weekend.

Mr. Speaker, with the number of hurricanes, floods, and tornadoes that have hit Louisiana in the last few decades, my constituency knows all too well the danger that mother nature can pose, as well as the need for reliable information to adequately prepare for such occurrences.

Constituents in my district need good, commonsense legislation like this to protect their families and their property. I applaud the efforts of the Science, Space, and Technology Committee Chairman SMITH and Representative LUCAS for leading this effort to protect Americans from severe weather.

Ms. BONAMICI. Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. BANKS) who is the vice chairman of the Environment Subcommittee.

Mr. BANKS of Indiana. Mr. Speaker, I thank the chairman for his leadership on important issues like these.

Unfortunately, my home State of Indiana is no stranger to severe weather. As we enter peak tornado season, my constituents are vulnerable to tornado outbreaks which could lead to loss of life and destruction. Protecting lives and property from severe weather needs to be a top priority at NOAA. I am glad we are addressing this issue for that reason today.

This legislation will greatly improve our ability to predict severe weather, like the tornadoes that affect my district, through a focused program to enhance forecasting. When mere seconds make the difference between life and death, my constituents deserve the most accurate and timely forecasts

available, and I am confident that this legislation will help give them that information.

I am also pleased that this bill gives NOAA the ability to incorporate data and forecasting skill from private sector companies like Harris Corporation in northeast Indiana, which employs about 450 engineers and technicians in my district. These talented professionals build the world's most advanced weather satellite instruments.

Many government-operated systems are slow and costly, and the private sector can be used to fill critical weather data needs. Directing NOAA to integrate next-generation commercial solutions improves our ability to protect lives and property.

The time to think outside of the government-only-weather-data box is now. That is why I applaud the chairman of the Science, Space, and Technology Committee, Mr. SMITH, as well as my colleague from Oklahoma (Mr. LUCAS) for bringing this important legislation to the forefront. I look forward to its passage into law.

Ms. BONAMICI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in addition to thanking all my colleagues on both sides of the aisle who have worked so hard on this legislation, I want to take a moment, also, to thank all of the staff in our offices and committee on both sides of the aisle who worked so hard on this legislation.

I encourage all my colleagues to support the Weather Research and Forecasting Innovation Act, which includes the Tsunami Warning, Education, and Research Act. This legislation will improve weather forecasting and tsunami preparedness.

Mr. Speaker, I encourage everyone to support this bipartisan legislation, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill is the culmination of hard work and negotiations that have spanned 5 years. Today, we finalize this House-initiated weather policy reform legislation that will benefit residents throughout the United States. H.R. 353 greatly improves our ability to predict short-term severe weather events. It better protects lives and property, a core mission of NOAA that has needed greater attention in recent years.

Again, I want to thank Mr. LUCAS and Mr. BRIDENSTINE for their initiative on this issue. I thank the former Environment Subcommittee chairman, Representative CHRIS STEWART, for his years of commitment to this subject as well.

I especially appreciate Ms. BONAMICI and her 5 years of effort to make this a bipartisan bill. I would like to thank the Science, Space, and Technology Subcommittee on Environment staff

for their years of effort on this bill, especially Taylor Jordan, who worked diligently to ensure that this bill became a reality. I also recognize the minority staff who were central to the process as well.

Mr. Speaker, this legislation will transform our weather forecasting ability. It ensures that we, once again, have a world-class forecasting system that will protect lives and property from the dangers of severe weather.

Mr. Speaker, I urge my colleagues to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 353.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

ENCOURAGING EMPLOYEE OWNERSHIP ACT OF 2017

Mr. HENSARLING. Mr. Speaker, pursuant to House Resolution 240, I call up the bill (H.R. 1343) to direct the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers to provide certain disclosures relating to compensatory benefit plans, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 240, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-11 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1343

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Encouraging Employee Ownership Act of 2017”.

SEC. 2. INCREASED THRESHOLD FOR DISCLOSURES RELATING TO COMPENSATORY BENEFIT PLANS.

Not later than 60 days after the date of the enactment of this Act, the Securities and Exchange Commission shall revise section 230.701(e) of title 17, Code of Federal Regulations, so as to increase from \$5,000,000 to \$10,000,000 the aggregate sales price or amount of securities sold during any consecutive 12-month period in excess of which the issuer is required under such section to deliver an additional disclosure to investors. The Commission shall index for inflation such aggregate sales price or amount every 5 years to reflect the change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics, rounding to the nearest \$1,000,000.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour equally di-

vided and controlled by the chair and ranking minority member of the Committee on Financial Services.

After 1 hour of debate, it shall be in order to consider the amendment printed in House Report 115-75, if offered by the Member designated in the report, which shall be considered read, shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent.

The gentleman from Texas (Mr. HENSARLING) and the gentleman from Michigan (Mr. KILDEE) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and submit extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HENSARLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1343, the Encouraging Employee Ownership Act. I also want to commend the Republican and Democrat sponsors of this important bill: Mr. HULTGREN of Illinois, Mr. DELANEY of Maryland, Mr. HIGGINS of New York, Mr. MACARTHUR of New Jersey, Ms. SINEMA of Arizona, and Mr. STIVERS of Ohio.

Their bipartisan efforts resulted in a bipartisan bill that will help small businesses, including startups, to successfully reward their hardworking employees; and, while doing so, this bill will allow small businesses to effectively deploy their capital to grow and to create jobs on Main Streets all across our country.

We all know, Mr. Speaker, that small businesses are the heart and soul of the American economy. In fact, they helped create more than 60 percent of the Nation's net new jobs over the past two decades. So if our Nation is to have a healthier economy that offers more opportunity to more Americans, then we must encourage small-business growth and small-business startups, and this starts with ensuring they have access to the capital and credit they need to grow.

Yet as we have heard from countless witnesses who have appeared before the House Financial Services Committee, community banks and credit unions in particular—the primary source of our small-business loans—are simply drowning, Mr. Speaker, in a sea of complicated and costly regulations. The same occurs with the maze of burdensome securities regulations that are written with the largest public companies in mind but end up hurting smaller companies.

Although small companies are at the forefront of innovation and job creation, they often face significant obstacles in obtaining funding in our capital markets. These obstacles often result from the proportionately larger burden that securities regulations place on small companies when they seek to access capital both in the public and private markets.

These small companies also face difficult challenges on how best they can deploy their limited resources and capital—to grow and thrive or to be able to sufficiently compensate their workforce, which is a critical component of their success.

Currently, the SEC allows private companies to offer their own securities to employees as part of written compensation agreements without having to comply with burdensome Federal securities registration requirements under what is called SEC rule 701. Now, unfortunately, one of the rule's thresholds has not been adjusted in two decades. What the bipartisan supporters of this bill are proposing is simply to modernize this SEC rule with a modest increase in that threshold.

Increasing the rule 701 threshold gives private companies more flexibility to reward and retain employees and permits private companies to keep valuable, skilled employees without having to use other methods such as borrowing money or selling securities. Updating this rule can encourage more companies to offer more incentives to more employees.

As one witness who testified before Congress said, this bill “would support a valuable compensation practice that allows small businesses to hire the most highly skilled workers” and better enable small, emerging growth companies that are at a competitive disadvantage with bigger businesses to attract and retain employees.

Allowing employees to become owners in the company also benefits those employees. As startups and small companies reach success, we all want their employees to also reap the benefits of that success. That is what is happening with companies that are able to offer stock options as part of their employee compensation plans.

For example, when Google was in its early stages, it hired someone to be an in-house, part-time masseuse and compensated her with both cash and stock options. That masseuse is now worth millions today. Another example is from an ad-tech company, MoPub. Thirty-six of its 100 employees became millionaires when the company was acquired by Twitter because MoPub's CEO set his employees up for success by offering them performance-based stock-option grants.

So, Mr. Speaker, shouldn't we want more American workers to have the opportunities like at Google and MoPub? Don't we want more Americans to have

an opportunity to obtain an ownership stake in the places that they work? That way the workers can earn the large financial upside that comes when the company performs well, and the company benefits by being able to attract talented workers.

Unfortunately, again, Mr. Speaker, too many companies right now shy away from offering employees greater ownership opportunities because an expensive, bureaucratic, burdensome, top-down regulation in Washington hasn't been updated in nearly 20 years. Mr. Speaker, we can fix that today. We can fix that by passing this common-sense, bipartisan bill, the Encouraging Employee Ownership Act.

We can provide American workers with more opportunities to share in the successes and profits of companies they work for. We can help to foster capital formation so more Americans can go back to work, have good careers, pay their mortgages, plan for a secure retirement, and ultimately give their families a better life.

Mr. Speaker, I urge all my colleagues to join me in supporting this common-sense bipartisan legislation, and I reserve the balance of my time.

□ 1515

Mr. KILDEE. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1343, Encouraging Employee Ownership Act of 2017, eliminates important disclosures that private companies must provide to their employees in the event they are compensating those employees with stock.

This bill would limit transparency. If companies want to pay their employees in stocks, they should have to simply disclose to their workers the risks associated with those investments.

Currently, private companies can provide up to \$5 million worth of stock compensation annually to their employees and are not required to provide any financial disclosure. This bill would lift that cap to \$10 million.

If companies choose to provide an employee with stock compensation, they should be required to inform that employee of the appropriate financial information, benefits, and the risks associated with that investment, including 2 years of company financial statements. All of this information is commonly available to typical investors.

Let's be clear: this stock is compensation for their work. Employees deserve to understand the value of their compensation prior to accepting it. They deserve the same protections that other investors would get.

I agree with Professor Mercer Bullard, who is a professor of law at the University of Mississippi School of Law, who testified before the Capital Markets, Securities, and Investments Subcommittee voicing his concerns about the bill. In his testimony, he noted that to take advantage of the

terms of this legislation, an issuer would have to have at least \$34 million in total assets. Surely, such minimal disclosures are not too burdensome for those sort of companies.

I do also understand that some proponents of this legislation argue that such an exemption is needed because disclosure of company information to employees runs the risk that confidential information could be leaked to competitors.

Employees with access to such information could simply be subject to non-disclosure agreements, which are typical today. Indeed, nondisclosure agreements are a simple solution that protects the company, but does not deny the employees the right to understand the worth of, or the risks associated with, the compensation they are receiving. Unfortunately, this bill would limit that transparency and those protections.

Mr. Speaker, I oppose this legislation, and I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield the balance of my time to the gentleman from Michigan (Mr. HUIZENGA), and I ask unanimous consent that he may control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HUIZENGA. Mr. Speaker, I yield myself such time as I may consume, and I thank the chairman for his leadership on this particular issue.

Mr. Speaker, small businesses and entrepreneurs are what drive the American economy. I meet with them in my district, the Second District of Michigan, all the time. I know my colleagues do as well back in their districts.

We see them firsthand. We see firsthand the benefits that their dreams, their innovations, their inspiration, and their hard work provide to our communities.

These innovators, entrepreneurs, and risk-takers are critical for our country's economic growth and prosperity. In fact, small businesses are responsible for 60 percent of the Nation's net new jobs over the past two decades. Not 2 years, not 10 years, but over the last 20 years, the last two decades.

If our Nation is going to have an economy that provides opportunity for every American, then we must promote and encourage success and growth in our small businesses and our startups. It is this notion that brings us this legislation we are discussing today.

H.R. 1343, Encouraging Employee Ownership Act, would simply level the playing field for small companies by updating Federal rules that allow small businesses to better compensate their employees with ownership in their own businesses.

Currently, Securities and Exchange Commission rule 701 permits private

companies to offer their securities as part of written compensation agreements to employees, directors, general partners, trustees, officers, or certain consultants without having to comply with rigid Federal securities registration requirements. SEC rule 701, therefore, allows small companies to reward its employees.

Despite the SEC having the authority to increase the \$5 million threshold disclosure via rulemaking, the SEC has once again chosen to prioritize highly politicized regulatory undertakings instead of focusing on its core mission. That mission includes facilitating capital formation. If the SEC cannot or will not focus its priorities, Congress will.

It is imperative that small businesses in west Michigan, all of Michigan, and across America have the ability to compete. A critical element of competition and success is for those small businesses to be able to offer compensation packages that attract and retain top-tier talent.

In today's world, that includes rewarding employees in stock options. To me, this just makes common sense. Small-business employees have a clear and vested interest in the success of their employer.

By increasing the rule 701 threshold to \$10 million, it will give private companies more flexibility to attract, reward, and retain those highly valuable employees. This simple change will allow companies to offer twice as much stock to their employers annually, as they currently can, without having to trigger additional disclosure information to investors about compensation packages that include these security offerings.

By reforming this regulatory burden, startups, small businesses, and emerging growth companies will be better equipped to attract highly talented individuals from companies that are better capitalized and able to maybe provide some additional cash compensation.

By incentivizing employees with stock options, small businesses will now be able to compete on a more level playing field with older, larger, and maybe more established companies. They are going to be able to retain their invaluable employees as well.

This bill is an example of the positive bipartisan results that can be achieved when Republicans and Democrats reach across the aisle. I commend the sponsors of the bill, Representatives HULTGREN, DELANEY, HIGGINS, MACARTHUR, SINEMA, and STIVERS for their leadership on this issue. I encourage my colleagues to support H.R. 1343.

Mr. Speaker, I reserve the balance of my time.

Mr. KILDEE. Mr. Speaker, I yield 6 minutes to the gentleman from Minnesota (Mr. ELLISON), a member of the Financial Services Committee.

Mr. ELLISON. Mr. Speaker, the value of companies doesn't always go up. It is not true that the stock market always goes up and only goes up. It would be nice if Methuselahs at Google and every other company in America could get stock options and end up millionaires, but the truth is the world doesn't work that way. That is why disclosure is very important. That is why there is nothing wrong and no one objects to employees being compensated with stock options, but those employees ought to at least know the value of those stock options.

If you give me a check and it has a monetary value, I can read it and I know how much it is. If you give me stock options and you don't tell me because you don't have to disclose how much they are worth, then that is not fair, and that is what we object to.

This bill simply allows companies to avoid disclosure to employees of what those stock options are worth. That is wrong, and that is why we oppose it.

Let me just start in terms of the context, Mr. Speaker. Today we consider yet another bill in favor of the moneyed interests. Today we consider another bill that basically helps out people who have a lot while so many Americans are struggling to get by and problems abound almost everywhere.

I have got to wonder, of all the things the American public want, why is a revision to the SEC's rule—section 701, to be precise—the priority for this week?

We have been here for about 3 months now. The Republicans have set the agenda. They are in the majority. They get to decide which bills come up. Why do they keep on bringing up bills that only the moneyed interests want?

Mr. Speaker, in the past few months, congressional Republicans—I almost called them corporate Republicans—who decide which bills are the priority, have brought forth a hodgepodge of pieces of legislation. I will just review a few.

Republicans made it easier to drug test people receiving unemployment compensation.

Do you think the unemployed want that?

I doubt it.

Republicans have passed and the President even signed a law to protect corporate firms from having to disclose labor violations like wage theft before winning government contracts. I have got a feeling the employees were not calling for that.

House and Senate Republicans passed laws that allow internet service providers to sell your browser history. I don't think most folks on the internet today were clamoring for that gem, which I was proud to vote "no" on.

Republicans enacted a new law making it easier to dump coal debris near rivers and streams.

Republicans stopped efforts to help governments around the world avoid corruption.

H.J. Res. 41 removed the requirement that corporations disclose resource payments to foreign governments, which is a crushing blow to democracy activists working in fragile nations.

Mr. Speaker, this particular piece of legislation comes within a certain kind of context—a context where we are not talking about increase in pay, making people safer, making water cleaner, making foreign governments more honest. It is quite the opposite.

In the 3 months that we have been back in Congress, these laws removing competition, removing disclosure, and removing consumer privacy are all priorities of Republicans, who set the agenda.

Mr. Speaker, people who might be clued into this broadcast today need to know what the majority has been up to. It has not been up to business.

These are all multinational corporate interests that don't punish people for polluting, allow them to sell your internet browser's history, allow them to make money off of testing laid-off workers receiving employment compensation that is due them, and don't make corporate interests disclose payments to foreign governments when they drill for oil and minerals.

I just want the American people and Members to understand what is going on here, what is the larger context of this piece of legislation that we look at today.

When I talk to my constituents, they don't bring up any of this stuff. Mr. Speaker, they want to know: Where is the jobs bill? When are we going to get back to work? Somebody said we were going to work on real infrastructure, real fair trade. When is that going to happen?

Well, the people who are in charge around here, I guess they are going to get around to it at some point.

My constituents say: Can't we raise the minimum wage from something higher than \$7.25 an hour, which is the Federal minimum wage? When is that bill coming up? Or, what about reconstructing our roads and our bridges and allowing us to raise a gas tax to invest in our Nation's infrastructure?

They say they want to increase skills. Let's invest in preschool, Pell grants, and community college. Let's put the people, not the corporate wish list, first.

Today we are asked to vote on a bill that basically makes it easier for private companies to provide options, like stocks, rather than compensation to their employees. As I have said, fundamentally, this may not be a bad thing if disclosure is made. This bill makes it not required. This bill makes it easier for firms to offload some of their options to employees without disclosing financial information to them.

While I am glad to see employers reward employees with stock and other compensation in addition to salaries,

workers should be told the value of the compensation they receive. I don't think that is asking too much, Mr. Speaker.

With this bill, H.R. 1343, it is possible that employees would be promised stock options which could be worth less than promised or even completely worthless.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. KILDEE. Mr. Speaker, I yield an additional 2 minutes to the gentleman from Minnesota.

Mr. ELLISON. Employees could decide to forego a salary increase and accept lower pay in order to receive more stock options; yet, those stock options could be worth way less than they expected.

Why should employees receive less information than any other minority shareholder?

If an employee is trusted enough to run day-to-day aspects of the business, they should be trusted enough to receive full disclosure about the stock. Employees should be able to receive information on the financial position of the company so they can make an educated decision.

It is not difficult to allow participating employees to sign nondisclosure agreements, and it can't be because these disclosures are an additional burden on the firm. These firms prepare these types of disclosures to receive rule 701 exemption from the SEC in the first place.

□ 1530

So I am also concerned about the mismatch of power between corporations and their employees, and I am very concerned that employees can be susceptible to pressure. Let me do a quick example.

George Maddox was one of 21,000 people who worked for Enron. After working at Enron for 30 years, he had 14,000 shares of company stock valued at \$1.3 million. When Enron collapsed, he had literally nothing, Mr. Speaker. All of his retirement was Enron stocks. If you haven't watched the movie "Enron: The Smartest Guys in the Room" recently, I would urge you to watch it again. You could also read Bethany McLean's book by the same name.

One image consistently stuck with me: a staff rally where leaders extolled the virtues of the firm. Just as we heard on the other side of the aisle a moment ago, leaders whipped employees into a frenzy to buy Enron stock, even as leaders knew it was worthless. In fact, corporate leaders had already sold their stock while urging employees to buy. Enron had a strategy of buying companies and then pressuring new employees to buy Enron stock to keep the stock price inflated. Since Enron usually fired 10 percent of the workers every year, workers felt pressured to buy stock to show commitment to the firm.

I can't just support a bill that gives employees fewer protections than investors. I can't support a bill that encourages employees to possibly forgo cash in their paychecks in exchange for some unverified investment option. It is not right.

Mr. Speaker, I see you reaching for the gavel. I will include the rest of my comments in the RECORD. I urge a "no" vote on this particular piece of legislation until it allows for disclosures.

Today we consider another bill requested by corporations.

But, I got to wonder, of all the things the American public want, why is a revision to the Securities and Exchange Commission rules—Section 701 to be precise—the priority for this week?

We've been here for three months now.

House Republicans set the agenda.

They lead this governing body.

Why do they keep bringing us bills that corporate America wants?

In the past few months, Congressional Republicans, who decide which bills are priorities have brought forward a hodgepodge of corporate requests.

Here are some of the bills that are now law.

Republicans made it easier to drug test people receiving unemployment compensation (H.J. Res. 42).

Republicans passed—and the President signed—a law to protect corporate firms from having to disclose labor violations—like wage theft—before winning government contracts (H.J. Res. 37).

House and Senate Republicans passed laws that allow internet services providers to sell your browser history.

Republicans enacted a new law making it easier to dump coal debris near rivers and streams (H.J. Res. 38).

Republicans stopped efforts to help governments around the world avoid corruption.

H.J. Res. 41 removed the requirement that corporations disclose resource payments to foreign governments.

Which is a crushing blow to democracy activists working in fragile nations.

And, a law preventing State governments from setting up retirement plans for residents who do not have a work-based plan.

So, in the three months we've been back, these laws—removing competition, disclosure, and consumer privacy—are the priorities of Republicans who set the agenda.

These are all asks of corporate America—don't punish us for polluting streams; let us sell your internet browser history; let us make money drug testing laid off workers receiving unemployment due them, and; don't make us disclose our payments to foreign governments when we drill for oil or minerals.

When I talk to my constituents, they don't ask for any of these.

They say, "Where's the jobs bill?"

My constituents say, can't we raise the minimum wage from \$7.25 an hour?

They say, our roads and bridges need work. Let's raise the gas tax a skoch and invest in infrastructure?

They say, we want to increase our skills; let's invest in pre-school, Pell grants and community colleges.

Let's put people, not corporate wish lists—first.

But, nope, today we are asked to vote on a bill that makes it easier for private companies to provide options—like stocks—rather than compensation to their employees.

This bill makes it easier for firms to offload some of their options to their employees without disclosing financial information to them.

While I'm glad to see companies reward employees with stock and other compensation in addition to salaries, workers should be told the value of the compensation they receive.

With this bill—H.R. 1343—it is possible that employees would be promised stock options which could be worth less than promised, or even, completely worthless.

So, employees could decide to forego a salary increase—or accept lower pay—in order to receive more stock options, yet, those stock options could be worth way less than expected.

Why should employees receive less information than that of any other minority shareholder?

If an employee is trusted enough to run the day-to-day aspects of the business, they should be trusted enough to receive full disclosure about the stock.

Employees should be able to receive information on the financial position of the company so they can make an educated decision.

It's not difficult to allow participating employees to sign non-disclosure agreements.

And it can't be because these disclosures are an additional burden on the firm.

Because these companies prepared these types of disclosures to receive the Rule 701 exemption from the SEC in the first place.

I'm also concerned about the mismatch in power between the corporations and their employees.

I am very concerned that employees can be more susceptible to pressure to take options instead of salary increases.

For example, we could ask George Maddox. George was one of the 21,000 people who worked at ENRON.

After working at ENRON for 30 years, he had 14,000 shares of company stock. It was valued at \$1.3 million.

Then ENRON collapsed, and he had literally nothing.

All his retirement was in ENRON stocks.

If you haven't watched the movie ENRON: The Smartest Guys in the Room recently, I'd urge you to watch it again.

You could also read Bethany McLean's book by the same name.

One image has consistently stuck with me.

A staff rally where leadership extolled the virtues of the firm.

Leaders whipped employees into a frenzy to buy ENRON stock even as the leaders knew it was worthless.

In fact, corporate leaders had already sold their stock while urging employees to buy.

ENRON had a strategy of buying companies and then pressuring the new employees to buy ENRON stock to keep the stock price inflated.

And since ENRON usually fired 10% of workers every year, workers felt pressured to buy stock to show a commitment to the firm.

I just can't support a bill that gives employees fewer protections than investors.

I can't support a bill that encourages employees to possibly forego cash in their paychecks in exchange for some unverified investment option.

I don't think the supporters of this bill are doing this for nefarious reasons.

I'm sure they find my reference to Enron hyperbolic.

They might also say that it's irrelevant since Enron was a public company and we are talking about private companies.

So, let's talk about Palantir Technologies.

This \$20 billion company convinced top-tier engineers to accept below-market salaries by promising them generous stock options.

But some employees who accepted this bargain, hoping to make money on selling their shares, cannot sell them.

The only buyer of their stocks is Palantir Technologies themselves—or a buyer approved by Palantir Technologies.

Palantir is not a small firm.

Palantir is the third biggest American tech startup, behind only Uber and AIR B-N-B.

It was also founded in 2004, which makes Palantir as old as Facebook—which is a long time to wait to cash in your options.

Pushing employees to own more of employer's stock exposes workers—like George Maddox—to put all their retirement eggs in one basket—what we call "concentration risk."

I ask this Congress to stop doing the bidding of corporate America until we address the priorities of American families and workers.

We should increase wages and access to affordable housing, provide clean air and clean water, and protect our privacy.

We should not make it easier for employers to pressure workers to choose options over salary without adequate disclosures. Vote no on H.R. 1343.

Mr. HUIZENGA. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. LUETKEMEYER), my fellow subcommittee chairman.

Mr. LUETKEMEYER. Mr. Speaker, I thank the gentleman for yielding me this time. I also want to thank the distinguished gentleman from Illinois (Mr. HULTGREN) for his work on this legislation and, more broadly, issues surrounding American entrepreneurship. He has been a tireless advocate.

Mr. Speaker, over the last 2 weeks, the Subcommittee on Financial Institutions and Consumer Credit, which I chair, has held hearings to examine the impact regulations have had on financial institutions, small businesses, and American consumers. What we have seen is that the burdens stemming from Dodd-Frank and associated Obama era policies continue to harm consumers and small businesses.

We have what some have referred to as a two-speed economy. Large banks and their large customers are thriving, but the story isn't as bright for small businesses. That is why H.R. 1343 is so important. Small businesses and startups don't necessarily have the same opportunities to access the capital markets as their larger competitors, but from a regulatory standpoint, the small guys are treated the same as the big guys.

Mr. HULTGREN's legislation takes an important step in addressing some of the disparities that exist. H.R. 1343 will allow small businesses to attract and retain employees through incentives similar to those that may be offered by large businesses. Unlike the gentleman who just got done speaking, this is not about Enrons. It is about small businesses that we are talking about.

It will also ease some of the reporting burden on small and emerging businesses. The bill does so simply by increasing the SEC rule 701 threshold, taking the existing rule and simply expanding it, a figure that hasn't been touched since 1999.

It is essential that Washington take steps to level the playing field for small businesses and eliminate this two-speed economy. The bill the House will consider today is another step toward job creation and a more reasonable regulatory environment.

I again want to thank and commend Mr. HULTGREN for his leadership and ask that my colleagues join me in supporting H.R. 1343.

Mr. KILDEE. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland (Mr. DELANEY), a member of the Committee on Financial Services, my classmate, and a cosponsor of this legislation.

Mr. DELANEY. Mr. Speaker, I want to thank my good friend from Michigan for yielding me this time, the vice ranking member of our committee, and the gentleman from Illinois (Mr. HULTGREN), my good friend, for cosponsoring this legislation with me.

I do rise in support of H.R. 1343, Mr. Speaker, and I think it is a very simple piece of legislation. The chairman of the committee said it was a simple piece of legislation. It is very straightforward. It simply raises the threshold as to the amount of stock a private corporation can give its employees, from \$5 million to \$10 million, without triggering additional disclosure.

What this bill is not about is rolling back disclosure because, as a practical matter, it simply defines the threshold as to when additional disclosure is required. That threshold was originally established in 1988 at \$5 million. Five million dollars was good in 1988; it is no longer good in 2017. We have simply escalated that amount by inflation, and we have come up with the number \$10 million, which is proposed in the legislation.

One of the reasons this legislation does not roll back disclosures, which is a myth that I intend to debunk here this afternoon, is because, as a practical matter, what corporations will do is, in fact, not give additional stock to their employees if, in fact, it triggers additional disclosures. That is what actually happens in the private market is this threshold defines the amount of stock that a company will, in fact, give to its employees in any given year;

and, if we don't raise the cap from \$5 million to \$10 million, we are effectively preventing companies from allowing their employees to share in stock ownership.

Private companies make decisions, Mr. Speaker, to stay private for many reasons: either because they are too small and they don't want to go public; or they don't want to, in fact, disclose their confidential information; or they don't want the costs or burdens of being a public company; or because they don't want to give up control. Whatever reason they have, it is a very important decision for a private company to stay private and not go public. The current threshold of \$5 million effectively forces a company to make the kind of disclosures it would have to make as a public company if it elects to give more than \$5 million of stock to its employees.

We, as policymakers, should encourage more employee ownership in the markets because it is good for both the corporations and the employees. It is good for the corporations because it creates a better culture. It allows the management team and the employees of the company to have a more long-term perspective, and it reduces turnover, which is one of the highest costs that companies have. So it is very good for the companies.

But, in fact, Mr. Speaker, it is even better for the employees. The data suggest that companies that have high employee ownership are much less likely to lay off their employees during a recession. So it creates, effectively, better retention, which is obviously in the interest of employees.

But the other thing it does—and I think this is the most important point—is it encourages kind of an inclusive capitalism whereby workers actually own more of the U.S. economy. This is something, as Democrats, we should care about, in particular, because we have talked for many years about how the growth in the U.S. economy and the increases in productivity have disproportionately gone to capital and not to workers.

We believe there are many reasons this has occurred, but one of the things we should be advocating for, strongly, is increasing workers' ownership of capital. It will inevitably lead to more savings among workers, and it will start balancing out the distribution of profits in society. One of the ways we do that is to eliminate the barriers for companies to issue stock to their employees, which is effectively what this bill does.

So if we care about this concept of inclusive capitalism, if we believe American workers should own a greater percentage of the economy and, therefore, benefit from the productivity enhancements that are occurring in the economy and the economic growth that is occurring in the econ-

omy, we should put policies in place specifically to make it easier for corporations to engage in shared employee ownership, which is exactly what this bill does.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. KILDEE. Mr. Speaker, I yield an additional 1 minute to the gentleman from Maryland.

Mr. DELANEY. I had firsthand experience with this prior to coming to Congress. I started two businesses as private companies, and they both became publicly traded companies. I shared ownership in those companies broadly with my team. It was very good for my business, and it was very good for hundreds of them when those initial public offerings occurred.

So I have firsthand experience with this. I do think it is good public policy across the long term, and I encourage my colleagues to support H.R. 1343.

Mr. HUIZENGA. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. HULTGREN), the author of this legislation.

Mr. HULTGREN. Mr. Speaker, I thank the chairman.

I do want to thank my colleagues for being here. I think this is a really important discussion that we are having today. It is such an honor to serve with all of my colleagues.

I do think some who have spoken opposed to this legislation really don't understand the impact. There is nothing in this legislation that takes away any disclosures. Disclosures still remain. The same disclosures that have been in place for 30 years remain exactly there. This does not have anything to do with Enron, a publicly traded company. It is completely different. This is private sector. This is opening up opportunity. I think, by arguing against this, ultimately, it is taking away opportunity from employees to benefit.

It is such a privilege to serve with people like the gentleman from Maryland (Mr. DELANEY), who was part of this, opening up opportunities to hundreds of families. Congressman MACARTHUR, similarly, opened up opportunities that changed lives, as well as Congressman TROTT, who is going to be speaking as well. They opened up opportunities to people who would never have had opportunity to own a company, to own that and to have it completely change their family and their future.

I rise to support H.R. 1343, the Encouraging Employee Ownership Act of 2017.

My legislation is based on a simple principle: Employees who own a stake in the company they work for every day want to see it do well and will do their best to make sure that that business succeeds. Their sense of ownership over details, large and small, makes a

real difference to the bottom line and, just as importantly, to the quality of life of the employers and employees. When the company succeeds, the employee succeeds. The business, in turn, receives a large boost in productivity, enabling it to expand its reach and invest in new technology and equipment.

EEOA would make it easier for companies in Illinois and nationwide to let hardworking employees own a stake in the business they pour their sweat into every single day. This benefit also helps companies attract top talent, even if the company is just starting out.

Warren Ribley of the Illinois Biotechnology Industry Organization, which represents companies that employ thousands of residents in the 14th Congressional District, believes: "... offering an ownership stake to employees is a critical tool in recruiting top talent to job-generating companies. And there is no doubt that an equity stake encourages employees to drive hard for success of that enterprise."

Unfortunately, some companies are shying away from offering employee ownership because of regulations that limit how much ownership they can safely offer. SEC rule 701 mandates various disclosures for certain privately held companies that use more than \$5 million worth of securities for employee compensation per year.

This threshold was arbitrarily set by the SEC in 1999. For businesses that want to offer more stock to more employees, this rule forces those businesses to make confidential disclosures that could greatly damage future innovation if they fell into the wrong hands; this includes business-sensitive information, including the financials and corresponding materials like future plans and capital expenditures. The SEC's original rulemaking acknowledged these concerns.

And these disclosures aren't just risky, they are costly. As the Chamber of Commerce has explained, the Encouraging Employee Ownership Act would instead "help give employees of American businesses a greater chance to participate in the success of their company."

EEOA builds off the JOBS Act reform to rule 12(g), which increased the number of shareholders of record that a company could have without SEC registration from 500 to 2,000 and exempted employee compensation securities from the registration requirements. This idea championed in the JOBS Act, that the law should treat employee compensation securities differently than traditional securities, has not been extended to the SEC rule 701.

My bill is simple. It is a bipartisan fix. EEOA raises the outdated threshold for enhanced disclosure from \$5 million to \$10 million, keeping pace with inflation every 5 years. We are taking something that is already work-

ing and making it available for even more companies and, more importantly, more employees.

To be clear, issuers who are exempt from enhanced disclosure would still have to comply with all pertinent anti-fraud civil liability requirements. Furthermore, the employees purchasing these securities observe the business they work for every day and have a closer perspective on its operation that is not available to the traditional investor, thus negating the need for additional disclosure. We should applaud the employee ownership from the board room to the shop floor.

I thank the bipartisan cosponsors of this EEOA legislation, especially Congressman DELANEY for his hard work and Congressmen STIVERS, SINEMA, HIGGINS of New York, MACARTHUR, GOTTHEIMER, and TROTT. I thank Speaker RYAN and Chairman HENSARLING for their support in advancing this critical legislation.

Mr. KILDEE. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the comments of my colleague and friend. I do, however, disagree that the question here derives from a lack of understanding of the legislation. I think it is entirely possible—in fact, I would suggest that it is likely—that members of a body such as this, from 435 distinct districts and different experiences, can look at the same information, fully understand it, and come to different conclusions as to what sort of policy ought to be in place, and that is where I have landed on this particular subject. I fully understand.

□ 1545

I also think it is important to note that we can't on one hand say that this is not about disclosure and on the other hand mention that these disclosure requirements could have a negative impact and encourage or discourage companies from engaging in the practice of awarding employees with stock as a part of their compensation.

It is a question of disclosure. This legislation is about the disclosure requirements that should be applied in this case. That is really what we have heard from both sides of this argument: where should that disclosure requirement be, and at what level should it be incurred?

What I would say is—and I think this is important to note, speaking for myself—I know many other members of the Financial Services Committee and Members of this body that may oppose this legislation feel strongly that the direction toward awarding employees with stock ownership is a positive direction. It is something that my friend, Mr. DELANEY, has not only advocated for, but has practiced in his own private sector experience. It is a positive thing for a company and it is a positive thing for the employees.

The only point that I continue to drive home and that others have reiterated is that it is important that employees understand the nature of the stock that is being awarded to them and that the disclosure requirements make clear employees are aware of the compensation and its true value. That is really the point of my objection.

Mr. Speaker, I include in the RECORD a letter I received from Public Citizen, which articulates some of these same arguments.

PUBLIC CITIZEN,
Washington, DC, March 8, 2017.

MEMBER,
House Committee on Financial Services,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of more than 400,000 members and supporters of Public Citizen, we offer the following comments on bills facing a committee vote March 9, 2017.

In securities lawmaking, we believe the committee's compass should always point to investor protection. Well informed investors who can trust disclosures form the bedrock of capital formation. We are concerned that a few of these measures point in a different direction.

HR 910: The "Fair Access to Investor Research Act of 2017" directs the SEC to eliminate restrictions on research reports that cover Exchange Traded Funds (ETFs). The result of this measure means that firms promoting ETFs can simultaneously publish reports that appear to be impartial analysis. This may lead investors to take unwarranted comfort in the security. In the last decade, ETFs have grown from about 100 funds with \$100 billion in assets to more than 1300 funds with \$1.8 trillion in assets. That makes the playing field for mischief immense.

Puffery parading as research led to the dot-com bubble in the late 1990s, where analysts disregarded fundamental metrics such as a revenue and income when recommending the purchase of new internet-based firms. This measure improves on a previous iteration of the legislation by allowing fundamental fraud oversight by the SEC. But the bill ignores the basic hazard that a firm's motivation in funding research may be sales promotion and not bona fide education for its clients. We also note that ETFs represent the securities of active firms. That is, an ETF holds assets such as stocks or bonds. That means this has little to do with capital formation. Now, research reports insulated from government scrutiny may too often serve to promote more turnover and commissions, not sound guidance. For these reasons, we oppose this bill and encourage members to vote no.

HR 1343: The "Encouraging Employee Ownership Act of 2017" increases from \$5 million to \$10 million the amount of securities a firm may sell annually to its employees without providing certain basic financial information. We believe this is misguided for a number of reasons. First, defenders of this measure reference the potential for leakage of propriety information. There's little evidence of this problem. It's simply not in the self-interest of an employee-owner to divulge critical information to a rival, especially if it would undermine the value of the stock. Second, employees who are compensated in stock (instead of additional cash) should be entitled to be informed about the financial condition of their company, the same as any other investor. Other company creditors, such as the firm's bank or major supplier, receive this information, however this measure

reduces stock-compensated employees to a class below these other creditors. Young firms may be struggling with cash-flow problems and choose to use stock rather than cash for compensation. But those employees should be informed about such risks. Third, the basic thrust of this measure is to lead employees to hold a greater share of their savings in the firm. An employee invested in his or her own firm may be more productive and lead to greater profits at the firm that the employee then shares; but there is a point beyond which this dynamic dissipates. Any prudent investor should diversify. Overconcentration in one asset, especially where the firm's prospects are less than stellar, compounds the employee-investor's risk. We oppose this bill, and encourage members to do the same.

HR 1366: The "U.S. Territories Investor Protection Act" extends basic U.S. securities law oversight to investment firms operating in Puerto Rico and other U.S. territories. To date, these firms have escaped oversight, disclosure and conflict-of-interest requirements that mainland firms face. We support this common sense reform.

Sincerely

BARTLETT NAYLOR,
Public Citizen.

Mr. KILDEE. Mr. Speaker, I reserve the balance of my time.

Mr. HUIZENGA. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Arkansas (Mr. HILL).

Mr. HILL. Mr. Speaker, I thank my friend from Michigan, the distinguished chairman of the Capital Markets, Securities, and Investments Subcommittee, for yielding the time.

Mr. Speaker, what we are here talking about today is opportunity. We are not talking about the money interests. We are not talking about waving the bloody shirt of the Enron debacle. What we are talking about here today, Mr. Speaker, is in the interest of innovators. It is in the interest of talented Millennials who have huge student loans, who have a great idea to benefit themselves, their community, their economy. We are here to be in the interest of hardworking workers who have no big investment dollars, but have an abundance of sweat equity. We are here in the interest, Mr. Speaker, of building businesses and growing this economy. If we do that, we are growing jobs and opportunity for our citizens. And we are in the interest, Mr. Speaker, again, not of the money interest, but of efforts all over this country, led by people like JOHN DELANEY of Maryland and Stephen Case of Virginia, to build out venture capital and entrepreneurship in places other than Boston, Massachusetts; Menlo Park; places like Detroit; Flint; Little Rock; St. Louis; and Chicago. That is why we are here today. This bill is a simple, common-sense, small step in that effort.

For many years, in my private sector life, I helped young companies form and raise capital for them. In my own business, I extended stock options and opportunities to buy stock to those very people who did not have the ex-

cess cash to invest. Many companies issue stock to compensate their employees, but it is especially important to startup businesses and private businesses. It is especially important to those businesses that are trying to compete with big private enterprises that have a public stock to offer as an incentive. And structuring competitive compensation in private businesses is very challenging.

Further, for employees, this stock ownership is a huge source of pride, allowing individuals to participate in the growth and prosperity that their hard work and sweat equity have helped build.

Through rule 701, the SEC allows private companies to offer up to \$5 million in their own securities without additional regulatory bureaucracy. My friend from Illinois (Mr. HULTGREN) and my friend from Maryland (Mr. DELANEY) have simply made a small change, Mr. Speaker; and that is to raise that commensurate with inflation to \$10 million to reflect the world we live in today. This is not rocket science; this is something we need to do for building our economy.

As we celebrate the fifth anniversary of the signing of the JOBS Act by President Obama and the successes this legislation has yielded in capital formation for small and emerging growth companies, I urge my colleagues to support this effort by my friend from Illinois in this bipartisan, common-sense job-creating proposal.

Mr. KILDEE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Colorado (Mr. POLIS), a member of the Committee on Rules and the Committee on Education and the Workforce.

Mr. POLIS. Mr. Speaker, I thank the gentleman for yielding the time.

Various measurements of the economy have shown economic growth and an increase in the stock market. The frustration that I hear from so many of my constituents is that: With all of this economic growth, why haven't my prospects improved? Why has there been wage stagnation? Why aren't my family and I earning any more than I was?

It is true, because a lot of the benefits of this economic growth have gone to shareholders and consumers rather than workers. We are all consumers, and we have all benefited from that. And do you know what? We are all shareholders through pensions and through retirement accounts, public and private. Many people also put food on their table and pay their rent, wearing their hat as an employee or a worker.

One of the things that we can do not just by passing this bill, but by passing a whole host of legal changes both in the tax framework and in the regulatory framework to make it easier for employees to own companies, is allow

employees and workers to share in the value that is being created on the shareholder side of the ledger. Then, and only then, can we have an economy that works for more people rather than just a few.

This bill is a small step in that direction. It can reduce the cost and remove a detriment that small to midsize companies have from aggressively pursuing employee stock ownership. But it is just a first step.

There is a lot of work that we need to do to reorient the economy around a shareholder economy that aligns the incentives of workers with those of shareholders. It is good for sustainable profits, it is good for long-term economic growth, it is good for stability. It is a better way to make sure that of this vast value that is being created, we all can partake in it on both sides of the ledger, as shareholders and as workers.

That is why I rise today in support of the bill, and that is why I call upon my colleagues on both sides of the aisle to see this as but a modest first step towards a shareholder economy that works for every worker.

Mr. HUIZENGA. Mr. Speaker, may I inquire as to the balance of time remaining on each side?

The SPEAKER pro tempore. The gentleman from Michigan (Mr. HUIZENGA) has 10 minutes remaining. The gentleman from Michigan (Mr. KILDEE) has 10 minutes remaining.

Mr. HUIZENGA. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. LOUDERMILK).

Mr. LOUDERMILK. Mr. Speaker, I thank the gentleman from Michigan for yielding the time.

Mr. Speaker, over the last 8 years, our Nation has experienced sluggish economic growth. Americans have suffered through stagnant paychecks and a lack of new opportunities. Last year, the economy grew at a meager 1.6 percent, which is half of the historic average.

However, there has been one job filled that has grown at a faster rate than any other; and that job is those who specialize in regulatory compliance. This is a testament to the crushing onslaught of new regulations under the previous administration, where compliance with regulation and red tape was emphasized more than growing businesses and creating jobs.

We in Congress must do our part to foster economic growth and relieve our job creators of the excessive burden of complying with unnecessary regulation. The bill before us today will do exactly that.

Currently, businesses that offer more than \$5 million in stock to their own employees are required by law to comply with costly financial disclosures. This number was set nearly 20 years ago. It is time to update the law and raise this threshold to encourage

small-business startups and give them the resources they need to expand and create jobs.

The Encouraging Employee Ownership Act would raise this threshold to \$10 million and give private businesses more flexibility to reward their employees with ownership of a company. This bill passed the Financial Services Committee last month with strong bipartisan support.

This is just one of the many steps that we must take to foster innovation and encourage capital formation, to provide every American with opportunities that they deserve. We must build an economy that is open and accessible to every single American, not one that is closed off to those who can't afford to comply with the high cost of bureaucratic red tape and endless government paperwork.

As a former small-business owner for 20 years, I know the employees benefit tremendously from any opportunity to participate in a company's success. I support this bill because I know from personal experience this model works and helps startup companies to retain their best employees over the long term.

Americans are not satisfied with the stagnant economy that has become the new norm in our Nation. It is unacceptable for government to stand in the way of prosperity and make it harder for Americans to succeed. Small businesses employ half of U.S. workers, and we must promote, not hinder, small business growth.

This bill, Mr. Speaker, empowers Main Street, not Wall Street. I encourage all of my colleagues to support this bill.

Mr. KILDEE. Mr. Speaker, I yield myself such time as I may consume.

I would just point out again that the position many of us are taking does not contradict the principles that are being articulated. In fact, the law does not preclude any company from awarding stock as compensation at any level. It simply requires that information be provided so that those individuals who are receiving that compensation have the information and have the resources to understand the value of that compensation. I just want to reiterate that because it is important that the position not be mischaracterized as one that wants to dampen the ability of companies to reward their employees with stock or use that as a form of compensation. It is just important that they have transparency in that process so people who are receiving that compensation understand its true value.

Mr. Speaker, I reserve the balance of my time.

Mr. HUIZENGA. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. TROTT), my fellow Michiganiaan.

Mr. TROTT. Mr. Speaker, I rise in support of H.R. 1343, the Encouraging Employee Ownership Act.

I want to thank my colleagues, Mr. HULTGREN and Mr. DELANEY, for their thoughtful and bipartisan work on this issue.

This is a commonsense, simple bill that makes it easier for employees to obtain ownership in the companies they work for. When I was in the private sector, I gave dozens of employees an ownership interest. It worked out great for them, it worked out great for the company, and it worked out great for our customers. Ownership interest gave them an upside that could not be realized through a salary. The stock instilled loyalty and dedication. More importantly, it created a family atmosphere. We were all in it together. Our opportunities would rise and fall, depending on our collective success.

To have a career where someday, through your hard work, you can end up owning a piece of action is what the American Dream is all about. The outdated cap is keeping this dream, for no good reason, from many Americans.

I suspect that those who oppose the bill, while they may understand the legislation, probably have never worked in the private sector and have no clue how meaningful incentives and opportunities, such as stock ownership, are to individuals. I found it was the best way to motivate and reward employees. In fact, it worked so well, no one ever left the company except to retire.

My friends from Michigan and Minnesota oppose the bill because of a lack of transparency. The argument is flawed because it assumes stock ownership opportunities comprise all or a significant portion of the individual's compensation. This is not correct. A stock ownership benefit is typically over and above salary and bonuses.

To require the owner of a small business or a startup to make disclosures will cause many employers not to give employees this opportunity. Implicit in their argument is an assumption, like in so many other areas of life, that individuals cannot be trusted to make decisions on their own, that they need the help of all of the smart politicians and bureaucrats in Washington, D.C., to tell them what to do and what they need to see, and, of course, we cannot trust people to make decisions and discern for themselves whether stock ownership is a fair opportunity.

This bill had the support of a bipartisan group in our committee. I urge all of my colleagues to support H.R. 1343.

□ 1600

Mr. KILDEE. Mr. Speaker, I reserve the balance of my time.

Mr. HUIZENGA. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. ZELDIN).

Mr. ZELDIN. Mr. Speaker, I rise today in strong support of H.R. 1343, the Encouraging Employee Ownership

Act of 2017. This is bipartisan legislation that will remove outdated barriers to capital formation and job creation imposed on the small businesses and startups that are driving America's innovation economy.

The SEC still hasn't updated a rule from 17 years ago that imposed an undue burden on entrepreneurs when they want to attract and retain talent through employee compensation plans. Startup ventures, by offering their employees a stake in the company through equity and other forms of deferred compensation, can reward hard-working employees by giving them direct ownership while their business continues to grow.

SEC rules governing these compensation plans haven't been updated since 1999, and they are imposing burdensome compliance and reporting requirements on the very entrepreneurs we should be encouraging to expand and create more good-paying, private sector jobs. We see the effects of this compliance tax placing a drain on our economy because it diverts the resources and human capital of entrepreneurs away from expansion and job creation.

In my district on Long Island and nationwide, entrepreneurs who have the next great invention or idea are struggling to gain access to capital. By regulating small startup ventures as if they are large, publicly traded companies, the SEC is imposing an unnecessary mound of paperwork on startups. A large corporation may have the lawyers and accountants to fill out the mountain of paperwork imposed on them by the SEC, but a small business can't compete, and that is why they need relief.

This Congress we have an opportunity through bipartisan reforms like this legislation to reverse that troubling trend by removing the regulatory burdens that harm the economy, consumers, and prospects for job growth.

In closing, Mr. Speaker, I want to thank my colleague from the Committee on Financial Services, RANDY HULTGREN, for his leadership on this issue.

I urge adoption of this commonsense bipartisan bill.

Mr. KILDEE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HUIZENGA. Mr. Speaker, may I inquire as to the balance of time remaining on each side?

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman from Michigan (Mr. HUIZENGA) has 3½ minutes remaining. The gentleman from Michigan (Mr. KILDEE) has 9 minutes remaining.

Mr. HUIZENGA. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. TENNEY).

Ms. TENNEY. Mr. Speaker, I rise today in support of H.R. 1343, which passed the Committee on Financial

Services by a very large bipartisan vote of 48–11. I thank the gentleman from Illinois (Mr. HULTGREN) and the gentleman from Maryland (Mr. DELANEY) for introducing this essential piece of legislation.

As the coowner of a small manufacturing business in New York, this legislation would help companies in New York and across our Nation to grow stronger while allowing hardworking employees to have a stake in a business' future through ownership.

Company leaders across America understand that greater employee investment through ownership will develop a stronger workplace culture and increase productivity by giving private companies more flexibility in retaining and rewarding employees, the people we so vitally need to grow our businesses.

I want to thank the sponsors of this bill, and I urge my colleagues to support this legislation.

Mr. KILDEE. Mr. Speaker, I yield myself the balance of my time to close.

I have heard a number of my colleagues point to the red tape and the unnecessary burdens that are placed on a company that wishes to provide stock compensation.

Let me be clear about what it is that we would require. This is what is required for a company that exceeds the threshold: That they provide a copy of the compensation plan or a contract, if they disclose that; a copy of a summary plan description, if it is an ERISA retirement plan or, if not, a summary of the plan's material terms; risk factors associated with the stock; and the company's most recent financial statements from the last 2 years, which don't need to be audited.

This is important information for anyone receiving stock as compensation in order to understand the value of that stock and not a burdensome requirement on a company, particularly a company of the size that would be required under the increased threshold that is being proposed by this law.

If there is any aspect of this debate which is common sense, it is common sense that a person receiving compensation ought to have information that tells them the value of that compensation.

Mr. Speaker, I think this is an important debate and discussion. It is one that this body is well-served by taking on.

I do agree, as I said, that this is an important direction for us to take as a nation. And it certainly makes sense that, in order for us to fully all participate in the economy, employee ownership is a value. It creates more productive companies, more competitive companies. It provides better compensation, and, as has been pointed out, it creates more stable organizations less likely to lay people off, more likely to be sustainable companies. That is all good, and that is important.

It comes down to the question of transparency. Employees deserve to know the state of their employer's finances, if they are to accept stock in lieu of monetary compensation. They deserve no less protection than other investors in the company.

We shouldn't fear that kind of transparency. A company that wants its employees to accept stock instead of monetary compensation should embrace this sort of compensation. If they want to empower those employees and they want to make them a part of the company, they should provide them with the information that helps them understand the value of that ownership.

Transparency is important for individuals to make informed choices, not informed choices coming from a dictate from Washington but information that they have the right to have. It empowers them with knowledge that allows them to make choices about the form of compensation that they would accept.

That is what this legislation really is about, and that is why I oppose the legislation and encourage my colleagues to join me in that.

I yield back the balance of my time.

Mr. HUIZENGA. Mr. Speaker, I yield myself the balance of my time to close.

My colleague on the other side is trying to maybe split some hairs. We heard some rhetoric earlier on the floor here which, I think, shows why many on both sides of the aisle scratch their heads in opposition to this bill. We heard about monied interests. We heard about corporate wish lists. We heard about Enron which is, by the way, a publicly traded company which has absolutely nothing to do with this bill. Now, that all might play really well on a leftwing political base, but that is detached from the realities of what our economy is about.

As we have talked, 60 percent of all new job creation happens in small businesses. These are not corporations. These are LLCs, limited liability corporations. These are subchapter S sole proprietorships. These are small entrepreneurs and innovators.

By the way, I looked up the definition of innovator. It is a person who introduces new methods, ideas, or products. Those are the kind of dynamic elements that we are seeing here. And I think this confusion between corporations and Enron and what we are trying to do here is really a disservice to the American people.

This is about making sure that we update basically an inflation escalator from 1988. We update a rule that the SEC could have the power to do, which it has not done, that benefits employees and benefits those owner-employer's workers who oftentimes, more often than not, work alongside their employees. So they are the ones who are seeing this on a daily basis.

I can just say to you that, as was pointed out by my colleague from

across the aisle from Maryland, if we don't do this, what most of those small businesses are going to do is say: You know what, it is just not worth the effort; I am not going to do it. And we will see that lack of upside going to those employees.

As was pointed out by my fellow colleague from Michigan, this is beyond their salary, this is beyond bonuses. This is an additional way to make sure that those relationships get cemented in.

So, at a minimum, all you would be doing is voting to confirm the inflation escalator from 1988. It is not a radical change to the law. This is a common-sense, I believe, innovative way of trying to make sure that this next generation of workers has the ability to really reap the benefits of success here in the United States.

I yield back the balance of my time.

Mr. ELLISON. Mr. Speaker, today we consider another bill requested by large corporations. But, I have to wonder, of all the things the American public want, why is a revision to the Securities and Exchange Commission rules—Section 701 to be precise—the priority for this week?

We've been here for three months now. House Republicans set the agenda. They lead this governing body. Why do they keep bringing us bills that are the priorities of corporate America? In the past few months, Congressional Republicans, who decide which bills get considered have brought forward a hodge-podge of corporate requests.

Here are some of the bills that are now law:

1) Republicans passed—and the President signed—a law to protect corporate firms from having to disclose labor violations—like wage theft—before winning government contracts (H.J. Res. 37).

2) Republicans made it easier to drug test people receiving unemployment compensation (H.J. Res. 42).

3) House and Senate Republicans—and the President signed—H.J. Res. 86 which allow Internet Services Providers to sell your browser history.

4) Republicans enacted a new law making it easier to dump coal debris near rivers and streams (H.J. Res. 38).

5) Republicans stopped efforts to help governments around the world avoid corruption. H.J. Res. 41 removed the requirement that corporations disclose resource payments to foreign governments. This is a crushing blow to democracy activists working in fragile nations.

6) And, a law preventing state governments from setting up retirement plans for residents who do not have a work-based plan (H.J. Res. 66).

So, in the three months we've been back, these laws, removing competition, disclosure, and consumer privacy, are the priorities of Republicans who set the agenda. These are all asks of corporate America—

1) don't punish us for polluting streams,
2) let us sell your internet browser history,
3) let us make money drug testing laid off workers receiving unemployment due them and do not make us disclose our payments to

foreign governments when we drill for oil or minerals.

When I talk to my constituents, they don't ask for any of these. They say, "Where's the jobs bill?" My constituents say, can't we raise the minimum wage from \$7.25 an hour? They say, our roads and bridges need work. Let's raise the gas tax a bit and invest in infrastructure. They say, we want to increase our skills; let's invest in pre-school, Pell grants and community colleges.

Let's put people, not corporate wish lists—first.

But, nope, today we are asked to vote on a bill that makes it easier for private companies to provide options—like stocks—rather than compensation to their employees.

This bill makes it easier for firms to offload some of their options to their employees without disclosing financial information to them. While I'm glad to see companies reward employees with stock and other compensation in addition to salaries, workers should be told the value of the compensation they receive. Not some IOU that they cannot cash in any time soon.

With this bill, H.R. 1343, it is possible that employees would be promised stock options which could be worth less than promised, or even, completely worthless. So, employees could decide to forego a salary increase—or accept lower pay—in order to receive more stock options, yet, those stock options could be worth way less than expected. And the market to sell them could be non-existent.

Why should employees receive less information than that of any other minority shareholder? Employees should be able to receive information on the financial position of the company so they can make an educated decision about whether to invest in securities.

If an employee is trusted enough to run the day-to-day aspects of the business, they should be trusted enough to receive full disclosure about the company's financials. It's not difficult to allow participating employees to sign non-disclosure agreements. It can't be because these disclosures are an additional burden on the firm. These companies prepared these types of disclosures to receive the Rule 701 Exemption from the SEC in the first place.

I'm also concerned about the mismatch in power between the corporations and their employees. I am very concerned that employees can be more susceptible to pressure to take options instead of salary increases. For example, we could ask George Maddox. George was one of the 21,000 people who worked at ENRON. After working at ENRON for 30 years, he had 14,000 shares of company stock. It was valued at \$1.3 million. Then ENRON collapsed, and he had literally nothing. All his retirement was in ENRON stocks.

If you haven't watched the movies ENRON: The Smartest Guys in the Room recently, I'd urge you watch it again. You could also read Bethany McLean's book by the same name. One image has consistently stuck with me. A staff rally where leadership extolled the virtues of the firm. Leaders whipped employees into a frenzy to buy ENRON stock even as the leaders knew it was worthless. In fact, corporate leaders had already their stock. Yet, they were urging employees to buy!

ENRON had a strategy of buying companies and then pressuring the new employees to buy ENRON stock to keep the stock price inflated. And since ENRON usually fired 10 percent of workers every year, workers felt pressured to buy stock to show a commitment to the firm.

I don't think the supporters of this bill are doing this for nefarious reasons. I'm sure they find my reference to ENRON hyperbolic. They might also say that it's irrelevant since ENRON was a public company and we are talking about private companies.

So, let's talk about Palantir Technologies. This \$20 billion company convinced top-tier engineers to accept below-market salaries by promising them generous stock options. But some employees who accepted this bargain, hoping to make money on selling their shares, cannot sell them. The only buyer of their stocks is Palantir Technologies themselves—or a buyer approved by Palantir Technologies.

Palantir is not a small firm. Palantir is the third biggest American tech startup, behind only Uber and Airbnb. It was also founded in 2004, which makes Palantir as old as Facebook. Which is a long time to wait to cash in your options.

Pushing employees to own more of employer's stock exposes workers, like George Maddox, to put all their retirement eggs in one basket—what we call "concentration risk."

I just can't support a bill that gives employees fewer protections than investors. I can't support a bill that encourages employees to possibly forego cash in their paychecks in exchange for some unverified investment option. We should not make it easier for employers to pressure workers to choose options over salary without adequate disclosures.

I ask this Congress to stop doing the bidding of corporate America until we address the priorities of American families and workers. We should increase wages and access to affordable housing, provide clean air and clean water, and protect our privacy.

Vote no on H.R. 1343.

I would like to include in the RECORD an article from BuzzFeed News regarding ex-Palantir employees struggling to sell their shares:

[From BuzzFeed News, Oct. 28, 2016]

EX-PALANTIR EMPLOYEES ARE STRUGGLING TO SELL THEIR SHARES

"Demand has evaporated" for the shares that make up the bulk of Palantir's pay packages, and the company's CEO seems aware of financial angst among his staff.

Former employees of one of Silicon Valley's most valuable startups are struggling to cash out of the stock options that formed a major part of their pay packages.

As it grew into a \$20 billion company, Palantir Technologies convinced top-tier engineers to accept salaries considered meager by Silicon Valley standards, pairing the relatively low wages with generous stock option grants. But some former employees who accepted this bargain, banking on a future windfall, are now complaining that the market for their stock has gone "completely dead."

The complaints add to pressure on Palantir CEO Alex Karp, who has long contended that the company would avoid the public markets. This week, Karp acknowledged publicly that he was "positioning" Palantir for an initial public offering, as part of efforts to reward cash-starved employees.

This reversal didn't come out of the blue. A chorus of complaints has arisen in a private Facebook group for Palantir alumni, with many former employees expressing concern and regret over their inability to sell their shares. In September and October, two former employees promoted possible opportunities to join together to sell a block of shares, including an unsuccessful attempt to organize a sale in China.

Numerous other former employees shared personal stories: Some said they needed the cash to buy a house or pay down debt, while another said they took out a loan to fund the process of turning the options into shares. One said it was "infuriating" trying to sell their shares in a "crap" market.

Compared with last year, when the stock was highly sought after, demand among big investors for Palantir shares has recently gone cold, two brokers who specialize in startup shares told BuzzFeed News.

This chill reveals more about the fickle and sometimes inscrutable nature of markets for startup stock than it does about the business health of Palantir," which makes money by analyzing data for government and corporate clients. But it has stirred frustration among current and former employees.

A complaint about Palantir's below-market compensation was the most upvoted question in an internal question-and-answer session in the first part of this year, with 259 votes from employees, an internal document reviewed by BuzzFeed News shows. "Our cash compensation + bonuses are below the market for tech and our equity growth has slowed significantly," the question, posed anonymously by an employee, said. "The total comp is not competitive; even more so due to the illiquidity." The questioner continued, "Are we planning to change our compensation model?"

Palantir did move to address such concerns in April, announcing it would raise salaries for many employees by 20% and offer to buy back a portion of employee shares.

But on Wednesday, Oct. 26, in another move that seemed aimed at placating employees and investors, Karp gave the strongest indication yet that an IPO could be on the horizon—though it is hardly a certainty. "We're now positioning the company so we could go public," he said from the stage of a tech conference hosted by the Wall Street Journal in Laguna Beach, California. "I'm not saying we will go public, but it's a possibility."

An IPO would provide a payday to major investors, including Palantir co-founder and chairman Peter Thiel. "Of course I want my investors to be happy," Karp said, "but the primary people I care about are the wide-eyed people at Palantir who are working day and night."

A Palantir spokesperson declined to comment.

With a \$20 billion valuation, Palantir is the third biggest American tech startup, behind only Uber and Airbnb. It is also by far the oldest of that elite group, meaning its workers have waited a long time for their stock-option payday. Founded in 2004, Palantir is as old as Facebook—which went public in 2012. In tech years, it is a generation older than Airbnb, founded in 2008, and Uber, which was founded in 2009. The much younger Snapchat, which was founded in 2011, is reportedly laying plans for an IPO early next year that could cause its valuation to leapfrog Palantir's.

Stock options have long been central to compensation at Palantir. A 2015 template for a Palantir offer letter gave new hires the

ability to choose among three different pay packages, with lower cash salaries corresponding to higher amounts of stock options. "It is our hope and belief that these options will ultimately constitute the bulk of your overall compensation," says this internal Palantir document, which was reviewed by BuzzFeed News.

To illustrate the potential value of the options, the offer letter template invites new hires to imagine a scenario in which Palantir's valuation were to grow to \$50 billion, or \$100 billion—or even \$200 billion. "Although the values in the table below are hypothetical and inherently uncertain, we want to emphasize our belief in Palantir's potential to become a \$100 billion company," the letter says.

While it waits for this dream to materialize, the company has sought to ease financial angst among its employees. It held a "liquidity event" this year that gave current and former employees an opportunity to sell a fraction of their shares. But Palantir also indicated it wanted to curb share sales done outside of its official channels, warning that selling to outsiders could make staff ineligible for future liquidity events.

That outside market hasn't exactly been humming with deal activity anyway. Trading in private company shares is opaque and fragmented, and data is hard to come by. But the two brokers who spoke with BuzzFeed News said Palantir's prolific fundraising—the company has raised more than \$2.5 billion in capital, according to data provider PitchBook—may have dampened investor appetite. A number of big investors who would want a piece of Palantir already have one, they said.

In May, BuzzFeed News revealed some of the setbacks Palantir has experienced as it seeks to expand beyond its roots as a government contractor and woo major corporations. The article, based on internal documents and insider interviews, reported that Palantir had lost some blue-chip corporate clients, was struggling to stem staff departures, and had recorded revenue that was a fraction of its customer bookings.

At the conference Wednesday, Karp was asked about those customer losses, which included Coca-Cola, American Express, and Nasdaq. "We date heavily before we marry," he answered.

Even before the article was published, members of the private Facebook group for Palantir alumni voiced concern about selling their shares in the so-called secondary market. BuzzFeed News is withholding the names of former employees to protect their privacy.

"Any 2nd market shares going on right now? My broker disappeared," one former employee posted in April.

"There are still periodic deals happening," another replied. "One that I know of right now, but it's full already."

"Yeah, the demand has evaporated," another said.

More recently, however, some of the posts took on an urgent tone, as sales appeared to grow scarcer. Options are contracts to buy shares at a certain price; to use them, the owner must pay this price in addition to applicable taxes—which can amount to a large bill. What's more, options expire at a certain point if they're not used, adding time pressure to the equation.

In the public market, owners of options can easily sell a portion of their holdings to cover the tax bill and the exercise price. But this strategy is much trickier in the private market, and there was some debate in the

Facebook group over whether Polar would even allow it.

In September, one former employee asked the group whether anyone was "coming up on their 3-year expiration," soliciting advice on "approaches people are taking given the less-than-stellar private market."

Among the replies, one former employee reported taking out "a personal loan to meet my exercise deadline."

Another wrote: "I'm in the same boat: 3 years coming up in April, market is crap, and I probably don't have the resources available for a loan. The fact that it's so difficult to sell is infuriating and I'm wishing that I'd taken the 'high' salary option (which TBH wasn't that high to begin with)."

"On the same boat," wrote another. "Hoping to buy a house next year and really couldn't wrap my head around throwing so much money in addition to the stress and work needed to process."

The former employee who started that thread apparently didn't receive much solace. In response to a later post, which asked whether there were "any secondary market sales brewing," this former employee wrote, "Sorry to be the bearer of bad news, but the market is completely dead at the moment."

This person then quoted an unidentified broker as saying, "There is absolutely nothing moving in Palantir. People who have bought through us are trying to sell now. I don't see it changing without the company changing their tone on an IPO."

Others in the thread shared snippets of information they said they had heard from brokers. According to one, a broker "told me that there are a few 'price insensitive' sellers satisfying what little demand exists."

Another former employee wrote: "I'm interested in joining any sales going down too. I've got a year to pay off a hefty debt with the proceeds." The person added a neutral face emoji.

With buyers scarce, one former employee tried looking across the Pacific.

"I spoke to someone that brokers sales in China, they said they might be willing to get something together if there's enough of us," they wrote above a link to a Google Doc that asked others to report information about their holdings.

One of the repliers questioned whether this process would actually turn into a sale—potential investors might just be "fishing for information on prices"—and another cautioned the original poster against "acting as an agent for a group of sellers." (The poster said the query was "just intended as an interest check.")

In the end, none of that mattered. "Not likely to go anywhere in the next couple of months," the former employee who posted the opportunity wrote later. "Sorry if I got anyone's hopes up."

Early this month, another member of the group posted about an opportunity to sell options through EquityZen, a startup that arranges small transactions of private company shares. This former employee advised others to contact the EquityZen CEO, providing the CEO's email address. But less than 12 hours later, another former employee replied to say that the deal "has been already submitted," meaning the opportunity had passed.

"Dang," another member wrote.

Discussions in the group about news related to Palantir often come back to a familiar theme. In September, for example, the Department of Labor accused Palantir of discriminating against Asian job applicants, a claim Palantir later rejected as "flawed and

illogical." In a thread discussing the allegations, one former employee found a financial angle.

"I sure hope this isn't an expensive lawsuit for them to defend," this person wrote. "I don't claim to understand how the legal system works in cases like this, but geeeee this doesn't bode well for any of us looking for liquidity at a fair price over anytime soon."

The SPEAKER pro tempore. All time for debate has expired.

AMENDMENT NO. 1 OFFERED BY MR. POLIS

The SPEAKER pro tempore. It is now in order to consider amendment No. 1 printed in House Report 115-75.

Mr. POLIS. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, after line 2, insert the following:

SEC. 3. GAO REPORT ON IMPACT ON EMPLOYEE OWNERSHIP.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the impact on employee ownership of the revisions required by section 2, including the impact on—

(1) the number of employees participating in compensatory benefit plans; and

(2) diversification of the securities held by employee pension benefit plans subject to title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.).

The SPEAKER pro tempore. Pursuant to House Resolution 240, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. I yield myself such time as I may consume.

Mr. Speaker, my amendment would require GAO to do a study on the impact of this legislation on employee ownership. When employees are offered the opportunity to have an ownership stake in the place they work, there are benefits for both workers and businesses in our entire economy.

Many studies have shown that employee ownership increases productivity, promotes employee retention and stability, and has long-term growth benefits for the business. I believe that the underlying legislation is an important first step to increase employee ownership opportunities, but we should want to make sure that opportunities for participation are widely available to employees at different income levels.

The amendment also requests the GAO to see the effect of this legislation on the diversification of securities held in ERISA-governed retirement plans. As we all know, diversification in any type of financial portfolio can help weather dramatic fluctuations in the economy and limit financial risk for retirees.

By requesting the GAO study, we will be able to understand this legislation's full impact on employee ownership and

make necessary changes and improvements in the future.

I yield to the gentleman from Illinois (Mr. HULTGREN) for the purpose of a colloquy.

Mr. HULTGREN. Mr. Speaker, I thank the gentleman from Colorado (Mr. POLIS) for offering this important amendment to study the impact of this legislation on employee ownership.

I believe that employee ownership opportunities should be made widely available to all employees of a company, from the boardroom to the shop floor.

As the gentleman from Colorado (Mr. POLIS) stated, this legislation is an important step forward to increasing ownership opportunities and gives companies more flexibility to make those opportunities available.

We should understand how this legislation would help increase participation for employees at all key levels. A study will help us understand what we can do in the future to incentivize employee ownership and increase employee ownership participation.

If the gentleman would withdraw his amendment, I would like to work with him in requesting GAO to carry out this study.

Mr. POLIS. Mr. Speaker, I thank the gentleman from Illinois (Mr. HULTGREN), and I take the gentleman at his word. I look forward to working with him on this important issue in coordination with GAO.

Mr. Speaker, I ask unanimous consent to withdraw my amendment.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The SPEAKER pro tempore. The amendment is withdrawn.

Pursuant to the rule, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. SWALWELL of California. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SWALWELL of California. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Swalwell of California moves to recommit the bill H.R. 1343 to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following:

SEC. 3. PROHIBITION.

Any exemption, safe harbor, or other authority provided by this Act or a regulation

issued pursuant to this Act shall not apply to an issuer if the issuer or a director, officer, or affiliate of the issuer has withheld information from Congress relevant to its investigation of any collusion between persons associated with the Russian Government and persons associated with the presidential campaign of Donald J. Trump to influence the outcome of the 2016 United States presidential election.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. SWALWELL) is recognized for 5 minutes in support of his motion.

Mr. SWALWELL of California. Mr. Speaker, this is the final amendment to the bill. It will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Russia attacked our democracy this past Presidential election. This motion asks Members of this House: Do you want to do something about it? Do you want to do all you can to make sure it doesn't happen again?

□ 1615

If you do, support this amendment. If you don't, vote against it, and watch Russia and other adversaries of ours with similar cyber capabilities carry out similar attacks, and the very democracy that we treasure will erode before our eyes. But I believe we are a better body than one that would let another country attack us and then divide us.

What does this motion to recommit do? It requires any company—particularly, I am concerned about financial institutions—to cooperate with all investigations into collusion between President Trump, his campaign, his family, his businesses, and anyone on his team and Russia's interference campaign during the 2016 election.

The evidence is overwhelming. In the 2016 election, Russia ran a multifaceted electronic interference campaign against our democracy. They used paid social media trolls. They hacked Democratic emails and disseminated the information in those emails through cutouts like WikiLeaks and Guccifer 2.0. They had a clear preference for Donald Trump as their candidate. It was ordered by their own President, Vladimir Putin.

And most concerning for every person in this House—should be—they are sharpening their knives, and they intend to do it again. That was the final finding in the intelligence report. They are sharpening their knives and intend to do it again not just to the United States, but to our allies like France and Germany, who are a part of the best check on Russia, the NATO alliance.

Why are we concerned about finances and companies cooperating with the United States in this investigation? Well, we know from the Kremlin's playbook that they use financial en-

tanglements as a means to recruit individuals or to peddle influence.

Why are we concerned about financial ties among Donald Trump and his team? Because unlike any Presidential candidate in the history of our Presidential elections, there are an unprecedented amount of personal, political, and financial ties to a foreign adversary. They include, but are not limited to:

Paul Manafort, where it is alleged he was paid by pro-Russian Ukraine Government individuals and also paid up to \$10 million a year by Vladimir Putin's associates;

Former national security adviser Michael Flynn, who should have known better as the former Director of the Defense Intelligence Agency, should have known about Russia's playbook and their ability to influence people, but after leaving the DIA, went over to Moscow, sat next to Vladimir Putin, and was paid by Russia's propaganda tool, Russia Today, also known as RT, who General Flynn would have known is an arm of Russia's intelligence services;

Donald J. Trump, Jr., who said in 2008, in terms of high-end product influx into the United States, Russians make up a pretty disproportionate cross section of a lot of our assets. In Dubai, and certainly with our project in SoHo, and anywhere in New York, we see a lot of money pouring in from Russia;

President Trump, who has invested in the past in Russia: over half a dozen trademarks granted to him in Russia, a vodka brand he tried to peddle in Russia, a Miss Universe contest that he held in Moscow in 2013, and Russia has invested in our President. There are Russian businessowners who have bought condos in his Trump Tower building. There are loans from banks that have paid fines for laundering money through Russia. There is a home sale in 2008 where the President reaped 129 percent in profit. He bought a home in 2004 in West Palm Beach for \$40 million; sold it in 2008, as the real estate market was collapsing, for over \$90 million; sold it to a Russian businessman known as the fertilizer king. No one else in that ZIP Code reaped a profit of 129 percent.

So why are banks particularly relevant for this motion? We know they are used by Russia to move money and extend influence. Their cooperation will be crucial to understanding how Russia finances its interference campaign.

Mr. Speaker, I urge my colleagues to support this motion to recommit and get to the bottom of exactly what happened with Russia.

Mr. Speaker, I yield back the balance of my time.

Mr. HUIZENGA. Mr. Speaker, I claim the time in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes.

Mr. HUIZENGA. Mr. Speaker, I just want to point out a couple of things.

The Senate Banking Committee has moved an identical bill forward, unanimously, recently.

Regarding the subject matter that the gentleman from California was throwing out, this bill is not about anything other than providing hard-working Americans an opportunity to succeed. It is not about relitigating the last election or even about Susan Rice illegally unmasking American citizens. This is about an underlying bill that will help American citizens.

I urge my colleagues to vote “no” on this motion to recommit, and I urge them to vote “yes” on the underlying bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. SWALWELL of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage of the bill.

The vote was taken by electronic device, and there were—yeas 185, nays 228, not voting 16, as follows:

[Roll No. 215]

YEAS—185

Adams	Courtney	Higgins (NY)
Aguilar	Crist	Himes
Barragán	Crowley	Hoyer
Bass	Cuellar	Huffman
Beatty	Cummings	Jackson Lee
Bera	Davis (CA)	Jayapal
Beyer	DeFazio	Jeffries
Bishop (GA)	DeGette	Johnson (GA)
Blumenauer	Delaney	Johnson, E. B.
Blunt Rochester	DeLauro	Kaptur
Bonamici	DelBene	Keating
Boyle, Brendan	Demings	Kelly (IL)
F.	DeSaulnier	Kennedy
Brady (PA)	Deutch	Khanna
Brown (MD)	Dingell	Kihuen
Brownley (CA)	Doggett	Kildee
Bustos	Doyle, Michael	Kilmer
Butterfield	F.	Kind
Capuano	Ellison	Krishnamoorthi
Carbajal	Engel	Kuster (NH)
Cárdenas	Eshoo	Langevin
Carson (IN)	Español	Larsen (WA)
Cartwright	Esty	Lawrence
Castor (FL)	Evans	Lawson (FL)
Castro (TX)	Foster	Lee
Chu, Judy	Fudge	Levin
Ciçilline	Gabbard	Lewis (GA)
Clark (MA)	Gallego	Lieu, Ted
Clarke (NY)	Garamendi	Lipinski
Clay	Gonzalez (TX)	Loeb
Cleaver	Gottheimer	Loeb
Clyburn	Green, Al	Lofgren
Cohen	Green, Gene	Lowenthal
Connolly	Grijalva	Lowe
Conyers	Gutiérrez	Lujan Grisham,
Cooper	Hanabusa	M.
Correa	Hastings	Luján, Ben Ray
Costa	Heck	Lynch

Maloney,	Pingree	Sinema
Carolyn B.	Pocan	Sires
Maloney, Sean	Polis	Smith (WA)
Matsui	Price (NC)	Soto
McCollum	Quigley	Speier
McGovern	Raskin	Swalwell (CA)
McNerney	Rice (NY)	Takano
Meeks	Richmond	Thompson (CA)
Meng	Rosen	Thompson (MS)
Moore	Roybal-Allard	Titus
Moulton	Ruiz	Tonko
Nadler	Ruppersberger	Torres
Napolitano	Rush	Tsongas
Neal	Ryan (OH)	Vargas
Nolan	Sánchez	Veasey
Norcross	Sarbanes	Vela
O'Halleran	Schakowsky	Velázquez
O'Rourke	Schiff	Walz
Pallone	Schneider	Wasserman
Panetta	Schrader	Schultz
Pascarella	Scott (VA)	Waters, Maxine
Payne	Scott, David	Watson Coleman
Pelosi	Serrano	Welch
Perlmutter	Sewell (AL)	Wilson (FL)
Peters	Shea-Porter	Yarmuth
Peterson	Sherman	

NAYS—228

Abraham	Flores	Mast
Aderholt	Fortenberry	McCarthy
Allen	Fox	McCaul
Amash	Franks (AZ)	McClintock
Amodei	Frelinghuysen	McHenry
Arrington	Gaetz	McKinley
Babin	Gallagher	McMorris
Bacon	Garrett	Rodgers
Banks (IN)	Gibbs	McSally
Barletta	Gohmert	Meadows
Barr	Goodlatte	Meehan
Barton	Gosar	Messer
Bergman	Gowdy	Mitchell
Biggs	Granger	Moolenaar
Bilirakis	Graves (GA)	Mooney (WV)
Bishop (MI)	Graves (LA)	Mullin
Black	Graves (MO)	Murphy (PA)
Blackburn	Griffith	Newhouse
Blum	Guthrie	Noem
Bost	Harper	Nunes
Brady (TX)	Harris	Olson
Brat	Hartzler	Palazzo
Brooks (AL)	Hensarling	Palmer
Brooks (IN)	Herrera Beutler	Paulsen
Buchanan	Hice, Jody B.	Pearce
Buck	Higgins (LA)	Perry
Bucshon	Hill	Pittenger
Budd	Holding	Poliquin
Burgess	Hollingsworth	Posey
Byrne	Hudson	Ratcliffe
Calvert	Huizenga	Reed
Carter (GA)	Hultgren	Reichert
Carter (TX)	Hunter	Renacci
Chabot	Hurd	Rice (SC)
Chaffetz	Issa	Roby
Cheney	Jenkins (KS)	Roe (TN)
Coffman	Jenkins (WV)	Rogers (KY)
Cole	Johnson (LA)	Rokita
Collins (GA)	Johnson (OH)	Rooney, Francis
Collins (NY)	Johnson, Sam	Rooney, Thomas
Comer	Jordan	J.
Comstock	Joyce (OH)	Ros-Lehtinen
Conaway	Katko	Roskam
Cook	Kelly (MS)	Ross
Costello (PA)	Kelly (PA)	Rothfus
Cramer	King (IA)	Rouzer
Crawford	King (NY)	Royce (CA)
Culberson	Kinzing	Russell
Curbelo (FL)	Knight	Rutherford
Davis	Kustoff (TN)	Sanford
Davis, Rodney	Labrador	Scalise
Denham	LaHood	Schweikert
Dent	LaMalfa	Scott, Austin
DeSantis	Lance	Sensenbrenner
DesJarlais	Latta	Sessions
Diaz-Balart	Lewis (MN)	Shimkus
Donovan	LoBiondo	Shuster
Duffy	Long	Simpson
Duncan (SC)	Loudermilk	Smith (MO)
Duncan (TN)	Love	Smith (NE)
Dunn	Lucas	Smith (NJ)
Emmer	Luetkemeyer	Smith (TX)
Farenthold	MacArthur	Smucker
Faso	Marchant	Stefanik
Ferguson	Marino	Stewart
Fitzpatrick	Marshall	Stivers
Fleischmann	Massie	Taylor

Tenney	Walberg	Wilson (SC)
Thompson (PA)	Walden	Wittman
Thornberry	Walker	Womack
Tiberi	Walorski	Woodall
Tipton	Walters, Mimi	Yoder
Trott	Weber (TX)	Yoho
Turner	Webster (FL)	Young (AK)
Upton	Wenstrup	Young (IA)
Valadao	Westerman	Zeldin
Wagner	Williams	

NOT VOTING—16

Bishop (UT)	Lamborn	Rohrabacher
Bridenstine	Larson (CT)	Slaughter
Davis, Danny	McEachin	Suozi
Frankel (FL)	Murphy (FL)	Visclosky
Grothman	Poe (TX)	
Jones	Rogers (AL)	

□ 1644

Messrs. NEWHOUSE, KINZINGER, WEBSTER of Florida, Mrs. BLACKBURN, Messrs. CULBERSON, COLLINS of Georgia, LOUDERMILK, HUDSON, THOMAS J. ROONEY of Florida, WALKER, COOK, MULLIN, BANKS of Indiana, GRAVES of Georgia, and ROKITA changed their vote from “yea” to “nay.”

Messrs. DOGGETT and CÁRDENAS changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. FRANKEL of Florida. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 215.

Mr. SUOZZI. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 215.

Stated against:

Mr. LAMBORN. Mr. Speaker, had I been present, I would have voted “nay” on rollcall No. 215.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HUIZENGA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 331, nays 87, not voting 11, as follows:

[Roll No. 216]

YEAS—331

Abraham	Bishop (MI)	Budd
Aderholt	Bishop (UT)	Burgess
Aguilar	Black	Bustos
Allen	Blackburn	Byrne
Amash	Blum	Calvert
Amodei	Blumenauer	Carbajal
Arrington	Blunt Rochester	Cárdenas
Babin	Bost	Carter (GA)
Bacon	Boyle, Brendan	Carter (TX)
Banks (IN)	F.	Cartwright
Barletta	Brady (TX)	Castor (FL)
Barr	Brat	Chabot
Barton	Brooks (AL)	Chaffetz
Bera	Brooks (IN)	Cheney
Bergman	Brown (MD)	Clay
Beyer	Brownley (CA)	Cleaver
Biggs	Buchanan	Coffman
Bilirakis	Buck	Cohen
Bishop (GA)	Bucshon	Cole

Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crowley
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis (CA)
Davis, Rodney
DeGette
Delaney
DeLauro
DeBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Engel
Eshoo
Esty
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Guthrie
Harper
Harris
Hartzler
Hastings
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)

Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kihuen
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kurbelo (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Larsen (WA)
Larson (CT)
Latta
Lawson (FL)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loeb
Lofgren
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Maloney,
Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeke
Messer
Mitchell
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (PA)
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Palmer
Panetta
Pascarell
Paulsen
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pittenger
Poliquin
Polis
Posey
Price (NC)

Quigley
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Roby
Roe (TN)
Rogers (KY)
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Ruiz
Ruppersberger
Russell
Rutherford
Ryan (OH)
Sanford
Scalise
Schneider
Schradler
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozi
Swalwell (CA)
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—87

Adams
Barragan
Bass
Beatty
Bonamici
Brady (PA)
Butterfield
Capuano
Carson (IN)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clyburn
Conyers
Crist
Cummings
DeFazio
Demings
DeSaulnier
Dingell
Doggett
Doyle, Michael
F.
Ellison
Español
Evans
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Green, Al
Grijalva
Gutiérrez
Hanabusa
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Kelly (IL)
Khanna
Kildee
Langevin
Lawrence
Lee
Levin
Lewis (GA)
Lowenthal
Lowe
Lujan Grisham,
M.
Lujan, Ben Ray
Lynch
McCollum
McGovern
Meng
Moore
Nadler
Napolitano
Pallone
Payne
Pingree
Pocan
Raskin
Richmond
Roybal-Allard
Rush
Sánchez
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Sewell (AL)
Sires
Smith (WA)
Takano
Thompson (MS)
Tonko
Velázquez
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

NOT VOTING—11

Bridenstine
Davis, Danny
Grothman
McEachin
Murphy (FL)
Poe (TX)
Rice (SC)
Rogers (AL)
Rohrabacher
Slaughter
Visclosky

□ 1657

Mr. DEFAZIO changed his vote from "yea" to "nay."

Ms. ESTY and Mr. RYAN of Ohio changed their vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.J. RES. 50

Mr. DUNCAN of South Carolina. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.J. Res. 50.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

EQUAL PAY DAY

(Ms. MCSALLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCSALLY. Mr. Speaker, since the passage of the Equal Pay Act in 1963, it has been illegal for an employer to pay a woman less than a man for the same work. But the unfortunate reality is that today, over 50 years later, women are still making less than men, and that is unacceptable.

Labor Department statistics cite, when comparing median salaries for all annual full-time jobs, women are making 81 cents on the dollar compared to men. Some of this is from blatant bias and discrimination, which is illegal

and unacceptable. But most of the pay gap comes from factors like women going into lower-paying career fields; seeking flexibility since they are still primary caregivers for children and, increasingly, parents; or not being able to afford child care.

Here in the House, I am working on putting forward ideas and solutions to empower women to close this pay gap. Last year I joined my colleagues to create and lead a Working Group on Women in the 21st century workforce. It is examining the challenges women still face and working to expand equal opportunity and improve outcomes for all women.

Mr. Speaker, I have been fighting for women my whole life. I know we still have work to do, and I am committed to making equal opportunity for women a reality. After all, this is America and we pick the best man for the job, even if she is a woman, and that means making sure she is getting paid what she deserves.

□ 1700

CONGRATULATING TEXAS WESLEYAN MEN'S BASKETBALL TEAM

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I rise today to congratulate my alma mater, Texas Wesleyan University. On March 21, 2017, Texas Wesleyan's men's basketball team brought home their second NAIA title to Fort Worth, Texas. From the start, Texas Wesleyan Rams were up against a tough fight as they faced off with Life University in the championship match.

Thanks to the Ram's MVP, Dion Rogers, who scored 28 points in the final match, and with another 21 points scored by Ryan Harris, the Rams were led to victory.

But the road to the championship wasn't easy. The Rams showed true perseverance, heart, and dedication to win 5 games in 6 days against the toughest competition in the Nation.

Congratulations to the Rams, the coaching staff, parents, families, and the city of Fort Worth for this hard fought victory.

Go Rams.

Mr. Speaker, the Rams were not the only team making Fort Worth proud. Just 9 days later, Texas Christian University across town also won a championship, and my colleague, KAY GRANGER, who represents west Fort Worth, is here to tell that story.

CONGRATULATING TEXAS CHRISTIAN UNIVERSITY'S MEN'S BASKETBALL TEAM

(Ms. GRANGER asked and was given permission to address the House for 1 minute.)

Ms. GRANGER. Mr. Speaker, I rise today to congratulate the Texas Christian University's men's basketball team on their National Invitational Tournament championship.

After a 12-win season last year, the Horned Frogs showed the grit and tenacity my hometown of Fort Worth is known for. They finished the season with 24 wins.

With their win over the Georgia Tech Yellow Jackets in the title game last week, the Horned Frogs capped off a memorable and historic comeback season. In fact, this 2017 NIT title is Texas Christian University's first postseason championship in school history.

I want to recognize the TCU players and coaches for a job well done. Go Frogs.

EQUAL PAY DAY

(Mr. ESPAILLAT asked and was given permission to address the House for 1 minute.)

Mr. ESPAILLAT. Mr. Speaker, I rise to recognize Equal Pay Day. The year is 2017, and women, especially women of color, still earn significantly less than their male counterparts.

Pay inequality disproportionately impacts women of color. For example, White women earn 80 cents to every dollar that her White male counterpart makes, African-American women earn an average of 63 cents per every dollar, and Latina women on average earn 54 cents for every dollar.

This may seem like mere pennies on the dollar, but, over a lifetime, this translates to an estimated loss of almost \$700,000 for a high school graduate and \$1.2 million for a college graduate. \$1.2 million—can you imagine what these earnings mean to working families of today? That is health insurance, retirement savings, and food on the table. Unequal pay for equal work just doesn't add up. It is morally and mathematically wrong.

Pay inequality is not only a women's issue, but a family issue. To my male colleagues, I ask: In 2017, do you not believe in strong women? In 2017, do you not believe in equality?

NATIONAL PET ADOPTION DAY

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS. Mr. Speaker, today I rise to talk about H. Res. 133, a bill I introduced with my friend and Texas colleague, Congressman MARC VEASEY.

This resolution expresses support for the designation of April 11 as National Pet Adoption Day and the month of April as National Pet Adoption Month. Simply, we are aiming to highlight the importance of pet adoption.

Mr. Speaker, each year, 2.7 million adoptable dogs and cats are euthanized in the United States. As a rancher and

lifelong animal lover, this is heart-breaking.

The Humane Society of the United States, ASPCA, Animal Welfare Institute, and local shelters such as PAWS Shelter of Central Texas have endorsed this resolution.

Mr. Speaker, we request that the President issue a proclamation calling upon the people of the United States to observe April 11 as National Pet Adoption Day and the month of April as National Pet Adoption Month.

More than 60 Members of Congress have signed on to our bipartisan resolution, and I encourage others to do so. For those who may be watching this back home, call your Representative in Washington and have them support this bill.

In God We Trust.

EQUAL PAY DAY

(Mr. PANETTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PANETTA. Mr. Speaker, I rise today to recognize Equal Pay Day. This day marks how far into this year that a woman must work to earn what a man earned up to December 31 of last year.

In the United States, a woman is paid 20 percent less than her male counterpart. In California, a woman earns 86 percent of what men earn. Pay disparities in California are even more stark for women of color. Latinas make just 56 percent of what a man makes.

In order to continue to close the pay gap, Congress must pass the Paycheck Fairness Act. That law would strengthen the Equal Pay Act by requiring employers to demonstrate that wage differences are not due to gender, and they would hold employers accountable for discriminatory actions.

This bill, which I proudly cosponsored, is only one step forward. Congress must also pass legislation to address family leave and fight to protect a woman's right to choose, because, ultimately, the challenges and burdens women face are shared by all Americans, and when half of our citizenry is in any way impeded from their full potential, all of our country suffers.

MICHIGAN FARMERS AND TRUCKERS AID WILDFIRE VICTIMS

(Mr. MITCHELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MITCHELL. Mr. Speaker, I rise today to highlight the selfless actions of farmers in my district and across Michigan. In early March, wildfires spread through Kansas, Oklahoma, Texas, and Colorado, devastating families and destroying crops and livestock—farmers' income for next year.

Hearing of the devastation, Michigan farmers and truckers mobilized quickly to bring aid to the farmers in need of immediate assistance. Selfless individuals have donated their resources, including over 250 bales of hay, fencing, cattle feed, financial support, and more. Convoys of volunteers, farmers, and truckers have volunteered their time and their vehicles to drive these resources hundreds of miles to affected areas. Farmers in 68 of 83 Michigan counties have donated supplies or driven to deliver aid, and their efforts are expanding. This weekend, 50 students from Sanilac County 4-H are delivering aid to Ashland.

These selfless acts are truly inspiring and humbling. I am proud to recognize their efforts and was happy to be able to aid some of these efforts by getting permits issued for their travel.

EQUAL PAY DAY

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, it is Equal Pay Day, and I am privileged to rise in support of the Paycheck Fairness Act today. This legislation would strengthen the Equal Pay Act of 1963 by ensuring that women can hold employers accountable for what they earn and challenge discrimination. Representative ROSA DELAURO has introduced this bill for two decades, which is two decades too long.

Women in Ohio make 75 cents for every dollar a man makes, which is unacceptable. It is time we close the decades-old loophole that prevents the United States from closing this gender pay gap once and for all.

The Paycheck Fairness Act would close loopholes in the Equal Pay Act of 1963, by holding employers accountable for discriminatory practices. The bill would end the practice of pay secrecy, ease workers' ability to individually or jointly challenge pay discrimination, and strengthen the available remedies for wronged employees.

President Trump said on equal pay: "If they do the same job, they should get the same pay." Boy, do I agree. So let's make it happen.

WAS SURVEILLANCE OF TRUMP ILLEGAL?

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, criminal laws may well have been broken when the Obama administration conducted surveillance of candidate and then-President-elect Trump and those close to him, including his family members.

It is reported that a former national security adviser under President

Obama ordered the names of Trump associates to be revealed rather than kept confidential, as would normally be the case with any American citizen.

This exposing and disseminating personal information may well have been a criminal act. A serious question is: Who authorized the surveillance in the first place? To direct intelligence or law enforcement agencies to conduct surveillance of political opponents is a violation of the Constitution and a threat to our democracy. But the Obama administration wrongfully asked the IRS to target conservative organizations, so anything is possible.

One thing is for sure—the American people need to learn a lot more about what the Obama administration did and who did it.

NEW YORK IS NUMBER ONE IN CLOSING THE GAP

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, think all the way back to New Year's Day—94 days ago—and contemplate for just a moment the fact that if a full-time working woman were to take all of the money she made between way back then and today, and she added that to what she had made working all of last year, well, she just now would have an amount equal to what a typical man made just last year. Well, welcome to Equal Pay Day.

The exact size of the gender pay gap can vary. It tends to be smaller when you are younger, worse when you are older, and worse still if you are a woman of color. Even where you choose to live can make a difference.

My thanks to the Democratic staff of the Joint Economic Committee, where I sit as the ranking member, for producing a new report that updates all these numbers, as well as State-by-State numbers on the gender wage gap.

I encourage all my colleagues to take a look at this report to see just how your State is doing. The best news I read all day was that New York State is number one. That was good news.

RECOGNIZING GREENBERG TRAURIG

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to recognize Greenberg Traurig, an iconic law firm located in my congressional district whose growth, over the past 50 years, has been symbolic of the growth of our south Florida community.

In 1967, attorneys Larry Hoffman, Mel Greenberg, and Robert Traurig saw an opportunity to capitalize on south Florida's emergence as a center of

global commerce and joined together to found the law firm Greenberg Traurig Hoffman. Over time, these visionaries played an important role in defining the south Florida skyline and its corporate landscape. Now their firm has expanded across Florida, across our country, and even internationally.

Fifty years after its founding, Greenberg Traurig today has more than 2,000 attorneys practicing in 38 locations on three continents. With a culture strongly rooted in providing legal excellence for clients and an unparalleled commitment to community service, Greenberg Traurig prospered and grew alongside Miami to the extent that both are now global influencers.

I am truly proud to have Greenberg Traurig, founded in my congressional district, as a continued partner in the growth of south Florida, and I wish the firm another 50 years of continued success.

RECOGNIZING ZACH MAIORANA AND HIS BATTLE WITH CYSTIC FIBROSIS

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute.)

Mr. FITZPATRICK. Mr. Speaker, I rise today in recognition of my constituent, Zach Maiorana, and his ongoing battle with cystic fibrosis. At birth, Zach was diagnosed with cystic fibrosis and has been courageously battling this condition for the past 2½ years.

Cystic fibrosis is a complex, genetic disease that primarily affects the lungs and digestive systems. Those diagnosed with CF require intensive daily treatment and regular physician visits to maintain a healthy lifestyle.

Despite this diagnosis, Zach and his family have channeled their determination into becoming advocates for those impacted by cystic fibrosis—a true testament to their perseverance and will to live their lives to the fullest extent possible.

Now it is up to us. This Congress can be the one to prioritize research and funding to combat this disease and continue making progress. In 1955, children born with CF likely would not make it through elementary school. Today, more than half of those living with CF are older than age 18, and many are living into their thirties, forties, and beyond. Investment into new therapies for this disease and continuous focus on improvement have made promising gains for those suffering with CF.

I commend Zach and the entire Maiorana family for their strength, and I hope that my colleagues will stand up to cystic fibrosis and advocate for all those who are affected in this country.

□ 1715

JOBS AND TRADE

The SPEAKER pro tempore (Mr. GAETZ). Under the Speaker's announced policy of January 3, 2017, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 60 minutes as the designee of the minority leader.

Ms. KAPTUR. Mr. Speaker, I yield to the gentleman from Illinois (Mr. RUSH) in the beginning of our Special Order this evening.

REMEMBERING DR. MARTIN LUTHER KING, JR.,
ON THE ANNIVERSARY OF HIS DEATH

Mr. RUSH. Mr. Speaker, I commend Representative KAPTUR for her outstanding leadership in this Congress and past Congresses. She has been a beacon of hope for so many of my constituents and so many poor and disenfranchised Americans. She never cowered in the face of those who restrict the rights of all.

Ms. KAPTUR has been my friend and someone whom I have shared so many conversations with about justice and fighting for justice, creating a nation where all people have the opportunity to have freedom, justice, and equality. I want to commend her for being such a stalwart battler for the people of America.

Mr. Speaker, today marks the 49th anniversary of one of the darkest days in the history of this Nation: the day that Dr. Martin Luther King, Jr., America's drum major for justice, was assassinated.

Dr. King was murdered while standing on the balcony of the Lorraine Motel in Memphis, Tennessee, on April 4, 1968. He was there to advocate for the rights of Black sanitation workers who were fighting for their dignity: for equal pay, for equal treatment, and for racial justice in the American workplace.

In one of the dimmest hours in our history, a voice of reason, a voice of mercy, a voice of compassion, a voice for justice, a voice of the beloved community was silenced. Yet, Mr. Speaker, his work to hold the United States to its constitutional promises that are rooted in the very fabric of our Declaration of Independence remains largely incomplete.

As you know, Mr. Speaker, America remains a divided nation, even more so now. We are tremendously disconnected from the ideals set forth by Dr. King's monumental "I Have a Dream" speech. Today, we still live in two Americas: one white and privileged, another filled with people of color, the poor, the disabled, and those lost in the margins, where people of color—Black and Brown—continue to be judged by the color of their skin rather than the content of their character.

In the year 2017, Mr. Speaker, we find the names of countless men and women who have lost their lives at the hands of too many law enforcement officials

and too many police departments all across this country. Those individuals, Mr. Speaker, are now etched in the social justice history of this Nation because they were first judged by the color of their skin and not by the content of their character.

The list is far-reaching, Mr. Speaker. I am speaking of Michael Brown, Tamir Rice, Freddie Gray, Laquan McDonald, Alton Sterling, Philando Castile, Rekia Boyd, Tanisha Anderson, Yvette Smith, Shereese Francis, and, lastly, 4-year-old Aiyana Stanley-Jones and so many, many others. I could go on and on and on, but the names of the men, women, and children victimized by errant and wayward police departments all across this Nation would keep us here for days, even months, if we were to recite them all.

These stalwart young citizens are joined also by the many martyrs who lost their lives in the struggle for American justice, just like Dr. King: Viola Liuzzo; Emmett Till; Jimmie Lee Jackson; Medgar Evers; Chaney, Goodman, and Schwerner; the four little girls in Birmingham, Alabama; Fred Hampton; and many, many others who gave their lives during the fifties and sixties.

In my hometown of Chicago, Mr. Speaker, the killing of Laquan McDonald rocked our city and the Nation by pulling the scab off a festering wound of police relations and the Black community.

McDonald's death by 16 shots from a single police weapon fired by a police officer led to multiple investigations of previous police-involved shootings and also sparked the investigation by the United States Department of Justice under then-Attorney General Loretta Lynch and the United States Attorney for the Northern District of Illinois. That investigation concluded that the Chicago Police Department officers engage "in a pattern or practice of using force, including deadly force," that is a unreasonable. This report also found the Chicago Police Department has failed to hold officers accountable when they use force contrary to Department policy or otherwise commit misconduct.

To put it bluntly, Mr. Speaker, the Department of Justice found and reported that the Chicago Police Department engages in force in violation of the United States Constitution.

Mr. Speaker, I am here today because I am just beside myself. I am angry. I am so fed up, Mr. Speaker, because I learned recently that Attorney General Jefferson Sessions has issued a memorandum ordering officials at the Justice Department to review police reform consent agreements all across the country, including the agreement that is being negotiated with the City of Chicago.

Mr. Speaker, our Nation has fallen so very, very far. Dr. King's dream has

not been realized in this Nation. The day before his assassination—this Attorney General has retreated so very, very far from the high ideals of American justice.

It is proven beyond a shadow of a doubt that police agencies—not all police officers, not all agencies, not all departments—but there are too many police departments, too many law enforcement officials, too many police officers who have wantonly killed innocent young men of color in this Nation, and it did not just begin in this year. It has been going on for decades. We are now at a point where some departments have been placed under a consent decree. The U.S. Attorney is now trying to retreat from that pattern.

I am here, Mr. Speaker, to ask—to demand—that Attorney General Sessions retreat from his position, that he stop this memorandum from circulating in the department, and that he see the light of day that many innocent American citizens are being killed because of the wayward actions of those police officers who think that they are above the law. They can't just continue to kill wantonly and think that they are above the American law and the American Constitution.

Ms. KAPTUR. Mr. Speaker, Congressman RUSH is always calling the Nation to its higher principles. I thank him so very much for sharing our Special Order this evening.

Congressman DAVID CICILLINE of Rhode Island is here on the floor. I also want to thank Congressman JOHN GARAMENDI for sharing his hour with us.

The focus tonight really is on jobs and trade, an issue on the mind of millions and millions of Americans. We have been joined by Congressman BRENDAN BOYLE of Philadelphia, Pennsylvania, as well.

I will place this up for the Nation to see. It is a chart showing just U.S. trade relations with Mexico and Canada and what has happened since the deal was negotiated back in the early 1990s. It was also prepared before that, during the 1980s, when the United States actually had some trade surpluses on this continent with both Canada and Mexico.

This shows, in 1994, when NAFTA was actually enacted. You could see the United States begin to kind of fall into deficit. Then we had just a precipitous trade deficit, including the collapse of the peso after the NAFTA trade agreement was signed.

This is serious business for our country because this red ink represents lost jobs, lost productive power, and communities in disrepair across this country, where production units were just picked up and put either north or south of the border.

Tonight, we want to focus on President Trump's Manufacturing Jobs Initiative, which he announced during the

campaign and afterwards. Here were his words:

Everything is going to be based on bringing our jobs back, the good jobs, the real jobs. They have to come back.

Well, after all we have lost, we certainly do need job creation in this country.

□ 1730

We are now into the third month of Mr. Trump's Presidency and closing in on his first 100 days in office, a period when most Presidents are able to pass something through this Congress that really matters to the American people. I remember when we were able to save Social Security back during the 1980s and when a Congress was elected in response to Ronald Reagan's excesses, and it was in the first quarter of the year that that was done. So we are waiting. It is 100 days now, and nothing significant has been done on the jobs and trade front.

Candidate Donald Trump's campaign for President in my region of America was actually founded on the principle of fixing jobs and trade. People listened. But if we look at this first 100 days, we see that he has really taken a back seat to his billionaire donors and their interests and a staff that seems to be more and more peopled with individuals who spent a whole lot of time at Goldman Sachs, which is a company that has been notorious in helping to outsource jobs.

Throughout the campaign, Mr. Trump touted his trade policies, assuring voters he would renegotiate NAFTA. Well, we have been waiting. During a debate, he said: "NAFTA is the worst trade deal maybe ever signed anywhere, but certainly ever signed in this country."

I would say that that agreement is the foundational agreement, the precepts on which all subsequent trade deals have been negotiated that have placed America in a red ink position: many more imports coming into this country, many more of our jobs being outsourced elsewhere than our exports going out.

So I ask: Are the strong planks for a new NAFTA part of what the Trump administration is proposing?

Well, no. A leaked draft notice last week revealed a tepid agenda on trade that is little more than a rehash of what the President said in his campaign rhetoric. It is not a real plan. The one action item identified in the Trump trade agenda is the announcement of a study to find out why the United States is losing in global trade. It actually doesn't focus completely on NAFTA itself, and we need healing in this hemisphere before we start looking around the world.

The reality is we know why the deficit is so bad. Bad trade deals have led to a loss of nearly 4 million American jobs and a deficit just last month of

\$43.6 billion. President Trump promised a trade deal that would get Americans back to work and reduce our deficit. Instead, our deficit with NAFTA and Mexico and Canada is 31 percent higher. It got worse than a year ago. So I hope the President understands the real urgency of stopping U.S. job outsourcing, especially in the manufacturing sector. He should do more than pay lip service. He should really take a look at how thin his administration proposals have been on renegotiating this agreement. He should establish real goals and timetables for U.S. trade to drive policy that will fix these job-killing trade agreements and deliver real benefits for the American people.

Now, we have Members who have been very active on this trade issue since being sworn in here in Congress.

Mr. Speaker, I yield now to Congressman DAVID CICILLINE, former mayor of Providence, Rhode Island, and a very strong leader for working men and women across this country.

Mr. CICILLINE. Mr. Speaker, I thank the gentlewoman for yielding. I want to begin by thanking her for her extraordinary leadership on this issue. From the very day that I arrived in Congress, she has been a passionate, articulate, effective voice for working men and women and for the impact that bad trade agreements have had on the economy of this country and on her region, but on working families all across America. She has done it consistently and relentlessly. It has been a privilege to work with her, but I really do want to acknowledge her extraordinary leadership and thank her for convening this Special Order hour tonight.

As Ms. KAPTUR mentioned, the consequences of bad trade agreements have been felt by many regions throughout the country, but in my home State of Rhode Island, as an example, we lost more than 41,000 jobs since NAFTA was enacted. These are good wages. These are jobs that pay, on average, above nonmanufacturing jobs—jobs that really help build the economy of our State and of this country.

When President Trump was elected, as Ms. KAPTUR mentioned, during the course of his campaign he promised that he would do something different with our trade deals. He promised hardworking Americans that he would deliver results, but we are now 10 weeks into his Presidency, and we have seen a lot of talk and no action on fair trade.

The President promised to label China a currency manipulator on day one. He hasn't done that.

The President promised to use American steel for the pipelines. He hasn't done that.

The President promised to make NAFTA work for American workers, but as Congresswoman KAPTUR mentioned, there is a leaked letter from

the White House that shows he is already looking to implement the same failed policies that are good for corporate America and bad for American workers.

The executive orders that President Trump signed failed to address the real challenges that are facing hardworking Rhode Islanders and hardworking Americans.

Let's be very clear, Mr. Speaker, we don't need another report on trade policy. We need concrete actions that create good-paying jobs, that honor hard work with good wages and grow our economy. We need to end incentives that encourage corporations to ship jobs overseas and raise the Federal minimum wage. And while we should collect unpaid penalties, that is only going to happen if the President takes real action to clamp down on cheating, end job-killing trade deals, and create new standards that benefit working Americans.

It already seems that President Trump's campaign promises to get tough on trade were all bark and no bite. If President Trump does indeed deliver on his promise to renegotiate NAFTA, any new agreement must include strong labor and environmental standards, strong Buy America provisions, prescription drug cost reductions, enforceable currency manipulation standards, and other pro-worker, pro-consumer requirements.

Mr. Speaker, there is a terrific publication that I know you are aware of entitled "The New Rules of the Road: A Progressive Approach to Globalization," prepared by Jared Bernstein, who is a senior fellow at the Center on Budget and Policy Priorities, a former chief economist and economic adviser to Vice President Biden; and Lori Wallach, a lawyer and someone who has been director of Public Citizen's Global Trade Watch since 1995.

It really sets forth the kind of principles that should guide a new trade deal: that we need to ensure that, first of all, the way it is negotiated ensures that it is going to benefit working men and women. We cannot allow corporate elites to dictate how NAFTA is renegotiated. The agreement could potentially become more damaging for working families and for our environment in the countries that we work with. If done wrong, it could increase job offshoring, push down wages, and expand the special power and protections that NAFTA provides to corporate interests that are reflected in the original deal.

What we have to ensure is that what President Trump doesn't do is make a bad trade deal worse and pander to corporate and multinational corporations and his sort of crony friends, and the process by which this will be renegotiated will help to determine that. The provisions that are in it need to be guided by what is good for American

workers and what is good to help grow American jobs.

So not unlike so many other areas, it is disappointing because there has been a lot of good rhetoric about this, but very little action by the administration. I think we are all here tonight to participate in this Special Order led by the gentlewoman from Ohio to let the administration know that we are not going anywhere, that we are going to demand that NAFTA be renegotiated, that it be a trade deal that works for American jobs and American workers, and we are not going to allow the President to simply use rhetoric but actually not do the hard work to strike a better deal for American jobs and American workers.

I want to just end where I began, by thanking the gentlewoman for yielding. This is an issue of tremendous importance to my home State, where manufacturing is so important, the birthplace of the American industrial revolution, and one of the reasons I continue to work hard on the whole Make It In America agenda. We need to start creating conditions for the creation of good manufacturing jobs here in America so we can export American-made goods, not American jobs. I thank again the gentlewoman for yielding.

Ms. KAPTUR. I thank Congressman CICILLINE. He hit it right on the head. We ought to be exporting goods, not importing this many more than we export, and we ought to be creating jobs right here. I am sure he has seen companies from his community, from his State, literally picked up and then magically transported to some other environment, like Mexico, in one of the maquiladoras, and maybe windshield wipers or plastic parts or auto parts that used to be made in the United States then are made down there. I certainly have seen it.

Mr. CICILLINE. Absolutely.

Ms. KAPTUR. If we look at this chart, just for those who are listening to us this evening, if you go back to the mid-1970s, as Congressman CICILLINE pointed out, you will see the United States was pretty buoyant. We were actually exporting more than we were importing.

But then when China Most Favored Nation passed in 1979, 1994 NAFTA passed, and all of a sudden what was happening is the reverse flow started. We started importing more than we were exporting, and every time you get a billion dollars of red ink, you lose 5,000 more jobs in this country.

Well, my gosh, as NAFTA actually took full bore and then China permanent normal trade relations took effect here, CAFTA, which was the Central American Free Trade Agreement, here was the Colombian Free Trade Agreement, here was the Korean Free Trade Agreement, every single agreement that happened, we ended up getting

more imports into our country than exports out, and promises were not kept.

Our focus tonight is mainly on NAFTA, but if we look at Korea, they were supposed to be taking 50,000 cars from us. We were supposed to have more balanced trade. Well, guess what, they didn't keep up their end of the bargain. Other markets around the world, such as Japan, remain closed to this day to cars from other places in the world.

You say: Congresswoman, that can't be possible.

I have seen it with my own eyes. I have visited there many times. When I first began my career, Japan had about—oh, 3 percent of the cars on their streets were from anyplace else in the world. Today maybe it is 4 percent, maybe it is 3.5 percent, but there are all kinds of nontariff barriers where they keep cars out. Yet you look at our country, they have put manufacturing plants here, they send product over here. It simply isn't a two-way street, and Japan is the second largest market in the world for automobiles. So the trade isn't fair. The American people know this. They are trying to fix this. It really requires the President's leadership to do it.

Congressman CICILLINE talked about steel trade—I just want to put on the Record—with China, and we see what a big player she is in the market and doesn't play fair. I just want to put some numbers on the Record. China's expansion of steel since 2000 has grown to over 2,300 million metric tons. That is a big number to imagine. But only 1,500 million metric tons are needed to actually serve the global marketplace. So what you have got is over 800 million metric tons of steel just floating around the world in warehouses and stored up in provinces in China, and they are dumping the steel.

Why does that matter?

Because in places like I represent, Lorain, Ohio, U.S. Steel just pink-slipped hundreds and hundreds and hundreds of more workers. Republic Steel, which sits next door to U.S. Steel, has shuttered their plant because of imported steel.

The President could do something about that. He could have done something about that the second day he was in office. Nothing has been done. All these workers, some of whom have worked in these plants for 28 years, in modernized plants where hundreds of millions of dollars of investment have been made to upgrade the capacity of these plants, rather than save that capacity for our country for the years ahead and to try to deal with this Chinese dumping, they are allowing more workers and more companies to go belly up in this country. It is wrong. It is wrong. This needs to be fixed. This is big time for jobs and economic growth in our country.

I want to thank Congressman BRENDAN F. BOYLE, who understands

this problem full well. As a younger Member of Congress and one who really speaks on behalf of working men and women in Pennsylvania and coast to coast, I thank him so much for taking time and joining us tonight. I yield to the gentleman.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I thank the gentlewoman for yielding. I have to say that the working people of not just Ohio but this country are very lucky to have MARCY KAPTUR fighting for them and for her years of service. There is not a more passionate champion for working Americans in this House than the gentlewoman from Ohio.

Mr. Speaker, I come here not with a prepared text, but really to speak from my heart. As the son of two hard-working parents who were working in industries that were supported by organized labor, and it depresses me to see the great decline in our workforce today that is in a union.

Now, the subject that we are speaking about tonight is about the trade deficit, and I just started talking about unions. To some that might seem as if I am off topic, but there is no question the two are absolutely related.

□ 1745

Mr. Speaker, I want to correct a fallacy that sometimes is out there about those of us who may be critical about NAFTA and other trade deals. I am not antitrade. I recognize that the United States of America, despite being a large country of over 320 million people, we are only 5 percent of the world's population. We must engage in trade with the rest of the world. I also look at those economic statistics that tell us, without question, the most productive workforce in the world today is the American worker.

So if the grounds of trade are fair and if the rules of the game are fair, we can compete with anyone. Our workers can compete and outcompete anyone in the world. But, Mr. Speaker, they have not been fighting on a fair playing field.

Now, let's not forget that over the last 20 to 23 years or so since NAFTA was passed, that happens to also coincide with this point in American history in which most wages have been stagnant. Indeed, for middle class people and lower middle class folks, their real wages have declined, not to mention the most lower income quintile, which has seen a dramatic drop in real wages.

I think that it would be unfair for any of us to say that this is because of NAFTA or that this is because of any specific trade deal. But it is also very fair for us to point out that none of these trade deals did anything to raise the living standards and wages of American workers. Here we are in an environment in Congress in which, recently, we were talking about the TPP and moving forward with other trade

deals and talking about nothing really to raise wages and living standards for our own workers here at home.

Look at the example of NAFTA, something that was promised to raise wage standards in Mexico, that we would benefit from having on our southern border a country with a rising middle class population. There is no question that would be in the best interest of the United States and, obviously, in the best interest of Mexico.

However, Mr. Speaker, here we are in the last few years with more jobs going to Mexico, including the closing of the Nabisco plant in my district that I stood on the well of the House floor and protested against. It goes to a nice new facility in Monterrey, Mexico. Is that helping to raise wages in Mexico? Actually, wages are lower today in Mexico than they were 3 years ago. That is an economic fact.

Under the letter of the law of NAFTA, that is something that our administration could take up with our Mexican counterparts, but they don't. Instead, we see Nabisco. And I am taking one specific example because it affected my district. We see them closing a plant that had existed in Philadelphia since before my parents were born lay off 325 workers, lay off double that in Chicago, and move to Monterrey, Mexico, which they can do in accordance with NAFTA.

If we are going to move forward with new trade deals, which inevitably at some point in years moving forward we will, I would simply ask—and strongly suggest—that we look out not just for the corporate interest, not just for what is in the best interest of consumers, but also what is in the best interest of American workers.

We should not be surprised that we see this tumult in the United States politically at the same time that we are seeing stagnant wages and stagnant benefits for decades. Those two are inextricably linked.

Mr. Speaker, finally, let me say to all those who are interested in working on this trade issue on both sides of the aisle: You have committed and passionate public servants on this side of the aisle who want to get it right, who want to ensure that we finally have trade deals that put American workers first and foremost.

Ms. KAPTUR. Mr. Speaker, I thank Congressman BOYLE. He has raised so many important issues tonight on jobs and trade and how we fix this problem for the people of our country and, frankly, the world.

One of the issues is which banks are actually financing this outsourcing. I can tell you, they are not banks in the communities that I represent. They are not big enough to put all that money, to actually take these big companies and move them out of the United States and plunk them down in a Third World environment. It is largely Wall

Street banks that do that. So they fly over the heads of people that live in communities across this country.

The gentleman talked about Nabisco moving. I had an experience. I went out to Newton, Iowa, a few years ago when Maytag was closing. I felt so bad as an American that a gold star label company that had manufactured reliable, high-quality products in our country was closing. I learned what was happening. What I didn't realize was that the production that closed in Newton, Iowa, large parts of it were moved south of the border.

I was traveling down to Monterrey, Mexico. I was going down there, actually, to find out what had happened to someone who was murdered, who had been a student in our community and was murdered in Monterrey, Mexico. We went by this big complex that said Maytag, Amana, all of these American companies that had been outsourced to Monterrey. I said: Stop the cab. I am taking a picture. This is exactly what I am talking about.

I said: Let me ask a question to some of the people that were walking by and living in the area. I said: Can the people who work in that Maytag plant in Monterrey, can they afford to buy the washers they make?

Guess what? No. In fact, where they lived, there was no running water. There was no decent water to drink.

I thought: This is what we stand for as a country? What is wrong with this picture? For our country, in districts like mine, the results of all this lopsided trade are that citizens in northern Ohio, on average, are earning \$7,000 less than they did when this century began, because of this. The playing field is simply not level.

Several years ago, I was visited by a group of United Automobile Workers from Milwaukee, Wisconsin. They told me—and I just love these wonderful, generous human beings. They had all been pink-slipped. They had just lost their jobs. They came to see me to tell me their stories on trade and what it had done to them.

They said: Marcy, we are training those who are going to replace us in Mexico. But we went down to Mexico, and we felt so sorry to see where the people lived and the conditions under which they were working that we are collecting medical items, and we are doing humanitarian shipments to that town.

I thought: Oh, my goodness, what a generous group of Americans who are facing such horror in their own lives and yet they were doing that for people who live on this continent—and were, by the way, going to be earning, like, one-twentieth of what the workers in Milwaukee earned. So it was all about cheap labor.

I really felt bad for the cheapening of the Maytag product. I am probably going to get in trouble for saying that,

but it is the truth. I certainly learned a lesson by traveling to Newton, Iowa.

Now, another story, this is on plastic seals. I happened to visit a plant in the Tijuana area, and I walked through the plant in Mexico. This company had been moved from Ohio and its equipment shipped down to Mexico.

I walked through this plant. It was about 100 degrees that particular day. I turned the corner. There were no fans taking out the exhaust. It was bloody hot, and it had to be 110 degrees. These men were working. They had T-shirts on. It was very hot that summer. They were pulling down these large levers because they were melting plastic and rubber. I witnessed this.

I thought: Boy, that really looks dangerous with that thing that they are pulling down because it was moving like this. I thought: Boy, they have got to really pay attention every time they move that steam press down so they don't catch their arm in there.

I took pictures, and I sent them back to Ohio. I got a letter from one of my constituents. This constituent said: Congresswoman, did you really take a look at the picture you took?

I thought: Well, yeah, I was looking at the workers.

He said: No. No. Look at the machine, the machine, up in the right-hand corner, the button with the tape over it.

I said: Oh, yeah.

He said: I used to do that job. Do you know what that button is?

I said: No.

He said: That is the safety button.

In other words, when the equipment was shipped and the machine started, life wasn't worth as much in Mexico, so these workers were working with much greater risk of injury to themselves because the equipment had been tinkered with in a way that told me a lot about health and safety standards and how they are really not enforced in places like Mexico.

I finally want to end with a story that relates to trade. It doesn't just have to do with goods. It has to do with human beings, with people, and why renegotiating trade deals is so important for what our Constitution says we stand for: life, liberty, and the pursuit of happiness. This is a country that believes in liberty and justice for all. It has to do with the undocumented workers in our country who are coming from south of our border.

We hear all kinds of rhetoric about that, but the truth is that I face the reality of what happened in the agricultural sector with NAFTA. What happened is we wanted two-way trade with Mexico, but what the trade agreement did is it caused great problems in Mexico in that over 2 million small farmers in Mexico were displaced by the NAFTA agreement because our country was 18 times more efficient in corn agriculture than the Mexican people.

These workers and owners of these little ejidos, these little, tiny farms that were subsistence farms, they were just completely obliterated—2 million or more people.

Well, guess what? When you lose your livelihood and the trade agreement doesn't provide for readjustment, what do you think desperate people do? They run anywhere to eat, and north of the border looks pretty attractive.

As I heard all of these speeches during the campaign about what we are going to do on trade and how we are going to fix everything, I have never heard any of the major candidates talk about: How are you going to fix the problem for the people in Mexico who lost their livelihoods, their ability to produce for themselves?

The undocumented worker problem has a big, big root in Mexico. It was an uncaring set of governments that negotiated these agreements that caused that hemorrhage that creates an endless flow of people who are desperate, who will do anything to survive. You wouldn't want this to happen to your family.

I am all for yellow corn from the United States. I eat corn. I just served it the other night to our family. But when a trade agreement wipes out the livelihoods of millions of people, it upsets an entire continent. So now the solution is not to figure out a way to have readjustment in agriculture in Mexico as part of a renegotiated NAFTA agreement; the answer is supposed to be a wall.

Do you know what? Walls don't feed people. Proper trade agreements feed people when they are done the right way and you don't obliterate people's lives. That is what really matters.

When I see what the White House is producing, I haven't seen anything yet that really gets us to balanced trade accounts in a way that people matter and the communities in which they live matter. And it isn't always a default to what Wall Street wants and cheap labor and substandard working conditions and substandard living conditions.

We have to do better than that. We have to aspire to a system where people are invited into a trade union in which we have rising standards of living, where we have balanced trade accounts again, and where people's incomes and living standards rise. If we don't get there, we are going to have even greater social problems on this continent.

Today, I met with El Salvadoran workers, talking about the conditions in that country, what has happened there with the maquiladoras and the situations that people face in their daily lives. This race to the bottom is not working. It is not working in our country. It is not working in the Latin American countries or in Canada. We simply have to aspire to the highest values that founded this country.

Mr. Speaker, I yield to the gentlewoman from Connecticut (Ms. DELAURO), someone who knows all about those values. Congresswoman ROSA DELAURO is a true leader of our trade efforts to reform this really terrible trade regimen that isn't helping anyone but the wealthiest investors who have invested in the movement of these companies abroad.

Connecticut we think of as an eastern State close to New York, but Connecticut has been battered in so many corners by trade. Congresswoman ROSA DELAURO is an indefatigable Member of the House. I don't know how the people of Connecticut found her, but keep sending her here because she really does her job with distinction. I thank her so much for joining us this evening.

□ 1800

Ms. DELAURO. Mr. Speaker, what a great compliment from someone who is a tigress when it comes to making sure that the working people in her community are represented—that their interests, their families, and their economic security are represented—and who fights on a daily basis to make sure that our families have the economic wherewithal with which to succeed.

The gentlewoman from Ohio is someone who really knows that the biggest problem that we face today in this Nation is that people are in jobs that just don't pay them enough; and that they can't make it, that they are struggling.

When you lay on top of that the direction that our trade agreements have taken us, it reinforces the fact of their lack of wages and of income inequality. And you can't have a discussion about income inequality in this Nation today without starting with wages.

I am struck by those people who tell us that all of this wage stagnation and income inequality is the fault of globalization and technology. No, that is not the case. You just listen to Nobel Laureate Joseph Stiglitz, who said that this inequality and the depression of wages has come from public policy choices. And we have made the wrong public policy choices, as has been evidenced by my colleague's comments.

We support a trade policy that puts American workers before corporate interests. And although President Trump made trade a central focus of his campaign and he promised to fight for working men and women, the broken promises are piling up.

I am deeply disturbed—I know my colleague is—that President Trump's Commerce Secretary, Wilbur Ross, has suggested that the Trans-Pacific Partnership Agreement is a good place to start for the NAFTA renegotiations. Working men and women deserve a new North American Free Trade Agreement, not more of the same corporate-driven trade policies of the failed Trans-Pacific Partnership—an agreement, as I said, that, as a candidate,

President Trump opposed. He spoke all over the country and told people that it had to go, that he was going to renegotiate NAFTA.

This is not the only about-face that this administration has taken on trade. If you listen to the Economic Policy Institute, China's past cheating to manipulate the value of their money has left over 5 million Americans without good-paying jobs. Yet, President Trump has failed to deliver on declaring China a currency manipulator. He said he was going to do that on day one. And he has yet to act on countering our massive \$347 billion trade deficit with China.

He missed his promised deadline to start NAFTA renegotiation in his first 100 days. He has already reneged on his Buy American promise that American steel would be required for the Keystone XL pipeline. They have waived that requirement, and my colleague knows deeply what has happened to steel workers.

Ms. KAPTUR. Mr. Speaker, I wanted to mention that hundreds and hundreds of steel workers in my district are getting laid off right now, as the gentlewoman from Connecticut speaks.

We are facing complete closure of two plants. One has already been idled, Republic Steel; and the other, the U.S. Steel plant in Lorain, Ohio, will be by early June.

If the President really wanted to do something to make a statement, what he would do is put an embargo on the products that are being dumped by China and Korea on our market that are forcing this to happen at our steel companies.

There is a glut in the steel market globally. We have about 800 million metric tons of steel that are out there.

What China has been doing is building a steel company in every province to put people to work. Then, what do they do with the steel? They have been storing it because there is so much that the global market can't absorb 800 million more metric tons.

So companies like those I represent get hurt because they are trying to play by the rules; but the rules aren't being enforced properly, so they end up with the short end of the deal that is absolutely backwards. So what the gentlewoman says about steel is right on.

I yield to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Speaker, this has been happening all along in so many sectors. When you talk about the various agreements and NAFTA—and actually with regard to currency—what we fought for in the Trans-Pacific Partnership Agreement was to do something about currency manipulation because everything that may have been negotiated in the NAFTA agreement with tariffs and lowering them and all of that, all of that was for

naught when Mexico devalued the peso. Once you do that, then your goods are cheaper than our goods and we suffer. It is the same thing that has happened in Korea, and this is what we were looking at in the Trans-Pacific Partnership Agreement.

Despite the Oval Office fanfare last Friday, President Trump's recent executive orders are, frankly, nothing but window dressing. While initiating a new Federal report—a new Federal report, God, there must be unbelievable cavernous institutions and places where we have Federal reports which go nowhere—what they are about is a common way to avoid fixing any problems that we have. The real test is going to be whether or not the Trump administration takes action to create jobs and to reduce the trade deficit.

Improving our trade policy requires new rules, not more of the status quo. And it was Mr. Ross who, I believe, said that: My gosh, you can't throw out the Trans-Pacific Partnership Agreement. You have to fiddle around the edges with it.

That is where they are going. Again, they are betraying the promises that were made to those workers in your district, those workers in my district, and workers all across the country.

Ms. KAPTUR. Mr. Speaker, what the gentlewoman from Connecticut is saying is very important because certain States hung in the balance in this past election. Ohio was one of them. Michigan, Pennsylvania, obviously Indiana next door was constant. If you look at each one of those States, those were the ones that actually carried for President Trump in the end because of the jobs and trade issue.

I yield to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Speaker, that is absolutely right. That was a central part of the election last November.

Improving our trade policy requires new rules, as I said, not more status quo. We have to push a trade agenda that will create good-paying jobs and that is going to raise wages here at home. And our coalition is going to continue to hold this administration accountable. What we need to do is to try to reshape the trajectory of modern globalization, one that doesn't exacerbate that economic problem that I spoke about people being in jobs that just don't pay them enough money. The NAFTA agreement put people at such grave risk.

I know that the gentlewoman can recall this as well: we both stood on this House floor all those years ago and we said we were going to lose jobs, that we were going to increase the trade deficit, and that this was not an agreement that would benefit the working men and women of this country.

At that time, quite frankly, we were told by the then-Clinton administration that we were thugs, that we did

not understand what was happening, that we were protectionist, all kinds of labels against the thinking that we said that this was not going to benefit us.

Ms. KAPTUR. Mr. Speaker, does the gentlewoman from Connecticut remember when Gary Hufbauer said we would have trade surpluses? In other words, this is upside down. It should actually be like this. We would have surpluses then. Well, it is exactly the opposite he testified back then. I will never forget that.

The Peterson Institute said we would have jobs, we would have rising incomes, we would have more benefits for workers. Wrong, wrong, wrong.

I yield to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Speaker, we said it then.

What we didn't have at that time was the data, which is now right here on this floor of the House, which is why we were able to defeat the Trans-Pacific Partnership Agreement, because they couldn't fool us again. They could not fool us again. Not us. They couldn't fool the American people again.

We are not going down that road, not with a reheated Trans-Pacific Partnership Agreement or a tweaked North American Free Trade Agreement.

I said we have to reshape that trajectory of modern globalization. It is a trajectory that needs to benefit American workers. It has to foster inclusive growth.

This is not just about large corporations and special interests that will be the beneficiaries of trade agreements. It is about trade agreements that grow our economy, that grow the economic security of the people of this country.

Implementing a new model is not going to be easy. It isn't going to be easy; we know that. But with so much on the line, we understand that it is our obligation to put the American people first, to set those new rules for a 21st century economy and give it our all.

We are going to be absolutely vigilant with where the discussions and the negotiations go on a renegotiated NAFTA agreement and future trade agreements that we may embark on.

We are not afraid of trade. We just want it to work for the people of this country, and we don't want to do what has happened to the folks in Mexico and to other countries as well.

First and foremost, I will just say that we have to be cognizant of the repercussions on the standard of living and the quality of life that our people in the United States have. These trade agreements have worked against that, and it is not going to happen again.

Ms. KAPTUR. Mr. Speaker, I want to thank Congresswoman DELAURO for her stellar leadership on the trade task force and the work that it has done. The hours and hours of effort on de-

feating the Trans-Pacific Partnership, the great assemblage that she gathered and the persistence with which she approached that, seeking to defeat that trade model, which has now been done, and to go back to the drawing board and to fix what is wrong with these, Representative DELAURO has been extraordinary.

I yield to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Speaker, it has been a remarkable coalition, and it is standing strong. It stands strong.

I thank the gentlewoman from Ohio for being a central and integral part of this effort. I appreciate that.

Ms. KAPTUR. Mr. Speaker, I thank the gentlewoman from Connecticut for coming down this evening.

As we complete our work here this evening, I wanted to reissue our invitation to Secretary of Commerce Wilbur Ross to travel to Ohio to come to U.S. Steel in Lorain to really see what is happening there to the workers; and not just Lorain—we are not selfish—but all over this country where steel companies are being harmed because of imports and the fact that China, Korea, and Russia are dumping on the international market.

We need to have an embargo. We need to let our industry survive and get over this hump of overcapacity.

We are going to need that production in the years ahead, for example, in the natural gas industry for piping and so forth. These are modern plants. America should not lose them. We have lost so many steel plants. We can't afford to lose many more for the sake of the Nation's defense.

I also wanted to invite the President to Ohio. I hope that somebody is listening. He campaigned a great deal in Ohio. I know he likes meeting people, and it certainly would be a good way to see the immediate challenge on the trade front where real lives and livelihoods are at stake in this country.

□ 1815

I also just wanted to end by saying this: When you create a system of trade where people are exploited in our country, or in other countries, that really isn't the best face that America can put forward. And unfortunately, what happens too often in our country now, for example, in trade with Mexico, when you have undocumented workers who come here, many in desperation, many of them are being trafficked across the continent. You say: Oh, Congresswoman, what do you mean trafficked? I mean, some of them come here because they are desperate, and they end up paying sometimes as much as \$8,000 to come here and work at a very low-wage job. They never get out of debt.

We have to take that system and move it into the sunlight out of the doldrums, because we can't treat peo-

ple like chattel. There are millions of agricultural workers, for example, who come to this country with no contract. They are completely indentured to whatever coyote brings them across the border. That is not the system I want for this country. That is not fair to those families. It is not fair to their children. It is not fair to the places to which they come in our country.

They always feel uncomfortable. What kind of a system, what kind of a trade system would subject them to that? We are a different kind of country. We aspire to higher values. We aspire to treating people and elevating their worth, not diminishing their worth as human beings.

We have a lot to fix in these trade agreements, and I hope that President Trump will join us. I would like to tell him about what coyotes do. I would like to tell him how they behave, how some of them have been involved in murder of individuals from my district who fight for labor rights so that no one is afraid, that people feel that they have a legal system that will defend them.

We need to get to that world. Our Constitution intends it for all of the people of our country. We should behave no differently internationally.

So in closing tonight, I agree with the President. We need good jobs. We need real jobs. They have to come back to this country, and we have to treat people in other countries with worth, with their worth as human beings. We need to get back to trade balances, not trade deficits.

Mr. Speaker, I yield back the balance of my time.

NO TAX SUBSIDIES FOR STADIUMS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Oklahoma (Mr. RUSSELL) is recognized for 60 minutes as the designee of the majority leader.

Mr. RUSSELL. Mr. Speaker, it is official: the Oakland Raiders are moving to Las Vegas. Beginning in 2020, they will play in a shiny, new 65,000-seat stadium outfitted with a retractable roof that is expected to cost \$1.9 billion.

If you are an American taxpayer, you will help pay for it, even if you live nowhere near Nevada. About \$750 million for the project will be financed through municipal bonds, which are tax exempt. The Federal tax break is projected to amount to some \$120 million, according to a study by the Brookings Institution.

Congress and President Trump should take the Raiders' bad example as an impetus for reform. As the President considers a \$1 trillion plan to restore America's aging roads, rail, bridges, waterways, and airports, lawmakers should ask why so many stadiums are following the Las Vegas

model, fleeing one bad economic State and using your tax dollars to go to another.

The alternative is what we did in Oklahoma City in 1993. Our residents passed a temporary 1 percent increase in sales tax to fund, without incurring a debt, a building spree called the Metropolitan Area Projects, or MAPS. Over 5 years, the plan raised \$350 million for nine projects, including a stadium now called the Chesapeake Energy Arena, home to NBA basketball's Oklahoma City Thunder. This pay-as-you-go approach may sound unremarkable, but it is nothing short of exceptional.

Most professional sports stadiums these days are financed with municipal bonds, something that they were never intended to be used for. But this kind of debt wasn't intended for lavish football stadiums or basketball arenas. Municipal bonds were supposed to give communities a way to build public projects—hospitals, schools, roads—without having to pay Federal taxes on the debt's interest. The point was to ease the financial burden on cities and States that invest in expensive but essential infrastructure.

Over the past 30 years, however, stadium financiers have exploited a loophole in the Tax Code to qualify professional sports arenas for municipal bonds. Because Federal taxes aren't incurred on the interest of this debt, stadiums essentially receive a multi-million-dollar subsidy from Washington.

Last year, a Brookings study examined 45 stadiums built or seriously renovated since 2000; 36 were funded at least in part with municipal bonds, resulting in forgone Federal tax revenue of \$3.7 billion. That is enough money to employ 88,000 military staff sergeants or give each State a \$74 million block grant, or it could help reduce the national debt.

To solve this problem, I have introduced, along with my Democratic colleague, EARL BLUMENAUER from Oregon, H.R. 811. This bipartisan No Tax Subsidies for Stadiums Act would prohibit arena financiers from using municipal bonds. Instead of building enormous, lavish sports facilities on the backs of unsuspecting taxpayers across the Nation, financiers should ask communities to buy into their vision. If residents want a stadium to be built, fine. They should be willing to pay for it like we did in Oklahoma City; or sports franchises and leagues always have the option to finance construction like most businesses do, privately.

Funding an upgrade to America's core infrastructure will be a challenge. It shouldn't require Congress to use budget gimmicks or run up the national debt.

Closing loopholes, such as requiring stadium financiers to pay Federal taxes on bond interest that was in-

tended to improve our decaying infrastructure, would ensure taxpayers get the best return on their dollars to improve public infrastructure that all Americans use.

Mr. Speaker, I yield back the balance of my time.

DON'T CUT INTERNATIONAL AFFAIRS BUDGET

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Texas (Mr. CASTRO) for 30 minutes.

Mr. CASTRO of Texas. Mr. Speaker, I am here this evening joined by colleagues from the Foreign Affairs Committee to discuss President Trump's extreme, proposed cuts to the International Affairs Budget.

The President's budget proposal would reduce funding for the State Department and the U.S. Agency for International Development, what we know as USAID, by nearly a third. The proposal would reduce overall funding for the International Affairs Budget by \$17.4 billion, or 31 percent.

This would be a devastating reduction. U.S. diplomats and development experts work to shape a freer, more secure, and more prosperous world while advancing U.S. interests abroad. They build relationships with foreign counterparts and resolve disputes to preserve peace and reduce the need for military action.

They also provide critical services to U.S. citizens living and working overseas and screen people seeking visas to visit the United States. This work would all be compromised by the administration's funding cuts. These cuts could also undercut President Trump's purported priorities.

For example, these reductions could interrupt the Bureau of Counterterrorism and Countering Violent Extremism and U.S. efforts to disrupt money laundering and terror financing. Funding could be slashed for nonproliferation, counternarcotics, and consular affairs—efforts specifically focused on protecting Americans from foreign threats.

This work overseas is always important, but it is especially necessary now in this tumultuous time, when the United States faces complex challenges around the world:

In Asia, we see increased tensions in the South China Sea and an increasingly hostile North Korea.

In Africa, there is a devastating famine in East Africa, brutal civil wars, as well as terrorist organizations like Boko Haram and al-Shabaab.

The refugee crisis stemming from unrest in the Middle East continues, and we have just seen reports of more gas attacks on the Syrian people.

In South America, the people of Colombia have experienced devastating

floods that claimed more than 270 lives, a breakdown in the rule of law in the Northern Triangle, and a government in Venezuela that has become an oppressive dictatorship.

Even in Western Europe, we continue to combat terrorist threats from organizations like ISIS, who 2 weeks ago inspired the attack in London.

These are challenging times for our world that require a fully funded International Affairs Budget. But America's unilateral diplomatic and development work is just one piece of our engagement overseas.

Following World War II, the United States helped lead the creation of several multilateral organizations to foster peace and stability in the world like the United Nations, NATO, and the World Bank. With its budget proposal and heated rhetoric, the Trump administration is threatening that architecture of peace and stability.

For example, the President recommends cutting funding for multilateral development banks by \$650 million over 3 years and capping United Nations peacekeeping contributions to 25 percent of total funding. These decisions will have a significant destabilizing impact on the global order. If America retreats from the international stage, other powers, like China, will step in to fill that void and exert their influence. We cannot afford for that to happen.

That is why my colleagues and I are here tonight, to speak out against the shortsighted, dangerous budget proposal and emphasize the importance of the United States' diplomatic and development work.

And with that, I yield to the gentleman from New Jersey (Mr. SIREs).

Mr. SIREs. Mr. Speaker, as the ranking member of the Western Hemisphere Subcommittee, I am very concerned about these cuts. This undermines our leadership around the world and makes Americans less safe. When you consider that foreign aid is only 1 percent of our entire budget and helps keep Americans safe, it is an investment in our security.

Fully funding our State Department and ensuring our diplomats have the resources they need prevents conflicts, diffuses crises, and works to keep American soldiers out of harm's way.

U.S. foreign aid helps protect some of the world's poorest people from disease, starvation, and death. President Trump's own Secretary of Defense, General James Mattis, said: "If you don't fund the State Department fully, then I need to buy more ammunition. . . ."

I signed onto a letter led by Ranking Member ENGEL, along with my Democratic colleagues on the House Foreign Affairs Committee, urging the Speaker to oppose these draconian cuts.

We are already hearing from our allies all over the Western Hemisphere

how dangerous these cuts could be to the stability of the region. Countries like Colombia fought a 52-year-long war with the FARC guerrillas, and now, when they need us the most to implement the peace deal, the Trump administration has signaled it is ready to abandon one of our strongest partners in the world. The President claims to care about protecting our sovereign border, but this budget says otherwise.

Both Republican and Democrat administrations have pushed for a strong security, economic, and trade relationship with Mexico. Pushing our neighbors away could cost billions of dollars to our U.S. businesses.

□ 1830

Instead of working with our partners in the Western Hemisphere, President Trump is preventing us from maintaining a robust relationship with our neighbors to pay for this unrealistic and ineffective wall.

In Central America, we risk seeing a repeat of the 2014 crisis when nearly 70,000 children made the dangerous journeys from Guatemala, Honduras, and El Salvador after being threatened with violence, assault, and forced gang recruitment. Our engagement in Central America is helping to bring calm to the region, and abandoning our friends in their time of need puts America at risk. Retreating from the world will allow other countries like China and Russia to take our place as a global leader.

Instead of building a wall, the President should continue working with our neighbors to enhance cooperation instead of alienating friends who have stood by us for decades.

Mr. CASTRO of Texas. Mr. Speaker, I should have mentioned, of course, that Congressman SIREs is the ranking member on the Western Hemisphere Subcommittee on the Foreign Affairs Committee. His experience in that region in particular is vast.

I am glad that you mentioned that this is really part of a larger theme and a larger concern, because President Trump, in addition to proposing to cut a lot of funds for diplomacy and development around the world, has also shown a real hostility towards other nations, including some of our best allies and friends around the world, and that is of great concern.

For example, this issue with Mexico which you brought up, forcing Mexico to pay for the wall and constructing this wall along the 2,000-mile border that we have between the United States and Mexico and cutting aid if necessary, which he has threatened to do if Mexico won't pay for it, I have said very clearly that that creates an opportunity for China to step in or the Chinese President Xi Jinping to go into Latin America, go into Mexico and offer to give Mexico whatever Donald Trump takes away. That would

strengthen China's hand in yet another region of the world.

Of course, China is a big economic competitor of the United States, and I relate to my Texas folks because Texas does an incredible amount of trade with Mexico, and we have been very fortunate over the years that Mexico buys a lot of our stuff. They buy a lot of our goods. But they don't have to just buy that stuff from Texas or the United States, generally. They could go buy it from Brazil. They could buy it from China or somewhere else.

So thank you for mentioning that.

Mr. SIREs. Mr. Speaker, I couldn't agree more. Already we are starting to see the influence of China in most of the countries in South America.

You know, I had a conversation with one of the presidents of the colleges in Colombia on one of my trips. He was telling me how the influence of China in Colombia is so strong. He was telling me that the second most studied language in Colombia today is Mandarin. When you think of that, that is a frightening thought.

You talk about the influence in Nicaragua of the Chinese. They even think of building a canal, which many people think will never happen. But to have China so close to our borders is not good for America. To push away our neighbors is not good for America. We must work with our neighbors. People don't realize the amount of economic activity between the United States and the rest of Central America and Mexico.

I read something very funny the other day. Well, it is not funny, but it is really sad. They were discussing this wall that the President proposes. Some people say: Where are we going to put it? In the middle of the river? Or are we going to put it on the American side and give the river to Mexico? Or are we going to go invade Mexico and put the wall on the Mexican side and keep the river to ourselves?

So I thought that was telling of the difficulty.

Mr. CASTRO of Texas. It has been a very thorny issue, as you can imagine, especially in Texas. Both Republicans and Democrats have expressed deep concern about building a wall and spending \$20 billion to \$30 billion to do it, and that concern, I think, has reached the U.S. Congress. I think that is part of why you see a reluctance on the part of the Senate, for example, to move forward with this in their appropriations bill, in their budget.

I yield to our ranking member on the Foreign Affairs Committee, the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Speaker, as the ranking member on the House Foreign Affairs Committee, I join with my colleagues. I want to thank the gentleman from Texas (Mr. CASTRO), who is a valued member of our committee, for his leadership on this critical issue, and

also the gentleman from New Jersey (Mr. SIREs). I agree with everything that they have said heretofore about these draconian cuts.

I am here because I am rising to strongly reject the Trump Administration's draconian cuts to the International Affairs Budget. Now 2½ months into the Trump Administration, I find myself deeply troubled by the direction American foreign policy is heading on many fronts. I was particularly shocked when the White House released its fiscal year 2018 budget calling for a 31 percent cut to American diplomacy and development efforts.

In my view, cutting the International Affairs Budget by even a fraction of that amount would be devastating. We haven't seen many details, but a cut that drastic would surely mean that too many efforts and initiatives that do so much good would wind up on the chopping block.

Here is the bottom line: Slashing diplomacy and development puts American lives at risk. If we no longer have diplomacy and development tools to meet international challenges, what does that leave? It leaves the military.

Now, don't get me wrong. I have always supported a strong national defense, and I do support our military, and I do support giving them more money. But I also support using military force only as a measure of last resort. We should not send American servicemembers into harm's way unless we have exhausted every other option. If we are not investing in diplomacy and development, we aren't even giving these other options a chance.

We rely on diplomacy to resolve conflicts across negotiating tables at multilateral gatherings and in quiet corners so that we don't need to resolve them down the line on the battlefield. Our diplomats work to strengthen old alliances and build new bridges of friendship and shared understanding.

Just last week, the Foreign Affairs Committee held a hearing on the Trump Administration's efforts to decimate our International Affairs Budget. In his testimony at the hearing, former Under Secretary of State for Political Affairs Nicholas Burns said that morale at the State Department is "at its lowest point in my memory."

It is deeply disturbing to hear that our diplomats, many of whom serve in dangerous places at high risk to themselves and their families, are so disheartened.

Of course it is not just former diplomats who reject these cuts. A recent letter signed by more than 120 retired generals and admirals to House and Senate leadership said: "We urge you to ensure that resources for the International Affairs Budget keep pace with the growing global threats and opportunities we face. Now is not the time to retreat."

Mr. Speaker, I include their letter in the RECORD in its entirety.

FEBRUARY 27, 2017.

Hon. PAUL RYAN,
Speaker of the House,
House of Representatives.

Hon. NANCY PELOSI,
Minority Leader,
House of Representatives.

Hon. MITCH MCCONNELL,
Majority Leader,
U.S. Senate.

Hon. CHUCK SCHUMER,
Minority Leader,
U.S. Senate.

DEAR SPEAKER RYAN, MINORITY LEADER PELOSI, MAJORITY LEADER MCCONNELL, AND MINORITY LEADER SCHUMER: As you and your colleagues address the federal budget for Fiscal Year 2018, we write as retired three and four star flag and general officers from all branches of the armed services to share our strong conviction that elevating and strengthening diplomacy and development alongside defense are critical to keeping America safe.

We know from our service in uniform that many of the crises our nation faces do not have military solutions alone—from confronting violent extremist groups like ISIS in the Middle East and North Africa to preventing pandemics like Ebola and stabilizing weak and fragile states that can lead to greater instability. There are 65 million displaced people today, the most since World War II, with consequences including refugee flows that are threatening America's strategic allies in Israel, Jordan, Turkey, and Europe.

The State Department, USAID, Millennium Challenge Corporation, Peace Corps and other development agencies are critical to preventing conflict and reducing the need to put our men and women in uniform in harm's way. As Secretary James Mattis said while Commander of U.S. Central Command, "If you don't fully fund the State Department, then I need to buy more ammunition." The military will lead the fight against terrorism on the battlefield, but it needs strong civilian partners in the battle against the drivers of extremism—lack of opportunity, insecurity, injustice, and hopelessness.

We recognize that America's strategic investments in diplomacy and development—like all of U.S. investments—must be effective and accountable. Significant reforms have been undertaken since 9/11, many of which have been embodied in recent legislation in Congress with strong bipartisan support—on human trafficking, the rights of women and girls, trade and energy in Africa, wildlife trafficking, water, food security, and transparency and accountability.

We urge you to ensure that resources for the International Affairs Budget keep pace with the growing global threats and opportunities we face. Now is not the time to retreat.

Sincerely,

1. General Keith B. Alexander, USA (Ret.), Director, National Security Agency ('05-'14), Commander, U.S. Cyber Command ('10-'14)

2. General John R. Allen, USMC (Ret.), Commander, NATO International Security Force ('11-'13), Commander, U.S. Forces-Afghanistan ('11-'13)

3. Lt. General Edward G. Anderson III, USA (Ret.), Vice Commander, U.S. Element, North American Aerospace Defense Command/Deputy, Commander, U.S. Northern Command ('02-'04)

4. Lt. General Thomas L. Baptiste, USAF (Ret.), Deputy Chairman, NATO Military Committee ('04-'07)

5. Lt. General Ronald R. Blanck, USA (Ret.), Surgeon General of the United States Army ('96-'00)

6. Lt. General H. Steven Blum, USA (Ret.), Deputy Commander, U.S. North American Aerospace Defense Command and U.S. Northern Command ('09-'10)

7. Lt. General Steven W. Boutelle, USA (Ret.), Chief Information Officer and G6, United States Army ('03-'07)

8. Admiral Frank L. Bowman, USN (Ret.), Director, Naval Nuclear Propulsion ('96-'04)

9. General Charles G. Boyd, USAF (Ret.), Deputy Commander in Chief, U.S. European Command ('92-'95)

10. General Bryan Doug Brown, LISA (Ret.), Commander, U.S. Special Operations Command ('03-'07)

11. General Arthur E. Brown, Jr., USA (Ret.), Vice Chief of Staff of the United States Army ('87-'89)

12. Vice Admiral Michael Bucchi, USN (Ret.), Commander of the United States Third Fleet ('00-'03)

13. Lt. General John H. Campbell, USAF (Ret.), Associate Director of Central Intelligence for Military Support, Central Intelligence Agency ('00-'03)

14. General Bruce Carlson, USAF (Ret.), Director, National Reconnaissance Office ('09-'12)

15. General George W. Casey, Jr., USA (Ret.), Chief of Staff of the United States Army ('07-'11)

16. Lt. General John G. Castellaw, USMC (Ret.), Deputy Commandant for Programs and Resources ('07-'08)

17. Lt. General Dennis D. Cavin, USA (Ret.), Commander, U.S. Army Accessions Command ('02-'04)

18. General Peter W. Chiarelli, USA (Ret.), Vice Chief of Staff, U.S. Army ('08-'12)

19. Lt. General Daniel W. Christman, USA (Ret.), Superintendent, United States Military Academy ('96-'01)

20. Lt. General George R. Christmas, USMC (Ret.), Deputy Chief of Staff for Manpower and Reserve Affairs ('94-'96)

21. Admiral Vern Clark, USN (Ret.), Chief of Naval Operations ('00-'05)

22. Admiral Archie R. Clemens, USN (Ret.), Commander in Chief, U.S. Pacific Fleet ('96-'99)

23. General Richard A. "Dick" Cody, USA (Ret.), Vice Chief of Staff, United States Army ('04-'08)

24. Lt. General John B. Conaway, USAF (Ret.), Chief, National Guard Bureau ('90-'93)

25. General James T. Conway, USMC (Ret.), Commandant, U.S. Marine Corps ('06-'10)

26. General John D.W. Corley, USAF (Ret.), Commander, Air Combat Command ('07-'09)

27. General Bantz J. Craddock, USA (Ret.), Commander, U.S. European Command and NATO Supreme Allied Commander Europe ('06-'09)

28. Vice Admiral Lewis W. Crenshaw, Jr., USN (Ret.), Deputy Chief of Naval Operations for Resources, Requirements, and Assessments ('04-'07)

29. Lt. General John "Mark" M. Curran, USA (Ret.), Deputy Commanding General Futures, U.S. Army Training and Doctrine Command ('03-'07)

30. General Terrence R. Dake, USMC (Ret.), Assistant Commandant, U.S. Marine Corps ('98-'00)

31. Lt. General Robert R. Dierker, USAF (Ret.), Deputy Commander, U.S. Pacific Command ('02-'04)

32. Admiral Kirkland H. Donald, USN (Ret.), Director, Naval Nuclear Propulsion ('04-'12)

33. Lt. General James M. Dubik, USA (Ret.), Commander, Multi National Security Transition Command and NATO Training Mission-Iraq ('07-'08)

34. Lt. General Kenneth E. Eickmann, USAF (Ret.), Commander, Aeronautical Systems Center, U.S. Air Force ('96-'98)

35. Admiral William J. Fallon, USN (Ret.), Commander, U.S. Central Command ('07-'08)

36. Admiral Thomas B. Fargo, USN (Ret.), Commander, U.S. Pacific Command ('02-'05)

37. Admiral Mark P. Fitzgerald, USN (Ret.), Commander, U.S. Naval Forces Europe ('07-'10) and U.S. Naval Forces Africa ('09-'10)

38. General Ronald R. Fogleman, USAF (Ret.), Chief of Staff of the United States Air Force ('94-'97)

39. Lt. General Benjamin C. Freakley, USA (Ret.), Commander, U.S. Army Accessions Command ('07-'12)

40. Lt. General Robert G. Gard, Jr., USA (Ret.), President, National Defense University ('77-'81)

41. Admiral Jonathan W. Greenert, USN (Ret.), Chief of Naval Operations ('11-'15)

42. Lt. General Arthur J. Gregg, USA (Ret.), Army Deputy Chief of Staff ('79-'81)

43. Lt. General Wallace C. Gregson, USMC (Ret.), Commanding General, Marine Corps Forces Pacific and Marine Corps Forces Central Command ('03-'05)

44. Vice Admiral Lee F. Gunn, USN (Ret.), Inspector General, U.S. Navy ('97-'00)

45. General Michael W. Hagee, USMC (Ret.), Commandant, U.S. Marine Corps ('03-'06)

46. Lt. General Michael A. Hamel, USAF (Ret.), Commander, Air Force Space and Missile Systems Center ('05-'08)

47. General John W. Handy, USAF (Ret.), Commander, U.S. Transportation Command and Commander, Air Mobility Command ('01-'05)

48. Admiral John C. Harvey, Jr., USN (Ret.), Commander, U.S. Fleet Forces Command ('09-'12)

49. General Richard E. Hawley, USAF (Ret.), Commander, Air Combat Command ('96-'99)

50. General Michael V. Hayden, USAF (Ret.), Director, Central Intelligence Agency ('06-'09)

51. General Paul V. Hester, USAF (Ret.), Commander, Pacific Air Forces. Air Component Commander for the U.S. Pacific Command Commander ('04-'07)

52. General James T. Hill, USA (Ret.), Commander, U.S. Southern Command ('02-'04)

53. Admiral James R. Hogg, USN (Ret.), U.S. Military Representative, NATO Military Committee ('88-'91)

54. Lt. General Walter S. Hogle Jr., USAF (Ret.), Commander, 15th Air Force ('00-'01)

55. Lt. General Steven A. Hummer, USMC (Ret.), Deputy Commander for Military Operations, U.S. Africa Command ('13-'15)

56. Lt. General William E. Ingram, Jr., USA (Ret.), Director, U.S. Army National Guard ('11-'14)

57. General James L. Jamerson, USAF (Ret.), Deputy Commander in Chief, U.S. European Command ('95-'98)

58. Lt. General Arlen D. Jameson, USAF (Ret.), Deputy Commander in Chief, U.S. Strategic Command ('93-'96)

59. Admiral Gregory G. Johnson, USN (Ret.), Commander, U.S. Naval Forces Europe/Commander in Chief, Allied Forces Southern Europe ('01-'04)

60. Admiral Jerome L. Johnson, USN (Ret.), Vice Chief of Naval Operations ('90-'92)

61. Lt. General P.K. "Ken" Keen, USA (Ret.), Chief, Office of the U.S. Defense Representative to Pakistan ('11-'13)
62. Lt. General Richard L. Kelly, USMC (Ret.), Deputy Commandant, Installations and Logistics ('02-'05)
63. Lt. General Claudia J. Kennedy, USA (Ret.), Deputy Chief of Staff for Army Intelligence ('97-'00)
64. General Paul J. Kem, USA (Ret.), Commanding General, U.S. Army Materiel Command ('01-'04)
65. General William F. Kernan, USA (Ret.), Supreme Allied Commander, Atlantic/Commander in Chief, U.S. Joint Forces Command ('00-'02)
66. Lt. General Donald L. Kerrick, USA (Ret.), Deputy National Security Advisor to The President of the United States ('00-'01)
67. Lt. General Bruce B. Knutson, USMC (Ret.), Commanding General, Marine Corp Combat Command ('00-'01)
68. Vice Admiral Albert H. Konetzni, Jr., USN (Ret.), Deputy Commander, U.S. Fleet Forces Command and U.S. Atlantic Fleet ('01-'04)
69. General Charles Chandler Krulak, USMC (Ret.), Commandant of the Marine Corps ('95-'99)
70. (Ret.), Lt. General William J. Lennox, Jr., USA (Ret.), Superintendent, United States Military Academy ('01-'06)
71. Vice Admiral Stephen F. Loftus, USN (Ret.), Deputy Chief of Naval Operations for Logistics ('90-'94)
72. General Lance W. Lord, USAF (Ret.), Commander, U.S. Air Force Space Command ('02-'06)
73. Admiral James M. Loy, USCG (Ret.), Commandant, U.S. Coast Guard ('98-'02)
74. Vice Admiral Joseph Maguire, USN (Ret.), Deputy Director for Strategic Operational Planning, National Counterterrorism Center ('07-'10)
75. Admiral Henry H. Mauz, Jr., USN (Ret.), Commander in Chief, U.S. Atlantic Fleet ('92-'94)
76. Vice Admiral Justin D. McCarthy, SC, USN (Ret.), Deputy Chief of Naval Operations, Fleet Readiness, and Logistics ('04-'07)
77. Lt. General Dennis McCarthy, USMC (Ret.), Commander, Marine Forces Reserve ('01-'05)
78. Vice Admiral John "Mike" M. McConnell, USN (Ret.), Director of the National Security Agency ('92-'96)
79. General David D. McKiernan, USA (Ret.), Commander, International Security Assistance Force in Afghanistan ('08-'09)
80. General Dan K. McNeill, USA, (Ret.), Commander, International Security Assistance Force (ISAF) in Afghanistan ('07-'08)
81. General Merrill A. McPeak, USAF (Ret.), Chief of Staff, U.S. Air Force ('90-'94)
82. Lt. General Paul T. Mikolashek, USA (Ret.), Inspector General, U.S. Army/Commanding General of the Third U.S. Army Forces Central Command ('00-'02)
83. Vice Admiral Joseph S. Mobley, USN (Ret.), Commander, Naval Air Force, U.S. Atlantic Fleet ('98-'01)
84. General Thomas R. Morgan, USMC (Ret.), Assistant Commandant of the U.S. Marine Corps ('86-'88)
85. Lt. General Carol A. Mutter, USMC (Ret.), Deputy Chief of Staff, Manpower and Reserve Affairs, Marine Corps ('96-'98)
86. Admiral Robert J. Natter, USN (Ret.), Commander, Fleet Forces Command/Commander, U.S. Atlantic Fleet ('00-'03)
87. General William L. Nyland, USMC (Ret.), Assistant Commandant, U.S. Marine Corps ('02-'05)
88. Lt. General Tad J. Oelstrom, USAF (Ret.), Superintendent, U.S. Air Force Academy ('97-'00)
89. Admiral Eric T. Olson, USN (Ret.), Commander, U.S. Special Operation Command ('07-'11)
90. Lt. General H. P. "Pete" Osman, USMC (Ret.), Commanding General II MEF ('02-'04)
91. Lt. General Jeffrey W. Oster, USMC (Ret.), Deputy Administrator and Chief Operating Officer, Coalition Provisional Authority, Iraq '04, Deputy Commandant for Programs and Resources, Headquarters Marine Corps ('98)
92. Admiral William A. Owens, USN (Ret.), Vice Chairman, Joint Chiefs of Staff ('94-'96)
93. Lt. General Frank A. Panter, Jr., USMC (Ret.), Deputy Commandant for Installations and Logistics ('09-'12)
94. Vice Admiral David Pekoske, USCG (Ret.), Vice Commandant, U.S. Coast Guard ('09-'10)
95. General David H. Petraeus, USA (Ret.), Director, Central Intelligence Agency ('11-'12); Commander, Coalition Forces in Afghanistan ('10-'11) and Iraq ('07-'08)
96. Vice Admiral Carol M. Pottenger, USN (Ret.), Deputy Chief of Staff for Capability Development, NATO Allied Command Transformation ('10-'13)
97. Admiral Joseph W. Prueher, USN (Ret.), Commander in Chief, U.S. Pacific Command ('96-'99)
98. Lt. General Harry D. Raduege, Jr., USAF (Ret.), Director, Defense Information Systems Agency/Commander, Joint Task Force for Global Network Operations/Deputy Commander, Global Network Operations and Defense, U.S. Strategic Command Joint Forces Headquarters, Information Operations ('00-'05)
99. Vice Admiral Norman W. Ray, USN (Ret.), Deputy Chairman, NATO Military Committee ('92-'95)
100. Lt. General John F. Regni, USAF (Ret.), Superintendent, United States Air Force Academy ('05-'09)
101. General Victor "Gene" E. Renuart, USAF (Ret.), Commander, North American Aerospace Defense Command and U.S. Northern Command ('07-'10)
102. General Robert W. RisCassi, USA (Ret.), Commander in Chief, United Nations Command/Commander in Chief, Republic of Korea/U.S. Combined Forces Command ('90-'93)
103. Lt. General Norman R. Seip, USAF (Ret.), Commander, 12th Air Force/Air Forces Southern ('06-'09)
104. General Henry H. Shelton, USA (Ret.), Chairman, Joint Chiefs of Staff ('97-'01)
105. Admiral William D. Smith, USN (Ret.), U.S. Military Representative, NATO Military Committee ('91-'93)
106. Admiral Leighton W. Smith, Jr., USN (Ret.), Commander in Chief, U.S. Naval Forces Europe/Commander in Chief, Allied Forces Southern Europe ('94-'96)
107. Lt. General James N. Soligan, USAF (Ret.), Deputy Chief of Staff for Transformation, Allied Command Transformation ('06-'10)
108. Admiral James G. Stavridis, USN (Ret.), Commander, U.S. European Command and NATO Supreme Allied Commander, Europe ('09-'13)
109. Lt. General Martin R. Steele, USMC (Ret.), Deputy Chief of Staff for Plans, Policies and Operations, U.S. Marine Corps ('97-'99)
110. General Carl W. Stiner, USA (Ret.), Commander in Chief, U.S. Special Operations Command ('90-'93)
111. Vice Admiral Edward M. Straw, USN (Ret.), Director, Defense Logistics Agency ('92-'96)
112. Vice Admiral William D. Sullivan, USN (Ret.), U.S. Military Representative to NATO Military Committee ('06-'09)
113. Lt. General William J. Troy, USA (Ret.), Director, Army Staff ('10-'13)
114. Admiral Henry G. Ulrich, USN (Ret.), Commander, U.S. Naval Forces Europe/Commander, Joint Forces Command Naples ('05-'08)
115. General Charles F. Wald, USAF (Ret.), Deputy Commander, U.S. European Command ('02-'06)
116. General William S. Wallace, USA (Ret.), Commanding General, U.S. Army Training and Doctrine Command ('05-'08)
117. Lt. General William "Kip" E. Ward, USA (Ret.), Commander, U.S. Africa Command ('07-'11)
118. General Charles E. Wilhelm, USMC (Ret.), Commander, U.S. Southern Command ('97-'00)
119. General Michael J. Williams, USMC (Ret.), Assistant Commandant, U.S. Marine Corps ('00-'02)
120. General Ronald W. Yates, USAF (Ret.), Commander, Air Force Materiel Command ('92-'95)
121. General Anthony C. Zinni, USMC (Ret.), Commander in Chief, U.S. Central Command ('97-'00)

Mr. ENGEL. Mr. Speaker, in 2013, Secretary of Defense Mattis similarly said: "If you don't fund the State Department fully, then I need to buy more ammunition ultimately. So I think it's a cost benefit ratio. The more that we put into the State Department's diplomacy, hopefully the less we have to put into a military budget as we deal with the outcome of an apparent American withdrawal from the international scene."

That is from Secretary of Defense Mattis. I couldn't agree with him more.

Now, I believe that development helps to lift countries and communities up today so they can become strong partners on the global stage tomorrow. A lot of us think we have a moral obligation to help cure disease, improve access to education, and advance human rights. But even if it were not the right thing to do, it would be the smart thing to do because those efforts lead to greater stability, more responsive governments, and stronger rule of law—populations that share our values and priorities. Poverty and lack of opportunity, on the other hand, provide fertile ground for those who mean us harm.

All these efforts, by the way, cost cents on the dollar compared to military engagement. People think international affairs and foreign aid are a massive chunk of the Federal budget, but the chart right over here next to me shows how it actually stacks up: 1.4 percent. And we make that sliver of the pie even smaller. It will come back on us in spades. 1.4 percent of our Federal budget goes to all these programs.

The diseases we don't combat will reach our shores; the communities on which we turn our backs may be the next generation of people who mean us harm; and the conflicts we fail to defuse may well grow into the wars we

need to fight later at a much higher cost in terms of American blood and treasure. Just imagine having to tell the parents of a young American soldier that their son or daughter was killed in battle because we weren't willing to spend the tiny sums needed to prevent the conflict.

Finally, let me say that the American people don't want to see us slash diplomacy and development. In fact, recent data shows that 72 percent of Americans believe the country should play a leading global role. Nearly 6 in 10 believe funding levels at the State Department should stay the same or increase.

Fortunately, the Congress is a co-equal branch of government. I want to remind the executive branch of that. We in Congress decide how much to invest in our international affairs, not the White House.

For example, regardless of how this administration is playing footsie with Vladimir Putin, Congress will devote resources to push back against the Kremlin's efforts to spread disinformation and destabilize our allies, just like they did to the United States during last year's election campaign.

I am hopeful that, as we move forward with next year's spending bills, we continue to provide our diplomatic and development efforts the support they need and the support they have received under Republican and Democratic Presidents alike.

With the President's proposed cuts, I fear what message we are sending to the world. The United States is the global standard bearer for freedom, justice, and democracy. If we cede our role as a global leader, make no mistake, someone will step into the void. It could very well be another power that doesn't share our values or our interests. Think Russia or some country like that.

We cannot allow that to happen. I am committed to ensuring it doesn't, and I look forward to working with my colleagues on both sides of the aisle to firmly reject President Trump's cuts.

Mr. CASTRO of Texas. Mr. Speaker, I thank Congressman ENGEL for all of his years of work on behalf of the Nation on the Foreign Affairs Committee.

I know you may have a busy schedule this evening. We have got about 12 minutes left, so I thought we would just have a discussion on some of these issues. Stick with us if you can.

Mr. ENGEL. You are doing a fine job.

Mr. CASTRO of Texas. Mr. Speaker, Congressman ENGEL mentioned maintaining the United States' position as a leader in the world and not ceding that to another country, whether it is China or Russia, who has been very aggressive, and it is not just maintaining a strong defense.

I represent what is known as Military City, USA: San Antonio, Texas.

Once upon a time we had five military bases in San Antonio. We still have Joint Base San Antonio, which is a large operation. So it is not just about a strong defense, which we all support, but also about the hard work of diplomacy and development.

The United States, who has been a leader for so long, if we back away from our commitments, then we not only cede it to somebody else, but there is a good chance that a lot of that work is not going to get done, that the peoples in many nations around the world are going to become poorer, more desperate; and from that, only bad things can happen both for those peoples, but also for the neighboring countries, for the United States, and for the world.

Thank you for lending your strong voice to support for the diplomatic budget.

I yield to the gentleman from New York.

Mr. ENGEL. Mr. Speaker, I couldn't agree with him more. And, you know, it is especially interesting since, during the campaign, President Trump attacked the previous administration for not being strong enough, for not showing American presence. And now with this cut, with this proposed 31 percent cut, I couldn't think of anything that would make us weaker or make us unable to do what we need to do.

□ 1845

So I hope the President remembers what he said during the campaign and acts accordingly so that these massive cuts can be taken away.

Mr. CASTRO of Texas. No, absolutely. And Congressman SIREs, you recall that during those months, then-Candidate Trump talked about backing away from NATO; about allowing Germany, for example, to handle the issues between Russia and the Baltic States; about allowing or really forcing Japan and South Korea to go it alone or to develop even their own nuclear weapons to combat the threat of North Korea, to deal with China's aggressiveness in the South China Sea.

So the more we go down that road, not only do we abandon those nations who have been friends for so long and allies and supporters for so long in keeping the peace, but we also, in the long run, threaten our own security.

I yield to the gentleman from New Jersey.

Mr. SIREs. If I might, I couldn't agree with the gentleman more. Just to bring it even closer to home, we recently met with the attorneys general from the Northern Triangle. These attorneys general have been fighting corruption, have been fighting the cartel. We have assisted them with a small amount of money. These people put their lives every day in peril fighting the cartel, fighting this corruption.

In our conversation, they said to me: We need America's support to continue

our work. If we stop now, all that we have accomplished until now is going to go for naught.

When you are talking about a small amount of money, the strong impact that it has on countries that, for decades, have experienced a great deal of corruption, and we finally have people that have stepped forward and want to fight this corruption and put their lives in peril every single day, I think we should support those people. Cutting and running away from these people can only hurt us.

This is just one small example of the impact that this 30 percent cut would have on this region.

Mr. CASTRO of Texas. The gentleman mentioned the Northern Triangle countries of Central America. Especially over the last few years, thousands of women and children who are fleeing very desperate situations there, not only extreme poverty, but the threats of violence by drug gangs, for example, have come to the Texas-Mexico border seeking asylum.

Congress did, over the last few years, essentially, pass assistance for these nations. And we understood that, look, if you allocate \$600 million to three countries, that is not going to solve all of their problems. Nobody is under that illusion. But it can go a long way in being the seed funds to start to turn these things around and these nations around.

Mr. ENGEL. Will the gentleman yield?

Mr. CASTRO of Texas. I yield to the gentleman from New York.

Mr. ENGEL. I would add that we give foreign aid, and it is good for those countries, but it is also good for us. It also helps us. If there is a drug problem in Central America, it inevitably comes up to our border.

If there is some problem with some developing country, say, we have a disease that could—Ebola or something like that, and we give money to help eradicate it, well, that will prevent Ebola from coming into the United States. So it is really a win-win situation.

Again, if we are going to be the leaders of the world, certainly of the free world, and we want other countries to follow our lead, well, if you are a leader, you have to lead. What we are doing is in our own best interests, not only just in the other countries' best interests.

I think it is important to say that. And it is important to, again, say, 1 percent—1.4 percent of our total budget is all the foreign aid and all the money that we give in terms of eradicating diseases, in terms of crime, in terms of everything that is actually very important to us as well. The American people think it is much higher, but it is not.

So if you take the President's slashing of it, it would virtually make all of

this impossible to do. So it is a program that is a win-win situation.

Mr. CASTRO of Texas. Congressman ENGEL, you mentioned Ebola, for example. Dallas, Texas, was the first American city to confront the challenge and the problem of Ebola. So I couldn't agree with you more.

It should also be said that if you take away this aid and you have people becoming more desperate in nations around the world, they do become more susceptible to being employed by, for example, drug cartels, or being lured by terrorist organizations because these folks are desperate and need to survive. So these rogue alternatives become more attractive to them.

So it is important to point out that a lot of this development and a lot of this aid also prevents some of these things from happening.

I yield to the gentleman from New York.

Mr. ENGEL. Absolutely. Again, I want to reiterate that we are not the leaders of the world because we anointed ourselves. We are the leaders of the world because we provided leadership for all of these years, particularly after World War II, and it is important to engage with the world.

One of the gentlemen mentioned some of the things that the President said. You know, one of the things he did was he called NATO obsolete. That kind of talk worries me because it is our alliances that are the pillar of our foreign policy and the strength of the United States and our alliances which have worked so well since World War II.

So if we denigrate our alliances, and then we cut funding for all these programs that help various countries so we can be a leader by about a third, that doesn't say much for a robust foreign policy. You get to be a leader by acting like a leader, not by pulling away from the world.

Mr. CASTRO of Texas. Absolutely. I will give Mr. SIRES the last word. I yield to the gentleman from New Jersey.

Mr. SIRES. Well, before we finish, I just want to compliment Chairman ROYCE and Ranking Member ENGEL on the recent resolution that we worked on together in encouraging Argentina to continue on the path under new President Macri. Former President de Kirchner decided that she was going to be an isolationist.

Argentina is too big. It is a country that could be a player in assisting us in any crisis that we have in South America. So this resolution did not cost any money, but it shows our friendship, it shows our support, and it shows that they are moving in the right direction.

So my compliments to the gentleman, my compliments to the people that signed this resolution.

Mr. CASTRO of Texas. Mr. Speaker, I yield back the balance of my time.

INFRASTRUCTURE IN THE UNITED STATES

The SPEAKER pro tempore (Mr. TAYLOR). Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from California (Mr. LAMALFA) for 30 minutes.

Mr. LAMALFA. Mr. Speaker, I rise tonight to talk about several things to do with infrastructure in the United States and in California. I am a happy new member of the Transportation and Infrastructure Committee here in the U.S. House, and I am very interested and dedicated to things we can do to improve all of our types of infrastructure that are so important for the economy, for the people, for movement of goods, and for the people's own convenience in doing what they need to do in their personal lives, their business lives, et cetera.

So this is, indeed, a committee and issues that will affect all of our States and have a positive effect if we put good policy in place for all of our people. We have jurisdiction over quite a few areas. One of the important things we will be working on in the short term have to do with airports as well as reauthorization of the FAA, Federal Aviation Administration.

Airports, obviously, are coming more and more into play with the amount of passenger traffic that we are seeing. The FAA projects that by the year 2029 we could see 1 billion passengers using our airports per year, and that is just not that many years away. So airports will need to continue to have more upgrading, runway extensions, maybe additional runways, the infrastructure in them, the process for getting people through TSA. These are all things that we will be looking at within our committee as well as some of our other committees we partner with here in the House, because passengers are using more and more air service, whether it is urban or the rural airports that are very important to areas like my district, the First District of Northern California. They have equal weight to those that are using them in where they live and where they need to get to.

Obviously, a lot of discussion about infrastructure led by our President, Donald Trump, on highways being a key component of movement of goods and people and everything we need for our economy to be strong and the convenience for our people. Highways are breaking down. Bridges are breaking down.

We just saw the other day, in Georgia here, a fire caused by storage of things underneath that bridge. They are on the fast track trying to get that redone on I-85.

Now, was it a bridge that needed to be maintained?

Not sure. But certainly that is a situation that shows how acute the prob-

lem is when you lose one structure like that, what it can do to traffic, an inconvenience for people and commerce in an area like that.

So we have these problems all across the country with our bridges that are in dire need of repair. We need not have more accidents or more things that would endanger the public when they are not properly maintained or upgraded.

Just try driving in the right lane of a lot of our freeways here and with the truck traffic on them who pay weight fees and many other excise taxes, other forms of fees and taxes to be part of the solution. We see much damage to them because of the backlog of work that needs to be done on highways, on freeways, that have this traffic, that have this high flow that is really part of what we would expect for our highways and these systems.

But when we are not doing the work to maintain, when we are not putting the investment in there, when people pay their gas tax, when they pay the tax on diesel, when they pay their weight fees, when all those forms of compensation that are in place to help keep our highways and roads and bridges and all of our transportation structures up, when the money isn't getting there, then we have a real problem.

Again, being from California, we see that some of our highways and road systems are in some of the worst shape in the whole country. Right now, as they contemplate raising taxes on people at the State level, a gas tax increase, a per-car tax increase to get your license plate sticker, people are going to be wondering where are we going to make ends meet on that, because probably at least the average cost to a family would be somewhere around \$500 in new gas and new fees to register a vehicle and get their kids to school and go to work and things that they need to do.

We need to be part of the solution on that. I don't think more taxes, more fees upon working people who are trying to make ends meet—you know, \$500 out of a family's income is a pretty tough deal when we see that the jobs are not coming back as rapidly, especially in the State of California, that they need to for average working families, especially inland, that aren't part of the coast where most of the wealth seems to be centered in California.

We see that the drive in California is still pushing forward on the high-speed rail project, one that was passed all the way back in 2008 just under a \$10 billion bond by the voters of California, and supplemented a few years later by ARA funding, stimulus funding from the Federal Government, about \$3.5 billion.

Well, at this point, here in 2017, they have hardly even done anything on the construction of the high-speed rail,

which is probably a blessing, because this a boondoggle of epic proportions. The original cost, as sold to the voters of the State of California, would be \$33 billion to put a high-speed rail system from San Francisco to Los Angeles going through the Central Valley.

Just a couple of years later, the true numbers started coming in on that, and they finally admitted that it was going to cost \$98.5 billion was the estimate, this in the fall of 2011.

So they scurried back, went to the drawing board once again and found a way to downsize the cost by using local transit, local projects in northern California and the San Francisco Bay Area and in southern California, trying to bring the cost down to then an estimated \$68 billion, which is still double of the original budget—the original cost that was sold to the voters in proposition 1A in 2008.

Much of the funding was supposed to come from private concerns, private investors, because when you add it up, \$10 billion from the State bond, \$3 billion-plus of Federal money, you are only a little over \$13 billion.

And if they are projecting it is a \$68 billion cost, where is the other \$55 billion going to come from?

Where are the private investors that have had nearly 9 years now to line up to be part of this profitable enterprise?

They are staying away in droves.

□ 1900

There are no guarantees of income which the State cannot do under proposition 1A which is illegal. There is no subsidizing of the high-speed rail allowed under the proposition 1A bond. Yet it keeps going on and on. We have these infrastructure needs we have all over the country. I don't see any more money coming from Congress, not coming from the Federal level, to help boost this boondoggle in California. We will work hard to make sure that doesn't happen.

Unfortunately, when they seek new funds for other things such as electrification of the rail in the bay area, they were seeking \$647 million of brand new money from a different pot federally to electrify the existing train route they have in the bay area that is run by diesel trains presently. So it is not like they don't have train service for commuting in the bay area, indeed, one of the richest areas of the country. They come to Congress here and ask for \$647 million of new money maybe to electrify but mostly to help facilitate the high-speed rail boondoggle as part of that.

We need not be part of that. They can go to the funding they have already set aside within the bond or the \$3.5 million that we don't seem to be able to capture back from the stimulus package. Go to those sources of money if you want to electrify the rail.

That said, part of the problem with building the high-speed rail is people

don't really want to cooperate. When the first segment was being contemplated, it was going to go from San Francisco halfway down into the valley or L.A. halfway up to the valley. One of the reasons they chose to start building in the valley was that was the cheapest area to build one, the most wide open. One of the quotes at the time from one of the spokesmen for the authority was they would find the least amount of resistance to build the rail in the valley because there are not that many people there compared to the cities.

Well, there is plenty of resistance there, too, because, at this point, I don't know exact statistics, but they have less than half of the parcels even in their control that they would need to lay the route out through the valley because people are resisting. They don't want this thing coming through their neighborhoods, knocking out their farms, and cutting up their property in sections into little triangles and little bits that they can no longer farm or even transport their livestock or equipment to because it is going to be cut off by this rail that will be fenced on both sides because you have got a 220-mile-per-hour train supposedly running through it. So there will be a lot of damage to the economy and the fabric of the Central Valley.

The people in the urban areas aren't that excited about it either. In the high-value properties in the south bay area, they are not really excited about having this causeway 20 feet above their neighborhoods there. So they are talking, put this thing underground. So they are doing that part last. In the meantime, they are going to try and electrify the commuter train they have, which is a low-speed rail and doesn't fulfill the goals of a high-speed rail which is just required from San Francisco to Los Angeles. As well in southern California, they want to take over part of the system there to use that commuter rail as fulfilling part of the obligation to have a high-speed rail system that is electrified from one end to the other.

Now, they haven't even really contemplated what it is going to cost as they talk about drilling a hole, drilling a bore, through the Tehachapis down there in southern California, to the tunes of billions and billions of dollars that isn't really comprehended in the cost of doing the system.

So this is an issue, this is a dream, and this is a project that really needs to be scrapped. Where is the money going to come from? It is not coming from the Federal Government, and it is not coming from investors. The cap-and-trade dollars that they were counting on in the State of California from auctioning off CO₂ allotments to large businesses, that has withered as well. They are not getting the billions they were hoping to get from auctioning off

this new commodity created by government in California of CO₂ allotments to large businesses that produce CO₂.

So the funding isn't available anywhere. Still they hold on to this dream of building this high-speed rail project that is at least \$55 billion, probably a lot more than \$55 billion short of being completed.

Do you know what? This isn't even a priority for most people. Are they going to be able to afford to ride that rail? Are they going to be able to afford to ride that train and afford the ticket? Because if it is not going to be a subsidized ticket, it is probably going to be close to \$200 or \$300, not the \$80 that they projected 9 years ago.

Then should that really be the priority? Now, California, until this year, we were blessed with so much rain and snow pack—there is an incredible amount of snow pack up on the mountains that I just flew over yesterday in my commute to Washington. We had suffered about 5 years of drought previously to that. We didn't have the infrastructure in place to store water that we should have with a State of 40 million people that, in the good old days, we used to plan for with the Central Valley Project built in the thirties and forties, the State water project built in the fifties and sixties.

Why have we been sitting all these decades since not really doing the things to stay forward and stay ahead of the curve on a population, on the needs of an economy of agriculture and municipalities of people? Instead, we are chasing these utter boondoggles like high-speed rail.

Our water infrastructure still has a lot of needs. Our rivers, when we have the high flows, many of our levees are in danger of not holding up in really high flows. We see that issue on the Feather River on the south end of my district and the adjacent district to the south of there with the levee systems in Yuba County and Sutter County, which a lot of folks have worked really hard in recent years on, and they are trying to locally upgrade these levees and keep it going.

This year, they had to spend a lot of dollars on upgrading the levees just to get through the season by laying gravel and mat down so that the boils that would be potentially coming through the levees wouldn't give out and have a blowout in those areas. What is going on with that? The money has been put aside, and the work is ready to go, but delays have cost the ability to get more miles of those levees done during the good weather last year so that we would ensure the safety of these areas, whether it is south Butte County, Yuba and Sutter Counties, and many other areas in the north State leading all the way down to Sacramento and the delta.

We need to be getting that work done immediately. Why should we endanger our communities by not getting the

work we know we need to get done, the funding has been more or less put aside for, yet needless delay and bureaucratic red tape have caused delays in endangered places like that? Or like Hamilton City up in my area that I share in western Butte County and Glenn County.

This is the type of infrastructure that produces jobs—but even more importantly, after the jobs are done, the safety to a community, the ability to invest there, to build homes there, and to have that 200-year flood protection on the levees that is necessary to be insurable and, again, ensure the public safety. So this is part of the water infrastructure we desperately need in California and many of our other States, too, as well.

So serving on the Transportation and Infrastructure Committee, we could advance these. We can have this debate. We can have this discussion and hold accountable the agencies that are supposed to be getting it done and not looking for more ways to delay it with paperwork sitting on the desk for projects that could be going out this year that might be delayed yet another year.

Coming back to dams, that is one of our most important components in flood control because we can control the water as it comes down from the higher elevations and have that ability to store water at the level we decide to let it out of the dam instead of whatever might be coming in uncontrolled with the high flows you can sometimes get from a massive amount of rain like we saw in the Sierras this year and the snow pack that is still sitting up there.

Lake Oroville, which many people have heard about across the country in recent weeks, is right in my district, right in my backyard. It has been a great project. It is a jewel of the State water project in California, built primarily in the sixties. Well, there was a big problem with the spillway. It gave way in early February, and so they had to assess what was going on with that and temporarily shut it down, in case of so much—an amazing amount of rain coming in during some of those same days actually caused the lake to top out and some of the water to start coming over the emergency spillway, which became another issue requiring an evacuation because erosion happening underneath that emergency spillway structure was unpredictable. Nobody knew what would happen as the dirt field below that eroded.

Why is it still a dirt field? That will be an interesting thing for us to hear about in hearings that are going to be going on at the State level as well as at the Federal level here. Why was it allowed to stay that way? A dirt field. The erosion nearly came up. Who knows what the effect might have been on that emergency spillway structure. Thankfully nothing happened. The dam

structure is sound, the emergency spillway structure is sound. The main spillway needs much work, and a Herculean effort since then has cleared the river channel so the river can properly flow from the power plant, which is an important regulator of State level, the water that can run through that power plant. So a really good effort was done to do that after this emergency has occurred.

The evacuation really worried deeply many people in the north State. 180,000 people were evacuated. It was the right call by our Butte County sheriff to do so because of the unpredictability of that situation. So Sheriff Honea deserves much kudos for making the correct call on that and making people safe, keeping people safe.

But, nonetheless, we have this infrastructure issue we need to come back to and is being contemplated right now with a plan to replace the spillway. Can it be done in 1 year? It doesn't look like it. But measures will be taken to upgrade that and make it work. It can be a long-term structure that will be durable for many decades. That is what we need. We need that predictability so the lake can be regulated and water stored properly in a fashion that provides for flood control during the high rain season and high snow pack season, as well as storing water for those drought years that we hopefully didn't let too much water get away from. We still have an obligation to meet water contracts and grow agricultural products and meet the needs for municipalities as well as all the environmental needs that are being demanded these days as well.

So we need to rebuild our spillway at Lake Oroville soon. That project will soon be underway. In the meantime, we still have a massive snow pack up there that has to be modeled and watched and carefully contemplated as to what the releases from the lake will be in the interim until the point where they can know what the predictability is of the amount of snow, the amount of rain, and the amount of water that can come down from the Sierras and affect the river system all the way down basically to where it meets up near Sacramento.

We need to have that predictability for people to be secure in their homes, at the same time finding that balance of storing the water that is needed to make a State run because we never know what the next drought year will be. Will it be next year? Or will we get a massive amount of rain this coming year? So we need to find that balance to make sure that we are keeping those communities safe, modeling very carefully what is up on the slopes still in snow pack and storing water for California's long-term needs this coming year and following years.

So with the repairs to Oroville that will soon be underway, I think people

can be confident that that system will be sound. The dam is sound, the emergency spillway is sound, and the repairs that will be going underneath the base of that should make—if it is ever needed—which the goal is to never use the emergency spillway, but, should it be needed, it would be a sound piece of that infrastructure. And with a new spillway that will be built at Oroville within 1 to 2 years, that will be sound as well. People need to have that confidence.

I was speaking with people around the Oroville area, several of the businesses there that are concerned that having to move in an evacuation obviously is a horrendous expense, but also it is a concern for those others that they do business with, maybe outside of the area, that they can continue to supply the things that they produce for the contracts they would have. Indeed, that was expressed to me at a meeting a few weeks ago that maybe they are vendors for others in other parts of the State or the country that if they have the perception they can't rely upon them to keep producing those components that go into other assemblies, then they may not do business with them anymore.

We need to ensure those folks that Oroville is going to stay, is in business to stay, and that those manufacturers can count on those components to be produced and made available to them because we will keep working to make sure that that infrastructure is sound with the water storage and the levee flood control system that we have. In just a few short weeks, we will see that, with the snow pack properly accounted for and that flood season past us, in the rebuilding of that infrastructure, then we can assure everyone that Oroville is strongly here to stay and here for business.

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We have the operations of the lake. Indeed, there are a lot of things to balance with this infrastructure: recreation, electricity generation, agricultural and municipal as well as environmental waters. These are all things that have to be balanced. But, indeed, balance needs to be brought to it so that no one side is pushing too far the other so that we don't meet all these goals that are needed.

Energy is an important component of that as well. Generating that with hydroelectric power helps meet a reliable baseline load for electricity generated in California. It is much more reliable than solar or wind power. Why hydropower isn't seen as an even more important component of the renewal energy portfolio is kind of silly and arbitrary to me, but it is, indeed, very, very valuable.

As we wind through all the different needs we have for infrastructure in this country—some of these examples in my

own backyard—they are also needed elsewhere. Folks in all parts of the country have needs for a strong infrastructure, whether you are riding the train from New York to Washington, D.C., which I have a couple of times—that is a very important part of that infrastructure for those folks. We need to support them as well and make sure it is as modern and as safe as it can be. It affects everybody, the highway system that goes from the East Coast to the West Coast or North to South. It is a positive for all of us.

We need to stay ahead of the curve. President Trump has a very ambitious plan for rebuilding and adding to our infrastructure. It isn't all just about ribbon cuttings on new infrastructure. It is, indeed, the less glamorous that is a very important part of rebuilding what we have: upgrading our bridges, repaving those lanes, adding additional lanes to our freeways. That helps make it more convenient for all of us, better for commerce, better for safety.

With so much consternation in Washington, D.C., about what we are doing, these are some of the positives that we can point to in moving forward on infrastructure that everybody can use. It will be positive for the jobs in construction while it is being built and, longer term, for the type of commerce that will make the United States a place to locate factories once again and have that manufacturing and that predictability of energy sources, water sources, safety of the infrastructure, and the ability to move these goods down our freeways to our ports, wherever they need to go.

With that, I will be looking forward to what we can do in California to have better infrastructure that is something people can actually use, actually access, and certainly afford without being hit with more taxes, more gas tax, more vehicle fees, and more ideas for taxes that may come from the Federal Government.

I don't see that happening here, but the people pay enough. As it is, it is already difficult enough for middle-income families to make ends meet if they have dreams of buying a home, paying off college debt, or sending their own kids to college a little later and maybe even, once in a while, going on a vacation that they would like to save up for. People need to have these choices. We are here at the Federal level to help be part of facilitating their ability to have those choices.

Mr. Speaker, I encourage all the folks in northern California to hang in there. We are going to get through this season here. To the people of Oroville, we will make sure our systems are very sound. I think already, with steps that are taken, we will weather this difficult winter with a sound dam and infrastructure that will be able to have predictability and the assurance that, when you go to sleep at night, these

systems are going to be serving us well and providing for our safety. I think we are well onto that track already.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. POE of Texas (at the request of Mr. MCCARTHY) for today after 4 p.m. on account of personal reasons.

ENROLLED JOINT RESOLUTIONS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled joint resolutions of the House of the following titles, which were thereupon signed by the Speaker on Thursday, March 30, 2017:

H.J. Res. 43. Joint Resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by Secretary of Health and Human Services relating to compliance with title X requirements by project recipients in selecting subrecipients.

H.J. Res. 67. Joint Resolution disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees.

ADJOURNMENT

Mr. LAMALFA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 19 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, April 5, 2017, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

973. Under clause 2 of rule XIV, a letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting a report concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(a); Public Law 92-403, Sec. 1(a) (as amended by Public Law 108-458, Sec. 7121(b)); (118 Stat. 3807), was taken from the Speaker's table, referred to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 653. A bill to

amend title 5, United States Code, to protect unpaid interns in the Federal Government from workplace harassment and discrimination, and for other purposes (Rept. 115-78). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 702. A bill to amend the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 to strengthen Federal antidiscrimination laws enforced by the Equal Employment Opportunity Commission and expand accountability within the Federal Government, and for other purposes (Rept. 115-79). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. ROSEN (for herself, Mr. PAL-LONE, and Mr. MICHAEL F. DOYLE of Pennsylvania):

H.R. 1868. A bill to provide that providers of broadband Internet access service shall be subject to the privacy rules adopted by the Federal Communications Commission on October 27, 2016; to the Committee on Energy and Commerce.

By Ms. DELAURO (for herself, Mr.

BRENDAN F. BOYLE of Pennsylvania, Ms. VELÁZQUEZ, Ms. SLAUGHTER, Mr. O'HALLERAN, Ms. CLARKE of New York, Ms. MCCOLLUM, Ms. NORTON, Mrs. WATSON COLEMAN, Mr. PAYNE, Miss RICE of New York, Mr. HASTINGS, Ms. SPEIER, Mr. LANGEVIN, Ms. FRANKEL of Florida, Mr. CICILLINE, Mrs. CAROLYN B. MALONEY of New York, Mr. ENGEL, Ms. WASSERMAN SCHULTZ, Mrs. NAPOLITANO, Ms. ADAMS, Ms. SHEA-PORTER, Ms. MOORE, Ms. JACKSON LEE, Mrs. DINGELL, Ms. TSONGAS, Mr. DEFAZIO, Ms. ROSEN, Mrs. TORRES, Mr. THOMPSON of California, Mr. POCAN, Mr. HIGGINS of New York, Ms. SCHAKOWSKY, Mr. BLUMENAUER, Ms. DELBENE, Ms. BONAMICI, Mr. RASKIN, Mr. NORCROSS, Mr. CÁRDENAS, Mr. CARBAJAL, Mr. SMITH of Washington, Mrs. DEMINGS, Mr. LYNCH, Mr. KHANNA, Mr. KIHUEN, Mr. MEEKS, Mr. DANNY K. DAVIS of Illinois, Mr. BEYER, Mr. MOULTON, Mr. LOWENTHAL, Ms. CLARK of Massachusetts, Mr. CAPUANO, Ms. BROWNLEY of California, Mrs. LAWRENCE, Ms. CASTOR of Florida, Mr. FOSTER, Mr. TONKO, Mr. KIND, Ms. WILSON of Florida, Mr. DAVID SCOTT of Georgia, Mr. SERRANO, Mr. SABLAN, Ms. FUDGE, Mr. ELLISON, Mr. SUOZZI, Mr. MCEACHIN, Mr. TAKANO, Mr. GRIJALVA, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. HECK, Mr. MCNERNEY, Mr. YARMUTH, Mr. TED LIEU of California, Mr. GARAMENDI, Mr. SWALWELL of California, Mr. DESAULNIER, Mr. EVANS, Mr. CONYERS, Mr. GALLEGO, Mr. AGUILAR, Mr. RYAN of Ohio, Mr. COOPER, Mr. CLEAVER, Mr. PETERS, Mrs. BUSTOS, Mr. KILDEE, Ms. DEGETTE, Ms. ROYBAL-ALLARD, Mr. CONNOLLY, Mr. NADLER, Mr. KENNEDY, Mr. COHEN, Mr. CARSON of Indiana, Mr. PERLMUTTER, Mr. VARGAS, Mr. WALZ, Mr. VEASEY, Mr. SCHRADER, Ms. SÁNCHEZ, Mr. JEFFRIES, Mr. HIMES, Mr.

BUTTERFIELD, Mrs. BEATTY, Mr. BRADY of Pennsylvania, Mr. BERA, Mr. MCGOVERN, Ms. JAYAPAL, Mr. GOTTHEIMER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. GENE GREEN of Texas, Mr. SCHNEIDER, Mr. KILMER, Mr. LAWSON of Florida, Mr. BISHOP of Georgia, Mr. ESPAILLAT, Mr. LEVIN, Mrs. DAVIS of California, Ms. LEE, Mr. CRIST, Mr. DELANEY, Ms. BLUNT ROCHESTER, Mr. PALLONE, Mr. HUFFMAN, Ms. MATSUI, Mr. PASCRELL, Ms. KAPTUR, Mr. VELA, Mr. GUTIERREZ, Ms. ESHOO, Mr. KRISHNAMOORTHY, Ms. BARRAGÁN, Mr. SEAN PATRICK MALONEY of New York, Mr. COURTNEY, Mr. WELCH, Mr. BEN RAY LUJÁN of New Mexico, Ms. PINGREE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SARBANES, Mr. HOYER, Mrs. MURPHY of Florida, Ms. TITUS, Ms. SINEMA, Mr. CROWLEY, Mr. DOGGETT, Mr. CARTWRIGHT, Mr. CUMMINGS, Mr. PRICE of North Carolina, Mr. NOLAN, Ms. MENG, Mr. DEUTCH, Ms. BASS, Ms. GABBARD, Ms. SEWELL of Alabama, Mr. CLAY, Ms. JUDY CHU of California, Mr. KEATING, Mr. LARSEN of Washington, Mrs. LOWEY, Mr. AL GREEN of Texas, Mr. O'ROURKE, Ms. KUSTER of New Hampshire, Mr. LARSON of Connecticut, Mr. SCOTT of Virginia, Mr. VISCLOSKEY, Mr. JOHNSON of Georgia, Mr. SHERMAN, Mr. RUSH, Mr. LOEBSACK, Mr. CORREA, Mr. QUIGLEY, Ms. KELLY of Illinois, Mr. RICHMOND, Ms. HANABUSA, Mr. NEAL, Ms. LOFGREN, Mr. BROWN of Maryland, Mr. SIREN, Mr. LIPINSKI, Mr. LEWIS of Georgia, Mr. SCHIFF, Ms. ESTY, Mr. SOTO, Mr. GONZALEZ of Texas, Mr. POLIS, Mr. CASTRO of Texas, Ms. BORDALLO, Ms. PELOSI, Mr. CLYBURN, Mr. CUELLAR, Mr. PAMNETTA, Ms. PLASKETT, Mr. RUIZ, Mr. RUPPERSBERGER, Mr. THOMPSON of Mississippi, Mr. COSTA, Mr. PETERSON, Ms. MAXINE WATERS of California, and Mr. SMITH of New Jersey):

H.R. 1869. A bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; to the Committee on Education and the Workforce.

By Mr. COHEN (for himself, Mr. BROWN of Maryland, Ms. ADAMS, Ms. BASS, Mrs. BEATTY, Mr. BEYER, Mr. BLUMENAUER, Mr. BRADY of Pennsylvania, Mr. BUTTERFIELD, Mr. CAPUANO, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CONYERS, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Ms. DELAURO, Mrs. DINGELL, Mr. ELLISON, Ms. ESHOO, Mr. FOSTER, Mrs. FUDGE, Mr. GALLEGOS, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HASTINGS, Ms. JACKSON LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Ms. KELLY of Illinois, Mr. KILDEE, Mr. LANGEVIN, Mr. LEWIS of Georgia, Mr. TED LIEU of California, Ms. LOFGREN, Mr. LOWENTHAL, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MEEKS, Ms. MENG, Ms. MOORE, Mr. NADLER, Mr. NORCROSS, Ms. NORTON, Mr. O'ROURKE, Mr. PASCRELL, Mr. PAYNE, Ms. PINGREE, Mr. POCAN,

Mr. QUIGLEY, Mr. RICHMOND, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Ms. SANCHEZ, Ms. SCHAKOWSKY, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SEWELL of Alabama, Mr. SIREN, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Mr. TAKANO, Mr. TONKO, Mr. VEASEY, Ms. VELÁZQUEZ, Ms. MAXINE WATERS of California, Mrs. WATSON COLEMAN, Mr. YARMUTH, Mr. PALLONE, Mr. EVANS, Ms. JAYAPAL, Mr. CLYBURN, Mr. ESPAILLAT, Mr. RASKIN, Mr. SOTO, Mr. KHANNA, Ms. BARRAGÁN, Mr. POLIS, Mr. ENGEL, Ms. WILSON of Florida, Ms. LEE, Mr. JEFFRIES, Mr. THOMPSON of Mississippi, Mrs. LAWRENCE, and Mr. SCHIFF):

H.R. 1870. A bill to require that States receiving Byrne JAG funds to require sensitivity training for law enforcement officers of that State and to incentivize States to enact laws requiring the independent investigation and prosecution of the use of deadly force by law enforcement officers, and for other purposes; to the Committee on the Judiciary.

By Mr. FASO (for himself, Mr. COLLINS of New York, Mr. REED, Ms. TENNEY, Ms. STEFANIK, and Mr. ZELDIN):

H.R. 1871. A bill to amend title XIX of the Social Security Act to reduce Federal financial participation for certain States that require political subdivisions to contribute towards the non-Federal share of Medicaid; to the Committee on Energy and Commerce.

By Mr. MCGOVERN (for himself, Mr. HULTGREN, Ms. DELAURO, Mr. ROHRABACHER, Mr. POCAN, Mr. STEWART, Ms. MCCOLLUM, Mr. ELLISON, Ms. CLARK of Massachusetts, Mr. DEFALIZIO, Mr. KEATING, Mr. NEAL, Mr. CAPUANO, Mr. KENNEDY, Mr. SERRANO, Mr. WELCH, Mr. CONNOLLY, and Mr. POLIS):

H.R. 1872. A bill to promote access for United States officials, journalists, and other citizens to Tibetan areas of the People's Republic of China, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAMALFA (for himself, Mr. SCHRADER, Ms. CHENEY, Mr. COSTA, Mr. WESTERMAN, and Mr. O'HALLERAN):

H.R. 1873. A bill to amend the Federal Land Policy and Management Act of 1976 to enhance the reliability of the electricity grid and reduce the threat of wildfires to and from electric transmission and distribution facilities on Federal lands by facilitating vegetation management on such lands; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARDENAS (for himself, Mrs. MCMORRIS RODGERS, Mr. SESSIONS, Mr. SMITH of New Jersey, and Mr. LANGEVIN):

H.R. 1874. A bill to amend the Internal Revenue Code of 1986 to increase the age requirement with respect to eligibility for qualified ABLE programs; to the Committee on Ways and Means.

By Mr. SCHNEIDER (for himself, Mr. MURPHY of Pennsylvania, Mr.

DEUTCH, Ms. FRANKEL of Florida, Ms. SHEA-PORTER, Mr. COHEN, Mr. LOWENTHAL, Mr. LOEBSACK, and Mr. GRIJALVA):

H.R. 1875. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate overpayments of tax as contributions and to make additional contributions to the Homeless Veterans Assistance Fund, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACKBURN (for herself, Mr. RUPPERSBERGER, Mr. BERA, Mr. ROE of Tennessee, Mr. BUCSHON, and Mr. DAVID SCOTT of Georgia):

H.R. 1876. A bill to amend the Public Health Service Act to limit the liability of health care professionals who volunteer to provide health care services in response to a disaster; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TONKO (for himself and Mr. MCKINLEY):

H.R. 1877. A bill to establish a research, development, and technology demonstration program to improve the efficiency of gas turbines used in combined cycle and simple cycle power generation systems; to the Committee on Science, Space, and Technology.

By Ms. VELÁZQUEZ (for herself, Mr. EVANS, Ms. CLARKE of New York, Mrs. MURPHY of Florida, Mr. LAWSON of Florida, Ms. JUDY CHU of California, Ms. ADAMS, Mr. ESPAILLAT, and Mr. SCHNEIDER):

H.R. 1878. A bill to prohibit any hiring freeze from affecting the Small Business Administration; to the Committee on Oversight and Government Reform.

By Mr. ISSA (for himself, Ms. LOFGREN, Mr. FARENTHOLD, Mr. LANGEVIN, Mr. COHEN, and Mr. PERRY):

H.R. 1879. A bill to amend title 35, United States Code, to provide for an exception from infringement for certain component parts of motor vehicles; to the Committee on the Judiciary.

By Ms. JAYAPAL (for herself, Mr. ELLISON, Mr. SCOTT of Virginia, Mr. GRIJALVA, Mr. NOLAN, Ms. LEE, Mr. POCAN, Ms. JACKSON LEE, Mr. KHANNA, Ms. NORTON, Ms. VELÁZQUEZ, Mr. CONYERS, Mr. RASKIN, Mr. SWALWELL of California, Mr. CICILLINE, Mr. WELCH, Mrs. NAPOLITANO, Mr. LANGEVIN, Mr. BLUMENAUER, and Mr. ESPAILLAT):

H.R. 1880. A bill to amend the Higher Education Act to ensure College for All; to the Committee on Education and the Workforce.

By Mr. KELLY of Pennsylvania (for himself, Mr. PITTENGER, Mr. DUNCAN of South Carolina, Mr. ROTHFUS, Mr. SMITH of New Jersey, Mr. HULTGREN, Mr. JONES, Mr. PALAZZO, Mr. RENACCI, Mr. KING of Iowa, Mr. PALMER, Mr. MOONEY of West Virginia, Mr. GROTHMAN, and Mr. SESSIONS):

H.R. 1881. A bill to ensure that organizations with religious or moral convictions are allowed to continue to provide services for children; to the Committee on Ways and Means.

By Ms. MAXINE WATERS of California (for herself, Mr. CONYERS, Ms. LEE,

Mr. SCHIFF, Mr. NADLER, Mr. GRIJALVA, Mr. SERRANO, Mr. EVANS, Mr. COHEN, Ms. NORTON, Mr. HASTINGS, Mr. CUMMINGS, Ms. MOORE, Mr. LEWIS of Georgia, Ms. CLARKE of New York, Mr. JEFFRIES, Mr. RUSH, Mr. SEAN PATRICK MALONEY of New York, Ms. JACKSON LEE, Ms. PLASKETT, Ms. JAYAPAL, Mr. TED LIEU of California, Mr. ELLISON, Mr. GUTIÉRREZ, Mr. POCAN, Mr. CARSON of Indiana, Ms. WILSON of Florida, Mr. BLUMENAUER, Ms. BASS, Mr. DANNY K. DAVIS of Illinois, Mr. CLAY, Ms. BARRAGAN, Mr. KHANNA, and Mr. BEYER):

H.R. 1882. A bill to provide for an effective HIV/AIDS program in Federal prisons; to the Committee on the Judiciary.

By Mr. BUTTERFIELD:

H.R. 1883. A bill to direct the Federal Communications Commission to take certain actions to increase diversity of ownership in the broadcasting industry, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARBAJAL (for himself and Mr. TAKANO):

H.R. 1884. A bill to amend chapter 81 of title 5, United States Code, to create a presumption that a disability or death of a Federal employee in fire protection activities caused by any of certain diseases is the result of the performance of such employee's duty; to the Committee on Education and the Workforce.

By Mr. CÁRDENAS (for himself, Mr. COHEN, Mr. CUMMINGS, Mr. ELLISON, Mr. GUTIÉRREZ, Mr. KHANNA, Mr. SEAN PATRICK MALONEY of New York, Ms. MOORE, Ms. NORTON, Mr. VARGAS, and Mr. GRIJALVA):

H.R. 1885. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to eliminate the use of valid court orders to secure lockup of status offenders, and for other purposes; to the Committee on Education and the Workforce.

By Mr. DEUTCH (for himself and Mr. THOMAS J. ROONEY of Florida):

H.R. 1886. A bill to establish the National Criminal Justice Commission; to the Committee on the Judiciary.

By Mr. DIAZ-BALART (for himself and Ms. ROS-LEHTINEN):

H.R. 1887. A bill to amend the Billfish Conservation Act of 2012 to clarify an exemption for traditional fisheries and markets; to the Committee on Natural Resources.

By Mr. GUTHRIE (for himself and Ms. MATSUI):

H.R. 1888. A bill to amend the National Telecommunications and Information Administration Organization Act to provide incentives for the reallocation of Federal Government spectrum for commercial use, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUFFMAN (for himself, Mr. FITZPATRICK, Mr. LOBIONDO, and Mr. GALLEGO):

H.R. 1889. A bill to preserve the Arctic coastal plain of the Arctic National Wildlife Refuge, Alaska, as wilderness in recognition of its extraordinary natural ecosystems and

for the permanent good of present and future generations of Americans; to the Committee on Natural Resources.

By Mr. KNIGHT (for himself, Ms. JENKINS of Kansas, and Mr. YOUNG of Iowa):

H.R. 1890. A bill to amend the Fair Labor Standards Act of 1938 to strengthen equal pay requirements; to the Committee on Education and the Workforce.

By Mr. LAMALFA (for himself, Mr. COSTA, Mr. CRAWFORD, Mr. BOST, Mr. ROUZER, Mr. YOHO, Mr. THOMAS J. ROONEY of Florida, Mr. MOOLENAAR, Mr. LUCAS, and Mr. GOSAR):

H.R. 1891. A bill to amend the Plant Protection Act with respect to authorized uses of methyl bromide, and for other purposes; to the Committee on Agriculture.

By Mr. LARSON of Connecticut (for himself, Mr. KING of New York, Mr. PASCRELL, Mr. REICHERT, Mr. WALZ, Mr. RUPPERSBERGER, Mr. RUTHERFORD, Mr. FITZPATRICK, Ms. DELAURO, Ms. ESTY, and Mr. GRIJALVA):

H.R. 1892. A bill to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty; to the Committee on the Judiciary.

By Mr. LATTA (for himself and Mr. CARTWRIGHT):

H.R. 1893. A bill to require the Administrator of the National Oceanic and Atmospheric Administration to create an electronic database of research and information on the causes of, and corrective actions being taken with regard to, algal blooms in the Great Lakes, their tributaries, and other surface fresh waters, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LONG:

H.R. 1894. A bill to facilitate construction of a bridge on certain property in Christian County, Missouri, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LUETKEMEYER (for himself, Mrs. HARTZLER, Mr. GRAVES of Missouri, Mr. BANKS of Indiana, Mr. BIGGS, Mr. MOONEY of West Virginia, Mr. FORTENBERRY, Mr. HARRIS, Mr. ABRAHAM, Mr. PITTENGER, Mr. LONG, Mr. GIBBS, Mr. ARRINGTON, Mr. JONES, Mr. FRANKS of Arizona, Mr. WEBSTER of Florida, and Mrs. WAGNER):

H.R. 1895. A bill to amend the Public Health Service Act to prohibit the Secretary of Health and Human Services from conducting or supporting any research involving human fetal tissue that is obtained pursuant to an induced abortion, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. McMORRIS RODGERS (for herself, Mr. SESSIONS, Mr. CÁRDENAS, Mr. SMITH of New Jersey, and Mr. LANGEVIN):

H.R. 1896. A bill to amend the Internal Revenue Code of 1986 to allow individuals with disabilities to save additional amounts in their ABLE accounts above the current annual maximum contribution if they work and earn income; to the Committee on Ways and Means.

By Mrs. McMORRIS RODGERS (for herself, Mr. SESSIONS, Mr. CÁRDENAS,

Mr. SMITH of New Jersey, and Mr. LANGEVIN):

H.R. 1897. A bill to amend the Internal Revenue Code of 1986 to allow rollovers from 529 programs to ABLE accounts; to the Committee on Ways and Means.

By Mr. MEEHAN (for himself, Mrs. BLACKBURN, Mr. LARSON of Connecticut, Ms. SÁNCHEZ, Mr. SESSIONS, Mr. ROE of Tennessee, Ms. MOORE, Mr. DEFazio, Ms. PINGREE, Ms. NORTON, Mr. GRIJALVA, and Mr. MCGOVERN):

H.R. 1898. A bill to amend title XVIII of the Social Security Act to improve access to, and utilization of, bone mass measurement benefits under part B of the Medicare program by establishing a minimum payment amount under such part for bone mass measurement; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIS (for himself, Mr. FARENTHOLD, Mr. SMITH of Washington, and Mr. BEYER):

H.R. 1899. A bill to ensure the digital contents of electronic equipment and online accounts belonging to or in the possession of United States persons entering or exiting the United States are adequately protected at the border, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STIVERS (for himself, Mrs. BEATTY, Mr. TIBERI, Mr. CHABOT, Mr. WENSTRUP, Mr. LATTA, Mr. JOHNSON of Ohio, Mr. GIBBS, Mr. DAVIDSON, Ms. KAPTUR, Mr. TURNER, Ms. FUDGE, Mr. RYAN of Ohio, Mr. JOYCE of Ohio, Mr. RENACCI, and Mr. JORDAN):

H.R. 1900. A bill to designate the Veterans Memorial and Museum in Columbus, Ohio, as the National Veterans Memorial and Museum, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 1901. A bill to provide for the conveyance of certain property to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKINLEY (for himself and Mr. RUSH):

H. Con. Res. 43. Concurrent resolution providing official recognition of the massacre of 11 African-American soldiers of the 333rd Field Artillery Battalion of the United States Army who had been captured in Wereth, Belgium, during the Battle of the Bulge on December 17, 1944; to the Committee on Armed Services.

By Ms. FRANKEL of Florida (for herself, Ms. DELAURO, Ms. SLAUGHTER, Mr. GUTIÉRREZ, Ms. SPEIER, Ms. LEE, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. NORTON, Mrs. CAROLYN B.

MALONEY of New York, Mr. TONKO, Ms. SCHAKOWSKY, Mr. POCAN, Mr. GRIJALVA, Mr. O'HALLERAN, Mrs. DINGELL, Ms. TSONGAS, Mr. THOMPSON of California, Ms. DELBENE, Ms. WASSERMAN SCHULTZ, Mr. TAKANO, Mr. MCEACHIN, Mr. BEYER, Ms. SINEMA, Ms. SANCHEZ, Ms. CASTOR of Florida, Mr. CÁRDENAS, Ms. CLARKE of New York, Ms. ROSEN, Mr. MEEKS, Mr. CARBAJAL, Mr. HIMES, Mr. CLAY, Mr. HASTINGS, Mr. SERRANO, Mrs. NAPOLITANO, Ms. PLASKETT, Mr. SUOZZI, Mr. CARTWRIGHT, Mr. RUPERSBERGER, Mr. KRISHNAMOORTHY, Mrs. DAVIS of California, Mr. RASKIN, Ms. PINGREE, Ms. JACKSON LEE, Mr. CICILLINE, Mr. WELCH, Mr. LOWENTHAL, Ms. VELÁZQUEZ, Ms. ADAMS, Ms. TITUS, Mr. CONYERS, Ms. WILSON of Florida, Mr. KEATING, Mr. LOEBSACK, Mr. SCOTT of Virginia, Mr. FOSTER, Mr. LAWSON of Florida, Mr. SCHIFF, Mr. NORCROSS, Ms. DEGETTE, Ms. MCCOLLUM, Ms. BROWNLEY of California, Ms. MATSUI, Mrs. LAWRENCE, Mr. KIND, Mr. HUFFMAN, Mrs. LOWEY, Mr. RYAN of Ohio, Mr. CORREA, Ms. MAXINE WATERS of California, Mr. BRADY of Pennsylvania, Ms. FUDGE, Ms. CLARK of Massachusetts, Mrs. BUSTOS, Mr. COHEN, Ms. MOORE, Ms. MENG, Mr. SARBANES, Mr. SWALWELL of California, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. GALLEGO, Mr. POLIS, Mr. PALLONE, Mr. LYNCH, Mr. NOLAN, Ms. SHEA-PORTER, Ms. JAYAPAL, Mr. GARAMENDI, and Ms. KUSTER of New Hampshire):

H. Con. Res. 44. Concurrent resolution recognizing the significance of Equal Pay Day to illustrate the disparity between wages paid to men and women; to the Committee on Oversight and Government Reform.

By Ms. STEFANIK (for herself, Mr. VALADAO, Mr. ROSS, Mr. JONES, Mr. YOHIO, Miss RICE of New York, Mr. LANCE, Mr. WALZ, Mr. COURTNEY, Ms. DELAURO, Mr. HIMES, Mrs. BLACKBURN, Mr. LOBIONDO, Miss GONZÁLEZ-COLÓN of Puerto Rico, Ms. TENNEY, Mr. RASKIN, Ms. HANABUSA, Mr. COSTELLO of Pennsylvania, Mr. CRIST, Mr. GOTTHEIMER, Mr. KING of New York, Mr. SUOZZI, Mr. RYAN of Ohio, Mr. GRAVES of Missouri, Mr. PALLONE, Mr. UPTON, and Ms. BORDALLO):

H. Con. Res. 45. Concurrent resolution expressing the sense of Congress that those who served in the bays, harbors, and territorial seas of the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, should be presumed to have served in the Republic of Vietnam for all purposes under the Agent Orange Act of 1991; to the Committee on Veterans' Affairs.

By Mr. YOHIO (for himself, Mr. SCHRAMMER, and Mr. ABRAHAM):

H. Con. Res. 46. Concurrent resolution expressing support for the designation of a "National Purebred Dog Day"; to the Committee on Oversight and Government Reform.

By Mr. CONYERS (for himself, Mr. LEWIS of Georgia, Ms. NORTON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. EVANS, Mr. RICHMOND, Ms. PLASKETT, Mr. ESPAILLAT, Mr. MCGOVERN, Ms. VELÁZQUEZ, Ms. BARRAGÁN, Ms. LEE, Mr. RUSH, Ms. BASS, Ms. MOORE, Ms. SEWELL of Alabama, Mr. CUMMINGS, Ms. JAYAPAL, Mr. DANNY K. DAVIS of Illinois, Ms. CLARKE of New York,

Mr. JOHNSON of Georgia, Mr. COHEN, Mr. GUTIÉRREZ, Mr. CLAY, Mrs. LAWRENCE, Mr. DAVID SCOTT of Georgia, Mr. JEFFRIES, Mr. COURTNEY, Ms. DELAURO, Mrs. BEATTY, Mr. CARSON of Indiana, Mrs. NAPOLITANO, Mr. GRIJALVA, Mr. NADLER, Ms. WILSON of Florida, Mr. MCEACHIN, Mrs. DINGELL, Mrs. DEMINGS, Mr. CLEAVER, Ms. JACKSON LEE, Ms. MAXINE WATERS of California, Mr. SERRANO, Mrs. WATSON COLEMAN, Mr. RASKIN, Ms. FUDGE, Mr. ELLISON, Ms. ADAMS, Mr. PAYNE, Mr. MEEKS, Mr. PALLONE, Mr. LAWSON of Florida, and Ms. KELLY of Illinois):

H. Res. 246. A resolution commemorating the 50th anniversary of Dr. Martin Luther King, Jr.'s "Beyond Vietnam: A Time To Break Silence" sermon condemning the Vietnam War and calling for a true revolution of values in the United States; to the Committee on Foreign Affairs.

By Mr. MEEKS (for himself, Mr. GONZÁLEZ of Texas, Mr. PALLONE, Ms. JAYAPAL, Mr. CARSON of Indiana, Mr. GRIJALVA, Ms. CLARKE of New York, and Mr. VARGAS):

H. Res. 247. A resolution supporting the goals and ideals of Financial Literacy Month; to the Committee on Oversight and Government Reform.

By Mr. WILSON of South Carolina (for himself and Mr. CLYBURN):

H. Res. 248. A resolution commending the University of South Carolina women's basketball team for winning the 2017 NCAA National Championship; to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. ROSEN:

H.R. 1868.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3 of the U.S. Constitution. That provision gives Congress the power "to regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

By Ms. DELAURO:

H.R. 1869.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution and Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. COHEN:

H.R. 1870.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. FASO:

H.R. 1871.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. MCGOVERN:

H.R. 1872.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. LAMALFA:

H.R. 1873.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Mr. CÁRDENAS:

H.R. 1874.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1.

The Congress shall have the Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States;

By Mr. SCHNEIDER:

H.R. 1875.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mrs. BLACKBURN:

H.R. 1876.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. TONKO:

H.R. 1877.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or any Department or Officer thereof.

By Ms. VELÁZQUEZ:

H.R. 1878.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. ISSA:

H.R. 1879.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 8, "to promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Rights to their respective Writings and Discoveries,"

By Ms. JAYAPAL:

H.R. 1880.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. KELLY of Pennsylvania:

H.R. 1881.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the Constitution

By Ms. MAXINE WATERS of California:

H.R. 1882.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the U.S. Constitution, and Amendment VIII to the U.S. Constitution.

By Mr. BUTTERFIELD:

H.R. 1883.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United

States, or in any Department or Officer thereof.

By Mr. CÁRBAJAL:

H.R. 1884.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. CÁRDENAS:

H.R. 1885.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. DEUTCH:

H.R. 1886.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the U.S. Constitution and Clause 18 of Section 8 of Article I of the U.S. Constitution.

By Mr. DIAZ-BALART:

H.R. 1887.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. GUTHRIE:

H.R. 1888.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. HUFFMAN:

H.R. 1889.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. KNIGHT:

H.R. 1890.

Congress has the power to enact this legislation pursuant to the following:

United States Constitution Article I, Section 8, Clause 3

By Mr. LAMALFA:

H.R. 1891.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Section 8 of Article I of the United States Constitution.

By Mr. LARSON of Connecticut:

H.R. 1892.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. LATTA:

H.R. 1893.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. LONG:

H.R. 1894.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. LUETKEMEYER:

H.R. 1895.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18, "To make all Laws which shall be necessary and proper from carrying into Execution from foregoing Powers, and all other Powers vested by this in the Government of the United States, or any Department of Officer thereof."

By Mrs. McMORRIS RODGERS:

H.R. 1896.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mrs. McMORRIS RODGERS:

H.R. 1897.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. MEEHAN:

H.R. 1898.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to: Article I, Section 8

By Mr. POLIS:

H.R. 1899.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 and the 4th Amendment to the U.S. Constitution

By Mr. STIVERS:

H.R. 1900.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. YOUNG of Alaska:

H.R. 1901.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 and Article I, Section 8, Clause 3

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 29: Mr. MCKINLEY and Mr. BROOKS of Alabama.

H.R. 44: Mr. TAKANO.

H.R. 51: Ms. WILSON of Florida.

H.R. 112: Mr. SCHWEIKERT and Mr. HASTINGS.

H.R. 179: Ms. BARRAGÁN.

H.R. 233: Mr. LARSEN of Washington.

H.R. 305: Mr. LEWIS of Georgia.

H.R. 314: Mr. SMITH of Texas, Mr. SENSENBRENNER, Mr. SCHWEIKERT, Mrs. COMSTOCK, Mr. POE of Texas, Mr. PALAZZO, Mr. ROSS, Mr. WILSON of South Carolina, Mr. GOSAR, Mr. ARRINGTON, Mr. MURPHY of Pennsylvania, Mr. DUNCAN of Tennessee, and Mr. BANKS of Indiana.

H.R. 350: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 352: Mr. SMITH of Missouri.

H.R. 365: Mr. SESSIONS.

H.R. 448: Mr. AGUILAR.

H.R. 480: Mr. GAETZ.

H.R. 490: Mr. SMITH of Texas, Mr. KELLY of Pennsylvania, and Mr. BUCK.

H.R. 520: Mr. BARR.

H.R. 530: Mr. KENNEDY.

H.R. 539: Mr. HIGGINS of Louisiana, Mr. MCKINLEY, and Mr. ABRAHAM.

H.R. 559: Mr. TIPTON.

H.R. 564: Mr. HURD.

H.R. 580: Ms. KAPTUR.

H.R. 613: Mr. BURGESS and Mr. BRAT.

H.R. 644: Mr. PALMER, Mr. BACON, Mr. CONAWAY, and Mr. LAHOOD.

H.R. 747: Mr. GOSAR and Mr. SHIMKUS.

H.R. 750: Mr. ROTHFUS.

H.R. 754: Mr. TED LIEU of California.

H.R. 769: Mr. HUDSON.

H.R. 770: Mr. SCHNEIDER, Mr. LEWIS of Minnesota, and Mr. ROSKAM.

H.R. 807: Ms. MOORE, Mr. TIPTON, and Mr. RASKIN.

H.R. 816: Mrs. BEATTY.

H.R. 849: Mr. CARBAJAL, Mr. ARRINGTON, and Mr. MARCHANT.

H.R. 873: Ms. SLAUGHTER, Mr. CHABOT, and Mr. ELLISON.

H.R. 877: Mr. OLSON and Ms. DELBENE.

H.R. 907: Mrs. BROOKS of Indiana.

H.R. 911: Mr. ROSS.

H.R. 927: Ms. HERRERA BEUTLER.

H.R. 931: Mr. LARSON of Connecticut, Mr. BISHOP of Utah, Mr. CLAY, and Mr. REICHERT.

H.R. 948: Ms. LEE.

H.R. 1017: Ms. ROSEN.

H.R. 1049: Ms. TENNEY.

H.R. 1058: Mr. SCHIFF.

H.R. 1089: Mr. MEEKS.

H.R. 1090: Mr. MESSER.

H.R. 1094: Ms. CLARKE of New York.

H.R. 1121: Mr. EMMER.

H.R. 1136: Mr. TIPTON.

H.R. 1148: Mr. BLUMENAUER and Ms. SEWELL of Alabama.

H.R. 1160: Mr. REED and Mr. HIGGINS of New York.

H.R. 1204: Mr. KELLY of Pennsylvania and Mr. JOYCE of Ohio.

H.R. 1222: Mr. COLLINS of New York.

H.R. 1232: Mr. RASKIN, Ms. JAYAPAL, and Mr. MEEKS.

H.R. 1247: Mr. TED LIEU of California, Mr. LIPINSKI, and Ms. TSONGAS.

H.R. 1267: Mr. SWALWELL of California.

H.R. 1270: Mr. POSEY, Mr. SWALWELL of California, Mr. RYAN of Ohio, Mr. YODER, Mr. O'HALLERAN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CARTWRIGHT, Mr. CICILLINE, Mr. POCAN, Ms. SHEA-PORTER, Mr. YOUNG of Iowa, Mr. PETERS, Mr. SMITH of Texas, Mr. YARMUTH, Mr. VISCLOSKEY, Ms. CLARKE of New York, and Mr. FITZPATRICK.

H.R. 1279: Mrs. WATSON COLEMAN, Mr. RUSH, Mr. MOULTON, and Mr. MCKINLEY.

H.R. 1300: Ms. BARRAGÁN.

H.R. 1310: Mr. SWALWELL of California.

H.R. 1329: Ms. BORDALLO and Mr. CRAMER.

H.R. 1337: Mr. KELLY of Pennsylvania.

H.R. 1361: Mr. ROTHFUS.

H.R. 1379: Ms. SINEMA, Mr. COURTNEY, Mr. MOULTON, Mr. YOUNG of Alaska, and Ms. BORDALLO.

H.R. 1399: Mr. GUTHRIE.

H.R. 1452: Mr. LARSEN of Washington and Ms. LEE.

H.R. 1468: Mr. FASO.

H.R. 1469: Mr. MEADOWS, Mr. DUNN, Mr. ROUZER, and Mr. DUNCAN of Tennessee.

H.R. 1498: Mr. LOWENTHAL and Mr. POCAN.

H.R. 1510: Mr. GROTHMAN.

H.R. 1512: Mr. SCHWEIKERT.

H.R. 1536: Ms. ROSEN and Mr. LIPINSKI.

H.R. 1542: Mr. SCHIFF, Mr. KING of Iowa, Mr. DEFazio and Mr. POCAN.

H.R. 1555: Mrs. WATSON COLEMAN, Mr. SERRANO, Mr. RYAN of Ohio, Ms. SCHAKOWSKY, Mr. ROKITA, and Mr. PEARCE.

H.R. 1562: Mr. RASKIN.

H.R. 1584: Mr. SEAN PATRICK MALONEY of New York.

H.R. 1588: Ms. LEE.

H.R. 1608: Ms. SCHAKOWSKY.

H.R. 1614: Mr. BROWN of Maryland, Mr. RASKIN, Ms. JAYAPAL, and Ms. JACKSON LEE.

H.R. 1626: Mr. PEARCE, Mr. NOLAN, and Mr. WALBERG.

H.R. 1632: Mr. ROGERS of Alabama.
 H.R. 1639: Mr. NOLAN, Mr. RUPPERSBERGER, Mr. COHEN, Mr. FARENTHOLD, Mr. POCAN, Mr. LOWENTHAL, Mr. RASKIN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. GRIJALVA.
 H.R. 1645: Mr. HULTGREN.
 H.R. 1651: Mr. CARDENAS, Ms. MATSUI, Mrs. COMSTOCK, Mr. RUSH, and Mr. YARMUTH.
 H.R. 1676: Mr. FORTENBERRY, Mr. DONOVAN, Mr. BRIDENSTINE, Mr. LOWENTHAL, and Mr. COSTA.
 H.R. 1698: Mr. GUTHRIE, Mr. ROKITA, Mrs. HARTZLER, Mr. LATTA, Mr. HILL, Mrs. NOEM, Mr. COMER, Mrs. McMORRIS RODGERS, and Mr. LAMALFA.
 H.R. 1730: Mr. COHEN, Mr. HUDSON, and Mr. ZELDIN.
 H.R. 1738: Mr. MCNERNEY and Mr. DESAULNIER.
 H.R. 1739: Mrs. DINGELL and Mr. CUMMINGS.
 H.R. 1740: Mrs. COMSTOCK and Mr. CURBELO of Florida.
 H.R. 1757: Mr. RYAN of Ohio.
 H.R. 1759: Mr. CAPUANO and Mr. SUOZZI.
 H.R. 1771: Mrs. BROOKS of Indiana.
 H.R. 1772: Mr. SENSENBRENNER and Ms. HANABUSA.

H.R. 1786: Mr. BACON.
 H.R. 1789: Mr. SEAN PATRICK MALONEY of New York.
 H.R. 1791: Ms. DELBENE.
 H.R. 1795: Mr. ROKITA.
 H.R. 1796: Mrs. COMSTOCK, Mr. BISHOP of Georgia and Mr. OLSON.
 H.R. 1812: Mr. KHANNA, Ms. BONAMICI, Mr. LOWENTHAL, Ms. MCCOLLUM, Mr. KIHUEN, Ms. JAYAPAL, and Mr. KENNEDY.
 H.R. 1815: Mr. BUTTERFIELD, Ms. JAYAPAL, Mr. RASKIN, and Mr. GRIJALVA.
 H.R. 1819: Ms. JAYAPAL.
 H.R. 1825: Mr. COSTELLO of Pennsylvania and Mrs. BLACKBURN.
 H.R. 1833: Mr. LAWSON of Florida, Mr. TED LIEU of California, Ms. LEE, and Mr. RASKIN.
 H.R. 1847: Mr. SUOZZI, Mr. MAST, and Ms. LOFGREN.
 H.R. 1861: Mr. THOMPSON of California.
 H.R. 1863: Mr. ROSKAM and Mr. COHEN.
 H.J. Res. 48: Ms. GABBARD and Mr. WELCH.
 H.J. Res. 51: Mr. GROTHMAN, Mr. COOK, Mr. BERA, and Mr. MARCHANT.
 H.J. Res. 61: Mr. FRELINGHUYSEN, Mr. COLE, Mr. KELLY of Mississippi, Mr. MURPHY of Pennsylvania, Mr. LOBIONDO, Mr. YOUNG of

Iowa, Mr. ROGERS of Alabama, Mr. ROE of Tennessee, Mr. JONES, and Mr. ROUZER.
 H.J. Res. 74: Ms. KELLY of Illinois.
 H. Con. Res. 8: Mr. LUCAS.
 H. Con. Res. 10: Mr. WALBERG, Mr. PETERSON, and Mr. DUFFY.
 H. Res. 124: Mrs. BEATTY.
 H. Res. 162: Mr. RUIZ.
 H. Res. 188: Mrs. NAPOLITANO.
 H. Res. 199: Mr. CHABOT.
 H. Res. 201: Ms. WASSERMAN SCHULTZ, Mr. MCCAUL, Mr. WEBER of Texas, Mr. YOHIO, Mrs. TORRES, Mr. DONOVAN, and Mr. COOK.
 H. Res. 232: Mr. HUDSON, Mr. THOMAS J. ROONEY of Florida, Mr. CHABOT, and Mr. BANKS of Indiana.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.J. Res. 50: Mr. DUNCAN of South Carolina.

SENATE—Tuesday, April 4, 2017

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, we rejoice because of Your power. We are dependent upon You to rescue us from ourselves and from the unseen consequences of the challenges we face.

Guide and sustain our Senators, enabling them to know the joy of having You as their sure defense. May Your unfailing love, O God, which is as vast as the Heavens, motivate our lawmakers to make faithfulness their top priority. Use them to give justice a chance to thrive in a threatening world. Lord, infuse them with the spirit of humility that seeks first to understand rather than to be understood. May they find their strength and confidence in You alone.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. CAPITO). The majority leader is recognized.

NOMINATION OF NEIL GORSUCH

Mr. MCCONNELL. Madam President, later today, due to the threat of an unprecedented partisan filibuster, I will file cloture on the nomination of Judge Gorsuch to be an Associate Justice of the Supreme Court. It should be unsettling to everyone that our colleagues across the aisle have brought the Senate to this new low, and on such an impressive nominee with such broad bipartisan support.

Judge Gorsuch is independent, he is fair, he has one of the most impressive resumes we will ever see, and he has earned the highest possible rating from the group the Democratic leader called the “gold standard” for evaluating judicial nominations. No one seriously disputes his sterling credentials to serve on the Court. Yet, in the Judiciary Committee, Democrats withheld

support from him. On the floor, Democrats said they will launch a partisan filibuster against him—something Republicans have never done. No one in the Senate Republican conference has ever voted to filibuster a Supreme Court nominee. Not one Republican has ever done that.

Later today, colleagues will continue to debate the nomination of Judge Gorsuch. They will discuss how completely unprecedented it would be for Democrats to actually follow through on this filibuster threat to actually block an up-or-down vote for this nominee even though a bipartisan majority of the Senate supports his nomination and what the negative consequences would be for the Senate if they succeed. I will be listening with interest. I hope Senators in both parties will listen as well.

“There has never been,” as the New York Times and others reported last week, “a successful partisan filibuster of a Supreme Court nominee.” Never in the history of our country. Not once in the nearly 230-year history of the Senate.

The last time a Republican President nominated someone to the Supreme Court, Democrats tried to filibuster him too. That was Samuel Alito in 2006. Fortunately, cooler heads prevailed. Even former President Obama, who as a Senator participated in that effort, now admits that he regrets joining that filibuster effort.

Democrats are now being pushed by far-left interest groups into doing something truly detrimental to this body and to our country. They seem to be hurtling toward the abyss this time and trying to take the Senate with them. They need to reconsider.

Perhaps they will recall their own words from the last time they flirted with a partisan Supreme Court filibuster. Back then, the current top Democrat on the Judiciary Committee said she opposed attempts to filibuster Supreme Court nominees. “[Just because the nominee] is a man I might disagree with,” she said, “that doesn’t mean he shouldn’t be on the court.” She said the filibuster should be reserved for something truly outrageous.

Yesterday, the top Democrat on the Judiciary Committee announced her intention to filibuster the Supreme Court nominee before us because she disagreed with him. It is totally the opposite of what she said before. It is just the kind of thing she said the filibuster should not be used for.

This is emblematic of what we are seeing in Democrats’ strained rationale for their unprecedented filibuster

threat. It seems they are opposed to Judge Gorsuch’s nomination because far-left interest groups are upset about other things—the way the election turned out, mostly—and threatening the careers of any Democrat who opposes blind resistance to everything this President does.

Democrats have come up with all manner of excuses to justify opposing this outstanding nominee. They asked for his personal opinions on issues that could come before him and posed hypotheticals that they know he is ethically precluded from answering. They cherry-picked a few cases out of thousands in which he has participated. They invent fake 60-vote standards that fact checkers call bogus. They are, to paraphrase the Judiciary chairman, a “no” vote in search of a reason to vote that way. What they can’t lay a glove on is the nominee’s record and independence—the kinds of things that should actually be swaying our vote—and that is really quite telling.

If Democrats follow through on their threat to subject this widely respected judge to the first partisan filibuster in the history of the Senate, then I doubt there is a single nominee from this President they could ever support—ever. After all, the Democratic leader basically said as much before the nomination was even made. But it is not too late for our friends to do the right thing.

You know, we on this side of the aisle are no strangers to political pressure. We can empathize with what our Democratic colleagues might be going through right now. But part of the job you sign up for here is to do what you know is right in the end.

When President Clinton nominated Stephen Breyer, I voted to confirm him. When President Clinton nominated Ruth Bader Ginsburg, I voted to confirm her. I thought it was the right thing to do. After all, he won the election. He was the President. The President gets to appoint Supreme Court Justices. When President Obama nominated Sonia Sotomayor and Elena Kagan, I led my party in working to ensure they received an up-or-down vote, not a filibuster.

We were in exactly the same position in which our Democratic friends are today. No filibuster. No filibuster. We thought it was the right thing to do. It is not because we harbored illusions that we would usually agree with these nominees of Democratic Presidents—certainly not. We even protested when then-Majority Leader Reid tried to file cloture on the Kagan nomination. We

talked him out of it and said it wasn't necessary. Jeff Sessions, the current Attorney General, was the ranking member of the Judiciary Committee at the time. Jeff Sessions talked Harry Reid out of filing cloture because it wasn't necessary. We didn't even want the pretext of the possibility of a filibuster on the table.

Well, that is quite a different story from what we are seeing today, but this is where our Democratic colleagues have taken us. Will a partisan minority of the Senate really prevent the Senate's pro-Gorsuch bipartisan majority from confirming him? Will they really subject this eminently qualified nominee to the first successful partisan filibuster in American history? Americans will be watching, history will be watching, and the future of the Senate will hang on their choice.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the Duke nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Elaine C. Duke, of Virginia, to be Deputy Secretary of Homeland Security.

The PRESIDING OFFICER. Under the previous order, the time until 12 noon will be equally divided in the usual form.

The minority whip.

Mr. DURBIN. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF NEIL GORSUCH

Mr. DURBIN. Madam President, there is a poem that I recall, and it goes like this:

When I was going up the stair,
I met a man who wasn't there.
He wasn't there again today.
I wish that man would go away.

I thought about that poem when I listened to the majority leader's speech about how cooperative he has been when it comes to Supreme Court nominations. The name he forgot to mention was Merrick Garland—Merrick Garland, who was nominated by Presi-

dent Obama to fill the vacancy of Justice Antonin Scalia; Merrick Garland, the only Presidential nominee to the Supreme Court in the history of the U.S. Senate to be denied a hearing and a vote; Merrick Garland, about whom Senator MCCONNELL said: I will not only refuse to give him a hearing and a vote, I refuse to even see him; Merrick Garland, who was found unanimously "well qualified" by the American Bar Association; Merrick Garland, the person who received bipartisan support for appointment to the D.C. Circuit Court of Appeals, the second highest court in the land.

So when the majority leader comes to the floor to talk about how cooperative he has been with previous Presidents when it comes to Supreme Court nominees, he conveniently omits the most obvious reason for our problems this week: the unilateral decision by the majority leader to preclude any vote on Merrick Garland to fill the vacancy of Justice Scalia.

I know Judge Garland. I have met with him several times. He is a balanced, moderate, experienced jurist who should be on the U.S. Supreme Court. We should not be entertaining Neil Gorsuch this week; we ought to be celebrating the first anniversary of Merrick Garland's service on the U.S. Supreme Court. The reason we are not is that Senator MCCONNELL and the Senate Republicans refused us that opportunity. They said: No, you cannot vote on that.

Remember their logic? The logic was: Wait a minute. This is the last year of President Obama's Presidency. Why should he be able to fill a vacancy on the U.S. Supreme Court when we have an election coming soon?

That is an interesting argument. There are two things I am troubled with.

I do believe President Obama was elected for 4 years in his second term, not for 3, which meant he had authority in the fourth year, as he did in the third year.

Secondly, the Republican argument ignores history. It ignores the obvious history when we had a situation with President Ronald Reagan, in his last year in office, with regard to a vacancy on the U.S. Supreme Court. There were Democrats in charge of the Senate and Democrats in charge of the Senate Judiciary Committee, and President Ronald Reagan, a lame-duck President in his last year, nominated Anthony Kennedy to serve on the Court. He sent the name to the Democratic Senate, and there was a hearing before the Senate Judiciary Committee and a vote that sent him to the Court.

You never hear that story from Senator MCCONNELL. It is because it does not fit into his playbook as to why he would wait for a year and refuse to give Merrick Garland a hearing and a vote. The reasoning is obvious: Clearly he

was banking on the possibility that the electorate would choose a Republican President—and that is what happened—so that a Republican President—in this case, Donald Trump—could fill the vacancy, not Barack Obama.

So when I hear the speeches on the floor by Senator MCCONNELL about his bipartisan cooperation, he leaves out an important chapter—the last chapter, the one that brought us to this moment in the Senate.

I look at the situation before us today, and it is a sad situation for the Senate—sad in that we have reached the point in which a Supreme Court nomination has become so political, more so than at any time in history.

Where did the name "Neil Gorsuch" come from for the Supreme Court? It came from a list that was prepared by two organizations: the Federalist Society and the Heritage Foundation. These are both Republican advocacy groups who represent special interests and are funded by special interests. They came up with the names and gave them to Presidential candidate Donald Trump. It was a list of 21 names. He issued them twice—in March and in September of the last campaign year—and Neil Gorsuch's name was on the list.

The Federalist Society was created in 1982. Nominally, it is an organization that is committed to originalism. In other words, it looks to the clear meaning of the Constitution, what the Founding Fathers meant. They say that over and over again: Just look to the Constitution and read it, and then we will know what we should do. That was in a speech that was given by Edwin Meese, the then-Attorney General in 1985, who explained the Federalist Society's credo.

On its face, it sounds at least arguably defensible that there would be an organization that is so committed to the Constitution that it wants Supreme Court nominees who will follow it as literally as possible. Yet, as Justice William Brennan on the Supreme Court said, if they think they can find in those musty volumes from back in the 18th century all of the answers to all of the questions on the issues we face today—here is what he called it—that is arrogance posing as humility.

Yet that is what they said the Federalist Society was all about. If that were all the Federalist Society were about, then I guess one could argue that they ought to have their day in court, their day in choosing someone for the Supreme Court, but it is more than that. When you look at those who finance the Federalist Society—and it is a short list because they refuse to disclose all their donors—you see the classic names of Republican support: the Koch brothers, the Mercer family, the Richard Mellon Scaife family foundation, the ones who pop up over and

over again. Why would these organizations be so determined to pick the next nominee to fill the vacancy on the Supreme Court? It is because there is so much at stake.

In a Judiciary Committee hearing, my colleague SHELDON WHITEHOUSE went through the box score when it came to the Supreme Court and how they ruled when given a choice between special interests and corporate elites versus average workers and consumers and families. As Senator WHITEHOUSE pointed out graphically, in detail, overwhelmingly, this Court has ruled for the special interests. Sixty-nine percent of the Roberts' Court's rulings are in favor of the U.S. Chamber of Commerce's position on issues, according to one study.

Why would a special interest organization like the Federalist Society care? It wants to keep a good thing going, from its point of view. That is why this is a different Supreme Court nominee. I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. KENNEDY). The Democratic leader is recognized.

CONGRATULATING THE SENIOR SENATOR FROM ILLINOIS

Mr. SCHUMER. Mr. President, first, I sat at the back of the room to listen to my colleague from Illinois. I know he got up because he wanted very much to respond to the majority leader, and I thought he did a great job. It was a pleasure to listen, as always, to one of the most articulate Members with whom I have ever served in any legislative body, as well as his having many other good traits.

EQUAL PAY DAY

Mr. President, today is Equal Pay Day. Unlike many holidays on our calendar, Equal Pay Day is not actually a commemoration of some achievement. Equal pay for women is still not close to a reality. Women still make 79 cents for every dollar a man makes in the same position. African-American women are making 64 cents on the dollar. Latina women are making 54 cents on the dollar. That is not right. It is holding the American dream out of reach for too many women in this country. So Equal Pay Day is not a commemoration; it is a reminder that glass ceilings are everywhere and that there are hugely consequential and tangible barriers that women face every single day that men do not.

In 2007, the Supreme Court, in a 5-to-4 decision by the conservative majority in *Ledbetter v. Goodyear*, ruled that Lilly Ledbetter could not pursue her claim that she was entitled to equal pay. The Lilly Ledbetter Fair Pay Act, which reversed this unfair Supreme Court decision, was the first bill President Obama signed into law in 2009.

NOMINATION OF NEIL GORSUCH

Mr. President, this leads me to the Supreme Court. It is just one of so

many examples of what is at stake in the nomination of Judge Gorsuch to the Supreme Court, which we now debate here on the floor of the Senate.

I was listening to the majority leader earlier this morning, and I cannot believe he can stand here on the floor of the U.S. Senate and with a straight face say that Democrats are launching the first partisan filibuster of a Supreme Court nominee. What the majority leader did to Merrick Garland by denying him even a hearing and a vote is even worse than a filibuster. For him to accuse Democrats of the first partisan filibuster on the Supreme Court belies the facts, belies the history, belies the basic truth.

My friend Representative ADAM SCHIFF said: "When McConnell deprived President Obama of a vote on Garland, it was a nuclear option. The rest is fallout." Let me repeat that. ADAM SCHIFF put it better than I ever could. "When McConnell deprived President Obama of a vote on Garland, it was a nuclear option. The rest is fallout."

Even though my friend the majority leader keeps insisting that there is no principled reason to vote against Judge Gorsuch, we Democrats disagree. First, he has instinctively favored corporate interests over average Americans. Second, he has not shown a scintilla of independence from President Trump. Third, as my colleague from Illinois elaborated, he was handpicked by hard-right special interest groups, not because he called balls and strikes. They would not put all of that effort and money into a caller of balls and strikes. These are ideologues who want to move America far to the right. He was picked by hard-right special interest groups because his views are outside the mainstream.

According to analyses of his record on the Tenth Circuit, which were conducted by the New York Times and the Washington Post, by experts on the Court, Judge Gorsuch would be one of the most conservative voices ever on the Supreme Court should he achieve that.

The Washington Post:

Gorsuch's actual voting behavior suggests he is to the right of both Alito and Thomas and by a substantial margin. That would make him the most conservative Justice on the Court in recent memory.

That is why the Heritage Foundation and the Federalist Society put Judge Gorsuch on their list for President Trump.

As Emily Bazelon of the New York Times put it in a brilliant article that I would urge all of my colleagues to read:

The reality is that Judge Gorsuch embraces a judicial philosophy that would do nothing less than undermine the structure of modern government—including the rules that keep our water clean, regulate the financial markets and protect workers and consumers.

I ask unanimous consent to have that article printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 1, 2017]

THE GOVERNMENT GORSUCH WANTS TO UNDO

(By Emily Bazelon and Eric Posner)

At recent Senate hearings to fill the Supreme Court's open seat, Judge Neil Gorsuch came across as a thoroughly bland and non-threatening nominee. The idea was to give as little ammunition as possible to opponents when his nomination comes up this week for a vote, one that Senate Democrats may try to upend with a filibuster.

But the reality is that Judge Gorsuch embraces a judicial philosophy that would do nothing less than undermine the structure of modern government—including the rules that keep our water clean, regulate the financial markets and protect workers and consumers. In strongly opposing the administrative state, Judge Gorsuch is in the company of incendiary figures like the White House adviser Steve Bannon, who has called for its "deconstruction." The Republican-dominated House, too, has passed a bill designed to severely curtail the power of federal agencies.

Businesses have always complained that government regulations increase their costs, and no doubt some regulations are ill-conceived. But a small group of conservative intellectuals have gone much further to argue that the rules that safeguard our welfare and the orderly functioning of the market have been fashioned in a way that's not constitutionally legitimate. This once-fringe cause of the right asserts, as Judge Gorsuch put it in a speech last year, that the administrative state "poses a grave threat to our values of personal liberty."

The 80 years of law that are at stake began with the New Deal. President Franklin D. Roosevelt believed that the Great Depression was caused in part by ruinous competition among companies. In 1933, Congress passed the National Industrial Recovery Act, which allowed the president to approve "fair competition" standards for different trades and industries. The next year, Roosevelt approved a code for the poultry industry, which, among other things, set a minimum wage and maximum hours for workers, and hygiene requirements for slaughterhouses. Such basic workplace protections and constraints on the free market are now taken for granted.

But in 1935, after a New York City slaughterhouse operator was convicted of violating the poultry code, the Supreme Court called into question the whole approach of the New Deal, by holding that the N.I.R.A. was an "unconstitutional delegation by Congress of a legislative power." Only Congress can create rules like the poultry code, the justices said. Because Congress did not define "fair competition," leaving the rule-making to the president, the N.I.R.A. violated the Constitution's separation of powers.

The court's ruling in *Schechter Poultry Corp. v. United States*, along with another case decided the same year, are the only instances in which the Supreme Court has ever struck down a federal statute based on this rationale, known as the "nondelegation doctrine." *Schechter Poultry's* stand against executive-branch rule-making proved to be a legal dead end, and for good reason. As the court has recognized over and over, before and since 1935, Congress is a cumbersome body that moves slowly in the

best of times, while the economy is an incredibly dynamic system. For the sake of business as well as labor, the updating of regulations can't wait for Congress to give highly specific and detailed directions.

The New Deal filled the gap by giving policy-making authority to agencies, including the Securities and Exchange Commission, which protects investors, and the National Labor Relations Board, which oversees collective bargaining between unions and employers. Later came other agencies, including the Environmental Protection Agency, the Occupational Safety and Health Administration (which regulates workplace safety) and the Department of Homeland Security. Still other agencies regulate the broadcast spectrum, keep the national parks open, help farmers and assist Americans who are overseas. Administrative agencies coordinated the response to Sept. 11, kept the Ebola outbreak in check and were instrumental to ending the last financial crisis. They regulate the safety of food, drugs, airplanes and nuclear power plants. The administrative state isn't optional in our complex society. It's indispensable.

But if the regulatory power of this arm of government is necessary, it also poses a risk that federal agencies, with their large bureaucracies and potential ties to lobbyists, could abuse their power. Congress sought to address that concern in 1946, by passing the Administrative Procedure Act, which ensured a role for the judiciary in overseeing rule-making by agencies.

The system worked well enough for decades, but questions arose when Ronald Reagan came to power promising to deregulate. His E.P.A. sought to weaken a rule, issue by the Carter administration, which called for regulating "stationary sources" of air pollution—a broad wording that is open to interpretation. When President Reagan's E.P.A. narrowed the definition of what counted as a "stationary source" to allow plants to emit more pollutants, an environmental group challenged the agency. The Supreme Court held in 1984 in *Chevron v. Natural Resources Defense Council* that the E.P.A. (and any agency) could determine the meaning of ambiguous term in the law. The rule came to be known as *Chevron* deference: When Congress uses ambiguous language in a statute, courts must defer to an agency's reasonable interpretation of what the words mean.

Chevron was not viewed as a left-leaning decision. The Supreme Court decided in favor of the Reagan administration, after all, voting 6 to 0 (three justices did not take part), and spanning the ideological spectrum. After the conservative icon Justice Antonin Scalia reached the Supreme Court, he declared himself a *Chevron* fan. "In the long run *Chevron* will endure," Justice Scalia wrote in a 1989 article, "because it more accurately reflects the reality of government, and thus more adequately serves its needs."

That was then. But the Reagan administration's effort to cut back on regulation ran out of steam. It turned out that the public often likes regulation—because it keeps the air and water clean, the workplace safe and the financial system in working order. Deregulation of the financial system led to the savings-and-loans crisis of the 1980s and the financial crisis a decade ago, costing taxpayers billions.

Businesses, however, have continued to complain that the federal government regulates too much. In the past 20 years, conservative legal scholars have bolstered the red-tape critique with a constitutional one. They

argued that only Congress—not agencies—can create rules. This is *Schechter Poultry* all over again.

And Judge Gorsuch has forcefully joined in. Last year, in a concurring opinion in an immigration case called *Gutierrez-Brizuela v. Lynch*, he attacked *Chevron* deference, writing that the rule "certainly seems to have added prodigious new powers to an already titanic administrative state." Remarkably, Judge Gorsuch argued that *Chevron*—one of the most frequently cited cases in the legal canon—is illegitimate in part because it is out of step with (you guessed it) *Schechter Poultry*. Never mind that the Supreme Court hasn't since relied on its 1935 attempt to scuttle the New Deal. Nonetheless, Judge Gorsuch wrote that in light of *Schechter Poultry*, "you might ask how is it that *Chevron*—a rule that invests agencies with pretty unfettered power to regulate a lot more than chicken—can evade the chopping block."

At his confirmation hearings, Judge Gorsuch hinted that he might vote to overturn *Chevron* without saying so directly, noting that the administrative state existed long before *Chevron* was decided in 1984. The implication is that little would change if courts stopped deferring to the E.P.A.'s or the Department of Labor's reading of a statute. Judges would interpret the law. Who could object to that?

But here's the thing: Judge Gorsuch is skeptical that Congress can use broadly written laws to delegate authority to agencies in the first place. That can mean only that at least portions of such statutes—the source of so many regulations that safeguard Americans' welfare—must be sent back to Congress, to redo or not.

On the current Supreme Court, only Justice Clarence Thomas seeks to strip power from the administrative state by undercutting *Chevron* and even reviving the obsolete and discredited nondelegation doctrine, as he explains in opinions approvingly cited by Judge Gorsuch. But President Trump may well appoint additional justices, and the other conservatives on the court have expressed some uneasiness with *Chevron*, though as yet they are not on board for overturning it. What would happen if agencies could not make rules for the financial industry and for consumer, environmental and workplace protection? Decades of experience in the United States and around the world teach that the administrative state is a necessary part of the modern market economy. With Judge Gorsuch on the Supreme Court, we will be one step closer to testing that premise.

Mr. SCHUMER. There are clearly principled reasons to oppose Judge Gorsuch, and enough of us Democrats have reasons to prevent his nomination from moving forward on Thursday's cloture vote.

The question is no longer whether Judge Gorsuch will get enough votes on the cloture motion; now the question is, Will the majority leader and our friends on the other side break the rules of the Senate to approve Judge Gorsuch on a majority vote? That question should be the focus of the debate here on the floor, and it should weigh heavily on the conscience of every Senator.

Ultimately, my Republican friends face a simple choice: They can fundamentally alter the rules and tradi-

tions of this great body or they can sit down with us Democrats and the President to come up with a mainstream nominee who can earn bipartisan support and pass the Senate.

No one is making our Republican colleagues change the rules. No one is forcing Senator MCCONNELL to change the rules. He is doing it of his own volition, just as he prevented Merrick Garland from getting a vote of his own volition. Senator MCCONNELL and my Republican colleagues are completely free actors in making a choice—a very bad one, in our opinion.

I know my friends on the other side of the aisle are uncomfortable with this choice, so they are scrambling for arguments to justify breaking the rules. Let me go through a few of these justifications and explain why each does not hold up.

First, many of my Republican colleagues will argue that they can break the rules because "Democrats started it in 2013" when we lowered the bar for lower court nominees and Cabinet appointments.

Let's talk about that. The reason Majority Leader Reid changed the rules was that Republicans had ramped up the use of the filibuster—the very filibuster they now decry—to historic proportions. They filibustered 79 nominees in the first 5 years of Obama's Presidency. Let's put that into perspective. Prior to President Obama, there were 68 filibusters on nominations under all of the other Presidents combined, from George Washington to George Bush. We had 79. Our colleagues and Leader MCCONNELL, the filibuster is wrong? There were 79—more than all of the other Presidents put together. The shoe was on a different foot.

They deliberately kept open three seats on the second most important court in the land—the D.C. Court of Appeals—because it had such influence over decisions made by the government. This is the court, other than the U.S. Supreme Court, that the Federalist Society and the Heritage Foundation hate the most. The deal that a number of Senators made in 2005 allowed several of the most conservative judges to be confirmed to that court—very conservative people. It left a bad taste in my mouth, and I am sure in my colleagues' and in many others.

But then, when President Obama came in, they insisted on not filling any additional seats on the court—which, of course, would have been Democratic seats—and eventually held open 3 of the 11 seats on that court. They said they would not allow those seats to be filled by President Obama—an eerie precedent, which the majority leader repeated with Merrick Garland. He didn't want the D.C. Circuit to have Obama-appointed, Democratic-appointed nominees; he didn't want that on the Supreme Court, so he blocked Merrick Garland. He didn't want it on

the D.C. Circuit, so they wouldn't let any of President Obama's nominees come to the floor.

Merrick Garland's nomination was not the first time the majority leader held open a judicial seat because it wasn't the President of his party, and that was not during an election year.

At the time, I spoke with my good friend from Tennessee, Senator ALEXANDER. I asked him to go to Senator MCCONNELL and tell him that the pressure on our side to change these rules—after all of these unprecedented numbers of filibusters—was going to be large. I said to Senator ALEXANDER: Let's try to avoid it. But Senator MCCONNELL and Republicans refused all of our overtures to break the deadlock they imposed.

To be clear, Democrats changed the rules after 1,776 days of obstruction on President Obama's nominees. My Republican friends are contemplating changing the rules after barely more than 70 days of President Trump's administration. We moved to change the rules after 79 cloture motions had to be filed. They are talking about changing the rules after 1 nominee fails to meet the 60-vote threshold.

So, yes, Democrats changed the rules in 2013, but only to surmount an unprecedented slowdown that was crippling the Federal judiciary, and we left the 60-vote threshold intact for the Supreme Court deliberately. We could have changed it. We had free will then, just as Senator MCCONNELL has it now. But we left the 60-vote threshold intact for the Supreme Court because we knew and know—just as our Republican friends know—that the highest Court in the land is different.

Unlike with lower courts, Justices on the Supreme Court don't simply apply precedents of a higher court; they set the precedents. They have the ultimate authority under our constitutional government to interpret the law. Justices on the Supreme Court should be mainstream enough to garner substantial bipartisan support; hence, why we didn't change the rules; hence, why we believe in the 60-vote threshold; and hence, why 55 or 60 percent of all Americans agree with the 60-vote threshold, according to the most recent polls. To me, and I think to most of my friends on the Republican side, that is not a good enough reason to escalate the argument and break the rules for the Supreme Court.

Second, as I have mentioned, I have heard my Republican friends complain that Democrats are conducting the first partisan filibuster of a Supreme Court nominee in history, so that is the reason they can justify breaking the rules because Democrats are the ones taking it to a new level. Again, I have just two words for my Republican friends: Merrick Garland. The Republican majority conducted the first partisan filibuster of a Supreme Court

pick when their members refused to have hearings for Merrick Garland.

In fact, what the Republicans did was worse than a filibuster. The fact is, the Republicans blocked Merrick Garland using the most unprecedented of maneuvers. Now we are likely to block Judge Gorsuch because we are insisting on a bar of 60 votes.

We think a 60-vote bar is far more in keeping with tradition than what the Republicans did to Merrick Garland. We don't think the two are equivalent. Nonetheless, in the history of the Scalia vacancy, both sides have lost. We didn't get Merrick Garland; they are not getting 60 votes on Judge Gorsuch.

So we are back to square one right now, and the Republicans have total freedom of choice in this situation.

Finally, Republicans have started to argue that because Democrats will not confirm Judge Gorsuch, we will not confirm anyone nominated by President Trump, so they have to break the rules right now. That is an easy one. I am the Democratic leader. I can tell you myself that there are mainstream Republican nominees who could earn adequate Democratic support.

And just look at recent history. Justices Roberts and Alito, two conservative judges who many of us on the Democratic side probably don't agree with, both earned over 60 votes. They got Democratic votes. While there was a cloture vote on Justice Alito, he was able to earn enough bipartisan support that cloture was invoked with over 70 votes. He got only 58 when we voted for him, but the key vote was the cloture vote.

Let's have the President consult Members of both parties—he didn't with Gorsuch—and try to come up with a consensus nominee who could meet a 60-vote threshold. That is what President Clinton did with my friend, the Senator from Utah, in selecting Justices Ginsberg and Breyer. It is what President Obama did with Merrick Garland.

Of course, we realize a nominee selected this way would not agree with many of our views. That is true. But President Trump was elected President, and he is entitled by the Constitution to nominate. But Judge Gorsuch is so far out of the mainstream that the Washington Post said his voting record would place him to the right of Justice Thomas. He was selected by the Heritage Foundation and the Federalist Society without an iota of input from the Senate.

There is a better way to do this. I know it sometimes may seem like a foreign concept in our hyperpolarized politics these days, but there is always the option of actually consulting Democrats on a nominee and discussing a way forward that both parties can live with. We are willing to meet anywhere, anytime.

So my friends on the other side can dredge up these old wounds and shopworn talking points if they choose. If Republicans want to conduct a partisan, "they started it" exercise, I am sure we could trace this all the way back to the Hamilton-Burr duel. But at the end of the day, they have to confront a simple choice: Are they willing to break the rules of the Senate or can they work with us on a way forward? I, for one, hope we can find a way to compromise. Judge Gorsuch was not a compromise. He was solely chosen without any consultation. So it is not that there is a Merrick equivalency.

My friend the majority leader said: "I think we can stipulate that in the Senate it takes 60 votes on controversial matters." If anything is a controversial, important matter, it is a selection for the Supreme Court, and Senator MCCONNELL has repeatedly stood for the rightness of 60 votes on important and controversial issues.

If Senator MCCONNELL wants to change his view on the 60 votes all of a sudden and Republicans decide to go along with him, it will not be because Democrats started it, because that is not true. It will not be because Democrats will not confirm any President Trump-nominated Justice, because that is not true. It will be because they choose to do so, and they will have to bear the unfortunate consequences.

Mr. President, I yield the floor.

Mr. DURBIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mrs. CAPITO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MINERS PROTECTION ACT

Mrs. CAPITO. Mr. President, I rise today, as I have on a number of occasions in the past, to express the urgent need for action to protect the retirement security of our Nation's coal miners. Because of bankruptcies that have decimated the coal industry, we have lost over 22,000 jobs in our State, but more than 22,000 retired coal miners and their spouses are at risk of losing their healthcare benefits at the end of April.

I have visited with retired miners from all across West Virginia to discuss this situation. During the February congressional recess, I visited the Cabin Creek Health Center in West Virginia. The Cabin Creek Health Center serves hundreds of coal miners and their families. They provide pulmonary rehabilitation services for miners suffering from black lung. They also provide primary care services for miners and other members of their community. During my visit, I met with several retired miners who would lose

their health insurance coverage if Congress fails to act. These individuals are suffering from serious medical conditions and were unsure how they would afford their healthcare if they were to lose their current coverage.

Just 2 weeks ago, I met with about a dozen retired miners from West Virginia who came to Washington to support the Miners Protection Act and to stand up for their hard-earned retirement benefits. Other groups of West Virginia miners have come to Washington over the past few months. All have carried one message to Congress: Keep the promise of our lifetime health benefits. On March 1, thousands of miners received notice that their health insurance would be terminated in 60 days. Most of these same people received that very same message just last October. As I listen to their stories, it is hard to imagine the worry these notices cause for miners and their families.

In December 2016, Congress included language in the continuing appropriations legislation that preserved health coverage for these retired miners for just 4 months. While that provision kept mining families from losing their health coverage—which is good—at the end of last year, a permanent solution is critically needed.

The 4-month provision from the December CR expires at the end of this month. It is vital—vital—that Congress take action within the next few weeks to provide healthcare and peace of mind for these miners in West Virginia and across coal country. Our retired miners deserve their promised healthcare coverage and should not have to receive another cancellation notice or another Band-Aid solution. We have a bipartisan vehicle for action. I have worked closely with Senator JOE MANCHIN, Senator ROB PORTMAN, and others to introduce and promote the bipartisan Miners Protection Act, which would preserve healthcare and pension benefits for our miners. Our bill passed the Senate Finance Committee last year by a bipartisan vote of 18 to 8. I also would like to thank the majority leader, Senator MITCH MCCONNELL, because he has introduced legislation that would provide a permanent healthcare solution for our miners.

With all of us pulling together and with us working together, I am confident the Senate will act before the end of this month to continue these critical healthcare benefits for our miners. I ask my colleagues for their support in addressing this important issue for our working families.

The PRESIDING OFFICER. The Senator from Texas.

NOMINATION OF NEIL GORSUCH

Mr. CORNYN. Mr. President, yesterday the Senate Judiciary Committee voted out the nomination of Judge Neil Gorsuch to fill the vacancy on the Su-

preme Court left by the death of Justice Scalia. During the meeting, as the Presiding Officer knows, our Democratic colleagues trotted out the same old tired arguments we have heard time and again about Judge Gorsuch.

In the end, though, none of those arguments hold water, and of course many of them aren't even about him. Instead, these arguments reveal how our colleagues across the aisle are grasping for reasons to justify an unprecedented partisan filibuster of a Supreme Court Justice.

Some object to the nomination of Judge Gorsuch because they claim he refuses to answer specific questions. But I ask: How would any of us feel if the judge before whom we might later appear had previously, in order to get a confirmation of his nomination, made certain promises of how he would judge that case when presented at a future date? We would all feel more than a little bit betrayed and even cheated if the judge had prejudged our case before he even heard it. The judge is simply engaging in a common practice for Supreme Court nominees. They steer clear of any questions that may pertain to cases they may have to rule on later. It is a matter, as the Presiding Officer knows, of judicial ethics, and we wouldn't have it any other way.

Justice Ruth Bader Ginsburg set this precedent early on. During her confirmation hearing in 1993, she said she didn't want to give any hints or previews about how she might vote on an issue before her. So she politely and respectfully declined. Others followed her example, and Judge Gorsuch is, of course, doing precisely the same.

By any fair review, Judge Gorsuch has a history of 10 years as a judge sitting on the Tenth Circuit Court of Appeals out of Denver, CO. He has a history of interpreting the law fairly, basing his judgments on the law and the facts, without regard to politics and without respect to persons.

That brings me to this argument that somehow he is against the little guy. Clearly, a review of the records demonstrates that this is not so. But, again, how are judges supposed to perform? Are they supposed to see the litigants—the parties to a lawsuit—in their court and say: Well, you have a big guy and you have a little guy, and I am always going to vote or render a judgment for the little guy without regard to the law or the facts?

I realize that sometimes our colleagues can weave a story that seems somewhat sympathetic when it comes to the fact that not everybody is guaranteed a win in court. As a matter of fact, when there are two parties to a lawsuit, one of those parties is likely to be disappointed in the outcome. But that is what judges are there for. That is what they are supposed to do. They are supposed to render judgments, without regard to personal preferences

or politics or without regard to their sympathies, let's say, for one of the parties to the lawsuit.

Judge Gorsuch even said this during his hearing: No one will capture me. No one will capture me—meaning that no special interest group or faction would derail him from following the law, wherever it may lead. That is why Judge Gorsuch is universally respected. That is why he was confirmed by voice vote 10 years ago to the Tenth Circuit Court of Appeals. No one objected to Judge Gorsuch's confirmation to a lifetime appointment on the Tenth Circuit Court of Appeals.

Again, as the Presiding Officer knows, the Supreme Court of the United States only hears about 80 cases, give or take, a year. Most of the hard work gets done in our judicial system at the district court level and at the circuit court level, and almost all of the cases end in circuit courts, like the Tenth Circuit Court of Appeals, on which Judge Gorsuch serves. That is not to say that the Supreme Court is not important—it is—in resolving conflicts between the circuits or ruling on important questions of law to guide all of the judiciary and to settle these issues for our country, at least for a time, and maybe even permanently when it comes to constitutional interpretation.

Judge Gorsuch enjoys broad support from across the political spectrum, especially from his colleagues and members of the bar.

For 13 years, I served on the State judiciary in Texas, with 6 years as a trial judge and 7 years as a member of the Texas Supreme Court. When I heard that Judge Gorsuch had participated in 2,700 cases on a three-judge panel and 97 percent of them were unanimous, that told me something special about this judge. It takes hard work to build consensus on a multijudge panel, whether it is three judges or nine judges, like the Supreme Court. I think what we are going to see out of this judge is not somebody who is going to decide cases in a knee-jerk fashion but somebody who is going to work really hard to try to build consensus on the Supreme Court of the United States.

That is really important to the Supreme Court's respect as an institution of our government. What causes disrespect for our judiciary is when judges act like politicians, when they make pledges of how they will decide cases ahead of time or they campaign, in essence, for votes based on ideological positions.

Judge Gorsuch is the opposite of that, and that is the kind of judge America needs right now in the Supreme Court. That is why later on this week, on Friday, Judge Gorsuch will be confirmed.

In spite of all the evidence in support of the nominee's intellect and qualifications, without regard to the bipartisan chorus urging his confirmation,

the Democratic leader has decided to do everything he can to prevent us from even having an up-or-down vote on his nomination. Unfortunately, he will be making history in urging his Democratic colleagues to engage in a partisan filibuster against a Supreme Court justice. In our Nation's long, rich history, there has never been a successful partisan filibuster of a Supreme Court nominee. Now, some people want to talk about Abe Fortas back in 1968, which was totally different. But there has never been a successful partisan filibuster of a Supreme Court justice until, apparently, this week on Thursday—not one of them.

Not one of my Republican colleagues mounted a filibuster when President Obama nominated Justice Sotomayor or Justice Kagan. Both received an up-or-down vote. That is because that has been the customary way this Chamber has treated Supreme Court nominees in the past. Only four times in our Nation's history has a cloture motion actually even been filed. But cloture was always achieved because, on a bipartisan basis, enough votes were cast to allow the debate to end and then to allow an up-or-down vote on the nominee.

To show how new this weaponization of the filibuster has become, back when Clarence Thomas was confirmed to the Supreme Court of the United States, he got 52 votes—52 votes—and was confirmed and now serves on the Supreme Court. Back when he was confirmed, no one even dreamed of its use. It was theoretically possible, but no one dreamed of the idea that someone would raise the threshold for confirmation from a 51-majority vote to 60.

Our colleagues have made it quite clear that they don't want to support any nominee from this President. So it is not even just about Judge Gorsuch. It is about any nominee this President might propose to the Supreme Court. And I think what it boils down to is this: Our Democratic colleagues haven't gotten over the fact that they lost the election. I think it really isn't much more complicated than that. They adamantly resisted participating in the legislative process. They dug their feet on every Cabinet nomination and now on the Supreme Court nomination. All they know is to obstruct because they haven't gotten over the fact that Hillary Clinton isn't President of the United States.

They keep bringing up Merrick Garland's name. Judge Garland is a fine man, a good judge who serves on the D.C. Circuit Court of Appeals, but you would have to go back to 1888 to find a time when someone was nominated in a Presidential election year with divided government and where that person was confirmed.

What we decided to do upon the death of Justice Scalia is to say that the Supreme Court is so important

that we are going to have a referendum on who gets to nominate the next Justice on the Supreme Court. Our Democratic friends thought for sure it would be Hillary Clinton. When it turned out to be Donald Trump, well, all bets were off, and they were in full opposition mode. But we would have respected the right of a President Hillary Clinton to fill that nomination because that is what we said was at stake in the election. I think it had a big impact on whom got elected on November 8 as President of the United States and who would fill that vacant seat and any future vacant seats on the Supreme Court.

So here is the problem. If Judge Gorsuch is an unacceptable nominee, can you imagine any nominee by this President being acceptable to our Democratic colleagues? I can't, because Judge Gorsuch is about as good as you get when it comes to a nominee. He is exactly the type of person we should hope to see nominated to the Supreme Court.

So it is time for our Democratic colleagues to accept reality and not to live in some sort of fantasy land and not to try to punish good people like Judge Gorsuch, who has done an outstanding job, because they are disappointed in the outcome of the election.

So here is the bottom line. Our Democratic friends will determine how we get to an up-or-down vote on Judge Gorsuch. If they are genuinely concerned about the institution of the Senate, they will provide eight votes to get cloture to close off debate, they will decline to filibuster the judge, and they will allow an up-and-down vote on this imminently qualified nominee.

I am holding out hope that more thoughtful and independent Democrats will think better of the Democratic leader's strategy. Several already have, and I commend them for it. I hope more will come around to that idea, but as I and others have said before, regardless of whether they do, Judge Gorsuch will be confirmed. But it is up to the Democrats to determine just how we get that done.

I see a friend from Vermont here. I won't take much longer. I want to take about 3 or 4 minutes, maybe 5 minutes, to debunk some of the myths about how we got here.

I have in front of me an article written by Neil Lewis dated May 1, 2001. The title of this New York Times story is "Washington Talk; Democrats Ready for Judicial Fight." It is dated May 1, 2001. That was, of course, in the early days of the George W. Bush administration. What it says is that 42 of the Senate's 50 Democrats attended a private retreat in Farmington, PA, where the principal topic was forging a unified party strategy to combat the White House on judicial nominees.

Mr. Lewis goes on to quote one of the people there who said: "They said it

was important for the Senate to change the ground rules" by which judicial nominees were confirmed. And they did as a result of that meeting, which was led by Laurence Tribe of Harvard Law School, Cass Sunstein of the University of Chicago, and Marcia Greenberger, codirector of the National Women's Law Center. Senator SCHUMER, the present Democratic leader, and others, cooked up a new procedural hurdle for President George W. Bush's judicial nominees, and we remember what happened after that. It became almost routine for our Democratic colleagues to filibuster President Bush's nominees.

Ultimately, there came a meeting of a group called the Gang of 14, where there was a deal worked out that some of President Bush's judicial nominees were confirmed and others were returned and not confirmed. There was a decision made at that time by the Gang of 14, a bipartisan group, that there would be no filibuster of judicial nominees, absent exceptional circumstances. That was the language that they used—"absent exceptional circumstances"—that let us get by that obstacle and those filibusters for a time.

The next major development occurred in 2013, when President Obama really wanted to see on the D.C. Circuit Court of Appeals—the primary circuit court that reviewed administrative decisions—more of his Democratic nominees on that court. So in a new and unprecedented fashion, Senator Harry Reid changed the cloture rules once again—so-called the Reid Rule. For what purpose? It was a naked power grab. It was to pack the D.C. Circuit Court of Appeals—one of the least busy circuit courts in the country—in order to have judges confirmed by 51 Democratic votes that would rubberstamp President Obama's administrative actions during his administration. And sadly, it worked. They did just that.

So in a way, we are coming full circle, back to what the tradition in the Senate was before the year 2000, before Democrats went to this retreat led by liberal legal activists who cooked up this idea that you could filibuster judges, and they tried to impose a requirement of 60 votes for confirmation when, in fact, the Constitution contemplates a majority vote, or 51 votes for confirmation.

Some have said this represents the end of comity in the Senate. I don't believe that. Some have said this threatens the end of the legislative filibuster or cloture requirement. I don't believe that either. There is a big difference between a nominee by a President that is an up-or-down vote—confirm or don't confirm. There is a big difference between that and legislation, which by definition is a consensus-building process by offering an amendment, by offering other suggestions to build that consensus and get it passed.

You can't amend a nominee. All you can do is vote up or down. So I don't believe restoring the status quo ante—going back before 2000 and restoring the 200-year-plus tradition of the Senate where you don't filibuster judges—I don't see that as a bad thing. I don't see it as the end of the legislative filibuster. It is completely apples and oranges.

It is true that 51 Senators will be able to close off debate and confirm Judge Gorsuch, and we will see that happen later this week. It also means that the next Democratic President can nominate a Supreme Court nominee, and that person will be confirmed by 51 votes. Again, this has been the 200-plus-year tradition of the Senate. I don't see that as the end of the Senate. I don't see this as somehow damaging our country—the restoration of the status quo before 2000, when our Democratic colleagues decided to weaponize the filibuster and use it to block judges based on this trumped-up idea that 60 votes would be required rather than 51.

I look forward to confirming Judge Gorsuch later this week. He is a fine man and a very good judge. He has exactly the sort of record we would want to serve on the Court. No, he is not a liberal activist. Clearly, Hillary Clinton, if she had been elected, would have nominated somebody different. That is one reason why we choose whom we choose for our President, because of the kinds of nominations they will make, and I must say President Trump has chosen well in Neil Gorsuch.

I yield the floor.

THE PRESIDING OFFICER (Mr. FLAKE). The Senator from Vermont.

Mr. SANDERS. Mr. President, I rise today to oppose the nomination of Judge Neil Gorsuch to the Supreme Court of the United States. After meeting with Judge Gorsuch and having a long and pleasant conversation, after hearing his testimony before the Judiciary Committee, and after carefully reviewing his record, I have concluded that I cannot support a man with his views for a lifetime seat on the Supreme Court.

The Supreme Court is the most important judicial body in this country. The decisions that it reaches, even on a 5-to-4 vote, have a profound impact on all Americans, on our environment, and on our way of life. As we decide this week as to how we are going to cast our votes regarding Judge Gorsuch, it is important to understand how that vote for Judge Gorsuch—for or against him—will impact the lives of the people of our country.

Let me give you just a few examples as to what is at stake. Seven years ago, in a 5-to-4 decision, the Supreme Court ruled in a case called *Citizens United*, and in that case, by a 5-to-4 decision, the Court said that billionaires and corporations could spend as much money as they wanted on the political

process. This decision, as all Americans know, opened the floodgates of corporate money, of money from the billionaire class, such that the wealthiest people in our country today can now elect candidates who represent their interests and not the interests of ordinary Americans.

That decision, *Citizens United*, is undermining American democracy, and in my view, it is moving us toward an oligarchic form of society in which a handful of the wealthiest people in this country—the Koch brothers and others—now have the power not only to control our economy but our political life as well. In my view, *Citizens United* must be overturned, and we must move back to a nation where our political system is based on one person, one vote, not on the ability of billionaires to buy elections.

Based on my conversation with Judge Gorsuch and a review of his record, do I believe that he will vote to overturn *Citizens United*? Absolutely not. Further, I suspect that he will vote to undermine our democracy even further by supporting the elimination of all restrictions on campaign finance, something which the Republican leadership in this body wants.

What the Republican leadership is striving toward is eliminating all campaign finance restrictions, such that billionaires can say to somebody: I am going to give you \$500 million to run for the U.S. Senate from California, and you work for me—no independent expenditures. I will select your campaign manager, your speech writer, your media adviser, your pollster. You are my employee.

That is what the Republican leadership here wants. They want to undermine all campaign finance laws, and I believe that Judge Gorsuch will move this country in that way, a more and more undemocratic way.

Further, when we talk about the political process, it is important to point out that in 2013, again by a 5-to-4 vote, the Supreme Court gutted the 1965 historic Voting Rights Act, a law which was passed to combat racial discrimination in voting in a number of States. What the Court said, finally, is that in the United States, you have the right to vote no matter what the color of your skin is, a historic step forward in making this country the kind of country that it must become.

Well, as a result of that 5-to-4 Supreme Court decision in 2013 gutting the Voting Rights Act, literally days after, we had Republican Governors and Republican legislatures all over this country, under the guise of fighting voter fraud, passing laws—everybody knows this—intentionally designed to make it harder for people of color, for poor people, for young people, for older people to vote in elections.

In America in the year 2017, it is not too much to ask that all of our people

who are eligible to vote be able to vote without harassment, without roadblocks, without barriers being placed in front of them.

I know it is a radical idea, but it is called democracy. It is called democracy. It says that if you are eligible to vote, we want you to vote. We want you to participate. It says that in America, where we have one of the lowest voter turnout rates of any major country on Earth, we want more people to be participating in the political process, not fewer people. There is nothing I have seen in Judge Gorsuch's record or in his recent statements to suggest to me that he is prepared to overturn this disastrous decision on the Voting Rights Act.

In 1973, we all know, the Supreme Court decided *Rowe v. Wade* and declared that women have a constitutional right to control their own bodies. That decision has been subsequently affirmed by multiple cases as recently as last June.

In his confirmation hearings, Judge Gorsuch refused to state if he believed *Roe v. Wade* was good law and should be upheld. Based on his statements and general philosophy, I believe there is a strong likelihood that Judge Gorsuch would vote to overturn *Roe v. Wade* and deny the women of this country the constitutional right to control their own bodies. This would be an outrage. I do not want to be a party to allowing that to happen.

In addition, under Chief Justice John Roberts, the Supreme Court has time and again voted in support of corporate interests and against the needs of the working people of our country. After reviewing Judge Gorsuch's record, I believe he will continue that trend.

In a case called *TransAm Trucking*, Judge Gorsuch argued that a trucker was properly fired by his employer for abandoning his cargo at the side of the road after his truck broke down and he nearly froze to death waiting for help. Judge Gorsuch literally believed that this man should have had to choose between his life and his job, and by choosing his life—not freezing to death—he deserved to lose his job.

In another case, Judge Gorsuch ruled that a university was correct to fire a professor battling cancer rather than grant her request to extend her sick leave. I find these decisions troubling.

At a time of massive income and wealth inequality, when so many working people throughout this country feel powerless at the hands of the wealthy and the powerful and their employers, we need a Supreme Court Justice who will protect workers' rights and not just worry about corporate profits. I fear very much that Judge Gorsuch is not that person.

I listened carefully to what my friend, Senator CORNYN of Texas, had to say about this entire process. I have to say that in his remarks there was a

whole lot of obfuscation because there is a simple reality that we are going to have to deal with in the Senate this week. Everybody knows, and Senator CORNYN made the point, that under Harry Reid, the former Democratic leader, the rules, in fact, were changed. They were changed because of an unprecedented level of Republican obstructionism, making it impossible for President Obama to get almost any of his nominees appointed.

Let's not forget that in the midst of that controversial decision—and it was a controversial decision—the Democratic leader had the power also to say that we will waive the 60-vote rule regarding Supreme Court nominees. Democrats had the power, and they chose not to exercise that power in ending that rule—although, of course, they could have done that. I think the reason was that the Democratic leadership appropriately and correctly believed that on an issue of such magnitude, the appointment of a Supreme Court Justice, it is important that there be bipartisan support. But right now, it appears that the Republican leadership is going to do what the Democratic leadership did not do; that is, waive that rule and get their judge appointed with 51 votes.

So I would suggest to the Republican leader that instead of trying to push this nominee through with 50-some-odd votes, it might make more sense that, rather than changing the rule, change the nominee, and bring forth someone who, in fact, can get 60 votes.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN AGENTS REGISTRATION MODERNIZATION AND ENFORCEMENT ACT

Mrs. SHAHEEN. Mr. President, last month I introduced bipartisan legislation with Senator TODD YOUNG of Indiana to create greater transparency about foreign individuals and organizations that are operating in the United States to advance the interests of foreign governments, including governments that are hostile to the United States.

In particular, our bill will give the Department of Justice new and necessary authority to investigate potential violations of the Foreign Agents Registration Act by RT America, the U.S. branch of RT News or Russia Today News.

The Foreign Agents Registration Act was passed back in the late 1930s in response to concerns about Nazi propaganda being disseminated in the United States without people knowing what it

was. It is absolutely appropriate today for us to take a look at what Russia and other countries may be doing to our news.

RT America, which broadcasts from studios here in Washington and is available on cable TV across the United States and across the world, for that matter, is one of the most high-profile assets in Vladimir Putin's vast \$1.4 billion propaganda machine. According to the U.S. intelligence community, the Kremlin selects the staff for RT and closely supervises RT's coverage, including disinformation and false news stories designed to undermine our democracy.

Here we have a photo that shows exactly what I believe seems to be happening with RT. This photo was taken from a declassified U.S. intelligence report, and it shows RT's editor-in-chief—and former Putin campaign staffer, by the way—Margarita Simonyan briefing Putin on RT's facilities. So clearly he is interested.

Well, I believe the American people have a right to know if a Russian Government entity is exploiting our first amendment freedoms to harm our country. It is galling that RT news has publicly—publicly—boasted that it can dodge our laws by claiming to be financed by a nonprofit organization and not the Russian Government.

Well, what my bill—our bill—would do is strengthen the Foreign Agents Registration Act by giving the Department of Justice authority to compel foreign organizations to produce documentation to confirm funding sources and foreign connections. This is investigative authority that has been recommended by the Department of Justice inspector general, the Government Accountability Office, and the Project on Government Oversight. Our bill would create transparency by giving Justice the authority it needs to investigate RT America and publicly expose its ties to the Kremlin.

The audacity of Russia's interference in Western democracies, including extensive meddling in our 2016 Presidential election, is deeply alarming, and we have learned that Russia's influence campaign reaches tens of millions of unsuspecting Americans. False news stories can end up on our Facebook timelines and our Twitter feeds. They shape the political conversations that we have with our friends at the supermarket and our colleagues at work.

These are just a few of the headlines from RT. This one is actually from Sputnik, which is another Russian news outlet. They show the extent to which these false news stories are being spread around. This one talks about how "1,000s Turkish forces surround NATO's Incirlik air base for 'inspection' amid rumors of coup attempt," which suggests that we were involved in that coup attempt.

"FBI wiretapped Trump Tower in search of 'Russian mobster.'"

"Spying on Trump: CIA Whistleblower Points Finger at Clapper, Brennan, Comey."

"Ukrainian Su-25 fighter detected in close approach to MH17 before crash." You will remember that this was the plane crash over Ukraine—that the Russians shot down.

During our Presidential campaign in 2016, dozens of narratives and false news stories originated in Russia—for instance, this one, the baseless story that the Obama administration launched a coup against the Turkish Government from the U.S. airbase in that country.

Earlier, RT News ran numerous reports on supposed U.S. election fraud and voting machine vulnerabilities, claiming that the results of the U.S. elections could not be trusted and did not reflect the people's will.

Well, researchers have traced these and other stories to a common source: the Kremlin's sophisticated, multi-faceted propaganda empire, which reaches some 600 million people across 130 countries and in 30 languages.

If you watch RT News, you will agree that it is not clear whether you are watching a U.S. news station or a Russian station because it has slick production values. It is arguably the jewel in the crown of this propaganda empire.

According to the U.S. intelligence community report declassified in January:

The Kremlin has committed significant resources to expanding the [RT News] reach, particularly its social media footprint. . . . RT America has positioned itself as a domestic US channel and has deliberately sought to obscure any legal ties to the Russian government.

A prime objective of this propaganda barrage is to influence U.S. and European public opinion, create confusion, and shape election outcomes.

The Associated Press has identified a building in Moscow where an estimated 400 internet trolls—fluent in English and well-versed in American politics—work 12-hour shifts, creating false narratives and fake news stories. These stories are then seeded on the internet, they get validated, and they get passed on by popular websites and eventually end up on our radios, TVs, and smartphone screens.

In an incident earlier this month, a discredited former CIA employee went on RT News to charge that President Obama had asked British intelligence to spy on Donald Trump. Well, this false news story was then spread by legal commentator Anthony Napolitano on the FOX News show "Fox and Friends," which is regularly watched by the President. The claims were then cited by President Trump and White House Press Secretary Sean Spicer to defend the President's claims that his

predecessor had wiretapped Trump Tower.

Well, we know that during testimony before Congress 2 weeks ago, the NSA Director, ADM Michael Rogers, agreed with our British allies that the original RT News story was utterly ridiculous.

At an Armed Services Committee hearing last month, Gen. Philip Breedlove, Retired, the former Supreme Allied Commander in Europe, told us that when Russian-backed forces shot down Malaysian Airlines Flight 17 over Ukraine in 2014, the Russians put out four stories within two news cycles placing the blame on the Ukrainian Government and others. This is the headline that we see from RT. The general said it took 2 years for the West to finally debunk these false news stories.

We know that Russia interfered in our 2016 Presidential election. We know that a Russian influence campaign was one aspect of that interference. Our intelligence community has concluded that RT America is an arm of the Russian propaganda juggernaut, operating openly in our country and taking full advantage of our First Amendment freedoms.

I am sure we would all agree that everyone in the United States, in every organization, has a right to speak, write, and broadcast freely. That is what our First Amendment says. We are a resilient democracy. We are confident that our values and institutions will prevail in the free marketplace of ideas. Our Constitution protects the right of individuals and organizations to spread those Russian viewpoints, disinformation, and even outright lies, but the American people have a right to know if RT America is a Russian propaganda organ that takes its direction from the Kremlin. They have a right to know who is funding their operations.

RT has publicly boasted that it uses a shell nonprofit corporation to dodge U.S. laws. This legislation, the Foreign Agents Registration Modernization and Enforcement Act, would put an end to that charade. The legislation Senator YOUNG and I recently introduced would give the Department of Justice the authority it needs to request documentation from RT News on funding sources and foreign connections.

As we see here, clearly the legislation has hit a nerve because Kremlin spokesman Dmitry Peskov defended RT News, and Russia's State Duma is considering measures to retaliate.

What RT says about our legislation is that "US senator wants to probe RT as a 'foreign agent' . . . What's next, public executions"? Well, that is ridiculous. The editor-in-chief at RT News has said that my legislation is a "persecution of dissenting voices." As I said, that is just nonsense. I welcome dissenting voices. That is what our First Amendment and the United

States are all about. But it is not reasonable or acceptable for an individual or organization working in the United States on behalf of a hostile foreign government to conceal funding and direction that it receives from that government.

Vladimir Putin is not going to stop us from enforcing our laws and protecting our country. We have a responsibility to expose RT News, RT America, and the entire panoply of tactics that Russia has used to interfere in our 2016 election and that they continue to currently use to sow confusion and distrust and spread around stories which pretend to be news but which are not accurate.

Make no mistake, the Kremlin's influence campaign is an ongoing enterprise, and to the extent that it is successful, that it can operate under the radar screen, it will become even more brazen and more aggressive in the future.

In testimony before the Senate Armed Services Committee last December, Dr. Robert Kagan of the Brookings Institution said that Russia's broader objective is to subvert Western democracies, and we see that going on now in Europe. He said: "For the United States to ignore this Russian tactic, and particularly now that it has been deployed against the United States, is to cede to Moscow a powerful tool of modern geopolitical warfare." That was a direct quote.

This is a profound test for our country. Our democracy has been attacked and continues to be under attack from this kind of news that is being put out by a Kremlin-funded organization which is a hostile foreign power. We need to understand the Kremlin's tactics, and we need to expose this propaganda here in the United States, including RT America. To that end, I urge my colleagues to support the Foreign Agents Registration Modernization and Enforcement Act. Let's give the Department of Justice the tools it needs to investigate and expose RT America.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

NOMINATION OF NEIL GORSUCH

Mr. DAINES. Mr. President, today I am joining my colleagues on the floor with a bit of confusion, a bit of disappointment, and, frankly, a lot of questions. I am referring to the confirmation of Neil Gorsuch as the next Supreme Court Justice.

As a Senator, one of the most consequential votes I will cast is a vote to confirm a U.S. Supreme Court nominee. It is a lifetime appointment to our Nation's highest Court.

I recently spoke with some students back in Montana, some FFA students. The average age 17, 18 years old. God willing, Neil Gorsuch may serve on the Court for 30 or more years. These FFA

students' children and perhaps even grandchildren will be part of Neil Gorsuch's time on the Court, given that he likely will serve for three decades or more.

As it stands today, the Senate is on the precipice of confirming Neil Gorsuch to be our next U.S. Supreme Court Associate Justice. However, as the news has been reporting, as our Twitter feeds are overflowing with information, it looks as though my colleagues on the other side of the aisle are caving to the pressures of the far left, and they are set to unleash an unprecedented filibuster.

I have met with Judge Gorsuch. I watched his confirmation hearings. What I have seen and what most Americans agree—Judge Neil Gorsuch has been incredibly transparent, he has been accessible, and he is the right man for the position. He is mainstream. He is a westerner. He is committed to judicial independence. He has a brilliant legal mind—that is without dispute. He is exceptionally qualified. In fact, the American Bar Association unanimously rated Judge Gorsuch as "well qualified." That is its highest rating.

He has met with nearly 80 Senators. Prior to his hearing, he provided the Judiciary Committee over 70 pages of written answers about his personal record. He provided 75,000-plus pages of documents, including speeches, case briefs, opinions, and written works going as far back as his college days. The White House archives produced over 180,000 pages of email and paper records related to Judge Gorsuch's time at the Department of Justice.

Judge Gorsuch sat for three rounds of questioning, totaling nearly 20 hours, in committee. As the American people watched Judge Gorsuch before that committee, they saw an exceptionally qualified nominee for the highest Court in the land, someone who was bright, who was kind. I would argue that Judge Gorsuch's mind, his intellectual capacity, is only exceeded by his heart. This is a kind and independent jurist.

When he came before the Judiciary Committee, this was the longest hearing of any 21st-century nominee. He answered nearly 1,200 questions during his hearing, which is nearly twice as many questions posed to Justices Sotomayor, Kagan, or Ginsburg. He was given 299 questions for the record by Democrats on the Senate Judiciary Committee—the most in recent history of any Supreme Court nominee. Judge Gorsuch did all of this with the utmost integrity and with transparency and humility. Yet here we are, with Democrats engaged in unprecedented obstruction, refusing to give Neil Gorsuch an up-or-down vote.

The Senate has only ever employed a cloture motion for a Supreme Court nominee four times in modern history. We voted on cloture when Justice Alito

was nominated in 2006. We did the same in 1968, 1971, and 1986. In 1991, Clarence Thomas was confirmed on a 52-to-48 vote, and in 2006, Samuel Alito was confirmed on a 58-to-42 vote. In fact, when President Obama was in the White House, Republicans did not filibuster a nominee. This body confirmed Sonya Sotomayor in 2009 by a vote of 68-to-31 and confirmed Justice Kagan by a rollcall vote of 63-to-37 in 2010. We did not filibuster.

Let me remind folks that cloture is in place to stop debate, not to stop a vote. Cloture was put in place to speed the Senate up, end debate, and move to a vote, not to stop a vote. It was never intended to be a stall tactic or something to obstruct this body.

This bears repeating. Cloture was put in place to speed up the process, to prevent obstruction.

This Chamber has never had a partisan filibuster to a Supreme Court nominee. Let me say that again. This Chamber has never had a partisan filibuster to a Supreme Court nominee.

So here we are today, with no other option but to invoke this so-called nuclear option to put an eminently qualified individual on the U.S. Supreme Court. Judge Gorsuch is the definition of a mainstream judge. In more than 2,700 cases in which he has participated in the Tenth Circuit, 97 percent of them have been decided unanimously; in fact, he was in the majority 99 percent of the time. Yet Senate Democrats would rather play politics and place the demands of extreme liberal interests over ensuring regular order.

Let's talk about what we are and what we are not doing. We are in the Senate, a Chamber I am honored to serve in, representing more than 1 million Montanans. We operate on a set of Parliamentary criteria based on things that have happened before. Therefore, we are going to establish a new precedent; we aren't changing the rules. This isn't happening for the first time. Let us remember that in November of 2013, Senate majority leader Harry Reid established a new precedent of how many votes are necessary on executive branch nominees, with the exclusion of Supreme Court picks.

What is even more shocking to me is that over the past few weeks, through the hearing process, through the debate and discussions about Judge Gorsuch on the floor, and with support from across my State of Montana—let me just name some of those organizations and people in support of Judge Gorsuch: the Montana Chamber of Commerce; four of Montana's Tribes—the CSKT, the Crow Tribe, Fort Belknap and Fort Peck; the Montana Farm Bureau, Judge Russell Fagg of the 13th judicial district, Judge Jeffrey Langton of the 21st judicial district, Judge John Larson of the 4th judicial district, State senator Nels Swandal, retired judge of the 6th Judicial Dis-

trict; the Montana NRA members; the Montana Grain Growers Association and the Montana Wool Growers Association; the Montana Stockgrowers Association; our attorney general in Montana, our auditor in Montana, our speaker of the Montana House. This is a very mainstream group of Montanans, leaders back home who are in support of Judge Gorsuch. Yet my colleagues are rejecting the will of the American people, rejecting the will of Montanans, filibustering this nomination, and not even allowing for an up-or-down vote.

The American people deserve a Supreme Court Justice who upholds the rule of law and will follow the Constitution. The American people deserve a Supreme Court Justice who doesn't legislate from the bench. The American people deserve Judge Neil Gorsuch to serve on the U.S. Supreme Court.

Thank you, Mr. President.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TESTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TESTER. Mr. President, I ask unanimous consent to be allowed to speak for up to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERNET PRIVACY RIGHTS

Mr. TESTER. Mr. President, I rise today with a warning about S.J. Res. 34. This measure undermines the privacy of all Montanans and all Americans. It is a measure I strongly oppose because it takes the refs off the field, leaving consumers at the whim of internet service providers. It allows these companies to sell our data—to sell my data—and to snoop through your search history and to track the sites we visit. In other words, it allows internet companies to make a profit by invading your privacy. It gives them the ability to collect and sell your physical location, information about your children, your health, finances, Social Security number, and web browsing history. In fact, this legislation even extends to apps and your social media accounts.

Following the vote that we had here on this floor, a Republican State senator from Buffalo, MT, proposed an amendment to our State budget to push back against this irresponsible resolution. In my home State of Montana, folks on both sides of the aisle are deeply concerned about their right to privacy. Now folks you don't even know can have access to the websites you visit, and they can have this access without your consent.

This is another troubling step that folks in Congress have taken this year

to violate the rights of privacy of law-abiding citizens. We already have a CIA Director who has advocated for the most intrusive acts of the PATRIOT Act. We have a Supreme Court nominee before us who supports the government's ability to reach into the private lives of law-abiding Americans. Now Congress is rolling out the red carpet for major corporations to collect and sell our personal online information.

Enough is enough. I am here today to provide a voice for all Montanans and all Americans who value their right to privacy, who expect their elected officials to defend civil liberties, to stand up for constitutional rights, and who do not want private information collected and shopped around like a used book on Amazon.

When the President decided to sign this resolution last night, he ushered in the latest significant threat to our right to privacy. Now it is the responsibility of service providers to protect our personal information online.

I think folks in Montana and across this country have the right to question the priorities of those who supported this resolution. Everyone has a fundamental right to privacy, and the government shouldn't be in the business of violating those individual rights, especially when doing the bidding of big companies looking to make more profits at the expense of people's privacy.

I want it to be known in this body that Montanans don't want anyone snooping around in their private lives, neither the government nor corporations. It is fundamental to our Montana values. Protecting online privacy is critical to the integrity of basic, fundamental freedom, of fundamental civil liberty. I urge all my colleagues to make their voices heard on this critical issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

(The remarks of Mr. BARRASSO pertaining to the introduction of S. 826 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BARRASSO. I yield the floor.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Duke nomination?

Mr. BARRASSO. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

The PRESIDING OFFICER (Mr. CRUZ). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 85, nays 14, as follows:

(Rollcall Vote No. 103 Ex.)

YEAS—85

Alexander	Flake	Perdue
Baldwin	Franken	Peters
Barrasso	Gardner	Portman
Bennet	Graham	Reed
Blunt	Grassley	Risch
Boozman	Hassan	Roberts
Brown	Hatch	Rounds
Burr	Heitkamp	Rubio
Cantwell	Heller	Sasse
Capito	Hirono	Schatz
Cardin	Hoeven	Schumer
Carper	Inhofe	Scott
Casey	Johnson	Shaheen
Cassidy	Kaine	Shelby
Cochran	Kennedy	Stabenow
Collins	King	Strange
Coons	Klobuchar	Sullivan
Corker	Lankford	Tester
Cornyn	Leahy	Thune
Cotton	Lee	Tillis
Crapo	Manchin	Toomey
Cruz	McCain	Van Hollen
Daines	McCaskill	Warner
Donnelly	McConnell	Whitehouse
Durbin	Moran	Wicker
Enzi	Murkowski	Wyden
Ernst	Murray	Young
Feinstein	Nelson	
Fischer	Paul	

NAYS—14

Blumenthal	Harris	Murphy
Booker	Heinrich	Sanders
Cortez Masto	Markey	Udall
Duckworth	Menendez	Warren
Gillibrand	Merkley	

NOT VOTING—1

Isakson

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:33 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

The PRESIDING OFFICER. The majority leader.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

MOTION TO PROCEED TO EXECUTIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Executive Calendar No. 33, the nomination of Neil Gorsuch to be Associate Justice of the Supreme Court of the United States, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 44, as follows:

(Rollcall Vote No. 104 Leg.)

YEAS—55

Alexander	Fischer	Paul
Barrasso	Flake	Perdue
Bennet	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heitkamp	Rubio
Cassidy	Heller	Sasse
Cochran	Hoeven	Scott
Collins	Inhofe	Shelby
Corker	Johnson	Strange
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	Manchin	Toomey
Daines	McCain	Wicker
Donnelly	McConnell	Young
Enzi	Moran	
Ernst	Murkowski	

NAYS—44

Baldwin	Harris	Peters
Blumenthal	Hassan	Reed
Booker	Heinrich	Sanders
Brown	Hirono	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Coons	Markey	Udall
Cortez Masto	McCaskill	Van Hollen
Duckworth	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Murphy	Whitehouse
Franken	Murray	Wyden
Gillibrand	Nelson	

NOT VOTING—1

Isakson

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Neil M. Gorsuch, of Colorado, to be an Associate Justice of the Supreme Court of the United States.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, before I start, I ask unanimous consent that the debate time on the nomination of Judge Gorsuch during Tuesday's session of the Senate be divided as follows: the time until 3:30 p.m. be under the control of the chairman of the Judiciary Committee; the time from 3:30 p.m. until 4:30 p.m. be under the control of the minority; the time from 4:30 p.m. until 5:30 p.m. be under the control of the majority; the time from 5:30 p.m. until 6:30 p.m. be under

the control of the minority; and finally, that the time from 6:30 p.m. until 6:45 p.m. be under the control of the majority.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, today we will continue to debate the nomination of Judge Neil M. Gorsuch to serve as Associate Justice of the Supreme Court of the United States.

The Judiciary Committee held four full days of hearings last month. The judge testified for more than 20 hours. He answered more than 1,000 questions during his testimony and hundreds more questions for the record. We have had the opportunity to review the 2,700 cases he has heard, and we have had the opportunity to review the more than 180,000 pages of documents produced by the Bush Library and the Department of Justice. Now, after all of this, my Democratic colleagues unfortunately appear to remain committed to what they have been talking about for a long period of time: filibustering the nomination of this very well qualified jurist.

Even after all of this process, there is no attack against the judge that sticks. In fact, it has been clear since before the judge was nominated that some Members in the Democratic leadership would search desperately for a reason to oppose him.

As the minority leader said before the nomination: "It's hard for me to imagine a nominee that Donald Trump would choose that would get Republican support that we could support." That is the end of the quote from the minority leader.

He said later, and I will continue to quote him: "If the nominee is out of the mainstream, we'll do our best to hold the seat open."

Then the President nominated Judge Gorsuch. This judge is eminently qualified to fill Justice Scalia's seat on the Supreme Court, and there is no denying that whatsoever.

Let me tell you some things about him. He is a graduate of Columbia University and Harvard Law School. He earned a doctorate in philosophy from Oxford University and served as a law clerk for two Supreme Court Justices.

During a decade in private practice, he earned a reputation as a distinguished trial and appellate lawyer. He served with distinction in the Department of Justice. He was confirmed to the Tenth Circuit Court of Appeals by a unanimous voice vote in this body.

The record he has built during his decade on the bench has earned him the universal respect of his colleagues both on the bench and the bar. This judge is eminently qualified to do what the President appointed him to do.

Faced with an unquestionably qualified nominee, my friends on the other side of the aisle, my Democratic colleagues, have continually moved the

goalpost, setting test after test for this judge to meet. But do you know what? This judge has passed all of those tests, all with flying colors, so the people on the other side of the aisle—the Democrats in the minority—are left with a “no” vote in search of a reason.

Let's go through some of their arguments. First, the minority leader announced that the nominee must prove himself to be a mainstream judge. Is he a mainstream judge or not? Well, consider his record: Judge Gorsuch has heard 2,700 cases and written 240 published opinions. He has voted with the majority in 99 percent of the cases, and 97 percent of the cases he has heard have been decided unanimously. Only one of those 2,700 cases was ever reversed by the Supreme Court, and it happens that Judge Gorsuch did not write the opinion.

Then consider what others say about him. He has been endorsed by prominent Democratic members of the Supreme Court bar, including Neal Katyal, President Obama's Acting Solicitor General. This Acting Solicitor General wrote a New York Times op-ed entitled “Why Liberals Should Back Neil Gorsuch.” Mr. Katyal wrote: “I have no doubt that if confirmed, Judge Gorsuch would help to restore confidence in the rule of law.”

He went on to write that the judge's record “should give the American people confidence that he will not compromise principle to favor the President who appointed him.”

Likewise, another well-known person, David Frederick, a board member of the liberal American Constitution Society, says we should “applaud such independence of mind and spirit in Supreme Court nominees.”

So after hearing what people on both the right and the left have said about the judge, it is clear that he is “mainstream,” but the goalpost seems to move. Next we hear that the judge doesn't care about the “little guy” and, instead, rules for the “big guy.”

First of all, that is a goofy argument. Just ask liberal law professor Noah Feldman. If you ask Professor Feldman, he says this criticism is a “truly terrible idea” because “the rule of law isn't liberal or conservative—and it shouldn't be.”

The strategy on this point became clear during our hearing: Pore through 2,700 cases, cherry-pick a couple where sympathetic plaintiffs were on the losing end of the legal argument, then find a reason to attack the judge for that result, and then, because of that case or two, label him “against” the little guy. As silly as that argument is, the judge himself laid waste to that argument during the hearing when he rattled off a number of cases where the so-called little guy came out on the winning end of the legal argument of a case.

At any rate, as we discussed at length during his hearings, the judge

applies the law neutrally to every party before him, and that is what you expect of judges.

I disagree with some of my colleagues who have argued that judging is not just a matter of applying neutral principles. I think that view is inconsistent with the role our judges play in our system and, more importantly, with regard to the oath they take. That oath requires them to do “equal right to the poor and the rich” and to apply the law “without respect to persons.” Naturally, this is what it means to live under the rule of law, and this is what our nominee has done during his decade on the bench of the Tenth Circuit Court of Appeals. So the judge applies the law “without respect to persons,” as he promised in his first oath he would, and he will repeat the oath when he goes on the Supreme Court.

Then, of course, as they move these goalposts, the judge has been criticized for the work he did on behalf of his former client, the U.S. Government, when he was at the Justice Department.

Of course, we have had a lot of nominees over many years who have worked as lawyers in the government. Most recently, Justice Kagan worked as Solicitor General. As we all know, she argued before the Supreme Court that the government could constitutionally ban pamphlet material. That is a fairly radical position for the U.S. Government to take. When asked about that argument during her hearing, she said that she was a government lawyer making an argument on behalf of her client, the U.S. Government, and it had nothing to do with her personal views on the subject. Now, there is a whole different standard for some people of this body. That answer is apparently no longer good enough. To hear the other side tell it, government lawyers are responsible for the positions their client, the U.S. Government, takes and the positions they have to argue. I respect my colleagues who are making this argument, but this argument does not hold water.

What, then, are my colleagues on the other side left with after moving these goalposts many times, after making all of these arguments that don't stick? What are they left with? Because they can't get any of their attacks on the judge to stick, all they are left with are complaints about the so-called dark money being spent by advocacy groups. Yes, that is where the goalpost took them—to dark money.

As I said yesterday, that speaks volumes about the nominee, that after reviewing 2,700 cases, roughly 180,000 pages of documents from the Department of Justice and the George W. Bush Library, thousands of pages of briefs, and over 20 hours of testimony before our committee and hundreds of questions both during and after the

hearing, all his detractors are left with is an attack on the nominee's supporters—people out there whom the nominee probably doesn't even know. They raise money to tell people about him, which they have a constitutional right to do under the First Amendment freedom of speech.

The bottom line is that they don't have any substantive attacks on this nominee that will stick, so they shifted tactics, yet again moving the goalpost, and are now trying to intimidate and silence those who are speaking out and making their voices heard in regard to this nominee.

Here is the most interesting thing about this latest development: There are advocacy groups on every side of this nomination. There are people out there for him, raising money and spending the money for him, and there are people out there against him who are raising and spending money so people know why they disagree with this nominee. Of course, that is nothing new. That has been true of past nominations, and there is nothing wrong with citizens engaging in the First Amendment freedom of speech and in the process of being for or against and encouraging public debate on whether a person ought to be on the Supreme Court. It was certainly true when liberal groups favoring the Garland nomination poured money into Iowa to attack me last year for not holding a hearing. For that reason, I didn't hear a lot of my Democratic colleagues complain about that money that could well be called dark money as well.

There are groups on the left who are running ads in opposition to this nominee and threatening primaries. They are actually threatening primaries against Democrats who might not tow the line and might not help filibuster this nomination. For some reason, I am not hearing a lot of complaints about the money that is being raised to make some Democrats who might support this nominee look bad.

As I have said, there is nothing wrong with citizens engaging in the process and making their voices heard. This is one of the ways we are free to speak our minds in a democracy. It has been true for a long, long time.

As I said yesterday in the committee meeting, if you don't like outside groups getting involved, the remedy is not to intimidate and try to silence that message; the remedy you ought to follow is to support nominees who apply the law as it is written and then, in turn, leave the legislating to a body elected to make laws under our Constitution—the Senate and the House of Representatives.

Regardless of what you may think about advocacy groups, about their getting involved, there is certainly no reason that they should go to great lengths to talk about this in our committee or talk about it to the nominee because he can't control any of that.

The truth is, the Democrats have no principled reason to oppose this nomination, and those are words from David Frederick that I have quoted before. It is clear instead that much of the opposition to the nominee is pretextual. The merits and qualifications of the nominee apparently no longer matter.

The only conclusion we are left to draw is that the Democrats will refuse to confirm any nominee this Republican President may put forth. There is no reason to think the Democrats would confirm any other judge the President identified as a potential nominee or any judge he would nominate. In fact, we don't even need to speculate on that point because the minority leader has spoken that point and made his point very clear. Before the President made this nomination, he said: "I can't imagine us supporting anyone from his list." So it was very clear from the very beginning that the minority leader was going to lead this unprecedented filibuster. The only question was what excuse he would manufacture to justify it. The nominee enjoys broad bipartisan support from those who know him, and he enjoys bipartisan support in the Senate.

I recognize that the minority leader is under very enormous pressure from special interest groups to take this abnormal step of filibustering a judge, because filibustering the Senate is not unusual but filibustering a Supreme Court Justice is very unusual. I know other Members of his caucus are operating under those very same pressures as well. In fact, yesterday, while the committee was debating the nomination, a whole host of liberal and progressive groups held a press conference outside of the Democratic Senatorial Campaign Committee, demanding that the campaign arm cut off campaign funds for any incumbent Democrat who doesn't filibuster this nominee. Those groups argue that because the Democratic Senatorial Campaign Committee had already raised a lot of money off the minority leader's announcement that he was going to lead a filibuster, the committee shouldn't provide that money to any Member who refused to join this misguided effort.

Well, all I can say is that it would be truly unfortunate for Democrats to buckle to that pressure and engage in the first partisan filibuster of a Supreme Court Justice nominee in U.S. history—another way to say that is, the first partisan filibuster in the 228-year history of our country since 1789. If they regard this nominee as the first in our history worthy of a partisan filibuster, it is clear they would filibuster anyone.

I have stated since long before the election that the new President would nominate the next Justice and the Judiciary Committee would process that nomination. That is just what we have done through the committee, and now

we are doing it on the floor. So I urge my colleagues not to engage in this unprecedented partisan demonstration. Everyone knows the nominee is a qualified, mainstream, independent judge of the very highest caliber. Republicans know it, Democrats know it, and the left-leaning editorial boards across the country prove that even the press knows it. I urge my colleagues on the other side to come to their senses and not engage in the first partisan filibuster in U.S. history and instead join me and vote in favor of Judge Gorsuch's confirmation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Thank you, Mr. President, for the opportunity to come to the floor today in support of Judge Neil Gorsuch's confirmation to the Supreme Court. As a Coloradan, it gives me great honor to be here to talk about his nomination, the exceptional qualities of Judge Gorsuch, and how he will make us proud from the bench of the U.S. Supreme Court.

I also commend my colleague, Chairman CHUCK GRASSLEY, for his work on the Judiciary Committee presiding over a very fair series of hearings, giving members on both sides of the aisle time to learn about Judge Gorsuch, to question Judge Gorsuch, and the time to present their side of the argument depending on whatever side that was going to be. Because of the fairness of the hearings, because of the fairness with which Chairman GRASSLEY executed the hearings, it is quite obvious that this Chamber is faced with a very exceptional judge, a very exceptional nominee, and a nominee there is really no excuse to vote against.

Neil Gorsuch really is about the story of the West. He is a fourth-generation Coloradan. It is nice to stand here and talk about somebody who shares so much of our western experience and western heritage and somebody who serves on the Tenth Circuit Court in Denver—a circuit court that represents 20 percent of the land mass of the United States.

Neil Gorsuch's background and upbringing in Colorado represent the hard work of westerners. His maternal grandfather, Dr. Joseph McGill, began his adult life by working in Union Station, the main railway terminal in downtown Denver. Dr. McGill put himself through medical school and went on to become a prominent surgeon. His grandmother, Dorothy Jean, raised seven children, all of whom he gave a better life and put through college because of his work in Colorado.

Neil's paternal grandfather, John Gorsuch, was his legal inspiration. After serving in World War I, John Gorsuch put himself through undergrad and law school at the University of Denver by driving a trolley car back in the trolley car days of Denver. John,

his grandfather, helped to build a private law practice that focused on real estate law. He made time to help Denver's welfare department and participated in Kiwanis and numerous other civic organizations, building a legendary law firm in Denver known as Gorsuch Kirgis.

This is the kind of upbringing that made Neil Gorsuch who he is. In his younger days, Neil moved furniture, shoveled snow, like so many of us in Colorado, mowed lawns. It was the kind of upbringing that brings grit and determination to any person who knows hard work. It is that work ethic, combined with his family's appreciation of higher education, that helped Neil consistently realize academic excellence. It has been debated on this floor numerous times, his academic credentials that he would bring to the Supreme Court—his background and education at Columbia, law school at Harvard, his Ph.D. at Oxford, and of course, most importantly, the summer he spent at the University of Colorado and the teaching he carries out at the University of Colorado School of Law.

This week, we are going to see a lot of finger-pointing and hear a lot of accusations. We are going to hear a lot of blame. The one thing we may not hear too much about is the person we are debating—Neil Gorsuch. That is because when it comes to Judge Gorsuch, people understand the highly qualified judge that he is. People understand the incredible legal mind he would bring to the Supreme Court. Instead of debating the merits of the nominee, they are going to debate how we got to the place we are today, and by the end of this week, architects of obstruction may force this Chamber to vote along partisan lines on something that should be a bipartisan effort.

In Colorado, if you go to downtown Denver, you will see an area known as Confluence Park. Confluence Park is a great place in Colorado where people go to spend an afternoon and perhaps a weekend on a hot summer's day. It is where two rivers join together. There at Confluence Park, Colorado's poet laureate, Thomas Hornsby Ferril, has a poem inscribed on a plaque, which reads:

I wasn't here. Yet I remember them, the first night long ago, those wagon people who pushed aside enough of the cottonwoods to build our city where the blueness rested.

It is a poem that reminds us in Colorado that we are always looking up, that we are always looking toward the mountains and to that great blue sky. That is what Neil Gorsuch has done his entire life. He is somebody who is forward-thinking, somebody who understands the optimistic sense of Colorado, who understands the majesty of our West, and who understands the majesty of our form of government—a system that has three separate but equal branches of power. He has led a

life that is dedicated to the majesty of our Constitution. He is somebody who understands the pillars of our government in that no one branch of government should gain an unfair advantage over the other. That is what we ought to be debating this week. Instead, we are going to live the consequences of decisions that were made over a decade ago.

It is interesting that Judge Gorsuch serves on the Tenth Circuit Court because one of his fellow judges on the Tenth Circuit Court was nominated by President George Bush in the early part of 2001, 2002, 2003. It was Tim Tymkovich who was nominated by President Bush and who was caught up in the very first round of filibusters that changed the way this Chamber worked on nominations.

It was a calculated determination by some in this Chamber to use a tool that had never been used before in such a lethal, partisan fashion that it would bring down judges and ultimately lead to a corrosion of Senate custom—a corrosion of over 200 years of Senate practice—when it comes to judges' confirmations. Ultimately, this week, we will see whether it leads to the disruption of how we confirm Supreme Court Justices.

Make no mistake about it, over the past 200 years, we have not seen this moment before—a successful partisan filibuster of a Supreme Court Justice. People are going to talk about this around the country as they read the news, as they listen to the radio, as they watch on TV what is happening in the Senate. Most will just wonder, is the nominee qualified? If the nominee is qualified, then why are we trying to have an argument about “he said, she said” 15 years ago, 16 years ago? Because the nominee is well qualified, he should be confirmed. Why are we going to change 200 years of Senate practice and custom if the nominee is highly qualified, has what it takes to serve on the Supreme Court? That is the choice Members of this Chamber will have to make over the next several days as we work to confirm Judge Gorsuch.

In 2006 when Judge Gorsuch was confirmed to serve on the Tenth Circuit Court in Denver, this Chamber did so unanimously by voice vote. There are a dozen Members in this Chamber who served then and did not oppose his nomination, many of whom seem willing today to block his nomination to the Supreme Court.

One thing has changed in the intervening years; that is, who serves in the Presidency, who serves in the White House, who serves as President, and whether that nomination came from a Republican or a Democrat. The nomination, of course, in 2006 came from a Republican. Still, he was confirmed unanimously. Judge Gorsuch, now nominated to serve on the Supreme Court, was appointed by a Republican.

Yet those very same people who supported him 11 years ago are now objecting to his service on the High Court after his exemplary decade of service on the Tenth Circuit Court.

It was service that showed Judge Gorsuch's joining in over 2,700 opinions, and with the majority the vast number of times. It was service in which he got to know the Colorado legal community. As we have discussed over the past several days and several weeks and the past month, the people who know Judge Gorsuch the best are the people who served with him and who worked with him at the Department of Justice, who practiced law with him, and who serve in the Colorado legal community. I thought it was important that we spend some time in talking about the people who know Judge Gorsuch the best because I think their opinions matter in this—those of the people of Colorado who want Judge Gorsuch confirmed.

Let me start with a series of quotes from Judge Gorsuch's supporters back home in Colorado—again, those people who know him the best.

This particular quote comes not from a Republican, not from a conservative; this quote comes from Steve Farber, who served in 2008 as the Democratic National Convention cochair. Again, he is not a conservative and he is not a Republican; he was the cochair of the 2008 Democratic National Convention.

We know Judge Gorsuch to be a person of utmost character. He is fair, decent, and honest, both as a judge and a person.

Steve Farber continues:

We all agree that Judge Gorsuch is exceptionally well qualified to join the Supreme Court. He deserves an up-or-down vote.

This is not MITCH MCCONNELL who is saying this. It is not CORY GARDNER, Republican Senator from Colorado, who is saying this. This is a very prominent figure in Colorado's legal community and somebody who served in the 2008 Democratic National Convention.

One of those 12 people who supported Judge Gorsuch in 2006 was then-Senator Barack Obama, who was seeking the nomination at Mile High Stadium, at this very convention of which Steve Farber was cochair. Steve Farber says we should confirm Judge Gorsuch with an up-or-down vote.

Norm Brownstein said that Judge Gorsuch deserves a fair shake in the confirmation process. He is another very prominent Democratic lawyer in Denver.

We have heard a lot of people talk about the cases—those 2,700 opinions—that he was a part of. We have heard Senator GRASSLEY talk about arguments against Judge Gorsuch, people who have said that Judge Gorsuch was always against the little guy and that he was siding with corporations.

Here is a quote from a Denver lawyer and Democrat on representing underdogs before Judge Gorsuch:

[Judge Gorsuch] issued a decision that, most certainly, focused on the little guy.

Why did Marcy Glenn say this? Marcy Glenn said this because she knows that Judge Gorsuch voted with the majority of the court in 99 percent of the cases. In those 2,700 opinions, 99 percent of the time, Judge Gorsuch ruled with the majority. That is not trying to look out for the big guy or the little guy. That is about following the law. That is about a court that recognizes it is not in the business of focus groups or policy preferences, popularity contests or poll testing. It is about a judge who recognizes that the rule of law matters and that you take an opinion where the law leads you and takes you, not where your personal opinion takes you. It was 99 percent of the time that Judge Gorsuch voted to side with the majority on the court, and 97 percent of the time, those rulings were unanimous. Those decisions were unanimous. Of those 99 percent in which he sided with the majority, 97 percent of them were unanimously decided.

This is a judge who is as mainstream as we have seen. He is somebody who understands the obligation and the duty he has to the law. He is somebody who understands what it means to be a good judge.

I want to read a letter Senator BENNET and I received from the Colorado legal community:

As members of the Colorado legal community, we are proud to support the nomination of Judge Neil Gorsuch to be our next Supreme Court Justice. We hold a diverse set of political views as Republicans, Democrats, and Independents.

That is bipartisan support back home from those people who know the judge the best.

What does Neil Gorsuch think it takes to be a good and faithful judge? I will just read from Judge Gorsuch:

It seems to me that the separation of legislative and judicial powers isn't just a formality dictated by the Constitution. Neither is it just about ensuring that two institutions, with basically identical functions, are balanced one against the other. To the Founders, the legislative and judicial powers were distinct by nature, and their separation was among the most important liberty-protecting devices of the constitutional design—an independent right of people essential to the preservation of all of the rights later enumerated in the Constitution and its amendments.

Now, consider, if we allow the judge to act like a legislator, unconstrained by the bicameralism and presentment hurdles of Article I, the judge would need only his own voice or those of just a few colleagues to revise the law, willy-nilly, in accordance with his preferences, and the task of legislating would become a relatively simple thing.

Notice too how hard it would be to revise this so easily made judicial legislation to account for changes in the world or to fix mistakes. Being unable to throw judges out of office in regular elections, you would have to wait for them to die before you would have any chance of change. Even then, you would

find the change difficult, for courts cannot so easily undo the errors given the weight that they afford to precedent.

Notice, finally, how little voice the people would be left in a government in which life-appointed judges are free to legislate alongside elected representatives. The very idea of self-government would seem to wither to the point of pointlessness. Indeed, it seems that, for reasons just like these, Hamilton explained, that liberty can have nothing to fear from the judiciary alone but that it has everything to fear from the union of the judicial and legislative powers.

That is what Judge Gorsuch said makes a good and faithful judge.

Over the course of the next week or over the course of the next several days, we are going to flesh out in detail some of the decisions people may find they disagree with. We will flesh out in detail Judge Gorsuch's temperament and his performance at the committee hearings. Yet there is no doubt that Judge Gorsuch has the support of the American people, who believe he should be confirmed. There is no doubt that Judge Gorsuch has the support of people who cochaired the Democratic National Convention and of prominent attorneys who know him best from Colorado. There is no doubt that his is an upbringing from the West. It is the story of how we built the West.

I hope that over the course of the next few days, Republicans and Democrats alike will come to the conclusion that we will do this country a service. Instead of having partisan fights, we will have the bipartisanship support for a judge who will truly make this country proud, a judge who will truly represent the law, not personal opinion.

I thank the Presiding Officer for this opportunity today. I look forward to being here for the rest of the week as we talk about Judge Gorsuch's qualifications and as we talk about the nomination.

More than anything, let's make it clear that for 200-plus years, we have allowed judges to come to this floor for the Supreme Court and to be confirmed by a simple majority—no threshold, no 60-vote requirement. We have done so without partisan filibusters. I think that if we can maintain that custom, that practice, this country will be better served. There is no reason to change two centuries of practice in this body simply because they have decided they do not like the person who made the nomination.

I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). Under the previous order, the time until 4:30 p.m. will be controlled by the Democrats.

The Senator from Hawaii.

Ms. HIRONO. Mr. President, over the next hour, a number of my colleagues and I will join together to speak in opposition to the nomination of Judge Neil Gorsuch to be an Associate Justice of the U.S. Supreme Court. We are joining together today because this

nomination is not just about the future of the Supreme Court. It is about the future of our country.

There is no question about Judge Gorsuch's credentials or about his intellect. He is a graduate of Columbia and Harvard and has been a judge on the Tenth Circuit Court for more than a decade. In fact, his credentials are in stark contrast to so many of the dangerously unqualified individuals President Trump appointed to his Cabinet.

Judge Gorsuch should not get a pass simply because we are relieved that President Trump didn't nominate a member of his family or a reality television personality for this job. Credentials cannot and should not be the only points we consider when evaluating a lifetime appointment to the Supreme Court. In fact, we should expect that anyone nominated to the Supreme Court will at least have impressive credentials.

By many accounts, Judge Gorsuch would be the most conservative Justice on the Court—even more conservative than Justice Thomas or Justice Scalia. Rightwing advocacy groups cheered his nomination and have spent over \$10 million to support his nomination. They spent this money because they have high confidence that he will rule in their favor on so many of the tough cases that will come before the Supreme Court. These groups, including the Heritage Foundation and the Federalist Society, selected Judge Gorsuch because he meets their litmus test for how they think a Justice should rule. They selected him because they understood Judge Gorsuch clearly met the litmus test the President outlined during his campaign.

To paraphrase, Donald Trump wanted a judge who would prioritize the religious freedom of a corporation over the rights of its employees, uphold an expansive view of the Second Amendment, making it much tougher to enact sensible gun legislation to protect our communities, and who would overturn *Roe v. Wade*—as Donald Trump put it—automatically.

Judge Gorsuch's credentials are just a starting point. For the people who need justice most urgently, Judge Gorsuch's view of the law and his judicial philosophy will make a world of difference. The working families, women, differently abled, people of color, the LGBTQ community, immigrants, students, seniors, and our Native peoples are the people who will be impacted by the decisions a Justice Gorsuch would make.

Today, April 4, is Equal Pay Day, which means that it took women until today to make the same amount that men made in 2016. Women have had to work more than 3 months longer to catch up, on average, to men.

This significant pay disparity has existed for centuries, but it has been illegal in the United States since the pas-

sage of the Equal Pay Act in 1963. Proving illegal pay disparity under this law has been challenging, as we all know.

Nationally, women are paid only 79 cents for every dollar a man is paid. In Hawaii, women are paid only 82 cents for every dollar a man makes. That is a little better than the rest of the country, but it is in no way good enough.

At the median salary, that 82 cents translates into about \$8,000 less per year in wages for a woman in Hawaii. That is a lot of money in my State, where the high cost of living makes it even more difficult for working families to get ahead—not to mention that many working families in Hawaii, as well as in other States, are headed by women. My immigrant family was headed by my mother.

As we mark Equal Pay Day, I am well aware of the tremendous impact a single Justice can have on the lives and rights of millions of Americans.

Under Chief Justice John Roberts, the Supreme Court has issued numerous 5-to-4 decisions that have favored corporate interests over the rights of individuals—cases like *Shelby County, Citizens United*, and *Hobby Lobby*.

One of the most deeply flawed of these 5-to-4 decisions was in a 2007 case called *Ledbetter v. Goodyear Tire & Rubber Co.* That decision had the effect of denying justice to a woman who had suffered pay discrimination for more than a decade. The Court said, in effect, that because Lilly Ledbetter didn't learn of the pay discrimination until it was too late, our justice system could not help her.

Put another way, under the ruling, employers could discriminate against women so long as the employers made sure the women didn't find out about it.

This will not be hard to do, as employers are not likely to announce that they are providing discriminatory pay to their female employees. This is what happened to Lilly Ledbetter. She didn't know.

This decision was deeply flawed and surprised many Court watchers. It undid years of judicial precedent.

I remember learning of this decision in Hawaii. I was serving on the House Education and Labor Committee of the U.S. House of Representatives at that time.

The Supreme Court decision interpreted a Federal law that fell within the jurisdiction of the committee on which I sat. George Miller, then chair of the committee, immediately announced that we would change the law to be interpreted the way it had been before the Court applied their own narrow and wrong interpretation.

We passed the Lilly Ledbetter Fair Pay Act with a Democratic Congress in 2009. Frankly, I doubt a Republican-controlled House and Senate would have done the same. It was the first

bill President Obama signed into law. I was there for that bill signing.

Though we could not retroactively help Mrs. Ledbetter, this law reversed the Supreme Court's decision and assured that the injustice she endured did not happen to other women or to anyone else. Clearly, the composition of the Court and the identity of the fifth Justice matters a great deal in the real world—the real world of 5-to-4 decisions.

Yet, during this hearing, Judge Gorsuch refused to even acknowledge the role that judicial philosophy plays in the role of a Justice, and he downplayed the impact the law could have on people's lives, repeatedly saying he merely applied the law.

If Justices merely applied the law and the law was so clear, we wouldn't have so many 5-to-4 decisions in the most critical cases.

Judge Gorsuch told me during our meeting in February that the purpose of title III courts—these are the Federal courts—is to protect minority rights. But I found through examining his writings and decisions that Judge Gorsuch's view of the law lacks an understanding of people, their lives, and how the courts' decisions would impact them.

This was particularly true in examining his ruling in the Hobby Lobby decision, where Judge Gorsuch demonstrated a cavalier attitude about how his decision would impact the thousands of women working at the Hobby Lobby company.

In that case, Judge Gorsuch decided that a corporation with tens of thousands of employees—many of them women—has rights to the exercise of religion protected by the Religious Freedom Restoration Act, and that it could use those rights to deny to the thousands of women in its employ access to contraceptive coverage.

During the hearing, I pressed Judge Gorsuch on whether he considered what would happen to the thousands of women who worked at Hobby Lobby, many of them working paycheck to paycheck who would now be denied access to contraceptive coverage. He responded by saying: "I gave every aspect of that case very close consideration."

I fail to see what consideration Judge Gorsuch gave to those female employees. It is certainly not evident in the record.

Justice Ginsburg's dissent, when this case reached the Supreme Court in Hobby Lobby, which Justices Kagan, Sotomayor, and Breyer joined, did assess the real world impact this decision would have on women. Justice Ginsburg wrote: "The exemption sought by Hobby Lobby and Conestoga would . . . deny legions of women who do not hold their employers' beliefs access to contraceptive coverage."

In the Tenth Circuit's opinion, which Judge Gorsuch joined, and in his own

concurrency, Judge Gorsuch showed grave concern with the potential "complicity" of the Hobby Lobby's owners—these are the corporate owners—in violating their beliefs, but he gave little or no consideration to the compelling interest of these women and the thousands of female employees in having access to contraceptive care.

Judge Gorsuch failed to address our concerns during this hearing. Rather than recognizing the impact of his decision on thousands of women who work at Hobby Lobby and millions more who work at companies all across the country, Judge Gorsuch repeatedly said that if we didn't like what the Court was doing, or what he was doing, then Congress could change the law—as though that is such a simple thing.

This is not an academic exercise. This is about the real world impact, not just of the Hobby Lobby decision but of decisions a Justice Gorsuch would make for the next 25 years, from which there is no appeal.

Judge Gorsuch's nomination raises so many serious concerns for women across the country that I look forward to addressing over the next hour.

During his hearing, Judge Gorsuch told us time and again to focus on his whole record as a judge and not on certain cases or things he wrote in books, articles, or emails.

In fact, my Republican colleagues have suggested that we are being unfair when we try to look at the things he has said and written in order to discern how Judge Gorsuch would approach cases if confirmed. We wanted to get at his heart. We wanted to get at his judicial philosophy.

Some of my colleagues have even gone so far as to suggest that by raising legitimate questions about Judge Gorsuch's record as part of our advice and consent responsibility, we are attacking judges in the same way President Trump has done during his 2½ months in office. This is fundamentally wrong and deeply misleading. It is like comparing apples and oranges. That comparison doesn't begin to describe the difference.

Two weeks ago, in the middle of Judge Gorsuch's confirmation hearing, President Trump renewed his vicious and unwarranted attack on Judge Watson of Hawaii for blocking the President's unconstitutional Muslim ban.

Although I wasn't then in the Senate, I recall that during Justice Sotomayor's confirmation hearing, Republican after Republican ignored almost the entirety of her 25 years on the Federal bench. Instead, they focused, in question after question at her confirmation hearing, on a gross misreading of one speech—one speech—she gave to a group of young women about the value of diversity on the bench.

Republicans on the Judiciary Committee and in the Senate twisted her

phrase "wise Latina." That is a term she used in her speech. They twisted her use of the phrase "wise Latina" well beyond meaning.

Looking at that speech, it is clear she meant to instill confidence in young women and a sense that they, too, needed to participate in a life of the law; that the law was not—is not—a place that excludes them. Senate Republicans turned these words into a baseless attack to undermine Justice Sotomayor's well-earned reputation of fairly applying the law in thousands of cases that had appeared before her. She had been on the bench for 25 years, but they focused on two words in one speech she gave during that time. Many Republicans then cited that speech to justify their opposition to her nomination.

So when I hear my Republican colleagues touting their fairness toward President Obama's Supreme Court nominee, I recall not just their omitting any mention of Justice Merrick Garland—the well-credentialed, well-respected moderate whom they blocked from even having a hearing—I also remember Justice Sotomayor. I remember my Republican colleagues ignored her unanimously "well qualified" rating from the American Bar Association, her long record, and the tremendous chorus from the right and the left supporting her historic nomination.

If confirmed, Judge Gorsuch's decisions will have a profound impact on the country, not just during his time on the Court but for generations to come. This is particularly true for women whose constitutional right to an abortion will be threatened by a Justice Gorsuch. During the Presidential campaign, Donald Trump laid out his litmus test for nominating a Justice. He said, for example, that overturning *Roe v. Wade* "will happen automatically, in my opinion, because I am putting pro-life justices on the court." That was Candidate Trump's well-articulated litmus test, which he followed through on in his nomination of Judge Gorsuch.

During his hearing, my colleagues and I tried to get a better sense of how and whether Judge Gorsuch would follow the President and uphold this constitutionally protected right. Based on his lack of response, I am skeptical that a Justice Gorsuch would uphold this critical right that generations of women fought to preserve.

In 1992, in *Casey*, the Supreme Court reaffirmed the core holding of *Roe* that the right to an abortion is constitutionally protected. The Court held that these decisions are protected because they are among "the most intimate and personal choices a person makes in a lifetime."

In his 2006 book on the future of assisted suicide, Judge Gorsuch argued that *Casey* should be read more as a decision based merely on respect for

precedent rather than based on the recognition of constitutional protections for “personal autonomy” or for “intimate or personal” decisions. When I asked Judge Gorsuch about this, although he recognized that *Roe* and *Casey* are precedents of the Supreme Court, he did not go further and acknowledge that the Constitution itself protects the right to make intimate and personal decisions.

In the time since *Casey*, the Court has relied on the protection for intimate and personal choices to decide many nonabortion cases, such as the *Obergefell* case, which recognized the right to marriage equality. We need a Justice who understands and respects the importance of this right—that it is the Constitution that provides protections for intimate and personal decisions. Otherwise, I am concerned he will join the Court and chip away at those protections.

Judge Gorsuch said that the judicial robe changes a person. This was another way of telling us to ignore his own strongly held and frequently expressed personal views and, indeed, his judicial philosophy, which he continued to not discuss. Of course, if judicial philosophy didn't matter, Senate Republicans would not have engaged in the unprecedented act of blocking President Obama's nominee Merrick Garland, a well-credentialed, well-respected, moderate nominee, from even having a hearing. They held the seat open to be filled by the next President, preferably, a Republican one.

In Neil Gorsuch, the Republicans got a nominee selected by rightwing organizations that are counting on Judge Gorsuch to rule in accordance with their very conservative views, which put corporate interests over individual rights. That is why, to put it simply, who wears the judicial robe matters.

Just as the Federalist Society and the Heritage Foundation want Judge Gorsuch to wear the robe, the people who come before the bench—the millions of hard-working Americans whose lives will be affected by the Court's decisions—want a Justice who will protect their rights. They want a Justice who will wear the robe that protects their rights.

I note that I am joined by Senator DUCKWORTH of Illinois, and I yield time to her.

The PRESIDING OFFICER. The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, today on Equal Pay Day, we are reminded of the fact that women across the country still make less money for the exact same work as their male counterparts, which is especially problematic for women of color, for whom the gap is even wider. We are also reminded of how vital our court system is to the future of equal opportunity for women in America and to the future of our working families.

The next Supreme Court Justice will enter the Court at a critical moment for women's rights—a moment which could change the course of reproductive rights, voting rights, disability rights, and civil liberties in our Nation for generations to come. So naturally, I, much like my colleagues on the Judiciary Committee, wanted to know how these critical issues fit in Judge Gorsuch's judicial philosophy. I have serious concerns with his record of failing to protect women's health—granting corporations and healthcare providers leeway to undermine women's access to care. I am also troubled by his rulings on disability rights that would jeopardize access to public education for students with disabilities, which is particularly alarming for the 27 million women in America who live with a disability.

It is personal for me. As an American living with disabilities, my life isn't like those of many of my colleagues in Congress. Getting around can be difficult. I can't always get into restaurants or other public spaces, even here in the Capitol. I have to spend a lot of time planning how to get from one place to another.

I understand that not everyone thinks about these things, and for most of my adult life, I didn't either. But after I became injured in combat in Iraq, I learned how important the protections of laws like the Americans with Disabilities Act and Individuals with Disabilities Education Act are to ensuring that millions of Americans with disabilities can live and thrive with dignity. Without them, Americans like me wouldn't be able to get to work, go to school, hold a job, pay taxes, go shopping, or do any of the things most of us take for granted. That is why I am speaking out today, because it matters deeply to me that our next Supreme Court Justice understand just how vital these protections are for Americans living with a disability. It is not just a disabilities rights issue; it is a civil rights issue.

Similarly, a woman's access to healthcare is also a civil rights issue, and it is an issue that affects every single American. When a woman can't get the care she needs, her family suffers, and when her family suffers, her community suffers and our Nation suffers. That is why I find it so deeply troubling that Judge Gorsuch has time and again actively worked against reproductive justice. In a dissenting opinion, he argued in favor of defunding Planned Parenthood in Utah based on evidence that other judges deemed as false. In the *Hobby Lobby* case, he made it clear that he favors the religious beliefs of corporations over the rights of women to make their own choices about their bodies.

What is worse, that isn't the only time Judge Gorsuch ruled to put corporate rights over human rights. You

may have heard about a case in my home State of Illinois in which Judge Gorsuch ruled in favor of the rights of a trucking company over the rights of an employee in grave danger through no fault of his own. That is deeply troubling to me. He also dissented from a ruling giving a female UPS driver just the opportunity—the opportunity—to prove sex discrimination, and then again on a decision to fine a company that failed to properly train a worker, resulting in that worker's death.

Judge Gorsuch's record makes it very clear that he is willing to elevate large corporations at the expense of everyday Americans, jeopardizing our civil rights. That is why it is so important to me that he explain his judicial philosophy, that he explain to me his view on so many of these critical issues.

But then, during 4 days of hearings before the Judiciary Committee, Judge Gorsuch had the chance to clarify the philosophy behind his past rulings—to explain how his rulings may reveal his judicial philosophy as a Supreme Court Justice. However, instead of addressing these concerns, he dodged these questions—questions on some of the most important issues of our time. He wouldn't even express clearly his views on *Roe v. Wade*. The American people simply deserve better than that.

Earning a lifetime appointment to the Supreme Court requires much more than a genial demeanor and an ability to artfully dodge questions. It requires honesty in answering even the toughest questions. That is why I cannot vote to confirm Judge Gorsuch.

I take seriously my constitutional responsibility as a U.S. Senator to offer the President my informed consent, and it is clear that Judge Gorsuch has not provided some of the most essential information needed to grant him a lifetime appointment to our Nation's highest Court. Therefore, I am voting no on his nomination and supporting continued debate on the subject because I can't vote for a nominee when so many questions are left unanswered.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I am joined by my colleague from California, Senator HARRIS.

The PRESIDING OFFICER. The Senator from California.

Ms. HARRIS. Mr. President, I thank the Senator from Illinois for her important remarks just now and for her leadership and her friendship to so many of us. She has been an extraordinary hero of mine, personally, and so many of us look to her leadership. So I thank her—and for her speaking on the nomination of Judge Gorsuch.

Across the street from this Chamber stands the U.S. Supreme Court. Above its doors are the words “Equal Justice

Under Law.” As Senators, we have a solemn responsibility to ensure that every man and woman who sits on that Court upholds that ideal. As a U.S. Senator, I take that responsibility extremely seriously.

Almost two decades after the Supreme Court’s landmark ruling in *Brown v. Board of Education*, I was part of only the second class to integrate the Berkeley, CA, public schools. If the Court had ruled differently, I likely would not have become a lawyer or a prosecutor or a district attorney or the Attorney General of California, and I certainly would not be standing here today as a U.S. Senator.

I know from personal experience just how profoundly the Court’s decisions touch every aspect of Americans’ lives, and for that reason, I rise to join my colleagues in strong opposition to the nomination of Judge Neil Gorsuch to the U.S. Supreme Court.

As we know, Judge Gorsuch went through 4 days of hearings in front of the Senate Judiciary Committee, and here is what we learned: We learned that Judge Gorsuch refused to answer the most basic of questions. He initially even refused to share his views on *Brown v. Board of Education*. We learned that Judge Gorsuch has a deeply conservative worldview. And we learned that Judge Gorsuch interprets the law in a theoretical bubble, completely detached from the real world—as he puts it, “focusing backward, not forward.” If Judge Gorsuch joins the U.S. Supreme Court, his narrow approach would do real harm to real people, especially the women of America.

America deserves a Supreme Court Justice who will protect a woman’s right to make her own decisions about her own health. Judge Gorsuch will not. Judge Gorsuch carefully avoided speaking about abortion, but he has clearly demonstrated a hostility to women’s access to healthcare.

Last year, when the court he sits on sided with Planned Parenthood, Judge Gorsuch took the highly unusual step of asking the court to hear the case again.

Judge Gorsuch determined that a 13,000-person, for-profit corporation was entitled to exercise the same religious beliefs as a person. That meant the company did not have to provide employees birth control coverage and could impose the company’s religious beliefs on all of its female employees. I ask my colleagues, why does Judge Gorsuch seem to believe that corporations deserve full rights and protections but women don’t?

As we mark Equal Pay Day today, Americans deserve a Supreme Court Justice who will protect the rights of women in the workplace. Judge Gorsuch won’t. In employment discrimination cases, Judge Gorsuch has consistently sided with companies against their employees. These em-

ployees include women like Betty Pinkerton. The facts of the case were undisputed. Her boss repeatedly asked her about her sexual habits and breast size and invited her to his home—then fired her when she reported his sexual harassment. Judge Gorsuch ruled against Betty. Why? Well, part of his justification that he offered was that she waited 2 months before reporting the harassment.

Americans deserve a Supreme Court Justice who upholds the rights of all women, including transgender women. Judge Gorsuch won’t. When a transgender inmate claimed that the prison’s practice of starting and stopping her hormone treatment was a violation of her rights, Judge Gorsuch disagreed.

As the National Women’s Law Center observed, his “record reveals a troubling pattern of narrowly approaching the legal principles upon which everyday women across the Nation rely.” They write that his appointment “would mean a serious setback for women in this country and for generations to come.”

But judging by his record, if Judge Gorsuch becomes Justice Gorsuch, women won’t be the only ones facing setbacks. Take Luke, a young boy with autism whose parents sought financial assistance after switching him from public school to a school specializing in autism education. Judge Gorsuch ruled that the minimal support Luke received in public school was good enough. People in the autism community were up in arms. And in the middle of a Senate hearing 2 weeks ago, the Supreme Court unanimously ruled that Judge Gorsuch was wrong on the law.

Consider Alphonse Maddin. Maddin was a trucker who got stuck on the road in subzero temperatures—minus 27 degrees, as he recalls—and abandoned his trailer to seek help and save his life. For leaving the trailer, he was fired. Judge Gorsuch wrote that the company was entitled to fire Maddin for not enduring the cold and for not staying in his freezing truck.

Then there is Grace Hwang, a professor diagnosed with cancer. She sued when her university refused to provide the medical leave her doctor recommended. Judge Gorsuch called the university’s decision “reasonable” and rejected her lawsuit. Sadly, Grace died last summer.

Judge Gorsuch has Ivy League credentials, but his record shows he lacks sound judgment to uphold justice. He ignores the complexities of human beings—the humiliating sting of harassment, the fear of a cancer patient or a worker who feels his life is in danger. In short, his rulings lack a basic sense of empathy. Judge Gorsuch understands the text of the law, to be sure, but he has repeatedly failed to show that he fully understands those impor-

tant words: “equal justice under law.” For the highest Court in the land, I say, let’s find someone who does.

I yield the floor.

The PRESIDING OFFICER (Mr. STRANGE). The Senator from Hawaii.

Ms. HIRONO. Mr. President, I thank my colleague from California, Senator HARRIS, for her eloquent and persuasive remarks.

I am now joined by my colleague, the Senator from Massachusetts. I yield to her.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Thank you to the Senator from Hawaii for calling us here together today.

Mr. President, it is clear that President Trump’s nominee to the Supreme Court, Neil Gorsuch, does not have enough support in the Senate to be confirmed under our rules. When a Supreme Court nominee does not have enough support to be confirmed, the solution is to pick a new nominee, but Republicans in the Senate are threatening to pursue a different path. They are considering breaking the Senate rules to force the nominee onto the Supreme Court anyway.

I will be honest. I think it is crazy that we are considering confirming a lifetime Trump nominee to the Supreme Court at a moment when the President’s campaign is under the cloud of an active, ongoing FBI counterintelligence investigation that could result in indictments and appeals, that will go all the way to the Supreme Court, so that Trump’s nominee could be the deciding vote on whether Trump or his supporters broke the law and will be held accountable. That is nuts. I believe we should tap the brakes on any nominee until this investigation is concluded.

But even if none of that were happening, I would still oppose the confirmation of Neil Gorsuch. My objection is based on Judge Gorsuch’s record, which I have reviewed in detail. Judge Gorsuch’s nomination is the latest step in a long political campaign by rightwing groups and their billionaire backers to capture our courts.

Over the last 30 years, as the rich have gotten richer and working families have struggled to make ends meet, the scales of justice have been weighted further and further in favor of the wealthy and the powerful. Those powerful interests have invested vast sums of money into reshaping the judiciary, and their investment has paid off in spades. Recent Supreme Court decisions have made it easier for corporate giants that cheat their customers to avoid responsibility. Recent Supreme Court decisions have let those same corporations and their billionaire investors spend unlimited amounts of money to influence elections and manipulate the political process. Recent Supreme Court decisions have made it

easier for businesses to abuse and discriminate against their workers.

Giant corporations and rightwing groups have notched a lot of big wins in the Supreme Court lately, but they know their luck depends on two things—first, stacking the courts with their allies, and second, stopping the confirmation of judges who don't sufficiently cater to their interests. That is part of the reason they launched an all-out attack on fair-minded mainstream judges—judges like Merrick Garland, a thoughtful, intelligent, fair judge to fill the open vacancy on the Supreme Court.

These very same corporate and rightwing groups handed Donald Trump a list of acceptable people to fill the Supreme Court vacancy, and as a Presidential candidate, he promised to pick a Justice from their list. Who made it onto that rightwing list? People who, unlike Judge Garland, displayed a sufficient allegiance to their corporate and rightwing interests. Judge Gorsuch was on that list, and his nomination is their reward.

Even before he became a Federal judge, Judge Gorsuch fully embraced rightwing, pro-corporate views. He argued that it should be harder, not easier, for shareholders who got cheated to bring fraud cases to court.

On the bench, Judge Gorsuch's extreme views meant giant corporations could run over their workers. In Hobby Lobby, when he had to choose between the rights of corporations and the rights of women, Judge Gorsuch chose corporations. In consumer protection cases, when he had to choose between the rights of corporations and the rights of the consumers they cheated, Judge Gorsuch chose corporations. In discrimination cases, when he had to choose between the rights of corporations and the rights of employees who had been discriminated against, Judge Gorsuch chose corporations. Time after time, in case after case, Judge Gorsuch showed a remarkable talent for creatively interpreting the law in ways that benefited large corporations and that harmed working Americans, women, children, and consumers.

When it comes to the rules that prevent giant corporations from polluting our air and our water, from poisoning our food, from cheating hard-working families, Judge Gorsuch believes that it should be easier, not harder, for judges to overturn those rules—a view that is even more extreme than that of the late Justice Scalia.

Republicans assert that Judge Gorsuch is a fair, mainstream judge, but rightwing groups and their wealthy, anonymous funders picked him for one reason: because they know he will be their ally. And that is not how our court system is supposed to work. Judges should be neutral arbiters, dispensing equal justice under law. They should not be people hand-

picked by wealthy insiders and giant corporations.

For the working families struggling to make ends meet, for people desperately in need of healthcare, for everyone fighting for their right to vote, for disabled students fighting for access to a quality education, for anyone who cares about our justice system, there is only one question that should guide us in evaluating a nominee to sit on any court: whether that person will defend equal justice for every single one of us. Judge Gorsuch's record answers that question with a loud no.

Republicans have a choice. They can tell President Trump to send a new nominee—a mainstream nominee who can earn broad support—or they can jam through this nominee. If they do jam through Judge Gorsuch, the Republicans will own the Gorsuch Court and every extreme 5-to-4 decision that comes out of it. Republicans will own every attack on a woman's right to choose, on voting rights, on LGBTQ rights, on secret spending in our political system, and on freedom of speech and religion. Republicans will be responsible for every 5-to-4 decision that throws millions of Americans under the bus in order to favor the powerful, moneyed few who helped put Judge Gorsuch on the bench.

Right now, the Presidency is in the hands of someone who has shown contempt for our Constitution, contempt for our independent judiciary, contempt for our free press, and contempt for our moral, democratic principles. If ever we needed a strong, independent Supreme Court with broad public support—a Supreme Court that will stand up for the Constitution—it is now.

If ever there were a time to say that our courts should not be handed over to the highest bidder, it is now. And that is why Judge Gorsuch should not be confirmed to sit on the Supreme Court of the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I thank my colleague from Massachusetts for her impassioned, well-reasoned, persuasive remarks.

All too often, Judge Gorsuch fixates on what we call the plain meaning of a word in the law and decides on his own meaning that he would give to that word. Sometimes he will resort to the Dictionary Act or Webster's dictionary to ascertain what he would consider the plain meaning of the law, but what he doesn't do time and again in very important cases that impact lots of lives is that he doesn't look to the context or the purpose of the law, to the point where sometimes his decisions are just bizarre and lack common sense.

There was a reference made to the TransAm Trucking case where the truckdriver was in freezing weather.

The brakes on his truck were not working properly, so he faced the choice of freezing to death or doing something about it but then risking being fired. So he did something about it. He got fired.

Judge Gorsuch, in his reading—a very, very narrow reading of a word in the applicable provisions—deemed that his firing was correct. He was asked by Senator FRANKEN at the hearing: What would you have done if you had been in that situation? There you are, you are about to freeze to death, and you have a truck that is not operable in a safe way unless you unhook the attachment to it. What would you have done?

Judge Gorsuch basically said: I don't know what I would have done. I was not in his shoes.

What any of us would have said—of course we would have done what the truck driver did. But in his very narrow reading of the words of the applicable provision, he came to the decision he did. That is why he could not respond to Senator FRANKEN.

It is particularly important that Judge Gorsuch explain to us how he would approach these kinds of cases. It is particularly important in what I would describe as remedial legislation, such as the Individuals with Disabilities Education Act, better known as IDEA. This is remedial legislation that protects the educational rights of special needs children. That is the population for which this law was enacted.

Judge Gorsuch had a case before him, and it was referred to by my colleague from California. A young boy was not getting the kind of educational opportunities that he should have gotten under IDEA, but Judge Gorsuch read that remedial legislation, which should be broadly interpreted to protect the class and the group that the law was passed to help—he read it very, very narrowly.

He said that the school needed only to provide “merely de minimus” education for this child. He put in the words “merely de minimus” effort on the part of the school to provide this young boy with educational opportunities. That was bad enough, but Judge Gorsuch added the word “merely.” So during the time of his hearing, the Supreme Court, in a related—basically the same law, IDEA, was at issue—and the Supreme Court, while we were having the hearing on Judge Gorsuch's nomination, unanimously overturned Judge Gorsuch's standard of “merely de minimus.” Even the Roberts Court found Judge Gorsuch's standard of review too limiting and too narrow.

So the young boy in question—his father testified at the confirmation hearing. I asked him what he was thinking as the decision of Judge Gorsuch came down. He said he knew that this decision would negatively affect hundreds and hundreds of special needs children all across our country.

This is why I sought assurance from Judge Gorsuch that he would be the kind of Justice who understands, as he told me when I met with him, that the purpose of title III, which are the Federal courts, is to protect the rights of minorities. So I wanted reassurance from Judge Gorsuch during his hearing. I tried time and again to get a sense of his heart, what his judicial philosophy was. I was looking for the reassurance that he was the kind of judge who understands the importance of assuring that victims of discrimination cannot only ask for but can also receive protections from the courts and who demonstrates a commitment to the Constitutional principles that protect the rights of women to make the intimate and personal decisions of what to do with their own bodies.

Mr. President, I note that I am joined by my colleague from Washington State, Senator MURRAY. I yield to her.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Thank you, Mr. President.

I thank my colleague from Hawaii for her really important statement on this. I come to the floor today to express my serious concerns, along with other women from the Senate, about the nomination of Judge Neil Gorsuch for the Supreme Court, particularly about what it would mean for women across the country today and for generations to come.

Like the overwhelming majority of my Democratic colleagues, I have decided to vote against Judge Gorsuch's nomination, and I will be opposing a cloture motion ending debate. Now, I don't take this decision lightly, but with the future of women's health and rights and opportunity at risk, it is a decision I must make.

The Trump administration has broken nearly every one of its promises, but one it has certainly kept is its promise to turn back the clock on women's progress. It is clear that Republicans in Congress are committed to doing the same. Last week, just a few days ago, Senate Republicans, with the help of Vice President PENCE, overturned a rule that prevents discrimination against family planning providers based on the kinds of services they provide to women. It was shameful and unprecedented.

Now, not missing a beat, Congressional Republicans are already gearing up to attach riders to our coming budget bills in order to cut off access to critical services at Planned Parenthood for millions of patients. There are similar attempts to undermine women's access to healthcare in cities and States nationwide, and more often than we would like, the Supreme Court is going to be the place of last resort for protecting women's hard-fought gains.

If the buck has to stop with the Supreme Court on women's health and

rights, I do not want Judge Gorsuch anywhere near the bench. Time and again, Judge Gorsuch has sided with the extreme rightwing and against tens of millions of women and men who believe that in the 21st century, women should be able to make their own choices about their own bodies.

Let me just give you a few examples. When the Tenth Circuit ruled in the case of *Burwell v. Hobby Lobby* that a woman's boss could decide whether or not her insurance would include birth control, Judge Gorsuch did not just agree; he thought the ruling should have gone further. Judge Gorsuch has argued that birth control coverage included in the ACA as an essential part of women's healthcare—one that has, by the way, benefited 55 million women—is a “clear burden” on employers that would not long survive.

When it comes to Planned Parenthood, he has already weighed in on the side of defunding our Nation's largest provider of women's healthcare. What was his reasoning? Judge Gorsuch thought that in light of completely discredited sting videos taken by extreme conservatives, women in the State of Utah should have a harder time accessing the care they need. I should note that just last week, the makers of those false videos received 15 felony charges.

I also want to be clear, as well, about what Judge Gorsuch's nomination could mean for a woman's constitutionally protected right to safe, legal abortion services under the historic ruling in *Rowe v. Wade*, which was just reaffirmed last summer by this Court. In his nomination hearings, Judge Gorsuch would not give a clear answer on whether he would uphold that ruling, which has meant so much to so many women and families over the last four decades.

Judge Gorsuch has donated repeatedly to politicians who are dead set on interfering with women's constitutionally protected healthcare decisions. He has even made deeply inaccurate comparisons between abortion and assisted suicide.

I remember the days before *Rowe v. Wade* very clearly. I have heard the stories of women faced with truly impossible choices during that time. Women from all across the country have shared those deeply personal experiences because they know what it would mean to go backward.

Lastly, attempts to control women's bodies are not always about reproductive rights. Sure enough, Judge Gorsuch is on the wrong side here as well. He concurred in a ruling against a transgender woman who was denied regular access to hormone therapy while she was in prison. This ruling rejected the idea that under our Constitution, denying healthcare services is cruel and unusual punishment. That is not the kind of judgment I want to

see on the bench, and I think most families would agree.

Families who have already done so much to lead the resistance against this administration and its damaging, divisive agenda are fighting this nomination as hard as they can. They know the Trump Presidency will be damaging enough for 4 years, but Judge Gorsuch's nomination will roll back progress for women over a lifetime.

I am proud to stand with them and do everything I can to make sure they are heard loud and clear here in the Senate. I oppose Judge Gorsuch's nomination in light of everything it would mean for women.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I thank my colleague, Senator MURRAY, our assistant Democratic leader, for her continuing, longstanding leadership on behalf of women and families in our country.

Over the past hour, my colleagues and I have laid out a fair case against confirming Judge Gorsuch to the U.S. Supreme Court. As we approach a vote on his confirmation, I encourage my colleagues to scrutinize Judge Gorsuch's judicial philosophy, even as he refused to outline for us or describe for us what that philosophy is. But we have come to certain conclusions based on 4 days of hearings. During his hearing, Judge Gorsuch refused, as they say, time and again to answer our questions on his judicial philosophy or his approach to the law. He insisted that he was merely a judge, as if the use of the word ended any discussion or scrutiny of his record.

Judge Gorsuch painted a picture for us of the Court that is really straight out of a Norman Rockwell painting. He said during his hearing: “One of the beautiful things about our system of justice is that any person can file a lawsuit about anything against anyone at any time . . . and a judge, a neutral and fair judge, will hear it.”

Norman Rockwell painting—it is a wonderful idea that anybody can file a claim to protect their rights or interests. It is also a wonderful idea to assume that those claims will be heard and ruled upon by neutral judges, apparently uninfluenced by their own strongly held and frequently expressed personal views and judicial philosophy.

Many of my Republican colleagues have echoed this view and argued that Judge Gorsuch's credentials should be enough—Columbia, Harvard. They argue that it is wrong or even unfair to question how Judge Gorsuch might approach the kinds of difficult issues that come before the Supreme Court.

Of course, if judicial philosophy did not matter, then the Republicans would not have engaged in the unprecedented act of blocking President Obama's nominee—as I mentioned,

Merrick Garland, a well-credentialed, well-respected moderate nominee—from even having a hearing. In fact, many of the Republican Senators did not even extend the courtesy of meeting with Judge Garland. They would not have held the seat open to be filled by the appointee of a Republican President, one selected for him by rightwing organizations.

When my colleagues and I asked Judge Gorsuch about his judicial philosophy, he said that his words, his views, his writings, and his clearly expressed personal views had no relevance to what he would do as a Justice. He told us to look at his whole record, so I examined his whole record. I saw in that record too little regard for the real-world impact of his decisions. I saw a refusal to look beyond the words to the meaning and intent of the law, even when his decisions lacked common sense, as in the frozen truck driver case, and far too often, to the benefit of big corporations and against the side of the little guy.

The decisions of judges have real-world impacts for millions of people beyond the parties in a particular case. This is especially true of the Supreme Court, which issues decisions that don't just reach those in the case in front of them—the frozen trucker, the women who work at Hobby Lobby faced with a lack of critical healthcare, the special needs child entitled to educational opportunities under the IDEA. The Supreme Court does not just interpret laws; the Supreme Court shapes our society.

Will we be just? Will we be fair? Will America be a land of exclusivity for the few or land of opportunity for the many? Will we be the compassionate and tolerant America that embraced my mother, my brothers, and me so many decades ago when we immigrated to this country? These values seem too often absent from Judge Gorsuch's record and from his view of the law and the Court.

The central question for me in looking at Judge Gorsuch and his record and listening carefully through 4 days of hearings was whether he would be a Justice for all of us, not just one for some of us. I came to the conclusion that he would not be a Justice for all of us, so I oppose his nomination.

I yield the floor.

The PRESIDING OFFICER (Mr. JOHNSON). Under the previous order, the time until 5:30 p.m. will be controlled by the majority.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I have several of my colleagues on this side of the aisle who want to speak, but I just want to take a minute and a half or so to clarify some things I have heard from the other side that need to be counteracted.

First of all, I don't know whether they mentioned the term "Ginsburg

rule," but we do have this Ginsburg rule that was set out a long time ago when Judge Ginsburg came before the Senate for her confirmation. She said that you can't comment on things that might come before the Court because obviously you would be violating judicial ethics. Then I will comment on some things people have said about *Brown v. Board of Education*.

The very fact that Judge Gorsuch has declined to offer his opinion on legal issues that are likely to come before the Supreme Court demonstrates what we should all expect of him: his judicial independence. That is what we expect of every judge. The judge's decision not to offer his opinion on issues that may come before him is consistent with judicial ethics rules and is consistent with what I have referred to already as the Ginsburg rule or the Ginsburg standard, which all Supreme Court nominees in recent memory have followed. As Justice Ginsburg said, commenting on these issues is not fair to parties who might come before the Court in future years. That is what Judge Gorsuch said as well.

Questions to this end are nothing more than an attempt to compromise the judge's independence, and he showed us that he wasn't going to have his independence compromised because he is going to do what judges should do: look at the facts of a case, look at the law, and make those decisions based only on that and send no signals whatsoever ahead of time of how he might view something.

Along these lines, my colleagues said that the judge should have announced that he agreed with the ruling in *Brown v. Board of Education* but didn't offer enough information about this opinion in an appropriate discussion of precedent.

I will quote our nominee. He said this: "Senator, *Brown v. Board of Education* corrected an erroneous decision, a badly erroneous decision, and vindicated a dissent by the first Justice Harlan in *Plessy v. Ferguson*, where he correctly identified that separate to advantage one race can never be equal," end of the quote of our nominee. So the judge spoke about precedent very appropriately. He answered our questions in a manner consistent with his obligations and with past nominees.

One more point. I keep hearing complaints that the judge won't make a commitment to follow *Roe v. Wade*, but my colleagues' requests really boil down to a quest for a promise to reach results that they want. They demand adherence to *Roe v. Wade* on the one hand and a promise to overrule *Citizens United* on the other hand, as examples. Asking the judge to make commitments about precedent is inappropriate. I have said this so many times, and my colleagues will repeat it many times as well. It compromises the judge's independence.

Instead of being beholden to the President, my colleagues would have the judge be beholden to them. This nominee isn't going to be beholden to a President, and he is not going to be beholden to any Senator because if he did that, he would be compromising his views.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, 2 months ago, the President nominated Judge Neil Gorsuch, a judge on the Tenth Circuit Court of Appeals, to the Supreme Court. This week, we will be voting on his confirmation.

I want to say that I am grateful to my colleague, the senior Senator from Iowa, for his leadership during this process and for getting this nomination to the floor. We are fortunate to have him as chairman of the Judiciary Committee.

We have before us a supremely qualified candidate for the Supreme Court. Judge Gorsuch has a distinguished resume. He is widely regarded as a brilliant and thoughtful jurist. Most importantly, however, he is known for his impartiality and his absolute commitment to the rule of law. Judge Gorsuch understands that the job of a judge is to apply the law as it is written—and here is the fundamental thing—even when he disagrees with it.

"A judge who likes every outcome he reaches is very likely a bad judge." Judge Gorsuch has said that more than once. Why? Because a judge who likes every outcome he reaches is likely making decisions based on something other than the law. That is a problem because there is no such thing as equal protection or equal justice when judges make decisions based on their personal feelings about a case instead of based upon the law. A judge's job is to apply the law as it is written, whether he likes the result or not. Judge Gorsuch understands this.

A lot of people from across the political spectrum have spoken up in favor of Judge Gorsuch's nomination, and one thread that runs through their comments is their confidence that they can trust Judge Gorsuch to apply the law as it is written.

Here is what Neal Katyal, an Acting Solicitor General for President Obama, had to say about Judge Gorsuch:

I have no doubt that if confirmed, Judge Gorsuch would help to restore confidence in the rule of law. His years on the bench reveal a commitment to judicial independence—a record that should give the American people confidence that he will not compromise principle to favor the president who appointed him.

A former law partner and a friend of Judge Gorsuch's—a friend who describes himself as "a longtime supporter of Democratic candidates and progressive causes"—had this to say about Judge Gorsuch:

Gorsuch's approach to resolving legal problems as a lawyer and a judge embodies a reverence for our country's values and legal system. . . . I have no doubt that I will disagree with some decisions that Gorsuch might render as a Supreme Court justice. Yet, my hope is to have justices on the bench such as Gorsuch . . . who approach cases with fairness and intellectual rigor and who care about precedent and the limits of their roles as judges."

Again, that is from a self-described "longtime supporter of Democratic candidates and progressive causes."

During his years on the bench, Judge Gorsuch has had a number of law clerks. On February 14, every one of Judge Gorsuch's former clerks, except for two who are currently clerking at the Supreme Court, sent a letter on his nomination to the chairman and ranking member of the Senate Judiciary Committee. Here is what they had to say:

Our political views span the spectrum . . . but we are united in our view that Judge Gorsuch is an extraordinary judge. . . . Throughout his career, Judge Gorsuch has devoted himself to the rule of law. . . . As law clerks who have worked at his side, we know that Judge Gorsuch never resolves a case by the light of his personal view of what the law should be. Nor does he ever bend the law to reach a particular result that he desires.

For Judge Gorsuch, a judge's task is not to usurp the legislature's role; it is to find and apply the law as written. That conviction, rooted in his respect for the separation of powers, makes him an exemplary candidate to serve on the nation's highest court.

Again, that is the unanimous opinion of 39 of Judge Gorsuch's former law clerks whose political views, in their own words, "span the spectrum."

E. Donald Elliott, an adjunct professor at Yale Law School, had this to say about Judge Gorsuch:

Judge Gorsuch's judicial philosophy isn't mine . . . but among judicial conservatives, Judge Gorsuch is as good as it possibly gets. . . . Judge Gorsuch tries very hard to get the law right. He is not an ideologue, not the kind to always rule in favor of businesses or against the government. Instead, he follows the law as best he can wherever it might lead.

I could go on. The voices raised in support of Judge Gorsuch are numerous.

Unfortunately, no amount of testimony in favor of Judge Gorsuch seems to be enough for Democrats. Senate Democrats are apparently determined to oppose Judge Gorsuch despite the fact that they are struggling to find any good reason to justify their opposition.

The Senate minority leader came down to the floor on March 23 to announce his determination to vote against Judge Gorsuch, and he urged his colleagues to do the same. Why? Well, apparently the Senate minority leader is not convinced that Judge Gorsuch "would be a mainstream justice who could rule free from the biases of politics and ideology." That is right.

Despite the fact that everyone—liberal and conservative—seems to describe fairness as one of Judge Gorsuch's distinguishing characteristics, the Senate minority leader is not convinced the judge will be able to rule without bias. He is worried that Judge Gorsuch won't be a mainstream judge.

Well, over the course of 2,700 cases on the Tenth Circuit, Judge Gorsuch has been in the majority 99 percent of the time—99 percent. In 97 percent of those 2,700 cases, those opinions were unanimous. I would like the minority leader to explain how exactly a judge who is in the majority 99 percent of the time is out of the judicial mainstream. Is the minority leader trying to suggest that all of the judges on the Tenth Circuit, including the ones appointed by Democrats—which, I might add, is a majority on the circuit—are extremists?

The fact is, Democrat opposition to Judge Gorsuch has nothing to do with his qualifications. Let's just get it out there. I doubt that any of my colleagues on the other side of the aisle really think that Judge Gorsuch is out of the mainstream or that he lacks the qualifications of a Supreme Court Justice. No, the truth is that Democrats are opposing Judge Gorsuch because they are mad that it is not a Democratic President making the nomination. They can't accept that they lost the election, so they are going to oppose any nominee, no matter how qualified.

It is extremely disappointing that Democrats plan to upend a nearly 230-year tradition of approving Supreme Court nominees by a simple majority vote simply because they can't accept the results of an election.

Democrats have no plausible reason to offer for opposing this supremely qualified nominee. I hope that a sufficient number of Senate Democrats will think better of their opposition and vote—when we have that opportunity later this week—to confirm Judge Gorsuch to the Supreme Court.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Mr. President, there are, of course, two issues before the Senate with respect to Judge Neil Gorsuch. The first issue is simply, should or should not Neil Gorsuch be confirmed as an Associate Justice to the U.S. Supreme Court? There is also a second issue, and the second issue is, Should the Senate even be allowed to vote?

Those two questions are both important and interrelated. I want to talk about the first one first.

I sit on the Judiciary Committee. We heard last week—2 weeks ago—about 20 hours of testimony from Judge Gorsuch. I think he answered about 200 questions in writing. One of the objections offered by our friends on the

other side of the aisle, the Democratic Party, was that Judge Gorsuch refused to answer some of the questions. Now that is just not accurate.

Many of the questions that were asked of the judge by both Republicans and Democrats were fair questions—some of them, not so much.

Judge Gorsuch was asked, in effect: What is your position on abortion? How will you vote?

He was asked: How will you vote on gun control?

He was asked: How would you vote on cruel and unusual punishment, the Eighth Amendment?

He was asked how he would vote on questions dealing with the Tenth Amendment. He didn't answer those questions, and then he was criticized for not answering those questions. He didn't answer those questions because he couldn't. He is a sitting judge of the U.S. Court of Appeals for the Tenth Circuit. Let me read to you canon 3(a)(6) of the Code of Conduct for United States Judges. It states: "A judge should not make public comment on the merits of a matter pending or impending in any court."

Let me read you rule 2.10(B) of the American Bar Association Model Code of Judicial Conduct. It provides, and I quote: "A judge shall not, in connection with cases, controversies, or issues that are likely to come before the court, make pledges, promises, or commitments that are inconsistent with the impartial performance of the adjudicative duties of the judicial office."

Now, say what you want about Mr. Gorsuch, but don't criticize him for not violating the oath of his office and not making promises, pledges, or commitments, like a politician, on how he would vote on the U.S. Supreme Court, because Justices are supposed to decide the case on the merits.

As I mentioned, I watched Judge Gorsuch answer questions personally for over 20 hours. He was asked some other questions other than the ones I have referenced, and I was intrigued by some of the questions that Judge Gorsuch was asked. My friends in the Democratic Party kept trying to draw distinctions with Judge Gorsuch between the parties in cases that he had decided. My friends kept talking about the "big guy," the "little guy," the corporation, the consumer, the employer, the employee. The suggestion was made that Judge Gorsuch didn't vote enough for the little guy or little gal, for whatever that means. What struck me when he answered those questions was that we were supposed to be talking about the faithful application of justice. Now, I was taught in law school that Lady Justice is supposed to be blind, that neither the wealth nor the power nor the status of the parties should matter. That is why, in the picture that we see so often of Lady Justice, she is blindfolded. She

isn't looking at the parties at all to see whether they are wealthy or not so wealthy. She isn't looking at the parties to see whether they are a corporation or a consumer or what race they are or what gender they are or what part of the country they are from. Lady Justice is supposed to be blind because we are a nation of laws, not men.

Of all the places in our country, an American court of law—and I am very proud of this—is supposed to be the place of last resort, where you can come and get a fair shake. That is how good judges operate. They give everybody a fair shake. A good judge is supposed to make his or her decisions based on the law, not the parties. Good judges are supposed to be impartial—to call it like they see it, to call the balls and strikes—and that is exactly what Neil Gorsuch has done throughout his entire career.

I can promise that, as I sit on the Judiciary Committee, if any President, whether he is a Republican or Democrat, ever brings a nomination before the Judiciary Committee when I am on that committee and that nominee starts talking about the wealth or the status or the power of the parties and how it will influence or not influence his decision, suggesting that will make a difference, I will vote against that nominee—I don't care who nominates him—every single time, because that is not American justice.

We talked about two cases in particular, and the Presiding Officer has probably heard them talked about here on the floor. On the surface they don't seem to be related. Judge Gorsuch ruled in both of these cases, but I think they interact in a very important way. They tell us that he doesn't play politics and he doesn't rule for the big guy just because he is a big guy or the little guy just because he is a little guy.

The first case we heard a lot about was a decision by Judge Gorsuch called *TransAm Trucking*. You are going to hear a lot about that case. In that case, Judge Gorsuch made a decision that was unfavorable to a trucker, and he ruled in favor of the trucking company—little guy versus big guy. Judge Gorsuch ruled for the big guy, and it is important to know why and to look at the reasoning in that case and not just the result.

During the discussion on the case, Judge Gorsuch made it very clear that he only made that decision because he believed that was what the statute controlling the facts of the case required—a statute that was passed by a legislative body duly authorized by the people that make the law. Unlike our courts, which are supposed to interpret the law, Judge Gorsuch did not decide the case the way he did because he didn't sympathize with the trucker. He decided that case the way he did because he was doing his best to accurately apply the law, as best he understood it,

to the facts before him. Once again, that is what is called justice—blind to the parties.

Actually, Judge Gorsuch has explained himself and what he thinks about decisions such as this. He did it in another case that I will talk about in a moment. Judge Gorsuch said:

Often enough the law can be “a[n] ass—a[n] idiot”—

Quoting, of course, Charles Dickens—and there is little we judges can do about it, for it is (or should be) emphatically our job to apply, not rewrite, the law enacted by the people's representatives. Indeed, every judge who likes every result he reaches is very likely a bad judge, reaching for results he prefers rather than those the law compels.

Now, that statement came from the second case I referenced. It was a case called *A.M. Holmes*. In *A.M. Holmes*, a 13-year-old seventh grader was arrested for fake burping repeatedly in class. The majority said it was OK for him to be arrested and that, when his family sued the police officer, the police officer enjoyed qualified immunity.

Judge Gorsuch dissented. This time he ruled for the little guy, literally and figuratively. Judge Gorsuch said: “In my opinion, reading the statute passed by the legislature, this young man's family can file this lawsuit because disciplining a 13-year-old 7th grader for fake burping in class by arresting him instead of disciplining him is a bridge too far.”

Now, once again, we had a little guy versus the big guy. This time Judge Gorsuch ruled for the little guy. But again, we have to look beyond the result. Even though he ruled for someone we can all sympathize with, Judge Gorsuch didn't base his decision on that. He based his decision on a good-faith application of the statutes of the facts controlling the case. He applied the law as written by the legislature. That is what legislatures do, and that is what Congresses do. They make the law and judges interpret the law. To be blunt, that is what we want in a judge.

I want a judge. I don't want an ideologue. I am not interested in a judge who will use the judiciary to advance his own personal policy goals. I want a judge who will apply the law as written by the legislature or, in the case of the Constitution, as written by the Framers of the Constitution, as best that judge understands the law, not to try to reshape the law as he wishes it to be.

To just comment about the last question that I raised earlier, again, one issue is whether or not we should confirm Judge Gorsuch to the Supreme Court, but the second issue is whether the Senate should even be allowed to vote at all. That is what this is all about when you distill it down to its basic essence.

We are going to hear a lot about culture, and we are going to hear a lot about the nuclear option. But this is

what it boils down to: Should we or should we not even be able to be allowed to vote?

Now I understand that reasonable people can disagree. I also understand that unreasonable people can disagree, and everybody in this body has a vote, and we all represent States. There are two Senators from every State—big States and little States—and everybody is entitled to be able to vote his or her conscience. But it is very, very important not only for the American judicial system but for American democracy that the Senate be allowed to vote on Judge Gorsuch.

So to my friends on the other side of the aisle, I would say: Please allow us to vote. You can vote for or against Judge Gorsuch. I will not second-guess your judgment if you act sincerely, and I believe many of my colleagues are sincere. They are wrong, but they are sincere. But please allow the Senate to vote on this nomination. That is why I was sent to Washington.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. COTTON. Mr. President, this week the Senate will fulfill one of our most important responsibilities: advice and consent for a nominee to the Supreme Court. The stakes don't get much higher than a lifetime appointment to a court of final appeal, especially if the court has presumed over the last two generations to take more and more political and moral questions out of the hands of the people.

President Trump has nominated Judge Neil Gorsuch, a distinguished jurist who understands the critical but limited role of the Federal courts in our constitutional system. To my knowledge, no Senator genuinely disputes his eminent qualifications, his judicial temperament, and his outstanding record over the last decade on the Tenth Circuit Court of Appeals.

Indeed, Judge Gorsuch would appear headed toward an easy, noncontroversial confirmation based on the comments by Democratic Senators.

The senior Senator from Colorado introduced Judge Gorsuch at his confirmation hearings with this high praise:

I have no doubt that . . . Judge Gorsuch has profound respect for an independent judiciary and the vital role it plays as a check on the executive and legislative branches. I may not always agree with his rulings, but I believe Judge Gorsuch is unquestionably committed to the rule of law.

The senior Senator from Indiana recently announced his support for Judge Gorsuch, saying:

I believe that he is a qualified jurist who will base his decisions on his understanding of the law and is well respected among his peers.

The senior Senator from West Virginia has noted:

[Judge Gorsuch] has been consistently rated as a well-qualified jurist, the highest

rating a jurist can receive, and I have found him to be an honest and thoughtful man.

The junior Senator from North Dakota also praised Judge Gorsuch for his “record as a balanced, meticulous, and well-respected jurist who understands the rule of law.”

Remember, these admiring statements all come from Democrats, and all of them support an up-or-down vote on confirming Judge Gorsuch.

Even those who oppose Judge Gorsuch used to sing a different tune about the standards for judicial confirmation.

For instance, the senior Senator from California put it best when she said:

I think, when it comes to filibustering a Supreme Court appointment, you really have to have something out there, whether it's gross moral turpitude or something that comes to the surface.

Speaking of a previous Republican President's nominee, she further said:

Now, I mean, this is a man I might disagree with. That doesn't mean he shouldn't be on the court.

In fact, President Obama filibustered a Supreme Court nomination while he was a Senator, yet later expressed regret over that decision. He said:

I think that, historically, if you look at it, regardless of what votes particular Senators have taken, there's been a basic consensus, a basic understanding, that the Supreme Court is different. And each caucus may decide who's going to vote where and what but that basically you let the vote come up, and you make sure that a well-qualified candidate is able to join the bench even if you don't particularly agree with him.

Despite all of this, though, it appears that a radical Democratic minority intends to filibuster Judge Gorsuch's nomination. The minority leader is encouraging this extreme fringe, claiming, “If Judge Gorsuch fails to earn 60 votes and fails to demonstrate he is mainstream enough to sit on the highest court, we should change the nominee, not the rules.”

I will return later to the minority leader's central and ironic role in all of this. For now, let's take a trip down memory lane so as to understand just how radical this partisan filibuster would be.

No Supreme Court nominee has ever failed because of a partisan filibuster—never, not once, ever—in the 228 years of our venerable Constitution. One nominee, Justice Abe Fortas—to be elevated to Chief Justice—lost one cloture vote in 1968 on a bipartisan basis. He then withdrew under an ethical cloud, but no Supreme Court nominee has ever been defeated by a partisan filibuster.

This historical standard has nothing to do with changes in the Senate rules. The filibuster has been permitted under Senate rules since early in the 19th century. It is not a recent or a novel power. The cloture rule was adopted 100 years ago. In other words,

at any point in our history, a Senate minority could have attempted to filibuster a Supreme Court nominee. They had the tools. The rules permitted it. It would have only taken one Senator—just one. Yet it never happened for a simple reason: self-restraint. While written rules are important, sometimes the unwritten rules are even more so. Habits, customs, mores, standards, traditions, practices—these are the things that make the world go round, in the U.S. Senate no less than in the game of life. Our form of self-government depends critically on this form of self-government. Let's reconsider some recent nominees in light of these facts.

Justice Clarence Thomas was probably the most controversial nomination in my lifetime, perhaps ever. He was the subject of a vicious campaign of lies and partisan smears—a “high-tech lynching” in his words. He was confirmed in 1991 by a bare majority of 52-to-48. Yet Justice Thomas did not face a filibuster. Not a single Senator tried to block the up-or-down vote on his nomination—not Joe Biden, not Ted Kennedy, not Robert Byrd, not John Kerry—not one. Why? Any one Senator could have demanded a cloture vote, could have insisted on the so-called 60-vote standard and, perhaps, defeated Justice Thomas's nomination, but they did not because they respected two centuries of Senate tradition and custom.

It was likewise with Justice Sam Alito, whose nomination unquestionably shifted the Court's balance to the right in 2006. He, too, received fewer than 60 votes for confirmation—58 to be exact—but he received 72 votes for cloture. Here again, a large, bipartisan majority upheld the Senate tradition and custom against partisan filibusters of Supreme Court nominees. Even Judge Robert Bork, whose name is now used as a verb to mean the “unfair partisan treatment of a judicial nominee,” received an up-or-down vote in 1987. Yes, Judge Bork, who only received 42 votes for confirmation, did not face a partisan filibuster.

But let's not stop with Supreme Court nominations. Let's also consider other kinds of nominations so that we can understand just how radical is the Democratic minority's position.

To this day, there has never been a Cabinet nominee defeated by a partisan filibuster—never, not once, ever—in 228 years of Senate history. To this day, there has never been a trial court nominee defeated by a partisan filibuster—never, not once, ever—in 228 years of Senate history. Until 2003—just 14 years ago—there had never been an appellate court nominee defeated by a partisan filibuster.

That is just how strong the custom against filibusters was. It had never successfully happened in 214 years. From our founding, through secession and civil war, through world wars, no

matter how intense the feeling and how momentous the occasion, no matter how partisan the atmosphere, Senators always exercised self-restraint and allowed up-or-down votes on nominees for the Supreme Court, the court of appeals, the trial court, and the Cabinet.

But that changed in 2003, thanks in no small part to the senior Senator from New York, CHUCK SCHUMER, now the minority leader. With the help of leftwing law professors, he convinced extremists and the Democratic caucus to filibuster President Bush's appellate court nominees. For the first time in more than two centuries of the U.S. Senate, a radical minority defeated nominations with a partisan filibuster.

Why did the Senate start down this path? Some point to racial politics and Miguel Estrada, who was one of the most talented appellate litigators of his generation and President Bush's nominee to the D.C. Circuit. That court is often a proving ground for future Supreme Court nominees, and Mr. Estrada's confirmation might have enabled President Bush to nominate him, subsequently, to the Supreme Court. A Republican President appointing the first Hispanic Justice? Surely, the Democrats couldn't allow that.

Whatever the reason, there can be no doubt that the minority leader has set in motion a chain of events over the last 14 years and has brought us to the point he claims to deplore today. So the Democrats can spare me any hand-wringing about Senate traditions and customs.

The minority leader and like-minded extremists in the Democratic caucus can also spare us their exaggerated claims of the Republican obstruction of President Obama's judicial nominees. The Democrats, after all, were the ones who broke a 214-year-old tradition specifically to obstruct 10 of President Bush's nominees. Of course, the Republicans followed suit, though I would note that they have filibustered fewer judges over more years in their having been in the minority.

Put simply, the Democrats broke one of the Senate's oldest customs in 2003 so that they could filibuster Republican judges, and they subsequently filibustered more judges than did the Republicans. So it should come as no surprise that the Democrats took an even more radical step in 2013 when they used the so-called nuclear option to eliminate the filibuster for executive branch, trial court, and appellate court nominations. They broke the Senate rules by changing the Senate rules with a bare majority, not the effective two-thirds vote required under those rules.

The radical Democrats will accept no constraints on their will to power—when in power. Whatever it takes to pack the courts with liberal extremists or to block eminently qualified Republican nominees is exactly what they will do.

But don't take my word for it. Let's review what the Democrats were saying last year when they all believed they would be in power with Hillary Clinton as President and Democrats controlling the Senate. We did not hear much talk about the sacred 60-vote standard back then. On the contrary, the Democrats were promising to use the nuclear option again—this time to confirm a Democratic nominee to the Supreme Court.

Former Senate Minority Leader Harry Reid said:

I have set the Senate so, when I leave, we're going to be able to get judges done with a majority. . . . If the Republicans try to filibuster another circuit court judge, but especially a Supreme Court Justice, I've told 'em how, and I've done it . . . in changing the rules of the Senate.

The junior Senator from Virginia, who would have been Vice President had Secretary Clinton won, said, quite frankly, about the Supreme Court vacancy:

If these guys think they are going to stone-wall the filling of that vacancy or other vacancies, then a Democratic Senate majority will say, "We're not going to let you thwart the law."

The junior Senator from Oregon warned ominously:

If there's deep abuse, we're going to have to consider rules changes.

The senior Senator from New Mexico perhaps summed it up best of all when he said:

The Constitution does not give me the right to block a qualified nominee no matter who is in the White House. . . . A minority in the Senate should not be able to block qualified nominees.

Do not think for a minute that the radical Democrats would not have made good on these threats. They have exercised little restraint on judicial nominations over the last 14 years. They have betrayed over 200 years of Senate tradition and custom. They would not start respecting those traditions now.

In reality, there were good reasons to respect and uphold the old Senate tradition against the filibusters of nominees before 2003.

First, our responsibility under the Constitution is not to choose but to advise and consent. A partisan filibuster would, essentially, encroach upon the President's power to nominate the person of his choice.

Second, nominations are not susceptible to negotiation. We cannot split someone down the middle, Solomon-like. We can vote yes or no. This is not the case with legislation, where differences can be split, compromises negotiated, and bipartisan consensus reached.

Third, when legislation fails to win 60 votes, it is not the end of the world; it can go back to the drawing board or be enacted through other legislative vehicles. But when nominations are long

delayed or defeated, then real work is left undone, cases go unheard, disputes go unresolved, and the law remains unclear.

It would have been better for the Senate if the minority leader and the Democrats had recognized these things in 2003 and not started us down this path, the end of which we reach this week. It is rarely a good thing when an institution ignores or breaks its customs and traditions, its unwritten rules. They should have known better, and they should have acted better. But we have come to this point because the radical Democrats didn't act any better.

Now they propose to create a new standard never known to exist before: The Senate will not confirm a Republican President's nominees to the Supreme Court, because if the Democrats will filibuster Neil Gorsuch, then they will filibuster any Republican nominee. I will never accept this double standard, and neither will my colleagues. Republicans aren't going to be played for suckers and chumps.

After this week, the Senate will be back to where it always was and where it should have remained: Nominees brought to the floor ought to receive an up-or-down, simple-majority vote. And don't expect to hear regret from me about it.

There is no moral equivalence here between the two parties. To suggest any equivalence is to divorce action from its intent and aim. In 2003 and again at this moment, the radical Democrats overturned venerable Senate traditions. The Republicans are acting to restore them. Those who cannot see the difference, to borrow from Bill Buckley, would also see no difference between a man who pushes an old lady into the path of an oncoming bus and a man who pushes the old lady out of the path of the bus, because after all, both men push around old ladies.

So I am not regretful. I am not wracked with guilt. I am not anguished. I am really not even disappointed. There are no schoolyard taunts of "you did it first." There are no charges of hypocrisy. There is no pox on both our houses. The Republicans are prepared to use a tool the Democrats first abused in 2013 to restore a 214-year-old tradition the Democrats first broke in 2003, and we are supposed to feel guilty? Please. The radical Democrats brought this all on themselves and on the Senate. The responsibility rests solely and squarely on their shoulders.

The minority leader is hoist with his own petard, the Senate is restored to a sensible, centuries-old tradition, and Judge Gorsuch is about to become Justice Gorsuch. Not a bad outcome. Not bad at all. Pretty good, in fact.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, I come to the floor today to support the confirmation of Neil Gorsuch to serve as an Associate Justice on the Supreme Court of the United States. By any objective measure, Judge Gorsuch is impeccably qualified. He is a graduate of Columbia University and the Harvard Law School and was awarded a doctorate from Oxford. He is a former law clerk for the legendary Justice Byron White, as well as for Justice Kennedy. He has been a respected Federal appellate judge for a decade. Judge Gorsuch has spent a lifetime in the law, and his record indicates he will make an exemplary Justice.

Just 2 weeks ago, Judge Gorsuch testified for 20 hours before the Senate Judiciary Committee. His conduct during the hearing only further confirmed what his record demonstrates: that Neil Gorsuch is a principled jurist and a good man. And I was glad for all of us to get that confirmation because Judge Gorsuch bears a heavy responsibility—he is being asked to fill the seat of Justice Antonin Scalia. In truth, I doubt anyone could truly fill Justice Scalia's shoes. Justice Scalia was one of a kind, and his enormous impact on the law and on the Court will impact this Nation for generations to come.

All of us miss him dearly, but I take solace in the knowledge that one of the ways in which I believe it will be easiest for Judge Gorsuch to imitate Scalia—perhaps the most important way—is judicial humility. Justice Scalia's greatest strength was not his amazing wit, his mighty pen, or his larger-than-life personality, as much as we loved those parts of him; rather, it was his consistent unwillingness to accumulate power to himself and to the courts. He refused to impose his own personal policy preferences on the law but instead understood that his role as a judge was simply to apply the law that the elected representatives of the people had enacted.

This type of judging doesn't take otherworldly talents, although Scalia had that in abundance; instead, it takes character, integrity, and humility. Judge Gorsuch's lengthy record and his hearing testimony demonstrate that he has those attributes as well. He understands that his role as a judge is to apply the words of the Constitution and the laws of the United States to the specific cases that come before him, and nothing more. This is critical in an era when the Supreme Court has come to be seen by many—for good reason—as an activist Court, as a super-legislature that seeks to impose its own will in the place of the written law.

It is this very humility that angers so many on the left. They don't want someone who humbly applies the law; rather, they demand nothing less than a person fully committed to enacting from the Supreme Court bench whatever policies the left is championing at

that given moment, because they know their only refuge is the courts because the American people would reject the policies at the voting booth. Judge Gorsuch is clearly not that kind of person, so they have committed to opposing his confirmation by whatever means necessary, legitimate or not.

Indeed, if this were being decided on qualifications and record, Judge Gorsuch would be confirmed unanimously. We don't have to hypothesize about that because Judge Gorsuch has already been confirmed by this body a decade ago by voice vote, without recorded dissent. Not a single Senator objected—not Ted Kennedy, not Hillary Clinton, not Barack Obama, not Joe Biden, and not even Democratic Members who still serve in this Chamber, like CHUCK SCHUMER, DIANNE FEINSTEIN, PAT LEAHY, or DICK DURBIN. Not one of them spoke out against Gorsuch's nomination to the court of appeals—not one.

So what changed? The only thing that changed is that the radical left has become angry, extremely angry, and my Democratic colleagues are worried they will get opposed from their left in a primary. That is it. Their base demands total war, total obstruction, and they are begrudgingly bowing to this demand.

Unfortunately for them, it has proven difficult to invent attacks against an obviously well-qualified judge like Judge Gorsuch. My Democratic colleagues couldn't get any legitimate grievance to stick at the hearings last week, despite their best efforts, but it hasn't stopped them from repeating their outlandish attacks over and over again. If the stakes weren't so high, it might even be humorous, but it isn't really funny because the primary argument the Democrats have made is dangerous. Their attack on Neil Gorsuch is a direct attack on the rule of law itself.

Contrary to the very foundations of our government and legal system, my colleagues from across the aisle are arguing that Judge Gorsuch is unqualified to be a Justice because he allegedly failed to side with the "little guy" over the "big guy." In their view, it is now the job of judges to reject equal protection, to take the blindfold off of Lady Justice, and instead judges should put their thumbs on the scales to actively discriminate against parties based on their identity.

This notion of partisan, results-oriented judging is directly contrary to the constitutional system we have in this country. My Democratic colleagues are openly calling for judges to enforce their own political preferences from the bench, and they want to use a person's willingness or unwillingness to do so as a litmus test for who gets on the Court. This isn't even a jurisprudential position, it is a political position. And it is difficult to imagine a more effective way to destroy our judi-

cial system—the best in the world, despite its flaws—than to adopt this results-oriented approach.

Make no mistake, the Democrats' trumpeting of outcome-based judging will have consequences. Judges and potential judges nationwide will now have heard their siren call. You want smooth sailing in a confirmation hearing from the Democrats? Ignore the law, ignore the facts, and pick sides based upon whom you sympathize with—whoever is politically correct at that moment in time. My Democratic colleagues claim to detest attacks on the independent judiciary, but there aren't many attacks more dangerous and chilling of true independence and impartiality than the one they are making now.

The public—the people who appear in court seeking an honest tribunal—have also heard this open call for bias, for prejudice, for discrimination, and I doubt they will soon forget.

Luckily, Judge Gorsuch stood firm in his confirmation hearing. He reaffirmed what was clear from his record—that he will not legislate his own policy preferences from the bench and that he will respect the limited role a judge plays in our constitutional structure. He did all of this in the face of unrelenting opposition from my Democratic colleagues who demanded that he violate his judicial oath and swear to decide certain cases and political questions in a way that they would prefer. No recent nominee to the Supreme Court has ever made such pledges, and Judge Gorsuch rightfully refused to do so last week.

Their demands of Judge Gorsuch were particularly galling given that this was the most transparent process in history for selecting a Supreme Court Justice. During the campaign, Donald Trump promised the American people that, if elected, he would choose a Justice in the mold of Justice Scalia. He laid out a specific list of 21 potential nominees, including Judge Gorsuch. The voters were able to see precisely whom President Trump would nominate, and they were able to decide for themselves if that was the future they wanted for the Supreme Court.

Hillary Clinton, on the other hand, promised a very different kind of Justice. She promised a liberal judicial activist who would vote to undermine free speech, to undermine religious liberty, and to undermine the Second Amendment right to keep and bear arms.

In a very real sense, this election was a referendum on the Supreme Court. The American people could decide for themselves between a faithful originalist vision of the Constitution or a progressive, liberal, activist vision, and the voters chose.

Donald Trump is now President Trump, and he has kept his promise to the American people, selecting Judge

Neil Gorsuch from that list of 21 judges. Judge Gorsuch is no ordinary nominee. Because of this unique and transparent process, unprecedented in our Nation's history, his nomination carries with it a kind of super-legitimacy in that it has been ratified by the American people at the voting booth. Neil Gorsuch is not simply the President's nominee. It is the direction chosen by the American people, and I urge my colleagues to confirm him.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, I rise today to voice my opposition to the nomination of Judge Neil Gorsuch to be an Associate Justice on the Supreme Court of the United States.

The nomination of an individual to serve on the Supreme Court is a matter of tremendous importance. Supreme Court justices have the opportunity to shape, literally, and even to define American history for decades to come. Even more importantly, they have the opportunity to affect the lives and livelihoods of everyday Americans, now and in generations yet unborn.

Few decisions in the Senate have a more profound consequence than the confirmation of a nominee for a lifetime seat on the highest Court in the land. I recognize that this is one of the most critical votes that I will take or that any Senator will cast.

After reviewing Judge Gorsuch's record, I have decided to uphold my constitutional duty of service to advise and consent by opposing Judge Gorsuch's nomination at all stages of the confirmation process, including a vote on cloture or an up-or-down vote. I didn't come to this decision lightly. I arrived at this conclusion because I believe the next Associate Justice to the Supreme Court must be someone who understands the importance of judicial restraint, someone who will adhere to precedent, someone who will respect and has respect for all coequal branches of government, someone who views the Constitution as a living—not a static—document, someone whose judicial views actually fall within the mainstream of judicial thought and jurisprudence, and someone who has a deep understanding of the law, the Constitution, and its applications. Critically, I believe the next Supreme Court justice must be someone who understands the gravity of their work—that their decisions will affect livelihoods, will affect lives, and will affect the liberties and the rights that we value—not just for those in places of privilege and power but for all American citizens, for all of the people, now and for decades to come.

The American people need the next Justice on the Nation's highest Court to be someone who will protect the rights for all—for everyone—and who will ensure that the words literally inscribed above the Supreme Court—

"Equal Justice Under Law"—are made manifest in everyone's life.

After careful consideration of Judge Gorsuch's record, his judicial philosophy, and after meeting with the nominee and examining remarks and answers to questions in his confirmation hearing, I do not believe Judge Gorsuch meets this high standard, and I cannot support his nomination to be a Supreme Court Justice.

Judge Gorsuch is truly a well-credentialed jurist, but we must understand that a good resume is the beginning and not the end point of a standard by which we must measure nominees to serve on the Supreme Court. A good resume is necessary, but it is not sufficient to be on the highest Court of the land.

When it comes to the Supreme Court, the Senate's duty to advise and consent means more than merely measuring an aptitude or understanding of the law. It means more than just looking at someone's college and law school. It means more than just admiring: Does this person have an impressive resume? It necessitates an understanding of it. It actually necessitates an empathy for how these decisions will affect the lives of everyday Americans. Do they have the capacity to stand for all of us?

I take literally the way the Constitution began. It began with the words in the preamble to the Constitution. In many ways, it is a direct point at what is at stake when we nominate an individual to the Supreme Court. It is a critical way that we began. It begins by saying: "We the People." The inclusion of these words at the start of one of our Nation's founding documents is actually no accident. It was the subject of consternation and even discussion and debate.

It is worth noting that the original draft of the preamble of the Constitution of the United States, as prepared by a man named Gouverneur Morris, had a different beginning. It said: We the people of the States of New Hampshire, Massachusetts, Rhode Island, and so forth. But Morris and other drafters of the Constitution made the conclusion—and, really, the conscious decision—to remove references to States, to bring it back to the people—that the power of government is derived by the people and that is the fundamental aspect of our society; that it is "we the people"—not people of any one State, not people of any one religion, not people of any one race or class, but "we the people"—all of the people.

In a debate about this change, it was James Madison who argued:

In this particular respect the distinction between the existing and the proposed governments is very material. The existing system has been derived from the dependent derivative authority of the legislatures of the states; whereas, this is derived from the superior power of the people.

It is a deference and it is a reverence for the understanding of the power of the people—all people. It is no accident that this is how our Constitution began, and it is the spirit in our Nation which has helped us for centuries to expand upon this ideal of "we the people."

Understand this: Some of our greatest leaders fought to make sure that these ideals were far vaster, far more inclusive. I note, for instance, that Susan B. Anthony said it was "we the people"—not we the White male citizens, not we the male citizens, but we the whole people who formed the Union. And we formed it not to give the blessings of liberty but to secure them, not to the half of ourselves and to the half of our prosperity but to the whole people—women and men. You see, this fundamental understanding of our Constitution expanded to be more inclusive, to include women and minorities and religious minorities. This conception of "we the people" is critical.

It is unfortunate that too often, even with the best intentions, our elected officials, Supreme Court Justices, and even Presidents have forgotten the precision of these words which were chosen. But despite this, because of heroes like Susan B. Anthony and others, the people of this Nation have remembered them, and our Nation has grown to be who we are now. We often actually take for granted the critical role the Supreme Court has played in focusing on the people—on all the people. This has been the power and majesty of the Supreme Court—this focusing of individual rights, the dignity, the worth, the value of all people.

In the Supreme Court case in *Hammer v. Dagenhart*, the Supreme Court ruled that Congress has the power to enact labor laws that protect children. They remembered "we the people"—in this case, citizens against powerful corporations.

In *West Coast Hotel Co. v. Parrish*, the Supreme Court upheld the constitutionality of a State minimum wage law, again, focusing on the people—"we the people."

In *Mapp v. Ohio*, when the Supreme Court decided about evidence obtained through the illegal search—the violation of individual privacy—they remembered, again, "we the people."

In *New York Times Co. v. Sullivan*, when the Supreme Court protected the rights of everyday citizens to criticize their government, they remembered that sovereignty, that power, that importance of "we the people."

In *Baker v. Carr*, when the Supreme Court established the principle of one person, one vote, they remembered "we the people."

There are so many of the rulings during the 1950s and 1960s governing issues of race in our Nation, to which so many of us in our Nation owe our very

success, the opportunity that was expanded because the Supreme Court—against social mores, against laws of States—focused on "we the people."

Perhaps most famous of those is *Brown v. Board of Education*, when the Supreme Court asserted that separate but equal had no place in the education of our children, and they remembered "we the people."

In *Loving v. Virginia*, when the Supreme Court ruled unconstitutional the State laws that banned interracial marriage—that ideal of being able to join in union with someone you love, regardless of race—the Supreme Court remembered "we the people."

In *Olmstead v. L.C.*, when the Supreme Court reinforced the right of people with developmental disabilities to live in the community and not be institutionalized, they saw a greater inclusion of all Americans. They remembered "we the people."

I stood on the Supreme Court steps and I sat in on the Supreme Court arguments in *Obergefell v. Hodges*, when the Supreme Court ultimately ruled that State laws cannot stop you from marrying whom you love. They remembered. They saw the dignity and the worth of all of the people and ensured that equality. They remembered "we the people."

In each of these cases, so much was at stake—the rights of workers, the rights of children, the rights of people with disabilities, the rights of minorities, the rights of women, voting rights, civil rights, our rights—American rights. The Supreme Court, with jurists on the right and the left, jurists appointed by Republicans and Democrats, looked to people and affirmed dignity and worth and well-being.

But these are not just issues that were done in the past. The Supreme Court is going to be again confronted by historic and deeply consequential cases. There is still so much at stake, and that is why this decision before the Senate is so consequential. The right to gain access to birth control, the right to criticize your elected officials, the right to marry someone you love—that is still at stake.

I cannot vote in support of a nominee whom I don't trust to protect American individuals, to understand the expansive nature of that idea of "we the people." Judge Gorsuch is someone who, in his own words, has said judges should try to "apply the law as it is, focusing backward, not forward." Based on his record and his writing, it is clear to me that Judge Gorsuch's own judicial philosophy leaves out critically important elements of democratic governance.

Judge Gorsuch's evasive answers to questions during his confirmation hearing didn't do anything to allay my concerns. "We the People" are the first words of the Constitution. These words, I fear based on Judge Gorsuch's

record, are not his greatest consideration. In fact, at times, when he issues his judicial opinions, they look as if those individuals that make up our society—"we the people"—are the least of his considerations.

Take for example, Alphonse Maddin, the man who was working through the night in the dead of winter as a truck-driver when his brakes unfortunately froze on him. Knowing the danger of continuing to drive with frozen brakes—the danger to himself and other motorists on the road—Alphonse pulled over to the side of the road and called for help.

As several of my colleagues have noted in Judge Gorsuch's confirmation hearing and on the floor, Alphonse waited over 2 hours in the freezing cold without heat, experiencing systems of hypothermia. After no help arrived, Alphonse feared for his life, and, ultimately, left his trailer to find help.

Less than a week after the incident, Alphonse was fired for abandoning his trailer. He filed a complaint with the Department of Labor and the case was brought to the Tenth Circuit Court of Appeals, where all but one of the judges ruled in favor of Alphonse—a guy who made a practical decision, an urgent decision, to save his own life and not risk the lives of others. But the judge who ruled against this individual, in favor of the corporation, was Judge Neil Gorsuch.

He chose to save his own life and protect the lives of others who had been put in harm's way if he chose another option, and he was fired for it. Every judge on the Tenth Circuit supported that decision except for Judge Gorsuch.

"We the people" includes Luke, a student with a disability. He was diagnosed with autism at the age of 2. When Luke entered kindergarten, he began receiving specialized educational services from a school district as ensured by the Individuals with Disabilities Education Act, or IDEA. Congress debated and passed, with Republicans and Democrats, an act that says children with disabilities are entitled to receive a free and appropriate public education.

Between kindergarten and the second grade, Luke achieved many of the goals of his individualized education program. But when Luke's family moved to Colorado and he enrolled in a new public school, he had trouble adjusting, and Luke regressed in areas in which he had previously done well. To better suit Luke's needs, his parents, who tried to get him better care, eventually withdrew him from his local school and enrolled him in a private residential school for children with autism. His parents sought reimbursement for the costs of that private school, but the public school district refused to pay. By the time Luke's case reached the Tenth Circuit, a Federal judge and two administrative courts had agreed that

the school district should pay because Luke did not receive the free and appropriate education to which he was entitled.

The question for Judge Gorsuch was, What constitutes an appropriate education? In that ruling, Judge Gorsuch wrote the opinion saying that the educational benefits mandated by IDEA must be "merely more than de minimis." That was the standard that he set for one of our American children. Because the school district gave Luke a merely more than de minimis education, Judge Gorsuch ruled that Luke's parents were not entitled to reimbursement.

But just two weeks ago, the Supreme Court unanimously rejected Judge Gorsuch's "merely more than de minimis" standard. They unanimously rejected Judge Gorsuch's standard as contrary to the intent of Congress. In fact, at the very moment when Judge Gorsuch testified before the Judiciary Committee, Chief Justice Roberts wrote an opinion rejecting Gorsuch's IDEA standard, saying:

When all is said and done, a student offered an educational program providing "merely more than de minimis" progress from year to year can hardly be said to have been offered an education at all.

Judge Gorsuch's misinterpretation of the law—depriving a child with a disability of the education he deserves—should be cause for concern to any of my colleagues as they are promoting him to the highest Court in the land. It is this idea that the powerless, who fight against these corporations or big institutions and turn to the court system as their avenue to get the equal justice under the law that will view them—whether it is a corporation, whether it is a government—as an equal under the law and give them their right to be heard.

This is what "we the people" is. It means people like Alphonse Maddin and Luke, whom Judge Gorsuch ruled against. It also means female workers who want access to contraceptive coverage but were denied by their employer, denied by a corporation. Judge Gorsuch ruled against the people and for the corporation.

"We the people" means those millions of Americans who rely on Planned Parenthood centers for healthcare. Judge Gorsuch ruled against those people seeking what, in some counties, is their only access to contraceptive care. "We the people" means the people harmed by a medical device manufacturer's urging of unsafe, off-label uses. Judge Gorsuch ruled against the people injured and for the manufacturers, for the corporation.

"We the people" means that a worker fatally electrocuted while on the job due to inadequate training, whose families sought justice—Judge Gorsuch ruled against the individual and for the corporation.

"We the people" means the woman prevented from suing for sexual harassment, not because sexual harassment didn't exist but because she didn't report it quickly enough. Judge Gorsuch supported the corporation against the woman.

"We the people" means a transgender woman who is denied access to a bathroom at work. Judge Gorsuch ruled against the individual in favor of the corporation.

"We the people" means that every single American deserves to have their civil rights, deserves to have their equality protected by the judicial branch, which is often their last avenue toward justice. It is often their last hope against the powerful, against the wealthy. But Judge Gorsuch's record in everything—from workers' rights to women's rights, to civil rights, to the rights of children with disabilities, to the rights of a guy on the side of a highway to save his own life—suggests that he has forgotten perhaps the most important element of the Constitution: It exists to protect and serve the American people, not corporations, not lobbyists, not those rich enough to hire big, fancy law firms. It doesn't exist to serve a political ideology. It exists to serve "we the people."

I am not confident in Judge Gorsuch's ability as a Supreme Court Justice to safeguard the rights and liberties of all Americans, to prioritize judicial restraint over judicial ideology, to ensure equal justice under the law, and to understand and act in a way that indicates that the lives of real people who are struggling against often seemingly insurmountable odds—that for them, everything is on the line. I am not sure that Judge Gorsuch on the Supreme Court can honor this tradition.

"We the people" means an independent judiciary that will not close the courthouse doors on people, on our civil rights—that will not look at litigants as just pawns in the larger ideological context of ideas but will see the humanity of every American; that will have a courageous empathy to understand their circumstances and their struggles and put that in accordance with the values of a nation where we all swear an oath for liberty and justice for all the people.

Over 75 years ago, Justice Hugo Black encompassed the basic ideal of the role of Federal courts in protecting citizens' rights when he wrote these words:

No higher duty, or more solemn responsibility, rests upon this Court, than that of translating into living law and maintaining this constitutional shield deliberately planned and inscribed for the benefit of every human being subject to our Constitution—of whatever race, creed or persuasion.

Yet Judge Gorsuch's own writings demonstrate a failure to grasp this understanding of the role of courts to protect all people—and I quote, again, Justice Black—“whatever race, creed, or persuasion.”

In an opinion article for the *National Review*, entitled “Liberals and Law-suits,” Judge Gorsuch expressed his skepticism about civil rights litigation as merely a pursuit of a “social agenda.” He wrote:

American liberals have become addicted to the courtroom, relying on judges and lawyers rather than elected leaders and the ballot box, as the primary means for effecting their social agenda on everything from gay marriage to assisted suicide to the use of vouchers for private-school education.

This overweening addiction to the courtroom as a place to debate social policy is bad for the country and bad for the judiciary.

I wonder what Oliver Brown, plaintiff in the seminal case of *Brown v. Board of Education* would say to Judge Gorsuch? Was he “addicted” to the courtroom to advance his social agenda? Or was the courtroom his avenue to justice against profound oppression?

I wonder what James Obergefell would say to Judge Gorsuch. Was he “addicted” to the courtroom when he sought to be able to marry the person he loved? Or did Oliver just want to bring the truth to the idea that separate but equal was actually discriminatory, demeaning, and degrading, not just to the individuals who are discriminated against but demeaning to us as a people and a nation?

Judge Gorsuch's actions call into question whether he understands the proper role of the courts. Does he understand that Federal courts are the proper forum for constitutional disputes that protect American's basic rights? This is not about liberal or democrat; this is about individuals who are often fighting battles against powerful interests.

It was the journalist and editor William Allen White who said in 1936:

Liberty . . . must be something more than a man's conception of his rights, much more than his desire to fight for his own rights. True liberty is founded upon a lively sense of the rights of others and a fighting conviction that the rights of others must be maintained.

I do not believe Judge Gorsuch possesses this “fighting conviction” that we need in a Supreme Court Justice to forcefully and fearlessly, without regard to politics or favor or privilege or wealth, protect the rights of others, to protect the rights of all Americans, to protect the rights of “we the people.” I do not believe that Judge Gorsuch will work to fiercely defend the rights of all Americans. I do not believe he possesses that fighting conviction that “we the people” must be committed above all else to one another.

Again, I do not take the decision to oppose Judge Gorsuch's nomination lightly. I understand what is at stake.

I am fortunate to represent hard-working New Jerseyans in the U.S. Senate, and when I took the oath to support and defend the Constitution, I made a promise to my constituents and the American people not to only discharge my duties but at every opportunity to work across the aisle, to protect their rights and interests. That means a lot to me.

So many of my proudest moments in the Senate are from this bipartisan cooperation that I have found with so many of my colleagues. I do not stand here today to question their motives. I do not stand here today to impugn them in any way because when I go home, people are not concerned about the partisan politics. They are concerned about their lives, their livelihoods—about the issues that affect them and their families, their neighborhoods, their community. They want people in this body and in the courts across the street to protect the rights of Americans, protect consumers, protect our kids and our environment, but this is, in fact, what I believe the nominee we are all considering has shown that he will not do.

It is no secret that Judge Gorsuch's nomination comes at a very divisive time for this body and a challenging time for this country. We have experienced great times of turmoil and polarization before in this Nation and in this body. In the *Federalist Papers*, written over two centuries ago, James Madison warns in *Federalist Paper No. 10* about what he calls the “mischiefs of faction” and its inevitability—that citizens of the Nation and their political parties will undoubtedly disagree and will possess competing interests. Madison asserted that the existence of the legislative branch would guard against some of the worst effects of this reality. He wrote that those elected to represent the American people in the legislature would be those “whose wisdom may best discern the true interests of their country and whose patriotism and love of justice will be least likely to sacrifice it to a temporary or partial consideration.”

When this body is at its best, I believe that is true. I have seen that kind of partnership in this body. But I am afraid that we are indeed at a troubling time—a troubling time in history for the Senate where it seems that the reverse of Madison's hopes have become reflective of the truth we are experiencing because we are now facing a vote on a Supreme Court nominee whose confirmation, I believe, would be a sacrifice to temporary and partial considerations as opposed to the larger interests of our country.

In my short time in the body—just over 3½ years—I have come to this floor to speak on the nominations of two different Supreme Court Justices to serve here in the United States. The first was Judge Merrick Garland. He

was not only well qualified, intelligent, and capable, he was moderate. President Obama even sought input from Republicans about choosing someone who was a mainstream jurist. He was more than qualified to sit on the Supreme Court, but he was actually someone who could bring folks together. His qualifications, his aptitude to serve, and his moderate philosophy were not reflected in how we dealt with that nomination.

I believe he deserved an up-or-down vote. Even if it was a 60-vote threshold, he deserved an up-or-down vote. More than that, he should have had the opportunity to meet with Senators, Republican and Democratic, like Gorsuch has met with Senators, Republican and Democratic. He deserved to have a committee hearing. He deserved to be voted on up or down in that committee, and he deserved to have his nomination come to the floor. Whether a 60-vote threshold or a 50-vote threshold, he deserved an up-or-down vote, but he did not get one.

The Garland nomination was the bookend to an era we have been experiencing, that I have been witnessing, of obstruction, and there has been finger-pointing on both sides. But let's be clear about what happened during the Obama administration. During President Obama's time in office, we saw historic obstruction like never before. Seventy-nine of President Obama's judicial nominees were blocked by the filibusters. Seventy-nine nominees were blocked at a time when the judiciary, an independent branch of government, was saying: We are in judicial crisis in many jurisdictions. Seventy-nine of Obama's judges were blocked, compared to 68 nominees obstructed under all Presidents combined. All of the obstruction from Democrats and Republicans and other parties, and only 68 nominees were obstructed, compared to President Obama, where there were 79.

I do not possess the same view as those who last year believed this seat should remain vacant and took the obstruction during the Obama Presidency to a much higher level. I believe that seat should have been filled not by an extreme jurist but by someone who could have tempered the partisanship of our time, someone who could have brought us together. It was a wise choice at a divisive time in our country.

President Obama did not choose somebody from further left; he chose a moderate Justice who probably could have—if he had been given an up-or-down vote—commanded 60 votes. At this time, that is what President Trump should have done—put forward a nominee who could have brought this country together, a moderate nominee, someone within the judicial mainstream. But he hasn't.

I believe a 60-vote threshold right now is more than appropriate at this

moment in history. There are Republican judicial nominees who could garner 60 votes in this Chamber. The 60-vote threshold exists because a person confirmed to serve on the Supreme Court at this time should be mainstream and independent enough to garner that two-thirds support.

The 60-vote threshold exists because confirmation of a Justice to the Supreme Court is one of the most important duties we perform, one of the most important positions in all of American Government. It is someone who will have an impact on our society, shaping it and forming it for generations to come.

This President should have sought real advice and consent from the entire Senate, but instead he turned to the judicial extreme.

Now more than ever, we need a threshold that can pull our nominees back to the mainstream, that can begin to heal the divisions. I do not believe it is in the best interests of my constituents or the American people to confirm someone so extreme on a 50-vote margin. It should be 60 votes.

I urge my colleagues to understand that this judge threatens those ideals we hold precious, those words at the very beginning of our Constitution, "We the People." I urge people to understand that this is the time more than ever that we must continue to fight to defend the marginalized, the weak, the people who do not possess wealth, the people who are standing against powerful corporations, that we cannot reverse a tradition where our courts were the main societal avenue in which people could receive equal justice under the law. We cannot put someone in office who has shown throughout their judicial record to be contrary to that.

For the sake of this body, now more than ever, it is my hope that we can see a judicial nominee who will help to heal wounds and not create them, help to elevate the unity of us as a people, who will help to affirm the ideals of our Nation and the very conception that we are one people, we are one Nation, and we hold one destiny.

I yield the floor.

The PRESIDING OFFICER (Mr. RUBIO). The Senator from Virginia.

Mr. WARNER. Mr. President, first of all, let me thank my friend the Senator from New Jersey for his statement. I, too, share the belief that there was a better way to go about this judicial nomination process. I think as well that traditions such as a 60-vote margin should be maintained.

I think, frankly, neither party comes to this issue completely with clean hands, with the Democrats' action in 2013. But clearly our colleagues' actions of not even giving someone of such character as Merrick Garland the courtesy of meetings, a hearing, and then an up-or-down vote—for that and

for many other reasons, I will be joining my friend from New Jersey in voting against Judge Gorsuch and making sure that we use all of our available tools. So I thank him for those comments.

TRIBUTE TO FEDERAL EMPLOYEES

KIRK YEAGER, DENNIS WAGNER, EDWARD GRACE,
AND MARIELA MELERO

Mr. President, that sense of what we are dealing with now in our politics today is the subject that I want to speak about for a few minutes; that is, the incredibly important efforts made each and every day by our public servants.

We often forget that our public servants, our Federal employees, go to work every day with the sole mission to make the country a better and safer place. Day after day they go to work, receiving little recognition for the great work they do. Since 2010, I have come to the Senate floor to honor exemplary Federal employees—a tradition that was begun by my friend Senator Ted Kaufman. One of those Federal employees is actually sitting at the desk and has helped me and I know so many other Senators as we have tried to learn this job.

The reason I wanted to come back today was because today, in light of a governmentwide hiring freeze, the reinstatement of the so-called Holman rule, a proposed budget that would deeply cut our Federal workforce, and candidly, in these times, the targeting of career civil servants by certain conservative media outlets, this tradition of honoring those who serve, oftentimes without recognition, our Federal employees, feels even more important.

Our Federal employees—over 170,000 of them Virginians—serve their country dutifully regardless of the party in power. Not only do they carry out the mission of the administration they are serving, but they also provide countless benefits to the American public. It is my hope that my colleagues and the current administration will remember these facts and set aside ideology when considering actions that affect our Federal agencies and their workforce.

Today I want to take a couple of moments to recognize a few Virginians who are working behind the scenes to actually make our government more efficient and more effective.

First, I would like to recognize Kirk Yeager. Kirk is the Chief Explosives Scientist at the FBI. In this role, he both responds to crises and oversees the Bureau's efforts to better understand the explosives terrorists use. Having studied bomb-making for more than 20 years, Kirk works with both domestic and foreign law enforcement agencies and has developed and provided crucial training to every bomb squad in the United States and to many of our foreign allies. Through his work, Kirk has made U.S. civilian law enforcement personnel and those who

serve our country in the military much safer.

Next, I would like to recognize Dennis Wagner. Dennis is the Director of the Quality Improvement and Innovation Group at the Centers for Medicare and Medicaid Services. As part of a team at CMS, Dennis contributed to the creation of the Partnership for Patients, a public-private partnership to increase patient safety and reduce readmissions to U.S. hospitals. Their work has produced outstanding results, including 2.1 million fewer patients harmed and \$20 billion saved. That is a remarkable statistic, and obviously the work going on at CMS—an agency that does not get a lot of recognition; candidly, most people don't even know—a person like this gentleman, Dennis, has made our healthcare system better.

Third, I would like to recognize Edward Grace. Edward is the Deputy Chief in the Office of Law Enforcement at the U.S. Fish and Wildlife Service. In that role, Edward has been leading a nationwide law enforcement investigation known as Operation Crash, targeting those who smuggle and trade rhino horns and elephant ivory. In addition to assisting in the Department's efforts to preserve global biodiversity, Operation Crash has led to 41 arrests, 30 convictions, and the seizure of millions of dollars in smuggled goods—results that show that those seeking to engage in this kind of activity—there will be real legal consequences to their actions.

Finally, I would like to recognize Mariela Melero. Mariela is the Associate Director for the Customer Service and Public Engagement Directorate at the U.S. Citizenship and Immigration Services. Mariela and her team have been working to improve the way USCIS interacts with the millions of people who contact their office seeking citizenship, permanent residency, refugee status, or other assistance. Central to that mission are the innovative improvements Mariela has made to the myUSCIS website, as well as the launch of Emma, a virtual assistant that in a typical month answers nearly 500,000 questions with a success rate of nearly 90 percent.

To ensure that this resource was available to a wide range of customers, Mariela also oversaw the creation of a Spanish-speaking Emma that came online in 2016. These important improvements have been crucial to driving efficiency for the world's largest immigration system in the world.

Again, I hope my colleagues—as we think about budgets and numbers and when we hear people who oftentimes denigrate our Federal employees—will remember some of these individuals who, not for great reward or recognition, actually get up each and every day and go to work, trying to ensure that our government functions for the hundreds of millions of Americans who

oftentimes don't acknowledge or recognize their services enough.

Mr. President, as I mentioned at the outset, I know this is a time when most of my colleagues are speaking on Judge Gorsuch. I will simply add, after a careful review of his record and my belief as well, that his unwillingness to really give truly straight answers in terms of comments—whether it was basic, decided legal opinions like *Brown v. Board of Education* or *Roe v. Wade* or *Citizens United*—and his failure to even answer those questions has unfortunately led me to join with so many of my other colleagues in voting against him.

I still hope that there is a way that we can avoid changing the rules of the Senate during this process. I know there are many colleagues who are working on those efforts. If they are successful, I look forward to joining them.

As we think about Judge Gorsuch, as we recognize the challenges we have ahead of us, let us also—those of us who serve in this body—continue to take a moment every day to say thanks to a Federal employee who, in one way or another, works tirelessly day in and day out to make our country a better place.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. Mr. President, last week on this Senate floor, I made the case for Democrats and Republicans joining together to confirm one of the most qualified individuals ever nominated to the U.S. Supreme Court. I was referring, of course, to Chief Judge Merrick Garland.

I don't wish to belabor the point here this evening, but it bears repeating that Judge Garland brought with him more Federal judicial experience than any Supreme Court nominee in the history of the United States.

It bears repeating that Judge Garland is an extraordinary man, a good man, a brilliant man, a fair judge, and a consensus builder on the bench in a day and age when we need consensus builders on the Supreme Court and other courts across the country. Frankly, we also need them right here on this floor, in this body.

It bears repeating that the obstruction of Judge Garland's nomination was unprecedented in the history of the United States of America and in the history of the Senate.

Since the Senate Judiciary Committee began holding public hearings on Supreme Court nominations in 1916,

no Supreme Court nominee had ever been denied a hearing and a vote—until Judge Garland. Many of our Republican colleagues refused to meet with him. When his nomination expired at noon on January 3, 2017, 293 days had passed—293 wasted days.

A good man was treated badly. I believe our Constitution was treated badly. I believe that the obstruction of Judge Garland's nomination was unprecedented. I believe it was shameful. From my view, we cannot pretend that this vacant seat on the Supreme Court—what I believe should be Judge Garland's seat—is anything other than blatant partisanship.

I believe that upholding my oath to protect the Constitution means finding agreement on moving Judge Garland's nomination forward at the same time—at the same time as that of Judge Neil Gorsuch, President Trump's Supreme Court nominee.

I have no choice but to oppose Judge Gorsuch's nomination this week because anything else would be a stamp of approval for what I believe is playing politics with Supreme Court nominees. I cannot support Judge Gorsuch's nomination because we cannot have one set of rules for Democratic Presidents and another set of rules for Republican Presidents.

Some of my colleagues and maybe some of the Americans listening at home tonight may be asking themselves: Well, Senator CARPER, didn't the Democrats change the rules for judges when they were in the majority? That is a fair question. To that, I would say yes. That is true for lower court nominees, nominees to Federal district courts and courts of appeals.

But it wasn't because Senator Harry Reid woke up one morning and decided that was the day to change the rules of the Senate. A decision of this magnitude didn't happen on a whim. It was because, by the time November 2013 had arrived, our Republican friends had attempted to block—get this—more nominations in the first 5 years of President Obama's tenure than all other Presidents combined. Let me say that again. It was because, by the time November 2013 had arrived, our Republican friends had attempted to block more nominations in the first 5 years of President Obama's tenure than all other Presidents combined.

It wasn't the unprecedented use of cloture motions—79 cloture motions—during those 5 years that precipitated Democrats' seeking a solution to restore the capability of the Senate to do its job. It was because our Republican friends refused to consider any nominee—any nominee—to the D.C. Circuit Court of Appeals, despite three critical vacancies on our Nation's second highest court.

So, yes, it is true that Democrats supported a change that allowed a vote on those nominees, but it was because

our Republican friends took the unheard-of position that no nominees—no nominees, no matter their qualifications—were entitled to a vote.

I should note that Democrats were careful to preserve the 60 votes for Supreme Court nominees.

Let me just say that, if there is any position in the Federal Government that should require at least 60 votes, my view is it should be the Supreme Court, and that is the rule under which we operate as of this moment.

One of the reasons why is because Supreme Court vacancies come around quite rarely. When they do, we need to ensure that debate is robust, we need to ensure that the nominee is from the judicial and the political mainstream, and we need to ensure that these lifetime appointments are held to the highest standards. In other words, I believe we need a nominee like Judge Merrick Garland.

Despite his own impressive resume, I have concerns with Judge Gorsuch's nomination beyond the treatment of Judge Garland, and I have concerns with the way that our debate has not been, frankly, robust. I have concerns that Judge Gorsuch's views are outside the judicial and political mainstream, and I have concerns about what others have termed "evasiveness." His evasiveness before the Judiciary Committee does not meet the high standards that we should expect for those lifetime appointments.

I would be remiss if I did not mention what I referred to last week as the cloud that lingers still over President Trump's campaign. Like many Americans, I read the news related to Russia and the Trump campaign, and I come to the inescapable conclusion that the cloud is darkening and the forecast is a matter of grave concern for our Constitution.

FBI Director Jim Comey has testified under oath that there is an ongoing investigation to determine the links between the Trump campaign and Russia, an adversary that attacked our election and undermined a free and fair election to change the outcome of that election. From all appearances, they did.

To hastily move forward with Judge Gorsuch—who is 49 years old, who could serve on the Supreme Court well into the middle of this century—without first getting to the bottom of the suspicious and irregular actions of Trump campaign officials would be, in my view, a mistake.

For many Americans, this Supreme Court seat will always come with an asterisk attached to it. They believe and I believe that it was a stolen seat that belonged to Judge Merrick Garland.

Many Americans are wondering why we are rushing to fill a lifetime vacancy while President Trump's campaign remains under investigation and will for at least some while.

I believe we have some time. Judge Garland waited 293 days for a hearing and a vote that never came. Judge Gorsuch has waited 48 days for a hearing and many of our Republican friends would like to see him seated this week.

Again, I would say: Judge Merrick Garland waited 293 days for a hearing and a vote that never, never came.

What we face here today, I think, is a rush to judgment. I would just say that we have time. We ought to hit the pause button on this nomination.

The American people are watching us, and history will judge us. I fear that history may judge us poorly if anyone other than Merrick Garland is confirmed at this time. I fear that history may judge us poorly if we do not insist that the Trump campaign is first cleared of any wrongdoing before we move forward. We need to get this right. We have time to get this right.

The Senate has been through it all. The good men and women of the Senate have always disagreed—sometimes passionately, oftentimes loudly. I understand that this disagreement before us may seem irresolvable, but that is only if we seek to cut off debate and admit defeat. Personally speaking, I am not ready to do that today or this week.

I believe we have time. I believe we have the opportunity to right a historic wrong. We have not just an opportunity to right a historic wrong but also an obligation to get this right.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. Mr. President, it is pretty obvious, based on the announcement Senators have made, that we are experiencing the first partisan filibuster of a Supreme Court nominee in the history of the country.

We have had plenty of time to discuss Judge Gorsuch and his credentials both in committee and on the floor, and I think it is now important to move forward.

CLOTURE MOTION

Therefore, I send a cloture motion to the desk for the nomination.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Neil M. Gorsuch, of Colorado, to be an Associate Justice of the Supreme Court of the United States.

Mitch McConnell, Mike Crapo, John Kennedy, Jerry Moran, Mike Rounds, Chuck Grassley, Jeff Flake, Todd Young, John Cornyn, Cory Gardner, Thom Tillis, Marco Rubio, John Thune, Michael B. Enzi, Orrin G. Hatch, Shelley Moore Capito, Steve Daines.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO RICH RIMKUNAS

Mr. HATCH. Mr. President, I am pleased to pay tribute to a fine public servant and an incredible asset to the U.S. Congress.

Rich Rimbunas has had a career filled with outstanding achievement at the Congressional Research Service, CSR. After nearly 37 years of service, Rich will be retiring from CRS on Friday, April 28.

When Rich joined CRS in 1980, he was an analyst working on a broad array of social policy issues. Initially, he worked on issues like child nutrition, poverty, Social Security, social services for the aged, and unemployment insurance. Rich cocreated and coauthored a widely circulated CRS report on Federal social welfare spending. He was also a coauthor and contributor to several chapters in the House Ways and Means Committee print "Children in Poverty," which provided a detailed look at the incidence and characteristics of child poverty in the United States.

Rich ultimately became heavily involved in providing research and analytical support to Congress on many health policy issues, including analyses of aggregate national health expenditures, the Medicare hospital prospective payment system, the Medicare Advantage program, and Medicare catastrophic drug costs. Additionally, he has worked on numerous issues related to Medicaid. He both directed a team of CRS analysts as well as contributed his own analysis to the Medicaid "Yellow Book," a 1988 House Ways and Means Committee print that provided a comprehensive analysis of the Medicaid program as it existed at the time. Rich also managed the 1993 update of the "Yellow Book."

Rich's analyses have typically involved quantitative research methodologies, modeling techniques, and the use of complex databases. Rich has excelled at developing approaches for simulating the effects of potential changes to Federal benefits and grant allocation formulas.

In addition to the direct impact his research and analytical work has had on Federal policies, Rich has made equally important contributions within CRS in managerial roles. During his tenure at CRS, he has served as section research manager of the methodology section, the research development section, the research development and income support section, and the health insurance and financing section. During his tenure as an SRM, Rich helped manage CRS work on the 1996 welfare reform law and the 2003 overhaul of Medicare in the Medicare Prescription Drug, Improvement, and Modernization Act. Rich helped manage an interdisciplinary team numbering about 3 dozen CRS analysts that provided legislative support during the passage of the Affordable Care Act.

Throughout his career, Rich has served as a role model for the highest level of CRS service to Congress, upholding the Service's standards of authoritativeness, objectivity, and confidentiality. He is known within CRS for his attention to detail, methodological strength, and creative approaches toward conducting analyses. His input is sought on a great many research efforts spanning virtually all of the major domestic social policy issue areas that Congress deals with.

Rich is renowned for his tremendous work ethic and energizing presence. Those who have worked closely with him appreciate his ability to keep his sense of humor even during the most stressful times.

In recent years, Rich has served as the deputy assistant director of CRS's domestic social policy division. In that role, he has mentored and helped develop many of the division's managers, analysts, and research assistants. He has also played a central role in reviewing written work produced by the division, helping to ensure its accuracy, completeness, and quality. Moreover, in his work as a division manager, Rich has served on numerous advisory panels that have recommended organizational practices and policies for CRS, many of which have been adopted.

Rich's policy expertise has been broadly recognized. He is regularly sought for his expertise at professional meetings and conferences. He was nominated to the National Academy of Social Insurance in 2002 and has served on the steering committee of the National Health Forum. He has also been recognized with numerous Library of Congress special achievement awards.

Rich has devoted nearly his entire distinguished professional career to supporting the work of Congress and to helping build and strengthen CRS and advance its mission.

We will miss Rich, but we wish him and his family the best of luck moving forward.

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM

Mr. LEAHY. Mr. President, I want to express my serious concerns with the budget for fiscal year 2018 recently proposed by President Trump. If adopted, this budget would have severe consequences on many Americans, but I am particularly concerned that it would be low-income families who are impacted the most. As vice chair of the Senate Appropriations Committee, I will do everything in my power to make sure that does not happen.

Among countless examples within a budget that is out of touch and that will drive more American families into poverty, the President's proposal to eliminate the Community Service Block Grant, the Low Income Home Energy Assistance Program, LIHEAP, and the Weatherization Assistance Program should be concerning to all of us. These are resources that are essential not only to Vermonters, but to millions of families throughout the country.

The Community Service Block Grant ensures that low-income families receive the support they need for basic food and housing assistance, financial planning tools, and fuel in winter months. LIHEAP and weatherization services ensure that families do not have to choose between food and heat. They ensure that families stay safe from harmful asbestos that may be in the walls of their old Vermont farmhouses or their inefficient mobile homes. In States like mine, home heating is a life-and-death matter.

We need to show compassion when drafting our budget and provide support for those programs that help hard-working families in need. We must see the faces behind these proposed budget cuts. Vulnerable people should never be at the whim of politically driven priorities.

We have to do better. I would like to begin by recognizing the crisis so many families will face in this country without the help of our community action agencies. Without them, families will go cold. They will choose not to eat so they can heat their homes. They will deny themselves healthcare and miss rent payments so that they can stay warm, so that they can stay alive.

Last month, I had the pleasure of seeing a longtime friend and fellow Vermonter Jan Demers, who serves as the executive director of the Champlain Valley Office of Economic Opportunity, CVOEO, Vermont's largest community action agency in Burlington. It was Jan who said it best, noting that, "President Trump's budget is like one amputation after another. Not bringing health to the community but cut after cut—loss after loss." I am proud that CVOEO and the other community action agencies continue to meet the needs of these families and hope all Senators will continue

to support them as I have during my time in the Senate.

In recognition of their leadership, I ask unanimous consent that a statement by Jan Demers be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Good morning, my name is Jan Demers and I am the Executive Director of the Champlain Valley Office of Economic Opportunity. On behalf of the more than 23,000 Vermonters that CVOEO serves: Welcome. We are standing in CVOEOs Weatherization Warehouse. It is a fitting place to talk about President Trump's recently released budget. Thank you to Senator Leahy and your staff for organizing this press conference and for the leadership you provide for Vermont and the nation. Thank you to Jonathan Bond and our staff and for all the Community Action Agencies who carry on this good work. Thank you to Bobby Arnell, Sean Brown, Sarah Phillips and to our partners in the State of Vermont who uphold the values of care and wellness for all Vermonters. And thank you to Mr. Todd Alexander who typifies the strength of those we serve.

Community Action Agencies exist to support community well-being. We make sure that everyone can reach their potential and fully contribute to the total strength of our communities.

How does Mr. Trump's budget affect CVOEO? It zeros out the Community Service Block Grant—\$990,687. This is the foundational grant that undergirds the majority of our programs. It zeros out the Low Income Home Energy Assistance Program (LIHEAP) that keeps Vermonters warm in the winter. It zeros out the Department of Energy's Weatherization Program. Thankfully the State of Vermont is our main source of Weatherization funding. However, this will mean that 30 Vermont homes will not be weatherized in our area. Just those 3 cuts amount to a total of \$2,056,675.

On top of that there are the cuts to Head Start, Fair Housing, Housing assistance, Mobile Home, and Voices Against Violence. There isn't an area, program, staff person or any of the 23,000 people we served that won't be touched and experience devastation of services due to this budget.

We have heard over and over that the war on poverty didn't work. However, when the programs that created the War on Poverty in 1964 measured the percent of poverty it was at 20%. Seven years later the percentage of poverty was at 11%. It worked! Then the years of cutting started, cut after cut was enacted weakening the effort substantially. In 2012 the measured percent of poverty was 15%. Currently the percentage of poverty is 13.5%. To me that signifies that the measured efforts put into place during the Obama years are working.

There isn't a CVOEO Program that isn't decimated by this budget bringing great loss for the entire population of over 23,000 people that CVOEO served in FY 16. Community Action Agencies exist to support community well-being. Instead of health, this budget is like one amputation after another. Not bringing health to the community but cut after cut—loss after loss.

Our vision is bridging gaps and building futures for the people we serve. This budget widens the chasm and diminishes life.

This cannot be the last word in the Federal budget for FY 18.

Thank you, Senator Leahy for bringing us a better way.

PRESIDENT EL-SISI'S VISIT

Mr. LEAHY. Mr. President, this week, Egypt's President Abdel Fattah el-Sisi is in Washington where he is meeting with President Trump and other senior administration officials, as well as some Members of Congress.

President Trump has spoken glowingly of President el-Sisi, as he has of Russian President Putin and Philippine President Duterte. "Strong leaders," he calls them, as if that is enough to justify our wholehearted support. Unfortunately, world history is replete with examples of strong, messianic leaders who abused their power in ways that caused immense hardship for their people and divisiveness and conflict in their countries.

Despite that, the White House has voiced its strong support for President el-Sisi, and for U.S.-Egyptian relations.

I have been to Egypt many times, and I have voted for billions of dollars in U.S. aid for Egypt to support economic and security programs in that country. I have recognized positive developments in Egypt when they occur, such as President el-Sisi's decision to undertake economic reforms, including by reducing some subsidies. Far more needs to be done, however, if Egypt's economy is to break free of decades of state control, endemic corruption, and gross mismanagement.

I am also aware of the security threats Egypt faces in Libya and in the Sinai, although I and others have expressed deep concern with the flawed tactics the Egyptian Government is using to combat those threats. The U.S. has an interest in helping Egypt confront these challenges by addressing the underlying causes in a manner that is effective and consistent with international law.

President Trump has called President el-Sisi a fantastic guy. Ironically, that says a lot more about President Trump than it does about President el-Sisi.

President el-Sisi, a former general who seized power by force, has ruled with an iron fist. He has effectively banned public criticism of his government since the removal of former President Morsi, enforcing what amounts to a prohibition on protests and arresting hundreds of people in connection with the ban, many preemptively.

President el-Sisi's government has engaged in one of the widest arrest campaigns in the country's modern history, targeting a broad spectrum of political opponents. Local civil society organizations estimate that between 40,000 and 60,000 people are detained on political grounds, such as for protesting or calling for a change in government. Police have accused many of having links to the Muslim Brotherhood, usually without evidence that they have advocated or engaged in violence. Many other detainees belong to other political organizations or have no party affiliation.

A systematic crackdown on Egypt's independent civil society has left it on the verge of collapse. According to human rights groups, nearly every prominent Egyptian human rights defender or civil society leader is banned from leaving the country as part of a judicial investigation into the foreign funding of their organizations. A law signed by President el-Sisi in 2014 would allow prosecutors to seek 25-year sentences for illegally receiving foreign funding. Parliament has also proposed a new law regulating civil society organizations which, if adopted, would effectively outlaw independent human rights work in the country.

Despite repeated requests by U.S. officials, including some Republicans and Democrats in Congress, President el-Sisi's government has refused to release those detained for political reasons for months or years without charge or on trumped up charges like Egyptian-American citizen Aya Hijazi.

The media has also been targeted, with authorities threatening and jailing journalists who reported on political opposition. Some foreign journalists have been barred from the country after writing articles critical of the government. As of December 2016, Egypt was the third-highest jailer of journalists, according to the Committee to Protect Journalists. This pattern of harassment and arrests is not new. It has been happening for years, and, contrary to the representations of Egyptian officials, it is getting worse.

According to Human Rights Watch, members of the security forces, particularly the Interior Ministry's National Security Agency, routinely torture detainees to elicit confessions. This torture usually occurs during periods of enforced disappearance that can last for weeks or months. The widespread use of torture has also been reported by the State Department. Despite hundreds of reported cases of torture and enforced disappearance, since 2013, only a handful of police officers have reportedly been punished for violating the law.

According to information I have received, prison conditions remain deplorable, and political detainees are beaten, often deprived of contact with relatives and lawyers, and denied access to medical care.

The government's use of U.S. aircraft and other military equipment in its counterterrorism campaign against a local ISIS affiliate in the northern Sinai has not only resulted in indiscriminate attacks against civilians and other gross violations of human rights, it has made the terrorism situation worse. Requests by myself, as well as State and Defense Department officials and by independent journalists and representatives of human rights groups, for access to conflicted areas, have been denied.

While President Trump and other U.S. officials unabashedly praise President el-Sisi, I wonder how they reconcile their portrayal of him with his crackdown against civil society and brutal repression of dissent. In fact, it can't be reconciled, and it damages our own credibility as a strong defender of human rights and democratic principles.

I want to reiterate what I said in this Chamber on September 27, 2016, when I spoke about Aya Hijazi, the young Egyptian American social worker currently detained in Egypt. Ms. Hijazi, along with her Egyptian husband and five employees of their organization Belady, has been accused of salacious crimes that the government has yet to corroborate with any credible evidence; yet she has been jailed since May 21, 2014. Just last month, a decision in her case was inexplicably delayed until later this month. It is long past time for her ordeal to end.

The United States and Egypt have common interests in an increasingly troubled region. Egypt has acted to reduce the smuggling of weapons into Gaza, and it has helped to broker ceasefires with Hamas. Our support for Egypt is demonstrated by the fact that, over the past 70 years, U.S. taxpayers have provided more than \$70 billion in economic and military aid to Egypt. I doubt that many Egyptians know that, as most have a decidedly unfavorable opinion of the United States.

After three decades of corrupt autocratic rule by former President Mubarak, Egypt once again has a former military officer as President who has chosen to rule by force. It is neither justified, nor is it necessary. If, on the contrary, President el-Sisi were to demonstrate that he has a credible plan for transforming Egypt's economy, for improving education and creating jobs, for respecting due process and other fundamental rights, and for addressing the discrimination and lack of economic opportunities that are at the root of the violence in the Sinai, the Egyptian people would support him. They would also have a brighter future. Instead, I fear that, by relying on repression, he is sowing the seeds of misery and civil unrest, which is in the interest of neither the Egyptian people nor the American people.

MONTENEGRO'S ACCESSION INTO NATO

Mr. INHOFE. Mr. President, I am pleased the U.S. Senate voted favorably to add Montenegro as a permanent member to the North Atlantic Treaty Organization, NATO, sending a strong signal of transatlantic unity. NATO plays a vital role in maintaining security and stability throughout Europe, and including Montenegro in this strategic alliance will strengthen NATO

and encourage stability within the region.

Montenegro is a growing democracy that has repeatedly proven itself to be a valuable ally since joining NATO's Partnership for Peace Program in 2006. They are partnered with our Maine National Guard, and have been a strong ally in the fight in Afghanistan since 2010. Having visited Montenegro, I can say, without a doubt, that it has demonstrated a commitment to NATO, the United States, and regional stability. This vote sends clear message of support to our friends in Montenegro. It also sends a strong message to NATO and gives notice that the United States will stand up for Western democracies, despite continued pressure from the Kremlin. We must deter Russia's destabilizing actions in the region, including Moscow's annexation of Crimea in 2014 and its continued support for rebels in eastern Ukraine. Putin is learning lessons from these examples and will continue his quest to expand his influence as far as the world community will allow. This aggression by the Russian Federation undermines peace and stability not only in the Balkan region, but also in all of Europe, which constitutes a direct threat to U.S. security interests.

Montenegro's accession to NATO is in the best interest of the United States, NATO, and peace and stability in Europe. This vote by the U.S. Senate sends a clear message of our commitment to NATO, to the people of Montenegro, and to improving stability in the Balkan region. I look forward to Montenegro joining NATO as a full member.

ANNIVERSARY OF NATO

Mr. BROWN. Mr. President, nearly 70 years ago today, the United States and 11 other nations—in the face of Soviet aggression—joined together in mutual defense to form the North Atlantic Treaty Organization, NATO. Since its inception, NATO has expanded to 28 member nations. The breadth of its mission is impressive—from ensuring regional stability and combating terrorism to training partner countries and supporting humanitarian aid. While NATO was founded to ensure Western peace and stability in the face of the Cold War, its work has come to encompass all corners and peoples of the globe.

NATO is more important than ever today in deterring regional conflict. The U.S. must stand by its ironclad commitment to NATO's security and solidarity as Russian President Vladimir Putin flouts international law and exerts Russian aggression around the world, from meddling in our own election to the illegal annexation of Crimea.

Our NATO allies need our support. I applaud Operation Atlantic Resolve,

which coordinates the deployment of additional NATO troops to our allies in Eastern Europe. I also commend other U.S. efforts that support our NATO allies, like the European Reassurance Initiative. These play an essential role in bolstering our force readiness in the region to deter Russian aggression and demonstrate our commitment to the common cause and democratic principles that NATO embodies.

American support for NATO is and must remain steadfast. The nearly unanimous vote in the Senate ratifying Montenegro's accession to be a member state is evidence of this well-established, deeply founded support. Ukraine's stated intention to achieve the criteria for joining NATO, too, is testament to the organization's renewed importance in our deterrence policy in the region.

While the sentiment of NATO's article 5—"an attack on one is an attack on all"—helped guide the U.S. stably through the Cold War, NATO has remained a relevant source of strength for the international community, beyond regional deterrence. Since 1999, when NATO identified the risk international terrorism posed for member nations, the organization has remained a steadfast resource in the fight against terrorism. In fact, the only instance in which article 5 was invoked was in the wake of the terrorist attacks of September 11, 2001. Since then, NATO has helped ensure freedom of navigation in waters plagued by piracy, helped train Iraqi security forces counter improvised explosive devices, commanded counterterrorism operations in Afghanistan for more than a decade, provided support for Global Coalition to Counter ISIL, and innumerable other contributions. As threats to member nations evolved in the 21st century, NATO demonstrated its ability to adapt.

NATO showed the power of strength through solidarity, not only for its member nations, but also for its dozens of partner nations around the globe. The power of NATO's partnerships lends strength to the global community as a whole, better equipping regions of the world to respond when disaster strikes. Programs like NATO's Centres of Excellence help partner countries fight corruption, piracy, and terrorism and collaborate to stem the spread of weapons of mass destruction and other arms. By serving as a resource for nonmember countries, NATO not only strengthens the resolve of the international community to strife and instability, but also serves as a beacon for democratic values like gender equality and rule of law.

Finally, NATO has long served as a force for human rights. It was central to ending the genocide in Bosnia and Herzegovina in 1995, and it helped bring an end to violence in Kosovo in 1999. NATO has served as a vital resource as-

sisting with the waves of refugees escaping from violence and atrocity in Syria, and the organization has been at the frontlines to combat international human trafficking.

NATO plays a critical role in combating increased Russian aggression, but its mission is much broader than that. The world is a safer place thanks to NATO, from stemming regional conflicts, to assisting partners around the world. It serves as an indispensable, indisputable resource for the international community. As we celebrate the anniversary of this pivotal organization today, we must remain committed to its successful future.

VAISAKHI

Mr. TOOMEY. Mr. President, I wish to honor and celebrate the holiday of Vaisakhi, a very significant day for those who practice Sikhism.

The world's fifth largest religion, Sikhism was founded over five centuries ago and was introduced to the United States in the 19th century. Today there are over 500,000 Sikh adherents in the United States.

Pennsylvania is the home of many proud Sikh Americans, who make a positive impact in their workplaces, communities, and to our country. They are an important part of the rich cultural fabric of the Commonwealth. There are many gurdwaras, or centers of worship, located across the State, which serve a vital role for both the Sikh community and people of other faiths.

This year, Vaisakhi will be celebrated on Friday, April 14. On this day in 1699, Guru Gobind Singh created the Khalsa, a fellowship of devout Sikhs. Vaisakhi is a festival that marks both this occasion and the spring harvest. This holiday, which is meant to promote service to others, reminds us of the valuable contributions Sikh Americans make in many of our communities.

The Sikh community around the world recognizes this important holiday with parades, dancing, singing, visits to gurdwaras, and other festivities. Celebrations also include performing "seva," or selfless service, which can include providing free meals to others or volunteering for different service projects in their communities.

This year, the Sikh Coordination Committee East Coast has organized a National Sikh Day Parade here in Washington, DC, on April 8, 2017, to commemorate this occasion. Thousands of Sikhs from all over United States are participating in this parade, which will celebrate the Sikh identity and culture.

As a member of the American Sikh Congressional Caucus, I am honored to represent the Sikh community of Pennsylvania, and I wish the Sikh American community a joyous Vaisakhi. Thank you.

ADDITIONAL STATEMENTS

RECOGNIZING FLATHEAD VALLEY COMMUNITY COLLEGE

• Mr. DAINES. Mr. President, today I have the honor and privilege of recognizing the faculty, administrators, staff, and students of Flathead Valley Community College for their service to the people of northwest Montana—2017 marks the school's 50-year anniversary. FVCC serves thousands of students of every age and background. In its five decades of existence, the college and its faculty have won numerous awards for providing a high-quality and low-cost education in Kalispell, MT.

The college provides more than 50 career and technical programs, while also giving students a cheaper and more convenient option for their first 2 years of college. FVCC also has developed programs that can help high school students get a "Running Start" on their college careers. FVCC has given generations of students the tools they need to succeed. The college also serves a vital role in supplying the region's employers with a skilled workforce.

The idea for a community college in northwest Montana began in 1960 when Kalispell School Board chairman Owen Sowerwine noted a study that 80 percent of local high school graduates were receiving no higher education whatsoever. Sowerwine worked with other local educational leaders such as Bill McClaren, Thelma Hetland, Les Stirling, and Norm Beyer to create a new community college. The college opened its doors in 1967, and today we celebrate their legacy.

FVCC continues to grow and find new and better ways to serve the community. Its Kalispell campus has grown to eight buildings, with new on-campus housing opening this year. FVCC also has an extension campus in Libby, MT.

I look forward to seeing what the next 50 years will hold, and I congratulate all involved in the success of FVCC on reaching this milestone.●

TRIBUTE TO SERGEANT JOHN MASSICK

• Mrs. ERNST. Mr. President, today I wish to honor a living example of the American dream. At 101 years of age, Mr. John Massick of Davenport, IA, has spent a lifetime in service—as a husband, father, soldier, and hero of World War II.

John was born on Veterans Day 1915, which proved to be symbolic in his life to come. He enlisted in the Army in 1941 and rose to the rank of sergeant, leading soldiers in combat across Europe as a member of Patton's 3rd Army. On his 29th birthday, while securing a bridge in Thionville, France, his unit suffered a perilous German attack, but John survived. It is a day Sergeant Massick describes as "a birthday he'll never forget." He continued

to serve through the end of the war in Europe, earning the French Croix de Guerre, Presidential Unit Commendation, and two Bronze Star Medals, among other accolades.

After the war, John returned to Davenport, married his now-late wife, Velma, and raised a son and daughter and worked both as a tool and die-maker and carpet salesman and installer. He finally retired just 6 years ago at the ripe age of 94.

Today Iowans who visit "Popcorn Charley's" in northwest Davenport will hear John tell stories from the war. Some recall the harsh realities of combat, others remind us of our humanity, like the one he tells of how he caught a pig to fry porkchops for his men, bringing a bit of Iowa to the battlefields of Europe. John's stories, like his life's experiences, seem to strike the right balance between honor, humility, and a sense of humor.

I ask my colleagues to join me as I proudly recognize the service and the sacrifice of SGT John Massick, an American patriot who epitomizes what is rightly referred to as America's Greatest Generation.●

RECOGNIZING WORCESTER, MASSACHUSETTS

● Mr. MARKEY. Mr. President, Massachusetts has been the birthplace of revolutions for centuries, from sparking the American Revolution to leading the world in biotechnology, education, and medicine. It is a natural home for the next era of the technology revolution. I am proud that Worcester, MA was identified by TechNet and the Progressive Policy Institute as a "Next in Tech" city, with a thriving startup environment poised to drive innovation and job creation for years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:22 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 479. An act to require a report on the designation of the Democratic People's Republic of Korea as a state sponsor of terrorism, and for other purposes.

ENROLLED JOINT RESOLUTIONS SIGNED

At 3:09 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled joint resolutions:

H.J. Res. 43. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by Secretary of Health and Human Services relating to compliance with title X requirements by project recipients in selecting subrecipients.

H.J. Res. 67. Joint resolution disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees.

The enrolled joint resolutions were subsequently signed by the President pro tempore (Mr. HATCH).

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 479. An act to require a report on the designation of the Democratic People's Republic of Korea as a state sponsor of terrorism, and for other purposes; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HOEVEN, from the Committee on Indian Affairs, without amendment:

S. 254. A bill to amend the Native American Programs Act of 1974 to provide flexibility and reauthorization to ensure the survival and continuing vitality of Native American languages (Rept. No. 115-23).

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. CRAPO for the Committee on Banking, Housing, and Urban Affairs.

*Jay Clayton, of New York, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2021.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. GRASSLEY (for himself and Mr. LEAHY):

S. 807. A bill to provide anti-retaliation protections for antitrust whistleblowers; to the Committee on the Judiciary.

By Mr. THUNE (for himself, Ms. KLOBUCHAR, Mr. PORTMAN, Mr. BOOZMAN, Mr. GRASSLEY, Mr. COTTON, Mr. WICKER, Mr. ROUNDS, Ms. MURKOWSKI, Mrs. CAPITO, Mr. MANCHIN, and Mrs. ERNST):

S. 808. A bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself and Ms. WARREN):

S. 809. A bill to require the Secretary of the Treasury to study the feasibility of providing certain taxpayers with an optional, pre-prepared tax return, and for other purposes; to the Committee on Finance.

By Mr. BLUNT (for himself and Mrs. MCCASKILL):

S. 810. A bill to facilitate construction of a bridge on certain property in Christian County, Missouri, and for other purposes; to the Committee on Environment and Public Works.

By Mr. ENZI (for himself, Mr. LANKFORD, Mr. LEE, Mr. CORNYN, Mr. RISCH, Mr. INHOFE, Mr. COTTON, Mr. RUBIO, and Mr. SASSE):

S. 811. A bill to ensure that organizations with religious or moral convictions are allowed to continue to provide services for children; to the Committee on Finance.

By Mr. HATCH (for himself and Mr. WHITEHOUSE):

S. 812. A bill to amend title 35, United States Code, to provide for an exception from infringement for certain component parts of motor vehicles; to the Committee on the Judiciary.

By Mr. GRASSLEY:

S. 813. A bill to amend the Packers and Stockyards Act, 1921, to make it unlawful for a packer to own, feed, or control livestock intended for slaughter; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. DUCKWORTH:

S. 814. A bill to require that States receiving Byrne JAG funds to require sensitivity training for law enforcement officers of that State and to incentivize States to enact laws requiring the independent investigation and prosecution of the use of deadly force by law enforcement officers, and for other purposes; to the Committee on the Judiciary.

By Mr. NELSON (for himself, Mr. MENENDEZ, Mr. BLUMENTHAL, Mrs. GILLIBRAND, and Mr. SCHUMER):

S. 815. A bill to amend titles XVIII and XIX of the Social Security Act to make premium and cost-sharing subsidies available to low-income Medicare part D beneficiaries who reside in Puerto Rico or another territory of the United States; to the Committee on Finance.

By Mr. CASEY (for himself, Mr. BURR, and Mr. VAN HOLLEN):

S. 816. A bill to amend the Internal Revenue Code of 1986 to allow rollovers from 529 programs to ABLE accounts; to the Committee on Finance.

By Mr. CASEY (for himself, Mr. BURR, and Mr. VAN HOLLEN):

S. 817. A bill to amend the Internal Revenue Code of 1986 to increase the age requirement with respect to eligibility for qualified ABLE programs; to the Committee on Finance.

By Mr. BURR (for himself, Mr. CASEY, Mr. VAN HOLLEN, and Mr. MORAN):

S. 818. A bill to amend the Internal Revenue Code of 1986 to allow individuals with

disabilities to save additional amounts in their ABLE accounts above the current annual maximum contribution if they work and earn income; to the Committee on Finance.

By Mrs. MURRAY (for herself, Mr. SCHUMER, Mr. DURBIN, Mr. MENENDEZ, Mr. COONS, Mr. BROWN, Mr. UDALL, Mr. CASEY, Ms. BALDWIN, Mr. VAN HOLLEN, Mrs. SHAHEEN, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. MARKEY, Ms. HIRONO, Mrs. FEINSTEIN, Mr. MANCHIN, Mr. HEINRICH, Mr. BLUMENTHAL, Mr. LEAHY, Mr. BOOKER, Mr. REED, Mr. SANDERS, Ms. WARREN, Ms. STABENOW, Mr. CARPER, Mr. WHITEHOUSE, Mrs. MCCASKILL, Ms. CANTWELL, Mr. FRANKEN, Mr. WARNER, Ms. HARRIS, Mr. MURPHY, Mr. NELSON, Mr. WYDEN, Mr. KAINE, Ms. HASSAN, Mr. MERKLEY, Mr. TESTER, Ms. DUCKWORTH, and Mr. BENNET):

S. 819. A bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself, Mr. BENNET, Mr. SCHUMER, Mr. BLUMENTHAL, Mr. VAN HOLLEN, Mrs. MURRAY, Mr. BOOKER, Mr. FRANKEN, Mrs. MCCASKILL, Ms. CANTWELL, Mr. WYDEN, Mr. WHITEHOUSE, Mr. PETERS, Ms. BALDWIN, Mrs. SHAHEEN, Ms. STABENOW, Mr. CARDIN, Mr. UDALL, Mr. MERKLEY, Mr. CASEY, Mr. HEINRICH, Mr. LEAHY, Mr. MURPHY, Mr. TESTER, Mr. DURBIN, Mr. SANDERS, Ms. DUCKWORTH, Mr. REED, Ms. WARREN, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. NELSON, Ms. HASSAN, Mr. CARPER, Mrs. FEINSTEIN, Ms. CORTEZ MASTO, Ms. HIRONO, Mr. BROWN, Ms. HARRIS, and Mr. MENENDEZ):

S. 820. A bill to designate a portion of the Arctic National Wildlife Refuge as wilderness; to the Committee on Environment and Public Works.

By Mr. RUBIO (for himself and Ms. BALDWIN):

S. 821. A bill to promote access for United States officials, journalists, and other citizens to Tibetan areas of the People's Republic of China, and for other purposes; to the Committee on the Judiciary.

By Mr. INHOFE (for himself, Mr. MARKEY, Mr. ROUNDS, Mr. BOOKER, and Mr. CRAPO):

S. 822. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, and for other purposes; to the Committee on Environment and Public Works.

By Mr. WYDEN (for himself and Mr. PAUL):

S. 823. A bill to ensure the digital contents of electronic equipment and online accounts belonging to or in the possession of United States persons entering or exiting the United States are adequately protected at the border, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCOTT (for himself, Mr. BROWN, Mr. ISAKSON, and Mr. WARNER):

S. 824. A bill to amend title 31, United States Code, to prohibit the Internal Revenue Service from carrying out seizures relating to a structuring transaction unless the property to be seized derived from an illegal source or the funds were structured for the purpose of concealing the violation of an-

other criminal law or regulation, to require notice and a post-seizure hearing for such seizures, and for other purposes; to the Committee on Finance.

By Ms. MURKOWSKI:

S. 825. A bill to provide for the conveyance of certain property to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska, and for other purposes; to the Committee on Indian Affairs.

By Mr. BARRASSO (for himself, Mr. CARPER, Mr. INHOFE, Mr. BOOKER, Mr. BOOZMAN, and Mr. WHITEHOUSE):

S. 826. A bill to reauthorize the Partners for Fish and Wildlife Program and certain wildlife conservation funds, to establish prize competitions relating to the prevention of wildlife poaching and trafficking, wildlife conservation, the management of invasive species, and the protection of endangered species, and for other purposes; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. PAUL (for himself and Mr. COONS):

S. Res. 109. A resolution encouraging the Government of Pakistan to release Aasiya Noreen, internationally known as Asia Bibi, and reform its religiously intolerant laws regarding blasphemy; to the Committee on Foreign Relations.

By Mr. BENNET (for himself and Mr. GARDNER):

S. Res. 110. A resolution relating to proceedings of the Senate in the event of a partial or full shutdown of the Federal Government; to the Committee on Rules and Administration.

By Mr. SULLIVAN (for himself and Ms. MURKOWSKI):

S. Res. 111. A resolution celebrating the 150th anniversary of the Alaska Purchase; considered and agreed to.

By Mr. BURR (for himself, Mr. MANCHIN, Mr. HELLER, and Mr. INHOFE):

S. Res. 112. A resolution designating April 5, 2017, as "Gold Star Wives Day"; considered and agreed to.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. Res. 113. A resolution recognizing and celebrating the 50th anniversary of the Center on Human Development and Disability at the University of Washington in Seattle, Washington; considered and agreed to.

By Mr. GRASSLEY (for himself, Mrs. GILLIBRAND, and Mr. DAINES):

S. Con. Res. 12. A concurrent resolution expressing the sense of Congress that those who served in the bays, harbors, and territorial seas of the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, should be presumed to have served in the Republic of Vietnam for all purposes under the Agent Orange Act of 1991; to the Committee on Veterans' Affairs.

ADDITIONAL COSPONSORS

S. 27

At the request of Mr. CARDIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 27, a bill to establish an independent commission to examine

and report on the facts regarding the extent of Russian official and unofficial cyber operations and other attempts to interfere in the 2016 United States national election, and for other purposes.

S. 179

At the request of Mr. GRASSLEY, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 179, a bill to expand the use of E-Verify, to hold employers accountable, and for other purposes.

S. 194

At the request of Mr. WHITEHOUSE, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 194, a bill to amend the Public Health Service Act to establish a public health insurance option, and for other purposes.

S. 205

At the request of Mr. THUNE, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 205, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 253

At the request of Mr. CARDIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 253, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 294

At the request of Mr. NELSON, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 294, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars.

S. 324

At the request of Mr. HATCH, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 324, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 339

At the request of Mr. NELSON, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 339, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 366

At the request of Mr. ROUNDS, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S.

366, a bill to require the Federal financial institutions regulatory agencies to take risk profiles and business models of institutions into account when taking regulatory actions, and for other purposes.

S. 372

At the request of Mr. PORTMAN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 372, a bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to require the provision of advance electronic information on shipments of mail to U.S. Customs and Border Protection and for other purposes.

S. 374

At the request of Mr. BLUNT, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 374, a bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

S. 382

At the request of Mr. MENENDEZ, the names of the Senator from Michigan (Mr. PETERS) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 382, a bill to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters.

S. 393

At the request of Mr. SCOTT, the names of the Senator from Indiana (Mr. DONNELLY) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 393, a bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for employees who participate in qualified apprenticeship programs.

S. 407

At the request of Mr. CRAPO, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 407, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 497

At the request of Ms. CANTWELL, the names of the Senator from Delaware (Mr. CARPER), the Senator from Michigan (Ms. STABENOW), and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 534

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachu-

setts (Mr. MARKEY) was added as a cosponsor of S. 534, a bill to prevent the sexual abuse of minors and amateur athletes by requiring the prompt reporting of sexual abuse to law enforcement authorities, and for other purposes.

S. 563

At the request of Mr. HELLER, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 563, a bill to amend the Flood Disaster Protection Act of 1973 to require that certain buildings and personal property be covered by flood insurance, and for other purposes.

S. 569

At the request of Ms. CANTWELL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 569, a bill to amend title 54, United States Code, to provide consistent and reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, and for other purposes.

S. 593

At the request of Mrs. CAPITO, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 593, a bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States.

S. 604

At the request of Mr. HATCH, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 604, a bill to allow certain State permitting authority to encourage expansion of broadband service to rural communities, and for other purposes.

S. 630

At the request of Mrs. SHAHEEN, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 630, a bill to amend the Afghan Allies Protection Act of 2009 to make 2,500 visas available for the Afghan Special Immigrant Visa program, and for other purposes.

S. 701

At the request of Mrs. GILLIBRAND, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 701, a bill to improve the competitiveness of United States manufacturing by designating and supporting manufacturing communities.

S. 720

At the request of Mr. PORTMAN, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from Texas (Mr. CORNYN), and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 720, a bill to amend the Export Administration Act of 1979 to include in the prohibitions on boycotts against allies of the United States boycotts fostered by inter-

national governmental organizations against Israel and to direct the Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes.

S. 722

At the request of Mr. CORKER, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 722, a bill to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes.

S. 763

At the request of Mr. THUNE, the names of the Senator from Mississippi (Mr. WICKER), the Senator from Missouri (Mr. BLUNT), the Senator from Washington (Ms. CANTWELL), and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 763, a bill to improve surface and maritime transportation security.

S. 766

At the request of Mr. MANCHIN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 766, a bill to amend titles 10 and 32, United States Code, to improve and enhance authorities relating to the employment, use, status, and benefits of military technicians (dual status), and for other purposes.

S. 770

At the request of Mr. SCHATZ, the names of the Senator from Colorado (Mr. GARDNER) and the Senator from Nevada (Ms. CORTEZ MASTO) were added as cosponsors of S. 770, a bill to require the Director of the National Institute of Standards and Technology to disseminate resources to help reduce small business cybersecurity risks, and for other purposes.

S. 774

At the request of Ms. HEITKAMP, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 774, a bill to address the psychological, developmental, social, and emotional needs of children, youth, and families who have experienced trauma, and for other purposes.

S. 786

At the request of Mrs. SHAHEEN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 786, a bill to establish a grant program relating to the prevention of student and student athlete opioid misuse.

S. 800

At the request of Ms. CANTWELL, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 800, a bill to protect taxpayers from liability associated with the reclamation of surface coal mining operations, and for other purposes.

S.J. RES. 5

At the request of Mr. CARDIN, the name of the Senator from Nevada (Ms.

CORTEZ MASTO) was added as a cosponsor of S.J. Res. 5, a joint resolution removing the deadline for the ratification of the equal rights amendment.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself and Mr. PAUL):

S. 823. A bill to ensure the digital contents of electronic equipment and online accounts belonging to or in the possession of United States persons entering or exiting the United States are adequately protected at the border, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. WYDEN. Mr. President, today I, along with my colleague Senator PAUL from Kentucky, am introducing the Protecting Data at the Border Act, a bill that protects Americans and U.S. Permanent Residents from warrantless searches of their electronic devices at the border.

In 2014, the Supreme Court established in *California v. Riley* that law enforcement agencies must obtain a probable cause search warrant before they can search someone's phone or laptop during a "search incident to arrest." Prior to that decision, law enforcement agencies around the country routinely engaged in warrantless searches of phones and other electronic devices. The Supreme Court rightly recognized that we need new, stronger rules to protect digital information.

Although the warrant protections from *Riley* have been the law of the land for the last three years, a significant loophole has remained: the border. The *Riley* decision left unresolved the question of whether or not U.S. Customs can search the smartphones and laptops of U.S. persons as they leave the country and return home. This is not a theoretical concern. According to recent statistics provided by Customs and Border Protection, searches of cellphones by border agents has exploded, growing fivefold in just one year, from fewer than 5,000 in 2015 to nearly 25,000 in 2016. Five-thousand devices were searched this last February alone, more than in all of 2015.

My colleague, Senator PAUL and I intend to close this loophole, ensuring that U.S. persons crossing the border do not have lesser digital privacy rights than individuals who are arrested inside the United States.

This bill has four main components.

First, it requires that law enforcement agencies obtain a probable cause warrant before they can search the laptop, smartphone or other electronic device belonging to a U.S. person at the border. The bill includes an emergency exception to this warrant requirement, modeled after USA Freedom Act section 102, which became law in 2015.

Second, it requires informed, written consent before the government may request and obtain voluntary assistance from a U.S. person accessing data on a locked device or account, such as by disclosing their password or otherwise providing access. The bill also prohibits the government from delaying or denying entry to a U.S. person if he or she refuses to provide such assistance.

Third, it requires that the government obtain a warrant before it can copy and retain a U.S. person's data, even if the data has been collected without a warrant, during an emergency.

Fourth, it requires that the government create and publish statistics on the electronic border searches they conduct.

Passage of this bill would ensure that the important privacy rights recognized by the Supreme Court in *Riley* also apply at the border, while still enabling law enforcement agencies continue to do the important work of keeping our country safe.

I thank my colleague Senator PAUL for his efforts on this bill, and I hope the Senate will consider our proposal quickly.

By Mr. BARRASSO (for himself, Mr. CARPER, Mr. INHOFE, Mr. BOOKER, Mr. BOOZMAN, and Mr. WHITEHOUSE):

S. 826. A bill to reauthorize the Partners for Fish and Wildlife Program and certain wildlife conservation funds, to establish prize competitions relating to the prevention of wildlife poaching and trafficking, wildlife conservation, the management of invasive species, and the protection of endangered species, and for other purposes; to the Committee on Environment and Public Works.

Mr. BARRASSO. Mr. President, I rise to speak about bipartisan legislation that I have introduced to promote innovative solutions to better manage invasive species, conserve wildlife, and eliminate poaching. I have introduced this in a bipartisan way as the chairman of the Environment and Public Works Committee, along with Senator TOM CARPER, who is the ranking member of that committee, and along with Senator JIM INHOFE, who is a former chairman of that committee.

This legislation is called the Wildlife Innovation and Longevity Driver Act, WILD for short. I am a supporter of both conserving wildlife and technological innovation that we have before us.

My home State of Wyoming is truly one of the most beautiful places in the world. The people of Wyoming have an incredible appreciation for our wildlife. We applaud the efforts of innovators to help us conserve and manage species much more effectively and at a lower cost. Our State wildlife managers grapple with many challenges that innovators can help us solve.

For example, poaching has been a major issue in Wyoming. Hundreds of animals are taken illegally in the State. That is what I hear from the Wyoming Game & Fish Department. Poaching is a problem across the country. It is not just the case in Wyoming; it has become pandemic overseas. International poachers seeking to cash in on the ivory trade have reduced the population of African elephants by 75 percent over the last 10 years. It is tragic.

Invasive species also present a threat to native wildlife, to water resources, and to our landscape. Invasive species clog pipes and fuel catastrophic fires. In fact, invasive species have a role in 42 percent of the listings under the Endangered Species Act. It is invasive species that are causing other species to become endangered.

We need creative solutions to these threats to our wildlife. Our Nation's innovators are developing cutting-edge technologies to help us more effectively fight poaching, manage wildlife, and control invasive species.

A 2015 National Geographic article outlined a number of innovative technologies that are being used today to promote conservation of many of the world's most endangered species. That includes DNA analysis to identify the origin of illicit ivory supplies, using thermal imaging around protected areas to notify authorities of poachers, and using apps to assist wildlife enforcement in carrying out their duties.

In December, the National Invasive Species Council cohosted a summit, which highlighted innovations that combat invasive species. A few examples are a fish passage that automatically extracts invasive fish from streams, DNA technologies to provide early detection of invasive species, and the use of drones to gain spatially accurate, high resolution images that could be used to detect and monitor specific invasive species. Innovations like these are why we have introduced in a bipartisan way the WILD Act.

This act provides technological and financial assistance to private landowners to improve fish and wildlife habitats. The legislation does this by reauthorizing the Partners for Fish and Wildlife Program. The WILD Act requires Federal agencies to implement strategic programs to control invasive species. It also reauthorizes important laws to protect endangered and valuable species around the world, such as the African elephant, the Asian elephant, the rhinoceros, the great ape, and the marine turtle.

Finally, this act creates incentives for new conservation innovation. The legislation establishes four separate cash prizes for technological innovation in the prevention of wildlife poaching and trafficking, in the promotion of wildlife conservation, in the management of invasive species, and in

the protection of endangered species. The Department of the Interior will administer the prizes, and a panel of relevant experts will award each prize.

Innovation is one of the best tools in conserving endangered species and keeping invasive species under control. The WILD Act will help stimulate that innovation.

I thank Senator CARPER and Senator INHOFE for cosponsoring this important piece of legislation.

Thank you.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 109—ENCOURAGING THE GOVERNMENT OF PAKISTAN TO RELEASE AASIYA NOREEN, INTERNATIONALLY KNOWN AS ASIA BIBI, AND REFORM ITS RELIGIOUSLY INTOLERANT LAWS REGARDING BLASPHEMY

Mr. PAUL (for himself and Mr. COONS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 109

Whereas, in June 2009, Asia Bibi allegedly insulted the Muslim faith during a confrontation with Muslim neighbors and drank from a water source shared by these Muslim neighbors;

Whereas, in November 2010, Asia Bibi, a Pakistani Christian woman, was sentenced to death by hanging after being convicted of blasphemy by a Pakistani District Court under Article 295-C of Pakistan's penal code;

Whereas, according to the United States Commission on International Religious Freedom, Pakistan's blasphemy laws set severe punishments, including death or life in prison, and have been levied against religious minorities, including Christians, Hindus, and Ahmadiyya and Shi'a Muslims, as well as Sunni Muslims;

Whereas a petition calling for the immediate release of Asia Bibi has generated over 690,000 signatures, and 250,000 of the signatures, roughly a third of the total amount, were made by petitioners from the United States;

Whereas, in January 2011, Pakistani politician Salmaan Taseer, the governor of Punjab province, who campaigned for Asia Bibi's release and called for reform to Pakistan's blasphemy codes, outraged religious conservatives and was assassinated by his security guard, Mumtaz Qadri;

Whereas, in March 2011, Federal Minister for Minority Affairs Shahbaz Bhatti was assassinated in Islamabad, Pakistan, after receiving death threats for his support of reforming Pakistan's blasphemy codes and calling for the release of Asia Bibi;

Whereas, in October 2014, the Lahore High Court of Appeals upheld the death sentence of Asia Bibi;

Whereas the execution of Mumtaz Qadri in February 2016 resulted in street protests that called for the death of Asia Bibi;

Whereas, in Pakistan, mere accusations of blasphemy, even by private individuals, often lead to violence against those accused by private actors;

Whereas Pakistan's human rights problems include poor prison conditions, arbitrary de-

tention, lengthy pretrial detention, a weak criminal justice system, lack of judicial independence in the lower courts, and governmental infringement on citizens' privacy rights;

Whereas Asia Bibi is at risk of extrajudicial murder even if she is released;

Whereas, in Pakistan, violence, abuse, and social and religious intolerance by militant organizations and other nongovernmental actors contribute to a culture of lawlessness in some parts of the country; and

Whereas there is great concern for Asia Bibi's safety during her incarceration due to reports that prisoners who are members of religious minorities face a heightened risk of mistreatment, torture, or murder: Now, therefore, be it

Resolved, That the Senate—

(1) urges the Government of Pakistan to immediately and unconditionally release Asia Bibi and ensure that she, her family, and her legal counsel are afforded all necessary measures to ensure their safety; and

(2) urges the Government of Pakistan to reform its laws to reflect democratic norms and ideals and work to promote tolerance of religious minorities, whether Muslim, Christian, Hindu, or other ostracized, so that no one is in danger of persecution from the government or their neighbors for exercising their right to free speech and practicing their religion.

SENATE RESOLUTION 110—RELATING TO PROCEEDINGS OF THE SENATE IN THE EVENT OF A PARTIAL OR FULL SHUTDOWN OF THE FEDERAL GOVERNMENT

Mr. BENNET (for himself and Mr. GARDNER) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 110

Resolved,

SECTION 1. SHORT TITLE.

This resolution may be cited as the "Shutdown Accountability Resolution".

SEC. 2. PROCEEDINGS OF THE SENATE DURING A FULL OR PARTIAL GOVERNMENT SHUTDOWN.

(a) DEFINITION.—In this section, the term "Government shutdown" means a lapse in appropriations for 1 or more agencies of the Federal Government.

(b) CONVENING OF THE SENATE.—

(1) IN GENERAL.—Notwithstanding any rule or order of the Senate, during the period of a Government shutdown—

(A) the Senate shall convene at 8:00 a.m. each day, unless the body is in continuous session; and

(B) it shall not be in order to ask for, and the Presiding Officer shall not entertain a request for, unanimous consent to change the hour or day on which the Senate shall convene under subparagraph (A).

(2) SENATE NOT IN SESSION.—If the Senate is not in session on the first calendar day of a Government shutdown, the majority leader, after consultation with the minority leader, shall notify Members of the Senate that, pursuant to this standing order, the Senate shall convene at 8:00 a.m. on the next calendar day of the Government shutdown.

(c) PRESENCE OF A QUORUM.—

(1) IN GENERAL.—During the period of a Government shutdown, and notwithstanding any provision of the Standing Rules of the Senate—

(A) immediately after the Presiding Officer takes the chair in accordance with rule IV of the Standing Rules of the Senate, the Presiding Officer shall direct the Clerk to call the roll to ascertain the presence of a quorum; and

(B) 1 hour after the presence of a quorum has last been demonstrated, the Presiding Officer shall direct the Clerk to call the roll to ascertain the presence of a quorum.

(2) LACK OF QUORUM.—

(A) IN GENERAL.—If, upon a calling of the roll under paragraph (1), it shall be ascertained that a quorum is not present—

(i) the Presiding Officer shall direct the Clerk to call the names of any absent Senators; and

(ii) following the calling of the names under clause (1), the Presiding Officer shall, without intervening motion or debate, submit to the Senate by a yeas-and-nays vote the question: "Shall the Sergeant-at-Arms be directed to request the attendance of absent Senators?"

(B) DIRECTION TO COMPEL ATTENDANCE.—If a quorum is not present 15 minutes after the time at which the vote on a question submitted under subparagraph (A)(ii) starts, the Presiding Officer shall, without intervening motion or debate, submit to the Senate by a yeas-and-nays vote the question: "Shall the Sergeant-at-Arms be directed to compel the attendance of absent Senators?"

(C) ARREST OF ABSENT SENATORS.—Effective 1 hour after the Sergeant-at-Arms is directed to compel the attendance of absent Senators under subparagraph (B), if any Senator not excused under rule XII of the Standing Rules of the Senate is not in attendance, the Senate shall be deemed to have agreed an order that reads as follows: "Ordered, That the Sergeant-at-Arms be directed to arrest absent Senators; that warrants for the arrests of all Senators not sick nor excused be issued under the signature of the Presiding Officer and attested by the Secretary, and that such warrants be executed without delay."

(D) REPORTS.—Not less frequently than once per hour during proceedings to compel the attendance of absent Senators, the Sergeant-at-Arms shall submit to the Senate a report on absent Senators, which shall—

(i) be laid before the Senate;

(ii) identify each Senator whose absence is excused;

(iii) identify each Senator who is absent without excuse; and

(iv) for each Senator identified under clause (iii), provide information on the current location of the Senator.

(3) REGAINING THE FLOOR.—If a Senator had been recognized to speak at the time a call of the roll to ascertain the presence of a quorum was initiated under paragraph (2)(A), and if the presence of a quorum is established, that Senator shall be entitled to be recognized to speak.

(d) ADJOURNING AND RECESSING.—During the period of a Government shutdown—

(1) a motion to adjourn or to recess the Senate shall be decided by a yeas-or-nays vote;

(2) if a quorum is present, the Presiding Officer shall not entertain a request to adjourn or recess the Senate by unanimous consent or to vitiate the yeas and nays on such a motion by unanimous consent;

(3) a motion to adjourn or a motion to recess made during the period beginning at 8:00 a.m. and ending at 11:59 p.m., shall only be agreed to upon an affirmative vote of two-thirds of the Senators present and voting, a quorum being present; and

(4) if the Senate must adjourn due to the absence of a quorum, the Senate shall reconvene 2 hours after the time at which it adjourns and ascertain the presence of a quorum in accordance with subsection (c)(1).

(e) NO SUSPENSION OF REQUIREMENTS.—The Presiding Officer may not entertain a request to suspend the operation of this standing order by unanimous consent or motion.

(f) CONSISTENCY WITH SENATE EMERGENCY PROCEDURES AND PRACTICES.—Nothing in this standing order shall be construed in a manner that is inconsistent with S. Res. 296 (108th Congress) or any other emergency procedures or practices of the Senate.

(g) STANDING ORDER.—This section shall be a standing order of the Senate.

SENATE RESOLUTION 111—CELEBRATING THE 150TH ANNIVERSARY OF THE ALASKA PURCHASE

Mr. SULLIVAN (for himself and Ms. MURKOWSKI) submitted the following resolution; which was considered and agreed to:

S. RES. 111

Whereas Secretary of State William H. Seward agreed to purchase Alaska from Russia on March 30, 1867, for approximately 2 cents per acre;

Whereas the Senate ratified the treaty with Russia regarding the purchase of Alaska on April 9, 1867, and the House of Representatives approved the fund appropriation for that purchase on July 14, 1868;

Whereas, on August 1, 1868, the Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of all the Russias acknowledged that \$7,200,000 had been received from the United States Treasury as payment in full for the cession of Alaska;

Whereas New Archangel, later Sitka, served as—

(1) the capital of the territory of Alaska from the time of Russian rule until 1906; and

(2) the location for the signing of the Alaska Purchase on October 18, 1867;

Whereas Alaska is home to—

(1) the highest mountain peak in North America, Denali, which rises 20,310 feet above sea level;

(2) the northernmost, easternmost, and westernmost points of the United States;

(3) more active glaciers and ice fields than in the rest of the inhabited world;

(4) a variety of animal species, including—

(A) the largest concentration of American Bald Eagles and the largest species of brown bear in the United States; and

(B) 90 percent of the sea otters in the world;

(5) 24 national parks, including the 5 largest national parks in the United States, Wrangell-St. Elias National Park, the Gates of the Arctic National Park and Preserve, Denali National Park and Preserve, Katmai National Park and Preserve, and Glacier Bay National Park, which, together, are larger than the 8 smallest States combined;

(6) the 2 largest national forests in the United States, the Tongass and Chugach National Forests, spanning more than 37,000 square miles;

(7) more than 38 percent of the shoreline and nearly 54 percent of the coastline of the United States; and

(8) more Federal land than there is total land in the States of Texas and Nebraska combined;

Whereas, in 1913, the first act of the first Territorial Legislature of Alaska was to grant women suffrage;

Whereas there are 229 federally recognized tribes in Alaska and 20 Alaska Native languages are spoken in the State;

Whereas, on December 18, 1971, the landmark Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) was signed into law, which established 13 Alaska Native Regional Corporations and more than 200 Alaska Native Village Corporations;

Whereas more than 44,000,000 acres of land in Alaska are under Alaska Native ownership;

Whereas the 3 most diverse census tracts in the United States are located in the Municipality of Anchorage;

Whereas, during World War II, the Imperial Japanese Navy invaded and occupied portions of the Aleutian Islands of Alaska;

Whereas Alaska has—

(1) 12 major military bases and stations that are home to honorable men and women who serve the United States in the Armed Forces; and

(2) the highest number of veterans in the United States per capita;

Whereas some of the highest producing oil and natural gas fields in the United States are on the North Slope in Alaska;

Whereas more crude oil has been produced from State lands on the North Slope in Alaska than from Federal lands in the Central Gulf of Mexico;

Whereas the ports of Alaska consistently process the highest volume of commercial seafood that lands in the United States;

Whereas Alaska has vast reserves of minerals and the Red Dog Mine is one of the largest zinc mines in the world;

Whereas Alaska has produced world record-breaking agricultural products, such as the heaviest cabbage at 138.25 pounds and the heaviest broccoli at 35 pounds;

Whereas the Aurora Borealis is visible from Fairbanks an average of 243 days each year;

Whereas Girdwood was recognized by National Geographic as the world's best ski town;

Whereas, in the northernmost town in Alaska, the sun does not set for approximately 80 days in the summer and does not rise for approximately 60 days in the heart of winter;

Whereas President Dwight D. Eisenhower signed the proclamation admitting Alaska to the United States on January 3, 1959; and

Whereas Alaska is the largest State in the United States in land area at more than 586,000 square miles and constitutes almost 1/5 the size of the contiguous United States: Now, therefore, be it

Resolved, That the Senate commends the State of Alaska on, and joins with the people of the State of Alaska in celebrating, the 150th anniversary of the Alaska Purchase.

SENATE RESOLUTION 112—DESIGNATING APRIL 5, 2017, AS “GOLD STAR WIVES DAY”

Mr. BURR (for himself, Mr. MANCHIN, Mr. HELLER, and Mr. INHOFE) submitted the following resolution; which was considered and agreed to:

S. RES. 112

Whereas the Senate honors the sacrifices made by the spouses and families of the fallen members of the Armed Forces of the United States;

Whereas Gold Star Wives of America, Inc. represents the spouses and families of the members and veterans of the Armed Forces of the United States who have died on active

duty or as a result of a service-connected disability;

Whereas the primary mission of Gold Star Wives of America, Inc. is to provide services, support, and friendship to the spouses of the fallen members and veterans of the Armed Forces of the United States;

Whereas in 1945, Gold Star Wives of America, Inc. was organized with the help of Eleanor Roosevelt to assist the families left behind by the fallen members and veterans of the Armed Forces of the United States;

Whereas the first meeting of Gold Star Wives of America, Inc. was held on April 5, 1945;

Whereas April 5, 2017, marks the 72nd anniversary of the first meeting of Gold Star Wives of America, Inc.;

Whereas the members and veterans of the Armed Forces of the United States bear the burden of protecting the freedom of the people of the United States; and

Whereas the sacrifices of the families of the fallen members and veterans of the Armed Forces of the United States should never be forgotten: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 5, 2017, as “Gold Star Wives Day”;;

(2) honors and recognizes—

(A) the contributions of the members of Gold Star Wives of America, Inc.; and

(B) the dedication of the members of Gold Star Wives of America, Inc. to the members and veterans of the Armed Forces of the United States; and

(3) encourages the people of the United States to observe Gold Star Wives Day to promote awareness of—

(A) the contributions and dedication of the members of Gold Star Wives of America, Inc. to the members and veterans of the Armed Forces of the United States; and

(B) the important role that Gold Star Wives of America, Inc. plays in the lives of the spouses and families of the fallen members and veterans of the Armed Forces of the United States.

SENATE RESOLUTION 113—RECOGNIZING AND CELEBRATING THE 50TH ANNIVERSARY OF THE CENTER ON HUMAN DEVELOPMENT AND DISABILITY AT THE UNIVERSITY OF WASHINGTON IN SEATTLE, WASHINGTON

Mrs. MURRAY (for herself and Ms. CANTWELL) submitted the following resolution; which was considered and agreed to:

S. RES. 113

Whereas the Center on Human Development and Disability (referred to in this preamble as “CHDD”) is one of the largest and most comprehensive interdisciplinary centers in the United States that focuses on improving the lives of individuals with developmental disabilities;

Whereas, each year, hundreds of University of Washington faculty, staff, and students contribute to the lives of people with developmental disabilities and their families by providing—

(1) model clinical services;

(2) basic and translational research;

(3) interdisciplinary clinical and research training; and

(4) technical assistance and outreach to community practitioners and agencies;

Whereas CHDD is a recognized University Center for Excellence in Developmental Disabilities, a national network authorized

under the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15001 et seq.);

Whereas, as a member of the network of 67 University Centers for Excellence in Developmental Disabilities located in every State and territory, CHDD provides services to individuals with developmental disabilities and their families in 11 different CHDD-based clinics at the University of Washington;

Whereas CHDD scientists and clinicians conduct research to generate knowledge and disseminate information to improve the lives of individuals with developmental disabilities through the Eunice Kennedy Shriver Intellectual and Developmental Disabilities Research Center;

Whereas CHDD dynamically prepares graduate students and community professionals in health, education, behavioral, and other related fields to develop greater knowledge and skills to meet the unique needs of individuals with developmental disabilities and their families;

Whereas CHDD partners with premier national and State disability organizations and resources, such as the Washington State Developmental Disabilities Council and Disability Rights Washington, to improve the lives of individuals with developmental disabilities and their families; and

Whereas CHDD promotes the quality of life of individuals with developmental disabilities by improving—

(1) community access, support, and inclusion in education, housing options, continuing education opportunities, employment, quality health care, and wellness programs; and

(2) opportunities to build and grow friendships: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and celebrates the history and contributions of the Center on Human Development and Disability at the University of Washington in Seattle, Washington; and

(2) commends the Center on Human Development and Disability for—

(A) creating more welcoming and supportive communities; and

(B) improving the lives of individuals with disabilities and their families.

SENATE CONCURRENT RESOLUTION 12—EXPRESSING THE SENSE OF CONGRESS THAT THOSE WHO SERVED IN THE BAYS, HARBORS, AND TERRITORIAL SEAS OF THE REPUBLIC OF VIETNAM DURING THE PERIOD BEGINNING ON JANUARY 9, 1962, AND ENDING ON MAY 7, 1975, SHOULD BE PRESUMED TO HAVE SERVED IN THE REPUBLIC OF VIETNAM FOR ALL PURPOSES UNDER THE AGENT ORANGE ACT OF 1991

Mr. GRASSLEY (for himself, Mrs. GILLIBRAND, and Mr. DAINES) submitted the following concurrent resolution; which was referred to the Committee on Veterans' Affairs:

S. CON. RES. 12

Whereas section 1116(f) of title 38, United States Code, states that “For the purposes of establishing service connection for a disability or death resulting from exposure to a herbicide agent, including a presumption of service-connection under this section, a vet-

eran who, during active military, naval, or air service, served in the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, shall be presumed to have been exposed during such service to an herbicide agent containing dioxin or 2,4-dichlorophenoxyacetic acid, and may be presumed to have been exposed during such service to any other chemical compound in an herbicide agent, unless there is affirmative evidence to establish that the veteran was not exposed to any such agent during that service.”;

Whereas the international definition and United States-recognized borders of the Republic of Vietnam includes the bays, harbors, and territorial seas of that Republic;

Whereas multiple scientific and medical sources, including studies done by the Government of Australia, have shown evidence of exposure to herbicide agents such as Agent Orange by those serving in the bays, harbors, and territorial seas of the Republic of Vietnam;

Whereas veterans who served in the Armed Forces in the bays, harbors, and territorial seas of the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, were exposed to this toxin through their ships' distillation processes, air and water currents, and the use of exposed water from inland sources, such as water from near heavily sprayed Monkey Mountain, delivered by exposed water barges;

Whereas such veterans experience a significantly higher percentage of medical conditions associated with Agent Orange exposure compared to those in the regular populace;

Whereas when passing the Agent Orange Act of 1991 (Public Law 102-4), Congress did not differentiate between those who served on the inland waterways and on land versus those who served in the bays, harbors, and territorial seas of that Republic;

Whereas the purpose behind providing presumptive coverage for medical conditions associated with exposure to Agent Orange is because proving such exposure decades after its occurrence is not scientifically or medically possible; and

Whereas thousands of veterans who served in the Armed Forces in the bays, harbors, and territorial seas of the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, die at increasing rates every year: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) recognizes the intent of the Agent Orange Act of 1991 (Public Law 102-4) included the presumption that those veterans who served in the Armed Forces in the bays, harbors, and territorial seas of the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, served in the Republic of Vietnam for all purposes under the Agent Orange Act of 1991;

(2) intends for those veterans who served in the Armed Forces during the period beginning on January 9, 1962, and ending on May 7, 1975, in the bays, harbors, territorial seas, inland waterways, on the ground in the Republic of Vietnam, and other areas exposed to Agent Orange, and having been diagnosed with connected medical conditions to be equally recognized for such exposure through equitable benefits and coverage as those who served in the inland rivers and on the Vietnamese land mass; and

(3) calls on the Secretary of Veterans Affairs to review the policy of the Department of Veterans Affairs that excludes presump-

tive coverage for exposure to Agent Orange to veterans described in paragraph (1).

AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have 9 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, April 4, 2017, at 9:30 a.m., in open session, to receive testimony on United States Strategic Command Programs.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, April 4, 2017 at 10 a.m. to vote on the nomination of Mr. Jay Clayton.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Senate Committee on Energy and Natural Resources is authorized to meet during the session of the Senate in order to hold a hearing on Tuesday, April 4, 2017, at 10 a.m. in Room 366 of the Dirksen Senate Office Building in Washington, DC.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, April 4, 2017 at 10:15 a.m., to hold a hearing entitled “The European Union as a Partner Against Russian Aggression: Sanctions, Security, Democratic Institutions, and the Way Forward.”

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet, during the session of the Senate, to conduct a hearing entitled “FDA User Fee Agreements: Improving Medical Product Regulation and Innovation for Patients, Part II” on Tuesday, April 4, 2017, at 10 a.m., in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, April 4, 2017, at 9:30 a.m. in order to conduct a hearing titled “Fencing Along the Southwest Border.”

SELECT COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the

U.S. Senate on Tuesday, April 4, 2017 from 2:15 p.m. in room SH-219 of the Senate Hart Office Building.

SUBCOMMITTEE ON CYBERSECURITY

The Subcommittee on Cybersecurity of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, April 4, 2017, at 2:30 p.m.

SUBCOMMITTEE ON SURFACE TRANSPORTATION AND MERCHANT MARINE INFRASTRUCTURE, SAFETY AND SECURITY

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Tuesday, April 4, 2017, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold Subcommittee Hearing on "Keeping Goods a Moving: Continuing to Enhance Multimodal Freight Policy and Infrastructure."

NATIONAL READ ALOUD MONTH

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 94.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 94) designating March 2017 as "National Read Aloud Month."

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 94) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 23, 2017, under "Submitted Resolutions.")

RESOLUTIONS SUBMITTED TODAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following resolutions, which were submitted earlier today: S. Res. 111, S. Res. 112, and S. Res. 113.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. MCCONNELL. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the debate time on the nomination of Judge Gorsuch during Wednesday's session of the Senate be divided as follows: that following leader remarks the time until 11 a.m. be equally divided; that the time from 11 a.m. until 12 noon be under the control of the majority; that the time from 12 noon until 1 p.m. be under the control of the minority; further, that the debate time until 9 p.m. on Wednesday be divided in 1-hour alternating blocks.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDERS FOR WEDNESDAY, APRIL 5, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, April 5; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that following leader remarks, the Senate resume executive session to consider the nomination of Neil Gorsuch as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senators RUBIO and MERKLEY.

The PRESIDING OFFICER (Mr. DAINES). Without objection, it is so ordered.

The Senator from Florida.

EGYPT

Mr. RUBIO. Mr. President, I come to the floor today to discuss the issue of human rights as part of my office's ongoing effort on what we call the Expression Not Oppression Campaign, where we highlight human rights abuses around the world and tell the stories of political prisoners and other brave leaders who are being repressed, jailed, beaten, or even worse, simply for criticizing the government of a nation in which they live.

This is an important week for human rights. Two nations with concerning records regarding human rights—Egypt and China—have sent their heads of state to meet with our President. And I will have, I hope, a chance later on this week to discuss the issues we confront in China, and they are many.

Today, I want to discuss the state of human rights and our general relationship with Egypt.

Over the past 2 days, the President of Egypt, President Elsisi, has been visiting our Nation's Capital. He had the opportunity to meet with the President and other officials in the administration. Earlier today, I had the opportunity to visit with him as part of a meeting with members of the Senate Foreign Relations Committee.

Before entering my remarks, I want to make abundantly clear that we are incredibly impressed and grateful and supportive of the efforts that President Elsisi and Egypt are undertaking in battling radicalism and in particular ISIS. They are undertaking this effort, for example, in the Sinai, and it is quite a challenge.

I also understand that the ongoing ability to defeat radicalism in the world depends on the stability of our partners internally. That is why the human rights situation in Egypt is concerning. I believe it is fair to say it is at its worst in decades, and that is saying something. It is important.

Some may ask "Why does America care about that?" beyond, obviously, our moral calling to defend the rights of all people. It is that it is counterproductive behavior. These abuses—the conditions that exist in Egypt and in other places around the world—are actually conducive to jihadi ideology, which is the ability to recruit people who feel vulnerable, who feel oppressed. They become more vulnerable to those campaigns when they feel they are being mistreated.

The current Government of Egypt, under the leadership of President Elsisi, has cracked down on civil society. On that, there can be no debate. They have jailed thousands of political prisoners, including, sadly, some Americans, and it has responded with brute force to those who oppose that government.

Again, I reiterate that a strong U.S.-Egypt relationship is important to America—to advancing our interests in the Middle East. I am here to speak on behalf of American interests and why this is so important in our relationship with Egypt and in the stability of the region, but I must do so by describing the situation on the ground.

In the national interest of our country, we cannot turn a blind eye to the ongoing repression of Egyptian citizens by their government. It weakens our moral standing in the world, and, as I have already said numerous times, it makes Egypt less secure. If Egypt is

less secure, ultimately America will be less secure. Today, I said that to President Elsis.

Over the last decades, the American people have provided Egypt with more than \$77 billion in foreign aid. This includes what is currently \$1.3 billion per year in military aid. But as the human rights situation in Egypt continues to deteriorate and the government refuses to take the serious and necessary steps of reform and respecting the rule of law, then this Congress, on behalf of the American people—who are giving \$1.3 billion of their hard-earned taxpayer money—must continue to pursue the reform of our assistance to Egypt to make sure that not only is it allowing them to confront the challenges that are posed by radicalism today but that it also promotes progress in a way that does not leave Egypt unstable and ultimately vulnerable in the future.

It is in the interest of both our country and Egypt and the Egyptian people to implement reforms and to release all of its jailed political prisoners, including all jailed Americans. Nations cannot thrive and they cannot prosper if their citizens are oppressed or are unable to express themselves freely without fear of being jailed, tortured, or killed.

Inevitably, if these conditions continue, there will be a street uprising in Egypt once again, and it could very well be led by radical elements who seek to overthrow the government and create a space for terrorism.

Human rights abuses in Egypt take on many forms. An example is the lack of press freedom. In 2016, Egypt joined other nations in rising to the top of the rankings as the world's third highest jailer of journalists. According to the Reporters Without Borders' 2016 World Press Freedom Index, Egypt currently ranks 159th out of 180 countries in terms of press freedom. The media, including journalists, bloggers, and those active on social media, are regularly harassed and arrested. There are currently 24 journalists who are jailed on trumped-up and politically motivated charges. Their "crimes" have included publishing false information and inciting terrorism. Censorship has grown as they continue to interfere in the publication and circulation of news—although, by the way, a lot of Egyptian news coverage is very anti-American. These are just a few examples of the ongoing repression of press freedom in Egypt.

There are also human rights abuses the Egyptian Government continues to commit with regard to freedom of association and of assembly. In November of 2016, the Egyptian Parliament passed a draconian law that, if signed by President Elsis, would ban nongovernmental organizations from operating freely in Egypt. The law would essentially eliminate all independent human rights groups. It would make it

nearly impossible for charities to function by imposing strict regulations and registration processes. Individuals who violate this law could face jail time simply for speaking out and fighting to defend human rights. Passing laws like these has a chilling effect on dissent.

Here is the good news: President Elsis has not signed it over 4 months later, and I truly hope it is because he is having second thoughts about it, because he recognizes the terrible impact it will have on his country's future, on their perception around the world, on their ability to make progress and reform, and ultimately because he also recognizes the impact it will have on free nations, like the United States, which desires to work with Egypt on many issues of common interest. I strongly encourage President Elsis to reject that anti-NGO law.

There is the issue of political prisoners. According to the Project on Middle East Democracy, since 2013 at least 60,000 political prisoners have been arrested in Egypt and 1,800 people have received death sentences in what many organizations have described as being politically motivated sentences.

In 2014, President Elsis issued a decree that expanded the jurisdiction of military courts over civilians. According to Human Rights Watch, since the decree was issued, the military courts have tried over 7,400 Egyptian civilians.

Additionally, individuals who have been victims of enforced disappearances in Egypt have claimed that they were tortured and subjected to other forms of abuse when they were taken. There has been little accountability for this excessive use of force.

Egypt's repression is not limited to its own citizens. There are currently a number of Americans who are jailed in Egypt. There is one American in particular whom I would like to raise: the case of American-Egyptian citizen Aya Hijazi.

Aya was arrested in May of 2014, along with her husband and other members of her organization, which is called the Belady Foundation, which works with abandoned and homeless youth and rescues these young children off the streets. Three years ago, she was arrested and charged with ridiculous allegations, including sexual abuse and paying the children to participate in demonstrations against the government. To date, no evidence has been provided to back these horrible allegations. Almost 3 years later, this American citizen remains in prison.

Throughout that time, I and others here in the Senate have been calling for her release, and it is time that the charges against her be dropped and her husband and the other workers be released immediately because her case and many others like it are an obstacle to better relations.

The Egyptian people deserve better than the brutal treatment they are re-

ceiving at the hands of their government. All human beings do. It is incumbent upon us, the elected representatives of the American people, to make clear to friends, allies, partners, and foes alike that no matter what issues we are working with you on, negotiating a resolution to, or dealing with you on in some other way, we are not going to look the other way when human rights are being abused. We are going to encourage you to reform because in the long run, that is in your interest and ours.

We have seen in recent history the consequences when governments do not respect their citizens. It creates instability in those countries. Instability is the breeding ground of terrorists and radical elements around the world. Ultimately, those terrorists train their sights on us.

As I told President Elsis today, Egypt is a nation rich in culture and history and has made extraordinary contributions to the world. It has played a leading role in fostering peace with Israel. But it faces a dangerous future if it does not create the conditions within the country in which its people can live peacefully and securely without fear. Otherwise, Egypt remains vulnerable to the kind of instability we have seen in Syria, Libya, and other countries. That is why it should matter to the American people.

I am disappointed that this issue of human rights did not come up publicly when the President met with the President of Egypt. I hope that will change in the weeks and days and months to come, for it is in our national interest to further these goals. Otherwise, sadly, we could very well have yet another and perhaps the most important country in the region destabilized and ultimately left vulnerable to becoming a breeding ground for terrorism that ultimately targets our people and our Nation.

EXECUTIVE SESSION

EXECUTIVE CALENDAR—Continued

Mr. RUBIO. Mr. President, I ask unanimous consent that the Senate resume executive session and then resume legislative session following the remarks of the Senator from Oregon, Mr. MERKLEY.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUBIO. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I rise to address the nomination of Neil Gorsuch. I will start by noting that just moments ago the majority leader was on the floor and did something that has never before been done in U.S. history; that is, on the first day—in deed, in the first hours of debate on a

Supreme Court Justice on this floor, the majority leader filed a petition, called a cloture petition, to close debate. So here we are on the first day, just hours into the debate, and the majority leader has said: Enough. We do not want to hear any more about this topic. We are going to shut down debate.

The rules provide some protection for this, and that is that it cannot be voted on until Thursday. So there is time between now and Thursday for us to air our views. Historically, often debates went on for a substantial amount of time—a week, some for many weeks—with no cloture petition being filed, with no closing of the debate. Certainly, never before has the majority leader shut down debate, filed that petition on day one in his trying to ram this nomination through.

This is just a continuation of firsts—first events that do absolutely no credit to this institution, no credit to the Supreme Court, no credit to our Nation. In fact, they pose a substantial danger.

It was February 13, a little over a year ago, that Supreme Court Justice Scalia died. Almost immediately, the majority leader indicated that when the nomination came down from President Obama, this Chamber would not exercise its responsibility of advice and consent under the Constitution in that it would not provide an opportunity for Merrick Garland to be able to appear before a committee and answer the questions of the committee members, the questions of Republicans and the questions of Democrats, so that they could assess whether that individual was appropriate to serve in a Supreme Court seat.

The majority leader made it clear that there would be no committee hearing and no committee vote and no opportunity to come here directly to the floor, bypassing the committee. In other words, he closed off every opportunity for the President's nominee to be considered. This is the first time—this is the only time that has happened in our Nation's history when there was a vacancy in an election year.

What is the essence of this extraordinary and unusual action when this Chamber fails to exercise its advice and consent responsibility under the Constitution? Were we at a time of war, like the Civil War, in which the Capitol at times was under assault? Were we at a moment in which the building was aflame and we had to flee or there was some other significant threat to the functioning of this body? Was there some extraordinary set of circumstances—perhaps a massive storm headed for the Nation's Capital—that led the Senate for the first time in U.S. history to say that it could not take the time to exercise its constitutional advice and consent responsibility? There was no storm. There was

no fire. There was no threat. There was no earthquake. There was nothing that would have prevented this Chamber from doing its responsibility.

The President has a responsibility under the Constitution when there is an open seat, and that is to nominate. He proceeded to consult with Members on both sides of the aisle, and he nominated an individual, Merrick Garland, who had an extraordinary reputation and who essentially was considered to come straight down the Main Street of judicial thought, with opinions that were neither labeled “progressive” nor “conservative.” They were straight down the middle.

The President made that nomination on March 16, which was a month and 3 days after the seat became vacant, but that was the last action to occur, the last action this Chamber took. A few individuals did courtesy interviews, knowing that it would lead to no committee hearing and no committee vote because the majority team in this Chamber decided to steal a Supreme Court seat. Again, such a theft never, ever has happened in the history of our Nation.

There have been a substantial number of seats that have come open during an election year—16. There have been a substantial number of individuals who were confirmed to those 16 seats, and there were individuals who were turned down by this Chamber. Yet, in all of the 15 cases that preceded the death of Justice Scalia, the Senate acted. The Senate exercised its responsibility.

But this time was different. This time, the majority said: We intend to pack the Court of the United States of America—not by adding seats to it; that would not work under a Democratic President who could then nominate more individuals—to pack the Court by taking a seat, failing to exercise the responsibility that each of us has under our oath of office of advice and consent, and send it in a time capsule into the next administration, hoping that time capsule would be opened by a conservative President who would nominate someone who was very conservative, indeed, to create a 5-to-4 bias. What was that bias the majority was looking for? It was not a bias toward “we the people”; it was a bias toward the powerful and the privileged.

If you take a look at our Constitution, that initial opening of our Constitution, it does not say “we the privileged” and “we the powerful.” It lays out a vision of a form of government with checks and balances to be designed to function of, by, and for the people. The majority was afraid that Merrick Garland would be just that kind of judge, one who would call the balls and strikes under the Constitution in support of the constitutional vision of “we the people.” They did not want a judge who would call the balls

and strikes under our Constitution; they wanted someone who would find a way to twist a case in favor of the privileged and the powerful.

Tonight, I will lay out a lot of how they knew that was important both from the perspective of the decisions of the 5-to-4 Court that preceded the death of Justice Scalia and also Merrick Garland's writings and decisions, who found every opportunity to take a case and find some word, find some phrase, find some idea—“to operate is not to operate,” “to drive is not to drive,” which is just language from one case—in order to find some way to find in favor of the powerful over the people. Merrick Garland's nomination lasted 293 days. That is the longest time in Supreme Court history.

Now I am going to turn and go through the election-year vacancies because I do not want folks to take my word for the case that the Senate has always done its job. For more than 200 years, it has done its job—until now. Let's take a look at those vacancies.

There were a couple of cases—three cases in which there was an election-year nominee and the vacancy occurred after the general election. This happened when President Adams was in office, when President Grant was in office, and when President Hayes was in office. So there was very little time left in the Presidents' terms. In a number of these cases—all three—the President did not change office until March of the following year, but the Senate did not even need those extra 2 months that it had before we amended the Constitution.

President Adams nominated John Jay. He nominated him 3 days after the vacancy occurred in the year 1800, and the Senate confirmed the nominee. Here is an interesting twist: The nominee then declined the position. You do not see that very often in the history of the Supreme Court.

Then you go to 1872 when President Grant was President. He had a vacancy occur on November 28, which was just a month before the end of the year and a few months before the Presidency would turn over. It was following the election. He nominated Ward Hunt. The Senate acted in a little more than a week, and they confirmed him. They vetted him. They exercised their advice and consent responsibility, and they said: Yes, this individual is appropriate to serve on the Court.

Then there was President Hayes. A vacancy occurred in December 1880, and he nominated William Woods. Here we have a nominee being put forward very shortly afterwards and confirmed.

Those were the first three. That is the set of cases in which the vacancies occurred after the November elections in election years.

Let's look at the next set of vacancies. In these cases, the vacancy occurred before the elections, but the

nominees were not nominated by the Presidents until after the elections. So, again, the Senate had a relatively short period of time in which to act.

We have the August 25 vacancy of 1828 with President Adams. He nominated quite a few months later—almost 4 months later—John Crittenden. In this case, the Senate acted, but they acted to table the nomination, so he was turned down.

Then we have President Buchanan in 1861, who nominated Jeremiah Black. This is a little strange to us because we think of the Presidency as changing in January, but the Presidency did not change until March. The nomination occurred in February, and the motion to proceed was rejected by the entire body. So that nominee was rejected.

Then we turn to President Lincoln. The vacancy occurred in the month preceding the election. President Lincoln nominated Salmon Chase just after the election, and the Senate said: There is plenty of time. We will review that. And he was confirmed.

Then we can turn to Eisenhower. Once again, the vacancy occurred in the month before the election, just 3 weeks before the election. Eisenhower didn't put a nomination to the Senate until January, but the Senate said: We have a responsibility of advice and consent. We will review it, we will vet the nominee, and we will vote. And they voted to confirm.

That is the second set of nominations. Those are 7 of the 16 nominations, so there are still 9 to go. Let's take a look at those.

In this case, the Senate had more time to act. The vacancy occurred before the general election. The nomination occurred before the general election.

Before I go through them, let me just note that of these nine, the Senate acted to confirm in 1804, to table in 1844, to table in 1852, to confirm in 1888, to confirm in 1892, to confirm in 1916, to confirm again 6 months later—still before the election; two in the same year—and then finally, in 1932, the Senate confirmed a nomination made in February. On February 15, the Senate acted.

Of these nine individuals, we have six who were confirmed and two were tabled. But I have left one out. There is one more nomination that occurred in an election year—just one more—and that happened last year. President Obama—we go back to Antonin Scalia dying on February 13 and Merrick Garland being nominated on March 16. So of those 16 we have looked at, the previous 15, the Senate acted each and every time because they had taken an oath of office to uphold the Constitution that has a requirement that the Senate participate in advice and consent. But this time, no action. No action. No committee hearing, not a set of committee hearings, not even one.

No vote in committee. No effort or acceptance of moving the nomination to the committee of the whole, which would be here on the Senate floor. For the first time in U.S. history, the Senate stole a seat from one President in order to pack the Court.

I have to tell my colleagues that it isn't just a clever new tactic. It isn't just an excessive exercise of partisanship. This is a crime against our Constitution and the responsibilities of this body. This effort to pack the Court is a major assault on the integrity of the Court.

For every 5-to-4 decision that we see in the future, everybody is going to look and say: Five-four. How would that be different? And it will always be different if the stolen seat and the judge who fills it is on the right side because that side would otherwise have lost. The tie goes to the lower court's decision.

So what this does is not only change the trajectory of our Constitution from one where it is designed for "we the people" to a different vision of government by and for the people—it doesn't just change that trajectory, but it draws into question everything the Court does in the future.

Wouldn't it have been incredible if President Trump's nominee—knowing the constitutional responsibility for the Senate to act, knowing that the Senate seat had been stolen from a previous President, knowing that it would bias all the outcomes of the Court in the future—had stood up and said "I will not participate in this crime against the Constitution" and declined the nomination? Wouldn't that have been an act of integrity? Well, we didn't get that act of integrity from President Trump's nominee, so here we are today, on the first day of the Senate deliberation on this nominee, and just moments ago was the first time in U.S. history that the majority has exercised a petition to close debate on the first day of a Senate debate on a Supreme Court Justice. Why is the majority in such a rush? Why is the Senate majority determined to push this through so quickly, in contravention of the tradition of due deliberation on this floor?

I know that if the circumstances were reversed and the Democrats had participated in stealing a seat from a Republican President, my colleagues would be screaming on this floor, and they would be fully justified. I am proud that my colleagues on this side of the aisle have never participated in such an assault on our Constitution or a failure to exercise our responsibilities under our oath of office or a theft of a Supreme Court seat or an effort to pack the Court, but if we had, my colleagues across the aisle would absolutely be standing and saying what I am saying tonight—that this is wrong, this is destructive, this is damaging, and we should stop and rethink this.

There is really only one nominee who would be a legitimate nominee for President Trump to make—only one way to heal this massive wound, this massive tear and rip in the heart of our Constitution, this massive failure of this Senate body to do its job. There is only one way to heal that, and that is for President Trump to nominate Merrick Garland and for him to get that committee hearing, for him to get that committee vote, for him to get that deliberation here on the floor. Maybe he would be approved and maybe he wouldn't, because that is what we see every time the Senate has acted. It has not always been to confirm a nominee, but it has acted and deliberated and voted and decided, as the Constitution calls upon it to do. That would be a healing of the wound. It would be a healing of the wound if the Senators were to vote the same way they would have voted last year had there been a completely legitimate, ordinary consideration. Then we could go forward without this damage.

So I call upon my colleagues, who I know have—each and every one of them—considered that it is their responsibility to build up and strengthen our institutions of government, not to tear them down. Therefore, I call upon them to reverse this deed before the dark act is completed of stealing a seat and packing the Court.

I wish to turn to consider another piece of this puzzle. If the seat had not been stolen and we were simply considering President Trump's nominee under ordinary circumstances, what would we find? We would find a far-rightwing judge completely outside of the mainstream.

Why is it that throughout its history, this body has honored the rule of having a supermajority needed to close debate on a Supreme Court Justice? It has been to send a message to the President that you must nominate someone who is in the judicial mainstream, not way out in one direction or another, with bizarre findings that would undermine the integrity of the Court, not a pattern of attempting to twist the law so that we the people lose and we the powerful win time after time after time—no, someone in the middle of the judicial mainstream.

Well, that is certainly where Merrick Garland was, but that is not where Neil Gorsuch is. He is a lifelong conservative activist, rewriting the law to make it something that was never intended to be. A Washington Post analysis of his decisions that have been considered by the Supreme Court found that he would be, by far, the most conservative member of the Court—not where Scalia was, not where Justice Thomas is, not where Justice Alito is; he would be the most conservative member of the Court, to the right of Justices Alito, Thomas, and Scalia.

Quote:

The magnitude of the gap between Gorsuch and Thomas is roughly the same as the gap between Justice Sotomayor and Justice Kennedy. In fact, our results suggest that Gorsuch and Scalia would be as far apart as Justice Breyer and Justice Roberts.

That is the Washington Post. It is a pretty big gap, way to the right.

Let's take a look at some of the cases that lead to this conclusion. There is a case known simply as the frozen trucker case. Alphonse Maddin, the trucker, was fired for refusing to freeze to death. After waiting more than 3 hours with a disabled trailer on the side of the road, he unhooked the trailer and he started up the cab and he went to get warm before he could return to meet the repairman for the truck. Now, why couldn't he just carry the trailer with him? The brakes were frozen. Why was he himself freezing? Because the heater on the truck was broken. He fell asleep for some hours, woke up, and his body was numb. He became concerned about his life, so he unhooked the trailer, went to get warm, and came back to meet the repairman.

The Labor Department determined that under the Surface Transportation Assistance Act, he was wrongly fired because that act is designed to say that if you refuse to operate a truck in a fashion that is unsafe for you, the driver, or unsafe for others, you can't be fired for that. Safety comes first. The whole message of the act: Safety comes first. But in this case, Neil Gorsuch dissented. He wasn't writing the majority opinion. He went out of his way to write the minority opinion.

The Tenth Circuit upheld the fact that he was correctly operating the truck, leaving the trailer behind. You could ask, Was he operating the full truck or part of the truck? The point is that the Tenth Circuit said yes; the firing was wrong. They upheld the Labor Department under the surface transportation act, and said: He did exactly what the act had intended. You have to restore his job. The Tenth Circuit said yes, absolutely. But Judge Gorsuch went out of his way to write a dissent, saying no. It is completely taking words out of context and twisting them. I encourage others to read it for themselves because it is truly a bizarre opinion, an effort to find a way—some way, some path—to find for the company instead of the trucker, who was protected by the laws written and passed in this Chamber and the House and signed by the President. That is how far out of common sense and theory of the law Neil Gorsuch is.

Let's turn to a case often referred to as the autism case, *Thompson R2-J School District v. Luke P.* This case says a great deal because in this case Judge Gorsuch tried to rewrite a law referred to as the IDEA law—Individuals with Disabilities Education Act—to effectively invalidate the law. The law written here was to ensure that individuals with disabilities were pro-

vided an education by the school district, not babysitting but an education. Neil Gorsuch rewrote that law to say that babysitting is OK.

Despite years of special education in a public school, Luke P. wasn't showing any progress at home. His parents enrolled him in a private school that specializes in autistic children, where he made advances—because the school district was only babysitting him. They fought to get the school district to reimburse them. Gorsuch ruled in favor of the school district. The standard he put forward was the standard that babysitting is OK, even though the law was written to do the opposite.

This decision that Gorsuch wrote is so far out of the mainstream, it is so far out of common sense, it is so contrary to the law written here in this Chamber that the Supreme Court—yes, our Supreme Court, our eight-member Supreme Court—proceeded to say, 8 to 0: That is absurd and wrong, Neil Gorsuch. And they reversed him.

When have we had a nominee reversed 8 to 0? When have we had cases like the frozen trucker case and the autistic child case, where he went to great lengths to find for the powerful over the individual?

We can turn to the Utah en banc request in a case called *Planned Parenthood Association of Utah v. Herbert*. "En banc" means that the entire bench hears a case. Neil Gorsuch was such an activist, so committed to undermining an organization—Planned Parenthood—that he took the extreme step of initiating, himself, an en banc review of a decision to block a Utah defunding effort. Governor Herbert of that State had used the cover of false and misleading videos to strip Utah's clinics of their funding. The Governor later made clear in testimony that he was in fact punishing Planned Parenthood for its constitutionally protected advocacy and services and that the organization had not done anything wrong.

The Tenth Circuit granted a preliminary injunction against Utah for violating the organization's—Planned Parenthood's—constitutional rights. The Tenth Circuit decided this, but Neil Gorsuch—ever the activist judge, rewriting law to make it say the opposite of what was intended—sought to have a review by the entire bench. Let me explain, that is not normal. Other people may call for an en banc review because they don't like the outcome, but to have a participating judge on the Tenth Circuit initiate it is unusual. It is a message to the world: Everyone, pay attention to me. I am an activist, far-right judge, and if you like that—someone who is going to find for the powerful and the privileged over ordinary people—pay attention. That is who I am. It is kind of like trying out for a future Supreme Court opening.

Gorsuch's entire adult life has been a mission to revoke a lot of the norms we

have come to embrace in our pursuit of the transitions in our society and in our government as we pursue that constitutional vision of equality under the law, protections to vulnerable populations, to workers and to kids and to women and to minorities. But Neil Gorsuch doesn't like that arc of seeking to provide the protections our constitutional vision laid out. As far back as college, he was an ideological warrior who championed a severely reactionary worldview.

In a conservative newspaper article, he characterized efforts to fight racism as "more a demand for the overthrow of American society than a forum for the peaceable and rational discussion of these people and events." That is a very strange way to characterize efforts to fight racism. Racism, discrimination, is to slam the door of opportunity on American citizens because of their gender, because of their race, because of their ethnicity, because of their sexual identity—slam the door and disrupt that opportunity for each and every citizen to be treated equally under the law.

He also used the opportunity to advocate for social inequality, saying that "men . . . of different abilities and talents to distinguish themselves as they wish, without devaluing their innate human worth as members of society," and arguing that a responsible system required a governing class of men of exceptional political ability to make the big decisions for society. Well, there is not much equality and opportunity in that statement.

As a judge, in case after case, he finds expansive rights for corporations at the expense of their employees, consumers, and the public interest. We have talked about the frozen trucker case and the autistic child case. There is also the electrocuted mine construction worker case. A worker started at a project a week after it begun and wasn't trained on how this should be done. It was a training that was really required because of the highly dangerous circumstances. When you are operating equipment near power lines, that is just a setting that everyone in the construction industry knows is extraordinarily dangerous. If you connect that equipment to the power line, perhaps somebody has their hand on the side of the equipment, and the next thing you know, they are electrocuted. The worker mistakenly brought a piece of equipment too close to that overhead power line, and it was the worker himself who was electrocuted and killed. The Occupational Safety and Health Review Commission fined the employer for not properly training the worker under these dangerous circumstances. The Tenth Circuit took a look at it and said: Yes, the company failed to do the proper training, and the result was that someone lost their life. But Judge Gorsuch dissented. He

said that there was no evidence the company had been negligent. Really? Failure to train in a highly dangerous situation that results in loss of life—there is no problem there. Why should we require companies to train people in dangerous circumstances? Again, there was a complete lack of common sense, a determination to overturn what a review board had found, what the circuit court had found.

We can turn to the Hobby Lobby case. In this case, Neil Gorsuch found that closely held, for-profit corporations have the right to choose the contraception coverage, or lack thereof, for their employees if doing so conflicted with the corporation's religious beliefs. Now, we didn't actually have corporations—in the sense that we have them now—when our Nation was founded. There were some charters, but not the modern corporation in the sense that we have. Yet Neil Gorsuch said: We will just give this corporation personhood, and we will let the corporation exercise religious beliefs that overrule the religious beliefs of the individuals. But it was the individuals the Constitution was written to defend. It was the individuals' religious beliefs the Constitution and the Bill of Rights were laid out to protect—not a corporation. But in a never-ending quest to find for the corporation, to find for the powerful, to find for the privileged, Neil Gorsuch twisted the law, found that path, and laid it out.

In writing a brief as a lawyer in 2005, Neil Gorsuch urged the court to ignore the statutory and legislative history of the Securities Exchange Act, advocating that the court limit the ability of those defrauded by corporations to band together to seek redress. This really goes to the difference between "we the people" and "we the powerful."

We have a nominee before us right now who doesn't like the idea of individuals being able to operate with a class action suit against the predatory actions of a powerful corporation. In an article about the case, he launched into an attack on the lawyers for providing the ability for individuals to challenge the very powerful corporation, and he said these are frivolous claims—frivolous claims—that take an enormous toll on the economy. They put a burden on every public corporation in America. I will quote: "frivolous claims that impose an enormous toll on the economy, affecting virtually every public corporation in America at one time or another and costing business billions of dollars in settlements every year." He didn't like this burden on corporations to respond when they were challenged for predatory practices.

Often, the transactions between a company and an individual are quite small. Maybe they involve a monthly fee to access telecommunications services. Maybe they involve a purchase of

a single consumer item that costs \$50. But the corporation misrepresented what that item was or didn't disclose that it had dangerous paint on it or some other feature. The only way that ordinary people, "we the people," can challenge the predatory practice of a powerful corporation is to put their cases together in a class action suit so that everybody—the thousands of people who bought that \$50 item—can say: You are doing something wrong. You are selling something dangerous and not telling us. You are selling something our children will choke on and not telling us. You are defrauding us in any of a whole series of possibilities. Perhaps it is in stock cases or other financial transactions. Perhaps it is the way mortgages are constructed. But the individual couldn't possibly take on the powerful companies' roomful of top-notch lawyers to reclaim that \$50 or that small modest sum, so a class action is the tool through which the people, "we the people," proceed to take on the powerful, and Neil Gorsuch doesn't like that.

He doesn't like workers having the chance to confront corporations on the issues of sexual harassment.

In *Pinkerton v. Colorado Department of Transportation*, Judge Gorsuch joined an opinion discounting Pinkerton's evidence of discrimination and concluding that Pinkerton's performance—not discrimination—resulted in her termination. Judge Gorsuch dissented from an opinion—by its very nature saying dissent—where the majority found a different path, holding that Pinkerton provided ample evidence that she was regularly outperforming her male colleagues yet was treated less favorably than them. The list goes on and on—removing Federal Government protections in a variety of cases.

But there is a third big problem with the fact that we are here tonight considering this nomination. The first big problem was that the seat was stolen by the Republican majority. That is the first time a theft like that has happened in the history of our Nation in an effort to pack the Court. That is a big deal. The second is that Trump nominated somebody completely outside the judicial mainstream. The third is something that should give every American pause, and that is that at this very moment, investigations are taking place into the conversations, into the meetings between the Trump campaign and the Russians.

Now, we know it is very public that the Russians conspired to affect the outcome of our Presidential election. We know the tactics they used. They wrote false news stories. They proceeded to have a building with hundreds—I am told a thousand people in a building—doing social media commenting to try to have people in America see those comments and go: Oh, my goodness, isn't that Democratic nomi-

nee terrible? Look at what happened. It was an effort to give, in other words, some sort of validation to the false news stories that they were creating and to spread those false news stories via social media.

We know that Russia used a series of bots—basically, computers—around the world designed to reply automatically on social media and Facebook and to do so in order to make it look like there were more than a thousand—millions of people out there—commenting on how terrible the Democratic nominee was.

So they amplified this message with the goal of causing the algorithms used by companies like Facebook—affecting those algorithms so Facebook would start streaming the false news on their Facebook site. You see that and go: Oh, my goodness, it must be true; it is on Facebook. That was the core strategy the Russians used.

I am not sharing with you anything that is classified. I am also on the Intelligence Committee. All of this is in the public realm, the FBI is investigating not whether all that took place—they continue to look to see what else there is and the details of that—but whether there was coordination or collusion with the Trump campaign in how they did this.

Let's be clear. The investigation is not concluded. We don't know the answer. We don't know if the Trump campaign coordinated with the Russians. But let's also be clear about this: Anyone on that campaign who collaborated with the Russians to affect the outcome of the U.S. elections has committed a treasonous act.

So we have this cloud of this investigation over us right now. We find out in a few weeks if there were treasonous acts that completely delegitimize the election that put Donald Trump in the Oval Office. Will we find that? We don't know. We don't know the answer to that.

What we do know is that we have a risk of being in a situation where a swing vote on the Supreme Court is coming from a team that is being investigated. Let's get to the bottom of that and, therefore, know whether there is an issue of illegitimacy before we complete this conversation about filling this Supreme Court seat.

There is an enormous amount of evidence that the Trump campaign was familiar with the efforts of a foreign power to alter the outcome of the election. The names have come up with the press. Paul Manafort, Michael Flynn, Roger Stone, and other figures in the Trump orbit are under scrutiny for that—several of them. The communications have been articulated where and how, and that cloud is very real.

We had the unusual event a week ago Monday in which the Director of the FBI came here to Capitol Hill to talk to the House and to say that it is not

normal to confirm that our investigations are under way but that he thought, under this circumstance, it was appropriate that he do so.

So those are the three big issues that we are facing. It is why every Senator who values this institution, each Senator who has pondered their responsibility under advice and consent and the theft of the Supreme Court seat last year recognizes that the administration is under a big cloud and that cloud has not been resolved in terms of the legitimacy of the election or whether there was collusion with a foreign power.

I said that if there was collusion, it was a traitorous act. Here is why. Attacking the integrity of our elections, as Russia did, is an act of war on the United States of America. It is attacking the fundamental institutions of our democracy, of our democratic Republic. We must never let this happen again. We must work with other democratic republics to make sure that Russia isn't able to do it in other countries, which we know they are attempting to do in other elections. But we should absolutely get to the bottom of it before this Chamber takes a vote on whether to close this debate or before it takes a vote on whether to confirm the Justice.

So that is the very broad presentation of the three big reasons we should pull the plug on this nomination or at least put it in deep freeze until such a time as the Russia investigation is completed. And we have already considered Merrick Garland. That is what we should do.

I am going to spend considerable time going into more detail about these three issues because in my time in the Senate, there has not been an issue that has had such grave consequences for the integrity of our Nation, the integrity of our Senate, the integrity of the Supreme Court, and, quite frankly, the integrity of the Presidency, as well. It affects all three branches because this crime of stealing a seat couldn't be completed without the direct involvement of the executive branch's nominating Neil Gorsuch. So I will go back over each of these in much greater detail.

I was pondering why I feel so strongly about this—apart from the reasons I have already laid out—and it is that for generations to come, this Chamber will be compromised. For generations to come, the Supreme Court will be compromised. If we act together, if we hit the pause button, perhaps we can prevent that.

So I feel more compelled to be here, to raise my voice, and to call for those who care about our Nation to stop the insanity of this judicial nomination discussion here on the floor of the Senate. That is why I am going to go on for some time exploring this.

I think back to when I came here in 2009. When I came to the Senate, my

memories were of the Senate from the 1970's and 1980's, which now makes me really an old guy. I was able to come here as a 19-year-old, as an intern for Senator Hatfield. At that point in time, there wasn't a camera on the floor of the Senate and there wasn't email, and it wasn't easy to get a document across Capitol Hill in a short time. Interns were put to work running paperwork around the Hill. But I will tell you that the institution was in a very different place.

So I came here. I was the third of three interns to arrive that summer of 1976, our bicentennial summer. The most recent intern is put to work opening the mail each morning.

So I came in early. We had about 100 letters in envelopes. You would run them through a machine that sliced the envelopes opened. You would stack up all the letters, start going through them, and say: This one is on this topic, and this goes to this legislative correspondent. This one is on this topic, and it goes to that legislative correspondent. I think there were three or four in the office of Senator Hatfield. You would go through those 100 letters and put them on the desk of the legislative correspondent.

Those correspondents had the newly developed electronic memory typewriters. They had written paragraphs to respond to different topics, and they would mark on the letter the different paragraphs that should go here. This is the introductory paragraph we will use. We need to address this issue in this letter and use paragraph 56 from the memory bank, and we use number 84 to address another issue.

Then, those letters, all marked up, would go to the typing team that would run those memory typewriters, and get responses out before the day was over. I saw a lot of it that summer. It was possible to actually get mail to come directly in because we didn't worry about white powder being inside the envelopes.

Now if you write an actual physical letter to a Senator in this Chamber, it goes through a warehouse. It goes through a warehouse where they have to examine it and check it for poisons before it can be delivered to Capitol Hill. It will take weeks. People knowing this often choose to write by email. So a lot of the mail—most of the mail—comes in electronically.

But that summer, one of the legislative assistants was leaving for an extended period for a vacation in South America. He was looking to have someone take over the Tax Reform Act of 1976. I was asked to take over working on that act. So what that involved was that you would look at all the mail that came in on that tax topic. You would research those issues and you would draft responses. Those draft responses would go up and be approved or modified by the legislative director and

by the Senator. Then you would make sure those got into the database and people got their questions answered.

I learned a lot about taxes that summer of 1976. I must say, when I was first asked to work on taxes, I was kind of disappointed because I thought: Well, it will be really interesting to work on education; it will be really interesting to work on healthcare; it will be really interesting to work on the environment; it will be really interesting to work on jobs policy. Taxes? Not so interesting.

So the next few days, as I threw myself into responding, drafting responses to these issues being raised in letters, I was transformed in my opinion about working on tax issues because the taxes affect everything in our body of law. Taxes have environmental consequences, or they may be an environmental incentive, such as the provisions we have in the Tax Code to encourage people to insulate their homes or to drive a non-fossil-fuel burning car. They affect health, such as the provisions we have in the Tax Code that proceed to say that if your employer provides health insurance, it is not considered taxable income. It affects job incentives. It affects everything.

There were farmers writing in about tax issues that were being raised. There were teachers writing in. The teachers were concerned that there was a home office deduction that was on the chopping block. What this means is if you used a bedroom in your home or a study in your home as your office to work as an elementary teacher or a high school teacher, you could deduct the cost or the value of that portion of your house as a work expense.

Well, often, when there is an opportunity like that, some people expand the definition of the office to a point in which it is ridiculous, and there were some individuals who were saying: Well, now my entire home is my office. I will deduct the entire cost of my home, which was never the intention.

But teachers were concerned that, in the course of correcting that, that they might lose the deduction that was a legitimate work expense. There are dozens and dozens of these things. So the bill happened to come up on the floor of the Senate, in this Chamber right here. Because I was working that bill, I was assigned to come over and follow the debate. I was up in the seats up above. We considered amendment after amendment after amendment. Now, there was no negotiation between the two sides over what amendment would come up next.

Once one amendment was finished, there would be a group of Senators trying to get the attention of the Presiding Officer. Whoever got that attention first, whoever was fastest or loudest and was called on, their amendment was next. They presented it, and the

staff hovered around following it and tried to get a copy of it and tried to analyze it. Then we would run down when the vote was called and meet our respective Senators coming out of those elevators that are just through those doors right there—those beautiful double doors of the Senate.

I would stand there, and out would come Senator Church, and out would come Senator Goldwater, and out would come Senator Humphrey, and out would come Senator Kennedy and Senator Inouye, and then my Senator could come out. I would say: OK, here is the story. Here is the amendment. Here is what it does. Here is what people have said about it. He would come in here and vote.

That was a very lucky set of circumstances that I had, but it allowed me to sit up in the Chamber and watch this Senate. You did not have a cloture petition on anything—a cloture petition meaning a petition to close debate. Now, there was mutual respect. There was a determination of this body to give people a chance to say what they wanted to say, but very rarely did people go on at length, and more rare than that would be a case where a petition was filed to shut down debate.

You know, the principle, the idea that originated with our original Senate, was that there is time for everyone to make their views known to each other so we can benefit from their insights, so that we can benefit from their life experience, and then we can make the decision. So it was a mutual courtesy among Senators at the very start of our democratic Republic. I saw that courtesy here on the floor as an intern 41 years ago.

What a difference it is today, where today, for the first time in U.S. history, the majority filed a petition to shut down debate on the first day of a debate over a U.S. Supreme Court seat, under circumstances that are more complex and more disturbing than virtually any circumstances we have seen in more than 200 years over the nomination of a Supreme Court justice.

It is the first time in U.S. history that a nominee in an election year was not accorded any consideration, the first time a seat was stolen, perhaps the first time that a cloud hung over a nominating President—President Trump and his team—because of the way the campaign was conducted and the possible collaboration with Russians. Certainly, it one of the first times.

Since the analysts have found that the views of Neil Gorsuch are to the extraordinary far right, that too adds a certain change from the tradition of the supermajority of the President nominating from the judicial mainstream.

So we have these complex sets of circumstances that should be thoroughly vetted. This should be a situation

where no Member of this Chamber would even think about filing a petition to close debate and would not even consider the possibility of trying to cut off debate.

Debate has gone on for Supreme Court folks for weeks and weeks and weeks without a petition being filed. Sometimes, that nominee was confirmed and sometimes the nomination was withdrawn, and in the course of it, the American people learned a great deal, and they were riveted to that conversation.

But this time, the majority said that 200 years of history—that 200 years of developed comity here in the Senate Chamber, the traditions that were still here when I was an intern 4 decades ago—we are going to wipe that away. Well, that is a great concern. After I was here for a summer, I was very intrigued by the beauty of what we do on Capitol Hill, the profoundness of what we do on Capitol Hill.

We can make a policy that can destroy home ownership for literally millions of families, or we can make a policy that creates the opportunity of fair home ownership for millions of families. That is the power of the discussions that take place on this floor of the Senate, of this Chamber, and the Chamber on the other side of Capitol Hill.

So, during that summer, I was wrestling with a question, and that question was: My talents are in math and science. But is there a way to pursue a career dedicated to making the world a better place? Is there a way to actually pursue public policy as a career? I didn't know the answer to that question. I went back to college for 1 trimester out in California.

At the end of that trimester, President Carter was going to be inaugurated in January of 1977. I thought: You know, it will be very interesting to see what a new President does. Let's see what policies he puts forward, how he builds his Executive team, how he delivers his ideas to Capitol Hill, how he works with Capitol Hill.

So in January, I took a Greyhound bus across the Nation. I arrived here and proceeded to work on a variety of internships while also waiting tables and washing dishes. I worked as a hotel desk clerk up on 14th Street on Thomas Circle. I worked washing dishes and waiting tables for a Lums Restaurant, which is kind of a sit-down hamburger joint.

But it was all so I could be here and see the magic of public policy and the work done that could affect millions of lives here in this Chamber, the work done on the far side of Capitol Hill that would affect millions of families—to the better or to the worse. In the course of that year, I interned for a group called New Directions. It was an environmental nonprofit working on the Law of the Sea.

There was a question on the outside of our territorial boundaries: Will the nations cooperate so that we don't destroy the resources in the international space of the oceans? How far should our national space extend? How do we write those rules so that our Continental Shelf is clearly under our control? These are the sorts of questions considered. That treaty, the Law of the Sea Treaty, has never made it here to Capitol Hill. Every time there is a new Presidency coming in, someone says: Hey, remember that treaty from four decades ago? It might really strengthen U.S. control of our offshore areas, and maybe we should bring it up for discussion. It still hasn't been discussed here.

But I also went door to door for a group called Virginia Consumer Congress. They were working to create attention to consumer protection issues in the State capitol in Virginia. They would go door to door. They would have a team go door to door. You would proceed to explain the issue that you were working on—the bill you were working on, that the organization was working on—and ask ordinary citizens to sign a petition in support of that bill being considered at the State capitol.

You would ask: Would you like to support the work of this organization so we can keep doing it? If they made a donation, that helped strengthen the organization. This was the model that became the Public Interest Research Group model, or the PIRG model.

Specifically, the issue we were working on as we went door to door was to say: We can save consumers a huge amount of money if we can simply implement peak-load pricing.

Now, what is peak-load pricing? What it means is that you have a meter so that when there is a huge demand for electricity, it charges a higher price. By so doing, it alerts the consumer: Hey, don't use electricity now; use it at another time.

Now, why would that save consumers millions of dollars? Well, here is why. The electric power company wanted to build a nuclear powerplant to meet just the peak load. So they wanted to build a very, very expensive nuclear powerplant, which they would then charge all the utility customers for, and a lot of utilities—it is kind of written in the law—receive an automatic 8-percent return on whatever they invest. So there is an incentive for them to invest more. The more they invest, the bigger their revenue stream is. That revenue stream is paid for by the citizens who buy electricity.

So few could convince the utility, instead of building a nuclear powerplant, to put in meters that would tell people: Hey, don't use your dryer now because it is more expensive, and shift that peak load. Then everybody benefitted. You did not have to have the risk of a nuclear powerplant.

At that point we had a lot of concerns. We had had a lot of difficulties in some of our plants with near meltdowns. The idea that you could have a radioactive cloud or a China syndrome occur somewhere near a metropolitan area was a very scary thing. So you simultaneously greatly improved public safety while saving people a huge amount of money.

So that is what we were petitioning people for door to door. It was my first introduction to a legislative process that was happening outside the national legislative process. I must say, when you go to door to door, you have so many interesting experiences. You never know what is going to happen when you walk through that door and start to explain to people what you are fighting for and they start sharing their stories.

The president of the board of VEPCO, Virginia Electric Power Company—I went to his and his wife's house. I did not know it was their house at the time—a huge, huge house in suburban Virginia. The wife greeted me. She talked with me about these issues. She said: You know, my husband is president of the board of VEPCO, but, as to the issues you are raising, I never hear them raising those issues, and these are good points you are making. So I want to buy the Virginia Consumer Congress newsletter. It was a \$15 donation. That was the biggest donation at the door I ever had while I was working there. There were many, many other conversations.

But the reason I came back to be here for those first 9 months of the Carter administration was to continue to see: How does Capitol Hill work? How do nonprofit advocacy groups work? How does a new administration work? How does the Senate work? The Senate was so near and dear to my heart after the internship with Senator Hatfield.

In the course of that year, I came to believe that there was a path to work on public policy. Specifically, I decided to work on third-world economic development. Part of the reason that I choose that area was that, when I was in high school, I had a chance to be an AFS exchange student in Ghana, West Africa. There were only six exchange students sent to Africa outside of apartheid South Africa.

Of those six, five went to cities and one went to a modest town with a family of very modest means. I was the student who was sent to that very modest town to the family of modest means. The experience was such that I was surrounded by people barely able to afford to eat or sometimes not able to afford to eat.

My host family was middle class. My host father was a schoolteacher, and my host mother was also a schoolteacher. One was in a public school, and one was in a private school. Be-

cause of the connection to the public school, my host father, who, if I recall right, had a sixth grade or ninth grade education—that was enough to be a teacher because they didn't have enough people who were high school graduates or college graduates.

He was afforded a government-built house that had three concrete rooms and screens over the windows to keep out the mosquitoes. There was electricity in the house, an outlet. The family had one appliance, and that appliance was an iron to iron clothes. Every night, my host father would take the clothing that had been washed that day and he would iron the clothing. Nobody else could touch that iron because that was an incredibly valued appliance.

They had one other thing that was considered a real amazing thing for a family to have, and that was a bicycle. They had a bicycle. I wanted to borrow the bicycle to go outside this town and visit some very tiny villages. My host father was so afraid that I was going to break this bicycle, that I wasn't going to be careful, that I was going to go through potholes, that I was going to dent the rim, because it was such a valued commodity to the family.

I decided in college, after my time here in 1976 and 1977, that I would work on economic development overseas because I had seen the families who surrounded my host family often earning just a dollar a day and trying to feed a family of six or seven. The children couldn't go to school because they had to go down to the main street, running through town to try to sell things through the windows. The only way for the family to eat was for every child to be working.

(Mr. ROUNDS assumed the Chair.)

Well, I tell you this because it is all tied in to how I view the sanctity of this room, this Senate Chamber, because the events that were to transpire unexpectedly brought me back to Capitol Hill after graduate school.

I pursued that path of working on third-world economic development, and I thought I was going to spend my life overseas. When I graduated from college, I was hired for a job to work for the United Nations in the Philippines. My job was going to be going throughout the region to evaluate U.N. development projects. What a perfect position, to be able to be in multiple countries—it would have been in Malaysia, the Philippines, Vietnam, a whole host of nations—to evaluate projects on the ground, giving reports on what was working and what was not working and why. It was a 2-year post. I was so excited about doing this. It just seemed like all life had come together. I was going to have a job after I got out of college, and I could start repaying those student loans. I felt like I was landing on my feet.

I went down to the organization, the nonprofit at my university that would

set up these jobs. The individual who ran it said: Jeff, come here. I have a letter for you to read.

The letter said: The United Nations has just eliminated the position to evaluate those projects in the Philippines. So suddenly, before I ever got on the plane, my job was gone. I didn't get to go. Again, I was very worried. Well, what am I going to do after I graduate?

I proceeded to go down to Mexico and work in a village with the American Friends Service Committee. Then I went to New York and worked an internship with the Carnegie Endowment for International Peace. I worked on a variety of international issues. Then I decided to join a friend, and we went and bought the cheapest bus available from California to Costa Rica. We proceeded to go through country after country—Mexico and Guatemala, Honduras. We bypassed El Salvador. We got off the Pan-American Highway because in Salvador, in 1980, people were being pulled off of the buses and shot. The other nations were in turmoil. It was the year after the Sandinista Revolution in Nicaragua.

In Guatemala, there was an army group who was going from village to village killing the young men. There was a war between one group and another group. There was a lot of chaos there. But we went all the way through to Costa Rica. Then I worked in a village again on an environmental project. I had a chance to work in India.

I expected the whole time that I was going to be going overseas for my life. You never know what door is going to close and what door is going to open.

After I got out of graduate school and was ready to go fulfill this vision that I developed back in 1977 when I extended my stay here in DC and was doing these internships, I was at the World Bank. I was hired at the World Bank, but I didn't want to be at the World Bank for long doing mathematical modeling. I was doing the shadow pricing of petroleum products.

If that doesn't sound very interesting, well, it kind of is, actually, if you love how numbers can give you a vision of what is going on and how the imports and exports of oil products were right or wrong and expensive. By understanding shadow pricing, you could understand the challenges various developing nations faced. Still, it was working with mathematical formulas and data here in DC, and I wanted to be in the field. So I was preparing to go to southern Africa, where I had not been. In that preparation, I was also applying for a Presidential fellowship in foreign relations. One of those openings was at the Office of the Secretary of Defense.

Each year, the Office of the Secretary of Defense would have 5 openings for Presidential management fellows, and there were 12 finalists for

this. They called us in, and they had this big kind of arc of the high-ranking folks, civilian and uniform, from the team of the Secretary of Defense. Then they had a chair in kind of the middle of that arc. I just remember thinking it felt like we were going to be interrogated, and it was kind of an interrogation.

This is the first question I was asked: We see here that you interned for Senator Hatfield, and he votes against all of the defense appropriations. You worked for the American Friends Service Committee. They are an arm of the Quaker Church, and the Quaker Church has a peace testimony. Why would we ever hire you here in the Office of the Secretary of Defense?

I thought that was a very good question. I was kind of surprised that I was a finalist for a position, but I responded that national security is so much broader than simply military money, that it involves an understanding of culture, an understanding of history, an understanding of economic dynamics, an understanding of the things that trigger dissent and how it might be responded to, an understanding of alliances, and that all these things put together enable us to have a foreign policy that is part and parcel of our national security. Well, I probably said a more complex version of that, but that was the gist of it, and they hired me.

The reason I took that job rather than heading off to Africa was because at that moment, the biggest threat to the world was nuclear power—not nuclear power electricity but nuclear weaponry, atom bombs. The fact is that we were concerned that there might be a nuclear war that would destroy the planet as we knew it—certainly destroy the Soviet Union and the United States. Since that was the biggest threat to the world, I felt compelled to pivot from third-world poverty to work on nuclear weapon policy, and I did that through the 1980s, first for the Secretary of Defense and then for Congress, which now completes why I was telling you that story, because that brought me back to be in regular contact with this Senate, with this Chamber, with the folks who work here, who are trying to figure their way through a series of difficult issues involving nuclear weapons.

Outside of this Chamber, in the path walking between the Russell Office Building, a curved path, and coming into the outside doors that are outside of these double Senate doors, there is a tree. That tree is known as the peace tree. It is directly connected to the work that was being done in this Chamber on nuclear weapon policy.

Senator Hatfield and Senator Kennedy were working together. A Republican and a Democrat were working together to try to address the risk of nuclear weapons. Well, in 1985, there was

an intern walking with Senator Hatfield. He liked to walk outside on that curved path back to the Russell Office Building. It is a path on which I have had the chance to walk with him a number of times. He talked about the different trees along the way. I remember in particular his lecture on the ginkgo tree. There are several ginkgo trees out there between here and the Russell Office Building.

I was relaying this to a 1985 intern of Senator Hatfield's named Sean O'Hollaren. Sean said: You know, I had those same walks with Senator Hatfield, and he gave me the same stories about the tree. He was interested in that.

Sean O'Hollaren said to Senator Hatfield—Sean O'Hollaren obviously was much quicker to seize the moment. It never even occurred to me. He said: Senator Hatfield, you love these trees so much, why don't you plant one?

Senator Hatfield said: Sean, that will be your intern project.

So Sean worked on that.

Senator Hatfield wanted to plant a tree that doesn't fit the Olmsted plan for the landscaping of the Capitol. The problem is that the Olmsteds, who had designed Central Park and Forest Park in Oregon and much of the DC landscape here on the Capitol grounds, had in mind broadleaf trees, not the type of tree Senator Hatfield wanted to plant.

What did he want to plant? There is a very interesting story here because in the Pacific Northwest—of course Oregon is part of the Pacific Northwest—there used to grow millions and millions of a cousin of the grand sequoia and the coastal redwoods. This cousin was different in that it lost its needles during the winter. It went extinct. It was out-competed by the cedars and the Douglas firs and the regular redwoods and so on and so forth. It went extinct, but its fossils are everywhere in the Northwest.

How could Senator Hatfield plant this tree when it had been extinct for millions of years in North America? He could plant it because in the late 1940s, a small grove was found in China of this particular tree—the only place on the planet where it still existed. So he arranged to get one of those trees. He was going to plant it there.

At that moment, as they were getting ready to plant, his team saw Senator Kennedy's team and said: Senator Kennedy, you should come out and join Senator Hatfield.

They went out by this walkway between here and Russell. Senator Kennedy said: In honor of the work we are doing together, this bipartisan work on nuclear weapons, this should be known as the peace tree.

They were working on the zero option, the nuclear freeze movement—let's not add any more nuclear weapons to the world; they are already dangerous enough. They did a lot of work

on nuclear weapons, and I must say I was reminded of it.

When I came here, John Kerry and Dick Lugar—a Republican and a Democrat—were working on New START together. They considered that treaty here on the floor of the Senate, but it became much more difficult now than then to have this sort of bipartisanship work.

At any rate, please take a walk, if you are here in DC and on the grounds of the Capitol, and take a look at that peace tree. That peace tree is just on the verge of becoming the tallest tree on the grounds. It is now 32 years old. Let's hope that as it becomes the tallest tree, it will have kind of a Biblical influence and bring more peace to a world in desperate need of it.

We need more of that peace tree influence here in this Chamber. That influence is sorely lacking. The type of cooperation between Democrats and Republicans that existed doesn't exist today, and we are here at this very moment on a tragic course to destroy the centuries-old tradition of a 60-vote, bipartisan majority to proceed to approve a nominee to the Supreme Court. That tradition ensures that Presidents don't nominate extremists and hopefully ensures that the folks who serve will serve the Constitution, the "We the People" Constitution, not some ideological extreme to the right or to the left.

So I want to go back to the core premises of why I am here tonight talking to the Chamber, sharing these thoughts with all those who are watching the Chamber, and that is we must recapture the type of cooperation and bipartisanship that made this Chamber able to address the problems facing America. Mahatma Gandhi said that to simply operate by the premise of an "eye for an eye only . . . [makes] the whole world blind." Well, if we operate on the premise of the Senate that we are never going to work together to solve problems because we are of different parties or a different party than the President, and we want to make sure the President doesn't get any credit for having helped improve a situation, then all of us suffer from the broken existing policies, the dysfunction of existing policies, the poison of the superpartisanship.

Let's go back to the basic premises that we need to address—the three premises. The first is that this seat is a stolen seat—and if we could put up the chart with the nine Justices. Here is the story in a nutshell: 16 times in our history there was an open seat during an election year, 15 times the Senate acted, 12 of those times they confirmed the Justice, and 3 of those they rejected the Justice. But the point is, in 15 out of 15 times before Antonin Scalia died and Merrick Garland was nominated by President Obama, the Senate acted. Here are nine of those.

These are the nominations that occurred, like Merrick Garland's, in which the vacancy and the nominations occurred before the election. So they are most similar to the situation of Merrick Garland.

Then there were another seven under more difficult circumstances where the nomination did not occur until after the election, and the Senate had very little time in which to vet and make a decision, but they did make a decision in each and every case until last year, when the majority said: We will not consider the President's nominee. We will not hold a hearing, we will not hold a vote, we will discourage folks from even talking to him, and we will not exercise our advice and consent responsibility. That is the first big issue.

The second big issue is that the nominee himself is from the extreme right. There is a chart that shows—and we don't have it with us; maybe we will have it later tonight. There is a chart that shows the distribution of decisions, and it has basically two curves with a big kind of bell curve with a big gap in between. So it goes up, it comes down, and it goes up and it comes down, and it reflects the ideological division of the Court from decisions they have made. On this chart the folks analyzing these decisions said: Where would Neil Gorsuch be? Would he be in the "we the people" bell curve of decision making? Would he be in the "we the privileged and powerful" bell curve? They found that not only would he be in the "we the powerful" bell curve, but his position on the curve would be to the far right of the curve.

I mentioned earlier the analysis by the Washington Post. This is an individual who was rated by the professional analysts as being more conservative than anyone who serves on the Court. I went through a series of cases, and I will be going through them again as the night wears on, in which he twisted the law to find for the powerful over the individual time and time and time again. Someone who is way outside the judicial mainstream and who twists the law to find for the powerful over the people doesn't belong in the Supreme Court of America. So that is the second big problem.

The third big problem is that the President's team is under investigation for collaborating with the Russians interfering in our November general election. This is a very serious question. There is a very dark cloud over the legitimacy of the election and therefore the legitimacy of this President. If President Trump worked to conspire with the Russians or his team conspired with the Russians at his direction or his knowledge, that is traitorous conduct because the Russians attacked the fundamental institutions of our country. Trying to delegitimize and change the outcome of our election and conspiring with a foreign power to

attack the foundation of our Democratic Republic—that is traitorous conduct. We have to get to the bottom of it, and we shouldn't be considering on this floor a nominee under that set of circumstances. Let's complete the investigation, find out what went on, and if the cloud clears, then we can proceed.

So those are the three substantial issues for why we should not be here considering this nominee.

The stories I was sharing with you about how I first came to the Senate as an intern for Senator Hatfield and then came back to Capitol Hill working for a think tank sponsored by Congress, the Congressional Budget Office—my responsibility was to analyze the impacts of various potential strategies in the development and deployment of our strategic triad, our nuclear triad. We have air-delivered and ballistic missiles, land-based ballistic missile delivered weapons, and marine weapons—that is the triad. That was my job, to consider the implications of the path we might go to. What were the budgetary implications, what were the performance implications, what were the implications for deterrence or the circumstances that might trigger a nuclear war. So I was back here on Capitol Hill in that capacity. What I saw was a Senate fundamentally different than the one we have today.

I was reminded of this when, back in 2013, I was working to bring a bill to the floor called the Employment Non-discrimination Act. This is an act that Senator Ted Kennedy had sponsored, and if I recall right, it was first sponsored in 1994. Then, 2 years later—I believe it was in 1996—it was considered on the floor of the Senate, and it lost by one vote. It lost 50 to 49. The Senator who was missing, it was believed, would have voted for it, and the Vice President breaking the tie would have voted for it, but people felt, well, it will be back up before the Senate soon enough.

The point here is that the vote was a simple majority in that setting, and the filibuster was reserved for very rare circumstances. This happened to be a bill related to ending discrimination for our LGBT community in employment, and anything involving what some may construe as a social issue is one that many people have politicized greatly. This was simply an issue of fairness in employment, but nobody required a simple majority to close debate. They reserved the simple majority for profound principles. It was so that this body can function because it was primarily a simple-majority organization.

When I was covering the Tax Act of 1976, the issues on these amendments came up one after another—what seemed like every hour—were simple-majority votes with a lot of bipartisan cooperation. We have become so polar-

ized, we have become so divided, and this nomination and this hearing right now are going to reverberate through the decades to come as the lowest point, the biggest failure of this institution. We do have the power to prevent that from happening because we haven't yet voted on closing debate. Yet we have just a short period of time to set this nomination aside.

Set it aside. Tell the President we need to heal this institution and the Court by nominating Merrick Garland. Set it aside because the nominee, Neil Gorsuch, is from the radical rightwing fringe, out of the tradition of having mainstream Justices. Set it aside because there is an enormous cloud over President Trump as to whether he is a legitimate President, given the investigations into the conspiracy with Russia. For all those reasons, set it aside.

Also set it aside because never before has a majority leader tried to shut down this debate with a petition to close debate on the very first day. It takes 2 days for that petition to ripen. There are folks who have said that almost never is a Supreme Court nominee filibustered. Well, it gets a little confusing because what does filibuster mean? Does it mean deliberation at length? In this case, we have had a lot of nominees filibustered because they have been deliberated at length. Does it mean that we vote on a petition to close debate? Well, that really changes the analysis because we have rarely had a petition to close debate on a Supreme Court nominee, and we have never had a petition to close debate filed on the first day of debate because of the mutual respect that all the voices would be heard, and with someone who was controversial enough for people to want to talk for days and days and days, this body heard them out. The American people heard that conversation and responded to it, and trends developed. People said: Do you know what? No, this person really is suitable. And they were confirmed. Sometimes they were withdrawn by a President. The point is, in rare cases was a petition filed to close debate. Yet here we have for the first time in U.S. history—it just happened a couple hours ago—shutting down the debate as fast as they can. That is the opposite of a deliberative body.

When I was back here as an intern, we had that age-old saying about the Senate being the world's greatest deliberative body. I saw that body. I saw people here on the floor talking to each other, listening to each other, holding a debate, voting on amendments and immediately going to the next amendment.

I remember on one occasion—I mentioned that once an amendment was done, there wasn't another one negotiated between the Democrats and Republicans, so there were long periods of silence, the way we operate now. No, it

was the next person recognized by the Chair, and the Chair heard a lot of people at once, probably working to send one amendment to the left side of the Chamber and one to the right side of the Chamber, one to a senior Member, maybe one to a more junior Member, but eventually, because of the expeditious consideration, everyone got to have their idea considered and pretty much voted on by a simple majority.

How different that is from what is happening right now at this moment in this Chamber when we are at the very peak of pointed partisanship coming from my colleagues across the aisle. They have stolen a seat for the first time in U.S. history. They have proceeded to put it on the floor and, for the first time in history, they have filed immediately a petition to close debate. Every 5-to-4 vote from here on until who knows when—our children's children—will be looked at, and people will ask: Is this a decision because of the stolen seat? Would this have been a “we the people” decision rather than a “we the powerful” if not for that stolen seat? That is a huge erosion of the legitimacy of the Court.

Do Members of this Chamber really want to do that kind of profound damage? They will do that profound damage if the current direction continues over the next couple of days, and that is a place in which I do not want us to be. Therefore, this is kind of my own, personal protest of where we have come, and it is my own request that we change direction. I plan to keep speaking for quite a while longer, as long as I am able. That will, hopefully, be, at least, a couple of more hours. I am going to go into more depth about these issues that I have laid out, and I am going to start by going through each piece in a lot more detail.

Where do we start?

This journey began with Justice Scalia's death on February 13, which was a little over a year ago. Then it was a month later that the President fulfilled his responsibility under the Constitution and nominated Merrick Garland. There were still 10 months left in the administration at that time.

Earlier, I heard the majority leader say that no one has ever filibustered a Supreme Court nominee. That is not quite true. There have been some filibusters, more or less, if I can find them. Yet what happened last year was a 293-day filibuster of Merrick Garland by my Republican colleagues. It was not just an ordinary filibuster but a special sort of failure to exercise their constitutional responsibility of advice and consent. It was the first time in our history that a nominee was not acted on when the nominee was being considered for a seat that came open during an election year.

There are a few of my colleagues who like to say that the former Vice President, Joe Biden, gave a speech and

said—it was theoretical because there was not an open seat—if a seat comes open in the summer of an election year, maybe we should not consider it until the intensity of the campaign has passed, meaning after the election.

We saw earlier, when we put up the chart—and I will put it up again—that there were seats that opened up before an election. On these seats here—these four seats—the vacancies were before the elections. They were in August, May, October, and October. The nominations did not come until after the November elections—in December and February or in December and January. Yet the Senate acted in those situations.

No matter how you slice it, 15 times there have been open seats. Some occurred after the elections, and the Senate acted on the nominees. Some occurred before the elections, but the nominations did not occur until after the elections. The Senate acted in these cases. Then there were another nine cases in which the nominations opened up before the elections.

Biden made the simple point that, if the seat opens in the heat of the summer, before the November election, maybe it would make sense to hold off considering the nominee until after the election. That is completely consistent with our history. My colleagues tried to twist it into something else—as an argument that we should not consider a nominee during an election year. Of course, that is not what Biden said at all. It was not even close.

Let me tell you, when you have to try to find one sentence from 20 years ago from one of the people who has served in the Senate and when that is the only evidence you can find to back up your case, you are not just on thin ice. You have fallen through the ice and into the pond. Your argument is that weak and that terrible. Whenever you hear my colleagues ask: Didn't the Vice President, when he was a Senator, suggest a theory that we should not consider a nominee during the heat of the campaign right before an election? Yes, he said you should wait until after the heat of the campaign. It was one sentence, 20 years ago, from one Senator. If your argument is that weak, please try to find some better argument to make.

We are not here considering something of small importance. We are here, considering an issue that has profound consequences for the integrity of the Senate because it is the first time in U.S. history that a Supreme Court seat has been stolen. It has a huge impact on the integrity of the Supreme Court because this is a court-packing scheme. If the Court is packed, it delegitimizes its decisions. Let's not pack the Court. That is why I am here, speaking tonight.

On February 13, the very same day that Antonin Scalia passed away, the

majority leader came to the floor and released a statement that read, essentially: We intend to steal this seat.

Here is what Majority Leader McCONNELL said:

The American people should have a voice in the selection of their next Supreme Court Justice. Therefore, this vacancy should not be filled until after we have a new President.

He reiterated opposition to any Obama nominee on the day that President Obama fulfilled his constitutional responsibility by standing in the Rose Garden and nominating Merrick Garland. When our majority leader reiterated his opposition, what did he quote? He quoted the one passage that was taken out of context from Biden's speech from 20 years ago.

That was the foundation on which he based a proposition to forgo our responsibility as a Senate to provide advice and consent under the Constitution—one sentence out of context. He turned the meaning on its head of a former Senator from 20 years ago. That is how weak the case was that the majority leader presented for failing to perform our constitutional responsibility. That was how weak the case was that he presented for stealing a Supreme Court seat in a court-packing scheme.

He said to give the people a voice. The American people voted overwhelmingly for Hillary Clinton. She won by more than 3 million votes. She would have won by a lot more if it were not for voter suppression. We have one party that generally believes in voter empowerment—that the foundation is “we the people” and that part of citizenship is to vote. We have one party that has resorted to trying to prevent people from voting—voter suppression, gerrymandering, changing the shape of a district to deprive people of having a voice here in Congress, changing the dates in which early voting can occur so that people have less of an opportunity to vote, changing the locations of precincts, which is where your voting takes place.

Some of the voter suppression tactics involve things that are just misinformation—false information—and telling people that the vote has already occurred or the location has been moved when it has not or that the votes are going to close earlier than they are actually scheduled to close—or a whole host of things.

The majority leader said to give the people a voice. The people voted overwhelmingly for Hillary Clinton. So it would follow that the majority leader would come to this floor and say: The people voted overwhelmingly, by 3 million votes, and it would have been a lot more. So we will now consider Merrick Garland because he was the nominee from a Democratic President—the seat he stole. The people have spoken. The majority has said that we do not want the Republican, that we want the Democrat. So we will go ahead and hear the

Democratic nominee, and we will vet and vote on Merrick Garland.

But it is a funny thing in that that did not happen because the goal was not to give people a voice. The goal was to steal the seat and deliver it to a Republican President who would nominate someone from the extreme right and pack the Court, undermining “we the people” in favor of “we the powerful and the privileged.”

The Democrats did not politicize the Court. The Republicans politicized the Court. The American people did have a voice in Garland’s nomination. They had a voice by their voting twice for President Obama. Throughout our entire history, the Senate has considered the nominee from the President in power, when the vacancy occurs—even when it is an election year—because that is what the Constitution tells us to do—not to steal the seat, not to pack the Court.

This politicization, this gamesmanship, this hypocrisy is so extreme and so dangerous. I heard that some of my colleagues were asked if they would want their election year rule to apply to President Trump—that he could not fill a seat that would come open in the fourth year of his Presidency. That was the principle they advocated for last year. Their answer was no because there was no principle to the position. It was a warfare tactic of partisanship to pack the Court. It was the end justifies the means even if the means violates the core premise of the Constitution and does deep damage to the Senate and does deep damage to the Court.

Just this past Sunday, while speaking to Chuck Todd on “Meet the Press,” the majority leader began to walk back his past statements that a Supreme Court vacancy should not be filled in an election year.

Todd asked:

Should that be the policy going forward? Are you prepared to pass a resolution that says: In election years, any Supreme Court vacancy will not be filled, and let it be a sense of the Senate resolution that no Supreme Court nominations will be considered in an even numbered year?

The majority leader responded:

That is an absurd question.

Why is it an absurd question given that it is the principle that election year nominations should go to the next President? I will tell you why it is absurd. It is absurd because it is contrary to the Constitution.

MITCH MCCONNELL, the majority leader—my majority leader, the majority leader of the Senate, the top person in charge—was right when he said it was absurd because, of course, we should not abandon our constitutional responsibilities. It is an absurd argument to make today, and it was an absurd argument when he made it last year. If it were only absurd and not deeply damaging, then we could all perhaps not be so deeply, deeply concerned about the situation.

Merrick Garland’s record. Judge Garland had more Federal judiciary experience than any Supreme Court nominee in our Nation’s history. So the nominee put forward by President Obama had more Federal judiciary experience than any nominee in our Nation’s history. He graduated *summa cum laude* and *valedictorian* from Harvard College.

After graduating, he clerked for Judge Henry J. Friendly in the U.S. Court of Appeals for the Second Circuit. He clerked for Justice William Brennan, Jr., in the U.S. Supreme Court. He was in private practice at Arnold & Porter, focusing on litigation and *pro bono* representation of disadvantaged Americans. He left his partnership for a low-level prosecutor position in the administration of George H.W. Bush.

In 1993, Merrick Garland went to the Justice Department as Deputy Assistant Attorney General in the criminal division, and that is where he oversaw prosecutions in the Oklahoma City bombing, helping bring Timothy McVeigh to justice. He helped oversee prosecutions in the case against Ted Kaczynski, the Unabomber, and the Olympics bombing committed by Eric Robert Rudolph that killed 1 person and injured 111.

He made a name for himself in these cases by being a strictly by-the-book prosecutor. He insisted on obtaining subpoenas, even when companies volunteered to hand over evidence. He insisted on keeping victims and relatives informed as the cases developed. He served for 19 years on the D.C. Circuit Court.

That is a lot of experience. And all that happened before he was nominated by President Bill Clinton in 1995 for the D.C. Circuit Court.

He received a confirmation hearing in the Senate Judiciary Committee in December of that year, but Republicans did not schedule a floor vote on his confirmation because of a dispute over whether to fill the seat. So President Clinton renominated Merrick Garland for the circuit court on January 7, 1997, and he was confirmed on the Senate floor by a vote of 76 to 23 that year, in March.

At the time of the consideration of Merrick Garland on the floor, my colleague from Utah, Senator HATCH, had very flattering things to say about Merrick Garland. He said:

To my knowledge, no one, absolutely no one, disputes the following: Merrick B. Garland is highly qualified to sit on the D.C. circuit. His intelligence and his scholarship cannot be questioned.

He continued:

I do not think there is a legitimate argument against Mr. Garland’s nomination, and I hope our colleagues will vote to confirm him today.

Then he said:

In all honesty, I would like to see one person come to this floor and say one reason

why Merrick Garland doesn’t deserve this position.

The Senator went on to suggest that his colleagues who were blocking the confirmation vote were trying to obstruct his confirmation and were “playing politics with judges.”

I so respect the statement that my colleague from Utah made in 1995, admonishing his colleagues to quit playing politics with judges.

But what has happened between 1995 and 2017, over these last 22 years? A huge amplification of playing politics to the point that when Merrick Garland came back before this body, only a couple of Republicans were willing to stand up and say: Let’s quit playing politics. And they were quickly silenced.

During his 2005 confirmation hearing, Chief Justice John Roberts remarked about serving on the Circuit Court with Merrick Garland: “Any time Judge Garland disagrees, you know you are in a difficult area.”

So here is the Chief Justice, considered one of the conservatives on the Court, who is saying that if you disagree with Merrick Garland, you are in a difficult area. You have to go and figure out why you would disagree because he is so good at working his way through the law and coming to a position of calling the balls and strikes.

That is the type of respect there was for Merrick Garland. And this respect and admiration continued right up to his official nomination on March 11, 2016. Five days before his nomination, my Senate colleague—my colleague from Utah—told a reporter that if President Obama named Judge Garland, “who is a fine man,” to fill Scalia’s seat, he would be a “consensus nominee,” and there would be no question of his receiving a bipartisan confirmation—five days before the President nominated Merrick Garland.

The President recognized that the Senate was controlled by the Republican majority. He consulted on both sides of the aisle. He chose a nominee admired on both sides of the aisle.

Standing in the Rose Garden on March 16 of last year, President Obama officially nominated Judge Garland to replace the late Justice Antonin Scalia, and President Obama called Merrick Garland the right man for the job: He deserves to be confirmed.

His nomination had endorsements from a broad range of organizations and individuals. The American Bar Association, the Hispanic National Bar Association, eight former Solicitors General, including Neal Katyal, Gregory Garre, Paul Clement, Theodore Olson, Seth Waxman, Walter Dellinger, Drew Days, and Kenneth Starr. You recognize some of those names. Some come from the right side of the spectrum, some from the left. The point was that eight former Solicitors General—Ken Starr, 1989 through 1993, and

Drew Days who followed him, and Dellinger, who followed Days, and Waxman, who followed Dellinger, and Olson, who served from 2001 to 2004, and Clement, who followed Olson, and Garre, who followed Clement, and then Neal Katyal, who served in 2010 and 2011.

Endorsement from the American Bar Association Standing Committee on the Federal Judiciary rated him “well qualified” as a Supreme Court nominee, the highest rating they can give, and their evaluation of his record stated that Judge Garland “meets the very highest standards of integrity, professional competence, and judicial temperament.”

So there we have our President, President Obama, last year consulting in a bipartisan fashion, choosing a nominee who had been highly complimented by Senators on both sides of the aisle, seeking to find someone straight down the judicial mainstream, and what was the response of the majority leader of our body, our assembly here? His response was: We are going to steal this seat. It doesn't matter that this nominee is highly qualified. It doesn't matter that Democratic and Republican Senators have complimented him highly and have high respect for him. It doesn't matter that the Chief Justice has enormous respect for his judicial thinking. We are going to steal this seat in hopes of being able to pack the Court. That is what happened later in the day, after Merrick Garland was nominated.

The Senate has always functioned by cooperation, with a big element of tradition thrown in. A defining feature of the Senate is a commitment to the traditions of fair play, allowing us to continue functioning to solve America's problems in politicized circumstances. This is enormously important to the success of this Chamber.

I had heard when I was running for the Senate in 2007 and 2008 that something terrible had happened with this Chamber in the years that I had been back in Oregon and that a group had decided that they would use this Chamber as a weapon against any Democratic President rather than as a forum to solve America's problems. I didn't believe it. I didn't believe that the Senate I saw as an intern in 1976; that I saw when I was volunteering for organizations and working here in DC, washing dishes and waiting tables in 1977; that the Senate I saw when I was a Presidential fellow with a Republican Defense Secretary, Caspar Weinberger; that the Senate I saw when I worked for Congress in a think tank on strategic nuclear weapon policy for the Congressional Budget Office—I couldn't believe that a group of Senators had decided to use this Chamber as a weapon against the executive branch, if the executive branch happened to be from the other party. I

didn't believe it. I dismissed the commentary I was hearing about what was occurring in this Chamber.

Then I arrived in 2009, and I quickly saw that I was wrong; that the stories about this Chamber being taken over by an urge to use it as a weapon against Democratic Presidents had, in fact, been true. We all were nearly knocked over when the majority leader announced that his goal was to make sure—his top goal, his determining vision—was to use this Chamber to prevent President Obama from being re-elected. And we are sitting here going: Let's work together on healthcare policy. Let's work together to make a fair tax system. Let's work together to develop the infrastructure that is so needed because the infrastructure our parents built is wearing out. Let's work to develop that infrastructure because we have new demands of a different economy. We need better bridges and better railways and better ports and better electric transmission lines, and we certainly need better broadband, or at least broadband of some kind, as a starting point in rural America. Those are the challenges we face. Let's work together.

And then I watched as a key issue was turned into a political weapon against the President, rather than working to solve problems here in America, and that issue was healthcare.

In April 2009, I was handed a brief written by Frank Luntz, who was a strategist for the Republican team, and that brief said, Whatever ideas that the Democrats work to pursue on healthcare, here is our strategy: Don't cooperate; call it a government takeover—whatever they do.

I came to the floor of the Senate, and I gave a floor speech in 2009. I waved around the Frank Luntz memo, and I said: This is what is wrong with America. We have millions and millions of people without access to healthcare in America, and instead of working together, the Republican strategist is saying, Whatever ideas to improve the healthcare system they come up with, oppose them and call it a government takeover.

Democrats said: You need bipartisan cooperation to get a healthcare bill through here. So they held 5 weeks of hearing in the HELP Committee—Health, Education, Labor, and Pensions Committee. I was assigned to that committee. Senator Ted Kennedy had assigned me to be on that committee, in partnership with Majority Leader Harry Reid. I was so happy to be on that committee. For 5 weeks around a square table, I saw idea after idea presented as amendments were discussed, debated, and voted on. Approximately 150 Republican amendments were adopted. Imagine a committee adopting today, under the control of the Senate, 150 Democratic

amendments on a major bill—adopting, not just considering. Democrats went through every title, with television there and all of America watching for 5 weeks.

That was just for the HELP Committee. Then there was a whole other process with the Finance Committee in which Senator Baucus led a group with Senator GRASSLEY, if I am not mistaken. They had three Democrats and three Republicans, and they worked on the finance side to come to a bipartisan conclusion. But eventually Frank Luntz's vision won out: Whatever is suggested, oppose it and call it a government takeover. That would do the most damage to the President. That was the strategy.

Democrats said: Well, it looks like we are going to have to take the Republican healthcare plan.

What was the Republican healthcare plan? The Republican healthcare plan was to use a marketplace in which private companies would offer their insurance. Compare the insurance, one policy to the other, to find out which one best suited your family, and then based on income, you could get tax credits to be able to afford to acquire that insurance policy, so that essentially we would have a pathway to healthcare for every American citizen, for the millions and millions of people who didn't have that pathway. That was the Republican plan. It came out of the American Enterprise Institute as the marketplace solution for healthcare. It wasn't a public option. It wasn't, let's lower the age of Medicare. It wasn't single buyer. It was the Republican marketplace plan. It was already one that had been tested by a Republican Governor in Massachusetts. It was known as RomneyCare. So it was a Republican think tank plan and a Republican Governor-tested plan.

Democrats said: OK, let's go that way. We think there are better pathways, but we will go with that because we need to be able to bring this Chamber together.

But my colleagues across the aisle, under this vision of using the Senate as a weapon against a Democratic President, decided they were going to oppose it just like Frank Luntz laid out in those first few months of 2009.

We see that same profound partisanship in this first-ever theft of a Supreme Court seat. We see that same profound partisanship in the strategy behind that theft, which is to pack the Court. We see that same profound strategy in the action that happened a couple hours ago. That was the first time in U.S. history a motion to close debate was filed on the first day of a Senate debate.

So turn the clock back to those first 13 States and 26 Senators trying to figure out how the Senate would operate. They weren't really planning on it being a public forum, but they did have

this sense that it would be wrong to close debate before every Senator had shared from their experience. So they had a rule. In their initial rules of the Senate, they had a rule to close debate. They never used it. They never used it, as far as we know, not once, because they wanted to give everyone the chance to be heard. Of course, the Senate was only a quarter of the size—26 Senators instead of 100 Senators.

When they rewrote the rules of the Senate, they said: We don't need to have a rule for closing debate by simple majority called to question, if you will. We don't have to give everyone the chance to be heard. Of course, the Senate was only a quarter of the size—26 Senators instead of 100 Senators.

Later, when the Senate restored a rule in which a supermajority could close debate, it took a supermajority. At another point, the Senate said: We need to have a little smaller supermajority.

The reason that triggered, going back to having a strategy for closing debate—and I know historians will correct me if I have this wrong—in World War I, the President wanted to put military defenses on some of the commercial ships to fend off the threat from the Germans. There were Senators who said: This will draw us into war. We are not in the war yet. This will draw us into war by weaponizing our commercial ships.

There was a date set for the Senate to adjourn. They proceeded to keep talking until that time arrived so the Senate could not act to pass that law, which the vast majority of the Senate thought was appropriate.

They said: Well, we can't have just a small group, which basically would be the tail that wags the dog. That denies our ability to make decisions. So we will have to have a strategy for closing debate.

So they established that strategy. The general principle behind it was most of the time you hear people out here in the Senate rather than closing debate. But what we saw tonight for the first time in U.S. history—a cloture petition filed on the very first day.

James Madison, speaking to the Constitutional Convention, remarked that the Senate was a necessary fence to protect the people from the transient impressions into which they themselves might be led. It was a reason for the longer terms for the Senate. They have 2 years in the House; we have 6 years in the Senate. The Senate rotates so a third are elected every 2 years for 6-year terms.

There is a saying attributed to President Washington—as far as we know, he never said it, but still it was clever enough that it has reverberated on down through the centuries—that the Senate would be the cooling saucer, so that you had your tea and it was too

hot, and you poured it into the cooling saucer until it was just right. You don't act impulsively because you have 6-year—longer—terms and a smaller body who can ponder the issues more carefully.

So here is the Senate, intended to be the cooling saucer, but what do we have right now? We have the stove turned up to the highest possible temperature. There is no stepping back from this course of undermining the integrity of the Senate and the integrity of the Court. It is full steam ahead. File the petition on the first day of debate so we can close this debate and have this vote done by Friday, the majority leader said. Vote on Thursday. Somehow we are going to maybe change the rules and vote on Friday if there are not enough votes to close debate.

Back in 2013, there was an enormous blockade using the advice and consent power to obstruct both executive branch nominees and judicial nominees. This enormous blockade was used by colleagues across the aisle as a weapon against the judiciary and executive branch.

When the conversation occurred back among the Founders, they said: Advice and consent power won't have to be used very often to turn down a Presidential nominee because just the very fact that the Senate can serve as a check on a Presidential nomination will cause a President to make wise appointments.

They had actually wrestled with how to construct this situation. How do you construct this check and balance?

Some said: The executive branch—why don't we have the President head it but have the positions filled by Congress?

Others said: That is not such a good idea because one Senator's friend will be nominated for this position in exchange for another Senator's friend being nominated for that position, and the people will never really know who, where, why. There is no accountability. That is what it came down to.

So we will have a single person—the President—nominate for the executive branch. Plus, that way the President can nominate people to help fulfill the vision the President campaigned on, which makes a lot of sense. The people didn't just elect a name; they elected a vision for the country. And the person responsible for helping to implement that—the executive branch—the President, should have a team who can go forward with that vision.

Then the crafters of the Constitution said: But what if the President goes off track and starts nominating people who don't actually have the skills to fill the positions to which they are nominated? What if the President nominates people because they have done some favor for the President in the past, so that there is a conflict of

interest? What if the President nominates someone of poor character? Shouldn't there be a way to put a check on a deeply misguided nomination?

The founders said: Yes. We will create an advice and consent power for the U.S. Senate to be a check on misguided nominations.

So here we are looking at that original philosophy of the Senate and the responsibility to stop misguided nominations through advice and consent, and we have had two profound betrayals of that responsibility last year and this year. The betrayal last year was that the Senate refused to exercise its responsibility at all. It stalled the seat. It sought to pack the Court. Now we have a deeply misguided nomination before us, an individual who is from the extraordinary right, not from the mainstream, who has twisted the law time and time again to find for the powerful and the privileged over “we the people,” and yet that nomination is here on the floor, not a single vote in the Judiciary Committee from across the aisle.

This chart reflects the distribution of Federal judge ideology. If we had been putting up this chart decades ago, we would have probably seen a single bell curve. There would be folks on the right and folks on the left. But now we have the twin peaks chart of judicial decisionmaking. So the decisions are falling more and more into a “we the people” camp that says “Let's fulfill the vision of our Constitution” and a “we the powerful” camp that says “Let's turn the Constitution upside down and run this country by and for the powerful.” Where does this nominee fall? Not into the “we the people” vision of our Constitution and not even within the left side of that “we the powerful” twin peak but to the right side of it. That is where we are.

The supermajority to close debate—commonly referred to as the filibuster—is a power we have sustained in order to have nominees who are not from the ideological extremes. But now we have one. We have one who, when a trucker was protected by the law—because of his personal safety, and he was freezing in subzero temperatures and had to go get warm and come back, and the law protected him from getting fired—he got fired. The court said: Absolutely, you can't fire someone for protecting their safety or others. Judge Gorsuch found a way to turn that on its head.

When we wrote a law to say that you have to provide an education to disabled children, Judge Gorsuch said that babysitting is fine, as long as there is basically—not exact words, kind of mere fringe of advancement—something that was essentially equivalent to babysitting. And the Supreme Court, all eight Justices occupying

both of those peaks, said that was absurd, and they overturned Judge Gorsuch, 8 to 0.

We have this role from our Founders of being the cooling saucer. We have this role of being a check on the abuse of or misguided Presidential nominations, and we failed it last year by not doing our job. We fail it this year by considering anyone other than Merrick Garland. And we certainly fail it in the context of closing—considering the possibility of closing debate. That is the conversation that the majority leader has been invested in—that if this judge is so extreme as to not to get the 60 votes to close debate, we will change the rules.

Well, how about we change the nominee? How about we save the integrity of the Senate? How about we save the integrity of the Supreme Court? Change the nominee. Ideally, put Merrick Garland up, because that way we solve the problem of the stolen seat—this enormous court-packing plan that is unfolding right before our eyes. And if the schedule on which the majority leader has said he wants to complete this court-packing occurs by Friday, it will be too late. We will have done the damage.

George Washington shared his view of the Senate's role. The story goes that Thomas Jefferson returned from France to take on the duties as our first Secretary of State. He was having breakfast with President Washington and called for the President to account for having supported an unnecessary legislative Chamber in the Senate of having this conversation. That is when that conversation came up. We believe it to be apocryphal, but still the response, as written down at some later point in time, was that Washington asked: Why did you now pour that coffee into your saucer before drinking?

Jefferson responded: To cool it. My throat is not made of brass.

Washington said: Even so, we pour our legislation into the Senatorial saucer to cool.

Is there a way that we can avoid what is unfolding now, this tragic miscarriage of the Senate's responsibilities?

Whether that conversation took place, as I mentioned, is not actually known, but the fact that the story is still here means that it had some power behind it, whether it took place or not. And that was that for 200 years and counting, the government has counted on the Senate to pause, to not give acceleration to the momentum of the day, but to pause and be thoughtful in considering the integrity of our institutions. And that integrity, that moment when we need to be the cooling saucer, is now.

Unanimous consent has been a tool that the Senate has used. Many times, if you are watching the Senate, you will hear "unanimous consent" to do

this or that. Earlier, the majority leader came and spoke. He said: "I ask unanimous consent," and he laid out a plan for tomorrow about how this debate would proceed. That unanimous consent—each and every one of those represents a form of cooperation, often the last vestige of cooperation. It also goes to this observation that the Senate is about hearing each other and working together.

Robert C. Byrd once remarked:

That is what the Senate is about. It's the last bastion of minority rights, where the minority can be heard, where a minority can stand on its feet. One individual, if necessary, can speak until he falls.

Well, you can't keep speaking if a cloture petition has been filed. So come Thursday, the phrase is the "petition ripens," which means that it will be voted on, and generally it is 1 hour after we convene after an intervening day. So tomorrow, Wednesday, is the intervening day, and the vote will occur on Thursday. That is the opposite of what Senator Byrd was referring to because at that point, anyone who wants to be heard, can't be heard.

The tradition of having weeks and weeks of conversation about a nomination that creates complexities or has complexities behind it—that is being destroyed. That comity permeated many controversial debates the Senate has had over time. That willingness to hear each other and to vote is something that was embedded in the Senate as I saw it four decades ago and later in my life when I was working for Congress.

There is no denying that the Supreme Court nominations have always been subject to a certain level of politics, but there has also been a certain level of cordiality to the process. Daniel Patrick Moynihan, in a debate on the nomination of Ruth Bader Ginsburg back in 1993, said:

[The Senate] is perhaps most acutely attentive to its duty when it considers a nominee to the Supreme Court. That this is so reflects not only the importance of our Nation's highest tribunal but also our recognition that while Members of the Congress and Presidents come and go . . . the tenure of a Supreme Court Justice can span generations.

We are not here on the floor debating who will serve in some office in the executive branch for the next couple of years. We are here debating the nomination for the highest Court that could "span generations," in the words of Daniel Patrick Moynihan.

So what else would we consider more important than a Supreme Court nomination to adhere to the traditions of the Senate and to honor the 60-vote requirement in our rules? We don't always like the nominee the other side has selected. We question them vigorously in confirmation hearings, and we end up voting against them. But until the situation last year with the death of Antonin Scalia, every vacancy in an election year for which a President

proposed a Justice who has made a nomination—every time, the Senate did its job. It confirmed most. It rejected a few, but it did its job.

Over the course of our Nation's history, there have been a total of 164 Supreme Court nominations; 124 of those were confirmed, roughly 3 out of 4, including elevating current Justices to Chief Justice. There have been 112 individuals who have served on the Supreme Court, and 39 Presidents to date have appointed at least one Supreme Court Justice. But only once—last year—has the majority conspired to reject its responsibility to consider a nominee for a position that opened in an election year. Only once has the majority conspired to steal an election-year Senate seat and send it to the next President and pack the Court.

The action last year is different from anything that has occurred before. There were some individuals—some colleagues across the aisle—who advocated for the Senate fulfilling its constitutional duty in the case of Merrick Garland and for continuing the traditions of this great institution.

One of my colleagues told a townhall audience last year—one of my Republican colleagues said:

I can't imagine the President has or will nominate somebody that meets my criteria, but I have a job to do. I think the process ought to go forward.

Another colleague sat down and met with Judge Garland, even knowing that the Republican leadership was saying that he would not get a hearing. That colleague declared, and I quote, that colleague was "more convinced than ever that the process should proceed. The next step, in my view, should be public hearings before the Judiciary Committee."

So I pause to thank my Republican colleagues who worked to stand up for the integrity of the Court and the integrity of the Senate and for due deliberation on a Presidential nomination during an election year. Thank you to my colleague from Kansas. Thank you to my colleague from Maine.

There may have been others I didn't hear about, and I imagine there were because I think Members of this body take their responsibility extremely seriously. They take their oath of office seriously, and they were put in an impossible position when their leadership asked them not to exercise their advice and consent responsibility under the Constitution. That is where we were last year.

Here we are, on the brink of doing devastating damage to the Court. Shouldn't we pause and be the cooling saucer? Shouldn't we send this nomination back to the President and ask for him to put forward Merrick Garland or someone who basically is on the same path that Merrick Garland was on—the path that was so honored and complimented by Senators on both sides of the aisle?

Shouldn't we address this before we set the precedent of a stolen seat? Think about what this precedent means going forward. A few years from now, there may well be another vacancy, and this vacancy may be under a Republican President, and maybe the Democrats control this Chamber. At that point, do they say: We are going to rectify the wrong in the past and restore the integrity of the Court by taking that seat and forwarding it to the next President, hoping that it will be a Democratic President, and there will be a nominee who will restore the integrity of the Court because there will be a nominee more like Merrick Garland? Or will there be future leadership that says: Hey, their team stole a seat that occurred—an opening that occurred in January of election year. Let's steal one that happens in October the year before the election to balance it out. If you can steal it for 12 months, why not steal it for a few more? Where does that end? What good does that do to our institution? What honor does that give to the 5-to-4 decisions of the future?

That is where we are headed. We are headed to a place that is breaking two centuries' worth of tradition and establishing a precedent that will do enormous damage to the Senate and to the Presidency and to the Court. That is why I am here addressing it at length tonight. I did find that when the majority leader didn't want to put into a resolution that the same rule he advocated for last year should apply to this President, it was clear—as clear as you could possibly make it—that what happened last year had no principle in it; it was an issue of partisan tactics to amplify the strength of one party and one vision—that of government by and for the powerful—at the expense of the other vision. Don't we owe more in our role as Senators, especially on something as important as the Supreme Court and the integrity of the Court, than just another partisan strategy?

I will tell you, I think about why it is that we are at this place right now. There are a couple of things that are very, very different from the Senate I first saw four decades ago and the America of four decades ago. One of those is that Senators four decades ago lived here with their families. They had a Monday-to-Friday workweek. They had evenings to build relationships, and they had weekends to do things with other colleagues across the aisle. They took a lot of bipartisan congressional delegations. They all knew each other well as friends.

But now the Senate comes in on Monday night for a vote at 5:30 p.m. and we leave after a vote at roughly 3:30 p.m. on Thursday. So it is 3 days—Monday afternoon to Thursday afternoon. We don't have the time in the evenings because of that compressed schedule. We don't have the time on

the weekends because we are back in our home States or traveling somewhere else. So we don't have the relationships. We just don't have the common activities.

There used to be lunches where the Democrats and Republicans ate together. Now there is a partisan Republican lunch, three out of three lunches and two out of three for the Democrats. We don't have that meal together to get to know each other, so you have to work extraordinarily hard to set up a meeting to try to work with a colleague on a topic. If it is something larger than you can discuss here during the middle of a vote, it can take a month to get a 20-minute meeting to ponder with a colleague how we might work together on a problem.

So that is a change in this Chamber, but there is another big change. That second big change is related to the role of the media. We had big issues in our country decades ago, but we also had community newspapers, and we had three network television stations that essentially provided a foundation of information. We might have had different views about that information and different views about what we should do in the future, but we had a common foundation of information. Now we don't have a common foundation of information. Information flows in every possible direction, much of it made up.

I was very struck when—I hold a lot of townhalls. My first summer as a Senator—2009—I was out holding townhalls. I do one in every county every year. Folks said: You know, why are you supporting this Senate healthcare bill that has a death panel in it? That was one of those false news stories.

What was the real story? The real story is that a Republican Senator from Georgia had proposed—a Republican Senator had proposed that we pay doctors for the time they spend with their patients informing them about how to do a living will so that if they were incapacitated in the future, their desires would be followed, not someone else's desires—not a death panel, their desires would be followed. That is as American as apple pie.

We were going to make sure that we could control, each of us, our own future. It was a Republican proposal, a good proposal, a proposal that made a lot of sense so that people could have control over their future medical decisions if they were incapacitated. But for partisan political reasons, a candidate had twisted that into a death panel and turned it on its head, that someone else would make the decisions instead of you making the decisions for yourself, which is what it was all about.

So I was at this townhall, and a constituent, an Oregon citizen, raised this issue.

I said: You will be happy to know that they don't exist. You will be

happy to know that the idea from which the false news story began was about empowering you to make your own decisions. Don't you feel better now knowing that the conversation in the Senate was about you controlling your own destiny?

The woman said to me: I don't believe you.

I said: Well, you don't have to believe me; I have the text right here that was proposed.

I had heard about this issue, and so I wanted to make sure that people knew about it and that I could answer if asked. So I shared the text with her.

She said: Well, I don't believe you. Who am I going to believe—a U.S. Senator or a television policy analyst?

She meant Glenn Beck. Glenn Beck and others were simply making stuff up and putting it on their television show or their radio show, designed to infuriate people by setting up this false story—this false story that there was a government takeover and this false story that there was a death panel.

If you want to understand what happened 2 weeks ago in the House when the House failed to pass a healthcare bill to replace ObamaCare, it is a story about false news. It is a story about partisanship over policy. It is a story about a year-plus of bipartisanship being trumped by Frank Luntz's vision of whatever is proposed, call it a government takeover. Even if—his memo didn't say this, but as it turned out, even if it was the Republican strategy of having a marketplace for people to get their health insurance, call it a government takeover.

So when the Republicans said they were going to replace ObamaCare, the problem was that ObamaCare was the Republican plan, so they did not have anywhere to go. They could either tear down healthcare completely and put 24 million people on the ice—that is, out of reach of healthcare—by the way, not just individuals but rural healthcare institutions because the rural clinics were powerfully strengthened through the Affordable Care Act. The rural hospitals were powerfully strengthened through the Affordable Care Act. There was so much uncompensated care previously that hospitals and clinics had to give away for free, and now they were getting paid because people had insurance, so they were much stronger. So it was about 24 million people, but it was also about a vast healthcare infrastructure in rural America that the Republican plan would destroy.

But they could not propose their own plan because their own plan had been adopted in 2009—marketplaces with private companies competing against each other, tax subsidies, tax credits so people could afford to buy those policies. That was the American Enterprise Institute plan. That was the Republican Governor's plan. That was RomneyCare. So where do you go if

your plan has already been enacted into law? If 150 of your amendments were accepted as part of that process, where do you go when you have used a false story, a false commentary to the American people year after year after year saying that something is some terrible thing that it is not? Well, where you go is the process blew up. That is where it went because it was based on a false foundation, the entire 8 years of attack on the Affordable Care Act—a false premise just like Sarah Palin's death panels were a false attack.

We can't keep going through this extreme partisanship and save the Senate at the same time.

Another challenge we have—in addition to the fact that the friendships that cemented the Senate together are not as developed as they were decades ago because we are not here and we don't spend enough time with each other—another problem is that we have all of these false stories being generated continuously to make people angry with each other. Those are certainly problems, but we have another big problem, and that problem is the concentration of campaign money, the dark money, the Citizens United money that is corrupting our political system.

I can't convey how much damage this has done. Let's just review the biggest example of this strategy. The Koch brothers decided in 2013 that they wanted to have a legislature that would support their extraction and burning of fossil fuels. There was this pesky little problem threatening the entire planet called global warming in which the burning of those fossil fuels was polluting the air, raising the temperature of the Earth, and having profound consequences.

So people were talking about, how do we transition off of fossil fuels?

The Koch brothers said: Well, that is our business. We can't let that happen. We have to have control of the House and Senate.

So the story with the Senate is they decided to spend a vast sum of money on the campaigns of 2014. The result was that they influenced the elections and had a positive outcome, from their point of view, in Louisiana, Arkansas, North Carolina, in Iowa, Colorado, and Alaska. There were a few other States that they came to that year, including Oregon, my home State. So they won most of those campaigns. They put the Republican majority into office so they would have a Senate that would not be discussing the biggest threat to our planet—carbon pollution and global warming—and instead would have one that would sustain tax breaks to accelerate the extraction and burning—the profitability of extracting and burning fossil fuels.

Then they did something that should be recorded as a significant moment in

U.S. history. In January, as the Senate was coming in with this new Republican majority, they did not say: Well, that is great. We have a Republican majority, and now we have folks who will support our fossil fuel extraction and combustion. We will make a lot of money. They will keep the tax breaks in place for us.

No, they didn't say that. They said: Pay attention.

This was January 2015, 2 months after the election, and we were just coming in. The Republican majority was just coming in.

The Koch brothers said: Pay attention. We are committing to spend the better part of \$1 billion in the next election 2 years from now.

I don't know that such a statement has ever been made by a body in the United States, a similar statement. Next election—we had just had this election—next election we are going to spend almost \$1 billion.

They wanted everyone in this new Republican-majority Senate to know who was in charge. The Koch brothers are in charge. They paid for the third-party ads that put your election in the victory column.

You will pay attention—at your own risk if you don't.

A number of my colleagues shared that this was a very real threat, that the Koch brothers would be happy to find a primary opponent and not just undermine them in the general election or fail to fund them in a general election—and the first bill up was one of the Koch brothers' top priorities, the Keystone Pipeline. So we now have a body about which, at least, you can say that a very significant behind-the-scenes force of this body is the Koch brothers. Well, how does this tie in with what happened in 2016 when Antonin Scalia died and there was an open Senate seat?

Here is how it ties in: You had a 5-to-4 Supreme Court that had decided that it was OK for groups like the Koch brothers to spend billions of dollars in dark money, third-party campaigns, eviscerating the opponents on the other side of the issue.

Four Justices had said no. In our “we the people” Republic, having that concentration of power is a corrupting force. It is an attack on the very design of our country, but you had five others who said: No, no, no, it is OK.

That makes me think about a letter that Jefferson wrote. Jefferson was writing to a friend, and he said: There is a mother principle, a mother principle in our design of the government. He said: That is that decisions will only be made in the interest of the people if each person carries an equal voice.

He recognized in using the term “voice,” something broader, more powerful than just a vote. That is why I said “voice.”

What has happened with Citizens United, with respect to the five Justices, is that it is OK to have some individuals who have a voice in our campaign that is equal to thousands or tens of thousands or even 100,000 other citizens.

We didn't have such a way to amplify one's voice—not anything close to that amplification when the Founders designed our government. Yes, you could put an article in the newspaper. Yes, you could hand out pamphlets. But with the growth of radio and television and now the internet and all the strategies through social media and internet advertising, through all of that, money can amplify one's voice. You can have the equivalent of a stadium sound system that drowns out the voice of the people. That is the opposite of Jefferson's mother principle, Jefferson's principle that we will only be a government that pursues the will of the people if each citizen has an equal voice.

Now, granted, we all know that vision was flawed. Women weren't given the vote. Many minorities were excluded. But we have worked overtime toward that vision of inclusion, opportunity, and equality, and we have come a long way. But in one case, we have gone in the opposite direction, and that is the Citizens United concentration of money corrupting our elections, undermining the legitimacy of this Chamber and undermining the legitimacy of the House Chamber. Instead of being elected to do government of, by, and for the people, it is the product of an enormous concentration of power by and for the few. You can see it in the policies that are pursued.

Three decades after World War II, we had an economy that worked really well for working America. American workers participated in the wealth that they were creating, and the result was that families had a leap forward.

My parents have lived under humble circumstances. I had a grandmother who at one point had lived in a railroad car. I had a grandfather who put all the children into a car and drove from Kansas to Arizona with all of the individuals in the family and their possessions in a single car, going west, trying to find work and find a future. Those were incredibly hard times. Folks were living in shacks.

Then, after World War II, we had these three decades when we had this big leap forward in the standard of living, as workers shared in the wealth they were creating.

From about the time I got out of high school, which was 1974, in the middle of that decade—let's call it 1975—and in the next four decades, virtually all of the new income in America has gone to the top 10 percent, which means that 9 out of 10 Americans have been left behind in this economy.

I live in a blue collar community, the same community I have lived in since

third grade. I was there from third grade through graduating from high school. I moved back into that community the year my son Jonathan was born 20 years ago.

It is a blue collar community. It has changed over time. It has become much more of a diverse community. There are many ethnicities from all over the world, and a lot of languages are spoken in the school. It is a blue collar, working community.

Folks there say: My parents were able to buy a house in this community, but the only way I am going to own a house in this community is to be able to inherit it from my parents because of the disappearance of living-wage jobs.

That is what has been going on in this economy. We provide these enormous, enormous tax breaks for the best off in our society.

Well, there is a concept referred to as the Buffett rule. Warren Buffett said: Why should I, a billionaire, be taxed at a lower rate than my secretary? Why does my secretary pay a higher rate than I do?

So every now and then, we have had on the floor of the Senate an effort to correct that and say: Hey, a billionaire should pay at least the same tax rate as the secretary or the janitor. But we haven't corrected it because the vast influence of funds in this Chamber are working on behalf of the privileged and the powerful.

So here we are, trying to figure out why last year we had, for the very first time, a majority leader who engineered the theft of a Supreme Court seat from the Obama administration to another administration. It was the first time in U.S. history. To understand 2016, you have to understand 2014, when the Koch brothers invested this vast sum in all the campaigns so they could control the Senate. You have to understand that in January 2015, the Koch brothers sent a message that you had better pay attention. You have to understand that the Koch brothers' strategy is based on the dark money, third-party campaigns that Merrick Garland might possibly have voted against—a 5-to-4 Citizens United decision that Merrick Garland might have found 5-to-4 in the other direction. We don't actually know where he stood on this.

He was so square down the middle and so complimented by people on the right as well as the left. We don't know how he would have voted on that. But in order to ensure that the dark money could continue, in order to ensure that decisions would be made by and for the powerful, to ensure that the fossil fuel companies could be swept clear of regulations that would diminish the amount of fossil fuels they could extract out of the ground and sell for combustion, in order to ensure the profits of the Koch brothers, that drove this unique case of the theft of the Supreme Court seat last year.

There was that effort to pack the Court by sending that seat to the next President in the hopes that it would be a conservative President and then to have that nominee say: I will only nominate somebody who comes off a list from two conservative groups on the far right—boy. That was exactly the vision. It has unfolded exactly as—I guess you could say—those in that powerful group wanted it to unfold.

We have a different responsibility. We don't have a responsibility to a "we the powerful" vision. We don't have a responsibility to a "we the privileged" vision. We have a "we the people" Constitution.

We have Jefferson's mother principle that says: We should be in a situation, if we want the will of the people to be enacted, in which people have an equal voice. There is this third-party, dark money that is corrupting America, our fundamental institutions, our election institutions. It is corrupting this institution—both sides, the House and the Senate. That is why I hope there is a Supreme Court that eventually says this is wrong; this is out of sync with our constitutional vision.

The Court said: We think transparency will do the job. They kind of assumed that there would be transparency in where the money came from and where it went.

It used to be that colleagues on the right side of this Chamber would say: Oh, we love transparency. Transparency will be the sunlight that disinfects the potential corruption of campaign donations. We love transparency.

Many of those who opposed McCain-Feingold caps on donations said: We love transparency, the sunlight, the disinfectant. Won't that be wonderful.

Then, we had a transparency bill on the floor and said: People have to know where every donation comes from so there is not this dark money, unidentified money surging through the veins of the American campaign system, surging through the arteries. Suddenly they say: Oh, wait; we don't like transparency so much because that might hurt the prospects for the powerful folks who got us elected.

So then you have the picture of why this unique circumstance occurred and why we are where we are and how much damage it is going to do and how it undermines the legitimacy of the Court.

Merrick Garland's treatment is unprecedented in the history of Supreme Court nominations. There was a hastily fabricated pretext that we shouldn't do a normal process under our advice and consent responsibilities in the final year of a Presidency or the fourth year of a Presidency.

Now, you can read the Constitution from one end to another, but you won't find that principle in the Constitution—that suddenly we can ignore our responsibility in the fourth year of a Presidency.

The responsibility to be here in the Senate Chamber doesn't end in a fourth year. No other responsibility ends.

The responsibility of the President to nominate for empty positions doesn't end, but that pretext was one which was so quickly concocted. The foundation was so quickly destroyed, and it was just revealed for the destructive partisan tactic that it was—this Court-packing tactic.

One colleague said: We have 80 years of precedent of not confirming Supreme Court Justices in an election year. That is an exact quote.

One colleague came to the floor—a colleague, by the way, who ran for President—and said: We have 80 years of precedent not confirming a Supreme Court Justice in an election year. Wrong. There have been 15 vacancies in an election year, and 15 times the Senate acted, and in most of those cases, it was to confirm the Justice. We could even look at the fact that there were some vacancies that occurred before an election year and were confirmed in an election year, just like the nomination of Anthony Kennedy—who sits on the Supreme Court today—in 1988.

To my colleague who said we have 80 years of precedent of not confirming a Supreme Court Justice in an election year—that is his exact quote—not only is that not true, if you look at history, at every single nomination vacancy that occurred in an election year—and most were confirmed, but the Senate always acted—it is simply not true, if you look at Justice Anthony Kennedy, who sits on the Court a few yards from here, who confirmed just a few years ago—in 1988—within the memory of most Members who serve in this Chamber.

If you go back just one more election—let me put it differently. Until Merrick Garland's nomination last year, we hadn't had an election-year vacancy for a sizeable period of time. That is why I am going to have these three charts put back up. If we look at these charts here in this situation, these are some vacancies that occurred in an election year.

Look at this group here—in 1928, 1860, 1864, and 1956. Well, 1956 was a good period of time ago. That was about 60 years ago, 61 years ago. That is quite a while.

Let's look at the next chart. Well, vacancies in an election year—year 1800, year 1872, year 1880. They happened a long time ago.

How about the last chart of nine. Again we see a lot of 1800s—1804, 1844, 1852, 1888, 1892, in 1916 twice, and 1932. The point is taken that it has been quite a long time since we have had a vacancy in an election year.

So if you concoct a premise within an hour or two of a Supreme Court Justice dying and get it wrong—but then there is also a colleague who had the time to look up the facts who got it wrong as well.

In the 1932 election between Franklin Roosevelt and Herbert Hoover, we did have an election of a Supreme Court nominee. Hoover nominated Benjamin Cardozo to succeed Oliver Wendell Holmes. On February 24, 9 days later, the Senate confirmed Cardozo. That was the last time we had a Supreme Court seat open up in an election year, except for the Eisenhower occasion.

Why don't we go back to Eisenhower. The seat opened up 1956, an election year, and it was the following January that he was confirmed.

So we can look to the fact that the Senate acted on all 15 of the 15 election-year vacancies, confirming most of them. Here we see two out of the four confirmed, and of these eight before Merrick Garland, we see six of the eight confirmed. Then the other group of three were the folks where the vacancy occurred after the general election, but the Senate still confirmed all three, whether up or down.

So if you look to history, my colleague who said that we were in a situation where we had been in the tradition of not confirming people during an election year, 80 years of precedent not confirming a Supreme Court Justice in an election year, well, that is a phony, phony, incorrect, fallacious—insert your own adjective here—argument because in our entire history, every single seat that became vacant in an election year was actually done by the Senate before the next President took office.

Three vacancies occurred after the general election. We saw the three in this chart here. John Jay in 1800, with the Adams administration, was nominated to be Chief Justice on December 18 after Chief Justice Oliver Ellsworth retired. Jay was the first Chief Justice but retired in 1795 to serve as the second Governor of New York for two terms. After that, Jay's nomination was confirmed in the Senate, and he ended up declining the position and retiring from public life instead.

For those of you who are thinking about political trivia, who was the election-year nominee confirmed by the Senate? The vacancy occurred late in December. He was confirmed 3 days later and declined it. Now you know the answer. It is the nominee John Jay, who had served as Governor of New York for two terms.

Adams was more successful when his second choice, John C. Marshall, was confirmed on January 27. That confirmation happened after the term.

In 1872 Ward Hunt was nominated by Ulysses Grant a month after easily winning reelection, on December 3, 1872, to replace the retiring Justice Samuel Nelson. Hunt was confirmed by the Senate 8 days after being nominated.

William Woods was nominated by Rutherford Hayes in 1880. He was nominated to replace William Strong, who

was stepping down while still in good health at the age of 72. That set an example for several infirm colleagues who refused to do the same. I hope his influence was substantial because that is one of the challenges of having a lifetime appointment—sometimes the Justices stay in office beyond their ability to exercise clear reasoning. It is a good example that William Strong set.

As a member of the U.S. circuit court, Justice Woods was easily confirmed by the Senate 39 to 8 on December 21, 1880. He was the first person to be named to the Supreme Court from a former Confederate State. So there is another little bit of Supreme Court trivia.

There were four vacancies that occurred before the general election but the nomination didn't occur until afterward. Why did Presidents delay until afterward? This probably is a different story in each case.

We see basically a four-month delay with J.Q. Adams. We see it delayed another 9 months with President Buchanan. There was a delay of a couple months by Lincoln and 3 months by Eisenhower. One reason might have been to clear from the heat of the election season. That would be interesting because that is essentially what Biden referred to when he said if a vacancy occurred in the heat of the election season in the summer, we should perhaps wait to act on it until after the election season is over, until after the election.

John Crittenden was nominated in 1828 by John Quincy Adams. In 1828, a month after losing his bid for reelection, President Adams nominated Mr. Crittenden to replace Justice Robert Trimble, who had died in August from malignant bilious fever. On February 12, the Senate voted to table his nomination, but they acted. They acted in their advice and consent role, unlike what happened last year. Although President Adams' nominee was not confirmed, he did receive a fair shot when the Senate voted on his nomination on the Senate floor.

Jeremiah Black was nominated in 1961 by President Buchanan. On February 5, 1861, President Buchanan nominated his Secretary of State, Jeremiah Black, to fill the seat of Justice Peter Daniel, who had passed away at the end of May. On February 21, 16 days later, the Senate rejected Mr. Black's nomination, and they rejected it by a single vote. They did so not by tabling the nomination but by rejecting the motion to proceed to the nomination.

There has been a change in Senate rules in regard to that motion to proceed to a nomination. But again, even though his nomination was rejected by a single vote, Jeremiah Black still received the treatment of the Senate. The Senate acted. They considered and they acted.

Salmon Chase in the Lincoln administration, 1864. Chief Justice Roger Taney passed away October 12, 1864, and 2 months later, on December 6, 1864, after winning his reelection in a landslide, President Lincoln nominated his Treasury Secretary, Salmon Chase, to fill Chief Justice Taney's seat. Well, in this case, on the same day he was nominated, December 6, 1864, the Senate confirmed him and confirmed him by a voice vote. Well, I don't think we are going to see another Senate or another Supreme Court nominee confirmed by a voice vote for a very long time to come.

William Brennan, Jr., was nominated by President Eisenhower in 1956. On October 15, just 2 weeks before the general election, Justice Sherman Minton stepped down because of his declining health. On that very same day, Eisenhower named William Brennan, Jr., as his nominee. Then on January 14, the recently reelected Eisenhower officially nominated Justice Brennan to the Supreme Court. First he was nominated as a recess appointment—another interesting piece of Supreme Court trivia—but then in January he was renominated as a regular nominee to be considered by the Senate. The Senate was back in session, and his nomination—that is, the President's nomination—did face opposition from the national news. They were worried that, as a Catholic, he might rely more on religious beliefs than on the Constitution. That is an interesting conversation that is hard for us to identify with today.

Justice Brennan was opposed by Senator Joseph McCarthy because he made a speech decrying the overzealous Communist investigations as “witch hunts.” But on March 1957, Justice Brennan was confirmed by the Senate almost unanimously. The only “no” vote was Senator McCarthy.

Let's take another look at those vacancies that occurred before the general election where the nomination also occurred before the general election.

We have William Johnson in 1804, who was nominated by President Jefferson. On January 26, Justice Alfred Moore had stepped down because of declining health, and 2 months later, President Jefferson nominated William Johnson. Two days after that nomination, he was confirmed to the Senate by a voice vote.

Then we turn to a couple of nominations the Senate considered, but they rejected them through votes to table the nomination. President Tyler nominated Edward King in 1844. Justice Henry Baldwin passed away on April 21, and on June 5, President Tyler nominated Edward King to fill the seat. But the Senate did deliberate on that nomination and decided to reject it. They tabled it. Later that year, Tyler renominated King to fill the vacancy,

but the Senate again voted to table the nomination. They said: What was said before still goes.

Mr. King did not make it to the Supreme Court, but he did have the opportunity to present his case and have the Senate act on his nomination, not once but twice.

In 1852 Edward Bradford was nominated by the Fillmore administration. Edward Bradford was nominated on August 16, about a month after Justice John McKinley passed away. He too had his nomination tabled by Members of the Senate—by the full Senate—voting and saying no, but they did act. They did vote—Melville Fuller under Cleveland. Now we get into a whole series in which the Senate said yes, not only in reacting but in “we think you are qualified to serve on the Court.” They made it not just from the advice stage but to the consent stage.

(Mr. SCOTT assumed the chair.)

Justice Morrison Waite passed away in March of 1888, and President Grover Cleveland nominated Melville Fuller to fill the vacancy on April 30. Over the course of his nomination, Fuller faced opposition because he had avoided military service during the Civil War, and he had tried to block wartime legislation as a member of the Illinois House of Representatives.

Those were the flaws that the Senate found as they vetted his nomination. He did not receive every vote in the Senate, but the Senate did act. The Senate voted, and they voted 41 to 20, by a 2-to-1 margin. The Senate looked at his record and said: Yes, it has flaws, but on balance, it is qualified and appropriate. And they confirmed him.

President Harrison nominated George Shiras in 1892. Earlier in the year, in January, Justice Joseph Bradley had died, but it was not until July 19 that Harrison nominated George Shiras to fill that seat, which was still before the election. In spite of the 6-month period between the vacancy and the nomination, Shiras was confirmed, yet again, by a voice vote in the Senate one week after being nominated.

Now we turn to the 20th century, the 1900s. President Wilson nominated Brandeis. This seat was open because, in January, Justice Joseph Lamar had died. Because Brandeis' nomination was bitterly contested, it became the first time in American history that the Senate Judiciary Committee had held a public nomination hearing. Today, we think of the fact that nominations have always gone to the Judiciary Committee when, in fact, the Senate used to serve as a Committee of the Whole. The nomination came to the floor and was considered by the entire Senate—debated by the entire Senate—without there being a previous committee action, committee hearing. Brandeis was the first for whom the Judiciary Committee held a hearing. He was denounced by a number of folks

because they argued that he was unfit to serve. There was, by many people's estimations, a heavy dose of anti-Semitism at work. Despite that, Justice Brandeis was confirmed by the Senate by a vote of 47 to 22.

Then we turn to John Clark—also in 1916. Justice Charles Hughes had resigned from the Court in June of that year in order to run for President against the sitting President, Woodrow Wilson. He is the only Supreme Court Justice ever to resign from the Court and run against a sitting President. In fact, as far as I know, he is, perhaps, the only one to resign from the Court and run for President at all. A month later, on July 14, Wilson nominated John Clark to fill the open seat. On July 24, 10 days later, the Senate confirmed him.

This brings us to Benjamin Cardozo in 1932. Benjamin, prior to Scalia's dying, was the last of this group of nominees who had the vacancy occur before the election and the nomination occur before the election. Benjamin Cardozo was nominated on February 15 by President Herbert Hoover to replace retiring Justice Oliver Wendell Holmes. Because he was a Democrat who was appointed by a Republican President, his nomination is considered to be one of the few Supreme Court appointments in which one could find no trace of partisanship. On February 24, 9 days after the nomination, Justice Cardozo received a unanimous voice vote by the Senate.

So there are the 15 times that there has been a vacancy in an election year, and in all 15 times, there was action by the Senate until last year. That brings us to 2016 when the vacancy occurred, the nomination was made, and the Senate chose not to act.

We certainly have entered new territory with this decision to amp up partisan tactics to pack the Court by stealing a Supreme Court seat. No one in this Chamber should be comfortable with that. For any of my colleagues who are feeling comfortable with it, just pause for a moment and ask yourself: Would you feel comfortable if the parties were reversed? If this were a Democratic majority stealing a Supreme Court seat from a Republican President, I ask you: Would you feel comfortable if the tables were reversed?

I think, probably, every Member on the Republican side of the aisle would say it would be outrageous if the Democratic majority stole a seat—a tactic never before used in our history—to deliver it to a future Democratic President. That would be unacceptable. That is the ability to walk in someone else's shoes and to look at an issue from the viewpoint of our obligation to the institution rather than from simply advancing the desires of the short-term political rewards, if you will.

For 293 days, no action was taken on the nomination. It was a complete break with Senate tradition, with Senate precedent, with U.S. history. There were 16 nominations to fill a Supreme Court seat that became vacant in an election year, and only one seat was stolen—the seat that opened up when Antonin Scalia died and Merrick Garland was nominated.

Among the hastily crafted pretexts for stealing this seat—and I mentioned this earlier, but I will mention it again—some raised the so-called “Biden rule.” There is no such rule in our rules, and there is no such speech that presented a rule. There was a speech in which Vice President Biden said that if there is an open seat, the Senate might be wise in an election year not to consider it in the heat of the election. That is simply a statement of respect for the Senate's ability to be the cooling saucer, to have thoughtful dialogue that maybe could not take place in the final months of a Presidential campaign.

I think most of us would say, if we had a nomination and we were coming together in September or October of an election year to consider it, maybe it would be better to wait until after the election in November to be able to have that thoughtful dialogue then. That is really merited by the importance of a Supreme Court vacancy and nomination.

Virtually everyone here would agree with the comment that Senator Biden made, but recognize this: His comment was in the abstract. There was no open seat. His comment was in the context of a speech in which he went on to say shortly thereafter, with regard to his theoretical situation in which he would consult with both sides of the aisle, if the President were to nominate somebody in the mainstream, he would probably win his vote, which was conveniently left out by my colleagues who referred to this.

The idea that we try to depoliticize and thoughtfully consider, which was the gist of Biden's comment, is one we should all respect. If you have to go back to a comment that was made in a speech many, many years ago by one Senator in order to justify the stealing of a Supreme Court seat and if you ignore history, ignore precedent, and ignore the Constitution in order to do so, you really know that your argument is not just on shaky ground, but it has no grounds.

I will read a little bit of what this was all about. These are the remarks I have that were given back then.

It begins:

Given the unusual rancor that prevailed in the (Clarence) Thomas nomination, the need for some serious reevaluation of the nomination and confirmation process and the overall level of bitterness that sadly affects our

political system and this Presidential campaign already, it is my view that the prospects for anything but conflagration with respect to a Supreme Court nomination are remote.

In my view, politics have played far too large a role in the Reagan-Bush nominations to date. One can only imagine that role become overarching if choices were made this year, assuming a Justice announced tomorrow that he or she was stepping down.

Should a Justice resign this summer . . . actions that will occur just days before the Democratic Presidential Convention and weeks before the Republican Convention, it is a process already in doubt in the minds of many and would become distrusted by all. Senate consideration of a nominee under these circumstances is not fair to the president, to the nominee, or to the Senate, itself.

There it is. Depoliticize the debate that we are to have. Move that debate outside of the context of the heat of a campaign.

He went on to say:

President Bush should consider following the practice of [some] predecessors and not . . . name a nominee until after the November election is completed.

Get the nominee out of the heat of the political campaign. That was actually something that we saw in a couple of these nominees. These are cases in which the vacancies occurred before the elections, and the Presidents waited until after the elections to name the nominees. That is the essence of what Biden was referring to: Get the nomination out of the heat of the campaign.

I do think that you have such an imbalance in this argument to anyone who opens his eyes to the conversation. You have, on the one side, our history of 15 vacancies during an election year, when the Senate acted on all 15 before Antonin Scalia died. On that same side of the scale, you have our constitutional responsibility to provide advice and consent. On the other side of the scale, you have a comment by former Senator Biden, then Vice President Biden, who was saying, actually, take a nomination out of the heat of political passion for it to be considered, which is completely consistent with our history.

It is the Constitution and our history versus an out-of-context comment made by a former Senator, in a theoretical situation, but he actually did not say what folks said he said. It is clear where the weight of this argument lies. That is what makes it such a transparent transgression against our Constitution, a transparent transgression against the integrity of the Senate because the majority leader asked the Senators not to do their constitutional responsibility to provide advice and consent, a transgression against the Supreme Court because we now have a stolen seat and a precedent that will haunt the legitimacy of the Supreme Court for decades to come should we proceed down this route, should we continue with this conversation, should we have a vote, and should

we—and I so hope we do not conclude with this theft being fully accomplished this week. It is such significant damage to everything—our institutions, the credibility of the Court, our responsibilities.

Well, some have said: Why filibuster? Every time I say “filibuster” it gets very confusing because it is hard for people to think—what does “filibuster” mean? Is it speaking at length? Well, yes, it is. In some historical context, speaking at length has delayed action. It was the set of speeches when Woodrow Wilson wanted to arm commercial ships before World War I that prevented the Senate from acting to approve that. Those speeches were around the clock.

By the way, the term “filibuster,” where does it come from? What does it mean? Well, it is, I guess, an evolution of the word “freebooter.” A freebooter was a pirate, so I guess you could say piracy. The folks who spoke at length to stop consideration of putting arms on our commercial ships took over the Senate and didn’t let it act. But that is one way to view it.

Another way of viewing it is that we had the courtesy of hearing everyone in the original Senate. The Senate got rid of the direct motion to close debate because they didn’t need it, because they wanted to hear from everyone. It is a tradition of letting everyone be heard and protecting that tradition.

So now that we have restored this motion to close debate, where the Senate rules require a supermajority, they were basically saying most of the time we are going to hear everybody out. It will take the large bulk of the Senators to close debate. That was used in a very few circumstances—almost never on a motion to proceed, almost never on an amendment, and rarely on final passage of a bill because it was considered that the Senate needs to act. It is a legislative body. On the other hand, we don’t want to have this place be paralyzed.

To use the analogy of George Washington’s cooling saucer, he said the Senate should be a cooling saucer, not a deep freeze. But too often, the abuse has resulted in the Senate being unable and paralyzed to act.

So here we stand with this concept that it is hard to put your hands around, and many of us are saying we should not close the debate on this nominee, if such a debate—if such a vote is held on Thursday, we should vote against closing debate. In the modern Senate rules, that is what a filibuster is; you are voting against closing debate. It comes down to this: 60 Senators have to be supportive for someone to be on the Supreme Court. That is to protect the integrity of the Court so that you don’t have nominees from the extreme edges. The President, knowing that the Senate might not have 60 votes for someone from ex-

tremes, is thereby encouraged to produce a nominee that is someone from the mainstream. That is the power of the supermajority. And having people from the mainstream of judicial thought sustains the integrity of the Court in the eyes of the citizens. That is why many of us believe that we should vote against closing debate.

If we close debate on Thursday—and let me repeat again that this is the first time in U.S. history that the majority leader has filed a petition to close debate on the very first day of debate, the first time another of this stream of incredibly partisan tactics designed to pack the Court—the first time in U.S. history.

It takes two days before the vote can actually be held. The majority leader announced to file the petition earlier today, and the vote cannot be held until Thursday. When that vote is held, there will be at least 41 Senators who say we should not close debate. In other words, there will not be a supermajority of 60 necessary to close debate. That is what I am predicting. That is what my crystal ball says.

Why do I believe that there will not be 60 Senators to vote to close debate? Well, I will tell you now that I can say that is very likely because at least 41 Senators have announced that they will vote against cloture. They have made their announcements.

Turn the clock back to when I first stood up and said: This seat is stolen, and we should not vote to close debate. We must filibuster, which means the same thing under the rules of the Senate. I said this in order to stop the theft of Supreme Court seat-stealing. If this theft is successful, it will damage the Court forever, and it will result in not just the integrity of the Court being damaged, but the different decisions—a different set of decisions because, while we don’t know exactly how Merrick Garland and Neil Gorsuch would vote on any individual case, we know from their records that one is straight down the middle and the other is on the very, very far right from a list vetted by two rightwing Republican organizations.

So we can ask: Did the President ask the nominee how they would vote on this case or that case?

Take, for example, the right of a woman to reproductive health that she feels is correct, keeping the politicians out of the exam room. Well, what we know is that the nominee before us at this moment came through a process of rightwing vetting through two organizations before being put on a list that was sent to the President. So we have a pretty good idea of how the nominee is going to vote on this issue.

The nominee wouldn’t answer any questions before the Judiciary Committee. It was pretty much what you would call a farce: a question asked, a question not answered; a question

asked, a question not answered; a question asked, a question not answered.

A number of my colleagues went into that Judiciary Committee hearing feeling they were really open to hearing the judicial thought and seeing if this nominee was really as far off the charts as everything else indicated. And the fact that he refused to answer a question over a week of hearings basically said to them, yes, now we know; now we know the answer.

So it is to protect the integrity of the Court that we must not close this debate on Thursday. That is why we want to insist on keeping the 60-vote standard. That is why the 60-vote standard exists.

There are some who have said: Hey, maybe we should try to figure out a way that we can preserve the 60-vote standard by not really using it as a tool for this particular nominee, and by not making it an issue, we have a tool for their future. It is kind of like coming into a confrontation and a person has a confrontation and they pull out their swords, and then say: I am going to lay down this sword and let you have your way until next time because that way I will still have my sword when I come back again. So you come back again next time: Oh, I have to lay down my sword again.

What are they confronting? Why are they saying we should perhaps consider not honoring the tradition of utilizing the 60 votes when there is a cloud over a nominee—not utilize the filibuster? There is this goal of saying: Well, that way maybe we keep the rule as it is. And why are they worried about that? Because the majority has said that they will consider changing the rule.

Well, many of us have a message for the majority—a message based on the way the Senate has acted over hundreds of years. If you don't have the votes, change the nominee, not the rule. That is the way it has been done time after time after time. On those 15 occasions when there was an open seat prior to Antonin Scalia passing away, the Senate didn't approve every nominee; they rejected several of them, but they considered every single one. And when they were rejected, they didn't change the rule; the President changed the nominee. That is what should happen in this case.

Some have said: Well, we have seen such disrespect for the Constitution. We have seen the urging of the majority leadership to not exercise our advice and consent responsibility under the Senate last year, and they made it happen. They enforced it. We have seen the first-ever filing of a cloture petition to close debate on a Supreme Court nominee on the first day of a Senate debate; it has never happened before, to ram this through in a way never seen before in U.S. history. And is it too much to imagine that the Senate majority would also, instead of fol-

lowing Senate tradition when a nominee doesn't have the votes and telling the President to change the nominee, would instead change the rules? Yes, it is possible, when you look at that. But that is a decision that we can't control on our side.

When we looked at the tremendous obstruction that was being used for executive nominations and lower court nominations, we had to find a way to quit having advice and consent being used as a tool of legislative destruction against the other branches of government.

Our whole Constitution was founded on three coequal branches of government, but you can't have three coequal branches if one branch wields a tool—a tool that was intended to be used very rarely—of rejecting nominees when nominees weren't suitable, using it as a wholesale power to destroy the executive branch and undermine the judiciary. So we addressed that in 2013, but we left in place the supermajority for the Supreme Court. In some ways, you can think of the fact that, well, we tolerate a wide range of positions coming out of the lower courts. There is a check and balance there. It is called the Supreme Court. But there is no check to the Supreme Court. They are the final decision maker. That is why you leave in place the supermajority requirement to tell a President: Do not nominate from the extremes.

We have a President who likes to, well, I would say run counter to tradition. So that is maybe part of the appeal and why he is in the office. He looked at the power of the Senate, and we don't know if he even actually understood any of the background as to why we had a supermajority to close debate, why we had a 60-vote requirement. He said that he didn't care; he was going to nominate from the extreme anyway. And having nominated from the extreme, now the same groups that want extreme rulings for the powerful and the privileged are pushing tremendously hard, just as they did last year, for the majority to steal the seat in the first place.

But aren't we 100 individuals who could possibly set aside those tremendous pressures from those powerful dark-money interests and actually do the right thing for the Constitution and the Senate and the Supreme Court? Don't we have the ability, the soul, the insight to defend this institution at this moment? What everyone here must understand is that when people look back—if the decision this week is to destroy the 60-vote requirement that tempers the nominations to the final decider about what our Constitution needs—this is stripping away a key element in protecting the integrity of the Court, and it will be looked on as a very, very dark moment in which the Senate failed in its responsibility.

Let us not fail. Let's have some Senators who will remember that they stood up on that podium and they took an oath of office, and that had to do with advice and consent which was violated last year. Embedded in that was the responsibility to protect this institution and the rest of the other two branches of government, so they could function in a way our Founders intended them to.

I know that come Thursday, if there is a motion to change the interpretation of the rule—the way this works is that the majority won't actually change the rule. They will change the interpretation of the rule. For all practical purposes, it is basically the same thing. At that moment, we are going to be put to the test.

The reason it is called the nuclear option is because changing a rule—a basic function of the Senate, designed to protect the integrity of the Supreme Court—and undermining and damaging the integrity is like blowing up the institution. That is why it is nuclear. It is the big bomb. It is the most destructive weapon known in the legislative arsenal.

There will be some Members, I know, who will hesitate, some from the viewpoint that they have a responsibility to protect the institution. There will be others who will hesitate from political expediency. They will say: Yes, this is a pretty good deal to get the justice in place that our backers want. But on the other hand, the shoe might be on the other foot in 4 years. There may be a Democratic President, and maybe that President gets three nominations. If we blow up this rule, there will be nothing to temper the type of appointment made by that future President. That is something I am sure people will consider.

Apart from the out-of-context, standing-on-its-head example from Vice President Biden's speech, the other argument was: Well, let's let the American citizens decide. That was the second excuse for stealing the seat. Well, the people did speak. They spoke when they elected Barack Obama in the first election, and they spoke again when they elected him for the second election. They didn't elect him to serve 3 years out of 4, but to serve 4 years out of 4. They didn't elect him to execute his constitutional responsibilities 3 years out of 4. They elected him to serve his responsibilities, including nomination responsibilities, for 4 out of 4. He won that second term by a margin of over 5 million votes. That is a big margin. President Trump lost the citizens' vote by a margin of over 3 million votes. That is a pretty big disparity. It is an 8 million vote disparity between Obama's victory and Trump's loss of the citizen vote. So if we want to have the people have a voice, they have weighed clearly and President Obama considered his nominee. As to

the fact that they wanted the people to weigh in, they weighed in and said they trusted Hillary Clinton more than Donald Trump to execute the responsibilities of office. That is the citizen vote by more than 3 million.

When the President campaigned, he said: I am going to drain the swamp, I am going to take on Wall Street, and I am going to help out workers. We have seen quite the opposite. The very first action he made—the very first action—was to make it \$500 a year more expensive for families of modest means to buy a house. How does that possibly fit with fighting for working Americans? How does that possibly fit with that?

Then he put forward a plan on healthcare—TrumpCare—in partnership with Ryan. Ryan wants it to be called TrumpCare; Trump wants it to be called RyanCare. Neither one wants their name on it because it takes away healthcare from 24 million Americans. It makes healthcare out of reach for working Americans. That certainly wasn't fighting for working Americans, stripping healthcare. It is, basically, a weapon that hurts in two ways: If you don't have access to healthcare, you are worried that your loved one won't get the care they need. Then you are worried that if you do find access by basically paying much higher rates than anyone with insurance has, you will be bankrupt, and America had this vast number of bankruptcies.

So Trump, who campaigned on helping workers, said: I am going to strip away your healthcare. I am going to take away your peace of mind that your loved one will get care. We are going to return to a world where, if you do find care, you will be bankrupt. How do you like that plate of potatoes? Working America didn't like it. They called Capitol Hill and said: Stop this diabolical plan to undermine healthcare. Stop this plan. They said it on phone calls, they said it on emails, they said it at the townhalls, and the House abandoned the plan due to the outcry of workers across America who had finally—finally—found access to healthcare, thanks to the Affordable Care Act.

Then President Trump sends his anti-worker budget—what they called the skinny budget, the outline of the budget—over here to Capitol Hill. I was out doing townhalls in rural Oregon, and I think I got much the same reaction that probably everyone else did across the Nation. This wasn't America first. This was rural America last, including rural workers—especially rural workers.

The President campaigned for workers. He makes buying a home more expensive. He tries to strip away their healthcare, and, then, he hits them with a budget in rural America that will devastate their communities. You have a challenge with affordable housing? I am going to take away a good

share of the housing grants used as a flexible tool. You have other challenges in your community that you use community development block grants for. We are going to strip those as well.

Your rural county has a lot of Federal land? This is probably more true in the West, where I come from, than in many other States. Your rural county has a lot of Federal land so you are compensated through Payment in Lieu of Taxes, the PILT Program? I am going to devastate that program.

Your rural community has essential air service? Well, we don't need that. Let's take that away. We don't need air service in rural America.

It made me think about the airport in Klamath Falls, in my home State. Klamath Falls is not on an interstate. I-5 goes down through Medford and goes through Ashland. So it travels further west, on into California, not through Klamath Falls.

We have some very substantial manufacturing capability in Klamath Falls. We have an F-15 base. Both of those are essential to the community. But to keep that manufacturing there, to keep those companies there, to keep that airbase there, we have to have a functioning airport. The company that was servicing that town stopped, moved their assets somewhere else, and left that town stranded.

I immediately called the mayor and called the House Member representing that district and said: We have to get air service back. The managers of the manufacturing capability in doors and windows are not going to want to have their operation in a place they can't fly into. Flying into Medford and driving a dangerous, winding mountain road for well over an hour—often impassable or very dangerous in winter—is not going to cut it. We have to restore that air service. We went to work and we teamed up. We teamed up with colleagues across the aisle. Why did we undertake this? Because air service was essential to that economy. So here is President Trump, sending a "rural America last" budget which devastates rural air.

Let's talk about the Coast Guard. Oregon is a coastal State. My colleague presiding is from a coastal State. Our Coast Guard is pretty important to our States. But President Trump said: Let's savage the Coast Guard. Here is the thing. The Coast Guard actually stops a lot of bad things from happening along our coastlines. They save lives, and they stop drug traffickers. Here is Trump's anti-worker budget: Let's take away the wall along the ocean—the Coast Guard—which stops drugs and other bad things from happening, and rescues people, and spend it on a wall on the southern border. What? I thought, Mr. President, you said the wall on the southern border was going to be paid for by some other country—that country on the southern

side of the border, not the American taxpayers. You are going to essentially take away that virtual wall of defense along our coastlines in order to build this wall on the southern border?

I went down on a congressional delegation to meet with Mexican officials in Mexico City. We met with the Attorney General. We met with the head of their economic policy. We met with a whole group of Mexican senators, and we heard a lot. But what I found even more interesting was going to the border on the American side and talking to the American experts on the border. We asked them: How do drugs come across the border?

They said: Well, they come through freight. There is so much freight moving. You can tuck drugs into a freight truck. We find some of them but not most of them.

They said: Second of all, it comes across in tunnels. The tunnels are very expensive to build. They are often very long, well-engineered, and very expensive. You don't use them for people because they would be easily detected then and shut down and you would lose your investment. You use them to bring drugs into the country.

The point the border experts made is that the wall will be useless against stopping drugs from coming into our country because the drugs come through freight and they come through tunnels, but they don't come through backpacks. OK. That was interesting for the President to argue that was something he was going to address, to stop this massive inflow of people coming from Mexico to the United States. We looked at statistics, and it turns out that over the last 8 years, the net flow has been out of our country to Mexico, not into our country from Mexico—by a million people.

So that is really a situation where you have the triple threat against workers that President Trump is applying—making home ownership more expensive, proceeding to take healthcare away from millions of American families, and putting forward a budget that savages rural America in method after method after method. I am sure my colleagues will work on both sides of the aisle to stop the savaging of rural America, but clearly that is the President's vision. That was the worker part.

Then you had the "I am going to take on Wall Street" part. What did he do? He put the economy under the control of Wall Street. He had attacked a colleague here in the Senate from Texas during the primary campaign for his ties to Goldman Sachs. He attacked his general election opponent, Hillary Clinton, for ties to Goldman Sachs. Then he puts Goldman Sachs in charge of our economy, Treasury Secretary, strategic adviser. The list goes on and on. So much for taking on Wall Street.

Then there is the “drain the swamp” proposition. Well, big, powerful, fabulously rich folks deeply connected to those interests—that is the Cabinet. So you have Big Oil and big banks and billionaires. That is the Cabinet. That is the swamp Cabinet.

So all three promises the President made, after he lost by 3 million votes, he has gone on to devastate over the last few months. That is the foundation for saying “Let the people speak”? The people spoke against—they voted majority against this President. They voted vastly for the election of Barack Obama, and the vacancy occurred on Obama’s watch. This is a seat stolen from one Presidency and shipped to another with the packing the Court and a flimsy excuse from a quote from Biden taken out of context, a flimsy excuse of “Let the people speak.” When the people spoke, they supported President Obama by this vast number of popular vote. And Trump lost. So I guess the people did speak, but they spoke to the opposite side. So much for the foundation for this crime against our Constitution.

Speaking of the President, it is unacceptable that we are considering this nomination at this moment. At this moment, when the Trump campaign is under investigation—an investigation being conducted by the FBI, another investigation by the House Intelligence Committee, and another investigation by the Senate Intelligence Committee—it is unacceptable that we are considering this nomination at this moment when there is a cloud over the Presidency because of the conduct during the campaign.

We know some things, and we don’t know others. We know that Russia sought to influence the U.S. election. We know they used an extraordinarily intense, carefully crafted strategy to influence the American election. What we don’t know is the full extent of the conversations between the Trump campaign and the Russians who sought to get Trump elected. We don’t know that. That is why we are having investigations.

If those investigations find that there was collaboration between the Trump campaign and the Russian Government, that is traitorous conduct—conspiring with an enemy to attack the institution at the foundation of our democratic republic, our elections. That is a very big deal, and that is why this debate should not be here on the Senate floor until that issue is fully addressed. We should not have the sitting President’s nominee debated with the potential of being put on the Supreme Court when many questions remain about whether they conspired with a foreign government to undermine and tip the election we held in November.

Then there is the fact that the nominee is an extreme far-right nominee,

even further right than Justice Scalia or Justice Thomas.

Analyzing the opinions of the Tenth Circuit since Judge Gorsuch joined in 2006, the Washington Post found that Gorsuch’s actual voting behavior suggests that he is to the right of both Alito and Thomas, and by a substantial margin. The magnitude of the gap between Gorsuch and Thomas is roughly the same as the gap between Justice Sotomayor and Justice Kennedy during the same time. In fact, our results suggest that Gorsuch and Justice Scalia would be as far apart as Justices Breyer and Chief Justice Roberts.

Gorsuch has advocated far-right conservative positions—not “we the people” positions, “we the powerful” over the people positions—positions even Scalia has opposed.

This nomination matters. Are we going to have decisions that reflect our Constitution, “we the people” decisions, or decisions that turn our Constitution on its head and create a government of, by, and for the powerful? We have a 4-4 split—the analysis of decisions to concede the twin peaks. Decades ago, we would have probably seen a single bell curve, not twin peaks, but what used to be here has migrated. Half of the Court migrated over there, as the Court has gotten further and further away from the fundamental vision of the five-vote majority. The Court now, without Scalia, is split 4 to 4, so this nominee will change the balance of the Court.

There is certainly an opportunity to put in somebody who is straight down the middle. We didn’t really know exactly where Justice Merrick Garland would end up, and by all counts, it was anticipated he would be right down the middle. We know something different about Neil Gorsuch. The Court is split 4 to 4 now, and this nomination will change that balance. That is a very important reason that accentuates why this nomination should be set aside until we know if the President’s team conspired with the Russians. We should clear up that cloud first.

I am going to go back and review some of the cases that give us substantial concern. I am going to try to locate more details. Meanwhile, I will just share a little bit about the record of 5-to-4 decisions.

Senator WHITEHOUSE has proceeded to do an analysis—or shared an analysis done by others—to look at 5-to-4 decisions of the Court and what has happened in recent memory. Were those decisions designed to accentuate the ability of powerful special interests that changed the makeup of the body? Was it that sort of interference? Was it interference that favored corporations or decisions that favored corporations over people? If I can get the details, I will go through it in detail.

What this analysis found was that the previous decisions of the Court

with Scalia on it made campaign finance decisions and other decisions related to things like the Voting Rights Act that made it harder to have the elections that really reflected the voice of the people.

Let me give some context. The Voting Rights Act was passed in 1965. It was passed because different groups around America were messing with the elections to try to keep people from voting. There were elements of this that went way back in our history. There were tests that were applied, constitutional tests. African Americans might try to seek to register to vote and would be given a test that was an impossible question to answer. The same test would be given to White voters. There were all sorts of strategies to try to bias the election process.

So it was a big deal in 1965, and the Senate and the House said: No, we are not going to allow these types of tactics to be developed and utilized because they are an attack on the rights of Americans—the fundamental right to vote, to have a voice, and to help direct the direction of our country by campaigning and voting for those who have a better vision of where we are going to go.

So Congress acted and did so by saying: If you have new strategies for how you are going to control the elections, you are going to have to get those strategies preapproved because the record in your particular State has been that you abused those strategies to suppress the fundamental right of individuals to vote.

So one of those decisions was to say by a 5-to-4 decision: We are going to take away the power of the Voting Rights Act—which is almost unexplainable. The argument was more or less a version of, we don’t need this anymore. We moved past that. We don’t have the same problem. So we should have the same rules for all the States.

But what we immediately saw with the lifting of the Voting Rights Act was that those States that were under the Voting Rights Act immediately started working to do voter-suppression tactics—efforts to prevent individuals from voting in all kinds of ways—phony ID strategies, all sorts of manipulation of the precincts.

(Mr. CRAPO assumed the Chair.)

So it matters. The fifth seat on the Court matters a great deal. We have six decisions that have flooded the elections with special interest money and affected access to the ballot. In these 5-to-4 decisions, the people have lost in all six cases. So I am going to share those. Then there are 16 cases in which there have been 5-to-4 decisions. In all 16, the 5-to-4 Court ruled in favor of the corporations over the people. So in terms of campaign shenanigans, we have lost in 5-to-4 decisions 6 to 0. When I say “we,” I am talking about

the American people who care about the integrity of elections have lost all six times under the Court that Scalia was on. On corporations over people, we have lost 16 to 0. I will start sharing these cases to show how much this matters.

Let's look at the issue of unleashing corporate spending. *Citizens United v. the FEC* in 2010. Under the First Amendment, donations and political contributions are considered free speech. The government does not have the right to keep corporations from spending money on political candidates. Money may not be given directly to candidates but instead may be spent on any other means necessary to persuade the public.

The decision held that political speech is crucial to a democracy and that it is equally as important when coming from corporations. So it essentially said: Look, if we translate that, what that means is that you have a group who was designed to take small amounts of investments from many, many people and combine them together to create the ability to take on larger commercial enterprises. That is a corporation. They sell shares. People provide funds through those shares. They provide those funds to the corporation by buying the shares, and the corporation can take on the big projects.

Out of those sometimes hundreds of thousands of shareholders, there is a small group, a board who decides how that money is spent. So you don't have the shareholders deciding how that money is spent; you have the small board. They aren't spending their own money; they are spending other people's money without asking their permission.

Are you kidding me? This entity didn't exist in this form. The Constitution didn't say that corporations are people and that these entities that really didn't even exist then have the same rights of "free speech." The Constitution didn't say money is speech. No. Remember Jefferson's mother principle, which was that we will only make decisions and be successful as a democratic republic if each citizen has its equal voice. *Citizens United* is the opposite. It says: Those who sit on the board of gazillion-dollar corporations get a voice that is a gazillion times larger than the voice of an ordinary citizen. It is a complete contravention of the Constitution, and it is deeply corrupting and damaging our Nation. That is the 5-to-4 *Citizens United* case.

Then there was the *American Tradition Partnership v. Bullock* case in 2012. That overturned a Montana Supreme Court decision that banned corporations from spending money on political candidates and campaigns and found that political speech is protected regardless of the source, even when it comes from a corporation. In other

words, *Citizens United* applies to this case as well.

The four dissenting judges did not believe that the Court was ready to review the same issues as discussed in *Citizens United* in spite of the fact that Montana's Supreme Court had noted the extreme power of corporations in politics.

OK, what is the story behind this? Montana was controlled by the copper kings. Back about 100 years ago, the people said: Enough. We want Montana to be controlled by the people of Montana, not by this vast concentration of special interest money that is making all the decisions.

So they passed a law, and they kept corporate money out of their elections to restore the integrity of elections. The Supreme Court turned a deaf ear on that case.

How about *McCutcheon v. Federal Election Commission* in 2014, which eliminated aggregate campaign limits. The decision found that aggregate campaign limits are invalid under the First Amendment because they restrict political expression. Aggregate limits do not further the government's interest in preventing the appearance of corruption—one of the main goals under the Bipartisan Campaign Reform Act.

They also found that corporations cannot be limited in the number of political candidates they donate to, as this restricts the influence of the corporations which they were equating to free speech.

So this was another erosion of the effort to have the vision Jefferson spoke to, the mother's principle that the government would express the will of the people. That is the same basic idea that Lincoln had when he phrased it in his famous address and said "government of the people, by the people, for the people." But if you allow this vast concentration of money to be spent on campaigns to corrupt those campaigns, it is not government of, by, and for the people. It is like the copper kings. It is the fossil fuel kings. It is the Koch brothers running it.

In the *Copper King* case in the State of Montana, which Montana shrugged off and reclaimed and restored their government—versus the situation we have at the national level now with a similar parallel—the fossil fuel kings, the coal kings, the oil kings putting vast sums in—to *Citizens United*.

There was a case that had to do with whether laws were OK that restricted judicial candidates from directly soliciting donations for their campaign. My memory is that the Court said: You know what, it is OK to restrict judges who are directly soliciting donations because that would affect and bias their decisions and it would create the appearance of bias. So there was the reality of bias and the perception of bias. In other words, it would corrupt the courts.

So on an issue involving Justices, that "we the powerful" group—Roberts, Alito, Thomas, Scalia, Kennedy—that group said: Do you know what? No. No, we can't let money corrupt the election of judges.

But none of them have served in the Senate or the House, and they couldn't translate the fact that they wanted to defend the integrity of judges and that that was important under the Constitution and allow restrictions on how campaigns were done—they couldn't translate that to the bias and the corruption of what happens here.

I mean, anyone looking at the United States can see that a few years ago, we had a whole host of Republican environmentalists who cared about the next generation and the generation after and fought for clean air and fought for clean water. It was President Nixon who put forward the Clean Air Act and the Clean Water Act. It was President Nixon and the Republicans who proceeded to create the Environmental Protection Agency.

But what happened when the fossil fuel money fueled the campaigns that created the new Republican majority in the Senate? All concern for the environment was gone. That is corruption, plain and simple.

The Supreme Court—five Justices—proceeded to rubberstamp that it is OK to have that corruption—the complete opposite of the vision of our Constitution. They understood it when it was for judges, but they found for the powerful and the privileged and supported the corruption when it came to this body and the House.

Then there is the suppression of access to the ballot box. The *Shelby County v. Holder* decision of 2013 struck down section 4 of the Voting Rights Act, which included a suspension on many of the prerequisites or tests to vote. The Court held that this part of the Voting Rights Act no longer reflects the current conditions of voting. The formulae for determining whether a State can change its voting laws should no longer be federally reviewed, the Court said.

The decision declares that this section puts undue burden on local government during elections. Really? We saw how the fundamental right of citizens to vote was savaged in these States before the Voting Rights Act, and we have seen how those practices have returned after the Supreme Court struck down section 4 of the Voting Rights Act. That is why it matters.

Let's take a look at *Bartlett v. Strickland* in 2009, a case that affirmed the North Carolina Supreme Court decision that the State's redistricting plan does not violate the Voting Rights Act section 2. State officials do not have to ensure that minority voters have the opportunity to join with crossover voters to elect a minority candidate.

In this case, the Court found that the vote would not be diluted because the minority was comprised of less than 50 percent of the voting population. Due to the fact that the African-American minority was only 39 percent on the voting population, State officials had no requirement to redraw district lines.

What are we talking about here in real terms? Is gerrymandering OK to change the outcome of the congressional delegation? And the Court said it is OK.

Then there was *Vieth v. Jubelirer*—redistricting of a Pennsylvania congressional delegation from a Republican-controlled State legislature to favor Republican congressional elections. The Pennsylvania General Assembly was challenged by *Vieth*—that is the name of the challenger—that the redrawing of the lines was political gerrymandering, violating Article I and the equal protection clause in the 14th Amendment.

The opinion of the lower courts was affirmed, and Scalia wrote the four-member plurality which dismissed the case due to the fact that the Justices could not agree on an appropriate remedy for political gerrymandering. Scalia wrote the four-member plurality. Kennedy wrote a concurring opinion—so it is 5-to-4—but sought a narrow ruling so that the Court would still seek a solution.

Well, the bottom line is that in a 5-to-4 Court, that fifth vote matters. In these six cases, the decisions were all in favor of undoing the vision of voter empowerment and supporting the strategy of voter suppression, undoing the restrictions on gerrymandering to change the makeup of the congressional delegation or the makeup of State delegations and supporting such bias being written into the system.

These 5-to-4 decisions were all about allowing the most powerful, richest people to have a voice equivalent to a stadium sound system that drowns out the people in a position completely contrary to the equal-voice premise that Jefferson called the mother's provision, the foundation for whether or not our government would be able to make decisions that reflected the will of the people.

Then there is a set of decisions 5-to-4 opinions that were relevant to corporations over individual rights, and some of those overlap: *Citizens United*, *McCutcheon*, the *American Tradition Partnership v. Bullock* that we have already covered. Let's look at some of the others.

How about *Burwell v. Hobby Lobby*. Fighting to require corporations to provide female employees free access to contraceptives violates the Religious Freedom Restoration Act. The Court held that Congress intended RFRA to be applied to corporations. Corporations face a significant burden

if they are forced to fund an action that goes against the corporation's religious beliefs. So let's give corporations a soul that has a religious belief. So not only has the Court extended the vision to corporations that they are somehow the equivalent to a super-rich billionaire individual, but they also have a soul and a religious belief. So concentrating this fantastic concentration of power and realizing that if the corporation made the decisions on the basis of the stockholders, with all of them having, essentially, input—but they don't because that is not the way a corporation works. You have a very difficult time trying to influence the thinking of a board of directors. You can make efforts. Rarely you might have a successful vote by a group of shareholders who take something to the annual meeting. But in general, that board operates in a world all its own, and they are spending the money—not their own money; they are spending the money of the stockholders without disclosing it to them. They actually steal the political speech by using the money in political speech without disclosing what it is. But that was the decision in *Burwell* which gave a corporation the ability to follow its religious choices—that is, the board's religious choices—over the workers' religious choices in an area as sensitive as women's access to reproductive birth control.

Let's turn to *Walmart v. Duke* in 2011, a class action lawsuit brought by six women against Walmart claiming that Walmart policies resulted in lower pay and longer time for women to acquire a promotion—lower pay and longer time to get a promotion.

The Supreme Court found that the six women who were applying could not represent a class of the 1.5 million women employed by Walmart. They found that the employment decisions for this large number of people did not have enough commonality to be represented in one case—a 5-to-4 decision.

In a class action lawsuit, you have principals, and they represent a class of folks who have been treated similarly. Certainly this is an example of where in general you would expect that the experience these women had could represent the experience that women were getting at Walmart as employees, but the Court turned them down 5-to-4. Four said these women and other like-treated individuals deserve a hearing, and the majority of five said: No, no, no, let's protect Walmart.

Let's look at *American Express Company v. Italian Colors Restaurant*. Several merchants of the American Express credit card company brought individual cases alleging that the company's card acceptance agreements violate antitrust laws. The Supreme Court found that the American Express clause prohibiting class action lawsuits is enforceable. The high cost of bring-

ing cases forward on an individual basis, which is impossible for an individual to do, was not a sufficient reason for the Court to override the company. Federal antitrust law does not guarantee a cost-effective process.

So here you have a 5-to-4 decision in which, again, you have individuals who have been on the receiving end of bad practices or at least alleged bad practices by a financial company saying: We were shorted a few dollars or maybe a few hundred dollars, but we can't possibly take on this powerful company's enormous office building full of lawyers unless we have a class action where we have everyone who has been similarly affected able to bring their case at one time, with one set of representatives, so that maybe there will be a little bit of a fair playing field.

You can't hire lawyers. It will cost you \$1 million to hire lawyers to pursue a \$100 issue. So unless there is a class action, there is no justice. It is justice denied and a green path for predatory practices by the large and powerful. Five-to-four decisions matter.

Comcast Corporation v. Behrend. SCOTUS ruled that a district court is not allowed to certify a class action lawsuit without acceptable evidence that the damages can be measured on a class-wide basis. They found that the lower court failed to properly establish the impact of the damages on all of the plaintiffs. Courts must find that the model to prove damages are class-wide and quantifiable.

Let's translate this. What does this mean? The Court, on a 5-to-4 basis, is setting very high standards for establishing the legitimacy of a class action lawsuit. You have to be able to prove that the entire class is affected, not just probably, and it is quantifiable. So they are making it very difficult.

Four Justices said: No, that is ridiculous. That is absurd. That is a standard that makes no sense. But the five ruling for the powerful and privileged said: OK, we can tighten this up and make it harder to challenge predatory actions by large corporations.

We have *AT&T v. Concepcion*. Customers of AT&T brought a class action claiming that the company's offer of a free phone was a scam because they were still charged the sales tax on the new phone. It wasn't free; they had to pay a tax.

SCOTUS found that the Federal Arbitration Act displaces State law stopping companies from offering contracts that do not allow class action lawsuits. Therefore States cannot make laws that allow companies to prohibit their customers from bringing forward class actions. But the bottom line is that the way this was framed, it had an impact of a 5-to-4 decision with corporations over people.

Janus Capital Group v. First Derivative Traders in 2011.

Most folks didn't even know there were these many cases affecting powerful corporations and their predatory practices and the ability of ordinary people to take them on, but here they are one after another.

Janus Capital Group created Janus Capital Management as a separate entity from Janus Capital. The plaintiffs claimed that JCG should be held liable for misleading statements by JCM regarding various funds, most notably the market timing of the fund's practice of rapidly trading in and out of a mutual fund to take advantage of inefficiency in the way the funds are valued.

This was not permitted. The Fourth Circuit Court found in favor of the plaintiffs because the investors would have inferred that even if JCM had not itself written the alleged statements, JCM must have approved the statements. After all, JCM was created by JCG. But SCOTUS reversed the circuit court's finding that the false statements were made.

So each of these cases involved efforts to tighten or narrow the channel through which ordinary people can challenge the conduct of the powerful. The powerful can use a series of strategies—in this case, creating a subsidiary—to bypass responsibility for misleading statements.

Ashcroft v. Iqbal in 2009. The case concerns the arrest and subsequent treatment of Javid Iqbal at the Metropolitan Detention Center in Brooklyn, NY. Iqbal and several thousand other Arab Muslim men were arrested as a part of the investigation into the then recent September 11 terrorist attacks. Upon his release, Iqbal brought suit alleging discrimination and 21 constitutional rights violations by the Department of Justice, Bureau of Prisons, and FBI. The defendant argued that their official government roles protected them from suit.

The U.S. district court denied the defendants' motion to dismiss—that is, protected the ability of the suit to be brought—and supported their qualified immunity defense. The U.S. Court of Appeals for the Second Circuit affirmed the district court's ruling with one exception: They ruled that under the defendant's qualified immunity defense, it was not a violation of due process given the context of the terrorist attacks' unique circumstances. The Supreme Court then upheld the finding of the Second Circuit.

Again, each case is a narrowing and a finding of individual against a corporation or a larger entity in a 5-to-4 decision.

These cases—I don't think I will go through all of these remaining six cases, but I think you get the general idea. The bottom line: In 5-to-4 opinions, corporations won 16 times and ordinary people won zero times.

So I want to go back to the fact that Gorsuch himself is an extreme judge,

and I think it is important to talk about the cases he was involved in directly. What I have just been laying out is that a 5-to-4 Court makes an enormous difference. Is the Court going to look for every possible way to deny the opportunity for ordinary citizens to take on the powerful and the powerful to get away with predatory practices, or are they going to honor the vision of government of, by, and for the people? That is the fundamental question in a 5-to-4 Court. And Gorsuch fits right into that because the vision of honoring the ability of people to take on the powerful in a system of justice versus a system that perpetrates injustice by allowing the powerful to get away with predatory practices against ordinary people and constrains the right of individuals and expands the rights of corporations—that turns corporations into predator superhumans with more money than any one individual and more power than any one individual and more campaign cash than any one individual. In fact, a corporation will often have more cash to be spent in a campaign than the rest of America—perhaps the entire rest of America put together.

When the Koch brothers said in January 2015 that they were going to spend nearly \$1 billion in the next election, do you think there were many Americans who said: Well, well, I can do that. No. That would represent the political spending by virtually all the rest of America. That is the challenge of the concentration of power in our country.

We have seen that there are a whole series of cases that allow gerrymandering and voter suppression and campaign spending and dark money designed to corrupt the “we the people” elections, the foundation of our democratic Republic. We saw a whole series of cases that involve finding for the powerful corporations in restricting the rights of people to band together to challenge them through class action lawsuits. That is the difference between these two parts of the judicial decisions, and Neil Gorsuch is way to the right.

So let's look at the preamble to our Constitution: “We the People of the United States, in order to form a more perfect union, establish justice”—those are the next words, “establish justice.” What kind of justice is there if the Court continuously allows the corruption of our elections? What kind of justice is there if the Court continually restricts the power of ordinary people to bring a case against a predatory practice of a powerful institution? That is the question.

Our Constitution that starts out with those three beautiful words that I quoted many times tonight, “We the People,” also has a vision of establishing justice. How is it that this group of Justices has forgotten that our Constitution was about estab-

lishing justice? Well, that is a big concern.

However, what we find is that Neil Gorsuch is coming to his court decisions and to his writing from a viewpoint of how to arrange the details to help the powerful come out on top.

(Mr. STRANGE assumed the Chair.)

Let's look at the frozen trucker case. Anphonse Maddin was transporting cargo through Illinois when the brakes on his trailer froze because of subzero temperatures. Maddin did the responsible thing: He didn't move the trailer anymore because without brakes, he would have been endangering the lives of everyone on the road. So to protect others, he refused to operate the truck. After reporting the problem to the company, he waited 3 hours in freezing temperatures for a repair truck to arrive. He could not even wait in the cab of his truck to keep warm because the auxiliary power unit was broken.

After waiting 3 hours in subzero temperatures, his torso went numb, and he began having difficulty breathing. He could not feel his feet. He felt his life was at risk. He unhitched the disabled trailer with its frozen brakes because he thought it was absolutely dangerous to drive with a full load without brakes, and he drove the cab to a place where he could get warm.

Even as he was driving away, even after he had reported his numbness and difficulty breathing, the company was still radioing Alphonse Maddin to wait in the dangerous, frigid condition or to drive with a full load and frozen brakes. The company wanted him to drive with frozen brakes. The company wanted him to drive in those temperatures, with ice on the road, and with a full load. Help arrived about 15 minutes after Maddin made the decision to leave. As soon as he heard that, he turned around, and he returned to the trailer, but TransAm Trucking fired him for leaving the trailer unattended.

The argument that TransAm Trucking had used for firing Alphonse Maddin was, instead of remaining in the dangerous, freezing conditions and refusing to drive because of there being a disabled trailer, he drove away without the disabled trailer. In the company's mind, Maddin had two choices: one, freeze to death or, two, drive the disabled vehicle with the frozen brakes and trailer attached, putting other people's lives at risk. He had two choices: Put his own life at risk or put everyone's life at risk.

The Department of Labor looked at this and said that the truckdriver was fired in violation of the Surface Transportation Act's protections and that he should be reinstated with back pay.

The case made its way up to the Tenth Circuit. The Tenth Circuit said: Absolutely, the law is written so that truckdrivers will not operate under dangerous conditions in order to protect their safety and the safety of the

public. That is the way the law is set. The Tenth Circuit said: Yes, that is the way the law is set. That is what is written in the law.

Judge Gorsuch wrote a dissent. He twisted and strained the statute. He wanted to find ways to minimize the word "health" and the word "safety" and stated that the finding for the driver was improper because it used the law as a springboard to combat all perceived evils, which is a quote: "as a sort of springboard to combat all perceived evils."

No, the law was designed to protect against a specific evil, which is people operating vehicles in a manner that endanger themselves or others. You cannot be fired as a truckdriver for operating a vehicle in order to protect the lives of others. The truckdriver, who was operating responsibly—Alphonse Maddin, who was operating responsibly—said: I am not going to endanger others.

He was fired for it. The Department of Labor said: No, you cannot fire him. That is why the law is written that way. The Tenth Circuit said: No, you cannot fire him. That is why the law is written that way. Yet Neil Gorsuch found some way of twisting the words to say: Huh, let's find a way to make this work for the corporation rather than the individual.

Even the law says that you are protected from being fired for refusing to operate a truck that endangers yourself or others. Even the law says that. Let's find a way to go the other direction and find on the side of the company.

Gorsuch wrote that his employer gave him the very option the statute it must. Once he voiced safety concerns, TransAm expressly permitted him to sit right where he was and wait for help. They gave him two choices: Sit and freeze in the cab, even though his torso had gone numb and at his own risk to his own health, or drive the trailer and endanger everybody's life—a lose-lose proposition. Gorsuch ignored the side of the statute that involved the safety of the driver as well as of the people.

He dismissed the Department of Labor's view in saying that there is simply no law that anyone has pointed to us giving employees the right to operate their vehicles in ways their employers forbid.

Yes, there is. The law says that you cannot fire someone for driving or for refusing to operate a vehicle in a manner that endangers other people's lives.

The majority of the court that supported the Labor Department's reasoning called Gorsuch's reasoning "curious." That is the polite way of saying that we have no idea how he could possibly have twisted the law in this fashion. If Gorsuch had gotten his way, there would have been no justice for Alphonse Maddin—a pure decision of

the frozen trucker, a decision devoid of common sense, totally detached from the law as written. That is the frozen trucker case.

Let's look at the autistic child case of Thompson R2-J School District v. Luke P. Because he is a youngster, his last name was not used. It was a 2008 case.

Luke P., a young child with autism, began receiving special education services in kindergarten at his public school. He had an education plan that was specific to his needs as was required by the Individuals with Disabilities Education Act, or IDEA.

In early grades, he had made progress in skills related to communication, self-care, independence, motor skills, social interactions, and academic functioning, but he was not making progress in generalizing his skills and applying skills learned in school to other environments, such as his home life.

Despite the situation at school, there were a lot of problems in his conduct, and the public school's inability to meaningfully improve Luke's ability to generalize basic life skills beyond the walls of the school posed significant limitations on his future.

The basic story is this: The school was failing to provide the type of education that was necessary for Luke to gain the ability to operate in life. They found a school that could provide that ability. They said: To save our child, we will transfer him to that residential school near Boston that specializes in serving children with autism. It was a great opportunity for him to learn, and he got in and began to flourish—a huge change.

Luke's parents, in their knowing that IDEA entitles children with disabilities to a free education, applied to the school district for reimbursement of the tuition. The school district refused.

The long and short of it is that, at a State-level hearing, Luke's parents prevailed. The case went to the Federal district court, and his parents prevailed under the Individuals with Disabilities Education Act. At each level, a hearing officer or judge determined that Luke was not getting the help he needed at his public school. They concluded that the school district had failed to provide him the free and appropriate education that was entitled to him under the law.

You have decisions made at multiple levels that the school district was not meeting the standard of the law. Each declared that only a residential school could provide Luke with the education he needed. Therefore, the reimbursement of the tuition to the family was necessary and appropriate under the law.

The school district appealed all the way up to Judge Gorsuch on the Tenth Circuit Court. In writing the opinion

for the majority, Judge Gorsuch—and they reversed the lower court's ruling—stated that the educational benefit that was mandated by IDEA must be "merely more than de minimis."

Here is the new judge's—Neil Gorsuch's—law. He is rewriting the trucker law so that truckers can be fired for protecting their safety and the safety of others. He is rewriting Individuals with Disabilities Education Act so that, instead of having an education that is appropriate to the student, in fact, all that is required is "merely more than de minimis."

"De minimis" means the minimum—like nothing, like babysitting. Gorsuch said that the benefit provided to Luke—essentially, the babysitting—satisfied that standard. In effect, Judge Gorsuch argued that, under IDEA, all the school system had to do was to provide disabled children with the bare minimum, which is an incredibly low bar.

I will tell you that the whole intent of IDEA—the whole debate held here in the Senate, the whole debate held in the House, the signing, the whole framework for this act—was that we have to do right by our disabled children. Therefore, schools were mandated to provide appropriate education. The whole of Gorsuch's finding was to say: No, I am rewriting the law—minimal, babysitting, "merely more than de minimis." It is merely more than nothing when translated.

What would be enough? It is as if the whole debate had never occurred over the vision of requiring schools to provide an appropriate education to students.

This is not just an example of some narrow reading of the law. This is judicial activism—rewriting the law to a completely different thing than it was intended to say.

How could Judge Gorsuch argue putting disabled children like Luke in a room and giving him nothing other than merely more than nothing after having met the standards of a substantial act of Congress that was fully designed to give an appropriate education for disabled children? How do those things even come close to equating? "Merely more than nothing" versus "you must provide an appropriate education"—how do you square those two things? How do you have a judge completely rewrite the law and say that he is qualified to sit on the Supreme Court?

We can tell you that the High Court disagreed completely with Judge Gorsuch. We can tell you this because, just this year—just a few days ago—the Supreme Court ruled on this case, and they overturned Judge Gorsuch. They did so not by 5 to 3; they did so by 8 to nothing—8 to zero.

Eight Justices—four conservative, four liberal—looked at this and said that the law says "appropriate education." Judge Gorsuch said "merely

more than nothing.” That is not the law as written. That is rewriting the law to find on behalf of the powerful, the larger—in this case, the school district—over the individual. It is a pattern we see in his rulings time and time and time again.

That is why, if you do nothing about the fact that this seat was stolen for the first time in U.S. history—a seat stolen for the Supreme Court from one administration and sent forward in an effort to pack the Court—and if you did not know anything about that and if all you knew was this set of decisions, you would ask: How can we possibly put on the Supreme Court an individual who rewrites the law to mean the opposite of what it is written to say—that black is white and white is black; that “do something significant” means “do nothing” or “merely nothing”; that protecting those drivers who operate in safety for themselves or safety for the people on the road—Judge Gorsuch says to strip away that protection.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF THE TREASURY

SIGAL MANDELKER, OF NEW YORK, TO BE UNDER SECRETARY FOR TERRORISM AND FINANCIAL CRIMES, VICE DAVID S. COHEN, RESIGNED.

HEATH P. TARBERT, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE MARISA LAGO.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

PATRICK M. ALBRITTON
MONA E. ALEXANDER
JEFFREY T. ALLISON
CLARK L. ALLRED
KEVIN D. ALLRED
JUAN A. ALVAREZ
JEREMY S. ANDERSON
NEIL E. ANDERSON
STEVEN C. ANDERSON
TANYA J. ANDERSON
SHAWN E. ANGER
RICHARD L. APPLE
CLAUDE M. ARCHAMBAULT
MICHAEL C. ARNDT
MICHAEL J. ARTELLI
JACK R. ARTHAUD
JON C. AUTREY
JASON B. AVRAM
LISLE H. BABCOCK
JOHN E. BAQUET
MARK E. BARAN
CHRISTOPHER T. BARBER
KATHARINE G. BARBER
CLAYTON B. BARTELS
JOHN V. BARTOLI
ROBERT C. BEARDEN
KEVIN R. BEEKER
TIMOTHY E. BEERS
CASSIUS T. BENTLEY III
WILLIAM A. BERCK
CHRISTOPHER C. BERG
SCOTT D. BERNDT
WILLIAM L. BERNHARD
WILLIAM B. BLAUSER
DEREK S. BLOUGH
THOMAS T. BODNAR
ELIZABETH C. BOEHM
JOHN M. BOEHM
KENNETH R. BOILLOT
SEAN P. BOLES
ERNEST L. BONNER
RONALD K. BOOKER
RALPH E. BORDNER III
CHRIS E. BORING
RICHARD L. BOURQUIN
MATTHEW J. BRADLEY
WARREN B. BRAINARD
MAXIMILIAN K. BREMER

ROBERT T. BRIDGES
JOEL L. BRISKE
SCOTT D. BRODEUR
CARLOS J. BROWN
RICHARD K. BROWN, JR.
DONALD R. BRUNK
CHRISTOPHER M. BUDDE
LANCE C. BURNETT
KELLY D. BURT
WALTER A. BUSTELO
MATTHEW J. BUTLER
EDWARD P. BYRNE
MICHAEL R. CABRAL
CHARLES B. CAIN
MAURIZIO D. CALABRESE
JASON A. CAMILLETTI
JOHN T. CARANTA III
STEPHEN V. CAROCCI
ALLAN A. CARREIRO
IVORY D. CARTER
JASON S. CHANDLER
RAJA J. CHARI
KEITH N. CHAURET
JENNY M. CHRISTIAN
WILLIAM V. CHUDKO
CHRISTOPHER STEPHEN CHURCH
WILLIAM R. CHURCH
AARON W. CLARK
CHRISTOPHER R. CLARK
WILL CLARK
DANIEL C. CLAYTON
DOMINIC P. CLEMENTZ
SARAH U. CLEVELAND
TRAVIS J. CLOVIS
ERIN C. CLUFF
THOMAS F. COAKLEY
MARK D. COGGINS
CAROLYN C. COLEMAN
MICHAEL J. COLVARD
THEODORE E. CONKLIN, JR.
RYAN C. CONNER
DANIEL E. COOK
HEATHER A. COOK
JASIN R. COOLEY
PHILIP J. COOPER
SEAN J. COSDEN
KAREN M. COSGROVE
SHAWN C. COVAULT
WILLIAM J. CREEDEN
JOHN B. CREEL
RYAN L. CROCKETTE
CHRISTOPHER L. CRUISE
WILLIAM M. CURLIN
MACK W. CURRY II
MICHAEL D. CURRY
MARTIN T. DAACK, JR.
KENNETH J. DANIELS
TIMOTHY S. DANIELSON
RUSSELL O. DAVIS
BRANDON W. J. DEACON
SARA B. DEAEVER
JOEL R. DEBOER
EDUARDO DEFENDINI
JASON R. DELAMATER
BRIAN A. DENARO
DOUGLAS J. DISTASO
MARK C. DMYTRYSHYN
THANG T. DOAN
DANIEL A. DOBBELS
MICHAEL R. DONAGHY
JAMES L. DONELSON, JR.
MATTHEW A. DOUGLAS
JONATHAN G. DOWNING
BRADLEY C. DOWNS
JEFFREY J. DOWNS
LINDSAY C. DROZ
MASON R. DULA
RONALD E. DUNLAP III
TODD R. DYER
HARRY R. DYSON
BRYAN T. EBERHARDT
MICHAEL T. EBNER
JASON A. ECKBERG
MICHAEL C. EDWARDS
TRAVIS L. EDWARDS
GARY J. EILERS
CHAD R. ELLSWORTH
THOMAS P. ESSER
ALDWIN V. ESTRELLADO
NICHOLAS B. EVANS
ERIC S. FAJARDO
MICHAEL J. FELLONA
KEVIN A. FERCHAK
DAVID L. FERRIS
JASON R. FICK
BRIAN A. FILLER
STEVEN A. FINO
DAVID B. FISHER
GREGORY G. FRANA
JESSE J. FRIEDEL
LEAH R. FRY
WILLIAM J. FRY
CHAD A. GALLAGHER
DOUGLAS S. GARAVANTA
BRIAN W. GARINO
TOMMY M. GATES III
ALLEN A. GEIST
JAY S. GIBSON
TY S. GILBERT
CRAIG M. GILES
TED D. GLASCO
MICHAEL L. GOERINGER

JOSEPH R. GOLEMBIEWSKI
ANTONIO J. GONZALEZ
DAVID J. GORDON
LOREN R. GRAHAM
SETH W. GRAHAM
GEORGE R. GRANHOLM
MARION GRANT
MARC E. GREENE
JUSTIN T. GRIEVE
TERRENCE R. GRIMM
JEFFREY A. GUIMARIN
RYAN J. GULDEN
JAMES B. HALL
CHRISTOPHER B. HAMMOND
GRANT M. HARGROVE
PAUL K. HARMER
MATTHEW T. HARNLY
BRETT W. HARRY
SCOTT A. HARTMAN
LESLIE F. HAUCK III
JEFFERSON G. HAWKINS
JOHN W. HAWKINS, JR.
DOUGLAS P. HAYES
DARIN D. HEESCH
KURT C. HELPHINSTINE
TIAA E. HENDERSON
DAVID A. HENSHAW
KENNETH B. HERNDON
CHAD L. HEYEN
TAMMY S. HINSKTON
JENNIFER P. HLAVATY
DARIN L. HOENLE
JEFFREY A. HOGAN
JAMES M. HOLDER
JEFFREY A. HOLLMAN
RONALD A. HOPKINS
ROBERT A. HORTON
ERIC D. HRESKO
MERNA H. H. HSU
MICHAEL G. HUNSBERGER
DON R. HUNT
TRACY N. HUNTER
MATTHEW S. HUSEMANN
JARED J. HUTCHINSON
TIMOTHY L. HYER
ANN M. IGL
CHADWICK D. IGL
RYAN J. INMAN
NATHAN L. IVEN
ABRAHAM L. JACKSON
WILLIAM B. JACKSON
GENE A. JACOBUS
JEFFREY C. JARRY
ANDREW M. JETT
MARK D. JOHNSON
CAREY J. JONES
MATTHEW E. JONES
BENJAMIN R. JONSSON
ERIC L. JURGENSEN
DON C. KEEN
ROBERT H. KELLY
SEAN C. G. KERN
CHRISTOPHER J. KING
JONATHAN D. KING
LUTHER L. KING
PAUL H. KIRK
CARYN L. KIRKPATRICK
ANTHONY A. KLEIGER
TRICIA H. KOBBERDAHL
KYLE F. KOLSTI
VINCENT M. KREPPS
JENNIFER M. KROLIKOWSKI
MAFWA M. KUVIBIDILA
JEFFREY D. KWOK
STEPHEN R. LACH
GYORGY LACZKO
CHRISTOPHER M. LANIER
MIKKO R. LAVALLEY
PHILLIP A. LEGG
TRAVIS K. LEIGHTON
JONATHAN B. LESLIE
STEVEN C. LINDMARK
RYAN A. LINK
GRAHAM K. LITTLE
SCOTT W. LOGAN
GEOFFREY E. LOHMILLER
PATRICK V. LONG
JASON J. LOSCHINSKEY
KRISTI LOWENTHAL
DEVEN J. LOWMAN
JOHN R. LUDINGTON III
CRISTINA FEKKES LUSSIER
WILLIAM J. LYNCH
ROBERT P. LYONS III
ERIC G. MACK
BETH LEAH MAKROS
KEVIN R. MANTOVANI
EDWARD E. MARSHALL
RAY P. MATHERNE
STEPHEN B. MATTHEWS
CHRISTOPHER J. MAY
MATTHEW L. MAY
SCOTT H. MAYTAN
CHRISTOPHER J. MCCARTHY
DAVID L. MCCLEESE
TIMOTHY S. MCDONALD
JAMES C. MCFARLAND
THOMAS C. MCINTYRE
WILBURN B. MCLAMB
NATHAN A. MEAD
DAVID C. MEISSEN
RICHARD S. MENDEZ

CHRISTOPHER E. MENUET
JASON M. MERCER
KATHY L. MERRITT
JOSEPH C. MILLER
PATRICK M. MILLER
SCOTT A. MINTON
BRIAN R. MONTGOMERY
ARGIE S. MOORE
SHAWN D. MORGENSTERN
SCOTT A. MORRISON
DAVID R. MORROW
RYAN D. MUELLER
ANTHONY J. MULLINAX
JOSEPH A. MUSACCHIA
KEVIN R. NALETTE
MONROE NEAL, JR.
ROBERT S. NEIPER
ERIC B. NELSON
CHRISTOPHER J. NEMETH
JENNIFER L. NEVIUS
JULIE S. NEWLIN
MATTHEW J. NICHOLSON
DANIEL S. NIELSEN, JR.
TERI R. NOFFSINGER
PETER M. NORTON
TRAVIS L. NORTON
DAVID B. NOVY
LESTER N. OBERG III
PATRICK J. OBRUBA
PETER F. OLSEN
SCOTT A. OMALLEY
ARVID E. OPRY
ENRIQUE A. OTI
KRISTIN L. PANZENHAGEN
CHARLES N. PARADA
KEVIN L. PARKER
WILLIAM M. PARKER
JARED B. PATRICK
DAVID D. PEREZ
BRIAN K. PHILLIPPY
EDWARD P. PHILLIPS
JAMES J. POND
JAMES W. PRICE
STEPHEN C. PRICE
ELBERT R. PRINGLE II
CRAIG A. PUNCHES
JASON M. QUIGLEY
MARCIA L. QUIGLEY
PAUL R. QUIGLEY
GARY B. RAFNSON
JUNAID M. RAHMAN
KIRK L. REAGAN
MATTHEW R. REILMAN
DAVID A. RICKARDS
BRIAN L. RICO
GLENN A. RINEHEART
SCOTT M. RITZEL
BENJAMIN S. ROBINS
JON T. ROBINSON
DANIEL A. ROESCH
WILLIAM S. ROGERS
MARLYCE K. ROTH
ABIGAIL L. W. RUSCETTA
JASON R. RUSCO
BRIAN DARNELL SALLEY
ASSAD SAMAD
GINO SARCOMO
TYLER R. SCHAFF
DONALD W. SCHMIDT
ERIC C. SCHMIDT
MARK A. SCHMIDT
ANNA MARIE SCHNEIDER
SIEGFRIED SCHOEFF
TIMOTHY M. SCHWAMB
JASON C. SCOTT
GEORGE A. SEFZIK
DAVID L. SEITZ
JASON T. SELF
JOHN J. SHEETS
NORMAN F. SHELTON II
ROBERT A. SHELTON
MARK A. SHOEMAKER
BRYCE A. SILVER
MICHAEL A. SINKS
DALE B. SKINNER
DANNY A. SLIFER
CHRIS H. SNYDER
GREGORY D. SODERSTROM
MARK J. SORAPURU
JONATHAN J. SORBET
BRETT D. SOWELL
MACKJAN H. SPENCER
CORBAN D. SPRAKER
JOSHUA L. STAHL
MICHAEL S. STARR
THOMAS R. STEMARIE
JULIAN D. STEPHENS
KATRINA C. STEPHENS
KELLEY C. STEVENS
JASON B. STINCHOMB
CHRISTOPHER M. STOPPEL
JOYCE R. STORM
DEREK S. STUART
BRIAN M. STUMPE
DIANE C. SULLIVAN
WILLIAM P. SURREY
BRIAN M. SWYT
RASHONE J. TATE
RALPH E. TAYLOR, JR.
JASON B. TERRY
SCOTT J. THOMPSON
KASANDRA T. TRAWEEK

JOHN H. TRAXLER
DEVIN S. TRAYNOR
HENRY H. TRIPLETT III
CONSTANTINE TSOUKATOS
JAMES A. TURNER
JOBIE S. TURNER
JOSEPH C. TURNHAM
DONALD G. VANDENBUSSCHE
CHRISTOPHER L. VANHOOF
ENRICO W. VENDITTI, JR.
SHANE S. VESELY
JEREMY S. VICKERS
JAMES T. VINSON
BRIAN D. VLAUN
GEORGE N. VOGEL
SCOTT W. WALKER
JAMES W. WALL
LAUREL V. WALSH
MICHAEL O. WALTERS
JAMES T. WANDMACHER
MICHAEL S. WARNER
TIFFANY J. WARKE
DALIAN WASHINGTON
DAVID S. WESTOVER, JR.
GREG D. WHITAKER
TARA E. WHITE
SCOTT M. WIEDERHOLT
DAMIAN O. WILBORNE
TIMOTHY W. WILCOX
BRANDON L. WILKERSON
CHRISTINA L. WILLARD
ADRIENNE L. WILLIAMS
DARIN C. WILLIAMS
PATRICK C. WILLIAMS
TREVOR L. WILLIAMS
RUSSELL S. WILLIFORD
DANIELLE L. WILLIS
DAVID J. WINEBRENER
MARK R. WISHER
JASON K. WOOD
JOSHUA T. WOOD
TODD A. WYDRA
GERALD T. YAP
BART P. YATES
MATTHEW W. YOCUM
SHAYNE R. YORTON
BRIAN G. YOUNG
CONSTANCE H. YOUNG
JAMES G. YOUNG
JEREMY P. ZADEL
JONATHAN E. ZALL
JAMES M. ZICK
DEBORAH L. P. ZUNIGA
RAY A. ZUNIGA

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

JOHN J. BOTTORFF

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

EUGENE L. THOMAS III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOHN T. BLEIGH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

JEFFREY D. BUCK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

MICHAEL W. PRECZEWSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C. SECTION 624:

To be lieutenant colonel

CANDY BOPARAI
LINCOLN F. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

CHARLES J. HASELEY
JASON T. RAMSPOTT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ALEXANDER M. WILLARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

CHRISTOPHER K. BERTHOLD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

PRESTON H. LEONARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

NICOLE E. USSERY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

MICHAEL D. BAKER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

BRIDGET V. KMETZ

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C. SECTION 624:

To be major

VEDNER BELLOT
JAMES ROBINSON, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C. SECTION 624:

To be colonel

ANGELA L. FUNARO
CHAD HACKLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

BRIAN R. HARKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JONATHAN L. BOURIAQUE
PETER M. DUBININ
HOWARD M. FIELDS
EPHRAIM GARCIA
GRAHAM C. HARBMAN
ANDREW R. HAREWOOD
WILLIAM T. HEISTERMAN
DAVID A. LANGER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

TIMOTHY L. BAER
GLENN H. FINCH
DOUGLAS V. HEDMAN
THEODORE J. MCGOVERN
JESSE S. STAUNTON
GERALD R. WHITE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

JAMES V. CRAWFORD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

MOHAMMED S. AZIZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

SETH C. LYDEM

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

CHRISTOPHER C. OSTBY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

CALVIN E. FISH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

AARON E. LANE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

DAMIEN BOFFARDI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

RANDY D. DORSEY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

BENJAMIN R. SMITH
STALIN R. SUBRAMANIAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MARK W. HOPKINS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

THOMAS R. MATELSKI
RAPHAEL B. MONTGOMERY
MATTHEW P. NEUMEYER
MICHAEL A. REYBURN
MICHAEL A. STINNETT
ERIC B. TOWNS
JOSHUA H. WALKER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MARK B. HOWELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JULIO COLONGONZALEZ

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JASON N. BULLOCK
RYAN C. CAGLE
GERALD A. NUNZIATO

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

CHRISTOPHER R. DESENA

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

JORGE R. BALARES, JR.
RAYMOND T. BALL, JR.
MATTHEW P. BENNETT
GEOFFREY S. BIEGEL
MATHEW J. BIRD
NICHOLAS B. BONA
DANIEL O. BRAUER
MICHAEL E. BUCK
ROBERT J. CAMPBELLMARTIN
ASHLEY H. CARLINE
TODD W. S. CARLSON
JEROD L. COLE
BETTINA J. CORY
JARRETT R. CROSSGROVE
ADAM J. DAMBRA
MICHAEL K. DELOACH
MATTHEW R. FELTON
DAVID W. FITZGERALD
JENNIFER S. FLEMING
RICHARD A. FRAENKEL
BRIAN M. GUDKNECHT
MORRIS E. HAMPTON

DANIEL R. HAWTHORNE
MICHAEL E. HEATHERLY
CHRISTOPHER M. HIRONAGA
JOSEPH C. INNERST
MARVIN L. JOSEPH
IAN G. KILPATRICK
MATTHEW R. KLEINE
SCOTT C. KNUITTON
CHARLES J. LASPE
SCOTT M. LESCENSKI
PRECIOUS S. W. MCQUADE
MATTHEW D. METZ
MATTHEW K. MILLS
JEREMIAH J. NELSON
SEAN R. NORTON
THOMAS A. NOWREY IV
WARD F. ODENWALD IV
CRAIG T. POTTHAST
THOMAS H. PRINSEN
JASON L. RICHESIN
SEAN L. ROCHA
MATHEW R. ROCKWELL
SARAH M. SMITH
MATTHEW L. SNYDER
CHRISTOPHER J. STEFENACK
BRIAN E. SULLIVAN, JR.
COLEMAN A. WARD
RYAN J. WORRELL
BRANDON M. ZOSS

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

MARY E. LINNELL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

SPENCER M. BURK
MICHAEL P. DOWNES II
MATTHEW H. LEE
JOSHUA L. LONG
DAVID A. NISSAN
JOSHUA R. OKWORI
INGRID A. PARRINGTON
TIFFANY L. PERRY
JEFFREY P. RADABAUGH
SCOTT L. SHIELDS
ANTEA C. SINGLETON
JENNY L. SMITH
RYAN P. SMITHERMAN
SAMUEL S. TRAVIS
BRIANNA S. WHITEMORE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

KIRK J. HIPPENSTEEL
CORY F. JANNEY
ARTHUR T. JOHNSON IV
NATHANIEL R. JONES
JOHN M. RUGGERO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

KENNETH L. DEMICK, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

EVITA M. SALLES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MICHAEL C. BRATLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JOHN P. H. RUE

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DANIEL E. ALGER, JR.
ANDREW D. BLACKWELL
RICH T. FARNSWORTH
YVES N. GEOFFREY
ADAM D. HARRISON
MICAH P. HUDSON
JAMES F. JACOBS
TROY M. MACDONALD
KYLE E. MATTOX
JOSEPH M. MAURO
COREY J. MECHE

JAMES P. PURTELL
OSCAR J. SANCHEZ
LYNN M. STOW
SARA E. SUNDBERG
MICHAEL A. SZAMPURCH
JESSICA M. WALL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ANIS A. ABUZEID
LEVI M. ADAM
JEREMIAH R. ADAMS
PAUL J. ADDINGTON
LUKE D. ADKINS
BRIDGET L. AJINGA
JONATHAN C. AJINGA
MICAH P. AKIN
CHAD D. ALLEN
JARROD D. ALLEN
NICHOLAS S. ALLEN
STACY M. ALLEN
LUTHER J. ALMAND IV
BRYON D. ALMEDA
JOHN P. ALSPACH
MATTHEW D. ALVIS
FRANK K. ANDERSON III
CHRISTOPHER J. ANDREWS
MABEL B. ANNUNZIATA
ANTHONY M. ANSLEY II
TYRONE G. ANUB, JR.
WILLIAM R. APPELEY
KENT W. ARNOLD
JACOB A. ASHBOLT
GEORGE J. AUBIN
JAY E. AUSTIN
ADAM J. AYRISS
COREY R. BAFFORD
MATTHEW P. BAGLEY
MADEHANIA BAHETA
PAUL G. BAILEY
DYLAN C. BAKER
PETER M. BALAWENDER
MICHAEL G. BALINSKY
NICHOLAS T. BALK
STEVEN M. BANCROFT
RYAN D. BANKHEAD
MARGARET T. BARIKBIN
MEHRDAD BARIKBIN
SEAN F. BARRETT
TYRONE A. BARRION
ZACHARY M. BASKARA
ANTOINE BATES
DAVID J. BAUMAN
CORY M. BAXTER
BRIAN R. BAYLEY
JOHN H. BEATTIE
NATHAN D. BEDLE
DAVID M. BEEHLER
ERIC A. BENJAMIN
PATRICK D. BERGMAN
ANDREW D. BERKELEY
MICHAEL D. BISHOFF, JR.
CLAIRISSA N. BLAIR
CAROLYN J. BLAKENEY
JONATHAN R. BLANKENSHIP
SCOTT C. BLYLEVEN
BENJAMIN M. BOERA
JONATHAN L. BOERSMA
RYAN M. BOLLES
MITCHELL E. BORLEY
JOSHUA M. BOSWORTH
BRANDON M. BOWMAN
CHASE A. BRADFORD
JONATHAN D. BRANDON
BRADLEY D. BRECHER
TROY D. BREITMAIER
MATTHEW I. BRIDE
MISTY N. BRIMM
TORREY C. BRISSETTE
CHRISTOPHER S. BROCK
JORDAN M. BROCK
JASON C. BROOKS
JUSTIN R. BROWN
MICHAEL S. BROWN
MATTHEW M. BROWNING
NICOLA BRUNETTILHACH
MICHAEL D. BRYANT
MANUEL A. BUENO
TIMOTHY D. BURCHETT
DANIEL J. BURTON
RICHARD F. BUSCH III
PATRICK C. BUTLER
GRANT W. CALLAHAN
SEAN M. CALLISON
JOHN E. CAMPBELL
KEVIN G. CANNING
JEFFREY T. CARLTON
NATHAN C. CARPENTER
JASON M. CARTER
TERRY A. CARTER, JR.
JEFFREY C. CASTIGLIONE
BENJAMIN L. CATHER IV
JOSEPH M. CHECK
KELVIN T. CHEW
RAUL L. CHIRIBOGA III
CHRISTOPHER M. CHISOM
JONATHAN A. CHRISANT
ANDREW R. CHRIST
ROBERT A. CHRISTIAN
ADAM G. CHRISTIANSON

GABRIEL I. CHRISTIANSON
 ASHLEY B. CHRISTMAN
 LORNE M. CHRISTOPHER
 JONATHAN A. CHUNN
 PETER M. CIASTON
 CHRISTOPHER A. CICHY
 PATRICK N. COFFMAN
 CHRISTOPHER G. COLE
 FRANK M. COLPO
 LUIS A. CONCEPCION
 SHERIDAN J. CONKLIN
 SHAWN P. CONNOR
 JOSHUA W. CONNORS
 DAVID R. COOGAN
 WILLIAM T. COX III
 ADAM B. CRAIG
 CANDICE D. CREECY
 WARREN Z. CRITTENDEN
 JOEL E. CROSKY
 STEVEN M. CROSS
 ADAM G. CUCCI
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 MICHAEL P. CULLEN
 MICHAEL D. CULLIGAN
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 JOHN B. CUMBIE
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 RONALD J. DAGENHART
 RODNEY D. DANIELS
 JEREMIAH J. DAVIS
 JUSTIN D. DAVIS
 STEPHEN T. DAVIS
 SHANEN E. DAWSON
 SEAN P. DAY
 ROBERT G. DEGEORGE
 LOUIS DELAIR III
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 DAVID DELVALLE
 ERIN K. DEMCHKO
 QUAY D. DEPRIEST
 ADAM R. DESY
 JOHN M. DEXTER
 DANIEL O. DIAZ
 LUIS D. DIAZ
 JOHN DICK
 JOSHUA S. DIDDAMS
 BRADLEY T. DIDUCA
 RANDY E. DIGGINS
 MARK J. DION
 ADAM T. DISNEY
 STEVEN A. DIXON
 DUSTIN J. DODGE
 KEVIN J. DOHERTY
 JOUSSEF J. DONADO
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 MICHAEL N. DOSS
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 STEPHEN L. DRAPER
 JOSEPH D. DREAGER
 MICHAEL L. DROZD
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 DENNIS A. DUNBAR
 AUSTIN M. DUNCAN
 NICHOLAS D. DUNN
 MATTHEW G. DUPRE
 DANIEL F. DYNYS
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 DENVER M. EDICK
 ALEJANDRO G. ELIZALDE
 KYLE V. ELLIS
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 NICHOLAS S. EMIG
 GORDON W. EMMANUEL
 TRENT T. ERICKSON
 JACOB B. ESKEW
 JAMES K. EVERETT
 MATTHEW C. FALLON
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 JONATHAN P. FARRAR
 JOSHUA E. FAUCETT
 RYAN C. FIELDING
 ZACHARY A. FINCH
 CHAD T. FITZGERALD
 PETER J. FLATEGRAFF
 LIAM E. FLEMMING
 GABRIEL A. FLORES
 PATRICK J. FLORES
 PADRAIG S. FLYNN
 JOSEPH A. FONTANETTA
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 DAVID A. FOWLER
 NATHAN S. FRAME
 CORY M. FREDERICK
 BRIAN V. FREDO
 JOSHUA D. FREEDMAN
 ROBERT J. FREITAS
 MICHAEL A. FRENCH
 MICHAEL C. FURR
 MICHAEL J. GAGNON
 PHILIPLOUI Y. GALLON
 MICHAEL E. GANGEMELLA, JR.
 LINDLEY J. GARCIA
 ROBERT R. GARCIA
 TIMMY J. GARCIA
 STANTON L. GARDENHIRE
 GILBERT C. GARLIT
 JASON J. GATES
 WADE R. GAUTHIER

JOHN M. GERLACH
 IAN L. GERMAN
 CASSANDRA M. GESECKI
 SAMUEL J. GILDNER
 JENNIFER F. GILES
 CASEY D. GILLIAM
 THOMAS R. GIRALDI
 JENNIFER L. GLADEM
 MICHAEL J. GOCKE
 JACOB R. GODBY
 MARK M. GOEBEL, JR.
 WILLIAM W. GOETZ
 MICHAEL D. GOLCHERT
 MICHAEL N. GOLIKE
 JOSEPH R. GOLL
 HUGO A. GONZALEZ, JR.
 RAMON D. GONZALEZ
 IVAN O. GOUDYREV
 CHRISTOPHER M. GOWGIEL
 ROQUE D. GRACIANI
 JASON D. GRAUL
 SAMANTHA A. GRAVES
 JUSTIN P. GRAY
 JOSH E. GREB
 TRAVIS C. GRELL
 BENJAMIN J. GRODI
 MICHAEL W. GUARD
 MITCHELL G. GUARD
 DANIEL R. GUTKNECHT
 JOSEPH P. HAAS
 LEE D. HAIGHT
 SCOTT C. HAMBLEY
 JEFFREY R. HAMILTON
 DAVID A. HANKLE
 CHARLES J. HANSEN
 WILLIAM E. HARLEY
 NATHAN T. HARMON
 DAVID M. HARRIS, JR.
 DAVID W. HARRIS
 MARK S. HARRIS
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 CHRISTOPHER N. HART
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 ZACHARY P. HARTNETT
 NICHOLAS C. HARWOOD
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 ZACHARIAS B. HORNBAKER
 DANIEL T. HOUGH
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 TOUSSAINT J. JACKSON
 BRYAN J. JADRO
 CALISCHARA JAMES
 JULIE E. JAMES
 JOHN S. JARRED
 CASEY B. JENKINS
 SCOTT C. JENNINGS
 DANIEL V. JERNIGAN
 DEVIN M. JEWELL
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 BETHANY R. KAUFFMAN
 JAMES J. KAVANAGH
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 TIMOTHY D. KEITHLEY
 BRANDON D. KELLY

DONALD P. KELLY
 PAUL B. KELLY
 PAUL R. KEMPF
 TYLER C. KESTERSON
 ANDREW P. KETTNER
 SUNDRI K. KHALSA
 REGAN R. KING
 JUSTIN R. KIRK
 SARA N. KIRSTEIN
 JESSE T. KNIGHT
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 SHAWN C. KOSS
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 JOSHUA D. MILLS
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 ANDREW W. O'DONNELL
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 DANIEL W. STELLER
 JONATHAN P. STEVENS
 EVERETT B. STEVENSON
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 KEVIN A. STOGRAN
 JOHN B. STRANGE, JR.
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 STEPHEN F. STRIEBY
 BRYAN J. TANNERHILL
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 JUSTIN M. TARICANI
 ALISSA L. TARSUK
 ANDRE O. TESTMAN II
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 ANDREW M. THOMAS
 JEREMY F. THOMAS
 NATHAN C. THOMAS
 REGINALD E. THOMAS III
 RYAN E. THOMAS
 ALAN D. THOMPSON
 CHASE F. THOMPSON
 CHRISTOPHER A. THRASHER
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 TYLER S. TIDWELL
 TREVOR J. TINGLE
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 TERRY O. TRAYLOR
 JASON R. TREECE
 PAUL C. TROWER
 DEVON R. TSCHIRLEY
 BENJAMIN D. TUCK
 WESLEY A. TUCKER
 JOHN R. TURLEY
 SHAINA M. TURLEY
 BRYAN L. TYE
 CLARK C. UNGER
 ADAM S. UNKLE
 CHRISTOPHER G. UST
 RICHARD J. VALKO
 ELENA N. VALLELY
 GERARD M. VANAMERONGEN
 ALEX V. VANMOERKERQUE
 DAVID P. VERHINE
 NICHOLAS B. VERTA
 HERIBERTO R. VEYRAN
 DAVID C. VIEW
 MICHAEL G. WADE
 PETER T. WADSWORTH
 GREGORY A. WAGNER
 ANDREW S. WALKER
 DANIEL C. WALKER

STEPHEN L. WALKER
 CHRISTOPHER A. WALLACE
 THOMAS R. WALLIN
 MICHAEL A. WALSH
 MICHAEL J. WALSH, JR.
 BRANDON M. WARD
 RAFIEL D. WARFIELD
 NATHANIEL E. WARTHEN
 ALISSON WEEKS
 JON W. WEEKS
 NATHAN M. WEINBERG
 AARON M. WELLMAN
 MATTHEW B. WENDLER
 DANIEL C. WHEELER
 STUART E. WHEELER
 JUSTINE L. WHIPPLE
 TERRY L. WHITAKER, JR.
 MACKENZIE J. WHITE
 LEAR H. WILLIAMS
 WILLIAM G. WILLIAMSON, JR.
 WILLIAM M. WILLIS
 LAMONT D. WILSON
 RICHARD K. WISE
 STANLEY C. WISNEWSKI III
 GREGORY A. WOLF
 ERIC P. WOLFE
 SEAN M. WOLTERMAN
 SARA L. WOOD
 SCOTT R. WOOD
 ZACH L. WORTH III
 OWEN J. WRABEL
 GARRETT E. WRIGHT
 WILLIAM M. WRIGHT
 JEFFERY D. WUNDER
 SAMUEL I. WUORNOS
 ADAM S. YOUNG
 ADAM T. YOUNG
 KARL R. YOUNG
 JOHN M. YUNKER, JR.
 DANIEL M. YURKOVICH
 HOLLY M. ZABINSKI
 THOMAS A. ZACKARY, JR.
 KEVIN S. ZAFFINO
 STEVEN C. ZALEWSKI
 JONATHAN W. ZARLING
 SAMUEL F. ZASADNY
 PAUL M. ZEBB III
 EUGENE V. ZIEMBA III
 JONATHAN A. ZIER
 MATTHEW J. ZIMNIEWICZ
 CRAIG A. ZOELLNER

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S. C., SECTION 624:

To be lieutenant colonel

DANIEL W. ANNUNZIATA
 LEAH R. PARROTT

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S. C., SECTION 624:

To be lieutenant colonel

JAMES R. REUSSE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOSE M. ACEVEDO
 DAVID AHN
 CHRISTOPHER P. ALLAIN
 TIMOTHY D. ANDERLONIS
 CHRISTOPHER E. ANNUNZIATA
 MICHAEL ANTHONY, JR.
 ZACHARIAH E. ANTHONY
 JOEL R. ARCHIBALD
 JUSTIN M. ARGENTIERI
 JOSEPH A. ATKINSON
 ROBERT E. BACZKOWSKI, JR.
 NATHANIEL A. BAKER
 PETER Y. BAN
 JAMES H. BANTON, JR.
 RICHARD S. BARCLAY
 DONALD J. BARNES
 RYAN D. BARNES
 DANIEL M. BARTOS
 JOSHUA R. BATES
 JOHN R. BEAL
 ZEB B. BEASLEY II
 SCOTT M. BENNINGHOFF
 RYAN P. BENSON
 NEIL R. BERRY
 BART A. BETIK
 PAUL B. BISULCA
 ADAM W. BLANTON
 CHRISTOPHER G. BLOSSER
 TIMOTHY F. BRADY, JR.
 MARK P. BRAITHWAITE
 BRIAN J. BRAUER
 KEITH C. BRENIZE
 KYLE A. BUCHINA
 ROBERT S. BUNN
 CHRISTOPHER M. BURNETT
 STANLEY P. CALIXTE
 GEORGE D. CAMIA
 IAN S. CAMPBELL
 MICHAEL CARLSON

MICHAEL J. CARROLL
 MICHAEL R. CASSIDY
 JOSHUA E. CAVAN
 BOLO S. CAVANH
 GREER C. CHAMBLESS
 MICHAEL K. CHANKIJ
 DAVID P. CHEEK
 TOM CHHABRA
 ALAN J. CLARKE
 ROSA A. CLARKE
 MATTHEW B. CLINGER
 DOUGLAS J. COBB, JR.
 KEVIN T. CONLON
 CHRISTOPHER S. CONNER
 NEIL A. CORDES
 TIMOTHY F. COSTELLO
 WILFREDO CRAVE, JR.
 WALTER D. CROMER, JR.
 SAMUEL C. CUNNINGHAM
 SCOTT A. CUOMO
 JEFFREY S. CURTIS
 MATTHEW T. DAIGNEAULT
 JOSEPH P. DAMICO
 BRIAN R. DAVIS
 EVAN A. DAY
 LANCE C. DAY
 JEREMY R. DELBOS
 CHRISTOPHER D. DELLOW
 KENNETH J. DELMAZO
 DAVID R. DENIAL
 CHRISTIAN T. DEVINE
 NATHANIEL P. DOHERTY
 JAMES P. DOLLARD
 BRIAN C. DONNELLY
 DANIEL M. DOWD
 MATTHEW S. DOWNS
 JAMES P. DOYLE
 ROY M. DRAA
 SHARON L. DUBOW
 DUANE A. DURANT
 GARRETT C. EBEBY
 SHANE A. EDWARDS
 ANDREW J. ERICKSON
 RICCO A. ESPINOZA
 LUKE T. ESPOSITO
 MELVIN K. EURING
 TERRY R. EVANS
 BENJAMIN D. EVERETT
 DOMINIC I. EWERS
 STEVEN M. FAYED
 RAYMOND P. FELTHAM
 MARK R. FENWICK
 MARK A. FERGUSON
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 MORINA D. FOSTER
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 DANIEL R. GOHLKE
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 JASON E. HERNANDEZ
 ROBERT E. HERRMANN
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 GEOFFREY M. HOLLOPETER
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 JOHN K. HOOD
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 CHRISTOPHER R. HORTON
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 DAVID W. HUGHES
 JOHN M. HUNT
 SEAN M. HURLEY
 MICHAEL W. HUTCHINGS
 CALEB HYATT

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 LUKE J. JACOBS
 WILLIAM T. JACOBS
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 CHRISTOPHER I. JOHNSON
 JASON R. JONES
 JOHN D. JORDAN
 MICHAEL D. KANUK
 ANDREW W. KELEMEN
 ANDREW W. KELLNER
 JOHN F. KELLY
 THOMAS W. KERSHUL
 JOHN S. KINTZ
 CHRISTOPHER T. KOCAB
 TY B. KOPKE
 DOUGLAS P. KRUGMAN
 JI Y. KWON
 LERON E. LANE
 JARED A. LAURIN
 AARON D. LENZ
 SARAH B. LENZ
 WARREN LEONG
 WILLIAM B. LEWIS
 MICHAEL D. LIBRETTO
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 DANIEL C. MCBRIDE
 ADAM C. MCCULLY
 CHRISTOPHER C. MCDONALD II
 ROBB T. MCDONALD
 WILSON R. MCGRAW
 DANIEL P. MCGUIRE
 MICHAEL D. MCGURREN
 MATTHEW T. MCSORLEY
 MADELINE M. MELENDEZ
 SEAN M. MELLON
 ROBERT D. MERRILL, JR.
 DAVID A. MERRITT
 ROBYN E. MESTEMACHER
 JAMES R. MEYER
 MICHAEL T. MEYER
 MATTHEW T. MILBURN
 ERICK MIN
 ROY L. MINER
 TONY M. MITCHELL
 MICHAEL V. MONETTE
 SCOTT J. MONTGOMERY
 RICARDO R. MORENO
 KATE L. MURRAY
 DAVID S. NASCA
 CHARLES D. NICOL, JR.
 JOSE A. NICOLAS
 CHRIS P. NIEDZIOCHA
 MARK A. NOBLE
 ANDREW J. NORRIS
 KYLE M. NUNEMACHER
 DAVID A. ODELL
 ERIC M. OLSON
 BRIAN J. OSHEA
 CHARLES E. PARKER, JR.
 DANIEL L. PARROTT, JR.
 JIEMAR A. PATACIL
 JEFFREY B. PATTAY
 TRAVIS L. PATTERSON
 IAIN D. PEDDEN
 JAMES L. PELLAND
 BRADY P. PETRILLO
 BRADLEY A. PIERCE
 LAWRENCE V. PION III
 NICHOLAS M. POMARO
 JACOB D. PORTARO
 DEREK A. POTEET
 JOHN V. PRICEVANCELEVE
 AMY E. PUNZEL
 CARL J. PUNZEL
 ANTHONY J. RAYOME
 WADE C. REAVES
 FOREST J. REES III
 JACOB S. REEVES
 JAMES B. REID
 JEFFREY M. ROBB
 RICHARD H. ROBINSON III
 JAYMES E. ROEDL
 JOHN J. ROMA
 JAMES T. ROSE
 DANIEL H. ROSENBERG
 MICHAEL H. ROUNTREE, JR.
 IAN H. ROWE
 KEVIN M. RYAN
 MATEO E. SALAS
 RUDY G. SALLCIDO
 MARK D. SAMEIT
 GREGORY A. SAND II
 ERIC A. SANDBERG
 THOMAS W. SAVAGE
 RUSSELL W. SAVATT IV
 JASON S. SCHERMERHORN
 MATTHEW P. SCHROER
 MATTHEW T. SCOTT
 TIMOTHY J. SCOTT
 CHRISTOPHER R. SEIGH

PATRICK J. SEIPEL
 PETRA L. SEIPEL
 ARNOLD B. SELVIDGE
 RYAN C. SHAFFER
 PATRICK J. SISE
 ERIC J. SJOBERG
 MICHAEL F. SMITH
 CRAIG R. SNOW
 DAVID J. SON
 TEMITOPE O. SONGONUGA
 AMMIN K. SPENCER
 PATRICK S. SPENCER
 LESLIE M. STANSBERRY
 KRISTOFOR W. STARK
 WALTER SUAREZ
 NATHAN E. SWIFT
 ROBERT J. TART
 ROBERT L. TAYLOR, JR.
 DANIEL W. THOMPSON
 STEVEN R. THOMPSON
 JAMES D. THORNBURG, JR.
 MEREDITH E. TOBIN
 GORDON L. TOPPER
 JAMES S. TOPPING
 ANGEL M. TORRES
 PABLO J. TORRES
 THOMAS N. TRIMBLE
 NATALIE M. TROGUS
 RUSSELL A. TUTEN
 JACOB C. URBAN
 MATTHEW A. VANECHO
 JORDAN W. VANNATTER
 BLAKE E. VEATH
 CHRISTIAN R. VELASCO
 JACOB P. VENEMA
 ROBERT S. VUOLO
 NICHOLAS D. WALDRON
 EARLIE H. WALKER, JR.
 MARC T. WALKER
 KEVIN C. WALSH
 WILLIAM T. WALSH
 ROBIN J. WALTHER
 NICHOLAS G. WEBB
 SCOTT D. WELBORN
 JOSHUA O. WHAMOND
 TREVOR A. WILK
 ERIC L. WILKERSON
 RICHARD T. WILKERSON
 PATRICK S. WILLIAMS
 JOSEPH M. WILLS
 CARLTON A. WILSON
 ADAM J. WINSLOW
 ROBERT D. WOLFE
 MATTHEW D. WOODS
 ADAM J. WORKMAN
 GENE C. WYNNE
 FRANCISCO X. ZAVALA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

HENRY CENTENO, JR.
 CARL W. MILLER III
 DAVID E. MOORE
 JAMES L. SHELTON, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

RICHARD K. O'BRIEN

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MICHAEL J. ALLEN
 NOEMI APONTE
 DONALD E. CHARBONEAU
 DALE M. DANIKEN
 JARED M. ELLIS
 DARREN R. FLINT
 CHRISTOPHER T. HAMBRICK

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JEREMY T. FLANNERY
 JUSTIN P. GIBSON
 DOUGLAS A. MAYORGA
 MICHAEL S. MCMILLAN
 MARK L. OLDROYD

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JOSEPH W. HOCKETT

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

FRANCISCO D. AMAYA

JAMIE L. ARNOLD
TYSON E. PETERS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MICHAEL M. DODD
GEORGE H. FORBES III
RAYMOND M. HUNT III
DANIEL G. LAWRENCE
DAVID J. LEONARD, JR.
SEAN A. PAIGE
ROBERT E. ROBERTS III
ROBERT J. SNODDY

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DAVID S. GERSEN

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JOHN W. GLINSKY

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

KEITH A. STEVENSON

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

QUENTIN R. CARRITT
WILLIAM C. COX II
JAMES S. DAVIS, JR.
BRIAN D. POTTS
ERIC A. SHARPE

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ANTHONY P. GREEN
RAYMOND W. HOWARD
SEAN M. MELANPHY
RAYMOND J. MITCHELL
PERRY L. SMITH, JR.
MICHAEL A. YOUNG

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JASON G. LACIS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

STUART M. BARKER

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

KEVIN J. GOODWIN

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

RICHARD CANEDO
JOSEPH M. FLYNN
MATTHEW C. FRAZIER
DAVID L. OGDEN, JR.

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOHN E. SIMPSON III

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

SEAN T. HAYS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

LUKE A. CROUSON
JASON C. FLORES

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ARLINGTON A. FINCH, JR.
KEVIN M. TSCHERCH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

STEPHEN J. ACOSTA
KARL R. ARBOGAST
BRANDEN G. BAILEY
ROBERT O. BAILEY
WILLIAM J. BARTOLOMEA
SHAWN M. BASCO
WILLIAM E. BLANCHARD
ROBERT B. BRODIE
NGAIO I. BROWN
MICHAEL S. CASTELLANO
ROBERT T. CASTRO
FRANCIS K. CHAWK III
KEVIN E. CLARK
CRAIG C. CLEMANS
KEVIN G. COLLINS
AARON M. CUNNINGHAM
ALISON L. DALY
EDWARD J. DANIELSON
GEORGE J. DAVID
EDWARD J. DEBISH
DOUGLAS S. DEWOLFE
JUSTIN S. DUNNE
DAVID R. EVERLY
ROBERT B. FANNING
SEAN B. FILSON
ROBERT B. FINNERAN
KELVIN W. GALLMAN
ERIC GARCIA
BRUCE D. GORDON
CHRISTEON C. GRIFFIN
DARRY W. GROSSNICKLE
HOWARD F. HALL
TREVOR HALL
BRADLEY J. HARMS
BRENDON G. HARPER
TIFFANY N. HARRIS
RICHARD HAWKINS
EDWARD J. HEALEY, JR.
MANLEE J. HERRINGTON
KEVIN H. HUTCHISON
GILBERT D. JUAREZ
JASON W. JULIAN
JESSE A. KEMP
ROBERT M. KUDELKO, JR.
JON M. LAUDER
DOUGLAS LEMOTT, JR.
JOHN C. LEWIS
JOHN J. LYNCH II
ERIC C. MALINOWSKI
RICHARD E. MARIGLIANO
PATRICK W. MCCUEN
JAMES A. MCCLAUGHLIN
ROBERT T. MEADE
PAUL M. MELCHIOR
GORDON D. MILLER
NATHAN M. MILLER
ROSS A. MONTA
COBY M. MORAN
MATTHEW T. MORRISSEY
KEVIN F. MURRAY
MATTHEW R. NATION
MATTHEW J. PALMA
KEITH A. PARRELLA
BREVEN C. PARSONS
JEFFREY M. PAVELKO
JASON S. PERRY
GREGORY T. POLAND
KATHERINE I. POLEVITZKY
ANDREW T. PRIDDY
STEPHEN PRITCHARD
MICHAEL P. QUINTO
CHARLES A. REDDEN
GARY R. REIDENBACH
MICHAEL D. REILLY
RALPH J. RIZZO, JR.
MATTHEW B. ROBBINS
CESAR RODRIGUEZ
WILLIAM H. ROTHERMEL
JAMES A. RYANS II
MATTHEW R. SALE
ROBERT W. SHERWOOD
CHARLES E. SMITH
JOHN W. SPAID
DAMIAN L. SPOONER
DAVID M. STEELE
KYLE M. STODDARD
STACEY L. TAYLOR
JOON H. UM
MARK E. VANSKIKE
JORDAN D. WALZER

ANDREW R. WINTHROP
ROBERT L. WISER
DANIEL J. WITTNAM
THOMAS D. WOOD
DONALD R. WRIGHT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOSHUA P. BAHR
MARC R. DAIGLER
JOHN P. KEARNS
DUY T. PHAM
ALAN J. SOLIS
PAMELA N. UNGER
JANHENDRIK C. ZURLIPPE

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JOHN T. BROWN, JR.
CHRISTOPHER M. BURRIS
JULIUS G. JONES

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ELI J. BRESSLER
JONATHAN R. CAPE
CHRISTOPHER L. HARDIN
JAMES R. STRAND

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CHADWICK W. ARDIS
JAMES A. MARTIN
JOHN M. MERRITT
AARON B. STOKES
JOHN P. VALDEZ
BRAD J. WILDE

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DUANE A. GUMBS

CONFIRMATION

Executive nomination confirmed by the Senate April 04, 2017:

DEPARTMENT OF HOMELAND SECURITY

ELAINE C. DUKE, OF VIRGINIA, TO BE DEPUTY SECRETARY OF HOMELAND SECURITY.

EXECUTIVE CALENDAR—Continued

Mr. MERKLEY. Let's turn to Planned Parenthood Association of Utah v. Herbert. In August of 2015, Gary Herbert, Utah's Republican Governor, ordered the State to strip \$272,000 in Federal funding from the Planned Parenthood Association of Utah in response to a series of highly edited videos that alleged that Planned Parenthood clinics were selling fetal tissue, even though Utah's clinics were not in the video then.

By the way, those videos had been found to be completely doctored, completely inaccurate, completely misleading. But despite the fact that the videos were not authentic and despite the fact that they didn't have any bearing in Utah, Governor Herbert stood by his ruling to carve out and take away funding from Planned Parenthood. So Utah's Planned Parenthood Association filed for a restraining order against the State, saying that the State was not acting justly, so they

asked the Court to protect them from unjust action.

In spite of his continued claim that stripping the funding was not to punish the organization for its stance on abortion but in response to the videos—the doctored, inauthentic, discredited videos—the Governor eventually admitted, while responding to Planned Parenthood's motion for a preliminary injunction, that defense of the videos involved different affiliates—not the ones in Utah—that there was not even an accusation that Planned Parenthood in Utah had broken the law—not even an accusation. The organization didn't participate in programs that provided fetal tissue for research, so it was completely disconnected from the operation of Planned Parenthood in that State.

The background of this is that medical institutions have utilized fetal tissue and there have been charges related to the preparation of that tissue. We could have a whole debate, and we should bring in the medical professionals to understand the details. But in this case, it is irrelevant to have that debate because Planned Parenthood in Utah wasn't part of the fetal tissue research organization. So we don't have to argue over whether fees they have charged for repairing the tissue were fair or unfair because they didn't repair anything. This was all about something else, which was the Governor's decision to launch an attack on Planned Parenthood, punish Planned Parenthood for its constitutionally protected advocacy.

This issue is one which I am sure we will be talking about for years to come. But in the context of the law, a three-judge panel of the Tenth Circuit granted a preliminary injunction on Planned Parenthood, concluding that Utah's Planned Parenthood was operating lawfully and that the Governor's personal opposition to abortion as a motivation for blocking Federal funds and targeting the health organization did violate its constitutional rights.

So when this was decided, neither Planned Parenthood nor the State of Utah sought to have the Tenth Circuit rehear the case en banc, which means all the judges that serve on the Tenth Circuit. So you had a three-judge panel that made a decision. Neither side of the case—they were like, OK, we are done with this. We are done with this. The practice wasn't even relevant to the association in Utah, not just because the videos were from different States, not just because the videos were doctored and basically illegitimate, but also because they were about a fetal research program that the organization in Utah didn't participate in.

So from every possible direction, both sides said: Peace. The judge has ruled, and we understand why. We accept their ruling. But did Judge

Gorsuch accept the ruling? No. He dissented from the court's denial and wanted to grant an en banc review, not at the behest of any litigant, just that Judge Gorsuch didn't like the outcome of the case and wanted to have a full panel in hopes of getting the decision that would defer to Governor Herbert, who wasn't seeking any review because he wanted to strip the organization's funding, even though the organization had done nothing wrong and didn't participate in the program at all. In other words, Judge Gorsuch was willing to ignore court practice and custom and a whole set of facts that showed that the whole decision the Governor made was on the wrong basis—wrong basis on the facts because the videos were doctored, wrong basis on the facts because it wasn't even about the State of Utah, wrong basis on the facts because Planned Parenthood of Utah didn't participate in this research program—wrong on every level.

But Judge Gorsuch wanted to ensure that he could show a case backing Utah's Republican Governor that eliminated funding for Planned Parenthood. That is judicial activism. That is rewriting the law. That is not a judge; that is a legislator. A person who wants to rewrite the law in the frozen trucker case, a person who wants to rewrite the law in the autistic child case, a person who wants to rewrite the law in the Planned Parenthood case should run for office and legislate, not use the courts as your personal strategy for judicial activism; that is, to rewrite the law, the opposite of what the law says.

In the majority's opinion, Judge Mary Briscoe wrote separately to highlight the troubling nature of Gorsuch's dissent. She noted first how “unusual” and “extraordinary”—those are words that she put in—it would be for the Tenth Circuit, on its own motion, to order an en banc review when neither party to a litigation sought such a review. And then she went on, and what did she say about Judge Gorsuch's proposal? She said he “mischaracterized this litigation and the panel decision at several turns.”

Politics should be in this room, not taking your politics and trying to change the law through judicial activism on the court by turning the law upside down and saying it means X when it clearly states Y.

An unidentified judge—we are not sure who—requested that judges be polled. Again, that would be an unusual situation, apparently, in this context. Another judge in the majority pointed out that none of the parties asked for a hearing within the time permitted, and there was no justification for polling the court on that question at all.

These types of cases give you a sense of how Neil Gorsuch has used his judicial position to rewrite laws. The law says protect the trucker. If the trucker

is seeking to pursue safety, he says don't protect the trucker. The law says provide the disabled child with an appropriate education; Neil Gorsuch says no appropriate education is required.

The court says that Planned Parenthood's rights were violated because they were singled out. That is not equality before the law, a very important principle in American jurisprudence. Neither side contested the outcome. It was kind of like, yes, OK, the court got it right. Judge Gorsuch wanted to contest it so he could strip Planned Parenthood of funding on a basis that the Court found to be unconstitutional. That is yet another reason that this hearing, this review of the judge be set aside.

You have these three fundamental reasons. First, for the first time in our history, the seat has been stolen from one Presidency and delivered to another in a strategy to pack the Court, causing tremendous damage to the institution, as well as tremendous damage to this institution, because it involved not exercising our advice and consent responsibility.

By the way, one may wonder, why didn't the majority, rather than stealing the seat, putting it in a time capsule and fast-forwarding it into the next administration in hopes of packing the Court—why didn't they just bring Judge Garland up and vote him down? The Senate has acted to not confirm in roughly a quarter of the nominations that have come forward to us for the Supreme Court. In those election year cases that I put up earlier, the Senate acted in all 15 of the cases that preceded the death of Antonin Scalia, but they didn't confirm in every case; they turned several of them down. They tabled a couple of them. They defeated a motion to proceed in another. But the Senate always acted.

Why didn't the majority honor the responsibility under the law for the Senate to do advice and consent, when there was plenty of time to do so, when the entire tradition of the Senate had been to always do so, when the written responsibility under the Constitution was to do so? So why not just bring up the judge and defeat him?

The answer is in the quotation that I read earlier from my colleague from Utah, who anticipated that if only the President would nominate somebody like Merrick Garland, it would be a great thing, and we would see a quick confirmation. Merrick Garland was that acceptable. He was that down the middle. He was without the kinds of issues that raised concerns. That was Merrick Garland.

So the majority said: We can't have a debate on him because the Senate will approve him, because he is that qualified. He will get that bipartisan support.

That is the principle of the filibuster; that is, that you don't close debate unless 60 Members say you close debate.

So if 41 say we are not ready for whatever reason, you keep debating. That sends a strong message for Presidents to do what President Obama did. He consulted with the Democrats; he consulted with the Republicans and chose somebody who would be acceptable to both sides. That is the way it is supposed to work. And when a President ignores that and says: I am going to support somebody from the extremes, I am going to nominate somebody from the extremes, that is an invitation for the Senate to say no. The reputation, the legitimacy of the Court matters, so we are not going to approve this judge.

That is probably what is going to happen this week. The majority here in the Senate may say they want to close debate, but will they have a supermajority, a bipartisan majority? No. A few Senators perhaps, but they will not have those 60 votes.

Obama's judges met the 60-vote standard—both of them that they put forward before the third vacancy—and nobody filed a motion to close debate. There wasn't a vote on a motion to close debate. And why was that? Because everyone knew that they would have 60 votes to close debate. So, still, even out of the context of having had a cloture vote, you have the 60-vote standard there guiding the President and guiding the selection of the nominees.

We should not go back in time to a world in which the copper barons ruled Montana, not back to a time where the railroads and the oil companies called all the shots. We need to recognize that we have come a long way in terms of fulfilling the constitutional vision that our Founders set out—this vision of equality under the law, this vision of the pursuit of justice. But with the recent decisions of the 5-to-4 Court, we have gone backward. We have gone backward by allowing gerrymandering, by allowing voter suppression, by striking down the Voting Rights Act, and, most importantly, we have gone backward by allowing this vast infusion of dark money from the very few to drive election results.

I have been sharing the many reasons this debate should be suspended: One, because the seat was stolen; two, because there is an enormous cloud over the legitimacy of the President, and there are investigations under way, and we need to get to the bottom of it before a life-tenured position is filled by this President; and, three, a judge who repeatedly has engaged in rewriting the law to find for the powerful over the people, even when the law was very clear—even to the point that the entire Supreme Court overturned him on his effort to say doing merely more than nothing is acceptable under a law that says you must provide an appropriate education.

But here is one more thing. Breaking news: A POLITICO report has just

come out which says that Judge Gorsuch committed plagiarism in a book and in an academic article. Well, that is news I had not heard, so I will read the article, and we can all learn about it at the same time.

This is a report from POLITICO entitled, "Gorsuch's writings borrow from other authors." It came out at 11:19, which would put it an hour ago. Since I am here and since we are talking about Gorsuch, it is probably appropriate to share this breaking news with you.

Supreme Court nominee Neil Gorsuch copied the structure and language used by several authors and failed to cite source material in his book and an academic article, according to documents provided to POLITICO.

The documents show that several passages from the tenth chapter of his 2006 book, "The Future of Assisted Suicide and Euthanasia," read nearly verbatim to a 1984 article in the *Indiana Law Journal*. In several other instances in that book and an academic article published in 2000, Gorsuch borrowed from the ideas, quotes, and structures of scholarly and legal works without citing them.

The findings come as Republicans are on the brink of changing Senate rules to confirm Gorsuch over the vehement objections of Democrats. The documents could raise questions about the rigor of Gorsuch's scholarship, which Republicans have portrayed during the confirmation process as unimpeachable.

The White House on Tuesday pushed back against any suggestion of impropriety.

Here is what the White House said:

"This false attack has been strongly refuted by highly-regarded academic experts, including those who reviewed, professionally examined, and edited Judge Gorsuch's scholarly writings, and even the author of the main piece cited in the false attack," said White House spokesman Steven Cheung. "There is only one explanation for this baseless, last-second smear of Judge Gorsuch: Those desperate to justify the unprecedented filibuster of a well-qualified and mainstream nominee to the Supreme Court."

That was the comment from the White House. I must do a little bit of editorializing here. Having a lengthy debate on a judge is not unprecedented at all. What is unprecedented is, for the first time in U.S. history, the majority leader filed a petition to close debate on the first day of debate. That motion under our rules means, in 2 days, we will have a vote to close debate. That is what is unprecedented and never before done in U.S. history. Quite frankly, when the White House says "mainstream nominee," the analysis by the *Washington Post* didn't find him to be a mainstream nominee. You can call him that, but read his opinions; read his judicial activism; find how he rewrote the law so that it means the case comes out the opposite of the way the law is written. See how that happened in the frozen trucker case. See how that happened in the autistic child case. See how that happened in his pursuit of the assault on Planned Parenthood, when everyone agreed there was a fair outcome and no one was appeal-

ing the outcome, except Judge Gorsuch.

If we are going to talk about a filibuster and we want to think about it in the longer sense, we aren't even allowed to continue talking to keep this from being considered because the majority leader filed a petition to close debate, so we have to have a vote on it. But last year, for 290-plus days, the Republicans completely filibustered Merrick Garland. If we are talking about the core heart of the meaning of filibuster—piracy, freebooting piracy to take over the system—that is what they did last year. They wouldn't allow even a committee hearing or a vote also for the first time in U.S. history. That is piracy. That is a violation of our responsibility. So the White House certainly got some of this completely wrong.

The article goes on—after having cited the White House opinion that this was an unfair attack—saying:

However, six experts on academic integrity contacted independently by POLITICO differed in their assessment of what Gorsuch did, ranging from calling it a clear impropriety to mere sloppiness.

"Each of the individual incidents constitutes a violation of academic ethics. I've never seen a college plagiarism code that this would not be in violation of," said Rebecca Moore, a Syracuse University professor who has written extensively on the issue.

Elizabeth Berenguer, an associate professor of law at Campbell Law School, said that under legal or academic standards Gorsuch's similarities to the *Indiana Law Journal* would be investigated "as a potential violation of our plagiarism policy. It's similar enough to the original work."

She continued:

"I would apply an academic writing standard," said Berenguer, who teaches plagiarism and legal writing. "Even if it were a legal opinion, it would be plagiarism under either."

The White House provided statements from more than a half-dozen scholars who have worked with Gorsuch or helped oversee the dissertation he wrote at Oxford University that was later turned into his book. They included John Finnis, professor emeritus at Oxford; John Keown of Georgetown University, one of the outside supervisors for Gorsuch's dissertation; and Robert George of Princeton University, the general editor for Gorsuch's book publisher.

The experts offered by the White House asserted that the criteria for citing work in dissertations on legal philosophy is different than for other types of academia or journalism: While Gorsuch may have borrowed language or facts from others without attribution, they said, he did not misappropriate ideas or arguments.

"Judge Gorsuch did not attempt to steal other people's intellectual property or pass off ideas or arguments taken from other writers as his own," said George. "In no case did he seek credit for insights or analysis that had been purloined. In short, not only is there no fire, there isn't even smoke."

The article continues:

The examples at issue make up a small fraction of published works by Gorsuch, which includes hundreds of legal opinions,

academic articles, news articles and his book. *POLITICO* did not conduct a full examination of the federal judge's writings.

Yet a review of the documents provided to *POLITICO* shows Gorsuch parroting other writers' prose and sourcing without citing them. Instead, Gorsuch often acknowledges the primary sources cited by those writers.

In the most striking example, Gorsuch, in his book, appears to duplicate sentences from an Indiana Law Journal article written by Abigail Lawlis Kuzma without attributing her. Instead, he uses the same sources that Kuzma used: A 1982 Indiana court ruling that was later sealed, a well-known pediatrics textbook, "Rudolph's Pediatrics," and a 1983 article in the *Bloomington Sunday Herald*.

At one point, Gorsuch's prose mimics Kuzma's almost word for word in describing a child born with Down syndrome.

Kuzma stated that—

Some medical terms here that I won't get right—

"Esophageal atresia with tracheoesophageal fistula indicates that the esophageal passage from the mouth to the stomach ends in a pouch, with an abnormal connection between the trachea and the esophagus."

Did everybody follow that?

Gorsuch wrote that "Esophageal atresia with tracheoesophageal fistula means that the esophageal passage from the mouth to the stomach ends in a pouch, with an abnormal connection between the trachea and esophagus."

That is pretty close to word for word.

Gorsuch also used similar language as Kuzma in describing "Baby Doe's" first days.

"Shortly after Baby Doe was born, a hearing was held at Bloomington Hospital to determine whether the parents had the right to refuse the surgery on behalf of their child. An attorney was present at the hearing to represent the parents, though no one was present to represent Baby Doe's potentially adverse interests. Six physicians attended, three of whom had obstetric privileges and three of whom had pediatric privileges at Bloomington Hospital," Gorsuch wrote.

Kuzma, the predecessor from which it is being argued that he has taken this virtually word for word, wrote:

"Approximately twenty-six hours after Infant Doe was born, a hearing was held at Bloomington Hospital to determine whether the parents had the right to choose a course of treatment for their child that consisted of allowing the child to die. An attorney was present at the hearing to represent the child's parents. No attorney was present to represent Infant Doe's interests. Six physicians attended the hearing, three of whom had obstetric privileges and three of whom had pediatric privileges at Bloomington Hospital."

I believe that last sentence was virtually word for word copied from what Kuzma wrote.

Kuzma, a one-time aide to former Sen. Dick Lugar (R-Ind.), did not respond to an inquiry from *POLITICO*, but released a statement through Gorsuch's team. Kuzma said she does "not see an issue here, even though the language is similar."

"These passages are factual, not analytical in nature," Kuzma, now a deputy attorney general in Indiana, said. "It would have been awkward and difficult for Judge Gorsuch to have used different language."

But a 1983 *Notre Dame Law Review* article addressing the same case did, in fact, use different, plainer language to describe the issue than Kuzma or Gorsuch did. Author John M. Maciejczyk wrote that the "infant needed surgery to correct a blocked esophagus."

In several other examples provided to *POLITICO*, Gorsuch follows the fact patterns and sourcing without acknowledging them.

This article goes on for another several pages. I guess we have the time to share it in its entirety. But let's not lose the fundamental point at the start of the article; that is, the title, "Gorsuch's writings borrow from other authors," and an introductory comment here:

Supreme Court nominee Neil Gorsuch copied the structure and language used by several authors and failed to cite source material in his book and an academic article, according to documents provided to *POLITICO*.

To continue and to share the full text here, the article continues, providing more details. Tomorrow many people will be going through these because this is information that just came out an hour ago. It makes you wonder, is the reason that we had a first-ever motion to close debate on the first day of debate—the first time in U.S. history this happened—because there is information that people are aware of, and they want to get this nomination vote concluded before this information becomes public? Is that why we are violating all the constitutional norms here? Well, I hadn't thought of that possibility until this article was put in my hands a few moments ago.

The article continues:

In several other examples provided to *POLITICO*, Gorsuch follows the fact patterns in sourcing of other writers without acknowledging them.

In describing euthanasia activist Derek Humphrey, Gorsuch's book tracks closely with the 2003 book titled "A Merciful End: The Euthanasia Movement in Modern America," by Ian Dowbiggin.

"In 1989 Humphrey left his second wife, Ann Wickett, soon after she had undergone surgery for breast cancer. During the divorce, Wickett alleged that when Humphrey purported to help her mother commit suicide, the resulting death was not fully consensual," Gorsuch wrote.

Dowbiggin wrote—

In a parallel phrasing that preceded Gorsuch's writing—

"In 1989 he left his second wife, Ann Wickett, shortly after she had undergone surgery for breast cancer. Their subsequent divorce was made messier by Wickett's allegations that her mother had not died willingly when Humphrey had participated in the suicide of her own parent," Dowbiggin wrote.

Gorsuch did not include an attribution to Dowbiggin in the passage at issue, though he did cite the author at numerous other points in the book. Dowbiggin listed his sources as "Deadly Compassion: The Death of Ann Humphrey and The Truth About Euthanasia," by Rita Marker, and "Last Rites: The Struggle Over the Right to Die," by Sue Woodman. The same titles were cited as sources by Gorsuch.

In the same chapter, Gorsuch appears to rely heavily on a 2002 article by Paul

Lombardo of the University of Virginia about sterilization techniques used in that state in the early 20th century. Lombardo writes that a woman named Carrie Buck was sterilized after having a child and her mother was institutionalized.

"Even worse for her, officials at her mother's asylum claimed that mother and daughter shared heredity traits in feeble-mindedness and sexual promiscuity," Gorsuch wrote.

Wrote Lombardo, "Officials at Virginia Colony said that Carrie and her mother shared heredity traits of 'feeble-mindedness' and sexual promiscuity."

There is a bit of an echo there.

Gorsuch did not cite Lombardo despite mimicking his sentences and presenting them in virtually the same order, according to an electronic search of Gorsuch's book.

Howard, the Syracuse University professor, said Gorsuch engaged in a passage known as "patchwriting"—essentially patching together words, fact sequences and quotes from another source, but occasionally changing up the phrases and tenses.

It is a way to copy someone else's work while making it look like it is your own.

In addition to "heavy patchwriting," Howard said, Gorsuch "hides his sources, which gives the appearance of a very deliberate method. I would certainly call it plagiarism."

In a 2000 article in the *Harvard Journal of Law & Public Policy* titled "The Right to Assisted Suicide and Euthanasia," Gorsuch's writing aligns closely with a 1985 *Duquesne Law Review* article about euthanasia in colonial America. Gorsuch describes laws in colonial Virginia, Massachusetts, Rhode Island, South Carolina, North Carolina and Pennsylvania in the same order and with similar quotations as the *Duquesne* article. But Gorsuch never cites the article in that passage, instead only repeating the same sources that it relied on.

Oxford's academic guidance for plagiarism states that "paraphrasing the work of others by altering a few words and changing their order, or by closely following the structure of their argument, is plagiarism if you do not give due acknowledgement to the author whose work you are using."

Christopher Sprigman, a New York University law professor involved in building an online standard for citation in legal scholarship, said he did not believe examples of Gorsuch's questionable writing reflected "mendacious" acts on the judge's part. Gorsuch's manner in attributing sources is "a choice that you might agree or disagree with," Sprigman said. "It's a little bit risky, but I wouldn't say it rises to the level of a bad act. I think some people would say it's sloppy."

That is the conclusion of the article—again, information that just came out about 1 hour 20 minutes ago. So I recommend that folks take a look at the article. I am sure many people will be analyzing it tomorrow.

Part of the point of the lengthy debates we often had over the Supreme Court is to have a chance for all the facts to come out. And the fact that tonight—well, that is, Tuesday night; it is now Wednesday morning—Tuesday was the first time ever in our entire 200-plus years as a Senate that a cloture motion on a Supreme Court nominee has been filed on the first day of

debate. Maybe that motion should be withdrawn given that there is more information now to analyze as of a few minutes ago than we had before.

The challenge this institution faces is, how do we restore it to a functioning legislative body, and how do we repair the deep divide in America? This question goes far beyond just the issue of the nomination of Neil Gorsuch; this issue goes to fundamental changes in how this Senate operates, fundamental changes in how our society receives its information. While I shared some of that previously, I think it is probably now, many hours later, worth going back through a little bit on this set of challenges the Senate faces.

When I was first here as an intern in 1976—41 years ago—the Senate was here all week long, Monday through Friday. It had a normal workweek. The Senate families were here, which meant that people had a more normal family life. During the breaks, they returned to their home States to share what they had worked on, what they were going to work on, what the Senate was working on, and generally hold townhalls and meetings and catch up on everything and then come back here after the break. That structure of families living here meant that there were connections not just between Senators but connections between them and their spouses. There were connections between their children. There were relationships formed over many evenings in which people socialized, and they had activities on weekends.

There were a lot of connections that we don't have now, four decades later, because we fly in and vote on Monday night, and then we vote on Thursday afternoon and fly out. So we don't have the reinforcement of our families being here to provide the kind of fabric in which the legislative discussion occurs, and we don't have the time to get to know each other. That is a challenge.

Plus, we have to spend a lot more time fundraising than folks in the Chamber did four decades ago. When you realize that a single individual, under the deeply mistaken decisions of the Supreme Court, can now put as much money into a campaign attack against you through a third party campaign—that they can write a check for more than the total amount you have raised for your entire campaign, it means that you are going to have to work very hard year after year to prepare for the next battle because the opposition doesn't have to prepare for the next battle. They simply have these massive amounts of funds that they can deploy at a moment's notice: Let's put \$5 million in that race. Let's put \$10 million in that race.

The result is, for example, in the case of the Koch brothers, that when the Koch brothers used front groups to attack various candidates across America, the candidates wrestled with

whether to respond by attacking the Koch brothers, and generally, they decided not to because of the old adage "Don't pick a fight with someone who buys ink by the barrel." But the modern version of that is "Don't pick a fight with someone who has the most deeply funded super pac that exists in the United States."

So the Koch brothers carried their fight in 2014 into the Senate race in Arkansas. They carried their battle into the Senate race in Louisiana. They carried their battle into the race in North Carolina and in Colorado and certainly in Iowa and in Alaska and my home State of Oregon. They were funding front groups to attack me with a third-party campaign. This is what people fear. The Koch brothers can write a \$5 million check—they and their associates—and counter all the funds you raised.

In addition to the fact that we are here only 3 days, a portion of those 3 days from Monday night to Thursday night is given over to fundraising. So instead of being able to go to dinner with colleagues, you go to a fundraising dinner. Maybe you slip across the street to do an hour of phone calls. If you are not raising for your own campaign, you are raising for your party's Senate group—the Republican Senate campaign committee or the Democratic Senate campaign committee—or maybe you are raising money directly for your colleagues themselves, helping to make calls for an event that is upcoming.

So you have an incredible shrinking of the Senate week, combined with a huge expansion of the time dedicated to fundraising in order to prepare for the attack that may well come from deeply funded super pacs. That is not a good combination in terms of Senators getting to know each other and getting to respect each other, developing projects together.

I know that it not only damages the time people should be working together, but it also delegitimizes what this group of 100 Senators does. The minority feels almost compelled to fight the battle after having been attacked so viciously by the other side in third-party campaigns. To some degree, this probably goes both directions. So we come here brutalized by the groups who are supporting the other side of the aisle. You are not particularly in a mood to help them out.

This is why I keep coming back to this: It is easy to simply become a pure partisan in this world in which deep-funded interests make up all kinds of attacks and put them on television in an effort to elect someone who will do their bidding, but if we do that, if we don't keep coming back together with the philosophy of problem-solving, then problems will never be solved. We will never have a better healthcare system. We will never have a better public

education system. We won't have a better transportation system. We won't have better deployment of infrastructure in rural America if all we do is nurture the wounds of elections. But it also means that we need to change the dynamic that creates those wounds. That is why the Supreme Court seat matters, because the 5-to-4 Court has been doing a lot of wound infliction on our system, making it easier to gerrymander, making it easier for voter suppression, making it easier for dark-money campaigns to corrupt the election process. So we have to attack it on all fronts.

That experience of coming here 41 years ago as an intern and seeing this place operate in a very different way gives me the hope that some way, we could find our way back from the brink. I don't think we have been anywhere as deep in the pit of partisanship—to mix metaphors—as at this moment, with this stolen seat; at this moment, with a cloud over our President and, therefore, a cloud over his nomination; at this moment, with a nomination that disrespected the role of a supermajority, the role being to help encourage Presidents to make nominations from the mainstream, not from the ideological extreme. Here we are, deep, deep into the pit.

If we don't solve the dark-money problem which is very related to the Supreme Court, then we aren't going to come together to solve the other problems because we won't have people who have been elected through a "we the people" vision of America, where each citizen has an equal voice, Jefferson's mother principle.

So that is the challenge that we face both on the Supreme Court side of this nomination but also in terms of problem solving.

I think that article that just came out is one that should add to this conversation—this article that says there is now yet another issue, an issue that didn't come out in the Judiciary Committee deliberations.

POLITICO has prepared a side-by-side comparison, which I have on this multicolored chart so citizens can look that up and contribute to that. But it is yet another reason we should probably go a different direction.

Now I am going to turn to Gorsuch's views of expansive Executive power.

Given the need for strong judicial oversight of this administration, under the circumstances, this nominee is particularly ill-suited. He has consistently taken the position that Executive power has very few limits.

As a member of the Bush administration, Judge Gorsuch, according to the New York Times, "was at the center of both litigation and negotiations with Congress" regarding "detainee abuses, military commissions, warrantless surveillance and its broad claims of executive power."

As a lawyer at the Department of Justice, Judge Gorsuch defended President Bush's enhanced interrogation methods.

In 2005 Congress passed the Detainee Treatment Act, which was meant to ensure greater human rights for detainees held at Guantanamo Bay. Judge Gorsuch, working as a Department of Justice lawyer at the time, managed to weaken a provision in the Detainee Treatment Act permitting a civilian appeals court to review decisions by military tribunals.

The original draft let judges scrutinize whether the tribunal had applied the correct standards, but the revised language only let them look to see whether the tribunal had applied standards set by the Pentagon. That is quite a change.

After the legislation was passed, Gorsuch sent an email to a colleague in the White House in which he said he needed cheering up. In the email, he discussed successful efforts to weaken the legislation stating: "The administration's victory is not well known, but its significance shouldn't be understated."

After the Supreme Court issued a landmark ruling in June 2006 to find that officials involved in the use of interrogations could be vulnerable to prosecution for war crimes, Judge Gorsuch helped draft a legislative proposal to address the issue, though he left before the eventual bill, the Military Tribunal Commissions Act, was enacted.

It is clear that he played a significant role in the case of *Hamdan v. Rumsfeld*, which former Solicitor General Walter Dellinger called "the most important decision on Presidential power ever." The case was regarding the legal process being accorded to detainees at Guantanamo Bay. His central role was made clear by a request from the Department of Justice Office of Public Affairs that he, along with the Solicitor General and his principal deputy, participate in a background media call on the day the decision was to be announced.

The Department of Justice records show that Gorsuch had been very involved in helping support the inclusion of language in the Detainee Treatment Act and the National Defense Authorization Act and bolstered the position that only the D.C. Circuit should be able to review complaints about the Bush military commissions.

Gorsuch repeatedly asked several DOJ colleagues in November where we stand on the legislative language and if there is anything we can do to help.

In February, a Republican Senate Judiciary Committee staffer sent Gorsuch a drafted amicus brief on behalf of Senators Kyl and GRAHAM for the administration's jurisdiction stripping arguments, a CONGRESSIONAL RECORD excerpt supporting the claim. Fortu-

nately, the Supreme Court rejected the jurisdiction stripping *Hamdan*, but it was clear that Gorsuch was trying his best to enact sweeping Bush claims to unilateral authority and severe limits on judicial review.

Let me go back to the central premise here. As a member of the Bush administration, Judge Gorsuch, according to the *New York Times*, was at the center of both litigation and negotiations with Congress regarding detainee abuses, military commissions, warrantless surveillance, and broad claims of Executive power.

I think all of us should be more than a little disturbed by getting to the bottom line here, which is that Congress sought to ensure greater human rights for detainees held at Guantanamo Bay and Judge Gorsuch was working as a DOJ lawyer to weaken a provision in that regard and these other pieces that I have referred to.

I will turn now to an analysis of "The Dissents of Judge Neil Gorsuch: Far to the Right and Out of the Mainstream."

This analysis by People For the American Way goes through a number of cases, setting out the picture, if you will, of just how far out of the mainstream Neil Gorsuch is. I will just read this by Elliot Mincberg, written last month:

Many, if not most, decisions by the Supreme Court and the court of appeals are unanimous. Reviewing the cases where an appellate judge has chosen to disagree with and dissent from his or her colleagues, therefore, can be particularly revealing. And that is precisely the case with Judge Neil Gorsuch. Judge Gorsuch's dissents from his colleagues on the Tenth Circuit Court of Appeals are consistently right-wing, generally seeking to favor big business and other authority and harm the interests of workers and those who have suffered abuse by government officials. And this is on a court which, until recently, consisted primarily of Republican appointees like Gorsuch. For example:

In *Compass Environmental, Inc. v. Occupational Safety & Health Review Commission*, Gorsuch dissented from a decision to affirm a Department of Labor fine against a company that failed to properly train a worker, resulting in his death by electrocution. Gorsuch claimed that there was no evidence to show that industry standards would have required more training. But as the court majority and the agency found, there was "clear evidence" to support the ruling.

Let me say that again. Gorsuch said there was no evidence. The court majority basically found there was "clear evidence" to support the ruling.

In particular, the company's own job hazard analysis found "fatal danger" from the high-voltage power lines involved, and recommended training for employees.

That was the company's own job hazard announcement. The company itself knew: If you are operating a piece of equipment next to a high-powered voltage line and that metal equipment touches that line, you create the possibility of an electrocution.

That training was given to some employees, but the employee who was

killed did not get that training because they didn't give it to him. So the court majority said: Yes, you should have provided the training that you knew was necessary for the operation of this equipment in that setting with a high-voltage power line, but you didn't give it. Therefore, you are in the wrong. But Judge Gorsuch saw it differently.

As a result of that negligence, the danger truly did become fatal, and the fine against the company was clearly justified. But Gorsuch disagreed with his own colleagues—including one who, like Gorsuch, was appointed by President Bush—and argued that the corporation should pay nothing.

My father was a mechanic. He worked when he was first out of high school for construction companies on highways in Arizona, and he did a whole host of roles but mostly repairing the equipment of the shop.

In a few years, he became a journeyman, a mechanic. In the course of that work on these big machines, you come to be aware that there are a lot of hazards that need to be addressed. You know some of those hazards for the operators, some of the hazards for working on the machines themselves.

Companies know this as well. They know that if they are hiring a new employee to work in a hazardous setting, they need to train the employee so the employee doesn't get hurt.

The company didn't provide the training. The employee died. The company is fined. And Gorsuch says: No, no, no problem here.

Really? Why did the rest of the court majority find otherwise? Why did the Department of Labor find otherwise? Why did he disagree with his colleagues in order to protect a powerful corporation that had failed to provide the training that resulted in the death of a person?

That is what the requirements for training are all about—to protect individuals from situations where they are at high risk. You eliminate those risks. (Mr. TILLIS assumed the Chair.)

The article goes on to address the issue of the frozen trucker who I discussed earlier.

In *TransAm Trucking, Inc. v. Administrative Review Board*, Gorsuch dissented from a decision. Here again, the majority is finding one thing, and, as you hear about this, you will realize that what the majority found was very logical, and what Judge Gorsuch found was standing everything on its head:

Gorsuch dissented from a decision to approve a Labor Department determination that a large trucking company had wrongfully fired a truck driver who had refused to drive under hazardous conditions. The trailer's brakes had frozen in subzero temperatures, and the driver waited over two hours for repair help. He reported that he was "having trouble breathing because of the cold" and that he "couldn't feel his feet." When help still did not arrive, he unhitched the large trailer because of concerns about driving the entire load under those conditions and began to drive away in the cab.

The company insisted by radio that he keep waiting in the frigid conditions or drive with the full load, even though the trailer's brakes had frozen. Although he returned when help arrived in around fifteen minutes, he was fired; the company claimed that the firing was proper because instead of remaining in the freezing conditions and not driving (which was his right), he drove off without the trailer instead of the dangerous way the company demanded. Gorsuch agreed with the company, claiming that finding for the driver was improperly using the law "as a sort of springboard to combat all perceived evils in the neighborhood" and that the objective to promote health and safety was just "ephemeral and generic." The court majority agreed with the agency, calling Gorsuch's reasoning "curious."

If anyone missed the elements of this case when I spoke about it previously, as I have several times in the course of the night because I find it such an outrageous situation, you have a driver who is in an impossible situation. The brakes had frozen on a truck in subzero temperatures. Therefore, the braking ability on the trailer is compromised. So it is dangerous to drive it. Then the auxiliary heater in the cab had failed. So he is in subzero conditions in the cab, and as this relates he had conveyed that he had gone numb. He was having trouble breathing because of the cold. He couldn't feel his feet. So he did the logical thing to protect his own safety. He drove somewhere seeking to get some heat but didn't drive the trailer because to do so would have been to endanger everyone else. The Court said this all fits with the law. Gorsuch disagreed.

In *Planned Parenthood Ass'n of Utah v. Herbert*, a three-judge panel had issued a preliminary injunction against Utah's governor for unilaterally cutting off Planned Parenthood (PP) funding.

This is a case that I referred to earlier where you have three basic things. A Governor chooses to cut off funding, eliminating equality under the law because of some doctor videos that were released—videos that were completely discredited later on—but in this kind of political campaign he chose to discriminate against Planned Parenthood. The fact is that those videos weren't about Utah. They were about a program that wasn't even utilized by Planned Parenthood of Utah. So at every level, there was no basis for this discrimination. So the majority of the full Tenth Circuit declined to rehear the case after the preliminary injunction.

Gorsuch, however, wrote a dissent for himself and several others, and argued for deferring to the governor. An important issue in the case was the governor's intent in cutting off funding, which the panel found was retaliation for promoting access to abortion. On that issue in particular, Gorsuch argued for deference to the governor in the name of "comity."

In the name of comity? OK. Let's get this right. It is OK to violate the equality under the law in order to make nice with the powerful government. That is

what Gorsuch argued? Well, the majority certainly disagreed, noting that nobody party to the suit had asked for a rehearing. This is where you seek a rehearing by a broader group of the panel of judges. If the defendant doesn't dispute it, why would you possibly do a rehearing except to score political points on the rightwing of the universe? That is what Gorsuch did. It shows his lack of regard for reproductive rights. It also shows that he wanted comity, that he wanted to make nice with the Governor rather than defend the rights of the organization that had been discriminated against. I think this kind of deference to executive authority is certainly something that in the context of our current situation is a dangerous tendency.

These are just a few of the dissents written by Gorsuch where his disagreements with his own colleagues, including other Republican appointees, show that he is far to the right and out of the mainstream. Altogether, Judge Gorsuch has written 35 dissents, which are in the following areas: workers' rights, abuse of government official authority, corporations and consumers, criminal law, and other constitutional issues.

So let's take a look at each of these areas. So again, these are cases where Gorsuch is disagreeing with the majority on a case.

Judge Gorsuch has written five dissents in cases concerning workers' rights.

I am reading this analysis. This analysis that has been prepared by Elliot Minberg last month, titled "The Dissents of Judge Gorsuch: Far to the Right and Out of the Mainstream." So Elliot writes:

Judge Gorsuch has written five dissents in cases concerning workers' rights. In all but one, the majority found in favor of the worker, but Gorsuch argued for a result that would have hurt the worker and helped a corporation or other employer. These include the *Compass Environmental* and *TransAm Trucking* cases discussed above.

Those we already talked about.

The two others are similarly troubling.

These are not my words. I am reading Elliot Minberg's words.

In *Strickland v. United Parcel Service, Inc.*, the court majority ruled that a lower court had improperly dismissed a complaint that UPS had committed sex discrimination against a fired female employee and had also violated the Family Medical Leave Act (FMLA), and sent the case to the district court so that the plaintiff could try to prove her claims at trial. Although Gorsuch agreed with the FMLA ruling, he dissented on the discrimination claim and argued that the dismissal of that claim should be affirmed. The majority was critical of Gorsuch's argument, noting that he "fail[ed] to acknowledge" substantial evidence that the worker was treated differently because of her gender. That evidence, the majority explained, included testimony from "multiple co-workers" that she was treated differently than male employees, including being required to meet 100 percent of sales goals and being subjected to "increased oversight" such as frequent "negative" meetings that "interfered with her ability to do her job."

Certainly, I think, in this day and age, we expect companies not to engage in discrimination on the basis of gender. Here the court found "substantial evidence," including "testimony from multiple co-workers that she was treated differently"—and not in a positive way—"than her male employees"—subjected to different sales goals, subjected to different oversight, subjected to different special meetings that interfered with her job. But Judge Gorsuch disagreed with the majority and thought that this argument of discrimination should be rejected.

The article continues:

Finally, in *NLRB v. Community Health Services, Inc.*, Judge Gorsuch dissented from a ruling last year that upheld a National Labor Relations Board (NLRB) decision that granted over \$100,000 in back pay to hospital workers whose hours were illegally reduced, without deducting amounts that some earned elsewhere during the period that the employees' hours were improperly reduced. The Board concluded that such deductions were improper because the outside employment was important to help address additional hardship, encourage production and employment, and prevent dilatory conduct by employers in accord with law. But Gorsuch did more than dissent.

Again, I am reading now the words of Elliot Minberg.

He excoriated the NLRB, a favorite target of many right-wing Republicans, suggesting that the NLRB's decision could have stemmed from its alleged "frustration that it cannot pursue more tantalizing goals like punishing employers for unlawful actions." Interestingly, one of the judges in the majority from which Gorsuch dissented was Chief Judge Tim Tymkovich, also a Bush appointee who was on Trump's list of 21 possible Supreme Court nominees, but who obviously was not selected.

You know the NLRB, or the National Labor Relations Board, exists to protect workers by making sure employers abide by the law, and I find that Gorsuch's language here that imputes that the Board was operating not on the facts of the case but out of the frustration that it "can't pursue more tantalizing goals like punishing employers," really quite bizarre.

I know that in the pursuit of protecting workers it is often frustrating to companies that they get subjected to fines for their conduct by the NLRB or are ordered to pay back pay, but isn't this now the moment in which you have a President who said he was going to fight for workers? Wouldn't he want to nominate a judge who actually wanted to have the National Labor Relations Board be able to successfully fight for fairness for workers, not someone who treated that as kind of a frivolous thing: Oh, those workers, what do they need? They are just constantly bothering our powerful corporations with things like asking for fair treatment. How inappropriate is that? I mean, that is kind of the tone of the Gorsuch approach here, and I think it is incredibly important that

we have an agency that says: If you proceed to bring people in and you don't pay them for the hours they work, you must pay them. If you are supposed to pay overtime and you didn't, you have to make it up. Somebody has to hold people accountable to the law for protection and for fairness to workers.

It is not as if workers in America have been doing very well. Over the last four decades, workers have been getting the short end of the stick. The wealth in America has soared and soared and soared, and the workers, unfortunately, have received very little of that wealth. The inequality in the Nation has expanded dramatically. One way of framing this is that virtually all the new income in America has gone to the richest 10 percent of Americans. So here we have an agency that is just saying basic fairness: If you are supposed to pay overtime, pay overtime. If you bring people into the job, pay them for the time they work. If you are supposed to provide a break time, provide a break time—basic fairness for workers. But instead of having this basic fairness for workers, there is this campaign to take away the power of the agency that provides that.

This came up in the context of the challenge we faced in 2013 when the minority said: We are not going to allow anybody to be confirmed to the National Labor Relations Board. They wanted it to be dysfunctional so they couldn't protect workers. Now we have a President who was running to help workers but he is nominating a Justice who treats that like a frivolous goal—protecting workers.

Let me return to the argument here and to the topic of the "Abuse of Government Official Authority."

Judge Gorsuch has written four dissents in civil cases concerning claims of abuse of government official authority—three involving law enforcement officials and one involving a state's governor. In three out of four [of these cases], his judicial colleagues found that such abuse had occurred or at least the plaintiffs should have a chance to prove it. In all three of those cases, Gorsuch dissented and would have deferred to the government official.

We discussed already the most important of those dissents, which was *Planned Parenthood v. Utah*.

Let's go forward to consider *Cortez v. McCauley*.

The full Tenth Circuit considered whether a couple whose home was unexpectedly invaded by the police after midnight could bring claims of abuse to a jury. In the case, a 2-year-old girl for whom plaintiff Tina Cortez had baby-sat, said that Tina's partner had molested her, which other later investigation found to be untrue.

Based on that report alone and with no warrant, four police officers burst into the Cortez's home after midnight. Among their other actions, the police woke up the couple and shined a flashlight into Ms. Cortez's face, grabbed her by the arm, put her in the backseat of a locked police car, interrogated

her, left her there for about an hour, and searched the home without a warrant even though the 2-year-old had not accused her of any misconduct.

The couple was released and was allowed back into their house after 2 a.m. after it became clear from investigation elsewhere that the claims against Mr. Cortez were false and there was no basis to proceed any further.

The majority and Judge Gorsuch were in substantial agreement on Mr. Cortez's claims of improper police conduct, but Judge Gorsuch wrote a dissent for himself and several other judges from the decision of the majority, written by another Republican appointee and joined by several others, that Ms. Cortez should be able to present her claim to a jury and that qualified immunity should not apply.

The majority criticized Judge Gorsuch because his dissent "comes very close to saying" that the police conduct was justified simply because the 2-year-old's claim was repeated by a nurse and her mother and was then "acted upon by police officers," reflecting an extraordinary and improper degree of deference to police officials.

Gorsuch also attempted to minimize the harm to Ms. Cortez, describing it as simply a "transient feeling" of intimidation. But as the majority explained, Gorsuch "disregard[ed] the emotional or psychological injury" that a jury could well find "resulting from intimidation, fear for personal safety," and "loss of liberty and privacy" as a result of being "removed from the residence in the middle of the night" and being "locked" in a police car and interrogated "for over an hour."

To get a better grip on that case, this is setting up a situation in which, on very minor information, police proceed without a warrant to burst into a home after midnight, grab a woman, throw her in the backseat of a locked police car, interrogate her, leave her there for an hour, search the home without a warrant, and so forth. Gorsuch described this as just a "transient feeling" of intimidation, according to this article.

I think that if most of us were ripped out of our homes in the middle of the night and were thrown into a police car and interrogated, we would find it to be something more than just a minor transient feeling of intimidation.

The point was the goal of whether she should be able to present her claim to a jury. It was not even a finding on the legitimacy of her case; it was just that she should have her day in court, that she should be able to make her claim that how she was treated was inappropriate. Gorsuch minimized the impact on her and wanted to strip her of that ability to present her case in court.

Shouldn't citizens who have gone through what they believe to be extraordinary experiences—and I believe being pulled out of your house in the middle of the night and thrown into a police car and interrogated is pretty substantial—have the ability to make their case? Maybe the judge and jury agree with you and maybe they do not. This is just a case of, do you get a

chance to ask for justice? In this case, Gorsuch said no, and the majority said yes, you should have a chance.

There are issues here. There are issues of personal safety, issues of loss of liberty, issues of loss of privacy.

In another case that Judge Gorsuch decided—and I return to reading the article—Judge Gorsuch also dissented in *Webb v. Thompson*, in which "the majority affirmed a lower court decision saying that county police officials were not entitled to qualified immunity from a complaint by a man arrested at a simple traffic stop and treated improperly by county police. This included being held in jail for 5 days when, according to county police, he should have been released in no more than 48 hours."

This was, again, a man who was arrested at a simple traffic stop and was held in jail for 5 days when the policy was that he should have been released in 2 days.

The lower court had found that there was a disputed issue of fact as to whether three officers had helped cause the delay, which all agreed was improper, and therefore ruled that the victim was entitled to present his case to a jury. But Judge Gorsuch dissented from the majority's decision to uphold that ruling, claiming that the officers did not have a personal legal duty to ensure a prompt hearing. The majority easily explained the flaw in Gorsuch's argument. Whether or not they had an affirmative duty to act, the majority explained, the officers were clearly liable if they, in fact, "caused the delay."

Here you have an individual who was held after a minor traffic stop—held for 5 days in jail. I do not know about any other Member of the Senate, but if a Member of the Senate were picked up on a traffic stop and held for 5 days—and while we do not have the full context of the case here, under the rules, he should have been held no more than 2—it would be pretty upsetting, and his family would be pretty upset.

Thus, there is the question of whether you get a chance to present your case. Do you, as a citizen, get a chance to present your case? The majority said: Yes, there is a reasonable basis here. You get a chance to present your case.

Gorsuch said: No, we are going to strip the individual of a chance to present his case.

It is quite a different approach, a continuous finding on behalf of the powerful, but not always. So I return to reading the article.

In one case, *A.M. v. Holmes*, Gorsuch dissented in favor of an individual. The primary claim in that case was against two middle school officials who had asked an Albuquerque police officer to remove a 13-year-old boy who had disrupted a physical education class and rendered a teacher "unable to continue to teach the class." The student was suspended and also arrested under a State law prohibiting interference with the educational process.

When the mother sued, the lower court granted qualified immunity, a 10th Circuit

panel majority affirmed, but Gorsuch dissented, suggesting that the severity of the officials' reaction was not justified. The majority also was troubled by the circumstances, but explained that it is "not our place to question or undermine" the state's decision to "criminalize interference with the educational process."

In this case, Judge Gorsuch did dispute a case and did so on behalf of an individual, giving more substantial support to the mother, who was suing.

I am reading from this article written by Elliot Minberg. It is titled "The Dissents of Judge Neil Gorsuch: Far to the Right and out of the Mainstream."

The article turns to the issue of corporations and consumers.

Eight of Judge Gorsuch's dissents involved corporations, consumers, or both, including one environmental case. One dissent involved a case of two corporations pitted against each other. In all but one of the seven others, Gorsuch disagreed with his colleagues and wrote a dissent that favored corporations, harmed consumers or other citizens, or both. In the seventh, the corporation Gorsuch ruled against was an adult bookstore. This is the case of *Ragab v. Howard*.

Ragab v. Howard concerned the increasingly important issue of forcing individuals to go to arbitration, rather than the courts, to resolve disputes with corporations. In this case, an investment banking firm and a capital financing company tried to compel arbitration of Sami Ragab's lawsuit for misrepresentation and violation of consumer credit repair laws in connection with agreements to help him obtain financing for a new business.

Both the district court and the court of appeals majority, including a Republican appointee, ruled against the corporations. Judge Gorsuch dissented, however, arguing that even though the six different agreements among the parties contained conflicting language concerning the specifics of handling arbitration, the fact that all six called for arbitration of some sort was enough, and that the court should do a "workaround" so that arbitration would take place.

The majority strongly disagreed. The different provisions, the majority explained, created such "irreconcilable" conflicts that it was clear that there was no "meeting of the minds," a basic principle of contract law. The majority pointedly noted that it would be improper for "courts" to effectively write in an arbitration requirement when the agreements did not "demonstrate the parties' intent."

Let's talk for a moment about this issue of binding arbitration. This is a situation in which consumers are involved in a transaction, and there is some fine print that says: If we get into a dispute, you must go to an arbitrator, and the outcome of that—whatever the arbitrator decides—will be the only outcome you can get.

That sounds pretty good at first. An arbitration sounds like a judicial process. Nothing about it sounds completely unbalanced. But, in fact, it is not a judicial process; it is unbalanced. The corporation hires the arbitrator.

Now, if you and I are in dispute and you are essentially hiring the referee

for that dispute, wouldn't you kind of figure the system was a bit rigged, especially if there are a whole series of disputes and the referee—that is, the arbitrator—wants the business of the corporation and is only going to get that business if they find on behalf of the corporation? So you are not going to get a fair hearing. You get an unfair hearing.

The system is rigged because the individual being hired by the other party will get business only if they keep finding in that party's favor, so you enter the room knowing that you are going to be found against, except in a rare circumstance. It is a completely rigged system. It doesn't compensate at all. It doesn't replace any fair adjudication, and it allows companies to get away with predatory practices because there is no avenue through which to pursue fairness. In this case, the majority said there is no clear arbitration, but Judge Gorsuch wanted to write a requirement. He wanted to legislate.

We have seen these other cases where he wanted to legislate. He wanted to change the way the law is written to protect truckers who operate vehicles so as not to endanger others because he didn't like that. He wanted to rewrite the law in Utah so that you could ban funds for Planned Parenthood, even though it was unconstitutional to discriminate against them, and so on and so forth.

The more I read his opinions, the more I think Neil Gorsuch should run for office. He wants to change the law in case after case after case. Run for office. Theoretically, that is what legislators do, not what judges do. Judges call balls and strikes, not twist the law to mean the opposite of what it was written to be. And in this case, he is saying the court should do a "workaround" so that arbitration should take place, and the majority said that is not possible. These are irreconcilable conflicts between the different provisions of the different arbitration requirements. There is no meeting of the minds. It is the principle of contract law, and it would be improper for the courts to write an arbitration requirement. But that is what Judge Gorsuch wanted to do. He wanted to write an arbitration rule. He wanted to legislate. Well, run for office; don't put yourself forward to fill a stolen seat on the Supreme Court.

I know that members of the Senate Judiciary Committee followed these cases during the hearings of the Judiciary Committee and looked at them carefully. The more they saw, the more they saw not a judge but someone who wanted to legislate, who wanted to rewrite the law to help the powerful over the ordinary individual, in case after case after case.

Let's turn to another case. I will return to the article. This article by Elliot Minberg, titled "The Dissents of

Judge Neil Gorsuch: Far to the Right and Out of the Mainstream."

The article continues:

In Gorsuch's sole dissent on environmental issues, *New Mexico Off-Highway Vehicle Alliance v. US Forest Service*, he dissented from a ruling by two other Republican appointees and argued that the Sierra Club and other environmental groups should not be allowed to intervene in a lawsuit contesting Forest Service rules that expanded the number of trails and roads that were only for hikers and bikers.

So the lay of the land here: You have a really—by two Republican appointees, and you have Gorsuch arguing the opposite side, saying that the environmental group should not be allowed to intervene in a lawsuit contesting Forest Service rules.

So then the article continues:

The Alliance, a nonprofit supported by Kawasaki and other motorized vehicle companies, wanted to return to old rules allowing motorized vehicles on more trails. Even though neither the Forest Service nor the Alliance objected, the district court ruled against the environmentalists' participation in the case, and Gorsuch agreed in dissent. As the majority explained, however, other 10th Circuit decisions made clear that the environmentalists had strong reasons to be involved in the case and "should not have to rely" on the government to protect their interests, particularly since the government did not object to the proposed intervention. The majority specifically criticized Gorsuch for appearing to rely on the opinion of just three judges in a previous case involving all 13 10th Circuit judges to try to reach a narrow and unfavorable result in the case.

So I know that often Neil Gorsuch liked to say: I just apply the precedents. So what does he do? He takes the opinion of three judges in a case involving 13 Tenth Circuit judges. Well, you can see a clever strategy as presented in this article, an effort to reach a narrow and unfavorable result.

The article continues:

In *WWC Holding Co. v. Sopkin*, Gorsuch argued that a wireless service carrier should be able to avoid the Colorado Public Utility Commission's efforts to enact state-specific consumer protection standards for wireless phone service because the company was complying with relevant federal rules. The majority in the case, including the Republican appointee, disagreed and ruled that Colorado had the authority to enact and enforce state-specific rules, including requiring free calls at libraries, in school districts, and in other community gathering places, under the "express statutory authority" of federal as well as state law.

So let's review that. Gorsuch wanted the company to avoid the public utility commission's requirements, and the majority said: Wait, there is express statutory authority for the State utility commission to be able to require State-specific things such as free calls at libraries, in school districts, and in other community gathering places.

This is another case where Gorsuch wanted to be the legislator. Well, go and get elected and write a law rather than writing law as a judge when you are supposed to be calling the balls and strikes.

The article continues:

Judge Gorsuch dissented in three other cases in which the majority had found in favor of individual consumers.

So the majority says the individual is right, and Judge Gorsuch said: Let me be clear. I want this case to come out on behalf of the corporation.

The article continues:

Pace v. Swerdlow, where the majority reversed the dismissal of a negligence case against an expert witness and ruled that parents should have the opportunity to prove that the expert's actions prevented them from receiving compensation related to their daughter's death.

So the argument of the parents was that there was an expert witness, and the expert witness's actions prevented them from receiving compensation relating to their daughter's death, and the case should be dismissed. So the majority reversed the dismissal, but Judge Gorsuch dissented.

The article continues:

In *Salmon v. Astrue*, where the majority ruled that a hearing examiner had improperly disregarded evidence reporting a claim of physical and mental disability benefits from the Social Security Administration, but Gorsuch argued in dissent that the examiner's denial met the legal test of being supported by "substantial evidence," which he equated with simply being within the "bounds of reason."

The majority said the examiner—just to review that—had improperly disregarded evidence. Well, certainly, if I were having a family member in that situation, I would not want a hearing examiner to improperly disregard evidence related to a claim for mental and physical disability benefits. But Gorsuch argued on the other side, against the person on the minority side.

In *Blausey v. Trustee*, where the majority allowed a bankrupt couple to appeal an unfavorable bankruptcy court decision, the majority said the couple should be able to appeal an unfavorable bankruptcy court decision rejecting the petition, although it ultimately decided against the couple, but Gorsuch would not have accepted the appeal in the first place.

He would not have allowed that bankrupt couple to appeal an unfavorable bankruptcy court decision. The majority said: We may not find in her favor, but she deserves her day in court. Judge Gorsuch said: No day in court for her. We are not letting her even argue her case.

The article goes on to address another section involving criminal law:

Most of Judge Gorsuch's dissents have been in criminal cases, often raising constitutional issues concerning whether people have been deprived of effective assistance of counsel under the Sixth Amendment or of rights against unreasonable search and seizure under the Fourth Amendment. A number of these were habeas corpus cases, in which the federal courts undertake limited but important review concerning criminal cases tried in state courts. Gorsuch has dissented in favor of criminal defendants on five occasions. But in almost twice as many,

nine, he has dissented against rulings by colleagues, many of them Republican, that vindicated important constitutional rights.

Most troubling have been Gorsuch's four dissents in cases where his colleagues found that Sixth Amendment rights were violated because individuals, usually low-income people, did not receive effective assistance of counsel. Perhaps the clearest example is provided by his two dissents in *Williams v. Jones*.

In the three-judge panel decision in *Williams*, two of Gorsuch's Republican colleagues, including the very conservative Michael McConnell, ruled that more effective relief was required for an individual who, both the majority and an Oklahoma estate appellate court agreed, was deprived of effective assistance of counsel. In this case, the state had offered *Williams* a plea agreement under which he would serve 10 years in jail, which *Williams* wanted to accept but was stopped by his counsel. The lawyer claimed that *Williams* would be committing perjury if he accepted the agreement and said that he would withdraw from representing *Williams* unless the case went to trial; short of money, *Williams* agreed. The trial resulted in a guilty verdict and a sentence of life without the possibility of parole. The Oklahoma court of appeals agreed that the lawyer's conduct was improper and had harmed his client, but the only relief they granted was to reduce the sentence to life with the possibility of parole. The 10th Circuit accepted a habeas petition limited to the question of adequacy of the relief provided by the Oklahoma court.

The panel majority explained that in light of the egregious conduct by counsel and the obvious consequences, the case should be sent back to the state court to provide a remedy "tailored to the injury."

What is the injury? Egregious conduct by counsel resulting in a massive penalty.

The panel majority explained that in light of the egregious conduct by counsel and the obvious consequences, the case should be sent back to the state to provide a remedy "tailored to the injury," i.e. the loss of a ten-year sentence as opposed to a life sentence. Gorsuch not only disagreed, but would also have gone even further. He claimed that there was no Sixth Amendment violation at all, because *Williams* received a fair trial in which his lawyer represented him well after the plea agreement failed.

The majority was extremely critical of Gorsuch's claim. "No federal circuit court," they explained, had accepted Gorsuch's view that any pre-trial Sixth Amendment violation is somehow cured if the later trial is fair. Gorsuch's claim that the Sixth Amendment is essentially limited to what happens at trial, the majority stated, has been "rejected by the Supreme Court" and is "incompatible with a right to effective assistance of counsel in connection with the entire plea process."

Let me comment here that when a person is in court and has very limited funds—unlike a very affluent person who can have a whole team of lawyers—you really depend on your lawyer representing you in an effective manner, not, as relayed here, in an egregious manner that basically undermined your path.

But Gorsuch did not stop there. He dissented from a decision by the entire 10th Circuit not to rehear the case, which included

several additional Republican-appointed judges, this time also claiming that the effect of the court's ruling was to overturn the later jury verdict that had found *Williams* guilty.

One of the Republican-appointed judges on the original panel made short shrift of Gorsuch's arguments in a concurring opinion. It was not a federal court that had originally pointed out the Sixth Amendment violation requiring relief; it was the Oklahoma appellate court that found *Williams*' lawyer's conduct "highly improper" and "deficient," and that *Williams* had "indeed suffered prejudice by his trial counsel's action." Gorsuch's view, the concurrence explained, was "impossible to square" with Supreme Court and court of appeals' rulings on effective assistance of counsel. The Supreme Court denied review of the case.

So the Supreme Court sided with the majority, essentially saying Gorsuch got it wrong. This concept of effective assistance of counsel is fundamental to the notion of a fair trial system. An ordinary person can't represent themselves; they have to have effective assistance of counsel if there is to be any possibility of a fair decision.

The article continues, saying:

Other dissents by Gorsuch on findings of Sixth Amendment violations include:

Wilson v. Workman, in which the majority of the full Tenth Circuit agreed, in a decision by Judge McConnell and joined by other Republican appointees, that a death row prisoner suffered a Sixth Amendment violation because his lawyer failed to present important evidence of *Wilson*'s poor mental health and other problems that could have mitigated against the death penalty. Gorsuch dissented and claimed that the court should defer to the state appellate court that had rejected the claims. But as the majority pointedly explained, deference was inappropriate because the state court had not considered available "material, non-record evidence" and thus had not truly "adjudicated that claim on the merits."

So here is another case of the lack of effective assistance of counsel, and all that counsel's representations were defective—"failed to present important evidence of *Wilson*'s poor mental health and other issues that could have mitigated against the death penalty." Gorsuch said it doesn't matter. A majority said of course it matters. "The state court had not considered available 'material, non-record evidence' and thus had not truly 'adjudicated that claim on the merits.'"

Let's turn to the case of *Hooks v. Workman*. Again, I am reading from this article:

Hooks v. Workman, in which another Republican-appointed judge wrote a panel opinion finding that a death row prisoner's lawyer had failed to present important mitigation evidence, including concerning *Hooks*' brain damage, mental retardation, and a history of abuse against him. Gorsuch argued this time that even if that evidence had been presented, the jury would have sentenced *Hooks* to death. As the majority explained, however, the lawyer's work was demonstrably "deficient" and "prejudicial," and there was clearly a "reasonable probability" that at least one juror would have refused to impose the death penalty if the Sixth Amendment violation had not occurred.

So here the majority—this is not Democratic or Republican; it is an Republican-appointed judge—found that a death row lawyer failed to present important mitigation evidence regarding brain damage and mental retardation and a history of abuse—all mitigating circumstances. The failure to present that meant the jury sentenced him to death where they might not have otherwise. The majority made it very clear that “the lawyer’s work was demonstrably ‘deficient’ and ‘prejudicial,’” but Gorsuch dissented.

The concept of effective assistance of counsel as presented in these cases seems to be one that Neil Gorsuch really doesn’t grasp or, if he understands the concept intellectually, doesn’t want to, if you will, honor the requirements of the Sixth Amendment.

Turning to motions to suppress.

Judge Gorsuch’s record is mixed concerning dissents relating to motions to suppress evidence because of alleged constitutional violations by police. In *U.S. v. Carlloss*, Gorsuch argued in dissent that it was improper for police officers to knock on a homeowner’s doors as part of an investigation into illegal possession of a machine gun, without a warrant or exigent circumstances, when the homeowner had conspicuously posted “No Trespassing” signs on his door and around the property. Gorsuch listed this opinion as one of his ten most significant opinions in his response to the Senate Judiciary Committee questionnaire.

In three other cases not involving trespassing at home, however, Gorsuch dissented from decisions that suppressed evidence because of improper conduct by law enforcement. In *US v. Benard*, he dissented from a decision to suppress statements made by Benard after he had been arrested without receiving Miranda warnings. Gorsuch argued that the error was harmless, but the majority explained that they “cannot conclude” that was correct “beyond a reasonable doubt,” as the law requires.

In *US v. Nicholson*, Gorsuch dissented from a ruling that police officers had improperly stopped and then searched a car for an alleged traffic violation, when there was no violation at all because the driver’s left turn was not illegal. Gorsuch claimed it was a reasonable mistake, but the majority explained that according to existing Circuit precedent, “failure to understand the law by the very person charged with enforcing it is not objectively reasonable.”

To translate that, the police officer shouldn’t stop somebody for making a legal left turn when the left turn is legal.

And in *US v. Dutton*, Gorsuch dissented from a decision by two other Republican appointees that a search warrant for a storage unit contained a “fatal flaw” because the application lacked “any evidence” that the unit belonged to Dutton. Gorsuch called it a good faith error, but the majority clearly disagreed.

So in these cases where he is dissenting, essentially the majority is saying: You have to hold our public safety officers to a standard required by law. And Gorsuch is saying: Well, it was good faith. It wasn’t an error. They didn’t mean to do it. He is choosing to

basically say that the individuals will not be able to assert the error made on the public safety side. It gives them a great big leash area, a big, sizeable zone, and compresses the zone in which the individual is acting. That is the pattern we see in this.

Other criminal issues.

In addition to Carlloss, two of Gorsuch’s other dissents favorable to criminal defendants concerned prosecutions for federal firearms violations. In *US v. Ford*, he argued in dissent that prosecutors should have disclosed evidence suggesting that the defendant was entrapped into purchasing a machine gun, although the majority considered that evidence not material to the defense. In *US v. Games-Perez*, Gorsuch dissented from a decision not to rehear a case concerning a federal law prohibiting possession of a gun by a felon.

Two other Gorsuch criminal law dissents that favor defendants concerned unique issues. In *US v. Nichols*, he argued in dissent that the full 10th Circuit should rehear a case in which a sex offender was convicted of violating requirements of the Sex Offender Registration and Notification Act that he notify authorities when he travels to another area. Nichols had been convicted prior to the date of the Act, and Gorsuch argued that Congress had improperly delegated to the attorney general wide authority to determine to what extent the law applied to such offenders.

So apparently in that case the majority was pointing out that Nichols had been convicted prior to the date of the act, and Gorsuch was arguing that Congress had improperly delegated to the Attorney General wide authority to determine to what extent the law applied.

Gorsuch also dissented in *US v. Spaulding* and disagreed with a majority ruling that a lower court did not have jurisdiction to set aside a criminal judgment that contains a term of imprisonment.

In several other cases, however, Gorsuch dissented on the merits from decisions by his colleagues that disfavored prosecutors.

In *US v. Rosales-Garcia*, he dissented from a ruling that the trial court judge had improperly enhanced the sentence of an individual convicted of re-entering the country illegally because of a prior conviction that resulted in a severe sentence. The majority stated that “we cannot agree” with Gorsuch’s claim that the US Sentencing Guidelines could be equally plausibly read to support the government’s position. As the majority explained, the sentence on the prior conviction had been later enhanced because of the individual’s re-entry, not because of the original misconduct, and thus should not qualify under the guidelines as a reason to further increase the sentence imposed.

Gorsuch also dissented in *US v. Raymond*, in which one of his Republican colleagues wrote an opinion affirming a lower court decision to dismiss an indictment that violated a previous plea agreement that prosecutors not bring additional charges against Raymond arising out of conduct known to the US Attorney before a specified date. Gorsuch argued that the district judge had committed an error, but the majority explained that “we cannot disturb the district court’s factual finding” that the US Attorney did have such knowledge, based on specific testimony.

I am reading from a lengthy article prepared or at least issued under the

organization People for the American Way and titled “The Dissents of Judge Neil Gorsuch: Far to the Right and Out of the Mainstream” by Elliot Mincberg.

The article then turns to other constitutional issues. So I will continue reading it. This article continues:

In addition to the criminal law and other cases discussed above, Judge Gorsuch has written dissents from his colleagues’ opinions in three other cases related to constitutional law issues: two relating to the Establishment Clause and one relating to the Constitution’s Guarantee Clause. In all three, Gorsuch’s dissent was significantly to the right of even other Republican judges on the court or raised other troubling concerns.

In *Green v. Haskell County Board of Comm.*, a three-judge panel of all Republican appointees had concluded that an Oklahoma county’s decision to approve the construction of and maintain a Ten Commandments monument on its courthouse lawn violated the Establishment Clause. Judge Gorsuch wrote an opinion for himself and several other judges that dissented from a decision by the full court of appeals, including several other Republican appointees, not to rehear the case. He argued that the panel’s decision was inconsistent with the Supreme Court’s ruling in *Van Orden v. Perry* that upheld the Ten Commandments monument in Texas, and suggested that the court should not even use the establishment “endorsement” test to decide the case. As the panel decision explained, however, the endorsement test remained the law in the Tenth Circuit (and elsewhere), the monument clearly had the “primary effect of endorsing religion,” and the *Van Orden* decision did not apply because the case involving a monument that has stood on public property for 40 years without challenge, while the monument in *Green* was recently erected and challenged. The Supreme Court denied review of the case.

Another panel of three Republican-appointed judges simply ruled against the Utah Highway Patrol Association’s construction and maintenance of a series of 12-foot crosses on public lands near roads to memorialize deceased officers, explaining the crosses had the “impermissible effect” of appearing to endorse the Christian religion. Judge Gorsuch wrote an opinion for himself and other judges that dissented from the decision of the full court of appeals, including Republican appointed judges, not to rehear the case. Gorsuch again asserted that the “endorsement” test should not be applied, and relied on a three-judge plurality in another Supreme Court case, *Salazar v. Buono*, that allowed a cross to remain on public property. As the panel explained, however, the endorsement test clearly remained the law of the Circuit, and the *Buono* case did not apply because it concerned a cross that had been on government property since the 1930s. The Supreme Court again denied review of the case—

Which means they upheld the majority and did not uphold the position that Gorsuch was taking—

Justice Thomas alone wrote a vigorous dissent, making some of the same arguments as did Judge Gorsuch.

Finally, Judge Gorsuch and several others dissented from the decision of the full 10th Circuit not to rehear a panel decision in *Kerr v. Hickenlooper*. The panel had upheld a district court decision to allow a claim by a number of State legislators and others that

the Colorado taxpayer bill of rights, under which all tax increases must be approved in advance by voters before legislative action, violated the Constitution's Guarantee Clause. Under that clause, all States are guaranteed a republican form of government where a State legislature presumably makes such decisions. The panel did not reach the merits of the claim, but agreed that there was standing to go forward and the case should not be dismissed as raising only a "political question."

Gorsuch argued that the issue was an unreviewable political question because there were no "judicially manageable standards" to decide it. The panel disagreed, pointing out that no such standards existed in advance of the Supreme Court's decisions on the Second Amendment. In addition, Gorsuch ignored the fact, as one scholar has pointed out, that the Supreme Court itself has ruled on the merits of the Guarantee Clause claims as recently as 1992. Even more importantly, Gorsuch's dissent suggested a particularly troubling view on the subject of possible constitutional challenges to partisan redistricting.

Continuing the analysis here as presented in this particular article:

In particular, in trying to support the argument to his dissent, Gorsuch asserted that the Supreme Court had "put to bed" in *Vieth v. Jubilerer* the question of whether the partisan gerrymandering could be challenged constitutionally because of the lack of manageable standards of review. As the Campaign Legal Center has pointed out, however, that statement is flatly wrong. Although some justices argued that the issue cannot be reviewed, in his controlling opinion in *Vieth*, Justice Kennedy recognized the corrosive effects of partisan redistricting, and held the door open for appropriate and judicially manageable standards in the future. In fact, a recent decision from Wisconsin that articulated such standards in striking down partisan gerrymandering could well be reviewed soon by the Supreme Court. Gorsuch's suggestion that he already agrees with the justices in *Vieth* who claimed the issue should not be are he viewed at all is extremely disturbing.

The article then has a short conclusion that reads as follows:

This review of Judge Gorsuch's dissents yields very troubling conclusions. Consistently, he has argued in favor of corporations and government authority and against workers, consumers, environmentalists, and poor people, even when a majority of his colleagues, including other Republican appointees, disagree. In those rare instances when he does not so argue, he has frequently sided with gun and property owners. His views are clearly to the right of the Supreme Court majority—even when Justice Scalia was on the Court—on issues like the Sixth Amendment, partisan gerrymandering, the non-delegation doctrine, and the Establishment Clause. Measured against his own colleagues on the Tenth Circuit including Republican appointees, he is far to the right and out of the mainstream, and should not be elevated to the Supreme Court.

So that is the article titled "The Dissents of Judge Neil Gorsuch: Far to the Right and Out of the Mainstream."

Let's turn to an analysis of the ways that Neil Gorsuch threatens women's rights. This is titled "Extreme Far Right Judge" from the Center for American Progress. "5 Ways the Nomi-

nation of Neil Gorsuch Threatens Women's Rights." It is from March 23, 2017.

The principle of equality is a cornerstone of American democracy. From our nation's earliest history to the present day, there has been a robust discussion about how to realize the promise of equality and the everyday experiences of people across the country. But equality in the United States has come with an invisible asterisk: Its principles have not been uniformly enjoyed across different segments of society. Given this reality, people who face discrimination have always depended on the courts to protect their access to equal justice.

The article continues:

For women, the ongoing quest for equality has been a deliberate—yet uneven—journey. The U.S. Supreme Court has been pivotal in determining the pace and scope of this progress. It is therefore critical that the next Supreme Court justice has an unflinching commitment to an equality that respects all women's dignity and autonomy, enables them to participate fully in society, and empowers them to make decisions about their lives that make sense for them. President Donald Trump's nominee to the Supreme Court, however, has a judicial record that suggests that he would attack—not advance—women's equality if he is elevated to the Supreme Court. A close look at Judge Neil Gorsuch's record reveals that his appointment would likely threaten women's rights in the following five ways.

The first area of the article addresses his putting employers' preferences ahead of women's rights. And then it continues:

Gorsuch favors protecting the religious preferences of employers at their employees' expense. If confirmed, he would further erode women's ability to make sound personal health decisions. In *Hobby Lobby v. Sebelius*, Gorsuch and his colleagues on the 10th U.S. Circuit Court of Appeals ruled that a closely held, for-profit corporation could refuse on religious grounds to comply with the Affordable Care Act, or ACA, requirement that health insurance cover contraception. Judge Gorsuch wrote a separate concurrence to the court's ruling, explaining the ACA mandate forced the corporations to violate their religious beliefs. A divided U.S. Supreme Court upheld the 10th Circuit's decision.

While conservative judges frame the case as a dispute about religious freedom, *Hobby Lobby* was also a case about women's equality and the rights of employees. The ability to control fertility is one of the most personal decisions a person can make; for women, it goes to the heart of whether they have an equal right to participate in the workforce and start a family. Yet, Gorsuch deems these interests secondary to a corporation's religious preferences.

The second area the article addresses is refusing to support protections from pregnancy discrimination.

Because many women will take time off from work at some point in their careers for the birth of a child, the Pregnancy Discrimination Act was enacted in 1978 to make clear that discrimination based on pregnancy or child birth constitutes sex discrimination. Yet, too many women continue to confront discriminatory, outdated attitudes about their ability and commitment to work simply because they are or might become pregnant.

Two of Gorsuch's former students at the University of Colorado Law School allege that, during a discussion about maternity leave in Gorsuch's legal ethics class, he stated that employers should ask female applicants whether they intend to start a family. He reportedly argued that women often manipulate maternity leave policies to take time off at the company's expense before leaving the company.

When asked about this at his Senate confirmation hearing, Gorsuch first denied making the comments, claiming he had merely asked students a question from a teacher's text to illustrate the prevalence of sex discrimination. But when asked about his specific views on pregnancy discrimination laws, Gorsuch raised more questions than answers. He declined to say whether questioning a female and not male applicants about their intent to start a family would violate the law. Gorsuch's unwillingness to clearly affirm protections against pregnancy discrimination is cause for concern. Women's ability to participate fully and equally in the workforce depends on fair treatment without regard to family responsibilities.

I am reading from the article, "5 Ways the Nomination of Neil Gorsuch Threatens Women's Rights," March 23, 2017. The article now addresses the issue of undoing *Roe v. Wade*.

Throughout the Presidential campaign, Trump promised to nominate a Supreme Court justice who would "automatically overturn *Roe v. Wade*. Judge Gorsuch admitted he spoke with President Donald Trump about abortion in his pre-nomination interview but claimed their conversation was limited to the issue's political impact.

Gorsuch has declined to discuss his views on *Roe* at his hearing, beyond acknowledging that it is "precedent." But his writings make his position clear. Gorsuch has argued against the legal principles on which *Roe* is founded, both indirectly in his opinions and more directly in his book criticizing assisted suicide. He is critical of the right to privacy and the substantive due process rationale used by the Supreme Court in support of this right. Without this right to privacy, there is no Constitutional right to make decisions about sex, reproduction, or even marriage without State interference. Moreover, preserving and protecting a women's constitutionally protected legal right to access abortion is critical to their individual dignity and autonomy.

That is another section in the article, "5 Ways the Nomination of Neil Gorsuch Threatens Women's Rights." The next section is "Eliminating women's access to health care." This will be the fourth of the five sections.

Conservatives have relentlessly attacked women's access to quality, affordable health care, threatening their agency, health, and well-being. Among the most vitriolic and inflammatory efforts: the push to defund Planned Parenthood. Anti-abortion activists have targeted Planned Parenthood because it provides abortion services, even though those services are provided with nonfederal funds and make up only a small percentage of the services the organization provides. An estimated 2.5 million people visit one of the 650 Planned Parenthood facilities across the country each year. Eliminating funding for those health centers would devastate entire communities and dramatically reduce women's access to health care.

During Gorsuch's time on the 10th Circuit, the court upheld an injunction to stop Utah

Gov. Gary Herbert . . . from defunding Planned Parenthood in response to misinformation to doctored videos that falsely accused the organization of selling fetal tissue. Gorsuch, however, took the unusual step of pushing for a rehearing by the full court, even though the Governor did not ask for a rehearing. When his colleagues declined to rehear the case, Gorsuch dissented and attempted to legitimize the governor's unsupported claims.

The fifth section in this article titled "5 Ways the Nomination of Neil Gorsuch Threatens Women's Rights" is the section on "Denying women access to justice."

No one can vindicate their rights if they cannot even make it to court. Yet, in several cases, Gorsuch has shown a conspicuous penchant for barring women from litigating discrimination claims.

In *Strickland v. UPS*, Carole Strickland alleged that she was discriminated against when she was held to higher performance standards than her male coworkers, even as she exceeded them in sales. The majority ruled that her case could move forward, but Gorsuch filed a dissent arguing that her evidence of discrimination, which included testimony from multiple co-workers, was insufficient.

In another case, *Weeks v. Kansas*, former counsel Rebecca Weeks alleged she was fired in retaliation for advocating for colleagues who experienced workplace discrimination. Upon review, Gorsuch openly ignored relevant U.S. Supreme Court precedent because Weeks failed to cite it and denied her the right to proceed with her claim. If Gorsuch is confirmed, women may face new barriers to challenging discrimination in court.

Judge Gorsuch could become a reliable vote against the critical rights essential to women's equality and women's progress—such as the ability to access reproductive health care, including abortion, and challenge different forms of sex discrimination in the workplace. Women deserve a Supreme Court justice who will not turn back the clock on their rights. The Senate should stand up for women and reject President Trump's Supreme Court nominee.

The author, Jocelyn Frye, is a senior fellow at American Progress, and co-author Michele Jawando is vice president for legal progress at American Progress.

Let's turn now to an article on money and politics. This article by Arn Pearson appeared in the *Huffington Post*. It is titled "Gorsuch Would Move the Supreme Court in the Wrong Direction on Money in Politics."

The article starts out:

Who the Senate confirms to fill the current vacancy at the U.S. Supreme Court will determine the nature of our elections for decades to come.

The Court is closely divided on the issue of whether to further open the floodgates for unlimited and undisclosed political spending or allow limits designed to prevent corruption and keep powerful special interests from drowning out the voices of voters. The next justice will tip the scales one way or the other.

While the court may be split on what to do about the influence of big money in politics, the American people are not.

Nine out of ten voters (93 percent) want "a Supreme Court justice who is open to lim-

iting the influence of big money in politics," according to recent polling. That includes 91 percent of Trump supporters, most of whom apparently believed his populist rhetoric decrying the influence of big donors.

Unfortunately, that's not Neil Gorsuch.

Gorsuch hasn't handled many campaign finance reform cases, but everything in his background and record strongly indicates that he would favor fewer restrictions on political spending by corporations and the wealthy, not more.

The son of two lawyers, Gorsuch has spent his life moving in elite legal and corporate circles, and has been a strong ideological conservative since his early days. He attended Columbia University and Oxford, and earned his law degree at Harvard. From 1995 to 2005, Gorsuch worked at a boutique D.C. corporate law firm representing corporate clients—including the U.S. Chamber of Commerce—in anti-trust, class action, and securities lawsuits, before briefly joining the Department of Justice under George W. Bush and being nominated to the U.S. Court of Appeals for the Tenth Circuit.

The Chamber of Commerce spends more money to influence the federal government than any other organization, and was one of the top political spenders in 2016, making it among the biggest beneficiaries of the Supreme Court's 2010 ruling in *Citizens United* that allowed corporations to spend unlimited amounts on independent expenditures and electioneering.

Gorsuch hasn't exactly left the corporate world behind since becoming a judge, and has become a millionaire in his own right.

A recent story by the *New York Times* documents Gorsuch's close relationship with secretive billionaire Phillip Anschutz, who has amassed \$12.6 billion in wealth through a sprawling business empire. Gorsuch represented Anschutz while in corporate law practice, and Anschutz played a key role in getting Gorsuch nominated to the federal appeals court.

I am reading from an article entitled, "Gorsuch Would Move the Supreme Court in the Wrong Direction on Money in Politics."

Gorsuch has been a frequently featured guest at the mogul's annual dove-hunting retreat for the rich and powerful on his Eagle Nest Ranch. At the 2010 retreat, Gorsuch spoke about the importance of judicial nominations, "especially when we live in a system where judges have the last word" on the Constitution and are "empowered to strike down legislation." Gorsuch implored his elite audience "to be vigilant to all threats to our prosperity."

Not surprisingly, Gorsuch's rulings as a federal appeals court judge have consistently favored large corporations over consumers and workers, and indicate a willingness to overturn key Court precedents that have supported efforts to reign in corporate power since the New Deal.

The big question is whether Gorsuch would use his seat on the Supreme Court to further weaken anti-corruption measures when it comes to political spending.

People for the American Way joined 120 other democracy reform and advocacy organizations and 110 House members this week—

This would have been March 17—

in calling on the Senate Judiciary Committee and Senate leadership to closely scrutinize Gorsuch's views on the influence of big money in politics.

"Will Judge Gorsuch's legal philosophy lead him to strike down even more protec-

tions against the use of corporate or personal wealth to influence elections, such as candidate and party contribution limits, or will he permit sensible limits on political money in order to ensure the voices and will of all Americans are fully represented within the political process?" the groups asked.

In *Citizens United v. FEC*, the 5-4 majority decreed that independent expenditures by corporations "do not give rise to corruption or the appearance of corruption" and that "[t]he appearance of influence or access, furthermore, will not cause the electorate to lose faith in our democracy." In reaching that conclusion, the Court assumed that those expenditures would not be coordinated with candidates, and that they would be disclosed.

Almost everyone in America thinks big money in politics is a problem (94 percent) and that it "empowers wealthy special interests over everyday Americans" (93 percent), according to a recent poll.

Taken to its logical and legal conclusion, the reasoning in *Citizens United*—that corporations have the same right as people, that money is speech, and that laws can't distinguish between speakers—puts the little that remains of our nation's post-Watergate scandal reforms at grave risk. So far, the Court has rebuffed challenges to the federal ban on direct corporate contributions to candidates and to most contribution limits, but Gorsuch's confirmation could change that.

In one of his only campaign finance cases, *Riddle v. Hickenlooper*, Gorsuch wrote a concurring opinion that suggests he would apply the highest level of scrutiny to contribution limits that distinguish between types of contributors. To date, the Supreme Court has applied a lower level of scrutiny to contribution limits, including that reasonable limits only impose a marginal restriction on First Amendment rights.

Gorsuch's opinion signals that he might be willing to strike down a ban on corporate campaign contributions on Equal Protection grounds.

Relatedly, Gorsuch joined the majority in the controversial *Hobby Lobby Stores v. Sebelius* case, which relied heavily on *Citizens United* to extend religious liberty protections to corporations. Indeed, Gorsuch would like to have taken things even further to hold that any individual owners of the corporation could challenge laws that allegedly impinge on their beliefs.

When viewed together, those two cases support the troubling conclusion that a Justice Gorsuch would be more likely to expand on *Citizens United*'s anti-reform rationale than to walk it back.

Outside spending has more than doubled since *Citizens United* and our elections are awash in cash—most of it from the super rich, and much of it secret.

According to a new study by Demos, the Supreme Court's string of decisions deregulating campaign spending over the past decade was responsible for \$1.3 billion in spending on the presidential race and 77 percent of the money flowing into competitive races in 2016.

Campaign spending isn't charity. Most big donors have a stake in government decisions and want something in return. The result? Increasingly, concentrated economic power is translating into concentrated political power, and the rest of us are left on the sidelines.

By all appearances, Gorsuch's confirmation to the Supreme Court would move the country further in that troubling direction by granting corporations new rights and

crippling government's ability to protect Americans from the exercise of increased corporate power. Yet three out of four voters want Congress to reject any Supreme Court nominee "who will help the wealthy and privileged wield too much power over our elections."

It's not hard to connect the dots. Confirming Gorsuch would take the country down a path very few of us want, with damaging results for the health of our democracy.

So that is the completion of the article entitled "Gorsuch Would Move the Supreme Court in the Wrong Direction on Money in Politics" by Arn Pearson from March 17, 2017, in the *Huffington Post*.

This issue of money in politics is a huge one for the future of our country. If we do not succeed in reversing the decisions that have unleashed a flow of largely secret money concentrated in the hands of the megawealthy into campaigns, then there is no way that you end up with a House or Senate that reflects the will of the people.

The President seemed to campaign saying that he cared about workers, about ordinary people, but he has nominated an individual who gives every indication of fully supporting the ability of money to be concentrated in campaigns by the most wealthiest individuals in our country and in fact corrupting the outcome.

I mentioned earlier that you can see this corrupting power by looking at the disappearance of the interests of my colleagues across the aisle in the environment. It used to be that Republicans were often expressing a lot of interest in the sustainable management of the environment.

It was President Nixon who created the Environmental Protection Agency and the Clean Air Act and Clean Water Act, and many colleagues expressed a lot of interest in taking on one of the most diabolical sources of pollution, carbon dioxide. But that interest has completely disappeared since the fossil fuel industry put "bazillions" of dollars into the Republican Senate campaigns—completely disappeared. Isn't that exactly the type of corruption that the Supreme Court said they didn't expect to see?

Let me tell you that we have seen this pollutant, carbon dioxide, surge in the atmosphere. Going back 20 to 30 years ago, there was an increase per year in the parts per million in the atmosphere of about one per year. So you might go from 350 to 351 parts per million in 1 year, and 351 to 352 the next. Now what we see is that the rate of pollution has increased, and we are seeing close to an increase of 2 parts per million. This is not at one location. This is dispersed carbon dioxide pollution across the world. This pollutant is directly the product of burning fossil fuels, coal, and gas and oil.

So we have been extracting and burning these fuels for 150 years, and they

have greatly magnified the amount of work that can be done by a human. When we used to evaluate how much work you can do, we talked about horsepower—1 horsepower, 2 horsepower.

I was working in a village once where I was asked to help a man whose nephew plowed a field in a remote hilltop, and we had a 2 horsepower plow. We actually had a horse and mule pulling that plow. The man told me that that combination was very good because the horse responded to commands better and got the mule to behave, and the mule was better at pulling the plow. So that was the combination. That was 2 horsepower. But when you burn fossil fuels, you create a tremendous amount of energy. We don't talk about our cars with 1 or 2 horsepower; we talk about 100 horsepower or 200 horsepower.

Burning fossil fuels has enabled us to transform the face of this planet in a few generations. Sometimes that has been an extremely positive development—better housing, better transportation systems. But there is an enormous dark side to the burning of fossil fuels, and that dark side is the product, the pollutant, carbon dioxide. As it is accumulating in the atmosphere, it is providing the blanket that is causing the Earth to warm, and that warming is a very destructive force on our farming, on our fishing, and on our forests. We used to talk about computer models and what might happen in the future. Now we simply pick up a newspaper and every day there is a news story of some impact of global warming.

In my home State of Oregon, we have a fire season that is two months longer than it was 40 years ago, with more acreage of forests burning and more heat doing more damage. We have the spread of insects like pine beetles, which would have been killed by colder winters but are not killed by the warmer winters. We have a snowpack in the Cascades that, while it can go up and down year to year, in general has been declining, meaning less water for streams. So we have warmer, smaller trout streams, and we have less water for irrigation, and we have over on the coast a challenge with our oysters that reflects another consequence of the growing pollution of carbon dioxide. That carbon dioxide is absorbed into the ocean. A significant amount of it is absorbed into the ocean and converted into carbonic acid. This acid then, having changed the chemistry of water, makes it much more difficult for sea life to form shells.

At about the time that I was running for office—running for the U.S. Senate in 2007, 2008—there was a problem encountered by the Whiskey Creek Oyster Hatchery in that its baby oysters were not thriving, often dying, and they wondered why.

They turned to researchers at Oregon State University. They thought maybe

that this was a virus, but it was not. They thought maybe this was a bacteria, and it was not a bacteria. Finally, they found something that had been staring them in the face, which was that the water was too acidic. The water they were pulling through a big pipe out of the ocean was too acidic because of the carbonic acid. The result was that the baby oysters had difficulty in forming their shells. It is not just the baby oysters, as coral reefs are being profoundly impacted across the world.

There is a researcher from Oregon State University, Professor Dickson, who has made studying coral reefs his life's work. He did a briefing here in DC. It was probably 7 or so years ago—6 or 7 years ago. He showed some slides of the coral reefs that he had been studying—what they used to look like and what they looked like today. He said: These reefs are my babies, and my babies are dying. They are dying because the temperature of the water is warmer and more acidic.

You may wonder how this affects the corals. First, as with the oyster shells, they have more difficulty in forming their bodies. Coral is an animal, and it lives in a symbiotic relationship with algae. When the changes occur in the water, the algae can multiply at a rate that is not supportable by the coral, and the coral ejects them. This is referred to as bleaching. If circumstances do not change quickly, the coral will die because it has ejected its symbiotic partner on which it depends in order to live. There are reports that, over the past few years, 80 percent of the Great Barrier Reef, off of Australia, has died.

So here we have this massive problem that is facing the planet—carbon pollution. It is having a huge impact on our farming for irrigation water. Certainly, in our fishing, it is affecting things like coral reefs and oysters and in our forests, with there being more intense forest fires. Yet we here are doing so little to face this and address this.

Why are we doing so little?

We are doing so little because the coal and oil billionaires have proceeded to invest so much money in third-party Senate campaigns to elect one side of the aisle and defeat the other side. They become the controlling power behind what happens here on the floor of the Senate.

Those interests, most prominently represented by the Koch brothers, do not want us to take on this issue of global warming and carbon pollution because to take it on means to transform our energy economy from extracting and burning fossil fuels, which they own vast amounts of, to clean and renewable energy, which does not create carbon dioxide—solar energy and wind energy. This group of companies—the Koch brothers and friends—is doing everything it can to make sure that this

body sustains the subsidies we give to it and not help the success of the clean and renewable energy that might replace the fossil fuels.

Look at it this way: Imagine that you have a set of doctors and they have an enormous disease affecting a city, but the donors behind the doctors have a big stake and do not want them—the doctors—to address the illness. That is corruption, and that is what we have right here, right now.

We have a Senate that is corrupted by Citizens United and dark money that flows through the campaigns and causes Senators who were concerned about the environment to decide that, if they want to stay in office, they had better not talk about it and they had sure better not do anything about it. In addition, this fossil fuel cartel wants to make sure it has a corps that continues this corruption. That is why they put so much pressure on Senators not to consider Merrick Garland when he was nominated last year, in 2016.

For the first time in the history of our country, when there was a vacancy during a campaign year—an election year—the Senate failed to do its responsibility under the advice and consent clause of the Constitution. There were 15 times when we had previously had a vacancy during an election year, and 15 times the Senate had responded, but not last year, not on turn No. 16. Why was that? It is because the oil and coal cartel did not want Senators to consider a Justice who might, actually, end this corrupt system of the funding of campaigns.

You can see that their influence comes on multiple levels in terms of direct pressure on policies for those who sit in the Senate but also in terms of determining who sits in the Senate to begin with. In this article, Gorsuch would move the Supreme Court in the wrong direction on money and politics. This is not just one issue among dozens of others. This is a key issue as to whether or not we have a “we the people” government, which we are in the process of losing. We are fighting this nomination because we are fighting to keep this vision—our constitutional vision.

Our Founders were well aware that the powerful want to have a government that serves the powerful. They saw it throughout Europe. They said: We are going to do it differently in the United States of America. We are not going to have a government by and for the powerful. We are going to have a government by and for the people.

This is where Jefferson was concerned about whether we could sustain such a government—one that would make decisions that reflected the will of the people. He noted that we must, in order to have that happen, have individuals—each citizen—have an equal voice. But Citizens United and the philosophy for the powerful of Neil

Gorsuch is the opposite of Jefferson’s mother principle. It is the opposite of “we the people.” That is why, when we come to a vote on closing debate on this nominee, at least 41 of us are going to stand up and say: absolutely not. We are going to stand for the integrity of the United States. We are going to stand for the integrity of our Constitution. We are going to stand for the integrity of the Senate, and we, certainly, are going to stand for the integrity of the Supreme Court. That vote should be 100 to zero to oppose closing debate, but at least 41 of us care about this Constitution, and we will be doing all we can to try to save our Nation.

I am going to share an article by Paul Gordon: “Real People, Real Lives: The Harm Caused By Judge Gorsuch.” This article was written in February of 2017.

When Donald Trump was running for president, he outsourced his future selection of potential Supreme Court nominees to two right wing organizations, the Federalist Society and the Heritage Foundation. They provided him a list of 21 people who were acceptable to them, Trump (the candidate) promised to select a nominee from the list they gave him, and they and their right wing colleagues agreed to support him. Neil Gorsuch was nominated as the product of this political arrangement.

So it is no surprise that Judge Gorsuch has a history of regularly finding ways to put corporations and the powerful first. In that way, he is much like his idol and role model Antonin Scalia and the other far right conservatives on the Supreme Court. And while this unbalanced approach to cases might make for interesting reading, the courtroom is not an academic paper. Each case involves real people with real problems. While a judicial decision might be just another day at work for some judges, it is often one of the most important and impactful days in the lives of the people involved. Below are some of the cases Judge Gorsuch has been involved with and the people who have been affected by them—people who have been victimized outside the courtroom and, to the extent Gorsuch’s view prevails, are victimized again.

(Mr. JOHNSON assumed the Chair.)

The article continues by turning to the case of *Pinkerton v. Colorado Department of Transportation*, 2009.

How many men serving as Federal judges on circuit courts have experienced increasingly blatant sexual harassment from a supervisor over a period of weeks and months? Probably not many. Perhaps that played a role when Judge Neil Gorsuch joined Paul Kelly’s opinion upholding the dismissal of a fired woman’s case alleging outrageous sexual harassment and retaliation.

Betty Pinkerton experienced two months of escalating sexual harassment from David Martinez, her supervisor, at her job with the Colorado Department of Transportation. The harassment began in December 2002 when Martinez asked her, “What does a divorced 52 year [old] lady do when she gets sexual urges?” As she unfortunately had to do several times over the next two months, Pinkerton told him he was being inappropriate in asking such personal questions.

The harassment continued through January and February. Every time she made it

clear that his comments were not welcome, but the harassment continued.

So on February 19, 2003, she reported the harassment to the office of the civil rights administrator and formally filed a written complaint on February 24. About three weeks later, Martinez was removed as Pinkerton’s supervisor, and on March 21 he was formally found to have engaged in sexually inappropriate conduct with her.

But six days later, Pinkerton was fired. She sued the Department of Transportation, claiming it was liable for the hostile work environment Martinez had imposed on her. But in *Pinkerton v. Colorado Department of Transportation*, Judges Gorsuch and Kelly uphold the ruling of a magistrate judge that she had waited too long (two months) to report the harassment and the claim could not go to trial.

But as the dissenting Judge, David Ebel, pointed out, there could have been justifiable reasons for the delay. Perhaps she felt the harassment wasn’t sufficient enough to file a complaint until it elevated to a certain point, or maybe she thought she could get her supervisor to stop without the involvement of the civil rights office and without possibly damaging her relationships with others in the office.

In addition, although this was not mentioned in the dissent, perhaps the judges in the majority had insufficient personal familiarity with repeated sexual harassment to know the many reasons a woman might not promptly file a complaint. But instead of letting a jury decide the question of fact as to whether she waited “too long,” Gorsuch and Kelly took it upon themselves to be the jurors and decided this factual issue on their own.

Pinkerton also claimed that the Department of Transportation had fired her as retaliation for reporting the sexual harassment, while her employer cited poor performance as the cause, each side having supporting evidence. Here too, Judge Gorsuch took the issue away from a jury. He joined Judge Kelly’s majority opinion in a detailed analysis of all the evidence (like a jury would have done at trial), decided that no reasonable jury would find the Department of Transportation fired her for any reason but poor performance, and therefore dismissed her retaliation claim.

That’s the jury’s job, not theirs. As Judge Ebel noted in his dissent, each side presented evidence supporting their position, and the case should have gone to trial so the jury could do what it is supposed to do: Determine the motive for the firing. Judge Ebel listed several factors that a jury might consider to determine that the employer’s rationale of job performance was simply a pretext for her firing. For instance:

The State Department of Transportation director testified that the most serious error leading to Pinkerton’s firing was an allegedly mishandled call from an employee’s daughter that had happened about four years earlier.

The director tried to get Pinkerton another job with the state Department of Transportation only months before she was fired.

As Judge Ebel noted, “It is a jury’s function to determine whether an employer acted with a retaliatory motive.” But Judge Gorsuch chose to join his colleague as the jury so that Pinkerton would not have the issue decided by a jury of her peers.

I am reading from an article called “Real People, Real Lives: The Harm

Caused By Judge Gorsuch,” by Paul Gordon, March 2017.

The article now turns to the case of *Caplinger v. Medtronic* in 2015. The headline of this section is “Medical Device Maker Pushes Misuse of Product: Protecting a Corporation From Its Victims.”

It starts out saying:

Illness can be frightening. We turn our health and our lives over to medical personnel and there are many devices of healing. While the physician is highly trained in medicine, the device manufacturers are highly trained in selling their products to the physicians. Patricia Caplinger learned this the hard way.

Suffering from a degenerative disc condition, Patricia Caplinger and her doctor discussed her options. Medtronic had developed the “Infuse Bone Graft device,” which stimulated bone growth. The FDA had only approved its use for surgeries entering the body from the front, but a Medtronic representative recommended an “off-label” usage: Enter from behind to use the Infuse device. Not knowing that Medtronic had evidence that such posterior approaches could actually cause serious complications, both Caplinger and her doctor chose to follow Medtronic’s advice. The company’s representative was even present for the operation.

The consequences of the company’s recommendation were terrible for Caplinger, because posterior use of the device resulted in too much bone growth. Two or three months after the procedure, her symptoms returned and worsened. She developed foot drop as a result, which in turn led to a knee ligament tear requiring surgery. The rapid overgrowth of new bone in her spine led to additional surgery, but the overgrowth continued nonetheless, requiring yet another surgery.

Because of the harm she suffered, Caplinger filed a complaint against Medtronic in court. In her lawsuit, Caplinger presented evidence of the lengths to which Medtronic went to facilitate off-label use of its Infuse product. These included bribing doctors, paying kickbacks for promoting such uses, and funding misleading scientific studies that provided a false impression of the safety of these off-label uses.

Nevertheless, writing for a split panel in *Caplinger v. Medtronic*, Gorsuch agreed with the lower court that every charge of Caplinger’s state-law lawsuit was preempted by federal law. The dissenting judge agreed in part, but concluded that Caplinger’s negligence and failure-to-warn claims were not necessarily preempted. He wrote: “My disagreement with the majority opinion does not turn on the substance of federal preemption law. Instead, our disagreement turns on our respective characterization of Caplinger’s pleadings and understanding of the proper burden at this stage of the litigation.”

All three judges seemed to agree that Caplinger’s briefs were not written very clearly to address all the facets of the preemption issue. One judge was willing to interpret them to give her another chance to make her case, but Gorsuch chose to characterize Caplinger’s pleadings in such a way as to ensure her case would be dismissed.

The executives at Medtronic were very likely very relieved.

This article, “Real People, Real Lives: The Harm Caused by Judge Gorsuch” now turns to address

“Gorsuch and Children with Autism: Removing the Chance to Learn Lifetime Skills.”

When Congress passed the Individuals With Disabilities Education Act, it was a major step forward in making sure children with disabilities had a free and appropriate public education. But Luke P., a child with autism living in Colorado, was denied this right by Judge Gorsuch, negatively affecting not just him but other kids throughout the Tenth Circuit.

Luke was two years old when he was diagnosed with autism, and when he entered school, he had an education plan specific to his needs, as required by IDEA. Between kindergarten and third grade, he made significant progress in skills relating to communication, self-care (including use of the toilet), independence, motor skills, social interactions, and academic functioning.

But there was an enormous problem for Luke. He was generally unable to transfer his skills into environments other than school. So when he was home or otherwise out of school, he continued to have significant problems.

Fortunately, his parents learned about a residential private school specializing in educating children with autism. If he could gain admittance, Luke would live at the school for 44 weeks of the year, and he would be supervised 24 hours a day. It was a great opportunity to not only advance in the skills learned in school, but to generalize them so they weren’t place-dependent. His parents enrolled him there with updated education goals and a new plan to achieve them. They then applied to the school district to reimburse them (since IDEA promises a free education). But the district refused. They were willing to accept Luke’s updated plan, but they insisted those goals could be met at the public school he’d been attending.

His parents refused to send him back to a school that had achieved some success but had also failed Luke in many important ways and continued to seek reimbursement. A hearing officer, an administrative law judge, and a federal district court judge all agreed that Luke’s inability to generalize his skills demonstrated that the school district had failed to provide him with the free appropriate public education required by law. Only the residential program could do that, meaning the district needed to reimburse Luke’s family.

Then Judge Gorsuch stepped in, taking away Luke’s opportunities and risking his entire future.

Writing for a Tenth Circuit panel in *Thompson R2-J School District v. Luke P.*, Gorsuch ruled in favor of the school district. They had met their obligation to Luke because all they had to do was provide an educational benefit that was more than de minimis. That is quite a low bar, one that could easily prevent Luke and other children from acquiring the critical lifetime skills they will need throughout their school years and for the rest of their lives.

Fortunately, there is hope: This term, the Supreme Court is considering a different case challenging the “de minimis” standard. A decision in *Endrew F. v. Douglas County School District* is expected by the end of June. Luke’s family and families across the nation will be looking to the Supreme Court to protect their children.

What this article doesn’t note is that the Supreme Court just handed down a decision 8 to 0 overturning the position Judge Gorsuch had in this case. They

ruled that the IDEA Act was intended to “provide an educational benefit that was more than de minimis.” Merely more than nothing, I believe, was Gorsuch’s standard. Merely more than nothing—if you have done that, you have met the test. The Supreme Court said: No, the whole point of the act was to provide an appropriate education. It wasn’t one or two Justices rejecting Gorsuch’s writing, his interpretation of the law—basically, his decision to ignore the law, which is what he did in his decision. They ruled 8 to 0. They basically kicked that decision clear out of the field of common sense or a rational interpretation of what the IDEA Act says. So that was a powerful addition to that story.

Let me return to the article. This section is called “No Leave Extension for Leukemia Patient: Gorsuch’s Cramped View of What Makes an Accommodation Reasonable.” This is the case of *Hwang v. Kansas State University*, in 2013.

Grace Hwang, a longtime assistant professor at Kansas State University, received frightening news in June of 2009: Her doctors diagnosed her as having leukemia. Without aggressive chemotherapy and a bone marrow transplant, she would die. She had to spend six months in medical facilities, during which time she was on a paid leave of absence. But she made sure her work got done: She prepared the instructors who were stepping in for her, including by sharing her teaching materials, lesson plans, and syllabi. Even while she was hospitalized, she consulted with the substitutes through phone calls and e-mails.

In January, after her six-month ordeal, Professor Hwang was looking forward to returning to work. But there was a severe outbreak of swine flu on campus, and her physicians warned her that, due to her compromised immune system, she should stay away from campus. So she informed university officials that she would need some additional leave—hopefully, a short time, but potentially as long as the entire semester, depending on the flu situation and her immune system.

But the university refused to grant her additional leave. Their reason? Because they have a policy that caps a leave of absence at six months, which she had used up. Professor Hwang sued them for violating the Rehabilitation Act, which requires employers to provide a reasonable accommodation for someone’s disability. She was unsuccessful before the district court.

The Rehabilitation Act calls for accommodation requests to be evaluated on a case-by-case basis. Every situation is unique, depending on any number of factors. That is why Congress chose not to set a point at which a leave of absence was no longer a reasonable accommodation.

But when Professor Hwang appealed to the Tenth Circuit, Judge Gorsuch ruled against her in an opinion very much focused on the length of time from its very opening (*Hwang v. Kansas State University* (2013)). He set Professor Hwang up to lose in the very first paragraph. He could have opened the opinion in a neutral manner by asking whether extending her leave would create an undue burden for the university. Instead, he chose to frame the legal issue from the university’s perspective, casting the employer as the victim:

Must an employer allow employees more than six months' sick leave or face liability under the Rehabilitation Act? Unsurprisingly, the answer is almost always no.

Judge Gorsuch concluded that the professor simply could not perform the duties of her job without being present on campus, and an accommodation past six months was not reasonable under the Rehabilitation Act.

The Rehabilitation Act seeks to prevent employers from callously denying reasonable accommodations that permit otherwise disqualified disabled persons to work—not to turn employers into safety net providers for those who cannot work.

Since Professor Hwang performed work while hospitalized to ensure her classes were taught effectively in her absence, it is hard to imagine that she could not do any work from home. She was simply seeking a hopefully-short extension of her leave so she could do her work in person without risking her life. It is also difficult to see how her efforts to retain a job she'd excelled at for more than a decade was just an effort to turn her employer into [as Judge Gorsuch termed it] "a safety net provider."

When Professor Hwang was first diagnosed, she probably had no idea that her treatment would cost her her job.

These are stories from the article, "Real People, Real Lives: The Harm Caused By Judge Gorsuch."

The next section is titled "Excessive Force: Immunity For Police Officer Who Kills Young Man Over Marijuana Plants."

Wilson v. City of Lafayette (2013).

Wendy and Jack Wilson learned about Gorsuch's approach to the law the hard way when they sought to hold police officer John Harris accountable for needlessly killing their son Ryan. Their son had been standing near an area known for growing marijuana, and he admitted the plants were his. Then he ran. Officer Harris chased him until Ryan reached a fence, where he stopped. Officer Harris saw Ryan start to reach into his pocket and warned him not to, in case it held a weapon. As Ryan turned to run again, Officer Harris shot him in the back of the head or neck with a Taser, killing him.

But in *Wilson v. City of Lafayette* (2013), Judge Gorsuch concluded that Harris hadn't used unconstitutionally excessive force, so the parents' case shouldn't even go to trial. Another judge observed in her dissent that Gorsuch's opinion

... fails to give sufficient weight to the fact that the Taser used by Officer Harris on August 4, 2006, had a targeting function, that Officer Harris fired at Ryan Wilson from only ten to fifteen feet away, and the training manual specifically warned officers against aiming it at the head or throat unless necessary.

Given all this, the Wilsons certainly had a legal argument of excessive force they should have been able to present at a trial. But Gorsuch shut that possibility down. After losing their son, they lost the opportunity to hold anyone accountable for his completely unnecessary killing.

So much for "And Justice For All."

The next story in this article, "Real People, Real Lives" is "Worker Dies Due to Inadequate Training, but Gorsuch Tries to Rule for the Company," the case of *Compass Environmental*, otherwise known as the case of the electrocuted miner.

Chris Carder also died needlessly, but in this case it was from a workplace accident in which he was electrocuted. Carder worked as a trench hand at a mine site, which involved using rubber and metal hose with a metal nozzle to dispense grease. Since there was a live power line crossing over the construction site, the safety training everyone received warned trench hands and others to keep at least twenty feet from the powerline. However, Carder started on the job a week after everyone else and, in a decision that had tragic consequences, this safety measure was not included in Carder's individual training. An accident ensued when the nozzle was too close to the power line, and Carder was fatally electrocuted.

Looking into the accident, the Department of Labor's Occupational Safety and Health Review Commission (OSHRC) concluded that Carder could have avoided electrocution had he been adequately trained by his employer (Compass Environmental) about the highly dangerous situation he faced—training that the other on-site employees had received. OSHRC [Occupational Safety and Health Review Commission] issued a serious citation against Compass for inadequate training, and it imposed a financial penalty against the company. This was upheld by a Tenth Circuit panel, but with Judge Gorsuch in dissent.

While the majority in *Compass Environmental v. OSHRC* (2011) criticized Gorsuch's case analysis, perhaps most striking was Gorsuch's decision to open his dissent with an ideological criticism of federal agencies in general:

Administrative agencies enjoy remarkable powers in our legal order. Their interpretations of ambiguous statutes control even when most everyone thinks Congress really meant something else. Their regulations bind as long as they can make the modest boast that they haven't behaved arbitrarily or capriciously. Their factual findings rule the day unless someone can show they have not just erred but clearly erred.

Gorsuch wrote that this was such a case, where the agency had erred in finding Compass had violated the law. But the superfluous ideological introduction cast a shadow on his entire approach to the case and whether he analyzed it as a disinterested judge or as an anti-government conservative seeking to use his position on the federal bench to make a political point. Either way, if it had been up to Gorsuch, the company responsible for Carder's death would not have been held accountable.

Well, it wasn't up to Gorsuch, because the majority of the panel said: Yes, of course if you put a worker in a highly dangerous situation, you have the responsibility to train them about that situation. Somehow, Gorsuch managed to find the opposite conclusion: If you put a worker in a highly dangerous place and don't train them, that is OK, even if they die as a result.

I am reading stories from the article, "Real People, Real Lives: The Harm Caused By Judge Gorsuch." The next section is, "Die or Be Fired: The Case of the Frozen Trucker." I have relayed the facts of this several times since I began speaking a few hours ago, so I will try to do an abbreviated version of this.

TransAm Trucking v. Administrative Review Board (2016).

While Chris Carder died on the job, Alphonse Maddin was fired for not dying on the

job. He was a truck driver hauling cargo in subzero weather, and the brakes on his trailer froze. He stopped, called the company to report the problem, then waited for a repair person. Unfortunately, the heater in the cab of the truck was broken, wasn't working, so after a couple of hours, his body became numb, his speech was slurred, and he couldn't feel his feet at all. He called the company two more times and reported his increasingly perilous state; he was even having trouble breathing.

Maddin unhitched the trailer from the truck. With the repair person still not there, he called the company to let them know he was leaving to get help, but he was told not to leave the trailer behind. He was given two choices: Drag the trailer despite its frozen brakes (either impossible or wildly dangerous), or keep waiting for the repair person in the cold and put his own life at risk.

Rather than die in the cold, Maddin drove off in the truck for help, leaving the trailer behind and returning with assistance in about 15 minutes. A week later, the company fired him for abandoning his cargo. The Labor Department found that the company had violated whistleblower protection regulations, since Maddin had reported a problem, not obeyed an order relating to that problem that could have killed him, and was fired for it.

Not surprisingly, . . . a panel of Tenth Circuit judges upheld the Labor Department's actions. But Judge Gorsuch dissented. The Surface Transportation Assistance Act protects a worker from refusing to operate an unsafe vehicle.

I am now interjecting—which is what he did because he refused to drive with that trailer attached with the frozen brakes, which could have endangered many people on the road.

Now I will return to the article.

. . . a panel of Tenth Circuit judges upheld the Labor Department's actions. But Judge Gorsuch dissented. The Surface Transportation Assistance Act protects a worker from refusing to operate an unsafe vehicle, but Gorsuch reasoned that the driver wasn't "refusing to operate" anything at all; instead, he was choosing to operate the vehicle in a way that he'd been instructed not to. And that, wrote Gorsuch, isn't covered by the law.

And that is how a person who wants to be a legislator turns the law on its head, to reverse the outcome clearly laid out in the law to begin with.

Back to the article.

So according to Gorsuch, a law passed to protect workers from being forced to drive unsafe vehicles doesn't cover workers who drive away to avoid the particularly unsafe situation of death. The law empowers companies to make workers choose between their jobs and their lives, according to Gorsuch. Fortunately, Maddin survived his ordeal and Gorsuch's analysis did not carry the day.

The next section of this article, "Real People, Real Lives: The Harm Caused By Judge Gorsuch"—the title is "Defer to the Governor, Facts Notwithstanding: Gorsuch Turns a Blind Eye to an Unlawful Effort to Defund Planned Parenthood."

This is also a case that I have read a fair amount about in the course of the last few hours, so I will just summarize it.

The Governor of Utah said: Well, there is this video out, and it is about a program in which Planned Parenthood sells tissue for research. I don't like what they are doing, so I am going to refuse to provide State funds to Planned Parenthood.

Planned Parenthood basically pointed this out: Well, first, the video didn't have anything to do with Utah. Second of all, Planned Parenthood in Utah is not involved in this tissue research program, so it had nothing to do with us in that regard. And refusing to provide State funds to us is unequal treatment under the law and unconstitutional.

The case was tried, and the judges found for Planned Parenthood for all the reasons I just mentioned. Neither the Governor of Utah nor Planned Parenthood saw any reason to appeal this. Planned Parenthood had won, and the Governor recognized that there were seriously strong arguments that had been made. But Gorsuch did something very unusual: He asked the Tenth Circuit to reconsider the decision of the three-court panel en banc, which means with all the judges of the Tenth Circuit. He essentially retried the entire case with a larger group. Gorsuch accused the majority of not showing "the sort of comity this court normally seeks to show the States and their elected representatives."

Let's treat the Governor nicely. The job of the court is not to treat the Governor nicely; the job is to determine whether someone's rights have been violated or whether someone has suffered damage that needs to be compensated.

One of the fellow judges in the majority criticized Gorsuch's mischaracterization of the record, and he noted that Gorsuch "mischaracterizes this litigation and the panel opinion at several turns."

The article continues:

It would be hard to estimate how many women would have become ill or died if Judge Gorsuch had been in the majority.

The next section of this article, "Real People, Real Lives: The Harm Caused By Judge Gorsuch" is titled "No Understanding of Another's Perspective: The Department Of Motor Vehicles and the Rehabilitation Act." This is the case of *Barber v. Colorado*.

Julianna Barber and her mother, Marcia Barber, learned just how out of touch Judge Gorsuch could be . . . and the pain that he would impose on people with disabilities and their families. Fifteen year-old Julianna wanted to practice her driving. Colorado law restricted her to driving with a parent or guardian with a driver's license. Since her mother Marcia was blind and therefore didn't have a license, she asked the DMV for a reasonable accommodation: Let Julianna drive with her grandfather. After consulting with the State attorney general, the DMV refused, but suggested that Marcia could give Julianna's grandfather some form of guardianship. She refused to even discuss signing away her parental rights, and the family sued under the Rehabilitation Act.

The Barbers lost in the Tenth Circuit with a panel consisting of judges nominated by Ronald Reagan, George H.W. Bush, and George W. Bush in *Barber v. Colorado*. The majority acknowledged that the State had discriminated against Marcia Barber but ruled against her because she refused to negotiate with the DMV over reasonable accommodation.

But Judge Gorsuch wrote a concurrence going even further: Citing Colorado Revised Statute Section 15-14-102(4), Gorsuch pointed out that the guardian for purposes of driving does not have to be someone with full guardianship authority. He also cited Colorado Revised Statute 15-14-105's provision that a parent can delegate "any power," however small, "regarding care, custody or property" of a child to someone else. Therefore, all Marcia Barber had to do was find a sheet of paper and write that Julianna's grandfather had the right to supervise her driving. She wouldn't need to file the paper in court or go through any other formal process. According to Gorsuch, this option is available to anyone, does not discriminate against anyone based on disability.

The DMV wasn't even required to make a reasonable accommodation for the family. At no point in the opinion is there any suggestion that Marcia Barber understood that the DMV was talking about anything but surrendering some of her parental rights, so it was not surprising that she wouldn't consider discussing it further. No reasonable judge can expect a regular person to be sufficiently familiar with the details of Colorado statutes to know everything about guardianship that he cites. How would she know this?

Gorsuch's inability to comprehend the worldview of another person is perfectly captured in the footnote to his concurrence.

The article says it is worth quoting in full. Here is that footnote:

Plaintiffs argue that, in a February 23, 2005 letter, the State misrepresented its Colorado law by asking Ms. Barber to sign a document giving full, not limited, guardianship authority to another person. The letter, however, simply stated that, for the "youngest of drivers just learning to drive," State law required "that they be under the direct and immediate supervision of someone with full parental authority." By definition, a limited guardian has full parental authority, albeit for prescribed purposes, sometimes even very modest purposes (such as the supervision of a minor while driving). The State thus did not misrepresent to plaintiffs the availability or nature of its limited guardianship statutes.

Perhaps 95 to 99 percent of the Nation's population, like Marcia Barber, would not know that someone with full parental authority could include someone whose only authority is permission to supervise her daughter's driving. A good judge recognizes that different people can reasonably interpret the same thing differently based on their different education, upbringings, and life experiences.

I think if somebody told me that they wanted me to grant full parental authority to someone else, I certainly would say: Hold on. That is not happening.

What Neil Gorsuch points out is that full parental authority can apply to a very small set of activities, but the phrase "full parental authority" im-

plies a broad range. How would an ordinary citizen possibly know the point Neil Gorsuch is making? And therefore I think virtually everybody would respond the way she did. Full parental authority—I am going to pass that away? No, of course not. Why don't they call it limited or special cause parental authority? Then maybe an ordinary person might have some idea. But that was not the case.

The next section in "Real People, Real Lives: The Harm Caused By Judge Gorsuch" is titled "Sex Discrimination: Never Mind the Evidence."

Many of the appeals before the 10th Circuit involve plaintiffs whose cases were dismissed before trial or jury verdict because (the trial judge ruled) they had not presented enough evidence to possibly support their legal claim. That is what happened to Carole Strickland, a UPS driver who was promoted to key account executive. She presented evidence that she had been the subject of sex discrimination at the new job and quit under pressure.

Her coworkers testified that supervisors treated her differently than her male colleagues. Even though Strickland met between 93 and 104 percent of her sales quotas and was outperforming at least some of her coworkers on every measure, only she was required to attend individual meetings with the supervisors. Only she had to make written sales commitments, even though no one was at 100 percent of every sales quota. One of the men in her office had lower performances than Strickland in almost every sales measure, but he was not required to attend meetings to discuss performance, was not denied assistance, and was not counseled for failing to reach 100 percent in every sales measure.

At the same time, UPS pointed out that there was one other woman in Strickland's office, and she did not report being treated differently. In addition, there had been one man among the staff whose treatment approached that given to Strickland. The district court ruled that she didn't have a case and dismissed it.

The Tenth Circuit panel of judges who heard her appeal in *Strickland v. UPS* (2009) disagreed. While her employer's evidence might have undercut Strickland's case, she had nevertheless presented enough evidence for a jury to consider her arguments, consider UPS's arguments, and conclude that she had indeed been subject to unlawful sex discrimination.

That is what the 10th Circuit said.

Judge Gorsuch dissented, deciding for himself that Strickland's supervisors were not motivated by sex discrimination. Therefore, Gorsuch concluded, since no reasonable jury could agree with Strickland about the cause of her treatment, her case should be dismissed before she could make her case to a jury.

Everyone deserves their day in court. Except for some people.

In case after case that I have been talking about in the course of the last few hours, we see that the judge said: No, we are going to stop that person from ever getting their day in court. Generally, the article attacked the conduct of a powerful corporation.

The next section of "Real People, Real Lives" is regarding "The Most

Vulnerable: Children With Disabilities.” This case is “*A.F. v. Espanola Public Schools* (2015).”

The Individuals with Disabilities Education Act, IDEA, ensures that students with disabilities are provided “free appropriate public education.” Under the law, such children have individualized education programs designed to provide educational benefits. Congress included a requirement that if a parent believes their child’s needs are not being addressed, . . . they must first exhaust the administrative remedies IDEA makes available before they can go to court. Congress has also passed other laws relevant to children with disabilities, some of which have remedies that IDEA lacks. They also require all IDEA administrative remedies to be exhausted first before going to court.

A.F., a child with dyslexia, had her case heard on appeal by Judge Gorsuch who read IDEA to limit parents’ options to most effectively address their children’s educational needs. A.F.’s mother Christine felt the school hadn’t adequately assessed her daughter and created an IEP [an Individual Education Plan] for her as IDEA requires. She filed a complaint and reached an agreement in which the school recognized that A.F. had a disability. Believing she had met the requirement to exhaust IDEA’s administrative remedies, she then went to court to obtain remedies available under statutes like the Rehabilitation Act and the Americans with Disabilities Act.

But in *A.F. v. Espanola Public Schools* . . . Judge Gorsuch shut her down. Writing for a divided panel, he ruled that she hadn’t exhausted her administrative remedies because she had reached a settlement with the school district on her IDEA case. To pursue relief available only through statutes other than IDEA, he concluded, a parent must refuse to resolve the IDEA claim.

Judge Mary Beck Briscoe pointed out the bind Judge Gorsuch was imposing on parents with children with disabilities, against Congressional intent.

Judge Briscoe wrote:

[Judge Gorsuch’s] interpretation is inconsistent with the very purpose of IDEA. It forces a claimant to choose between mediating a resolution to her IDEA claim . . . and thereby obtaining some or all of the relief sought under IDEA . . . or forgoing any relief at all and waiting (while the child ages and potentially continues to receive something other than the requisite “free appropriate public education”) in hopes of later filing suit and obtaining relief under both IDEA and other statutes.

So his position just places the parent in an impossible situation and obviously a good share of the panel disagreed. Of course there are parallels there on that IDEA case to the autism case that we looked at earlier. Certainly, in both cases, the judge was not sympathetic to the role of the family seeking an appropriate education for their child. In the autism case, the Supreme Court just recently overturned Judge Gorsuch and the principle he asserted, which is basically all that was required of the school district was “merely more than de minimus,”

merely more than nothing. That is inconsistent with the whole purpose of the IDEA, which is to provide a free appropriate public education. So here again, we see much the same attitude being displayed, an attitude of rewriting the law to be something that it clearly is not.

“The Sixth Amendment: Undermining the Right to Counsel. *Williams v. Jones*.” I am reading another section from “*Real People, Real Lives: The Harm Caused By Judge Gorsuch*.”

Perhaps no government power is more awesome—and more dangerously susceptible to abuse—than the right to imprison someone, completely taking away their freedom. Because our liberties require robust protection, the Bill of Rights establishes certain requirements that the government must meet before it is allowed to exercise its authority to lock any of us away. Since the criminal law can be used mistakenly or even inappropriately against anyone, these procedural requirements are guarantors of our freedom.

The Founders recognized that unjustified imprisonment would be less likely if each criminal defendant had someone advocating for them who knew the law inside and out. Hence, the Sixth Amendment guarantees that the criminally accused “shall enjoy the right . . . to have the Assistance of Counsel for his defence.” As a constitutional provision that is part of the Bill of Rights, this indicates that, as a nation, we believe that no one should be stripped of their freedom just because they are not experts in the law.

But Judge Gorsuch appeared to disagree, as he showed in 2009 case of *Williams v. Jones*. In this case, Michael Williams was being prosecuted for first-degree murder. The prosecution offered him a deal which he would plead guilty to a lesser crime (second-degree murder) and he would serve ten years in prison. Williams wanted to accept. However, his attorney said that if Williams accepted the deal, he (Williams) would be committing perjury and the lawyer would withdraw from the case.

Faced with this terrible legal advice and threat from his attorney, Williams reluctantly rejected the plea deal and went to trial. He was found guilty of first-degree murder and sentenced to life in prison without parole.

At the Tenth Circuit, the panel majority addressed the appropriate remedy for the unconstitutional ineffective assistance of counsel. While the remedy was not an easy issue to address, the majority had no difficulty whatsoever in identifying the constitutional violation. Indeed, a state court in Oklahoma had already found that there was a Sixth Amendment violation in this case.

Judge Gorsuch dissented both from the panel decision and from the whole court’s decision not to reconsider the case en banc. He found no constitutional violation in the first place, because he claimed that the right to effective assistance of counsel only covers the trial, not any pretrial plea bargaining. Since the trial itself appeared to be fair, Gorsuch concluded, Williams didn’t have a case. He wrote that “due process requires a fair trial, not a good bargain.”

A little commentary here: What Judge Gorsuch was doing was saying that the Sixth Amendment right to legal assistance is only in the case of the trial, not in the legal work done before the trial starts. That is what is being referred to by the panel majority

as an “extremely cramped view of the right to counsel.”

So the article continues:

The panel majority harshly criticized this extremely cramped view of the right to counsel, noting that it had been rejected by the Supreme Court and was “incompatible with [the Supreme Court’s precedents involving] a right to effective assistance of counsel in connection with the entire plea process.” When the circuit without comment declined to reconsider the case en banc, one judge wrote . . . a concurring opinion solely to correct the errors in Gorsuch’s dissent. They cited the Supreme Court’s prior holdings and statements that would have made no sense if the Sixth Amendment’s right to counsel didn’t apply at the pretrial plea-bargaining stage.

The Sixth Amendment protects both the guilty and the innocent. Judge Gorsuch’s narrow interpretation is particularly frightening in the age of Trump.

That concludes that section. But it certainly is disturbing that Neil Gorsuch made a decision that completely disregarded the Supreme Court precedents and made no sense because when you have a lawyer, that lawyer is assisting you through the legal process. Part of that is the negotiation that occurs before you are actually in court. It is all part of the process of your case being considered. To try to put up a wall and say the Sixth Amendment does not apply to any of the legal work done, including negotiations over a potential plea, makes no sense.

So you have Judge Gorsuch writing his own law, ignoring the Supreme Court precedents, and being reprimanded, in essence, by the panel majority.

Returning to the article, “*Real People, Real Lives*,” the conclusion of the article reads as follows:

These are far from being the only people who have been or could have been greatly harmed by the way Judge Gorsuch approaches cases. When Gorsuch’s view carry the day right now, the damage he does is limited to States covered by the Tenth Circuit; he has also been limited by the Supreme Court precedent he may disagree with. Were he to be elevated to the High Court, however, he would be in a position to overrule precedents that have gotten in his way over the past 10 years, and the damage he would impose would be nationwide and unreviewable.

Judge Gorsuch may be affable and have many friends, but that is not at all relevant to whether he should be confirmed to the Supreme Court. Few if any of the parties Gorsuch has unfairly ruled against would feel better knowing that he is reputed to be a great guy outside the courtroom.

So, that is the article “*Real People, Real Lives: The Harm Caused By Judge Gorsuch*.”

The next article is from the New York Times by Emily Bazelon and Eric Posner from April 1, 2017. No, this was not an April Fools’ article. This is a serious article: “*The Government Gorsuch Wants to Undo*.” It starts out as follows:

At recent Senate hearings to fill the Supreme Court’s open seat, Judge Neil Gorsuch

came across as a thoroughly bland and non-threatening nominee. The idea was to give as little ammunition as possible to opponents when his nomination comes up this week for a vote, one that Senate Democrats may try to upend with a filibuster.

But the reality is that Judge Gorsuch embraces a judicial philosophy that would do nothing less than undermine the structure of modern government—including the rules that keep our water clean, regulate the financial markets and protect workers and consumers. In strongly opposing the administrative state, Judge Gorsuch is in the company of incendiary figures like the White House advisor Steve Bannon, who has called for its “deconstruction.” The Republican-dominated House, too, has passed a bill designed to severely curtail the power of federal agencies.

Businesses have always complained that government regulations increase their costs, and no doubt some regulations are ill-conceived. But a small group of conservative intellectuals have gone much further to argue that the rules that safeguard our welfare and the orderly functioning of the market have been fashioned in a way that is not constitutionally legitimate. This once-fringe cause of the right asserts, as Judge Gorsuch put it in a speech last year, that the administrative state “poses a grave threat to our values of personal liberty.”

The 80 years of law that are at stake began with the New Deal. President Franklin D. Roosevelt believed that the Great Depression was caused in part by the ruinous competition among companies. In 1933, Congress passed the National Industrial Recovery Act, which allowed the president to approve “fair competition” standards for different trades and industries. The next year, Roosevelt approved a code for the poultry industry, which, among other things, set a minimum wage and maximum hours for workers, and hygiene requirements for slaughterhouses. Such basic workplace protections and constraints on the free market are now taken for granted.

But in 1935, after a New York City slaughterhouse operator was convicted of violating the poultry code, the Supreme Court called into question the whole approach of the New Deal, by holding that the N.I.R.A. was an “unconstitutional delegation by Congress of a legislative power.” Only Congress can create rules like the poultry code, the justices said. Because Congress did not define “fair competition,” leaving the rulemaking to the president, the N.I.R.A. violated the Constitution’s separation of powers.

The court’s ruling in the *Shechter Poultry Corp. v. the United States*, along with another case decided the same year, are the only instances in which the Supreme Court has ever struck down a federal statute based on this rationale, known as the “nondelegation doctrine.” *Shechter Poultry’s* stand against executive-branch rulemaking proved to be a legal dead end, and for good reason. As the court has recognized over and over, before and since 1935, Congress is a cumbersome body that moves slowly in the best of times, while the economy is an incredibly dynamic system. For the sake of business as well as labor, the updating of regulations can’t wait for Congress to give highly specific and detailed directions.

The New Deal filled the gap by giving policy-making authority to agencies, including the Securities and Exchange Commission, which protects investors, and the National Labor Relations Board, which oversees bargaining between unions and employers.

Later came other agencies, including the Environmental Protection Agency, the Occupational Safety and Health Administration (which regulates workplace safety) and the Department of Homeland Security. Still other agencies regulate the broadcast spectrum, keep the national parks open, help farmers and assist Americans who are overseas. Administrative agencies coordinated the response to Sept. 11, kept the Ebola outbreak in check and were instrumental in the last financial crisis. They regulate the safety of food, drugs, airplanes, and nuclear power plants. The administrative state isn’t optional in our complex society. It’s indispensable.

I am reading from the article “The Government Gorsuch Wants to Undo” by Emily Bazelon and Eric Posner. It continues:

But if the regulatory power of this arm of government is necessary, it also poses a risk that federal agencies, with their large bureaucracies and potential ties to lobbyists, could abuse their power. Congress sought to address that concern in 1946, by passing the Administrative Procedure Act, which ensured a role in the judiciary in overseeing rule-making by agencies.

The system worked well enough for decades, but questions arose when Ronald Reagan came to power promising to deregulate. His EPA sought to weaken a rule, issued by the Carter administration, which called for regulating “stationary sources” of air pollution—a broad wording that is open to interpretation. When President Reagan’s EPA narrowed the definition of what counted as a “stationary source” to allow plants to emit more pollutants, an environmental group challenged the agency. The Supreme Court held in 1984 in *Chevron v. Natural Resources Defense Council* that the EPA and any agency could determine the meaning of an ambiguous term in the law. The rule came to be known as the *Chevron* deference: When Congress uses ambiguous language in a statute, courts must defer to an agency’s reasonable interpretation of what the words mean.

Chevron was not used as a left-leaning decision. The Supreme Court decided in favor of the Reagan administration, after all, voting 6 to 0 (three justices did not take part), and spanning the ideological spectrum. After the conservative icon Justice Antonin Scalia reached the Supreme Court, he declared himself a *Chevron* fan. “In the long run *Chevron* will endure,” Justice Scalia wrote in a 1989 article, “because it more accurately reflects the reality of government, and thus more adequately serves its needs.”

That was then. But the Reagan administration’s effort to cut back on regulation ran out of steam. It turned out that the public often likes regulation—because it keeps the air and water clean, the workplace safe, and the financial system in working order. Deregulation of the financial system led to the savings and loan crisis in the 1980s and the financial crisis a decade ago, costing taxpayers billions.

Businesses, however, have continued to complain that the federal government regulates too much. In the past 20 years, conservative legal scholars have bolstered the red-tape critique with a constitutional one. They argued that only Congress—not agencies—can create rules. This is *Shechter Poultry* all over again.

And Judge Gorsuch has fortunately joined in. Last year, in a concurring opinion in an immigration case called *Gutierrez-Brizuela*

v. Lynch, he attacked *Chevron* deference, writing that the rule “certainly seems to have added prodigious new powers to an already titanic administrative State.” Remarkably, Judge Gorsuch argued that *Chevron*—one of the most frequently cited cases in the legal canon—is illegitimate in part because it is out of step with (you guessed it) *Shechter Poultry*. Never mind that the Supreme Court has not since relied on its 1935 attempt to scuttle the New Deal. Nonetheless, Judge Gorsuch wrote that in light of *Shechter Poultry*, “you might ask how is it that *Chevron*—a rule that invests agencies with pretty unfettered power to regulate a lot more than chicken—can evade the chopping block.”

At his confirmation hearings, Judge Gorsuch hinted that he might overturn *Chevron* without saying so directly, noting that the administrative state existed long before 1984. The implication is that little would change referring to the E.P.A.’s or Department of Labor’s reading of a statute. Judges would interpret the law. Who would object to that?

But here’s the thing: Judge Gorsuch is skeptical that Congress can use broadly written laws to delegate authorities to agencies in the first place. That can mean only that at least portions of such statutes—the source of so many regulations that safeguard Americans’ welfare—must be sent back to Congress, to redo or not.

On the current Supreme Court, only Justice Clarence Thomas seeks to strip power from the administrative state by undercutting *Chevron* and even reviving the obsolete and discredited nondelegation doctrine, as he explains in opinions approvingly cited by Judge Gorsuch. But President Trump may well appoint additional justices, and the other conservatives on the court have expressed some uneasiness with *Chevron*, though as yet they are not on board for overturning it. What would happen if agencies could not make rules for the financial industry and for consumer, environmental and workplace protection? Decades of experience in the United States and around the world teach that the administrative state is a necessary part of the modern market economy. With Judge Gorsuch on the Supreme Court, we will be one step closer to testing that premise.

That is the conclusion of the New York Times article “The Government Gorsuch Wants to Undo” by Emily Bazelon and Eric Posner, dated April 1.

The next article I will share with you is an editorial from November 7, and I believe the other is from December 24 of 2016. This is by the editorial board of the New York Times, and it reads as follows:

People don’t usually remember it this way, but on December 13, 2000, Vice President Al Gore gave one of the most important speeches in American history. Mr. Gore had contested initial results of the Florida vote count and prevailed in Florida State courts, but the Supreme Court had voted 5-to-4 the day before to end the recount and effectively hand the presidency to George W. Bush.

“Now the U.S. Supreme Court has spoken,” Mr. Gore said. “Let there be no doubt, while I strongly disagree with the court’s decision, I accept it.” The frenzied battle over a few hundred votes had spawned intense anger across the country—but it had been resolved

"as it must be resolved, through the honored institutions of our democracy."

Mr. Gore's concession that night still stands as the most powerful reaffirmation in modern times of the Supreme Court's unique and fragile role in the American system of government. Millions of people were furious in the justices' decision in *Bush v. Gore*—many believed it was the result not of legal reasoning but of rank partisanship—and yet virtually everyone followed Mr. Gore's selfless lead, accepted the court as the final arbiter of the dispute, and moved on. There were no riots in the streets, no attempted coups, no "Second Amendment solutions." There was, instead, a peaceful transfer of power: the hallmark of a civil society operating under the rule of law.

Sixteen years later, the Supreme Court sits crippled, unable to resolve the most pressing legal questions before the country. Two events—the sudden death of Justice Antonin Scalia in February and the unprecedented refusal of Senate Republicans to even consider President Obama's pick to fill the vacant seat—have converged to throw the court's future as a functioning institution into doubt.

This scenario would have seemed unimaginable a year ago. But Tuesday's vote—for president and for control of the Senate—will determine whether the court remains short-handed for months or, as Republicans are now threatening if they hold the Senate, for years.

Last month, Senator Richard Burr, of North Carolina, told supporters that if Hillary Clinton wins, "I am going to do everything I can to make sure four years from now, we still got an opening on the Supreme Court." Senator Ted Cruz of Texas suggested he was happy with the current situation, and said, "There is certainly long historical precedent for a Supreme Court with fewer justices." Even Senator John McCain, who once joined with Democrats in an effort to depoliticize the judicial nomination process, recently told a radio show, "I promise you that we will be united against any Supreme Court nominee that Hillary Clinton, if she were President, would put up."

Step back for a moment and consider the radical absurdity of this position. Senate Republicans first justified their refusal to hold hearings or a vote on Mr. Obama's nominee before the presidential election because "the people's voice" needed to be heard. That was always a transparent lie. Now, apparently believing their candidate, Donald Trump, will lose, they are acting as though the Supreme Court is the property of the Republican Party.

This mind-set isn't just a matter of a few senators going rogue. Leading conservative groups are embracing the argument, happy to destroy a principle of American politics—to privilege partisanship over the Constitution itself. Ilya Shapiro, a senior fellow at the influential Cato Institute, wrote two weeks ago that "it would be completely decent, honorable, and in keeping with the Senate's constitutional duty to vote against essentially every judicial nominee" a President Clinton would name. Last Thursday, the Vice President of Heritage Action for America, a top conservative think tank, said Senators McCain, Burr and Cruz were taking "exactly the right position," and that an effective, long-term blockade of the court will require "an immense amount of willpower" from Senate Republicans.

A small number of Republican senators have expressed discomfort with this idea, but when was the last time public interest won out in today's Republican Party?

The indefinite blockade not only hobbles the justices' ability to resolve current cases, it takes open aim at the court's legitimacy as the sole unelected branch of government. Because the court "has no influence over either the sword or the purse," as Alexander Hamilton wrote in the *Federalist Papers*, its legitimacy and authority depend entirely on the shared public acceptance of its verdicts.

Today's Republicans are essentially saying the court is nothing but another political body, and that justices should be treated as ideological sock puppets of the president who nominated them. Yes, the justices come with political beliefs and backgrounds, but that makes it all the more important to demand that they work harder than the rest of us to struggle and preserve their independence. This is why, for instance, Justice Ruth Bader Ginsburg was wrong to comment on Mr. Trump's candidacy—words for which she later apologized.

Until this year, no one disputed that the president should have wide latitude in picking justices. In 1993, Senate Republicans voted overwhelmingly in favor of Justice Ginsburg, President Bill Clinton's first nominee. And even though they voted in large numbers against Mr. Obama's first two nominees, Sonia Sotomayor and Elena Kagan, they did not try to block those nominations from going forward. Senate Democrats voted unanimously to confirm Ronald Reagan's choice of Justice Scalia in 1986 and allowed full votes on Robert Bork and Clarence Thomas, both of whom they strongly opposed.

In 2016, Republicans have blown this delicate balance to pieces, all to keep a conservative majority. Of course, the court has had a majority of Republican-appointed justices for nearly half a century, through the normal processes of advice and consent. But now, Republicans want to maintain that majority, even if that means tossing out all political norms. This majority, they hope, would promote a world view where fewer people have rights, where women do not have reproductive choices, where lawmakers can make it harder for minorities to vote, where religious people are free to disregard laws protecting people they don't like. Such a court could use a severe interpretation of the Constitution to ensure that American politics can be flooded with unlimited money, that reasonable gun restrictions are struck down, that corporate interests prevail over those of consumers, and that basic environmental regulations are turned back.

Make no mistake: That is the court Americans would get under a President Trump. Still, Senate Democrats would have an obligation to consider and vote on his nominees, just as Republicans would have that obligation to Mrs. Clinton's choices. No doubt, there would be Democratic voices demanding that their Senators mimic the Republicans' shameful example. But the Constitution asks more of us than that. In the next Congress, regardless of who wins on Tuesday, the very survival of the court as an independent body will be at stake.

I certainly agree that the very survival of the Court as an independent body is at stake right now. That is why I am here on the floor at 4:20 in the morning. It is because so much is at stake in terms of the legitimacy of the Court.

This is probably a good moment to return to the central premise of where we are. Where we are is that for the first time in U.S. history, a seat has

been stolen from one President and delivered to another in a Court-packing scheme. If that were to succeed, it would set a precedent that would haunt the Court for decades to come, and it will haunt this body, the Senate, because if a theft succeeds, then it changes the analysis of every future Supreme Court vacancy.

If there is a vacancy and it is an opportunity for the Democrats to steal a seat back and deliver it to a future President who might be a Democrat, will they do so, and would they be right in doing so—to rebalance the Court after a seat has been stolen? We should never have to ask these questions—questions such as, if you can steal a seat and get away with it, when a seat becomes vacant a year before a President leaves office, can you do it 2 years before the President leaves office? Can you do it for 3 years? Can you keep a seat vacant for 4 years, as suggested by the article I just read and the comments of some of my colleagues in that they would be determined to reject any nominee put forward by Hillary Clinton? These questions are being asked because of this crime against our Constitution—the crime of stealing a Supreme Court seat in an effort to pack the Court.

The second big issue we are facing is the investigations underway of the Trump campaign and its possible coordination with the Russians to change the outcome of the election.

We know a lot about what the Russians did. We know they created false news stories. We know they had a team estimated to be 1,000 individuals in a building, doing social media to amplify the impression that Americans were writing negative comments about Hillary Clinton. We know they had a system of bots—a botnet, if you will—to use computers to respond and add commentary on comments people were making on social media so that it looks like there are far more people—far more disgruntled individuals—who were criticizing the Democratic nominee. We know that their strategy involved trying to influence the outcome in terms of groups like Facebook, identifying something as "trending" and then putting it up as "trending news" so that the false news, now being driven by the thousand social media folks in some building and the botnet, is amplified to the degree that it is now scrolling on your Facebook, looking like very legitimate news. We know the Russians broke into computers to obtain information and worked to release it in a fashion that was designed to damage the Presidential nominee from the Democratic Party.

That is a pretty comprehensive strategy of fake news and fake social media comments and botnet-generated comments and breaking into computers to secure information and release it in a fashion to damage the Democratic

nominee, Hillary Clinton. We will learn more about all of those things, but that is a pretty good list of serious attacks on the United States of America, attacks on the integrity of our electoral system.

What we do not know—and why there are investigations underway—is how much the Trump campaign communicated with and conspired with that Russian operation. Each day, drip by drip, we hear more about some contact. This morning, it was the media and the Seychelles that we did not know about previously. Every day, it seems like there is one little additional piece, and we do not know where it will all lead to, if anywhere. Maybe it leads nowhere, but we must pursue it because if anyone conspired with the Russians to undermine the integrity of our elections and change the outcome of the elections, that is traitorous conduct, and it must be prosecuted to the full extent of the law.

Right now, we do not know a lot about how much communication and how much potential collaboration or conspiracy there was, so we have investigations to get to the bottom of it. The FBI has an investigation into it, as well as the House Intelligence Committee and the Senate Intelligence Committee, and we should not be considering this nomination while those investigations are underway.

Of course, a third significant reason that we should not be pursuing this is that the President failed to recognize the role of the supermajority requirement—the 60-vote requirement—that anyone who serves on the Supreme Court should be able to get bipartisan support from 60 Members. Therefore, nominating somebody from the far right, the extreme right, and all of the opinions we have talked about over the last many hours are related to crushing the rights of individuals and helping the most powerful. Certainly an individual who is at that far point in the spectrum is not from the mainstream of judicial thinking. It is another reason this should be set aside.

Then we have that information that came out at about 11 p.m., earlier this evening, Tuesday time. Now we are 5½ hours later, but the information was about the number of cases in which Neil Gorsuch had lifted passages from others virtually word for word without giving them credit. That is known as plagiarism. Hopefully, that issue will get a fair amount of attention and be examined closely.

The next article I am going to read is in the Sunday Review, December 24, 2016, entitled “The Stolen Supreme Court Seat.”

Soon after his inauguration next month, President-elect Donald Trump will nominate someone to the Supreme Court, which has been hamstrung by a vacancy since the death of Justice Antonin Scalia in February. There will be public debates about the nominee's credentials, past record, judicial phi-

losophy and temperament. There will be Senate hearings and a vote.

No matter how it plays out, Americans must remember one thing above all: The person who gets confirmed will sit in a stolen seat.

It was stolen from Barack Obama, a twice-elected President who fulfilled his constitutional duty more than nine months ago by nominating Merrick Garland, a highly qualified and widely respected federal appellate judge.

It was stolen by top Senate Republicans, who broke with longstanding tradition and refused to consider any nominee Mr. Obama might send them because they wanted to preserve the court's conservative majority. The main perpetrators of the theft were Mitch McConnell, the majority leader, and Charles Grassley, chairman of the Judiciary Committee. But virtually all Republican Senators were accomplices; only two supported holding hearings.

The Republican Party line—that it was an election year, so the American people should have a “voice” in the selection of the next justice—was a patent lie. The people spoke when they re-elected Mr. Obama in 2012, entrusting him to choose new members for the court. And the Senate has had no problem considering and usually confirming election-year nominees in the past.

Of course, Supreme Court appointments have always been political, and the court's ideological center has shifted back and forth over time. But the Senate has given nominees full consideration and a vote even when the party in power has opposed a president's choice. That is, until this year, when Republicans claimed that though the Constitution calls for the Senate's “advice and consent,” Senators aren't obligated to do anything. This is a bad-faith reading of that clause, even if there is no clear way to force a vote. It certainly obliterates a well-established political norm that makes a functioning judicial branch possible. As Paul Krugman wrote in his column on Monday, institutions are not magically self-sustaining, and they “don't protect against tyranny when powerful people start defying political norms.”

This particular norm is of paramount importance because the court's institutional legitimacy depends on its perceived separation from the elected branches—a fragile concept in the best of times. By tying the latest appointment directly to the outcome of the election, Mr. McConnell and allies took a torch to that idea—an outrageous gambit that, to nearly everyone's shock, has paid off. But while Republicans may be celebrating now, the damage they have inflicted on the confirmation process, and on the court as an institution, may be irreversible.

The slope is both slippery and steep. If Republicans can justify an election-year blockade, what's to stop Democrats in the future from doing the same? For that matter, why should the party controlling the Senate ever allow a President of the opposing party to choose a justice? Indeed, in the weeks before the election, Senate Republicans were threatening, with the encouragement of leading conservative thinkers, never to confirm anyone to fill the vacancy if Hillary Clinton won.

Can anything be done to repair the harm? One step—as obvious as it is unlikely—would be for Mr. Trump to renominate Mr. Garland. Conservatives will scoff, but they know he is as qualified for the job as anyone in the country. When Mr. Garland was floated as a possible choice for the Supreme Court in 2010, Orrin Hatch, the senior Republican Sen-

ator from Utah, called him a “consensus nominee” and said there was “no question” that he would be confirmed with bipartisan support. That's partly why Mr. Obama nominated him this time, and also why Mr. McConnell denied him a hearing—he knew he couldn't prevent a Senate vote once Americans saw an eminently qualified and reasonable jurist testify on live TV.

At the very least, Mr. Trump could follow President Obama's example and pick a centrist—someone who commands wide respect and operates within the bounds of mainstream legal thought. That would be an appropriate gesture from a man who lost the popular vote by more than 2.8 million votes and will enter office with the lowest approval ratings in recent history.

The shameful, infuriating actions of the Senate Republicans won't be ignored in the history books. In a desperate effort to keep a conservative majority in the court, they rejected their own professed values of preserving American institutions. There's little hope they will come to their senses now, but they and Mr. Trump have the power and the obligation to fix the mess they have created.

That is the article “The Stolen Supreme Court Seat,” an editorial from the Sunday Review of the New York Times.

I do hope that there is a path in which this damage can be avoided because it is enormously significant to confirm a Justice when the seat has been stolen. It is enormously damaging to confirm a Justice when the President's team is under investigation for possible collusion with the Russians. It is enormously a big deal to confirm someone way out of the mainstream of judicial thought in America.

So should this progress, should we find that there are 41 individuals who will stand up for our institutions and block this nomination under the filibuster tradition, the 60-vote tradition—60 votes required to proceed—we will have the question of whether we are going to change the rule or change the nominee. And always in the past, when the Senate rejected in any fashion, including closing debate on a motion to proceed, a nominee by tabling them—rejected a nominee by voting them down—the answer was to change the nominee, to protect the integrity of the Court.

I think the advice in the December 24 editorial, “Stolen Supreme Court Seat,” which calls on the President to nominate a centrist, is terrific advice because it may give a chance for healing to take place. But there will be no healing if the seat is filled by Neil Gorsuch—a seat that belonged to President Obama under the Constitution of the United States of America, a seat that was stolen for the first time in U.S. history. That dynamic will haunt us for a very, very long time.

This editorial is from January 31 from Time Magazine, entitled, “Sorry, Neil Gorsuch, the Supreme Court Vacancy was Already Filled,” and written by Geoffrey Stone:

If Antonin Scalia died today, and Donald Trump thereafter nominated Judge Neil

Gorsuch as his successor, I might support Judge Gorsuch's confirmation. Although Judge Gorsuch has not yet established himself as a jurist of any distinction, he is generally regarded as a capable judge with good character. Moreover, although he is a very conservative jurist, he will be replacing a justice with a similar ideological disposition. In such circumstances, just as I supported the confirmation of Judge John Roberts to succeed Chief Justice William Rehnquist, so too would I be inclined to support the nomination of Neil Gorsuch to succeed Antonin Scalia, even though I strongly disagree with Gorsuch's very conservative ideology.

But Antonin Scalia did not die today. He died almost a year ago, and President Barack Obama nominated Judge Merrick Garland to succeed him. Chief Judge Garland is a jurist of impeccable credentials and personal character who is widely celebrated for his moderate approach to the law. President Obama nominated Garland not only because of his distinguished reputation as a jurist, but also because as a relatively moderate judge, he should have been more than acceptable even to the most conservative Senate Republicans. In typical Obama fashion, Garland's nomination was an effort to compromise in order to win the support of Senate Republicans.

Chief Judge Garland should have been confirmed easily. Indeed, every Supreme Court nominee in living memory with anything approaching Chief Judge Garland's impeccable credentials and record of moderation has been easily confirmed by the Senate, without regard to whether the Senate was controlled by the President's party or by the opposing party. This was true, for example, of such Republican nominees to the Court as Warren Burger, Harry Blackmun, Lewis Powell, William Rehnquist, John Paul Stevens, Sandra Day O'Connor, Anthony Kennedy, and David Souter. Even the extremely conservative Antonin Scalia was confirmed by a vote of 98-0.

But not Merrick Garland. In a completely unprecedented abuse of power, Senate Republicans, under the "leadership" of Senate Majority Leader Mitch McConnell, refused to confirm, or even to consider, Judge Garland's nomination. This unconscionable maneuver was nothing less than a dishonorable and dishonest effort to steal this seat on the Supreme Court for the right wing.

Senator McConnell had the audacity to maintain that the "people" should decide who should fill this particular vacancy. By employing his duplicitous strategy, he managed to shift this appointment from a President who had won the popular vote by a margin of five million votes in 2012 to one who lost the popular vote by a margin of three million votes in 2016. This crass and unprincipled manipulation of our democracy should not be allowed to succeed.

Anyone who cares about the proper and legitimate functioning of our American democracy must oppose Judge Gorsuch's nomination, not because he is necessarily unqualified, but because of the undermining of our American democracy by Senate Republicans. Anyone who cares about the rule of law must oppose this nomination. If we fail to take this stand, the Senate Republicans will have succeeded in placing a justice onto our highest Court who has no business being there. They will have undermined the credibility of the Supreme Court as an institution, an institution that is critical to the functioning of our Constitution.

Judge Gorsuch's nomination should be withdrawn, and the President should nomi-

nate in his place a genuinely moderate justice who is acceptable to Democrats and Republicans alike. Only then can we move on with a sense of institutional integrity. Short of that, every decision of the Court decided by a margin of five-to-four with Neil Gorsuch in the majority will justifiably be castigated as fundamentally illegitimate.

That was in *Time Magazine*, by Geoffrey Stone, and op-ed opinion editorial entitled, "Sorry, Neil Gorsuch, the Supreme Court Vacancy Was Already Filled."

This commentary is from Rolling Stone, entitled, "Grand Theft Judiciary: How Republicans Stole the Supreme Court." It is subtitled: "Pray that Ruth Bader Ginsburg and her fellow liberal justices stay healthy and don't retire," by David Cohen, written in November of 2016.

The Republicans just pulled off one of the greatest heists in American political history—they stole a Supreme Court justice.

Since 1789, there have been 112 justices on the Supreme Court. Having the opportunity to appoint a new justice is one of the prize opportunities for a president. With the right young justice, a president can influence American law and society for decades to come. For instance, Anthony Kennedy, the current "swing justice" on the Court, was appointed by President Reagan. Since he sits in the ideological middle of this current court, Kennedy's views on the law often determine how American justice work. And for that, we owe thanks to a president who was last elected 32 years ago and has been dead since 2004. That's the power of a Supreme Court appointment.

These opportunities are often completely unpredictable. Justices are appointed for life, so they leave their position only when they retire or die. Sure, a president can make an educated guess about particular justices' life expectancies or end-of-career plans, but knowing exactly when a justice is going to leave the Court is out of the president's control.

When Justice Scalia died suddenly in February, President Obama was gifted the opportunity to fill his third seat on the Court. He had previously replaced David Souter with Sonia Sotomayor and John Paul Stevens with Elena Kagan. Neither of those appointments shifted the Court's ideological balance, as in each case Obama replaced, broadly speaking, a judicial liberal with another liberal. Replacing Scalia, on the other hand, was going to be a monumental shift in the Court. Scalia was one of the most conservative justices in the history of the Supreme Court. An Obama replacement would give the Court its fifth liberal and shift it to the left in historically significant ways. President Obama and Democrats were salivating at the opportunity.

The Republicans, though, were having none of it. Through unflinching and unified obstructionism combined with Tuesday's election of Donald Trump, they succeeded in stealing a seat right out from under President Obama's nose. It was a staggering case of grand theft judiciary.

This all started almost immediately with Scalia's death, with the Republicans claiming a new theory that a president should not be able to appoint a justice during an election year; rather, the people should be allowed to speak and decide on the direction of the Court, they said. Never mind that justices have been confirmed regularly through-

out history in election years, and that presidents have constitutional authority to appoint judges to the federal judiciary in all four years of their terms, not just their first three, and that the Court would have to (and continues to) function with only eight justices. The Republicans understood the stakes of shifting the Court's ideology, so they put up a united obstructionist front and never wavered in saying they would not confirm an Obama appointee this year.

President Obama, as he often does, thought he could break through the Republican wall by trying to appease them. Instead of nominating a young liberal firebrand or a judicial first, he nominated a well-respected but moderate, not-young white male: Merrick Garland. Obama thought Garland, who had been praised throughout his career by politicians on both sides of the aisle, would be unobjectionable and would break the logjam.

The president couldn't have been more wrong. Without any interest group to cheerlead his cause, Garland was quickly forgotten and faded into the distant background of American politics. As a result, there was no movement whatsoever, and Garland's nomination has lingered with no action longer than for any nominee in history.

During the campaign, Democrats occasionally brought up this issue, trying to paint Republican senators as obstructionist and against good government. But the issue never stuck in Senate races, and Hillary Clinton never really led the charge over the Supreme Court either. As a result, according to an ABC exit poll, of the 21 percent of Americans who said the Supreme Court was the most important factor in their vote, 57 percent of them voted for Trump and only 40 percent voted for Clinton.

Now that Trump is president-elect, he's going to have the opportunity to fill Justice Scalia's seat; even though it means the Supreme Court will remain short-handed for months longer, there's no chance in hell Republicans will do anything to move Garland's nomination between now and inauguration day. They want their stolen prize, and they'll wait for it.

Trump has given a list of 21 possible justices he would nominate, all of whom have varying pedigrees as conservatives. If he follows through and nominates someone from that list, the Democrats could respond with a similar blockade. Though the Republicans still control the Senate, and thus would be able to move the nominee through the judiciary committee to a floor vote, Democrats could try to filibuster. A filibuster requires 60 votes to break, so the 52 Republicans in the Senate would not be able to stop it.

There are two problems with this plan, though. First, Democrats have been less unified in the past when it comes to opposition than the Republicans have been, and the Democrats would need to make sure no more than seven Senators broke ranks. With several Dems up for reelection in 2018 in very conservative states, that's something that may be more difficult than it should be.

Second, the Republicans may opt to get rid of the filibuster altogether. This option, commonly referred to as the "nuclear option," would eliminate the filibuster as a tool for Supreme Court nominees. Because of Republican opposition during the Obama years, the Democrats eliminated the filibuster for lower court justices when they controlled the Senate. However, they kept it for Supreme Court nominations because they understood just how controversial and serious such a move would be.

The author continues:

I have no expectation that the Republicans would do the same. They have been laser focused on wrestling this nomination away from President Obama and are not going to let the Democrats ruin their fun. The Senate rules allow the filibuster to be eliminated with a majority vote, and the Republicans will probably do so very soon after Trump nominates his justice and the Democrats announce their filibuster.

What will this mean for the Supreme Court? Filling this seat will put a younger conservative in Justice Scalia's seat. It will dash liberals' hope of a new progressive Supreme Court and likely continue its recent history as one of, if not the most, conservative Courts in American history.

However, the Court will still have Justice Kennedy as the swing justice.

Obviously, this was written before the nomination of Neil Gorsuch. It notes that if Republicans go nuclear, there is almost nothing the Democrats can do to stop it. That is certainly true. We don't have a mechanism that can prevent this body from reinterpreting the application of its rules.

It happens in a very simple fashion. A Member asks for a ruling of the Chair on whether the super majority provision to close debate applies to closing debate on Senate nominees. The Chair consults with the Parliamentarian and probably says: Yes, it does clearly apply. Then the majority leader challenges the ruling of the Chair. If 51 folks vote to overturn the ruling of the Chair, that is it. The precedent is then set. The supermajority does not apply to Supreme Court nominees, to closing debate on Supreme Court nominees. It is that simple. It is not a change in the rules. The Senate rules require a supermajority to change the rules. It has just not always been helpful. It has meant that the Senate has not adjusted to the changing culture of the Senate to keep it functional. A lot of the time, State legislatures are far more functional than the U.S. Senate because when they have problems develop as the culture changes or people develop new tactics for obstruction, they adjust the way they operate in order to make sure they can keep making decisions.

It is not unusual in my home State in Oregon for us—that is, the body in the house or the senate in Oregon—to consider 8 or 10 bills in a day. With a bill raised, everybody who wants to speak to it for 5 minutes or less gets to speak to it. Then there is a vote, it is decided, and we go on to another. There is more conversation sharing of viewpoints on the floor of the Oregon House in the course of a single day than there is a sharing of views and debate on the floor of the Senate in an entire year. We have, basically, completely lost anything resembling a conversation about any issue before the Nation here on the floor of the Senate. That is a tragic situation. It could be changed if we changed the way that we operate.

(Mrs. ERNST assumed the Chair.)

The L.A. Times editorial board wrote an essay titled: "It's not Neil Gorsuch's fault, but we can't support his ascension to a stolen Supreme Court seat."

As we can see from this series of articles, no one will ever forget that, for the first time in U.S. history, the majority is stealing a seat from one President and delivering it to another in an audacious effort to pack the Court. No one should ever forget that, and we should come to our senses and end this before the theft is completed by confirming the nominee to this seat.

This article in the L.A. Times, by the editorial board, says:

A decade ago, The Times urged the Senate to confirm John Roberts to the U.S. Supreme Court even though he was a conservative judge nominated by a conservative president and was likely to pull the court to the right for decades to come. We backed him, despite our disagreements with his judicial philosophy, because we believe that presidents—Democrats and Republicans alike—are entitled to significant deference when they nominate justices to the high court, so long as the nominees are well qualified and scandal-free, respect precedent and fall within the broad mainstream of judicial thinking.

Under normal circumstances, that same reasoning would lead us to support the nomination of Judge Neil Gorsuch. Like Roberts, he is conservative but competent, with more than a decade of experience on the appellate bench and a "well-qualified" rating from the American Bar Assn.

But these are not normal times.

Not after the outrageous obstruction of Judge Merrick Garland's nomination for 10 full months by Senate Republicans. That debacle began in March 2016, when President Obama nominated Garland, a moderate and well-respected appeals court judge, to fill the seat on the court that had become vacant with the death of Justice Antonin Scalia. Instead of doing what the Constitution requires and offering their advice and, if merited, their consent, Senate Republicans refused even to engage in the process. They denied Garland a confirmation hearing and in many cases wouldn't even meet with him—on the hastily fabricated pretext that a president in his final year of office shouldn't be allowed to name a new justice because . . . well, it was never really clear what the supposed principle was behind this self-serving position.

They stonewalled the nomination until Obama was safely out of office and a Republican had won the election. And now, with Gorsuch subbed in for Garland, their cynical and dishonorable strategy is about to deliver its rewards.

Some people think it's hyperbolic to suggest that a seat was "stolen." But how else to describe it? Republicans took the opportunity to fill the vacancy away from Barack Obama without justification and delivered it up instead to Donald Trump. Gorsuch could now tilt the balance on the increasingly polarized Supreme Court for the next 30 or more years, influencing rulings on free speech, gay and transgender rights, campaign finance, abortion and gun laws, among other subjects. He may not be outside the mainstream of judicial thinking, but he is a textualist, an originalist and a likely ally of the court's conservative justices.

The Republicans' underhanded ploy to subvert the Garland nomination has put the

Democrats in an untenable position. They can now do what would ordinarily be the right thing to do—by going high after the Republicans went low. They could grumble a little bit but then decline to filibuster, or they could even vote in favor of Gorsuch—effectively capitulating in the quixotic hope that an act of good faith would encourage the Republicans to behave more honorably in the future.

Alternately, they can go down kicking and screaming. We say "go down" because no matter how hard they kick or how loud they scream, they seem unlikely to win this battle. The reality is that without filibustering, they don't have the votes to defeat Gorsuch. And if they do mount a filibuster, Senate Republicans can vote to do away with the filibuster for Supreme Court nominees entirely. Under either scenario, Gorsuch gets his job.

To be clear, Democrats and Republicans share the blame for the long roll down the slippery slope of polarization and dysfunction of the judicial selection process. (Some Democrats have even suggested in the past that presidents shouldn't fill Supreme Court seats in election years.) As that selection process has become increasingly politicized, the court itself has become more ideologically driven as well. Although there are differences between Roberts and Justice Samuel Alito, for example, on some important 1st Amendment issues, it's also true that in recent years, justices appointed by Democratic presidents have tended to vote for "liberal" outcomes and justices appointed by Republicans for "conservative" outcomes. That polarization is a bad trend.

The judicial system works best when justices are neither rigidly ideological nor biased along partisan lines. To get there, we need a less highly politicized selection process, along with a measure of cooperation, compromise and civility in Congress.

For the moment, though, it is imperative to remind the world of what the GOP did. By all means, let's hear a *cri de coeur* from Democrats, even if it is in vain. The Republican misuse of power took partisan obstructionism to an extraordinary new level and must not be ignored now as if it never happened. President Obama's nominee was robbed of his right to a hearing, and the Senate Democrats are under no obligation to be complicit in the theft.

I do believe it is our responsibility to cry out from our hearts that this is wrong. Stealing a Supreme Court seat is wrong. Having this deliberation while the President is under a cloud for his team's potential collaboration with Russians is wrong. And while this article described Gorsuch as a bit more mainstream, as people have become familiar with his opinions—opinions that were widely criticized by other Republican jurists, and, in one case, overturned by the Supreme Court on an 8-to-0 vote—they have come to the recognition that he is way far out on the fringe, not in judicial mainstream.

So how do we fix this? We fix it by each Senator asking what they would do if the tables were turned and the Democrats had stolen a seat. The Republicans would cry out: It was wrong. They would ask Democrats to join them in rejecting that theft. I invite my colleagues to go through that exercise. How would you respond if a seat had been stolen from a Republican

President and delivered to a Democratic President? How would you respond if that Democratic President was being investigated for potential collaboration with the Russians to sway the outcome of our elections? How would you respond if the nominee was not from the mainstream, but from the far edge? I am quite confident about how each person would respond because that situation would be outrageous.

We must be able to step into each other's shoes and say: If we are going to preserve this institution, we have to be willing to recognize when it has gone off course, and it has gone dramatically off course this last year.

This article is by Dawn Johnsen and is titled: "Trump's Nominee Shouldn't Get a Hearing Until Merrick Garland is Seated."

There really is—as several of these articles have mentioned—a path to righting this wrong, and that is to go back in time, to recognize that Merrick Garland was not considered by the Senate, and that we need to tell the President that we are not entertaining any person other than Merrick Garland to be in the seat. We will debate whether he should be in the seat. We will vote on whether he should be in the seat, and thereby rectify this theft—this stolen seat theft that will otherwise haunt this body and haunt the Supreme Court for the rest of our lives and maybe well through our children's lives. But we haven't committed the crime yet. This theft has not been completed. So we should all be pondering how to prevent that from happening.

The article starts out:

As President Donald Trump's nominee for the vacant Supreme Court seat receives public scrutiny in the coming days, it's incumbent for us to remember one thing: This seat was not Trump's to fill.

In fact, the U.S. Senate should refuse to confirm anyone President Trump nominates to the Supreme Court—until Trump renominates and the Senate confirms Judge Merrick Garland.

It then refers to a Senate filibuster as the only correct approach.

To recap: The Senate failed to fulfill its constitutional responsibility with this unprecedented refusal even to consider President Obama's nomination of Garland. Obama made the nomination with about a year left in his presidency, but from day one the Republican Senate leadership insisted it would permanently block it.

No one ever questioned Garland's qualifications—an impossibility for this brilliant, dedicated public servant. The obstruction constituted an insulting challenge to Obama's legitimacy, accompanied by calls for the people to decide via the election of the next President. The Republicans effectively have attempted to steal this Supreme Court seat. If this effort succeeds—as has appeared likely ever since Trump's surprise election—it will create a fundamental imbalance in the third branch of our federal government, the independence and integrity of which is vital to our constitutional system. An essential role of the federal judiciary is to check unlawful actions of the political

branches—Congress and the president. When political actors conspire to distort the makeup of the court, as they did in denying President Obama his basic constitutional role, we the people must demand that the balance be restored.

The confirmation of Garland to the court would provide perfect justice. This may not be quite so far-fetched as it might seem initially. President Trump is likely to have the opportunity to make more than one Supreme Court appointment. As Trump is not nominating Garland this time, the Senate should keep the current vacancy open until a second seat becomes vacant. It should then confirm Garland, followed by the consideration of the Trump choice. The only appropriate alternative—given the constitutional stakes—would maintain an eight-person or fewer court for four years.

I don't suggest this lightly: I experienced firsthand—

Again, I am reading this article. So the "I" is the author. The author is Dawn Johnsen.

I don't suggest this lightly: I experienced firsthand the personal toll of the Senate refusing to vote on my nomination to head the Department of Justice's Office of Legal Counsel in 2009 and 2010. One Republican senator sought to reassure me it wasn't personal; it was politics, how the game was played: "You do it to us; we do it to you." My husband, two sons, and I spent more than a year in confirmation limbo, in a rented house far from home, awaiting the Senate vote repeatedly predicted for the next week, next month—but that never came.

Of course, the politicization of a presidential appointment is wrong. Each of the president's nominations ordinarily should be assessed on its individual merits. Notwithstanding Trump's awful first 10 days in office, the Senate should continue to offer the president's executive branch nominees this same fair standard of treatment. In particular, Trump's nominee to head the Office of Legal Counsel—the office to which President Obama nominated me and the same office I headed for part of the Clinton administration—should be confirmed expeditiously, as long as the nominee is personally qualified. This president is in desperate need of good legal advice.

But this Supreme Court vacancy is different. It exists only as the result of the wrongful denial of the legitimacy of Obama's presidency. It is the breakdown of the very function of our democracy and a slap in the face to constitutional norms. It is an attempted theft that, if permitted, would bring longstanding consequences. Its end was to prevent the court from having a majority of justices appointed by Democratic presidents for the first time since 1969. That's almost half a century with a court majority appointed by Republican presidents, a striking imbalance that does not reflect the presidential vote: Since 1961, Democratic and Republican presidents have served equal numbers of years.

The flimsy and transparently specious argument Republicans offered was: "Let the people decide." Of course, the people decided when they elected President Obama to a second four-year term. And 3 million more Americans decided they preferred Obama have a Democratic successor rather than Trump make this appointment. Those who value an independent judiciary, and a Senate committed to democracy, can fix this constitutional problem by insisting on Merrick Garland's appointment to the seat he already should be occupying. The pick after that can belong to President Trump.

I think that accurately sums it up. There is an idea embedded in there of saying: How about this? How about this, fellow Senators—that we suspend the consideration of Neil Gorsuch at this point in time until there is another Supreme Court seat that opens up, and at that time, Merrick Garland gets at least considered for the first seat, the seat that he was rightly nominated for. President Trump has his person rightly considered for the second seat. That would be a way to heal the mess that has been created through the theft of the Supreme Court seat: We have stolen it, but we will not act on it, and so eventually we will enable the same nominee to be considered for that seat. That is an interesting idea, a face-saving idea, an idea that gives President Trump the opportunity to make the nomination that corresponds to a seat that comes open during his administration, and President Obama's nominee to be considered for the seat that came open under President Obama's control of the Presidency—his time in office.

The LA Times January 31 editorial said—the title kind of sums it up: "When the GOP stole Merrick Garland's Supreme Court seat, they set the stage for a miserable battle." That is pretty much the situation we are in. The previous article I read laid out an idea of a way around it at this point, in which we leave the Scalia seat empty until there is a second seat, and then Merrick Garland gets considered for the first seat, and if the President wants his nominee to be considered for the second seat, he would have to make that nomination, and then the President gets his nominee considered for the seat that came up under his administration, so suddenly there is no longer a stolen seat, and we are on the path to a future in which the Supreme Court's integrity is not completely decimated.

This article starts out as follows:

The outrageous obstruction of Merrick Garland's nomination to the Supreme Court—the 10-month-long stonewall by Senate Republicans that not only stymied the high court's ability to do its job but effectively stole the nomination of a new justice from President Obama—is now delivering its rewards to the cynical politicians who carried it out.

Having denied Garland even a committee hearing from the time of his nomination in March until Obama was safely out of office, the GOP-controlled Senate is now smugly offering that opening to President Trump to fill. The new president, who has repeatedly promised to select a new justice in the mold of the late conservative Justice Antonin Scalia, has said he will announce his nominee Tuesday evening.

This was written just before the President announced Neil Gorsuch as his nominee. The article continues:

It's hard to express how head-shakingly unfair this is. Trump will now have an opportunity to affect the balance of the increasingly polarized court for the next 30 or 40

years—influencing rulings on abortion, the rights of gay and transgender people, free speech, corporate and union spending on elections, labor issues, the separation of church and state, the ubiquity of guns, criminal justice reform and endless other hot button subjects.

But Trump never should have been handed this opportunity. The seat was Obama's to fill subject to Senate "advice and consent," and he fulfilled his constitutional responsibility in good faith, only to be kneecapped by a body that would neither advise nor consent but merely gummed up the machinery in a transparent effort to preserve the court's conservative majority. The GOP's feeble justification for its behavior—that an appointment made by a duly elected president was somehow illegitimate because he had only 10 months remaining in office—was believed by no one.

The Senate's misbehavior affected more than just the court. It also constituted a new low in the tit-for-tat cycle of dysfunction in Congress, in which each side obstructs its opponents wherever possible even if that produces a stalemate that brings the operation of government to a halt. Working cooperatively across the aisle to solve the nation's problems has gone out of fashion.

The Democrats have been put in a terrible bind. Do they take the Republican bait, declare the seat stolen and launch a filibuster? Or do they roll over, brand themselves paties and allow Trump to appoint a Scalia clone? What message do the Democrats send if they allow themselves to accept this theft supinely without exacting any punishment? How should they fight if the nominee is truly outside the mainstream? And what if he or she is a conservative who is well-respected and competent—what strategy makes sense then? It's an awful predicament and it's hard to see how it ends well.

Frankly, the Democrats are not in a terribly strong position. They don't have a majority in the Senate, and though they can filibuster for a while, most Senate Republicans would sooner do away with the filibuster for Supreme Court justices than allow the seat to sit empty indefinitely. That's the so-called nuclear option.

At the end the day—

Says this article—

Senate Majority Leader Mitch McConnell will probably win this round, thus ensuring the long roll down the slippery slope of polarization and dysfunction continues at an ever-accelerating speed. He should be, but presumably is not, ashamed of that contribution to history. His obstructionism exacerbated the weakening of governmental institutions and continued the erosion of bipartisan cooperation and civility. Yet if democracy is to work and the nation is to prosper, the political system must allow for compromise and rationality even among determined opponents.

For now, another Justice Scalia or someone even more extreme will probably be enstooled, potentially endangering the rights of women and non-whites, threatening backward movement on same-sex marriage and abortion, offering more protection for powerful businesses and less for the environment. Even in these difficult days, this disgraceful move by Senate Republicans to manipulate a U.S. Supreme Court seat for partisan purposes stands out as sad and egregious.

Well, that was the LA Times article from January 31: "When the GOP stole Merrick Garland's Supreme Court seat, they set the stage for a miserable battle."

In the course of conversing about the dilemma we face, I have noted that there are three big problems. The first is that the seat has been stolen from one President and delivered to another in an effort to pack the court.

The second is that the nominee from President Trump is way outside the judicial mainstream. I have gone through many of the cases.

The third is that there is a big cloud hanging over this administration. The Trump administration's connections to Russia during the campaign and throughout the transition are numerous, and we keep learning about pieces of the puzzle every day.

Contact between the campaign and Russians or dialogue in itself is not necessarily wrong. But it is wrong if that dialogue was about how to coordinate, to basically tilt the playing field in favor of Donald Trump and against Hillary Clinton.

The Russian activity was designed to change the outcome of the election. So, that in itself is a problem we have to pay a lot of attention to. We have to understand every piece of how the Russians operated. We have to convert that knowledge into a strategy that prevents it from happening again.

We certainly have to work with our allies to make sure that we help all of the democratic Republics of the world resist such meddling by the Russians. So far, we have a pattern of a lot of contacts. That pattern of Trump associates misleading the public about meetings and relationships with Russian officials does raise red flags. If meetings were innocent, why not be forthcoming? That is why we have to have a strong set of investigations to get to the bottom of this.

We have to understand and recognize that what Russia did in their strategy was equivalent to an act of war on the United States. They were attacking our core institution, the bedrock of our democratic Republic, our election system. That is unacceptable.

If anybody conspired with the Russians, that is treasonous conduct, and we have to get to the bottom of it. We certainly should get to the bottom of it before this Supreme Court seat conversation continues. The subsequent handling of the investigation by the House Intelligence Committee and the actions taken by the chair of that committee, Representative NUNES, underscore how serious the situation is. We definitely have to get to the bottom of what happened.

That fact only emphasizes how seriously the Senate needs to consider slowing down, setting aside, pressing the pause button on the debate regarding the nomination of Judge Neil Gorsuch. Until the FBI and Congress complete the investigation of these contacts, the ongoing coverup confirming President Trump's lifetime appointment to the Court is premature.

On top of possible collusion, it is also worth remembering why it is so troubling that President Trump has gushed about Putin's leadership while turning some of our longest and most strategic relationships on their heads. Putin operates a repressive regime, one that cracks down on freedom of expression and whose opposition leaders frequently perish in mysterious and suspicious ways. Someone carrying an item up to their apartment magically falls and dies or is shot down near the Kremlin or a whole host of different ways.

The actions of Putin are not the actions of a friend of America. The actions of Putin are not actions that reflect the values shared by the American people. They are not values honored in our tradition. They are not values embedded in our Constitution.

The Putin strongman model is very contrary to our system of government. There are no checks and balances. Those who rise up in the streets are likely to be cut down in the streets. Those who cry out for justice are likely to be silenced. Those who march to improve things may well find themselves behind bars. That is Putin. That is Russia.

We should not have a significant improvement in our relationship with Russia unless there is a vast improvement in the fundamental values of a free and fair society within Russia.

There is an enormous amount of evidence that the Trump campaign was familiar with and in conversation with Russia. If we pursue the investigations aggressively, we will find whether there was collusion.

Paul Manafort, a Republican strategist and longtime Washington operator, joined Trump's campaign team last spring. He was elevated to be campaign manager after Corey Lewandowski was fired in June. But with just 3 months to go until the Presidential election, Manafort resigned amid questions over his campaign role and his extensive history of lobbying overseas, particularly in Ukraine, where he represented a pro-Russian interest.

Manafort also worked as an adviser on the Ukrainian Presidential campaign of Viktor Yanukovich and his Party of Regions during the same time span—from December 2004 until February 2010, the Ukrainian Presidential election—even as the U.S. Government opposed Yanukovich because of his ties to Russian leader Vladimir Putin.

Manafort was hired to advise Yanukovich months after massive street demonstrations, known as the Orange Revolution, overturned Yanukovich's victory in the 2004 Presidential race. According to a 2008 U.S. Justice Department annual report, Manafort's company received about \$64,000 from Yanukovich's Party of Regions over a 6-month period for consulting services. That was in 2008.

In 2010, under Manafort's tutelage, the opposition put the Orange Revolution on trial, campaigning against its leader's management of a weak economy.

Returns from the Presidential election gave Yanukovych a narrow win over Prime Minister Yulia Tymoshenko, the leader of the 2004 demonstrations. Yanukovych owed his comeback in the Presidential campaign to a drastic makeover of his political persona, and this makeover is credited to Paul Manafort.

From 2007 to 2008, Manafort was involved in investment projects with Russian oligarch Oleg Deripaska and Ukrainian oligarch Dmitry Firtash. The Associated Press reported that Manafort negotiated a \$10 million annual contract with Deripaska to promote Russian interests in politics, business, and media coverage in Europe and the United States. We are talking about 2005.

In 1980, Manafort, along with Roger Stone, were founding partners of the Washington, DC-based lobbying firm Black, Manafort, Stone and Kelly.

Roger Stone—what do we know about him? He is a former Trump adviser, a self-described master of political dark arts, and has been labeled as the dirty trickster of delegate fights. He has worked with the campaigns of Richard Nixon and George H.W. Bush and Ronald Reagan.

Stone repeatedly claimed throughout the final months of the 2016 campaign that he had back-channel communications with WikiLeaks founder Julian Assange, and he knew of the forthcoming document dumps, which disseminated materials that were hacked by Russia from Democratic computers.

He admitted in March 2017 that during August of 2016, he had been in contact with Guccifer 2.0, who was believed to be tied to Russian intelligence and was claimed to be behind the hack of the DNC.

August 10, Stone tells a local Republican Party group in Florida: I have actually communicated with Julian Assange.

August 12, Stone says on a podcast that he believes Assange has emails deleted by Clinton aides Huma Abedin and Cheryl Mills. He adds that he knows he has them, and they should be expected to drop in the next 3 months. "In fact, I know [Assange] has them," Stone said, "and I believe he will expose the American people to this information within the next 90 days."

August 14, Stone engages in direct messages with the DNC hacker, Guccifer 2.0, according to direct messages reported by the Washington Times and the Smoking Gun. Stone tells the hacker he was delighted that Twitter had reinstated his account.

A day later, Stone says that he has communicated with Assange, and forthcoming material will be related to the Clinton Foundation.

A day after that, Stone tells radio host Alex Jones that he has back-channel communication with Assange, who has political dynamite on the Clintons.

August 18, Stone says in an interview on C-SPAN that he has been in touch with Julian Assange through an intermediary, someone who is a mutual friend. WikiLeaks would later tweet in response: "We are happy to hear true information from everyone. But so far, we have not heard from Mr. Stone."

On August 21, Stone tweets that it will soon be Podesta's time in the barrel. Stone later says his tweet was about Podesta's business dealings. On the same day, Stone denies that Guccifer 2.0 is connected to the Russians.

August 26, in an interview with Breitbart radio, Stone says: I'm almost confident Mr. Assange has virtually every one of the emails that the Clinton henchwomen, Huma Abedin and Cheryl Mills, thought that they had deleted, and I expect that he's going to drop them at strategic times in the runup to this race.

On the 29th, Stone says on local Florida radio of Assange and the Clinton Foundation: "Perhaps he has the smoking gun that will make this handcuff time."

September 16, Stone says on Boston Herald radio that he expects Assange and WikiLeaks to "drop a payload of new documents on a weekly basis fairly soon. And that of course will answer the question of exactly what was erased on that email server." Assange has been in touch with them through an email intermediary.

October 1, Stone tweets: Hillary Clinton is done.

You go back to the comments he was making, where he seemed to know what was going to happen before it happened, and we saw it happen. It clearly suggests, from this public record, the appearance there—it is hard to imagine with these conversations that there wasn't some form of collaboration about what was going on. That is why we need to get to the bottom of it. Was there collaboration? Those kinds of comments are deeply, deeply disturbing.

We have Carter Page, who worked for 7 years as an investment banker at Merrill Lynch. His biography said—took him to London, New York, and Moscow for 3 years in the mid-2000s before Trump last year listed him as a foreign policy adviser in response to a question from the Washington Post.

Page has regularly espoused views at odds with much of the foreign policy community in Washington in particular, questioning the U.S. approach toward Russia and calling for warmer relations between the two countries. He has expressed views in support of Vladimir Putin and harshly criticized U.S. policy. He is frequently quoted on Russian television as a famous American economist.

In September of 2016, U.S. intelligence officials investigated alleged contacts between Page and Russian officials subject to U.S. sanctions. Page rejected the accusations and said he would take a leave of absence from the Trump campaign.

In January of 2017, Page's name appeared repeatedly in the leaked Donald Trump-Russia dossier containing contract intelligence from the former British intelligence operative Christopher Steele in the employ of a private American firm.

In January of 2017, Page is under investigation by the FBI, CIA, NSA, and ODNI. Page contends that he has done nothing wrong.

In February 2017, Page said that he had not met with Russian officials in 2016, but 2 days later, he appeared to contradict himself and stated he did not deny news reports that he met with Russian Ambassador Sergey Kislyak during the Republican National Convention in Cleveland, OH.

This month, Page was called on by the Senate Intelligence Committee investigating the links between the Trump campaign and Russian dealings.

Michael Flynn attended a gala in Moscow in honor of Russia Today, now known as RT, a Russian Government-owned English language media outlet on which he made semiregular media appearances as an analyst after he retired from U.S. Government service.

Flynn was paid \$45,000 by Russia Today for the 2015 talk and provided an all-expense-paid 2-day trip paid by Russia. National Security Adviser Michael T. Flynn was forced to resign once it was revealed that on December 29, 2016, the day Obama announced sanctions against Russia, Flynn discussed the sanctions with the Russian Ambassador to the United States. Flynn had earlier acknowledged speaking to the Ambassador but not discussing the sanctions.

The New York Times, on March 2, reported that Kislyak had met with Michael Flynn and Jared Kushner in December 2016 to establish a line of communication with the Trump administration.

This is just a series of contacts. What we need to know is: Did these contacts involve communications for coordinating campaign tactics? Did Russia release information on Hillary at a time suggested by the Trump campaign? Was there any form of coordination? That is why we need this robust investigation now.

We have the investigation in the House Intelligence Committee. That investigation has sputtered and has all the appearance of going nowhere, and it has been compromised by the comments of the House chair.

There is another investigation on the Senate side, with Senator BARR as the chair and Senator WARNER as the ranking member, and they are working

pretty well together. We hope that continues. I know that they believe that we have a responsibility to get to the bottom of this issue, and I know there are many Members on both sides of the aisle who put a high priority on getting to the bottom of this issue.

I applaud the work the Senate committee is doing, but we all know that the Intelligence Committee is a hard place to get information out of. For example, when the torture report was completed, it was extraordinarily difficult to get that into the public's hands. This should not be the only strategy.

Certainly, we have another strategy with the FBI, and we had the briefing on the Hill. The FBI Director, a week ago Monday, came to speak to the House, and he shared a fair amount in terms of confirming that the investigations are underway, and it is important that the FBI use its talents and assets and connections to find out what really went on in order to get to the bottom of this.

I would like to also see us have a special prosecutor who pursues this, who puts together a team and specifically drills in to get to the bottom of this. I would like to see a bipartisan commission—a Watergate-style commission—so that some of this could be done in the public realm and not hidden behind the veil of classifications. Of course, I would like to see a robust investigation by the press—by the fourth estate. If all of those things happen or if some do not happen but the others are done well, we will get to the bottom of this—and the sooner the better.

I am going to continue by sharing some comments that the Senate Democratic leader made in a floor speech on February 16. These are excerpts of Senator SCHUMER's floor speech:

The recent reports about General Flynn detailing constant high-level contact between members of the Trump administration and the Russian Government raise serious doubts about this administration's competence in the realm of foreign policy and national security and even graver doubts about the sanctity of our democratic process.

We do not know all the facts, and in the coming days and weeks, more information may well surface about these disturbing revelations, but we already know that something is rotten in the state of Denmark.

All of us can agree that right now what are required are the facts. We have to evaluate the scope of Russia's interference in our election and assess if agents of their government have penetrated to the highest levels of our government. Throughout the process, we have to avoid jumping to conclusions or engaging in wild speculation. We must seek the truth, the whole truth, and nothing but the truth. Once we have the facts at our disposal, Democrats and Republicans alike can debate what to do next.

Senate Democrats are faithfully committed to keeping this issue above partisan politics. The gravity of this issue demands nothing less . . . I am very hopeful the other side wants to get at all the facts, just as our side wants to get at all the facts.

This is an issue on which patriotism must prevail over politics because before we are Democrats or Republicans, we are Americans, with respect for the rule of law.

Those are excerpts of Senator SCHUMER's floor speech on February 16, and I certainly, passionately, agree with him.

This investigation of what went on in the election is one in which patriotism must prevail over politics because, above all, we are Americans with respect for the rule of law.

I will add that, as leaders in America, here in this Senate Chamber, we have a huge responsibility to get to the bottom of this, to urge forward the investigation by the Senate Intelligence Committee to make sure the results, as appropriately compiled and vetted to protect confidential sources, are shared with the American public so that the American public can know what transpired and so that we, then, act on that information. If that information shows that there have been treacherous acts of collaboration with the Russians to undermine the integrity of our elections, we must pursue it to the full extent of the law.

This next excerpt is from Senator SCHUMER's speech, on March 6, which called for a special prosecutor:

So my Republican colleagues should understand that what they know in their hearts is the right thing to do. Do a strong, impartial investigation and get to the bottom of this. That is where the American people want them to go. The American people disagree with President Trump and want a thorough and impartial investigation—even 43 percent of the Republicans. They are right.

A special prosecutor is the best way to ensure that an investigation proceeds impartially for several reasons.

In a conversation with POLITICO, our Democratic leader said on March 21:

You can bet if the shoe were on the other foot and a Democratic President was under investigation by the FBI the Republicans would be howling at the Moon about filling a Supreme Court seat in such circumstances.

It is unseemly to be moving forward so fast on confirming a Supreme Court Justice with a lifetime appointment while this big, gray cloud of an FBI investigation hangs over the Presidency.

The Washington Post notes it is unseemly to confirm Gorsuch amidst an FBI probe of the Trump campaign.

I would like to point out that it is the height of irony that Republicans held the Supreme Court seat open for nearly a calendar year while President Obama was in office but are now rushing to fill the seat for a President whose campaign is under investigation by the FBI. It is unseemly and wrong to be moving so fast on a lifetime appointment in such circumstances.

On March 21, a report on the Hill by Jordain Carney said:

Senate Minority Leader Charles Schumer is urging Republicans to delay a vote on Neil Gorsuch, President Trump's Supreme Court nominee, because of an ongoing investiga-

tion into potential ties between Trump officials and Russia.

"It is unseemly to be moving forward so fast on confirming a Supreme Court Justice with a lifetime appointment while this big, gray cloud of an FBI investigation hangs over the Presidency," the Senate's top Democrat said, echoing language used the day before by Republican House Intelligence Committee Chairman Devin Nunes.

Schumer's request, which is unlikely to gain traction with Republicans, comes as Gorsuch is into his second day before the Judiciary Committee . . . but the New York Democrat argued that it was "the height of irony" that the Republicans blocked then-President Obama from filling the Supreme Court seat left vacant by Antonin Scalia's death . . . but are now rushing to confirm Gorsuch.

Just before I started speaking yesterday evening, the majority leader came to the floor, gave a short speech, and said he was filing a petition to close debate. That is the first time in U.S. history that a petition to close debate has been filed on the first day of a Senate debate. Generally, the Senate will, if people have more to say, go for many days—go for weeks—without somebody's filing a petition to close and shut off debate.

Why are we rushing into the completion of this nomination in this extraordinarily inappropriate, condensed, accelerated fashion when there is so much to consider?

This is not a nomination in normal times. This is a nomination for a seat that has been stolen from one President and delivered to another. It is the first time it has happened in U.S. history. This is a nomination during a moment in which the President making the nomination has a team that is under investigation for potentially conspiring with the Russians to change the outcome of the Presidential election. That is the big cloud that must be dispelled and resolved and should be resolved before this conversation on the floor continues.

This is a nominee who comes from the far right of the spectrum, with case after case after case—the frozen trucker case, the autistic child case. There is case after case in which he finds a way to turn the law to do the opposite of what the law was written to do.

As I have read through those cases over the course of the nearly, roughly more than 11 hours, you will see the pattern of decision after decision being made for the powerful and the privileged, of his writing a dissent from the majority that says this decision by a labor board was very reasonable and in compliance with the law because it exactly fits the law. Yet Neil Gorsuch wrote a dissent because he wanted to find a way to find for the powerful organization.

Here we have these three big factors. This is a time when there should never be a petition to close debate because people have a lot to say, and there are 100 Members of this body. When they

expend their energies and they are through with their conversations, then ask the question: Are people ready to close debate? At that moment: Are there 60 votes for this nominee?

This effort to ram this through not only does not fit the tradition of the Senate or fit the circumstances, but it raises a question: Is there an effort to put this through before information comes to the surface that might change the outcome?

At 11 o'clock last night, we got this posting—or, I guess, it was posted at 11 p.m. and we got it at about midnight here on the floor—of the article by POLITICO. It laid out a side-by-side comparison of language that Gorsuch had used that was, essentially, lifted from other people's writings without attribution. Several experts have said that this meets the standards of plagiarism because the language was lifted without attribution, and that is what plagiarism is. Others said maybe not. Maybe it does not quite meet that standard.

Is this one of the reasons that we are trying to shove this nomination through in such an extraordinary way when it is under such a cloud to begin with? Is there more information like this that needs to come out?

This is a guarantee that Senators would vote against closing debate if there is the possibility that this is trying to be done fast—to have a vote—before significant information is put into the public realm.

(Mr. GARDNER assumed the Chair.)

The New York Times had an article on March 29, 2017: "Senate Intelligence Committee Leaders Vow Thorough Russian Investigation":

Senators leading the investigation into Russia interference in the November election pledged on Wednesday to conduct an aggressive inquiry, including an examination of any ties to President Trump, as they sought to distance themselves from the flagging efforts in the House.

In a conspicuous show of bipartisanship during a fractious time at the Capitol, the top Republican and Democrat on the Senate Intelligence Committee vowed to forge ahead by interviewing key players connected to Mr. Trump and pressing intelligence agencies to provide all relevant information.

But their display of collegiality seemed intended primarily as a contrast to the explosive and often bewildering statements in recent days from the Republican chairman of the House Intelligence Committee, Representative Devin Nunes of California, whose perceived closeness with the Trump White House has raised doubts about his ability to conduct an impartial investigation.

The chairman of the Senate Intelligence Committee, Richard M. Burr, a Republican from North Carolina and a supporter of Mr. Trump during the campaign, suggested on Wednesday that he would not retreat from a process that could damage the reputation of a Republican President. "This investigation's scope will go wherever the intelligence leads," Mr. Burr said during a rare joint news conference.

Asked later whether he had encountered any direct links between Mr. Trump and

Russia's interference, Mr. Burr was stern. "We know that our challenge," he said, "is to answer that question for the American people."

The Senate investigation amounts to a credibility test for Republicans under the Trump administration—a chance to prove their willingness to ask uncomfortable questions of a Republican President, even if the answers might weaken his or the party's standing.

Democrats are skeptical. But they are also mindful that the Senate most likely remains their best hope on Capitol Hill for gathering information, making them disinclined to abandon the Senate Intelligence Committee's investigation. The F.B.I. is also investigating.

On Wednesday, Mr. Burr and his Democratic counterpart on the committee, Senator Mark Warner of Virginia, offered some evidence of what they had reviewed so far, saying they had begun to schedule the first of at least 20 interviews.

Mr. Warner drew attention to reports of perhaps 1,000 internet trolls in Russia generating fake news stories and targeting them in swing States like Wisconsin, Michigan, and Pennsylvania. "Russia's goal, Vladimir Putin's goal," said Mark Warner, "is a weaker United States."

Mr. Burr noted that the Russians were now "actively involved" in the French elections. On Thursday, the committee will hold a public hearing on Russian influence on campaigns broadly.

The two also left little doubt that they viewed the House's unruly process as an afterthought, one that should not reflect on their own efforts.

"Let me set the ground rules real quick," Mr. BURR said, "before taking questions. We will answer anything about the Senate Intelligence Committee's investigations. We will not take questions on the House Intelligence Committee."

Mr. Burr could not suppress a smirk. Mr. Warner laughed outright.

But the drama in the House has already complicated the Senate's task, according to Senate committee members, leading the public to question congressional inquiries across the board.

"I worry that the chaos on the House side has affected the public's view on whether Congress can credibly investigate this matter," said Senator Susan Collins, a Republican from Maine and a committee member. "I believe the answer to that is still yes, and the Senate is the place."

Lamenting the "debacle" in the House, Senator Kamala Harris, Democrat of California and another committee member, said she believed "the public is now shifting to us."

The Congressional investigations are not related, but their focuses overlap, leaving the Senate panel to defend itself in the face of Mr. Nunes's assorted claims. While a vast majority of Republicans in the House have stood by Mr. Nunes amid calls for him to recuse himself, his furtive maneuvering—including bypassing the committee to brief the White House about relevant intelligence—has placed House committee members in a difficult spot.

And at least one Republican lawmaker, Representative Charlie Dent of Pennsylvania, suggested on Wednesday that the Senate should take the lead on Congress's investigation into ties between the President's orbit and Russia.

The Senate majority leader has long resisted calls for a special prosecutor or select committee, saying the Senate can do the job through regular protocol.

On the House side, a string of perplexing decisions by Mr. Nunes has threatened to unravel the panel's investigation altogether. Last week, he abruptly announced that he had obtained information indicating that people associated with the Trump transition may have "incidentally" been caught up in legal surveillance of foreign operatives. He also bypassed the committee's top Democrat, Representative Adam B. Schiff of California, to brief Mr. Trump.

The President seized on the information, misleadingly, as evidence for his thoroughly debunked claim that President Barack Obama had wiretapped Trump Tower—an allegation dismissed not only by senior law enforcement officials like the F.B.I. Director James Comey, but also by the heads of the House and Senate investigations, including Mr. Nunes.

Another obstacle to bipartisanship came on Monday, with the revelation that Mr. Nunes had viewed what he characterized as "dozens" of reports containing classified information on the grounds of the White House.

Democrats fumed, their suspicions fueled by speculation that the source of Mr. Nunes's information was a Trump administration official and that Mr. Nunes may have even coordinated with the White House. While Mr. Nunes defended him by saying he needed to be at the White House to view the sensitive documents in question, one can peruse sensitive information at the Capitol and at other spots around Washington.

The story of the House investigation melting down continues, and it really emphasizes how important the Senate investigation is. I have been very impressed by Senator BURR and Senator WARNER working together to pursue that investigation. I feel that more needs to be done. Yes, the FBI needs to investigate, and the Senate Intelligence Committee, and the press, but we should also have a special prosecutor. We should also have a bipartisan commission. But if each part of this puzzle pursues their work aggressively and in good faith, we may get to the bottom of what went on. It is so important to hold people accountable, and if traitorous crimes have been committed, they need to be pursued to the full extent of the law.

The article goes on:

Democrats have also chafed at Mr. Nunes's shuffling of the hearing schedule. Earlier this month, with Mr. Schiff by his side, he announced plans for three former officials to testify, a group that would include Sally Q. Yates, who briefly served as acting Attorney General and alerted the administration that Michael Flynn, Mr. Trump's former National Security Adviser, appeared to have lied about his contact with Russian officials.

Last week, Mr. Nunes scrapped that public hearing, arguing that the committee first needed more time to question intelligence leaders. But on Tuesday he said this hearing had been postponed as well—as the Washington Post reported that White House officials had tried to stymie Ms. Yates's testimony. Democrats have accused Mr. Nunes of trying to stall not only the investigation but also the committee as a whole.

Mr. Warner said on Wednesday he would “like to see Ms. Yates at some point” before his committee.

At the same time, the Senate investigation has not been blemish-free.

Well, this can be summed up by saying that each of them are saying that they are partners and they are working on this together. And I urge them to continue that work aggressively.

“I’ll do something I’ve never done: I’ll admit I voted for him,” Mr. Burr said of Mr. Trump. “But I’ve got a job in the United States Senate.”

And we have a job to address. We are here at this critical moment, wrestling with what to do with this stolen Supreme Court seat, knowing that if we confirm a nominee to this seat and confirm and complete the theft, it will damage the Court through the rest of our lifetimes. It will set a precedent that will cause more turmoil, more politicization. It will call into question every 5-to-4 decision of the Court. That is our responsibility, to figure our way out of this.

One of the articles I read earlier suggested a path out of this. It said to keep this seat empty. Set this aside until there is a second seat, and then the nominee, Merrick Garland, who should have been considered for the first seat, would be considered, and the second nominee would be whoever President Trump wants to put forward, and maybe that is the same nominee we have now. Maybe it is Neil Gorsuch; maybe it is somebody else. But the point is you eliminate the stolen seat syndrome.

Maybe there are other pathways out of this, but proceeding to the completion of this week, in confirming Neil Gorsuch, that is where this week ends. It is truly deeply damaging to the Supreme Court for the balance of our lives. Let us not be partners to such a destruction of a key branch of our government.

The damage won’t just be to the Supreme Court. It is also to this body. Because once this body conspired in the theft, the wounds here are deep and will continue to cause tremendous acrimony as we go forward, and it will lead to future acts in the Senate—perhaps balancing out the first theft with a second theft—and so on and so forth, in which nobody wins.

So let us come to our senses and not have this week end in the manner in which it has been predicted that it will.

NPR wrote, or it has a piece done by Philip Ewing: “4 Unanswered Questions About the FBI’s Russia Investigation,” March 20.

FBI Director James Comey lit the fuse Monday on a political time bomb and no one—including him—knows how long it will take to burn or what kind of damage it may cause when it goes off.

Comey confirmed to Members of Congress that his investigators are looking into possible collusion between the campaign that elected President Trump and the Russian

government. In fact, he said, the FBI has been doing so since last July.

The signs had been there, from press reports to the announcement by Attorney General Jeff Sessions that Sessions would recuse himself from any such probe. Now, Comey’s disclosure to the House Intelligence Committee removes all doubt that the FBI believes there is sufficient evidence to look into the connection between Trump’s one-time political aides and the Kremlin.

The case that Russia interfered in the presidential campaign has been made. The U.S. intelligence community laid out an unclassified version in December, and then President Barack Obama responded by expelling a group of Russian spies and sanctioning some of its key officials.

But details about the role Trump’s team might have played in the making of that mischief still are murky, and Monday’s hearing did not include much explosive new information. In fact, the panel’s chairman, California Representative Devin Nunes, who served on Trump’s transition team, and his fellow Republicans, spent as much of their time as they could drawing the focus away from the Russian collusion narrative.

The real outrage, Republicans argue, is the leaking of classified information to the Washington Post and other newspapers, especially the identity of former lieutenant general Mike Flynn as having been swept up in U.S. Government surveillance of Russian ambassador Sergei Kislyak.

I am sure I will be corrected on that later, with the correct pronunciation.

Flynn resigned after a brief stint as Trump’s National Security Adviser and has since retroactively registered as a foreign agent for his work representing Turkish interests. Democrats revealed on Friday that Flynn had also taken more than \$50,000 in payments from Russian government entities.

Democrats, led by ranking member Adam Schiff, also of California, used their time on Monday to put Trump and the Russians together as closely as possible, including in an extended opening statement by Schiff that laid out his theory of the case.

Much of Schiff’s statement, however, relied on information that is already publicly available, which has been called into question. Monday’s session did not include major new details about the alleged ways that the Trump camp may have worked with the Russian intelligence services.

But it did raise new questions about the imbroglio—some of which lawmakers may answer at a second session now scheduled for March 28, and some of which might not be cleared up until the FBI announces the results of its investigation.

The first question:

1. How much evidence is still to be discovered? And how reliable is what’s now public?

Schiff crafted a narrative about the Russians’ first exploration of the presidential candidates to a critical period from July to August of 2016. If Moscow began by trying simply to learn more about the potential next U.S. president, it shifted to trying to hurt the likely Democratic nominee, Hillary Clinton, and then helping her opponent—or so the argument goes.

Schiff relied on information that has appeared in press reports and some that appears in a controversial dossier passed from a former British intelligence officer to Comey by Sen. John McCain, R-Ariz. NPR and other news organizations have refrained from reporting such details because of the unknown providence of the dossier—but does

Schiff’s use of it in the public hearing indicate that at least some of the information has been verified?

The Democrats’ case also rests on conversations between Trump advisers and people connected to the Russian military intelligence service, the GRU, or other top Russians. But how much more detail exists about what was said in those meetings? How much effort are congressional or FBI investigators making to interview Trump’s campaign advisers?

So the first question in the NPR report is, How much evidence is still to be discovered and how reliable is what is now public?

The second question in this report:

2. Might Trump aides have colluded with Russia without knowing it?

One new thread that emerged from Monday’s hearing came as part of an exchange between Comey and Illinois Democrat Mike Quigley, who asked whether it’s possible for Americans to help a foreign power and not know about it.

Yes, Comey answered cautiously—an American might give information to someone he legitimately believes is a Chinese researcher and isn’t aware is actually a Chinese intelligence officer. Or an American might fall in love with someone and not realize he or she is in a relationship with a foreign agent: “Romance could be a feature,” he said.

That could explain denials by people at the center of the Trump-Russia imbroglio, including former Trump campaign manager Paul Manafort, who resigned after reports about his connections to pro-Kremlin government factions in Ukraine. The New York Times referred to Manafort in a story in February about U.S. intelligence officers documenting many alleged connections between the Trump camp and Russians.

Manafort called the report “absurd” and told the newspaper: “It’s not like these people wear badges that say, ‘I’m a Russian intelligence officer.’”

Manafort’s comment caused head-scratching at the time it appeared, but Comey and Quigley’s exchange on Monday created the prospect for a story about Russia not necessarily using Trump campaign aides as agents, but dupes.

The third question in this NPR article:

3. What did Trump know—and when did he know it?

If Comey’s investigation results in no charges or no new information about ties between Trump’s camp and Russia, the White House would get rid of an albatross that has been around its neck for months. But if the FBI charges former Trump campaign officials or reveals links between the Trump camp that haven’t already been aired publicly, that could escalate quickly and land the president or his top campaign aides in hot water.

Trump never retreats and never apologizes and so far has mounted a brash defense. He flits between sometimes acknowledging the Russian mischief during the presidential race and sometimes dismissing it as a fiction created by Democrats to excuse their loss. That strategy has continued to be workable, and Republican aides on Capitol Hill have shown continued willingness to carry water for the White House in responding to press reports or handling inquiries like those on Monday.

But charges against Trump aides, or new revelations about collusion between the

campaign and Russian agents, would change all that—and fast. Democrats may never forgive Comey for revealing just before Election Day that the FBI had resumed inquiries into Hillary Clinton's private email server, which Clinton and Democrats say threw a close election to Trump. Now the president, the White House and their Republican allies on Capitol Hill are under a similar Sword of Damocles.

The fourth question:

How will Russia respond to the investigations and their outcome?

Comey, National Security Agency Director Michael Rogers and other top U.S. intelligence officials have taken care not to say whether they believe Russia succeeded in influencing the outcome of the 2016 election—only that they're confident Moscow conducted an influence campaign.

Will Russian President Vladimir Putin turn out to have invested wisely or to have been the dog that caught the car? If Putin wanted the U.S. to relax the Obama-era sanctions imposed after Russia's invasion of Ukraine, that ship may have sailed—the scrutiny of Trump's connections to Moscow may have now made even the appearance of any deal impossible.

And American military deployments in Eastern Europe, including of armored units along NATO's frontier with Russia and ships with aircraft in the Black Sea, have continued.

None of this means, however, that Putin is finished meddling in American politics, Comey warned. He told members of Congress on Monday that the Russians, for their own purposes, likely are satisfied with their work—having sowed confusion and undercut faith in the U.S. democratic process—and may try it again.

"We have to assume they're coming back," he said.

We have to assume they are also working to undermine the elections in other democratic countries, and we need to be working with our allies and fellow democracies to fully understand and thwart this Russian strategy of undermining the foundation for our democratic Republic's elections.

The NPR article raised very good questions—questions to which we don't have answers. But just the breadth of the questions shows how significant this situation is.

I understand the Sun is coming up behind the Supreme Court. I was struck just how beautiful the weather was yesterday, while the weather inside this building was so dark and gloomy. Mother Nature gave us a beautiful, beautiful day. The partisan politics gave us a very, very ugly setting here in the Senate Chamber as we started debating over a nominee nominated to fill a seat which did not open up under President Trump's watch and which he has no right to propose a nominee. This is a seat stolen from the Obama administration, delivered to President Trump.

Wouldn't it have been something if President Trump said: I talked a lot about bringing this country together, and that starts by honoring our institutions. So I am going to heal this rift. I am going to end this theft by nomi-

nating Merrick Garland. Sixteen times—the President could have said—16 times in the history of our country, there has been an open seat during an election year on the Supreme Court. And we already know the past; that is, 15 times the Senate considered the nominee and either confirmed or rejected them but always considered them—except with Merrick Garland.

We are going to heal that damage, the President could have said, and so first we will put forward Merrick Garland. Then when a seat opens legitimately on my watch, I will put forward a nominee I would choose according to the principles I laid out in my campaign. But I am not going to damage the Supreme Court for generations to come by participating in this strategy of packing the Court.

If the President had given that speech, that would have been an impressive moment—a moment of bringing this country together, of saying that he is the President not of the Republican Party but of the United States of America, which has these beautiful key branches of government, coequal branches—the executive branch, the legislative branch, the judicial branch—bringing all three of those together in that conversation and saying: What the legislative branch did sets the stage to damage the Supreme Court, and as President, I won't participate in it. I will solve it. I will bring people together. I am the great negotiator. I know how to make a deal. Right now, the only deal is a bad deal that damages all three branches, a deal that was crafted within a few minutes following the death of Antonin Scalia, on the same day the majority leader came to the floor and said: We are going to do something never done before in American history. We are going to steal a seat.

Of course, those are not the words he used. His words were: We are not going to have any Senate action on this nominee, the nominee the President will put forward for this seat.

If only at that moment the Senate had been the cooling saucer. That is the idea that Washington reputedly put forward, considered to be apocryphal, but it is a nice image that sums up the difference between the House and the Senate—the Senate elected for 6 years, seats rotating every 2 years. And when there are wild ideas crafted in the passion of the moment, the Senate comes along and says: We will bring a little more experience and thoughtfulness. We will bring a little more deliberation, and we will craft something that will strengthen America, strengthen our institutions, not destroy them.

But we didn't have that reaction on that day when Antonin Scalia died. Instead, we had not the cooling saucer, but we had the immediate rush to a principle that will do so much damage. And I say "principle" only in the con-

text of an asserted argument; that is, an argument that, well, it is an election year, so we really shouldn't consider someone. It should go to the next President. There was no principle behind it and no history behind it. As I pointed out, 15 seats were open during the election year in the history of our country, and the Senate acted on every one until the 16th, when Antonin Scalia died, and within just a couple hours, the majority leader announced that we will do what we never did, and that is, fail to honor the advice and consent responsibility of the U.S. Senate.

Mr. DURBIN. Mr. President, will the Senator from Oregon yield for a question without yielding the floor?

Mr. MERKLEY. I will do so.

Mr. DURBIN. As I recall, there was a moment in 1988, in the last year of President Reagan's Presidency, when there was a vacancy on the Supreme Court. This Republican President was in his last year—his so-called lame-duck year, as many Republicans have now characterized it. At that time, the Senate was in the control of the Democratic Party. Of course, the Senate Judiciary Committee, I believe, was chaired by Joe Biden at that time in 1988.

President Reagan sent the name "Anthony Kennedy" to the Senate to fill a vacancy on the U.S. Supreme Court and the Democratic Senate held a hearing and a vote and sent Anthony Kennedy to serve on the U.S. Supreme Court, where he continues to serve. So those who argue on the other side that everybody is doing it, that "you would do the same thing, if you could" and that sort of thing, I believe that is belied by the history—the recent history—when the Democrats were in the majority in this Chamber.

So the Senator from Oregon is saying that this is not the only time in history this has occurred, and Senator MCCONNELL ignored this and decided not to even have a hearing or vote on Merrick Garland—something that has never been done in the history of the Senate, which brings us to this moment. Is that the point the Senator is making?

Mr. MERKLEY. My colleague from Illinois is absolutely right. In the middle of the night somewhere, a few hours ago, I pointed out that this evidence of different style of action didn't just depend on the history books because you can look a few hundred yards here from the Senate out at the Supreme Court, where Justice Kennedy sits and had gone through the process, just as the Senator had described.

Mr. DURBIN. I would ask the Senator from Oregon, as well, through the Chair, in this situation where Senator MCCONNELL, as the Republican Senate leader, has exercised his so-called nuclear option to stop Merrick Garland, President Obama's choice, from filling

the vacancy on the Supreme Court, does the Senator from Oregon believe, as I do, that this is part of a concerted effort by the Republicans to take control of the Federal judiciary, the fact that we left the end of the last year with 30 Federal judicial nominees on the Senate calendar, nominees who had received a bipartisan vote in the Senate Judiciary Committee? They were left unresolved, unvoted on, when the Senate went out of session. Does the Senator from Oregon see as I do, a pattern of conduct on the Republican part when it comes to filling the courts?

Mr. MERKLEY. As my colleague has pointed out through his question, the challenge we have with the appropriate treatment of our advice and consent responsibility isn't simply a problem with the Supreme Court nominee, but with strategies to prevent the consideration of judges from our former President—both at the district court and at the circuit court levels—leading to the circumstances you describe.

Mr. DURBIN. Is the Senator from Oregon aware of the fact that President Trump, during his campaign, released the list of 21 names of potential nominees for the Supreme Court, and then thanked the Federalist Society and the Heritage Foundation for preparing that list? The Federalist Society—a Republican advocacy group here in Washington, DC—now brags that every member of the Supreme Court appointed by a Republican President has either been a member of or cleared by the Federalist Society before they took the bench.

Mr. MERKLEY. I am aware of that, and it disturbs me that the responsibility of the President to find the right person to place on the Court was farmed out, essentially, to these two groups the Senator mentioned.

While often people will say: Did the President ask the nominee a particular question about how they might rule on XYZ, I am sure that it is quite likely that these groups did ask all sorts of questions in developing their list of 21 potential Justices.

Mr. DURBIN. I wonder if the Senator from Oregon will yield for another question through the Chair.

I ask, when it comes to the Federalist Society—of course, like so many of these dark money organizations, they refuse to fully disclose their donors. They say it is to protect their identity from harassment. It is also protecting the American people from the truth.

Three that we do know have been actively involved would be the Koch brothers—a well-known group supporting Republican candidates—the Richard Mellon Scaife family foundation, as well as the Mercer family, now merging with millions and millions of dollars supporting these Republican causes.

I ask the Senator: Is it a leap of faith for me to think that they would not be

working so hard to put someone on the Court, unless they felt that person was going to rule along the lines that they believed?

Mr. MERKLEY. I think that would not be a leap of judgment or analysis. Clearly, the groups like the Koch brothers believe that their interests are deeply connected to the decisions made in this body. And they have invested vast resources into the campaigns, so it is not just that they said: Well, let's go down and talk to people in the Senate about our particular interests as coal and oil billionaires. No, they decided to change the makeup of who sits in this body. In 2014, the investment involved going into Louisiana and Arkansas and North Carolina and Iowa and Colorado and Alaska and several other States, including my State, the State of Oregon. And they won most of those States that they invested in.

Then they sent a message in January 2015 by saying: In the next election, we are prepared to spend the better part of a billion dollars. That was heard very loudly in this Chamber, and the first bill up was a Koch brothers' bill. You see their influence in all kinds of ways, indeed.

I believe the reason we are here today in this conversation is in large part because those who invested in creating the majority that we now have in this Chamber wanted to make sure that there was a Supreme Court that would sustain the Citizens United ruling that allows this dark money of which the Senator speaks.

Mr. DURBIN. I ask the Senator from Oregon through the Chair again: During the course of the Senate Judiciary Committee hearing, Senator SHELTON WHITEHOUSE raised this question about dark money with Neil Gorsuch, the nominee for the Supreme Court, and asked if he was aware of the fact that millions were currently being spent on ad campaigns and mail campaigns across the United States to promote his nomination—and whether Neil Gorsuch felt that the source of this money should be disclosed. As far as we could bring the judge on this subject, he said: Well, someone should ask about where the money is coming from. That, I guess, is a pretty bold statement because many Republicans don't believe that it is fair to even ask where the money is coming from.

There was a time when even the Senate majority leader used to say: I am not going to complain about the amount of money. I just want to make sure it is all disclosed. Well, he is completely vacating that position. He doesn't want disclosure. He doesn't want the American people to know where the money is coming from.

I don't know if the Senator from Oregon noticed the television advertising here in Washington, where there is a lot on an issue like this before us. But

the television screens—at least for those morning talk shows—were inundated with advertising in favor of Neil Gorsuch from groups like the 45 Committee, Judicial Justice Committee. They make up these names right and left.

I ask the Senator: When it comes to decisions like Citizens United, does that give us clear evidence of why the Republicans are fighting so hard to make sure they put the right person on the Supreme Court?

Mr. MERKLEY. I say to my colleague from Illinois that the entire situation we are in revolves around the issue of dark money and having a person on the Court who will sustain that flow. That Citizens United decision was a 5-to-4 decision. Four Justices laid out the case that these unlimited funds—and often secret funds—are corrupting our American political system. And if one wants an example of that corruption, simply look at the vast change—within a short period of years—of the position of our colleagues on the right side of the aisle in regard to the environment.

We had many colleagues who were very concerned about carbon pollution coming from the extraction and burning of fossil fuels. They wanted to make sure that we had a sustainable planet to pass on to our children—our children's children. It was following a Republican tradition of being involved in things like the Environmental Protection Agency creation with President Nixon and the Clean Water Act and Clear Air Act.

In a short period of time, like a shallow pool beneath a hot sun, it just evaporated. That concern for the environment just disappeared and dissipated. The result is that today, we have virtually no support to take on this major environmental threat in a bipartisan fashion, and that corresponds to this flow of dark money from the oil and coal billionaires into the campaigns for the Senate in the United States of America.

So it is a deeply disturbing situation in which absolutely a lot of the explanation as to why we have a stolen Supreme Court seat and why we have this nominee and why he is being rushed through in a way that no Supreme Court seat had been rushed through ever before.

Yesterday—Tuesday—just shortly before I started speaking last night, the majority leader came to the floor and said that he was filing a petition to close debate. That is the first time in U.S. history that has been done on the first day of the debate. That is the type of, I guess, completely focused effort to complete the theft that began last year.

Mr. DURBIN. I ask the Senator from Oregon if he will further yield.

Neil Gorsuch, the judge from the Tenth Circuit who has been nominated

for the Supreme Court, has had some noteworthy opinions. One was the Hobby Lobby case. It is an interesting parallel between Hobby Lobby and Citizens United. In Citizens United, the Supreme Court said: We believe that money is speech. And we believe that the protections of the First Amendment extend to corporations who should be treated like persons when it comes to their right of free speech.

In the Hobby Lobby case, Neil Gorsuch, who is headed for the Supreme Court, reached a parallel decision, giving good credibility to the argument that the Republicans know why they are pushing for this man to go to the Court because this was a case where the Hobby Lobby company, which has stores across the United States owned by the Green family—the Green family had their own special personal religious beliefs when it came to family planning and birth control. So they refused to provide for their 13,000 employees across the United States any health insurance plan that provided for methods of birth control, which they found personally offensive. They said that this was a corporate position they were taking—a company position.

So it was Neil Gorsuch, with others on the Tenth Circuit Court, who decided to expand the definition of personhood—again to include closely held corporations like Hobby Lobby. The net result was that the owners—the Green family—were able to say: We are going to stand up for our religious beliefs when it comes to family planning. And to say to 13,000 employees that those employees' personal beliefs—the religious beliefs of each employee—really made no difference from the viewpoint of Judge Gorsuch. Once the owners of the company had decided what was good, principled religious conduct, they could impose that on their employees.

So there is a parallel here where Citizens United said a corporation is a person. Judge Gorsuch and Hobby Lobby said that a closely held corporation is a person. And in the Citizens United case, he said this person—corporation person—has the right of free speech. In the case of Hobby Lobby, Judge Gorsuch said this corporation has the right of freedom of religion to exert their sincerely held religious beliefs.

So I say to the Senator from Oregon: It is clear to me that they tested Judge Gorsuch in the Tenth Circuit, and he came out ahead when it came to the basic principle that corporations should somehow be treated as persons when it comes to rights under the Constitution. That to me is hard to imagine.

I just can't fathom how they could stretch the meaning of person to include corporations when it doesn't say so expressly in any of the statutes that were referenced here. I haven't seen a

lot of corporations pleading guilty and being sent to prison. It doesn't happen much.

So my question to the Senator from Oregon is, when it comes to the clearance of Neil Gorsuch for the Supreme Court seat—this open seat on the Supreme Court—whether they found the Hobby Lobby decision something that said to them: This man would believe in Citizens United had he been on the Court at the same time.

Mr. MERKLEY. I say to my colleague from Illinois that we will probably never know the full vetting that took place and the conversations that took place, but your observation that Hobby Lobby involves a parallel with Citizens United is absolutely right. In Citizens United, the Court said: The corporation gets these political rights; that is, the ability to spend money in campaigns, unlimited funds. And in Hobby Lobby, the corporation gets religious rights, if you will—the right to overrule, not just express them through the benefits they provide to their employees, but to trump the religious choices of their employees. It is kind of a super religious power, if you will, choosing the corporation over the people. In both cases, there is this element of choosing the corporation, promoting it, exalting it, over the rights of individuals.

Jefferson made a comment in a letter where he talked about the philosophy of the mother principle. The mother principle said that the only way our government will proceed to fulfill the will of the people is if each citizen has an equal voice—not vote, but voice. "Vote" was a big piece of that, but he chose the word "voice," as did President Lincoln on another occasion. The point he was making is that you have to have a place where everyone can weigh in, more or less, in equal fashion.

The opposite of that is Citizens United, where an individual who is a multimillionaire can weigh in massively by buying up the air waves, the radio waves, the television waves, the web advertising, the social media, scrolling and so forth—all of these tools that didn't exist at the time they were formed. So there is this ability for the wealthiest to do a citizen sound equivalent of a stadium sound system that drowns out the voice of the people, just as you have this situation in Hobby Lobby where the religious preference of the corporate entity can trump the religious preferences of the employees.

Mr. DURBIN. If the Senator from Oregon will yield further, when I started trying to find out the source of the money for these television ads that support Neil Gorsuch for the Supreme Court, I went to something—the 45 Committee, I mentioned to you. I had never heard of it before. I looked it up. There was a committee that sounds just like this. It is hard to keep track

of them. The largest donor by far in terms of money was Sheldon Adelson, a man out of Las Vegas who has become rather celebrated, if not notorious, for putting millions of dollars into those political efforts on behalf of candidates from the right—some say from the extreme right.

I would also ask the Senator from Oregon if, during the course of his review of Judge Gorsuch's record, he came across the TransAm Trucking case, which was really explored at length in the Senate Judiciary Committee. Many of us felt this was such a clear definition of the values of Neil Gorsuch, who tends to rule on the side of big business and corporate elites over and over again.

The case involved a truck driver who was driving near Chicago on Interstate 88 in January a few years ago during a bitterly cold period of time. He had trouble with his trailer. He pulled it off to the side of the road and realized the brakes on the trailer were frozen. So he got on his cell phone and he called his dispatcher, and his dispatcher said: Whatever you do, stay with that truck and trailer. The repairman is on the way.

So he waited a while. No one showed up. He fell asleep. By the time he woke up to a phone call from a member of his family, his legs were numb and he was having trouble breathing. It turned out there was no heater in the cab of the truck. So there he was, facing hypothermia and freezing in his truck. Again, the dispatcher told him: Stay there. Don't leave the truck.

He decided that the idea of dragging this trailer down the interstate was dangerous and the idea of staying in this truck could threaten his own life, so he made what I consider to be a reasonable decision: He unhitched the trailer, took the truck to the gas station, filled it with gas, warmed up, and came back to the trailer. For that conduct, he was fired by TransAm Trucking. Because he was fired, he was blackballed from ever driving another truck.

This man, whom I happened to meet in my office a few weeks ago, Alphonse Maddin, then did not know which way to turn. He couldn't make a living. He was a hard-working fellow out of Detroit.

Somebody said: You can go to the Department of Labor, and you can file a complaint for unfair dismissal.

I see the Senator has a photograph of Mr. Maddin there.

He told me he went to the Department of Labor. They handed him the form. With a ballpoint pen, he filled it in as to what happened to him, protesting this dismissal and firing. He said he was shocked a few months later to get a letter in the mail that said: You win. You are right. They shouldn't have fired you.

Well, he thought that was a pretty good thing and that he would get some

backpay out of it. But then the appeals started, and it went in the Federal court system. By the time it got to the Tenth Circuit, where Judge Neil Gorsuch sat, seven different court judges and administrative judges had considered the case of Alphonse Maddin as to whether it was fair to fire him under these circumstances. Only one judge out of the seven said it was the right thing to do—Neil Gorsuch, the man who aspires to be on the Supreme Court.

One of my colleagues—and I think it was Senator FRANKEN—said to Judge Gorsuch: What would you have done if you were sitting in that truck? What would you have done if you faced freezing to death or dragging a disabled trailer out on a busy interstate, endangering the lives of others?

Judge Gorsuch replied: I never really thought about it.

He never really thought about it. To me, that really gets to the heart of what we are talking about here. He thought about it enough to rule against that truck driver who faced that terrible choice in his life, but he did not think for a moment what a reasonable, ordinary man would do under the circumstances. He reduced the situation to the absurd and decided to rule for the trucking company, for the corporation.

When you consider that this Roberts Supreme Court has ruled on the corporate side, the U.S. Chamber of Commerce side, 69 percent of the time, it is pretty clear why they have this fond feeling for Neil Gorsuch as the next Supreme Court Justice.

Does the Senator from Oregon see the linkage here between what the Republicans are looking for in a Supreme Court nominee and what they would find in this TransAm Trucking decision?

Mr. MERKLEY. My colleague from Illinois brings up the frozen trucker case, as it has often been referred to, and how it demonstrates an effort to really twist the law away from its original purpose in order to find for the powerful over the individual.

In this particular case, when he wrote his viewpoint, Neil Gorsuch revealed a whole lot because here was a law specifically crafted to protect truckers from being fired if they operated for personal safety or the safety of the public.

Clearly, for him to have driven that trailer down the road, a fully loaded trailer without brakes because the brakes were frozen, would have been incredibly dangerous to all kinds of people. To stay in that cab freezing to death was dangerous to him. You can interpret the concept of operating a truck, and the law said refusing to operate a truck. Well, does refusing to operate a truck mean that you refuse to operate it in exactly the manner that you were told to? Does it mean driving

the cab without the trailer or the cab with the trailer?

Gorsuch zeroed in on the fact that, well, he did not refuse to operate because he drove the cab. He was operating. Well, no, he was not operating in any common person's understanding. He left the trailer there. He wasn't driving it down the road. But he searched for that slight little way that he could say: Well, that does not quite fit, and therefore I can find for the corporation.

It just fits case after case after case in which the nominee who is before us now stretched the law, twisted the law, tortured the law, in order to try to find a victory for the powerful over a person.

Mr. DURBIN. I thank the Senator from Oregon for yielding for questions.

Mr. MERKLEY. I thank my colleague from Illinois for coming down to help focus on some of those cases. I appreciate the great knowledge he brings to Senate issues and the deliberations in the Judiciary Committee. I am not a member of the Judiciary Committee, so, as I listened to my colleagues commenting on the questions that were being raised and how they were being answered, I saw in the course of those hearings a trajectory in which many colleagues found, as they looked into the heart of these decisions, that there was an absence of heart reflected in the decisions.

The ability to understand the full context of which something happened is so important. When I was a freshman in college, I had a course, a freshman seminar, and that seminar was taught by an esteemed professor of the law school. She would have us read the circumstances of a case, and then say: How would you have ruled on this case? We would write up our little memos, our short little memos, not really based on law because we didn't know the law but on common sense or whatever life experience would have brought to bear.

Then the next week, we would read the Justice's opinions, their decisions on what they had found to be the case—did they sustain the argument for the defense or otherwise, and what arguments did they bring to bear?

I was always struck that William O. Douglas seemed to have the best grip on being able to place himself into the mindset and the situation of folks who were bringing grievances forward to be addressed. I think a lot of that came from his life experience and the life experience in which he had basically lived in the wilderness part of the time. He had hung out with hobos, and he had ridden the rods underneath the railroad cars to get from one place to another. He had experiences that were not just inside the bubble—the billionaire bubble, the elite bubble, the gated community.

The opposite of that is the situation when I was in New York back in 2008

and I was speaking to someone about campaigning for the Senate. The individual said: I don't understand why you are so concerned about healthcare. Everybody has healthcare—everybody. Well, in his world, in his bubble, everybody had healthcare and everybody was wealthy, but that is not the entirety of the world.

So it is so important to have people on the Court who can get inside the experience that others have and that diverse experience. You don't see that reflected in decisions that have been written by Neil Gorsuch.

I thank my colleague from Illinois. The Guardian wrote an article titled "The Guardian view of Trump's Russia links: a lot to go at." I will share this particular article, but before I do so, let us remember that we are here at this moment with three substantial issues.

One issue is the fact that for the first time in U.S. history, a Supreme Court seat has been stolen from one President and delivered to another—the first and only time. Sixteen times we have had a vacancy in a Presidential year, and 15 times the Senate has acted to consider the nominee, in some cases rejecting them, in some cases—in most cases confirming them, but always acting until last year.

The second big issue is this Russia investigation, the investigation of the links between the Trump campaign and the Russians, this big cloud hanging over the legitimacy of the Presidency. It needs to be resolved. That certainly affects whether it is legitimate to be considering at this moment the President's nominee before that cloud is dissipated or resolved because this individual, whoever is confirmed for this seat, will quite likely serve for many decades. When it is a younger nominee, as it is with Neil Gorsuch, that could be five decades. It could be an extensive length of time with decisions that stretch far into the future.

Rather than rush through this in a few days, we should be setting this aside until these issues are resolved to make sure that we have established the legitimacy of the President's role in office and gotten rid of this cloud hanging over him.

The third, of course, is the nominee himself. I so much appreciate my colleague from Illinois proceeding to, through his questions, raise a number of the points about Neil Gorsuch's record. There is the case of the frozen trucker. We did not talk about the case of the autistic child, but that is very similar, where the law—and it is similar in this sense—the law was quite clearly written to promote a particular resolution of a challenge, and that is that every child, despite their disability, would have the opportunity to have an appropriate education. Neil Gorsuch managed to reduce that down to mere improvement over de minimus;

that is, basically a tiny little bit of improvement over doing nothing. That was the Neil Gorsuch standard.

That standard went to the Supreme Court. The Supreme Court just recently issued its decision, and it was not a confirmation that it is OK to have just a mere improvement over doing nothing, it was a wholesale rejection, because the law is very clear, and Neil Gorsuch tormented it and twisted it and tortured it to produce a position that you can do nothing and meet the standard of the law that says you have to do quite a bit.

So it was 8 to 0. It was not six out of eight or seven out of eight, but eight out of eight. Every Justice, no matter where they were in the ideological spectrum, said: That is an absurd finding and overthrew the Neil Gorsuch decision.

(Mr. BARRASSO assumed the Chair.)

So we have these three substantial, major issues to consider, and that is why this conversation should be set aside until we resolve the Russia investigation.

I will read "The Guardian view of Trump's Russia links." It says:

Why days before the presidential election did the FBI announce it was reopening an investigation into Hillary Clinton—when it was silent about its probe into Mr. Trump's Russia ties?

When the president's own staff turn up in Washington to publicly rebut his accusations that he had been wiretapped by his predecessor, it's not good news for the White House. Yet the longer the director of the Federal Bureau of Investigation, James Comey, and Mike Rogers of the National Security Agency appeared in front of a committee of Congress, the worse it got. Since last July, Mr. Comey said, the president's campaign has been investigated for colluding with Russia to influence the 2016 election. Donald Trump's election machine is coating his White House with sewage.

Yet Donald Trump, with the insouciance of a Bourbon monarch, shows no sign of taking any notice of the facts. Nor, it seems, will he retract false claims, nor will he be held accountable for his dissembling. Mr. Trump is prepared to carry on in disgrace. He spent the minutes after his own intelligence officers called him out for peddling falsehoods by trying to create a bizarre counter narrative with the @POTUS twitter account that stretched his credibility so far it snapped.

Well, this article continues to go into how just an amazingly absurd situation this is at this moment.

I was really struck that what seemed to have transpired just a few days ago was that the White House, some key advisers in the White House, some very top advisers, called up the chair of the House Intelligence Committee and said: Hey, come over here to the White House. We want to brief you on some information that shows that maybe there was some intelligence picked up on Trump in the course of other intelligence activities.

So the chair goes over to the White House, gets briefed, comes back to the

House, holds a press conference, and says that he has this information from a whistleblower, and he has to go back over to the White House to brief the President.

The whole thing was phony. The information came from the White House. The whole thing was set up to look as though there was some magnificent new information that somehow confirmed some theme or line the President was advocating. I mean, this was Keystone Cops. That is the place we have come to in this administration. So those are certainly the concerns that I have.

I think it is important to continue focusing on the Gorsuch nomination. Let us recognize the setting in which this is happening.

Certainly we have a nominee who seems to want a 19th century judicial philosophy for the 21st century. The preamble to our Constitution states: "We the People of the United States, in Order to form a more perfect Union, establish Justice." That is a vision that reminds us that we are a nation of laws, where individuals like the frozen trucker can go to the authorities and get a fair, square deal, a deal that reflects the fact he was unfairly fired, but he didn't get that from Neil Gorsuch. The type of system where an autistic child who, under the law, is supposed to be receiving an appropriate education receives that education, but he didn't get that fair square justice from Neil Gorsuch.

We are a nation of laws, but we are also a nation of justice, and it sets us apart from so many other countries—that concept that average citizens, ordinary people have a way to pursue justice.

During his confirmation hearing last month, Judge Gorsuch put on a great show, kind of a friendly, everyday-man show, but when it came to making decisions, the ordinary person lost out on these decisions time after time after time.

We have a far right, extremist judge outside of the mainstream who, in case after case, has twisted the laws to deny average Americans the justice they deserve. He is so far out of the mainstream that he would be the most conservative Justice on the Supreme Court—further to the right than Justice Antonin Scalia or Justice Clarence Thomas, according to an independent analysis by the Washington Post. The Post came to this conclusion by examining the Tenth Circuit's opinions that have been delivered since Gorsuch joined the Court in 2006. The Post concludes:

The magnitude of the gap between Gorsuch and Thomas is roughly the same as the gap between Justice Sotomayor and Justice Kennedy during the same time period. In fact, our results suggest that Gorsuch and Justice Scalia would be as far apart as Justices Breyer and Chief Justice Roberts.

We can see this extremism by examining some of Judge Gorsuch's significant cases.

Earlier, my colleague from Illinois came in and spoke about the frozen trucker case. Alphonse Maddin was a truckdriver who was transporting cargo through Illinois when the brakes on his trailer froze because of subzero temperatures, and he did the responsible thing. He got off the road. He pulled over. He refused to drive under hazardous conditions, and he called for help.

After reporting the problem to the company, he waited 3 hours in freezing temperatures for a repair truck to arrive. He couldn't even wait in the cab of his truck to keep warm because the auxiliary power unit was not working. After those 3 hours, his torso went numb, and he began having difficulty breathing. He couldn't feel his feet. So he unhitched the truck—that is the trailer, the loaded trailer, and left it there. He drove the cab, seeking to find a place he could get warm, and then he returned to the truck when the repairman was arriving.

The law is specifically written to say that you can't fire a truckdriver for refusing to operate a truck in a fashion that will cause dangers to others. And that is what he did; he refused to keep driving with those frozen brakes in order to avoid causing danger to others.

Neil Gorsuch looked for a way to twist that, to say: Well, he didn't refuse to operate the truck. He drove the cab, and that is kind of like operating the truck.

Well, I would tell Neil: It is not. Operating a cab unhitched from a trailer is not the same as operating a truck with the trailer. The purpose of the driver is to deliver the goods.

So, quite frankly, he did exactly what he should have done for his personal safety and the safety of others. He was fired for it, which is what the law is written to stop. Everyone else got this, but not Neil Gorsuch.

Neil Gorsuch looked for a strategy that he could possibly find to favor a company over an individual, and that is really of great concern.

In his dissent—Neil Gorsuch was not in the majority. He wasn't making the decision. He wasn't writing the majority opinion. He had a dissent.

He strained the reading of the statute. He went out of his way to minimize the words "health and safety" in the law. He stated that finding for the driver was improperly using the law "as a sort of springboard to combat all perceived evils lurking in the neighborhood" and that the objective to promote health and safety was "ephemeral and generic."

Well, clearly the finding that a trucker who was fired because he refused to operate the truck—the cab and the trailer—in unsafe conditions because the brakes were frozen, when the

law says you can't fire a trucker for refusing to operate a truck in unsafe conditions—that is about not providing a very specific danger to the community.

How do you get from that to say that finding for the driver was a framework “to combat all perceived evils lurking in the neighborhood”? As if somehow deciding the case on the pure merits and the pure law, finding a case on behalf of an individual was somehow opening a Pandora's box of bad decisions that would affect other situations where maybe corporations that made a mistake would have to pay a fine. That would be unacceptable.

I don't know what he meant by “a sort of springboard to combat all perceived evils,” but I know it is totally disconnected from the pure facts of the frozen trucker case and the law that guided it, and that is why the court found in the trucker's favor.

In short, in reaching his conclusion, Judge Gorsuch took an extremely narrow view of the statute, remarking that it only forbids them from firing employees who refuse to operate a vehicle out of safety. That is exactly, of course, why he did it.

I think that all along that case, you saw common sense, a clear view of the facts, and a clear view of the law on everyone's behalf, except for one individual, and that individual was Neil Gorsuch, who is before us.

Let's turn to the case of the autistic child. Luke P, a young child with autism, began receiving special education services at his public school in kindergarten in 2000. He had an education plan specific to his needs, as required by the Individuals with Disabilities Education Act, the IDEA.

The problem was that he wasn't making progress in generalizing skills, applying skills he learned at school to other environments. Despite his appropriate social interactions at school, he often had severe behavioral problems at home and public places, including violence. The public school's inability to meaningfully improve Luke's ability to generalize basic life skills put enormous stress on the family and exposed the limitations of what the school was able to provide.

His parents found a program designed for children with this form of autism, a place that specialized in that, a place that knew how to approach it. They worked at getting him admitted, and they succeeded. It was a great opportunity for Luke to not only learn important life skills but to be able to apply them outside the classroom. Luke got in, and he began to flourish, getting the attention and specialized instruction that his condition merited.

So Luke's parents, knowing that the IDEA requires that children with disabilities are entitled to a free education, applied to the school district for reimbursement of the new school's tuition, but the school district said

they wouldn't fund that because they could meet the goals of Luke's updated education plan. But the problem was, they couldn't. That experience had already occurred, and the district had fallen short.

At the due process hearing, the State level hearing, Luke's parents prevailed. They laid out their case. The hearing compared the situation to the law and the requirements in the law, and Luke's parents won.

It went up to the Federal district court. Again, looking at the case, looking at the law, the parents prevailed. At each level, a hearing officer judge determined that Luke wasn't getting the help he needed at the public school. They concluded that, by failing to help him generalize his skills, they failed to provide him with the free appropriate education he was entitled to under the law.

Each looked at the facts and said: Only the specialized residential school could provide the education he needed, and the school district must reimburse the family.

Well, the school district appealed all the way up to the Tenth Circuit—Judge Gorsuch's Tenth Circuit. And what happened on the Tenth Circuit? Well, writing the opinion for the majority, Judge Gorsuch stated that “the educational benefit mandated by IDEA must merely be more than de minimis.” A way to translate that, “merely more than de minimis” means a tiny bit more than nothing. That is the standard. That is the Gorsuch standard. In effect, Judge Gorsuch argued that you meet the law designed to insist that disabled children get an appropriate education with a little bit more than nothing.

Well, this was then appealed up to the Supreme Court, and what happened here just days ago? On March 22, Judge Gorsuch's ruling was overturned by the eight members of the Supreme Court. It wasn't a 5-to-3 or 6-to-2 or 7-to-1 decision; it was 8 to 0.

They felt that the standard Gorsuch put forward was totally incompatible with the way the law was written. That is a very telling situation to have eight Justices, through a large spectrum, see that the world is quite different from the world of Neil Gorsuch, where the law gets twisted to find for the powerful over the individual.

Judge Gorsuch's ruling was overturned through a unanimous vote in the case of *Endrew F. v. Douglas County School District* during the final days of Judge Gorsuch's confirmation hearings, March 22. In that case, another autistic child, who also has attention deficit disorder, had been removed from public school since the fifth grade. Like Luke, he went on to make great progress in a private school. His parents said the education plan that the public school created was not helping, and they sued the school district

to compel them to pay for the private tuition. It was basically a mirror example of Luke's case.

In speaking for the Court, Chief Justice John Roberts said that Judge Gorsuch's *de minimis* standard was too low and that the Federal law demands more, that it requires an educational program that is reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances.

Chief Justice John Roberts went on to say in his majority opinion that it cannot be right that the IDEA generally contemplates grade level advancement for children with disabilities who are fully integrated into the regular classroom but is satisfied with merely more than de minimis progress.

No. The IDEA contemplates grade level advancement, and it cannot be squared with the standard that Neil Gorsuch put forward in his saying “merely more than de minimis.”

Speaking in front of the Court, the Solicitor General specifically noted that Judge Gorsuch's interpretation of the IDEA's requirement is not consistent with IDEA's text or structure with this Court's analysis or with Congress's stated purposes. Basically, that is the outline of the autistic child's case.

Let's turn to the Utah en banc request, the Planned Parenthood Association of Utah v. Herbert.

In August of 2015, Gary Herbert, Utah's Republican Governor, ordered the State to strip \$272,000 in Federal funding from the Planned Parenthood Association of Utah in response to a series of hidden camera videos that were released by the Center for Medical Progress. They were attacking Planned Parenthood's program for providing fetal research tissue to research institutions. These videos were found to have been doctored and the footage was inaccurate. The entire premise was debunked.

Despite the fact that the videos had no merit, Governor Herbert stood by his order to cut Planned Parenthood's funding. Utah's Planned Parenthood Association decided to fight back by filing for and temporarily receiving a restraining order against the State.

In spite of his continued claim—that is, the Governor's claim—that stripping funding was not to punish the organization for its stance on abortion but was in response to the videos, Governor Herbert eventually admitted, while responding to Planned Parenthood's motion for a preliminary injunction, that the events in the videos involved other Planned Parenthood affiliates in other States, not Planned Parenthood in Utah. There was not even an accusation that Planned Parenthood in Utah had strayed beyond the law.

The organization in Utah does not participate in that research program

that was attacked in that video. There was no connection—not geographically to Utah and not through the substance issue of a tissue research program. None of the Federal funds that go through the State's health department to Planned Parenthood fund abortions, which is an important point.

Let me reemphasize that the accusations made by the videos about Planned Parenthood and its affiliates were false.

What the Governor's response has made clear is that he was, in fact, punishing Planned Parenthood of Utah for its constitutionally protected advocacy and its services that include abortion. That is a very, very small part of what it does.

A three-judge panel on the Tenth Circuit Court of Appeals granted a preliminary injunction to Planned Parenthood, concluding that Utah's Planned Parenthood was operating lawfully and that the Governor's personal opposition to abortion could likely be demonstrated as a motivation for blocking Federal funds. Therefore, the Governor was targeting a health organization, in violation of its constitutional rights.

We have these basic concepts, like equality under the law. You cannot just choose and pick, basically, whom you like and dislike.

Here is what happened. In spite of that Tenth Circuit's finding of those three judges, who all found on the side of Planned Parenthood, Judge Gorsuch dissented from the court's denial and requested that it be considered en banc—that is, by the entire Tenth Circuit set of judges. This is very unusual because the Governor who lost the case was not asking for it to be reconsidered, and Planned Parenthood was not asking for it to be reconsidered. It was a done deal. The arguments that the Governor had brought basically fell apart upon examination—each and every argument. Planned Parenthood of Utah was not in the videos. The videos themselves were edited to create a false story. They did not even participate in the same research program and so forth—I mean, every piece of it. Yet Judge Gorsuch said: No, we should have the entire group of judges reconsider this—a judge pushing this forward when the defendant did not even push it forward. He was willing to ignore court practice and custom, to mischaracterize facts in law to ensure that Utah's Republican Governor could eliminate funding for Planned Parenthood.

He made a reference to kind of the deference to elected opinion. That, in itself, is very strange. Isn't your job to find out whether the circumstances fit the law and, if someone has been short-changed, to rule for him and not to defer to someone because he has the title of "Governor" before his name?

In the majority's opinion, Judge Mary Briscoe wrote separately to high-

light the troubling nature of Judge Gorsuch's dissent. She noted first how unusual and extraordinary it would be for the Tenth Circuit to have one of its own make a motion for an en banc review when neither party to the litigation sought such a review. Second, Judge Briscoe emphasized that Judge Gorsuch repeatedly mischaracterized this litigation and the panel at several turns.

Another judge in the majority pointed out that none of the parties asked for a rehearing within the time permitted and that there was no justification for polling the court on that question at all. Apparently, an unidentified judge had requested that the judges be polled.

So we have here—as we have in the case of the autistic child, as we have in the case of the frozen trucker—another case of twisting the law to try to come out with an outcome that is not merited by the facts of the case or the plain language of the law. That really is a significant concern.

Judge Gorsuch has been a lifelong ideological warrior. The quote from Henry Kissinger that he used in both his high school and Columbia yearbooks might have been intended as joke, but it warrants some consideration in light of his record:

The illegal we do immediately. The unconstitutional takes a little longer.

In light of these cases, where in case after case he stretched the law, tortured the law, twisted the law to find for the powerful—the Constitution has a vision of equality before the law. Our Constitution has this vision of justice for all so that when a judge does not pursue equality before the law, does not pursue justice for all, then that really is kind of a venture into the unconstitutional. That is exactly what happened in the case of the autistic child, where the Court said: Your decision was unconstitutional. Your decision to say that a little bit more than nothing meets the standard of the IDEA is wrong. That is unconstitutional. That is wrong for the law.

Indeed, it almost makes the hair on your neck stand to realize that he was writing that the unconstitutional takes a little longer.

His world view really began to take shape at Columbia when he cofounded the Federalist, which was the school newspaper, and a magazine called the Morningside Review. In writing for the publications, Judge Gorsuch defended social inequality, saying it allows men of different abilities and talents to distinguish themselves, as they wish, without devaluing their innate human worth as members of society and arguing that a responsible system requires a governing class that is comprised of men of exceptional political ability and spirit of concern who craft laws and run the government.

When I read this, it made me think of Plato's "Republic." In Plato's "Repub-

lic," he lays out a vision of the guardians, kind of this superior group of men who find just the right solutions. It sure sounds like that—a responsible system that requires a governing class that is comprised of men of exceptional political ability, spirit, and concern, who craft the laws and run the government—in other words, a government by the elite. Through his decisions, we see that it is not just by the elite and by the powerful, it is for the elite and for the powerful. That is a long way from equality under the law, and that is a long ways from justice for all. And he characterized efforts to fight racism as "more demand for the overthrow of American society than the forum for the peaceable and rational discussion of these people and events."

We have a substantial amount of racism still embedded in our Nation, and we see it come out in unexpected ways. The first I was really aware of the racism that we have in our society was when I was a 19-year-old and I was an intern for Senator Hatfield here. I was assigned to open all of the letters each morning because I was the last of the three summer interns to arrive, and that job went to the last person. I started opening these letters, and the job was to sort them, to get them into different piles according to topic for the different corresponding legislative correspondents who would then write replies. But as I read the letters, I would read one letter and there would be an attack on Seventh Day Adventists. In another there would be an attack on African Americans. In another, there was an attack on immigrants, and so on and so forth. There were attacks on Mormons. There were attacks on every possible group.

It made me think about how Oregon was at one time a territory that excluded African Americans, and at a later date it came to have the largest Ku Klux Klan in the Nation—Oregon. You wouldn't imagine that. I saw no signs of this racism growing up in the suburbs of Portland or down in Roseburg, but these letters that people were writing were full of racism.

We can't simply pretend that it doesn't exist. Over the course of this last year, we have seen this time and again. We have seen groups that kind of are still deeply wedded to racism and discrimination, and they have kind of come out and made themselves more publicly available. They have kind of shared their thoughts more readily, and they have engaged in more racist acts against others.

So we have more people who have been attacked in parking lots because of their race, or we have more situations where graffiti has been scrolled on the side of buildings. We have mosques that have been burned. We have synagogues that have been defiled. We have individuals who look to

be Middle Eastern being attacked because they are looking like they are Middle Eastern.

So, clearly, as to racism, we are not discussing this challenge in America, pondering how we come to a full respect for each and every individual in our country. That cannot be characterized as a demand for the overthrow of American society, unless your concept of American society is one that is a White supremacist viewpoint, and then respect for everyone else perhaps is an overthrow of society.

Now, I am not saying that Neil Gorsuch was coming from that particular viewpoint, but he certainly shows in his quote that he has great difficulty considering a conversation about racism to be a legitimate and important conversation for making America a better place, embracing the strengths of all of our citizens who come from diverse backgrounds. It can't be that this is "more demand for the overthrow of American society than a forum for rational discussion of these people and events." It is a discussion that we need to have.

Judge Gorsuch is absolutely coming into the Court with a view of expansive rights for corporations.

For a long time in our Nation's history, our biggest businesses and corporations certainly ruled the roost, and we had the barons who came from Big Oil and Big Railroad and Big Copper, and their wealth and their station in life ensured that they really had a lot of power over the people around them. Over time, we gave and developed standards so that people couldn't be exploited to the extent that they were exploited under these barons. We had developed labor and safety standards, and we had developed minimum wages and 40-hour workweeks and overtime—really quite an amazing transformation of the workplace. We made great strides in the course of the 20th century. We recognized that American workers are entitled to be treated with respect in a safe working environment.

But there are other cases other than the frozen trucker case where Judge Gorsuch has put the interest of the company or the corporation above the safety of the American worker. One of those is the case of the electrocuted construction worker, the mining construction worker.

Encompass Environmental. The Occupational Safety and Health Review Commission fined employer Encompass Environmental because the company failed to properly train Chris Carter, a worker who was electrocuted. He did not recover. He died.

Chris joined the construction project a week after it had begun. Because he was not trained in that specific work, he brought a piece of equipment in contact with an overhead line. This was specifically something the company had trained others to avoid, but he

wasn't trained in it, and the result is he died.

The Tenth Circuit on which Neil Gorsuch serves upheld the fine against the company for the failure to train, saying that it was "undisputed that Encompass did not give this employee any instruction on the fatal danger posed by the high voltage lines located in the vicinity of the work area."

The company's own job hazard announcements found a fatal danger from the high-voltage power lines involved and recommended training for employees that would instruct them to keep at least 20 feet away from those power lines. A lot of the employees got that training, but Chris Carter didn't, and he died.

While all of the Tenth Circuit upheld the fine against the company, Judge Gorsuch dissented. He said that, as to the Occupational Safety and Health Review Commission, which fined the employer, that fine was yet another example of an administrative agency wielding remarkable powers and penalizing a company where no evidence existed. If it had been up to Neil Gorsuch, Encompass Environmental would not have had to pay this fine. It would never have been accountable for the negligence that ended in this tragic, unnecessary death.

It is striking to me that despite the fact that the company itself knew about this hazard, and the company itself trained other employees to avoid the hazard but failed to provide the training in this case, Neil Gorsuch really somehow believes that there was no error made by the company; that, somehow, it is unfair if you are penalizing the company.

The ultimate example of Gorsuch's efforts to expand the rights of corporations came in the Hobby Lobby case, which held that corporations are persons exercising religion under the purposes of the Religious Freedom Restoration Act. Therefore, according to the ruling, closely held, for-profit secular corporations could deny their female employees the legal right to contraceptive coverage as part of their employer-sponsored health insurance plans.

The Tenth Circuit upheld this position, but that wasn't enough. In a separate opinion he couched this expansion of corporate rights in a blanket of religious freedom writing:

All of us face the problem of complicity. All of us must answer for ourselves whether and to what degree we are willing to be involved in the wrongdoing of others. For some, religion provides an essential source of guidance both about what constitutes wrongful conduct and the degree to which those who assist others to commit wrongful conduct themselves bear moral culpability.

What that case really amounted to was saying that religious preferences of the employer—a corporation—trumped the religious choices of the employees—the individuals. That is the scary

thing about Hobby Lobby—giving corporations expansive control while you diminish the realm of private rights.

The Hobby Lobby decision has already been invoked—not only supporting curtailing employees' access to reproductive healthcare but also to justify noncompliance with child labor laws, anti-kidnapping laws, and anti-discrimination laws.

As a lawyer, Neil Gorsuch wrote a brief in *Dura Pharmaceuticals v. Broudo*, urging the Court to ignore the statutory legislative history of the Securities and Exchange Act and advocating that the Court limit the availability of those who confronted the corporation to band together to seek redress.

In a 2005 article, Gorsuch launched into an attack on plaintiffs' lawyers for such cases. The lawyers were just looking for a free ride to vast riches, he concluded. They involved frivolous claims, taking an enormous toll on the economy and on virtually every corporation in America at one time or another, costing businesses billions of dollars in settlements.

So Neil Gorsuch has taken positions making it more difficult for class action lawsuits to proceed.

Well, what is a class action lawsuit and why is it so important in our system to have class action lawsuits? Imagine that you are in a situation where, for example, maybe a telecommunications company gets involved in slamming charges onto your bill that you never asked for, and maybe that costs you \$10 a month for some service put on your long-distance bill or on your cable bill or on your worldwide net band bill, and you proceed to notice this, but they put this on without you authorizing it. Yet it is \$10. You can't possibly afford to go to court to take on this predatory conduct of charging you for something you never ordered, but when you realize there are often tens of thousands of other people who have also been the victims of this illegal predatory action, then a class action lawsuit gives you the ability to band with those other folks to take on that predatory conduct by the corporation, and that helps to dissuade a corporation from being involved in predatory conduct to begin with.

This can be involved in all sorts of things. It could be misrepresenting a product that is being sold, a physical product, or not warning about its having a danger that any rational person should have warned you about, or misrepresenting stocks in some type of a scheme where thousands of people are sold something, but what they buy is not what they were promised, and so forth.

So class action is a powerful tool for justice, but you see in case after case after case, complete disdain by Neil Gorsuch for class action lawsuits. He

sees them as a burden on the corporate enterprise of America.

Well, I believe that it is important to stop illegal predatory conduct, and in cases where you can't possibly afford to go as an individual, class action is an important strategy.

In one case, *Shook v. The Board of County Commissioners*, he prevented a group of inmates with mental illnesses who were not receiving proper care from joining together to request that the jail meet its constitutional obligation to provide medical care. Shook may not have involved a corporation, but the same legal reasoning Judge Gorsuch applied in that case can be used to limit class action lawsuits brought against companies and against corporations. There were a number of other cases in that category, and there are cases that essentially highlight issues of discrimination and sexual harassment and Judge Gorsuch's views on that.

In *Pinkerton v. Colorado Department of Transportation*, Judge Gorsuch joined an opinion discounting Pinkerton's evidence of discrimination and concluding that her performance, not discrimination, resulted in her termination.

Betty Pinkerton was an administrative assistant. She alleged that her supervisor had made inappropriate, sexually explicit remarks to her over a period of several months and that she was fired when she reported the harassment. Pinkerton specifically alleged that her supervisor asked her whether she had sexual urges and asked about the size of things that a boss should not ask about, and he actually commented on a whole series of things which I don't think I will read into the RECORD but which were totally inappropriate in a workplace setting.

After her supervisor asked to go to her house for lunch, Pinkerton called the internal civil rights administrator and complained and then made a formal written complaint 7 days later. An investigation that followed led to the supervisor's removal, but shortly after the supervisor was fired, Pinkerton was also fired. She sued, claiming that the department of transportation was liable for the hostile work environment imposed by the supervisor and that she had been fired because she had raised this issue and this conduct.

There was a divided panel that affirmed a summary judgment in favor of the Colorado Department of Transportation, which held that Pinkerton had waited too long—2 months—to report the harassment, and Judge Gorsuch found with the majority.

Judge Paul Kelly's majority opinion concluded it was Pinkerton's performance, not discrimination, that resulted in her termination, but the dissenting opinion said that it should be a jury who decides at what point Pinkerton's failure to report the harassment be-

comes unreasonable, that the termination just days after the investigation was completed raised a genuine issue of fact about her claim of retaliatory discharge, especially considering that the State department of transportation testified that the most serious error leading to Pinkerton's firing was an allegedly mishandled call from an employee's daughter that happened 4 years earlier, and the director tried to get Pinkerton another job with the State department of transportation only months before she was fired. But Judge Gorsuch joined the majority and did not give Betty Pinkerton the chance to confront her employers in a court of law in front of a jury. In other words, she wanted her day in court to make the case.

The minority in that case said: Yes, she should get her opportunity to make her case. There is enough evidence, and it should be presented. She can make her case and the department can make their case—not to preempt the opportunity for her to have her day in court. But that is where Judge Gorsuch ended up.

Then there is *Strickland v. United Parcel Service, UPS*. In this case, Judge Gorsuch concurred in part, while also dissenting in part from an opinion holding that Strickland provided ample evidence that she was regularly outperforming her male colleagues, and yet she was treated less favorably than they were.

Carole Strickland was a female driver for UPS who alleged sex discrimination and quit under pressure. Two judges on the Tenth Circuit panel overturned a lower court decision granting UPS judgment as a matter of law. In doing so, they emphasized that Strickland provided ample evidence that she was regularly outperforming her male colleagues, and yet she was treated less favorably, including direct testimony of several of her coworkers that she was treated poorly or worse than others.

Strickland's coworkers testified that supervisors treated her differently from her male colleagues. She met 93 percent to 104 percent of her sales quotas, was outperforming some of her coworkers on every measure, and yet she was singled out to attend individual meetings—the only one who had to make written sales commitments even though no one was at the 100-percent quota level.

One of the men in her office had lower performance than Strickland in almost every sales measure but was not required to attend these meetings to discuss work performance and was not counseled on failing to reach 100 percent.

Judge Gorsuch, unlike his two colleagues, dissented from the decision. He would have decided the case could not have gone to a jury, arguing that a reasonable juror could have found that

Strickland was a victim of sex discrimination. He himself decided the essence of the case rather than giving her an opportunity to have her day in court, in spite of the substantial evidence she brought forward. He would have denied an employee the opportunity to hold a corporation accountable for their mistreatment.

We see the theme in these cases, one after the other. When fellow judges found that a person had a reasonable right to make their case, he dissented and worked to block a chance for an individual to have their case heard.

There is a list of cases we have been going through, but I want to go back and recap why we are here in the Senate hearing this nomination and deciding whether to confirm this individual, Neil Gorsuch. This story is one that really begins with the death of Antonin Scalia.

Antonin Scalia died in February of last year. Within hours, the majority leader had decided to pursue a strategy of asking the Senate—really, demanding the Senate—ensuring that the Senate not fulfill its constitutional advice and consent responsibility. If only at that moment my colleague the majority leader had thought: This is a big deal. Asking the Senate to not exercise its advice and consent responsibility—that is a big deal. Maybe I should wait a day and think about this.

But no, there was a rush to the floor to lay this out, and that became the path this body has been on ever since.

A month later, in March, the President did his job under the Constitution: He nominated Merrick Garland, and it was forwarded over here to the Senate. The normal thing would be for the Senate to start hearings, but the Republican majority leadership said: No. No hearings in the Judiciary Committee.

Why not? It is our responsibility to provide advice and consent on nominations, and there is no nomination more important than the nomination to the Supreme Court of the United States of America. It isn't someone who just serves for a couple of years in the administration or maybe for a full 4 years of the administration; it is somebody who serves for life. And it is not someone like a district judge or a circuit judge who can write an opinion but then have it overturned at a higher level; the Supreme Court is the higher level. It is the highest level. The buck stops with the Supreme Court.

Given the lifetime appointment and enormous power to set precedent for what the meaning of our Constitution is makes the Supreme Court nomination fantastically important. So it is shocking that we failed to do our job as a Senate—to hold hearings, to hold a vote, and to send the issue to the floor and hold a debate on Merrick Garland.

Some Members said: This is in keeping with tradition for an election year.

Well, no, it is not in keeping with tradition. We have had 16 nominations

during an election year. A few of them came after the election. Yet there was still a nomination, and the Senate still acted. On others, the vacancy occurred before the election, and the President chose not to fill or not to produce a nominee until after an election, and still the Senate said there is time to act. In nine other cases, the vacancy came before the election, the nomination came before the election, and in eight of those nine, the Senate acted. In 15 cases out of 15 cases before Antonin Scalia died, the Senate acted—confirming most, rejecting a few, but they acted. They exercised advice and consent. Then last year the Senate failed for the first time—the first time in U.S. history—to act.

We can think of this as a kind of lengthy, lengthy filibuster of a Supreme Court nominee. Some of my colleagues have said: It doesn't seem right that a minority—41 Senators—can stop us from getting to a final vote. But it is right. It is a tradition that a 60-vote standard to approve a nominee to the Supreme Court is essential to make sure that a nominee has bipartisan support, that they are from the judicial mainstream, that they have judicial temperament, and that they fit this very important role, this task which they are going to be assigned to do and which they might do for many, many decades to come. That is why we have a 60-vote standard.

What happened last year was a complete refusal to act and 290-plus days of failure to act—plenty of time to act to fulfill our responsibility. It would be different and we would be having a different discussion today if the Senate had considered the nominee and rejected the nominee.

So why didn't the majority leader simply say: We don't like this nominee, so we are going to probably have a debate and we are probably going to vote the nominee down. The reason why is everyone loved Merrick Garland. He was right down the middle. He had great quotes of support from both sides of the aisle. He didn't have a history like the history I am describing with Neil Gorsuch, which raised eyebrows time and time again, or where he was kind of legislating from the bench. He didn't do that the way Neil Gorsuch has done.

So that is the big issue, that we have a strategy of stealing a Supreme Court seat in order to pack the Court. It has never been done before, and we are in the middle of it now. And if this week goes as the majority leader said he was going to make sure that it went, then the theft is going to be completed by Friday.

So I have been here through the night talking about this, to say how important this is that we not do this—that to proceed to fill this stolen seat will damage the Court for decades to come and will damage the Senate for

decades to come. If you can steal one seat and get away with it, the temptation next time is to steal another seat—either to double down on the strategy or rebalance the first crime against the Constitution. And each and every time, it will deepen the divisions, and it will diminish the legitimacy of the Court. In the 5-to-4 decisions that we see in the future from the Supreme Court, we are looking to say every single time that it is Justice Merrick Garland's stolen seat—President Obama's stolen seat. Every time that person is in the positive side—the winning side of a 5-to-4 decision—the Court would decide it differently if the seat weren't stolen, if the Court weren't packed. That decision doesn't really have legitimacy because it was the result of court-packing. That is not the way we want to be viewing the Supreme Court.

We want to have a Court of wise, thoughtful individuals with great depth and knowledge of the law, combined with a terrific diversity of life experience. They can put themselves into the position and identify with the challenges faced in an authentic manner. That is important. That strengthens the Court. But it weakens the Court to have a Court packed as a crass, political tactic and to do it through a stolen seat.

So that is why it matters—that it hurts the integrity of this body and it hurts the integrity of the Court. It involves the participation of the President because the President provided a nomination, and that hurts the integrity of the executive branch. In other words, it is a lose-lose-lose proposition. There is still time to take this train off the tracks and not result in this very unfortunate potential outcome.

The second reason we are at this point is that this nomination is just being rushed through as quickly as possible—brought to the floor immediately after the committee vote. Then, for the first time in U.S. history, not only was it brought to the floor the day after the committee vote, but it was brought to the floor and then immediately a petition was filed to close debate. For the first time in U.S. history, on the first day of debate on a Supreme Court nominee, that a petition was filed to close debate. That petition, under our rules, forces a vote on whether to close debate on Thursday, long before the Senate has had a full chance for everyone to make all of their points and thoughts.

Mr. President, a point of Parliamentary inquiry—

THE PRESIDING OFFICER. The Senator will please state his inquiry.

Mr. MERKLEY. What is the agreed-upon schedule to resume the normal activities of the floor?

THE PRESIDING OFFICER. The Senate has a previous order to stand adjourned when the Senator is finished speaking until 9:30 a.m.

Mr. MERKLEY. I appreciate that clarification. I am going to make this comment now, in case I might forget later. I want to give special thanks to the team of individuals who make this body work in order to provide for the opportunity for extended debate, sometimes here under extraordinary circumstances. Because I have been here through the night speaking, one of those extraordinary circumstances was this night that has just passed. The stenographers, the Parliamentarians, the pages, our doorkeepers, our caucus staff, the bill clerks, and others who staff the desks in the offices in the Democratic and Republican cloakrooms—I am excited to see the set of smiles on the pages' faces. I don't know if the same pages were here all night or not. Well, they will hopefully really get a lot out of this opportunity to serve here. But thank you to all the staff members who have labored during the wee hours of the night and into this morning.

I was summing up the issues that we labor under and noting a significant one is the stolen Supreme Court seat and the damage that completing that theft will do to our institutions. I have been going through a number of cases that are related to the far-right, anti-we-the-people vision of Neil Gorsuch, from the frozen trucker case, to the autistic child case, to the worker suffering sexual discrimination or gender discrimination at work—all of these cases that have come forward.

We have the third issue, of course, being that cloud that is hanging over the Presidency because of the investigations underway at this moment into the role the Trump campaign may have played in communicating with or collaborating with the Russians in their extensive strategy to interfere with our Presidential election. So there are a lot of concerns.

This should be the last case where we are cutting short the debate by filing a petition to close debate on the opening day, but there it is—another first, another degradation of the institution.

Dahlia Lithwick wrote in November:

We are already hearing from Republicans and Democrats in leadership positions that it is incumbent upon Americans to normalize and legitimize the new Trump presidency. We are told to give him a chance, to reach across the aisle, and that we must all work hard, in President Obama's formulation, to make sure that Trump succeeds. But before you decide to take Obama's advice, I would implore you to stand firm and even angry on this one point at least: The current Supreme Court vacancy is not Trump's to fill. This was President Obama's vacancy and President Obama's nomination. Please don't tacitly give up on it because it was stolen by unprecedented obstruction and contempt. Instead, do to them what they have done to us. Sometimes, when they go low, we need to go lower, to protect the thing of great value.

I don't love the way that is phrased, that is for sure. Because in my mind, the point here is to guard our institutions and make them work better.

That is the high road. That is not going lower; that is going higher. We must strengthen and defend these institutions that are being torn asunder by this strategy of stealing a Senate seat.

That is an article from the *Slate*.

The *Miami Herald* says: "Supreme Court Nominations Will Never Be the Same."

The story of the Supreme Court in 2016 can be summarized in a statistic: It's been 311 days since Justice Antonin Scalia died on February 13, and his seat remains unfilled. That is not the longest Supreme Court vacancy in the modern era, but it's about to enter second place—and it will become the longest if Donald Trump's nominee isn't confirmed about the end of March.

This striking fact will be front and center when the history of the court in 2016 is written, but what really matters isn't the length of the vacancy. It's the election in the middle of it. The Republican Senate changed the rules of confirmation drastically by refusing even to consider Judge Merrick Garland's nomination. And against the odds, it paid off for them.

It is interesting because we talk about the nuclear option of changing the rules, but in a very *de facto* matter, the nuclear option went off the day the majority leader came to the floor and said that we are going to conduct ourselves in a totally different way than the Senate's ever conducted itself. Unlike every other time in U.S. history, when there was a vacancy during election year and the Senate acted, we are not going to act. We are going to essentially engage in stonewalling the President's nominee—no hearing, no discussion. That was a nuclear option. So, certainly, I think that is a point well made by this article.

The history of the confirmation process is central to the history of the court. There have been some important landmarks in the last century. Louis Brandeis was the first justice to have a confirmation hearing. Felix Frankfurter was the first justice who had to testify at his confirmation.

More recently, the confirmation process for Robert Bork in 1987 had epochal consequences. For the first time, judicial philosophy was a focus.

That was 1987.

No one disputed Bork's intelligence or qualifications. Instead liberals, including law professors like my colleague Laurence Tribe, criticized Bork's conservatism, as opposition to fundamental rights.

Well, there is a whole host of commentary from all across America. Let's turn to the *Pittsburgh Post-Gazette*. "The Senate's shame: Merrick Garland deserved a hearing for Supreme Court."

Judge Merrick Garland is returning to his work on the Court of Appeals for the D.C. Circuit, his nomination for the Supreme Court killed without a vote by a Republican Senate majority more concerned with partisan politics than with doing its job.

The behavior of those who disposed of his nomination stands in sharp contrast to his own record and reputation as a nonideological judge.

Judge Garland is a moderate jurist with a reputation for careful reasoning. Mere days before President Barack Obama announced

Merrick Garland's nomination, Senator Orrin Hatch, a Republican from Utah, told a conservative news site that if the President wanted to pick a moderate, he "could easily name Merrick Garland, who is a fine man."

But Senate Majority Leader Mitch McConnell had already announced, in February, that his caucus would block any Obama nominee. "This vacancy," he said, "should not be filled by this lame-duck President." So the Senate refused even to hold hearings.

Let's be clear. We have had 16 vacancies in the course of an election year during our 200-plus years of history, and never before did a majority refuse to exercise their advice and consent responsibility under the Constitution, arguing that it is a lame-duck President. That is not embedded in the Constitution. It is not embedded in the Senate rules. It is not embedded in history. It is not embedded in any logic. When you elect a President, you elect him for 4 years.

Obama was elected, not by a small margin, not by an electoral victory combined with a citizen majority loss. No, he won the citizen vote massively, as well as winning the electoral college. He won it twice. You can't look for a better endorsement for the role of a President and an affirmation in the face of the determined effort to ensure he did not get a second term.

So that lame-duck argument is lame. The argument that the President was a lame-duck so, therefore, his Supreme Court nominee should not get a hearing is disingenuous and irresponsible. Mr. Obama had a year left in his term, and Presidents have their full constitutional authority until noon on inauguration day. They must perform all of their duties until then.

Granted, a President must nominate justices the Senate can reasonably be asked to confirm. You can't ask a Senate dominated by the other party to confirm someone whose judicial philosophy could appeal only to someone who shares the President's politics. He must, when facing such a Senate, choose someone in the middle. Mr. Obama did that. He did his job. He picked the very judge Senator HATCH said would be a moderate choice.

The Senate did not do its job. Its refusal to confirm Judge Garland was not based on any flaw in the nominee's character, any deficit in his abilities, or even any disagreement with his jurisprudence. It was pure partisan politics. Senate Republicans wanted to let a Republican President fill the vacancy, and they are going to get their way. But this refusal of the Senate to do its duty cost a good man a fair hearing, and, more importantly, it cost the Nation a potentially fine justice, one more faithful to the law than one of the political parties or particular judicial ideology.

As a result of this abdication of responsibility, it will be harder to get Justices like that in the future. Indeed, the Senate has established a terrible

precedent that makes it less likely that any President will be get a Senate controlled by the other party to confirm his or her Supreme Court nominees, however wise and well-qualified.

This was a study of Washington politics at its worst—political and constitutional malpractice—and it will have a lasting consequence.

Well, there is still time to change course and not have this legacy, as characterized by the *Pittsburgh Post-Gazette*, of "political and constitutional malpractice with lasting consequences". So one question we have not talked about too much in this debate through the night is how voters view this GOP maneuvering to push through Trump's ultraconservative Supreme Court nominee. This is a national survey of likely voters by Greenberg Quinlan Rosner Research. It notes the following:

In the wake of President Donald Trump's nomination of Neil Gorsuch to the U.S. Supreme Court, a new national poll shows that voters believe that the nomination has real consequences for the direction of the country. Voters strongly oppose efforts by the Republicans to change the rules in order to push through Trump's ultraconservative nominee.

Americans see this as a fight that matters to them. When presented with potential consequences and rulings that could result from Gorsuch's confirmation, including overturning *Roe v. Wade* and leaving the flow of special interest money in politics unchecked, large majorities of voters say they are more likely to oppose the nominee.

Key findings from the poll conducted January 27 through 31 on behalf of NARAL Pro Choice America Foundation, Every Voice, and End Citizens United, include:

Voters overwhelmingly believe that Trump's nomination will have a real impact on the country's future. Fully 72 percent of voters think the nomination will have a big difference in the direction of the country. Voters across the political spectrum agree on the importance of this nomination, with 76 percent of Democrats saying it will make a big difference, along with 75 percent of Republicans and 64 percent of Independents.

So, in short, basically roughly three out of four Americans recognize that it is a very big deal because out of this discussion could come a confirmed nominee, a ninth vote on the Supreme Court, and that 5-to-4 votes of the Supreme Court steer the country in very different directions, depending on how that 5-to-4 voting occurs.

If you are adding to the Supreme Court spectrum of conservatives who have this view of Merrick Garland and antipathy toward the ability of citizens to pursue justice through class action lawsuits, and an effort to always kind of torture the law in order to find for corporations over the individuals, and a love of arbitration agreements, and even inventing them as we heard last night—inventing an arbitration agreement where none exists—in order to

prevent an issue from going forward in the courts—all of that is a real handicap for Americans in the future. So Americans understand this is a big deal.

Americans strongly object to any GOP attempts to use political tactics to strong-arm Trump's nominee through the confirmation process. After hearing balanced messaging, seven in 10 (69 percent) oppose Republicans changing the rules to prevent a filibuster and allow the Senate to confirm a nominee with just a simple majority instead of the required 60 votes, with 54 percent strongly opposing this proposal. In fact, even 4-out-of-10 Trump voters (39 percent) oppose Republicans trying to change the filibuster rules.

Highlighting potential actions and rulings that could result from confirming Trump's Supreme Court nominee makes voters much more likely to oppose him. Large majorities of voters say they are more likely to oppose Trump's nominee when they hear a diverse set of issues that could be impacted by a nominee like Gorsuch. Actions that create strong opposition include:

Upholding the Citizens United decision to allow corporations, unions, and wealthy donors to spend more money on elections.

Overturning the *Roe v. Wade* decision that made abortion legal.

Eliminating or weakening environmental regulations that protect air, water, and land from pollution.

Refusing to uphold or eliminating rights and protections for LGBT individuals.

Failing to protect voting rights and making it more difficult for Americans, particularly the poor and people of color, to vote.

Weakening the ability of labor unions to organize workers to negotiate for better wages and working conditions.

Voters strongly support legal abortion and oppose a Trump nominee they believe could put that right at risk. Seven out of 10 voters (69 percent) support a woman's right to choose, and they recognize that Trump's Supreme Court nominee jeopardizes the *Roe v. Wade* decision that made abortion legal. More than half of voters (52 percent) think it is very or somewhat likely that *Roe v. Wade* will be overturned if Trump's nominee is confirmed. This possibility raises strong opposition for voters, with 61 percent who say they are more likely to oppose a nominee who wants to overturn *Roe v. Wade*.

Voters have strong negative reactions to a Supreme Court nominee who will continue to allow corporations and special interests to use money to gain influence and drown out the voice of individuals in politics. Opposition to a nominee who wants no spending limits for corporations and wealthy individuals in elections is broad and deep. Overall, 78 percent are more likely to oppose a nominee (56 percent much more likely to oppose), including 92 percent of Democrats, 84 percent of Independents, and 59 percent of Republicans. Three quarters of voters express a desire for their Senators to oppose a Supreme Court nominee who was ruled in favor of allowing campaign contributors to spend more money in politics.

Voters recognize this Supreme Court nomination is crucial to the direction of the country and they strongly oppose any efforts by Republicans to skirt the rules to push through Trump's ultraconservative nominee.

So the date of that Greenberg Quinlan Rosner Research poll was February 1. I think it really highlights that voters understand that what we are doing now—this process of considering the

potential confirmation of a nominee—has huge consequences for this country and has a huge impact on a whole variety of issues—environmental issues, labor issues, discrimination issues, consumer issues, commerce issues, a whole host of a range of things that the Supreme Court regularly considers. So there is a lot of concern at this point.

Here is another issue, and that is the potential impact on LGBT rights. This is an article by Rebecca Buckwalter-Poza entitled: "Judge Gorsuch Threatens the Dignity of LGBT People."

Judges with Supreme Court aspirations tend to guard their views, avoiding stances and statements that could impede a nomination or a confirmation. Judge Neil Gorsuch has done just that, leading observers to look to his influences rather than his issuances. Among them is Justice Anthony Kennedy, for whom he clerked. While Judge Gorsuch and Justice Kennedy may share a bond, they part ways on several issues. One lesser known but critically important point of potential disagreement surrounds a somewhat nebulous legal principle critical to lesbian, gay, bisexual, and transgender, or LGBT, rights: the dignity of free persons.

For decades, the Supreme Court has repeatedly affirmed that individuals' due process right to liberty also protects their dignity—and shields them from indignity. The concept of dignity encompasses an individual's innate value as people and their right to live free of interference; their right to make important personal decisions; and their entitlement to social recognition or protection from discrimination. This notion of human dignity is at the heart of the Court's three landmark LGBT rights cases: *Lawrence v. Texas*, *United States v. Windsor*, and *Obergefell v. Hodges*.

Judge Gorsuch's writing—both on the bench and in his book against "assisted suicide," based on his Oxford dissertation—suggests he is, at a minimum, skeptical of the principle from which the right to dignity derives: substantive due process. To be clear, substantive due process, which protects individuals from having their fundamental rights violated without justification, has been part of Supreme Court jurisprudence for more than 100 years.

In one case, Judge Gorsuch made a point of incorporating criticisms of substantive due process. He noted that "some" believe if such a concept existed, it would reside elsewhere in the Constitution. "Others," he offered, question whether substantive due process "should find a home anywhere in the Constitution." This critical aside, while mild, is unusual. Judge Gorsuch hews to precedent on substantive due process only grudgingly, after conceding that "the Supreme Court clearly tells us" that substantive due process does have a home in the Constitution.

In his book, Judge Gorsuch went so far as to criticize the Supreme Court for adhering to substantive due process precedent in "case after case." He also proposed an alternative relevance for dignity, based in equal protection, that could restrict rather than protect individual rights. The recognition of innate human dignity is the foundation for equality, Judge Gorsuch claimed, and equality makes "assisted suicide"—termed "death with dignity" in those states that permit it—unacceptable because all people created equal enjoy an inalienable right to life. This view is troubling, not only in signaling an

intent to misappropriate the concept of dignity to restrict individual choice, but also because of the implications for reproductive access, rights, and justice.

This article continues:

Senators must press Judge Gorsuch to commit to upholding Supreme Court precedent based on the recognition of dignity—or admit he would not respect this long-established, critical principle.

This goes on in a somewhat scholarly fashion.

(Mr. BOOZMAN assumed the Chair.)

I want to return to the core premise and review the fact that never before have we had a stolen seat in the United States of America.

It is so important to drive this point home, that there is absolutely no foundation for what happened last year in American history. You have those 16 seats where a vacancy occurred in an election year. I am going to go through them so that it becomes absolutely clear what we are talking about here.

There were three seats where the vacancy occurred after the general election. So the general election was in early November. One seat opens in December in an election year, one in November, another in December—three seats that opened up after the election and for which the nomination was put forward.

There wasn't a lot of time. In these cases, the President was still transitioning in March, rather than in January, so there was a little more time than you might anticipate. We shortened that with a later constitutional amendment.

Here, the President put forward a nominee within 3 days. Grant put forward a nomination within about a week and just a single day for Hayes to put forward a nomination.

So here you are after the election. The passions of the campaign are starting to settle down. You know who the next President is going to be. There is not a lot of time, but there is enough time for the Senate to act, and it did in all three cases.

In all three of these cases where the seat became empty after the election, even then, the Senate found there was time enough to act. In all three of these cases, that action was a confirmation of the nominee—three out of three. So that is one set.

John Jay was nominated by President Adams. Ward Hunt was nominated by President Grant. Williams Woods was nominated by President Hayes, but in one of those interesting little twists, in this case, the nominee actually declined it after he had been confirmed. I don't know that we have seen that very often in the history of Supreme Court Justices.

Then there is that set of cases in an election year where the vacancy occurred before the election but the President, for a variety of reasons, didn't nominate until after the election. So you are kind of back in the

same situation—a short amount of time. We have four cases that are in that category.

We had the first case in 1828—a vacancy before the election, a nomination afterward. The Senate acts. The Senate didn't always confirm the nomination, but they always acted. In this case, they rejected the nomination by tabling it.

Then we had President Buchanan, who nominated Jeremiah Black. In May, the seat became vacant, and the nomination didn't occur until February. The President would have transferred in March. The Senate again acted. The Senators of this body acted, and they rejected it. They rejected it by rejecting the motion to proceed.

Salmon Chase, under Lincoln—the vacancy occurred just a month before the election in October. The President put forward the nomination a month after the election in December, and the Senate confirmed him.

With Eisenhower and William Brennan, there was a vacancy a month before the election and a nomination that basically came 2 months after the election—getting very close to the transition date, yet he was confirmed.

So those are seven of the nominations, of which five were confirmed and two were rejected—tabled and the motion to proceed was rejected. Then we have the remaining nine. These nine are closer—well, one of them is the seat that became open when Antonin Scalia died, but the historic additional eight seats—those seats are a little closer to the situation we have with Antonin Scalia dying and the President nominating Merrick Garland, because the vacancy came before the election in these eight cases, and the nomination came before the election.

In fact, here we have the first case, under President Jefferson. He nominated William Johnson. But the vacancy occurred in January. The nomination occurred in March. It was pretty close to the situation we faced last year, yet the Senate acted, and they confirmed the nominee.

President Tyler nominated Edward King. The vacancy occurred in April, the nomination in June, and the Senate acted. They rejected the nomination by tabling it.

Edward Bradford was nominated by President Fillmore in July of 1852. The following month, the nomination was put forward before the election, and again the Senate acted, but they tabled it.

So they didn't confirm in every case, but they acted in every single case.

Melville Fuller was nominated by President Cleveland. There was a vacancy in March. The nomination was in May. He was confirmed.

Under President Harrison, there was George Shiras. The vacancy occurred in January. Quite a few months passed. It was almost 6 months before the nom-

ination was put forward in July by the President. The nomination was confirmed.

Justice Brandeis was put forward by President Wilson. In this case, two vacancies occurred in an election year, both before the election—one in January, one in June. The candidate was put forward quite quickly—within the month of January and a month later in the case of John Clarke—and both were confirmed.

There was Benjamin Cardozo under President Hoover in 1932. The vacancy was in January. The nomination was in February. He was confirmed.

So those are 8 additional, and we have now a total of 14.

Then we have Merrick Garland. Obama put forward Merrick Garland. The vacancy was in February. The nomination was in March. No action. It is the only time there was no action in U.S. history.

That is why we have all of these editorials from across the country noting that this is a stolen seat, that it has never happened before, and that it sets a terrible precedent. That is the problem we are looking at.

Why is it a terrible precedent? Because once the Senate starts stealing a seat from one President and handing it to another in an effort to pack the Court, there is no end to the mischief that follows.

If you can steal a seat in which there was plenty of time to consider in the final year of a Presidency, you can do it for 2 years. We saw this in terms of many comments that were made by Republican legislators before the November election. When they thought the Democratic nominee was going to win, they were saying: We are going to make sure that for 4 years, it stays an eight-member Court, that no matter that the people will have spoken through an election, no matter that a nominee has been put forward who is credible, we are simply not going to consider it for 4 years.

This is a court-packing scheme through the theft of this Supreme Court seat. You can just think about if the Court is packed, then when the parties are reversed—and it always does go back and forth sooner or later—then does the other party say: We have to balance back out the Court, restore its integrity by stealing a seat back, stealing it 2 years into a Presidency.

It is terrible not only in terms of its impact on the Senate here because it now makes this incredibly partisan pitched battle out of what was supposed to be an advice and consent responsibility to deter a President from nominating people of unfit character—I use the phrase “of unfit character.” That is a phrase Hamilton used. In the Federalist Papers, he lays out what this advice and consent responsibility was supposed to be all about. They needed to have a strategy for how they

put key appointments into the executive branch to basically staff the Cabinet agencies.

They thought at first: Maybe the check will be that we will have the appointments made by the Senate.

So the executive branch will be headed by the President, but the appointments will be made by, as they referred to it, the assembly.

Then they said: Well, there is a big problem with that because one Senator will get their best friend in one post in exchange for some other Senator's best friend in some other post. The public won't know why it happened. There will be no accountability. So that is not a great idea.

So they said: A better idea is to have accountability and have the President make the appointments. But there is a problem. What if the President goes off-track and starts appointing people of unfit character? Well, we need a way to put a check on that.

So they came up with this idea of the Senate's advice and consent, meaning that the Senate could block a nominee if the person was of unfit character. They anticipated this power to be used rarely because of the very nature and the very existence of the power of the Senate to block someone of unfit character would deter a President from appointing someone of unfit character.

What did they mean by unfit character? Well, it could mean a host of things—that a President might be appointing somebody who had some conflict of interest or who was unacceptable, or maybe the President was appointing someone who had absolutely no knowledge of the issues or maybe appointing somebody who had an alcohol problem and wasn't capable of responsibly executing the task, the responsibilities of the office. There were a host of possibilities, but they thought it would be rarely used; that it wouldn't be applied as a tool to conduct warfare on the executive branch; that it wouldn't be used as a tool to be conducted as warfare on the judiciary; and it wouldn't be used as a tool to pack the Court and delegitimize the Court. Yet we have been seeing all of that from the past in recent years. So that really is something that we should be deeply concerned about.

(Mr. FLAKE assumed the Chair.)

We saw, back in 2013, the growing use of the supermajority as a weapon of mass legislative destruction or government destruction in trying to prevent the President from having a team with which he could act. The National Labor Relations Board was blocked from having its positions filled, and the Labor Secretary was unable to get a floor vote, and the list just went on and on and on—tons of district court judges and circuit court judges, to the point that we had to find a way to curb that destructive strategy, and that meant that we had to go to a simple majority.

But we left in place the supermajority for the Supreme Court because it has powers no other institution has. It is the decider.

One can have a district court make a decision that gets bumped to a circuit court, and a circuit court makes a decision, and it goes to the Supreme Court. They are ultimately the decider and they hold the positions for as long as they want. So they can hold it for decades. It is not an appointment to the executive branch that might be there for 2 to 4 years. That is why it is so incredibly important that we get this right and why people who are observing what is going on are so concerned about the damage that is being done.

This article is from the *New York Times*: "Neil Gorsuch, the Nominee for a Stolen Seat."

It's been almost a year since Senate Republicans took an empty Supreme Court seat hostage, discarding the constitutional duty that both parties have honored throughout American history and hobbling an entire branch of government for partisan gain.

President Trump had a great opportunity to repair some of that damage by nominating a moderate candidate for the vacancy, which was created when Justice Antonin Scalia died in February. Instead, he chose Neil Gorsuch, a very conservative judge from the federal Court of Appeals for the 10th Circuit whose jurisprudence and writing style are often compared to those of Justice Scalia.

If Judge Gorsuch is confirmed, the court will once again have a majority of justices appointed by Republican presidents, as it has for nearly half a century. For starters, that spells big trouble for public-sector unions, environmental regulations and women's access to contraception. If Trump gets the chance to name another justice, the consequences could be much more dire. In normal times, Judge Gorsuch—a widely respected and, at 49, relatively young judge with a reliably conservative voting record—would be an obvious choice for a Republican President.

These are not normal times.

The seat Judge Gorsuch hopes to sit in should have been filled, months ago, by Merrick Garland, the chief judge of the Court of Appeals for the District of Columbia Circuit, whom President Barack Obama nominated to the high court last month. Judge Garland, a former federal prosecutor and 20-year veteran of the nation's most important federal appeals court, is both more moderate and more qualified than Judge Gorsuch.

That meant nothing to Senate Republicans, who abused their power as the majority party and, within hours of Justice Scalia's death, shut down the confirmation process for the remainder of Mr. Obama's presidency. There would be no negotiations to release this hostage; the sole object was to hold on to the court's conservative majority. The outrageousness of the play was matched only by the unlikelihood that it would succeed—until, to virtually everyone's shock, it did.

The destructive lesson Senate Republicans taught is that obstruction pays off. Yet they seem to have short memories. After Senate Democrats refused to attend votes on two of Mr. Trump's cabinet picks on Tuesday, Senator PAT TOOMEY of Pennsylvania said, "We did not inflict this kind of obstructionism on

President Obama." Even absent such dishonesty, any Democratic impulse to mimic the Republican blockade by filibustering Judge Gorsuch would be understandable. But Senate Democrats should be wary of stooping to the Republicans' level, especially because any such effort is likely to prove futile, since Republicans have the votes to simply eliminate the use of the filibuster. . . .

You know, I think about the fact that it has been bandied about with such lack of gravity that the Senate majority may change the 60-vote requirement for the Supreme Court. It is an immediate tactical victory to do so, but it may turn out to be a tactical mistake in the bit longer term. President Trump may have a single opportunity to put in place a Supreme Court Justice, and the next President, who might be a Democrat, might have many chances to nominate a Supreme Court Justice. So lowering the standard from the 60 votes designed to have a judge down the middle could lead to very different consequences depending on when various judges retire, who they are, and where they are in the spectrum—something that none of us can predict. So it is certainly a strategy that has simply just been asserted as this: Well, we will just do it.

Not only does it have high tactical risk, but it just is another blow of the ax, felling the trees in the forest of the integrity of the Court and the integrity of the Senate. It sets the stage for all these battles that are going to come over future nominees. The pure partisanship, short-term gains, grudges to be remedied rather than the advice and consent vision that was in our Constitution—the vision that Hamilton laid out which might have to be used rarely because it would deter Presidents from making nominations of people of unfit character.

I am disturbed about where we are headed. There are many policy issues that seem important at the time as they come to this floor, and they are important. They are issues related to the ability of workers to get fair wages for the value they bring to the development of the products they make. There are certainly key issues about our transportation infrastructure and key challenges on healthcare. But a single Supreme Court seat can change policy on a huge spectrum of issues with the Supreme Court as the final arbiter.

If we have a pivot point in which dark money—unlimited amounts of funds—are injected into the national campaigns forever more, well, we are never going to heal and get back to the point of the Senate being a great deliberative body, because that dark money will own this body and control this body, much as it does now after the entry of the Koch brothers into the national campaign contests.

That is the impact of a single Supreme Court decision. It has huge impact on who serves here and what decisions they make. It has huge impact on

whether we are a "we the people" government or a government by and for the most powerful.

It might be interesting at this point to go back in time to sections of a speech by Senator Robert Byrd. Senator Byrd was still in the Senate when I came here in 2008. He was one of four Senators that were in the Senate when I was an intern in 1976.

He says in his speech, delivered December 15, 1998, in the Old Senate Chamber:

Clio being my favorite muse, let me begin this evening with a look backward over the well-traveled road of history. History always turns our faces backward, and this is as it should be, so that we might be better informed and prepared to exercise wisdom in dealing with future events.

"To be ignorant of what happened before you were born," said Cicero, "is to remain always a child."

So, for a little while, as we meet together in this hallowed place, let us turn our faces backward.

Look about you. We meet tonight in the Senate Chamber. Not the Chamber in which we transact our business daily now, but the Old Senate Chamber where our predecessors wrote the laws before the Civil War. Here, in this room, Daniel Webster—he moved about the Chamber from time to time—Daniel Webster orated, Henry Clay forged compromises, John C. Calhoun stood on principle. Here, Henry Foote of Mississippi pulled a pistol on Thomas Hart Benton of Missouri. Senator Benton ripped open his coat, and said, "Let the assassin fire!" And, "Stand out of the way." Here the eccentric Virginia Senator John Randolph brought his hunting dogs into the Chamber, and the dashing Texas Senator Sam Houston sat over here to my right; he sat at his desk whittling wooden hearts for ladies in the gallery. Seated at his desk in the back row, Massachusetts Senator Charles Sumner was beaten violently over the head with a cane wielded by Representative Preston Brooks of South Carolina, who objected to Sumner's strongly abolitionist speeches and the vituperation that Sumner had heaped upon Brooks' uncle, Senator Butler of South Carolina.

The Senate first met here in 1810, but, because our British cousins chose to set fire to the Capitol during the War of 1812, Congress was forced to move into the Patent Office Building in downtown Washington, and later into a building known as the Brick Capitol, located on the present site of the Supreme Court Building. Hence, it was December 1819 before Senators were able to return to this restored and elegant Chamber. They met here for 40 years, and it was during that exhilarating period that the Senate experienced its "Golden Age."

Here, in this room, the Senate tried to deal with the emotional and destructive issue of slavery by passing the Missouri Compromise of 1820. That act drew a line across the United States and asserted that the peculiar institution of slavery should remain to the south of the line and not spread to the north. The Missouri Compromise also set the precedent that for every slave state admitted to the Union, a free state should be admitted as well, and vice versa. What this meant in practical political terms was that the North and the South would be exactly equal in voting strength in this Chamber, and that any settlement of the explosive issue of slavery would have to originate here in the Senate.

As a result, the Nation's most talented and ambitious legislators began to leave the House of Representatives to take seats here in the Senate Chamber. Here, they fought to hold the Union together through the omnibus compromise of 1850, only to overturn these efforts by passing the fateful Kansas-Nebraska Act of 1854.

The Senators moved out of this room in 1859, on the eve of the Civil War. When they marched in procession from this Chamber to the current Chamber, they marked the last time that leaders of the North and South would march together. The next year, the South seceded, and Senators who had walked shoulder to shoulder here parted to become military officers and political leaders of the Union and of the Confederacy.

This old Chamber that they left behind is not just a smaller version of the current Chamber. Here, the center aisle divides the two parties, but there are an equal number of desks on either side—you will count 32 on one side and 32 on the other, not because the two parties were evenly divided, but because there was not room to move desks back and forth, depending on the size of the majority, as we do today. That meant that some members of the majority party had to sit with members of the minority. It did not matter to them. The two desks in the front row in the center aisle were not reserved for the majority and minority leaders as they are now, because there were no party leaders at that time. No Senator spoke for his party; every Senator spoke for himself. There were recognized leaders among the Senators, but only unofficially. Everyone knew, for example, that Henry Clay led the Whigs, but he would never claim that honor. Clay generally sat in the last row at the far end of the Chamber so he could talk to Senators as they came in to vote.

The Senate left this Chamber because it outgrew the space. When they first met here in 1810, there were 32 Senators. So many states were added over the next four decades that when they left in 1859, there were 64 Senators. Yet, while the Senate increased in size, it was essentially the same institution that the Founders had created in the Constitution. Today, another century and four decades later, and having grown to 100 Senators, it is still essentially the same institution. The actors have changed; the issues have changed; but the Senate, which emerged from the Great Compromise of July 16, 1787, remains the great forum of the states. This is so, largely, because as a Nation, we were fortunate to have wise, cautious people draft and implement our Constitution. They were pragmatists rather than idealists. James Madison particularly had a shrewd view of human nature. He did not believe in man's perfectibility. He assumed that those who achieved power would always try to amass more power, and that political factions would always compete out of self-interest. In "The Federalist Papers," Madison reasoned that "in framing a government which is to be administered by men over men, the great difficulty lies in this: You must first enable the government to control the government; and, in the next place, oblige it to control itself." Madison and other Framers of the Constitution divided power so that no one person, no single branch of government could gain complete power. As Madison explained it: "Ambition must be made to counteract ambition."

However, ambition has not always counteracted ambition, as we saw in the enactment by Congress of the line-item veto in 1996. Just as the Roman Senate ceded its power

over the purse to the Roman dictators, Sulla and Caesar, and to the later emperors, thus surrendering its power to check tyranny, so did the American Congress, the Senate included. By passing the Line-Item Veto Act the Congress surrendered its control over the purse—control which had been vested by the Founding Fathers here in this legislative branch.

This brings me to the first point I would like to leave you with this evening. It is this: The legislative branch must be eternally vigilant over the powers and authorities vested in it by the Constitution—eternally vigilant. This is vitally important to the security of our constitutional system of checks and balances and separation of power. George Washington in his Farewell Address of September 17, 1796, emphasized the importance of such vigilance: It is important likewise that the habits of thinking in a free country should inspire caution in those intrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon one another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. . . . The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern. . . . To preserve them must be as necessary as to institute them.

Each Member of this body must be ever mindful of the fundamental duty to uphold the institutional prerogatives of the Senate if we are to preserve the vital balance which Washington so eloquently endorsed.

Senator Byrd continues:

During my 46 years in Congress, and particularly in more recent years, I have seen an inclination—I think I have—on the part of many legislators of both parties to regard a chief executive in a role more elevated than the Framers of the Constitution intended. We as legislators have a responsibility to work with the chief executive, but it is intended to be a two-way street. The Framers did not envision the office of President as having the attributes of royalty. We must recognize the heavy burden that any President bears, and wherever and whenever we can, we must cooperate with the chief executive in the interest of all of the people. But let us keep in mind Madison's admonition: "Ambition must be made to counteract ambition."

As Majority Leader in the Senate during the Carter years, I worked hard to help President Carter enact his programs, but I publicly stated that I was not "the President's man"; I was a Senate man. For example, in July 1977, I opposed President Carter's plan to sell the AWACS (Airborne Warning and Control System) to Iran. Iran was then a military ally of the United States, but I was troubled over the potential security risks involved with the possibility of compromising highly sophisticated technology in this volatile region. I was concerned that the sale ran contrary to our national interests in maintaining a stable military balance and limited arms proliferation in the Middle East. Both Houses of Congress had to vote disapproval resolutions to stop the sale. I enlisted the support of then Republican Minority Leader Howard Baker. Senator Baker was someone who could rise above political party when he believed that the national interests required

it, just as he did in the Panama Canal debates. The Carter administration chose to withdraw the sale of AWACS temporarily. Shortly afterwards, the Iranian revolution occurred and the Shah was replaced. Had that sale gone through as planned, those sophisticated aircraft would have fallen into the hands of an unfriendly government. As so often has happened in our history, individual courage and character again chartered our course.

I want to return to Senator Byrd's point about Republican Minority Leader Howard Baker. It says: "Senator Baker was someone who could rise above political party when he believed the national interests required it, just as he did during the Panama Canal debates." The debate over those treaties was intense because they were a valuable asset controlled by the United States. Many thought of them as a possession of the United States, and we were turning them over to Panama after a long period of negotiations. But to be able to rise above partisanship to pursue a national interest—that is what we need now as we face the potential of this devastating change in Senate conduct over the selection of a Supreme Court nominee.

I hope we can find a way to rise above partisanship or political party and pursue the national interests because I have seen so little of the desire to strengthen our institutions. I am not optimistic, but I do think it is worth noting that it is possible. We could take this train off the tracks—because of the shadow hanging over the Presidency, because of the far-right views of Neil Gorsuch, because it is a stolen seat and we haven't remedied that situation with a plan.

Senator Robert Byrd continued:

This brings me to my second point. On the great issues, the Senate has always been blessed with Senators who were able to rise above party, and consider first and foremost the national interest. There are very worthy examples in Senate history.

When I came to the Senate in 1959, artists were at work painting five porthole portraits in the Senate reception room. The Senate had appointed a special Committee chaired by Senator John F. Kennedy to select the five most significant Senators in Senate history. This was no easy task, because there were many potential candidates.

In setting the criteria, the Committee looked to Senators who had stood firm for principle, who had not blown with the winds, and who made personal sacrifices for the national good. They were not saints, nor were they perfect men.

Daniel Webster's personal financial dealings left an eternal blot upon his record; yet, he deserved to have his portrait in the Senate reception room, not simply as a great orator, but as a man who sacrificed his own political standing by endorsing the compromise of 1850, which was deeply unpopular in his home State of Massachusetts, but which he realized was the best chance to hold the Union together.

In my almost 46 years in Congress, I have seen other courageous Senators.

I have already referred to the courage demonstrated by former Senator Howard Baker during the Panama Canal debates. Without

Senator Baker's support, the Panama Canal Treaties would never have been approved by the Senate. We needed two-thirds; we were swimming uphill. The odds were against us. The killing of American servicemen in Panama would have gone on, but Senator Howard Baker threw his shoulder behind the wheel and helped to construct what he and I referred to as leadership amendments, amendments which protected U.S. interests in that region, and we both worked shoulder to shoulder against great odds, as indicated by the polls.

We did so because we believed, after careful study, that the treaties were in the best interests of the United States. There were people in my own State of West Virginia who still don't believe that. But I was convinced of it.

Howard Baker knew what my old majority leader, Mike Mansfield, and all students of the Senate's institutional role know.

Political polarization—too much emphasis on which side of the aisle one sits, is not now, and has never been, a good thing for the Senate. I am talking about politics when it becomes gamesmanship or when it becomes mean-spirited or when it becomes overly manipulative, simply to gain advantage.

I am not talking about honestly held views or differing political positions. Those things enrich our system. Americans have always loved a good debate. And that is what I believe and wish for now: More substantive and stimulating debate and less pure politics and imagery.

But I well understand history and its ebb and flow, and I well know that we live in an age of imagery. It is simply my wish that, sometime soon, the rising tide of imagery and partisanship will begin to ebb rather than to flow quite so freely.

Washington, in his farewell address, warned us against the "baneful effects of the spirit of party" when he said:

"... in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest instead of warming, it should consume."

So, I believe that the American people are more than tired of partisan warfare. I believe they wish for less of it from the Congress, especially in the Senate, where more statesmanship and a longer view are still expected.

Declining participation in elections, and repeated public surveys which indicate weariness, distrust, and alienation within our system ought to serve as a harbinger to be ignored at our peril.

It must be a matter of concern to all of us that all too few Americans look to officeholders for inspiration in these troubled and turbulent times.

How can we attract the talent needed to serve in public office in future years if elected officials continue to be held in such low esteem?

Continuing to read Senator Byrd's speech in the Old Senate Chamber:

I would very much like to see a rekindling of basic faith in our leaders, and a renewal in politics and of public service. But the existence of inspiring leadership by public officials is fundamental to a shoring up of that faith.

In fact, I think the American people are in desperate need of some old-fashioned heroes.

Now, it seems, today's heroes, if we want to loosely use the term, are merely celebrities—rock stars who spout deplorable messages, or sports figures who mass fortunes advertising baggy clothes at exorbitant prices.

I'm not talking about Sammy Sosa. I'm not talking about Mark McGuire. They were my heroes, too, as was Babe Ruth in 1927. Not much to look up to here, I say. Not much to build dreams on.

Look hard at the content of our popular culture. There is really nothing much to inspire and look up to. And regrettably there also is not much to counter the empty commercialism which is so prevalent today. It has become the norm.

Senator Byrd continued:

So where are we in all of this? What is our role? What part can we as Senators—authority figures, statesmen representing the people—play while we simultaneously endeavor to carry out our 200-year-old mandate, bequeathed to us by some of the most brilliant men of their age, or of any age before or since?

Well, we can show up for our roll call votes, carry out our committee assignments, issue the obligatory press releases, dutifully follow up on constituent requests, and answer our mail.

All of these are necessary and to a greater or lesser degree important.

But a reemphasis by the Senate on our strict institutional role is certainly something which I would like to see. It is a sobering and heavy responsibility all by itself, and its very weightiness tends to cool the overheated passions of political demagoguery. After all, that role is, in a constitutional sense, the reason we are here. The Framers expected a zealous defense of our powers to keep the tyrants at bay. But there is still another role—an intangible something—that we who are privileged to sit in this body, and indeed leaders in the private sector, as well as those who write and reflect upon the news, are called upon to play. I call it the duty beyond our duties.

The duty I am talking about is the duty to endeavor to inspire others and to demonstrate, through personal example, that public service of all types ought to be an honorable calling. Contrary to what many believe, it is absolutely the wrong place for the slick and the insincere.

Serving the public in a leadership role demands honesty, hard work, sacrifice, and dedication from those who dare to ask the people for such an awesome trust. Those who ask to shoulder that mantle also shoulder a much larger personal obligation than many of us may regularly contemplate.

Mr. Leader, we all have a clear responsibility to serve as role models to inspire our people, and particularly our young people, to be and to do their best.

On that score, we politicians, as a group, generally miss the mark.

Perhaps it's because power, whether it be the power of political office, or the power to run giant corporations, or the power to report and analyze events, is a very heady thing. It can lead to arrogance, self aggrandizement, disregard for playing by the rules, and contempt for the people who send us here. It can lead us to forget that we are servants, not masters.

Senator Byrd continued:

In the real world, exemplary personal conduct can sometimes achieve much more than any political agenda. Comity, courtesy, charitable treatment of even our political oppo-

sites, combined with a concerted effort to not just occupy our offices, but to bring honor to them, will do more to inspire our people and restore their faith in us, their leaders, than millions of dollars of 30-second spots or glitzy puff-pieces concocted by spin-meisters.

These are troubling times for our nation and our people on both the national and international fronts.

For our country to weather the rough seas ahead, we must use our most tempered judgment and seek out our best and most noble instincts.

Our example here can be a healing element—a balm to salve the trauma of distrust and disillusionment too long endured by good people. Let each of us follow his or her own conscience when it comes to issues, but as we do so, may we be ever mindful that our people watching us, and the people who sent us here can take us back home again.

Let us be aware of the sublimely uplifting which the example of simple dignity, decency, decorum, and dedication to duty can play in the life of a nation.

Senator Byrd had yet more words to share.

Let us also remember that even after two hundred years, the Senate is still the anchor of the Republic, the morning and evening star in the American constitutional constellation.

It has had its giants and its little men, its Websters and its Bilbos, its Calhouns and its McCarthys. It has been the stage of high drama, of comedy and tragedy, and its players have been the great and the near great, those who think they are great, and those who probably never will be great.

It has weathered the storms of adversity, withstood the barbs of cynics and the attacks of critics, and provided stability and strength to the nation during periods of civil strife and uncertainty, panics and depressions.

In war and in peace, it has been the sure refuge and protector of the rights of the state and of a political minority because great and courageous Senators have always been there to stay the course and keep the faith.

And it can do so again as long as we are ever blessed in this august body with those who hear the clear tones of the bell of duty, the Senate will continue to stand—the great forum of the constitutional American liberty!

That is a lot of good advice. As we sit here in these troubled times and ponder how we are going to rise above the passions and politics of the moment to restore the functionality of the Senate, that is the challenge we have. I believe Byrd—with his experience, with his articulate language—is calling to us from the past to say that we can do it. We can do better. We can rise above the situation in which we have put ourselves, the situation in which one team, for the first time in U.S. history, has stolen a Supreme Court seat to pack the Court.

To now be in this position of considering a Senate nomination at the exact moment that the person making the nomination and his team are under investigation for potentially traitorous conduct against the United States—but we don't have the answers yet.

(Mr. PAUL assumed the Chair.)

Here we are with a nominated judge who is way outside the mainstream, and we therefore have a challenge. It is exactly what the filibuster was designed for—to keep judges who are outside the judicial mainstream from being nominated. So that is a lot for us to wrestle with in the next few days.

The New Yorker did an analysis of where Neil Gorsuch lies. The subtitle says: “Every sign suggests that he would be at least as conservative a judicial activist as Samuel Alito.” This is a different source, but that is the same basic point, showing an analysis that places Neil Gorsuch to the right side of the right peak in terms of ideology.

Ruth Bader Ginsburg, the diminutive liberal colossus of the Supreme Court, has built a distinguished record as a Justice, but her legacy as a nominee is more dubious. In her confirmation hearing before the Senate Judiciary Committee, in 1993, she refused to answer most questions about how, if confirmed, she would rule. In an oft-quoted phrase, she vowed to give “no hints, no forecasts, no previews.” Nominees have invoked this stone-wall ever since.

Last week, Neil Gorsuch, Donald Trump’s choice to fill the seat of the late Antonin Scalia, proved an especially ardent follower of what has come to be known as the Ginsburg rule. Asked repeatedly by members of the committee about his views of such cases as *Roe v. Wade* and *Citizens United*, Gorsuch not only refused to answer, but went on to say that his feelings, if he had any, were of no consequence: “It’s not a matter of agreeing or disagreeing. It’s a matter of it being the law, and my job is to apply and enforce the law.” Gorsuch portrayed himself as a kind of judicial automaton, obligated to pay mindless obeisance to the Court’s prior rulings.

This interpretation of the role of Supreme Court Justices is, to put it charitably, incorrect—they can and do overturn their earlier holdings. And Trump didn’t nominate Gorsuch simply because he knows how to follow precedent. He nominated Gorsuch because his career resembles a lab experiment synthesizing every trend in modern conservative thought.

A ruggedly handsome Coloradan—this President cares a great deal about appearances—Gorsuch has an appealing manner and an impressive resume. He did well in good schools, held prestigious clerkships, worked at a fine law firm, took a senior post in the Department of Justice, and for the past decade has served in the Tenth Circuit Court of Appeals. From his boyhood days as a Republican Senate page to his decades of volunteer work for GOP candidates, Gorsuch has been a strong party loyalist. (Like many Republican pols, he refers to the “Democrat,” rather than the Democratic, Party.)

His background also includes a dose of pro-corporate, deregulatory libertarianism, as reflected in his close relationship with the billionaire Philip Anschutz, a client turned mentor. A sampling of authoritarianism can be seen in Gorsuch’s service in George W. Bush’s Justice Department, where he helped craft a proposal for the treatment of detainees at Guantanamo. (The Supreme Court later ruled it unconstitutional.) There’s social conservatism, too, evident in his one book, a critique of death-with-dignity laws and physician-assisted suicide. “All human beings are intrinsically valuable,” he wrote,

“and the intentional taking of human life by private persons is always wrong.” It’s easy to read the book as a coded attack on abortion rights.

To the extent that Gorsuch said anything of substance at his hearing, he put himself across as a mainstream figure. He said he participated in some 2,700 cases on the appeals court, and had voted with the majority in 99 percent of the them. This proves only that most cases are routine. (Even the Supreme Court issues unanimous rulings more than half the time.) The hard cases are the ones that matter, and it’s reasonable to project how Gorsuch would vote in them. He would oppose abortion rights. (Trump promised to appoint a “pro-life” Justice.)

His predilection for employers over employees is such that it yielded a circuit-court opinion of almost Gothic cruelty. When sub-zero temperatures caused a truck driver’s trailer brakes to freeze, he pulled over to the side of the road. After waiting three hours for help to arrive, he began to lose feeling in his extremities, so he unhitched the cab from the trailer and drove to safety. His employer fired him for abandoning company property. The majority in the case called the dismissal wrong, but Gorsuch said the driver was in the wrong.

As a Justice, Gorsuch would embrace a deregulation of campaign finance symbolized by the *Citizens United* decision. (He argued in an opinion that judges should evaluate limits on political contributions using the same tough standards that they apply to racial discrimination.)

His most famous Tenth Circuit decision had him taking a side in the culture wars. In *Hobby Lobby Stores v. Sebelius*, he ruled that a multibillion-dollar corporation could withhold federally guaranteed rights to birth control from thousands of female employees because of religious beliefs of the corporation’s owners. (His position was upheld, 5-4, by the Supreme Court.)

In an embarrassing coincidence, on the second day of Gorsuch’s testimony, the Court unanimously rejected one of his holdings in the Tenth Circuit, ruling that it denied adequate educational opportunities to students with disabilities.

Every sign suggests that Gorsuch would be at least as conservative a judicial activist as Samuel Alito.

It’s also clear what Neil Gorsuch is not: Merrick Garland. Gorsuch’s nomination is inextricable from its shameful political context. When Scalia died, more than 11 months remained in Barack Obama’s Presidency, but Senate Republicans refused to give his nominee even a hearing. This departure from norms is all the more outrageous because a tactic was used to block a moderate; the Republicans denied Obama his constitutional right in order to trade a Justice who might have been less liberal than Stephen Breyer for one who might be as radical as Clarence Thomas.

Such a turnabout seems especially disturbing given that the FBI and other agencies are now investigating the very legitimacy of the Trump Presidency. Indeed, Chuck Schumer, the Democratic leader in the Senate, has called for a delay in the Gorsuch vote until there is some clarity about the Trump camp’s ties to Russia. Last week, he also promised to lead a filibuster against Gorsuch’s confirmation, but Republicans, in response, vowed to change the Senate rules to allow them to confirm the nominee by a simple majority.

The Supreme Court is, as political scientists like to say, a counter-majoritarian

institution: The President and members of the Congress must answer to voters; the Justices, who serve for life, answer only to the commands of the Constitution. But, in doing so, it’s their duty to speak for those who lack political power. The Trump era has already meant trouble for these people—the poor, the sick, the dissenters, immigrants—and Gorsuch, for all his intellectual distinction, has shown scant regard for their concerns. There’s little reason to believe that he would as a Justice either.

The L.A. Times wrote the story titled “Another judicial dirty trick from Senate Republicans.”

One of 2016’s most spectacular examples of government dysfunction was the U.S. Senate’s outrageous refusal to consider President Obama’s nomination of Judge Merrick Garland to replace the late Antonin Scalia on the Supreme Court. That dereliction of duty by the Republican majority not only denied the sitting President his constitutional prerogative to fill vacancies in the court (so that the appointment would go instead to a hoped-for Republican successor.) It also prevented the court from resolving a handful of cases because of a 4-4 split and probably discouraged the justices from accepting other cases because of the possibility of a similar deadlock.

Less well known is the fact that the Senate also failed to hold 4 votes on 24 Obama nominees for lifetime federal judgeships who had been cleared by the Senate Judiciary Committee. They are among 59 aspiring judicial appointees whose nominations will expire when the 114th Congress fades into history this month.

Of the 24 nominees left stranded, three had been selected to federal appeals courts, two for U.S. Court of International Trade, and 19 for federal district courts. Some of the nominees have been waiting for Senate action for months, including U.S. district judge Lucy Haeran Koh, who was nominated to the San Francisco Bay’s U.S. 9th Circuit Court of Appeals by Obama in February and recommended by the committee in September.

Sen. Patrick Leahy of Vermont, the ranking Democrat on the Judiciary Committee, accused Senate Republicans of setting a record for inaction on judicial nominations. Whereas the Democratic-controlled Senate confirmed 68 of George W. Bush’s judicial nominees in the last two years of his presidency, only 22 nominees had been confirmed in the comparable period, Democrats note.

Republicans countered by citing other statistics, such as the fact that Obama has had more judicial nominees confirmed overall than Bush did in his two terms—329 to Bush’s 326.

It is also true that the Democratic-controlled Senate ended its business in 2008 without having confirmed 26 Bush judicial nominees. Both parties have a history of refusing to act on highly qualified judicial nominees proposed by a president of the other party. Yet LEAHY’s indictment is on point.

As with Senate Majority Leader MITCH MCCONNELL’s stonewalling the Garland nomination, the failure to act on the lower court nominations is extreme and inexcusable.

As we noted above, it represents a partisan attempt to prevent Obama from exercising his right, as the Constitution puts it, to appoint judges by and with the advice and consent of the Senate. Sabotaging the exercise

of that authority is offensive, not only because it undermines the Constitution but because it perpetuates a partisan grudge match over the Federal courts.

It would be utterly understandable if Senate Democrats now retaliated by making it difficult for President-Elect Donald Trump to win confirmation for his judicial nominees, especially those slotted for seats that Obama had every right to fill. Democrats will be especially reluctant to support a Trump nominee to the Supreme Court who likely would move the court to the right after the Republicans cheated Obama out of his opportunity to shape the Court in a more liberal direction by appointing Garland.

We recognize that the selection of Federal judges is an inherently political process, one of which both Presidents and Members of the Senate consider not only a nominee's technical qualifications and legal philosophy but also his or her ideology and party label. Even so, both parties need to eventually find a way back to a state of affairs in which a president, regardless of party, will receive prompt Senate consideration of his judicial nominees and an affirmative vote if they are well-qualified and not extreme in their philosophy (as we fear some Trump nominees might be). That should be the process, regardless of which party controls the Senate.

That is important because denying qualified judicial nominees a vote harms the federal judiciary—by denying it needed personnel and by telling lawyers who might aspire to the bench that their nominations could languish for months and ultimately perish not because of any failing on their part but because of partisan gamesmanship. And it isn't lawyers and judges who suffer. As White House Counsel W. Neil Eggleston told the Washington Post: "There is a real impact on real people. There are people and companies who are not having their cases heard because there are no judges around."

Trump can make a significant gesture toward restoring a measure of normality to the confirmation process. He should resubmit the names of the nominees who received bipartisan support in the Judiciary Committee but were left stranded because of the delay-tactics of his fellow Republicans.

This article is by Paul Gordon, titled "Gorsuch and the Senate GOP's Alternate Universe." As I am reading these articles, let's not forget the basics. The basics are that 16 seats have become open on the Court in the history of the United States of America. Each and every time, up until last year, the Senate acted on the nominee put forward by the President. This is 9 of the 16. These are the nine that most resemble the situation we had with Merrick Garland, where the vacancy occurred before the election and the nomination occurred before the election.

For example, with Merrick Garland, the vacancy was in February and the nomination was in March. It is not so different from the first name on the list, William Johnson, under Jefferson, when the vacancy was in January and the nomination was in March.

In each and every one of these cases—the cases that occurred where

the vacancy was after the election and the nomination, obviously, was after the election as well—there were vacancies before the election but then the President waited to nominate until after the election, and those cases that are more like Merrick Garland, where both the vacancy and nomination occurred beforehand. In virtually every case—well, actually, in every case, in all 15 cases preceding the death of Antonin Scalia, the Senate acted.

Of those 15, they confirmed 11 and they defeated 4. That brought us to last year. As you can see on this chart, there is no action for the first time in U.S. history. It wasn't just an alternative way of doing things. It was a strategy to pack the Court, to try to send the nomination into the future in the hopes that there would be a conservative President who would nominate a conservative member of the Court.

I think most folks who are participating in this Court-packing scheme didn't really think it would work because it wouldn't have worked if Democrats won the Presidency or gained control of the Senate. They were considered at least to have a 50-50 shot at each. It was a surprise to everyone that suddenly we were where we are, but there was no decision even at that late date after the election that we could have had time to vet and vote on the nominee.

There is a whole set of these nominations that occurred after the election. It would have been totally possible after the November election to go ahead and still at that point consider Merrick Garland.

We wouldn't be in this deep, difficult hole right now had we done so, but we didn't. It was a deliberate strategy to pack the Court, which is now on the verge of succeeding if we go through with the vote this week and if the rules are changed.

If the rules aren't changed, then we will do what has been done over the decades. If your candidate doesn't have the votes, they get withdrawn. You change the candidate. You don't change the rules. The rule of 60 votes to close debate is designed to ensure that there is some bipartisan support for the nominees being put forward.

That is an important issue in terms of integrity of the Court. We have to resolve this stolen seat. One way we can do that is to say: Hey, we are going to put this on hold. We are going to put it on hold until the investigation is done with the President, and we are going to put it on hold until we have a second open seat. At that point, the President could propose Merrick Garland for one of the seats—the first seat where he should have been duly considered to begin with—and a judge for the second seat that is more to his liking, off of his list, if you will.

That would get us out of this quagmire. That would protect the credi-

bility of the Senate, and it would protect the legitimacy of the Court.

This article, "Gorsuch and the Senate GOP's Alternate Universe" is by Paul Gordon.

In their efforts to get the ultra-conservative Neil Gorsuch onto the Supreme Court, Senate Republicans have moved beyond creating "alternative facts." They've created an entire alternative universe.

If Gorsuch has earned so little bipartisan support that he cannot get the support of 60 Senators (as all six successful nominees of the past three presidents were able to do), Mitch McConnell is threatening to change the Senate rules to allow Supreme Court nominees to be confirmed by party-line majority votes. He and his colleagues portray Judge Gorsuch as mainstream, the absence of consultation as bipartisanship, and themselves as victims of unprecedented and unprincipled partisan obstruction from the Democrats. Republicans don't want to trigger the "nuclear option," they claim through crocodile tears, but will have no choice but to do so if those mean Democrats insist on a 60-vote threshold.

Listening to them, you'd think they were the injured party. You'd never know that:

Republicans refused to even hold a hearing for Merrick Garland, President Obama's nominee for this very vacancy. To justify this unprecedented move, they claimed that it had been decades since any president was permitted to immediately fill a vacancy that arose in a presidential election year. They were careful not to mention the reason for that: It's rare for justices to die in office, and Justice Scalia was the only justice since 1950 to pass away during an election year. The refusal to even consider Judge Garland for the Supreme Court was unprecedented, a pure power play that drew wide condemnation.

Republicans insisted on a 60-vote threshold for three of President Obama's D.C. Circuit nominees, regardless of who they were, and even announced their demand before any nominations were made. They made it clear that they would block President Obama from filling any of the three vacancies on the 11-member court. (It was this extreme, unprecedented, unprincipled, and anti-democratic putsch that forced the Democrats to drop the 60-vote requirement for lower court nominees.)

Republicans defended the 60-vote margin during the Obama years as a safety mechanism to encourage presidents to consult with Senators of the opposing party and select judicial nominees with bipartisan support.

Conservatives claim that Democrats should support Gorsuch because his nomination was a culmination of the most transparent Supreme Court selection process in history, since Trump listed his potential nominations before the election.

In fact, this may have been the least transparent selection process in history, designed to lead to an extremist nominee rather than one who could garner bipartisan support.

Trump outsourced his Supreme Court selection to two of the most influential and well-funded right-wing ideological organizations in the country: The Federalist Society and the Heritage Foundation. Their selection process is the one that matters, and it was anything but transparent. What conversations did they have with Gorsuch that led them to include him on their list? When Sen. Blumenthal asked Gorsuch if he'd had any conversations about *Rowe v. Wade* or abortion in general with the Heritage Foundation, Gorsuch only said that no such conversations had occurred after the election (long after he'd been included on the list).

We have seen transparent and bipartisan selection processes before, and they looked nothing like what we have seen with the current nomination. For instance, President Clinton consulted closely with Orrin Hatch, then the ranking Republican on the Judiciary Committee, before making his two Supreme Court nominations. And that consultation was genuine: Based on Sen. Hatch's advice, Clinton passed over his original first choice, acting transparently and in a manner to encourage bipartisanship.

Republicans can posture as a principled, wounded party, forced to trigger the nuclear option, but that simply isn't reality. Since the death of Justice Scalia—indeed, since the moment President Obama took office—they have time and again escalated their partisan approach to the selection of judges. They held Obama circuit court nominees to a 60-vote threshold, then refused to allow votes at all on three D.C. Circuit vacancies regardless of who they were, and then refused to even hold a hearing for a Supreme Court nominee.

Senate Republicans did not enter this presidency with clean hands.

And while much of the GOP obstruction since 2009 had nothing to do with the nominees themselves, Democrats' opposition to Gorsuch is based on his record. Democrats have not said that they will oppose anyone who Trump nominates. In fact, as Senate Minority Leader Chuck Schumer has said numerous times, if Gorsuch cannot earn 60 votes, the solution is not to change the rules, but to change the nominee.

It's clear that Senate Republicans have created an alternative universe worthy of a Star Trek episode.

The Brennan Center for Justice published an article by Ciara Torres-Spelliscy titled "Neil Gorsuch Understands Campaign Finance—And That's The Problem."

It's Supreme Court prediction season with Tenth Circuit Judge Neil Gorsuch's nomination to fill the late Antonin Scalia's seat by President Trump (Or by whomever he outsourced the job. I'm looking at you, Federalist Society and Heritage Foundation.) Now everyone (including me) is poring over his past decisions to see what they could mean for the laws most in flux before the Supreme Court.

I've hunted for clues about what Gorsuch believes about money in politics. He presides at the Tenth Circuit, which covers Wyoming, Colorado, Utah, New Mexico, Kansas and Oklahoma. From a campaign finance perspective, most of the cases come from Colorado, which has tried to improve its campaign finance laws both through statute and by amending its state constitution.

Various aspects of the Colorado campaign finance laws have landed in the Tenth Circuit, which is not known for being a particularly hospitable venue for reformers. One 2014 case called *Riddle v. Hickenlooper* has a concurrence written by Gorsuch. So what can we learn from this opinion about his style of judging, his views of campaign finance reform, and what he might do if he is elevated to the Supreme Court?

Riddle v. Hickenlooper involved three candidates vying for a seat in the Colorado House of Representatives. There were two major party candidates and one write-in candidate. Individual contributions to the Republican and Democratic candidates were capped at \$400, while the limit for the write-in candidate was \$200. The reasoning for the law was that major party candidates (typi-

cally) have to go through a primary while minor and write-in candidates do not. The write-in candidates sued, claiming that the lower cap was a violation of contributors' rights under the Fourteenth Amendment's equal protection clause. The district court dismissed the claim, saying that contribution restrictions were constitutional. But a three-judge Tenth Circuit panel (consisting of two Republicans and one Democrat) unanimously reversed the lower court, finding that the disparities in contribution limits were, indeed, a violation of the equal protection provision.

Gorsuch took the time to write a separate concurring opinion. What's encouraging about Gorsuch's opinion is that he accurately discusses complex campaign law, and this takes time and skill. Trust me, I've read plenty of lower court opinions in campaign finance cases where the lower court judges . . . can't follow the ins and outs of the exceptions to the exceptions in campaign finance law.

These details do not stump Gorsuch. He writes thoughtfully and incisively about how the Supreme Court has been unclear about exactly which level of scrutiny applies to equal protection objections to differential campaign contributions. In the end, he concludes that whether the standard is strict scrutiny or intermediate scrutiny, the Colorado law cannot justify allowing major party candidates to raise twice as much as minor party candidates.

Gorsuch also deserves credit for crafting his opinion narrowly and taking the time to note the limits of the case's holding. As he wrote, "[h]aving said this much, it is worth pausing to emphasize what isn't said in these pages. Nothing in what I've suggested or what the court holds intimates that Colorado must adopt a per-election-cycle rather than a per-election approach to the regulation of campaign contributions." This limiting language appears to display sensitivity to the fact that Colorado has great latitude to choose its own means of election administration and campaign finance. This shows judicial incrementalism and a laudable degree of modesty.

But there are a few words from Gorsuch's opinion which should give campaign finance reformers pause. For one, he wrote, "[n]o one before us disputes that the act of contributing to political campaigns implicates a 'basic constitutional freedom,' one lying 'at the foundation of a free society' and enjoying a significant relationship to the right to speak and associate, both expressly protected First Amendment activities."

In other words, Gorsuch is maintaining the link between political money and free speech. He added, "[t]he plaintiffs before us don't complain that Colorado's contribution limits violate their First Amendment rights because, say, the limits are too low for everyone."

This last quote is ambiguous. It is not clear whether there is an inadvertently missing word "they" before "say" which would mean he was attributing this statement to the plaintiffs in the case. But the way it is written sounds like Gorsuch himself is saying that contributions are too low for everyone. The limits at issue were \$400 for major party candidates and \$200 for minor party and write-in candidates. If this is his true belief, it would demonstrate hostility to one of the basic pillars of campaign finance reform since Watergate: modest contribution limits.

So the good news is Gorsuch can navigate his way through a tangle of precedent—a basic qualification for a jurist. The bad news

is he may harbor antipathy to regulating money in politics. If Gorsuch is elevated to the Supreme Court, he can help conservatives move the goal post to script scrutiny so that Colorado's and other States' attempts to temper the role of money in politics will be far more difficult to justify in court.

So let me return to where I started yesterday evening. We are facing three very significant problems. The first problem is that for the first time in history, we are considering a nominee for a stolen Supreme Court seat. That alone should be reason for everyone who cares about this institution to turn down this nominee and to convey to the President that the only legitimate nominee for this open seat is Merrick Garland, because as a Senate we have a stake in the legitimacy of our work and that of the Court. To confirm anyone but Merrick Garland to this seat confirms the Senate as the thief who took the seat for the first time in U.S. history and transported it to another President in an effort to pack the Court.

Furthermore, if there is a person confirmed to this seat other than Merrick Garland, it will cast a shadow over every 5-to-4 decision that individual participates in, in the years to come. It destroys the public credibility of the position. It makes the Supreme Court simply into a political body to which clever campaign tactics have delivered a majority for one ideological vision over another. Let's not enter into that position of destroying the credibility of the Senate process and the integrity of the Court in one fell swoop.

Second of all, we should not be considering a nominee from a President who is under investigation for conspiring with Russia to change the outcome of an election. We don't know where those investigations will lead, but what we do know is that this places a big cloud over the legitimacy of him holding the office. Let's clear up that cloud. Let's answer the questions that were raised when, a week ago Monday, FBI Director Comey came to Capitol Hill to talk to the House and say: Yes, those investigations are underway.

We know what the diabolical practices of the Russians were. We know they created fake news. We know they had a team of roughly 1,000 people sending out contrived social media messages to comment on the events of the day, to make it look like American citizens were commenting and to make one candidate look very good and the other candidate look very bad.

Finally, this is an extreme nominee from the far right who does not believe in the fundamental vision of "we the people" and makes decision after decision through tortured, twisted, contrived arguments to find for the powerful over the people. That is unacceptable.

The PRESIDING OFFICER (Mr. COTTON). Under the previous order, the

time until 11 a.m. will be controlled by the majority.

RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

Mr. McCONNELL. Mr. President, Neil Gorsuch is eminently qualified to serve on the Supreme Court. He was confirmed by the Senate to his Federal judgeship with no Democratic opposition at all—none. He participated there in more than 2,700 cases, writing in the majority 99 percent of the time and enjoying unanimous support 97 percent of the time.

He received the highest possible rating from a group the Democratic leader called the “gold standard” for evaluating judicial nominations—the American Bar Association. He has earned high praise from across the political spectrum, with Democrats and Republicans alike attesting to his qualifications, his fairness, and his impartiality. He also enjoys the support of a bipartisan majority of the Senate. Yet the Democratic leadership is now determined to block his confirmation with the first successful partisan filibuster of a Supreme Court nominee in American history. They proved that in yesterday’s procedural vote.

Judge Neil Gorsuch is one of the most impressive nominees we have ever seen. If a widely appraised nominee like this can’t get past a Democratic filibuster, then no nominee of a Republican President can. Democrats would filibuster Ruth Bader Ginsburg if President Trump nominated her. We all know why. The Democrats are bowing to hard-left special interests who can’t get over the results of the election and thus are demanding complete Democratic opposition to everything—everything this President touches. As the Washington Post just reported, the Democratic leader “seemed ready to endorse every argument activists made.”

It seems some Democrats made up their minds long ago to oppose whomever this President nominated. The Democratic leader himself indicated as much before Judge Gorsuch was even selected. He even mused on a liberal talk show about holding the seat open indefinitely. So it doesn’t really matter whom this President nominates; a Democratic minority is determined to successfully launch an unprecedented partisan filibuster regardless. Perhaps that is why Democrats still have yet to put forward a cogent rationale to oppose him—not that that would be easy, you understand.

As a longtime Democratic board member of the left-leaning American Constitution Society put it, “The Senate should confirm [Judge Gorsuch] because there is no principled reason to vote no.”

Well, if there is no principled reason to vote no on this nomination, then there is certainly no principled reason to prevent the Senate from taking a

vote on it at all. But that is just what a partisan Democratic minority of the Senate is threatening to do—for the first time in the nearly 230-year history of the Senate.

Let me remind colleagues of something I said yesterday. When President Clinton nominated Justice Ginsburg, I voted to confirm her. When President Clinton nominated Justice Breyer, I voted to confirm him. When President Obama nominated Justice Sotomayor and Justice Kagan, I led my party in working to ensure that they received an up-or-down vote—in other words, not a filibuster. I knew I would often disagree with their opinions on the Court, and I certainly wasn’t wrong about that, but I thought it was the right thing to do.

I understand that our Democratic colleagues are currently under a great deal of pressure from special interests on the far left. I think everyone in elected office can empathize with this situation they are experiencing. Listening to these hard-left special interests may seem like the politically expedient thing for Democrats to do for their party today, but I would ask them to make their decision based on what they know is right for the country tomorrow.

There is still time for them to make the right choice. There is still time for them to support a nominee who even longtime Democrats have praised—or, at the very least, to not block him with the first successful partisan filibuster in American history.

So I hope Democrats reevaluate their position before the important vote we will take tomorrow. I hope they will consider what their actions would mean for future Supreme Court confirmations. I hope they will consider what their actions could mean for the future of this body more broadly, too, because, as we all know, the American people will be watching. History will record the decision Democrats make, and there is simply no principled reason to oppose this exceptional Supreme Court nominee.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, we are continuing to debate the nomination of Judge Gorsuch to serve as Associate Justice of the Supreme Court. My colleagues on both sides of the aisle have said that this is an important moment for the Senate. I couldn’t agree more.

I think it is important to reflect on why we are here and how we got here. Before I turn to the Supreme Court and the current debate, let me take just a few minutes to talk about lower court nominees and provide a little bit of history and context, especially for the benefit of some of the Senators who weren’t here over the last few years.

I am going to start way back in the spring of 2001. President George W.

Bush had just been elected President. As we all know, it was a close election, and it was hard fought. The Senate was closely divided, with the Republicans in control. Given how close the Presidential election was, there were elements of the hard left who refused to accept the results of that election. Some blamed Ralph Nader, others blamed Governor Jeb Bush, and still others blamed the Supreme Court. Many on the hard left claimed that President George W. Bush wasn’t a “legitimate” President. Liberal interest groups were egging on the Democratic leadership to fight the new President at every turn.

That still sounds very familiar for this year we are in.

At the same time, one major concern for the hard-left liberal interest groups was that President Bush, who they claimed wasn’t legitimate, would be able to nominate conservative judges. Again, doesn’t that sound familiar?

Senator CORNYN went over some of this same subject yesterday, but it deserves discussion now, and it serves as a reminder of where we have been before because sometimes the past predicts the future.

So in the spring of 2001, the hard-left interest groups went to the Senate Democratic leadership with a plan. According to the New York Times, “42 of the Senate’s 50 Democrats attended a private retreat . . . where a principal topic was forging a unified party strategy to combat the White House on judicial nominees.” Thinking about 2017, doesn’t that sound a little familiar?

At that meeting—Cass Sunstein, Marcia Greenberger, and Laurence Tribe spoke at the retreat and pitched to the Democrats who were present their idea of how this crusade could proceed.

According to one attendee, “They said it was important for the Senate to change the ground rules, and there was no obligation to confirm someone just because they are scholarly and erudite.”

Well, let’s think about that for a moment. Why do you suppose they believed they needed to “change the ground rules” for confirming judges? It is because up to that point you didn’t filibuster judges. You just didn’t. You heard the majority leader speak to that point in his short remarks this morning about how things have changed after more than 200 years.

Well, as it happened, less than a month after the caucus retreat, Senator Jeffords from Vermont switched parties and began caucusing with the Democrats. That threw the majority to the Democrats for the next 18 months. Then they lost the election of 2002, and in the spring of 2003, Republicans were back in the majority.

Now back in the minority, Senate Democrats went ahead with the plans that were enunciated at that retreat to

“change the ground rules.” For the first time in the history of the Senate, they began to systematically filibuster circuit court nominees—not because they believed the nominees weren’t qualified. The nominees were qualified. And it was not because they believed the nominees didn’t have the necessary experience. The nominees did have the necessary experience. They filibustered those nominees because they believed they were conservative judges.

So with respect to appellate court nominees, Senate Democrats, at the behest of the far left, took the unprecedented step of using the filibuster in a very systematic way for the first time in Senate history. At the time, there was a lot of debate about changing the rules, dubbed the so-called nuclear option, so that nominees would be afforded an up-or-down vote, consistent with the Senate’s history and practice.

Well, Republicans exercised restraint and agreed to step back. Then President Obama became President. Our side didn’t like the use of a filibuster for judges, but we also didn’t think there should be two sets of rules—one for a Republican President and one for a Democratic President. Common sense tells you that is a legitimate position to take.

We defeated two circuit court nominees, one to the Ninth Circuit and one to the D.C. Circuit. Then President Obama nominated three individuals to the D.C. Circuit. Our side denied cloture on those three nominees to the D.C. Circuit.

Well, at that point, their side didn’t like playing by the rules they wrote, so then-Majority Leader Reid took another unprecedented step. In November of 2013, he utilized the so-called nuclear option to eliminate the very tactic they pioneered. The nuclear option becomes effectively the regroup.

So that is how the filibuster was first used on lower court nominees and later eliminated. Senate Democrats took the unprecedented step to utilize that. Then when it no longer benefited them, they used unprecedented means to eliminate it.

This brings me back to where we are today and the rest of this week—talking about a Supreme Court nominee, Judge Gorsuch.

Everyone knows we had a big debate last year about whether to proceed with the Garland nomination. There were 52 Republicans who believed we should follow Senate history and tradition and not proceed with the nomination in the middle of a heated election year.

I know it frustrates my colleagues to hear me say it, but fact is that in 1992, when then-Senator Biden was chairman of the Judiciary Committee, he announced that he wouldn’t hold a hearing to fill a vacancy in the last year of President Bush’s term. So last year, we followed the precedent that

then-Senator Biden described in 1992 for all of the same reasons he discussed.

You get back to this commonsense principle: Can you have one rule for Republican Presidents and another rule for Democratic Presidents? We didn’t feel you could. And, of course, everyone in this Chamber knows that if the shoe were on the other foot, the Democrats would have done the same thing, because they said they would. In fact, President Obama’s former White House Counsel admitted as much. She said she would have recommended the same course of action if the tables were turned.

So now here we are, April 2017, with the nominee before us. Just as in 2001, we have just had a very contentious Presidential election. It was close. It was hard fought, and frankly, some on the hard left refused to accept the results of the election. Once again, left-wing groups are egging on the minority leader to take another unprecedented step with respect to judicial nominations. Only this time they want him to lead the very first partisan filibuster of a Supreme Court nomination in U.S. history. Based on the vote we had yesterday, it appears 44 Democrats are prepared to follow the minority leader on this fool’s errand. No Supreme Court nomination in our country’s entire history has ever failed because of a partisan filibuster. There is no getting around that fact.

Abe Fortas, whom I have referred to, was subjected to a bipartisan filibuster over ethical concerns when President Johnson tried to elevate him to be Chief Justice.

Justice Thomas was confirmed by a vote of 52 to 48. I was here for that nomination. A single Senator—any Senator—could have demanded a cloture vote, but out of 100 Senators, none did. Why? For the simple, commonsense fact and 200 years of history that you don’t filibuster a Supreme Court nomination.

But today is entirely different. The minority is committed to filibustering this fine nominee in the first partisan filibuster in U.S. history.

So here we are. The President has nominated an exceptionally qualified judge to take Justice Scalia’s seat on the Supreme Court. The Democrats will break new ground again by conducting a partisan filibuster of the nominee. Republicans aren’t the ones breaking new ground here. As a matter of fact, the Democrats’ own Vice Presidential nominee last year emphatically promised that the Democrats would further change the rules to make sure an expected-President Clinton’s nominees couldn’t be filibustered.

So at the end of the day, the fact is that if Democrats insist on a filibuster, the Republicans will insist on following the practice that Senators have followed for more than 200 years, and that

is not to have a partisan filibuster for somebody going to the Supreme Court. We don’t conduct partisan filibusters of Supreme Court nominees, and we certainly are not going to start with this highly qualified nominee.

I hope those that think back 16 or 17 years—when this meeting of Democrats in retreat came to the conclusion that you had to break new ground—realize that they have poisoned the well of the comity traditional of the Senate. I think maybe a lot of them realize that was a mistake, as we realized that was a mistake, and it would be nice to get back to the comity of the Senate that existed on judges prior to 15 or 16 years ago. But that is going to take people on their side who were present at that same retreat who are still in the U.S. Senate to drill a new well, because the present one is poisoned, and we need to get back to the comity that we have had.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, I come to the floor today because we are at a decisive and consequential moment in the Senate. We are here to consider the nomination of Judge Neil Gorsuch to be a Justice of the U.S. Supreme Court.

Will Democrat Senators vote to have a well-qualified, mainstream Justice who stands for the rule of law, or will the extreme leftwing of that party continue to try to call the shots? That is a decision Members are going to have to make.

America needs judges who can follow the law, apply the law, have the highest ethical standards, and value the independence of our courts. To me, that is a description of Judge Gorsuch. That is him in a nutshell. We saw it throughout his career, and we saw it again at his confirmation hearings in the Judiciary Committee.

Democrats on the committee asked him to answer hypothetical questions. They asked about issues that are probably going to be coming before the Supreme Court of the land. There are ethics rules that say that judges and nominees cannot answer those kinds of questions and, of course, Judge Gorsuch followed the rules. That is exactly what other nominees have done in the past who were nominated by Republican Presidents and Democratic Presidents.

Ruth Bader Ginsburg did so in her confirmation hearing in 1993. She said: “A judge sworn to decide impartially can offer no forecasts, no hints.” She

said this would display disdain for the entire judicial process. Of course, she was confirmed and sits on the Court today. It has been known as the Ginsburg standard, and every nominee since her nomination hearing has followed that same standard. That is what Justice Gorsuch did.

The Democrats on the Judiciary Committee tried to criticize Judge Gorsuch for some of his opinions that they didn't like. They talked about a couple of cases where the person who was on the losing side in the case was sympathetic. They suggested that the Court should have ignored the law and sided with "the little guy" in the involved cases. Judge Gorsuch pointed out that judges are absolutely not supposed to consider what they think is sympathetic. They are supposed to rule on the law. Federal judges actually swear an oath "to administer justice without respect to persons, and do equal right to the poor and to the rich."

Most Senators recognize that judges should be impartial. The minority leader, Senator SCHUMER, has actually spoken about how important this is. At the confirmation hearing for Justice Sonia Sotomayor in 2009, nominated by President Obama, Senator SCHUMER praised the way she put the "rule of law above everything else." He said that she followed the texts of statutes, "even when doing so results in rulings that go against so-called sympathetic litigants." That was in 2009. Now it is 2017, and that is the identical standard Judge Gorsuch has continued to follow.

Judge Gorsuch pointed out that it is his job to apply the law, not to write the law. Writing laws is the job of Congress. We are not here to select the 101st Senator; we are here to select a Justice for the Supreme Court. We are selecting a Justice for the most important Court in the land, and it is important and imperative that we take this decision seriously and that we set aside any partisan grudges.

Democrats who want to filibuster this judge are not arguing any principle here. Reasonable individuals know this nominee deserves to be confirmed.

One lawyer wrote an op-ed in the Washington Post on March 8, a board member of the very liberal American Constitution Society. He wrote that "there is no principled reason" to vote against Judge Gorsuch. Well, he is exactly right.

I listened to the arguments Democrats made in the confirmation hearing. I was not convinced. If any of my colleagues on the Democratic side of the aisle are undecided about how to vote, I suggest they go back and look and listen to the hearings as well and look at what other people have said about this nominee.

A Chicago Tribune editorial said that confirmation hearing revealed "unas-

sailable assurances by Gorsuch that he would decide each case on the merits, based on the law as written, applied to the world as it is today."

The Detroit news agreed. It said that Judge Gorsuch showed that he is a "deeply knowledgeable nominee who should be confirmed by the Senate."

On Monday, USA TODAY had their own headline. It said, "On the Merits, Gorsuch Merits Confirmation."

The American Bar Association surveyed 5,000 people who have worked with Judge Gorsuch over the years. These people described him using words like "brilliant," "thoughtful," and "really, really, really smart."

The Bar Association also found that "Judge Gorsuch believes strongly in the independence" of the judiciary. This is the Bar Association. The American Bar Association predicted that "he will be a strong but respectful voice in protecting it." The group ended up giving him its highest possible rating. Interestingly, Senator SCHUMER once called this group "the gold standard" for evaluating judges—"the gold standard," he called it—and they have given him their highest possible rating. So why does the minority leader think the gold standard is not good enough anymore?

Judge Gorsuch was even introduced at his confirmation hearing by a former top lawyer for the Obama administration. Neal Katyal is a Democrat. He served as Solicitor General of the United States under President Obama. He called Gorsuch "one of the most thoughtful and brilliant judges to have served our nation over the last century." Let me repeat. This is someone who served as Solicitor General of the United States under President Obama calling Judge Gorsuch "one of the most thoughtful and brilliant judges to have served our nation over the last century." He even wrote an op-ed in the New York Times that predicted that Judge Gorsuch would "help to restore confidence in the rule of law." Help to restore confidence. Isn't that what we want as a nation—confidence in the rule of law?

I think that any Democrat who has looked at this nominee's record will find it is an easy decision to confirm him. If there is a Democrat who reaches the opposite conclusion, I say come to the floor of the Senate and explain why you think our judges should go into a case favoring one side over another because one side is more sympathetic than the other. If there is a Member who thinks that a judge should make promises about how they will rule just to win a confirmation vote of a given Senator, I say come to the floor and make your case. If there is a Member who thinks a Justice on the Supreme Court should rule based on that Justice's own preferences and not based on the law, I would say please come to the floor of the Senate and say so.

I don't think that is what the American people want. The American people do want Justices who are smart. They want Justices who are principled, who are fair, and who know that their job is to follow the law, not to write the law and not to legislate from the bench. The American people know that Neil Gorsuch is exactly that kind of judge. He is the kind of judge we should have on the Supreme Court, we need on the Supreme Court, and we need on every court in the land. That is why I am committed to vote to confirm Neil Gorsuch to serve on the U.S. Supreme Court.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, like several in this Chamber, I was asked for my input to the President on whom to nominate to the U.S. Supreme Court. After much reflection, I recommended to the Vice President that Judge Neil Gorsuch of Denver, CO, should fill the Scalia seat on the Supreme Court.

I am, of course, very pleased that my advice was considered. I offered that recommendation before I had an opportunity to sit down one-on-one with Judge Gorsuch, although, in fairness, we had an opportunity in the Senate to review Judge Gorsuch and his credentials in 2006 when this body voted to confirm him by voice vote to the U.S. Court of Appeals where he now sits. After spending time with this exceptionally talented jurist and after reviewing his performance before the Senate Judiciary Committee, my level of respect for him has only grown.

Judge Gorsuch checks the box on every measure of what I am looking for in a Supreme Court nominee. Intellectual capacity, experience, independence, integrity—he has all of these. There is no question that he has the intellectual capacity to meet the challenge. Yes, we acknowledge he is an Ivy League graduate from Columbia and Harvard Law, and that actually describes many people at the top of the legal profession, but that alone is not what makes Judge Gorsuch exceptional.

Judge Gorsuch did something that most practicing lawyers don't do. He went on to earn a doctorate in legal philosophy at Oxford. I think this is one of the many illustrations of Judge Gorsuch's tremendous depth. And whatever else my colleagues will have to say about Judge Gorsuch in this contentious confirmation debate, there

is no question that he is an intellectual heavyweight.

I next look to those who mentored Judge Gorsuch along the way, and one really cannot have better mentors than the late Justice Byron White and sitting Justice Anthony Kennedy. Justice Kennedy, we all know, has carved a niche for himself as the swing vote on the Supreme Court. There is a great deal of debate about whether a Justice Gorsuch will be more of a Scalia than a Kennedy or a White or whether, instead, he will be a Gorsuch. I suspect that he will be a Gorsuch, and that is fine by me.

What really matters is that Judge Gorsuch will come to the Supreme Court with a strong understanding of its dynamics, and there is no question that he will be effective from day one. There is no question that he will be his own man. I want to emphasize that point.

Judge Gorsuch made it very clear to me when we met that he has made no commitments to the President or his team. And he made it clear at the hearings that if any commitment were sought, he would have gotten up and walked out. After spending time with Judge Gorsuch, I believe him. I believe him on that. His commitment to an independent judiciary is resolute, and I think on this issue he will not bend to political expedience, as he should not.

He is not the President's man, not the party's man, nor will he represent an ideological movement on the Court. Judge Gorsuch will be his own man, following the law where it leads. That is what we should want in a Supreme Court Justice. Judge Gorsuch's unshakable integrity explains why he has earned the unanimous "well qualified" rating from the American Bar Association.

I am also enthusiastic about Judge Gorsuch because he brings a western perspective to a Court that is desperately in need of diversity. Mr. President, you would surely agree with that—that making sure we have those who are knowledgeable based on their experience, of what is like to live in the West is important. Six of the eight sitting Supreme Court Justices have spent their entire professional careers in the Boston-Washington corridor—six of the eight. The only sitting Justice who came to the Supreme Court from someplace other than the Boston-Washington corridor is Anthony Kennedy, who was elevated from the Ninth Circuit. Judge Gorsuch has, of course, done the "Washington thing," but his home is in the West, and he served for a decade on the Tenth Circuit in Denver. I think that makes a real difference, at least in my book.

Appellate judges in the East rarely hear cases involving Federal Indian law and Native American issues. Among the hundreds of cases that Judge Gorsuch has heard, dozens involve Indi-

ans and Indian law. In deciding those cases, he has demonstrated great sensitivity to the unique role of Indian Nations under our Constitution.

I think that explains why Judge Gorsuch has been enthusiastically endorsed by the National Congress of American Indians as well as the Native American Rights Fund. NCAI is the umbrella organization for the Nation's federally recognized Tribes. NARF is an independent, highly respected public interest law firm which advocates for Native Americans nationally. Neither of these organizations—neither NCAI nor NARF—could ever be characterized as right-leaning. Yet they have endorsed Judge Gorsuch after reviewing his track record on cases involving Native rights. I think it is also important to recognize that the Central Council of the Tlingit and Haida Tribes of Alaska has also endorsed the Gorsuch nomination, which is important for Alaska Natives.

Another example: The Federal government controls vast amounts of land in the West and, of course, that includes our home State of Alaska. Public lands cases tend to originate in the West, not in the East. It is tremendously important that somebody on the Supreme Court have a familiarity with these issues, and Judge Gorsuch clearly does.

Along with the pervasive Federal presence in the West comes a huge Federal regulatory influence. Mr. President, you and I know that Alaskans talk about the extent of Federal overreach in our State like other people talk about the weather. Alaskans will be interested to know, perhaps excited to know, that one of Judge Gorsuch's top intellectual interests is regulatory overreach. He has publicly questioned the proposition that Federal courts must defer to agency interpretation of the law when regulations are challenged. That is a very good thing because when a homeowner has to go to court to litigate the question of whether the pond in the back of his house is regulated wetland, the last thing that the homeowner wants to hear is that the scales of justice are somehow tipped in favor of the agency on accord of a principle known as Chevron deference.

I understand—and we all know—that there are some interest groups that suggest that Judge Gorsuch's views on Chevron deference means that somehow or another he stands for big business and against the little guy. To those organizations, allow me to introduce you to an Alaskan named John Sturgeon.

Mr. President, you and I know him well. Mr. Sturgeon was prohibited from taking his hovercraft, his boat, up a river in northern Alaska adjacent to National Park Service land. Mr. Sturgeon had to go all the way up to the Supreme Court to vindicate that right, and, against many odds, he won.

I think it is clear that Federal agencies can and do trample on the rights of the little guy. I will tell you, I find Judge Gorsuch's views on the question of deference highly refreshing at this point in time.

I should point out that I don't agree with all of the opinions written by Judge Gorsuch, but I don't expect that from a nominee. That is almost an impossible standard. In fact, Judge Gorsuch himself has acknowledged that. I do expect that the nominee be always true to the law, as Judge Gorsuch has demonstrated throughout his career.

Finally, from everything I know, Judge Gorsuch is a good and a decent man. He is a husband. He is a father of two girls. He is an outdoor person. He is a person who gives back to the next generation. In addition to his judicial duties, he regularly teaches legal ethics and professionalism at the University of Colorado Law School. In the classroom, he is known to have great respect for his students and their diverse views.

In endorsing Judge Gorsuch's elevation to the Supreme Court, the Denver Post suggested that "While Democrats will surely be tempted to criticize the nomination of anyone Trump appoints, they'd be wise to take the high road and look at qualifications and legal consistency." That is an editorial from the Denver Post, published on January 16 of this year, 2017. Those are pretty wise words. Again, "Democrats would be wise to take the high road and look at his qualifications and legal consistency." That is what we should be looking at. And I think it is so unfortunate that many of my friends on the other side of the aisle have failed to heed this advice laid down in the Denver Post earlier this year.

I have seen judicial nominees come and go over my 14 years in this body, but I will tell you, I haven't seen anyone more intriguing than Judge Gorsuch with his qualifications. He has had a stellar legal career. He is brilliant. He is a rock star among Federal judges. And that kind of judge is the one law students would compete to clerk for. If this body could step back from the politics of all this, he should be confirmed with upwards of 80 or 90 votes, not subjected to a filibuster. That is the caliber of the person we are considering. I honestly cannot fathom why an individual of Judge Gorsuch's stature would be drug through the mud. I just don't believe that reflects well on this body.

I am known within the Senate for my independence in evaluating judicial nominees. While I was not a part of the Gang of 14 back in 2005 who proposed the standard for Federal court nominees, I have pretty much chosen to live by it. Except in the most extraordinary of circumstances, I do not believe judicial nominees should be denied a

straight up-or-down vote. I just don't believe they should be denied that. I have practiced that. If one were to examine my record, it is clear that I have walked that walk. Sometimes it has been a walk accompanied by my friend the Senator from Maine. In the case of Goodwin Liu's nomination to the Ninth Circuit, I was the sole Republican to stand up for this principle and vote against a filibuster. I would not have voted to confirm Mr. Liu, but I felt very strongly that he had the right to an up-or-down vote.

So we are at this place today in considering not a nominee to the Ninth Circuit but a nominee to the Supreme Court. I would ask my colleagues on the Democratic side to give the same deference to Judge Gorsuch.

I also pride myself as one who believes in the traditions of the Senate, but it is not the tradition of the Senate to filibuster a U.S. Supreme Court nominee.

I do not believe that Judge Gorsuch is getting a fair shake in today's Senate, and as deeply as I care about bipartisanship in this body, I will not acquiesce to an effort to deny Judge Gorsuch a seat on the Supreme Court.

I acknowledge my friends on the other side of the aisle who have indicated that they will not support a filibuster, and I implore those of my colleagues who have indicated that they will filibuster the nomination of Neil Gorsuch to reconsider that position.

After spending time with Judge Gorsuch, after studying his life story, I am left with the undeniable impression that Neil Gorsuch has been nominated to a position that he has prepared his whole life to assume. He is not merely a good choice, in my book, he is the best choice. He will not merely be a good Justice; I believe he will be a great Justice, perhaps a Justice of historic proportion.

So today I offer Judge Gorsuch my most enthusiastic endorsement. I have no doubt that before we leave for Easter recess, he will be confirmed as an Associate Justice of the U.S. Supreme Court.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SYRIA

Mr. MCCAIN. Mr. President, before I get into my remarks about the impending action of the Senate with regard to the so-called nuclear option, I would just point out that the attacks yesterday on innocent men, women, and children should not have come as a surprise. It was in 2013 that the then-Sec-

retary of State, Secretary of Defense, and the head of the CIA recommended to the President that we arm the Free Syrian Army and bring Bashar Assad's barbarity to a halt. The President of the United States rejected that. Bashar Assad used chemical weapons, and the President called me and Senator GRAHAM over to the White House and said: If they cross the redline, I am going to act. We are going to degrade Bashar Assad and upgrade the Free Syrian Army and have regime change.

Then, of course, he backed down. You know, there is one thing worse than doing nothing: It is saying you are going to do something and then not doing it. That sent a signal everywhere in the world, not just Syria. The fact is, we knew it would happen again. So we have seen this movie before. Unless we act, we are going to see it again.

I am encouraged, frankly, that General Mattis, General McMaster, and the President of the United States have said that this act of incredible barbarity and cruelty will not go unresponded to. But I can assure my colleagues this: If we don't respond to this, then there will be more use of these chemical weapons and weapons of mass destruction, and there will be more innocent people who will die.

Eight years of Obama's failure is what led to the events that just took place that horrified all of us. That requires us to stand up to this barbarity, help the Free Syrian Army, establish safe zones, and make sure that Bashar Assad, propped up by the Russians and the Iranians and the Iranian Revolutionary Guard and Hezbollah, is no longer able to perpetrate these war crimes on innocent men, women, and children.

Mr. President, it is also with some sorrow that I regret having to come to the floor to speak once again on the issue of eliminating the 60-vote threshold on judicial nominations, specifically a nominee to the U.S. Supreme Court. It is particularly troubling to do so because the nominee in question, Judge Neil Gorsuch, has impeccable legal credentials and a strong reputation as a fair- and sharp-minded lawyer and jurist. The American Bar Association and many others of all political stripes agree that his distinguished career as a lawyer and a jurist makes him well qualified for the position of Associate Justice on the U.S. Supreme Court.

Regrettably, very regrettably, my colleagues in the minority have decided to filibuster the nomination of this good, decent, highly qualified man.

Numerous times over the years, the Senate has come to a standstill over nominees, whether they were judicial or executive branch. That gridlock has inevitably led to threats from the majority—whichever party was in the majority—to use the “nuclear option,” basically changing the rules of the Sen-

ate of 200 years to strip the minority party of their right to filibuster certain nominees.

I have been privileged several times to be a part of a group of Senators who were able to come together and negotiate agreements to end the gridlock surrounding nominees, avert the nuclear option, and allow the Senate to move forward with our work on behalf of the American people. My work in these groups—often referred to as gangs—has won me both praise and condemnation and has often put me at odds with some in my own party.

In 2005, I joined 13 of my colleagues in an agreement that allowed for votes on three of President Bush's judicial nominees who were being filibustered by the Democrats, who were in the minority at the time. Part of that agreement addressed future nominees. It stated:

Signatories will exercise their responsibilities under the Advice and Consent Clause of the United States Constitution in good faith. Nominees should only be filibustered under extraordinary circumstances, and each signatory must use his or her own discretion and judgment in determining whether such circumstances exist.

In other words, if that nominee is so far out of the mainstream that it is extraordinary, only then would they seek to block the nomination and filibuster.

I have had conversations with colleagues on both sides of the aisle in an attempt to once again come up with a way forward and avoid both a filibuster of Judge Gorsuch and the nuclear option. Sadly, I learned on Monday that those efforts had failed and that the Democrats had secured the necessary votes to successfully filibuster the highly qualified Supreme Court nominee for the first time in our history. In response, the majority leader has indicated that he will move to change the Senate rules and eliminate the ability of the minority to do so.

We are in a terrible place. My colleagues should understand that this is a historic moment if we move forward with it.

In 2013, then-Majority Leader Harry Reid changed the Senate rules to eliminate the 60-vote threshold on most judicial and executive branch nominees. Those in my party, including me, were enraged—rightly so. We warned that the Democrats would not be in control of the Senate or the White House forever and that they would come to regret their actions. We were right.

Their actions came back to haunt them. I believe our actions will haunt us as well.

In an op-ed on November 27, 2012, Senator MCCONNELL, knowing of the Democrats' plans to change the Senate rules in their favor, wrote this:

A serious threat has been quietly gathering against one of the most cherished safeguards of liberty in our government—the right of a political minority to have a voice. Until now, this has always been the defining

characteristic of the Senate. That's why all Senators have traditionally defended the Senate as an institution, because they knew that the Senate was the last legislative check for political minorities and small states against the kind of raw exercise of power large states and majority parties have always been tempted to wield.

The threat I'm referring to is the effort by some Democrats, most of whom have never served a day in the minority, to force a change in the Senate rules.

How soon we forget.

In fact, Chairman GRASSLEY exactly predicted what is about to happen. In November 2013, he said:

Not too many years ago, my colleagues on the other side described their fight to preserve the filibuster with great pride. Today the other side is willing to forever change the Senate because the Republicans have the audacity to hold them, the majority party of today, to their own standard.

The silver lining is that there will come a day when roles are reversed. When that happens, our side will likely nominate and confirm lower court and Supreme Court nominees with 51 votes regardless of whether the Democrats actually buy into this fanciful notion that they can demolish the filibuster on lower court nominees and still preserve it for the Supreme Court.

Senator ALEXANDER, on November 21, 2013, when threatened with the nuclear option by the Democrats, said:

This action today creates a perpetual opportunity for the tyranny of the majority because it permits a majority in this body to do whatever it wants to do any time it wants to do it.

Senator ALEXANDER went on to say:

In my view, this is the most important and most dangerous restructuring of Senate rules since Thomas Jefferson wrote them at the beginning of our country.

On November 21, 2013, Senator SHELBY said:

Democrats won't be in power in perpetuity. This is a mistake—a big one for the long run. Maybe not for the short run. Short-term gains, but I think it changes the Senate tremendously in a bad way.

The same day, on the same issue, Senator THUNE said:

I think Democrats are playing with fire. This is very dangerous in terms of what it means for the Senate. What goes around comes around. And someday, they're going to be in the minority.

Senator BURR said on that same day:

The American people know what they get when the minority party is stripped of its filibuster rights: they get unchecked power by the executive branch.

He went on to say:

If sweeping legislation and lifetime appointments cannot muster 60 votes in the United States Senate, then it probably is not a good idea to force either on the American people.

My own colleagues on this side of the aisle need to remember our own words and heed our own warnings. We will not control this body forever. We will not hold the White House in perpetuity. What we are poised to do at the end of this week will have tremendous consequences, and I fear that

someday, we will regret what we are about to do. In fact, I am confident we will.

Having said that, it is hard for me to keep a straight face when I hear the current righteous indignation coming from the other side. After reading the comments some of my Democrat friends made in 2013, it is difficult to have much sympathy for where they find themselves today.

Senator MERKLEY, who was perhaps the biggest proponent of changing the rules at that time, said this:

Without the nuclear option, Republicans are going to disable the executive branch.

Ending the abusive filibuster on nominations is a big step toward restoring the functionality of the Senate, and that matters for all of us.

This is a terrific vote for the U.S. Senate.

Senator UDALL said:

I'm just so encouraged now that we're going to be able to—without filibusters—put people on the courts in an orderly way.

Senator WARREN said on November 13, 2013:

We need to call out these filibusters for what they are: Naked attempts to nullify the results of the last election.

If Republicans continue to filibuster these highly qualified nominees for no reason other than to nullify the President's constitutional authority, then Senators not only have the right to change the filibuster, Senators have a duty to change the filibuster rules. We cannot turn our backs on the Constitution. We cannot abdicate our oath of office.

Senator SANDERS on May 14, 2013, said:

If we bring this nomination to the floor and there is a request for 60 votes, which we're not going to get, I think it is time for the Democratic leadership to do what the American people want, and that is to have a majority rule in the United States Senate.

I did not make up those last quotes. Those are actual quotes. This isn't fake news.

Elections have consequences, my friends. Elections have consequences.

I hope my colleagues on both sides of the aisle keep this in mind: Now that we are entering into an era where a simple majority decides all judicial nominations, we will see more and more nominees from the extremes of both the left and the right. I do not see how that will ensure a fair and impartial judiciary. In fact, I think the opposite will be true, and Americans will no longer be confident of equal protection under the law.

When then-Majority Leader Reid changed the Senate rules in 2013, there was no one more critical of his actions than the Senator who stands before you now. I fought hard to convince my colleagues of the damage those changes would do to this body. I did so because I love the Senate. I revere this institution and the place it holds in our system of government. It is imperative that we have a functioning Senate where the rights of the minority are

protected, regardless of which party is in power at the time.

While what happened in 2013 was infuriating to our side, it was also heartbreaking. It was heartbreaking because it seemed to me that the uniqueness of the Senate had been irreparably damaged and, along with it, any hope of restoring meaningful bipartisanship.

The unprecedented nature of the Democrats' filibuster of a Supreme Court nominee has left me in the difficult position of having to decide whether to support finishing what Harry Reid and the Democrats started in 2013 and eliminate the 60-vote threshold on Supreme Court nominations. I find myself torn between protecting the traditions and practices of the Senate and the importance of having a full complement of Justices on the U.S. Supreme Court.

I am left with no choice. I will vote to change the rules and allow Judge Gorsuch to be confirmed by a simple majority. I will do so with great reluctance, not because I have any doubts that Judge Gorsuch will be an excellent Justice but because of the further—and perhaps irreparable—damage that it will do to the Senate.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHATZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRAYER

Pursuant to rule IV, paragraph 2, the hour of 12 noon having arrived, the Senate having been in continuous session since yesterday, the Senate will suspend for a prayer from the Senate Chaplain.

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of the Heavens, who guides through the boundless skies the certain flight of water fowl, we need Your guidance in our legislative branch today.

Give our lawmakers the wisdom to do what is right. May they not put party before country or partisanship before patriotism. Lord, be for them a shield so that they will have confidence in Your wisdom, even during this challenging season. Give them a reverential awe that seeks to please You in all they think, say, and do.

Lord, surround the families and victims of the Syrian chemical attacks with Your unfailing love.

We pray in Your merciful Name. Amen.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Maryland.

Mr. CARDIN. Madam President, I take this time to explain to the people

of Maryland and our Nation my views on Judge Neil Gorsuch to be an Associate Justice of the Supreme Court of the United States.

There is no more important responsibility that a Member of the Senate has than the advice and consent of an Associate Justice of the Supreme Court of the United States. Of the many important responsibilities we have, this is one of the most important responsibilities.

I have taken this on to try to understand as much as I can about Judge Gorsuch, to understand the dynamics of what his membership on the Supreme Court would mean, because I recognize it is not just an appointment for this term of Congress. This is a lifetime appointment, and it is very possible that he, if confirmed, will serve on the Supreme Court for a generation. So his impact on the workings of the Supreme Court is something that is extremely important to each Member of the Senate.

I think many of us are looking for an Associate Justice who can bring about more consensus on the Supreme Court, who can try to deal with some of the great divisions in our Nation in a way that represents the values of our Constitution, that will allow our Nation to move forward in a united way.

We also recognize that the Senate must give an independent evaluation of a Supreme Court Justice. This is not because the President of your party nominated someone to the Supreme Court, whether you support or oppose; it is the independent review process that each Senator undertakes to determine whether the nominee should get our support.

So what I look at is someone who would be a mainstream jurist, who is sensitive to the civil rights of all Americans, who would understand the importance of our Constitution, which has been a Constitution that has expanded rights and not one that we would look at ways to move in the wrong direction on extending constitutional protections—that is, move backward rather than forward.

First, let me start by stating that I am troubled by the process President Trump followed in nominating Neil Gorsuch to the Supreme Court. During his campaign, he talked about a litmus test for Supreme Court Justices, that they must be pro-life in the mold of Justice Scalia. The list that was submitted to him in which Judge Gorsuch was a part was proposed by the Heritage Foundation and the Federalist Society. That is not a good way to start a process of bringing in a consensus nominee to the Supreme Court of the United States.

To my knowledge, there was no consultation with any Democrats prior to the nomination being made. The reason why consultation with all Members of the Senate is important is that if you

engage in real understanding as to what the Senate—and we represent the entire country—is looking for in a Supreme Court Justice, you have a much better chance of ending up with a nominee who is going to enjoy broader support, bipartisan support, real bipartisan support in the U.S. Senate, and then the 60-vote threshold does not become a hurdle.

There is a reason we have the rules we do in the Senate, and the 60-vote concept on a controversial nominee is so that we don't end up with an extreme candidate who would end up being on the Supreme Court of the United States, that there must be that process that would generate 60 votes.

So despite my concern about the process that was initiated by President Trump in the nomination, I have tried to look at all of the opportunities to understand Judge Gorsuch's record and his likely actions as a member of the Supreme Court. I took the time to meet with Judge Gorsuch, and I found that interview, that process, to be extremely helpful in understanding his judicial philosophy. I monitored the hearings that took place in the Senate Judiciary Committee, and I found that testimony to be helpful. I reviewed the testimony of experts who had submitted both verbal and written comments in regard to Judge Gorsuch. I have reviewed his extensive legal record. We do have an extensive legal record that I am going to comment about that went into my own process in determining whether I can support him.

I came to the conclusion that I could not support Judge Gorsuch to be an Associate Justice on the Supreme Court of the United States because he is not a mainstream candidate. I am concerned that he would put corporate interests before individual rights. The strength of our Constitution is in the individual. Individual rights should be paramount to special interests or corporate interests.

I saw in his legal opinions a hostility toward environmental interests, women's health, marginalized students with disabilities, and other vulnerable types of individuals, that had me greatly concerned.

I was particularly concerned about whether he could separate his political views from his legal views. This is an extremely important point. We want our Justices on the Supreme Court not to be influenced by the politics around us.

In the legislative branch, it is perfectly legitimate to take into consideration political views. The President of the United States is nominated by a political party; that is understood. But the Supreme Court—the Justices on the Supreme Court need to leave their political views outside of their responsibilities. I was deeply troubled, after reading the opinions of Judge Gorsuch

and his writings, that he would not be able to separate his political views from his legal views.

I was concerned about whether he would truly be an independent check on the Presidency. We know that President Trump is testing the constitutional reach of his office. We have seen that in some of the Executive orders he has issued. And I have little confidence by his responses at the hearings that Judge Gorsuch would be an independent voice toward the President of the United States.

Let me cite some examples to fill in the blanks on what I am saying. Judge Gorsuch challenges the Chevron deference doctrine. In the *Gutierrez* case, he indicates that judges rather than agencies should be basically administering our laws. The longstanding deference to agencies to interpret our law has allowed agencies to carry out their mission. Without that authority, it is extremely challenging to see how an agency can carry out the missions of laws we have passed. Judge Gorsuch raises questions as to whether that document is still relevant.

Let me make it clear. Who benefits from the Chevron doctrine? The Chevron doctrine has allowed agencies to protect workers' rights, protect our environment, protect consumers, food safety, and the list goes on and on. Each of our States has examples to show how important the Chevron doctrine has been. In my State of Maryland, the Chesapeake Bay is critically important to Maryland's economy, critically important to the character of our State we have in Maryland and our future. The protection of the public health of the Chesapeake Bay has very much been advanced by the Chevron deference doctrine.

Judge Gorsuch wrote: "Chevron appears to qualify as a violation of the separation of powers." Then he argued that its "primary rationale is no more than a fiction." Looking at what he has said about a fundamental document that is there to protect our environment, protect workers, protect public health, versus what Justice Scalia once explained—and I quote from Justice Scalia: "In the long run, Chevron will endure and be given its full scope, because it more accurately reflects the reality of government and thus more adequately serves its needs." In the *Gutierrez* case, Judge Gorsuch was showing a more activist conservative agenda than Justice Scalia.

Let me move on to *Citizens United*. We have talked about *Citizens United* probably more than any Supreme Court case on the Senate floor. We know it is a 5-to-4 Supreme Court decision. We know it opened up the floodgates for dark money, allowing corporations to have constitutional rights which we thought were only for individuals.

In the *Riddle* case, Judge Gorsuch announced a strict scrutiny standard to

political contribution limits that quite frankly would make the Citizens United case even worse and would gut campaign finance law limits. I think each of us should be concerned about that decision.

Let me move on to the Trans-American Trucking case. Here, Judge Gorsuch was in dissent. He was in the minority. What he basically said was that a truckdriver had to sacrifice his life in order to protect his job; otherwise, he could be fired. What I mean by that, as I think many of our colleagues know, but let me say to those who might not be totally familiar, the truckdriver found himself abandoned because the brakes of his trailer were frozen in subzero temperatures. He contacted his dispatcher for help and after several hours recognized that his life was in danger because of hypothermia. He did not have adequate heat in his cab.

He had one of three choices. He could try to maneuver the cab and the trailer with frozen brakes, maybe costing himself his life or the lives of other people on the road; he could remain as he was instructed by the dispatcher and perhaps freeze to death; or he could do what I think any reasonable person would do: He disconnected the cab, took care of making sure he was safe, warmed himself up, and returned to the trailer in order to complete the mission. For that, he was fired, and Judge Gorsuch said that was acceptable. That is an extreme opinion and one that gives us great pause as to how Judge Gorsuch will act on the Supreme Court of the United States.

Let me talk about *NLRB v. Community Health Services*, wherein Judge Gorsuch was again in the dissent. It had to do with backpay for workers. In this opinion, he showed real hostility to workers and unions—something that had me greatly concerned.

Another case that received a great deal of publicity in this body was *Hobby Lobby*. I raise it here for one principal reason. What the Court was saying and Judge Gorsuch was agreeing with was that the religious protection that is provided under the Constitution—that it is more important for a company to be able to exercise that religious freedom than the employees. Once again, one of my principal concerns is whether Judge Gorsuch will protect the rights of individuals or whether he will side on behalf of business. Clearly, in the *Hobby Lobby* case, he decided on business, to the detriment of women's rights, the LGBT community, and others.

In the *Planned Parenthood Association of Utah* case, he showed a direct hostility to *Planned Parenthood*. Quite frankly, this case is very difficult to understand because Judge Gorsuch would have allowed the Governor to cut off funds even though the case had been settled and the parties had not asked to have the case retried.

We talk about activism and that we do not want to see activist judges. To me, that demonstrates that Judge Gorsuch, indeed, will be an activist judge in his trying to move a particular political agenda.

In *Andrew F. v. Douglas County School District*, which is a case that came in during the confirmation hearing process, we had a severely autistic child, and Judge Gorsuch was responsible for the absurd reading of the de minimis benefit of defending against private placement. The Supreme Court rightly rejected that logic on an 8-to-0 decision.

Justice Roberts wrote the opinion about the IDEA law in that there are protections for disabled students in our school system. Judge Gorsuch would turn back the progress that we have made on civil rights and on constitutional protection.

As I mentioned earlier, I am very concerned about whether Judge Gorsuch can keep his political views separate from what he says—how he acts as a potential Justice on the Supreme Court of the United States. I go to a 2005 *National Review* article in which he wrote:

American liberals have become addicted to the courtroom, relying on judges and lawyers rather than elected leaders and the ballot box as the primary means of effecting their social agenda. . . . This overweening addiction to the courtroom as the place to debate social policy is bad for the country and bad for the judiciary.

I mention that particular case and quote Judge Gorsuch because we do not want a judge to side with either being a liberal or a conservative. We do not want a judge to say: I have a responsibility to promote an agenda as a judge. We do not want a judge to be able to take a political view and take that onto the bench. Whether it is a person whom we agree with politically or disagree with politically, we want to have an independent judiciary. This *National Review* article causes me grave concern as to whether Judge Gorsuch can, in fact, be that neutral person on the Court.

Judge Gorsuch appears to be an activist judge and will become an activist judge and will turn back progress to protect individual constitutional rights. That is something that gives me grave concern. It is the reason I cannot support this nominee to be an Associate Justice of the U.S. Supreme Court.

Let me turn to process for one moment, because it looks as though, sometime tomorrow, we are going to be called upon to vote on a cloture motion. I want to comment on that if I might.

As I said earlier, to me, Judge Gorsuch is not mainstream. He will put corporate interests above individual interests. He shows a hostility toward the environment and women, health, women's health, et cetera. He has po-

litical views that, I think, he would not be able to differentiate, and he would not be an independent check and balance in our political system.

For all of those reasons, it seems appropriate to me that this is why we have a 60-vote threshold—to make sure that we do not take extreme nominees and allow them to be confirmed by a partisan vote. We want to have a broader consensus, and Judge Gorsuch did not earn that broader consensus.

There are additional considerations here, and this goes back a few years with the Republican leadership. What they did to President Obama's judicial nominations must be underscored because this is not in a vacuum. We did not get to this place in a vacuum from what has happened already but in our going back to President Obama when his district court nominees were delayed—in some cases, totally blocked—and required a record number of cloture motions to have been filed and acted upon—a record number. We had, as I understand, more clotures and more filibusters of President Obama's nominees by Republicans than we did in the entire history of the U.S. Senate.

There has been a direct effort by the Republican leadership to filibuster judicial nominees. That is wrong. It should not have been done. Yes, there are reasons for some but not for the record numbers that were done. You should be able to allow for the comity.

Quite frankly, in 2013, the Republican leader told President Obama: No more D.C. Circuit Court judges. Let me repeat that. In 2013—this was the first year of the President's term—the Republican leader said: No more D.C. Circuit Court judges. We had 3 vacancies in the D.C. Circuit Court; 8 of the 11 had been filled, and 3 were vacant, and it had nothing to do with the nominees. They just said that they were not going to consider any of them, and they used a filibuster to block any filling of these positions.

First, I quote from Chief Judge Henry Edwards when he talked about the D.C. Circuit:

The review of a large, multi-party, difficult administrative appeal is the stable judicial work of the D.C. Circuit. This long distinguishes the work of the D.C. Circuit from the work of other circuits. It also explains why it is impossible to compare the work of the D.C. Circuit with other circuits by simply referring to the raw data of case filings.

Chief Justice Roberts noted that about two-thirds of the cases before the D.C. Circuit involve the Federal Government in some civil capacity. That figure is less than 25 percent nationwide. He also described the D.C. Circuit's unique character as a court with the special responsibility to review legal challenges of the conduct of the national government.

My point is clear. This is the second most important court in our land, and in the first year of President Obama's

term, the Republicans announced that they would filibuster any attempt to put any judge on this circuit. Then we had the ultimate filibuster by the Republicans, and that was Merrick Garland.

In February 2016, after Justice Scalia's death, a nominee was submitted to us by President Obama who was acknowledged to be mainstream, acknowledged to be well qualified, acknowledged to be a consensus nominee, and he got the ultimate filibuster. Most of the Republicans in the Senate would not meet with him. He did not have a committee hearing or a committee vote, and he did not have a floor vote. That was the ultimate filibuster. It was wrong, particularly when we know that he would have received 60 votes.

So you cannot compare Judge Gorsuch with Judge Garland because, unlike Judge Garland, Judge Gorsuch does not share the same evaluation of being able to be a consensus, mainstream candidate who would receive a 60-vote threshold.

For all of these reasons, if the majority leader is going to pursue the cloture vote on the Gorsuch nomination, I will not vote in favor of cloture. I would hope that we would be able to return to the comity that is important in the U.S. Senate, but we recognize there are times in which you should have a 60-vote threshold. When the President of the United States goes outside of the norms and the process has already been employed by the Republicans, I urge my colleagues to rethink the course that we are on.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Madam President, when our country was founded, corporations were on the minds of no one. They are not mentioned in the Constitution or the Bill of Rights, and when the topic finally came up to the Supreme Court, Chief Justice John Marshall called corporations a "mere creature of the law."

People have certain unalienable rights. Corporations do not. We established corporate personhood so that companies could raise capital and enter into contracts, but nobody ever thought that this term that was used—"personhood"—actually meant that corporations were people. They are not. It is not complicated. Corporations do not eat. They do not sleep. They do not worry about their children or their elderly parents. They do not get sick. They do not retire, and they do not have complex motivations. In fact, under the law, they have only one motivation, which is to maximize profits.

Any logical person knows that corporations are not people, but in Judge Gorsuch's America, they are.

There is no doubt that he is a very smart person, but he, actually, had a

hand in creating this theory that corporations have the same rights as human beings—that they are, in fact, people. We are supposed to pretend that this premise is not insane, but it is crazy, and it is hurting our democracy. For the past several decades, we have increasingly limited people's rights in favor of corporate rights.

Now Republicans want us to confirm a judge who says that corporations have religious rights. Judge Gorsuch was a part of the Hobby Lobby decision that went before the Supreme Court, in which the Tenth Circuit decided that corporate personhood extends to First Amendment religious rights, and because the corporation itself—not just the people who own it—has been granted those rights by judges like Neil Gorsuch, the rights of corporations now usurp the health and the rights of American citizens. That is the problem with Judge Gorsuch's worldview.

It is not just that he is a conservative; it is that he actually thinks that corporate entities have the very same rights as American citizens—rights, by the way, that do not come with the same responsibilities that we all have as American citizens. Yet this judge wants to confer more rights onto corporations when we are already past the tipping point as a society when corporations have more power than people.

We are in the absurd position of asking: How far are these corporate rights going to extend? They have been given First Amendment rights. They have been given Fourth Amendment rights. Do they get the right to vote next? Do they get the right to keep and bear arms? How many more constitutional rights are we going to give to corporations before we say that enough is enough? We are already well beyond the point at which corporate interests beat out the individual, whether it is at the polls or in the workplace.

There are a lot of other things about Judge Gorsuch's worldview that I object to, but, at my core, I think I might be able to get around some of those things in knowing that the Constitution requires the Senate to advise and consent, not agree with. Yet his worldview regarding corporations as people embodies everything that is going wrong with our country and with the Court. By the way, it is probably fair to say that almost every nominee whom we have seen this year embodies this worldview.

Time and again, Democrats in the Senate have raised the alarm about this administration's nominees, and we have been overruled. What is the result? You have Cabinet Secretaries destroying American diplomacy. You have Secretaries trying to ban Muslims from entering the United States. You have an EPA Administrator, Scott Pruitt, leaving a dangerous product on the market that has been proven by his

own scientists to hurt children. Why? Because they prioritize corporate rights over people's rights.

The problem is this: Cabinet Secretaries come and go; Supreme Court Justices do not. Let me put it this way: This administration's Cabinet is like a date. It is a really bad date, but at least it comes to an end. A Supreme Court Justice on the other hand is not a bad date; it is a marriage. It is a lifetime appointment that will have an impact on generations of Americans.

The fact that he is out of the mainstream is absolutely essential for us to consider. The fact that he thinks corporations are people is, in my mind, disqualifying—so disqualifying that I will vote no on cloture, and I will vote no on final confirmation if it comes to that, which brings me to the question of cloture.

When the Senate votes on cloture, the question before the Senate is, Is it the sense of the Senate that debate should be brought to a close?

For the Supreme Court nominee, we have rules, and those rules say that you need 60 Senators to end debate—not 59, not 51, not 57. There are 59 Senators who do not get to decide when to end debate; 60 do. If you cannot get 60 votes to end debate, you do not have cloture.

After 2013, there is only one position—one appointed position that retains that 60-vote threshold, and that is the U.S. Supreme Court. That is for a very straightforward reason. It is that we have decided as a body that the Supreme Court needs to have bipartisan support; that if a person cannot get 60 votes, you change the nominee, you do not change the rules.

We have decided that this position—this institution, the Court itself, the highest Court in the land—should be beyond our partisan disputes and differences. That is the foundation of the U.S. Senate. It is the way this place works. Without this rule, the reality will be grim. Without this rule, if you are a Member of the minority party, the President's nominees don't have to listen to you, meet with you, think about you. Without this rule, advice and consent is rendered meaningless for whichever party is out of power.

I have been here now 5 years, about 4½ years. Even in my short time here, the door swings both ways in Washington. Remember that today, this week, for the Republicans it might feel satisfying to use power maximally, to use the greatest authority possible under the U.S. Constitution, but without this rule, the Senate itself will be undermined by its own Members. I have never seen any legislative body endeavor to diminish its own authority, and that is what is going to happen this week.

We can argue about how we got here. Was it in 1987 when the Senate rejected

Robert Bork? Was it in 2013 when Leader Reid responded to historic obstructionism by eliminating most filibusters on nominees? Was it last year when Merrick Garland was not even given a hearing? We all have our talking points. At the end of the day, both sides own some of this mess. I am a Democrat. I think it is 80/20. Republicans will think it is 80/20 on the other side. The general public may think it is 60/40 or 50/50. I am not sure that matters anymore. The question of who is at fault is not the most important question. The question is, What do we do next? Will the Senate undermine its own authority and strengthen the power of partisanship?

I would say this to my Republican colleagues: Think about what you are going to do next. Think about what this is going to mean the next time you are in the minority party, because it will not be Senators DUCKWORTH and CORTEZ MASTO who can't even get a meeting with a Supreme Court nominee, it will be you.

This is about the future of the Senate and the Supreme Court. The nuclear option will mean nominees for the Supreme Court will not have to meet with or consider minority opinions. It will mean that the Senate's habit of being slow—sometimes maddeningly so, but we know it is in the best interests of the country—will go away for this appointment. That tradition allows the center to hold, and it will be undermined.

To my Republican colleagues, I am not asking you not to do this. I am asking you to take your time. In the world's greatest deliberative body, there is no reason to rush this decision. I am asking you to wait. I am asking you to take a few weeks before you decide to change the Senate forever. Take your time. This is probably one of the most consequential decisions you are going to make in the U.S. Senate because it is about the Senate itself. This is worth talking about. This is worth deliberating over. It is worth thinking over. Go home. Talk to your constituents. If you want to do this, you can do this anytime you want. You can do this the Monday we get back from our spring work period. For goodness' sake, there is no reason not to think about it for a little bit longer.

All we need are three Members of the Republican Party to go to their leader, publicly or privately, and say: We are not with you on nuclear yet; give us some time to try to save this important aspect of the Senate. Otherwise, you will make both the Supreme Court and the world's greatest deliberative body more extreme and more divided, and I believe you will regret it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Madam President, I rise to speak in opposition to the nomi-

nation of Judge Neil Gorsuch to serve as an Associate Justice of the U.S. Supreme Court.

Let me begin by making clear my view that the vacancy on the Supreme Court created by the death of Justice Antonin Scalia was President Obama's to fill. In an act of unprecedented obstructionism that makes a filibuster pale in comparison, Senate Republicans broke with longstanding Senate tradition and refused to hold a vote or even a hearing on President Obama's nominee, Judge Merrick Garland.

As we now consider President Trump's nominee, Judge Neil Gorsuch, we cannot ignore or forget this hyperpartisan action. We also cannot ignore how President Trump came to nominate Judge Gorsuch. President Trump went to two of the most partisan, conservative organizations he could find—the Koch brothers-supported Heritage Foundation and the rightwing Federalist Society—and said to them: Who do you want on the Supreme Court? They compiled their dream team of 21 ultraconservative candidates. President Trump looked at the names on that list and asked himself which judge could pass the rightwing litmus tests he had articulated during the campaign. His choice was Judge Neil Gorsuch.

On the campaign trail, Candidate Donald Trump made clear that he was pro-life and would appoint pro-life judges to the Supreme Court. In one interview, he was asked about his pro-life position as follows:

So, how important is that issue to you now? When President Trump picks Supreme Court justices, would there be a litmus test?

Trump responded:

It is. It is.

During the second Presidential debate, Candidate Trump doubled down on this issue. He was asked specifically about *Roe v. Wade*, the longstanding Supreme Court precedent establishing a woman's right to choose. The question to Candidate Trump was "Do you want the court, including the justices that you will name, to overturn *Roe v. Wade*?"

Trump responded that he would "be appointing pro-life judges," adding, "Well, if we put another two or perhaps three justices on . . . that will happen," meaning *Roe v. Wade* will be overturned.

We know from Donald Trump's own words that he had a litmus test for Supreme Court nominees on a woman's right to choose. That litmus test is that he will appoint only pro-life Justices who are committed to overturning *Roe v. Wade*.

What about a litmus test on guns? During the Presidential campaign, Candidate Trump repeatedly emphasized his pro-gun views, which are in lockstep with the National Rifle Association. He was asked about a litmus test for the Second Amendment—spe-

cifically, the precedent established in the 2008 Supreme Court case of *District of Columbia v. Heller*. In *Heller*, the Justices ruled 5 to 4 that a common-sense Washington, DC, law banning handguns and requiring other firearms to be stored unloaded or locked violated the Second Amendment.

Candidate Trump was asked: "Will you make upholding the *Heller* decision a litmus test in Supreme Court nominees?"

Trump answered: "Yes, I would."

The followup question: "So you won't nominate somebody to the Supreme Court unless they agree with Scalia on the *Heller* decision?"

Trump responded: "Correct."

We know from Donald Trump's own words that he had a litmus test for Supreme Court nominees on guns—his judges must support the National Rifle Association's agenda and its unreasonable and dangerously broad view of the Second Amendment.

From that list of 21 names provided to him by the Heritage Foundation and the Federalist Society, President Trump chose Judge Neil Gorsuch, apparently convinced that he was the man who would pass these litmus tests.

The Senate Judiciary Committee's hearings on Judge Gorsuch were an opportunity for him to dispel doubts about his independence that President Trump's selection process had raised. Unfortunately, Judge Gorsuch did nothing to address these concerns. In fact, his appearance before the Judiciary Committee raised more questions than it answered because Judge Gorsuch was positively sphinx-like before the Senators questioning him.

For example, when repeatedly asked about something as elementary as his judicial philosophy, Judge Gorsuch refused to answer. He declined to say whether he agreed with the *Roe v. Wade* decision, the *District of Columbia v. Heller* decision, or other controversial decisions, such as *Citizens United*, which opened the floodgates to unrestricted, secret money in electoral campaigns, or even the decision in *Bush v. Gore*, which decided the 2000 Presidential election.

Judge Gorsuch also refused to respond whether he agreed with other Supreme Court precedents on the right to privacy, the right to counsel in criminal proceedings, voting rights, or same-sex marriage. Contrast that to Justice Sonia Sotomayor, who during her confirmation hearing explained that she fully understood the individual right to bear arms that the Supreme Court recognized in the *Heller* decision. Contrast that with Justice Anthony Kennedy, who during his hearing praised the Supreme Court's landmark 1963 decision in *Gideon v. Wainwright*, which established the right to counsel in criminal cases. Even contrast Judge Gorsuch with Chief Justice John Roberts, who at his

hearing affirmed that privacy is part of the liberty interest protected by the due process clause. Instead, at his hearing, Judge Gorsuch repeatedly parroted that critical Supreme Court decisions were precedents of the Court “that he would follow unless and until they are overturned.” He shed no light on what he felt about those precedents or whether he would be inclined or disinclined to vote to overturn them.

Only after considerable prodding did Judge Gorsuch eventually agree that the decision in *Brown v. Board of Education*, which did away with the doctrine of separate but equal and desegregated schools across our Nation, was correct. Having to pry out of Judge Gorsuch that concession does not inspire confidence in him.

His performance at the hearings left us with many troubling things that we don’t know about Judge Gorsuch, but equally troubling about Judge Gorsuch are the things we do know about him.

We do know that Judge Gorsuch authored the Hobby Lobby decision in which he ruled that corporations are people whose religious beliefs are more important than the reproductive rights and health of women.

We do know that Judge Gorsuch has questioned the judicial doctrine of what is known as Chevron deference. That is the rule from the Supreme Court case of *Chevron v. The Natural Resources Defense Council* under which judges must generally defer to expert administrative agency interpretations of laws they are charged with administering. In a speech last year, Judge Gorsuch attacked the modern administrative state that has developed under Chevron, saying that it “poses a grave threat to our values of personal liberty.”

What Judge Gorsuch is saying is not some abstract legal theorizing; he is attacking the fundamental rules that protect the health, safety, and welfare of all Americans that are put in place by agencies like the Environmental Protection Agency, the Food and Drug Administration, and the Securities and Exchange Commission. In the decades since Chevron was decided, it has been instrumental in courts upholding these agency rules that ensure that our air and drinking water are clean; rules that ensure that drugs and medicines are safe and effective; rules that ensure that our automobiles, workplaces, food, medicine, and children’s toys are not dangerous; and rules that ensure our financial markets are fair and offer investors a level playing field.

Even Justice Scalia supported Chevron deference. But Judge Gorsuch has signaled that he would overturn it and instead allow pro-corporate judges to substitute their policy views for those of the agency experts. If threatening the destruction of the regulations that protect the health, safety, and welfare of Americans sounds familiar, it

should. It is straight out of the alt-right, Steve Bannon playbook. And it is a fringe position that is not worthy of representation on our Nation’s highest Court.

We also know that the Supreme Court just rejected Judge Gorsuch’s harsh reasoning in a disabilities rights case. A few years ago, Judge Gorsuch wrote an opinion for the Tenth Circuit Court of Appeals in a case under the Individuals with Disabilities Education Act. That opinion held that schools across the country must provide educational benefits to students with disabilities that must be “merely more than de minimis.” But just last week, in an IDEA case, all eight Supreme Court Justices disagreed with Judge Gorsuch. Chief Justice Roberts wrote that the IDEA—the Individuals with Disabilities Education Act—is “markedly more demanding than the ‘merely more than de minimis’ test applied by the Tenth Circuit,” and added that Judge Gorsuch’s approach would effectively strip many disabled students of their right to an education.

We also know that Judge Gorsuch has consistently ruled against employees in cases involving claims of unsafe workplaces and sex discrimination, and he has repeatedly sided with insurance companies that sought to deny disability benefits to employees.

Here is something else we know. If the first 75 days of the Trump administration are a preview of coming attractions, one thing could not be more clear: The U.S. Supreme Court’s rule defending the Constitution will be tested as never before; conflicts of interest, emoluments, Muslim bans, rescinding LGBTQ protections. The list of constitutional rights the Trump administration is violating gets longer every single day.

Now more than ever, we need a Supreme Court Justice who is independent and not beholden to ideology. Now more than ever, we need a Justice who will stand up for the rights of all Americans against big corporate interests. A Justice who would be to the right of Antonin Scalia on the issue of Chevron deference is not a mainstream Justice. A Justice who would be to the right of Samuel Alito and Clarence Thomas by a substantial margin—as professors from Michigan State University and the University of Wisconsin concluded after examining Judge Gorsuch’s opinions on the Tenth Circuit, and the Supreme Court’s decisions reviewing them—is not someone within the mainstream of American jurisprudence.

Everything we have seen so far—from Donald Trump’s judicial litmus tests, to the visible hand of rightwing interest groups in the selection process, to Judge Gorsuch’s reticence before the Judiciary Committee, to his pro-corporate bias in cases he has decided—leads me to the conclusion that he will

be neither a Justice for all Americans, nor one on whom we can count to stand up to President Trump.

We cannot let Judge Neil Gorsuch become the crucial ninth vote on the Supreme Court. One Justice matters. The list of recent 5-to-4 decisions coming out of the Supreme Court shows that one judge’s vote can forever alter history. Just remember that *Bush v. Gore*, *Citizens United*, *District of Columbia v. Heller*, and the Affordable Care Act, were all decided by 5-to-4 votes.

I will, therefore, oppose Judge Gorsuch’s nomination to the Supreme Court and support the filibuster, and I urge my colleagues to do so, as well. If Judge Gorsuch cannot muster 60 votes, the problem is not with the process, it is with the nominee. If Judge Gorsuch cannot get to the 60 votes historically required for confirmation to the Nation’s highest Court, I urge President Trump to withdraw his nomination and consult with a wide range of Senators—legal scholars and others who past Presidents have sought out before making a Supreme Court nomination—and put before us someone in the mold of Merrick Garland, who can enjoy bipartisan support and be within the broad mainstream of American jurisprudential history.

Otherwise, the consequences of forcing Judge Gorsuch’s nomination through will fall squarely on the shoulders of President Trump and his Republican allies in the Senate, if they decide to exercise the nuclear option, forever changing the history of the United States Senate.

I urge a “no” vote on Judge Gorsuch. I yield back to the Chair.

THE PRESIDING OFFICER. The Senator from Virginia.

Mr. Kaine. Madam President, I also rise to discuss the Supreme Court nomination of Judge Neil Gorsuch of the Tenth Circuit. I take this very seriously.

I started my legal career as an appellate law clerk in the Eleventh Circuit Court of Appeals in the South, working for a spectacular jurist, Judge R. Lanier Anderson III. He taught me about what it was to be an appellate judge: humility, not making a case a personal cause, and careful application of the law.

I then went on to practice law in the State and Federal courts, the trial and appeal courts, including the U.S. Supreme Court as a civil rights lawyer for 17 years. When I was the Governor of Virginia, I twice had to appoint members of the Virginia Supreme Court and grappled with qualifications to serve on an appellate bench.

Maybe most especially, my wife was a judge. So with a judge in the house—she was a judge for 8 years—I spent a lot of time also thinking about the characteristics of a good judge. Judge Gorsuch has some strong characteristics, educational background, and professional experience. These are characteristics that are worthy of respect.

But I have decided that there is an additional characteristic that is very important—judicial philosophy.

And as I have looked at Judge Gorsuch's judicial philosophy, I have concluded that I cannot support him. I have read scores of his opinions. I met with him in my office. I am so proud of my colleagues—Democrat and Republican—because in 2 months, Judge Gorsuch has enjoyed something that Merrick Garland didn't get in 10 months. Judge Gorsuch has had meetings with virtually all Senators. He has had a Judiciary Committee hearing, a Judiciary Committee vote. He is getting floor debate, and he will get a floor vote. Those are the five things he is entitled to, and he is getting all of them.

Judge Merrick Garland was nominated. Republicans wouldn't meet with him. They wouldn't hold a hearing. They wouldn't do a committee vote. They wouldn't do a floor debate, and he wouldn't get a floor vote. He got nothing he was entitled to as a sitting judge on the D.C. Circuit. Also, the Senate didn't exercise the advice and consent function that is part of our constitutional job description.

Let's talk about Judge Gorsuch's record. Many of my colleagues have been speaking for hours. I want to focus on one aspect of his record. Judge Gorsuch was promoted by President Trump as not an activist. And Judge Gorsuch has written with scorn about activist judges, saying that judges who impose their moral or social preferences on others can't square their position with the Constitution. He even scorned activists in courts, saying that liberals are addicted to the courtroom, as if somehow bringing constitutional claims in courts is wrong.

So I think it is fair to look at Judge Gorsuch by his own standard. Is he an activist or not? The best definition of a nonactivist judge was the definition given by Chief Justice Roberts during his confirmation hearing. He said: I am an umpire. I have no platform. I have no agenda. I call balls and strikes without fear of any party, without favor to any party. I am an umpire.

I looked at Judge Gorsuch's record and talked about a set of cases that determine whether that is, in fact, true. And I have concluded that Judge Gorsuch is definitely an activist. He may not be an activist on everything. I don't think you have to be an activist on everything to be an activist, but I do believe he is an activist. It shows through in no area clearer than it shows through in cases dealing with women's ability to make their own decisions about their own healthcare, especially reproductive health.

There is a famous 2013 case that has been much discussed during these discussions and in committee—*Hobby Lobby v. Burwell*. It was a challenge brought up in the Tenth Circuit, where

Judge Gorsuch now sits. The legal question before the circuit court was pretty straightforward. Under a congressional act designed to protect religious liberty—the Religious Freedom Restoration Act—a company claimed that its religious views conflicted with the contraception mandate of the Affordable Care Act. And, if so, could they gain protection for their own position?

It was sort of a controversial case because the notion that a company could assert religious views was sort of a novel theory at the time. But, with Judge Gorsuch as part of the majority, the majority in the Tenth Circuit ruled that, yes, a company could assert a claim based on sincerely held religious beliefs under the RFR statute. And they could assert that their beliefs conflicted with the ACA's contraception mandate.

Then, in 2014, that ruling was upheld by the U.S. Supreme Court—a controversial decision, but the majority agreed with the position that, yes, a company could assert that its sincerely held religious beliefs were, in fact, in conflict with the statute, and they could get relief from the statute for doing that. Judge Gorsuch joined the ruling, which was later affirmed by the Supreme Court.

What interested me about Judge Gorsuch in the case was that he chose to write a concurring opinion. Most folks know what they are. If you are not a lawyer—when a panel writes an opinion, there is a majority opinion that is the ruling in the case. If a judge feels that it is wrong, a judge will write a dissenting opinion saying: No, you are wrong, and here is why. You are dutybound, if you think the majority is wrong, to write a dissent.

A concurring opinion is about as voluntary as it gets. A concurring opinion is: I agree with the outcome, but I have a point I want to make. I can't convince the rest of the majority to go along with me, and I want to make this point.

So Judge Gorsuch wrote a concurring opinion that was incredibly revealing. It was voluntary, and that shows you a little about a person's philosophy. It was incredibly revealing for two reasons. First, Judge Gorsuch had already joined the majority opinion to say that the employer, Hobby Lobby, could challenge the employer mandate of the ACA. He had already joined that, but he stretched beyond to rule that, in addition, the individuals owning the company should be able to sue to challenge the employer mandate, even though they weren't the employer.

The ACA mandate applied only to the employer of the female employees. The employer was Hobby Lobby. But even though the mandate didn't even apply to the Green family who owned the company, Judge Gorsuch said that they should be able to challenge the ACA anyway.

I practiced law for a long time. There is a complete separation—there is supposed to be—between individuals and an incorporated company. You can run a business and not incorporate it, and in that case, there is no separation. But as soon as you incorporate it, you get all kinds of protections, especially that you can protect your own personal assets from liability for corporate actions. The Green family had done that. But Judge Gorsuch said: Even though you voluntarily separated yourself from the company and even though the mandate doesn't apply to you, you should be able to file a lawsuit to challenge the mandate. I found that to be highly unusual—a great stretch. I asked him about it when we talked. He did not give me a satisfactory answer.

Here was the thing about the Hobby Lobby case that was more notable. It was the way Judge Gorsuch described what the case was about. The majority opinion in the Tenth Circuit and the majority opinion in the Supreme Court described the case the same way. They basically said that the owners of this company claimed that the contraception mandate was contrary to their religious views. That is what the case was about. The clash was between the owners' religious beliefs and the statute. That is what the case was about. But Judge Gorsuch described the case completely differently. Here are his words:

All of us face the problem of complicity. All must answer . . . to what degree we are willing to be involved in the wrongdoing of others.

He didn't describe it as a clash between the owners and the statute. He described it as a case about whether you are willing to be complicit in the wrongdoing of others. That wasn't the legal issue at all. In the Gorsuch concurring opinion in Hobby Lobby, what does that phrase mean—"the wrongdoing of others"? Who are the others he is talking about? He is talking about female employees of Hobby Lobby, who wish to make their own choice from among available and lawful methods of contraception. Those are the others he is referring to.

He is also referring to that choice as "wrongdoing." That is a completely editorial comment that is not drawn from what a lawyer said or what a plaintiff said. That is his own characterization of the case, and it is completely irrelevant and, I would argue, insulting. It is a completely irrelevant and insulting reference to something that was not part of the case at all, except Judge Gorsuch decided to inject it into the case.

Somebody who looks at women making their own choice of contraception as the "wrongdoing of others"—that is very telling.

The PRESIDING OFFICER. The time for the Democrats has expired.

The majority whip.

Mr. CORNYN. Madam President, if my friend the Senator from Virginia needs a minute or two to wrap up, I know it caught him midthought. I am happy to yield to him for that purpose.

Mr. Kaine. I would appreciate it. I will take 2 minutes and finish quickly.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. Kaine. I thank my friend, the deputy majority leader, the senior Senator from Texas.

I draw support for my conclusion about that language from two other cases that Judge Gorsuch was involved in in the Tenth Circuit, one case dealing with contraception and one case dealing with an effort to defund Planned Parenthood in Utah.

In both cases, the Tenth Circuit reached a decision that was pro-women's health, pro-women's health access. The parties were fine with the decisions. They were going back to the district court and they did not apply to have the cases reheard en banc. But in both those cases, Judge Gorsuch took the highly unusual step of trying to get the appeals heard anyway, even though the parties did not want to have them reheard. In my experience as an appellate advocate, that is virtually unheard of. I have talked to litigators in the Tenth Circuit, and they have said the same thing. It is highly rare. The fact that Judge Gorsuch would do it in two cases—both of which involved women's health access—is important.

Finally, in his confirmation hearing, Judge Gorsuch was asked directly whether he agreed with the decision in *Griswold v. Connecticut*, the 1965 decision that said married couples could not be criminalized for using contraception.

He said it was a precedent worthy of respect like all precedents, but he would not agree—he would not say he agreed with the case. Chief Justice Roberts, during his confirmation, said he agreed with the case. Justice Thomas said: I have no quarrel with *Griswold*. Justice Alito said he agreed with the case. But Judge Gorsuch would not.

Griswold v. Connecticut has been used repeatedly in the last 50 years to basically create a body of constitutional precedent that says the relationships of people—romantic, inmate relationships—should be free from the intrusion of Big Government. You can't criminalize somebody because of their relationship. I think somebody who is not willing to commit to that principle is somebody who has not earned my vote.

With that, I yield the floor. Again, I thank my friend from Texas.

The PRESIDING OFFICER (Mr. Young). The majority whip.

Mr. CORNYN. Mr. President, Members of the Senate have been coming to the floor talking about the important vote we will be casting tomorrow and then again on Friday which will result

in the confirmation of Judge Neil Gorsuch as the next Associate Justice of the Supreme Court.

Having served on the Senate Judiciary Committee since I first came to the Senate, it has been my honor to participate in the confirmation hearings in the committee on now five Supreme Court Justices, Judge Gorsuch being the latest.

What I have been struck by when it comes to Judge Gorsuch is how much our friends across the aisle—who cast a party-line vote in the Judiciary Committee against the judge on his confirmation—how much they have been struggling to come up with even one intellectually honest argument against the nominee, in spite of his obvious and tremendous qualifications and bipartisan support.

For example, I heard our colleague from Virginia, my friend Senator Kaine, criticize a couple of decisions that the judge made. What he left out is that Judge Gorsuch participated in 2,700 panel decisions on the Tenth Circuit Court of Appeals during his 10-year tenure there. Ninety-seven percent of them were unanimous. As the Presiding Officer knows, that means that each of the judges—three judges on the typical panel or in an en banc—basically that everyone agreed, whether they were nominated by a Republican or Democrat. So this whole idea of cherry-picking the judge's judicial report to try to find some straw, to grasp at some straw with which to disagree with his confirmation is pretty striking to me.

But last night we saw the latest act of desperation to try to justify the unprecedented partisan filibuster of Judge Gorsuch. For example, it was reported that a handful of lines in a 2006 book were borrowed from other sources. Well, the timing of this says it all. This book has been published for 10 years. The only reason for this allegation is a last-minute attempt to try to make something, really anything stick to tarnish the character of someone who will soon serve on the Supreme Court.

This kind of baseless attack is not only disingenuous, it is transparent and it has absolutely no merit. Even the author of the main article allegedly plagiarized has rejected that characterization. So this is the person who wrote the article who Judge Gorsuch was claimed to have plagiarized, in essence. Well, the author of the main article rejected the characterization of plagiarism. She said that under the circumstances, it would have been awkward and difficult for Judge Gorsuch to have used different language.

Other academic experts have also rejected the claim and made clear that the preferred methodology for facts is to cite original sources, which is exactly what Judge Gorsuch did. Talk

about an eleventh-hour baseless attack.

The bottom line is this: Instead of evaluating the judge based on his qualifications, the sterling reputation he has among people across the political spectrum, our friends across the aisle are determined to attempt the first successful partisan filibuster of a Supreme Court nominee. That is disappointing, but it is also destined for failure.

Yesterday, I pointed out how we actually got here. Back during President George W. Bush's first term, Senator Schumer and others laid the groundwork and then executed a strategy for unprecedented obstruction of judicial nominees. That was in response to the election of the last Republican President. This is in response to the election of a new Republican President. I think for him, following the election of the current one, obstruction of a perfectly qualified nominee to the Supreme Court is just the next step. It actually represents the ultimate escalation of this weaponization of the filibuster used in judicial confirmations.

As I have said before, based on the merits of the nominee, the justifications for opposing Judge Gorsuch are paper thin. Our colleagues across the aisle unanimously supported Judge Gorsuch when he was confirmed to the Tenth Circuit Court of Appeals just 10 years ago. He got everybody's vote. It was a voice vote. This was to the Tenth Circuit Court of Appeals, a lifetime tenured position. All of them agreed he should be confirmed. Well, that includes then-Senator Obama, Senator Clinton, and Senator Biden. So I would ask you, what has changed in the last 10 years that now cause them to reach deep into their bag of tricks and to filibuster this nominee for the Supreme Court? Well, it is not his track record as a judge, that is for sure. As I mentioned, of the 2,700 cases he has participated in, 97 percent were unanimous—97 percent.

One recent analysis put him in the middle of the circuit ideologically speaking, and for a decade he has done good, fair work as a judge on the Tenth Circuit—really outstanding work, to be honest. That should tell you something about this judge and this man, but it should also tell you something about the opponents of this nominee, many of whom, like Barack Obama and Hillary Clinton, as I mentioned, supported his nomination just 10 years ago. The only thing that has changed, the only thing that explains the radical shift of Democrats in opposition to this good judge, is that now President Trump is in the White House.

I honestly believe that every excuse they have come up with to engage in this unprecedented filibuster is completely without merit. What they are really upset about is what happened on November 8. I don't believe—if they

won't confirm Judge Gorsuch, they will never vote to confirm any nominee of this President, period.

What we are talking about and all we are asking for is an up-or-down vote. If they want to vote against the nomination, that is their right, but, as everybody knows, to get to that, we first have to get 60 votes to close off debate and then get to the majority up-or-down vote. But they will not even allow us to move to a vote.

I hope our Democratic friends who are obstructing will reconsider. I believe there are four Democrats who are going to join all of the Republicans in voting to confirm this nominee, so he will enjoy bipartisan support, as he should.

This judge is a faithful interpreter of the law. He believes in an independent judiciary and enjoys support across the ideological spectrum. He will be confirmed as the next Supreme Court justice, but it is up to our Democratic friends to determine just how that occurs.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ROUNDS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROUNDS. Mr. President, I rise today to offer my strong support for Judge Neil Gorsuch, President Trump's pick to replace Justice Scalia on the Supreme Court. On Monday, his nomination passed out of the Senate Judiciary Committee, and we expect to confirm him before the end of the week. I am tremendously excited to have him on the bench. Throughout his career, Judge Gorsuch has proven time and again that he is exceptionally qualified to serve on the Supreme Court. He has been praised and endorsed by members on both sides of the political spectrum, the left and the right.

As a judge on the Tenth Circuit Court of Appeals since 2006, after being unanimously confirmed by this body, Judge Gorsuch has proven he is as mainstream as they come. In fact, of the 800-plus opinions that he has written for the Tenth Circuit, less than 2 percent, or 14 opinions, have drawn dissents from his colleagues. In other words, 98 percent of his opinions have been unanimous. That is even more remarkable when you look at the makeup of the Tenth Circuit—12 of the judges were appointed by Democratic Presidents, while only 5 were appointed by Republicans. It does not get much more mainstream than that.

During his confirmation hearings last month, Judge Gorsuch again proved that he is eminently qualified to serve on the bench of our Nation's

highest Court. Let me share some of his quotes from his hearing:

"The Constitution doesn't change. The world around us changes."

"I don't believe in litmus tests for judges."

"If I'm confirmed, I will do all my powers permit, to be a faithful servant to the Constitution and laws of this great nation."

One last quote:

As a judge now for more than a decade, I've watched my colleagues spend long days worrying over cases. Sometimes the answers we reach aren't the ones we personally prefer. Sometimes the answers follow us home at night and keep us up. But the answers we reach are always the ones we believe the law requires. And for all its imperfections, I believe that the rule of law in this nation truly is a wonder. And that it's no wonder that it's the envy of the world.

It is clear that Judge Gorsuch is qualified to serve on the Supreme Court and that he understands the role of a judge: to interpret the law, not to make the law.

To that end, I would also like to highlight Judge Gorsuch's in-depth understanding of the separation of powers doctrine, and I am optimistic that Judge Gorsuch will carefully scrutinize cases and controversies that involve executive overreach.

The past 8 years have seen an unprecedented expansion of the administrative state. This has come at the expense of both the legislative branch, whose purpose is to make laws, and the judicial branch, whose purpose is to interpret the law and decide on a specific law's constitutionality. But more concerning than that, it has also come at the expense of American citizens.

Overreach by executive agencies has led to regulatory expansion that results in the Federal Government involving itself in nearly every facet of our lives on a daily basis. This expansion has been permitted, in part, to U.S. courts relying on the flawed Chevron doctrine to show great deference to agency interpretation of the laws passed by Congress. As a result, agencies have been able to broadly interpret laws in a way that has allowed them to expand their regulatory authority far beyond what Congress ever intended.

Fortunately, U.S. judges are beginning to question the Chevron doctrine and its impact on the separation of powers doctrine relied on by our Founding Fathers and affirmed in the U.S. Constitution. Judge Gorsuch is one of those judges. Regarding Chevron, Judge Gorsuch has written that Chevron seems to be no less than a judge-made doctrine for the abdication of the judicial duty that prevents American courts from fulfilling their constitutionally delegated duty—interpreting what the law actually intends.

Careful judicial scrutiny and interpretation of the law will allow courts to rein in agency actions that are inconsistent with the law and beyond the bounds of what Congress intended.

In his concurrence in *Gutierrez-Brizuela v. Lynch*, Gorsuch argues that the Administrative Procedure Act vests in the courts the responsibility to "interpret statutory provisions and overturn agency action inconsistent with those provisions" and questions the idea that Congress "intended to delegate away its legislative power to executive agencies."

Judge Gorsuch takes his duty as a judge with the utmost seriousness. He seeks to interpret the law the way Congress intended, not in the way an executive agency wants it to be.

His careful and academic approach to judicial review is well-suited for our Nation's highest Court. I am confident that Judge Gorsuch will respect and enforce the constitutionally affirmed separation of powers doctrine that in recent years has been diluted by executive agencies broadly interpreting laws, resulting in regulatory overreach. This has minimized the role of Congress in the legislative process. As a result, the voices of American citizens have also been minimized and replaced with unelected Washington bureaucrats who think they know what is best for all Americans.

Judge Gorsuch is one of the finest judges our Nation has to offer. The knowledge and careful deliberation he will bring to the Court will result in rulings that reflect justice, fairness, and an interpretation of what the law is and what Congress intended it to be, not what administrative agencies want it to be.

Despite impeccable credentials, we are in a situation today because of a precedent set in November 2013 by then-Majority Leader Harry Reid and his conference. Former Leader Reid's use of a so-called nuclear option in 2013 meant the Senate could reinterpret its rules via simple-majority vote. Former Leader Reid accomplished this by challenging a ruling of the Chair with regard to the number of votes needed to end debate on certain nominations.

The Standing Rules of the Senate require the support of a supermajority, or 67 percent of Senators, to change the rules. To challenge the ruling of the Chair, Reid only needed a majority vote to overturn the Presiding Officer's correct interpretation of the written rule. In other words, Former Leader Reid broke the rules to change the rules and, by default, broke precedent to change the precedent moving forward as well.

Based on this new precedent set by Former Leader Reid, the Senate is likely to confirm Judge Gorsuch to the Supreme Court by a simple-majority vote. Because the Senate has always operated on precedent, we will likely follow this new precedent to approve Judge Gorsuch's nomination later this week.

When he is confirmed, Judge Gorsuch will make a tremendous addition to the

Supreme Court. His lifetime of defending the Constitution and applying the law as it was written provides clear evidence that he has the aptitude for this lifetime appointment to our Nation's highest Court.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FISCHER. Mr. President, I rise today in support of the nomination of Judge Neil Gorsuch to be our next U.S. Supreme Court Justice. Article II, Section 2 of the Constitution entrusts Members of the Senate with a responsibility vital to our democracy: providing advice and consent on the President's Supreme Court nominees.

The significance of this task cannot be overstated, and it is one that I take very seriously. Days after President Trump nominated Judge Gorsuch to fill the late Justice Scalia's seat on the Supreme Court, I shared the qualities that I wanted to see in a Justice. They included a strong commitment to the rule of law, first-rate credentials, and a solid judicial record. The time has come to determine whether the nominee meets those criteria.

After meeting personally with Judge Gorsuch, watching his confirmation hearing, and evaluating his background and legal record, I believe that answer is a resounding "yes." Judge Gorsuch's credentials are exemplary. He has an extraordinary resume and a brilliant mind. For 10 years he has served on the U.S. Court of Appeals for the Tenth Circuit. The Senate confirmed him to this position by unanimous consent in 2006. No rollcall vote was needed because all 100 Members supported the nomination.

To date, Judge Gorsuch has decided 2,700 cases, and 99 percent of the time he sided with the majority. He has offered opinions in 800 of those cases, and 98 percent of the decisions in these cases were unanimous. This record tells us something important: He is well within the mainstream. It is why he has gained the respect of prominent attorneys on the right and on the left. Several of my Democratic colleagues have made similar observations.

Senator DONNELLY recently said that he would support Judge Gorsuch's nomination because "he is a qualified jurist who will base his decisions on his understanding of the law."

Similarly, Senator HEITKAMP indicated that she would vote to confirm Judge Gorsuch because "he has a record as a balanced, meticulous, and well-respected jurist who understands the rule of law."

My colleagues have it right. A Justice should be a follower of the Constitution, not a trailblazer or an advocate. His or her role is to interpret and uphold the laws, not to create them. Judge Gorsuch understands this. He takes it seriously.

In his confirmation hearing before the Senate Judiciary Committee, Gorsuch emphasized the importance of judicial precedent and a fair approach to the law. He said: "I come here with no agenda but one . . . to be as good and faithful a judge as I know how to be." Similarly, in a private meeting in my office, the judge promised to "follow the law, wherever it may lead."

Judge Gorsuch recognizes the pivotal but limited role that the Constitution allows judges to play in our Republic. During long days of testimony at his confirmation hearing, he made clear that while legislators answer to the people, a judge answers only to the law. At the same time, Judge Gorsuch said that he interprets his judicial oath as a promise to "make sure that every person, poor or rich, mighty or meek, gets equal protection of the law."

"Equality before the law" is Nebraska's State motto. It represents the commitment Nebraskans made 150 years ago when we entered the Union. That principle remains strong today. It should be a cornerstone of judicial philosophy for any nominee to our Nation's highest Court. It is why the words "Equal Justice Under Law" are engraved on the front of the Supreme Court. Judge Gorsuch is dedicated to this principle. He is committed to applying the laws neutrally, equally, and fairly to all people.

Some of my Democratic colleagues are saying that Judge Gorsuch is out of the mainstream. They argue that he will not look out for the little guy. They are prepared to take the unprecedented and extreme step of filibustering this nomination. This would be the first successful totally partisan filibuster of a Supreme Court Justice in the history of the U.S. Senate.

Let me share some of the facts about this institution. In our country's history, no Cabinet nominees have ever been denied their appointments by a Senate filibuster. In our country's history, no Federal district court judges have ever been denied their seats by a Senate filibuster.

The first time a filibuster was used to defeat a judicial nomination was for a Circuit Court judge, Miguel Estrada, who was nominated by President George W. Bush to the U.S. Court of Appeals for the D.C. Circuit.

In our country's history, the filibuster has been invoked only to block a Supreme Court nominee. It was in 1968, and a threatened bipartisan filibuster by Republicans and Democrats prevented Associate Justice Fortas from becoming Chief Justice of the Supreme Court. The nominee ended up

withdrawing because of ethical concerns. Two sitting members of the Supreme Court were confirmed by fewer than 60 votes on an up-or-down vote, but neither one was the subject of a filibuster.

A filibuster of this nominee sets a dangerous precedent and undermines the reputation of this institution. Judge Gorsuch will make an excellent Supreme Court Justice. The American people deserve to have him on the bench. I look forward to voting in support of Judge Gorsuch's nomination to serve as our next Supreme Court Justice. And I urge my Senate colleagues to do the same.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I do not see anybody on the floor, but I understand that this time has been reserved for the Republican side.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. HOEVEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOEVEN. Mr. President, I am honored to come to the floor today and join my colleagues to support the nomination of Judge Neil Gorsuch to the Supreme Court of the United States.

Judge Gorsuch is an exemplary pick for my home State of North Dakota and for our Nation as a whole. He has shown deep respect for the Constitution and has a strong record of upholding the rule of law.

If confirmed, Judge Gorsuch will take the seat that was held by the late Justice Antonin Scalia. Of course, filling that vacancy will be no easy task. Justice Scalia was a brilliant legal mind who had earned the respect of many in the legal community during his nearly 30 years on the Supreme Court. He was a true defender of the U.S. Constitution and sought to protect it so that future generations of Americans could live and thrive in a free society. His legacy on the Court will influence American jurisprudence for generations to come.

If there is anyone who is worthy of filling Justice Scalia's shoes, it is Judge Gorsuch. Like Scalia, Judge Gorsuch is an originalist when it comes to interpreting the Constitution.

I had the pleasure of meeting with Judge Gorsuch last week to discuss his

nomination, and I am confident that he will make an excellent Justice.

If you look at his background, it is clear that he is an incredibly qualified nominee. After receiving degrees from Columbia, Harvard, and then Oxford, Judge Gorsuch went on to clerk for notable Supreme Court Justices Byron White and Anthony Kennedy before entering private practice.

After 10 years of private practice, Gorsuch began his career in public service as a Deputy Associate Attorney General at the U.S. Department of Justice. In 2006, he was nominated by President George W. Bush to the U.S. Court of Appeals for the Tenth Circuit, and he was confirmed unanimously by the U.S. Senate.

Let me repeat that. He was confirmed unanimously by this body. I believe that says a lot about Judge Gorsuch as a candidate. In a body that is so often divided, a candidate who can receive unanimous support is truly noteworthy.

When nominated by the President, Judge Gorsuch said: "A judge who likes every outcome he reaches is very likely a bad judge . . . stretching for results he prefers rather than those the law demands." During his tenure on the Tenth Circuit, he has demonstrated fair and prudent judgment in his opinions.

In addition to his impressive professional background, Judge Gorsuch has roots as a westerner and will bring those roots and a much needed perspective to the Supreme Court. Because decisions that come from the Court affect the lives of Americans from across the country, it is important that the Court be composed of Justices from different regions of the country. It is critical that our next Supreme Court Justice have a familiarity with the challenges Western and Midwestern States face, like my home State and others—issues such as States' rights, Second Amendment rights, land use disputes, and the complex relationship between State and Tribal governments. These are the everyday realities we face across this country that the Justices must deal with.

I expect many of these important issues to come before the Supreme Court in the coming months. In fact, just yesterday, the Court decided to move forward on litigation regarding former President Obama's waters of the U.S. rule, also known as WOTUS, which has had a significantly burdensome impact on farmers and ranchers and threatens the constitutional role of the States.

Judge Gorsuch's background also makes him a prominent voice for Indian Country. As chairman of the Senate Indian Affairs Committee, I believe it is important for our next Supreme Court Justice to have a concrete record of respecting Tribal sovereignty. I was pleased to learn that he has earned the

support of a number of Native-American groups, including the National Congress of American Indians and the Native American Rights Fund.

Judge Gorsuch has had a long history of handling cases that have affected Native Americans from his time on the Tenth Circuit, and he has demonstrated a consistent understanding of the unique legal principles that are involved in Federal Tribal law. The boundary between State and Tribal authorities is often ambiguous; yet Judge Gorsuch was able to bring clarity as he diligently studied the law and respected existing precedents in Tribal sovereignty.

For example, the Ute Tribe of Utah has been engaged in legal battles with the State over the State's authority to prosecute Native Americans on Tribal land. Judge Gorsuch has consistently ruled in favor of Tribal sovereignty.

In *Hydro Resources v. EPA*, a case in which EPA overreach was redefining the boundaries of Indian lands, Judge Gorsuch overruled the EPA's interpretation and respected the current Tribal boundaries.

For all of these reasons, I urge a "yes" vote on Judge Gorsuch's nomination. As the highest Court in the land, the decisions have a widespread impact on millions of Americans.

When the stakes are this high, it is necessary that we confirm someone with a sound, fair, and prudent approach to the law. I have no doubt that Judge Gorsuch is the right person for this role. I enthusiastically support his nomination, and I urge my colleagues on both sides of the aisle to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor to express my deep concern about the Republicans' rush to fill the vacant Supreme Court seat and about President Trump's nominee for this critical position.

I believe one of the most solemn and consequential decisions we make as Senators is whether to support a nominee to the highest Court in the country. It is a responsibility I do not take lightly. And after careful consideration, I will be voting against the nomination of Judge Neil Gorsuch, and I will be opposing a cloture motion ending debate.

I come to this conclusion weighing several things. First, a Supreme Court Justice has an enormous responsibility to uphold our Constitution and defend our democracy. The Court's decision affects every citizen in every corner of this country. At times, one Justice—perhaps this nominee—may be the only thing standing between someone's rights and an executive branch that operates as though it is above the law.

That is a real concern—one I have heard over and over from people in my

home State of Washington who are frightened about the direction President Trump is trying to take our country.

Since taking office about two months ago, he has demonstrated complete disregard for the law, the Constitution, and American families. He has tried to force through un-American bans on Muslim refugees and immigrants. He fired Sally Yates, an Acting Attorney General who dared to stand up to him.

It is clear this President doesn't just think he is above the law. He has, at times, shown a true disdain for it, repeatedly insulting the men and women on the bench, even telling a crowd that perhaps the Ninth Circuit Court of Appeals—a court that didn't rule in his favor—should be broken up.

Now, we need an independent judiciary that can safeguard the rights of citizens against this executive branch, but with so much chaos created by this President, coupled with the cloud of an FBI investigation into him and his associates, I have no reason to trust that he or his administration are acting in the best interests of our country or our democracy, and I cannot support moving forward with his choice for the Court.

On top of that, I am concerned about the unprecedented pace of the Judiciary Committee process, which would rush through this nominee on the fastest time line in recent history. That is pretty striking because this same committee failed to hold a single hearing on this vacancy for 12 months following Justice Scalia's passing. It refused President Obama's nominee, Judge Merrick Garland, any opportunity to be heard, which brings me to my serious concerns about this particular nominee.

I wish to start with women's access to healthcare. President Trump campaigned on promises to overturn women's constitutionally protected rights to make their own healthcare decisions, secured by the historic ruling in *Roe v. Wade*. This President has broken almost every promise he has made, but one he appears to be keeping, especially in selecting Judge Gorsuch, is his promise to undermine women's health and rights.

Judge Gorsuch would have taken the ruling in *Hobby Lobby* to allow women's bosses to decide whether or not they get birth control to an even more extreme result. His deeply conservative record suggests he can't be trusted to stand for women's constitutionally protected healthcare rights or access to care. In fact, it seems clear he will work to weaken those rights at every opportunity.

Since day one of this Presidency, women nationwide have made it absolutely clear they do not want to go backwards, and that is something I am going to continue to fight for.

I am also going to keep fighting for our workers, and I am troubled that as

a Federal judge on the Tenth Circuit, Judge Gorsuch has a clear record of siding against workers and with corporations and big businesses.

The Associated Press said his opinions were “coldly pragmatic and they’re usually in the employers’ favor.”

His history of dismissing workers’ safety concerns and hostility toward upholding disability rights greatly concerns me and strongly suggests that he would join conservative Justices to undermine workers’ rights.

We need a Justice on the Supreme Court who will uphold workers’ protections and safety and the right to organize.

I am also deeply concerned about the potential effect on children and students with disabilities.

In a number of cases, Judge Gorsuch ruled in ways that made it more difficult for them to receive the support and services they not only deserve but are entitled to under the Individuals With Disabilities Education Act—our Nation’s special education law. I strongly believe in this law, and I believe we should be doing everything to ensure individuals with disabilities can obtain their full potential by accessing meaningful, quality public education—certainly not the bare minimum.

It is notable that while Judge Gorsuch was testifying—actually, while he was testifying before the Judiciary Committee 2 weeks ago—the Supreme Court unanimously rejected his prior ruling in a case involving the rights of a student with disabilities to receive a meaningful education. It is highly troubling that when it comes to policies concerning torture, Gorsuch—as a member of President George W. Bush’s Justice Department—advocated that the President has broad powers to basically ignore parts of the legal ban on torture.

This deference to Executive power is concerning, to say the least, but it also makes a whole lot more sense as to why Judge Gorsuch would be Donald Trump’s No. 1 choice.

His testimony before the Judiciary Committee regarding Citizens United, in which he incorrectly stated that the Court left Congress the ability to enact commonsense campaign spending limits, strengthens my decision to vote no.

So if you believe in transparency in our elections and upholding the integrity of our democracy or you believe we need a Justice who will protect the rights of all Americans and stand with them and not with President Trump and millionaires and billionaires, this choice is clear.

As I have urged my colleagues for weeks, with so much chaos in the administration and so many questions now surrounding this President’s commitment to the rule of law: Slow down. Stop playing political games. Respect the families we represent. Respect the

separation of power, and stop trying to jam this nominee through.

Whatever you do, do not blow up the Senate rules for Supreme Court nominees. Invoking the nuclear option is a dangerous path to go down.

I have been in the majority and I have been in the minority. Either way, I believe when it comes to a lifetime appointment to the Supreme Court, the Senate must adhere to a higher standard and the 60-vote threshold. If you can’t get that many votes for a Supreme Court nominee, you don’t need to change the rules, you need to change the nominee.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, first I wish to commend the senior Senator from Washington State for her terrific statement.

I know, as a member of the Judiciary Committee, that we reported the nomination of Judge Neil Gorsuch by the narrowest margin—a party-line vote. The majority leader then filed cloture to cut off debate on this nominee. He has shown that he will use whatever tactic is necessary to ensure this nominee is confirmed, no matter the concern of Senators or millions of other Americans.

Today is just the 75th day of the Trump administration. After only 75 days of having a Republican-controlled White House and Congress, the Republican leader has promised to vitiate the historic rights of the minority in this institution. He is prepared to abdicate the Senate’s constitutional duty to serve as a check on the President and our responsibility to protect the independence of the Federal judiciary, all in the service of Donald Trump’s agenda and because, as we know, Donald Trump asked him to.

Senate Republicans seek to justify their tactics by claiming that Democrats would do no different were the shoe on the other foot. They are free to make that argument, but it is wrong. There is one claim in particular that I need to address. Some Republicans have asserted that, if President Bush had made a Supreme Court nomination in 2008, the final year of his term, Democrats would have pocket filibustered that nomination the same way that Senate Republicans did to Chief Judge Merrick Garland. Well, I was the chairman of the Judiciary Committee during that time, and I can assure them that they are wrong. Democrats did not invent an election year exception to the Constitution. Look no further than when a Democratic-led Senate confirmed Justice Kennedy during a Presidential election year.

If President Bush had made a Supreme Court nomination in 2008, that nominee would have had a hearing, and all Senators would have had the opportunity to debate that nomination on

the floor. As Senator HATCH and I wrote in 2001, “The Judiciary Committee’s traditional practice has been to report Supreme Court nominees to the Senate once the Committee has completed its consideration. This has been true even in cases where Supreme Court nominees were opposed by a majority of the Judiciary Committee.” This Senator would not have disregarded precedent and constitutional obligation because of partisan politics. Whether such a nominee would have been confirmed would have depended on his or her views, but the nominee would have been given a fair process, which Senate Republicans denied Chief Judge Garland when they pocket filibustered him.

My record in 2008 shows that I treated President Bush’s nominees fairly. We confirmed 28 circuit and district nominees in 2008, including 10 in 1 day, just weeks before the election, and reduced the number of judicial vacancies to just 34. Compare that to 2016, when Senate Republicans allowed just nine circuit and district nominees to be confirmed in total. That is less than 33 percent of the 2008 number. Moreover, Republicans’ pocket filibusters, even for nominees supported by home State Republican Senators, allowed the number of judicial vacancies to skyrocket over 100. Of course, they had done the same thing at the end of the Clinton administration, pocket filibustering more than 60 nominees. Those are the facts. Anyone who claims that judicial nominees were never obstructed before 2001 has conveniently forgotten those facts.

When Senate Democrats changed the cloture rule for lower court nominations in 2013, we did so reluctantly and only after Senate Republicans repeatedly abused Senate rules to wage in unparalleled obstruction of President Obama’s nominees over a period of years. By November 2013, the Republican leader had orchestrated an unprecedented number of filibusters, including requiring cloture motions on 34 circuit and district nominees in less than 5 years—compared to 18 nominees who faced cloture motions during the entire 8-year tenure of President Bush.

When it comes to judicial nominations, the filibuster has been a tool to protect the independence of our courts by compelling Presidents to find mainstream, consensus nominees who do not bring an agenda with their lifetime appointments to our courts. Senate Democrats filibustered a small number of President George W. Bush’s nominees, but it was not because they were conservative, or had been nominated by a Republican President. It was because we had serious doubts about their ability to put partisanship and ideology aside and be fair, neutral judges. Or it was because the President had ignored the traditional role of home State Senators when selecting

the nominee. We confirmed numerous conservative nominees, including Judge Neil Gorsuch. In fact, during the 41 months that I was chairman of the Judiciary Committee while President Bush was in office, the Democratic-majority Senate confirmed more circuit and district nominees than were confirmed during the 55 months when Republicans held the majority.

When President Obama took office, Senate Republicans imposed a new standard. Just 2 days after he was sworn in, a group of extreme conservative activists instructed Senator MCCONNELL to treat President Obama's judicial nominees in an "unprecedented" way, and that is what he did. For the first time, even noncontroversial district court nominees were subject to filibusters—Leader Reid was at one time forced to file for cloture on 17 of them in a single day because of Republican obstruction, even though none were particularly controversial and many actually had the support of their home State Republican Senators.

Republicans filibustered judicial nominees they ultimately supported. They stalled Senate action for weeks and months on judicial nominees who they did not oppose and who they ultimately voted to confirm once their filibusters ended. Senate Republicans kept making up new excuses for filibustering nominees that had nothing to do with the nominees themselves. They abused the Thurmond Rule to filibuster Judge Robert Bacharach, even though he had been reported almost unanimously and was supported by his two very conservative Republican home State Senators. It was obstruction for obstruction's sake.

But the final straw was when Republicans blockaded the D.C. Circuit. The Senate had confirmed four of President Bush's nominees to that court, but only one of President Obama's five nominees. When Senate Republicans filibustered President Obama's last three D.C. Circuit nominees in late 2013, they barely even bothered to pretend to find fault with the nominees themselves. These were mainstream nominees with broad support. Their only alleged flaw was that they had been nominated by President Obama. Senate Republicans unilaterally decided that President Obama should not get to make additional nominations to that court, effectively trying to nullify the results of the 2012 election—a prelude to their unprecedented treatment of Chief Judge Merrick Garland.

Compare that to the situation we are in this week. We are told that we must rubberstamp Judge Gorsuch or the majority leader will change the rules. Now, some may remember reports from last year where several Senators promised to blockade any Supreme Court nominations by one of the Presidential candidates if that candidate won the election. Of course, those were Repub-

lican Senators talking about Secretary Clinton. But that proposed blockade is not what is happening here. The fact is that there is a vacancy on the Supreme Court, and that vacancy should be filled with a qualified, mainstream judge. I know that a Republican President would probably make a different selection than the one I would make, but I have always been willing to consult with Presidents of both parties to find mainstream, consensus nominees. That is my constitutional obligation as a Senator.

Now, all Presidents, including President Trump, are entitled to have their Supreme Court nominees considered on the merits. Over my 42 years in the Senate, I have evaluated every nominee on the merits, and I have never gone to reflexive partisanship. In fact, I have voted to confirm six Supreme Court nominees of Republican Presidents. I do not know if there is any Republican in this Senate who could say that about nominees of Democratic Presidents.

Although I had concerns that Judge Gorsuch would bring a partisan agenda to the Court, I went to his hearing with an open mind. I had hoped he could convince me that he was a conservative I could support, as I did Chief Justice Roberts. I voted for Chief Justice Roberts not because I thought I would always agree with him—and I do not—but because I was able to take him at his word that he did not have an ideological agenda. I cannot take Judge Gorsuch's word that same way.

It is no secret that Judge Gorsuch is very conservative—that much was evident back in 2006 when he was confirmed to the Tenth Circuit. Back then, he did not have a judicial record, but he gave answers that were reassuring. He discussed the importance of following precedent and of judicial restraint and deference to Congress. He said, "Precedent is to be respected and honored. It is not something to be diminished or demeaned. It is something you should try to uphold wherever you can, with the objective being, follow the law as written and not replace it with my own preferences, or anyone else's." He explained that judges should not be ideologues who disregard precedent "to effect [their] own personal views, [their] politics, [their] personal preferences." Well, I wish that same judge were before us today, but he is not.

Judge Gorsuch has a fine resume. I do not take issue with the qualifications on paper, but my concern is that he has not lived up to his own standard. I am concerned that his personal views and his politics have permeated throughout his judicial philosophy. That is, in fact, the reason why his nomination is before us today.

To know what kind of a Justice Judge Gorsuch would be, we have to understand why he was chosen. Presi-

dent Trump made very clear right from the beginning that he had a litmus test: Anyone he nominated to the Supreme Court would automatically overturn *Roe v. Wade*. Then-candidate Trump proceeded to outsource the selection process to far-right interest groups. The leader of that unprecedented vetting process admitted they were not driven by "Who's a really smart lawyer and who has been really accomplished?" but by a search for someone "who understands these things like we do."

Let us be clear. These are not groups that support independent judges who act with restraint. These groups search for nominees who will skew the courts, who will call to reject precedent, and who will further their partisan agenda. And they gave President Trump a list and said: Here, you are allowed to pick from our people. If these groups sought a mainstream, widely respected, and independent jurist, they would have been as supportive as I was of Chief Judge Merrick Garland. Instead, they funneled money to push Senate Republicans to hold Chief Judge Garland's nomination hostage and to have the Senate defy the Constitution of the United States for the first time ever in not allowing advice and consent.

The Federalist Society's purpose statement, which is on their website, calls for "reordering priorities within the legal system to place a premium on," among other things, "traditional values." These groups and the billionaire donors who fund them have a clear agenda—one that is antichoice, antienvironment, and procorporate. I am not one to gamble, but in my mind they would not have gambled with millions of dollars on Judge Gorsuch. They chose and invested in him for a reason. They are supremely confident he shares their far-right agenda. So is the White House.

The White House Chief of Staff has said that Judge Gorsuch "has the vision of Donald Trump." He said that, with this nomination, "We're talking about a change of potentially 40 years of law." It is clear that the people who vetted Judge Gorsuch do not want a nominee who will "call balls and strikes." They want a nominee who will expand the strike zone to the detriment of hard-working Americans. We should all find that concerning.

At his public hearing, Judge Gorsuch did nothing to allay my concerns. In fact, he solidified them. I cannot recall a nominee refusing to answer such basic questions about the principles underlying our Constitution. These were fundamental questions that we should ask every nominee seeking a lifetime appointment to our Highest Court, but Judge Gorsuch would not answer. Some of the questions that I asked him were not intended to be difficult. Several could have been answered by any first-year law student,

with ease; yet, unless we were asking about fishing or basketball, Judge Gorsuch stonewalled and avoided any substantive response. He was excruciatingly evasive. His sworn testimony and his approach to complying with the Judiciary Committee's historic role in the confirmation process was, in my view, patronizing.

Judge Gorsuch claimed that he did not want to prejudice potential cases. That is a valid concern, but only within reason. It should not be used to evade questions on long-settled precedent or on the meaning and purpose of constitutional provisions. Judge Gorsuch would not even state whether he agreed with certain landmark Supreme Court cases such as *Brown v. Board of Education*. He refused to say whether he believes that the Equal Protection Clause applies to women. He refused to say whether the framers of the First Amendment believed it permitted the use of a religious litmus test. He refused to provide information regarding his selection by extreme special interest groups and a billionaire businessman. And he even refused to confirm whether he would continue to recuse himself from matters involving that billionaire—as he has done on the Tenth Circuit—even if presented with the exact same facts.

Other Supreme Court nominees have been far more forthcoming. When asked whether he agreed with important precedents, then-Judge Alito answered the questions. When I asked then-Judge Roberts whether Congress has war powers, he said, “Of course. The Constitution specifically gives that power [to declare war] to Congress.” I asked whether Congress has the power to stop a war, and he said, “Congress certainly has the power of the purse,” but added, “as a judge, I would obviously be in a position of considering both arguments, the argument for the Legislature and the argument for the Executive. The argument on the Executive side will rely on authority as Commander in Chief, and whatever authorities derive from that.” It was perhaps not the answer I would have liked, but he certainly engaged with the question and showed that he understood the issue in a way that did not prejudge any potential case.

I later asked then-Judge Roberts whether “Congress can make rules that may impinge upon the President's command functions.” He responded: “Certainly, Senator. The point that Justice Jackson is making there is that the Constitution vests pertinent authority in these areas in both branches. The President is the Commander in Chief, and that meant something to the Founders. On the other hand, as you just quoted, Congress has the authority to issue regulations governing the Armed Forces, another express provision in the Constitution. Those two can conflict if by making regulations for

the Armed Forces, Congress does something that interferes with, in the President's view, his command authority, and in some cases those disputes will be resolved in Court, as they were in the *Youngstown* case.” Whether one agrees with it or not, that was a substantive answer.

I asked Judge Gorsuch a similar question in writing—whether he agreed that “the Constitution provides Congress its own war powers and Congress may exercise these powers to restrict the President—even in a time of war” as the Court held in *Hamdan v. Rumsfeld*. Here is the totality of his response: “I agree that *Hamdan v. Rumsfeld* recognized limitations on the power of the President. It is a precedent of the Supreme Court entitled to all the weight due such a precedent.” Perhaps that is better than no response at all, but not by much.

When I asked Judge Gorsuch a straightforward question about whether the Framers of the First Amendment believed it permitted the use of a religious litmus test, he refused to answer. Any first-year law student knows the answer to that one.

I asked then-Judge Roberts a similar question—whether he would reject *Korematsu* and hold it unconstitutional to intern U.S. residents who “have a particular nationality or ethnic or religious group.” He said: “I suppose a case like that could come before the Court. I would be surprised to see it, and I would be surprised if there were any arguments that could support it.” I do not think he prejudged any cases, but he was still able to provide a real answer to a basic question—and he earned my support.

I had hoped that, if Judge Gorsuch was not willing to be transparent for the lights and cameras, he would at least answer written questions—given time to carefully craft answers. Again, he declined. He refused to expressly acknowledge that Congress has war powers, even though we know we do. Every high school student knows that the Constitution gives Congress the power to declare war. He again misstated the holding of *Citizens United* in an attempt to evade my question about Congress's ability to enact campaign finance legislation. He provided no answer at all to questions regarding the Supreme Court's decision in *Shelby County* to gut the Voting Rights Act or about women's rights to obtain contraception. And, again, he refused to answer whether the First Amendment prohibits the President from imposing a religious test, even when the Trump administration has adamantly claimed such a litmus test is not at issue with his travel ban.

Previous nominees respected the Judiciary Committee's constitutional role by answering questions in a substantive way, not with mere platitudes. The difference is clear to Vermonters.

As an editorial in the *Rutland Herald* put it:

Gorsuch's affable muteness sent a message: I am above the people and their concerns. I have no responsibility to anyone but the narrow band of millionaires and ideologues who have advanced my nomination and to the President who has declared war on the American government.

Mr. President, I ask unanimous consent to have printed in the *RECORD* at the conclusion of my remarks the full editorial.

Judge Gorsuch claimed that his personal views do not matter so he would not share them. But that did not stop him from speaking at length about overcriminalization and arguing that there are too many Federal criminal laws and regulations. Those of us on the Judiciary Committee know this is a substantive and controversial policy issue that has been vigorously debated in recent years. I have to wonder why this was the only issue where he put forward his actual views. That is not good enough for me. As the article by Garrett Epps in the *Atlantic* put it, Judge Gorsuch's refusal to answer questions implied that the role of a judge is “a job which calls, apparently, for neither values nor any firm connection to human life as it is lived.” The American people know better.

All of this matters because court decisions, especially Supreme Court decisions, are not simply detached applications of neutral principles. If there were, all judges would reach the same results. They do not. Legal decisions are not mechanical. They are matters of interpretation and, often, matters of justice. One Supreme Court Justice said more than a century ago: “When we take our seats on the bench we are not struck with blindness, and forbidden to know as judges what we see as men.”

Whether he will acknowledge it or not, Judge Gorsuch's record says a lot about his judgment and his sense of justice. In a policy role at the Justice Department, he embraced broad and discredited assertions of Executive power. Judge Gorsuch once complained about liberals relying on the courts to vindicate their constitutional rights, but, once on the bench, he had no problem rubberstamping the far right's social agenda when he ruled that employers could control their employees' access to contraception. As a judge, he twisted statutory language to limit the rights of workers, of women, and children with disabilities.

Judge Gorsuch also reached for broad constitutional questions that were not before him in order to advance his agenda. Just last summer, Judge Gorsuch wrote a concurrence to his own opinion in a case called *Gutierrez-Brizuela v. Lynch*. His unanimous panel opinion decided the case on narrow grounds. But Judge Gorsuch nevertheless wrote a separate concurrence to

argue that the Chevron doctrine should be overturned. The Chevron doctrine not only forms the basis for our modern government, but it is well-settled law and has been for decades. As Emily Bazelon and Eric Posner wrote in the *New York Times*, “The administrative state isn’t optional in our complex society. It’s indispensable.”

Judge Gorsuch’s rejection of that has shown that he is not a mainstream nominee. His judicial record demonstrates a partisan agenda—a hostility toward our government’s power to enact environmental, labor, consumer rights, and other regulations that keep hard-working Americans safe and ensure a level playing field—not just for the wealthy few, but for all hard-working Americans.

Between not answering questions, Judge Gorsuch spoke repeatedly about the limited role that judges play in our democracy. His actual record belies that claim. I think that is precisely why these extreme-right interests groups selected Judge Gorsuch. That is why the President’s Chief of Staff promised he will bring a change of 40 years of law, and that is why I cannot support this nomination.

It is for this nominee that Senate Republicans have brought us to this precipice, but perhaps we should not be surprised. Republican leadership has sought to govern only by simple majority since day 1 of the Trump administration. They paraded before the Senate the most extreme and partisan slate of Cabinet nominees I have ever seen. Their signature legislative goal—to repeal the Affordable Care Act—collapsed under the weight of their own intraparty infighting. Then, they dusted off the Congressional Review Act and, by party-line votes, rolled back more than a dozen environmental, workplace, privacy, healthcare, and transparency protections—all over the objections of the minority.

Think about that. Republicans have not sought compromise on anything in this Congress. That is not the way to govern. To give you one example, they repealed an important internet privacy rule that protected Americans’ online activity. That means that by party-line vote, hard-working Americans will now see their private internet activity sold to the highest bidder for greater corporate profits. They are allowing these companies to basically come in and spy in your house because they are making money.

But Senate Republicans didn’t stop there. They rolled back protections to ensure that all students have the same educational opportunities. They eliminated rules requiring employers to maintain records of workplace injuries so employers could avoid accountability. In other words, if you have major injuries, you do not have to keep a record of that to make sure nobody knows this is a dangerous place to

work. They rolled back rules holding coal companies accountable for their pollution. Most recently, Republicans undermined healthcare access for millions of Americans, rolling back protections under the title X program. In underserved communities and rural areas like Vermont, title X is critical in making sure women have access to the basic healthcare they need.

But that is what one-party rule gets you. They are great at looking out for corporate interests. They struggle at looking out for the interests of hard-working Americans. The irony of it all is that even these partisan efforts have been too partisan for some Republicans. Three times this year—the most of any Vice President since 1911—Vice President PENCE was forced to make the trip to Capitol Hill to break a tie and ensure some of these extreme measures passed.

With the Gorsuch nomination, Republicans are proving they have no interest in playing by the rules; they prefer to break them. The unprecedented obstruction of Chief Judge Merrick Garland is going to be a permanent stain on this body. But then, days after the 2016 election—after Republicans turned their back on the Constitution for a whole year, even though they had sworn an oath to uphold the Constitution, which calls for advice and consent, they refused to advise and consent and have a vote on Chief Judge Merrick Garland—Republican leaders threatened to change the rules to get their own nominee through—before we even had a name. After disregarding his constitutional obligations for nearly a year, the majority leader now tells us we must rubberstamp President Trump’s nominee or he will forever damage the Senate.

It is interesting that the majority leader’s argument for obstructing Chief Judge Merrick Garland was that the American people needed to weigh in on this decision, as if they had not weighed in when they reelected President Obama in 2012. But when the American people did vote last November, nearly 3 million more of them chose Secretary Clinton over Donald Trump. In fact, Ezra Klein had it right 2 months ago when he wrote that this nomination “makes a mockery of the popular will.”

Mr. President, I ask unanimous that the article, “The country deserves a compromise Supreme Court nominee. Neil Gorsuch isn’t one,” by Ezra Klein, also be printed in the *RECORD* at the conclusion of my remarks.

Because of the divergence between the popular and electoral vote, Klein argued, “This is a time, if ever there was one, for a compromise nominee, and Gorsuch is not a compromise nominee.” This is exactly what the 60-vote threshold is for. It helps ensure that Presidents consult with Senators of both parties and find mainstream, con-

sensus nominees. The filibuster protects the rights of the minority and of individual Senators; it protects the constitutional role of the Senate, and it helps us protect the independence of the Supreme Court. The Court is no place for someone with a radical, partisan agenda.

Senate Republicans are defending their threat to change the rules by claiming that Judge Gorsuch is essentially a perfect nominee and that, if Democrats filibuster Judge Gorsuch, then we would filibuster anyone. That is nonsense. We have asked only for a mainstream nominee. Perhaps they are confusing our approach with their blockade of Chief Judge Garland. Unlike committee Republicans’ treatment of Chief Judge Merrick Garland, I take my constitutional duty to independently evaluate a President’s Supreme Court nominees seriously. As I have said, my votes on Supreme Court nominations have never been about reflexive partisanship. I have evaluated every nominee on the merits—and I have voted to confirm six Supreme Court nominees of Republican Presidents.

If the Senate does not vote to end debate on this nomination, that is a judgment on defects of this nominee. I remind the Republicans that they do have a choice here. We can work together with President Trump to find a mainstream, consensus nominee. I expect that an actual mainstream nominee would be confirmed easily, even if nominated by President Trump. Recall the process President Obama used when he selected Chief Judge Merrick Garland. He sought advice from both Republican and Democratic Members of Congress and was told this was a person who would get a solid majority vote. He said: “We have reached out to every member of the Senate Judiciary Committee, to constitutional scholars, to advocacy groups, to bar associations, representing an array of interests and opinions from all across the spectrum.” President Obama nominated somebody who, in normal times, would have gotten the vast majority of votes of Republicans and Democrats. If President Trump would have followed that template, we would not be in this extraordinary place.

Let me conclude with this. In the committee, I said I respect this institution as much as anyone. I have been here for more than 42 years. I have devoted myself to the good the Senate can accomplish. We 100 Senators stand in the shoes of 320 million Americans. We should be the conscience of the Nation. First and foremost, we must do what is right by 320 million Americans. And I am not going to vote solely to protect an institution when the rights of hard-working Americans are at risk. It is for these reasons that I must oppose this nomination.

There being no objection, the material was ordered to be printed in the *RECORD*, as follows:

[From the Rutland Herald, Apr. 5, 2017]

NO TO GORSUCH

Senate Democrats are prepared to block the appointment of Neil Gorsuch to the Supreme Court, and the Republican majority is prepared to change the Senate rules to push the appointment through anyway.

Sens. Patrick Leahy and Bernie Sanders are willing to filibuster the Gorsuch nomination, offended by the candidate's evasiveness and alarmed by his ideological rigidity. Mounting a filibuster comes at a cost, however. Senate Majority Leader Mitch McConnell has said the Republicans would rewrite the Senate rules in order to prohibit the use of a filibuster to block Supreme Court nominees. As it stands the Republicans would need 60 votes to shut down debate; if the Republicans change the rules, Gorsuch would need only 51 votes to gain confirmation.

Elimination of the filibuster on high court nominations worries some Democrats. But what do they have to lose? If they give in to McConnell they will have retained the right to filibuster but would have lost the power to exercise it. Instead, they would have surrendered to one of the most egregious power grabs in the nation's history, allowing the Republicans to place their stamp on the judiciary in order to impose an agenda on the nation that the nation has shown no indication it supports.

The Republican campaign to seize dominance of the judiciary must be seen as an effort by narrow interest groups to force measures into the law that the American people would never allow the legislative branch to advance. In order to pursue this agenda, the Republicans have resorted to a contemptuous assault on the role of Congress as the body that must consent to judicial appointments.

The refusal of the Republicans to allow even a hearing on President Barack Obama's appointment of Merrick Garland to the Supreme Court showed that they were willing to scoff at their own constitutional obligations in service of their ideological and economic loyalties.

Gorsuch's refusal to answer even the most basic questions about his thinking was an expression of the same contempt for Congress that McConnell displayed in refusing to allow a hearing for Garland. Gorsuch's affable muteness sent a message: I am above the people and their concerns. I have no responsibility to anyone but the narrow band of millionaires and ideologues who have advanced my nomination and to the president who has declared war on the American government.

Much is at stake with the Gorsuch nomination. His own rulings suggest he adheres to a view that the high court went astray in the 1930s in decisions allowing the federal government to give rule-making power to agencies established to protect workers, consumers, investors, air, water, the purity of food and drugs. There is a cohort of extreme conservatives—President Donald Trump's adviser Steve Bannon is their godfather—who have declared that they want to destroy the "administrative state." Gorsuch's rulings and his refusal to describe his thinking suggest he is one of them.

The filibuster is an antidemocratic tradition in the Senate that allows a minority to block action by refusing to end debate on a measure. It is usually defended as a means to demand from senators comity and a willingness to join with the other side to find middle-of-the road solutions. In normal times, the majority would nominate a centrist justice in order to draw support from both sides

so that the minority would not see the need to mount a successful filibuster.

But these are not normal times. The Republicans have succeeded in getting their way by refusing to compromise, and they will continue to get their way until the Democrats stand up to them. McConnell may ditch the filibuster this time, but he may rue the day after the people revolt against the disaster of the Trump administration and elect a Democratic Senate.

Leahy and Sanders are taking a necessary and principled stand against the Republican effort to steal a seat on the Supreme Court. The Democrats may not win this battle, but they are on the right side.

[From Vox, Feb. 3, 2017.]

THE COUNTRY DESERVES A COMPROMISE SUPREME COURT NOMINEE. NEIL GORSUCH ISN'T ONE.

(By Ezra Klein)

The problem with Neil Gorsuch's nomination for the Supreme Court is not Neil Gorsuch. He is, by all accounts, a brilliant jurist and a kind man. But he is an extremely conservative judge at a moment when an extremely conservative judge makes a mockery of the popular will. For the good of the country and the Court, this moment demands a compromise nominee, and Gorsuch is not that.

Antonin Scalia's seat came open under a Democratic president and a Republican Senate. This should have led to a centrist nominee. And President Barack Obama tried to offer one: Merrick Garland, who had previously been suggested for the Court by Republican Sen. Orrin Hatch. Republicans did not oppose Garland. They refused to consider him, or anyone else, for the opening. They insisted that no opening on the Court could be filled in an election year—an absurd faux principle which implies that vacancies on the Court must be left unfilled fully 50 percent of the time.

Having blocked efforts to replace Scalia under Obama, Republicans were relieved when Trump won the Electoral College. But Democrats decisively won the popular vote and gained seats in the Senate. I do not want to overstate this: US elections are not decided by simply tallying up votes. But though the public will doesn't decide elections, it should still weigh on those who hold power. This is a time for a center-right nominee, just as Obama put forward a center-left nominee in Garland.

The choice is all the more important because the Supreme Court is, itself, a strange and undemocratic institution. It is insulated from popular opinion, and judges serve for life. Forcing it unnaturally out of step with the public is bad for both the Court and the country.

Senate Democrats have the power to filibuster nominees to the Supreme Court. I don't agree with those who think Democrats should filibuster anyone who isn't Garland, as Sen. Jeff Merkley is threatening. But Democrats should insist on a compromise nominee—it would be wise of them to offer a realistic list of more centrist candidates—and use the filibuster to give their position teeth.

It's true that Republicans could eliminate the filibuster with only 51 votes, but it's not clear why that's relevant. If the Supreme Court filibuster will be eliminated the moment it's used, then it's a fiction, and there's little cost to seeing it unmasked as such. If Republicans would prefer to destroy the filibuster than make any accommodation to the majority of voters who wanted a Democratic

president to be making this pick, then that's their prerogative—at least the Democrats' base will know their legislators did their best. Democrats need not be in the business of protecting a filibuster they cannot use.

It's a mistake to see Supreme Court nominations as about the individual's résumé rather than the country's wishes. If the question is whether Gorsuch is qualified to be on the Court, of course he is. But that's not the question. The question is whether Gorsuch should be on the Court—whether he is the right pick for this moment, and for the decades in which he's likely to serve. He is not.

Republicans lost the popular vote in the presidential election preceding Scalia's death. They lost the popular vote in the presidential election after Scalia's death. The will of the people might not be all that matters in politics, but nor should it be meaningless. This is a time, if ever there was one, for a compromise nominee, and Gorsuch is not a compromise nominee. Republicans do not need to nominate a liberal, but Democrats should insist they nominate a justice more in the mold of Anthony Kennedy than Scalia.

The Supreme Court is undemocratic enough as it is. It does not need to be made more so.

Mr. LEAHY. I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from California.

Mrs. FEINSTEIN. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Democrats have approximately 36 minutes remaining.

Mrs. FEINSTEIN. Mr. President, I rise today as the ranking member of the Judiciary Committee to speak about the nomination of Judge Neil Gorsuch to the Supreme Court of the United States.

In committee, at the outset of the hearings, I remarked that our job was not to evaluate legal doctrines and theories or to review Judge Gorsuch's record in a vacuum. Our job is to assess how this nominee's decisions will affect the American people and whether he will protect the legal and constitutional rights of all Americans.

I have had this in mind throughout the entire process. Let me begin with an aside. I represent a large State, and I do pay close attention to constituent letters, calls, and emails. A weekly report lets me know on what issues people are focused and what they think. I take this feedback very seriously.

In general, my barometer has been that when I receive over 30,000 calls, emails, or letters, that is when I know an issue is reasonably meaningful to many people in the State. To be clear, I don't base my final judgment on any issue or nominee solely on the numbers of calls and letters I receive. However, this is a representative democracy. I find this to be an important measure of what California constituents are thinking.

When it comes to this nomination so far, my office has received a total of 112,309 calls, emails, and letters from California constituents; and 92,799, or 83, percent, oppose this nominee and

19,510, or 17 percent, support this nominee.

Let me read a few of the emails. One constituent from Silverado, CA, wrote:

"In 1971, when abortion was illegal, I was forced to have a child at age 16. That was 46 years ago. With Gorsuch, we would step back into that world where women and girls have NO choice but an illegal and unsafe abortion OR become a mother. It is wrong. The choice is untenable and dangerous. Filibuster Gorsuch and do whatever it takes."

I was a college student in the 1950s, and I remember very much what life was like before a woman had the right to privacy, to control her reproductive system according to *Roe v. Wade*.

Another constituent from San Diego emailed:

"As a beneficiary of the right to marry 3½ years ago, I personally understand how important Supreme Court decisions are. I also attended a segregated elementary school when I was a little boy. I do not trust that Neil Gorsuch would advocate for the best interests of women & minorities. Please do not confirm him."

A woman from Richmond, CA, wrote:

"I believe that we, the people, will have a difficult time getting fair and equal treatment with Gorsuch being on the Supreme Court. He will help the rich corporations, and the poor and middle-class will suffer irreparably."

I don't comment on any of these because none of these are sacrosanct, but they are opinions.

Brandon Gregg from Burlingame wrote:

"The republicans did not give Merrick Garland a hearing, instead waiting until Trump could propose a young right-leaning judge who will take our country backwards. Gorsuch will not advance the agenda of human rights within our Constitution, but will plunge us back into the past where minorities had little protection, women did not have equal rights, people of color were denied the right to vote, and protections for all people that we take for granted, did not exist. This is not the world I want for myself, my children, or my grandchildren. Filibuster Gorsuch's confirmation. Please."

The bottom line is that Californians are letting me know loud and clear that who sits on the Supreme Court matters. Unfortunately, up to now, much of the press coverage on this nomination has been about politics and process.

In contrast, little has been said about how the Supreme Court affects the lives of Americans, their families, and their communities. So, let me say, in the past 24 years that I have been a member of the Judiciary Committee, I have seen that the Supreme Court is, in fact, the last word in so many areas: the personal rights of all Americans, including whom they can marry, and whether women have the right to privacy that allows them to control their own bodies.

The Supreme Court determines whether decisions about healthcare will be determined by families or businesses. The Supreme Court has the

final say on whether States and localities will be able to pass laws that make it harder for low-income people, people of color, seniors and students to vote. The Supreme Court will decide whether corporations are able to pollute our air and water with impunity.

It is the Supreme Court that will be the final word on Executive authority, whether it is used to waterboard, detain individuals indefinitely, or overreach in other ways.

Each year, more than 350,000 civil and criminal cases are filed in Federal courts. The Supreme Court hears arguments for only about 80 cases a session and makes decisions on approximately 50 more cases without hearing arguments.

Now, this means the Supreme Court only hears a very small percentage of cases—less than 0.02 percent.

Before the current vacancy, the most significant questions were closely decided by 5-to-4 decisions, with five votes coming from Republican-appointed Justices.

These include important decisions that affect our elections, like *Shelby County and Citizens United*, decisions that weakened the power of average voters by expanding the role of dark money and gutting a key provision of the Voting Rights Act. We also saw a 5-to-4 decision in *Heller* that overturned 70 years of precedent on the Second Amendment and blocked the District of Columbia's commonsense gun regulations.

As my colleague Senator WHITEHOUSE outlined in the Judiciary Committee, in the last several years, this Supreme Court has issued an additional 11 5-to-4 decisions that promote the rights of corporations over the rights of everyday people, on topics as wide-ranging as age discrimination and harassment to limiting access to courts and juries.

So who sits on the Supreme Court matters. Just look at some of the key cases that have come down since this vacancy arose last year. For example, the Supreme Court deadlocked 4-to-4 on a case to determine whether unions are able to fight for fair pay and benefits for all workers by requiring them to contribute to a union's action on their behalf.

We know this issue will go back to the Supreme Court. If, next time the Court rules against unions like the California Teachers Association, it will be overturning a 40-year precedent known as "agency shop," and it will permit an assault on worker's rights.

Also last year, the Supreme Court considered the case on North Carolina's law that reduced early voting days, eliminated same-day registration, and established new restrictive photo ID requirements to vote. The Fourth Circuit struck down North Carolina's law concluding it had "targeted African Americans with almost surgical precision." Yet, when the Supreme Court consid-

ered it, they deadlocked 4 to 4. Who sits on that court matters.

After 4 days of hearings and reviewing Judge Gorsuch's record, we have learned that he, indeed, has strong views of what the law should be and how it should be interpreted. While Judge Gorsuch was not responsive to many questions, he did tell us that he is happy to be called an originalist, and that he embraced the term. He also stated that he believes judges should look to the original public meaning of the Constitution when they decide what one of its provision mean.

According to him, "the Constitution isn't some ink blot on which litigants may project their hopes and dreams. . . . but a carefully crafted text judges are charged with applying according to its original public meaning."

Original public meaning—that takes us back to 13 colonies, 4 million Americans, and 1789. I find this originalist judicial philosophy to be deeply troubling. It essentially means that judges and courts should evaluate all of our constitutional rights and privileges as they were understood in 1789. To freeze our understanding of the Constitution in 1789, I think, ignores the Framers' intent. But more importantly, it would ignore the vibrancy and growth of our Nation.

We are no longer a society that condones slavery. We no longer permit segregation. We do not allow child labor. We recognize that women not only deserve an education but can be leaders in business, government, and their homes.

We cannot turn the clock back 230 years.

As Justice Brennan said, asking judges to resolve legal questions by looking only to what people believed when our country was founded was "little more than arrogance cloaked as humility" that "while proponents of this facile historicism justify it as the depoliticization of the judiciary, the political underpinnings of such a choice should not escape notice." After all, "[t]hose who would restrict [legal claims] to the values of 1789 specifically articulated in the Constitution turn a blind eye to social progress. . . ."

This is Justice Brennan's speech in 1985 at Georgetown University. This is an important point that I think bears repeating. A judge's decision to adopt an originalist philosophy is inherently political because it discounts the expansion of constitutional protections beyond White men who owned property. Yes, that is the way it was back then.

The U.S. Constitution, I deeply believe, is a living document intended to evolve as our country evolves. We are not supposed to ignore social progress, and I don't believe the Founders of our country ever intended us to do so.

Another concern with Judge Gorsuch's record is his extreme, conservative view of the Federal Government. For example, he has indicated he believes the longstanding legal doctrine that allows agencies to write rules to effectively implement laws should be overturned. That doctrine, as the Presiding Officer well knows, is the Chevron doctrine. It was discussed in committee.

Chevron was itself a unanimous opinion authored by the liberal Justice Stevens and joined by conservatives, including Chief Justice Burger. This legal doctrine has been in place for decades and has been cited more than 15,000 times. If Chevron is overturned, as Judge Gorsuch has advocated, many important laws that Congress has passed would become ineffective.

I want to give a personal example.

In 2007, Senator Olympia Snowe and I finally passed legislation, thanks to Senator Ted Stevens and Dan Inouye, to increase the mileage efficiency of cars. This was critical to address because pollution was clouding up our cities, and it was important to improve the functioning of our automobiles.

Our legislation required the Department of Transportation to set standards so that fuel economy would increase at least 10 miles per gallon over 10 years—that is the time we could foresee—and continue to rise after that. We instructed the agency to achieve the “maximum feasible average fuel economy” and directed the Secretary of Transportation to consider “technological feasibility, economic practicality, the effect of other motor vehicle standards of the government on fuel economy, and the need of the United States to conserve energy.” That is directly from the bill.

Here is the result. It has just been announced that this program will raise fuel economy to more than 50-miles per gallon by 2025. I think the specifics were 54 miles to the gallon.

This would have been impossible in 2007 when we were trying to pass the bill. We could not possibly understand, 10 years hence, technical details of specific automobile efficiency technologies and how they would develop in the decades to come.

Federal agencies simply must play a role. We need their technical expertise and ongoing involvement to ensure the legislation we pass is implemented effectively—as intended by Congress.

In committee, I discussed Judge Gorsuch's textualist view. This means that he believes statutes should be interpreted only by “the plain meaning of the language.”

Combined, this judicial philosophy includes: One, limiting laws and statutes to a dictionary definition that he selected. Two, reversing precedent to say that agencies can't interpret ambiguous laws. Three, reinstating a legal doctrine to further limit agency ex-

perts. Taken together, these three points would require Congress to pass bills so that they are either so specific that they would be very limited in effect or so broad they would actually be meaningless.

For example, Senator COLLINS and I have been working on legislation that would require the FDA to ensure the safety of personal care products such as we all use—shampoo, deodorant, cosmetics, shaving creams, lotions. The FDA does not do it in this country, but they do it in Europe. Our bill asks the FDA to evaluate the safety of the chemicals that are put in these products.

In committee, we had testimony about a shampoo that once used, hair fell out of the individual's head and many thousands of complaints had been registered.

Congress does not have the expertise to do the chemical evaluations, and without deference to the FDA, the bill would have to be thousands of pages long to cover every contingency for every product made by hundreds of companies, and that simply is not workable.

If Congress can no longer rely on Federal agencies, and if all laws can only be interpreted by limited dictionary definitions, then government would have no ability to regulate markets, defend against a financial crisis, protect workers, build safe roads, or safeguard our environment.

We depend on the scientists, the biologists, the economists, the engineers, and other experts to help ensure that our laws are effectively implemented. So this is really a dastardly controlling mechanism.

Under the arguments proposed by Judge Gorsuch, this would no longer occur.

Instead, only congressional action would be able to address these important issues. These rules that agencies would bring would have to be written by Congress. And even that would be severely limited. Such a radical change in law would hurt ordinary Americans, certainly their safety, and certainly our communities.

Let me say once again that who sits on the Supreme Court matters.

The issues facing our country are consequential, and they have a real-world impact on all of us. Justices on the Supreme Court must understand that the Court's decisions have real-world consequences for men, women, and children across our Nation.

Unfortunately, based on Judge Gorsuch's record at the Department of Justice, his tenure on the bench, his appearance before the Senate, and his written questions for the record, I cannot support this nomination.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

MINERS PROTECTION ACT

Mr. MANCHIN. Mr. President, I rise today, as I have risen so many times,

basically for all of us to understand that we have the greatest country on Earth, a superpower of the world.

If you want to know the backbone of the United States of America, look up in the stands. These are the United Mine Workers of America, who made us the country we are today. They gave us the life we have and our freedom, and for people not to understand that makes no sense to me at all.

All I am asking is for my colleagues to understand that the miners protection simply is this: Keep your promise, the promise that we made basically to all the miners who have given their lives. They have given everything they have—their blood, sweat, and tears basically for us to have energy for this country of ours. Now all they are asking is: Can't we at least keep our healthcare? Can't we at least keep our pensions? We have worked for that. We have negotiated for that. Every contract they negotiated basically was a give-and-take proposition so that they would be able to continue to have this after they retire.

For a lot of our colleagues and comrades who have passed away, the widows and families they leave behind are still dependent on this healthcare.

We have been fighting for this. On April 28, we are going to lose it again—April 28. I know the way things work around here. Someone will come down and say: Well, we have negotiated a little extension.

I want to make sure everyone is on notice: We will use every vehicle we can, absolutely every pathway that we can to make sure we will not leave here until we have our miners protected. Our miners will be protected with their healthcare and their pensions.

All 48 Democrats are united. Many of our colleagues on the Republican side have joined us or are willing to join us. All we are asking for is that vote.

I want to make it very clear: We will do anything and everything that we must. We have been very patient, but I am not going to have another notice sent out to our retired miners, to their families, to their widows saying: Well, we have given you another 90-day or 120-day extension. That is not going to happen this time. That is my commitment to them and their families. That is my commitment, basically, to the people who have depended on them.

Really, each and every one of us in this great country of ours should say thank you to them for the job that they have done.

We will fight this and we will continue to fight this onslaught, and I can't figure out why.

In October, 16,300 of our Nation's coal miners and their families were told that they would lose their healthcare on December 31. Then we extended it.

Can you imagine an elderly person receiving a notice the first of February, the end of January that says:

Guess what, in 90 days, you are going to lose it again because we gave an extension until April of this year.

I can't understand it at all. I don't know how anybody could be that inhumane.

The cosponsors are working with us. We have held firm. The White House knows that we are serious about this. The President himself has given me his verbal support. I need him now to either tweet or call Senator MITCH MCCONNELL, our majority leader, and tell him it is time to act. It is time for Mr. MCCONNELL, the Senator from Kentucky, our friend from my neighboring State, to act. That is all we are saying.

President Trump, if you are listening to me, if you are watching, please tweet out: Mitch, help us. We need you.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

WELCOMING WEST VIRGINIA COAL MINERS

Mr. SCHUMER. Mr. President, before I begin the substance of my remarks, I want to first welcome our coal miners from West Virginia here, and I thank them for the hard work they have done through the years to make America the outstanding country that it truly is.

Also, I want to tell you, first, your Senator from West Virginia—you don't have a better fighter than in anyone but him. Second, I am totally committed to making this happen for you, and I will do everything in my power. Our entire caucus—all 48 of us—are completely behind you.

I thank my friend from West Virginia.

Mr. President, as each hour brings us closer to the cloture vote on the nomination of Judge Neil Gorsuch to the Supreme Court and a potential rules change if that vote fails, I rise this afternoon to entreat my friend, the majority leader, to step back from the brink.

As I and so many other of my colleagues have made clear, we Democrats have principled reasons to vote against this nominee on tomorrow's cloture vote. First, he has instinctively favored corporate interests over average Americans. Second, he hasn't shown a scintilla of independence from President Trump. And third, Judge Gorsuch, based on his record and history, has a deeply held, far-right special interest judicial philosophy that is far out of the mainstream.

He was selected from a list developed by the very hard-right, special interest Heritage Foundation and Federalist Society. The Washington Post, after analyzing his decisions on the Tenth Circuit, concluded that Judge Gorsuch may be the most hard, conservative Justice on the bench, to the right of even Justice Thomas.

It may seem abstract to many Americans, but Judge Gorsuch's judicial philosophy matters a great deal. It will af-

fect dozens of decisions and decades of jurisprudence that could have far-reaching consequences on the lives of average Americans.

As Emily Bazelon in the New York Times put it: "[T]he reality is that Judge Gorsuch embraces a judicial philosophy that would do nothing less than undermine the structure of modern government—including the rules that keep our water clean, regulate the financial markets, and protect workers and consumers."

If that philosophy becomes the majority view on the Supreme Court, average Americans are in big, big trouble.

The prospect concerns almost every Democrat here in this body, enough to prevent cloture on Judge Gorsuch's nomination tomorrow.

This leaves the majority leader and my Republican friends with a choice: Break the rules of the Senate or sit down with us Democrats and the President to come up with a mainstream nominee who can earn enough bipartisan support to pass the Senate.

We Democrats believe the answer isn't to change the rules; it is to change the nominee, as Presidents of both parties have done when a nominee fails to earn confirmation. Instead, my Republican friends seem intent on breaking the rules for Judge Gorsuch and are trying to find reasons to justify it.

The truth is, each side can blame the other. We believe they are more in the wrong. They believe we are more in the wrong. The game of pointing fingers and "they started it" can go back and back and back to the very founding of the Republic.

If my Republican friends think that they have to change the rules because this blame game has gotten so far out of hand that Democrats will never pass a Republican-nominated Supreme Court Justice, I would remind them of Justices Alito and Roberts, two conservatives who, nonetheless, passed the Senate, having met a 60-vote bar. That was during a pretty contentious time as well.

If my Republican friends think that what we Democrats did in 2013 was so wrong and that is the reason to break the rules, I would remind them that the only reason we changed the rules was because the Republican minority in the Senate had forced cloture petitions to be filed on more nominees under President Obama's first 5 years than in all the 225 years before him combined. They forced the majority leader to file more cloture petitions for President Obama's nominees than all the cloture petitions filed from George Washington through George W. Bush.

When we Democrats changed the rules, however, we purposefully left the 60-vote bar for the Supreme Court intact because we knew, as the Republicans know, that the Supreme Court is different. Justices on the Supreme

Court don't simply apply the precedents of a higher court. They set the precedents. That is why Justices should be mainstream enough to garner substantial bipartisan support.

If the majority leader breaks the rules tomorrow—that is his choice—he would be forever unwinding that important principle, erasing the last shred of bipartisanship in the Senate confirmation process.

If my Republican friends think a filibuster on Judge Gorsuch is so wrong that they have cause to break the rules, I would remind them that almost every one of them lined up behind the majority leader when he vowed mere hours after the death of Justice Scalia that President Obama would not get to fill a Supreme Court seat, despite 11 months left in his Presidency. That was much worse than a filibuster. Even my friend, the Republican Senator from Tennessee, called it "audacious." But I think Representative ADAM SCHIFF of California said it best: "When McConnell deprived President Obama of a vote on Garland, it was a nuclear option. The rest is fallout."

The fact is, the Republicans blocked Merrick Garland using the most unprecedented of maneuvers. Now we are likely to block Judge Gorsuch because we are insisting on a bar of 60 votes.

We think a 60-vote bar is far more in keeping with tradition than what the Republicans did to Merrick Garland. The majority leader himself has stipulated—this is MITCH MCCONNELL's quote: "In the Senate . . . it takes 60 votes on controversial matters." On the other hand, there is absolutely no precedent, rule, tradition, or custom that can justify what the Republicans did to Merrick Garland, none.

The two are not equivalent. Over the long history of partisan combat over judicial nominations, of course there is blame on both sides. We don't believe the blame should be equally shared between Republicans and Democrats.

The Republican Party has been far more aggressive in employing new tactics and escalating old ones to fight the nominees of a President of the opposing party. The Republican Party has been far more aggressive in their selection of judicial candidates, picking judges who have an ideology closer to the conservative extremes of American politics, while Democrats have tended to select candidates closer to the center.

Keep this in mind: The last time a Republican-controlled Senate confirmed a Supreme Court nomination of a Democratic President was 1895.

Let me repeat that amazing fact. The last time a Republican-controlled Senate confirmed the Supreme Court nomination of a Democratic President was 1895.

So we can argue endlessly about where and with whom this all started. Was it the Bork nomination, which received a vote in a Democratic Senate,

by the way? Or was it the obstruction of judges under President Clinton? Was it when Democrats blocked a few judges under President Bush or when Republicans forced Democrats to file more cloture petitions in 5 years of President Obama's Presidency than during all other Presidencies combined? Was it Judge Garland or Judge Gorsuch?

Wherever we place the starting point of this long, twilight battle over the judiciary, we are now approaching its end point. We are nearing the final hour, and the stakes are considerable.

After the cloture vote on Judge Gorsuch, Democrats will have been denied Merrick Garland due to tactics we felt were unfair and Republicans will have been denied Judge Gorsuch because of tactics they think are unfair. Our two parties have traded bitter blows. In the tortured history of the Scalia vacancy, the debate has been saturated with contradiction. But in a very real sense, even though each side thinks their side is more right than the other, neither side is happy with how we got here.

Now we are standing on the brink of an irrevocable change to the way this body conducts business. As the majority leader once said: Changing the rules is a bell that is very hard to unring.

As the clock ticks steadily toward tomorrow, what are we going to do? I, for one, would like to see us step back from the brink. As the Democratic leader, I still hope that I can sit down with the Republican leader and find a way out of this pernicious cycle. I believe that as leaders of our respective caucuses, it is at least up to us to try for the sake of the Senate. The Republican leader and I disagree on a great many things, but we agree upon the importance of the Senate in American life. We can decide today to commit to solving this problem. Each side can stop pointing fingers. Each side can lay down their arms. Each side can put aside the resentments built up after years of trench warfare on nominees. We can decide today to talk about a way out of this impasse instead of changing the rules.

We both lost Supreme Court nominees. We shouldn't also lose a long-standing rule of the Senate that encourages our two parties to work together to fulfill one of the Senate's most important functions.

So the option to sit down with us Democrats and talk about a new nominee who can gain sufficient bipartisan support remains on the table right now. I hope my friend the Republican leader thinks about where we are headed and takes a moment to let reason and prudence prevail over rancor and haste.

Just as the majority leader holds the power to exercise the nuclear option, he also has the power to avoid it. If the majority leader is willing to cooperate

in a bipartisan way, if he is willing to sit down with us in good faith and try to find a way out, he will find an open door and an open mind, and maybe, maybe we can for the moment avoid an outcome that no Senator from either side wants to see.

I yield the floor.

The PRESIDING OFFICER (Mr. TOOMEY). The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent for 3 minutes—1 for Senator DONNELLY, 1 for Senator CASEY, and 1 for me. I thank Senator BOOZMAN for the time to talk for 3 minutes on the mine workers healthcare law.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MINERS PROTECTION ACT

Mr. BROWN. Thank you, Mr. President.

I rise today on the seventh anniversary of the tragedy of the Big Branch Mine, where 29 mine workers were killed. There is no better way to ask this Senate to do the right thing on extending healthcare for mine workers permanently.

We have seen far too many times where mine workers in Ohio, West Virginia, Kentucky, and all over this country, the retired mine workers or their widows get a letter in the mail saying their healthcare is about to be canceled. We kick the can down the road for 3 or 4 months at a time. That is not acceptable.

It is up to this Senate this month to make sure that we fix this once and for all so that mine workers who did so much for their communities and their families and their country can be assured that they will have healthcare for the rest of their lives as President Truman promised.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I want to add to the remarks of Senator BROWN.

We had a process; the Presiding Officer was a part of this, as well, in the Finance Committee getting the Miners Protection Act through the Finance Committee, 18 to 8. It should have been voted on by the end of the year so these miners could have certainty with regard to healthcare and pensions, and our government could keep our promise to those miners.

Our government has not kept its promise to coal miners, and some of them are here today in Washington. It is about time our government kept our promise. They kept their promise to their company, to their country, and every promise that they have been asked to keep. It is time that we did our job here in the Senate. Get this legislation passed in the month of April.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. DONNELLY. Thank you, Mr. President.

For the third time in the last year, I stand on the Senate floor in support of thousands of retired coal miners and their families across Indiana and the United States. If Congress doesn't act, many of the miners will lose their health benefits at the end of this month.

There are a lot of important issues facing us here, but few have such high stakes. Retirees are receiving letters telling them that their health insurance will soon run out. This is a promise that was made and a promise we have to keep. We have less than 30 days.

Let's do the right thing. Let's do the right thing and enact a permanent solution. I strongly urge my colleagues to take action immediately and ensure that our retired miners receive the health benefits that were promised to them by the U.S. Government.

I yield back, Mr. President.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BOOZMAN. Mr. President, the Senate is at a crossroads. Senate Democrats at the behest of far-left activist groups are leading the charge to break a 230-year-old precedent of confirming Supreme Court nominees by a simple majority vote. Why?

Well, when you go down the list, there is only one reason. That reason is not based on substance or reality; it is purely partisan. Judge Gorsuch is eminently qualified. That does not seem to be in dispute. His credentials are exceptional. His resume is impressive. His judicial demeanor, professional competence, and integrity all exceed what you expect in a nominee for the highest Court in the land.

Judge Gorsuch checks every box, so much so, that the American Bar Association gave Judge Gorsuch its highest rating. The ABA's assessment, mind you, has been referred to by the minority leader as the "gold standard" when it comes to evaluating a nominee's fitness to serve on the Court. Senate Democrats must be concerned about Judge Gorsuch's past then. Again, that is not the case. No one was able to dig up anything remotely resembling a scandal in Judge Gorsuch's past during this process. You can't manufacture a controversy where none exists. Nothing about Judge Gorsuch has come to light during this confirmation process that could conceivably merit blocking a vote on the nominee.

I have heard some Democrats try and argue that Judge Gorsuch is out of the mainstream. That hasn't stuck, either. This is a judge who has been with the majority of the Tenth Circuit Court of Appeals 99 percent of the time, and 97 percent of his decisions were unanimous. Judge Gorsuch is about as mainstream as you are going to find.

Editorial boards from newspapers across the country, including USA Today, have written in support of his

nomination. Does anyone honestly believe that USA Today, which is far from a conservative newspaper, would support confirming Judge Gorsuch to the Supreme Court if he were out of the mainstream?

Now Senate Democrats are seemingly creating new standards out of thin air to justify this blatantly partisan action. According to the talking points, the nominee is now expected to tell the Senate and the American people exactly how he or she would rule on matters that may come before the Court, especially the instances where the activist base has a very keen interest. As the Judiciary chairman rightly pointed out, the standards set by Justice Ginsburg in her confirmation hearings that it would be inappropriate for a nominee to offer hints or make commitments on matters that may come before the Court have been adhered to ever since.

This leaves Senate Democrats with a filibuster that lacks a reason. The minority leader has suggested that the Senate abandon Judge Gorsuch's nomination if cloture is not agreed to and ask the President to submit a new nominee. This demand rings hollow. Here is the truth: If this nominee cannot get the Senate Democrats' blessings for a vote, then no nominee put forward by the President can.

Again, we are talking about a top rung in his profession. Judge Gorsuch is well qualified, and he was unanimously confirmed to the Tenth Circuit Court of Appeals. As I mentioned earlier, he received the highest possible rating after an exhaustive evaluation from the American Bar Association.

Senate Democrats failed to create outrage and controversy over Judge Gorsuch's nomination because there is simply none to be found, but that didn't stop them. They made this amazing 180-degree turnaround. Senate Democrats who just last year pushed for an immediate vote at the height of a contentious Presidential election now appear to be fine with leaving that seat vacant literally for years. Just last year the minority leader sounded the alarm about the judicial chaos a deadlocked Court could lead to. He appears to be no longer concerned about that. By this logic, a vacancy on the Supreme Court for a few months would be a devastating blow to democracy, but one held vacant for years would be acceptable. This makes absolutely no sense. The only explanation for it is that Senate Democrats expect to be voting on a nominee put forth by a Democratic administration, not one put forth by President Trump.

Judge Gorsuch will be confirmed to the Supreme Court this week. It is unfortunate that we may have to break longstanding precedent to do so, but Senate Democrats actually are to blame for that.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. SCOTT. Mr. President, we heard famously that elections have consequences, and over the next few days we will have an experiment in what I call "the physics of politics."

For every action, there is an equal and opposite reaction. If the Democrats use for the first time a partisan filibuster of a Supreme Court nominee, we will have an equal and opposite reaction. An unprecedented action is going to evoke an unprecedented reaction.

Neil Gorsuch deserves to be confirmed, and I want to share for the next few minutes why. For more than 2 months since the nomination was first announced, we have seen that Judge Neil Gorsuch possesses the qualifications and the temperament to serve as our next Supreme Court Justice.

While all nominations carry enormous responsibility, this is arguably the most important position we are tasked with filling. We need someone who is extraordinarily qualified, someone who will respect the foundation of our country, someone who has the mental resilience to stay above the political fray. Some of my friends on the left have called Judge Gorsuch unqualified, too conservative, and someone who is simply not in the judicial mainstream.

Judge Gorsuch started his legal career by earning degrees from not one, but two Ivy League schools—Columbia University for his undergrad, Harvard Law for his juris doctor, graduating cum laude. Even as a Marshall Scholar, he earned a doctorate degree from Oxford. When one takes into account these extraordinary educational achievements, it would be simply incomprehensible that anyone would consider him unqualified.

His record on the bench is just as impressive. We have heard these numbers so many times that we sometimes just gloss or glaze over these numbers, but these numbers are powerful indicators of how successful he has been as a judge. Out of nearly 2,700 cases, Judge Gorsuch has been overruled only twice—98 percent of his opinions were unanimous, further proving that he falls exactly square in the judicial mainstream. He has received "well qualified," as my Senator from Arkansas just stated a few minutes ago, from the American Bar Association, the highest rating available for a Supreme Court Justice.

Judge Gorsuch is also not new to the nomination process. Just a few years ago, in 2006, Judge Gorsuch was unanimously confirmed by the U.S. Senate to the Tenth Circuit.

Let me say that one more time because so seldom do we see the Senate acting in a unanimous fashion. This, perhaps, is a moment of reflection that Judge Gorsuch, in just 2006, received a unanimous vote for the Tenth Circuit.

Every single Democrat who was serving in the Senate at that time voted in support of Neil Gorsuch, including 12 Members who are still serving in this Chamber today. His bipartisan support has not stopped there.

Senator BENNET from Colorado says that Judge Gorsuch represents the best qualities of Colorado and that we need to fulfill our responsibility to this nominee.

Senator DONNELLY, from Indiana, has said: "I believe he is a qualified jurist who will base his decisions on his understanding of the law and is well respected among his peers."

From West Virginia, Senator MANCHIN acknowledged that, while he may not agree with future decisions that will be made by Judge Gorsuch, he also said, without question, that he has "not found any reason why this jurist should not be a Supreme Court Justice."

Senator HEITKAMP, from North Dakota, said, during her meeting with our Supreme Court nominee, that Judge Gorsuch reinforced the importance of a judiciary that remains independent from the executive and the legislative branches of government.

Neal Katyal, the former Acting Solicitor General under President Obama, said of Gorsuch that he is a first-rate intellect and a fair and decent man. The judge's work reflects his dedication to the rule of law.

Last month, throughout his 3-day confirmation hearing, Judge Gorsuch provided detailed and thoughtful responses that should have answered every concern from committee members. As I watched, I was incredibly impressed with his depth of knowledge, his genuine demeanor, and his obvious respect for the rule of law. He understands that his job is not to make the law. Let me repeat that because this seems to be an unusual experience—at least it has been for me—to hear that a judge understands and appreciates that his job is not to make the law, that his job is not to alter the law but, as he expressed time and again, that he is committed to interpreting the law as it is written.

One of his most memorable comments from his hearing has left a lasting impression on me, and I hope it does on you as well.

He said:

A judge who likes every result he reaches is very likely a bad judge, reaching for results he prefers rather than those the law compels.

In one sentence, Judge Gorsuch eloquently summarized what we should expect from our Supreme Court Justices, and it also gives insight into how he intends to serve once confirmed.

After his extensive and exhaustive hearing, we clearly see, beyond a shadow of a doubt, that this man is more than qualified for the appointment. Any argument to the contrary is based purely on political opposition.

Today, the Senate stands on the verge of breaking historical precedence. We have let political disagreements get in the way of a judicial seat—a nomination that should stand far above political rancor.

A year ago, Judge Gorsuch was serving on the U.S. Court of Appeals for the Tenth Circuit. He had no idea that he would find himself in the midst of a partisan battle. There is no question that this man has led an exemplary life and deserves a fair vote.

We are, simply, asking for a fair vote—a vote. Let us move past these political games and confirm a man who has earned this position, with a nearly flawless record, as one of the brightest judicial minds our country has to offer.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, I rise to offer my support for the nomination of Judge Neil Gorsuch to the Supreme Court of the United States of America.

Several weeks ago, shortly after President Trump announced this nomination, I came to the floor to say what an admirable choice he had made and had known him for some time.

After meeting with Judge Gorsuch to discuss his nomination and after reviewing his qualifications and after observing my colleagues on the Senate Judiciary Committee thoroughly vet him, I am all the more convinced that this man is eminently qualified to serve as America's next Associate Justice of the Supreme Court.

I was impressed that both of his Senators introduced him to the committee for the hearing. I was kind of surprised that the biggest comments that I heard about the hearing itself, were that he did not answer some of the questions directly. As with previous Justices, they do not answer questions directly when they are asked a theoretical question about some possible future case that might come before them and are without the details.

Another reason that I am convinced that he is very qualified is that the people with whom he went to school have all had good comments to say about him. The people he went to law school with have had good comments. The people who have been on the bar with him—in the legal arena—have had good comments to say about him and so have the other judges with whom he has worked through the years as he has moved up through the different processes.

I am confident that he is qualified to be our next Justice because of his extensive judicial experience, his com-

mitment to the rule of law, and his principled character.

Neil Gorsuch's first job out of law school was a couple of blocks from here. Even back then, he was already preparing to serve his country on the Supreme Court by learning from some of the best jurists in America. He performed clerkships first for the U.S. Court of Appeals for the D.C. Circuit and later for Justices Byron White and Anthony Kennedy at the U.S. Supreme Court.

After working in private practice and at the Department of Justice, in 2006 President George W. Bush nominated Judge Gorsuch to serve on the U.S. Court of Appeals for the Tenth Circuit. The Senate confirmed him by a voice vote. That is unanimous.

Let me say that again because it is relevant to the misplaced—in my opinion—partisan rancor we are hearing over this nomination. In 2006, only LINDSEY GRAHAM bothered to attend the Senate Judiciary Committee's hearing to consider Neil Gorsuch's nomination to the Tenth Circuit Court of Appeals. This body—including then-Senators Joe Biden, Hillary Clinton, and Barack Obama—was so confident about Neil Gorsuch's character and his qualifications to serve as a Federal judge that he was confirmed by the Senate without anyone even asking for a recorded vote.

With what was in essence an endorsement from three of the most influential political figures then serving in the Senate among my colleagues across the aisle, I find some of the opposition to Judge Gorsuch and the questioning of his qualifications somewhat baffling. I hope my colleagues in the Senate will put aside the political bickering and scorekeeping that have dominated Washington over the last several months and give Neil Gorsuch a fair vote, up or down, based on his qualifications and his suitability for service on the Supreme Court.

Since joining the Tenth Circuit, Judge Gorsuch has been a busy man, doing exactly the kind of work that makes him qualified for this nomination. The Tenth Circuit exercises appellate jurisdiction of Federal cases originating in eight States that cover about 20 percent of America's landmass. That jurisdiction does include my home State of Wyoming.

As a member of the Tenth Circuit, Judge Gorsuch estimates that he sat on appellate panels considering approximately 1,800 criminal cases and 1,200 civil cases. The list of citations of case decisions he has authored is a single-spaced, 21-page document. After hearing all of those cases and drafting all of those opinions, even Judge Gorsuch's detractors have criticized only a mere handful of the hundreds of opinions he has authored.

I am confident that Neil Gorsuch is qualified to be a member of the Su-

preme Court because of his steadfast commitment to the rule of law. The many opinions he has written are known for being clear and easy to understand. But, most importantly, his opinions reflect his respect for following the law as it is written and for applying and adhering to judicial precedent. He is a judge who applies the law to the facts of the case and reaches the conclusion that the examination yields, regardless of his own personal beliefs.

As he said, "Personal politics or policy preferences have no useful role in judging; regular and healthy doses of self-skepticism and humility about one's own abilities and conclusions always do."

Judge Gorsuch is an adherent to, and defender of, America's Constitution and the separation of powers that document prescribes. As he said, "Judges must allow the elected branches of government to flourish and citizens, through their elected representatives, to make laws appropriate to the facts and circumstances of the day."

Throughout this nomination process, during all of which Judge Gorsuch has been under a political microscope, we have seen that he is a man of admirable character with a temperament that makes him well suited to serve as a Supreme Court Justice.

We know he has a resilient character and thick skin—qualities important to any Justice—because we have seen his demeanor and response to the criticism of his career and negative characterizations about some of his previous decisions—very few of them, I should add. We have seen his reaction in the face of accusations about his judicial independence. In the face of that—biting disparagement about the work he has spent his life trying to perfect—Judge Gorsuch has been respectful, remarkably patient, and resolutely committed to upholding the ethical canons and conduct demanded of him as a jurist.

We have glimpsed Judge Gorsuch's character as he has spoken about the people he values and those he strives to emulate. His legal heroes are people like Justice White, who he said "followed the law wherever it took him without fear or favor to anyone"; Justice Anthony Kennedy, who, Judge Gorsuch said, "showed me that judges can disagree without being disagreeable"; and Justice Scalia, who reminds us "that the judge's job is to follow the words that are in the law—not to replace them with words that aren't."

Neil Gorsuch has told us that he has also looked closer to home, to his family, to shape his character: his mother, who he said "taught me that headlines are fleeting, but courage lasts"; his father, who he said showed him that kindness "is the great virtue"; his paternal grandfather, who Judge Gorsuch said taught him that "lawyers exist to help people with their problems, not the other way around."

Neil Gorsuch has demonstrated his commitment to the law, his scholarship, and his temperament befitting that of a judge. He is eminently qualified to be a member of the Supreme Court—not in my opinion—that is what the judges have said.

I am not the only one who believes this. My office has received hundreds of calls and letters from my constituents in Wyoming urging the confirmation of Judge Gorsuch. He has a lot of support from folks in the Wyoming legal community, from both parties, whom I know and trust and whose opinions I value.

Judge Gorsuch has earned a “well qualified” rating—the highest rating they award from the American Bar Association. To give him this rating, the ADA’s Standing Committee on the Federal Judiciary conducted a peer review of Judge Gorsuch’s integrity, professional competence, and judicial temperament.

As children we all learn that you might be able to fool your parents or our teachers, but you can never fool your peers. You especially cannot fool ones with whom you have worked long hours like most judges and lawyers are known to do. You can’t fool your peers. They are the ones who see you at your best and at your worst. That is why it is so remarkable that dozens of Neil Gorsuch’s Harvard Law School classmates—people representing many different political and philosophical persuasions and who have known him for more than a quarter of a century—signed a letter supporting his nomination to the Supreme Court.

Among our most important duties as Members of this body is to carefully vet all nominees who come before us. Never is that responsibility so stark and so substantial than when our Nation faces a vacancy on the Supreme Court.

In November, millions of people went to the polls and rejected the kind of tired, partisan bickering when they voted for a change in Washington. Those same voters went to the polls knowing that there was a vacancy on the Supreme Court and that whoever became the next President would choose that nominee.

For many weeks now, Judge Gorsuch has been before us as that nominee. He has undergone scrutiny under which most of us would wither. We have all had time to examine his record.

I thank Chairman GRASSLEY, Ranking Member FEINSTEIN, and all of our Senate colleagues who serve on the Judiciary Committee for conducting such thorough and detailed nomination hearings that provided us ample opportunity to examine Judge Gorsuch’s qualifications and temperament.

I believe there is only one logical conclusion to reach after all of this examination; that is, that Judge Neil Gorsuch is supremely qualified for and

capable of the solemn and mighty task of serving as the next Associate Justice of the Supreme Court.

I urge my colleagues to join me in supporting this confirmation.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GARDNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GARDNER. Mr. President, it has been an eventful week already. We have seen a number of Members come to the Senate floor and debate the qualifications of Judge Neil Gorsuch, the President’s nominee to the highest Court, the U.S. Supreme Court. Many have come to the floor talking about his high qualifications—the fact that he has the highest American Bar Association rating; the fact that he has the support of the 2008 cochair of the Democratic National Convention; the fact that Neal Katyal, a high-ranking former official in the Obama administration, supports the confirmation of Neal Gorsuch.

We have had others come to the floor, of course, and express their opposition. We have had them come and express their opposition to an individual who has proved himself to be a mainstream judge, who has proved time and again that he has the respect of his colleagues on the Tenth Circuit Court—the bench of the Tenth Circuit Court, as well as circuit courts around the country, and that he has the respect and admiration of the Justices of the U.S. Supreme Court, where Judge Gorsuch clerked for Justice White, the last Coloradan to be on the Nation’s High Court, and where he clerked for sitting Justice Anthony Kennedy.

Judge Gorsuch has been known and has become known as a feeder judge—somebody who provides clerks to the Supreme Court because they understand the quality and caliber of Judge Gorsuch’s work.

We know Judge Gorsuch was a part of 2,700 opinions—decisions decided 99 percent of the time with the majority of his court; we know that 97 percent of that time, these decisions were unanimous. We know about his record as it relates to being reversed or overturned.

We know that our colleagues who, for some reason, are opposing Judge Gorsuch continue to come to the floor and talk about the reasons they apparently can’t support Judge Gorsuch: because he will not violate judicial ethics—the ethics judges are expected to keep; because he will not preview how he would rule under a certain fact circumstance. George Washington himself could come down from a mountaintop and would be rejected by the U.S. Senate to be a Supreme Court Justice.

It is pretty incredible to see and hear the arguments that have taken place—some lasting all night—because some of these arguments are nothing more than sour grapes. Some of these arguments are nothing more than that two wrongs must make a right, in their minds. They criticize Republicans for invoking the Biden rule or the Schumer rule, and then they decide because of that, they are going to demand the seat be held open—not confirmed—because they believe it was taken from them. In their mind, if you do two things that are wrong, it must be a right. We have taught our children that is not true.

We know, in this instance, that the American people decided who the Supreme Court Justice would be.

In 2006, Judge Neil Gorsuch was nominated to serve on the Tenth Circuit Court. A dozen sitting Members of this Chamber didn’t object to his nomination then. They didn’t oppose him. They didn’t come and register their “no” vote. In fact, nobody even showed up at his confirmation. LINDSEY GRAHAM was the only one. That is how objectionable he was then. So either of a couple of things has happened: Nobody did their work then to find out what kind of judge he was going to be or they have decided that the politics have changed.

To me, the most egregious part of this debate is that the politics of the time are demanding that there be absolute obstruction for the first time in over 230 years of a Supreme Court Justice, trying to defeat a Supreme Court Justice with a partisan filibuster for the first time in two centuries, of a judge who agreed 99 percent of the time with the opinions of the court. Ninety-nine percent of the time, his opinions were made with a majority of the court; 97 percent of the time, they were made unanimously.

This is an individual who has outstanding legal credentials: Harvard, Columbia, and, most importantly, time spent at the University of Colorado.

He is a fourth-generation Coloradan. I think an old joke of the late Justice Scalia was that four of the five boroughs in New York have their own Supreme Court justice. Wouldn’t it be nice if we had a Supreme Court Justice from west of the Mississippi River, another western voice on the Supreme Court, a judge who comes from a circuit court that represents 20 percent of the landmass? If you are a Westerner and you have a choice of putting a judge on the Supreme Court who is familiar with Tribal law issues, a judge who is familiar with water issues, a judge who is familiar with public land issues, that is a pretty good pick for the High Court, to represent a vast part of America that is underrepresented on the Nation’s High Court.

This institution can seem pretty puzzling at times because you consistently

hear the outcry for bipartisan support: Let's work together. Let's have bipartisan support. Then the President nominates a judge who has strong bipartisan credentials from the people who know him the best. Look, most people in Washington, DC, most people in this Chamber have known Neil Gorsuch for just a couple of months since the time of his nomination. Most conversations people in this Chamber have had with Judge Gorsuch have consisted of an hour or two at a judicial confirmation hearing or perhaps when he visited the office prior to the hearing. That is the extent of their relationship and their knowledge and their understanding of Judge Gorsuch.

But the people who know him best—the people out in Colorado, Republicans, Democrats—believe he is well qualified and should be confirmed, that he deserves an up-or-down vote. People like Democratic Governor Bill Ritter believe that Judge Gorsuch should have an up-or-down vote and be confirmed.

Some people find Judge Gorsuch to be so unreasonable or so unfit to serve on the High Court, they might find it hard to believe that the 2008 cochair of the Democratic National Convention is supporting Judge Gorsuch's confirmation.

Jim Lyons, an attorney and close friend of President Bill Clinton, supports the confirmation of Judge Gorsuch.

They know his record. They have reviewed the cases that the opposition has stated that they find so egregious, and they still believe he is worthy of confirmation to the Court.

The standard that has been set by those who oppose Judge Gorsuch is a standard that simply says: No Justice could be confirmed. Why? We know that because Judge Gorsuch's credentials, his academic background, his judicial history, his temperament, his qualifications, his ratings show that he is more than able to serve and deserving to serve on the Supreme Court.

There is a certainly a difference in philosophy that has been presented here, a difference of philosophies that some people believe that a judge should just be a judge who follows the law or rules and makes a decision based on where the law takes them, but there are people who believe that a judge somehow has to be maybe a focus group of opinion or policy preferences, that a judge should be somebody who puts their thumb on the scale of justice to reach an outcome that is preferred by a political party. That is not what our Founders had in mind when they wrote the Constitution. That is not what justice is about.

Judge Gorsuch believes that you take an opinion, you take a decision where the law takes you, where the law leads you as a guardian of the Constitution.

He understands the separation of powers, but apparently that is not good

enough for some. They want an activist judge, but I hope that over the next several hours and the next few days that our colleagues will come realize that those who know him best believe that he is qualified, that he deserves an up-or-down vote, that a judge who votes 99 percent of the time in the majority agrees with them.

I look forward to our conversations as we confirm Judge Gorsuch at the end of this week.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, there are few moments in the life of a nation when the people are presented with a single choice that directly affects what equality before the law will mean for the next generation. The opportunity to grant a lifetime appointment to the Supreme Court of the United States is one of those moments. The next Supreme Court Justice will break the 4-to-4 deadlock that has constrained the Court since the passing of Justice Scalia and this body's unprecedented refusal to act on Chief Judge Merrick Garland's nomination to fill that vacancy during the final year of President Obama's second term.

Before discussing the pending nominee's merits, we must consider this nomination in its historical context. Chief Judge Garland, I believe, was one of the most qualified nominees for the Supreme Court in generations. After meeting with him and reviewing his record, I had no doubt that he easily would have earned bipartisan support and cleared the 60-vote threshold, as did each of President Obama's prior nominees to the Court. Yet my colleagues on the other side of the aisle refused even to meet with him. His treatment was disgraceful.

Rejecting the treatment Chief Judge Garland received, I met with Judge Neil Gorsuch and shared a thoughtful conversation. I found him to be intelligent and articulate but at the same time, he was not particularly forthcoming about his judicial record, which contains many distressing examples of inconsistency and ideological rigidity. Nothing in our conversation or his testimony before the Judiciary Committee convinced me that he plans to moderate his positions to dispense equal justice under the law. I am deeply concerned that granting him a lifetime appointment to be a final authority on the meaning of the Constitution would further tip the scales of justice in favor of corporations and the powerful at the expense of working people and the powerless. Therefore, I cannot support Judge Gorsuch's nomination to the Supreme Court of the United States.

This is a pivotal time for our Nation, when the people's trust in the judiciary is in decline, attributed by many to the streak of 5-to-4 decisions of the Roberts Court that have consolidated corporate

power. Given how radically the Court has changed many of our institutions over just the past decade, it is difficult to overstate the importance of understanding a nominee's judicial values and the human element the nominee will bring to the Court.

I have applied the same, simple test to each Supreme Court nominee throughout my time in this body. It is not enough for a nominee to display intellectual gifts or to possess a textbook understanding of American history and jurisprudence. Judicial decision making at the Supreme Court is not an assembly line where mechanical application of the law will resolve every dispute.

Rather, the nominee must demonstrate that she or he will use judicial discretion to give meaning to the text and spirit of the Constitution.

Justice Harlan Fiske Stone laid the foundation for this model of judicial review in *United States v. Carolene Products Co.* He wrote that judges must enforce the specific text of the Constitution, but he went further than that, urging judges to apply stricter scrutiny to laws that impede the effective operation of government and channels of political participation. Judges should likewise demand the most compelling justifications for laws that single out powerless, discrete, and insular minorities. These principles deeply influenced future scholars and judges and laid the groundwork for modern constitutional law as we have understood it since the Warren Court.

These are the decisions that struck down race and gender segregation, proclaimed the rule of "one person, one vote," enshrined the right to remain silent and to counsel in police custody, and recognized the fundamental right of a person to marry for love, regardless of race or gender.

This tradition stands in stark contrast to the new wave of hyper-partisan legal activism we have seen manifested in our courts in recent years. This judicial activism attempts to disguise judges' personal political agenda by arguing that they are merely applying pure, indisputable, mechanical logic. This philosophy goes by varied names: textualism, originalism, strict constructionism, and so forth. But in the main, it is an ideological prism to disguise traditional judicial discretion, expand the law without limits to benefit politically powerful majority groups and corporations, and constrict the law for the minorities, workers, and the politically powerless.

We know too well the devastating effects of this line of thinking as it has manifested itself in the Roberts Court. In the case of *Shelby County*, the Court disregarded congressional intent and ruled 5 to 4 that the preclearance formula that helped millions of African Americans secure the vote in States with a history of discrimination was no

longer necessary. This freed several States to enact severely restrictive election laws that clearly benefit one party and racial group at the expense of another, and courts are still working to resolve these imbalances.

In *Hobby Lobby*, with an intellectual framework formed in part by Judge Gorsuch, the Court ruled 5 to 4 to give for-profit corporations religious rights to opt out of providing comprehensive health coverage for their employees. This has opened the door for corporate religious challenges to an untold number of duly enacted restraints on corporate excess, from child labor laws to basic protections against employment discrimination.

In *Citizens United*, as we all too well know, the Court broke with decades of precedent, the facts of the case, and common sense to create a constitutional right for corporations to spend unlimited money on our elections. Indeed, our political system is still reeling from billions of dollars in anonymous political expenditures, and we are only now beginning to recognize the national security concerns that have resulted, with hostile powers, such as Russia, seeking to influence our democracy. In order to satisfy partisan, ideological ends, the Court has left us powerless to limit the purchase of political influence or even to know who is spending all this money on our politics.

Judge Gorsuch's record strongly suggests that he would contribute to the Roberts Court's partisan, pro-corporate orientation. Indeed, the very same business groups that spent \$7 million in dark money to block Chief Judge Garland's nomination to this seat also spent \$10 million on ads and lobbying efforts to support Judge Gorsuch's nomination. It stands to reason that these groups believe that Judge Gorsuch shares their right-wing beliefs and will benefit their interests.

The Judiciary is supposed to be above politics. Judges write opinions to satisfy due process and establish precedents that will guide future decisions. The opinion-writing process is not intended to be an arena for judges to pursue self-serving or ideological ends. That is why I am deeply concerned with Judge Gorsuch's clear willingness on the Tenth Circuit to go beyond precedent and the facts of a case before him to advance arguments designed to bend the law to his ideology.

In *Riddle v. Hickenlooper*, Judge Gorsuch joined a panel decision that struck down uneven contribution limits in Colorado election laws. He then wrote separately to advocate that all campaign finance laws should be subject to greater constitutional questioning. This was both unnecessary to decide the case, and a clear signal by Judge Gorsuch that he would work to abolish what remains of laws limiting the flow of anonymous corporate money into our elections.

Judge Gorsuch has reached furthest beyond precedent when doing so would deconstruct Federal agencies that constrain corporations, and protect workers, consumers, and the environment. This confirmation process has introduced many to a relatively obscure doctrine of administrative law called *Chevron* deference. The *Chevron* case stands for the essentially uncontested proposition that, when someone sues a Federal agency and a reasonable person could read the statute at issue more than one way, the court should defer to the agency's reasonable interpretation of the law it is charged with enforcing. This case has long been a target for attacks by corporations and their advocates because it levels the playing field in cases between massively well-funded corporate lawyers who want no regulations, and agencies charged with bringing big business into compliance with the law. Judge Gorsuch has written strongly against this principle, but even Justice Scalia acknowledged the sound reasoning behind the *Chevron* case.

Judge Gorsuch would seemingly return us to the old days when powerful companies could pollute the environment, scam their customers, and discriminate against their employees as long as they could pay enough lawyers and get the right judge when the Federal agency sues. In the case of *Gutierrez-Brizuela v. Lynch*, he took the very unusual step of writing a concurrence to his own majority opinion in order to attack Federal agencies and make the case that decades of *Chevron* precedent should be overturned. It is highly unusual, after you have written the majority opinion at the circuit level deciding the case, that you would then step aside and write a separate epistle advancing your ideas.

He wrote in language that is familiar to those of us in the political branches of government, but out of the ordinary for a Federal judge. He compared Federal agencies to a "tyrannical king" and a "behemoth" and a "colossus" and laid out his constitutional theory for challenging *Chevron* in the Supreme Court. None of this analysis was necessary to the case before Judge Gorsuch. Yet in writing this and similar opinions, Judge Gorsuch signaled his willingness to break from precedent and contort the law to fit his ideological vision of how the system should work to benefit the powerful and his preferred interests.

My colleagues on the Judiciary Committee spent a great deal of time and effort questioning Judge Gorsuch and trying to elicit responses about his basic judicial philosophy. Unfortunately, his answers were largely non-responsive and failed to address many of our concerns about his record.

Judge Gorsuch's record and writings shows he believes judges should always interpret the Constitution and other

laws from the perspective of those who first drafted the law, regardless of how the world looks today.

The Founders and Framers, however, did not leave us a blueprint to answer every new question of law. Nor did the delegates to the Constitutional Convention demand that all future judges be "originalists." The laws and values of 1789 would shock and alienate—as they should—many Americans today, particularly women and racial and other minority groups. Worse yet, a judge attempting to resolve a case as if it were the 18th, 19th, or even 20th centuries may wittingly or unwittingly use that construct to inject into the case the judge's own view of how the government ought to work.

The *Hobby Lobby* case is a key example of this ideological inconsistency at work to the detriment of less powerful Americans. This case concerned, as I noted earlier, whether a for-profit corporation could refuse to comply with the Affordable Care Act's mandate that employers provide health coverage, including contraceptives, to over 23,000 employees on the ground that doing so would conflict with the corporation's purported religious rights under the Religious Freedom Restoration Act, or RFRA.

The text of RFRA provides that the "government shall not substantially burden a person's exercise of religion even if the burden results from a rule of general applicability." The legislative history of RFRA is both recent and clear. In the case of *Employment Division v. Smith*, decided in 1990, the Supreme Court rejected two peyote users' claim of a religious right to consume the drug on grounds that the Constitution permits some burdens on religion if the aim of the law is secular and generally applicable. When Congress debated RFRA in 1993, the House and Senate reports showed explicitly that Congress's aim was "only to overturn the Supreme Court's decision in *Smith*" and to require courts considering RFRA cases to "look to free exercise cases decided prior to *Smith* for guidance."

No Supreme Court case prior to this time had ever granted corporations religious rights and nothing in RFRA's legislative history suggested that Congress's intent was to do so. Notwithstanding these facts, Judge Gorsuch joined his colleagues to hold that a for-profit corporation's religious beliefs may overcome its employees' own consciences and rights to comprehensive health coverage. He relied on an 1871 law called the Dictionary Act, which provided that in certain circumstances, Congress's use of the term "person" can also mean businesses, "unless the context indicates otherwise." This reference to context means that Judge Gorsuch had discretion to use history and common sense to reach the conclusion that corporations don't

have religious views, but people do, and RFRA was enacted to protect real people's rights. But instead, he took this opportunity to endow corporate entities with religious rights that could help them escape the law in untold circumstances.

Let's explore for a moment Judge Gorsuch's belief that judges should always give meaning to the original intent of a law's draftsmen. In this case, what is a corporation and how does it operate? In 1787, there were roughly six non-bank corporations in America, and their powers were severely restricted in the wake of colonists' experiences with the abusive practices of the Crown and royal English corporations. Around the time that Congress passed the Dictionary Act, corporations were harshly regulated by law to achieve specific commercial ends and nothing more. There were legal limits on the capital they could raise. Many could not operate outside their state of incorporation. They were often prohibited from owning property that was not necessary for specific commercial activities. Most were even forbidden to engage in any activity that was not explicitly enumerated in their corporate charters, and a real person could sue to render a corporation's action a legal nullity if it were not expressly in furtherance of the corporation's business mission. The idea that a corporation in this context could exercise fundamental religious rights, much less that its religion should excuse it from complying with duly enacted laws that protect real people, would have been outrageous to the Framers and the Congress that passed the Dictionary Act.

Judge Gorsuch knew or should have known the ahistorical nature of his decisions. We have yet to see the full scope and consequences of his vision of a near-unlimited right of corporations to opt out of our laws, but we can imagine the harmful choices and difficult litigation on this point that may lie ahead. I, for one, have deep concerns about any judicial philosophy that bends so far in the direction of corporate interests and completely ignores tens of thousands of real people in the process.

For as much as Judge Gorsuch's record shows that he is willing to entertain new or arcane legal theories to reach a better outcome for corporations and the powerful, it is also clear that he will go to no such length to vindicate the rights of minorities, the disabled or workers.

One example highlighted during Judge Gorsuch's confirmation hearing is his record on lawsuits under the Individuals with Disabilities Education Act, or IDEA. The purpose of IDEA is to ensure that students with disabilities receive a public education that is tailored to their special individual needs. In the 2008 case popularly referred to as the *Luke P.* case, however,

Judge Gorsuch ruled against the parents of a severely autistic child who sought reimbursement for the cost of a specialized school because their son was not making appropriate progress in the public school. In denying the parents relief, Gorsuch reinterpreted IDEA to require that public schools need only provide *de minimis*, or nonzero educational progress to children with disabilities. Not only did Judge Gorsuch go beyond the facts of the case to close any path to relief for the family, but in this and similar cases, he attempted to set a legal precedent for future cases that effectively eviscerated the meaning and protections of IDEA.

Fortunately, the Supreme Court intervened. In a rare unanimous decision released, ironically, on the second day of Judge Gorsuch's confirmation hearing, the Court rejected Judge Gorsuch's narrow reading of the law. In fact, the Chief Justice did not mince words when it came to Judge Gorsuch's lower bar for schools. He said Judge Gorsuch's model would hardly provide "an education at all" for children with disabilities, and that "receiving instruction that aims so low would be tantamount to 'sitting idly . . . awaiting the time when they were old enough to drop out.'" This stark, unanimous rebuke of Judge Gorsuch's view of the law in the middle of his confirmation hearing was yet another reminder that this nominee is outside of the judicial mainstream.

But Judge Gorsuch has not just restricted his reading of the law in the educational context. In *TransAm Trucking, Inc. v. Administrative Review Board*, a majority of the Tenth Circuit held that a truck driver was wrongfully fired when he drove away from his trailer to find help after being stranded for hours in subzero temperatures in a vehicle with no heat and a rig with failed brakes. Judge Gorsuch disagreed so sharply that he penned a dissent. Under his strict textualist view of the law, the driver was protected from firing for "refusing" to operate in dangerous conditions, but the word "refusing" could not be interpreted to include driving away to get potentially lifesaving help, rather than freezing to death. Again and again, Judge Gorsuch's record shows he is capable, but either unwilling or unable to give the same benefit of the doubt to average working people as he does to their employers, their landlords and the most powerful among us.

Mr. President, Constitutional law is not concerned with easy cases or simple answers. We have constitutional guarantees to inalienable rights because we know that majority rule sometimes gets it wrong, particularly when it comes to the rights of the minority. That is what makes the qualifications for a seat on the Supreme Court fundamentally different from

any other Federal or State court in the Nation. A judge's job is to apply precedent, be faithful to the law, and exercise measures of empathy and common sense to dispense justice. A Supreme Court Justice's job is to decide when the law is wrong and must be changed in order to fulfill the promise of the Constitution. The Supreme Court cannot perform this function unless the individual Justices bring to it the values and willingness to be the last resort for the powerless when the system fails. They must be able to make unpopular decisions and side against political and cultural majorities. They must be able to reject precedent when the established way of doing things no longer safeguards the fundamental protections to which every American is entitled. They must do this for the least and most derided among us, because if they do not, there is nowhere else to turn. They have the final word on the meaning of the law.

I take Judge Gorsuch at his word that he respects the law and approaches this nomination with seriousness and a sense of responsibility. A thoughtful reading of his work as an advocate and a judge reveals that he has a consistent predisposition to favor corporations and the powerful over human beings and the powerless. To be sure, there is nothing inherently wrong when a corporation, or a landlord, or an employer or a President of the United States wins a case in a court of law. The system often works as it should even when it hands new victories to those who seldom lose at anything. But at this moment in the life of our Nation, it is vital that the next Justice of the Supreme Court be willing and able to elevate the rights of the people above the prevailing political view of the wealthiest and most powerful when the two are in conflict. I cannot conclude that Judge Gorsuch meets this standard. Therefore, I will oppose his nomination and I would urge my colleagues to do the same.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from New Mexico.

Mr. UDALL. Thank you, Mr. President.

We have many important responsibilities as U.S. Senators. We often have to make very difficult decisions. Deciding to vote against cloture and confirmation for Judge Gorsuch has been a tough decision.

Since coming to the Senate, I have been a strong advocate for reforming the rules, to curb abuses to ensure the body can function, and to make sure that the President's nominees are treated fairly. I believe our constitutional duty to provide advice and consent is one of the most important of all of our responsibilities as Senators, especially for nominees to our Nation's highest Court, and I believe that withholding consent should be rare—rare

but not unheard of. Sometimes circumstances will be so extraordinary that filibustering a Supreme Court nominee is necessary. The gang of 14 knew this. That was the group of 14 Senators who forged a compromise in 2005. Three of them are still in the Senate. Their agreement allowed some controversial judicial nominees to be confirmed to appellate courts, but it also allowed the Senate to avoid triggering the nuclear option, and it addressed how they would weigh future nominations.

The gang of 14 agreed to the following: "Nominees should be filibustered only under extraordinary circumstances and each signatory must use his or her own discretion and judgment in determining whether such circumstances exist."

I think that is a good standard, to only filibuster a nominee under extraordinary circumstances. Unfortunately, in my evaluation of Judge Gorsuch's nomination to the Supreme Court, I can't think of more extraordinary circumstances.

First, this wasn't President Trump's seat to fill. Justice Scalia died on February 13, 2016. President Obama still had nearly 1 year at that point to serve in his term. So President Obama fulfilled his constitutional duty. He nominated one of the most qualified nominees in the history of the Court, Judge Merrick Garland. Shortly before Judge Garland was nominated, Senator HATCH, one of our most respected Republican colleagues on the Judiciary Committee, said Judge Garland would be a great pick. Senator HATCH went on to say that President Obama "probably won't do that because this appointment is about the election." But President Obama did do it. Judge Garland is not just a fine jurist, he is an exceptional human being. Judge Garland's lifelong commitment to public service is well known. He deserved far better treatment by the Senate majority.

Judge Garland was denied a hearing. Many of my Republican colleagues wouldn't even give him the courtesy of a meeting, and he never got a vote, which was a disgrace. It is an injustice that needs to be remedied before I could ever consider voting for Judge Gorsuch.

President Trump could fix this. He could make a commitment to nominate Judge Garland to the next vacant seat on the Court. It would be the right thing to do. I have been very open that I believe the Senate has become dysfunctional, but what the majority did last year was unprecedented. Things went from bad to rock bottom.

Being senatorial used to mean something. The Republican majority has shattered that tradition for purely partisan reasons. In fact, the majority leader has publicly stated: "One of my proudest moments was when I told Obama 'you will not fill this Supreme

Court vacancy.'" That is a violation of the U.S. Constitution's requirement that the Senate provide advice and consent.

Now, in 2017, Senator MCCONNELL has guaranteed Judge Gorsuch's confirmation, even before he had his hearing. For him the outcome has been a foregone conclusion. So we see there is no advice and consent now, either, just the exercise of power to block a nominee from another party. But President Trump could help heal that deeply partisan wound inflicted by his party. There is still time for both sides to come together and work out an agreement with bipartisanship and fairness first, and put aside the bitter partisan fighting that has divided the Congress and our Nation.

There is also a pragmatic reason for President Trump to appoint Judge Garland to the next seat. President Trump needs to ask himself if he wants to be subject to the McConnell precedent. Is he willing to accept that he only gets to appoint Justices for 3 years? If a Supreme Court vacancy occurs in 2020, does President Trump understand that it is not his vacancy to fill? That is the absurd standard that Leader MCCONNELL has established. If the Republican majority is dead-set on changing the rules to jam this nominee through after all that has happened, then we need to talk about this.

Perhaps the best thing to do in order to ensure the President understands the gravity of the Republicans' obstruction of his predecessor is to go ahead and put the McConnell rule in place for President Trump. Let's establish in our rule that President Trump only gets 3 years to appoint Justices. We can do this with a simple standing order. The majority leader believed President Obama should only have 3 years to appoint Justices, certainly the same standard must apply to President Trump. If the Republican majority thought that their policy in 2016 was good for President Obama, it should be good for President Trump. What is fair is fair.

I have a standing order drafted that would do that, and I hope an agreement can be reached to rectify the injustice that was done to Judge Garland, and I hope that Republicans will decide against using the nuclear option. But if that doesn't happen, I will call on the Senate to adopt this standing order so that President Trump was bound by the same restrictions as President Obama.

If we are going to change the rules tomorrow, then let's get the Republican majority on record. Are they prepared to hold President Trump to the same unjust standard as President Obama? We can find out.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of my standing order at the end of my remarks.

Unfortunately, Judge Garland's unacceptable treatment isn't the only concern that guides my decision to vote against Judge Gorsuch. Like many things in the Trump administration, there is no shortage of extraordinary circumstances. Perhaps the most serious is the cloud of suspicion over his Presidency.

U.S. intelligence agencies have concluded that the Russian government interfered in the U.S. Presidential election and that it interfered to help Candidate Trump. There are unexplained ties between the President, his campaign staff, his associates, and Russian officials. People close to the President had meetings and telephone calls with Russian officials during the campaign and transition, and, most critically, the FBI and the Department of Justice are investigating whether the President and his associates coordinated or conspired with the Russian Government to interfere with the Presidential election. It is an investigation that began last July and is likely to continue for months.

If the President or his close advisers worked with Russia to help him win the U.S. election, do we really want to let him appoint a Justice to the Supreme Court, someone who could be on the Court for 30 years or more? There is no reason to rush this nomination.

Remember, Republicans had no problem letting Judge Garland's appointment languish for 293 days, and President Obama wasn't under investigation. Judge Gorsuch was nominated just 64 days ago. If Republicans had treated Judge Garland's nomination with the same expediency, he would have been confirmed last May when President Obama still had 8 months in office. The unacceptable treatment of Judge Garland and the investigation into Russia's influence in the election are reasons enough to vote against Judge Gorsuch.

But there is one more critical issue: the nominee himself. I have met with Judge Gorsuch and followed the hearing in the Senate Judiciary Committee. I carefully studied his record, and based on all of this information, I can't support his confirmation. The Supreme Court changes people's lives. Its decisions stand for generations. It is essential that Justices understand not only how these issues impact our democracy but how they affect people's lives, and that they consider them free of ideology.

Our meeting and the Senate hearings were Judge Gorsuch's opportunity to convince me that he will be an independent mind on the Court. He failed to answer questions that were critical for me—his position on the rights of working mothers, whether women can choose their own health care decisions, LGBTQ rights, and dark money in our elections, just to name a few. But what I found most troubling is that he failed

to convince me that he would be an independent voice on the Court.

In just the last couple of months, the President has taken constitutionally questionable actions affecting Muslim immigrants, freedom of speech, and religion. The FBI is investigating his campaign, and he faces scrutiny about whether his company is benefitting from his office. All of these issues could well come in front of and before the Supreme Court. It is more important now than ever before that we have a neutral, clearminded Justice sitting on the bench. After carefully considering all these issues, I cannot support Judge Gorsuch's confirmation. It is not an easy decision, but I believe it is the right one for our country.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RESOLUTION

Title: Prohibiting consideration of a nomination to the Supreme Court of the United States during the final year of the term of office of the President.

Resolved,

SECTION I. PROHIBITION ON CONSIDERING NOMINATIONS TO THE SUPREME COURT OF THE UNITED STATES DURING THE FINAL YEAR OF THE TERM OF OFFICE OF THE PRESIDENT.

During the period beginning on January 20, 2020 and ending at noon on January 20, 2021, it shall not be in order in the Senate to consider the nomination of an individual to the position of Chief Justice of the United States or a position as a justice of the Supreme Court of the United States.

Mr. UDALL. With that I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, the U.S. Supreme Court is a pillar of our Nation's democracy, and I take very seriously the Senate's responsibility to advise and consent on nominees to serve in this revered institution. Our constitutional democracy is a system of checks and balances with three coequal branches of government. Each branch is intended to serve as a check on the other two.

If congressional Republicans are unwilling or unable to check President Trump, this leaves our courts as the last line of defense against an administration that is committed to expanding the already vast power that is provided to the Executive.

We have seen this play out over the past 2 months as President Trump has twice rolled out unconstitutional travel bans only to have Federal courts stop their implementation. The President's reaction was telling. He lashed out at the "so-called 'judge'" and urged his Twitter followers to blame not only the judge who stayed a travel ban but the entire Federal court system should an attack occur.

Judge Gorsuch wants us all to know that he found these attacks on the judiciary "disheartening." He told me as

much when we met. He made a point to use the same language when in meetings with a number of my colleagues. Personally, I would say that these attacks on the judicial branch are more than disheartening—they are appalling, and I would say they are dangerous.

Judge Gorsuch is, by all accounts—and in my opinion—a good man, but as I have reviewed Judge Gorsuch's record and previous rulings, I have to say that I find them disheartening.

I find it disheartening that he has regularly sided against everyday Americans' rights, including women's reproductive rights, workers' rights, and civil rights. I find it disheartening that, instead of allowing women access to basic healthcare, Judge Gorsuch authored a concurring decision that argued that corporations have religious beliefs.

Yes, we all know that corporate law creates a legal fiction of personhood, but let's be real. Corporations are not people. They are not humans, and I have never sat next to a corporation at church. Corporations do not have religious beliefs. To say otherwise defies common sense.

Judge Gorsuch's ruling and the subsequent Supreme Court decision in *Burwell v. Hobby Lobby Stores, Inc.*, is a dangerous step backward for women's health. This ruling puts corporations before people and could leave women in Michigan and across the country without access to essential healthcare services. This decision is a step backward for women. It is, instead, a step forward for the growing power that corporations have in this country. Courts not only serve as a check against a powerful executive branch, but they are supposed to put individuals on a level playing field against large, powerful corporations.

I am disheartened that Judge Gorsuch was the only Tenth Circuit judge to rule against a Detroit truckdriver who was unfairly fired for not staying in his disabled trailer after waiting for hours in dangerously cold weather. In a 2-to-1 decision in *TransAm Trucking v. DOL*, Judge Gorsuch ruled that TransAm Trucking was in the right when it fired Alphonse Maddin for walking away from his disabled semi instead of risking death by hypothermia.

I am also disheartened by Judge Gorsuch's ruling on accommodations for disabled students. In *Thompson R2-J School District v. Luke P.*, Judge Gorsuch ruled that schools only need to provide meager accommodations to satisfy the Individuals with Disabilities Education Act.

During Judge Gorsuch's confirmation hearing, the Supreme Court handed down a decision that ruled unanimously against his position. Even the most conservative judges on the Court overruled him.

Chief Justice John Roberts powerfully wrote:

When all is said and done, a student offered an educational program providing "merely more than de minimis" progress from year to year can hardly be said to have been offered an education at all.

Whether it is ruling against children who want an equal opportunity to get a quality education or women who want access to healthcare or a truckdriver who simply wants to make it home safely at the end of his shift, I am disheartened that Judge Gorsuch often fails to take into account the human face behind each case.

The U.S. Supreme Court is often the last line of defense for everyday Americans, and Judge Gorsuch's previous rulings indicate he believes that corporations have greater rights than individuals. As millions have been spent by the corporate elite in support of his nomination to the Supreme Court, the judge has failed to acknowledge how deeply the Citizens United decision has corrupted our government by opening the floodgates for special interest money to pour into our elections.

My colleagues on the other side of the aisle will tell you that Judge Gorsuch is a mainstream judge. I would argue that most Michiganders do not consider the Koch brothers or the Heritage Foundation to be mainstream. Mainstream Michiganders would tell you that our winters can be bitter cold and that you cannot sit in a stalled vehicle for hours without risking life and limb. They would tell you that corporations are not people and, therefore, do not have religious beliefs. They would tell you that all children deserve a chance at a quality education.

A lot of my colleagues will be discussing Senate procedures and rules and precedent in the coming days, and I will simply say this: Michiganders and all Americans deserve a true mainstream, consensus Supreme Court Justice who can earn broad bipartisan support and not merely squeak by.

Now, more than ever, we need the Supreme Court to be our Nation's North Star, not a weathervane that responds to rapidly shifting political winds.

Serving on the Supreme Court requires more than education, more than experience, and more than a pleasant demeanor. A Supreme Court Justice must have sound judicial philosophy and the ability to interpret the law as intended by the Constitution and by the Congress.

I am extremely concerned that Judge Gorsuch's judicial approach is out of step with mainstream Michigan values, and I urge my colleagues to join me in opposing his nomination.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. PETERS. I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I thank the Senator for yielding.

Mr. President, deciding whether to confirm a President's nominee for the highest Court in the land is a responsibility I take very seriously. Over the past few weeks, I have met with Judge Gorsuch, listened to the Judiciary Committee's hearings, and reviewed his record with an open mind. I have real concerns with his thinking on protecting the right to vote and allowing unlimited money in political campaigns. In addition, I am concerned that the judge will not protect the rights of the everyday average citizen when they come up against large corporate interests. Judge Gorsuch has consistently sided with corporations over employees, as in the case of a freezing truck driver who, contrary to common sense, Judge Gorsuch would have allowed to be fired for abandoning his disabled rig during extreme weather conditions.

I will vote no on the motion to invoke cloture and, if that succeeds, I will vote no on his confirmation.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, I rise today to speak about one of the most important responsibilities we have here in the U.S. Senate: considering the President's nominee to the Supreme Court.

It is a vote with consequences that will far outlast this Presidential administration. It is a vote with implications that will outlast all of our time here in the Senate. It will certainly be one of the most consequential decisions each one of us makes.

That is because any one of the nine individuals named to the Supreme Court with a lifetime appointment can change the course of our Nation. In just the past few years, we have seen that. We have witnessed a series of 5-to-4 decisions that changed the trajectory of our society—decisions that gutted section 4 of the Voting Rights Act and resulted in numerous States enacting discriminatory laws designed to limit access to the ballot box, especially for African-American and minority voters.

The 5-to-4 Citizens United decision overturned the law of the land and Supreme Court precedent in order to empower corporations to spend unlimited sums of money in support of candidates for public office, corroding the fabric of our democracy. There were decisions that limit a woman's access to safe and affordable birth control and reaffirm the legal fiction that for-profit corporations should have the same rights as real people. There was a decision that upheld the Affordable Care Act, and a decision that—with a single vote—gave every American the right to marry the person they love.

The decision of a single Supreme Court Justice can indeed change the trajectory of our judiciary and of our society for generations.

Now my Republican colleagues rightly note that this weighty decision begins with the President. They have routinely said it is the President's right to choose his judicial nominees, and that is true. I have one question for them: Where were they last year when President Obama nominated Merrick Garland to the Supreme Court of the United States? They were AWOL.

Shortly after Justice Scalia passed away and before President Obama even named his nominee, the Senate Republican leader announced that he would leave the seat open—and he did—for an unprecedented 293 days. For 293 days, one of the most qualified and mainstream nominees in our history languished without even a hearing. Many Senators refused even to meet with him. For 293 days, Democrats in this Chamber and people from all over the country called upon this Senate to do its job and consider the nomination of Judge Merrick Garland. The response? Nothing—a total abdication of this Senate's constitutional responsibility of advice and consent.

But, unfortunately, this Chamber's failure to live up to its responsibility to consider the Garland nomination is just one piece of a larger assault on the independence of our judiciary.

President Trump has made it clear that he sees our Nation's judges not as a separate and coequal branch, but an unwelcome challenge to his power. He has called the courts broken and political. When he faced trial for scamming thousands of students at Trump University, he charged that the Federal judge overseeing that case could not be impartial. Why? Because, he said, he was Hispanic—a charge that was, in the words of the Speaker of the House PAUL RYAN, the “textbook definition” of racism.

When the Trump administration first tried to impose its Muslim ban, only to be blocked by a Federal court, did President Trump display respect for the rule of law? No. He fired his acting Attorney General, Sally Yates and accused her of having “betrayed” the Department of Justice. He went on to say that if any future harm occurs, it is the fault of the courts, and called them obstructionists for not bending to his will. They are not supposed to bend to the will of the Executive.

President Trump's disdain for the courts makes it all the more important that the open seat on the Supreme Court be filled by somebody who is seen as an impartial administrator of justice—someone who does not have a set political ideology.

Unfortunately, Neil Gorsuch does not meet that important test.

His record and his testimony shows that he applies a very cramped reading of the law and consistently—time and again—sides with powerful corporate interests against the rights of workers,

consumers, and individuals. When he had an opportunity during the hearings to explain that bias, he chose instead to evade the questions and answer with platitudes, not substance. While he is undoubtedly a skilled lawyer, his record reveals that he is outside of the judicial mainstream. His decisions have closed the doors of justice to working people, to people with disabilities, and to individuals seeking to protect their rights.

In one opinion, Judge Gorsuch was the only judge who thought that TransAm Trucking company was right when they fired a driver whose only offense was finding safety when the heat in his truck broke down in subzero temperatures, and he began to show signs of hypothermia. The driver said he could not feel his lower body, his fingers were becoming numb, and he experienced slurred speech while waiting for hours for help from his company. Judge Gorsuch was the only judge who thought that Federal regulations protected the trucking company and not the truckdriver trying to avoid freezing to death. It makes me doubt that Judge Gorsuch considers the real-world consequences of this ruling.

Judge Gorsuch also sided against working people and defended powerful corporations. In his opinion in *Hobby Lobby*, he came down on the side of corporate power against the rights of workers. He argued that not only do corporations have rights to religious liberty, but those rights can supersede—can trump—the rights of ordinary working Americans. He was the architect of an opinion that severely limited a woman's access to basic reproductive healthcare.

In yet another ruling, Judge Gorsuch prevented an autistic child from getting a proper public school education. His opinion on the Individuals with Disabilities Education Act severely limited the options for parents of children with disabilities and the quality of public school education they could receive. His reasoning in that case was overturned by the Supreme Court literally as he was testifying in the Senate Judiciary Committee.

Not merely was his decision overturned, it was overturned unanimously—eight to nothing. According to the justices that Judge Gorsuch hopes to serve with, his standard would have cut children with disabilities out of high-quality education.

As the Supreme Court said in that case: “For children with disabilities, receiving instruction that aims so low would be tantamount to sitting idly, awaiting the time when they were old enough to drop out.”

That is what the Court said. Fortunately for children with disabilities and their families, and for the sake of justice, they did not adopt the Gorsuch reasoning.

Finally, Judge Gorsuch has spent his career arguing against the so-called

Chevron standard. In essence, this means that when it comes to Federal rules designed to protect the public health and safety, he believes that the opinions of judges like himself should outweigh the opinions of experts in these subjects in our civil service. This view was rejected by none other than Judge Scalia. It is much more in line with the thinking of Steve Bannon, a man whose stated goal is to deconstruct the Federal rules that protect the health and safety of the American people. Again, Judge Gorsuch is not in the mainstream.

And let's make no mistake, he was never intended to be a mainstream nominee. Candidate Trump established several litmus tests. He said he wanted a nominee who was opposed to a woman's right to reproductive choice and someone who would have the support of the NRA. Donald Trump then subcontracted out the nomination process to rightwing conservative groups like the Heritage Foundation and the Federalist Society. He asked them to compile a list of nominees who they liked. Neil Gorsuch was on that list.

So it should be no surprise that an analysis that appeared in the New York Times concluded that Neil Gorsuch would be the second most conservative member of the current Supreme Court, and an analysis in the Washington Post concluded he would be the most rightwing member of the Court.

And once President Trump selected Neil Gorsuch, the rightwing money machine went into action. Since that moment, money has flooded our airwaves, with more than \$10 million spent in support of this nomination. Never before has our country witnessed a multimillion dollar campaign for the Supreme Court.

When pressed, Judge Gorsuch said he had no idea who or why anybody would spend that much money to make sure he sits on the highest Court. I think we know why from looking at his record. They want someone who consistently rules in favor of large corporate special interests against the rest of us.

There is a better way. Typically, the White House will consult with Members of both parties, Republicans and Democrats, before settling on a nominee. This time that courtesy was not extended to Democrats. If it had been, we could be talking today about a bipartisan nominee—someone who would uphold equal justice under the law for every American. The rules do not need to change; the nominee needs to be changed.

Our Nation's independent judiciary is under attack. Our President demonizes judges whenever he feels challenged, and now special interest groups have begun funding millions of dollars into a campaign, reducing our solemn constitutional duty to a set of slick campaign ads. That is why we need a new

nominee—one who has the support of 60 members of this Chamber.

I will oppose this nomination and insist that this nominee be held to the 60-vote standard to show he can get a consensus of this body.

I yield the floor.

THE PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, one of the most important constitutional duties we as Senators have is to decide whether a Supreme Court nominee is the right person for the job.

When we make a decision, we should always consider what is best for the people of this country. Three branches of government were created to serve the people, so no matter what we do—whether it is here in the Senate, whether it is in the White House, or whether it is across the street in the Supreme Court—the American people should always come first. And our rights—our individual rights should never be subordinate to the rights of corporations.

The Supreme Court is supposed to be the ultimate protector of our individual rights—the ultimate arbiter of justice for our citizens.

Unfortunately, Judge Gorsuch, over the course of his career, has made it clear that he thinks the rights of corporations are more important than the rights of individuals.

For someone who describes himself as a strict constructionist—as a so-called textualist—his judicial ruling on corporate rights in the Hobby Lobby case is one of the biggest distortions of our sacred principle of individual rights that I have ever seen.

And now President Trump has nominated Judge Gorsuch to the Supreme Court, where he could end up ruling on many more cases related to individual rights.

In my State, just like in many of yours, there are thousands and thousands of families who will be directly affected by the decisions the Supreme Court makes in the next few years: voting rights, workers' rights, reproductive rights.

The PRESIDING OFFICER. The time of the Senator has expired.

Mrs. GILLIBRAND. I ask unanimous consent for 1 additional minute.

THE PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. GILLIBRAND. In my State, just like many others, there are thousands of families who will be directly affected by the decision the Supreme Court makes in the next few years—even our First Amendment speech rights, which President Trump has threatened by saying he wants “to open up our libel laws” against the press.

If any of these cases make it to the Supreme Court, they will all be decided in part by the next Supreme Court Justice, and Judge Gorsuch's record does

not give me confidence that he will be a Justice whose rulings would bolster those individual rights.

On the issue of changing the rules to the filibuster, I strongly oppose changing these Senate rules for President Trump, to give him special help with Judge Gorsuch.

So I urge my colleagues to think about the potentially far-reaching and damaging consequences to our democracy if they vote to eliminate the filibuster for Supreme Court nominees. Fundamentally, changing the rules for President Trump is a historic mistake.

We must stand up for individuals' rights over corporations, and I urge my colleagues to vote against this nominee.

THE PRESIDING OFFICER (Mr. LEE). The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I, too, wish to spend some time talking about the confirmation and upcoming vote on Judge Neil Gorsuch. As many of my colleagues have noted, this is certainly one of the most important responsibilities we have in this body—to confirm the next Supreme Court Justice.

As the Presiding Officer noted in remarks made a few days ago about Judge Gorsuch, he is an exceptionally well-qualified candidate for the U.S. Supreme Court. I will go briefly into his bio.

First of all, he has a sterling academic reputation and credentials. He graduated from Columbia, Harvard, and Oxford. He clerked for two Supreme Court Justices. He worked at the Justice Department. Very importantly—and we are not hearing a lot about it from our colleagues on the other side—he was unanimously confirmed for a U.S. court of appeals job for the Tenth Circuit in 2006. Senators such as Hillary Clinton, Barack Obama, and Joe Biden all voted for him, as well as many of my colleagues in this body on the other side of the aisle who are still serving.

He is a westerner. We know that right now the U.S. Supreme Court, with the possible exception of Justice Kennedy, has no westerners. Geographical diversity on the Court is very important. This morning, my colleague Senator MURKOWSKI talked about how the current Supreme Court is occupied by Justices who have spent almost their entire lives in the Boston, New York, DC corridor. That is not America. That doesn't represent the whole country. Judges in Western States focus on issues like Native-American law, lands issues, oil and gas issues. It is very important, certainly for my State of Alaska, to have a judge with that kind of background.

But it is more than facts on a page that make Judge Gorsuch such a strong candidate for the High Court. During Senate Judiciary Committee hearings last week, his temperament

was also tested and his judicial philosophy was articulated. It was clear during those hearings that Judge Gorsuch will bring a commitment to following the rule of law and that he believes no one, including the President of the United States, should be above the law. He reveres the separation of powers and the fundamental principle that it is the Congress of the United States, not the judiciary, that makes our laws.

He performed exceptionally well. He answered question after question with consistency and displayed a legal philosophy well within the mainstream of judicial thought within the United States.

As the Presiding Officer knows, it is not just Members of this body who are talking about Judge Gorsuch and how well qualified he is; commentators across the country have focused on how qualified Judge Gorsuch is to be our next Supreme Court Justice. Let me highlight just a few of their quotes.

This is from an editorial from the Chicago Tribune:

Here is a judge who knows the law and knows the role of the judiciary: He isn't on the bench to make law, he's there to interpret it faithfully.

Neil Gorsuch should be confirmed.

The Detroit News:

After two days of often hostile hearings, Supreme Court nominee Neil Gorsuch is proving himself an even-tempered, deeply knowledgeable nominee who should be confirmed by the United States Senate.

The Denver Post said:

[Judge Gorsuch] possesses the fairness, independence and open-mindedness necessary to make him a marvelous addition to the Supreme Court.

USA TODAY's editorial board declared: Gorsuch merits confirmation. This Supreme Court nominee is qualified within the broad judicial mainstream of America.

In fact, we looked to see if there was any major paper across the country or commentator who is opposed to Judge Gorsuch's nomination. It was hard to find any. It was hard to find any in any part of the country. Two former chief justices of the Tenth Circuit Court of Appeals—both appointed by different Presidents of different parties—stated that Judge Gorsuch “represents the best of the judicial tradition in our country.”

Even one board member of the liberal American Constitutional Society who said he supports Democratic candidates and progressive causes declared: “There is no principled reason to vote no on Judge Gorsuch's confirmation.”

He received the highest rating from the American Bar Association. And it is not just the ABA, there is a long list of different groups across the country, many representing minority groups in America, who have supported Judge Gorsuch—the National Congress of American Indians, the Native American Rights Fund, the Hispanic Leader-

ship Fund, the Central Council of Tlingit and Haida Tribes in Alaska. The list goes on and on and on.

Given the broad-based support—from the left, from the right, from the center—why would my colleagues on the other side of the aisle threaten the traditions of this institution and not even allow an up-or-down vote on Judge Gorsuch? Well, I have been listening. I have been listening to the speeches to see what they are saying. It seems that some of my colleagues are focused on this vague notion of vagueness—literally, vagueness. If we listen to their comments, they talk about Judge Gorsuch's supposed ambiguity, his vagueness, his evasiveness, that he won't answer questions on how he would rule on specific cases, so they are going to oppose him because of this. Well, these are curious and, to be frank, unconvincing reasons to oppose Judge Gorsuch.

First, as we know, a nominee is typically not expected to say how he or she would rule on future cases. Judicial nominees, whether appointed by Democratic or Republican Presidents, have said this repeatedly. I will provide a quote from a prior nomination hearing by one of our current Supreme Court Justices. She stated:

Because I am and hope to continue to be a judge, it would be wrong for me to say or to preview in this legislative chamber how I would cast my vote on questions the Supreme Court may be called upon to decide. Were I to rehearse here what I would say and how I would reason on such questions, I would be acting injudiciously.

That was what Justice Ruth Bader Ginsburg told the Senate Judiciary Committee in 1993. She continued during her confirmation hearing:

A judge sworn to decide impartially can offer no forecasts, no hints, for that would show not only disregard for the specifics of the particular case, it would display disdain for the entire judicial process.

Many have called this the Ginsberg standard, one that Justices have followed in front of the Judiciary Committee during their confirmation hearings and one that Judge Gorsuch also followed. Indeed, during his hearing, Judge Gorsuch stated that if the President or others had asked such a specific question on how he would rule on a particular case, “I would have walked out” of the room.

So my colleagues on the other side of the aisle can't have it both ways. They say they want an independent voice on the Court, but they are also opposing Judge Gorsuch because he won't tell them how he would rule on certain cases. This is a new standard and an impossible standard to meet.

The second reason the vagueness standard of many of my colleagues on the other side of the aisle in their opposition to Judge Gorsuch is unconvincing is that it ignores the fact that this is a judge with a record. They say: He is vague. We are not sure what his views are.

Judge Gorsuch has decided roughly 2,700 cases, over 800 of which he authored. There is nothing vague about that. In 97 percent of the time in those cases, he reached a unanimous decision with the other panelists on the Tenth Circuit. These are not vague decisions. His judicial philosophy and temperament are on full display in literally tens of thousands of pages of decisions in his own words. There is nothing vague about them.

My colleagues can challenge him on his mountain of legal opinions, but please, with all due respect, let's drop the facade of opposing him because of vagueness, and that they don't know what the issues are is not an argument that has much merit.

So despite widespread acclaim from groups across the country, representing a broad spectrum of liberals and conservatives, and despite a tenured, concrete record as a judge on the U.S. court of appeals, my colleagues on the other side of the aisle appear to want to engage in a partisan filibuster of Judge Gorsuch's nomination.

What exactly does this mean? The language, I admit, can be confusing—cloture, filibuster, 60-vote threshold. In plain English, what is really going on? It means that the minority leader right now wants to prevent the Senate from having an up-or-down vote on the merits of this Supreme Court nominee. In other words, no vote ever on the qualifications of Judge Gorsuch. We will just filibuster.

I have been watching a number of my colleagues come to the floor and talk about what they are planning on doing. The minority leader has essentially been saying: We all do this. We are all guilty. Nothing new here. This is just a little bit of payback. This is how this place operates.

In many ways, these arguments are almost cavalier in what they are about to do. But we shouldn't buy that. I have been in the Senate only 2 years—a mere blink of an eye compared to others—and I missed a lot of the other nominations and debates in 2013, the Gang of 14 many years ago. But I like to read a lot of history, and here are some facts that are important to understand as we debate the Gorsuch confirmation:

First, there has never been a partisan filibuster of a new President's nominee for the Supreme Court—never.

Second, it has been the custom, always, of the U.S. Senate to give a new President's nominee an up-or-down vote. For example, Republicans gave this courtesy to President Clinton when he nominated Ruth Bader Ginsburg in 1993 and Stephen Breyer in 1994 and President Obama with his first-term nominees, Sonia Sotomayor in 2009 and Elena Kagan in 2010. They all got up-or-down votes.

Third, there has never been a 60-vote requirement for any Justice on the Supreme Court during the confirmation process in the U.S. Senate—never.

Let me go through the votes of the current Supreme Court Justices: Justice Kennedy, 97 to 0; Justice Thomas, 52 to 48; Justice Ginsburg, 96 to 3; Justice Breyer, 87 to 9; Chief Justice Roberts, 78 to 22; Justice Alito, 58 to 42; Justice Sotomayor, 68 to 31; Justice Kagan, 63 to 37.

Incidentally, Justice Scalia, whom Judge Gorsuch would be replacing, passed the vote in the U.S. Senate 98 to 0. Note that two of the current members of the Supreme Court were confirmed by fewer than 60 votes.

Bottom line: There has never been a 60-vote requirement in the U.S. Senate or a partisan filibuster of a Supreme Court nominee during a President's first term—never.

Here is another fact equally as relevant to Judge Gorsuch's confirmation: More than any other President, more than any other Presidential election in recent memory, the one last year was clearly about the U.S. Supreme Court. Republicans in the Senate and Candidate and now President Trump told the American people: There is an open seat on the U.S. Supreme Court. This is an important issue. Let the people decide.

And they did. Polls show that millions of Americans ended up voting for President Trump and against Hillary Clinton based, at least in part, on which candidate they believed should nominate our next Supreme Court Justice and whether they wanted the Court to act as a superlegislature, interpreting a living Constitution, or whether they wanted a Justice in the mold of Justice Scalia, with a more modest view of how the Court should view its station in our constitutional order.

The American people, including my constituents, spoke loudly in November on this issue of the U.S. Supreme Court by voting against Hillary Clinton and for Donald Trump. And to his credit, President Trump kept his word on this important issue by putting forward an extremely well-qualified candidate who will be a worthy successor to Justice Scalia.

Despite all this—an extremely well-qualified nominee and a national election that focused on who should fill the vacancy of the Supreme Court—it appears that the minority leader of the Senate is going to ignore the will of the American people and set a precedent dating back to our Nation's founding by leading a filibuster against Judge Neil Gorsuch. We shouldn't allow this to happen, and we won't.

I hope my colleagues who are contemplating this will change their minds because in going forward with this filibuster, who are they really punishing? They are punishing the Amer-

ican people, as well as undermining the traditions of this body—a body with rules crafted carefully over the last two centuries.

As I mentioned, we need to work together in this body. In my 2 years in the Senate, I have tried hard to work with my colleagues on bipartisan issues. I have also tried hard to show all my colleagues the respect they deserve as duly elected Senators of this important body. Whatever the outcome of this vote on Judge Gorsuch, I certainly want to make clear that we need to continue respectfully working across the aisle for the sake of our Nation, and we need to rebuild trust in the Senate. But at the same time, I believe strongly that Judge Gorsuch deserves to get an up-or-down vote. I certainly encourage my colleagues to bring that vote forward and to confirm this exceptionally well-qualified candidate to be our next Supreme Court Justice. And the American people deserve as much, as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I rise today to speak out against the abuse of the Executive authority. Before I do, I want to compliment the distinguished Senator from Alaska for his cogent remarks here today on the floor. He is one of the great new additions to this body, and he ought to be listened to. I personally respect him and appreciate the words he said here today.

ANTIQUITIES ACT

Mr. President, I rise today to speak out against the abuse of Executive authority under the Antiquities Act.

Over the last two decades, past Presidents have exploited the law in the extreme, using it as a pretext to enact some of the most egregious land grabs in our Nation's history. My home State of Utah has been hit especially hard by this Federal overreach. Time and again, Presidents have abused their power under the Antiquities Act to proclaim massive monument designations—to lock away millions of acres of public land.

My State has fallen victim to not one but two catastrophic monument designations. These designations were made unilaterally, without any input whatever from our congressional delegation or even the local Utahans whose lives would be directly affected by such decisions. Rather than advancing the important cause of conservation, these national monuments have come to symbolize Washington at its worst.

How did we get here? How did a century-old law, which is intended to give Presidents only limited authority to designate special landmarks, become a blunt instrument for Executive overreach? In answering this question, some background is necessary.

In 1906, Congress passed the Antiquities Act, which granted the President

limited authority to establish national monuments to protect areas containing “historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest.” The Antiquities Act was a well-intentioned response to a serious problem: the looting and destruction of cultural and archaeological sites.

When applied as intended, the law has been indispensable in preserving our Nation's rich cultural heritage. But the law has not always been applied as intended; rather, it has been abused, exploited, and distorted beyond all recognition. It has been hijacked by past Presidents not to preserve archaeological features but to satisfy special interests and to advance a radical political agenda—all at the expense of States' rights.

By signing their authority under the Antiquities Act, past Presidents have seized millions of acres of public land, violating both the spirit and arguably the letter of the law. We need only look at the history of the Antiquities Act and its enactment to see how far we have come and how far we have strayed off course.

As with any law, congressional intent is key. On this point, I would like to refer to the House CONGRESSIONAL RECORD dated June 5, 1906. When asked how much land would be taken off the market in the Western States by passage of the Antiquities Act, Congressman John Lacey, the bill's lead sponsor, gave a simple response: “Not very much.”

The bill provides that it shall be the “smallest area necessary for the care and maintenance of the objects to be preserved.” “The smallest area necessary.” These words are damning in light of recent monument designations which, far from regulating the smallest area necessary, have sought to restrict the largest area possible. I wonder what Congressman Lacey would say today if he could see how his bill has been manipulated for extreme partisan ends. I wonder what he would say if he could see how his legislation has been exploited by past Presidents to lock up entire sections of State land—all without congressional approval. And I wonder what he would say about the two most recent monuments designated in Utah: Bears Ears and the Grand Staircase-Escalante monuments. Together, these two monuments encompass 3.25 million acres—an area roughly the size of the State of Connecticut. To say that Congressman Lacey and his colleagues would be disappointed is an understatement.

In passing the Antiquities Act more than 100 years ago, Congress did not intend to cede undo authority to the executive branch, and they certainly did not intend for future Presidents to proclaim the massive land grabs of the recent past. They intended to give Presidents only limited authority to designate special landmarks, such as the

unique national arch or the site of old cliff dwellings. Yet today, when it comes to the Antiquities Act, there is a shocking disparity between what Congress intended and what has actually happened.

As a case in point, look no further than my home State of Utah, where President Obama's last-minute, lame-duck monument designation at Bears Ears is wreaking havoc on the local population. In the parting shot of his Presidency, President Obama defied the entire Utah congressional delegation and the will of his own constituents when he declared the Bears Ears a national monument. With the stroke of a pen, he locked away an astonishing 1.35 million acres—a geographic area larger than the total acreage of all five of Utah's national parks combined.

If that is not enough, consider that Utah's second most recent national monument, the Grand Staircase-Escalante, spans 1.9 million acres. That is an area double the size of all of Utah's national parks combined. When President Clinton proclaimed the Grand Staircase-Escalante a national monument more than 20 years ago, I remember standing on this very floor and speaking out then, just as I am speaking out now. My words back then are just as applicable today. I said:

While the 1906 Antiquities Act may indeed give the President the literal authority to take this action, it is quite clear to me that in using this authority, he is violating the spirit of U.S. environmental laws. Real damage has been done here. The failure even to consult prior to making this decision should be considered devastating to representative democracy.

To this day, the Grand Staircase proclamation remains among the most flagrant abuses of Presidential power I have ever seen. Without so much as a "by your leave" from Utahans, this unilateral action cut off access to millions of acres of land, suffocating economic development and uprooting the lives of thousands of Utahans who relied on the region's resources for their very survival. And just like Bears Ears, this designation came with no input from Utah's Governor, the Utah congressional delegation, or even local communities.

The Grand Staircase monument designation exemplified Executive overreach of the worst kind. Even Democrats were stunned by this shocking power grab, and many of them conceded to me privately when I was then shouting publicly that the President was never meant to set aside millions of acres through the Antiquities Act.

Even the San Francisco Chronicle—by no means a conservative newspaper—panned President Clinton's Grand Staircase proclamation. In 1996, the editorial board stated:

The question is whether a decision of such magnitude should be carried out by Executive order. We think not. This may well be a worthy idea, but it deserves a fair hearing. It

deserves to go through public deliberations, as slow and messy as democracy may be, to fully air the concerns.

That was more than 20 years ago. In the intervening period, nothing has changed. Bears Ears was Grand Staircase all over again. When President Obama declared the Bears Ears a national monument in the twilight hours of his Presidency, he ignored the years of work Utah's congressional delegation had spent fighting to pass legislation to protect the region via a fair and open process. He ignored the State legislature and the Governor. He ignored the stakeholders and even local Utahans who were all working together to find a workable solution. He ignored the best interest of Utah and cast aside the will of the people, all in favor of the top-down unilateral approach meant to satisfy the demands of far-left interest groups. This is Executive hubris at its worst. It was never supposed to be this way.

Congress, not the President, is solely responsible under the Constitution for the management of property and land within the Federal domain. Only through passage of the Antiquities Act can Congress grant authority to the President to make limited monument designations. Congress entrusted the executive branch with narrow authority, but the executive branch has violated that trust time and time again.

For years, I have fought to check the abuse of Executive power under the Antiquities Act. As far as back as 1997, in the aftermath of the Grand Staircase proclamation, I introduced legislation requiring an act of Congress before the President could establish any national monument of more than 5,000 acres. As early as last year, in anticipation of the eminent Bears Ears debacle, I wrote a bill prohibiting any further extension or establishment of national monuments in Utah without express authorization from Congress.

Most recently, I have been working closely with the Trump administration from day one to right the wrongs of previous administrations. Within days of his nomination, I indicated to Secretary Ryan Zinke that undoing the harm caused by the Bears Ears and Grand Staircase monument designations was among my top priorities.

In a private meeting in my office, I even told Secretary Zinke that my support for his nomination would depend largely on his commitment to this cause. After gaining assurances from Secretary Zinke that he would work with us in this effort, I was eager to support his confirmation. I probably would have supported it anyway because he is a fine man. But I am really pleased that he agreed with me on the injustices that have occurred in Utah.

Just 2 weeks later, I found myself in the Oval Office where I engaged President Trump for over an hour on a wide-ranging discussion that focused specifi-

cally on the public lands issue. I have to say that I was amazed at the President's willingness to help. He listened intently as I relayed the fears and frustrations of thousands in our State who have been personally hurt by the Bears Ears and Grand Staircase monument designations.

I explained the urgency of addressing these devastating measures. I asked for his help in doing so. I was encouraged that, unlike his predecessor, President Trump actually took the time to listen and understand the heavy toll of such overreaching actions. Our President even assured me that he stands ready to work with us to fix this disaster. More than any of his predecessors, President Trump understands what is at stake here.

I was really buoyed up by the conversation with him in the Oval Office. Indeed, in all my years of public service, I have never seen a President so committed to reigning in the Federal Government and so eager to fix the damage done by these overbearing monument designations. We are fortunate now to have the White House at our side in the fight for local control.

There are many areas in this country that merit protection. I welcome the opportunity to work with my colleagues to further that cause. But the process to determine how best to protect these areas is equally important. That is why, for decades now, I have vehemently opposed unilateral actions to restrict the use of entire landscapes without even the charade of a public process.

Using the Antiquities Act to protect our public lands, we must set a new precedent of collaboration and trust between the States and the Federal Government. I look forward to working with President Trump to establish this new precedent.

Mr President, I will turn to another matter of pressing importance, the confirmation of Judge Neil Gorsuch to be a Justice on the U.S. Supreme Court. I have been in a lot of these battles over the years. I have to say, this one bothers me as much as any battle we have had.

In early January of this year, the Democratic leader issued a warning to then-President-Elect Donald Trump regarding the President-elect's anticipated selection of a Supreme Court nominee. Even before President Trump took the oath of office, the Democratic leader was already threatening the soon-to-be-President to either pick a "mainstream and independent" nominee or the Democrats would oppose the President-elect's choice "with everything we have."

Well, President Trump did exactly what the Democratic leader asked when he nominated Judge Neil Gorsuch to the Supreme Court. Not only is Judge Gorsuch a mainstream and independent judge, he is easily one of the

finest and most qualified nominees to the High Court that I have seen in all my 40 years in the Senate. His selection was also the result of the most transparent Supreme Court nomination process in American history.

President Trump and Hillary Clinton both made the Supreme Court a centerpiece of their campaigns and spoke at length about the type of judge they would appoint to replace Justice Scalia. Candidate Trump even made the novel pledge to nominate someone from a list of judges his campaign released to the public. This gave the American people the opportunity to vet the list and to discuss more generally the proper role of judges in our system of governance.

When the American people elected Donald Trump to be our next President, they ratified his list of candidates. When President Trump subsequently selected Neil Gorsuch from that list to be his nominee, he kept his promise to the American people. That is who I expected him to select at that time.

Judge Gorsuch's judicial record on the Tenth Circuit paints a clear picture of the judge's judicial temperament and philosophy. Of the more than 2,700 cases Judge Gorsuch has participated in on the Tenth Circuit, 97 percent of them were decided unanimously. Judge Gorsuch voted with the majority on that court 99 percent of the time, even though the majority were Democrats.

In the 1 percent of the cases in which Judge Gorsuch dissented, he did so with almost the same frequency, whether the majority opinion was written by a judge nominated by a Republican or a Democrat President. Additionally, Judge Gorsuch has gained bipartisan support, including from President Obama's former Solicitor General, Neal Katyal, a man whom I respect, said that Judge Gorsuch is committed to the rule of law and the judiciary's independence.

Judge Gorsuch was described by six former Solicitors General appointed under four different Presidents as, "highly respected" and "admired by his colleagues appointed by Presidents of both parties and law clerks of all political stripes."

The American Bar Association gave Judge Gorsuch its highest rating of "well qualified" to be an Associate Justice on the Supreme Court. I think we can all agree that this is a far cry from the profile of an extreme or activist judge. It is a far cry from that. That needs to be pointed out. I want to know how anyone can, while keeping a straight face, honestly make the case that Judge Gorsuch is anything but mainstream.

In reality, quite the opposite is true. Judge Gorsuch is exactly the kind of judge we need on the Supreme Court. He is an impartial, thoughtful man with tremendous judicial experience, a

person that you can't help but respect. He has been educated at some of the best schools in the world and has excelled at every stage of his career.

He has served with character, courage, and integrity for more than a decade on the Federal bench. It would be hard to even imagine a better, more suitable choice for the Supreme Court than Judge Gorsuch. After seeing the judge sit through several grueling days of confirmation hearings and nearly 20 hours of questioning before the Senate Judiciary Committee, my confidence in Judge Gorsuch has only been solidified.

Despite the Democrat's best efforts before and during the hearings to distort his record, he demonstrated time and again that his judicial philosophy is to impartially interpret and apply the law and the Constitution wherever it might take him.

Now we are about to witness something unprecedented in the history of our Nation. The partisan minority is going to block a vote on a Supreme Court nominee. In all of the Senate's 228-year history, that has never happened before. Three Supreme Court nominees have faced filibusters in our Nation's history. The first, Abe Fortas, faced a bipartisan filibuster by Senators of both parties concerned about Fortas's questionable ethics background.

The second and third, William Rehnquist and Samuel Alito, endured partisan filibusters by Democrats who disagreed with these nominee's judicial philosophies. The filibuster against Fortas succeeded, in part, because Fortas lacked a clear majority support, and, in part, because he was ethically compromised. The filibusters against Rehnquist and Alito, by contrast, failed. Rehnquist and Alito both enjoyed clear majority support and both were confirmed. But that was a different Senate at the time. There was a lot more open mindedness about the qualifications of these judges and their right to sit on the bench.

I regret to say that we are likely to add a fourth filibustered Supreme Court nominee, Neil Gorsuch. Like Justices Rehnquist and Alito, Judge Gorsuch enjoys clear majority support. Like Justices Rehnquist and Alito, Judge Gorsuch faces opposition from Senate Democrats who don't like his judicial philosophy. Why, I will never understand. In particular, they object that Judge Gorsuch takes the law as he finds it, rather than trying to bend the law toward liberal social ends.

Unlike Justice Rehnquist and Alito, however, Judge Gorsuch is apparently not going to clear the 60-vote threshold for cloture. This is because Senate Democrats, with only a few exceptions, have concluded that no nominee who does not subscribe to their views of hot-button social issues should be allowed to serve on the Supreme Court. Never, never, in the history of this

body has the Senate allowed a partisan minority to defeat a Supreme Court nomination for which there is clear majority support.

The only successful filibuster of a Supreme Court nominee in our Nation's history was bipartisan, and it involved an ethically compromised nominee, Abe Fortas, who resigned from the bench shortly after his nomination failed rather than face impeachment for serious conflict-of-interest violations. Those circumstances are not even remotely comparable to the situation we face today.

The filibuster of Judge Gorsuch, should it go forward, will be entirely partisan. It will have nothing to do with Judge Gorsuch's ethics or character, which are above reproach, and it will occur in the face of clear majority support for the nominee.

Senate Democrats' decision to block Judge Gorsuch should come as no surprise to anyone who has been following the confirmation wars for more than the last 5 seconds. My Democratic colleagues will no doubt shout to the hilltops—some of them. There are some that are standing up here too. But they will shout to the hilltops that Republicans are ruining the Senate if we decide to put a stop to their unprecedented obstruction of this nominee.

They will no doubt cry that the 60-vote threshold for cloture on Supreme Court nominees is sacrosanct and that by putting an end to Democrats' unprecedented obstruction, Republicans are somehow undermining this institution's ideals.

When the American people hear these claims, when they hear Senate Democrats argue that Republicans should respond to their unprecedented obstruction by allowing a nomination with clear majority support to fail, they should recognize these arguments for what they are: hypocrisy. The fact is, we are only in this situation, forced to choose between rewarding Democrat obstructionism and changing the Senate's rules, because of Democrats and the campaign they have waged against qualified judicial nominees for the past 30 years.

Every single escalation of the confirmation wars can be laid at the feet of Democrats. This is a simple truth, and nothing my colleagues on the other side of the aisle can say can change it. I speak from experience. I have been here for through all of it. I was here in 1987 when Democrats started the confirmation wars with their disgraceful treatment of Robert Bork, one of the greatest lawyers in the country and a person who was supremely qualified to be on the Supreme Court.

I remember vividly the day the late Senator from Massachusetts came to this floor and smeared Judge Bork as a man would somehow turn back the clock to darker days in our Nation's

past. I have to say, Senate Democrats twisted Judge Bork's words, misrepresented his record, and in sum, did their best to turn a good and decent man into some sort of a monster.

In their scorched-earth campaign against Robert Bork, Senate Democrats sowed seeds of destruction that are coming now to full fruition.

Next came Clarence Thomas. My Democratic colleagues learned from their Bork experience that fabrications and misinterpretations can bring down even the most qualified nominee, so they set to work on Judge Thomas. Not satisfied merely with denigrating Judge Thomas's professional qualifications, they set out to destroy him personally as well.

I have been in the Senate for 41 years, and never in all my time have I seen a lower moment than the way the Senate Democrats treated Clarence Thomas. No baseless allegation, no lurid lie was too low for my Democratic colleagues' attention. To his great credit, Judge Thomas endured this slander with dignity and respect and was confirmed by a slim 52-to-48 margin.

Thankfully, after the Thomas ordeal, we stepped back from the brink. When Bill Clinton became President and had two Supreme Court vacancies early in his term, Senate Republicans did not play tit for tat. Instead, we gave Justices Ginsburg and Breyer fair hearings and confirmed them overwhelmingly. And how did Senate Democrats pay us back for our fair treatment of President Clinton's nominees? They filibustered President George W. Bush's nominees.

I have used the word "unprecedented" to describe Democrats' expected filibuster of Judge Gorsuch. Well, what the Democrats did to President Bush's judicial nominees was also unprecedented. For the first time in history, Senate Democrats successfully filibustered 10 court of appeals nominees. These were nominees with majority support in this body. These were nominees who would have been confirmed had they gotten an up-or-down vote. I cannot overstate how dramatic a change this was to Senate norms and procedures. For the first time in history, Senate Democrats created an effectual 60-vote threshold for judicial nominees. Remember that Clarence Thomas was confirmed with only 52 votes. Had Senate Democrats filibustered his nomination, it would have been defeated. But they didn't because partisan filibusters of nominees with majority support were simply not in the accepted playbook. What Senate Democrats did during George W. Bush's Presidency changed the Senate forever.

Next up was Samuel Alito. Like Chief Justice Rehnquist, Justice Alito faced a partisan filibuster by Senate Democrats. Like Chief Justice Rehnquist, he overcame that filibuster. But what is

notable about Justice Alito is he received fewer than 60 votes for confirmation. He overcame the filibuster because 19 Senate Democrats voted to end debate on his nomination even though only 4 ultimately voted for confirmation. Fifteen Senate Democrats chose not to filibuster Justice Alito even though they opposed his nomination because they recognized that filibustering a Supreme Court nominee with clear majority support had no precedent in this body's norms or history.

What happened when Barack Obama became President and Republicans had an opportunity for payback? Did they filibuster Sonya Sotomayor and Elena Kagan? Of course not. Indeed, many Republicans voted against Justice Sotomayor and Justice Kagan, but no Republican tried to prevent their nominations from coming to a vote. Once again, Senate Democrats escalated confirmation wars, and Senate Republicans chose not to reciprocate.

How did Democrats pay us back for our restraint on Justices Sotomayor and Kagan? They nuked the filibuster for lower court nominees. The irony of this move is really something. It was the Democrats who, 10 years earlier, for the first time in Senate history, began the practice of filibustering courts of appeal judges in an effort to stop President Bush's nominees. When Senate Republicans then had the gall not to roll over for President Obama once the shoe was on the other foot, Democrats simply changed the rules back to what they were in practice 10 years prior. Democrats, that is, raised the effectual confirmation threshold to 60 votes by instigating filibusters to block Republican nominees and then lowered it back down to 50 votes to push through Democratic nominees. They did so after only seven failed cloture votes. The Republicans, by contrast, endured 20 failed cloture votes during President Bush's term and never changed the rules.

That brings us to today. Having Borked Judge Bork, smeared Justice Thomas, instigated the filibuster for lower court nominees when it was in their interest, filibustered Justice Alito, and then eliminated the filibuster for lower court nominees when it was in their interest, Senate Democrats now expect Republicans to drop our hands and allow them to block Judge Gorsuch—an unquestionably qualified nominee with broad support from across the legal community and the country as a whole.

Enough, Mr. President. Enough.

We have let our Democratic colleagues get away with their games for too long. They were for the filibuster before they were against it before they were for it. They were the ones who created an effectual 60-vote threshold for judicial nominees. They were the ones who then undid that threshold to

assist their short-term political interests when they were in power. They are the ones who now, for the first time in history, are seeking to block a Supreme Court nominee with clear majority support.

To put the matter bluntly, my Republican colleagues and I are fed up with these Democratic Party antics. We will no longer be bound by their games and petty partisanship. We will no longer allow them to dictate the terms of debate in ways that always advantage their side and always disadvantage ours.

I regret deeply the point we have arrived at. I am an institutionalist. I love the Senate and what it represents. I love my Democratic colleagues, and they know it. I have been very fair to them through the years, and I continue to be. I value debate, and I honor bipartisanship. But 30 years ago, my Democratic colleagues sent us down this path, and they have done nothing in the years since to turn us from this course. To the contrary, they have only hastened our descent.

If Democrats will filibuster a person like Judge Gorsuch, they will filibuster anyone—anyone—who holds to the traditional judicial values Republicans embrace. Neil Gorsuch is as good as they come. If he is not good enough for Democrats, no one will be.

Democrats demand that Republicans choose a nominee they would choose if they held the White House, when that has never been the standard for Supreme Court nominees and defies all logic and common sense. They demand the power to veto President Trump's choice even though the Supreme Court was, in all likelihood, the issue that won him the election. And I believe that. And they demand that Republicans keep the rules sacrosanct when they have changed the rules and changed the rules and changed the rules.

I am not happy that we are where we are, but I can say without reservation that we are here because of what Democrats have done over the past 30 years to poison the confirmation process.

I am about to change the rules if necessary to put Neil Gorsuch on the Supreme Court. I won't be happy about that, but I will do it because Judge Gorsuch deserves confirmation and because I refuse to reward Democrats for 30 years of bad faith in blocking, stalling, and smearing Republican nominees.

Enough, Mr. President. Enough.

I hope my colleagues will come to their senses and realize that we ought to be working to support people of the quality of Judge Neil Gorsuch. There will come a time when they are going to have nominees before this body—I kind of hope that doesn't happen, but I think it is bound to happen—and when they do, I hope my fellow Republicans

won't treat their nominees the way they are treating ours. It is abominable, it is abysmal, it is wrong, and I think it is time for everybody in this country to know that.

Mr. President, I used to try cases in Federal court, in Pittsburgh and in Utah. I had tremendous respect for Federal court judges. Mainly the judges in Pittsburgh were all Democrat. The judges in Utah more often were Democrats, some Republicans. But I have got to say that they were good judges, and I was very proud to be able to present my cases in front of them.

All I can say is that in all my years of working on the Judiciary Committee, trying cases before I came here, having an AB rating, the highest rating that Martindale-Hubble grants to attorneys for ability in both Pittsburgh and Utah, I have to say that I am very disturbed by the arguments made against Judge Gorsuch, and I have to say that I don't think you can find a better more qualified person to be on the Supreme Court.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TILLIS). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, we will vote today and tomorrow on the Supreme Court nominee, Neil Gorsuch, in the midst of a looming constitutional crisis. Only in the past few weeks, the Director of the FBI has confirmed that his agency is investigating ties between President Trump's associates and Russian meddling in our recent election.

The urgent need for an impartial investigation and the possibility of the Supreme Court's having to rule on a subpoena directed to the President of the United States is very real. The repeat of United States v. Nixon is far from idle speculation. The independence of our judicial branch has never been more important. It has never been more threatened.

When the story of this constitutional crisis is written, I believe that the heroes will be an independent judiciary and a free press. An independent judiciary is the bulwark against overreaching and autocratic tyranny, and the free press has uncovered much of the facts that have prompted the FBI investigation and, I hope, eventually—sooner rather than later—an independent prosecutor because only a special prosecutor can bring criminal charges that will hold accountable wrongdoers who have broken our criminal laws.

In this constitutional crisis, respect for an independent judiciary is more

important than ever before, but it is threatened by forces that are powerful and undeniable. It was threatened first by the denial to Merrick Garland of a hearing and a vote, relying on an invented principle found nowhere in the Constitution that the President of the United States—then Barack Obama—somehow lost his power to appoint Justices during the fourth year of his term. That act of political expediency demeaned this institution, the U.S. Senate, and it also disrespected our judiciary. It dragged the Supreme Court into the partisan mire that has caused such drastic dysfunction in this branch of government.

President Trump demonstrated his own disrespect for the judiciary through his constant, repeated, relentless attacks, calling one member of the bench a “so-called judge” simply because he ruled against him and struck down on constitutional grounds President Trump's illegal travel ban—really a Muslim ban. His demeaning and disparaging comments have attempted to shake the foundation of respect for judicial rulings that have held him accountable and potentially every President accountable to the American people, along with the Senate and the House of Representatives. He has attempted to convince his audience that judges who rule against him are not only wrong but illegitimate—in one case, because of a judge's ethnic heritage.

I would have thought that there would have been bipartisan shock and outrage at such suggestions, but the silence across the aisle has been deafening. Such a campaign by the Executive against the judicial branch would be extraordinarily disturbing regardless of the circumstances but particularly so now in the midst of this constitutional challenge.

President Trump's disrespect for the judiciary was emphasized, as well, by how he selected his nominee for the Court and how he established a litmus test for that nominee. He proudly proclaimed that litmus test, declaring on multiple occasions that his nominee would automatically overturn *Roe v. Wade* and strike down gun violence prevention measures. He outsourced that selection process to extreme rightwing groups, like the Heritage Foundation, choosing from their list, from their preapproved selectees. Against this backdrop, President Trump nominated Neil Gorsuch to the Supreme Court.

I want to make clear that despite my outrage about what happened to Merrick Garland, which was far worse than a filibuster—one of my colleagues has termed it the “filibuster of all filibusters”—and despite my deep concern over a nomination from a President who so disrespects the judicial branch, I was prepared to give Judge Gorsuch a fair hearing. I believe my colleagues on the Judiciary Committee and I pro-

vided that hearing, and we will provide a vote.

I strongly believe that during this process, Judge Gorsuch had a special obligation to be forthcoming. I want to be clear that that is not opining on cases or controversies that may come before him or issues that may be before his Court if he is confirmed. Unlike prior nominees, he absolutely refused to say whether he agreed with core principles and precedents, well-established and long-accepted decisions of the Supreme Court that embody and enshrine principles that the American people have accepted and that they expect the Supreme Court to implement.

There is no tradition of a Supreme Court nominee's refusing to answer every question posed to him as Neil Gorsuch did, even questions about iconic cases. Justice Kennedy and Chief Justice Roberts answered unambiguously that they believed that *Brown v. Board of Education* was rightly decided. Justice Roberts also said of the decision in *Griswold v. Connecticut*: “I agree with the *Griswold* Court's conclusion.” On the related case of *Eisenstadt v. Baird*, Justice Alito said: “I do agree with the result in *Eisenstadt*.” Such statements do not prejudice any litigants or prejudice any cases; instead, they provided Senators and, more importantly, the American people with the confidence that these Justices adhere to long-settled legal principles that have formed the basis of critically important cases that came afterward. How far these principles may extend is a live issue, but their underlying legitimacy is not and should not be.

Unfortunately, at his hearing, Judge Gorsuch would tell us only that *Griswold* and *Eisenstadt* were precedents—or decisions—of the Court, and he doubled down on his evasiveness in response to written questions that were submitted just last week. There was no reason for him to diverge from the kinds of answers that were provided by Justice Roberts and Justice Alito unless he, unlike them, disagreed with the reasoning that was used in these cases.

These cases go to the core of the right to privacy and equal treatment under the rule of law. The constitutional right to privacy underlies not just the rights of couples to use contraception, which was the issue in *Griswold* and *Eisenstadt*, but the right of women to control their own bodies, as established in *Roe v. Wade*, and couples of different races to marry, as established in *Loving v. Virginia*, or the right of same-sex couples to equal treatment, as established in *Lawrence v. Texas* and *Obergefell v. Hodges*. Justice Brandeis, in one of the original privacy decisions, called this right to privacy “the right to be left alone,” and it is a core constitutional principle that Chief Justice Roberts endorsed as well.

If Judge Gorsuch does not believe in this fundamental right or equal protection under the rule of law, the American people deserve to know it. Unfortunately, his continued evasion of my questions and those of others tells a different story. I am left with the incapable conclusion that Judge Gorsuch passed the Trump litmus test—an automatically anti-choice, pro-gun conservative and an acolyte of hard-right special interests who screened and selected his name. Yet I am equally and maybe more concerned by Judge Gorsuch's approach to cases dealing with worker safety and consumer rights, issues relating to clean air and water and the fundamental role of the public sector in protecting individuals and putting their rights above corporate interests.

The important concerns my colleagues and I have raised have been caricatured by some Senate Republicans to a belief that judges should always rule for sympathetic plaintiffs, and that is simply not so. The TransAm Trucking case, which has been discussed at length on the floor and in committee, is of concern not because of the individual but because of the reasoning he used. He relied on a handpicked dictionary definition to rule against a worker who left his truck as he was under threat of grave physical peril and perhaps death, and he distorted the meaning of the statute, leaving aside basic common sense and feeling. He called Congress's declared statutory purpose—protecting health and safety—too “ephemeral and generic” to provide an interpretive guide. That is how he characterized our purpose here in protecting the safety of workers. This approach shows that Judge Gorsuch looks for guidance not in the words that Congress has chosen but in his own dictionary. And it may not even be Webster's; it may be the dictionary that is in his head or is in the heads of the rightwing groups who screened and proposed his name.

Then there is Judge Gorsuch's open hostility to the Chevron doctrine, which is a term that was likely meaningless and incomprehensible to most Americans before these proceedings and may be again after we are done. Yet it is a profoundly important principle of law that essentially stands against judicial activism—the very defect that many of our Republican colleagues believe is too characteristic of the courts today.

The structure of our government depends on the flexibility of these agencies that protect the purity of our drinking water, the safety of workers on construction sites, the integrity of our financial markets, and much, much more, so that it may do its job and enforce rules and laws that provide not only protection for ordinary people, everyday Americans, but also a level playing field for the good guys who

want to do the right thing, and they are the majority of businesses in this country.

The proposed abandoning of the Chevron doctrine that Judge Gorsuch supports would eviscerate the enforcement of these basic rules that protect workers and consumers—people who drink water in their homes and breathe the air and go to work every day and expect to come home safely, as well as people who invest their money in a way that is protected against fraud.

As Emily Bazelon and Eric Posner wrote this Sunday in the *New York Times*:

Judge Gorsuch is skeptical that Congress can use broadly written laws to delegate authority to agencies in the first place. That can only mean that at least portions of such statutes—the source of so many regulations that safeguard Americans' welfare—must be sent back to Congress, to redo or not.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the *New York Times*, Apr. 1, 2017]

THE GOVERNMENT GORSUCH WANTS TO UNDO

(By Emily Bazelon and Eric Posner)

At recent Senate hearings to fill the Supreme Court's open seat, Judge Neil Gorsuch came across as a thoroughly bland and non-threatening nominee. The idea was to give as little ammunition as possible to opponents when his nomination comes up this week for a vote, one that Senate Democrats may try to upend with a filibuster.

But the reality is that Judge Gorsuch embraces a judicial philosophy that would do nothing less than undermine the structure of modern government—including the rules that keep our water clean, regulate the financial markets and protect workers and consumers. In strongly opposing the administrative state, Judge Gorsuch is in the company of incendiary figures like the White House adviser Steve Bannon, who has called for its “deconstruction.” The Republican-dominated House, too, has passed a bill designed to severely curtail the power of federal agencies.

Businesses have always complained that government regulations increase their costs, and no doubt some regulations are ill-conceived. But a small group of conservative intellectuals have gone much further to argue that the rules that safeguard our welfare and the orderly functioning of the market have been fashioned in a way that's not constitutionally legitimate. This once-fringe cause of the right asserts, as Judge Gorsuch put it in a speech last year, that the administrative state “poses a grave threat to our values of personal liberty.”

The 80 years of law that are at stake began with the New Deal. President Franklin D. Roosevelt believed that the Great Depression was caused in part by ruinous competition among companies. In 1933, Congress passed the National Industrial Recovery Act, which allowed the president to approve “fair competition” standards for different trades and industries. The next year, Roosevelt approved a code for the poultry industry, which, among other things, set a minimum wage and maximum hours for workers, and hygiene requirements for slaughterhouses. Such basic workplace protections and con-

straints on the free market are now taken for granted.

But in 1935, after a New York City slaughterhouse operator was convicted of violating the poultry code, the Supreme Court called into question the whole approach of the New Deal, by holding that the N.I.R.A. was an “unconstitutional delegation by Congress of a legislative power.” Only Congress can create rules like the poultry code, the justices said. Because Congress did not define “fair competition,” leaving the rule-making to the president, the N.I.R.A. violated the Constitution's separation of powers.

The court's ruling in *Schechter Poultry Corp. v. the United States*, along with another case decided the same year, are the only instances in which the Supreme Court has ever struck down a federal statute based on this rationale, known as the “nondelegation doctrine.” *Schechter Poultry's* stand against executive-branch rule-making proved to be a legal dead end, and for good reason. As the court has recognized over and over, before and since 1935, Congress is a cumbersome body that moves slowly in the best of times, while the economy is an incredibly dynamic system. For the sake of business as well as labor, the updating of regulations can't wait for Congress to give highly specific and detailed directions.

The New Deal filled the gap by giving policy-making authority to agencies, including the Securities and Exchange Commission, which protects investors, and the National Labor Relations Board, which oversees collective bargaining between unions and employers. Later came other agencies, including the Environmental Protection Agency, the Occupational Safety and Health Administration (which regulates workplace safety) and the Department of Homeland Security. Still other agencies regulate the broadcast spectrum, keep the national parks open, help farmers and assist Americans who are overseas. Administrative agencies coordinated the response to Sept. 11, kept the Ebola outbreak in check and were instrumental to ending the last financial crisis. They regulate the safety of food, drugs, airplanes and nuclear power plants. The administrative state isn't optional in our complex society. It's indispensable.

But if the regulatory power of this arm of government is necessary, it also poses a risk that federal agencies, with their large bureaucracies and potential ties to lobbyists, could abuse their power. Congress sought to address that concern in 1946, by passing the Administrative Procedure Act, which ensured a role for the judiciary in overseeing rule-making by agencies.

The system worked well enough for decades, but questions arose when Ronald Reagan came to power promising to deregulate. His E.P.A. sought to weaken a rule, issued by the Carter administration, which called for regulating “stationary sources” of air pollution—a broad wording that is open to interpretation. When President Reagan's E.P.A. narrowed the definition of what counted as a “stationary source” to allow plants to emit more pollutants, an environmental group challenged the agency. The Supreme Court held in 1984 in *Chevron v. Natural Resources Defense Council* that the E.P.A. (and any agency) could determine the meaning of an ambiguous term in the law. The rule came to be known as Chevron deference: When Congress uses ambiguous language in a statute, courts must defer to an agency's reasonable interpretation of what the words mean.

Chevron was not viewed as a left-leaning decision. The Supreme Court decided in

favor of the Reagan administration, after all, voting 6 to 0 (three justices did not take part), and spanning the ideological spectrum. After the conservative icon Justice Antonin Scalia reached the Supreme Court, he declared himself a Chevron fan. "In the long run Chevron will endure," Justice Scalia wrote in a 1989 article, "because it more accurately reflects the reality of government, and thus more adequately serves its needs."

That was then. But the Reagan administration's effort to cut back on regulation ran out of steam. It turned out that the public often likes regulation—because it keeps the air and water clean, the workplace safe and the financial system in working order. Deregulation of the financial system led to the savings-and-loans crisis of the 1980s and the financial crisis a decade ago, costing taxpayers billions.

Businesses, however, have continued to complain that the federal government regulates too much. In the past 20 years, conservative legal scholars have bolstered the red-tape critique with a constitutional one. They argued that only Congress—not agencies—can create rules. This is Schechter Poultry all over again.

And Judge Gorsuch has forcefully joined in. Last year, in a concurring opinion in an immigration case called *Gutierrez-Brizuela v. Lynch*, he attacked Chevron deference, writing that the rule "certainly seems to have added prodigious new powers to an already titanic administrative state." Remarkably, Judge Gorsuch argued that Chevron—one of the most frequently cited cases in the legal canon—is illegitimate in part because it is out of step with (you guessed it) Schechter Poultry. Never mind that the Supreme Court hasn't since relied on its 1935 attempt to scuttle the New Deal. Nonetheless, Judge Gorsuch wrote that in light of Schechter Poultry, "you might ask how is it that Chevron—a rule that invests agencies with pretty unfettered power to regulate a lot more than chicken—can evade the chopping block."

At his confirmation hearings, Judge Gorsuch hinted that he might vote to overturn Chevron without saying so directly, noting that the administrative state existed long before Chevron was decided in 1984. The implication is that little would change if courts stopped deferring to the E.P.A.'s or the Department of Labor's reading of a statute. Judges would interpret the law. Who could object to that?

But here's the thing: Judge Gorsuch is skeptical that Congress can use broadly written laws to delegate authority to agencies in the first place. That can mean only that at least portions of such statutes—the source of so many regulations that safeguard Americans' welfare—must be sent back to Congress, to redo or not.

On the current Supreme Court, only Justice Clarence Thomas seeks to strip power from the administrative state by undercutting Chevron and even reviving the obsolete and discredited nondelegation doctrine, as he explains in opinions approvingly cited by Judge Gorsuch. But President Trump may well appoint additional justices, and the other conservatives on the court have expressed some uneasiness with Chevron, though as yet they are not on board for overturning it. What would happen if agencies could not make rules for the financial industry and for consumer, environmental and workplace protection? Decades of experience in the United States and around the world teach that the administrative state is a necessary part of the modern market economy.

With Judge Gorsuch on the Supreme Court, we will be one step closer to testing that premise.

Mr. BLUMENTHAL. His philosophy represents the height of activism, because it would allow courts to substitute their policy judgments for agency expertise. Abandoning the Chevron doctrine and the principles it represents invokes a desire to destroy a broad array of rules that protect critical rights. One such rule was issued by the Occupational Safety and Health Administration in the aftermath of a Connecticut tragedy at L'Ambiance Plaza decades ago when a collapse killed 28 workers in Bridgeport, CT. The rule prohibiting the use of the lift slab construction technique that led to L'Ambiance's collapse has now saved the lives of others. But would it have survived a review by Judge Gorsuch? My fear is that he would have struck it down and substituted the activist instinct of a judge instead—protecting the corporations that might use it.

Today we still know very little about Judge Gorsuch's core beliefs because he evaded so many questions. But here is what we do know. We know that the man who hired him has said he passes his rightwing litmus test. We know that conservative organizations have spent millions of dollars on the prospect that he will move American law dramatically to the right. And we know that he will not answer questions that his Republican-appointed predecessors answered about core tenets of American jurisprudence. In short, he has left us with substantial doubt.

Let me conclude on this note—that doubt. Important and critical doubt that should preclude us from confirming him today leaves women wondering how long they will have autonomy over their healthcare decisions, same-sex couples questioning whether they might be denied the right to marry the person they love, workers and consumers doubting their rights, and Americans fearing the Court will abandon protections of privacy, equality, and the rule of law.

That is why I cannot support this nomination and why I urge my colleagues to support a filibuster to block it.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following leader remarks on Monday, April 24, the Senate proceed to executive session for consideration of Calendar No. 31, the nomination of Sonny Perdue to be Secretary of Agriculture. I further ask that the time until 5:30 p.m. be equally divided in the usual form and that at 5:30 p.m., the Senate vote on confirmation with no intervening action or debate, and that if confirmed, the Presi-

dent be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 20 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, this is my 163rd "Time to Wake Up" speech. I persist in the hope that one day these little water drops will ultimately cut through the stone of fossil fuel intransigence.

Last week our new President, Donald Trump, announced an Executive order aiming to wipe out many of his predecessors' climate change measures. So I would like to take some time this evening to examine his Executive order—which is, in many respects, a sham—and show how very far away it is from the actual wishes of the American people.

So to set the scene, exactly as the big polluters wanted, the Trump Executive order purports to roll back climate protections. It seeks to change rules for how industry controls methane leaks from natural gas extraction and to lift a ban on new coal leases on our Federal lands. It signals an effort to unwind the Clean Power Plan, which has helped put us on track to sharply reduce carbon emissions over the next decade. Typical for this insider-friendly administration, it is a polluter's wish list, but terrible for the American people—sad, as the President would say.

President Trump promises that this will revitalize the coal industry, but it won't. Appalachian coal is being crushed in the market by Wyoming coal, and cheap natural gas is crushing both Appalachian coal and Wyoming coal, and ever-cheaper renewables are catching up on them all. So like so much of what this Oval Office does, this was political theatrics, not real policy.

The Clean Power Plan is going nowhere because America is not, despite Trump's best efforts, a banana republic. The administrative agencies that Trump directed to stop taking action on climate change are actually obliged to follow the law, and they will be held to the law. Under the Administrative Procedures Act, these agencies have to follow real facts, not conjure up "alternative facts" from the fever swamp of the Breitbart imagination. Their record and their decisions will be reviewed by courts—not "so-called" courts, real courts. Administrative agencies cannot make decisions that are, to use the standard of administrative law, arbitrary and capricious. This

is an Oval Office that lives by being arbitrary and capricious, but administrative agencies cannot be, or their work will be thrown out in court.

The question of carbon dioxide as a pollutant has been settled by the U.S. Supreme Court. Even Administrator Pruitt seems to recognize the folly of trying to undo the EPA carbon dioxide endangerment finding. So we have, as a matter of law, a dangerous pollutant, and under the law, it must be regulated. So this performance of the Trump Show is a waste of time because ultimately lawyers and courts will give the law—the law—the final say.

Courts are actually pretty good places for addressing climate change. It is very hard for the lies that are at the heart of climate denial to withstand judicial scrutiny. Smelly conflicts of interest can be exposed, and administrators with those smelly conflicts can be removed or recused. Judges aren't supposed to be influenced by campaign contributions or political threats. The law, and real facts, not alternative facts, prevail.

In litigation like the cases in New York and Oregon, the fossil fuel industry will face discovery, testimony, and cross-examination. Lawyers and courts will ultimately force things back on track. In the meantime, this Trump show makes losers of the American people. The Clean Power Plan is a reasonable approach to confronting our carbon problem. It gives States flexibility, and it would save American families \$85 a year on energy costs once fully implemented. Good luck making a better plan.

I represent Rhode Island, a downwind State prone to air pollution from out-of-State smokestacks. We are also a coastal State, where rising seas driven by climate change threaten our coastal towns. I am sure the Presiding Officer can sympathize with the risk to coastal communities as the sea levels rise.

Just this past week, our Providence Journal had a story that said there are seven water treatment plants that are in danger of inundation in a 100-year storm, which, of course, is becoming more and more likely each year. So for Rhode Island, reducing carbon pollution and other greenhouse gases is part of preserving the map of the State we love and protecting the health of our people.

We need EPA, because our State environmental agency can't regulate out-of-State pollution. That brings me to the man standing next to the President as he signed this order, EPA Administrator Scott Pruitt. He is a man who built his career raising money from the industry, and for years lent his badge of office to the industry-enabled legal assault on the Clean Power Plan. As you might imagine, he beamed as President Trump passed him the pen used to sign the Executive order.

Years ago, in Central and South America, fruit company puppets ruled

banana republics. They wore ostentatious uniforms and enjoyed the trappings of power, but it was the fruit company backers who really called the shots. That is why banana republics are called banana republics. The fossil fuel industry is well on its way to try to turn America into a banana republic, but it won't work. It is a stain upon the Senate that Pruitt actually got through the Senate without ever having to disclose who funded his political dark money operation. That is a first. That is a first. The Republican majority would not have those questions answered because they were so eager to shove this fossil fuel operative into the Administrator's seat at EPA. Inconvenient questions like that wouldn't get answered in banana republics, either.

While fossil fuel interests have been calling the shots in Washington, the American people have been of an entirely different mind. Let me show several polls that have come out over the past few weeks documenting public concern about climate change.

The Gallup poll shown here found that 71 percent of the American people believe climate change is happening—71 percent. Seventy-one percent trust scientists that, in fact, climate change is happening; 68 percent believe that global warming is caused by human activities; 62 percent believe we are already feeling the effects of climate change in our lives; and 45 percent worry a great deal—worry a great deal—about global warming.

A recent poll indicates that climate change is the top worry for 66 percent of Democrats.

Yale's program on Climate Change Communication recently launched an extensive interactive map. It was featured recently in the New York Times. It shows that Americans all over the country overwhelmingly believe that climate change is real and support a variety of actions to address it. So let's start with what Americans believe. Seventy percent believe that global warming is happening, and 53 percent believe it is caused mostly by human activities. Most scientists think that global warming is happening—that is a near majority—and 71 percent trust scientists about global warming. That, by the way, compares to 9 percent of the Republican Senate caucus when we called a vote on the issue last Congress. So if we are looking for who is out of step here, it is the Republican Senate caucus that is very out of step with the public.

And when you go on to solutions, 82 percent of Americans want research into renewable energy sources; 75 percent want to regulate CO₂ as a pollutant; and 69 percent want to set strict CO₂ limits on existing coal-fired powerplants.

Actually, the Clean Power Plan was a good deal softer than strict CO₂ limits,

and even then, 69 percent of Americans support it, and 66 percent of Americans support requiring utilities to produce 20 percent of their electricity from renewable sources.

So my colleagues from Republican States might think this data is representative of people living in their districts, that this is being biased by concern from blue States. Well, here is a State-by-State look. So these are all the States. The colors reflect the percentage of Americans who think that climate change is happening. The break point from blue to tan is the 50-percent break point. So in every single State in the Union, no matter how red, a majority of Americans understand that climate change is happening. How that 50 percent ends up being 9 percent on the Senate floor is a story that I have told in other speeches. But we will see that at 45 percent, it is just pale blue. There is not a bit of pale blue anywhere. The entire country is above 50 percent.

So the next item this allows us to look at is Americans who support funding for research into renewables. Now, the lowest color here is the kind of deep orange and that comes in at 75 percent. That is the lowest point of any State in wanting support funding for research into renewables—75 percent—and it goes all the way up into the 90s.

For renewable research in coal country, we see 82 percent support in Wyoming; 81 percent support in West Virginia; 79 percent support in Kentucky; and the same in the oil patch—79 percent of Texans support renewables. Despite this support, President Trump recently proposed massive cuts, showing once again that the Trump show is not the America show even in fossil fuel States.

The support for carbon dioxide limits on existing coal-fired plants is also widespread. In all 50 States—in all 435 red, blue, and purple congressional districts—there is majority support, every single place. So what did President Trump and the fossil fuel operative at EPA do in the face of this? Signed this silly Executive order purporting to undo the Clean Power Plan.

Yale's map allows us to do some interesting stuff. It is interactive, so we can zoom in. Let's take a quick zoom in Oklahoma, Administrator Pruitt's home State.

As we can see, in every congressional district, a majority of Oklahomans believe climate change is happening, trust climate scientists about climate change, support regulating carbon dioxide as a pollutant, and support setting strict carbon dioxide limits on existing coal-fired powerplants—even in Oklahoma.

So who is Scott Pruitt representing? Because he is certainly not representing any State in the country,

any congressional district in the country, certainly not representing Oklahoma or any congressional district in Oklahoma.

Interestingly, not too long ago, President Trump and his children were on the same page as those majorities of Oklahomans and Americans. I have shown this before: In 2009, Donald, Ivanka, Donald Junior, and Eric Trump supported meaningful and effective measures—in an ad in the New York Times to fight climate change—calling climate change “scientifically irrefutable” and warning that its consequences would be “catastrophic and irreversible.” So 7 years ago, the entire Trump family recognized that climate change was based on scientifically irrefutable evidence and had catastrophic irreversible consequences.

Despite the popularity of getting something done on climate change in every single congressional district in the country, we do nothing. What is up with that, if not politics—fossil fuel industry politics? The most voracious special interest in American politics, the fossil fuel industry, has captured the Trump show, installed its flunkies at the EPA, and hopes to unwind environmental and public health safeguards that the public supports.

So I have to keep asking the fossil fuel guys: How do you think this ends? Are you delusional enough to believe that you can defeat real science and ignore both the laws of nature and the will of the American people?

It is bonkers. It is political power run amuck.

We have a chance to push back a little bit. Scientists will be marching in Washington, DC, and around the country on April 22 to reject the phony-balance alternative facts of President Trump. Please join them wherever you can. The following weekend, people from around the country are coming to DC—April 29—for the People’s Climate March. I was in the People’s Climate March in September 2014 with more than 400,000 other concerned Americans, and it was a heartening and energizing experience. So mark your calendars for April 22 and for April 29, and come to DC or to the satellite marches being held around the country.

As these maps have shown, you are not alone in seeking climate action. Every single congressional district in the country wants climate action. It is only the death grip of the fossil fuel industry on this building that prevents that from happening.

So help make these the last days of denial by this dirty industry and its rightwing climate denial fanatics. As days and months slip by, we lose precious time to address both the harm to Mother Earth of climate change and the harm to America of being made ridiculous around the world by our obeisance to the fossil fuel industry. We are supposed to be the city on the hill, not fossil fuel’s banana republic.

It is time for America to begin leading again on climate. It is time to wake up.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, our founders knew that “while history does not repeat, it does rhyme.” That is why they mined the politics of ancient Greece and Rome for lessons about the promise and the perils of self-government. In their wisdom, they placed those lessons at the heart of the American political experiment. Two hundred thirty years later, that experiment has exceeded their wildest hopes, in no small part because generation after generation of Americans—including elected officials, including Members of this body—understood that our government is far more than the sum of our laws or the letter of our Constitution. Our system is also held together by rules, written and unwritten, that help elected officials resolve their differences without unleashing a downward spiral of recrimination that could endanger the Republic itself.

They understood, for example, that while civility, compromise, and cooperation are not required by law, laws cannot pass without them. They recognized that while the majority may have the power to rule on its own, it should not trample over the minority. They understood that, at some point, partisanship should give way to patriotism.

Throughout history, including moments far more difficult than our own, these principles were the quiet guardrails of our politics, keeping dysfunction at bay. But in recent years, we have begun tearing these guardrails down, and in doing so, we risk the revenge of history by ignoring it.

There is a tendency around here to think that our problems are unique and that the consequences of our actions are fleeting.

Some 2,400 years ago, the ancient history of Korsia was consumed by civil war. According to Thucydides, both sides spared “no means,” he wrote, “in their struggles for ascendancy. . . . In their acts of vengeance they went to even greater lengths, not stopping at what justice or the good of the state demanded, but making the party caprice of the moment their own standard.”

As the civil war intensified, both sides struggled to end it because “there was neither promise to be depended upon nor oath that could command respect; but all parties dwelling rather in their calculation upon the hopelessness of a permanent state of things, were more intent upon self-defence than capable of confidence.”

The Founders read Thucydides. They knew that once factions cross the line, once they violate tradition in an escalating retaliation, it becomes very hard to turn back.

James Madison in particular understood the peril of faction. He wrote how people with “a zeal for different opinions concerning religion, concerning government, and many other points” have “divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other than to cooperate for their common good.”

They also feared that, once in power, majority factions would abuse that power to run roughshod over the minority. In a country with such diverse beliefs and traditions, doing so could threaten the very stability of the Republic.

For these reasons, the Founders embedded checks in the design of our government. That is why in the Senate we represent entire states, not gerrymandered districts. Colorado, for example, has roughly equal numbers of Democrats, Republicans, and Independents. That is why the Senate gives smaller States disproportionate representation, with Colorado receiving the same votes as California.

That is why traditions of the Senate hand the minority tools to encourage consensus between political parties. The filibuster is one of those tools, and it has been used for good and for ill throughout our history. By requiring the consent of 60 Senators to proceed on key votes, the filibuster ensures that the legislation we pass and the nominations we approve reflect at least a modest level of consensus. The filibuster is meant as a tool of last resort, but in recent years it has become yet another weapon in our endless partisan warfare. It was not always that way.

From George Washington to George W. Bush, the filibuster was used just 68 times against Presidential nominees. But during just the first 5 years of the Obama administration, Republicans used the filibuster 79 times against his nominees. That was my first term in the Senate, and at that time, I saw the filibuster the way many Americans still do—as an undemocratic tool for delay and gridlock. So in 2013, after unprecedented Republican obstruction of highly qualified nominees, I voted with the Democratic majority to end the 60-vote threshold for most Presidential nominations, invoking what is known as the nuclear option.

Although Republicans were wrong to abuse the rules, Democrats were wrong to change them. Even as we changed the rules, however, we made a point to retain the filibuster for Supreme Court nominations, recognizing their profound influence on our country’s laws.

Last year, dysfunction in the Senate reached a new low when Senator MCCONNELL denied Judge Merrick Garland, President Obama’s nominee for the vacancy left by the late Justice Scalia, the courtesy of even a hearing, to say nothing of a vote. That was an offense to the traditions of this body and our Constitution.

I recognize that it is impossible to separate politics from the courts, but at the same time, we must not allow the judiciary—and especially the Supreme Court—to become a pure extension of our partisan elections and politics. Alexander Hamilton wrote that “liberty can have nothing to fear from the judiciary alone, but would have everything to fear from its union with either of the other departments.” Continuing, he wrote that because of “the natural feebleness of the judiciary, it is in continual jeopardy of being overpowered, awed, or influenced by its coordinate branches.”

Our actions over the last few years—and I would say over the last few days—jeopardize not only the Senate, but also the judiciary. Today, some of my colleagues plan to filibuster President Trump’s Supreme Court nominee, Judge Neil Gorsuch. The Republican leadership has responded by threatening to invoke the nuclear option, which would eliminate for all time the 60-vote threshold for Supreme Court nominees and allow them to confirm Judge Gorsuch with the narrowest partisan majority. This is precisely the outcome our Founders feared, when lifetime appointments to our highest Court, which touches every aspect of American life, become just another partisan exercise. We must not go down this road.

This President may have several more opportunities to nominate a Supreme Court Justice during his term. If that happens, Republicans would face enormous pressure to nominate an extreme candidate, knowing that they could confirm them without a single Democratic vote—indeed, that they would be expected to confirm them without a single Democratic vote. And to those who believe that President Trump could not nominate someone more outside the mainstream than Judge Gorsuch, I would say to just look at some of President Trump’s Cabinet nominees, some of whom are among the least qualified and most radical ever confirmed by this body. By the way, under the change to the rules that we made, it is the first Cabinet to be confirmed requiring just 51 and not 60 votes.

Not to put too fine a point on it, but if you don’t like the ring of Judge Gorsuch, how do you feel about Justice Pruitt, who doesn’t believe in climate change, or Justice Sessions, who has a record of opposing civil rights and equality? If we continue down this path, both of those could be confirmed with a slim majority vote.

With respect to Judge Gorsuch, I am proud he is from Colorado. But I am concerned by his judicial approach, which too often seems to rely on the narrowest interpretation of the law with little appreciation for its context. In particular, I believe he has far too much confidence in the original mean-

ing of the words in legislation or, for that matter, even the Constitution. Having worked on legislation for nearly a decade now, I know these words, so often written in the dead of night in meager attempts to let everybody go home, cannot be explained without reference to the legislative context or human history or lawmakers’ intent. Sometimes a comma really does end up in the wrong place.

Although I have reservations about his approach to the law, I do not have reservations about his qualifications for the Court. He is a committed and honorable public servant, and that is why so many members of the Colorado bar and bench support his nomination. Qualified nominees deserve an up-or-down vote. That is the tradition of this body. How members vote is a matter of conscience for each of us.

For all of these reasons, and in the hope of preserving the minority’s voice in our government, which so many generations before us have done, I will oppose efforts to filibuster this nomination. If we go down this road, we will undermine the minority’s ability to check this administration and all those who follow.

Today we have a President who does not appreciate the separation of powers and who has made unprecedented attacks on the free press and the judiciary. The country needs an empowered Senate minority right now, more than ever. More than that, the country needs a Senate that can forge a consensus about our future, rather than carrying on the bitter and tired divisions of the past. I know it can be hard. I have been here long enough to know it can be hard for both sides to see beyond the partisan tactics of the moment. Lawmakers will never lack for an excuse to break with custom or change the rules to their benefit. They may even argue, as some recently have, that the damage is not that bad—that everything can continue on as normal.

We should know better than that. Our Founders certainly did. They would recognize our path today in the currents of history. The Roman Republic endured for nearly 500 years, but it was brought low by events that should seem eerily familiar to people in this Chamber.

In 60 BCE, the Roman Senate was consumed by a controversial land reform initiative. One side was led by a Senator named Cato; the other, Julius Caesar. To stop land reform and other initiatives, Cato employed delay tactics similar to the filibuster, freezing the Roman Senate for months. While the action was within the rules, it broke with Senate custom. Caesar vowed to press forward. Cato’s allies responded by declaring a religious holiday for the rest of the legislative calendar, stopping the reform effort in its tracks.

In a further break with precedent, Caesar bypassed the Senate and took

the bill to the people’s assembly for approval. Furious, Cato’s allies boycotted the government and postponed the next election by 3 months. While Caesar eventually triumphed, the incident intensified a cascade of recrimination that the Roman Senate struggled to escape. Legislative strikes, delayed elections, and believe it or not, shutdowns grew in frequency. Manufactured crises became routine.

As the dysfunction grew, the Senate became increasingly irrelevant, as power flowed to Caesar and military leaders. Even as Senators recognized the danger, they failed to correct course. Too much damage had been done. Centuries-long custom had been broken. Trust among Senators had eroded. Confidence in the body collapsed.

As dysfunction in the Senate rose, so did popular calls for a strongman to clean up the mess. Within a decade, Caesar crossed the Rubicon with an army, and the Republic soon gave way to tyranny. It would take 1,300 years for another large Republic to emerge—this time in the United States of America.

Unlike us, our Founders knew this history as well as their own. But they could not guarantee that we would heed its lessons. That is why they built institutions to check the worst impulses of faction, to help us navigate profoundly consequential decisions—like confirmations for the Supreme Court—without tearing each other apart. But the Founders also placed their faith in the willingness of elected officials to resist the lure of narrow interests or passions of the moment and rise up to defend their institutions and our traditions, especially in hard times. We must not betray their faith.

With each escalating crisis, we damage not just the Senate, but the Republic. The Rubicon may be far, but with each rule and custom broken, we draw nearer. Choices on both sides have brought us to this low point, but I have faith that we can choose—and we should choose—a different path. We can choose to step back from the brink to find common ground, to fulfill our obligation in the time we are serving here to sustain the American experiment for the next century and beyond.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I always appreciate the remarks—the well-thought-through remarks of my colleague, and the history lesson putting it into context is always so important and something we should do more of in this body.

I thank Senator BENNET for his words.

The Supreme Court, as we know, has tremendous influence over the lives of our country, the lives of Ohioans, my State, and the lives of so many. Nominees must defend the rights of all

Americans to make their own healthcare decisions, to collectively bargain for safe workplaces and fair pay, and to be protected from discrimination and Wall Street greed.

Unfortunately, Judge Gorsuch is simply not that nominee. His record is clear. He has ruled that corporations are people. I am not a lawyer, but I understand that it is a relatively recent concept in American jurisprudence to equate corporations with people. When you do that, you simply give corporations more rights than individuals have. When you come from that position, it means that judges repeatedly rule to choose corporations over workers; they choose polluters over communities; they choose Wall Street over consumer protections; they choose special interest money over our citizens. We have seen too much of that in this country.

We have seen a decline of the middle class, in part because the Federal judiciary is choosing corporations over workers. If chosen, polluters over communities; if chosen, Wall Street over consumer protections; if chosen, special interest money over citizens—that is the Court we have seen in far too many 5-to-4 decisions, as Senator WHITEHOUSE has pointed out so effectively on this floor.

The misguided idea that corporations are people is far outside the mainstream of what most Ohioans believe. It may work for graduates of Harvard and Yale Law School. Interestingly, if Judge Gorsuch is approved, all nine of the Supreme Court Justices will have attended Harvard or Yale Law School. I don't know what is wrong with Ohio State or the University of Toledo or Akron University or University of Cincinnati or Case Western or Michigan or Chicago or anywhere else. That is whom Presidents have chosen; those are the people we seem to confirm.

But this view that corporations are people simply doesn't wash with the American people. It is how we got rules that allow Wall Street banks and hedge funds to wreak havoc on ordinary working people and ordinary working families, with no consequences.

Judge Gorsuch himself has argued against the rights of working Americans to band together to hold Wall Street and corporations accountable. He ruled against children with autism. He ruled against students with disabilities. We have a President in the White House who makes fun of disabled people. Now, we are going to put a Justice on the Court who rules against students with disabilities. We have a Secretary of Education who barely knew what IDEA was—the provision of the law that guarantees disabled students an education.

Why we are moving in this direction, I think, amazes most people in this country, whether you have a disabled person in your family or not. His views

of protecting students with disabilities are so outside the mainstream that last month, the Supreme Court unanimously rejected his reasoning.

A boy with autism, Luke, wasn't making progress in school, and it was recommended that he be placed in a residential program. An impartial hearing officer and two different judges agreed. But Judge Gorsuch disagreed. He said that, as long as a student with a learning disability is making "merely . . . more than de minimus" progress in his or her education, the school district didn't have to do anything else. Think of that. That student, he counts a little bit, but he really doesn't count that much. He doesn't count as a full human being with full rights and full citizenship in this country.

If your disabled child is getting more than nothing, I guess that is good enough, according to Judge Gorsuch. Luckily, this Supreme Court, as conservative as it usually is, overturned Judge Gorsuch's precedent that denied a real education to students like Luke. Again, they overturned him unanimously. Chief Justice Roberts noted that a student offered an educational program providing merely more than de minimus progress from year to year—this is Justice Roberts, a very conservative Chief Justice—can hardly be said to have been offered an education at all.

In other words, what Judge Gorsuch thinks and thought about this case was that doing only a little bit for this student was meeting the obligation of this civilized society that we are proud of. Fortunately, the eight members of the Supreme Court—four Republican conservative nominees, four more moderate to liberal nominees from the Democrats—unanimously came together and disagreed with Judge Gorsuch.

But think about what can happen the next time. If an Ohio family has a child with a learning disability and struggles with that school system, they won't find sympathy from Justice Gorsuch. In fact, forget sympathy. They can't count on him to protect their child under the law.

Take a look at the case of Alphonse Maddin, the truckdriver from Michigan. He was hauling meat through Illinois when he stopped to refuel. His brakes froze. He was stranded. He called for help, for a company repair unit. He waited for hours for help. He nearly froze to death. He couldn't feel his legs. It was 14-degrees below zero in the truck. He needed to get to shelter or risk losing his limbs or worse.

But his company fired him. They claimed he abandoned his cargo. Mr. Maddin later returned to get the cargo and completed his job. But it just did not matter to the company. To the company, the cargo was more important than Mr. Maddin's life. To Judge

Gorsuch, that company's interests were more important than Mr. Maddin, more important than his health, more important than his life.

Imagine that. That is what we mean when we say he puts corporations ahead of workers. At the beginning, you remember I said there is this relatively new idea in American jurisprudence that corporations are individuals and people are corporations. When you say that, it means that you side with corporations over workers. You side with polluters over communities. You side with Wall Street over consumer protections. You side with big, dark money from billionaires in Citizens United over citizens.

Take a look at the case of a mother who had leukemia and had to take time off for treatment. After the treatment was over, her doctors advised her not to return to work quite yet. There was a flu epidemic. Her immune system was compromised from chemotherapy. But her employer told her she needed to show up within a week or they would fire her despite 15 years of dedicated service. Guess who Judge Gorsuch sided with? It was not the worker suffering from cancer, who had dedicated a decade and a half of her life to her employer and who wanted to return to work, but she simply was advised against it by her doctor.

This woman's daughter, Katherine, said that when Judge Gorsuch issued his ruling, "he didn't even think about the impact that this had on our family." She said his ruling "set the precedent that a company's needs come before workers like her mother."

At a time when Americans work longer and harder than ever before, when we devalue work in this country, when workers' wages—for huge percentages of workers in this country—are stagnant, when people work longer and harder with less and less to show for it, the last thing we need to do is elevate someone who sees workers as nothing more than a cost to be minimized.

That is what is at stake here. We are talking about putting someone on the Court who wants to give corporations special rights, but he has a record of ignoring the rights of ordinary citizens, choosing corporations over people, saying that corporations are, in fact, people. That means that he is almost always, in his cases, choosing corporations over workers, choosing polluters over communities.

Judge Gorsuch's record makes clear that he would turn back the clock on a woman's right to make her own healthcare decisions, or LGBT rights, or clean air and clean water, or safe food and medicine.

That is what is at stake here. If the Senate does not reject his nomination, the decisions Judge Gorsuch hands down will haunt our Nation for generations. My opposition to this nominee

has nothing to do with what has occurred in the Senate over the past 8 years, as despicable as it has been. It has everything to do with what could happen over the next 100.

This is about our children and our grandchildren. Seven of the eight current justices have met the 60-vote benchmark. In other words, seven of the eight justices on the Court right now were fairminded enough and centrist enough and agreeable enough that far more than 60 Senators—people in both parties—came together to confirm those nominees.

With so much at stake, it is up to Judge Gorsuch to earn the votes of 60 Members of this body. I do not believe someone who fundamentally wants to give and has given corporations more rights than individual citizens has earned that broad support. The solution is not to change the rules; it is to change the nominee.

That is what we mean by advice and consent. The American people need a Supreme Court Justice who looks out for the interests of all Americans, not just the 1 percent, not just the most powerful, not just the most privileged. That is why I oppose Judge Gorsuch's confirmation to the U.S. Supreme Court.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I spoke on the Neil Gorsuch nomination last week, and I intend to speak on it again tomorrow. Let me just say that I support Neil Gorsuch as the nominee to the Supreme Court. He is a good man. He is a mainstream jurist, incredibly qualified. I am happy to strongly support him for the Court.

OPIOID EPIDEMIC

Tonight, Mr. President, I want to talk about another issue, one that I hope can continue to bring us together here in this body and also bring our country together. I rise today to talk about what a lot of experts say is the worst drug crisis in the history of our great country—the worst. It is the opioid epidemic. This is the addiction to heroin, prescription drugs, synthetic heroins like fentanyl. The newest threat, this synthetic fentanyl, is coming into our communities from other countries, particularly China.

There are laboratories in China where evil scientists are putting together these concoctions and sending them through the U.S. mail system into our communities.

China is doing it on a scale that is devastating to our communities. As a result, I have urged President Trump to prioritize this issue in his meeting with President Xi in Florida later this week. China has banned one synthetic form of heroin, carfentanil, recently, but there is a lot more to do. I am urging President Trump to make it clear to President Xi that we will do everything we need to do to keep this poison out of our communities.

This epidemic is affecting every single one of the States represented here in this body. I know the Presiding Officer knows that because I know he has been involved in his own State. It is affecting your home town, whoever you are and wherever you are in the United States. Unfortunately, it is affecting people you probably know.

Every day we are now losing 144 Americans to drug overdoses, most of which are from overdoses of opioids. That is one American life lost every 12 minutes. That will be about the length of this speech. Look at your watch. In the next hour, five Americans will die of a drug overdose.

I have been working on this issue for a long time. I first got involved over 20 years ago when I was in the House of Representatives and a constituent came to me because her son had died of a combination of smoking dope and huffing gasoline. She came to me and said: What are you doing about it?

I was ready. I talked to her about the fact that we had \$15 billion devoted to interdicting drugs and incarcerating people and so on.

She said: What are you doing to help me and my community? I have gone to my church. They are in denial. I have gone to the school, and they say it is not a problem here. I have gone to my neighbors, and they won't come together and talk about it.

So we got involved in this issue, and I set up our own community coalition back in my home town of Cincinnati and chaired that for 9 years. I am still very involved with that group, but I also got involved with legislation to try to do things to actually reduce the demand for drugs, because that is so important.

Here we are again. The crisis we had then was mostly crack cocaine, marijuana. Then it was methamphetamines, bath salts. But I have never seen anything like this. This is the worst. If you don't think it is the worst drug crisis we have ever faced, then think about this. Look at this chart of drug overdose deaths in America.

Drug overdoses are now the leading cause of accidental death—the leading cause—in my home State of Ohio, and probably in your State and in our country. This is from 2015, the most recent year for which we have complete data. Nearly two-thirds of the deaths were because of the prescription painkiller heroin-fentanyl issue, or synthetic forms of heroin.

Drug overdoses are not now just the leading cause of death. Overdoses kill more Americans than guns do. This next chart will show that, according to the Centers for Disease Control and Prevention, more Americans died from drug overdoses in 2015 than died from HIV/AIDS at the height of that epidemic. The peak of the AIDS epidemic was 1995. This is 2015 with regard to drug overdoses.

According to an article in the New York Times, more than four times as many people are dying every day from this epidemic than were dying at the peak of the crack epidemic. In the last 3 years, more Americans have died of drug overdoses than died in the Vietnam war.

Unfortunately, we have reasons to believe that this crisis is getting worse, not better. According to recent figures, fatal overdoses due to prescription painkillers, heroin, or synthetic heroin in 2016 alone went up 26 percent in Connecticut, 35 percent in Delaware, and 39 percent in Maine. During the first three quarters of 2016, deaths from overdoses in Maryland increased 62 percent. In Ohio they increased 20 percent the last 2 years in a row.

So we have seen this huge spike here in deaths from overdoses, starting in about 2010 and going up. This is with regard to heroin. This is with regard to non-methadone synthetic opioids—in other words, fentanyl, carfentanil, U4, and other synthetic heroins.

This is a crisis. It is one that, unfortunately, is affecting every single community—whether you are in an urban, suburban, or rural community, whether you are young or old, regardless of your walk in life.

The issue, of course, is much bigger than just the tragedy of overdose deaths. It is also about people whose lives have gotten off track because of these drugs and because of the addiction. There are 200,000 people in Ohio alone who are living with an addiction to these drugs. By the way, if you are addicted, you are much more likely to be committing crimes, fraud, and theft to pay for that habit.

In my State of Ohio—and I will bet in your State—the No. 1 cause of crime is opioids. A lot of these people have lost a job or can't get a job. I talked to some business folks over the weekend in Ohio who talked about regulations and taxes. They said: You know, this drug issue is affecting every single one of us. We can't get people to pass a drug test. We have employees who are now addicted to prescription drugs or heroin and their absenteeism and inability to come to work is affecting our economy.

So this is something that is affecting all of us. Of course, many have broken relationships with their families and their loved ones. I cannot tell you the number of people who have told me, and I have probably met with 1,000 addicts or recovering addicts over the last few years. I can't tell you how many people have told me: Drugs became everything, and I pushed my family out, and pushed my friends out, and pushed my job away, and it left me in a situation where I was broken.

But living without hope is something that we can deal with, because there are ways for us to get people into treatment and to get people into recovery to help them. We are in a crisis.

Some have asked me: Well, how did we get here? That is usually a good start to this: How do we get out of it? How did we get here is complicated. But according to the Centers for Disease Control and Prevention, those who are addicted to prescription painkillers are 40 times more likely to be addicted to heroin.

Let me look at this a different way. Four out of five heroin addicts started with prescription drugs. So this issue of prescription drugs, overprescribing, is a huge part of how this happened in the first place. Increasingly, what we have seen in all of our States is addiction starting with these drugs and then switching to cheaper and more accessible heroin, and then switching again to sometimes more powerful forms of heroin like carfentanil, maybe 30 to 50 times more powerful than heroin. That is what is taking so many lives at such an alarming pace. The epidemic started with overprescribing. The United States uses more prescription painkillers than any other country in the world. It is not even close. Look at these numbers here. This is the daily opioid dose for over a million people. Look at the United States as compared to every other country in the world.

This is using 2014 data, and the numbers may have gotten better because of the work being done to cut back on painkillers. But according to the American Society of Interventional Pain Physicians, we consume nearly 70 percent in this country—5 percent of the world's population and nearly 70 percent of the world's painkillers.

In 2012, that number was 75 percent. It is still not even close on a per-person basis. For every American, there are 50 pain pills in this country, and second place is Canada with 30 pain pills.

According to the National Institute on Drug Abuse, painkiller prescription sales nearly quadrupled from just 1999 to 2014. That number finally peaked in 2012, by the way, and since then has come down slightly. In 2012, there were more prescriptions for painkillers in Ohio than there were people in Ohio. There were more prescriptions for painkillers—not pills, prescriptions—than there were people in Ohio. By the way, that was also true in 11 other States.

Fortunately in Ohio, we have made some progress under the leadership of Governor Kasich, Lieutenant Governor Taylor, Attorney General DeWine, and the State legislature. They have taken some important steps to cut back on painkiller prescriptions. We have cut them back by about one-fifth, about 20 percent since they peaked in 2012, but that number is still way too high. According to the Ohio Board of Pharmacy, 631 million pain pills were prescribed to Ohioans last year. We are also still dealing with the consequences of a lot of the addictions that got started in 2011, 2010, or before.

The number of prescriptions has risen, just as the addiction to opioids

has risen. Drug cartels have followed this prescription drug epidemic, bringing in heroin. Those drug cartels flooded my State and probably a lot flooded a lot of your States with this cheaper, more accessible heroin, now synthetic heroin.

According to the National Institute on Drug Abuse, Mexican heroin production alone increased sixfold in just 4 years—from eight metric tons in 2005 to 50 metric tons in 2009. That number is now 70 metric tons, and it just keeps rising.

According to the Office of National Drug Control Policy, here in this country, Mexican opium poppy planting increased by 64 percent just from 2014 to 2015. So it is getting worse, not better.

According to the Congressional Research Service, virtually all of the heroin produced in Mexico is consumed here in the United States of America.

According to the Centers for Disease Control and Prevention, heroin use among young people has doubled in the last decade, among young people 18 to 25 years old.

This affects all of us. It knows no ZIP Code. It certainly knows no walk of life.

Since 2010, heroin overdose deaths have doubled among Hispanic Americans, African Americans, Native Americans, and Whites.

A lot of the people who are addicted to prescription drugs have switched to heroin instead. Now we are seeing that heroin addicts are switching also, even if they don't know they are doing it. They are switching to fentanyl and carfentanil. Again, it could be up to 50 times more powerful than heroin. Sometimes they don't know it because the traffickers are sprinkling the fentanyl in other drugs—heroin, of course, but also, we know now, cocaine. They are mixing it with marijuana, mixing it with other drugs, and not letting people know.

We had a 14-year-old girl recently die in Dayton, OH. She was with her friends, snorting what she was told was heroin. She had done it before. But this was fentanyl, and it killed her instantly.

More than 1,000 Ohioans were killed by fentanyl in 2015—more than double the previous year and more than 10 times the number in 2013. In Cleveland, for example, there have been more overdoses from fentanyl in the past 10 months than there had been in the past 10 years. In Columbus, there have already been half as many fentanyl overdoses in the first 3 months of this year as there were all of last year. This is why I say fentanyl is the new risk, the new danger.

As one father who lost his son to an overdose told me: Every time you engage in taking drugs, you are playing Russian roulette because you don't know what is in it.

In my hometown of Cincinnati, fentanyl deaths now surpass heroin

deaths. Drug overdose deaths in Cincinnati increased by 40 percent from 2014 to 2015. Over that same timeframe, in just 1 year, heroin overdoses increased 12 percent, while fentanyl overdose deaths increased 153 percent. These numbers are very disturbing. They are discouraging, too, because it seems like we just can't turn the tide. It is easy to feel as though we just can't do anything, that we are paralyzed, but there is actually a lot we can do to help, and we can and should.

Here in the Senate, we have already taken some very important steps in the last year. About 9 months ago, we passed legislation called the Comprehensive Addiction and Recovery Act, CARA. Last year, we passed the 21st Century Cures Act. Those two together provide much more funding for this issue. The Cures Act alone is \$500 million more this year going back to the States to provide funding primarily for treatment for this increase in overdose deaths. There will be \$500 million authorized again next year. We have to be sure that gets into the appropriations bill.

We also have seen, I think much more importantly in a way, through the Comprehensive Addiction and Recovery Act—separate legislation—that we are beginning to fund directly programs that work. We spent 3 years looking around the country and had five conferences here in Washington, DC. We brought experts in from all over the country who told us what the best practices were. What is the best prevention technique that is working? How do we get kids not to make these decisions? What is the best thing that is happening in terms of treatment, and then longer term recovery, what works and what doesn't work. Is medication-assisted treatment better? Is it better? Does it rely more on longer term recovery? Have they had more success there?

All of this has led us to put together this legislation, the Comprehensive Addiction and Recovery Act, that actually funds programs like drug courts that are working around the country. They take people, diverting them from prison, and say: As long as you stay clean, you can stay out of jail, because you are a user, you are not a pusher. But you have to stay clean.

Then they provide them alternatives, including using drugs that reduce the cravings. If you reduce the craving for opioids, that is proving to be very, very successful in some cases. Dimitrol is the drug they use mostly in Ohio to do that. There are some great examples of people who have gone through the drug court process who have now been clean for a few years. They are back to work. They are back with their families. They are back as contributing members of society. So there is hope. We have seen how it can work.

CARA is the first legislation Congress ever passed to promote long-term

recovery. Why? Because we have looked around the country and had experts here. We figured out that the treatment programs are important, and before that, the detox program is important. But what is leading to more success is longer term recovery programs.

As an example, think about being in detox for a week and then maybe a couple weeks in a treatment program and then going into a sober housing arrangement where you have regular meetings, where you are getting support from fellow recovering addicts. That seems to work longer. You are there. It seems to work better for most Americans.

Unfortunately, we do not have all of CARA's legislation fully implemented yet. Only three of its eight programs have been implemented. It has been a while. It has been about 9 months. It is time to push all of those programs.

I pushed the Obama administration on this. I am now pushing the Trump administration. Last week, I was delighted that the Trump administration announced the creation of a commission on the opioid epidemic, led by New Jersey Governor Chris Christie, who has a real passion for this issue. I commend the President and Governor Christie for their commitment to making progress on the issue. Their leadership and their partnership with Congress will make a difference.

Today I talked to General Kelly, the new Secretary of Homeland Security. He is going to be on the commission. He said they are going to report about the problem within 90 days. We know a lot about the problem. We also have to be sure we are seeing some action.

What I would suggest today is that the administration work hard to implement the remaining five CARA grant programs that are not yet up and running. For example, it has been 8 months, almost 9 months, since CARA was signed into law. Yet we still don't have the grant for naloxone up and running. Our States and local communities need this Narcan on the street to save people's lives, because this is a miracle drug that reverses the effects of an overdose, but we also need to get more training for some of our first responders so they can administer it more effectively, which is particularly more important right now with this new drug, the fentanyl, the synthetic drug coming in, because synthetic heroin requires sometimes not one, not two but four or five uses of Narcan—maybe more—to save someone's life. So our first responders are asking for this help.

We still don't have the grant for medication-assisted treatment up and running. We still don't have the grant for pregnant and postpartum women's treatment providers up and running. This will help to ensure we have fewer babies who are born with this addiction. Let's get going on these.

For all of us here in Congress, let's be sure that we fully fund CARA. It is \$182 million a year, every year, in addition to what we were spending on opioids. We need to be sure that funding is there, that these programs are working, and that our communities begin to get more of the help they need. These evidence-based programs that work are what we ought to be supporting, and that is exactly what the legislation does.

I thank Vice President PENCE, who was in Ohio on Saturday. It was a meeting about the economic issues we faced as a country. He talked about tax reform and regulations and skills training, but he also talked about this issue. I think it is important that we are all talking about this issue back home and raising awareness hopefully to save lives, to keep people from going down this path but also to ensure that our fellow citizens know the importance of Congress and State legislatures and local communities getting engaged with it all. Everyone must get involved.

I was in Youngstown, OH, on Friday, and I held a roundtable at the Neil Kennedy Recovery Center. This is one of the first programs of its kind in the country. It started in the late 1940s. It focused more at that time on alcoholism. Executive Director Carolyn Givens was there with her staff. They are incredibly compassionate people. She told me a lot of stories.

I was able to meet with some of the recovering addicts at the center. One told me his name was Michael. He told me that center saved his life. It saved his life. This is a guy who worked for years at utility companies. He is a skilled worker. He got involved with prescription drugs because of an accident or an injury, and then he ended up moving to heroin, which was cheaper and more accessible. Then he found his life spinning out of control. Now he is there, and he is getting back on track.

Everybody, by the way, at the roundtable who was there—the staff and community leaders who were involved—they all said: Get this legislation implemented. We need it.

On Friday afternoon, I went to Cleveland and toured the St. Vincent Charity Medical Center with addiction specialist Dr. Ted Parren. What an amazing guy he is. This is in a hospital setting where they have a detox unit and a treatment center, which is very unusual. I think it is the only one of its kind in Cleveland, and it is one of a few in the country where, within a hospital setting, these people are getting everything they need. It is a very comprehensive approach. They deal with mental health issues, of course, but also other physical issues people have, and it is helpful to have it all together there at that center. I thank the sisters for what they are doing because they are supporting this, and sometimes it

is quite expensive to have a treatment program. At St. Vincent's, they are doing an awesome job.

Everyone there told me the same thing that I hear across Ohio—that their services have, unfortunately, never been in greater demand. They have a waiting list. They say the situation is getting worse, not better. I think that is true in your State, too, because according to the Substance Abuse and Mental Health Administration, SAMHSA, 9 out of 10 of the 22 million Americans who are suffering from addiction are not getting the treatment they need—9 out of 10. CARA and the Cures Act will help change that.

People need to change that in their own hearts. They need to step forward and seek the treatment they need. We need to take away the stigma of addiction because it is an illness. We need to treat it as an illness because that would help people come forward, admit they have a problem, and get the treatment they need. Their families and their communities are desperate for that to happen. CARA and Cures will help change all that.

I applaud my colleagues here, Republican and Democrat alike, for moving forward on this legislation over the last year, but there is a lot more work to do. We should continue to address the underlying issue of overprescribing. It started this epidemic in the first place. We talked about the number of prescriptions that are still out there.

Last week, I joined with my colleague Senator AMY KLOBUCHAR to introduce bipartisan legislation called the Prescription Drug Monitoring Act to keep better track of prescription painkillers, keep them out of the wrong hands, and identify an addiction as early as possible so that it can be treated.

This goes to the pharmacist. You will have to report when someone gets a pain pill prescription. They have to put it on the Prescription Drug Monitoring Program.

It goes to doctors. They have to be sure that when they are prescribing medication, that that is part of the drug monitoring program. They have to access the drug monitoring program before they give a prescription to be sure the person isn't filling the prescription with them that they have already filled somewhere else. Unfortunately, there is a lot of that abuse still out there. Sometimes it is across State lines, which is why Federal legislation is required. Our legislation requires that States work better together to ensure that the Prescription Drug Monitoring Programs are talking to each other.

By the way, if people don't do this under our legislation—the pharmacists, the doctors, and the States—then they have their Federal funding pulled back that we talked about earlier on the CARA legislation.

If you see a sign of addiction starting, our legislation requires that you let the patient's doctor know that so we can begin to identify the people who have an addiction and get them the treatment they need.

I think this is going to be a good bill because it will lead to a smarter and more effective use of taxpayer dollars, and more importantly, of course, it is going to prevent a lot of new addictions from starting in the first place. That, of course, would save lives.

Congress can also do something else that is really important, and that is to give law enforcement better tools to be able to keep some of this poison out of our communities. So the prevention and the treatment and the recovery and Narcan for our first responders—they are all very important, but let's also keep some of this out. Let's do a better job of stopping the heroin at the southern border. Let's do a better job of stopping the fentanyl, which is this new synthetic heroin we are talking about that is causing so many overdoses and deaths. Let's do a better job of keeping that out.

This should be a no-brainer, in my view, because it is coming in through the U.S. mail system. We know this. All the studies show this. Most of these synthetic drugs are being made in labs in China, and they are shipped by mail to traffickers in the United States, sometimes to Mexico as well. Typically that is done through the Postal Service. Why? Because the private carriers like UPS or FedEx or DHL and others require, when you ship something, that you have advance information provided to the Customs and Border Protection and to others as to where the package is from, what is in it, where it is going. The post office doesn't require that. Is it any wonder that traffickers are using the Postal Service rather than one of these private carriers?

Law enforcement came to us and told us that they could use this data—it is electronic data provided up front—because that would enable them to determine the suspect packages. Of the millions of packages that come into our country, they have to know how to find that needle in the haystack. That is why they want the ability to find these packages, to scan these packages, and to be able to stop some of this poison that is coming into our communities.

The legislation we have with regard to this issue is called the STOP Act. I recently introduced it again this year with Senator KLOBUCHAR, Senator RUBIO, Senator HASSAN, and many others here in the Chamber. It is a bipartisan bill, called the Synthetic Trafficking and Overdose Prevention Act, or the STOP Act. It closes this loophole we talked about within the Postal Service and requires the post office to obtain advanced electronic data on packages before they cross our borders, just like the private carriers have to do.

It is not a new idea, by the way. In 2002, Congress placed this requirement on private carriers. That is when it started. It also required that the post office review this and look into this. So, in 2002, this Congress was smart enough to say: This seems to make sense. Let's require the post office to look into it. We have seen the results. The results are that traffickers stay away from the private carriers because they know they can use the Postal Service and get away with it.

Traffickers are lacing the heroin on the streets of America with these synthetic drugs to make them stronger and more addictive. They are getting more people addicted. Fentanyl is also so powerful that it only takes a couple of milligrams—the equivalent of a pinch of salt—to kill you. They say that three flakes can kill you. The fact that heroin is now being laced with fentanyl, of course, makes it much more likely for you not only to have an overdose, because of the strength of this synthetic heroin, but also that you will die from that overdose. Again, it is much harder to use Narcan and to begin to save lives by using that and to reverse the effects of the overdose.

So the STOP Act, to me, again, is something that we definitely ought to do in this Chamber. It would restrict the supply of these dangerous drugs, raise the prices of these drugs, and would make them harder to get. That is going to save lives.

Support for the STOP Act is growing. Our bill has now been endorsed by the Fraternal Order of Police and by the Major County Sheriffs of America. They are convinced that this tool will work. Last Friday, I was in Columbus, OH. I met with Franklin County deputy sheriff Rick Miner, also the deputy chief of the Columbus Police, Mike Woods. We had the Cincinnati and Columbus directors of the Customs and Border Patrol—the chiefs—there to talk about it, and we had the Drug Enforcement Agency's special agents in charge there with us. We also had people who were on the investigative side of the Customs and Border Patrol. The deputy attorney general of Ohio was there, Steve Schumaker, and others. All of these law enforcement people said: Give us this legislation. It is a tool that we need.

We had a hearing today on the Homeland Security and Governmental Affairs Committee, and General Kelly was there. He is the new Secretary of Homeland Security. He agreed with me that the STOP Act would “help [Customs] officers target illegal shipments . . . reduce the ability for the post office to be used for the illicit shopping of all kinds of contraband . . . [and] be helpful to be able to identify packages” of synthetic drugs. He is right. We need the administration's help and push for this legislation as well. Let's get this done.

President Trump, by the way, endorsed this idea last year when he said during the campaign:

We will close the shipping loopholes to China that others are exploiting to send dangerous drugs across our borders and into the hands of our own Postal Service. These traffickers use loopholes in the Postal Service to mail fentanyl and other drugs to users and dealers in the United States. [The] Trump administration will crack down on this abuse and give law enforcement the tools they need to accomplish this mission.

Let's get it done.

Again, I have asked President Trump to raise this issue with President Xi Jinping because China can do a lot more to try to shut down these laboratories in China, to try to stop some of the materials that are coming into the laboratories that make up this fentanyl. By the way, it is in China's interest to do so.

I have received information recently that there is leakage. What does that mean? That means that some of this fentanyl is going out to the countryside, to the suburbs of China, and to the cities of China, and it is affecting their population.

This legislation already has a companion bill in the House. So this is not an issue in which the Senate can act and then we cannot get it through the process because we cannot get it through the House and the Senate. PAT TIBERI and RICHARD NEAL have introduced companion legislation—TIBERI, a Republican from Ohio, and NEAL, a Democrat from Massachusetts. It is bipartisan. It is the kind of legislation that should draw bipartisan support, and we should get it done.

Is it a silver bullet? No, we do not have a silver bullet. There is not one silver bullet. There is a comprehensive approach here, and these two bills that I have talked about are new steps that we should take.

I urge my colleagues to continue to support the CARA legislation. Let's provide full funding. Let's support the Cures legislation in the upcoming appropriations process. Let's continue to engage the good folks back home who are trying, at the tip of the spear, to do all that they can in terms of providing better treatment opportunities and longer term recoveries and who are going into our schools and talking about prevention so as to do all we can to keep people from going into that funnel of addiction.

Let's pass this legislation. Join us in keeping better track of painkiller prescriptions so that potentially addictive drugs do not end up in the wrong hands and so that addictions get treated early. That legislation is important.

Join me and join the 10 other Senators in pushing back against poisonous synthetic heroin, which is coming into our communities, by supporting the STOP Act as a cosponsor so that we can get this bill to the floor and get it to the President for his signature.

I believe these two pieces of legislation, if allowed on the floor, will pass overwhelmingly. I believe the President would sign them. Most importantly, I believe they would begin to save lives in the communities we all represent.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DAINES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL PARK WEEK

Mr. DAINES. Mr. President, as a fifth-generation Montanan who grew up just a short drive from our Nation's first national park, Yellowstone National Park, and as chair of the Senate Energy and Natural Resources Subcommittee on National Parks, the resolution before us is critically important to reassure the public that the U.S. Senate recognizes the remarkable value our national parks bring to our national heritage.

I especially want to thank my good friend from Hawaii, Senator HIRONO, who serves as ranking member of our subcommittee, for her partnership on bringing this resolution to the floor here this evening. She has been invaluable in working together to bring us to this moment.

In fact, 33 of our colleagues joined us in submitting this resolution—nearly half Republican and half Democrat—including Alaska, Washington, Tennessee, New Mexico, Oklahoma, West Virginia, Missouri, Minnesota, Florida, Michigan, Colorado, Virginia, Louisiana, Ohio, California, Wyoming, Rhode Island, Maine, Arkansas, Wisconsin, and New Hampshire. There are small States and large States, States that boast vast landscapes and big game like Alaska and Montana, diverse ecosystems like the oceans of Hawaii or the Florida Everglades. Other States boast historic and cultural treasures, like our hallowed battlefields in Virginia.

At a time when our country and Congress seem to be torn, it is only fitting that tonight our national parks are going to bring us together for a moment, to bridge this political divide, to bring remarkable opportunities for cultural education, outdoor recreation for our families and for people around the world to enjoy, and, frankly, to bring us together as family and friends.

As the National Park System begins its second century this year, we have seen record visitation, with 331 million visits in 2016, but record visitation also brings additional strain to our national parks and strain to our infrastructure.

I am hopeful that with the adoption of this resolution, we can all be reminded of the importance of continued investment in our national parks to ensure their legacy truly endures for our children, grandchildren, and for generations to come.

Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 117, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 117) designating the week of April 15, 2017, through April 23, 2017, as "National Park Week."

There being no objection, the Senate proceeded to consider the resolution.

Mr. DAINES. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 117) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

Mr. DAINES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE CALENDAR—Continued

Ms. STABENOW. Mr. President, I rise this evening to talk about an issue that will affect families all across Michigan, which is the nomination of Judge Gorsuch to the Supreme Court. He has a long record of siding with special interests and institutions instead of hard-working Americans, and this is of great concern to me. That matters.

I am concerned with his rulings that fail to protect children and students with disabilities in schools, and I am worried that he will limit access to critical healthcare for women and that he is not a mainstream candidate. I can't support a nominee whom I believe is disconnected from the challenges faced by families in Michigan and across America every day.

There is one important example which relates directly to someone from Michigan that Judge Gorsuch has ruled on. People from Michigan have been hurt by Judge Gorsuch's narrow judicial philosophy.

In 2009, a Michigan truckdriver named Alphonse Maddin was trying to complete a shipment driving all night, and his brakes froze in subzero temperatures—which we have. The heater in his cab broke as well. He called his company to report the issue and waited for help to arrive.

While he was waiting for hours in the freezing subzero temperatures, he realized he was having trouble breathing and his body was going numb. He called his company to report that he needed to get somewhere warm, but they told him he needed to either wait for the repair person, or drag his trailer even though the brakes were frozen. Worried he might freeze to death, he finally unhitched the trailer from his truck. Mr. Maddin drove off to seek help, returning in just 15 minutes with assistance. He did what any of us faced with a life-threatening situation would do.

A week later, Mr. Maddin was fired from his job, even though he was transparent in his actions and completed his delivery. He completed his delivery, despite the issues caused by his frozen brakes and the broken heater.

Two different entities within the Department of Labor ruled that what the trucking company did was illegal, and that Mr. Maddin was protected under Federal law because his life was in danger. Thankfully, a majority of the Tenth Circuit judges agreed. Judge Gorsuch, however, disagreed, arguing the law did not protect workers who drove away to avoid freezing to death.

According to Judge Gorsuch's interpretation, Mr. Maddin would have had to choose between his job and his life. What is deeply concerning to me is that when he was asked at his nomination hearing what he would have done, he said he really hadn't thought about it. Judges should think about what is happening to people in situations as they are ruling in a fair and impartial way. This does not look like the ruling of a mainstream nominee.

His rulings don't only affect Michigan workers. I am very concerned about Judge Gorsuch's rulings on legal protections for individuals with disabilities. We passed the Individuals with Disabilities Education Act to make sure that children with disabilities got the education they deserved, and that the education would be free and available to all children.

Luke, a young boy from Colorado with autism, was not able to receive the education he needed from his public school. His parents were able to enroll him in a private residential program specializing in children with autism that was more suitable for his needs so he could get what he needed for his development.

His parents applied to the school district for reimbursement, as was appropriate, but the school district refused. His parents went to court, and an administrative judge and a district judge

both ruled that the school did not provide Luke with the necessary education to meet the needs that IDEA required. However, Judge Gorsuch ruled in favor of the school district, saying that all the school district had to do was provide an education that was more than just the bare minimum—just the bare minimum. He set a very low bar for Luke and for students like Luke, like my nephew Barry.

Just to show how disconnected Judge Gorsuch is from the lives of everyday Americans, look at the Supreme Court ruling which occurred at the same time as Judge Gorsuch's confirmation hearings. In a different case on the very same issue, the Supreme Court challenged and rejected the standard and interpretation that Judge Gorsuch believed should be provided for children and students with disabilities. They unanimously rejected the standard that he approved. This is not the view of a mainstream nominee. This is not the view of a mainstream nominee.

I am also deeply concerned about Judge Gorsuch's opinions and how they could affect women's access to healthcare. In the Tenth Circuit's Hobby Lobby decision, Judge Gorsuch endorsed the idea that corporations can deny their employees access to essential healthcare services, including birth control. His concurring opinion suggested that he supported the notion that for-profit corporations have the right to deny women insurance coverage or any form of contraception an employer disagrees with. This is both alarming and unacceptable. It once again shows how disconnected Judge Gorsuch is from what women in Michigan and around the country experience.

Judge Gorsuch did not recognize the impact of denying coverage to women employees and their families, and putting those decisions in the hands of their employers. Women in Michigan should not have to pay higher costs for healthcare than men, and they should not be denied essential healthcare services. These dangerous interpretations will continue to take us down a path of permitting and protecting discrimination by corporations and institutions over the rights of workers and consumers. Again, that is not a mainstream nominee.

When it comes to supporting women—not just in healthcare, but in the workplace—Judge Gorsuch has had some extremely troubling rulings. In 2003, a woman named Betty Pinkerton experienced several instances of disgusting sexual harassment from a male supervisor at the Colorado Department of Transportation. Every time she made it clear his comments were not acceptable in any way, they continued over the course of months.

She went to her office's civil rights staff and submitted a written complaint, and he was removed as her supervisor. She was fired about a week

later. She sued. But Judge Gorsuch upheld a ruling that claimed she waited too long—she waited too long to report harassment—and believed that Pinkerton's firing was performance based—How often do we hear that in these situations?—despite not being able to produce any real evidence that this was the case. He ruled that she couldn't go to trial and present her case in front of a jury.

So when it comes to protecting women in the workplace, we know that Judge Gorsuch has come up short. This is not a mainstream position and not acceptable, in my judgment, for any Supreme Court nominee, and not acceptable for what I want to see happen for the people in Michigan.

I wish to end my speech on the importance of consensus because that is what we should do here. That is how we get things done.

For decades, we have confirmed our Supreme Court nominees with consultation and consensus. We have said—and I think it is the right thing—that we should have to have more than just a simple majority to confirm judges to the highest Court in the land for a lifetime appointment. So it makes sense that we come together to do that. In fact, seven of the eight current U.S. Supreme Courts Justices on the bench today received 60 votes or more somewhere in their process—both President Bush's and President Obama's nominees, as well, those now on the Court.

President Clinton, President Bush, and President Obama talked to Senators from both parties about their picks to get input as to whom would likely be supported and not supported. This did not happen with Judge Gorsuch. President Trump had a list chosen by very narrow special interests and did not ask opinions of key people on our side of the aisle as to what would make sense to get the consensus to get 60 votes.

I do not believe Judge Gorsuch will be fair and impartial, giving a fair shot to the workers and families in Michigan as well as around the country. My test is very much about what is best for the people I represent in Michigan. Who will be fair and impartial and give them a fair shot?

Because I do not believe he can do that, I cannot support his nomination. He is not the right choice for this vacancy. We can come together. I urge my colleagues to go back to the drawing board and bring in a consensus mainstream nominee.

In the past, we have basically had a practical rule of saying if the nominee cannot get 60 votes, we change the nominee. We don't change the rules. It is extremely concerning that this would not be the approach at this time.

I urge that we come together, get a mainstream nominee, and be able to work together to get this done.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I rise this evening to speak about the nomination of Judge Gorsuch to be an Associate Justice of the U.S. Supreme Court.

Every Member of the United States Senate has an obligation to review this nomination thoroughly and to make a determination. I believe the advice and consent duty of a Senator—certainly in my case, when I make decisions about any judge for confirmation, but especially for the Supreme Court—has to be a decision grounded in a review of a number of considerations. I think they are generally the same no matter who the nominee is, but sometimes they can vary. I think in this case there are probably additional considerations that I weighed.

Of course, we want to look at the nominee's character and their integrity, certainly their judicial temperament. Someone can be very capable as a judge and very learned in the law, but they may not have the temperament or the integrity.

I don't think there is any question that there is nothing in the record that indicates that Judge Gorsuch doesn't have the experience or the character and integrity to do this job, and to do it with the kind of temperament we have the right to expect from any judge.

I also believe at the same time, though, that you have to do a review of the cases decided by the nominee—in this case, a judge on the Tenth Circuit Court of Appeals, a very similar kind of job to that which the Supreme Court Justice does. You are reviewing cases on appellate court. In Judge Gorsuch's case, it is the Tenth Circuit—not the Supreme Court, but still appellate court decisions.

Part of that inquiry I believe is a review of an assessment, really, of this individual's judicial philosophy. That is where I will spend most of my time tonight. I will also talk about the rule change that might be upon us.

While reading Judge Gorsuch's opinions, I developed very serious concerns about his rigid judicial philosophy. Judge Gorsuch's opinions indicated, in my judgment, an extremely conservative judicial approach. This leads him to come down disproportionately on the side of powerful interests, against workers in many cases, and consumers in other cases—a cause for particular concern at a time when the Supreme Court itself, under Chief Justice Roberts, has become an ever more reliably ally to big corporations.

A major study published by the Minnesota Law Review in 2013, found that the four conservative Justices currently sitting on the Court are among the six most business friendly Supreme Court Justices since 1946. A review by the Constitutional Accountability Center shows the consequences of the

Court's corporate tilt, finding that the national Chamber of Commerce has had a success rate of 69 percent in cases before the Roberts Court, a significant increase over previous courts. These are cases of serious importance to everyday Americans—cases involving rules for consumer contracts, challenges to regulations, ensuring fair play in labor standards, and attempts by consumers to hold companies accountable for product safety and much more.

Another concern I have about his nomination is that at some point in the campaign of last year, the Republican nominee was given a list of names from which he should choose, were he to be elected President. I would hope that there would be a list of names that any President would consider beyond what we are told in published reports was just 21 names, developed by organizations on the far right. And that fact alone causes me great concern—that the President is permitted, according to this arrangement, this understanding, only to consider a list of 21 names that those organizations developed.

The record of this judge indicates also that he would only exacerbate the problem that I pointed to with regard to the corporate tilt of the current Roberts Court. In my judgment, by doing so, it would further stack the deck against ordinary workers and families. It starts with his basic judicial philosophy. He employs the narrowest possible reading of Federal law and shows extreme skepticism—even hostility—toward executive agencies or what some might call administrative agencies, agencies that carry out the law in areas like labor or consumer protections and the like.

Many have expressed concerns about his opinion in the Hobby Lobby case, where Judge Gorsuch endorsed the idea that owners of for-profit corporations can assert corporate religious liberty rights, opening the door potentially to widespread discrimination against LGBT Americans and other Americans as well. But a variety of other cases are equally illustrative of Judge Gorsuch's troubling approach to the law.

I will give you just a few examples. One case involved the tragic death of a trench hand who was electrocuted while working as part of an excavation crew. The court reviewed a ruling by the Department of Labor, punishing the mining company for failing to provide proper safety training to the worker. Judge Gorsuch mocked the Department of Labor's ruling as nothing more than a "Delphic declaration" devoid of necessary proof, and he concluded that the agency was wrong to penalize the company following the worker's death. Fortunately, a majority of the Tenth Circuit disagreed and affirmed the Department of Labor's ruling.

Another case involved a truckdriver who was stranded on the side of the road at night in subzero temperatures, with the brakes on his trailer frozen and the heater in his cab broken. He called dispatch for help multiple times, but after hours of waiting in the freezing cold, this truckdriver was having trouble breathing, and his torso and his feet were numb. Worried about his safety, he unhitched his trailer, drove the truck away, and then later the company fired him for abandoning the trailer.

Three different authorities within the Department of Labor ruled against the company. Judge Gorsuch disagreed, parsing a Federal statute to argue that the driver was not protected in his decision to drive away, despite the risk of freezing to death if he stayed put. Again, fortunately, the majority of the Tenth Circuit Court disagreed, describing the judge's labored interpretation of the statute as "curious," and ruling in favor of the truckdriver.

I have a basic disagreement with Judge Gorsuch's rulings regarding the legal protections for individuals with disabilities, especially students with disabilities. In one case, he ruled against parents who believed their autistic child was not receiving an adequate education at his public school. A hearing officer, an administrative law judge, and a U.S. district court all found in favor of the family, ruling that they were entitled to reimbursement for tuition at a residential program tailored for children with autism.

Judge Gorsuch reversed the rulings and, instead, articulated an extremely narrow interpretation of Federal law—this particular Federal law that protects students with disabilities, the IDEA law, the Individuals with Disabilities Education Act.

In 2004, Congress amended the IDEA, in part, based upon findings that its implications have been "impeded by low expectations." Nevertheless, Judge Gorsuch ruled that because the student in this case made some progress in public school, even though he could not generalize his learning to settings outside of school—which is the goal of the Individuals with Disabilities Education Act—the family, the judge believed, was not entitled to tuition reimbursement. That decision happened a number of years ago.

It just so happens that the U.S. Supreme Court, the current Court with only 8 members, voted 8 to 0 against the basic position that Judge Gorsuch had in that education case—a different case but the same question about what is the duty owed by a school district to a child with a disability. That ruling happened to be announced during the week that Judge Gorsuch was in front of the Judiciary Committee—in fact, on one of the very days he was in front of the committee. A unanimous Court disagreed with his approach to those

kinds of cases involving children with disabilities in a public school.

These cases and others are illustrative of a broader trend in the judge's jurisprudence, whether it is a case involving an employee seeking redress for work place discrimination, hospital staff fighting for back pay after an unlawful reduction in the work hours, or a victim of improper conduct by a medical device company looking for justice. Judge Gorsuch's approach produces rulings disconnected from the lived experience of those they impact.

Therefore, after review of many of his cases, after consideration of his judicial philosophy, and after a review, as well, of the current state of this Court—especially the corporate tilt of this current Roberts Court—I have concluded that I could not support Judge Gorsuch's nomination to the Supreme Court.

I wanted to add some comments before concluding tonight about what this vote may mean to the Senate and the rules of the Senate. It is my belief—others, of course, disagree—but it is my belief that if you seek to become an Associate Justice on the most powerful Court in the world, you ought to be able to garner the support of at least 60 members of the U.S. Senate. If your nomination to the Court is the subject of such consensus, you ought to be able to get 60 votes in the U.S. Senate. If both your nomination and your judicial philosophy is seen as such a mainstream nomination, you ought to be able to get 60 votes. Despite that, it is a point in time when we are having a debate about how we arrived at this question of a potential change in the rules. I believe that the reason we got here is because of substantial and unyielding obstruction by Republicans in the U.S. Senate over a number of years.

Just consider this: From the founding of our Nation, through President Obama's first term when Senate Republicans were in the minority, cloture—the motion to cut off debate and proceed to a final vote—has been filed in a total of just 147 nominations. Just 147 times in the total history of the U.S. Senate, the minority forced the majority to file cloture. Of all the Presidents before President Obama combined, cloture needed to be filed only on 68 of these nominations, but in President Obama's first term before Republicans took the majority of the Senate, Republicans refused to consent to votes and forced the Democratic leader to file cloture on 79 nominations—over 50 percent of all the cloture motions ever filed on nominations in the history of the U.S. Senate. So half of those cloture petitions were filed just in the last couple of years. That doesn't even include what I think was

an outrageous obstruction that continued once Republicans took the majority, culminating, of course, in their refusal to consider Judge Merrick Garland's nomination. So Judge Garland, of the District of Columbia Circuit, the chief judge who had great support, I think, on both sides of the aisle—Judge Garland had maybe a few meetings, no vote, and not even a hearing before the Judiciary Committee.

According to the Congressional Research Service, President Obama is the only one of the five most recent Presidents whose first term was marked by nominations that languished for over half a year on average. Also in his first term, he was the only President of the previous five under whom the district court vacancies increased, unaccompanied by the creation of new judgeships to meet the demand. In fact, President Obama's district court nominees, during his first term, waited an average of 60 days longer for confirmation than those of President George W. Bush.

I think the evidence is overwhelming. Senate Republicans' obstruction of judicial nominations reached historic levels under President Obama. So we are here at this point, and we have to make a decision. My vote will be to insist on 60 votes; therefore, I will be voting no on cloture and also voting no on the nomination of Judge Gorsuch.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I come to the floor to join my colleagues in speaking on the nomination of Judge Neil Gorsuch to serve as an Associate Justice on the Supreme Court. As you know, Senators have a solemn obligation to advise and consent on a President's nominee for the Supreme Court, and I take that obligation very seriously.

My goal during the hearing as a member of the committee was to understand the judge's view on the law, his judicial record, and his philosophy. We needed to know what kind of Justice he would be and what that would mean for Americans.

Although many cases decided by the lower courts are less complicated, even though some of them are complicated, many of them are more straightforward than the ones that come before the Supreme Court. The cases that go before the Supreme Court are the hardest cases. They involve the most complicated legal gray areas.

I have heard my colleagues many times talk about some of the unanimous decisions that the judge was involved in. I know that. But when I look at the kinds of cases that come before the Supreme Court, those are different kinds of cases. As I looked over the judge's record, I tried to focus on situations where he faced hard cases like those he might decide as a Supreme

Court Justice. In my mind, the question was this: What would Judge Gorsuch do if he were appointed to the Supreme Court? What kind of philosophy would he have?

In difficult cases, one judicial approach is to try to find consensus by ruling on the narrowest possible grounds. Judge Merrick Garland, who was nominated last year, was known and praised for that approach by Senators on both sides of the aisle.

Congress actually provides a helpful analogy. When Democrats and Republicans pass legislation, we try to find common ground. We often have different views, but we do find areas of consensus. Sometimes that ground is narrow, but we can find agreement and then come together.

In reviewing the judge's record, I saw that he often took a different approach, one where he often tried to go a step further than the consensus opinion, sometimes really further than the consensus opinion by suggesting a provocative change in the law or by making a broader ideological leap, which I felt was not consistent with the precedent and was not consistent with the kind of philosophy of a judge that, regardless of their political beliefs—I did not expect to agree with everything he said or how he answered the questions, but what I saw was a strikingly different philosophy.

Many of the judge's opinions presented opportunities for narrow judicial consensus, but the judge decided more than the case in front of him. That is what concerns me if he were to be confirmed to the Supreme Court, where he would have to decide the toughest cases and hardest legal questions facing our country.

So after thorough examination and consideration of his answers and the record, I have decided not to vote in favor of the judge's nomination. His judicial approach and his record on critical cases, including the rights of children with disabilities, campaign finance, and preserving health and safety protections, have led me to conclude that I cannot support his nomination to the Supreme Court.

Let me make this clear. Again, I did not expect to agree with every opinion he wrote or everything he said. I certainly did appreciate the introductions of the Presiding Officer, as well as Senator BENNET, and the support he had from Colorado. That meant something to me. But then when I looked at the record, what I saw time and time again was a judge who clearly demonstrated the contrast between a narrow consensus-based approach and a more far-reaching one.

One area where the judge has gone further to issue broad rulings that would have profound consequences on people's lives is in the case he decided on children with disabilities. During the hearing, because this case had been

decided by the Supreme Court right before I got to ask questions, I asked a lot of questions about this case on the IDEA, also known as the Individuals With Disabilities Education Act.

The IDEA was passed to ensure that students with the disabilities are supported in school. In my State, 124,000 children rely on this critical protection. I occupy the Senate seat once held by Minnesota's own Hubert Humphrey—someone who, of course, was never at a loss for words. In fact, this very desk that I am standing behind was the desk Hubert Humphrey signed and used. He delivered a speech 40 years ago, and one line of that speech is just as appropriate today as it was back then.

He said: "The moral test of government is how that government treats those who are in the dawn of life: the children; those who are in the twilight of life: the elderly; and those who are in the shadows of life: the needy, the sick, and the disabled."

The Supreme Court has honored that principle. On the day of the judge's hearing, the Supreme Court, in an 8-to-0 unanimous decision, ruled against the narrow interpretation of the IDEA embraced by Judge Gorsuch—an interpretation that limited the educational opportunities of children with disabilities. I could not agree with the 8-to-0 decision more.

All children, particularly those with disabilities, deserve the tools they need to succeed in life, and every Justice on the Supreme Court has a duty to protect these kids. So when the Supreme Court ruled that morning and overturned the standard that the judge had embraced in this Tenth Circuit case, I asked him about his "merely more than de minimus" standard that he wrote into that opinion back in 2006.

In explaining his ruling, the judge said that he was bound by precedent to use the narrow standard that he used in that case. He cited a 1996 case from the Tenth Circuit—his circuit—that he said he was bound to follow. Now, he was not on the court back in 1996, but when he did the case in 2006, he used that 1996 case. So I looked at that case.

During the hearing and at the Judiciary Committee business meeting earlier this week, my Republican colleagues repeated those words. They said that the judge was bound by precedent to use his narrow, "merely more than de minimus" standard that had, in fact, been rejected by the Supreme Court just this past month. So I looked to see if, in fact, that was true. Was he truly bound by precedent? That is pretty important to me. There have been a number of decisions where he has gone much further than he needed to, where he, in my mind, has abandoned precedent.

I thought, well, here we have a case that is fresh, right before us, and he has said that he was simply following

the precedent, that he had no choice at all. Here is what I found: While the 1996 case made a number of findings and concluded that the school district satisfied the requirement in the IDEA statute of providing an appropriate education, the case never actually turned on the standard that the judge said he was bound by, that the judge said was precedent. Here is why: The 1996 case only mentioned the *de minimus* standard once. It was a passing reference. Even in that mention, the *de minimus* language is from a different circuit; it was from the Third Circuit.

In that 1996 case that he claimed he was bound by and that my Republican colleagues keep mentioning that he was bound by, there is no discussion about whether the benefits provided to the high school student satisfied that standard. The case simply did not turn on the *de minimus* language. I know this seems in the weeds, but the court in 1996 never relied on the *de minimus* standard to reach the result that it did.

Was that enough? No. In the one passing mention in the 1996 case, which was not binding, the language actually says “more than *de minimus*,” but the judge went out of his way to add the word “merely” to that standard, which had never even been in the case that was not binding on him to begin with. So he changed it and said “merely more than *de minimus*,” that that is all the kind of education a kid with disabilities in that school district in Colorado would have to get. This is like if you say more than empty—the gas tank is more than empty, which means it could be a lot more than empty. Adding “merely” puts it closer to empty. You just say it is merely more than empty. The addition of a single word made it more difficult for children with disabilities to get help at school.

That is why it is hard for me to understand why the judge said that the “merely more than *de minimus*” standard was binding on him when he wrote that opinion in 2006. It was not. He added the word “merely,” and then he used a standard that did not even decide that 1996 case; that was from a different circuit.

When interpreting the IDEA, the judge once again went a step further instead of deciding the case on a narrow ground. That matters because decisions like this have a dramatic impact on the lives of children and families, which is exactly what Justice Roberts noted when he wrote the opinion 8-to-0 rejecting the standard that Judge Gorsuch had used.

I have heard from families in my State, and so many of them tell me how IDEA has made a real difference for them.

My mom taught second grade in the Minnesota Public Schools until she was 70 years old. I know from her how much she worked with those kids with

disabilities and how much she cared about them.

Here is an example I just learned about from my State. A mom from Waukegan, MN, told me about her son, who was born with Down syndrome. She is so thankful for IDEA because its protections ensure that he can have everyday life experiences. IDEA allows her son to be fully integrated with the rest of the students in his school. As a result, he has made many friends and built a strong social network. When she asks her son whether he likes school, he always says, in a resounding voice: Yes. Those are the stakes of this legal debate.

Second, I wanted to focus on campaign finance. In my view, one of the most troubling court decisions in recent years is *Citizens United*. Since *Citizens United*, dark money has been spent in extraordinary sums, adding up to an estimated \$800 million in just the past 6 years. This continues to have an outsized influence on our politics, distorting our representative democracy and hurting, in my mind, campaigns on both sides of the aisle.

How does this apply to the judge? It applies to the judge because of an opinion he wrote that is very relevant to this area of the law. That case, which is called *Riddle v. Hickenlooper*, is a narrow case about how campaign finance laws apply to certain kinds of contributions in Colorado, about if they are a major party or not major party.

The judge again decided that a narrow consensus decision was not enough. It was part of that decision, but then he went out of his way to write a separate concurring opinion to suggest that the court should, in fact, apply strict scrutiny to laws restricting campaign contributions. If the Supreme Court adopted the approach in the judge's opinion, it would compromise the few remaining campaign finance protections that are still on the books, and it would make it even more difficult for Congress to pass future reforms.

The notion that Congress has little or no role in setting reasonable campaign finance is in direct contradiction with where the American people are. In recent polls, over three-quarters of Americans have said that we need sweeping new laws to reduce the influence of money in politics. While polls may not be a judge's problem and should not be a judge's problem, democracy is. When unlimited, undisclosed money floods our campaigns, it drowns out the people's voices, and it undermines our elections and shakes the public's trust in the process.

My colleagues and I repeatedly asked the judge about his views on campaign finance laws and public disclosure requirements. He declined to tell us what the proper legal standard would be for evaluating campaign finance laws. He

also would not give us a real sense of his views on public disclosure of campaign contributions, although a majority of current Justices support this.

During our exchange on campaign finance, I was reminded of Justice Scalia's support for greater public disclosure and his comments on that topic. Justice Scalia said:

Requiring people to stand up in public for their political acts fosters civic courage, without which democracy is doomed. For my part, I do not look forward to a society which, thanks to the Supreme Court, campaigns anonymously and even exercises the direct democracy of initiative and referendum hidden from public scrutiny and protected from the accountability of criticism. This does not resemble the Home of the Brave.

The most striking example of a judge choosing not to decide a case narrowly based on the facts was the one last year in which he wrote the opinion and then wrote a concurrence to his own opinion. As I noted at the Judiciary hearing, it is better to write a concurrence to your own opinion than write a dissent to our own opinion. But still he felt compelled to write a concurrence to what was an opinion that he wrote. Mostly, judges are happy when they get their peers to agree to a decision, but in this case, he went a step further.

In *Gutierrez*—the name of the case—the judge went beyond the facts to suggest overturning the long-established precedent of *Chevron*.

Chevron is a 33-year-old Supreme Court case that ensures that the most complex regulatory decisions are made by the experts who are best equipped to handle them, not by judges or lawyers without any relevant technical knowledge.

Justice Scalia again embraced the *Chevron* doctrine, and it has been used in more than 13,500 decisions. *Chevron* ensures that Federal health, safety, and education rules stay on the books. These rules protect everyone, from the hard-earned pension of an hourly Minnesota grocery store worker, to the clean water in our Great Lakes, to the difference between life and death for Minnesota iron ore workers.

The judge's approach would have titanic, real-world implications on the daily lives of Americans. When the judge wrote an opinion that suggested it might be time to “face the behemoth,” he suggested a change in the law that would jeopardize countless rules, compromise important protections, and create widespread uncertainty in our laws.

I asked the judge about the uncertainty that would result from overturning *Chevron*. I asked what he would replace it with. I didn't get a direct response. The judge even said that he “didn't know what all the consequences would be” and that he “wasn't thinking about being a Supreme Court justice” when he was writing the decision.

So what does all of this mean? It means that the judge has repeatedly gone beyond the facts of the case, issuing separate concurrences with far-reaching effects or, as in the disability decision, writing opinions with profound consequences.

When I read these opinions, I am reminded of Justice Byron White, who I know Judge Gorsuch clerked for and greatly admired. Justice White has been described by many as a Justice who was focused on deciding only the case in front of him. Here is a quote: "Time and again, Justice White avoided broad, theoretical bases for a decision, when a narrow, fact-specific rationale would suffice."

There is a reason we have judges to apply the law to the facts of a case. It is because answers aren't always as clear as we would like them to be, and sometimes there is more than one reasonable interpretation of the law. The cases that get to the Supreme Court are not the ones where everyone agreed at the lower court level. They are the really hard cases.

It is that discretion in making those decisions that makes it so critical that Justices interpret the law evenly, without fear or favor and with the humility to recognize the gravity of the office, to respect the role of the judiciary, and to understand the impact of their decisions on people's lives.

As I look back at the judge's record and his answers in the hearing, I am again reminded that it wasn't a law professor or a Federal jurist who was helped by a court's reliance on Chevron in interpreting a Labor Department rule. It was an hourly Minnesota grocery store worker who got to keep his hard-earned pension after the Eighth Circuit Court relied on Chevron.

When the Supreme Court stripped away the rules in the Citizens United case that opened the door to unlimited super PAC spending, it was not the campaign financiers or the ad men who get paid to write these ads who were hurt. It was the grandma in Lanesboro, MN, who actually thought it mattered when she sent her Senator a \$10 campaign contribution.

When Chief Justice Roberts wrote the unanimous opinion just this past month, rejecting the "merely more than de minimis" standard that Judge Gorsuch had used to limit the help kids with disabilities can get at school, the Justice said: "When all is said and done, a student offered an educational program providing 'merely more than de minimis' progress from year to year can hardly be said to have been offered an education at all." That is what the Supreme Court said about how the standard that Judge Gorsuch wrote in his opinion in the Tenth Circuit affected students with disabilities.

In the end, I believe we need Justices who understand that the law is more than a set of dusty books in the base-

ment stacks of a law library. It is the bedrock of our society. Above all, we need Justices who understand and will uphold the motto on the Supreme Court building, to ensure all Americans achieve "Equal Justice Under Law."

That is why I won't be supporting the judge's nomination to be an Associate Justice of the Supreme Court.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, what is the purpose of the Senate? The authors of the Constitution laid the foundation of the Senate without really knowing what it would look like once it was standing. They knew it would rival and restrain the House of Representatives. After all, the Senate has a higher age requirement, Members serve 6-year terms, and they have to represent not just a district but an entire State. But it was clear from the beginning of the formation of the Senate that it would take time before the purpose of this body was truly realized.

For several decades in our Nation's history, it was the House of Representatives—not the Senate—that hosted the great debates and introduced major legislation. It wasn't until the Nation began to splinter in the shadow of slavery that the Senate came into its own. While the rules of the Senate gave us its basic structure, it was the Members of the Senate—the people who made up this body—who had to stand up and lead. We remember them today as lions of the Senate: Daniel Webster, John Calhoun, and Henry Clay. This body owes its status to them and their leadership because they began to define the Senate in a way that no one had before.

Over time, this place became one that valued bipartisanship, deliberation, and compromise. It has become a Chamber that balances the right to debate with demands for action.

In some of the toughest moments in our history, the Members of the Senate have used this body to lead, particularly when the President has faltered.

Take President Nixon. The Watergate scandal had weakened the Presidency in ways that do-nothing Presidents never had. But the Senate, led by a Member of the President's own party, didn't stand by and watch the void, unmoved. They filled the vacuum for the good of the country.

It is this kind of history that has shaped the Senate into what it is today, a body that examines, considers, and protects.

Senator Byrd, the longest serving Senator in U.S. history once said: "The Senate is a source of wisdom and judgment—both on the actions of the lower house and on the executive."

That is what the Senate is for. That is our purpose. We achieve that purpose through customs and traditions; through members who serve 6-year terms and represent whole States;

through rules that force bipartisanship, deliberation, and compromise.

Now the majority leader has placed one of those rules on the chopping block because they can't get to 60. He can't find the 60 votes needed to end debate on the President's nomination to the Supreme Court.

We shouldn't be surprised to find ourselves here because, after all, back in February, President Trump told the majority leader to change the rules if he had to. Now, as this administration closes in on its first 100 days without passing a single piece of major legislation, the Senate majority leader is ready to fulfill the President's request and change the rule, instead of changing the nominee.

The question I have for this body is this: Should we change the rules in order to give the President a win before spring break? Should we be weakening the Senate at a time when the executive branch is so weak? Isn't it our obligation to assert ourselves into this void, instead of receding from responsibility?

I can think of no instance in the history of any great legislative body in which a legislature decides to diminish its own power. This is beyond strange in the world's greatest deliberative body, in the world's most powerful legislative Chamber. For what good reason would we give up our own prerogatives?

This administration has been ineffective. Now the Senate majority leader is suggesting that the Senate respond to this executive weakness by weakening ourselves. This is wrong. The purpose of the Senate is achieved through bipartisanship, deliberation, and compromise. The 60-vote threshold for Supreme Court nominees preserves these ideals. Changing this rule will make it harder to get there.

Look at the House of Representatives. Look at the way the House Intelligence Committee has dissolved so quickly into partisanship, unable to do its job.

Look at the country. Look at the campaign last year. We are a country divided. Polarization is at an all-time high. Now is not the time to crush a cornerstone of the Senate's foundation.

I don't think this is inevitable. This is not unstoppable. This is up to all of us. It is up to the Members of the Senate to decide if we are going to damage the world's greatest deliberative body at a time when the country needs us the most.

The Senate has always been defined by its Members. The rules, the customs, and the traditions—they help. But at the end of the day, it is the Members of the Senate—like Calhoun, Webster, Clay, Kennedy, Inouye, HATCH, MCCAIN—who make the Senate relevant and necessary.

We are going to find out who we are, as Senators. I would ask that at a minimum, the Senate take its time on this

decision. Don't rush. That is not who we are. That is not how we get to the best decisions. This is about the future of the Senate and the future of the Court. The nuclear option will mean nominees for the Supreme Court won't have to even meet with the minority party to be confirmed. It will mean that the Senate's habit of being slow—sometimes maddeningly slow—will go away. That tradition that allows the center to hold—not just in this Chamber but across the country—will be undetermined.

So to my Republican colleagues, please take a few weeks before you decide to change the Senate forever. Take your time here. This is probably one of the most serious decisions that you are ever going to make as a Senator because it is about the Senate itself. This is worth talking about. This is worth deliberating over. It is worth thinking over.

Go home and talk to your constituents. If you want to do this, you have the votes. You can do this three Mondays from now, anytime you want. But for goodness sake, there is no harm in thinking about it. All we need are three members of the Republican Party to go to the majority leader—either publicly or privately—and say: Give us some time to find another way to do this. Otherwise, you will make the Supreme Court, this place, and this country more extreme and more divided. You will answer this difficult moment in history by weakening one of the last bastions of bipartisanship, and I believe you will regret it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING DAN FAUSKE

Mr. SULLIVAN. Mr. President, for months, I have been coming down to the floor every week to recognize someone in my State who has made a difference to our communities in Alaska, someone who has devoted time and energy to making my State a better place to live. I call these individuals our Alaskan of the Week.

As I have said repeatedly to all of my colleagues and to those watching on TV, I am a little biased here, but I believe my State is the most beautiful in the country and, I would argue, in the world. I urge everybody in this room, everybody watching on TV, to come to see for yourself. Take a trip to Alaska. It will be the trip of a lifetime. I guarantee you.

It is the people who truly make my State unique, people who are helping each other, strong-willed, warm-

hearted, tenacious people who have worked tirelessly for years for all of those who live in Alaska.

This week I would like to honor Dan Fauske, one of the strongest willed, warmest hearted people I have ever known. All he has done for us has made Alaska a better place for literally thousands of people throughout our State.

Dan came to Alaska in 1974 after serving in the Army, as so many Alaskans do. Like so many Alaskans, he arrived with a glint of steel in his eye and a mission to help build our State. Alaska is full of natural wonders, but our manmade wonders are also marvels, and Dan wanted to be part of building more of those marvels for our State and for our country.

He first arrived in the North Slope Borough—the top of the world—to help the community build up their infrastructure and strengthen the Alaskan Native villages in the area. It was a time of enormous change for all of Alaska, particularly the North Slope. Oil from the North Slope Prudhoe Bay, the largest oilfield in North America, had recently begun to flow down the Trans-Alaska System for 800 miles. The largest land claims act in U.S. history, the Alaskan Native Claims Settlement Act, had recently passed, and the governments in rural Alaska were being formed and reformed to take advantage of these opportunities.

After Dan went back to school to receive a master's degree in business administration from Gonzaga, he made his way back to Alaska again to serve as chief financial officer and chief administrative officer for Alaska's North Slope Borough, where he launched an ambitious and ultimately successful capital plan to provide basic necessities that so many Americans take for granted, like running water and sewer, those kinds of services, to the villages throughout the North Slope Borough, again, on the top of the world.

According to Bill Tracey, Sr., from Point Lay, which is one of the villages there, who was a coworker at the time, "Dan's excellent work ethic and skills earned him the respect of the North Slope leaders. . . . His accomplishments were remarkable."

With his beautiful and spirited wife Elaine always by his side, Dan then moved his family to Anchorage to head up the Alaska Housing Finance Corporation. For 18 years, he managed HFC's nearly \$5 billion in assets. It is not an overstatement to say that he revolutionized that agency, doing remarkable things, including and most importantly helping thousands of Alaskans—thousands of our constituents, our fellow Alaskans—pursue their dream of buying an affordable home. There is nothing more important than that.

The Alaska Legislature just passed a bill to name the Alaska Housing Fi-

nance Corporation the Daniel R. Fauske Building, and the dedication ceremony will take place in Anchorage on Saturday.

As his bio indicates, there is no doubt that for decades Dan Fauske served Alaska with his hands, his heart, and with his head. But a bio on paper can only tell you so much about a person; to really appreciate him, you would have to have been with him and watched the energy and can-do spirit radiate from Dan Fauske. You had to watch him talk to people with respect and humor and understanding and a very keen intelligence. He had a big laugh—a very big laugh—and he told great stories. He also had that rare ability to genuinely connect with everybody he met, it didn't matter who. He was able to speak the language of a businessman, a builder, a veteran, a public servant. He spoke the language of a father, a husband, a friend, and a true Alaskan. In doing so, he gained the respect of everybody, and I mean everybody, in my State—politicians, State workers, military members, people from all across Alaska, people from all across the political spectrum. If you wanted something done and if you wanted it done right in Alaska, you asked Dan Fauske to help you do it. People trusted him. I trusted him.

Most importantly, Dan was a great father to three great boys, D.J., Scott, and Brad, and two daughters, Marcy and Kathy, and he was a great husband to his incredible, vivacious, and very strong wife Elaine.

Mr. President, Dan Fauske passed away this afternoon with his family and friends by his side. Our prayers and the prayers of so many Alaskans go out to all of them during this very difficult time. For anyone watching, I humbly ask that you say a prayer too.

For all he has done for all of us, all his memory will continue to do for all of us, Dan Fauske is our Alaskan of the Week. He was also my very good friend. My wife Julie and I will miss him greatly.

I yield the floor.

The PRESIDING OFFICER (Mr. SCOTT). The Senator from Colorado.

LEGISLATIVE SESSION

Mr. GARDNER. Mr. President, I ask unanimous consent to proceed to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

CONGRESS WEEK

Mr. McCONNELL. Mr. President, I wish to recognize that, 228 years ago this week, Congress achieved its first quorum. The House of Representatives attained its quorum on April 1, 1789,

and the Senate reached that goal on April 6, 1789. The Association of Centers for the Study of Congress celebrates this anniversary by observing Congress Week, an annual weeklong event that highlights the resources available for the study of Congress and features commemorative events at member institutions across the country.

The Association of Centers for the Study of Congress is composed of more than 40 universities and historical societies, including the McConnell Center at the University of Louisville, that work to preserve the historical collections of Members of Congress and encourage their use for educational purposes. The organization's goal is to promote public understanding of the legislative process by focusing on the history of the Senate and the House representatives and Congress's role in our constitutional system of government.

Congress Week is designed to spark a closer examination of the first branch of government, to encourage schools to develop programs to highlight the work of Congress, and to stimulate more scholarly research into Congress and its history.

Emphasizing the historical importance of Members' records, H. Con. Res. 307 was passed unanimously in 2008. This resolution recommends that Members' records be properly maintained, that each Member take all necessary measures to manage and preserve them, that they arrange for the deposit or donation of their records with a research institution that is properly equipped to care for them, and that they make them available for educational purposes at an appropriate time. Members of Congress are responsible for preserving their own records of public service.

Members' collections are essential for public understanding of the vital role that Congress plays in our democracy. As primary source materials, they contain the most authentic record of cause and effect of what happened and why. Their study leads to greater understanding of the issues we have faced and how they were resolved.

As Senate majority leader, I encourage my colleagues to follow the advice of H. Con. Res. 307, to preserve the records of your service, both paper and digital, so that the full history of the Senate may be appreciated and understood. Last year, when we observed Congress Week 2016, our President pro tempore, Senator HATCH, stated "Serving as a member of the world's greatest deliberative body is no small honor; it is a tremendous privilege that none of us should take for granted. The American people have placed their confidence in our ability to effect meaningful change for the good of the country. May we honor this sacred trust by keeping detailed archives of the work we do here."

I join my esteemed colleague in that sentiment and also ask my colleagues to preserve their archival legacy.

NATIONAL CRIME VICTIMS' RIGHTS WEEK

Mr. GRASSLEY. Mr. President, millions of Americans and thousands of Iowans annually fall victim to senseless acts of crime. In their honor and in honor of the thousands of advocates, first responders, crisis hotline volunteers, and others who work tirelessly on their behalf, I introduced a resolution to commemorate National Crime Victims' Rights Week.

I thank Senators LEAHY, CRAPO, and FEINSTEIN for joining me as cosponsors of this important resolution. In 2017, National Crime Victims' Rights Week takes place from April 2 through April 8. We have commemorated the week every April since 1981.

Here in Washington, DC, and across the Nation, activities are being organized to highlight and promote this year's theme: "Strength. Resilience. Justice." The theme for 2017 recognizes the strength of individual victims. It highlights the resilience of survivors as well as the victim assistance organizations who support survivors in their efforts to heal. And it reflects the importance of securing justice for crime victims.

During this week, we also highlight the contributions of the crisis hotline volunteers and staff, victims' rights attorneys, advocates, sexual assault nurse examiners, police officers, and other emergency responders who provide critical assistance to survivors of crime in communities across the United States. On Friday, several of these individuals will receive awards during a ceremony hosted by the Office for Victims of Crime at the U.S. Department of Justice. I extend my gratitude to those award recipients for their work to assist victims of crime.

Many of us in this Chamber have championed landmark legislation to enhance the rights of crime victims. For example, I was an original cosponsor of the 1984 Victims of Crime Act, which established the Crime Victims Compensation Fund. I also joined my colleagues in supporting the 1994 enactment of the Violence Against Women Act. This landmark legislation enhanced penalties for sex offenders and made hundreds of millions of dollars available for activities and programs to respond to the needs of domestic violence survivors.

The Judiciary Committee, which I chair, has continued to make the protection of victims' rights a top priority. Two years ago, we approved the Justice for Victims of Trafficking Act, which makes new resources available to help survivors of human trafficking. We also approved the Survivors' Bill of Rights, which establishes new rights

for survivors of federal crimes of sexual violence. We cleared the Justice for All Reauthorization Act, which enhances crime survivors' ability to seek restitution and improves victims' access to legal services. And we approved the Emmett Till Unsolved Civil Rights Crimes Reauthorization Act of 2016.

Supporting and protecting victims of crime will again be an important priority this year in the Judiciary Committee. Last week, I convened a hearing to examine allegations that dozens of young athletes experienced sexual abuse at the hands of coaches, instructors, and others.

Senators FEINSTEIN, COLLINS, and I also recently introduced a bill, the Protecting Young Victims from Sexual Abuse Act, to ensure that sexual assault allegations by young athletes will be reported and investigated promptly. This year, we also will make it a priority to extend and update programs authorized under the Trafficking Victims Protection Act.

In closing, crime victims and survivors in the United States deserve our assistance in helping them cope with the often devastating consequences of crime. That is why it is so important that we support the mission of National Crime Victims' Rights Week. I urge my colleagues to join me in supporting passage of this important resolution.

REMEMBERING DAVID CULP

Mr. MARKEY. Mr. President, I was deeply saddened to learn of the passing of my dear friend David Culp in early February. As one of the leaders of the arms control community for decades, David was an indefatigable advocate for reducing the threat of catastrophic nuclear war and stopping the proliferation of nuclear weapons. In particular, David's work was critical for Senate ratification of the New START Treaty, which established limits on the number of deployed strategic nuclear weapons in the United States and Russia.

More recently, David worked closely with my staff on a number of arms control initiatives, including my efforts to scale back the Pentagon's trillion-dollar nuclear spending spree, restrain excessive and destabilizing missile defense systems, and cancel a new nuclear-armed cruise "missile that would make Americans less safe."

I will miss David's wisdom, humor, and strategic insight, but I am comforted to know that his legacy lives on in the robust and committed arms control community he helped lead. I will continue to be inspired by David's memory, and I offer my deepest condolences to his friends and his family.

ADDITIONAL STATEMENTS

TRIBUTE TO JAMES C. FOX

• Mr. BURR. Mr. President, I want to honor the work of the Honorable James C. Fox, who retired last month after over 35 years of service on the Federal bench.

Judge Fox was born in Kansas but has spent most of his life in North Carolina, graduating from the University of North Carolina with both his undergraduate and law degrees. Following law school, he clerked for the Honorable Don Gilliam in the U.S. District Court for the Eastern District of North Carolina. After time in private practice and as the county attorney for New Hanover County, Judge Fox was nominated by President Reagan to serve where he had previously clerked: the U.S. District Court for the Eastern District of North Carolina.

Judge Fox served chief judge from 1990–1997, and while he took senior status in 2001, he maintained a significant caseload until his retirement last week. His dedication to the law is to be commended and is exceeded only by his dedication to his family. I wish him all the best in retirement as he spends time with his wife, Kate, and his children and grandchildren, and I am grateful for his service.●

MESSAGE FROM THE HOUSE

At 10:28 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1343. An act to direct the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers to provide certain disclosures relating to compensatory benefit plans.

The message further announced that the House agrees to the amendment of the Senate to the bill (H.R. 353) to improve the National Oceanic and Atmospheric Administration's weather research through a focused program of investment on affordable and attainable advances in observational, computing, and modeling capabilities to support substantial improvement in weather forecasting and prediction of high impact weather events, to expand commercial opportunities for the provision of weather data, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1343. An act to direct the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers to provide certain disclosures relating to compensatory benefit plans;

to the Committee on Banking, Housing, and Urban Affairs.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 1301. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes.

S. 861. A bill to provide for the compensation of Federal employees affected by lapses in appropriations.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1172. A communication from the Senior Official performing the duties of the Assistant Secretary of the Army (Manpower and Reserve Affairs), transmitting, pursuant to law, a report on the mobilizations of selected reserve units, received in the Office of the President of the Senate on April 4, 2017; to the Committee on Armed Services.

EC-1173. A communication from the Acting Secretary of the Army, transmitting, pursuant to law, a report entitled "Annual Report to Congress on the Activities of the Western Hemisphere Institute for Security Cooperation for 2016"; to the Committee on Armed Services.

EC-1174. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations; St. Charles County, Missouri and Incorporated Areas" (Docket No. FEMA-2016-0002) received in the Office of the President of the Senate on March 29, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1175. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations; Washington County, Oregon and Incorporated Areas" (Docket No. FEMA-2016-0002) received in the Office of the President of the Senate on March 29, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1176. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Removal of Certain Persons from the Entity List; Addition of a Person to the Entity List; and EAR Conforming Change" (RIN0694-AH30) received in the Office of the President of the Senate on March 30, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1177. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Removal of Certain Persons from the Entity List" (RIN0694-AH28) received in the Office of the President of the Senate on March 30, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1178. A communication from the Assistant Director for Legislative Affairs, Con-

sumer Financial Protection Bureau, transmitting, pursuant to law, a report entitled "Consumer Response Annual Report"; to the Committee on Banking, Housing, and Urban Affairs.

EC-1179. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Inflation Adjustments and Other Technical Amendments Under Titles I and III of the JOBS Act" (RIN3235-AL38) received in the Office of the President of the Senate on April 4, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1180. A communication from the Executive Director, Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the Office of the Comptroller's 2016 Office of Minority and Women Inclusion Annual Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-1181. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations; Otsego County, New York" (Docket No. FEMA-2016-0002) received in the Office of the President of the Senate on March 30, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1182. A communication from the Chairman, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the Council's 2016 Annual Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-1183. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Rehabilitation of the Jetty System at the Mouth of the Columbia River; Jetty A, North Jetty, and South Jetty, in Washington and Oregon" (RIN0648-BF95) received in the Office of the President of the Senate on April 3, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1184. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Recreational Boat Flotation Standards—Update of Outboard Engine Weight Test Requirements" ((RIN1625-AC37) (Docket No. USCG-2016-1012)) received in the Office of the President of the Senate on April 4, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1185. A communication from the Acting Chairman, Federal Maritime Commission, transmitting, pursuant to law, the 55th Annual Report of the activities of the Federal Maritime Commission for fiscal year 2016; to the Committee on Commerce, Science, and Transportation.

EC-1186. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Advancing Care Coordination Through Episode Payment Models (EPMs); Cardiac Rehabilitation Incentive Payment Model; and Changes to the Comprehensive Care for Joint Replacement Model; Delay of Effective Date" ((RIN0938-AS90) (CMS-5519-IFC)) received in the Office of the President of the Senate on April 4, 2017; to the Committee on Finance.

EC-1187. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Program; Disproportionate Share Hospital Payments—Treatment of Third Party Payers in Calculating Uncompensated Care Costs" ((RIN0938-AS92) (CMS-2699-F)) received in the Office of the President of the Senate on April 3, 2017; to the Committee on Finance.

EC-1188. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2017-0050—2017-0068); to the Committee on Foreign Relations.

EC-1189. A communication from the Board of Trustees, National Railroad Retirement Investment Trust, transmitting, pursuant to law, the annual management report relative to its operations and financial condition for fiscal year 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-1190. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the Commission's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1191. A communication from the Acting President and Chief Executive Officer, Overseas Private Investment Corporation, transmitting, pursuant to law, the Corporation's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1192. A communication from the Diversity and Inclusion Programs Director, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the Board's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1193. A communication from the Staff Director, Federal Election Commission, transmitting, pursuant to law, the Commission's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1194. A communication from the Equal Employment Opportunity Director, Farm Credit Administration, transmitting, pursuant to law, the Farm Credit Administration's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1195. A communication from the General Counsel, Administrative Conference of the United States, transmitting, pursuant to law, the fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1196. A communication from the Assistant Director for Legislative Affairs, Con-

sumer Financial Protection Bureau, transmitting, pursuant to law, the Bureau's fiscal year 2016 report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1197. A communication from the Equal Employment Opportunity and Inclusion Director, Farm Credit System Insurance Corporation, transmitting, pursuant to law, the Farm Credit System Insurance Corporation's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1198. A communication from the Acting Director of Equal Employment Opportunity, Securities and Exchange Commission, transmitting, pursuant to law, the Commission's 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1199. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Department's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1200. A communication from the Director, Equal Employment Opportunities and Diversity Programs, National Archives and Records Administration, transmitting, pursuant to law, the Administration's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1201. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, two (2) reports relative to vacancies in the Department of Homeland Security, received in the Office of the President of the Senate on March 29, 2017; to the Select Committee on Intelligence.

EC-1202. A communication from the Secretary, Judicial Conference of the United States, transmitting, a report relative to bankruptcy judgeship recommendations and corresponding draft legislation for the 115th Congress; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-15. A joint resolution adopted by the Legislature of the State of Nevada relative to their ratification of the proposed amendment to the Constitution of the United States providing that equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 2

Whereas, Both houses of the 92nd Congress of the United States of America, by a constitutional majority of two-thirds, adopted the following resolution proposing to amend the United States Constitution:

Resolved by the Senate and House of Representatives of the United States of America in

Congress Assembled (Two-Thirds of Each House Concurring Therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

ARTICLE

Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification; and

Whereas, The 95th Congress of the United States amended the resolution of the 92nd Congress to extend the time for ratification to June 30, 1982, thereby indicating its continued support of the amendment; and

Whereas, The Congress of the United States adopted the 27th Amendment to the Constitution of the United States, which was proposed in 1789 by our First Congress but not ratified by three-fourths of the States until May 7, 1992, and, on May 18, 1992, certified as the 27th Amendment; and

Whereas, The restricting time limit for ratification of the Equal Rights Amendment is in the resolving clause and is not part of the amendment which was proposed by Congress and which has already been ratified by 35 states; and

Whereas, Having passed a time extension for the Equal Rights Amendment on October 20, 1978, Congress demonstrated that a time limit in a resolving clause may be disregarded if it is not part of the proposed amendment; and

Whereas, The United States Supreme Court in *Coleman v. Miller*, 307 U.S. 433 (1939), recognized that Congress is in a unique position to judge the tenor of the nation, to be aware of the political, social and economic factors affecting the nation and to be aware of the importance to the nation of the proposed amendment; and

Whereas, If an amendment to the Constitution of the United States has been proposed by two-thirds of both houses of Congress and ratified by three-fourths of the state legislatures, it is for Congress, under the principles of *Coleman v. Miller*, to determine the validity of the state ratifications occurring after a time limit in the resolving clause, but not in the amendment itself; and

Whereas, The Legislature of the State of Nevada finds that the proposed amendment is meaningful and needed as part of the Constitution of the United States and that the present political, social and economic conditions demonstrate that constitutional equality for women and men continues to be a timely issue in the United States: Now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada, Jointly, That the proposed amendment to the Constitution of the United States of America is hereby ratified by the Legislature of the State of Nevada; and be it further

Resolved, That the Secretary of the Senate shall prepare and transmit a copy of this resolution to the Secretary of State who shall keep it as a true record of the official acts of the Legislative Department of the State Government pursuant to Section 20 of Article 5 of the Nevada Constitution; and be it further

Resolved, That the Secretary of the Senate shall prepare and transmit a certified copy of

this resolution, duly authenticated, to the Archivist of the United States at the National Archives and Records Administration pursuant to 1 U.S.C. §§106b and 112, which shall serve as official notice that the proposed amendment to the Constitution of the United States of America is hereby ratified by the Legislature of the State of Nevada; and be it further

Resolved, That the Secretary of the Senate shall prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the United States Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

Resolved, That this resolution becomes effective upon passage.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 102. A bill to direct the Federal Communications Commission to commence proceedings related to the resiliency of critical communications networks during times of emergency, and for other purposes (Rept. No. 115-24).

By Mr. HATCH, from the Committee on Finance:

Special Report entitled "Report on the Activities of the Committee on Finance During the 114th Congress" (Rept. No. 115-25).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. MCCAIN for the Committee on Armed Services.

Heather Wilson, of South Dakota, to be Secretary of the Air Force.

By Mr. THUNE for the Committee on Commerce, Science, and Transportation.

*Jeffrey A. Rosen, of Virginia, to be Deputy Secretary of Transportation.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PAUL (for himself and Mr. BOOKER):

S. 827. A bill to provide for the sealing or expungement of records relating to Federal nonviolent criminal offenses, and for other purposes; to the Committee on the Judiciary.

By Mr. ROUNDS (for himself, Mr. WARNER, Mr. TESTER, Mr. SCOTT, Mr.

DONNELLY, Ms. HEITKAMP, Mr. COTTON, Mr. TILLIS, Mr. VAN HOLLEN, Mr. KENNEDY, and Mr. SCHUMER):

S. 828. A bill to amend the Federal Deposit Insurance Act to require the appropriate Federal banking agencies to treat certain municipal obligations as level 2B liquid assets, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MCCAIN (for himself, Mr. TESTER, Ms. COLLINS, and Mr. CARPER):

S. 829. A bill to reauthorize the Assistance to Firefighters Grants program, the Fire Prevention and Safety Grants program, and the Staffing for Adequate Fire and Emergency Response grant program, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASSIDY (for himself, Mr. CARPER, Mr. GRASSLEY, Mr. COONS, Ms. MURKOWSKI, Mr. HEINRICH, and Mrs. CAPITO):

S. 830. A bill to amend title XVIII of the Social Security Act to provide for the coordination of programs to prevent and treat obesity, and for other purposes; to the Committee on Finance.

By Mr. TOOMEY (for himself and Mr. CASEY):

S. 831. A bill to designate the facility of the United States Postal Service located at 120 West Pike Street in Canonsburg, Pennsylvania, as the "Police Officer Scott Bashioom Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CARDIN (for himself, Mr. ISAKSON, and Mr. COONS):

S. 832. A bill to enhance the transparency and accelerate the impact of programs under the African Growth and Opportunity Act and the Millennium Challenge Corporation, and for other purposes; to the Committee on Foreign Relations.

By Mr. TESTER (for himself, Ms. MURKOWSKI, Ms. HARRIS, Ms. KLOBUCHAR, Mrs. MCCASKILL, Mrs. MURRAY, Mr. KING, and Mr. BLUMENTHAL):

S. 833. A bill to amend title 38, United States Code, to expand health care and benefits from the Department of Veterans Affairs for military sexual trauma, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MARKEY (for himself, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. DURBIN, Mr. WHITEHOUSE, Mr. REED, Mr. BLUMENTHAL, Ms. WARREN, Ms. DUCKWORTH, Mr. CASEY, Mrs. MURRAY, Mr. WYDEN, Mr. MURPHY, Mr. KAINE, Mr. SANDERS, Mr. SCHATZ, Ms. HIRONO, Ms. BALDWIN, Mr. BROWN, Mr. CARPER, Mr. VAN HOLLEN, Mr. CARDIN, Mr. COONS, Mr. BOOKER, Ms. HARRIS, Mr. MENENDEZ, and Mrs. FEINSTEIN):

S. 834. A bill to authorize the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MURPHY (for himself, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. MARKEY, Ms. HIRONO, Mr. DURBIN, and Mr. MERKLEY):

S. 835. A bill to require the Supreme Court of the United States to promulgate a code of ethics; to the Committee on the Judiciary.

By Mr. WYDEN (for himself, Ms. MURKOWSKI, Ms. WARREN, and Mr. MARKEY):

S. 836. A bill to amend the Federal Credit Union Act to exclude a loan secured by a non-owner occupied 1- to 4-family dwelling from the definition of a member business loan, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HATCH:

S. 837. A bill to provide for the conveyance of certain land to Washington County, Utah, to authorize the exchange of Federal land and non-Federal land in the State of Utah, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. COTTON (for himself, Mr. BOOZMAN, and Mr. RUBIO):

S. 838. A bill to amend the Truth in Lending Act to include retrofit loans such as property assessed clean energy loans, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WICKER (for himself, Mrs. CAPITO, and Mr. INHOFE):

S. 839. A bill to allow for judicial review of any final rule addressing national emission standards for hazardous air pollutants for brick and structural clay products or for clay ceramics manufacturing before requiring compliance with such rule; to the Committee on Environment and Public Works.

By Mr. PORTMAN (for himself and Mr. WARNER):

S. 840. A bill to amend the Higher Education Act of 1965 to allow the Secretary of Education to award Early College Federal Pell Grants; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PORTMAN (for himself and Mr. BROWN):

S. 841. A bill to designate the Veterans Memorial and Museum in Columbus, Ohio, as the National Veterans Memorial and Museum, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BOOKER (for himself, Mr. JOHNSON, Ms. BALDWIN, Mrs. ERNST, Mr. BROWN, and Mr. PORTMAN):

S. 842. A bill to prohibit Federal agencies and Federal contractors from requesting that an applicant for employment disclose criminal history record information before the applicant has received a conditional offer, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BENNET (for himself and Mr. PORTMAN):

S. 843. A bill to amend the Internal Revenue Code of 1986 to provide for the issuance of exempt facility bonds for qualified carbon dioxide capture facilities; to the Committee on Finance.

By Mr. WYDEN (for himself, Mr. BOOZMAN, and Mr. MARKEY):

S. 844. A bill to amend title 38, United States Code, to consider certain time spent by members of reserve components of the Armed Forces while receiving medical care from the Secretary of Defense as active duty for purposes of eligibility for Post-9/11 Educational Assistance, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BLUMENTHAL (for himself, Ms. HIRONO, Mr. FRANKEN, Mr. KAINE, Mr. MERKLEY, Mrs. GILLIBRAND, Ms. HARRIS, Mr. MARKEY, Mr. BOOKER, Ms. WARREN, and Mr. WYDEN):

S. 845. A bill to protect sensitive community locations from harmful immigration enforcement action, and for other purposes; to the Committee on the Judiciary.

By Mrs. SHAHEEN (for herself, Mr. WHITEHOUSE, Ms. HASSAN, Mr. KING, and Mr. CASEY):

S. 846. A bill to direct the Secretary of Transportation to assist States to rehabilitate or replace certain bridges, and for other purposes; to the Committee on Environment and Public Works.

By Ms. BALDWIN (for herself, Ms. COLLINS, Ms. DUCKWORTH, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. HARRIS, Ms. HASSAN, Ms. HEITKAMP, Ms. HIRONO, Mrs. MCCASKILL, Mrs. MURRAY, Mrs. SHAHEEN, Ms. WARREN, Ms. CANTWELL, Ms. STABENOW, and Ms. KLOBUCHAR):

S. 847. A bill to establish a commission to ensure a suitable observance of the centennial of the passage and ratification of the 19th Amendment to the Constitution of the United States providing for women's suffrage, and for other purposes; to the Committee on the Judiciary.

By Ms. HASSAN:

S. 848. A bill to amend the Higher Education Act of 1965 to encourage entrepreneurship by providing loan deferment and loan cancellation for founders and employees of small business startups, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KING (for himself, Mr. BURR, Mr. NELSON, and Mr. RUBIO):

S. 849. A bill to support programs for mosquito-borne and other vector-borne disease surveillance and control; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself and Mr. CASSIDY):

S. 850. A bill to amend the Higher Education Act of 1965 to establish fair and consistent eligibility requirements for graduate medical schools operating outside the United States and Canada; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WHITEHOUSE:

S. 851. A bill to end offshore corporate tax avoidance, and for other purposes; to the Committee on Finance.

By Mr. CARDIN (for himself and Mr. PORTMAN):

S. 852. A bill to amend the Internal Revenue Code of 1986 to protect older, longer service and grandfathered participants in defined benefit plans; to the Committee on Finance.

By Mr. CARDIN (for himself, Mr. PERDUE, Mrs. FEINSTEIN, Mr. RUBIO, Mr. BLUMENTHAL, Ms. COLLINS, Mr. MERKLEY, Mr. BOOKER, and Mr. LEAHY):

S. 853. A bill to identify and combat corruption in countries, to establish a tiered system of countries with respect to levels of corruption by their governments and their efforts to combat such corruption, and to assess United States assistance to designated countries in order to advance anti-corruption efforts in those countries and better serve United States taxpayers; to the Committee on Foreign Relations.

By Mr. CASEY (for himself, Mr. MANCHIN, and Mr. BROWN):

S. 854. A bill to improve compliance with mine safety and health laws, empower miners to raise safety concerns, prevent future mine tragedies, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Mr. BROWN, Mr. MANCHIN, Mr. KAINE, and Mr. WARNER):

S. 855. A bill to ensure that claims for benefits under the Black Lung Benefits Act are processed in a fair and timely manner, to better protect miners from pneumoconiosis (commonly known as "black lung disease"),

and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MCCASKILL (for herself, Mr. HELLER, Mr. BLUMENTHAL, Mr. GRASSLEY, Mrs. GILLIBRAND, Mr. RUBIO, Mr. WARNER, Mrs. ERNST, Mr. REED, Ms. HASSAN, Mrs. CAPITO, and Mrs. SHAHEEN):

S. 856. A bill to amend the Higher Education Act of 1965 and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to combat campus sexual assault, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN (for himself and Mr. ALEXANDER):

S. 857. A bill to amend title 54, United States Code, to establish within the National Park Service the African American Civil Rights Network, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. SHAHEEN (for herself, Mr. FRANKEN, Ms. STABENOW, and Ms. KLOBUCHAR):

S. 858. A bill to provide protection for survivors of domestic violence or sexual assault under the Fair Housing Act; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PETERS (for himself, Mr. PORTMAN, and Ms. STABENOW):

S. 859. A bill to authorize the Director of the United States Geological Survey to conduct monitoring, assessment, science, and research, in support of the binational fisheries within the Great Lakes Basin, and for other purposes; to the Committee on Environment and Public Works.

By Mr. GRASSLEY (for himself, Mr. WHITEHOUSE, Mr. TILLIS, Mrs. FEINSTEIN, Mr. HATCH, Mr. LEAHY, Mr. DURBIN, Mr. CORNYN, Mr. BLUNT, and Ms. KLOBUCHAR):

S. 860. A bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes; to the Committee on the Judiciary.

By Mr. CARDIN (for himself, Mr. VAN HOLLEN, Mr. LEAHY, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mr. SCHATZ, Mr. CARPER, Mr. WARNER, Mr. MARKEY, Mr. SANDERS, Mr. UDALL, Ms. HIRONO, Mrs. SHAHEEN, Ms. BALDWIN, Mr. KAINE, Mrs. MURRAY, and Mr. BROWN):

S. 861. A bill to provide for the compensation of Federal employees affected by lapses in appropriations; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. YOUNG (for himself and Mr. CARDIN):

S. Res. 114. A resolution expressing the sense of the Senate on humanitarian crises in Nigeria, Somalia, South Sudan, and Yemen; to the Committee on Foreign Relations.

By Mr. MORAN (for himself and Mr. ROBERTS):

S. Res. 115. A resolution commemorating the 100th anniversary of the 1st Infantry Division; to the Committee on Armed Services.

By Mr. CARDIN (for himself, Mr. CORKER, Mr. DURBIN, Mr. RUBIO, Mr. KAINE, Mrs. SHAHEEN, Mr. UDALL, Mr. COONS, and Mr. GARDNER):

S. Res. 116. A resolution condemning the Assad regime for its continued use of chemical weapons against the Syrian people; to the Committee on Foreign Relations.

By Mr. DAINES (for himself, Ms.

HIRONO, Ms. MURKOWSKI, Ms. CANTWELL, Mr. ALEXANDER, Mr. UDALL, Mr. INHOPE, Mr. HEINRICH, Mrs. CAPITO, Mr. WYDEN, Mr. BLUNT, Mr. FRANKEN, Mr. RUBIO, Ms. STABENOW, Mr. GARDNER, Mr. WARNER, Mr. CASSIDY, Mr. NELSON, Mr. PORTMAN, Mrs. FEINSTEIN, Mr. BARRASSO, Mrs. MURRAY, Mr. ENZI, Mr. WHITEHOUSE, Ms. COLLINS, Mr. REED, Mr. COTTON, Mr. TESTER, Mr. CORKER, Ms. BALDWIN, Mr. SULLIVAN, Mr. PETERS, Mr. SCHATZ, Mr. KING, Mrs. SHAHEEN, and Mr. LEAHY):

S. Res. 117. A resolution designating the week of April 15, 2017, through April 23, 2017, as "National Park Week"; considered and agreed to.

By Ms. HARRIS (for herself, Mr. RUBIO, Mrs. FEINSTEIN, and Ms. COLLINS):

S. Res. 118. A resolution condemning hate crime and any other form of racism, religious or ethnic bias, discrimination, incitement to violence, or animus targeting a minority in the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 175

At the request of Mr. MANCHIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 175, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 236

At the request of Mr. WYDEN, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 372

At the request of Mr. PORTMAN, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 372, a bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to require the provision of advance electronic information on shipments of mail to U.S. Customs and Border Protection and for other purposes.

S. 382

At the request of Mr. MENENDEZ, the names of the Senator from Virginia (Mr. KAINE), the Senator from Rhode Island (Mr. REED) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 382, a bill to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters.

S. 459

At the request of Mr. RUBIO, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 459, a bill to designate the area between the intersections of Wisconsin Avenue, Northwest and Davis Street, Northwest and Wisconsin Avenue, Northwest and Edmunds Street, Northwest in Washington, District of Columbia, as "Boris Nemtsov Plaza", and for other purposes.

S. 479

At the request of Mr. BROWN, the names of the Senator from New Jersey (Mr. BOOKER), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 479, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 493

At the request of Mr. RUBIO, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 493, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 497

At the request of Ms. CANTWELL, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 568

At the request of Mr. BROWN, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 568, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 569

At the request of Ms. CANTWELL, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 569, a bill to amend title 54, United States Code, to provide consistent and reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, and for other purposes.

S. 577

At the request of Mr. LANKFORD, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 577, a bill to require each agency, in providing notice of a rule making, to include a link to a 100 word plain language summary of the proposed rule.

S. 578

At the request of Mr. LANKFORD, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 578, a bill to amend title 5, United States Code, to provide requirements for agency decision making based on science.

S. 579

At the request of Mr. LANKFORD, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 579, a bill to require agencies to publish an advance notice of proposed rule making for major rules.

S. 584

At the request of Mr. LANKFORD, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 584, a bill to amend chapter 6 of title 5, United States Code (commonly known as the Regulatory Flexibility Act), to ensure complete analysis of potential impacts on small entities of rules, and for other purposes.

S. 630

At the request of Mrs. SHAHEEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 630, a bill to amend the Afghan Allies Protection Act of 2009 to make 2,500 visas available for the Afghan Special Immigrant Visa program, and for other purposes.

S. 697

At the request of Mr. DAINES, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 697, a bill to amend the Internal Revenue Code of 1986 to lower the mileage threshold for deduction in determining adjusted gross income of certain expenses of members of reserve components of the Armed Forces, and for other purposes.

S. 717

At the request of Mr. SULLIVAN, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 717, a bill to promote pro bono legal services as a critical way in which to empower survivors of domestic violence.

S. 722

At the request of Mr. CORKER, the names of the Senator from Utah (Mr. HATCH) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 722, a bill to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes.

S. 733

At the request of Ms. MURKOWSKI, the names of the Senator from Montana (Mr. TESTER), the Senator from Missouri (Mrs. McCASKILL), the Senator from Virginia (Mr. KAINE) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 733, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

S. 751

At the request of Mr. WARNER, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 751, a bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.

S. 770

At the request of Mr. SCHATZ, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 770, a bill to require the Director of the National Institute of Standards and Technology to disseminate resources to help reduce small business cybersecurity risks, and for other purposes.

S. 782

At the request of Mr. CORNYN, the names of the Senator from Utah (Mr. HATCH) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 782, a bill to reauthorize the National Internet Crimes Against Children Task Force Program, and for other purposes.

S. 801

At the request of Mr. LEE, the name of the Senator from New Mexico (Mr. UDALL) was withdrawn as a cosponsor of S. 801, a bill to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector.

S. 816

At the request of Mr. CASEY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 816, a bill to amend the Internal Revenue Code of 1986 to allow rollovers from 529 programs to ABLE accounts.

S. 817

At the request of Mr. CASEY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 817, a bill to amend the Internal Revenue Code of 1986 to increase the age requirement with respect to eligibility for qualified ABLE programs.

S. 818

At the request of Mr. CASEY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 818, a bill to amend the Internal Revenue Code of 1986 to allow individuals with disabilities to save additional amounts in their ABLE accounts above the current annual maximum contribution if they work and earn income.

S. 823

At the request of Mr. WYDEN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 823, a bill to ensure the digital contents of electronic equipment and online accounts belonging to or in the possession of United States persons entering or exiting the United

States are adequately protected at the border, and for other purposes.

S.J. RES. 5

At the request of Mr. CARDIN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S.J. Res. 5, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S.J. RES. 6

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S.J. Res. 6, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S.J. RES. 28

At the request of Mr. INHOFE, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S.J. Res. 28, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Administrator of the Environmental Protection Agency relating to accidental release prevention requirements of risk management programs under the Clean Air Act.

S. RES. 99

At the request of Mr. MANCHIN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. Res. 99, a resolution recognizing the 11 African-American soldiers of the 333rd Field Artillery Battalion who were massacred in Wereth, Belgium, during the Battle of the Bulge in December 1944.

S. RES. 106

At the request of Mr. WICKER, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. Res. 106, a resolution expressing the sense of the Senate to support the territorial integrity of Georgia.

S. RES. 108

At the request of Mr. CARDIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 108, a resolution reaffirming the commitment of the United States to the United States-Egypt partnership.

S. RES. 109

At the request of Mr. PAUL, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 109, a resolution encouraging the Government of Pakistan to release Aasiya Noreen, internationally known as Asia Bibi, and reform its religiously intolerant laws regarding blasphemy.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PAUL (for himself and Mr. BOOKER):

S. 827. A bill to provide for the sealing or expungement of records relating

to Federal nonviolent criminal offenses, and for other purposes; to the Committee on the Judiciary.

Mr. BOOKER. Mr. President, I rise today to introduce the Record Expungement Designed to Enhance Employment Act, or REDEEM Act. This bill would take meaningful steps towards allowing returning citizens to obtain employment. As President George W. Bush said in his 2004 State of the Union Address, "America is the land of the second chance, and when the gates of the prison open, the path ahead should lead to a better life." The REDEEM Act would help provide people with that second chance after their incarceration. I thank Senator PAUL for his tireless work with me on the REDEEM Act.

In the last 30 years, the number of incarcerated people in the United States has drastically increased. Since 1980, the federal prison population alone has grown by nearly 800 percent and American taxpayers are left paying for the bill. In fiscal year 2014, the Bureau of Prisons accounted for a quarter of the Department of Justice's budget at \$6.9 billion. Our bloated criminal justice system wastes priceless human potential and fails to make our communities safer. It also fails to adequately prepare the over 600,000 people each year who are released from prison for their return to the community.

A high number of Americans living in our communities have criminal convictions. About 70 million people in the United States have been arrested or convicted of a crime. That means almost one in three adults in the United States has a criminal record. In fact, in our Nation's Capital alone, an estimated 1 in 10 DC residents has a criminal record.

The American Bar Association has identified over 44,500 "collateral consequences"—or legal constraints—placed on what individuals with records can do once they are released from prison. Of those, up to 70 percent are related to employment.

Today, a criminal conviction is a modern-day scarlet letter that, because of the so-called War on Drugs, has had a disproportionate impact on communities of color. For example, African-American men with a conviction are 40 percent less likely to receive an interview. And the likelihood that Latino men with a record will receive an interview or be offered a job is 18 percent smaller than the likelihood for white men.

To increase public safety, reduce recidivism, and protect the future of our children, I am proud to re-introduce the REDEEM Act. This bill would incentivize states to raise the age of original jurisdiction for criminal courts to 18 years old. Trying juveniles who have committed low-level, non-violent crimes as adults is counterproductive. They do not emerge from

prison reformed and ready to re-integrate into school, nor will the criminal record they have help them obtain a job.

This change in law is important for protecting our children's futures. For kids in the dozen states that treat 17- and even 16-year-olds as adults, no longer would getting into a school yard scuffle result in an adult record that could follow an individual for the rest of their life, restrict access to a college degree, limit job prospects, or lead to likely recidivism.

The bill would enhance Federal juvenile record confidentiality and provide for automatic expungement of records for kids who commit nonviolent crimes before they turn 15 and automatic sealing of records for those who commit nonviolent crimes after they turn 15.

The bill would ban the very cruel and counterproductive practice of juvenile solitary confinement that can have immediate and long-term detrimental effects on a youth's mental and physical health. In fact, the majority of suicides by juveniles in prisons occur when young people are placed in solitary confinement. Other nations even consider it torture.

The REDEEM Act would, for adults, offer the first broad-based federal path to the sealing of criminal records. A person who commits a nonviolent crime will be able to petition a court for sealing of the record, so their future job prospects are not harmed.

And the bill would enhance the accuracy of criminal justice records. Employers requesting a background check from the FBI will be provided with only relevant and accurate information thanks to a provision that will protect job applicants by improving the quality of the Bureau's background check.

Think about this: 17 million background checks were done by the FBI in 2013, many of them for private providers, and upward of half of them were inaccurate or incomplete, often causing people to lose a job, miss an economic opportunity, and be trapped with few economic options other than to reoffend in order to feed a child or pay a debt.

The bill helps guard against gender disparities in federal juvenile delinquency proceedings. Additionally, it would ensure that programming and services are distributed evenly among male and female juveniles. Oftentimes, juvenile females receive less programming and resources than males because of the smaller size of the female prison population. This is wrong and this bill take a step forward to fix the problem.

Finally, the REDEEM Act would lift a ban on two critical Federal benefits: the Supplemental Nutritional Assistance Program and Temporary Assistance for Needy Families. The intent of those Federal programs is to keep low-income families from going hungry. Yet those convicted of drug felonies

lose the right to obtain such benefits. Once an individual has paid his or her debt to society, a path to the reinstatement of those benefits should be available.

I am proud to introduce the REDEEM Act today. Again, I thank Senator PAUL for partnering with me on this bill. I urge this bill's speedy passage.

By Mr. WYDEN (for himself, Ms. MURKOWSKI, Ms. WARREN, and Mr. MARKEY):

S. 836. A bill to amend the Federal Credit Union Act to exclude a loan secured by a non-owner occupied 1- to 4-family dwelling from the definition of a member business loan, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. WYDEN. Mr. President, most of us have heard the metaphor that small businesses are the engines that power our economy. What we don't hear people talk about as much is the fuel that feeds the engines: capital. Without capital, entrepreneurs cannot see their ideas to fruition, successful business owners cannot expand to meet the needs of the market, and eager job seekers must take their skills elsewhere. Without capital, Main Street falters, and Wall Street keeps the advantage.

Today, more than 9 years after the start of the great recession and many policy reforms later, access to capital remains a challenge. This capital drought hampers small business growth, economic development, and job creation in Oregon and across the country. Despite this, government regulation continues to tie the hands of many willing small businesses lenders—namely, credit unions. According to some estimates, credit unions could lend an additional \$11 billion to small businesses if Congress loosened restraints on credit union business lending.

With this in mind, I am pleased to introduce today the Credit Union Residential Loan Parity Act with Senator MURKOWSKI. This bill would increase access to capital by exempting certain loans from the member business lending cap imposed on credit unions. Currently, loans made for one- to four-person, non-owner-occupied housing are treated as business loans when they are made by credit unions. As such, these types of loans count against a credit union's business lending cap, effectively limiting a credit union's ability to provide loans to small businesses. Our legislation would address this issue by allowing credit unions to treat these types of loans as residential loans—the same treatment these kinds of loans receive when made by other financial institutions. In effect, the bill would exempt residential loans from the business lending cap. This exemption would increase access to capital

for small businesses, which in turn would create jobs and grow our local economies. In addition to generally increasing credit union lending, our legislation would directly free up capital for small businesses that make much needed investments in rental housing.

I am hopeful that this legislation will be received by colleagues for what it is—a simple step to help ensure America's small businesses have access to the fuel they need to power our economy.

It is my hope that the Senate will pass this legislation swiftly.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 836

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Credit Union Residential Loan Parity Act”.

SEC. 2. TREATMENT OF A NON-OWNER OCCUPIED 1- TO 4-FAMILY DWELLING.

(a) REMOVAL FROM MEMBER BUSINESS LOAN LIMITATION.—Section 107A(c)(1)(B)(i) of the Federal Credit Union Act (12 U.S.C. 1757a(c)(1)(B)(i)) is amended by striking “that is the primary residence of a member”.

(b) RULE OF CONSTRUCTION.—Nothing in this Act or the amendment made by this Act shall preclude the National Credit Union Administration from treating an extension of credit that is fully secured by a lien on a 1- to 4-family dwelling that is not the primary residence of a member as a member business loan for purposes other than the member business loan limitation requirements under section 107A of the Federal Credit Union Act (12 U.S.C. 1757a).

By Mr. BOOKER (for himself, Mr. JOHNSON, Ms. BALDWIN, Mrs. ERNST, Mr. BROWN, and Mr. PORTMAN):

S. 842. A bill to prohibit Federal agencies and Federal contractors from requesting that an applicant for employment disclose criminal history record information before the applicant has received a conditional offer, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. BOOKER. Mr. President, I rise today to introduce the Fair Chance to Compete for Jobs Act of 2017, also known as the Fair Chance Act. This criminal justice reform bill is designed to help returning citizens successfully obtain jobs and reintegrate into society. As the nation's largest employer, it is time the Federal Government leads by example and delays the criminal history inquiry until later in the hiring process. I thank Senator JOHNSON for his leadership on the Fair Chance Act, and I deeply appreciate Senators BALDWIN, ERNST, BROWN, and PORTMAN for joining the bill as original cosponsors.

Everyone deserves the dignity of work and the opportunity for a second chance to earn a living. But far too many Americans who return home from behind bars have to disclose convictions on their initial employment application or initial job interview that often serve as insurmountable barriers to employment. This legislation would ensure that people with convictions—who have paid their debt to society and want to turn their lives around—have a fair chance to work.

By encouraging Federal employers to focus on an individual's qualifications and merit and not solely on past mistakes, the Fair Chance Act would remove burdensome and unnecessary obstacles that prevent formerly incarcerated people from reaching their full potential and contributing to society. It would also help reduce recidivism, combat poverty, and prevent violence in our communities by helping people get back to work.

Creating employment opportunities for our returning citizens benefits public safety. With little hope of obtaining a decent paying job, returning citizens are often left with few options but to return to a life of crime. A 2011 study in the Justice Quarterly concluded that the lack of employment was the single most negative determinant of recidivism. A report by the Bureau of Justice Statistics found that of the over 400,000 State prisoners released in 2005, 67.8 percent of them were rearrested within 3 years of their release, and 76.6 percent were rearrested within 5 years of their release.

Creating employment opportunities for our returning citizens strengthens our economy. Poor job prospects for people with records reduced our Nation's gross domestic product in 2008 between \$57 billion and \$65 billion. With an increasingly competitive global economy and to maintain America's competitive advantage, we must promote employment of all Americans.

Today, I introduce the Fair Chance Act, which would help eliminate barriers to employment for formerly incarcerated people and bring America closer to truly being a land of opportunity for all. It would preclude the federal government—including the executive, legislative, and judicial branches—from requesting criminal history information from applicants until they reach the conditional offer stage.

This bill strikes the right balance. It would allow qualified people with criminal records to get their foot in the door and be judged on their own merit. At the same time, the legislation would allow employers to know an individual's criminal history before the job applicant is hired.

This bill would prohibit federal contractors from requesting criminal history information from candidates for positions within the scope of Federal

contracts until a conditional job offer has been extended. Companies that do business with the Federal Government and receive Federal funds should espouse good hiring practices. The Fair Chance Act would permit Federal contractors to inquire about criminal history earlier in the hiring process if the job requires a candidate to access classified information.

The bill includes exceptions for sensitive positions where criminal history inquiries are necessary earlier in the application process. Exceptions include positions involving classified information, sensitive national security duties, armed forces, and law enforcement jobs, and jobs where criminal history information is legally required.

Finally, the Fair Chance Act would require the Bureau of Justice Statistics, in coordination with the U.S. Census Bureau, to report to Congress on the employment statistics of returning citizens. Currently, no comprehensive tracking of data on the employment histories of people with convictions exists. This provision would change that and allow us to better understand the scope of the problem people with convictions face when trying to find a job.

I am proud to reintroduce the Fair Chance Act. I want to again thank the bill cosponsors and their leadership on this issue. I urge this legislation's speedy passage.

By Ms. HASSAN:

S. 848. A bill to amend the Higher Education Act of 1965 to encourage entrepreneurship by providing loan deferment and loan cancellation for founders and employees of small business startups, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. HASSAN. Mr. President, I rise today to introduce my first bill in the U.S. Senate—a bill to help relieve the burden of student debt for young entrepreneurs from New Hampshire and the entire country.

Most of us have seen personally how heavily the burden of student loan debt weighs on students and families across New Hampshire. Less visible, but no less important, is how student loan debt is weighing down our economy—stifling innovation and job creation.

Student loan debt is preventing the next generation of entrepreneurs and innovators from opening their own businesses. A New York Times report highlighted that the percentage of new entrepreneurs between 20–34 years old fell to 25 percent in 2014, down from almost 35 percent in 1996. And Gallup found that 19 percent of graduates with student loan debt say they have delayed starting a business because of it.

It is time to once again unleash the entrepreneurial potential of our young people into creating the jobs of the future. That is why this week I introduced the Reigniting Opportunity for

Innovators, ROI, Act, the first bill I am writing as a U.S. Senator, which would help provide the relief necessary for young entrepreneurs to start up and grow innovative small businesses.

The ROI Act will allow eligible founders and full-time employees of certified small business to defer their Federal student loan payments and interest accrual for up to 3 years while launching a startup. This will help give graduates the financial stability they need to take the risk of starting a business that can create good-paying jobs.

Additionally, this legislation provides an additional incentive for startup companies to move off the beaten path to help revitalize struggling communities. If the startup is located in an economically distressed area, founders and employees will be eligible for cancellation of up to \$20,000 in student loans.

The ROI Act is an important step that we can take now to help young entrepreneurs and lay the foundation for a new generation of economic growth.

New businesses are historically the top job creators in our country, and small businesses are the driving force of New Hampshire's economy. But to get the education they need to compete for jobs in the 21st century economy, students are taking on more debt than ever before. In 2015, college graduates left school with an average of \$30,000 of student loan debt, and New Hampshire students had the highest average student debt in the country.

At a roundtable discussion at Keene State College, I heard from students about the challenges posed by their student loan debt. One young woman told me that she hoped to start her own business but that she would likely have to put off that goal for another 10 years because of her student loan debt.

Any entrepreneur will tell you that getting a small business off the ground is expensive. These costs, mixed with student loan debt, make it even more daunting for young entrepreneurs to consider taking the leap of starting a new business. Student debt decreases the cash flow of potential entrepreneurs, it hurts their ability to build equity, and it can negatively affect credit scores and their ability to secure financing.

With the deck too often stacked against them, we need to be doing everything we can to support young entrepreneurs looking to start the innovative businesses that will drive job creation and move our economy forward.

The ROI Act would work to drive our 21st century economy, but we know that we have more work to do to bring down the costs of higher education and ensure that New Hampshire students, families, and innovative businesses have the support they need. In addition to working to pass this commonsense legislation, I will continue to focus on

expanding Pell grants, lowering interest rates for student loans and allowing students to refinance, and increasing apprenticeship and job training opportunities.

The ROI Act is an important step that we can take now to help young entrepreneurs and lay the foundation for a new generation of economic growth, and I look forward to working with members of both parties to pass this commonsense bill.

By Mr. DURBIN (for himself and Mr. CASSIDY):

S. 850. A bill to amend the Higher Education Act of 1965 to establish fair and consistent eligibility requirements for graduate medical schools operating outside the United States and Canada; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 850

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Foreign Medical School Accountability Fairness Act of 2017".

SEC. 2. PURPOSE.

To establish consistent eligibility requirements for graduate medical schools operating outside of the United States and Canada in order to increase accountability and protect American students and taxpayer dollars.

SEC. 3. FINDINGS.

Congress finds the following:

(1) Three for-profit schools in the Caribbean receive nearly $\frac{3}{4}$ of all Federal funding under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) that goes to students enrolled at foreign graduate medical schools, despite those three schools being exempt from meeting the same eligibility requirements as the majority of graduate medical schools located outside of the United States and Canada.

(2) The National Committee on Foreign Medical Education and Accreditation and the Department of Education recommend that all foreign graduate medical schools should be required to meet the same eligibility requirements to participate in Federal funding under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

(3) The attrition rate at United States medical schools averaged 3.4 percent in 2014, while rates at for-profit Caribbean medical schools have been known to reach 30 percent.

(4) In 2016, residency match rates for foreign trained graduates averaged 54 percent compared to 94 percent for graduates of medical schools in the United States.

(5) On average, students at for-profit medical schools operating outside of the United States and Canada amass more student debt than those at medical schools in the United States.

SEC. 4. REPEAL GRANDFATHER PROVISIONS.

Section 102(a)(2) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)(2)) is amended—

(1) in subparagraph (A), by striking clause (i) and inserting the following:

“(i) in the case of a graduate medical school located outside the United States—

“(I) at least 60 percent of those enrolled in, and at least 60 percent of the graduates of, the graduate medical school outside the United States were not persons described in section 484(a)(5) in the year preceding the year for which a student is seeking a loan under part D of title IV; and

“(II) at least 75 percent of the individuals who were students or graduates of the graduate medical school outside the United States or Canada (both nationals of the United States and others) taking the examinations administered by the Educational Commission for Foreign Medical Graduates received a passing score in the year preceding the year for which a student is seeking a loan under part D of title IV;” and

(2) in subparagraph (B)(iii), by adding at the end the following:

“(V) EXPIRATION OF AUTHORITY.—The authority of a graduate medical school described in subclause (I) to qualify for participation in the loan programs under part D of title IV pursuant to this clause shall expire beginning on the first July 1 following the date of enactment of the Foreign Medical School Accountability Fairness Act of 2017.”.

SEC. 5. LOSS OF ELIGIBILITY.

If a graduate medical school loses eligibility to participate in the loan programs under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.) due to the enactment of the amendments made by section 4, then a student enrolled at such graduate medical school on or before the date of enactment of this Act may, notwithstanding such loss of eligibility, continue to be eligible to receive a loan under such part D while attending such graduate medical school in which the student was enrolled upon the date of enactment of this Act, subject to the student continuing to meet all applicable requirements for satisfactory academic progress, until the earliest of—

(1) withdrawal by the student from the graduate medical school;

(2) completion of the program of study by the student at the graduate medical school; or

(3) the fourth June 30 after such loss of eligibility.

By Mr. CARDIN (for himself, Mr. VAN HOLLEN, Mr. LEAHY, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mr. SCHATZ, Mr. CARPER, Mr. WARNER, Mr. MARKEY, Mr. SANDERS, Mr. UDALL, Ms. HIRONO, Mrs. SHAHEEN, Ms. BALDWIN, Mr. KAINE, Mrs. MURRAY, and Mr. BROWN):

S. 861. A bill to provide for the compensation of Federal employees affected by lapses in appropriations; read the first time.

S. 861

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Employee Fair Treatment Act of 2017”.

SEC. 2. COMPENSATION FOR FEDERAL EMPLOYEES AFFECTED BY A LAPSE IN APPROPRIATIONS.

Section 1341 of title 31, United States Code, is amended—

(1) in subsection (a)(1), by striking “An officer” and inserting “Except as specified in this subchapter or any other provision of law, an officer”; and

(2) by adding at the end the following:

“(c)(1) In this subsection—

“(A) the term ‘covered lapse in appropriations’ means any lapse in appropriations that begins on or after April 28, 2017; and

“(B) the term ‘excepted employee’ means an excepted employee or an employee performing emergency work, as such terms are defined by the Office of Personnel Management.

“(2) Each Federal employee furloughed as a result of a covered lapse in appropriations shall be paid for the period of the lapse in appropriations, and each excepted employee who is required to perform work during a covered lapse in appropriations shall be paid for such work, at the employee’s standard rate of pay, at the earliest date possible after the lapse in appropriations ends, regardless of scheduled pay dates.

“(3) During a covered lapse in appropriations, each excepted employee who is required to perform work shall be entitled to use leave under chapter 63 of title 5, or any other applicable law governing the use of leave by the excepted employee, for which compensation shall be paid at the earliest date possible after the lapse in appropriations ends, regardless of scheduled pay dates.”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 114—EXPRESSING THE SENSE OF THE SENATE ON HUMANITARIAN CRISES IN NIGERIA, SOMALIA, SOUTH SUDAN, AND YEMEN

Mr. YOUNG (for himself and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 114

Whereas Nigeria, Somalia, South Sudan, and Yemen are all in famine, pre-famine, or “at risk of famine” stages in 2017;

Whereas, according to the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), 20,000,000 people are at risk of starvation within the next six months in Nigeria, Somalia, South Sudan, and Yemen;

Whereas, on March 22, 2017, Mr. Yves Daccord, the Director-General of the International Committee of the Red Cross, testified that the crisis represents “one of the most critical humanitarian issues to face mankind since the end of the Second World War” and warned that “we are at the brink of a humanitarian mega-crisis unprecedented in recent history”;

Whereas, according to the United States Agency for International Development (USAID), “More than 5.1 million people face severe food insecurity in northeastern Nigeria”;

Whereas, according to USAID, “An estimated 6.2 million people—more than half of Somalia’s total population—currently require urgent humanitarian assistance.”;

Whereas, according to USAID, “An estimated 5.5 million people—nearly half of South Sudan’s population—will face life threatening hunger by July.”;

Whereas, according to USAID, in Yemen, “More than seventeen million people—an astounding 60% of the country’s population—are food insecure, including seven million people who are unable to survive without food assistance.”;

Whereas, according to the United Nations Children’s Fund (UNICEF), “Some 22 million children have been left hungry, sick, displaced and out of school in the four countries. Nearly 1.4 million are at imminent risk of death this year from severe malnutrition.”;

Whereas the humanitarian crises in each of these regions are, to varying degrees, man-made and preventable—exacerbated by armed conflict, disregard for international humanitarian law, and deliberate restrictions on humanitarian access;

Whereas parties to the conflicts have harassed, attacked, and killed humanitarian workers, blocking and hindering humanitarian access and depriving the world’s most hungry people of the food they need;

Whereas humanitarian actors, coordinated by UNOCHA, are appealing for \$5,600,000,000 in 2017 to address famines in Yemen, South Sudan, Nigeria, and Somalia, \$4,400,000,000 of which is required urgently; and

Whereas Mr. Daccord testified on March 22, 2017, “Our message is clear: immediate, decisive action is needed to prevent vast numbers of people starving to death.”; Now, therefore, be it

Resolved, That—

(1) It is the sense of the Senate that—

(A) United States national security interests and the values of the American people demand that the United States lead an urgent and comprehensive international diplomatic effort to address obstacles in Nigeria, Somalia, South Sudan, and Yemen that are preventing humanitarian aid from being delivered to millions of people who desperately need it;

(B) the President should encourage other governments to join the United States in providing the resources necessary to meet the \$5,600,000,000 UNOCHA appeal to address the humanitarian crises in Nigeria, Somalia, South Sudan, and Yemen;

(C) parties to the conflicts in Nigeria, Somalia, South Sudan, and Yemen must respect fully international humanitarian law by allowing and facilitating rapid and unimpeded passage of humanitarian relief for civilians in need and respecting and protecting humanitarian and medical relief personnel and objects; and

(D) the President, working with international partners, should work to identify and document violations of international humanitarian law in Nigeria, Somalia, South Sudan, and Yemen seeking to bring perpetrators to justice where possible; and

(2) the Senate—

(A) urges the President, in close coordination with international partners, to employ every appropriate strategy to persuade the Government of South Sudan to stop blocking aid for people who desperately need it;

(B) calls on the President to notify Congress without delay if the Government of South Sudan does not immediately and fully respect international humanitarian law so that Congress can work with President to impose additional costs on the government and leaders of South Sudan for their deplorable actions;

(C) urges the President to press the Government of Nigeria to take tangible and immediate steps to ensure accountability for security forces that violate human rights and fail to cooperate fully with international aid efforts;

(D) calls on the President to send the Secretary of State or other high level representative to attend the upcoming United Kingdom’s Ministerial Conference on Somalia and publicly announce a contribution to the

humanitarian assistance efforts which will help leverage other international donors; and

(E) urges the President to work urgently with stakeholders to persuade parties to conflict in Yemen to permit humanitarian groups increased access to Red Sea ports like Hodeida to deliver much-needed assistance to vulnerable communities.

SENATE RESOLUTION 115—COMMEMORATING THE 100TH ANNIVERSARY OF THE 1ST INFANTRY DIVISION

Mr. MORAN (for himself and Mr. ROBERTS) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 115

Whereas June 8, 2017, is the 100th anniversary of the organization of the 1st Infantry Division;

Whereas the 1st Infantry Division was established in 1917 as the First Division, the first combat division in United States history, and has been on continuous active duty since 1917;

Whereas, from the heroic start of the 1st Infantry Division, the 1st Infantry Division has played an integral part in United States history by serving in—

- (1) World War I;
- (2) World War II;
- (3) the Cold War;
- (4) the Vietnam War;
- (5) Operations Desert Shield and Desert Storm;
- (6) the Balkans peacekeeping missions;
- (7) the War on Terror; and
- (8) as of April 2017, multiple operations around the globe;

Whereas, immediately after its establishment, the First Division started to build a prestigious reputation for its service in World War I;

Whereas, in May 1918, the victory of the First Division at the Battle of Cantigny, France, was the first United States victory of World War I, and despite suffering more than 1,000 casualties in that battle, the First Division seized the village from German forces, defended the village against repeated counterattacks, and bolstered the morale of the Allies;

Whereas, after the Battle of Cantigny, the First Division played a central role in other monumental battles of World War I, such as—

- (1) the Battle of Soissons;
- (2) the Battle of Saint-Mihiel; and
- (3) the Meuse-Argonne Offensive;

Whereas 5 soldiers of the First Division received the Congressional Medal of Honor during World War I;

Whereas the First Division—

- (1) remained on occupation duty in Germany to enforce the Armistice; and
- (2) in September 1919, was the last combat division to return home after World War I;

Whereas, by the end of World War I, the First Division was 1 of only 4 United States divisions to remain on active duty, which is a strong testament to its accomplishments;

Whereas, in November 1939, the 1st Infantry Division was called to action again and, in August 1942, became the first United States division sent to Europe during World War II;

Whereas, during World War II, the 1st Infantry Division fought bravely in Algeria, Tunisia, and Sicily in 1942 and 1943 before the courage and resolve of the 1st Infantry Division

was tested on Omaha Beach in Normandy, France;

Whereas the 1st Infantry Division, reinforced by units of the 29th Infantry Division, made the assault landing on Omaha Beach on D-Day, June 6, 1944, which began the liberation of Europe from Nazi control;

Whereas the 1st Infantry Division continued its invaluable service throughout World War II, including in—

- (1) the liberation of France and Belgium;
- (2) the seizing of Aachen, the first city of Nazi Germany to fall to the Allies;
- (3) the Battle of the Huertgen Forest;
- (4) the Battle of the Bulge, in which the 1st Infantry Division held the critical northern shoulder at Butgenbach, Belgium;
- (5) the crossing of the Rhine River at Remagen;
- (6) the battles around the Ruhr Pocket in Germany; and
- (7) the offensive into Czechoslovakia, where the 1st Infantry Division liberated Nazi labor camps at Falkenau and Zwodau;

Whereas 17 members of the 1st Infantry Division received the Congressional Medal of Honor for their service during World War II;

Whereas, in recognition of exemplary service during World War II, the 1st Infantry Division was the recipient of—

- (1) the French Croix de Guerre with Palm and Streamers embroidered with “Kasserine” and “Normandy”;
- (2) the French Fourragere, embroidered with “World War II”;
- (3) the Belgian Fourragere; and
- (4) the subordinate units of the 1st Infantry Division earned numerous Presidential Unit Citations and Army Valorous Unit awards;

Whereas the 1st Infantry Division guarded the Nuremberg Trials and remained on occupation duty in Germany before returning home to Fort Riley, Kansas, in 1955;

Whereas, in 1965, the 1st Infantry Division was 1 of the first 2 divisions sent to the Vietnam War, and the 1st Infantry Division remained in Vietnam for 5 years, during which the 1st Infantry Division—

- (1) protected the capital, Saigon, from attack by the North Vietnamese Army;
- (2) conducted hundreds of—

(A) offensive operations between Saigon and Cambodia against Viet Cong and North Vietnamese Army units; and

(B) civil action and pacification operations to protect and assist the Vietnamese people; and

- (3) responded to the 1968 Tet Offensive by clearing Tan Son Nhut Air Force Base of enemy forces, securing Saigon and counterattacking vigorously;

Whereas 12 soldiers of the 1st Infantry Division earned the Congressional Medal of Honor during the Vietnam War;

Whereas, in recognition of exemplary service during the Vietnam War, the 1st Infantry Division was the recipient of—

- (1) the Republic of Vietnam Cross of Gallantry with Palm for 1968;
- (2) the Civic Action Honor Medal First Class;
- (3) the United States Army Meritorious Unit Commendation; and
- (4) the subordinate units of the 1st Infantry Division earned numerous Presidential and Army awards;

Whereas, from 1970 to 1990 the 1st Infantry Division—

- (1) was a key component of the North Atlantic Treaty Organization deterrent strategy;
- (2) deployed annually to Germany on major exercises that demonstrated United States resolve to friend and foe alike; and

(3) contributed directly to the peaceful end of the Cold War;

Whereas, in November 1990, the 1st Infantry Division deployed to Saudi Arabia and played a key role in the famous “left hook” attack of the US VII Corps through the deserts of western Iraq to destroy the Tawakalna Division of the vaunted Republican Guard of Saddam Hussein, among many other enemy forces;

Whereas the 1st Infantry Division deployed to Bosnia for 31 months between 1996 and 2000, to Macedonia for 4 months in 1999, and to Kosovo for 22 months between 1999 and 2003—

- (1) to enforce international peace agreements;

(2) to halt the worst ethnic violence in Europe since the Holocaust; and

- (3) to bring peace and stability to the Balkans;

Whereas, in 2004, the 1st Infantry Division deployed to Iraq in Operation Iraqi Freedom as Task Force Danger and conducted sophisticated counterinsurgency operations that led to the first free and fair elections in Iraqi history in 2005;

Whereas, between 2005 and 2014, the brigade combat teams and other major headquarters and units of the 1st Infantry Division have deployed repeatedly to Iraq and Afghanistan in Operation Enduring Freedom, Operation Iraqi Freedom, and Operation New Dawn;

Whereas Specialist Ross A. McGinnis, a 1st Infantry Division soldier, is 1 of the very few people of the United States to receive the Congressional Medal of Honor in the War on Terror;

Whereas, in the defense of United States interests, the 1st Infantry Division deployed its units and soldiers to Africa in 2015 and Kuwait in 2016;

Whereas, since November 2016, the headquarters of the 1st Infantry Division has been in Iraq, where the 1st Infantry Division is—

- (1) engaged in the fight against the Islamic State in Iraq and Syria (ISIS); and
- (2) providing the leadership structure for the Combined Joint Forces Land Component Command—Operation Inherent Resolve;

Whereas, as of April 2017—

- (1) the Combat Aviation Brigade of the 1st Infantry Division is deployed to Afghanistan and is conducting combat aviation operations in support of the Afghan and international security forces battling the Taliban;
- (2) the 1st Armor Brigade Combat Team of the 1st Infantry Division is deployed to the South Korea, where it bolsters United States deterrence against North Korea; and
- (3) the 2nd Armor Brigade Combat Team of the 1st Infantry Division is at Fort Riley, Kansas, where it is honing its combat-readiness in preparation for deployment; and

Whereas, since the establishment of the 1st Infantry Division in 1917—

- (1) the 1st Infantry Division has been present all over the world, assisting in combat and noncombat missions for 100 years;
- (2) more than 13,000 soldiers of the 1st Infantry Division have sacrificed their lives in combat; and
- (3) 35 soldiers of the 1st Infantry Division have received the Medal of Honor: Now, therefore, be it

Resolved, That the Senate—

- (1) commemorates “A Century of Service”, the 100th anniversary of the 1st Infantry Division on June 8, 2017;
- (2) commends the 1st Infantry Division for continuing to exemplify the motto of the 1st Infantry Division, “No Mission Too Difficult. No Sacrifice Too Great. Duty First!”;

(3) honors the memory of the more than 13,000 soldiers of the 1st Infantry Division who lost their lives in battle;

(4) expresses gratitude and support for all 1st Infantry Division soldiers, veterans, and their families, including 1st Infantry Division soldiers and their families of the past and future and those who are serving as of April 2017; and

(5) recognizes that the 1st Infantry Division holds an honored place in United States history.

SENATE RESOLUTION 116—CONDEMNING THE ASSAD REGIME FOR ITS CONTINUED USE OF CHEMICAL WEAPONS AGAINST THE SYRIAN PEOPLE

Mr. CARDIN (for himself, Mr. CORKER, Mr. DURBIN, Mr. RUBIO, Mr. KAINE, Mrs. SHAHEEN, Mr. UDALL, Mr. COONS, and Mr. GARDNER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 116

Whereas on August 21, 2013, the Assad regime launched rockets carrying sarin gas, a deadly nerve agent, against Ghouta, a rebel-held suburb of Damascus, killing 1,429 men, women, and children, according to United States Government estimates, while injuring another 3,600 people;

Whereas, on September 14, 2013, the Assad regime agreed to enter the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on their Destruction, done at Paris January 13, 1993, and entered into force April 29, 1997 (referred to in this Resolution as the "Chemical Weapons Convention") and to allow a joint mission between the United Nations and the Organization for the Prevention of Chemical Weapons (referred to in this Resolution as the "OPCW-UN") to oversee the removal and elimination of Syria's chemical weapons program;

Whereas, on September 27, 2013, the United Nations Security Council unanimously adopted Resolution 2118, which endorsed the destruction of Syria's chemical weapons program and agreed that in the event of non-compliance, it would take action under Chapter VII of the Charter of the United Nations;

Whereas, on October 16, 2013, the OPCW-UN was formally established to investigate and destroy Syria's chemical weapons program and stockpiles;

Whereas, on June 23, 2014, the OPCW-UN announced that the last of Syria's declared chemical weapon stockpile had been shipped out of Syria for destruction;

Whereas, on September 30, 2014, the OPCW-UN announced that it had completed its mandate and officially ended operations;

Whereas on October 14, 2013, the Syria Government entered into the Chemical Weapons Convention;

Whereas the Chemical Weapons Convention has 192 member states and bans all chemical weapons;

Whereas, the Assad regime was subsequently accused of committing more chemical weapons attacks on Syrian civilians in opposition-held areas by using chlorine-based chemical weapons, in violation of the Chemical Weapons Convention;

Whereas on August 7, 2015, the United Nations Security Council adopted Resolution 2235, which established the UN-OPCW Joint

Investigative Mechanism to identify which individuals and entities were responsible for the use of chlorine-based chemical weapons attacks in Syria;

Whereas, on October 27, 2016, the UN-OPCW Joint Investigative Mechanism definitively confirmed that the Assad regime was responsible for the use of chemical weapons in Syria in Talmenes in April 2014, in Qmenas in March 2015, and in Sarmin in March 2016;

Whereas, the United Nations Security Council adopted Resolution 2319 on November 17, 2016, which renewed the UN-OPCW Joint Investigative Mechanism mandate for one year;

Whereas, the Russian Federation, along with China, blocked a United Nations Security Council Resolution on February 28, 2017, which would have implemented a sanctions regime against the Assad regime for its use of chemical weapons;

Whereas, on the morning of April 4, 2017, another chemical weapons attack took place in the town of Khan Sheikhoun in Idlib Province, killing at least 58 people, including 11 children, according to the Syrian Observatory For Human Rights;

Whereas Human Rights Watch reported that dozens of people showed symptoms consistent with exposure to chemicals after aircraft attacked the town;

Whereas the Assad regime is the only entity operating in Syria that the UN-OPCW Joint Investigative Mechanism has confirmed use of aircraft to launch chemical weapons attacks;

Whereas, United States Ambassador to the United Nations Nikki Haley announced that the United Nations Security Council would hold an emergency meeting on April 5, 2017, to discuss the chemical weapons attack in Idlib province;

Now, therefore, be it

Resolved, That the Senate—

(1) holds the Assad regime responsible for war crimes and crimes against humanity, including its confirmed use of chemical weapons;

(2) condemns Russia for repeatedly blocking collective response to Bashar al-Assad's confirmed use of chemical weapons through the United Nations Security Council;

(3) calls on the United Nations Security Council to take immediate, decisive action in response to the Assad regime's continued use of chemical weapons;

(4) supports the critical work of the United Nations Organization for the Prohibition of Chemical Weapons Joint Investigate Mechanism;

(5) expresses alarm that the continued use of chemical weapons by the Assad regime undermines the integrity of the Chemical Weapons Convention;

(6) reiterates that Bashar al-Assad has lost legitimacy as Syria's leader; and

(7) insists that Bashar al-Assad must be held accountable for his war crimes and crimes against humanity.

SENATE RESOLUTION 117—DESIGNATING THE WEEK OF APRIL 15, 2017, THROUGH APRIL 23, 2017, AS "NATIONAL PARK WEEK"

Mr. DAINES (for himself, Ms. HIRONO, Ms. MURKOWSKI, Ms. CANTWELL, Mr. ALEXANDER, Mr. UDALL, Mr. INHOFE, Mr. HEINRICH, Mrs. CAPITO, Mr. WYDEN, Mr. BLUNT, Mr. FRANKEN, Mr. RUBIO, Ms. STABENOW, Mr. GARDNER, Mr. WARNER, Mr. CASSIDY, Mr. NELSON, Mr. PORTMAN, Mrs. FEINSTEIN, Mr. BAR-

RASSO, Mrs. MURRAY, Mr. ENZI, Mr. WHITEHOUSE, Ms. COLLINS, Mr. REED, Mr. COTTON, Mr. TESTER, Mr. CORKER, Ms. BALDWIN, Mr. SULLIVAN, Mr. PETERS, Mr. SCHATZ, Mr. KING, Mrs. SHAHEEN, and Mr. LEAHY) submitted the following resolution; which was considered and agreed to:

S. RES. 117

Whereas, on March 1, 1872, Congress established Yellowstone National Park as the first national park for the enjoyment of the people of the United States;

Whereas, on August 25, 1916, Congress established the National Park Service with the mission to preserve unimpaired the natural and cultural resources and values of the National Park System for the enjoyment, education, and inspiration of current and future generations;

Whereas, in 2017, the National Park Service began its second century of stewardship of the National Park System after the 2016 National Park Service Centennial, which celebrated 100 years of the work of the National Park Service to protect and manage the majestic landscapes, hallowed battlefields, and iconic cultural and historical sites of the United States;

Whereas the units of the National Park System span from Maine to Hawaii and Alaska and many of the units embody the rich natural heritage of the United States, reflect a unique national story through people and places, and offer countless opportunities for recreation, volunteerism, cultural exchange, education, civic engagement, and exploration;

Whereas the national parks of the United States attracted record-breaking visitation during the National Park Service Centennial, with 331,000,000 recreational visits to these incredible places in 2016;

Whereas the dedicated employees of the National Park Service carry out their mission to protect the national parks of the United States so that the vibrant culture, diverse wildlife, and priceless resources of the parks will endure for perpetuity; and

Whereas the people of the United States have inherited the remarkable legacy of the National Park System and are entrusted with its preservation as the United States marks the beginning of the second century of the National Park System: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of April 15, 2017, through April 23, 2017, as "National Park Week"; and

(2) encourages the people of the United States and the world to visit and experience the treasured national parks of the United States.

Mr. DAINES. Mr. President, as a fifth-generation Montanan who grew up just a short drive from our Nation's first national park, Yellowstone National Park, and as chair of the Senate Energy and Natural Resources Subcommittee on National Parks, I am excited to introduce this resolution to reassure the public that Congress recognizes the remarkable value that our National Parks bring to our national heritage. From America's hallowed battlefields in Gettysburg and Fredericksburg, to the glacial peaks, geysers, and big game in my home State of Montana, to the ancient cultural resources, volcanoes, and marine life of

Hawaii and all across the plains, many of the units of the National Park System bring remarkable opportunities for cultural education and outdoor recreation for people from around the world to enjoy. I am excited to be joined by ranking member MAZIE HIRONO and over 30 of our bipartisan colleagues from Alaska to Maine and Florida in introducing this resolution. The support of this resolution is a reflection that our National Parks bridge political divides and make our Nation uniquely American. As the National Park System begins its second century this year, we have seen record visitation with 331 million visits in 2016, but record visitation also brings additional strain on the National Park Service's failing infrastructure. I am hopeful that Congress, the Trump administration and future administrations will continue to invest in our National parks to ensure their legacy endures for our children and generations to come.

**SENATE RESOLUTION 118—CON-
DEMNING HATE CRIME AND ANY
OTHER FORM OF RACISM, RELI-
GIOUS OR ETHNIC BIAS, DIS-
CRIMINATION, INCITEMENT TO
VIOLENCE, OR ANIMUS TAR-
GETING A MINORITY IN THE
UNITED STATES**

Ms. HARRIS (for herself, Mr. RUBIO, Mrs. FEINSTEIN, and Ms. COLLINS) submitted the following resolution; which was considered and agreed to:

S. RES. 118

Whereas, in the past several years, violent crimes, threats of violence, and other incidents of hate-motivated targeting of religious, racial, and ethnic minorities have increased across the United States;

Whereas, in 2015, hate crimes targeting Muslims in the United States increased by 67 percent, reaching a level of violence targeting Muslim Americans that the United States had not experienced since the aftermath of the September 11, 2001, attacks, according to the Federal Bureau of Investigation;

Whereas, in 2015, anti-Semitic incidents increased in the United States for the second straight year, according to the Anti-Defamation League's 2015 Audit of Anti-Semitic Incidents, which describes trends such as the tripling of assaults targeting Jews since 2012 and the rise of online harassment and hate speech directed at Jewish journalists and individuals through social media;

Whereas, in 2015, anti-Semitic incidents at institutions of higher education nearly doubled compared to the number of those incidents in 2014, and during the 2016-2017 school year there has been an increase in white supremacist activity on college campuses across the United States, according to the Anti-Defamation League;

Whereas, in 2015, among single-bias hate crime incidents in the United States, 59.2 percent of victims were targeted due to racial, ethnic, or ancestry bias, and among those victims, 52.2 percent were victims of crimes motivated by their offenders' anti-Black or anti-African American bias, according to the Federal Bureau of Investigation;

Whereas, in 2017, there have been more than 100 reported bomb threats against Jewish community centers, Jewish day schools, and other Jewish organizations and institutions in more than 38 States;

Whereas, in 2017, Islamic centers and mosques have been burned in the States of Texas, Washington, and Florida, and Jewish cemeteries have been desecrated in the States of Missouri and Pennsylvania;

Whereas, in 2017, there has been harassment and hate-based violence against individuals who are perceived to be Arab or Muslim, including members of South Asian communities in the United States, and Hindu and Sikh Americans have been the target of hate-based violence targeting religious minorities; and

Whereas, on February 28, 2017, President Donald Trump, before a joint session of Congress, acknowledged threats targeting Jewish community centers and the vandalism of Jewish cemeteries, and stated that "we are a country that stands united in condemning hate and evil in all of its very ugly forms":

Now, therefore, be it

Resolved, That the Senate—

(1) affirms that the United States stands united in condemning hate and evil in all forms;

(2) rejects hate-motivated crime as an attack on the fabric of the society of the United States and the ideals of pluralism and respect;

(3) condemns hate crime and any other form of racism, religious or ethnic bias, discrimination, incitement to violence, or animus targeting a minority in the United States;

(4) calls on Federal law enforcement officials, working with State and local officials—

(A) to expeditiously investigate all credible reports of hate crimes and incidents and threats against minorities in the United States; and

(B) to hold the perpetrators of those crimes, incidents, or threats accountable and bring the perpetrators to justice;

(5) encourages the Department of Justice and other Federal agencies—

(A) to work to improve the reporting of hate crimes; and

(B) to emphasize the importance of the agencies' collection and reporting of data pursuant to Federal law;

(6) encourages the development of an inter-agency task force led by the Attorney General to collaborate on the development of effective strategies and efforts to detect and deter hate crime in order to protect minority communities; and

(7) calls on the executive branch—

(A) to continue to offer Federal assistance that may be available for victims of hate crimes; and

(B) to continue to carry out safety and preparedness programs for religious institutions, places of worship, and other institutions that have been targeted because of the affiliation of the institutions with any particular religious, racial, or ethnic minority in the United States.

**AUTHORITY FOR COMMITTEES TO
MEET**

Mr. BOOZMAN. Mr. President, I have 7 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Sen-

ate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, April 5, 2017, at 2:30 p.m.

**COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION**

The Committee on Commerce, Science, and Transportation is authorized to hold an Executive Session during the session of the Senate on Wednesday, April 5, 2017, at 10 a.m., in room 216 of the Hart Senate Office Building.

**COMMITTEE ON ENVIRONMENT AND PUBLIC
WORKS**

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on April 5, 2017, at 10 a.m., in room 406 of the Dirksen Senate Office Building.

**COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS**

The Committee on Health, Education, Labor, and Pensions is authorized to meet, during the session of the Senate, in order to conduct a hearing entitled "Nomination of Scott Gottlieb, MD, to serve as Commissioner of Food and Drugs" on Wednesday, April 5, 2017, at 10 a.m., in room 430 of the Dirksen Senate Office Building.

**COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS**

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, April 5, 2017, at 9:30 a.m., in order to conduct a hearing entitled "Improving Border Security and Public Health."

SUBCOMMITTEE ON ECONOMIC POLICY

The Committee on Banking, Housing and Urban Affairs Subcommittee on Economic Policy is authorized to meet during the session of the Senate on Wednesday, April 5, 2017 at 3 p.m. to conduct a hearing entitled "The Current State of Retirement Security in the United States."

SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH

The Committee on Foreign Relations Subcommittee on Africa and Global Health Policy is authorized to meet during the session of the Senate on Wednesday, April 5, 2017, at 2 p.m., to hold a hearing entitled "A Progress Report on Conflict Minerals."

**MEASURES READ THE FIRST
TIME—S. 861 AND H.R. 1301**

Mr. GARDNER. Mr. President, I understand there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time en bloc.

The legislative clerk read as follows:

A bill (S. 861) to provide for the compensation of Federal employees affected by lapses in appropriations.

A bill (H.R. 1301) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes.

Mr. GARDNER. I now ask for a second reading, and I object to my own request, all en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will receive their second reading on the next legislative day.

CONDEMNING HATE CRIME AND ANY OTHER FORM OF RACISM, RELIGIOUS OR ETHNIC BIAS, DISCRIMINATION, INCITEMENT TO VIOLENCE, OR ANIMUS TARGETING A MINORITY IN THE UNITED STATES

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 118, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 118) condemning hate crime and any other form of racism, religious or ethnic bias, discrimination, incitement to violence, or animus targeting a minority in the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. GARDNER. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 118) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR THURSDAY, APRIL 6, 2017

Mr. GARDNER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 10 a.m., Thursday, April 6; further, that following the prayer and pledge, the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the time until the cloture vote on the Gorsuch nomination be equally divided between Senators GRASSLEY and FEINSTEIN or their designees; finally, that the mandatory quorum call with respect to the cloture vote be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR—Continued

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate resume executive session to consider the nomination of Neil Gorsuch.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS

Mr. GARDNER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand in recess under the previous order, following the remarks of Senator CANTWELL for 10 minutes, Senator FRANKEN for 30 minutes, Senator MURPHY for 30 minutes, and Senator HIRONO for 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GARDNER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. CANTWELL. Mr. President, I rise to oppose the nomination of Neil Gorsuch and to oppose cloture on this nomination.

I take seriously the responsibility to give advice and consent, and I take seriously the President's remarks that he planned on nominating someone to the Court who would overturn *Roe v. Wade*.

A U.S. Supreme Court nominee requires 60 votes, and if a nominee can't clear 60 votes, then I agree with my colleague, the Senator from New York, that it is the nominee who should be changed and not the Senate rules.

If confirmed, Judge Gorsuch will have a lifetime appointment to the U.S. Supreme Court and have an impact on many, many Americans' lives. When people say lifetime, I think that doesn't quite accurately reflect this issue and nomination. Lifetime, in this case, may mean 30 to 35 years.

It is hard for me in an information age to think of all the issues that are going to occur in the next 30 to 35 years and what issues this nominee might rule on. But I know this: Right now, privacy rights and how they affect the lives of many Americans are critical, not just to my constituents but to people all over the country.

Judge Gorsuch is commonly referred to as a proponent of originalism and textualism. He believes the U.S. Constitution should be interpreted by the original intentions of those who drafted it as closely as possible. As someone who knows well the record of the former Supreme Court Justice who wrote the *Griswold v. Connecticut* decision, I doubt that one would say that he was an originalist.

Some legal scholars have even called Judge Gorsuch a selective originalist, favoring some textual provisions while overlooking others. And while no one expects Judge Gorsuch to reveal how he would vote on a particular case. During his Senate confirmation hearing, he did not give Senators enough background about his judicial philosophy. In our private meeting, he did not give me enough of an assurance of his philosophy as it relates to these issues on privacy for my constituents in Washington.

Whether we are talking about access to healthcare or we are protecting individuals' privacy rights from unwanted corporation or government intervention, these issues are critically important. Judge Gorsuch told the Senate Judiciary Committee that he does recognize privacy rights. However, his earlier writings on unenumerated constitutional rights contradict this statement. This contradiction raised questions with me, and I worked to try to further clarify his judicial philosophy on this issue.

I told him that my State had actually codified the rights of women to have access to reproductive healthcare.

He said: Oh, you mean your State legislature did that.

And I said: No, Judge Gorsuch, I mean the people of Washington voted on these issues and voted to protect a woman's right to access to reproductive healthcare.

When it comes to the right to privacy, I work hard to understand where our judiciary is coming from, and if it is for the next 30 to 35 years, I guarantee you these privacy rights are going to be of critical importance.

In the longstanding precedent known as the *Chevron* doctrine, judges should defer to reasonable agency interpretations of ambiguous statutory language. It allows agencies to get expert input on their decisions and regulations. By overturning this doctrine, it could make it easier for courts to challenge important agency decisions protecting health and the environment. This issue is also important to my State. We fought the *Enron* case to make sure that the Federal energy regulators did their job in protecting the ratepayers of Washington from, at the time, what was, in my opinion, a violation of the Federal Power Act on just and reasonable rates. We had to go to a great extent to make sure that the agencies' decisions were carefully considered to make sure we didn't become the deep pockets.

Making sure that this doctrine is continued and not overturned is important. I find it troubling that Judge Gorsuch concluded that this precedent from *Chevron v. the Natural Resources Defense Council* should be overturned.

Also, yesterday was Equal Pay Day, and there was a lot of discussion about how women still face unequal wages.

What would Judge Gorsuch do about equal pay?

As a professor, he told his students that women manipulate family leave policies for their own benefits. As a judge, he frequently ruled against women and their rights. In *Hobby Lobby v. Sebelius*, a privately held company, which was a store chain, challenged the Affordable Care Act's birth control benefit. The Affordable Care Act required health insurance plans to provide women with birth control coverage with no cost sharing.

Judge Gorsuch joined the Tenth Circuit majority, holding that an employer's religious beliefs could override an employee's right to birth control coverage. Judge Gorsuch also supported an effort to defund Planned Parenthood, an important provider of women's health services. In *Planned Parenthood Association of Utah v. Herbert*, the Tenth Circuit upheld an injunction to prevent the Governor of Utah from defunding Planned Parenthood. However, Judge Gorsuch dissented and pushed for a rehearing of this case by the full court.

Judge Gorsuch has had a narrow interpretation of the laws meant to protect workers against discrimination. In another case, a worker alleged that she had been unlawfully discriminated against based on gender because she took 2 weeks of leave under the Family Medical Leave Act. She claimed that her employer had a higher performance standard for women than for her male coworkers. The Tenth Circuit ruled in her favor and found that the employer had discriminated against her. However, Judge Gorsuch dissented, arguing evidence of discrimination was entirely absent.

These issues and rulings make me concerned about Judge Gorsuch's judicial philosophy as it relates to what I now believe is an accepted standard.

Judge Gorsuch has also ruled against LGBTQ individuals seeking fair and nondiscriminatory treatment. Lambda Legal and other groups have called his record openly hostile toward the LGBTQ community. Judge Gorsuch has held that a transwoman's constitutional rights were not violated, citing the absence of any medical evidence.

Also, as many of my colleagues have talked about, Judge Gorsuch has had a pattern of ruling against the little guy. My colleague from Hawaii noted that he seems to favor corporate interests over workers' rights and private interests over public interests.

Look at the outcome in many of these cases, which have been cited frequently since his nomination—none more than the case involving the Individuals with Disabilities Education Act. I think it is so important that it needs to continue to be talked about.

This case, which was recently rejected by the U.S. Supreme Court, limited the opportunities for children with

disabilities. Judge Gorsuch had concluded that to comply with the law, the school's responsibility to the student was to make progress that was "merely more than de minimis." That is to say that those children in our education system who have a special need, whether it be autism or something else, through our education system need to make progress, and it could be no more than de minimis.

This ruling impacts hundreds of thousands of students all across America, including in the State of Washington. He wrote the majority opinion and used the word "merely."

I asked Judge Gorsuch about this because of the cases I mentioned earlier on Federal energy regulators and the fact that we needed strong anti-manipulation laws, and we needed people to interpret the standards to make sure that they were upholding the interests of the public. We had quite a long discussion about this issue. Judge Gorsuch suggested that he was bound by a previous decision.

I know some of my colleagues have also noted this, but when Justice Roberts wrote the unanimous opinion rejecting these "merely more than de minimis" standards that Judge Gorsuch used, Justice Roberts said: "When all is said and done, a student offered an educational program providing merely more than de minimis progress from year to year can hardly said to have been offered an education at all." On this point, I agree with the Chief Justice.

Not having a deeper understanding about his judicial philosophy and given my great concerns for the right to privacy issues that will remain constant in our society for the next 30 years and given these issues around regulatory standards that are so important, I cannot support this nomination nor support cloture to move ahead.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRANKEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHEMICAL ATTACK IN SYRIA

Mr. FRANKEN. Mr. President, before I begin my remarks on Judge Gorsuch, I just want to take a minute to talk about the chemical attack in Syria.

Words cannot describe these vicious attacks against civilians. We have all seen the horrific footage of the victims, many of whom were children. These are innocent men, women, and children who, through no fault of their own, are caught in the middle of a bloody civil war, stuck between a brutal regime, armed groups, and foreign

powers. My heart goes out to the victims and their families.

The world has come together and unequivocally condemned these acts and their perpetrators. We must work together to find a path toward peace and stability in Syria, and the United States must take a leadership role in that effort.

Mr. President, I rise in opposition to the nomination of Judge Neil Gorsuch to serve as an Associate Justice on the Supreme Court. After meeting with the nominee, carefully reviewing his record, and questioning him during his confirmation hearing, I have come to the conclusion that elevating Judge Neil Gorsuch to the Supreme Court's bench would merely guarantee more of the same from the Roberts Court—a sharply divided, already activist Court that routinely sides with powerful corporate interests over the rights of average Americans.

I think it is important to start by acknowledging just exactly how it is that Judge Gorsuch came to be before the Senate; namely, this body's failure to fulfill one of its core functions. Immediately following the death of Justice Scalia, in a move as cynical as it was irresponsible, Senate Republicans announced that they would not move forward with filling the vacancy until after the Presidential election. Before President Obama had even named a nominee, the majority leader said: "The American people should have a voice in the selection of their next Supreme Court Justice." The only problem with the majority leader's reasoning was the American people did have a voice in the decision; they had voted to make President Obama the President of the United States. Nonetheless, Republican members of the Judiciary Committee gathered behind closed doors and vowed to defy the eventual nominee a hearing. Many Republicans refused to even meet with the nominee. They said it didn't matter who the President nominated; they said this was about principle.

But Senate Republicans had a difficult time justifying their obstruction—that is, until they decided to mischaracterize a speech delivered by former Judiciary Committee chairman Joe Biden in June of 1992. In that June of 1992 speech, then-Senator Biden discussed the possibility of a Supreme Court Justice resigning in an election year in order to ensure that a President of the same party could name a replacement. Under those circumstances, he said, the President should refrain from nominating a replacement and the Senate should not hold confirmation hearings until after the election.

My Republican colleagues seized upon this small portion of Senator Biden's speech and dubbed it the "Biden rule." Chairman GRASSLEY said the Senate ought to abide by the Biden

rule, which he said holds that there are “no presidential Supreme Court nominations in an election year.”

The majority leader said: “As Chairman GRASSLEY and I declared . . . the Senate will continue to observe the Biden Rule so that the American people have a voice in this momentous position.” So in order to justify a truly unprecedented act of obstruction, my Republican colleagues pointed to the so-called Biden rule and said they were standing on principle. That was the principle. But my Republican colleagues chose to overlook a few important details.

First of all, the scenario Senator Biden described in his 90-minute speech was not the situation our country faced last year. No one strategically resigned last year. A Justice died. No one dies to game the system.

Second and most importantly, my Republican colleagues ignored the actual point that Senator Biden made in that speech. If they had bothered to read the entire speech—and I suspect they actually had—they would have found that further down, Senator Biden said—and this is important. This is what Senator Biden said in the speech used as the justification not to take up Merrick Garland. Senator Biden said in that speech, “If the president [then George H.W. Bush] consults and cooperates with the Senate or moderates his selections absent consultation, then his nominee may enjoy my support, as did Justices Kennedy and Souter.”

Allow me to dwell on that for a moment. Senator Biden said that if a Supreme Court vacancy arose during an election year and the President consulted with the Senate or, absent consultation, put forward a moderate, consensus candidate, that candidate should enjoy the support of the Judiciary Committee’s chairman. That is the Biden rule. That is the Biden rule.

If Senate Republicans had actually followed the Biden rule, we wouldn’t be here today. Merrick Garland would be sitting on the Supreme Court bench.

Over the past few days, I have heard my Republican colleagues denounce Democratic opposition to Judge Gorsuch by claiming that there never has been a partisan filibuster of a Supreme Court nominee. But if the shameful and unprecedented obstruction that Republicans used to effectively block President Obama from appointing a Supreme Court Justice wasn’t a partisan filibuster, then I don’t know what is.

Perhaps my Republican colleagues were concerned that President Obama would seek to replace Justice Scalia—a reliably conservative member of the Court—with a jurist whose view would place him or her on the opposite end of the ideological spectrum. That seems to be the concern that my good friend Senator HATCH expressed when he said:

[T]he President told me several times he’s going to name a moderate, but I don’t believe him. [President Obama] could easily name Merrick Garland, who is a fine man. He probably won’t do that because this appointment is about the election. So I’m pretty sure he’ll name someone the [Democratic base] wants.

But as it turns out, in recognition of the forthcoming election and the Republican-controlled Senate, President Obama did exactly what then-Senator Biden said a President should do: He named a moderate, consensus candidate. He named Merrick Garland.

Judge Garland was supremely well qualified for the job. Here is a guy who was his high school’s valedictorian, who attended Harvard on a scholarship, won clerkships with legal legends like Second Circuit Judge Henry Friendly and Supreme Court Justice William Brennan, and left a partnership at a prestigious law firm to become a Federal prosecutor during the George H.W. Bush administration. He later joined the Justice Department, where he prosecuted the men responsible for bombing the Oklahoma City Federal Building in 1995, and Merrick Garland kept in touch with the survivors’ and the victims’ families. That is the reason why one of the very first of three Republicans agreed to meet with Judge Garland—Senator JIM INHOFE of Oklahoma, a staunch conservative—because people of Oklahoma had such regard for Merrick Garland.

After Judge Garland was confirmed to the D.C. Circuit in 1997, he earned a reputation for working with his colleagues from across the ideological spectrum to identify areas of agreement and to craft strong consensus opinions, often by deciding a case on the narrowest grounds possible.

Judge Garland was the right choice at the right time. He wasn’t a partisan warrior or a partisan political animal; he was a judge’s judge, and everyone knew it. That is why my Republican colleagues had to hide behind new and misleading so-called rules in order to deny him a hearing and a vote.

Judge Gorsuch is no Merrick Garland. Judge Gorsuch is a creature of politics. That is not what Judge Gorsuch told me when I met him earlier this year. I asked Judge Gorsuch if he was bothered by the way the Senate treated Merrick Garland. He responded by telling me that he tries to stay away from politics. But documents that the Judiciary Committee received from the Department of Justice, including emails between Judge Gorsuch and Bush administration officials, show that Judge Gorsuch was very heavily involved in politics. A resume he sent to President Bush’s political director in November 2004—back when Judge Gorsuch was looking for a job—detailed his work on Republican political campaigns dating back to 1976 and highlighted an award he received from Senate Republicans for his work to ad-

vance President Bush’s judicial nominees. Ken Mehlman, the former chairman of the Republican National Committee, later recommended Judge Gorsuch for a post at the Justice Department and described him as a “true loyalist.”

Understand, being politically active or being a Republican is not a disqualifying characteristic in a Supreme Court nominee, at least not in my book, but Judge Gorsuch’s resume is relevant here because, contrary to what he told me, his resume establishes that he is not just intimately familiar with politics; he knows the politics of the judicial nominations process and he knows it well. Let me explain why I think that is important.

During the campaign, then-Candidate Trump spoke openly about his litmus test and what kind of a judge he would appoint to fill Justice Scalia’s seat on the Court. He said that he would “appoint judges very much in the mold of Justice Scalia.” During the final debate, he said, “The justices that I’m going to appoint will be pro-life. They will have a conservative bent.”

Part of the reason that then-Candidate Trump could say that with such conviction is because he had already outsourced the job of coming up with a list of potential nominees to the Federalist Society and the Heritage Foundation, both rightwing organizations. The groups produced a list of 21 conservative judges for then-Candidate Trump, a list that included Judge Gorsuch. Presumably, the Federalist Society and the Heritage Foundation knew something about the judicial philosophy of the men and women who it had decided to include on that list, given Judge Gorsuch’s previous work to push judicial nominees through the Senate. I am sure he knew a thing or two about the Heritage Foundation and the Federalist Society, as well.

In fact, Judge Gorsuch first learned that he was under consideration for the vacancy from the Federalist Society’s vice president, who was working with the transition team. Judge Gorsuch went on to interview with a host of other members of the transition team, including now-White House Chief of Staff Reince Priebus and Chief Strategist Stephen Bannon. Weeks later, President Trump had officially nominated Judge Gorsuch. Both Mr. Reince Priebus and Mr. Bannon appeared before rightwing activists at CPAC and talked about his nomination. Mr. Priebus told the crowd that Justice Gorsuch would bring about “a change of potentially 40 years of law.” He said: “Neil Gorsuch represents . . . the type of judge that has the vision of Donald Trump, and [his nomination] fulfills the promise that he made to all of you,” gesturing to a crowd of conservative activists.

So whether Mr. Priebus was suggesting that, if confirmed, Judge

Gorsuch would unsettle 40 years of precedent—like *Roe v. Wade* or *Chevron*—or whether he was suggesting that Judge Gorsuch would be a reliably conservative vote for the next 40 years, it seems clear to me that confirming Judge Gorsuch is central to President Trump's political agenda.

Now, my Republican colleagues would have you believe that nothing could be further from the truth. In their view, they say that judges call balls and strikes—nothing more, nothing less. Earlier this week, for example, Senator CRUZ said: “Conservatives understand that it is the role of a judge, and especially the role of a Supreme Court Justice, simply to follow the law.” He said that Senate Republicans “are not confirming someone who will simply vote with our team on a given issue.” It is Democratic judges, according to Senator CRUZ who, “by and large view the process as achieving the result they want and view the process of adjudicating a case as a political process.”

Let me explain why I take issue with that. If my Republican colleagues truly believe that a judge's proper role is to call balls and strikes and to decide cases narrowly, they would have confirmed Merrick Garland, a judge with a proven track record of crafting consensus opinions built on narrow holdings. But a judge who calls balls and strikes isn't really what my colleagues want. Contrary to what Senator CRUZ said, what my Republican colleagues want is a results-oriented judge. Why else would they hold open a seat on the Supreme Court bench? Why else would they turn to the Heritage Foundation and the Federalist Society for candidates? Why else would they trample on the traditions of the Senate? What my Republican colleagues really want is a judge who will vote with their team, and that is the judge they will get by confirming Neil Gorsuch. That is what this is all about. That is what this is about.

Unlike Merrick Garland, Judge Gorsuch has little interest in reaching consensus or in citing cases narrowly. Now, Judge Gorsuch took great pains to paint himself as a mainstream nominee. He pointed out that the Tenth Circuit ruled unanimously 97 percent of the time, and that he was in the majority 99 percent of the time, but that is not unusual, and it doesn't provide any insight into his approach to being a judge. After all, the Courts of Appeals are required to follow Supreme Court precedent in all circuits around the country, and the vast majority of their cases are decided unanimously.

So in order to really understand Judge Gorsuch's approach to deciding cases—in order to really understand how he views the law—it is critically important to look at the cases where he chose to write separate concur-

rences or dissents. These concurring and dissenting opinions offer the clearest window into how he really thinks. Judge Gorsuch tends to write a lot of concurring and dissenting opinions. Even when Judge Gorsuch agrees with the majority and joins their decision, he frequently writes his own concurrence, setting out his own views. Judge Gorsuch has done this 31 times, including writing two concurrences to majority decisions that he, himself, had written. That is not seeking out consensus. That is holding his nose to join a consensus opinion, and then writing separately in order to point the way to broader, more sweeping rulings that other courts might issue in future cases—other courts like the Supreme Court, which doesn't have to follow precedent, which he is now poised to join and where he will not be restrained by precedent.

Judge Gorsuch is a results-oriented judge, and his record demonstrates that he approaches cases with a very specific outcome in mind. Contrary to what my Republican colleagues would have you believe, he doesn't hide that judicial philosophy. Whether it is his concurrence in *Hobby Lobby* or his dissent in *TransAm Trucking*, Judge Gorsuch wears that philosophy on his sleeve. It only underscores a disturbing pattern: siding with corporate interests over average Americans.

That philosophy was on full display in the dissent that Judge Gorsuch wrote in *TransAm Trucking*. It seems clear to me that Judge Gorsuch approached this case with a specific outcome in mind, which was siding with a company over a worker. And in order to just justify that outcome in his dissent, Judge Gorsuch twisted himself into a pretzel.

You may have heard this story, but I want to lay it out as efficiently as possible because I think it reveals a great deal about Judge Gorsuch's philosophy, and it helps to explain exactly why I am voting against him. In this case, trucker Alphonse Maddin is driving a rig on the interstate through Illinois. He is pulling a long trailer that is fully loaded. He makes a stop. He takes a break. Then, at 11 p.m., he is about to pull back onto the interstate, but discovers that the brakes on his trailer are locked. It is 14 below zero out. These brakes are literally frozen. So he calls his dispatcher to ask for repairs. And he waits.

While he is waiting, the heater in his cab stops working, and he falls asleep and is awakened by a call from his cousin. When Maddin sits up to answer the phone, he realizes that his torso is numb, and that he can't feel his feet. He is having trouble breathing. His cousin later says that Maddin's voice is slurred, and he wasn't tracking. According to the Mayo Clinic, these are all symptoms of hyperthermia. Maddin calls into the dispatcher again. He is

told to hang on. He says: I can't. His boss tells him he has two choices, wait there until the repair truck comes, or he can take the whole rig on the road, including the trailer with frozen brakes. Those are the two options he is given by his boss. Maddin knows that if he waits, he may very well freeze to death. That is his first option, or he can go out on the interstate at 2 o'clock in the morning, dragging a fully-loaded trailer with frozen brakes at 10, maybe 15 miles per hour max, posing a safety hazard to other drivers at the interstate. Remember, it is 2 o'clock in the morning. It is dark. It is probably icy. Imagine a car going 80, 85 miles per hour—as people do at 2 o'clock in the morning on an interstate—coming up over a hill behind that rig, and then coming down and seeing this rig going 10 or 15 miles per hour, where you are going 80, 85. That would be like suddenly coming down on a stopped tractor trailer while you are going 70 miles per hour. That is his second option.

Instead, Maddin does what any of us would do. He unhitches the trailer and drives down the interstate to find someplace warm, and he does get warm. Then he returns to the trailer when the repair truck finally shows up, and he is fired. He is fired for abandoning his cargo. Now, there is a law to protect people in Maddin's situation. So he files a case. When it gets to the Tenth Circuit, a three-judge panel agrees with him, with Maddin. They find that the trucking company shouldn't have fired Mr. Maddin, but one judge dissented—Judge Neil Gorsuch.

So during my question, I asked Judge Gorsuch a very simple question: What he would have done if he had been the truck driver; if he had been driving that truck. I asked: Which would you have chosen? What would you have done? And here is Judge Gorsuch's response: “Oh, Senator, I don't know what I would have done if I were in his shoes.”

Now, is there anyone here who would not have done what that driver did? I don't think so. Of course, you would unhitch the trailer and find someplace warm as quickly as possible—of course. But Judge Gorsuch said he didn't know what he would have done? Is that possible?

I asked him if he had even thought about what he would have done if he were Maddin. You know, he had heard the case. He did not answer. So I asked him again. I asked him, given the choices of sitting there and possibly freezing to death or going on the road with an unsafe vehicle, or doing what Mr. Maddin did, and Judge Gorsuch responded: Senator, I don't know. I was not in the man's shoes.

Judge Gorsuch said he decides cases based on the facts and the law alone. “I go to the law,” he said. But so, in fact,

did the majority. Here is the operable law. Here is the law: "A person may not discharge an employee who refuses to operate a vehicle because the employee has reasonable apprehension of serious injury to the employee or the public because of the vehicle's hazardous safety or security condition."

The majority ruled that the company could not fire the truckdriver because he had refused to operate the rig, the entire rig, because it was unsafe. But Judge Gorsuch said no. While operating the cab, he was operating the vehicle. Therefore, he did not refuse to operate a vehicle.

Judge Gorsuch said he made that decision by applying the plain meaning rule. I pointed out that the plain meaning rule has an exception: "When using the plain meaning rule would create an absurd result, courts should depart from the plain meaning." It is absurd to say that this company was within its rights to fire him because he refused to choose between possibly dying by freezing to death or possibly killing other people by driving a semi on an interstate at 10 miles an hour at 2 in the morning. Frankly, the company is fortunate that Mr. Maddin made the choice he made because otherwise they may very well have faced a wrongful death claim.

Everyone who was in the hearing knows what Judge Gorsuch would have done in Alphonse Maddin's situation. If Judge Gorsuch had answered honestly, he would have said that he would have done exactly, exactly what the driver did. Everyone would. Judge Gorsuch just did not want to admit it. That is because there is no good answer.

If Judge Gorsuch said that he would do the very same thing that Mr. Maddin did, that would make his dissent look pretty bad. But if he had said "I would have done what the company told me to do," that would be an absurd answer. That would make you question the man's judgment. No one would believe it. So, instead, Judge Gorsuch said: I don't know what I would have done. But of course he did. He just was not being honest. Judge Gorsuch approached Mr. Maddin's case with an outcome in mind, siding with the corporation, and the dissent that he wrote makes that perfectly clear.

When I joined the Senate back in 2009, I arrived here in June, a little later than the rest of my class. Just a few days later, my fifth day in office, Judge Sonia Sotomayor appeared before the Judiciary Committee for her first day of her confirmation hearings for the Supreme Court. I have been thinking a lot about Justice Sotomayor's hearings because the concern I expressed about the direction of the Court back then is just as relevant as today. Back then, almost 8 years ago, I voiced concern about it becoming more difficult for Americans seeking a level playing field to defend their

rights and get their day in court, from bringing a discrimination claim to protecting their right to vote.

Back then, I said: "I am wary of judicial activism and I believe in judicial restraint. Yet looking at recent decisions on voting rights, campaign finance reform, and . . . other topics, . . . there are ominous signs that judicial activism is on the rise."

That was my first opening statement, the first opening statement that I ever delivered at the first confirmation hearing that I ever attended. But in the years that followed, my concerns have proved to be justified in one 5-to-4 decision after another. We have seen the Roberts Court go out of the way to answer questions not before it, to overturn precedents, to strike down laws enacted by Congress, and to do all of this at great cost to consumers and to workers and to small businesses and to middle-class Americans.

In decisions such as *Shelby County*, the Court gutted one of our landmark civil rights laws, 5 to 4. During the oral argument, Justice Scalia suggested that when the Voting Rights Act had last been passed 97 to 0 in the Senate, the Senate had done it because of the name of the Voting Rights Act. How could you vote against the Voting Rights Act? What a great name. He was showing contempt for this body. What is more judicially active than overturning a law voted on unanimously in the Senate because the Senate just liked the name?

Of course what that did was get rid of preclearance. What is preclearance? Preclearance said that those States that had a history of suppressing the votes of minorities had to preclear any new voting law with the Justice Department.

These were States that had a history of suppressing the votes of racial minorities. Well, that gets overturned. Boom. States like North Carolina, Texas, start passing new laws—voter ID laws. The second section of the Voting Rights Act still stayed, so you could appeal to a Federal court. But it takes a while to work its way through.

So finally, in early 2016, a circuit court, the Fourth Circuit I believe, ruled that North Carolina had targeted African Americans with almost surgical precision to suppress their votes. That is why you have preclearance. That is why you want preclearance. But in a 5-to-4 vote, preclearance was struck down. That is one 5-to-4 case. *Concepcion*, a 5-to-4 decision, allows corporations to force consumers into mandatory arbitration. There are a whole host of 5-to-4 decisions that make it impossible for people to get into the courts.

But the most egregious of all 5-to-4 decisions was *Citizens United*—another 5-to-4 decision that paved the way for individuals and outside groups to spend unlimited sums of money in our elections.

In each one of those 5-to-4 decisions Justice Scalia sided with the majority. So now this body considers replacing him with Judge Gorsuch. I think it is important to understand the extent to which he shares Justice Scalia's views. Judge Gorsuch's record demonstrates that he is, in President Trump's words, a judge very much in the mold of Justice Scalia.

During his time on the Tenth Circuit, Judge Gorsuch has consistently ruled in favor of powerful interests. He has sided with corporations over workers, corporations over consumers, and corporations over women's health.

A study published in the *Minnesota Law Review* found that the Roberts Court is the most pro-corporate Supreme Court since World War II. If the Senate confirms him, Judge Gorsuch guarantees more of the same from the Roberts Court, and I do not believe that is a Court that our country can continue to afford.

So I oppose Judge Gorsuch's nomination. I urge my colleagues to take a close look at his record of siding with powerful corporate interests over average Americans, to consider carefully how he stands to impact the Court, and to reject his nomination.

I suggest the absence of a quorum.

THE PRESIDING OFFICER (Mr. KENNEDY). The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Thank you, Mr. President.

Mr. President, confirming a Supreme Court Justice is one of the if not the most important responsibilities we have as Senators. It is a vote we cast knowing full well that the tenure and the influence of the nominee who is before us will likely be greater and much more long-lasting than our own in the Senate.

After meeting with Judge Gorsuch and reviewing hours of his testimony before the Judiciary Committee, I have decided to oppose his nomination, and I come to the floor this evening to talk about the reasons why.

I am deeply concerned about the politicization of the Supreme Court and its recent capture by corporate and special interests. I am convinced that Judge Gorsuch would exacerbate that slide and continue the activist bent of the existing Court, and for that reason I won't be supporting him in the vote tomorrow.

There is no doubt that Neil Gorsuch is a well trained, very intelligent lawyer who likely has the right disposition to serve on our Nation's highest Court, but that is not the end of the analysis that I or any of us are required to conduct. I am concerned about Judge

Gorsuch's record of putting corporate interests before the public interests. His past decisions demonstrate a resistance on his part to put victims' and employees' needs above those of large corporations. He has regularly sided with employers over workers, corporations' rights over the rights of employees to make personal healthcare decisions. While he admirably claims to rest his decisions on the law rather than his political views, his consistent support for the powerful over the powerless doesn't seem coincidental.

The Roberts Court, in my mind, has swung dramatically in favor of the rights of corporations and special interests over those of individual Americans. I would have supported a mainstream nominee, but the risk that Judge Gorsuch will inject his political judgment over a process that already too often favors the rights of corporations over individuals is too great a risk for him to earn my support. That was the statement I released upon making my decision. I wanted to begin my remarks with it.

I want to talk a little bit about the elements inherent in my decision to vote against Judge Gorsuch because I don't take that decision lightly. I have said throughout the beginning of President Trump's tenure that I do believe we owe some degree of deference to a President in making choices as to who will serve him in his administration, and I think that likely applies to the question of whom a President chooses for the Supreme Court as well. I think I voted that way. I certainly voted against many of President Trump's nominees, but I voted for many of the nominees with whom I had very deep disagreements with over policy as well. So it is not a question of whether Judge Gorsuch would be my choice; it is a question of whether I think he is going to be in the mainstream on the Supreme Court or whether I think he is going to be an outlier and bring potentially radical views into the courtroom.

But it is kind of silly for us to pretend this debate is happening in a vacuum. I am making my mind up on Judge Gorsuch, as I will try to outline this evening, based upon my review of his record and my belief about who he will be as a Justice.

We would all be lying if we said as Democrats that we don't remember what happened on the floor of the Senate all throughout 2016. Merrick Garland should be on the Supreme Court today, or if not Merrick Garland, someone else who was nominated by President Barack Obama. The Supreme Court vacancy occurred with nearly 12 months left in his term—25 percent of a term that he was elected to by the people of the United States. The Constitution doesn't allow for 3-year terms. It doesn't say the President becomes illegitimate once he hits the final 12

months. The Framers of our Constitution were hopeful that the President would be President for all 4 years. That last year was robbed not just from President Obama but from the American people by Republicans in the Senate when they treated Judge Garland with such disrespect.

It would have been one thing to simply vote against him because you didn't want to let the President of an opposing party fill that seat, but to not even give him a hearing, to not give him a vote, to not even take meetings with him, which was the decision of many Republican colleagues, that was a show of disrespect to Judge Garland that I don't think any of us could have imagined. It was a show of disrespect to this Chamber, to the traditions of this body that those of us who may have supported Judge Garland remember. That bad taste still sits in our mouth.

So I am here to state that my vote against Judge Gorsuch is not payback for the way in which Merrick Garland was treated, but I remember what happened.

To the extent that my Republican colleagues are suggesting that we should vote for Judge Gorsuch or at least vote for cloture tomorrow as a means of upholding the traditions of the Senate—spare me. Spare me. There isn't a lot of interest on this side of the aisle in upholding the traditions of the Senate if we are the only ones doing it.

Some people say: Well, if you voted for cloture on Gorsuch tomorrow and let it go to a final vote, then maybe Republicans would keep the rules as is.

That is belied by the facts. Last year, the Republican majority made it pretty clear that they were willing to break all tradition, all precedent, and all comity in the Senate in order to get their person on the Supreme Court. That wasn't just a 2016 issue; that is the new normal for Republicans in the Senate. So whenever Democrats raised an objection to a nominee to the Supreme Court, the rules were going to change because Republicans made it clear that their first priority is to get their people on the Supreme Court and their second priority is to think about and try to preserve the way in which the Senate has run.

I am not voting against Neil Gorsuch because I am mad about what happened, but to the extent that I have heard Republicans in the Senate lecture us about violating the traditions of the Senate, it makes my blood boil because I was here in 2016. I saw what the Republican majority did to Merrick Garland.

Maybe we can sit down after this is done and talk about how the Senate just doesn't get into a giant vortex of devolvment, tit for tat, such that all of the reasons why people run for the Senate—the individual prerogatives that Senators have, the demand to find

consensus in a way that doesn't exist in the House—all vanish. Merrick Garland is still here, and it would be silly for us to try to pretend he isn't.

One of the reasons I am so worried about Judge Gorsuch is because of his enthusiasm for a brand of judicial interpretation called originalism. It doesn't sound that radical, right, originalism? The idea is that one interprets the Constitution as the Founding Fathers intended it to be; one doesn't place it in the context of today. Simply think to yourself, what would those White men who wrote those words—what would they think about the case before us? What did they mean back in the late 1700s? On its face, it is an absurd way to think about judging cases because so much of what is before a Justice had no relevance and did not exist back in the 1780s, so questions about what these men thought about various questions regarding technology or civil rights are irrelevant because the Framers of the Constitution simply weren't thinking about the same things we are thinking about today.

One of our most famous jurists understood this right from the outset. Justice John Marshall wrote in *McCulloch v. Maryland*: "We must never forget that it is a Constitution we are expounding, intended to endure for ages to come and consequently to be adapted to the various crises of human affairs."

Even those who were judging the Constitution at its outset understood that, as the questions presented to this country changed, originalism—the idea that you only look to the thoughts and words and deeds of the Founding Fathers—probably wouldn't be an efficient way to decide cases.

Justice Brennan gave a wonderful speech at Georgetown in 1985 that is worth reading tonight. Justice Brennan said:

We current Justices read the Constitution in the only way that we can: as Twentieth Century Americans. We look to the history of the time of framing and to the intervening history of interpretation. But the ultimate question must be, what do the words of the text mean in our time? For the genius of the Constitution rests not in any static meaning it might have had in a world that is dead and gone, but in the adaptability of its great principles to cope with current problems and current needs.

He went on to say:

Time works changes, brings into existence new conditions and purposes. Therefore, a principle to be vital must be capable of wider application than the mischief which gave it birth.

It is a wonderful turn of phrase.

He said:

This is peculiarly true of constitutions. They are not ephemeral enactments, designed to meet passing occasions. They are, to use the words of Chief Justice John Marshall, "designed to approach immortality as nearly as human institutions can approach it."

He said:

Interpretation must account for the transformative purpose of the text. Our Constitution was not intended to preserve a pre-existing society but to make a new one, to put in place new principles that the prior political community had not sufficiently recognized.

Senator KLOBUCHAR asked Judge Gorsuch at his hearing if, because the Constitution only uses the word “he” or “his,” it meant that a woman could not be President. Well, the Constitution doesn’t specifically speak to this question, but if you were an originalist, I can imagine how many of those Founding Fathers would have answered that question. Why? Because they didn’t believe that women deserved the right to vote, so why on Earth would they believe that a woman should be President? At the time, Blacks were considered to be sub-human. They were granted three-fifths status in the Constitution. They were slaves. To read a document only through the lens of a group of White males who did not believe that a woman should be allowed to vote, who did not believe that Blacks were human beings and on equal footing with the rest of us, is to freeze this document in a time and ask us to, consequently, freeze ourselves in that time as well. If you do not allow the document to move, then you do not allow the rest of us to move either.

Originalism is a fraud, and what it has become is a mask for politics.

Now, what do I mean by that?

When you insist on interpreting the Constitution based only on the ways in which the writers of that document viewed the world, you have no way to base decisions in current times that are based on any real text or set of historical facts because, of course, the Founding Fathers had given no thought to many of the most important questions that are presented to us today—for instance, questions about what rights individuals have with respect to government surveillance over their cell phones, which is a question that the Founding Fathers—the Framers of the Constitution—could never have considered. It allows you to, essentially, make it up for yourself because there is no way that you can find a quote from any of the signers of the Constitution as to what they thought about these modern questions. You can spin it any way that you need to.

Originalism is an invitation to bring politics onto the Court because anybody can make up a reason as to why the people who wrote the Constitution would, ultimately, have decided the way that that jurist wants the decision to turn out.

It connects with other troubling writings of Judge Gorsuch’s. He proudly calls himself an originalist. Historically, if we look at the broad swath of jurists who have gotten on the Supreme Court, it is not a mainstream school of judicial interpretation, but he has other radical views as well.

The Chevron deference standard is named for a 1984 case in which the Supreme Court held that it should defer to regulatory agencies when they interpret ambiguous laws that are passed by Congress. We pass ambiguous laws, sometimes on purpose and sometimes by accident. But we often do it on purpose because we, ultimately, leave it to the regulator to fill in the details—to proffer regulations, to work out the details of enforcement. We often do not define every single term, in part, because we know that there is going to be the executive branch and people working for an elected official—the President of the United States—who are going to carry out that act and, ultimately, be responsible to the people.

What Judge Gorsuch has suggested is that maybe it is time to overturn the Chevron deference standard. Maybe we should not give any deference to administrative agencies any longer. Maybe the Supreme Court, on every single law, should do a *de novo* review of its constitutionality and give no deference to the executive branch.

First of all, that would be pandemonium. It would greatly accelerate the number of cases that come before the Supreme Court and the number of major—potentially life-changing—decisions that the unelected Court is making. Why? Because we are always passing statutes here that leave room for interpretation. Again, we do it many times intentionally and sometimes unintentionally, but it happens every single month here that we pass statutes that leave room for interpretation.

We often do that knowing, as I said, that the Executive will make some of those secondary interpretations. We are comfortable with that because, if his interpretation goes wrong, then that Executive is never more than about 3½ years from an election.

The executive branch is responsible to the people. The courts are not. These are lifetime appointments that we make. If every single statute that we pass is interpreted from the foundation by the Supreme Court and if they get it wrong, there is no way to get rid of them. There is no way to roll that interpretation back. In fact, that is one of the reasons for the Chevron deference—the reluctance of the Court to make itself an active political player in the process of interpreting statutes.

So it is radical that Judge Gorsuch is suggesting that, if he were put on the Supreme Court, he would overturn that 1984 case. Justice Scalia was one of the primary defenders of Chevron for that very reason, in that he saw that the legitimacy of the Court—indeed, the legitimacy of the entire judicial system—would be put in jeopardy if it inserted itself as the primary arbiter of ambiguous statutes, of statutes that needed interpretation.

Originalism is an invitation to take your politics onto the Court. The evis-

ceration of the Chevron deference would, inherently, make the Court a political body. If you combine the two together, you will start to see a Justice who will likely continue this trend line of its being an activist Court that makes political decisions in substitute of the Congress.

We have all seen it happen, whether it be in the voting rights case, in which the unelected Supreme Court decided that racism was not something that we had to think about any longer due to their vast experience in the South and in dealing with cases of voter suppression, or in their arbitrary decision that corruption should be very narrowly defined and that we need not pay attention to the slow, creeping corruption that happens when donors get access to the political process through donations of thousands and tens of thousands and hundreds of thousands and millions of dollars. The Supreme Court is telling the people of this country and this Congress what corruption is and what it is not.

Those are political decisions that the Court has made—an activist Court—that now may have among its members a Justice who has, effectively, advertised himself as being willing and eager to join that trend line on the Court.

Individual cases raise concerns as well. In *Riddle v. Hickenlooper*, Judge Gorsuch expressed an openness in providing a higher level of constitutional protection to a donor’s right to make political contributions than the Court currently affords the right to actually vote—donors having more rights than voters have.

As for the result of applying strict scrutiny, which is the term that he is referring to with regard to political donations, we do not exactly know what would happen, but it likely would have the consequence of making it almost impossible to regulate campaign finance. Ninety-three percent of Americans, in a recent poll, think that government should be working to limit the impact that big donors have on politics today. Yet Judge Gorsuch has suggested that, as a Supreme Court jurist, he may move the law in the opposite direction, robbing from both of us—Republicans and Democrats—the ability to do what 93 percent of Americans want us to do, which is to restrict the ability of a handful of billionaires to affect the political process.

In the Hobby Lobby decision, yet again, Judge Gorsuch suggests that corporations, in this case, have more rights under the Constitution than do the individuals who work for them—that the religious freedom rights of the corporation trump the religious freedom rights of employees. Once again, it ruled that those with power—big donors or corporations—have more rights than those with less power—ordinary voters, employees of these big companies.

Years ago, Judge Gorsuch wrote in a complaint, according to him, that liberals were using the Court to try to push their political agenda rather than to bring it here to the Congress. The reality is that, over the course of the Roberts Court, the exact opposite has happened. It has been Conservatives who have brought their complaints to the court system—their complaints about voting rights, their complaints about campaign finance, their complaints about the Affordable Care Act—rather than to have brought them to the floor of this body.

As the House of Representatives abandons, for the time being, the repeal and replacement of the Affordable Care Act, their allies continue to push cases through the court system that would attempt to unwind it. Judge Gorsuch has been, in his writings at least, blind to this idea that Conservatives have spent just as much time over the past 20 years in trying to push their agenda in court as have Progressives. Progressives have done that as well.

Clearly, we have full marriage rights in this country because of court cases that Progressive groups push. I am not denying that there is not this trend line on both sides of the political spectrum, but Judge Gorsuch seems to only recognize it in his writings when it comes to the liberals who are pushing these causes.

These are the most important decisions we make. Many of us may only get to vote on a Supreme Court Justice once or twice. This is my fifth year in the Senate, and this is my first vote. My first vote should have come in 2016, but it is coming now in 2017. I do not take it lightly, but there is a reason—when you go back to your apartment here in Washington—that you are watching TV commercials that are paid for by big corporations and billionaires who support Judge Gorsuch's nomination.

He says that he is going to play it straight. He says that he is not going to be affected by his political agenda. I hope that he is right, but the folks who are fronting the money for these ads do not believe him. They think they know how he is going to rule. Believe me. They would not be putting up all of this money on TV if they did not think that Judge Gorsuch was going to be a friend to the big companies, to the billionaire donors who want more and more protection through the court system.

Donald Trump was right about something when he ran for President. He was not right that elections are rigged, but he was right that, in general, the system—our economic state of affairs—does seem to be pretty rigged against regular people. Economic mobility, which is how we define ourselves as a country, is further away from the people whom I represent in Connecticut

than ever before, and the statistics bear that out.

Your ability to move from poverty to prosperity is less today than it has been at any point in our lifetimes. It does feel like the powerful and the rich have recovered very nicely from this recession and that nobody else has. It feels like they have a voice here in Washington that no one else has either.

If you are President Trump, having run on this promise to unrig the system, boy, this doesn't seem like the person you should be sending to the bench, somebody who has openly advertised his enthusiasm for voting with billionaires, with corporations, with folks who have lots of political power already.

The TransAm case, which has been talked about enough on the floor, is a unique one. It is the case of a trucker who was being potentially left to die by his employer on the side of the road, who left his truck to save his life and potentially the lives of others on the road, had he chosen instead to operate it. Judge Gorsuch ruled with his employer, effectively suggesting this man should have risked his life or the lives of others to comply with the strict letter of the law.

Judge Gorsuch was asked in the Judiciary Committee what he would have done: What would you have done if you had two options—sit in that truck and face death or put it back on the road and potentially kill others? What would you have done? Judge Gorsuch said that he hadn't thought about it.

I don't want my Supreme Court Justices to be political. I don't want them to be us. It really is our job to think about, in a real, tangible, grassroots way, the effect of our laws on their lives. But I don't want a Justice who doesn't even contemplate the answer to that question, the impact of the law on regular people. I don't want a Justice who views the law only through the eyes of a group of White men who lived in a fundamentally different world. I don't want a Justice who isn't thinking about how the law applies to people who need a statute's protection, rather than thinking about those who, frankly, don't need the protection of statute because they have been handed a pretty good lot in life from the start.

I am going to oppose cloture tomorrow, and if we eventually get to a vote, I will oppose Judge Gorsuch on final passage.

My final comment is this: When that moment comes, I do hope that our colleagues will think twice about changing the rules of the Senate. They had already broken with precedent once in 2016 in a way that I think is unforgiveable. To do it twice in a 24-month period puts this place on a downward spiral that I am not sure we can recover from. If we just want to be the House of Representatives, let's just do it. But there is another way to go,

to select a nominee who could truly get bipartisan support.

As my colleague TIM Kaine is fond of saying, there is only one appointment by the President of the United States that needs 60 votes. There is only one person the President picks who needs to get more than 60. That is the Justice of the Supreme Court because it is permanent, because it is important, because it lasts longer than we do. There is probably good reason for that.

Precedent and comity were broken in 2016. I will never, ever forget the disrespect shown to Judge Garland and to everyone in this body, but to double down on that break with precedent, on that break with tradition, by changing the rules of the Senate permanently with respect to Supreme Court Justices—I know they can say that Democrats did it a few years ago. That is true. But the Supreme Court is a different animal entirely, and the decision is one I hope my Republican colleagues will rethink.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, when Senate Republicans executed their unprecedented block of President Obama's nominee Merrick Garland, the well-credentialed, well-respected, moderate chief judge of the D.C. Circuit, they knew what they were doing. They were willing to set aside the history and practice of the Senate to make sure no nominee of President Obama's would fill the vacancy created by Justice Scalia's death.

As fate would have it, a Republican won the Presidency and then, the majority leader's path was clear. This is exactly what happened: President Trump selected Neil Gorsuch from a list put together for him by the ultra-conservative Heritage Foundation and Federalist Society. These organizations selected Judge Gorsuch because they want to preserve the conservative 5-to-4 majority of the Roberts Court.

This majority has done terrible damage to many laws Congress has passed to protect ordinary Americans, and has made it more difficult for us to pass new laws. My colleagues and I have shined a spotlight on these rightwing organizations and the \$10 million campaign they have run on Judge Gorsuch's behalf because they believe his view of the law matches theirs. And therein lies our concern.

These organizations have spent so much money and worked so hard on Judge Gorsuch's behalf because they could trust, perhaps not 100 percent of the time, but enough of the time, that Judge Gorsuch would decide cases in ways they would agree with and support.

Judge Gorsuch is an Ivy League educated lawyer with 10 years on the Federal bench. He is not naive. Even if he refused to acknowledge the fact that

these groups are supporting him, Judge Gorsuch knows as well as we all do that politics have a real impact on the kinds of nominees selected to serve on the Supreme Court.

We know he understands this because he said so in his 2005 *National Review Online* article, which was entitled “Liberals’N’Lawsuits.” In that article, he wrote that because Republicans had won elections for the Presidency and for control of the Senate, the Republicans were in charge of the judicial appointment process. As a result, he said, “the level of sympathy liberals pushing constitutional litigation can expect in the courts may wither over time, leaving the Left truly out in the cold.”

This article demonstrates that Judge Gorsuch understands that judges appointed and confirmed by Republicans will have less sympathy for, as he put it, “liberals pushing constitutional litigation.” Clearly, judges do not make decisions divorced from their personal and philosophical leanings. However often or however loudly they might protest, conservatives understand that their arguments about the narrow role of judges—their claims that Justices are there only to modestly apply the law and adhere to the Constitution—are bunk. And Judge Gorsuch must know this too.

Nowhere is this brand of conservative judicial activism clearer than in the actions of the Roberts Court to reach into our elections to tilt the political landscape—with a significant impact on whose votes are heard in our political process and who is able to take part in our elections.

Based on his writings, Judge Gorsuch clearly understands the relationship between politics and the courts. I am convinced that adding Judge Gorsuch to the Roberts Court will only continue the Court’s intervention into politics.

The actions of the Roberts Court are clear. This Court has issued a series of decisions that have made it easier for conservative organizations to spend unlimited and unregulated dark money on elections, and that may have made it harder for people to vote, harder for people to participate and have those voices heard in the political process. These decisions have changed who is able to participate in the democratic process, who gets elected, and, in turn, who gets nominated to the Supreme Court.

Justice Felix Frankfurter’s famous admonition that “Courts ought not to enter this political thicket” captures the challenges for courts treading into politics. Of course there are times when the courts must do so—to ensure one person, one vote, for example. But courts must also be careful when wading into politics because the legitimacy of the court is itself put at risk.

The most memorable example, of course, came when the Court effectively decided the 2000 Presidential election in *Bush v. Gore*.

In the *Citizens United* and *Shelby County* decisions, we have seen the tremendous damage the Court can do to democracy when it tilts the electoral process so heavily against ordinary Americans.

In the 2010 *Citizens United* decision, the Roberts Court struck down bipartisan laws limiting campaign contributions that went back more than a century. This decision opened an unrestrained flow of money and potential corruption that has dominated our politics and drowned out the voices of ordinary Americans ever since.

The Court’s decision in this case was not an accident. Chief Justice Roberts engineered the decision in that case by steering it away from the narrow question before the Court about how to apply a particular law and into a broad constitutional question. His efforts demonstrate that the Supreme Court has broad power and latitude to push and shape the law.

This kind of conservative judicial activism directly contradicts what Justice Roberts famously said during his confirmation hearing. He said the job of a Justice is to simply call balls and strikes.

Jeffrey Toobin, in a 2012 article in the *New Yorker* entitled, “Money Unlimited: How Chief Justice John Roberts orchestrated the *Citizens United* decision,” and in his recent book, “*The Oath*,” recounts very clearly how Chief Justice Roberts engineered this campaign spending decision.

The question originally presented to the Supreme Court in *Citizens United*, according to Toobin’s account, was a narrow one. It involved whether one of the provisions of the bipartisan McCain-Feingold campaign finance law applied to a documentary criticizing a candidate and not just to television commercials. In fact, Ted Olson, the well-known conservative lawyer representing *Citizens United*, the organization that wanted to run the documentary, made a narrow argument that the McCain-Feingold law was not meant to apply to that kind of documentary. This was an argument based not on the Constitution, but on deciding the case before the Court in the narrowest possible way. Such a decision would have been restrained.

It became clear during oral arguments that the conservatives on the Court had the opportunity not just to apply the law, but to change it entirely. Chief Justice Roberts and the other conservative Justices on the Court began to do this by aggressively questioning the government’s lawyer on issues not then directly before the Court. As Toobin describes, “Through artful questioning, Alito, Kennedy, and Roberts had turned a fairly obscure case about campaign-finance reform into a battle over governmental censorship.”

Now that it was clear to Chief Justice Roberts that there was a majority

on the court for making a broader constitutional decision, he ordered that the case be reargued, rather than simply deciding the narrow question argued by both Olsen and the government’s attorney. Chief Justice Roberts wanted the Court to take head-on a question that was not in fact before it and which the Court had decided the opposite way only 6 years before. When the Roberts Court decided *Citizens United* the following year, after reargument, it did so on the broadest possible ground—unconstitutional grounds—and found that corporations, like people, have First Amendment rights. It found that these rights could be violated by limits on campaign contributions.

Again, this outcome did not happen by accident; Chief Justice Roberts engineered the result. According to Toobin’s account, Chief Justice Roberts chose to assign the opinion for the majority to Justice Kennedy, who was known to be very skeptical of campaign finance laws and believed that limits on campaign spending violate free speech. By doing so, Chief Justice Roberts ensured that the *Citizens United* decision would be a broad one, and it was.

The way the Court chose to reach out and change the law was wholly unnecessary to decide the case at hand. And it certainly was not judicial restraint; it was judicial activism. The Court in *Citizens United* reached out to overturn precedent and upend laws dating back more than a century to find new rights for corporations to funnel untold millions into our political system.

This decision also severely limited the ways in which Congress could take action to continue to pursue the aims of campaign finance laws to limit political corruption.

In his article, Mr. Toobin said:

[*Citizens United*] reflects the aggressive conservative judicial activism of the Roberts Court. It was once liberals who are associated with using the courts to overturn the work of the democratically elected branches of government, but the current Court has matched contempt for Congress with a disdain for many of the Court’s own precedents.

When the Court announced its final ruling on *Citizens United*, on January 21, 2010, the vote was five to four and the majority opinion was written by Anthony Kennedy. Above all, though, the result represented a triumph for Chief Justice Roberts. Even without writing the opinion, Roberts, more than anyone, shaped what the Court did.

But the Roberts Court was not done with its activism to radically change the landscape of our elections. In another narrow 5-to-4 decision in *Shelby County* in 2013, the Court substituted its conclusions for that of Congress and gutted core protections of the Voting Rights Act—protections which were essential for the right to vote for millions of Americans. Again, this was not a decision the Court needed to or should have reached. And again, it was

a decision engineered by Chief Justice John Roberts and the conservative majority on the Supreme Court.

Back in 1982, Chief Justice Roberts—then a special assistant to the Attorney General—was the point person for the Reagan administration's opposition to strengthening the Voting Rights Act. At that time, Congress acted to fix a hole in the Voting Rights Act that the Supreme Court had opened in a 1980 decision. John Roberts was opposed to these efforts to make clear that election practices or procedures that result in discrimination, not only those with the intent to discriminate, violate the Voting Rights Act.

In 1982, Congress successfully passed their fix over the objections of John Roberts and the Reagan administration. If you look at John Roberts' memos and articles from that period of time—in which he was a strong advocate within the administration for the position it took—his view of the Voting Rights Act was clear. It was a view he would apply years later as Chief Justice of the Supreme Court when he led a 5-to-4 majority to gut section 5 of the Voting Rights Act.

The preclearance provisions of section 5 mandated that any changes to voting laws in States with a long history of discrimination have to be approved in advance—or precleared—by the Justice Department or by the D.C. district court. These provisions, passed a century after the conclusion of the Civil War, for the first time effectively guaranteed the rights protected by the 14th and 15th Amendments in many parts of the country. Section 5 changed the landscape of our democracy and opened the door for millions of people to exercise their right to vote.

These provisions of the Voting Rights Act were reauthorized nearly unanimously by Congress in 2006. Before reauthorizing the Voting Rights Act, the Senate Judiciary Committee alone held nine hearings on it. The thousands of pages of material the Senate reviewed, together with the record developed in a dozen hearings in the House, clearly established why it was so important to maintain preclearance in order to protect the right to vote in jurisdictions with a long history of voting discrimination.

Yet, in *Shelby County*, the Roberts Court ignored this evidence and the Court's long precedent. The Court made its own determination about the value of the extensive evidence reviewed by Congress and struck down these core provisions. The Court refused to defer to the extensive findings and determination of Congress even though Congress is expressly charged by the 14th and 15th Amendments to enforce the guarantees of those Amendments—the guarantee of the right to vote. The Court did what John Roberts fought to do years before and weakened the Voting Rights Act. So much for ju-

dicial restraint. So much for just calling balls and strikes.

A Justice and a Court devoted to judicial restraint, with an understanding of the separation of powers, never would have ignored Congress acting at the height of its constitutional powers and its factfinding capacity. Yet Chief Justice Roberts and the narrow conservative majority on the Court chose to act—to reach out and to gut one of the core protections of the fundamental right to vote.

We now know that Congress got it right and the Supreme Court got it wrong in its judgment about the continuing need for section 5 of the Voting Rights Act. Immediately after the *Shelby County* decision, numerous States previously covered by section 5 immediately passed onerous voter ID laws and other barriers that affected the right to vote of millions of people. Some of these laws were even enacted with discriminatory intent, not just discriminatory effect—in other words, they were blatantly meant to discriminate in voting.

These newly raised barriers had a clear impact in last year's elections. For the first time in two generations, thanks to the actions of the Roberts Court, we risk unraveling the progress my friend JOHN LEWIS fought for alongside so many others during the civil rights movement.

During his confirmation hearing, I asked Judge Gorsuch about the *Shelby County* decision, since he often explained the constraints on his approach to judicial decision making in terms of the separation of powers. He said several times that judges make terrible legislators, that courts lack the staff, capacity, and training to do the kind of factfinding that is an essential part of the legislative process. Yet, when I asked him whether the Court's decision in *Shelby County* raised the kinds of concerns he had noted about the limits of judges as policymakers and legislators, he declined to answer.

But this is about more than Judge Gorsuch's refusal to answer. It is about more than the narrow view he expressed of the role of a judge or, particularly, a Justice—a narrow view that is not a reflection of the real world. Both the process and the outcome in *Shelby County* and in *Citizens United* raised exactly the kinds of concerns that make it so important for the Senate to understand Judge Gorsuch's judicial philosophy before putting him on the Supreme Court. Judge Gorsuch would become part of a newly empowered 5-to-4 conservative majority on the Roberts Court, which has been anything but restrained in moving the law for the benefit of corporations and against individual rights.

Taken together, these two decisions, *Citizens United* and *Shelby County*, have made it harder for millions of Americans to have their voices heard

in our election process and their votes counted at the ballot box. Since *Citizens United*, the floodgates have opened to unfettered corporate money in our elections. Since *Shelby County*, 13 States have enacted laws placing limitations on voting. Many of these are in States that would have been prevented from doing so in the first place before the Court gutted section 5 of the Voting Rights Act. After *Shelby County*, these States could pass such laws, and they did, disenfranchising tens of thousands of voters in the process.

My Democratic colleagues and I asked Judge Gorsuch many questions to try to understand his pattern of narrowly interpreting laws meant to protect individual rights or worker safety in ways at odds with the law's purpose. For example, the narrow interpretation Judge Gorsuch took on the Individuals with Disabilities Education Act, IDEA, would have left Luke Perkins and thousands of special needs children like Luke without a chance to make educational progress. His interpretation was so at odds with the purpose of the IDEA law that the Supreme Court unanimously rejected and criticized Judge Gorsuch's narrow standard in a case they decided just a few weeks ago.

Time and again, Judge Gorsuch threw up his hands and told us that if we disagreed with this narrow reading of the relevant law, that Congress should do better. In his view, the problem was not the Court—which he seemed to cast as an innocent bystander—but, rather, the way Congress had written the law.

By tilting the political playing field so heavily toward corporations and unfettered dark money and against individuals, the Roberts Court has impacted the composition of who is in Congress. The Court has made it even harder for Congress to take meaningful action to, say, pass laws to protect workers' safety or the access of students with special needs to an education. In turn, these decisions have had a real-world impact by changing who gets to participate in the political process and therefore who gets elected and who has input on the kinds of laws that are passed—and, of course, who gets nominated to the U.S. Supreme Court.

The actions of the Roberts Court in *Citizens United* and *Shelby County* make clear the stakes of the Gorsuch nomination. They make clear what the Senate Republicans had in mind in their unprecedented and arrogant refusal to consider President Obama's nomination of Merrick Garland to the Supreme Court. They wanted, instead, a Justice like Judge Gorsuch who would continue the rightward march of the 5-to-4 conservative majority on the Roberts Court. And the United States Senate should not allow this brazen gambit to succeed.

I urge my colleagues to oppose this nomination.

April 4, 2017

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I yield the floor.

RECESS UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 10 a.m. tomorrow.

Thereupon, the Senate, at 11:28 p.m., recessed until Thursday, April 6, 2017, at 10 a.m.

EXTENSIONS OF REMARKS

JORDYN ASHBURN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jordyn Ashburn for receiving the Adams County Mayors and Commissioners Youth Award.

Jordyn Ashburn is a 9th grader at Mapleton Early College High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Jordyn Ashburn is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives. I extend my deepest congratulations to Jordyn Ashburn for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

RECOGNIZING THE VFW POST 7327 AMERICANISM AWARDS RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the Veterans of Foreign Wars Post 7327 in Springfield, Virginia and the winners of its 2017 Americanism Awards.

The Veterans of Foreign Wars (VFW) traces its beginnings to 1899 when veterans of the Spanish-American War established local organizations to bring awareness to their service and to advocate for veterans retirement benefits and improved medical care. Annually, the nearly 2 million members of the VFW and its Auxiliaries contribute more than 8.6 million hours of volunteerism in the community, including participation in Make a Difference Day and National Volunteer Week.

With approximately 600 Comrades and 150 Ladies Auxiliary members, the Springfield VFW Post 7327 stands out for the depth of its commitment to our community. Often called "The Friendliest VFW Post in Virginia," Post 7327 has one of the most aggressive Adopt-a-Unit programs in the entire VFW organization to support our service members stationed overseas. VFW Post 7327 visits the VA hospital at least quarterly, bringing along goodie bags for our Wounded Warriors. Each Thanksgiving and Christmas, VFW Post 7327 adopts military families in need through the USO and

provides them with meal baskets for each holiday, gifts for children, commissary cards for the parents, and a Christmas party where the children can meet Santa and receive a gift-filled stocking. The Ladies Auxiliary members collect, sort, and distribute more than 2,000 pieces of clothing each month to various charitable organizations.

VFW Post 7327 is a strong supporter of local youth organizations, including the Boys Scouts, Girl Scouts, and Little League Baseball, that contribute greatly to the education and well-being of our children.

Each year, VFW Post 7327 bestows awards to local students who have submitted outstanding essays on a theme and to local teachers and public safety officers in recognition of their extraordinary actions and dedication. I am honored to include in the RECORD the names of this year's honorees:

PATRIOT'S PEN

1st Place: Alexia M. de Costa
2nd Place: Austin Matthew Lathrop
3rd Place: Serina Ahmed

VOICE OF DEMOCRACY

1st Place: Timothy A. Withington
2nd Place: Jenna L.C. Huber
3rd Place: Sean M. Franklin

TEACHERS OF THE YEAR

Elementary: Joash Chung
Middle School: Cindy Downing

PUBLIC SAFETY AWARDS

Assistant Chief Gary E. Gaal
Police Officer First Class Christopher Cosgriff
Lieutenant Justin Palenscar

Mr. Speaker, I ask that my colleagues join me in thanking VFW Post 7327 for its continued efforts on behalf of our community and in congratulating the honorees of the 2017 Americanism Awards.

IN MEMORY OF REVEREND RICHARD KEVIN BARNARD

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. BURGESS. Mr. Speaker, I rise today to honor the memory of Reverend Richard Kevin Barnard, who passed on March 18, 2017. Reverend Barnard has served as a minister in the Reformed Episcopal Church since July of 1989. Prior to that, he served 18 years at The Chapel of the Cross in Dallas, Texas and most recently at Christ Church Anglican Ft. Worth.

Before coming to The Chapel, Reverend Barnard was Director of Communications for the International Bible Society, which was then located in East Brunswick, New Jersey. In that capacity he was a regular participant in the monthly White House Forum for Religious Or-

ganizations during the Reagan Administration and represented the Bible Society at public and private events, traveling to Central America, Europe, Africa and Asia.

At my invitation on July 26, 2006, Reverend Barnard served as Chaplain of the Day for the United States House of Representatives.

Reverend Barnard's gracious presence and true dedication to the work and word of Christ has been an instrumental part of my life. He encouraged his congregation to remain faithful to pursuing our walk with Christ daily.

HONORING STUDENTS WHO RAISE MONEY FOR LEUKEMIA AND LYMPHOMA

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. SMITH of Texas. Mr. Speaker, today, I want to recognize a few high school students from San Antonio and the surrounding area who raised over \$500,000 in 7 weeks while campaigning for the Students of the Year title, a campaign launched by The Leukemia & Lymphoma Society.

Ella Behnke, 16, a senior at Alamo Heights High School, raised over \$334,000 in 7 weeks to become The Leukemia & Lymphoma Society's "2017 Student of the Year." Ella was diagnosed with non-Hodgkins Lymphoblastic Lymphoma at the age of 2. She has been in remission for several years now.

P.J. O'Toole, 15, a freshman at Smithson Valley High School in Spring Branch, Texas, raised over \$50,000 during the 7-week campaign, becoming the "2017 Student of the Year Runner Up." P.J. was the only freshman to run in the campaign against 11 upper classmen.

P.J. is also a leukemia survivor. At the age of 6, he was diagnosed with Acute Myeloid Leukemia (AML). With only a 70 percent chance of survival, today P.J. is in remission.

Raising over \$50,000 each means that both Ella Behnke and P.J. O'Toole will have the opportunity to name an LLS research grant in honor of whomever they choose.

For the South Central Texas Chapter—San Antonio Inaugural Campaign, 12 candidates raised an outstanding \$502,000 this year.

The Leukemia & Lymphoma Society's Students of the Year campaign is a fundraising competition in communities across the United States in which participants vie for the title of Student of the Year. They raise funds for blood cancer research in honor of local children who are blood cancer survivors.

In appreciation of all they have done, Mr. Speaker, I ask my colleagues to join me in thanking them for their efforts to advance the treatment of Leukemia and Lymphoma.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

IN RECOGNITION OF NRECA INTERNATIONAL VOLUNTEERS FROM ALABAMA RURAL ELECTRIC ASSOCIATION OF COOPERATIVES

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mrs. ROBY. Mr. Speaker, I would like to recognize and thank nineteen constituents from my district who work for Central Alabama Electric Cooperative, located in Prattville, Alabama; Covington Electric Cooperative, located in Andalusia, Alabama; and Alabama Rural Electric Association of Cooperatives, located in Montgomery, Alabama. Volunteering as power linemen and staff liaisons for NRECA International, these Journeyman Linemen have dedicated themselves to building and upgrading power lines to help communities receive affordable, safe and reliable electricity.

They have worked side by side with NRECA International in the town of Guastatoya, Guatemala, and in the city of Puerto Barrios, Guatemala, and most recently on the USAID-funded Pilot Project for Sustainable Electricity Distribution in Caracol, Haiti.

In Guatemala, they constructed a power line to electrify three villages, Mirador, Tamarindal, and Castanal, bringing a better way of life to more than 300 families. In the latest project, more than 9,000 consumers in Caracol and 10,000 more consumers in surrounding communities will eventually be connected with electricity.

The service and sacrifice of these linemen and electric cooperative staff will ultimately impact the lives of thousands of Guatemalans and Haitians, resulting in improvements in healthcare, education, and economic opportunity.

For all of you who have given your time, Bruce Adamson, Kevin Anderson, Lamar Daugherty, Reed Daugherty, Jimmy Gray, Aaron Ismail, Keith Hay, Michael Kelley, Michael Longcrier, Darren Maddox, Ross Parker, Kevin Powell, Heath Smith, Ted Stettler, Alan Thrash, Josh Till, Clay Walker, Josh Winburn, and Julie Young, I thank them for their service.

RECOGNIZING THE 38TH ANNIVERSARY OF THE TAIWAN RELATIONS ACT

HON. SCOTT DesJARLAIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. DESJARLAIS. Mr. Speaker, Monday, April 10th marks the 38th anniversary of the 1979 enactment of the Taiwan Relations Act (TRA).

The United States and Taiwan are bound by shared values, and the TRA commits the U.S. to providing Taiwan with the arms needed for its defense, while advocating a peaceful resolution to the contentious issues separating Beijing and Taipei. The people of Taiwan may rest assured that regardless of changes in administrations or the partisan composition of

Congress, the TRA endures. Taiwan's freedom, democracy, and security will remain one of the highest interests of the United States, and our relationship will continue to grow and strengthen in the years and decades to come.

In 1982, three years after the TRA's enactment, President Ronald Reagan issued the Six Assurances, another important component in strengthening this relationship. Together, the TRA and the Six Assurances have been instrumental in providing Taiwan with the security and space necessary for its people to build one of the most vibrant democracies and societies of the Asia-Pacific region.

Mr. Speaker, I was gratified to hear that Secretary of State Rex Tillerson reaffirmed the U.S. commitment to the TRA and the Six Assurances in his confirmation hearing earlier this year. I know many of my colleagues will join me in seconding this commitment.

I also noticed that Chinese President Xi is visiting the United States this week. It is our hope that the upcoming Trump-Xi meeting is constructive as U.S. engagement of the PRC is important to the peace and stability of the region. It is also our hope and insistence that US-Taiwan relations and Taiwan's security and interests are not in any way compromised.

I look forward to working with my colleagues and the Administration in moving forward on the issues that are of mutual interest between our two countries, and I offer my best wishes to the people of Taiwan on the occasion of this 38th Anniversary.

MARIA ALEJANDRA FRAYRE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Maria Alejandra Frayre for receiving the Adams County Mayors and Commissioners Youth Award.

Maria Alejandra Frayre is a 12th grader at Aurora West College Prep Academy and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Maria Alejandra Frayre is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Maria Alejandra Frayre for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

IN RECOGNITION OF THE NORTHERN VIRGINIA PTAS AND PTSAS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to commend the 2017 Northern Virginia District PTA Annual Award recipients. Parent Teacher Associations (PTAs) and Parent Teacher Student Associations (PTSAs) in Northern Virginia serve a critical role in helping to provide the best possible educational environment for our students.

The Northern Virginia District PTA represents a region with more than 220 schools. Maintaining a healthy and strong organization is an important part of allowing these groups to have the greatest possible impact on the students they serve. To encourage such strength, it is important to note the individual PTAs and PTSAs that excel in this mission as well as the individual Volunteers of the Year.

I am pleased to congratulate the following PTAs, PTSAs, and individuals on being recognized by the Northern Virginia District PTA for their immeasurable contributions to the education of our children:

NOVA District PTA Elementary School Volunteer of the Year Finalists: Laura Allen, Camelot ES PTA; Eileen Gorman, Hollin Meadows ES PTA; Julie Shepard, Springfield Estates ES PTA;

NOVA District Secondary School Volunteer of the Year Finalists: Phyllis Lovett, Fairfax High School PTSA; Monique Roberts, Franklin Middle School PTA; Michele Buschman, Lake Braddock Secondary School PTSA; Martha Coleman, Mount Vernon High School PTSA;

NOVA District PTA Outstanding Administrators of the Year Finalists: Principal David Jagels, Centreville High School PTSA; Principal Chuck Miller, Mark Twain Middle School PTA; Assistant Principal Michelle Taylor, Oakton High School PTSA; Principal Evan Glazer, Thomas Jefferson High School for Science & Technology PTSA; and Principal Larry Aiello, Parklawn Elementary School PTA;

Outstanding Elementary PTA of the Year: Annandale Terrace Elementary School PTA;

Outstanding Secondary PTSA of the Year: Annandale High School PTSA;

Outstanding Educator of the Year: Leslie Smith, Weyanoke Elementary School PTA;

Outstanding School Staff Member of the Year: Judith Edwards, Lake Braddock Secondary School PTSA;

Virginia PTA 100 percent Membership Award Recipients: McKinley Elementary School PTA; Nottingham Elementary School PTA; and

Virginia PTA Advanced Dues Membership Award: Reston Montessori School PTA.

A special note of appreciation is extended to Debbie Kilpatrick, NOVA District Director, Jeff Wright, Asst. District Director, Denise Bolton, District Secretary-Treasurer, along with honored speakers Nathan Monell, National PTA Executive Director, Lorraine Hightower, 2016 VA PTA Child Advocate, and Donna Colombo, VA PTA Vice President of Membership. Lastly, I commend the following Northern Virginia District PTA Executive Board Members for their

support and dedication: Ron Henderson, Advocacy Chair; Michelle Leete, Communications Chair; Mike Woltz, Diversity Outreach Chair; Judy Dioquino, Events Chair; Cathy Petrini, Reflections Chair; Patricia Franck, Special Projects Chair; Charles Britt, STEM Special Committee; Ramona Morrow, VA PTA Family Engagement Chair; Joy Cameron, Alexandria City Council PTA President; Chris Ditta, Arlington County Council PTA President; and Kimberly Adams, Fairfax County Council PTA President.

Mr. Speaker, I ask my colleagues to join with me in recognizing the outstanding achievements of the individuals and the PTA/PTSA organizations being recognized. Dedicated involvement from so many parents reflects a strong commitment to public education and community service that students in our schools are fortunate to experience. I offer my strong support for these organizations and their dedicated volunteers.

HONORING ASBURY UNITED
METHODIST CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Asbury United Methodist Church.

If you desire to eat for a year, plant rice. If you desire to be remembered ten years later, plant a tree. If you desire to save future generations, educate a child. But if your desire is to preserve mankind, plant rice, a tree, educate a child and build a church.

It was this philosophy, spurred by the divine inspiration of God, that Asbury UMC was organized. The year was 1872. Since that time Asbury has experienced physical and spiritual growth as was evident by the fact that it was in 1898 under the leadership of Rev. D.D. Goodwin. The church's trustees were L.K. Levidge, J.L. Thompson, F.L. Jones and Henry Raspberry.

As the years past, Asbury prospered and was remodeled in 1926, this time under the leadership of W.L. Marshall.

Realizing that there is indeed strength in unity, Asbury and what was to become known as her sister church, Kingsley Chapel United Methodist Church of Edwards, Mississippi, were united on the same charge. The ministers who spearheaded and supervised that unification were J.B. Brooks, J.M. Shumppert and H.C. Trice.

For the next fifty years, Asbury continued to worship God through service to humanity. This was done under the ever present watchfulness of Reverends Walton Taylor, A.L. Johnson, N.R. Ross, J.B. Watkins, A.L. Pittman and E.B. James.

A church without a past has no future, without a present there can be no future. In 1972, Asbury realized that it had an even greater future and challenge ahead as it became and continues to be a United Methodist Church. Pastoring Asbury before, during, as well as after this period of name change, was the Rev. Dr. Oscar Allen Rogers, Jr. During Dr.

Rogers' tenure, 22 years, the longest in the history of Asbury, the church experienced many positive changes, including an extended renovation in 1975. In May of 1984, Dr. Rogers accepted the Presidency of Claflin College, Orangeburg, South Carolina.

The departure left a void, but one which was soon filled by Rev. Coleman Turner, a native of Bolton, as well as a member of Asbury's extended family.

Before coming to Asbury, Rev. Turner was pastor of Pratt Memorial UMC of Jackson, Mississippi. Although his stay was brief, his leadership was inspiring.

In 1985, the Rev. John Baker came to Asbury from Anderson UMC, Jackson, Mississippi. He accepted the challenge of Christian leadership and proved a positive influence.

On the Fourth Sunday in June of 1987, Asbury welcomed the Rev. Dwight Prowell and his wife Patricia. They quickly and effectively became an involved part of the Asbury family. Although it was a short relationship, Asbury and the Prowells shared many joyous moments; perhaps the highlight being an addition to their family, a son, Christopher. Christopher arrived in Mississippi on a Homecoming Sunday. It was truly a special day.

In 1988, The Rev. Alphanette Bracey Martin became the spiritual leader of Asbury UMC. Rev. Martin was also the director of the Wesley Foundation, located on the campus of Alcorn State University, Lorman, Mississippi. Under Rev. Martin's leadership Asbury continued to shine as the "church by the side of the road."

The Reverend Reuben C. Witherspoon served as leader of the flock from June 1994 to June 2000. He brought to Asbury a renewed commitment to spirituality among the members. He also made improvements within the church.

Reverend Herman Peters accepted the leadership of Asbury June 25, 2000 and served through December 2002. He inspired continued commitment to spiritual, financial and physical growth.

Asbury is presently under the charismatic leadership of the Reverend Sam Lee, Jr., who accepted the top post in January, 2003.

We have also been privileged to have the following ministers from 1924 to present: Rev. J.B. Brooks, 1924–1927; Rev. W.E. Rucker, 1927–1928; Rev. Prince A. Taylor, Sr. 1931–1932; Rev. J.C. Hibbler, 1933–1934; Rev. A.C. Trice, 1935–1936; Rev. Allen L. Johnson, 1937–1939; Rev. N.W. Ross, 1940–1941; Rev. Walter S. Taylor, 1942–1943; Rev. J.B. Watkins, 1944–1946; Rev. L.M. Pittman, 1947; Rev. E.B. James, 1948–1952; Rev. V.C. McInnis, 1953; Rev. Richard D. Gerald, Sr., 1954–1955; Rev. Henry Batee, Sr., 1959–1962; Rev. Dr. Oscar A. Rogers, Jr., 1962–1984; Rev. Coleman Turner, 1984–1985; Rev. John L. Baker, 1985–1986; Rev. Dwight d. Powell, 1987; Rev. Alphanette B. Martin, 1988–1994; Rev. Reuben C. Witherspoon, 1994–2000; Rev. Herman Peters, 2000–2002; Rev. Sam Lee, Jr., 2003–Present.

Mr. Speaker, I ask my colleagues to join me in recognizing my home church, Asbury United Methodist Church of Bolton, Mississippi.

38TH ANNIVERSARY OF THE
TAIWAN RELATION ACT (TRA)

HON. BLAKE FARENTHOLD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. FARENTHOLD. Mr. Speaker, April 10th marks a very special day for the United States and Taiwan. It was on this day in 1979 that the Taiwan Relations Act was enacted as United States law that codifies the relationship between Taiwan and the United States. It outlines our relationship with Taiwan regarding trade, cultural exchanges, and security among other important areas.

In addition to the Taiwan Relations Act, the Six Assurances also guides the relationship between the United States and Taiwan. In 1982, three years after the passage of the Taiwan Relations Act, the "Six Assurances" of the United States to Taiwan were given by then President Ronald Reagan. Both the Taiwan Relations Act and the Six Assurances have guided our relationship with Taiwan for more than 30 years. We celebrate the 38th anniversary of the Taiwan Relations Act by thanking Taiwan for its great friendship and its support as a beacon of democracy in East Asia.

I also noticed that Chinese President Xi is visiting the United States. It is our hope that the upcoming Trump-Xi meeting is constructive as U.S. engagement of the PRC is important to the peace and stability of the region. It is also our hope and insistence that US-Taiwan relations and Taiwan's security and interests are not in any way compromised.

We are so proud of Taiwan's accomplishments over these thirty-eight years and look forward to ever further strengthening our economic relations with Taiwan in the future.

CONGRATULATING KELLY
MURPHY FROM WILMINGTON, IL

HON. ADAM KINZINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. KINZINGER. Mr. Speaker, I rise today to congratulate a constituent of mine, Kelly Murphy, on her achievements as a member of the 2016 U.S. Women's Volleyball team.

Volleyball runs in the Murphy family. Her mother, Sandy played volleyball at Illinois State University, and Kelly herself started playing at the age of 11. Prior to being confirmed on the team in July of last year, Kelly was a four-year varsity player at Joliet Catholic Academy from 2004 to 2007. During her four seasons there, she helped her team to a 133–31 record, winning four regional titles, three sectional titles and posting fourth and third-place finishes in state competition in 2005 and 2006. In 2007, Kelly was named the Gatorade High School National Player of the Year.

Following her career at Joliet Catholic, Kelly moved on to the University of Florida, where she was the 2008 SEC Freshman of the Year and the 2010 SEC Player of the Year. Having

started every match during her career at Florida, Kelly led her team to a 107–17 record, two Southeastern Conference titles, and she made the all-conference team four times in a row.

In 2016, Kelly achieved the honor of being one of 12 players selected to represent our country at the 2016 Olympic Games in Rio de Janeiro, Brazil. Kelly and the team came home with the bronze medal after defeating the Netherlands in four sets. This accomplishment in Rio continued the tradition: marking three straight Olympics in a row where the U.S. Women's Volleyball team has won a medal.

Mr. Speaker, on behalf of the Sixteenth Congressional District, I would like to sincerely applaud Kelly Murphy for her commitment to her sport, her team, and her country. We are all truly proud of her and her achievements.

PERSONAL EXPLANATION

HON. DINA TITUS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Ms. TITUS. Mr. Speaker, I was unable to attend votes in the House on March 8, 2017. If I had been present, I would have voted "Yea" on Roll Call No. 136, making appropriations for the Department of Defense for Fiscal Year 2017.

HONORING THE LIFE OF BISHOP JOSEPH J. MADERA

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. COSTA. Mr. Speaker, I rise today to honor the life of Bishop Joseph J. Madera, who passed away on January 21, 2017 at age 89. Bishop Madera was a loving son, brother, and leader of the Central California Catholic community, who was called "the people's bishop" by those he served.

Born on November 27, 1927, Bishop Madera was raised in Mexico. He entered the seminary at age 15, studying priesthood in Coyoacan, a neighborhood in Mexico City. After being ordained on June 15, 1957, Bishop Madera was sent to the Archdiocese of Los Angeles where there was a need for priests who understood the needs of Catholics of Mexican descent. He served in Los Angeles for 15 years until 1976, when he became a pastor in Fowler in the San Joaquin Valley. Four years later, in 1980, he was ordained bishop for the Diocese of Fresno.

While Bishop of Fresno, Bishop Madera created specialized ministries for families and youth, and became very involved in the Hispanic community. He started an education television station in Fresno to spread his message on Catholicism, which would later become Channel 49 (KNXT). In 1991, Bishop Madera became an auxiliary bishop for the Archdiocese for the Military Service until his retirement in 2004.

Bishop Madera was known as the bishop for the people. He had a passion for getting to know all his worshippers, and always wanted to be actively involved in the community. He was the first Hispanic to lead a California diocese since 1896, overseeing eight counties of 348,300 Catholics, half of whom were Hispanic. Bishop Madera spoke four languages, and was unique amongst other Bishops in the United States because he was from a Mexican background.

Bishop Madera is survived by his sister Carmelita and numerous nieces and nephews.

Mr. Speaker, today I ask my colleagues to join me in paying tribute to the life and service of Bishop Madera, whose passion, selfless service, and kind heart made an instrumental impact on the lives of those in the Valley. His humble nature and great character is something to be remembered. I join the Catholic and Hispanic community in honoring his life, his love for his worshippers, and passion for making a difference. He will be greatly missed.

REMEMBERING WILLIE SUMMERVILLE

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to remember Willie Summerville, a friend and beloved community member, who passed away on March 7, 2017 at the age of 72. Willie served as choirmaster for the Saint Luke Christian Methodist Episcopal Church in Champaign for over 50 years, and was a longtime music teacher in Champaign and Urbana schools and the University of Illinois. In addition, he served as choir director for several community choirs.

The impact Willie left on the community stretches far beyond the conductor's podium. Willie found a passion in teaching others. He served as outreach coordinator for the African American Studies Program at the University and taught classes on African-American and European sacred music. He also offered his talents to music students of all ages through private lessons in voice and piano.

Willie first arrived in Champaign-Urbana in the 1960s when he came to the area to play tuba for the Marching Illini. Since then, he has become a well-established musician and a respected community leader.

Willie was a loving husband, father, and grandfather, and most of all, he was a treasure in the Champaign-Urbana community who will be greatly missed. His love for music and his devotion to the community will always be remembered. My thoughts and prayers are with his family during this difficult time.

MIKAH VEGA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Mikah Vega

for receiving the Adams County Mayors and Commissioners Youth Award.

Mikah Vega is a 12th grader at Mountain Range High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Mikah Vega is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Mikah Vega for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

RECOGNIZING THE 2017 FAIRFAX COUNTY POLICE DEPARTMENT VALOR AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize an outstanding group of men and women in Northern Virginia. These individuals have demonstrated superior dedication to public safety and have been awarded the prestigious Valor Award by the Northern Virginia Chamber of Commerce.

This is the 39th Annual Valor Awards sponsored by the Northern Virginia Chamber of Commerce. This event honors the remarkable heroism and bravery in the line of duty exemplified by our public safety officers. Our public safety and law enforcement personnel put their lives on the line every day to keep our families and neighborhoods safe. This year's ceremony will present 125 awards to recognize extraordinary actions above and beyond the call of duty in a variety of categories including the Lifesaving Certificate, the Certificate of Valor, and the Bronze and Silver Medal of Valor.

Seventy-eight awards will be bestowed upon first responders who serve with the Fairfax County Police Department in recognition of their exceptional service. It is with great pride that I include in the RECORD the names of the following Valor Award Recipients:

SILVER MEDAL OF VALOR

Sgt. Joseph L. Furman, MPO Gene M. Taitano, PFC Stephen K. Carter, PFC Lane M. Leisey (2), PFC Matthew R. Long, PFC Gershon L. Ramirez, Det. Michelle M. Warren.

BRONZE MEDAL OF VALOR

2Lt. Camille S. Neville, 2Lt. Charles H. Riddle, Sgt. Matthew A. Guzzetta, Sgt. Ari D. Morin, MPO Mary Hulse, MPO Michael D. Riccio, MPO Mark S. Yawornicky, PFC Michael H. Burgoyne Jr., PFC Silvana B. Masood, PFC Kenyatta L. Momon, PFC Christopher W. Munson, PFC Amanda B. Paris, PFC Steven L. Randazzo, PFC Nicholas A. Shivley, PFC Todd B. Sweeney, PFC Kurt T. Woodward, Det. David J. Faulk, Animal Caretaker II John W. Good, Volunteer Coordinator Cynthia E. Sbrocco.

CERTIFICATE OF VALOR

1Lt. M. Pirnat, 2Lt. Marc H. Mitchell, 2Lt. Edward S. Rediske, Sgt. Michael A. Comer, Physician's Assistant Craig DeAtley, MPO Jason E. Reichel, MPO Adrian K. Steiding, PFC Brandy L. Andres, PFC James A. Burleson, PFC Jason E. Chandler, PFC Christopher B. Hutchison, PFC Richard A. Juchnewicz, PFC Jonathan L. Kaminski (2), PFC Jonathan D. Keitz, PFC John P. Kolcun, PFC Russ E. Lephart, PFC David A. Neil, Jr., PFC Matthew W. Stanfield, PFC Dustin D. Tewilliager, PFC Stephen T. Vaughn, Det. Anthony N. Taormina, Ofc. Kenneth D. Baxter, Ofc. Andrew K. Kuremsky.

LIFESAVING AWARD

2Lt. Edward S. Rediske, Sgt. John H. Kim (2), Sgt. David Kroll, PFC Kyle R. Bryant, PFC Arthur Y. Cho, PFC Gregory S. Cox, PFC Timothy S. Evans, PFC John E. Matusiak, PFC Katherine A. Montwill, PFC William M. Mulhern (2), PFC Nathan L. Musser, PFC Marian I. Nedeltchev, PFC Edwin M. Pastora, PFC Kyle M. Proffitt, PFC Scott H. Reeve, PFC Justin P. Robinson (2), PFC Nicholas A. Shivley, PFC Jonathan K. Steier, PFC Matthew E. Weaver, PFC Frederick R. Yap, PFC Sung B. Yoon, Ofc. Kenneth J. McNulty, Ofc. Matthew F. Schafer, Ofc. Stacey L. Wells.

Mr. Speaker, I congratulate the 2017 Valor Award Recipients, and thank each of the men and women who serve in the Fairfax County Police Department. Their efforts, made on behalf of the citizens of our community, are selfless acts of heroism and truly merit our highest praise. I ask my colleagues to join me in applauding this group of remarkable citizens.

HONORING ANTHONY GIBSON II

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a multi-talented gentleman, Mr. Anthony Gibson II. Mr. Gibson has shown what can be done through tenacity, dedication and a desire to achieve.

Mr. Gibson graduated from Vicksburg High School, and now, he is attending Mississippi State University majoring in Civil Engineering.

He has been inducted into Alpha Lambda Delta, Gamma Beta Phi, National Society of Collegiate Scholars, National Society of Black Engineers, and American Society of Civil Engineers among others.

Anthony has a wide variety of engineering experiences including design, hydraulic/river research, geotechnical practices and project management.

Mr. Gibson had internships at J5 Broadus, the City of Vicksburg, and the Corps of Engineers (ERDC). Currently, he is a co-op student for Brasfield & Gorrie, one of the largest engineering/construction firms in the southeast. He is located in Birmingham where the firm is headquartered.

Anthony is the son of Patricia Brown and Anthony Gibson II.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Anthony Gibson II for his hard work, dedication and a strong desire to achieve.

CONGRATULATIONS SPRINGFIELD NEWS-LEADER

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. LONG. Mr. Speaker, I rise today to recognize the Springfield News-Leader and its dedication to 150 years of excellence in journalism.

The Springfield News-Leader was first published on April 4, 1867, and has been a vital part of the Springfield, Missouri, community ever since. After 150 years, the Springfield News-Leader has reached almost 55,000 consecutive days of print, for both morning and evening newspapers.

In January of 1927, after several changes in name and ownership, the newspaper was officially known as the Springfield Daily News. 120 years later, in 1987, after printing both a morning and evening edition, the afternoon edition of the newspaper was discontinued and consolidated with the morning edition to become the Springfield News-Leader.

Today, the Springfield News-Leader is combined with a number of other print publications, websites and digital marketing services as part of the News-Leader Media Group. This group is the largest multi-media marketing solutions company in southwest Missouri, serving the local and regional business community.

For 150 years, the Springfield News-Leader has caught the moments that have shaped our nation, Missouri and Missouri's 7th Congressional District. I am confident that in the next 150 years the Springfield News-Leader will continue to be the newspaper that keeps the people of the 7th District informed and up-to-date. Congratulations to the Springfield News-Leader.

RECOGNIZING THE LIFE AND SERVICE OF MARK V. DENNIS

HON. CHARLIE CRIST

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. CRIST. Mr. Speaker, I rise today to honor the life and service of fallen Navy Hospitalman, 3rd Class, Mr. Mark V. Dennis.

Mr. Dennis was born on September 21, 1946, to Charles and Vera Dennis of Miamisburg, Ohio, where he grew up with his brother and two sisters. He went on to serve in the United States Navy in a Marine unit as a medical corpsman during the Vietnam War. A man of strong faith, Mr. Dennis also served as acting chaplain for his unit, and had dreams of being a missionary after completing his service.

Sadly, those dreams would not be realized. He was killed in action when his helicopter crashed after taking enemy fire in South Vietnam in the summer of 1966. At such a young age, 19 years, Mr. Dennis made the ultimate sacrifice in service to his country.

In 1970, a photograph in Newsweek magazine showed a Prisoner of War with an un-

canny resemblance to Mark. Devastated by the loss, and plagued by nagging doubt, his family, led by his brother Jerry, began a quest for answers as to what happened to Mark.

Last August, the Defense POW/MIA Accounting Agency released a report determining through DNA testing that the remains from the deadly helicopter crash are those of Mr. Dennis. Thanks to the Dennis family's determination, and work by the Defense POW/MIA Accounting Agency, we now know conclusively that Mr. Dennis died while serving and protecting his country.

Mr. Speaker, the Dennis family has been through a lot over the years. I pray that they will now have the closure they so deserve. Mr. Dennis will soon be laid to rest alongside his parents at the Garden Sanctuary Cemetery in Seminole, Florida, with full military honors.

I am humbled to honor the life of this young man, and all of our servicemen and women who were taken from this Earth too soon. May he, and his family, now finally find peace.

RECOGNIZING EDWARDSVILLE HIGH SCHOOL'S SENIOR GUARD MARK SMITH

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to recognize Edwardsville High School's senior guard Mark Smith, who is now better known as Mr. Basketball of Illinois for the 2016-2017 season.

Mark received the Mr. Basketball honor after a senior season in which he filled up the stats sheet. Over the course of the season, Mark averaged 21.9 points, 8.2 rebounds, 8.4 assists, and 2.1 steals per game. He recorded double figures in 31 of the Tigers' 32 games, and had eight games in which he scored more than 30 points. In the championship game of the Ottawa sectional, Mark scored a career-high 45 points in Edwardsville's win over Danville.

Outside of Mark's individual statistics, the Tigers' boys basketball season was an unforgettable one in the Metro East, as the team finished 30-2 and played in the Class 4A Super-Sectional in Normal.

In addition to the Mr. Basketball honor, Mark was named the "Illinois Gatorade Player of the Year," and has scholarship offers from multiple Division 1 schools.

I had the opportunity to meet Mark at an event for the Mannie Jackson Center for the Humanities last month, and was truly impressed by this young man. I am proud to congratulate Mark on his spectacular senior season and receiving this honor, and look forward to continuing to follow his basketball career.

RECOGNIZING THE CLARKSON UNIVERSITY WOMEN'S HOCKEY TEAM

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Ms. STEFANIK. Mr. Speaker, I rise today to honor the hard work and skill of the Clarkson University Women's Hockey Team, who just ended their already impressive season by winning the NCAA Division I championship.

Led by Coach Matt Desrosiers, the Golden Knights defeated the number one seeded Wisconsin Badgers for the championship title. This is the team's second Division I title, with the Golden Knights being the only team outside of the Western Conference to ever win the championship.

Under the leadership of seniors Corie Jacobson, Jessica Gillham, Genevieve Bannon, McKenzie Johnson and Carly Mercer, the team was able to regroup from a rough early season and achieve this impressive victory. Junior goaltender Shea Tiley was an instrumental part of this victory, allowing zero points against the strong Wisconsin offense.

In New York's 21st District, we are incredibly proud of all of these women and their incredible achievements. I hope that their hard work and dedication serve as an inspiration for generations to come.

NICOLE WICKERSHEIM

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Nicole Wickersheim for receiving the Adams County Mayors and Commissioners Youth Award.

Nicole Wickersheim is a 12th grader at Adams City High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Nicole Wickersheim is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Nicole Wickersheim for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

RECOGNIZING THE 2017 TOWN OF HERNDON POLICE DEPARTMENT VALOR AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize an outstanding group of men and

women in Northern Virginia. These individuals have demonstrated superior dedication to public safety and have been awarded the prestigious Valor Award by the Northern Virginia Chamber of Commerce.

This is the 39th Annual Valor Awards sponsored by the Northern Virginia Chamber of Commerce. This event honors the remarkable heroism and bravery in the line of duty exemplified by our public safety officers. Our public safety and law enforcement personnel put their lives on the line every day to keep our families and neighborhoods safe. This year's ceremony will present 125 awards to recognize extraordinary actions above and beyond the call of duty in a variety of categories including the Lifesaving Certificate, the Certificate of Valor, and the Bronze and Silver Medals of Valor.

Five members of the Town of Herndon Police Department are being honored this year for their exceptional service. It is with great pride that I include in the RECORD the names of the following Valor Award Recipients:

CERTIFICATE OF VALOR

Corporal Damien Austin

Senior Police Officer Ronald Eicke

LIFESAVING AWARD

Corporal Andrew Perry

Private First Class Chad Findley

Private First Class Davin Royal

Mr. Speaker, I congratulate the 2017 Valor Award Recipients, and thank all of the men and women who serve in the Town of Herndon Police Department. Their efforts, made on behalf of the citizens of our community, are selfless acts of heroism and truly merit our highest praise. I ask my colleagues to join me in applauding this group of remarkable citizens.

HONORING ADAMANTIA KLOTSA

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor Florida's Consul General of the Hellenic Republic, Ms. Adamantia Klotsa, a model foreign representative and distinguished member of the Greek community in my district.

Ms. Klotsa was recently honored by the Federation of Hellenic American Educators for her "continuous effort to execute professional and outstanding duties towards the language, the culture and services for the Greek community of Florida."

Before her diplomatic mission in Tampa, Ms. Adamantia Klotsa was born in Athens. She holds B.A.s in both Archeology and Law as well as an M.A. in Prehistoric Archeology from the University of Athens. Ms. Klotsa entered the Diplomatic Service of the Hellenic Republic in 1998. In the Ministry of Foreign Affairs of the Hellenic Republic, she served in the Office of the Secretary General, the NATO Department, and the Personnel Department. As the co-Chair of the Hellenic Caucus and the Congressional Hellenic-Israeli Alliance and a former member of the Foreign Affairs Committee, I deeply appreciate the hard work and consummate professionalism displayed daily

by our foreign diplomats, especially Ms. Klotsa.

As a proud Greek-American, I am thankful that Ms. Klotsa in her official capacity has encouraged Greek-Americans fully appreciate the diversity of their heritage. As a young boy, my grandparents, parents, aunts and uncles instilled in me an appreciation for our beautiful culture, which focuses on family, community, and faith, and it is with great pride, that I continue to uphold these values today.

Ms. Klotsa's current diplomatic mission in Tampa has also served to reinforce Florida's possession of remarkable Greek cultural treasures like Tarpon Springs in my district, home to the largest Epiphany celebration in the Western Hemisphere and world renowned Sponge Docks, and St. Augustine which boasts the earliest colonization of Greeks in the New World. Additionally, she recently introduced the application of a Sisters City relationship with the city of St. Augustine and Koroni, Greece. Initiatives like these will continue to contribute to the rich cultural and economic success in Florida's Twelfth Congressional District for years to come.

I commend the Federation of Hellenic American Educators for recognizing the contributions of Ms. Klotsa, and I hope every foreign diplomat can learn from and emulate the dedication of this Greek public servant to peace and prosperity between our nations.

HONORING DR. MARY M. WHITE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable woman, Dr. Mary M. White, who is a pioneer and innovator in the academic, entrepreneurial and service communities.

Dr. Mary M. White is the Inaugural Chairperson of the Department of Entrepreneurship and Professional Development in the College of Business at Jackson State University. She spearheaded the creation of a new BBA Degree in Entrepreneurship in 2005. Upon obtaining IHL Board approval, this degree program became the first of its kind in the state of Mississippi and among HBCUs. She is a Fulbright Fellow and Sam Walton Fellow, recognized as one of America's leading educators and has been a Price-Babson and LLEEP Fellow in Entrepreneurship as well.

Dr. White's commitment to entrepreneurship led her to co-author the book, "The Engrossed Entrepreneurial Campus: What Our Economy and Our Academy Needs Now." Dr. White's passion for entrepreneurship and business extends internationally to South Africa, Nigeria, Puerto Rico, Romania, India, and France and throughout the United States by providing guidance on entrepreneurship as a means to enhance economic development.

Dr. White represents Jackson State University on the Women Owned & Managed Enterprise Network National Advisory Council (W.O.M.E.N) with Morgan State University, HBCU/Babson Entrepreneurship and Engineering consortium, Capitol City Convention

Center Procurement Outreach Advisory Board and the Mississippi Entrepreneurial Alliance.

Dr. White's an active board member of the Community Financial Services Association (CFSA), Minority Serving Institutions Research Partnership Consortium (Vice President), Society for Financial Education and Professional Development, Katherine Murriel Education Foundation and Clinton Alumnae Delta Enterprise Foundation. She has successfully directed the 2009 Global Entrepreneurship Week (GEW), 2005 Women of Color Entrepreneurs Conference and the 2004 Minority Serving Institutions Conference. In 2006, Dr. White secured funding for the Business Entrepreneurial Scholars Program and the U.S. Department of Agriculture Small Farmers Training Initiative. She also directs the SIFE "I Choose" grant, guiding at-risk high school students in entrepreneurship and free enterprise.

Dr. White received the Doctor of Education at Northern Illinois University.

Mr. Speaker, I ask my colleagues to join me in recognizing Dr. Mary M. White for her dedication to serving others.

PERSONAL EXPLANATION

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mrs. ROBY. Mr. Speaker, on Monday, April 3, 2017, I was absent because of travel delays due to weather related activities.

Had I been present, I would have voted the following on April 3, 2017:

Roll Call 209 on the motion to suspend the rules and pass, H. Res. 92, Condemning North Korea's development of multiple intercontinental ballistic missiles, and for other purposes, I would have voted Aye.

Roll Call 210 on the motion to suspend the rules and pass, H.R. 479, North Korea State Sponsor of Terrorism Designation Act of 2017, I would have voted Aye.

PERSONAL EXPLANATION

HON. ROBERT PITTENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. PITTENGER. Mr. Speaker, I was absent from votes on Tuesday, March 28. Had I been present, I would have opposed S.J. Res. 34, and voted NAY on Roll Call No. 202.

PERLA BARRÓN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Perla Barrón for receiving the Adams County Mayors and Commissioners Youth Award.

Perla Barrón is a 12th grader at North Valley School for Young Adults and received this

award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Perla Barrón is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Perla Barrón for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

RECOGNIZING THE 2017 TOWN OF VIENNA POLICE DEPARTMENT VALOR AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize an outstanding group of men and women in Northern Virginia. These individuals have demonstrated superior dedication to public safety and have been awarded the prestigious Valor Award by the Northern Virginia Chamber of Commerce.

This is the 39th Annual Valor Awards sponsored by the Northern Virginia Chamber of Commerce. This event honors the remarkable heroism and bravery in the line of duty exemplified by our public safety officers. Our public safety and law enforcement personnel put their lives on the line every day to keep our families and neighborhoods safe. This year's ceremony will present 125 awards to recognize extraordinary actions above and beyond the call of duty in a variety of categories including the Lifesaving Certificate, the Certificate of Valor, and the Bronze and Silver Medals of Valor.

Five members of the Town of Vienna Police Department are being honored this year for their exceptional service. It is with great pride that I include in the RECORD the names of the following Valor Award Recipients:

BRONZE MEDAL OF VALOR

Master Police Officer Neil Patrick Shaw
Police Officer Andrew Slebonick

LIFESAVING AWARD

Sergeant Michael Reeves
Master Police Officer Matthew Lyons
Police Officer Gregory Hylinski

Mr. Speaker, I congratulate the 2017 Valor Award Recipients, and thank all of the men and women who serve in the Town of Vienna Police Department. Their efforts, made on behalf of the citizens of our community, are selfless acts of heroism and truly merit our highest praise. I ask my colleagues to join me in applauding this group of remarkable citizens.

RECOGNIZING ESTHER WARD'S 100TH BIRTHDAY

HON. MARK WALKER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. WALKER. Mr. Speaker, I rise today to recognize an outstanding constituent on her 100th birthday—Esther Ward of Randolph County.

I am pleased to share in the momentous celebration of her 100th birthday, and I am honored to acknowledge this joyous milestone, filled with memories and experiences. It is not only a time of happiness, but a time to reflect on the lives Esther has enriched. In particular, Esther continues to be a pillar of her church, Hopewell Friends Meeting of Asheboro. North Carolina has been truly fortunate to share in her long legacy of achievement.

I join with her family, friends, church and the Sixth District in congratulating Esther on this special occasion.

HONORING THE LIFE AND LEGACY OF DR. ABRAHAM FISCHLER

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. HASTINGS. Mr. Speaker, I rise today to honor the life and work of my good friend and a most dedicated public servant, Dr. Abraham "Abe" Fischler, who, sadly, passed away on April 3, 2017. He was 89 years old.

For 22 years, Abe Fischler was President of Nova Southeastern University (NSU). There were only 17 students enrolled when Abe joined NSU. He became President in 1970 and oversaw NSU's growth into the large and well-respected institution that it is today.

Abe was born in Brooklyn on January 21, 1928. He was a member of the "Greatest Generation," serving in the United States Navy during the Second World War. He married his beloved wife of 68 years, Shirley, in 1949 and in 1951, graduated with a degree in Biochemistry from the City College of New York, eventually earning a Doctorate in Education in 1959 from Columbia University.

Among the many innovations Dr. Fischler brought to NSU was the development of a long-distance learning program. Abe thought there should be a way for professionals who wanted to pursue advanced degrees to do so without having to leave their jobs. We didn't have the prevalence of internet technologies we do now at the time, so Abe would actually have the university fly adjunct instructors to various spots around the country to teach small groups of students outside of regular business hours. At the time, this was very unusual, but today, long distance education is both common and expected at most institutions of higher learning. Abe Fischler was one of the first to do it.

In 1992, Abe retired from NSU, but he did not spend his retirement idly watching the world go by. By 1994, he was back in the thick of it, and got elected to the Broward

County School Board, where he would serve for four years. He continued to be involved in educational issues, as well as his involvement with Nova Southeastern as President Emeritus until his passing.

Dr. and Shirley Fischler have four children, four grandchildren and one great-grandson. My own son holds a Doctorate from, and is part of, the Nova Southeastern Family I am honored to have worked with Abe Fischler and to have represented him in Congress. He was a wonderful friend and will be deeply missed.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for roll call votes 209 and 210 Monday, April 3, 2017. Had I been present, I would have voted Yea on roll call votes 209 and 210.

TRIBUTE TO THE LIFE OF JOHN WALLACE

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. COSTA. Mr. Speaker, I rise today along with my colleagues, Mr. NUNES and Mr. VALADAO, to honor the life of one of Fresno's greatest journalists, John Wallace, who passed away on March 27, 2017 at the age of 71. John was a kind, generous, and humble man who kept the Valley informed on current events as a TV news anchor for more than 40 years.

Before his career as a TV anchor, John played baseball at the University of Arizona in the early 1960's, followed by his service in the United States Marine Corps. He began his broadcast and journalism career in 1969, joining the news staff at KYNO radio in Fresno. In 1975, he became a TV news anchor at ABC30 (KFSN) until 1987, when he joined CBS47 (KGPE) as an anchor for the evening news.

In addition to his journalism career, John's love for sports was a large part of his life. He was the public address announcer for the California League's Fresno Giants baseball team. He served on the board of the Fresno Athletic Hall of Fame, was president of the Fresno State Timeout Club, and spent four decades working with the Bulldog Foundation at Fresno State, serving as President and Chairman of the Board of Trustees. In 2014, he received the Harold S. Zinkin, Sr. Award by the Fresno Athletic Hall of Fame for his contributions, and was inducted into the Clovis Centennial Hall of Fame.

John was a loyal community supporter who championed for local organizations. He was a friend and an inspiration to many, and had a contagious enthusiasm for life. He was very active in the community, serving on the board of the WestCare Foundation and volunteering

with Break the Barriers and Valley Children's Hospital.

John will be missed greatly by his family, friends, and the entire community. He is survived by his wife Cheri; children Cass Difler, Cameron Weishaar, Paige Wise, Carson Franzman, Taylor Franzman; and eight grandchildren.

Mr. Speaker, it is with great respect that I ask my colleagues to join Mr. NUNES, Mr. VALADAO and me in paying tribute to the life and service of John Wallace, whose curiosity for recent events and passion for the community kept the Valley informed on our nation's news for more than four decades. I join the Fresno community in honoring his life and his passion for making a difference. He will be greatly missed.

JOSIAH JENSEN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Josiah Jensen for receiving the Adams County Mayors and Commissioners Youth Award.

Josiah Jensen is a 12th grader at Mapleton Expeditionary School of the Arts and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Josiah Jensen is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Josiah Jensen for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

RECOGNIZING VIRGINIA STATE TROOPER KRESS ADAMSON

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize my constituent, Virginia State Police Trooper Kress Adamson, for his recognition by the Rotary Club of West Springfield as an Outstanding Virginia State Trooper of the Year for 2016.

Trooper Adamson is a credit to his unit and uniform and the long tradition of our Commonwealth's State Police Force. In August of 2015 he was dispatched to a vehicle crash on the Capital Beltway. Upon arriving at the scene, he found two citizens who were trying to aid an individual lying near the wreckage on a very busy and dangerous stretch of I-495 and his fellow Trooper Steven Muller had begun special rescue breathing and CPR. A Fairfax

County Rescue team then arrived and asked the two troopers to continue their life-saving efforts until the Rescue team was could apply an automated external defibrillator. After several minutes of these combined advanced life-saving techniques, they were able to regain a pulse in the victim. The victim was then transported to INOVA Alexandria Hospital where he remained in critical condition until his recovery. Due to the initial valiant efforts of both civilians and these two troopers, the victim had a better chance of recovery from this life-threatening accident.

Trooper Adamson has served the Virginia State Police for seven years. Upon graduating from the State Police Academy, he was initially assigned to Arlington (Area 45). He is currently with the Springfield office (Area 48). Originally from Baltimore, Maryland, he served in the U.S. Air Force for nine years and deployed to Iraq in 2007. His MOS was medical support, and he currently is working on completing a bachelor's degree at Thomas Edison University.

Mr. Speaker, I ask my colleagues to join me in congratulating Trooper Adamson and in thanking him for his years of service to Fairfax County and the Commonwealth of Virginia. He has demonstrated exceptional dedication to public safety and the mission of law enforcement, and for that, we owe him a special debt of gratitude.

HONORING DET. SAM WINCHESTER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a multi-talented gentleman, Det. Sam Winchester, Warren County Sheriff Department. Det. Winchester has shown what can be done through tenacity, dedication and a desire to serve others.

Det. Sam Winchester received a Bachelor of Science degree in Animal Science from Alcorn State University. He worked full time in the agricultural research department of Alcorn and received a Master's Degree in Secondary Education. He served in the United States Army Reserve for 14 years.

Det. Winchester began his career in law enforcement in Jefferson County. He started working at the Warren County Sheriff's Office (WCSO) in 2004, and became a detective in 2006. Sam has multiple interests that he uses as a detective at the Warren County Sheriff's Office in the Criminal Investigation Division.

He is one of the primary boat operators for the Sheriff's Office meaning, whenever a river or water rescue needs to take place, he is called to assist. In addition to those duties, he is a certified driving instructor for the WCSO, and he does driving instruction at the Police Academy at Mississippi Delta Community College in Moorhead. He is also trained as a hostage and crisis negotiator.

Mr. Speaker, I ask my colleagues to join me in recognizing Det. Sam Winchester for his hard work, dedication and a strong desire to serve his country and community.

RECOGNIZING JOHN ALBAN FINCH

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. REED. Mr. Speaker, I rise today to honor the life and legacy of John Alban Finch.

Fifty years ago today, on April 5, 1967, a fire broke out at Cornell Heights Residential Club, an off-campus student dormitory in Ithaca, New York. The fire claimed the lives of eight students and one professor from Cornell University.

Mr. Finch was the professor who perished in the fire. On the night of the tragedy, he immediately took action by awakening his neighbors and calling the Cornell Safety Division. Despite heavy smoke, Mr. Finch ran back into the building to help other occupants escape to safety. A total of 62 people escaped the fire, many of whom attributed their survival to Mr. Finch's heroic and selfless actions. Tragically, Mr. Finch did not survive.

Mr. Finch gave his life to save those in need—the true definition of a hero.

Mr. Finch was an Associate Professor and Faculty Advisor for the Ph.D. Program at Cornell University. He originally came to Cornell in 1960 as a graduate student on a Woodrow Wilson Fellowship. Mr. Finch earned a Master's Degree in 1961 and a Ph.D. in 1964. The following year, he began working as an Assistant Professor of English and an instructor in the English Honors Program. Mr. Finch was a distinguished scholar and highly valued faculty member.

I ask my colleagues to join me in honoring the life of John Alban Finch and recognizing his life-long commitment to serving others.

CELEBRATING 100 YEARS OF
WOMEN IN CONGRESS**HON. EDDIE BERNICE JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to celebrate 100 years of women in Congress. Representative Jeannette Rankin of Montana was the first woman to serve in U.S. Congress in 1916. Rankin was on the frontlines of the national suffrage fight and advocated relentlessly for the creation of a Committee on Woman Suffrage, serving on that committee once it was created. Casting an "aye" vote for the Nineteenth Amendment to the U.S. Constitution, Rankin was the only woman who ever voted to give women the right to vote.

Rankin is just one of many shining examples of women knocking down barriers. I believe the history of outstanding women and many others should be shared with all Americans to uplift and inspire them. I would like to share several outstanding women from Texas who have been several "firsts," but certainly not "lasts" of their time.

Lera Millard Thomas was the first woman elected to Congress from the state of Texas. When her husband died in February of 1966,

a special election was called in March and she was elected as a Democrat to succeed her husband. Thomas served on the Merchant Marine and Fisheries Committee where she helped to expand the Houston Ship Channel, one of the country's busiest seaports. She chose not to run for reelection and instead dedicated her time to members of the armed services in Vietnam as a special liaison to the Houston Chronicle.

Barbara Jordan was the first black woman elected to Congress and the first woman to represent Texas in her own right in the House of Representatives. Jordan was the first black woman to serve in the Texas State Senate and stayed there for eight years. Elected to the House in 1972, she served until 1979 and gained national praise for her legislative prowess and for her rhetoric and high morals. After retirement, Jordan returned to her former profession of teaching.

Unfortunately, in Texas, the number of women in Congress is historically very low. Currently, there are three women members; myself, Congresswoman SHEILA JACKSON LEE, and Congresswoman KAY GRANGER. In the Senate, former Senator Kay Bailey Hutchison was the first and only woman to represent Texas. In 2017, this is unacceptable. When Jeannette Rankin said that she would not be the last woman in Congress, I believe that she imagined a Congress much different from this one, a Congress that mirrored our society.

125TH ANNIVERSARY OF THE
DAILY CARDINAL NEWSPAPER**HON. MARK POCAN**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. POCAN. Mr. Speaker, I rise today to recognize the 125th anniversary of The Daily Cardinal newspaper serving the University of Wisconsin-Madison Campus since its debut on April 4, 1892.

This distinguished student newspaper has been a valued staple on the University of Wisconsin-campus since it was founded by two natives of Monroe Wisconsin, who originally distributed the newspaper on horseback. One of its founders, William Wesley Young, was the University of Wisconsin-Madison's first journalism graduate. In fact, the current home of UW-Madison's School of Journalism in Vilas Hall is built on the site of former Cardinal offices.

Thousands of students used the Daily Cardinal to pursue investigative journalism, expose corruption and develop photographic and storytelling skills. Alumni of the paper have subsequently become not only leaders in journalism, but also in politics, business, law, and medicine. Some of these students have even subsequently gone on to win Pulitzer Prizes, Emmys, Peabody awards, and Nobel prizes.

As one of the oldest college student newspapers in the United States, The Daily Cardinal has survived and thrived through decades of change at the University of Wisconsin-Madison. Its editorial board has proudly been on the forefront of advocating for important issues and advancing progressive stances

from women's suffrage to civil rights to marriage equality, while also fighting injustice and racism.

Today, it is my honor to commend The Daily Cardinal staff, advisors, and distinguished alumni for all they have accomplished at this venerable student newspaper for the past 125 years.

Mr. Speaker, it is with great honor that I recognize the 125th anniversary of The Daily Cardinal.

RECOGNIZING THE SUNY PLATTSBURGH
WOMEN'S HOCKEY TEAM**HON. ELISE M. STEFANIK**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Ms. STEFANIK. Mr. Speaker, I rise today to honor the hard work and skill of the SUNY Plattsburgh Women's Hockey Team, who just ended their already impressive season by winning the NCAA Division III championship.

Led by Coach Kevin Houle, the Cardinals are the first team in Division III history to win four consecutive national championships. Seniors Jordan Lipson, Katelyn Turk, Julia Duquette, Melissa Ames, Erin Brand and Camille Leonard close out their collegiate careers with an impressive four year record of 111-5-4.

Additionally, Erin Brand was honored as the Most Outstanding Player at the NCAA Division III Championship with Camille Leonard and Melissa Sheeren also earning a spot on the All-Tournament Team. Leonard, the team's goaltender, ends her career with the most victories in NCAA Division III history, as well as the highest save percentage and the second most shutouts.

In New York's 21st District, we are incredibly proud of these women and their incredible achievements. I would like to congratulate the SUNY Plattsburgh Cardinals on their victory and hope that their hard work and dedication serve as an inspiration for generations to come.

NEYRA VALDEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Neyra Valdez for receiving the Adams County Mayors and Commissioners Youth Award.

Neyra Valdez is a 12th grader at Hinkley High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Neyra Valdez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Neyra Valdez for winning the Adams County

Mayors and Commissioners Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

RECOGNIZING THE 2017 FAIRFAX
COUNTY SHERIFF'S OFFICE
VALOR AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize an outstanding group of men and women in Northern Virginia. These individuals have demonstrated superior dedication to public safety and have been awarded the prestigious Valor Award by the Northern Virginia Chamber of Commerce.

This is the 39th Annual Valor Awards sponsored by the Northern Virginia Chamber of Commerce. This event honors the remarkable heroism and bravery in the line of duty exemplified by our public safety officers. Our public safety and law enforcement personnel put their lives on the line every day to keep our families and neighborhoods safe. This year's ceremony will present 125 awards to recognize extraordinary actions above and beyond the call of duty in a variety of categories including the Lifesaving Certificate, the Certificate of Valor, and the Bronze and Silver Medals of Valor.

Fourteen members of the Fairfax County Sheriff's Office are being honored this year for their exceptional service. It is with great pride that I include in the RECORD the names of the following Valor Award Recipients:

CERTIFICATE OF VALOR

Second Lieutenant Michael T. Withrow, Sergeant Nathan Cable, Sergeant Oliver Yard Master Deputy Sheriff Clifton Cooley, Master Deputy Sheriff Patrick McPartlin, Master Deputy Sheriff Jeffery Waple, Private First Class Jonathan Perryman, Private First Class Joshua Silver.

LIFESAVING AWARD

Master Deputy Sheriff Edward S. Fircetz, Master Deputy Sheriff Daniel Fyock, Master Deputy Sheriff Robert Knapp, Private First Class Daniel Boring, Private First Class Heather Trijo, Deputy James Grosser.

Mr. Speaker, I congratulate the 2017 Valor Award Recipients, and thank all of the men and women who serve in the Fairfax County Sheriff's Office. Their efforts, made on behalf of the citizens of our community, are selfless acts of heroism and truly merit our highest praise. I ask my colleagues to join me in applauding this group of remarkable citizens.

HONORING MITCH LASGOITY FOR
BEING NAMED THE 2017 SENIOR
FARMER OF THE YEAR

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. COSTA. Mr. Speaker, I rise today to honor Mr. Mitch Lasgoity, of Madera, Cali-

fornia for being recognized as the 2017 Senior Farmer of the Year by the Madera District Chamber of Commerce. Receiving such an honor is well deserved by this hard working and humble man.

Mitch was born in Madera, California on April 11, 1930. His father, Jean Lasgoity immigrated to the United States from the Basque country of France, where he was a sheep herder. After settling in Madera, Jean married Jennie Ospital in 1928 and they started their sheep livestock business on the plot of land Jennie grew up on.

Growing up on this family farm business, Mitch learned from a very young age, the skills it would take to become a successful farmer. Even as a young boy, Mitch was trusted to help around the farm, from prepping chickens for dinner to raising hogs to sell to a meat company. As he got older, he became more involved in raising ewes into lambs, refining the skills needed in the sheep business. By the age of ten, Mitch could fully operate and drive a tractor and began doing summer work operating a grain harvester at the age of 15.

After graduating from Madera Union High School, Mitch went on to attend Santa Clara University, graduating with a degree in business in 1952. After college, Mitch partnered with his father in the sheep business. Later, at the age of 26, he bought the farm from his father and officially became self-employed.

In 1957, Mitch married Rosemary Mastrofina, who gave birth to their four children, Michel, Monica, James and John. While raising a family, Mitch was determined to expand and refine his business with the help and support of his wife, Rosemary. In no time, Mitch had an outfit of 5,000 ewes and expanded their grazing territory to Joe and Bob Heguy's ranch in Elko County, Nevada. In addition, Mitch partnered with Rosemary's uncle, Herb Buchenau, and together they created Copper Sheep Company in Ely, Nevada, where they had 10,000 ewes and 500 cows. Not stopping there, Mitch bought his first ranch, the Collins Ranch, in 1967 near Eastman Lake. Around this time he also began to farm a 320 acre ranch within Western Madera County. From then on, Mitch decided to expand his agriculture business to the best of his abilities. He has since diversified to producing almonds, grapes, wine and cattle. Now farming 3,500 acres, and owning a cattle operation which grazes over 33,000 acres, Mitch has shown what true hard work and dedication can achieve in the farming and agriculture industry.

Mr. Speaker, it is with great honor that I ask my colleagues to join me in congratulating and honoring Mitch Lasgoity for this prestigious award as 2017 Senior Farmer of the Year. It is both fitting and appropriate that we honor Mitch for his commitment to the farming industry and outstanding accomplishments. I ask that you join me in wishing Mr. Mitch Lasgoity continued success.

PERSONAL EXPLANATION

HON. RALPH LEE ABRAHAM

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. ABRAHAM. Mr. Speaker, on Monday, April 3, 2017 I was unavoidably detained on Roll Call Vote No. 209 and No. 210. Had I been present to vote I would have voted "AYE" on Roll Call No. 209, and "AYE" on Roll Call No. 210.

PERSONAL EXPLANATION

HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. JENKINS of West Virginia. Mr. Speaker, due to unforeseen travel delays, I was forced to miss Roll Call Vote Number 209. Had I been present, I would have voted YEA on Roll Call No. 209.

PERSONAL EXPLANATION

HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. MARINO. Mr. Speaker, I was unable to attend votes during the week of March 15, 2017 due to inclement weather. Had I been present, I would have voted as follows:

On March 15, 2017:

YEA for rollcall vote 159

YEA for rollcall vote 160

YEA for rollcall vote 161

On March 16, 2017:

YEA for rollcall vote 162

YEA for rollcall vote 163

YEA for rollcall vote 164

NAY for rollcall vote 165

NAY for rollcall vote 166

NAY for rollcall vote 167

YEA for rollcall vote 168

YEA for rollcall vote 169

On March 17, 2017:

YEA for rollcall vote 170

YEA for rollcall vote 171

YEA for rollcall vote 172

I was unable to attend votes during the week of March 27, 2017 due to a death in the family. Had I been present, I would have voted as follows:

On March 27, 2017:

YEA for rollcall vote 195

YEA for rollcall vote 196

March 28, 2017:

YEA for rollcall vote 197

YEA for rollcall vote 198

YEA for rollcall vote 199

YEA for rollcall vote 200

YEA for rollcall vote 201

YEA for rollcall vote 202

On March 29, 2017:

YEA for rollcall vote 203

YEA for rollcall vote 204

NAY for rollcall vote 205

YEA for rollcall vote 206
On March 30, 2017:
NAY for rollcall vote 207
YEA for rollcall vote 208

HONORING TYRONE SURVILLION

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable law enforcer Constable Tyrone Survillion.

Mr. Survillion's life began in Marks, MS, where he was born to Claudia M. Survillion and John H. Harris both of Marks, MS. Constable Survillion continued his residence and has resided there for forty-six plus years. He was a graduate of the Quitman County High School and he then attended Coahoma Junior College.

Tyrone Survillion has been in law enforcement since 1997 until the present. He started out as a dispatcher for the Quitman County Sheriff's Department, and later worked his way up to becoming a certified dispatcher in the year 1999. In 2008, Tyrone Survillion was elected for Constable in Quitman County until the present. He states: "Something that I love to do is working for people."

Mr. Survillion has been married to Sharon Survillion for twenty-four years. From that union came two daughters, Au'Kiona Tillman, Ty'shauna Survillion and two god daughters, Mar'Kayla and Maddison.

Constable Survillion's goal is to continue to serve and protect the citizens of Quitman County for many more years to come. Through God and determination, Constable Survillion will continue to make a difference in his community.

Mr. Speaker I ask my colleagues to join me in recognizing Constable Tyrone Survillion for his dedication of being an outstanding law enforcer.

PAOLA ANDUJAR

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Paola Andujar for receiving the Adams County Mayors and Commissioners Youth Award.

Paola Andujar is a 12th grader at Brighton High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Paola Andujar is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Paola Andujar for winning the Adams County Mayors and Commissioners Youth Award. I

have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

RECOGNIZING VIRGINIA STATE TROOPER STEVEN MULLER

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize my constituent, Virginia State Police Trooper Steven Muller, for his recognition by the Rotary Club of West Springfield as an Outstanding Virginia State Trooper of the Year for 2016.

Trooper Muller is a credit to his unit and uniform and the long tradition of our Commonwealth's State Police Force. Trooper Muller has been nominated for this Rotary award by his superiors, who note that in August of 2015 he was dispatched to a vehicle crash on the Capital Beltway. Upon arriving at the scene he found two citizens who were trying to aid an individual lying near the wreckage on a very busy and dangerous stretch of I-495. Trooper Muller checked the victim for signs of breathing and a pulse and found the victim unresponsive. Immediately after, he began special rescue breathing and CPR. Trooper Kress Adamson arrived a few minutes later to aid Trooper Muller. A Fairfax County Rescue team then arrived and asked the two troopers to continue their life-saving efforts until the Rescue team could apply an automated external defibrillator. After several minutes of these combined advanced lifesaving techniques, they were able to regain a pulse in the victim. The victim was then transported to INOVA Alexandria Hospital where he remained in critical condition until his recovery. Due to the initial valiant efforts of both civilians and these two troopers, the victim has a better chance of recovery from this life-threatening accident.

Trooper Muller has served with the Virginia State Police for five years. After graduating from the State Police Academy, he was assigned to Springfield (Area 48), where he currently serves. Originally from Brocton, New York, he holds a bachelor's degree in criminal justice from Fredonia State University.

Mr. Speaker, I ask my colleagues to join me in congratulating Trooper Muller and in thanking him for his years of service to Fairfax County and the Commonwealth of Virginia. He has demonstrated exceptional dedication to public safety and the mission of law enforcement, and for that, we owe him a special debt of gratitude.

STATEMENT COMMEMORATING NEW YORK STATE YELLOW RIBBON DAY

HON. PAUL TONKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. TONKO. Mr. Speaker, I rise today to commemorate New York State Yellow Ribbon Day.

On April 9th, the State of New York will observe Yellow Ribbon Day to honor current and former members of the United States Armed Forces. Yellow Ribbon Day has occurred on April 9th each year since 2006 following unanimous support for resolutions by the New York State Legislature, and Proclamations by New York's governors.

New York State Yellow Ribbon Day, which was originally held at the Saratoga-Wilton Elks, and now takes place at the Halfmoon Town Hall, truly represents the spirit of the New York's 20th Congressional District and its commitment to supporting and recognizing our service men and women.

Yellow Ribbon Day is championed each year by Carol Hotaling, a resident of New York's 20th Congressional District, who began making yellow ribbons to donate to the family members of troops deployed during Operation Desert Storm. Ms. Hotaling stands as a beacon of goodwill and an outstanding member of our community by virtue of her dedication to creating a meaningful occasion to honor our troops.

Ms. Hotaling chose the date of April 9 in honor of Matt Maupin, a U.S. Army Staff Sergeant who was captured while serving in Iraq on that date in 2004. Staff Sergeant Maupin was the first U.S. military service member who went Missing-In-Action during Operation Iraqi Freedom.

It is an honor and privilege to recognize our troops on this solemn occasion, and always, for their example of honor, sacrifice, strength, sense of duty, and leadership. On behalf of New York's 20th Congressional District, I offer my heartfelt gratitude for their service in defense of our freedom, security, and way of life.

INTRODUCTION OF THE POLICE TRAINING AND INDEPENDENT REVIEW ACT

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. COHEN. Mr. Speaker, I rise today in support of The Police Training and Independent Review Act, a bill I introduced earlier today with colleague LACY CLAY of Missouri, and with Senator TAMMY DUCKWORTH of Illinois.

If enacted, the Police Training and Independent Review Act would help ensure the independent investigation and prosecution of law enforcement officers in cases involving their use of deadly force. It would also help ensure that law enforcement officers receive appropriate training.

America received a wakeup call in Ferguson, Missouri. We received another in Staten Island, New York.

We received yet another in Ohio, South Carolina, Illinois, Minnesota, Louisiana and Oklahoma.

Our nation faces sobering questions about the basic fairness of our criminal justice system. And we face sobering questions about race. These questions simply cannot be ignored.

For too many, for too long, justice has seemed too lacking.

Nearly 2 years ago, President Obama's Commission on 21st Century Policing suggested several common sense reforms, including the use of independent prosecutors for police-involved civilian deaths, as well as additional training for law enforcement officers.

Unfortunately, Congress has not yet acted on these recommendations.

We need to stop asking local prosecutors to investigate the same law enforcement officers with whom they work so closely, and whose relationships they rely upon to perform their daily responsibilities. Prosecutors also often seek the support of their local police when they run for reelection.

This is an inherent conflict of interest, and if we are serious about restoring a sense of fairness and justice, we must remove this conflict immediately.

To be sure, the vast majority of prosecutors and law enforcement officers are well meaning, dedicated public servants, and we depend upon them to keep us safe from criminals. And they have dangerous jobs, as we have seen all too frequently.

But the fact remains that some officers go beyond the law in a callous disregard for due process. When it comes to investigating, and potentially prosecuting, these actions, there is often a perception of unfairness, and that perception poisons the public trust.

That is bad for law enforcement as well as citizens, making their work more dangerous.

The Police Training and Independent Review Act would give states an incentive to use independent prosecutors when police use of deadly force results in a civilian death. It would also give states and incentive to provide training to police to help them better understand the racial and ethnic diversity of the communities they serve, as well as how best to work with individuals who are disabled or mentally ill.

If states refuse to use independent prosecutors or provide appropriate training, they would begin to lose a portion of their federal funding.

I urge my colleagues to help pass this legislation quickly, and help restore some much needed faith in our criminal justice system.

I want to thank my colleague LACY CLAY for his partnership on this bill. He is a tireless advocate on these issues, and I am honored to work with him. I also want to thank Senator DUCKWORTH for her leadership on this bill in the Senate.

TRIBUTE TO THE LIFE OF DR.
JOAN L. VORIS

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to the life of Dr. Joan L. Voris, who passed away on February 11, 2017. Joan was an incredibly hard worker who dedicated her life to bettering the lives of others. Through her leadership as Associate Dean of the UCSF Fresno Medical Education Program she touched the lives of many that had the pleasure of knowing her. The passing of Dr. Voris has left a void in the Central Valley.

Dr. Voris was born on August 5, 1941, in Brooklyn, New York, and lived much of her young life in Belmont, California. She then went on to earn her undergraduate and medical degree at Stanford University. She moved to Fresno in 1971, with her late husband Zirno Bezmalinovic, and dedicated the rest of her life to improving the central San Joaquin Valley.

In 1980, Dr. Voris started her career at the Children's Clinic at Valley Medical Center. This center cared for children who were predominately low income. Coinciding, Dr. Voris began her residency program, pulling all-nighters to get training so she could be an expert in her field. In 1990, she became a member of the UCSF Fresno faculty, and then became president of the medical staff at Valley Medical Center in 1996. Dr. Voris was integral in helping facilitate the transition of the medical education program to the Community Medical Center, which cared for indigent patients.

Dr. Voris lived an incredible life and she utilized her passion for medicine to help others long before she became a Dean. Dr. Voris contributed her summers to providing care to children in rural Mexico, which is something she was able to share with her husband, as he did similar work in Bolivia.

In 2002, Dr. Voris became Associate Dean of the UCSF Fresno Medical Education Program. During her service, she successfully increased the number of faculty from 77 to 229, as well as increased the number of residents and fellows trained annually by 70 percent. She not only helped her patients directly but helped protect future patients by ensuring that residents were well trained.

Dr. Voris' accomplishments and contributions to the Valley have not gone unnoticed. In 2010, she was recognized as one of the Top Ten Professional Women by the Marjorie Mason Center, and in 2012 she was awarded the Physician Community Service Lifetime Achievement Award from the Fresno-Madera Medical Society. Dr. Voris ended her term as the longest-serving associate dean in its history.

She is survived by her children, Beatrice Bezmalinovic-Dhebar and husband Anirudh Dhebar of Wellesley, MA, Margaret Bezmalinovic of Sacramento, CA, and John Bezmalinovic and wife Tracy of Fresno, CA; and grandchildren, Mia Bezmalinovic, Arun Dhebar, and Chetan Dhebar. It is my honor to join Dr. Voris' family in celebrating the life of this inspirational and hardworking woman. She truly led by example and improved the lives of others throughout her leadership.

Mr. Speaker, it is with great respect that I ask my colleagues in the House of Representatives to pay tribute to the life of Dr. Joan Voris, whose expertise and generosity will be truly missed.

HONORING THE SERVICE OF
JAMES CODY

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize James Cody of Syra-

cuse, New York, for his consistent and enduring dedication to serving our nation's veterans.

Mr. Cody began his work with the Department of Veterans Affairs in 1978 and has worked in multiple VA Centers across the east coast since then. For the last 17 years, he has served as the Director of the VA facility in Syracuse, while also overseeing its seven outpatient clinics. Mr. Cody oversaw an expansion of the facility's services, which included the construction of a Spinal Cord Injury Center, and during his tenure, approximately 48,000 veterans received the treatment they deserved.

I would like to thank Mr. Cody for his work providing an invaluable service to the veterans of New York's 21st District. The time and effort that James has put into assisting our servicemen and women speaks volumes of his character, and we applaud his years of service.

JOZLYNN MCCASLIN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jozlynn McCaslin for receiving the Adams County Mayors and Commissioners Youth Award.

Jozlynn McCaslin is a 12th grader at North Valley School for Young Adults and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Jozlynn McCaslin is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jozlynn McCaslin for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

RECOGNIZING DEPUTY SHERIFF
PFC KEVIN DAVIS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. CONNOLLY. Mr. Speaker, I rise to recognize my constituent Deputy Sheriff PFC Kevin Davis for being named Outstanding Deputy Sheriff of the Year by the Rotary Club of West Springfield. PFC Davis joined the Sheriff's Office in 2009 after retiring from the U.S. Marine Corps as a gunnery sergeant. PFC Davis works in the Fairfax County Sheriff's Office Civil Enforcement Branch, where he is responsible for the processing and service of civil documents on behalf of the courts and is assigned to West Springfield and Burke in Fairfax County.

PFC Davis and the other deputies have spearheaded efforts, both on and off the job, to help victims of domestic violence and sexual assault. This past summer they partnered with 17 Starbucks stores to collect toiletries and baby care items for Artemis House, Fairfax County's only 24-hour domestic violence shelter. PFC Davis volunteers for many other Sheriff's Office activities beyond his regular job assignment. He is a member of the award-winning Honor Guard team. He also participates in Project Lifesaver, which assists families and caregivers of individuals with autism spectrum disorders, Down syndrome, Alzheimer's, and related conditions and disabilities. During National Night Out he visited several community gatherings in West Springfield and Burke and made an especially positive impression on young children and their families. Upon graduating from the Fairfax County Criminal Justice Academy, he was elected Class President by his peers and received the Instructor's Award for his outstanding leadership.

Mr. Speaker, I ask my colleagues to join me in congratulating PFC Davis and in thanking him for his years of service to Fairfax County. He has demonstrated exceptional dedication to public safety and the mission of law enforcement, and for that, we owe him a special debt of gratitude.

HONORING MRS. KATIE FRIAR

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor the late Katie "Kate" Mae McKennie Friar.

Mrs. Friar was born on July 22, 1929, in Holmes County, Mississippi. She was the third child of seven children born to Perry McKennie, Sr. and Mannie Pitchford McKennie.

Mrs. Friar began her Christian journey at a very young age at Rockport Missionary Baptist Church, Lexington, Mississippi. She later moved her membership to Lebanon Missionary Baptist Church, Lexington, Mississippi, where she taught at Lebanon School and started as an educator together, with her husband, the late Samuel Friar. She was a faithful member of Lebanon Missionary Baptist Church until her health declined. She was a Sunday School teacher, choir member, and chairperson of various ministries. She was an Ancient Matron of Court 172A of Heroines of Jericho for 30 years and a member of the organization for 60 years.

Mrs. Friar attended Rockport School, Ambrose School, and Mississippi Valley State University where she received a B.A. Degree in Elementary Education. She received various other achievements in education and taught school in Holmes County for 34 years before retiring in 1984.

Mrs. Friar was united in holy matrimony to the late Samuel Friar on May 24, 1953, and to this union two children were born: Shirley A. Friar, Lexington, Mississippi and Samuel L. Friar (Gwendolyn), McKinney, TX; two grand-

children: Stephen L. Friar (Christina), and Tamera K. Friar both from McKinney, TX; three great-grandchildren: Jaden F. Friar, Steele L. Friar, and Solomon L. Friar; six siblings: Leola Williams, Lexington, MS; Selena Shelton, Chicago, IL, Leslie McKennie, Sr., who preceded her in death, Perry McKennie, Jr., Nathan McKennie (Inez), Chicago, IL, Isadore McKennie, Chicago, IL, a host of nieces, cousins, and loved ones in Christ.

Mr. Speaker, I ask my colleagues to join me in recognizing the memory of Mrs. Katie "Kate" Mae McKennie Friar for her hard work, dedication and strong desire to achieve.

IN SUPPORT OF COMMEMORATING EQUAL PAY DAY AND EXPRESS- ING SUPPORT FOR PAYCHECK FAIRNESS ACT

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Ms. JACKSON LEE. Mr. Speaker, I rise today to commemorate Equal Pay Day, a day in which President John F. Kennedy, on June 10, 1963, proclaimed the simple principle that women deserve equal pay for equal work.

The symbolism of this day is expressed in that, as we are more than three months into the year, women's wages are only now beginning to catch up to what men were paid the previous year.

Today, women on average make 78 cents for every dollar earned by men, amounting to an annual disparity of more than \$10,876 dollars between full-time working men and women.

It is important to understand what 78 cents to every dollar means to a family: \$10,876 could purchase 86 more weeks of food; \$10,876 could afford more than 3,200 additional gallons of gasoline; \$10,876 could support families in incredible ways, and yet, even today, \$10,876 annually is exactly what women currently do without simply because of being women.

For African American women and Latina women, the wage gap is even higher. African American women on average earn only 64 cents, while Latina women earn 54 cents to every dollar earned by white, non-Hispanic men.

In my home state of Texas, however, the average wage gap for African American women is 59 cents to the dollar. For Latina women, it is an abysmal 45 cents to the dollar.

This is why I support H.R. 1869, the Paycheck Fairness Act, which addresses loopholes in the 1963 Equal Pay Act.

H.R. 1869 would protect employees who voluntarily share their own salary information at work from retaliation by an employer and remove obstacles in the Equal Pay Act to facilitate plaintiffs' participation in class action lawsuits that challenge discrimination.

H.R. 1869 would also better align key Equal Pay Act defenses with those in Title VII of the Civil Rights Act, requiring employers to prove that pay disparities exist for legitimate, job-related reasons.

On this Equal Pay Day, I call upon House Republicans, all of whom have so far refused

to co-sponsor the Paycheck Fairness Act, to answer this simple question: why are you opposed to woman earning the same amount as men?

I ask House Republicans to stop wasting the time of this Congress with attempts to repeal the Affordable Care Act and focus on legislation that would actually help the American people.

Let us call this opposition to the Paycheck Fairness Act, and opposition to all acts of Congress dating back to the 1960's that have attempted to ameliorate the glaring disparities in wages between women and men, for what it is: deliberately and blatantly sexist.

I ask all my colleagues to make the Paycheck Fairness Act a reality.

We should remember: equal pay is not simply a women's issue—it is a family issue.

It is time now to update antiquated pay equality laws and to eliminate the wage gap entirely between men and women.

It is time for equal pay for equal work.

RECOGNIZING THE BURKE VOLUNTEER FIRE AND RESCUE DEPARTMENT

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the Burke Volunteer Fire and Rescue Department on the occasion of its 69th Annual Installation of Officers Banquet, and to thank its volunteers for filling an essential role in keeping our community safe.

The Burke Volunteer Fire and Rescue Department was founded in January 1948, and for more than six decades it has provided life-saving fire suppression, fire prevention, and emergency medical and rescue services to the residents of Burke and the surrounding communities. It also provides, houses, and maintains firefighting and emergency medical equipment, provides opportunities for professional growth and development for the membership, and maintains and fosters a strong viable organization.

As one of the county's most active volunteer fire and rescue departments, the Burke Volunteer Fire and Rescue Department works in cooperation with the Fairfax County Fire and Rescue Department to serve the community. I am honored to recognize the dedicated men and women of the Burke Volunteer Fire Department who have volunteered for extra duty as Officers or as members of the Board of Directors and include in the RECORD.

BOARD OF DIRECTORS

President Tonya McCreary
Vice-President Joe Shields
Secretary Matt Bryant
Treasurer Ian Dickinson
Larry Bockneck
Becky Dobbs
Rich Guarrasi

OFFICERS

Chief Tom Warnock
Deputy Chief Tina Godfrey
Deputy Chief John Hudak
Administrative Member Manager Cathy Owens

Captain II Melissa Ashby
 Captain II Larry Bockneck
 Captain II Keith O'Connor
 Lieutenant Emily Fincher
 Lieutenant Kevin Grottle
 Sergeant Shaun Kurry
 Sergeant Jennifer Babic
 Sergeant Peter Hamilton
 Team Leader Paul Stracke

Team Leader and Chaplain Harry Chelpon
 In addition to the men and women who have generously assumed the responsibilities of serving as an Officer or a member of the Board of Directors, the Burke Volunteer Fire Department is also presenting awards to the following individuals in recognition of their exemplary service during the last year:

Founder's Award: Patrick Owens
 Rookie of the Year: Earl Roberts
 Firefighter of the Year: Ian Dickinson
 EMS Provider of the Year: Barry Brown
 Officer of the Year: CPT II Keith O'Connor
 Administrative Member of the Year: Chuck Fry

Career Member of the Year: MT George Hahn

Chief's Award: SGT Shaun Kurry
 President's Award: Becky Dobbs
 Special Recognition: Harry Chelpon/Kevin Grottle

Mr. Speaker, I ask that my colleagues join me in congratulating the department for 69 years of service and in thanking all of the brave volunteers who do not hesitate to drop everything when the community calls in need of help. To all of these men and women who put themselves in harm's way to protect our residents I say: "Stay safe."

RECOGNIZING HUGH MAHR

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to recognize Hugh Mahr, a West Point cadet from my district who displayed profound courage in saving the lives of two motorists last fall.

Last November, Hugh and his parents encountered a traffic accident on the interstate while on their way to their home in Mt. Auburn. Hugh spared no time in approaching the vehicles, checking both the driver of the car and the driver of the tractor trailer.

He quickly took control of the scene and determined that the driver of the car had a serious head injury. Hugh administered first aid, applied pressure to her wound, and successfully kept her conscious until first responders could arrive. Hugh also kept the tractor trailer driver from being removed from his vehicle until emergency personnel had evaluated the extent of his injuries, possibly saving his life.

Without a doubt, Hugh showed true bravery in helping the individuals involved in the accident. He was awarded the Army Achievement Medal for his actions which, "are in keeping with the finest traditions of military services and reflect great credit upon himself, the United States Corps of Cadets, the United States Military Academy, and the United States Army."

I am immensely proud of Hugh for the selflessness he displayed in offering his assistance to civilians in need. I am glad he will soon join the finest men and women in our Armed Forces upon his completion at West Point.

I thank Hugh for his courage. It is an honor to serve him in the United States Congress.

JESUS NAVARRETE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jesus Navarrete for receiving the Adams County Mayors and Commissioners Youth Award.

Jesus Navarrete is a 12th grader at North Valley School for Young Adults and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Jesus Navarrete is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jesus Navarrete for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING PERCY NORWOOD, JR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Percy Norwood, Jr., who is a retired Captain, Commanding Officer, and Executive Officer of the United States Coast Guard.

Mr. Norwood and his wife, Marie, have 36½ years of marriage and live in Carrollton, Mississippi. They are the proud parents of four adult children: Angelia, Kelvin, Lindsey Marie and Matthew, grandparents of five children: Devon, Shynell, Nathaniel II, Alexis and Camerin; and great-grandparents of one child, Alexander.

Percy Norwood, Jr. retired from the United States Coast Guard in 2000 with the rank of Captain after almost 30 years of outstanding and dedicated service to our nation. At the time of his retirement, he held three key positions: Commanding Officer of Coast Guard Headquarters Support Command, Commanding Officer of Coast Guard Headquarters Staff, and Executive Officer of Coast Guard Headquarters in Washington, DC. Mr. Norwood also served as the first Director of the Coast Guard Recruiting Center from July 1995 to May 1998, where he was responsible for recruiting the best men and women to meet the

Coast Guard's military personnel needs. During this assignment, Mr. Norwood led recruiters in creating the most diverse Coast Guard in our nation's history.

In 1993, Mr. Norwood served as team leader for the Vice President of the United States' National Performance Review Task Force where his team explored ways to improve Coast Guard fisheries law enforcement outcomes. As a result of his team's efforts, the Coast Guard maximized the use of technology to drastically reduce illegal fishing in U.S. territorial waters. While pursuing his Coast Guard career, Norwood performed numerous other jobs that included search and rescue; oil and hazardous material cleanup; conducting investigations, evaluations and training; planning, logistics, budgeting and personnel support; and teaching Chemistry courses at the U.S. Coast Guard Academy.

Mr. Norwood's education and training includes: graduating from Marshall High School in North Carrollton, MS in 1964 as class Valedictorian; a Bachelor of Science in Chemistry from Alcorn State University in 1968; a Master of Science Degree in Analytical Chemistry from Tuskegee University in 1970, and a Master of Science Degree in Human Resource Management from the Naval Postgraduate School in Monterey, CA in 1980. His thesis entitled, "A Comparison of the Fit Between the Organization Climate of the Coast Guard, the Job/Career Expectations of Black College Graduates and their Perceptions about the Coast Guard" provided the basis for several initiatives that would ultimately change the racial and gender makeup of the Coast Guard. Mr. Norwood is a 1977 graduate of the Defense Race Relations Institute. He is a 1992 through 1993 Department of Transportation and Council for Excellence in Government Fellow and a past member of the Senior Fellows Group whose focus is improving government.

Mr. Norwood received numerous personal military awards that included the Legion of Merit, two Meritorious Service Medals, two Coast Guard Commendation Medals, and the Coast Guard Achievement Medal. His non-military awards include the National Image Incorporated Award (1993), the National Naval Officers Association's (NNOA) Dorie Miller Award (1993), the National Association For Equal Opportunity in Higher Education (NAFEO) Distinguished Alumni Award (1995), and the NAACP Roy Wilkins Renown Service Award (1995). Mr. Norwood was inducted into the Alcorn State University Hall of Honor in 2006 for his outstanding leadership and service and elected by his fellow alumni as Alcornite of the Year in 2008 as Alcorn State University's most distinguished Alumnus. Three of his four siblings (Laura, Willie and James) are also graduates of Alcorn State University.

Mr. Norwood is a past president of the Metropolitan Washington, DC Area and the St. Louis, MO Alcorn Alumni Chapters, and the Immediate Past National President of the Alcorn State University National Alumni Association. He is a past Vice President for Membership, Eastern Region Vice President, and National President of the National Naval Officers Association. He is a member of Rho Gamma Lambda Chapter of Alpha Phi Alpha Fraternity, Inc. where he chairs their Project

Alpha Mentoring Program and serves as Chairman of the Greenwood Alphas Foundation. He also serves as President of the Board of Directors for Leflore-Carroll-Montgomery Counties Memorial Garden Cemetery, Recording Steward of Helm Chapel Christian Methodist Episcopal Church, and President of the Montgomery-Carroll-Grenada County Alcorn Alumni Chapter. He was recently appointed by the Carroll County Board of Supervisors as the Veterans Service Officer for Carroll County where he is helping veterans get the services and support they have earned and need. He also mentors two young men who are students at J.Z. George High School and tutors two Middle School students and one elementary school student.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Percy Norwood, Jr., a Captain, Leader and Educator for his dedication to serving others and giving back to the African American community.

HONORING THE 175 INVENTORS INDUCTED AS THE 2016 FELLOWS OF THE NATIONAL ACADEMY OF INVENTORS

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. SMITH of Texas. Mr. Speaker, I rise today to honor the 175 inventors who will soon be recognized at the John F. Kennedy Presidential Library & Museum and inducted as the 2016 Fellows of the National Academy of Inventors (NAI) in an induction ceremony that will feature a keynote address by U.S. Commissioner for Patents Andrew Hirshfeld. In order to be named as a Fellow, these men and women were nominated by their peers and have undergone the scrutiny of the NAI Selection Committee, having had their innovations deemed as making significant impact on quality of life, economic development, and welfare of society. Collectively, this elite group holds nearly 5,500 patents.

The individuals making up this year's class of Fellows include individuals from 135 research universities and non-profit research institutes spanning the United States and the world. The now 757-member group of Fellows is composed of more than 90 presidents and senior leaders of research universities and non-profit research institutes, 376 members of the National Academies of Sciences, Engineering, and Medicine; 28 inductees of the National Inventors Hall of Fame, 45 recipients of the U.S. National Medal of Technology and Innovation and U.S. National Medal of Science, 28 Nobel Laureates, 216 AAAS Fellows, 126 IEEE Fellows, and 116 Fellows of the American Academy of Arts & Sciences, among other awards and distinctions.

The NAI was founded in 2010 to recognize and encourage inventors with patents issued from the United States Patent and Trademark Office, enhance the visibility of academic technology and innovation, encourage the disclosure of intellectual property, educate and mentor innovative students, and translate the inventions of its members to benefit society.

We are greatly indebted to innovators such as these for contributions to society through their inventions. I commend these individuals, and the organizations and taxpayers that support them, for the work they do to revolutionize the world we live in. As the following inventors are inducted, may it encourage future generations to strive to meet this high honor and continue the spirit of discovery and innovation.

The 2016 NAI Fellows include:

David Akopian, The University of Texas at San Antonio; Kamal S. Ali, Jackson State University; A. Paul Alivisatos, University of California, Berkeley; Carl R. Alving, Walter Reed Army Institute of Research; Hamid Arastoopour, Illinois Institute of Technology; Peter Arsenault, Tufts University; B. Jayant Baliga, North Carolina State University; Zhenan Bao, Stanford University; Richard G. Baraniuk, Rice University; Francis Barany, Cornell University; Jean-Marie Basset, King Abdullah University of Science and Technology; Paula J. Bates, University of Louisville; Craig C. Beeson, Medical University of South Carolina; K. Darrell Berlin, Oklahoma State University; Sarit B. Bhaduri, The University of Toledo; Pallab K. Bhattacharya, University of Michigan; Dieter H. Bimberg, Technical University of Berlin, Germany; Christopher N. Bowman, University of Colorado Boulder; Barbara D. Boyan, Virginia Commonwealth University; Mindy M. Brashears, Texas Tech University; Donald J. Buchsbaum, The University of Alabama at Birmingham; Ruben G. Carbonell, North Carolina State University; John F. Carpenter, University of Colorado Anschutz Medical Campus; Raghunath V. Chaudhari, The University of Kansas; Junhong Chen, University of Wisconsin—Milwaukee; Liang-Gee Chen, National Taiwan University, Taiwan; Simon R. Cherry, University of California, Davis; Michael J. Cima, Massachusetts Institute of Technology; Adrienne E. Clarke, La Trobe University, Australia; Larry A. Coldren, University of California, Santa Barbara; Rita R. Colwell, University of Maryland; Diane J. Cook, Washington State University; Peter A. Crooks, University of Arkansas for Medical Sciences; Riccardo Dalla-Favera, Columbia University; Suman Datta, University of Notre Dame; Delbert E. Day, Missouri University of Science and Technology; Roger A. de la Torre, University of Missouri, Columbia; Stephen W. Director, Northeastern University; Jeffrey L. Duerk, Case Western Reserve University; James L. Dye, Michigan State University; Richard L. Ehman, Mayo Foundation for Medical Education and Research; Gary A. Eiceman, New Mexico State University; Ali Emadi, McMaster University, Canada; Ronald M. Evans, Salk Institute for Biological Studies; Stanley Falkow, Stanford University; Hany Farid, Dartmouth College; Shane M. Farritor, University of Nebraska—Lincoln; Philippe M. Fauchet, Vanderbilt University; Denise L. Faustman, Massachusetts General Hospital; David R. Fischell, Cornell University; Vincent A. Fischetti, The Rockefeller University; David P. Fries, Florida Institute for Human and Machine Cognition; Kenneth G. Furton, Florida International University; Kanad Ghose, Binghamton University, SUNY; Juan E. Gilbert, University of Florida; Linda C. Giudice, University of California, San Francisco; Herbert Gleiter, Karlsruhe Institute of Technology, Ger-

many; Dan M. Goebel, NASA Jet Propulsion Laboratory; Forouzan Golshani, California State University, Long Beach; Lorne M. Golub, Stony Brook University, SUNY; John B. Goodenough, The University of Texas at Austin; Michael Graetzl, Ecole Polytechnique Fédérale de Lausanne, Switzerland; Robert J. Greenberg, Alfred E. Mann Foundation for Scientific Research; Richard M. Greenwald, Dartmouth College; Patrick G. Halbur, Iowa State University; Henry R. Halperin, Johns Hopkins University; Amy E. Herr, University of California, Berkeley; D. Craig Hooper, Thomas Jefferson University; Edward A. Hoover, Colorado State University; Oliver Yoa-Pu Hu, National Defense Medical Center, Taiwan; David Huang, Oregon Health & Science University; Mark S. Humayun, University of Southern California; Joseph P. Iannotti, Cleveland Clinic; Enrique Iglesia, University of California, Berkeley; Sungho Jin, University of California, San Diego; Barry W. Johnson, University of Virginia; William L. Johnson, California Institute of Technology; John L. Junkins, Texas A&M University; Michelle Khine, University of California, Irvine; John Klier, University of Massachusetts Amherst; Thomas J. Kodadek, The Scripps Research Institute; Harold L. Kohn, The University of North Carolina at Chapel Hill; Steven M. Kuznicki, University of Alberta, Canada; Enrique J. Lavernia, University of California, Irvine; Nicholas J. Lawrence, H. Lee Moffitt Cancer Center & Research Institute; Leslie A. Leinwand, University of Colorado Boulder; Frances S. Ligler, North Carolina State University; Yilu Liu, The University of Tennessee, Knoxville; Jennifer K. Lodge, Washington University in St. Louis; Gabriel P. López, The University of New Mexico; Mandi J. Lopez, Louisiana State University; Surya K. Mallapragada, Iowa State University; Seth R. Marder, Georgia Institute of Technology; Alan G. Marshall, Florida State University; Raghunath A. Mashelkar, National Innovation Foundation—India; Kouki Matsuse, Meiji University, Japan; Martin M. Matzuk, Baylor College of Medicine; T. Dwayne McCay, Florida Institute of Technology; James W. McGinity, The University of Texas at Austin; Thomas J. Meade, Northwestern University; Katrina L. Mealey, Washington State University; Edward W. Merrill, Massachusetts Institute of Technology; Paul L. Modrich, Duke University; H. Keith Moo-Young, Washington State University Tri-Cities; David J. Mooney, Harvard University; Israel J. Morejon, University of South Florida; Harold L. Moses, Vanderbilt University; Joseph R. Moskal, Northwestern University; Nazim Z. Muradov, University of Central Florida; Nicholas Muzyczka, University of Florida; Lakshmi S. Nair, University of Connecticut; Shrikanth S. Narayanan, University of Southern California; Erin K. O'Shea, Howard Hughes Medical Institute; Ellen Ochoa, NASA Johnson Space Center; Francis A. Papay, Cleveland Clinic; Kevin J. Parker, University of Rochester; Yvonne J. Paterson, University of Pennsylvania; George N. Pavlakis, National Institutes of Health; Kenneth H. Perlin, New York University; Nasser Peyghambarian, The University of Arizona; Gary A. Piazza, University of South Alabama; Christophe Pierre, Stevens Institute of Technology; Michael C. Pirrung, University of California, Riverside; Michael V. Pishko, University of Wyoming; Garth

Powis, Sanford Burnham Prebys Medical Discovery Institute; Paras N. Prasad, University at Buffalo, SUNY; Ronald T. Raines, University of Wisconsin—Madison; Ragunathan (Raj) Rajkumar, Carnegie Mellon University; Michael P. Rastatter, East Carolina University; Jacob (Kobi) Richter, Technion-Israel Institute of Technology, Israel; Richard E. Riman, Rutgers, The State University of New Jersey; Andrew G. Rinzier, University of Florida; Bruce E. Rittmann, Arizona State University; Nabeel A. Riza, University College Cork, Ireland; Kenneth J. Rothschild, Boston University; Stuart H. Rubin, Space and Naval Warfare Systems Center; Linda J. Saif, The Ohio State University; Sudeep Sarkar, University of South Florida; John T. Schiller, National Institutes of Health; Diane G. Schmidt, University of Cincinnati; Wayne S. Seames, University of North Dakota; Michael S. Shur, Rensselaer Polytechnic Institute; David Sidransky, Johns Hopkins University; Mrityunjay Singh, Ohio Aerospace Institute; Kamalesh K. Sirkar, New Jersey Institute of Technology; David R. Smith, Duke University; James E. Smith, West Virginia University; Terrance P. Snutch, The University of British Columbia, Canada; Ponisseril Somasundaran, Columbia University; Gerald Sonnenfeld, University of Rhode Island; James S. Speck, University of California, Santa Barbara; Sidgata V. Sreenivasan, The University of Texas at Austin; Bruce W. Stillman, Cold Spring Harbor Laboratory; Daniele C. Struppa, Chapman University; Kenneth S. Suslick, University of Illinois at Urbana-Champaign; Mark J. Suto, Southern Research Institute; Yu-Chong Tai, California Institute of Technology; Nelson Tansu, Lehigh University; Fleur T. Tehrani, California State University, Fullerton; Marc T. Tessier-Lavigne, Stanford University; Madhukar (Mathew) L. Thakur, Thomas Jefferson University; Mehmet Toner, Massachusetts General Hospital; Jan T. Vilcek, New York University; Anil V. Virkar, The University of Utah; John F. Wager, Oregon State University; William R. Wagner, University of Pittsburgh; Isiah M. Warner, Louisiana State University; John D. Weete, Auburn University; Andrew M. Weiner, Purdue University; Ralph Weissleder, Massachusetts General Hospital; Thomas M. Weller, University of South Florida; Jennifer L. West, Duke University; Amnon Yariv, California Institute of Technology; Yun Yen, Taipei Medical University, Taiwan; Warren M. Zapol, Massachusetts General Hospital.

HONORING THE LIFE OF MAX STAUFFER

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. COSTA. Mr. Speaker, I rise today to honor and pay tribute to the life of Max Stauffer, who passed away on March 10, 2017, at the age of 69. Max was a well-respected business leader who owned the beloved Yosemite Mountain Sugar Pine Railroad in Fish Camp, CA, just outside Yosemite National Park.

Max Stauffer was born on June 7, 1947, in Switzerland and immigrated to the United

States at the age of three. His father, Rudy and mother Luce, with the help of Max and his brothers, Guido and Bob, first opened the Yosemite Mountain Sugar Pine Railroad in 1965. The railroad is a beloved tourist attraction that takes visitors on a four-mile scenic excursion through the Sierra National Forest.

Max oversaw the business for more than 40 years. During his time running the popular tourist stop, Max gained the trust and respect of the community, as well as visitors from all over the United States. Known for his giving spirit, Max dedicated his time to those in need. He never denied a request for donations to charity and ensured the railroad was involved with the Boys and Girls Club, as well as the Make-a-Wish Foundation.

Max wanted to make an impact on the public and dedicated much of his time to making a difference in any way he could. For 20 years he held the position of director of the Mountain Area Ski School. He was at one time the president of the Yosemite Sierra Visitors Bureau and a board member for 30 years. An advocate for education, he was a 22-year trustee of the Bass Lake Joint Union School District. Ensuring his time and labor was spent giving back to the people, shows the morale and great character he held.

Mr. Speaker, I ask my colleagues to join me in paying tribute to the great life of my friend Max Stauffer, whose humbleness, compassion, and generosity will be greatly missed. Max's memory will live through his family and friends, and it is my honor to join them in celebrating his impactful life, which will never be forgotten.

HONORING THE LIFE OF EVELYN TRIPPEDO

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Ms. STEFANIK. Mr. Speaker, I rise today to honor a remarkable woman who dedicated her life to serving New York's 21st District.

Evelyn Trippodo spent the majority of her life in Gloversville, New York, and was a dedicated and active member of her community. In addition to her work as a religious education teacher and confirmation sponsor, Evelyn also cared for the vulnerable and elderly through her 30 years as a member of the Nathan Littauer Nursing Home Auxiliary.

In the 21st District, we are proud of the guidance that Mrs. Trippodo offered to those around her, and honor the life she led with faith, joy and kindness.

I would like to extend my deepest condolences to my friend Sue McNeil, and to the rest of Mrs. Trippodo's children whom she loved so deeply. I know that she will be missed by all of her family and friends.

TRIBUTE TO THE 2017 SOUTHWESTERN COMMUNITY COLLEGE MENS BASKETBALL TEAM

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Southwestern Community College Men's Basketball Team of Creston, Iowa, for winning the 2017 NJCAA Division II Basketball Championship. After an outstanding regular season, the Spartans cruised through tournament play before a near record-setting margin of victory in the championship game.

I would like to congratulate each member of the team:

Players: Alijah Thomas, Kevin Shields, Brodrick Thomas, Lavon Hightower, Jamil Maddred, Jordan Johnson, Calvin Chambers, Khalid Edwards, KeShawn Wilson, Dan Ngoyi, Nate Lee, Antonio Williams, Keegan Wederquist, Terence Shelby, Peyton Pedersen, TreVonte Diggs, Tyson Smiley, Troy Tegels, Maguy Agau, Kobe Smith, Elijah Linear.

Head Coach: Todd Lorensen.

Assistant Coaches: Scottie Davis, Rand Hazelton.

Trainer: Kelsi Huseman.

Mr. Speaker, the success of this team demonstrates the rewards of hard work, perseverance, and teamwork. It is an honor representing them in the United States Congress. I ask that all of my colleagues in the United States House of Representatives join me in congratulating the entire team for a successful season and in wishing them all nothing but continued success.

TRIBUTE TO BERTINA AND MAX MCCLEARY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Bertina and Max McCleary of Grimes, Iowa, on the very special occasion of their 60th wedding anniversary. They celebrated their anniversary on March 21, 2017.

Bertina and Max's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 60th anniversary, may their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 60th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

TRIBUTE TO COLEEN AND BILL
SANDQUIST

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Coleen and Bill Sandquist of Adel, Iowa, on the very special occasion of their 60th wedding anniversary. They celebrated their anniversary on March 2, 2017.

Coleen and Bill's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 60th anniversary, may their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 60th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

TRIBUTE TO CHARLOTTE AND
FRANK WILSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Charlotte and Frank Wilson of Carlisle, Iowa, on the very special occasion of their 50th wedding anniversary. They celebrated their anniversary on March 17, 2017.

Charlotte and Frank's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 50th anniversary, may their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

RECOGNIZING KRIS GLINTBORG
FOR HIS INDUCTION INTO THE
SPRINGFIELD SPORTS HALL OF
FAME

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mrs. BUSTOS. Mr. Speaker, I rise today to congratulate my former high school basketball coach, Kris Glintborg, for his well-deserved induction into the Springfield Sports Hall of Fame.

Mr. Glintborg has enriched the lives of many students through his 36 years as a teacher,

coach and athletic director in our public schools. Throughout his career, Mr. Glintborg went above and beyond by taking on the responsibility of coaching both girls' basketball teams, in addition to boys' basketball and track, when funding for women's sports was limited, to ensure all students had equal opportunities to pursue their dreams in sports. In addition, his leadership and dedication to our community has also been demonstrated through his commitment to coaching youth sports and officiating basketball, football and volleyball outside of our schools. Mr. Glintborg is someone I am proud to call a mentor and coach, and I can personally attest to values of teamwork, perseverance and love of the game he instills in all of his students.

Mr. Glintborg has been a truly influential individual in the lives of many young athletes in Springfield, including myself. Mr. Speaker, I would like to again formally congratulate Mr. Glintborg and thank him for all of his dedication and service to students.

TRIBUTE TO CORY CLARK

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate University of Iowa senior Cory Clark of Pleasant Hill, Iowa, on winning the NCAA Division I Wrestling Championship in the 133 pound weight class on March 18, 2017.

This was the third consecutive year that Cory made it to the finals at the NCAA championships. After falling short in the previous two years, Cory walked onto the mat determined that this year would be different. He left giving the Hawkeye Wrestling program their 82nd individual championship in program history. Becoming an NCAA Division I Champion was no easy feat, especially this season. The four-time All-American had to wrestle through an arm injury for three months, including during his final match, which forced him to make some changes to his training routine, as well as wear a protective sleeve. Because of the dedication and toughness that Cory has exhibited on and off the mat, his injury did not stop him or his goal of ending his wrestling career on the top of the podium.

Mr. Speaker, I congratulate Cory on winning the NCAA Division I Wrestling Championship, and I ask that my colleagues in the United States House of Representatives join me in congratulating him on this momentous occasion.

TRIBUTE TO RYAN BILLHEIMER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Ryan Billheimer of Adair, Iowa, for being named the 2016 Adair Citizen of the Year.

Ryan was recognized at a ceremony held on March 20th, 2017 at the Adair City Hall. He and his Co-Citizen of the Year, Mark Emgarten, were instrumental in the design, implementation and construction of the Adair Playground Project.

Mr. Speaker, it is an honor to represent leaders like Ryan in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in commending Ryan for his service to Adair and in wishing him nothing but continued success.

TRIBUTE TO MARK EMGARTEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mark Emgarten of Adair, Iowa, for being named the 2016 Adair Citizen of the Year.

Mark was recognized at a ceremony held on March 20th, 2017 at the Adair City Hall. He and his Co-Citizen of the Year, Ryan Billheimer, were instrumental in the design, implementation and construction of the Adair Playground Project.

Mr. Speaker, it is an honor to represent leaders like Mark in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in commending Mark for his service to Adair and in wishing him nothing but continued success.

TRIBUTE TO EAGLE SCOUT GAVIN
MCKIBBEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Gavin McKibben of Waukee, Iowa, for earning the rank of Eagle Scout. Gavin is a member of Boy Scout Troop 182. The Eagle Scout designation is the highest advancement rank in scouting. Approximately two percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as complete an Eagle Project to benefit the community. For his project, Gavin saw a need for a convenient way to collect worn U.S. flags to be properly disposed of in a retirement ceremony. Partnering with the Waukee American Legion, who sponsored his service project, Gavin built a wood and metal box that is now permanently stationed outside the American Legion building where residents can drop off flags. The work ethic Gavin has shown in his Eagle Scout Project and throughout his scouting career speaks volumes about his commitment to serving a cause greater than himself and assisting his community.

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Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent Gavin and his family in the United States Congress. I know that all of my colleagues in the United States House of Representatives will join me in congratulating him on obtaining the Eagle Scout ranking and in wishing him nothing but continued success in his future education and career.

HOUSE OF REPRESENTATIVES—Wednesday, April 5, 2017

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WEBSTER of Florida).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 5, 2017.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

100TH ANNIVERSARY OF WORLD WAR I

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, this year is the 100th anniversary of World War I. April 6 of 1917 was the beginning of it all, when Congress voted to authorize military force.

Mr. Speaker, I have introduced a resolution, H. Con. Res. 41, that will not only remember World War I, but also honor those veterans who served. While those brave people are no longer with us, we must never forget those who defended and protected freedom.

Many of us in Congress, as well as citizens all over this country, are relatives of World War I veterans. Many like myself had a grandparent who fought for this Nation. Many lost their relatives to this war, while many relatives returned from war forever changed. Over 116,000 were killed, over 200,000 wounded, and over 70,000 suffered the effects of inhaling chlorine gas dispelled by German military.

My grandfather was one of the 70,000, and he, like many, could not cope with

the effects of gas-damaged lungs and the psychological burden of war. At the age of 34 in 1926, he committed suicide. My father, an only child, was only 13. I am not unique in this situation, as many families tragically suffered the same fate. That is why we must continue to remember and honor World War I veterans and their families.

I want to thank Colonel Charles Bowery, Jr., executive director, U.S. Army Center of Military History, and his staff for the many months of work organizing this national remembrance.

This week across the country, we will begin a yearlong celebration marking the 100th anniversary of World War I. This Friday, the North Carolina Museum of History will hold a ribbon-cutting ceremony to mark a year celebrating those who served from North Carolina. My wife and I will be in attendance.

Additionally, Mr. Speaker, I would like to remind Congress that on April 10, 11, and 12, PBS will be airing a three-part series titled "The Great Night" at 9 p.m. eastern standard time. I think it will be a very informative television program on the history of our country, but also the history of World War I.

In returning to this resolution, Mr. Speaker, I again want to thank the United States Army for taking the lead in educating the American people about World War I and those who gave so much during it.

I hope my colleagues will join me in cosponsoring H. Con. Res. 41.

RISE UP MAY 1

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, if Donald Trump is going to be successful as a President—successful from his point of view; not the point of view of the American people, or history, or the rest of the world, or the point of view of people who like peace and freedom, but from his point of view—then he is going to have to rely on fear.

He got elected by creating fear about immigrants, Mexicans, and Latinos, calling us rapists and criminals. He got elected by creating fear about President Obama, the Blacks, thugs, and big cities.

He got elected by creating fear among Americans about the big, scary world out there with threats from ISIS, al-Qaida, and Mexico. But for some reason, he left out things like the fear of Russia or his buddy and friend, Putin.

And if President Trump is going to enact his agenda of deportations, building a wall, and making it impossible for people to come to the United States with visas, he needs to use fear as well. For example, he feels he needs to publish a list every week of the crimes that were committed by immigrants to scare Americans into fearing our community.

And Trump needs to use fear in another very important way. He needs to scare the immigrant community.

Why?

Because he knows he doesn't have the money, the manpower, or the time to drive 11 million men, women, and children who are undocumented out of this country. He doesn't have enough jails, ICE agents, or airplanes to deport 11 million people. That is the population about as big as the State of Illinois, and such a max exodus will not be easy.

So what do they do?

They use fear. Trump has to make immigrants scared to leave their houses. Trump has to make parents scared to take their kids to school. Trump has to make doctors' offices, courthouses, police stations, and fire departments places where immigrants are afraid to go.

Trump has to make sure that undocumented immigrants who are raising children—most of whom are American citizens—in families who have lived in the U.S. on average for more than a dozen years, and who own homes, cars, and businesses, he has to make them so afraid that they want to leave this country.

It is a Presidency and a Presidential policy agenda that relies on fear and bullying to achieve success—or what people who surround Trump define as success, at any rate.

How do Americans respond to fear? Do we hide in our homes and isolate ourselves and run?

No, that is not what people do in the United States of America, and we never will. We stand up and we stand together and confront fear.

So on May 1, millions of Americans are going to stand up. We are going to stand together and we are going to rise up.

May 1 is an international day to recognize the contributions of working people, and it is observed as Labor Day in much of the world. This year, it will be a day to honor working people of all types, but there will be a special emphasis this year on immigrants working and living in the United States.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

In 42 cities in 33 States, from Milwaukee to Seattle, to LA, to Chicago, to Boston, cities and towns will hold activities, marches, rallies, and workshops to lift up immigrant communities and demonstrate the solidarity between Americans and immigrants.

This is a campaign to galvanize broad support for immigrants, so this is not going to just be a Latino thing or an immigrant thing. Churches, mosques, and congregations are going to rise up. Unions, students, teachers, and working men and women are going to rise up on May 1.

Let's be clear, when we marched for women in massive numbers the day after the inauguration, it was not just women marching. When we came to the airports to stand up for American values and against Trump's Muslim ban, it was not just Muslims standing up for American values. It was a lot of the rest of us, too.

So if you care about justice, rise up with us on May 1. If you think a man should be able to use a men's bathroom, even if his birth certificate says he was born a woman, rise up with us. If you think global warming is a thing and science is a thing and the planet Earth is a thing to be protected, then go to riseupmay1.org to get more info about what is planned in your city or your State.

This will be a day for all Americans to demonstrate our resistance to the mass deportation, mass discrimination, and mass deception policies of our President.

The way you deal with fear is to stand up with your friends and allies and demonstrate your strength in numbers. That is why I am going to rise up on May 1.

Mr. Speaker, I would like to take a moment to welcome the graduating class of 2017 from Inter-American Magnet School in the city of Chicago and the parents who are accompanying the students and the teachers. A special welcome to my grandson, Luis Andres Figueroa Gutierrez, who is with them this morning at our Capitol.

MINERS' PENSIONS

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. JENKINS) for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Speaker, time is running out to do right by our miners, their families, and their widows.

At the end of the month, the benefits they worked their lives for will expire. For families across West Virginia, that would be nothing short of devastating—families like Teresa Anderson of McDowell County. Her father, Donald Richardson, worked his whole life in the mines of West Virginia.

Teresa shared with me what these benefits meant to her father and to her mother, Mary.

Here is what she wrote:

"I remember from a young age listening to him tell me and my brothers stories about the mines and teaching us about his United Mine Workers benefits and to let no one take advantage of this most precious insurance that he fought and worked so hard for.

"He would say, when I'm gone, you need to still protect these benefits that we worked for. This is how your mother will make it when I'm no longer here to provide for her."

Mr. Speaker, Donald is no longer with us. He passed away back in 2012. Now his wife, Mary, and his daughter, Teresa, are asking us to keep his promise, to keep our promise, the promise the Federal Government made to our miners more than 70 years ago.

I urge my colleagues to act and to protect these vital benefits.

Mr. Speaker, we cannot let the clock run out on our miners and their families. They kept up their end of the bargain. Now it is time for us to do the same.

HONORING MRS. DOLORES WILLIAMS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Ms. CLARKE) for 5 minutes.

Ms. CLARKE of New York. Mr. Speaker, I rise today to celebrate the life of Mrs. Dolores S. Williams, a community matriarch.

Her life was a true Brooklyn story. Born in Newport News, Virginia, on February 14, 1933, she came to New York City with her family as a young girl as part of the Northern migration from the South in search of opportunity.

Growing up in Bedford-Stuyvesant Brooklyn, Dolores graduated from Thomas Jefferson High School and married Jacob A. Williams in 1951 and raised three children: Cheryl Elise, Jacob Conrad, and Celeste Elena.

Dolores was a staunch believer in education and was actively involved in her children's school and with issues in her community.

She also practiced what she preached. She returned to school and received a bachelor of arts in education from Brooklyn College at the age of 40. She found success as an educational sales representative for Random House publishing company, inspired by a desire to support the education of all children.

Dolores returned to the classroom, earning a master of science degree in special education from Hunter College, which she used to pursue her passion by working with developmentally challenged children in her beloved Bedford-Stuyvesant.

She was a woman of high distinction and a real New Yorker, a real Brooklynite, survived by three children and nine grandchildren who will never forget her kindness and love.

I, too, was very fortunate in my youth to have been a part of the extended family of the Williams. I befriended their youngest daughter, Celeste, and we grew up together in the quintessential village that raised its children in the Prospect-Lefferts community in Brooklyn, where we were neighbors. Mrs. Williams and her family embraced me and reinforced the values of my home and family. She shared the expectations of becoming highly educated and well-rounded young adults, always encouraging through conversations filled with laughter.

□ 1015

Her support and encouragement helped me in my formative years to focus on my educational goals and lifelong aspirations.

To my dearest Cheryle, Conrad, and Celeste, I extend my deepest, most profound condolences. Now that she has returned to her ancestors, let us always remember her timeless pursuit of public service, her profound respect for education and lifelong learning, and her love for family and community.

She is now in the arms of God. Well done, Dolores Williams. Rest now in peace.

HONORING THE LIFE AND MEMORY OF AMBASSADOR CLAYTON YEUTTER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Nebraska (Mr. SMITH) for 5 minutes.

Mr. SMITH of Nebraska. Mr. Speaker, I rise in memory of Ambassador Clayton Yeutter, a native of Eustis, Nebraska, who recently passed away after a hard-fought battle with cancer.

Mr. Yeutter was a true statesman, who generously shared his time and expertise throughout his very remarkable career. On top of his numerous professional accomplishments, Mr. Yeutter was known as a humble, kind, and respected leader who never lost sight of his commitment to rural America.

No one understood the importance of trade to American agriculture better than he did, and his work has benefited generations of, incidentally, Nebraska agriculture producers as well as others across the country.

Mr. Yeutter grew up on a cattle and corn operation in central Nebraska during the Great Depression. He attended the University of Nebraska, where he earned a bachelor's degree in animal husbandry and, later, a juris doctorate and a Ph.D. in agricultural economics.

After serving in the Air Force in the 1950s and returning home to work on his farm, he got his start in politics as chief of staff for Nebraska Governor Norbert Tiemann in the mid-1960s. Soon he was named director of the Nebraska Mission to Colombia, which led

him to the USDA and decades of distinguished public service.

His extensive resume included serving as U.S. Trade Representative under President Ronald Reagan and Agriculture Secretary under President George H.W. Bush. He also ran the Chicago Mercantile Exchange for 8 years and served as chairman of the Republican National Committee.

As we mourn the loss of this influential Nebraskan, I extend my condolences to Mr. Yeutter's wife, Cristena, and his children, grandchildren, and great-granddaughter as well.

I yield to my colleague from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. Mr. Speaker, I thank my friend, Congressman ADRIAN SMITH, for yielding, and I thank him, more importantly, for honoring the life and memory of our mutual good friend Clayton Yeutter.

In my desk in my office there is a letter, and it was written to me by Clayton Yeutter, former Secretary of Agriculture, a couple of years ago. Of course, we all receive a lot of letters, but sometimes you get one that you just want to keep close to you.

Clayton Yeutter was a gentleman, he was a farmer from Nebraska, and he was a true statesman. In that letter, he basically kindly and gently encouraged me in public service. He was the ideal public servant. He expressed his sentiments to me personally, but in his public life, with a great nobility, a great yearning and care for our country, he committed himself in multiple ways to serving our institutions of governance. But he never forgot his humble roots back in Nebraska.

So I simply want to say: Well done, good, faithful servant Clayton Yeutter, my friend.

I thank the gentleman for honoring Ambassador Yeutter's life.

Mr. SMITH of Nebraska. Mr. Speaker, I can't say enough to honor such a true giant in public service as Secretary Yeutter, Ambassador Yeutter. The list goes on of his many titles, an incredible man, but his humility did so much for our country.

WOMEN ARE CASUALTIES OF INACTION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, I rise today to speak on the topic of casualties of inaction, casualties of inaction, Mr. Speaker, because there are some things that we can do if we would but only act. There are some circumstances that we can change if we would but only act. So today, I want to talk for just a moment about some of the casualties of inaction.

Mr. Speaker, a recent report has indicated that women are casualties of inaction when it comes to their earning

power in the United States of America, the greatest country in the world. Mr. Speaker, the report seems to indicate that women earn about 80 cents for every dollar a man earns—about 80 cents for every dollar a man earns.

Mr. Speaker, this is an abomination. It is something that a great nation should not tolerate, and it is something that we can change if we but only have the willpower to do so.

Women earn about \$40,742 if they work year-round on a full-time job. Men earn about \$51,212 working full-time, year-round. This is about \$10,470 difference.

Mr. Speaker, women should not be a casualty of \$10,000-plus in their annual salaries. This is something we can change.

But when we look closer at these numbers, Mr. Speaker, we realize that Asian women earn about 85 cents for every dollar a man earns, Black women earn about 63 cents for every dollar a man earns, and Latinas earn about 54 cents for every dollar a man earns.

Well, what does this really mean in terms of what they can do if they have the equality of opportunity to receive proper pay? Here is what it means:

If this gender gap were eliminated, women would have enough money for approximately 15 more months of child care per year. So children are suffering. This inaction is impacting children. Children are casualties of our inaction.

Women would have approximately 1.2 years of tuition and fees for a 4-year public university, or they would have the full cost of tuition and fees for a 2-year community college—casualties of inaction.

Women would have 78 more weeks of food for a family; so families, literally, can suffer from a lack of food. Food on the table is important in the richest country in the world. Women should not earn less such that their families would suffer.

Women would have 7 more months of mortgage and utility payment.

Women would have 11 more months of rent.

Women should not find themselves making less than what men make in the richest country in the world, in a country where we have the technology, the know-how, and the ability to make a change. They should not have this circumstance.

We can change this circumstance if we so desire. We but only have to have the will. The way is there to make sure women are treated equally in this great society.

I believe, Mr. Speaker, that we ought to have task forces that are looking into this, not just for today or tomorrow, but to look into it until there is a solution that is available. Until we have the solution, we should not stop taking the action necessary to make a change in the lives of women.

And finally, Mr. Speaker, we ought not allow the people who have made it

possible for every man to breathe the breath of life to be treated unfairly, because every man alive owes his very existence to some woman who is willing to suffer the pains of labor so that we could breathe the breath of life.

EMPOWER SYRIAN PEOPLE AND REMOVE ASSAD

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Indiana (Mrs. BROOKS) for 5 minutes.

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to condemn yesterday's deadly chemical attack in Syria.

Early yesterday morning, while most people were asleep in the rebel-held city of Khan Shaykhun, airstrikes hit, carrying what is suspected to be poisonous gas. These airstrikes are believed to be the work of the Syrian Government or its ally, Russia.

According to the AP, at least 72, if not up to 100 people, including at least 10 children, were killed and hundreds more injured. Entire families were found dead in their homes, and healthcare workers who rushed to help others were also overcome by the poison. A second airstrike hit near a hospital where victims were being treated.

The Assad regime's continued use of chemical weapons on its own people, innocent families, and children is despicable, and this is not the first time. Besides these unspeakable, horrific acts against innocent people since the Syrian civil war began 6 years ago, more than 11 million Syrians—half of the country's prewar population—have been displaced from their homes.

The urgency of this situation cannot be denied. We can no longer ignore the continued abuse and killing of the Syrian people. We must take meaningful action to empower the Syrian people and remove Assad from power.

MORE COMPETITION NEEDED IN BROADBAND COMMUNICATIONS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. KHANNA) for 5 minutes.

Mr. KHANNA. Mr. Speaker, I rise today to express my deep concern with the recent FCC decision that strips Charter Communications of the requirement to provide broadband in a competitive manner.

When Charter merged with Time Warner, there was a regulatory review, and the requirement was that Charter would actually provide broadband in areas that would improve competition. Just yesterday, the Chairman revoked that regulatory decision and said that Charter doesn't have to provide broadband in an area where some other competitor is providing broadband.

Now, why does this matter? Americans already pay three to four times more for access to the internet than our European counterparts, and that is

absurd. We invented the internet. We built the technology that fuels the internet. We should have the cheapest prices.

So why don't we have cheaper prices? It is because four or five monopolies basically provide the internet service for everyone. You have Verizon, AT&T, Comcast.

What is the solution? We need more competition.

But what is this FCC Chairman doing? He is having policies that are going to lead to less competition, basically carving up the map of this country and saying: You can only provide service here. Don't compete with anyone else.

Let's just carve up the map so every ISP provides service in a particular area and you don't have competition. And who suffers? The consumers.

And, by the way, it is not just the consumers in my district in Silicon Valley. It is consumers in rural America who are paying the highest prices for internet service.

Mr. Speaker, we need an FCC that is going to promote competition, that is going to go after monopolies, that is going to put American citizens ahead of corporate profits. If anything, we need a country that is going to have universal broadband, universal internet access.

Just like we talk about having a universal right to health care, just like we talk about a universal right to college, we can't live in a society where everyone can't have access to the internet. The jobs of the future are going to require it, and it ought to be a bipartisan issue to have universal access to the internet at the cheapest prices, cheaper than any other country, not five or six times more expensive than other countries, given that all of the technology was developed here in the United States.

And one final point. Noah Smith and Heather Boushey and others have talked about what really will create the jobs of the future, and they have written about having universities and colleges spread out across this country. Abraham Lincoln did it with the land grants in the 1860s.

We need college towns across America, and if we did that, if we expanded our universities, if we expanded research, if we expanded broadband in a competitive place, we could create the jobs of the future all across this great country.

OPIOID AND DRUG ADDICTION CRISIS IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. Mr. Speaker, I rise today to share the story of a young man from my district whose tragic

passing underscores one of the biggest issues facing our community and facing our Nation.

Carlos Castellanos of Falls Township, Bucks County, graduated from Pennsbury High School. He always loved sharing his talents and love of music by playing the guitar and drums at school and also for local church groups. However, like so many around the Nation, Carlos got involved with drugs during his time at school and even spent some time in jail. But with the strength and support of his family, he began receiving treatment, and his life improved.

□ 1030

He helped others by volunteering at a recovery house. He brought people suffering in similar situations into treatment programs.

In early December, Carlos walked his mother, Pamela, down the aisle for her wedding. He was getting ready to go back to school. He had a steady job, and he had a girlfriend. It would seem to so many that Carlos' battle with addiction was heading in the right direction—a needed point of hope in a war that has caused so much devastation.

Then on December 23, just 2 days before Christmas, two police detectives showed up at Pamela's door to tell her the devastating news that no mother can prepare for: Carlos had overdosed on a drug laced with fentanyl, and he was unable to be saved.

Mr. Speaker, Carlos' life and his death cast light on the fact that addiction is nothing short of a chronic disease.

I share this story with Members of this Chamber because last week Carlos' mother, Pamela, visited the White House to share her family's personal experience as the President established the Commission on Combating Drug Addiction and the Opioid Crisis, a worthy effort that deserves our support.

The fact is our Nation's opioid crisis transcends politics, and so must our response. I applaud the President's executive order to investigate the roots of this epidemic and outline tangible actions we can take to fight back.

Any response to this challenge must treat the whole person, not just the addiction. We must focus on the underlying issues driving people to seek opioids, while increasing the accessibility and affordability for prevention, for education, for treatment, and for recovery of this disease.

As Pamela shared, every life is a precious life, and every life is worthy of being reclaimed. I agree. I believe everyone in this Chamber agrees as well.

Let's get to work together to support these brave families that need our help.

RECOGNIZING THE UNIVERSITY OF SOUTH CAROLINA GAMECOCKS

The SPEAKER pro tempore. The Chair recognizes the gentleman from

South Carolina (Mr. CLYBURN) for 5 minutes.

Mr. CLYBURN. Mr. Speaker, I rise to congratulate the University of South Carolina Gamecocks basketball team.

It was the thrill of a lifetime to attend the NCAA women's basketball national championship game last Sunday at the American Airlines Center in Dallas, Texas.

The Gamecocks have electrified Columbia and the entire State of South Carolina. We are all incredibly proud of what these coaches and players have achieved.

For head coach Dawn Staley, winning the national championship is the latest in a string of achievements that she has accumulated in her lifetime and in South Carolina over the last 9 years.

Under her leadership, the Gamecocks have made the NCAA tournament 6 years in a row and went on to the Final Four in 2015.

This year, they finally got over the hump and are national champions. Her coaching staff have done an impressive job, and I congratulate each of them.

The team Coach Staley has built is an incredible group of young women from South Carolina and around the country. A'ja Wilson, a junior from Hopkins, South Carolina, won the Most Outstanding Player Award of the Final Four and was named to the All-SEC first team this season.

Wilson was joined on the All-SEC first team by senior Alaina Coates from Irmo, South Carolina. Unfortunately, Coates missed the NCAA tournament with an ankle injury and has concluded a fantastic career with the Gamecocks.

In addition to making the All-SEC first team this year, she did so last year as well and was All-SEC second team her first 2 years in the program. We wish her a speedy recovery and hope that she has as much success in the future as she has had with the Gamecocks.

The Gamecocks finished 2017 with a 33-4 record and won their third consecutive Southeastern Conference Championship en route to this national championship. The Gamecocks have developed an incredible fan base. They have led the Nation in attendance for women's basketball over the last several years.

In addition to their success on the court, these coaches and players are role models off the court. I especially want to acknowledge assistant coach Nikki McCray-Penson. Diagnosed with cancer 3 years ago, she has been a real inspiration to many.

Throughout her treatment, she remained totally committed to the team and never missed a day of work. Thankfully, she is now cancer free.

I also want to congratulate the Gamecocks men's team. After winning their first NCAA tournament game in

43 years, they reached the Final Four for the first time in their program's history.

Having both men and women from the same school reach the Final Four is pretty uncommon. Coach Frank Martin and his assistants are building a tremendous program. Although they came up five points short of a victory in the semi-championship game, they proved themselves a team of champions.

Mr. Speaker, although representing the University of South Carolina in this august body is a singular honor for me, I feel certain that these 2017 NCAA Final Four appearances by these young men and women are the beginnings of many more to come. Coach Frank Martin and Coach Dawn Staley are truly a dynamic duo.

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For Head Coach Dawn Staley, winning the national championship is the latest in a string of achievements that she has accumulated in her lifetime and in South Carolina over the last nine seasons. Under her leadership, the Gamecocks have made the NCAA Tournament six years in a row and went to the final four in 2015. This year, they finally got over the hump and are national champions. Her coaching staff, Lisa Boyer, Nikki McCray-Penson, Fred Chmiel, Melanie Balcomb, Cynthia Jordan, Chreddy Ready, Ariana Moore, Hudson Jacobs, Marcella Shorty, Katie Fowler have done an impressive job, and I congratulate each of them.

The team Coach Staley has built is an incredible group of young women from South Carolina and around the country. A'ja Wilson, a Junior from Hopkins, South Carolina, won the Most Outstanding Player of the Final Four award and was named to the All-SEC First Team this season. Wilson was joined on the All-SEC First Team by Senior Alaina Coates from Irmo, South Carolina. Unfortunately Coates missed the NCAA tournament with an ankle injury and has concluded a fantastic career with the Gamecocks. In addition to making All-SEC First team this year, she did so last season as well, and was All-SEC Second team in her first two years in the program. We wish her a speedy recovery and hope that she has as much success in the future as she has had with the Gamecocks.

The full roster of this championship team includes Victoria Patrick, Bianca Cuevas-Moore, Kaela Davis, Doniyah Cliney, Allisha Gray, Araion Bradshaw, Tiffany Davis, Mikiah Herbert Harrigan, A'ja Wilson, Alexis Jennings, Alaina Coates, and Tyasha Harris.

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Coach Frank Martin, his assistants and staff consisting, of Matt Figger, Perry Clark, Bruce Shingler, Andy Assaley, Scott Greenawalt, Doug Edwards, Mark Rodger, Jay Gibbons, Dushawn Davis, Jarrett Gerald, Brian Steele, Ryan McIntyre recruited and molded an incredible group of young men including TeMarcus Blanton, Tommy Corchiani, PJ Dozier, Rakym Felder, Hassani Gravett, Khadim Gueye, Evan Hinson, Kory Holden, Jarrell Holliman, Sedee Keita, Maik Kotsar, Justin McKie, Duane Notice, John Ragin, Christian Schmitt, Chris Silva, Sindarius Thornwell, Ran Tut are building a tremendous program.

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Mr. Speaker, although representing the University of South Carolina in this august body is a singular honor for me, I feel certain that these 2017 NCAA Final Four appearances by these young men and women are the beginnings of many more to come. Coach Frank Martin and Coach Dawn Staley are truly a dynamic duo.

BENJAMIN FRANKLIN'S WISDOM

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCCLINTOCK) for 5 minutes.

Mr. MCCLINTOCK. Mr. Speaker, Congress is fundamentally a deliberative institution. Deliberations take time, and they are often messy. In fact, the bigger the issue, the messier the deliberations.

The designers of our Constitution wanted a great, big, ugly debate every time a decision was being made. They wanted the subject held up to every conceivable light and every voice in the country to be heard.

This is certainly true of the effort to replace the collapsing bureaucracy of ObamaCare with the patient-centered marketplace that we have long promised.

These deliberations must continue until they bear fruit because there is no excuse for failure. ObamaCare is only getting worse.

Last year's average 25 percent premium increase is likely to be followed by even bigger increases this year. The

flight of healthcare providers from the system is only going to accelerate. The rapid expansion of Medicaid, which could exceed defense spending by next year, is not only fiscally unsustainable, it doesn't even guarantee care.

Dwindling Medicaid providers and lengthening waiting lists means that many Medicaid patients have no recourse but to flood emergency rooms.

The original Medicaid population, the elderly, the blind, the disabled, who were only reimbursed an average 57 cents on the dollar, are pushed to the back of every line by able-bodied ObamaCare expansion patients who are reimbursed at 90 percent.

The American Health Care Act is far from perfect. I have argued vigorously for a comprehensive bill rather than the current piecemeal approach that we are following.

Now, I lost that debate, but I haven't lost sight of the ultimate goal: to restore our healthcare system as the best in the world.

I could list a lot of things that could be made better by the current bill, and perhaps they will be in our extended negotiations, but those who expect perfection in our legislation fundamentally misunderstand our system.

Congress was never designed to make perfect law. It was designed to make the best law that is acceptable to the most people. And it is pretty good at that when we let it be.

When the Constitutional Convention seemed hopelessly deadlocked, Benjamin Franklin declared that he didn't entirely approve of our Constitution, but he had learned, over the years, to doubt a little of his own infallibility and to recognize the limitations of making decisions with others.

He noted that when you assemble a group of people to benefit from their collective wisdom, you also had to accept their collective shortcomings and realize that a perfect product is never possible from such a process.

In another speech, he recalled being an apprentice tradesman trying to fit together two pieces of wood. It was often necessary, he said, to shave a little from one and then a little from the other until you had a joint that could hold together for centuries. In this same manner, he urged them to each join together in each part with some of our demands.

Compromise is not an end in itself. It is a means to an end. As long as that end moves us forward toward better policy, more freedom, greater prosperity, whatever perfections the measure may include are often precisely what are required to bring it to fruition. I fear we are losing sight of these simple truths.

Ironically, factions within the House who are the most adamant in opposing ObamaCare have become, as a practical matter, its most effective defenders. I know they don't intend this to be, but

the reality is that ObamaCare survives today solely because of their actions in this House.

Benjamin Franklin was right. In deliberations of this magnitude, it is essential that we each doubt a little of our own infallibility and that we each part with a few of our own demands, in order to join together and produce the reforms that our country depends on us to enact.

A political minority doesn't need to compromise. It has the luxury of standing solely on principle. But the majority, entrusted with making the actual decisions to guide our country to better days, must compromise if it is to make law that will hold together for the centuries.

Lincoln once reminded Congress that we can succeed only by concert. He said: It is not can any of us imagine better, but can we all do better. He urged us to rise to the occasion, to disenthral ourselves, for only then could we save our country.

I hope that some of our colleagues will consider this advice during the Easter recess.

AWARD WINNERS FROM CITGO INNOVATION ACADEMY FOR ENGINEERING, ENVIRONMENTAL & MARINE SCIENCE AT MOODY HIGH SCHOOL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. FARENTHOLD) for 5 minutes.

Mr. FARENTHOLD. Mr. Speaker, I would like to congratulate the Corpus Christi students from the CITGO Innovation Academy for Engineering, Environmental & Marine Science at Moody High School for winning two awards at the Marine Advanced Technology Education International Remotely Operated Vehicle competition recently held at NASA's Johnson Space Center's Neutral Buoyancy Lab in Houston, Texas.

This competition was the final round in a series of science fairs and challenges focusing on underwater technology that can adapt to harsh ocean and space environments.

The AquaBot Technicians robotics team won the Aloha Award for team spirit and friendliness. Natasha Sanchez was named the competition's MVP.

The CITGO Innovative Academy provides students training to become the next generation of science and technology professionals by offering upper level engineering, math, and science courses.

A thank you is due to CITGO for supporting STEM education in Corpus Christi and other areas where they operate.

PRAISING THE VETERANS CHOICE PROGRAM

Mr. FARENTHOLD. Mr. Speaker, since first being elected to Congress, I have been fighting for our veterans to

get the care they were promised and earned.

After hearing veterans tell horror story after horror story of long wait times, canceled appointments, and having to travel miles to distant cities to get treatment, Congress got something right when they passed the Veterans Choice and Accountability Act in 2014.

It created the Veterans Choice Program that allows any veteran who is unable to obtain an appointment with the VA within 30 days or has to travel more than 40 miles to a VA facility for care to see a private doctor who can see them faster and closer to home.

Though the implementation of the Veterans Choice Program has not been without hiccups, it is proving very helpful for getting veterans faster, more quality care.

I hear time and again from veterans in the district that I represent that this is working for them.

Soon, in fact later today, the House will vote on H.R. 369, to eliminate the sunset of the Veterans Choice Program and ensure the program continues after August 7.

I encourage all my colleagues to vote "yes" on this bill to continue Veterans Choice. I look forward to continuing to hear the great successes it provides for our veterans and for our doctors.

THE COST OF DEFENDING OUR COUNTRY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of Tennessee. Mr. Speaker, defense spending was \$348 billion in 2002. Now it is well over \$600 billion a year, and this total does not include the military construction budget which has totaled more than \$181 billion over the last 10 years, and many billions more in supplemental appropriations. There is presently a request for another \$30 billion supplemental appropriations for the military.

On top of all this, almost every year for the 29 years I have been here, there has been an end-of-the-year omnibus appropriations bill which always contains even more for the Defense Department.

□ 1045

I have always believed that national defense is one the most important, most legitimate functions of the Federal Government. But I am also a fiscal conservative.

With our Nation \$20 trillion in debt and many trillions more in unfunded future Social Security and pensions liability in the years ahead, we desperately need some fiscal conservatives in the Pentagon.

I realize that the easiest thing in the world to do is to spend other people's money; and you can never satisfy any government's appetite for money or

land. They always want more. But it is a myth to say or think that the Defense Department is underfunded when defense spending has doubled since 2002.

Yet, even though this spending has gone way up, most people around the country seem to believe it has gone way down. We hear some saying the military has been decimated or has undergone drastic cuts. This has been a masterful public relations job, I assume, by the Pentagon, working with defense contractors and think tanks funded by the defense industry.

Last year, we spent \$177.5 billion for new equipment, tanks, planes, weapons of all sorts. Most of this equipment does not wear out after just 1 year, yet we keep spending similar amounts on new equipment every year.

I mentioned that the military construction funds are in a separate bill, not in the regular Defense Department appropriations bill. The \$181 billion we have appropriated over the last 10 years in this bill means you probably cannot find any military base in the world without new construction going on, and much more that is only 3 or 4 years old or even newer.

We have a \$20 trillion national debt. Last week, I read in The Washington Times that the estimate now is that we will be \$91 trillion in debt 30 years from now. Obviously, if we allow that much debt, we will be printing so much money that our Social Security and military and civil service pensions will be worth very little.

In the biography, "Bonhoeffer," about the famous theologian, by Eric Metaxas, it says that, in 1921, the currency exchange rate was 75 German marks to the dollar. The next year, it was 400 marks to the dollar. Then inflation really took off, and, by early 1923, it was 7,000 to 1.

Metaxas wrote: "The resultant economic turmoil would make the bleak conditions of a few months earlier look like the good old days."

By August, a dollar was worth 1 million marks. The book says: "By the end of 1923, things had become impossible. In October, Dietrich wrote that every meal cost 1 billion marks."

Germany, in the early 1920s, was one of the most educated countries in the world. It is hard to imagine what could happen here in the United States if we continue to spend money we do not have and run trillions more into debt.

With the exception of a brief downturn in 1958, President Eisenhower gave the Nation 8 years of peace and prosperity and balanced budgets, and he looks better with the passage of time. He spent most of his career in the military and loved and respected that institution.

But in a new book called "Ike's Bluff," by Evan Thomas, is this very interesting observation: "Eisenhower was, in effect, his own Secretary of Defense." When Defense Secretary Neil

McElroy warned him that further budget cuts could harm national security, Eisenhower acerbically replied: If you go to any military installation in the world where the American flag is flying and tell the Commander that Ike says he'll give him an extra star for his shoulder if he cuts his budget, there'll be such a rush to cut costs that you'll have to get out of the way."

He would periodically sigh to Andy Goodpaster, his Chief of Staff, "God help the Nation when it has a President who doesn't know as much about the military as I do."

As we all know, Eisenhower made a famous statement in his farewell address warning against the excesses of the military-industrial complex. I think, Mr. Speaker, he would be shocked at how far we have gone down that road against which he warned us.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 49 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of the universe, we give You thanks for giving us another day.

Concerns about budget, taxes, immigration, among others, reveal the considerable divisions both in Congress and among the American populace as well. Meanwhile, advocacy groups of many persuasions, from the National Down Syndrome Society to the Small Arts and Crafts Association, visit the offices of Members all over Capitol Hill.

As opinions and emotions surge loudly and with little indication of easy solution, we take this quiet moment to ask Your blessing upon the Members of this people's House.

We thank You again that we have a Nation steadied by the Constitution, and that our participative form of government, difficult as it is, continues to model for the world the values of freedom rooted in a respect for all Your children.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's pro-

ceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Arkansas (Mr. HILL) come forward and lead the House in the Pledge of Allegiance.

Mr. HILL led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

WELCOMING BRANDON MARTZ

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, I rise today to welcome Brandon Martz and his family from Jackson County to our Nation's Capitol.

They are here with the help of the Dream Foundation, which fulfills dreams for terminally ill young people and adults. Brandon is 18 years old and has been battling Duchenne muscular dystrophy since he was a toddler.

One of the things we talked about today in my office was the 21st Century Cures Act and the need to expedite the development of new cures by prioritizing medical research and streamlining the FDA approval process.

Signed into law in December of last year, this landmark initiative will bring hope for patients and families suffering from some of the worst diseases and hopefully fulfill many dreams.

Mr. Speaker, it was an honor to spend time with Brandon, his brother, and his parents today and play a part in helping Brandon's dream become a reality.

I hope their time in Washington offers an opportunity to create many lasting memories together as a family and fulfill many dreams.

REMEMBERING RIVERSIDE COUNTY SUPERVISOR JOHN J. BENOIT

(Mr. RUIZ asked and was given permission to address the House for 1 minute.)

Mr. RUIZ. Mr. Speaker, Riverside County supervisor John J. Benoit served his community with duty, honor, and integrity.

Last year, Supervisor Benoit passed away in December 2016 after battling

pancreatic cancer. His legacy of service to his constituents lives on throughout my district.

Supervisor Benoit dedicated his life to the safety of our community as a police officer for the Corona Police Department, and then as a commander in the California Highway Patrol. He served as a board member for the Desert Sands Unified School District, as a California assemblyman and State senator, and most recently as supervisor of Riverside County.

I was honored to work with Supervisor Benoit. His dedication, respect, and devotion to his constituents is exemplary and admirable.

My thoughts and prayers remain with his wife, Sheryl, and to their two children, Ben and Sarah.

On behalf of the people of California's 36th Congressional District, my wife, Monica, and my family, thank you sincerely for your service.

LET'S ACT NOW ON CLIMATE CHANGE

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, my constituents and I are so blessed to live, to work, and to play in the paradise that is south Florida. But for our kids and our grandchildren to enjoy the same positive experiences that we have had, it is vital that we act now to combat climate change.

Creating a thoughtful dialogue on Capitol Hill about the harmful impact of climate change is essential for us to be able to take proactive action toward solving the challenges brought about by this real and growing threat.

Congress can no longer dispute the fact that sea level rise has been occurring steadily over the last 100 years. I have seen firsthand how our streets keep flooding from king tides, which impacts our constituents, businesses, tourism, and our economic livelihood.

There is positive progress emerging from south Florida. We have led on sea level rise proposals with the Miami-Dade County Sea Level Rise Task Force and the Southeast Florida Regional Climate Change Compact.

Mr. Speaker, I ask that we put partisan politics aside and tackle the inevitable threat of climate change.

BUILDING TRADES

(Mr. VARGAS asked and was given permission to address the House for 1 minute.)

Mr. VARGAS. Mr. Speaker, I rise today to congratulate the San Diego Building and Construction Trades Council, and the International Brotherhood of Electrical Workers Local 569, and applaud the leadership of their business manager, a proud marine, Tom Lemmon.

Yesterday, these patriots stood up for something much larger than themselves when they resisted the Trump administration's contempt for workers' rights, misogyny, racism, and Islamophobia.

It is in the best tradition of organized labor to stand for others' rights and against a system that attempts to exploit the most vulnerable in our society. They stood up against threats to organized labor. They stood up against separating immigrant families. They stood up for working families and the most vulnerable in our society.

Again, I congratulate Tom Lemmon, Gretchen Newsom, and Carol Kim, along with many others, for their courage to speak up and resist.

Their resistance is a great patriotic reminder to all of us to stand up for what we know is right.

PENDING CRISIS IN AFRICA

(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Mr. Speaker, I rise today to bring attention to the impending crisis in Africa. More than 20 million people in Yemen, South Sudan, Somalia, and Nigeria face starvation and famine, according to the U.N. Secretary-General.

At a time when the mainstream media and the Washington press corps is obsessed with President Trump, they remain silent when there is a mounting disaster that could make the Syrian refugee crisis look like child's play.

All four of these countries have weak or failing governments, and each is in the midst of a seemingly endless conflict perpetrated by evil terrorist groups, such as Boko Haram, al Shabaab, and al-Qaida.

Pouring the billions of needed dollars into the region will help stop the coming famine, but it will take American leadership working with partners in the region willing to take a stand to rid their continent of these terrorist threats.

I will continue to bring light to the imminent crisis in Africa, and I urge my colleagues to focus on this critical issue.

MAKE IT IN AMERICA

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, in the 20th century, good-paying manufacturing jobs built the middle class in Rhode Island and across our country. But in recent decades, millions of these jobs have disappeared. Factories have been shuttered. Bad trade deals have moved American jobs to other countries.

It is time to rebuild American manufacturing. It is time to support making

things in America again. That is why I have introduced H.R. 1672, the Make It In America Manufacturing Communities Act, a bipartisan bill that will help revitalize American manufacturing and promote the creation of good-paying jobs in our country.

This is a commonsense bill that incentivizes communities, together with the private sector, higher education, and other key stakeholders to work together to strengthen their manufacturing economies. It provides targeted investments and support to make regions and local communities competitive in manufacturing again—communities like those in my home State of Rhode Island, the birthplace of the American industrial revolution.

Mr. Speaker, let's put America back to work at good-paying jobs. Let's get this done and pass H.R. 1672. Let's work to export great American goods and not great American jobs.

SIKH FESTIVAL OF VAISAKHI

(Mr. MEEHAN asked and was given permission to address the House for 1 minute.)

Mr. MEEHAN. Mr. Speaker, I rise today to recognize and to raise national awareness of the Sikh festival of Vaisakhi. Next Friday, hundreds of thousands of Sikhs living across the United States will take part in the festival to celebrate these significant elements of their religion: the Sikh New Year, the spring harvest, and the creation of Khalsa, the fellowship of devout Sikhs created in 1699.

This year, on April 8, the East Coast Sikh Coordination Committee has organized a National Sikh Day Parade to mark this occasion.

Mr. Speaker, I, along with my fellow chairs on the Sikh Congressional Caucus, introduced H. Res. 189, which recognizes Vaisakhi's historic, cultural, and religious significance and its importance to the Sikh communities across the United States. Additionally, it expresses this body's respect for all communities and religions who celebrate the festival.

I encourage all of my colleagues to support this measure in honor of Vaisakhi.

CLOSE THE FOREIGN MONEY LOOPHOLE

(Mr. KILMER asked and was given permission to address the House for 1 minute.)

Mr. KILMER. Mr. Speaker, we know from our law enforcement and intelligence agencies that there was an effort by Russia to covertly influence our elections.

And we know that, according to Republican Intelligence Committee Chairman RICHARD BURR, Russia is both covertly and overtly trying to influence elections right now in France and in Germany.

What most folks may not know is that right now there is a loophole in our campaign finance laws that would allow foreigners to use their wealth to influence our elections, possibly including wealthy individuals aligned with Russian dictator Vladimir Putin and corporations controlled by Putin allies.

This is not a partisan issue. This is an American issue. There was more than \$1 billion spent by outside groups in the 2016 election. It is virtually impossible to know where all this money is coming from.

While U.S. laws prohibit foreign money from being used in our elections, there is a loophole that could allow this money in. That is why I am introducing the Election Protection and Integrity Certification Act to close that loophole and keep money from Russia and other foreign sources out of our election system.

Mr. Speaker, our democracy is under attack and Democrats and Republicans need to join together to stop Russian influence in our elections. We need to close the foreign money loophole.

HONORING THE LIFE OF CHIEF DEPUTY CLINT GREENWOOD

(Mr. BABIN asked and was given permission to address the House for 1 minute.)

Mr. BABIN. Mr. Speaker, it is with a heavy heart that I rise today to honor the life of Harris County Precinct 3 Assistant Chief Deputy Constable Clint Greenwood.

On Monday morning, Chief Deputy Greenwood was tragically murdered as he arrived to work at the Baytown, Texas, courthouse. Chief Deputy Greenwood was a respected and committed 30-year law enforcement veteran of the Houston area.

My heartfelt prayers go out to Chief Deputy Greenwood, his family, and the entire law enforcement community.

After yet another intentional killing of a Texas law enforcement officer, we must do more to end the continued violence and hate-filled rhetoric directed at our brave law enforcement officers. We hope for a quick apprehension of the evil perpetrators and an answer to why.

I stand in strong solidarity with the law enforcement community and offer my deepest condolences to all those impacted by the senseless murder of Chief Deputy Greenwood.

Rest in peace, Brother Clint Greenwood, and may God bless your family and all those who wear the uniform.

□ 1215

PUTIN'S ATTEMPT TO HIJACK DEMOCRACY NEEDS INVESTIGATION

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Mr. Speaker, from the North Atlantic to the North Pacific, to the Baltic Seas, the Russian people are standing up to Vladimir Putin and his decades of egregious corruption. The protests in Moscow are punctuated with chants that Putin is a thief. And, of course, the anticorruption protest leaders have been jailed. And our President, the United States President, the leader of the free world, says that he admires Putin's strongman ways.

Here is the rub that every American of every political persuasion should be concerned with, and that every American family, millions of whom have lost a soldier in defense of our democracy, should be concerned with: Putin is trying to discredit the exact democracy that millions of our brothers and sisters have died for. Putin is a thug and a street punk. His attempt to hijack our democracy needs an aggressive and honest, independent investigation.

HONORING ELBERT BENNETT

(Mr. COMER asked and was given permission to address the House for 1 minute.)

Mr. COMER. Mr. Speaker, today I would like to recognize Mr. Elbert Bennett for his service as president of the Kentucky Magistrates and Commissioners Association board of directors. Elbert, one of nine children, was born in Princeton, Kentucky. After graduating Caldwell County High School in 1967, he began working at The Times Leader newspaper in Caldwell County. He has accomplished much since starting at that newspaper.

Elbert held office in the Kentucky Young Farmers Association and was elected magistrate in 2002. Prior to this election, Elbert served 20 years on the Fredonia City Council. Elbert has been a lifelong cattle farmer, is the former president of the Fredonia Lions Club, and is an active member of the Cattleman's Association.

Most recently, Elbert has given his time to the Wounded Warrior Project, cooking barbecue and hosting veterans on his farms. Elbert is widely known and respected as a barbecue cook, cooking for thousands at church events, Lions Club events and children's events.

In 2008, Elbert Bennett's peers elected him to the Kentucky Magistrates and Commissioners Association board of directors. He has held every office inside the State association, including sergeant-at-arms, secretary, treasurer, vice president, and president.

While president of KMCA, the association has had many legislative victories, including stabilizing essential 911 resources for cities and counties in

Kentucky. One of Elbert's most notable accomplishments as president of KMCA is the association's annual children's shoe drive, which donates over 600 pairs of shoes annually to needy schoolchildren all across the Commonwealth of Kentucky.

He was recently elected to the Kentucky Association of Counties executive board as second vice president, where he represents the magistrates and commissioners.

I cannot speak highly enough about Elbert Bennett and how his service has positively influenced the First District and the Commonwealth of Kentucky as a whole. I am honored to recognize Elbert Bennett today and the great work he does for the people of our State.

LET'S FIX THE AFFORDABLE CARE ACT TOGETHER

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I would like to make a sincere suggestion to our Republican colleagues who are working hard to come up with a replacement for the replacement plan on health care that didn't fly.

Let's fix the Affordable Care Act and work together in a bipartisan way. I have always said: the best legislation is always bipartisan. Drop your plans to repeal and replace the Affordable Care Act. Stop undermining this law, and work with Democrats to make the law work better.

That is what the majority of Americans want us to do. Millions of people now have health insurance, thanks to the Affordable Care Act. Insurance companies can no longer refuse to insure people with preexisting conditions, and essential health benefits like maternity care and mental health care are now provided.

We know that no law is perfect. We acknowledge that. So let's do our job and do what the American public want us to do: join together in a bipartisan way to make the Affordable Care Act work better.

CLIMATE CHANGE IS HARMING OUR HEALTH

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, Earth Day 2017 provides an important opportunity to raise awareness of the consequences of President Trump's executive action abandoning meaningful progress on climate. Left unchecked, climate change will continue to harm the health and safety of our commu-

nities. That is why the American Public Health Association declared 2017 as the Year of Climate Change and Health.

Seasonal changes, higher temperature, droughts, and severe storms are leading to more heat-related illnesses and death, increased asthma attacks, and more severe allergies. The scientific evidence is clear: climate change endangers human health. The health harms of climate change led 11 medical societies to form the Medical Society Consortium on Climate and Health, which recently issued a report titled: "Medical Alert! Climate Change Is Harming Our Health."

One of the consortium doctors said: "The worst-case scenarios of climate change really worry me. It would mean a level of human suffering we can hardly contemplate, much less respond to."

Mr. Speaker, we can't allow that to happen. This problem demands immediate action, not denial, and certainly not delay.

NATIONAL RETIREMENT PLANNING WEEK

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, I rise today in recognition of the nearly 50 million baby boomers about to retire. It is National Retirement Planning Week, and before I get to the importance of this effort, let me say, there are no more important foundational programs that sustain our seniors and retirees than Medicare and Social Security. These earned benefits are critical, as nearly half of all baby boomers saved nothing for their retirement.

Thank you to Representative JOHN LARSON from Connecticut for introducing the Social Security 2100 Act, which protects and strengthens Social Security for decades to come. I have long been an advocate for protecting workers' pensions, and, sadly, more Americans than ever before are shouldering the burden of financing retirement alone.

That is why we need a national conversation on retirement planning, and Congress should lead it. Far too many seniors find Social Security is simply not enough to live on. America must preserve Social Security, protect retirement accounts and pensions, and work with our constituents to make sure they have the resources they need to have a dignified retirement.

Thank you to the National Retirement Planning Coalition, whose fantastic online resources are available to all Americans free of charge. Let's get to work for our retirees.

In closing, let me also say hardest congratulations to Congressman STEVE STIVERS from the great State of Ohio, who has been just promoted to brigadier general in the Ohio National Guard. Onward, STEVE STIVERS. We are very proud of you on a bipartisan basis.

ELIMINATE SUNSET DATE OF VETERANS CHOICE PROGRAM

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in support of H.R. 369, which will eliminate the sunset date of the Veterans Choice Program. The Choice Program gives the men and women who served this great Nation the ability to receive health care in their own home communities.

Instead of waiting for a VA appointment or traveling a long distance to a VA facility, our veterans can get services closer to home. The Choice Act states that the Department of Veterans Affairs is authorized to continue services until August 7, 2017, or until the funds provided under the Choice Act ran out, whatever occurs first.

There is still funding set aside for this program. Our veterans should be entitled to use it. That is why I support H.R. 369, which would eliminate the expiration date on the Choice Act.

However, I do have serious concerns that I want to see addressed in the future with the third-party provider Health Net, which has provided less than satisfactory services to our veterans. We must give our veterans all that we can when they return home, and I urge my colleagues to support H.R. 369.

SPEAK UP AND SPEAK OUT TO CHANGE POLICY

(Mrs. MURPHY of Florida asked and was given permission to address the House for 1 minute.)

Mrs. MURPHY of Florida. Mr. Speaker, on February 1, I introduced legislation to prohibit individuals whose primary role is political, like Steve Bannon, from serving on the National Security Council or its main subgroup, the Principals Committee. The bill has obtained 183 cosponsors and received significant public support. The majority of the American people clearly believe that our national security policymaking process should not be contaminated by partisan politics.

Today, the Trump administration responded to this message, removing Mr. Bannon from the NSC and the Principals Committee. I am incredibly proud of this development, which is clearly in the interest of our Nation's security.

Today is a victory for democracy because it proves that the people, when

they speak up and speak out, can change policy for the better.

MAKE OUR GOVERNMENT SAFE ACT

(Mr. ESPAILLAT asked and was given permission to address the House for 1 minute.)

Mr. ESPAILLAT. Mr. Speaker, today, President Trump finally saw what I recognized and what the American people knew months ago: someone like Steve Bannon should not hold a security clearance, no less serve on the National Security Council.

Bannon has made numerous inflammatory statements in support of overthrowing the United States Government. During an interview on August 22, 2016, Bannon referred to himself as "Leninist," saying:

"Lenin wanted to destroy the state, and that's my goal too. I want to bring everything crashing down, and destroy all of today's establishment."

That is what he said, Mr. Speaker. That is why I introduced the Make Our Government Safe Act, which would amend the National Security Act of 1947 to prevent anyone from serving on the National Security Council who has made the statements that Steve Bannon did about taking down the system.

My bill would prevent someone who has threatened to destroy the government from participating in or attending National Security Council meetings. And today I stand a little bit more reassured that Bannon will not be serving on the National Security Council.

Up next: remove him from the White House.

PROVIDING FOR CONSIDERATION OF H.R. 1219, SUPPORTING AMERICA'S INNOVATORS ACT OF 2017, AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM APRIL 7, 2017, THROUGH APRIL 24, 2017

Mr. BUCK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 242 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 242

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1219) to amend the Investment Company Act of 1940 to expand the investor limitation for qualifying venture capital funds under an exemption from the definition of an investment company. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided

and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit.

SEC. 2. . On any legislative day during the period from April 7, 2017, through April 24, 2017—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 3. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 2 of this resolution as though under clause 8(a) of rule I.

SEC. 4. Each day during the period addressed by section 2 of this resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

SEC. 5. Each day during the period addressed by section 2 of this resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII.

The SPEAKER pro tempore (Mr. CARTER of Georgia). The gentleman from Colorado is recognized for 1 hour.

Mr. BUCK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BUCK. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

□ 1230

Mr. BUCK. Mr. Speaker, I rise today in support of the rule and the underlying legislation. H.R. 1219, the Supporting America's Innovators Act of 2017, will allow America's small businesses to thrive, creating jobs, developing incredible products and services, and growing our Nation's economy.

Starting a business, designing a product, developing a service, these projects often require upfront capital. For entrepreneurs and startups in this country, access to capital is one of the biggest hurdles they will face. Without it, they may not have the cash on hand for research and development, the funds to make payroll at the end of the month, or the raw material needed to start production.

Mr. Speaker, H.R. 1219 seeks to provide more sources of funding for our small businesses by raising the cap that requires a group of investors to register as an investment company. This change in the law is important. It allows angel funds, which are basically a pool of accredited investors, to permit up to 250 investors in one fund as

opposed to the 100 permitted by current law.

As long as the fund does not exceed \$10 million in capital commitments, it would be considered a qualified venture capital fund that is exempt from costly registration with the SEC.

Angel funds allow individuals who may not otherwise invest in startups to join together and direct their investment dollars to promising young companies. Without raising the cap on the size of these funds, we may be pushing potential investors out of the market.

Small businesses, in their earliest stages, often have nowhere to turn for credit. While banks have historically been a source of funds, in recent years, small business loans from banks have declined. That is where these groups of individual investors come in. In many cases, they are providing just enough cash to push businesses off the ground to the next level of funding; but by overregulating groups of angel investors, we are blocking significant sources of capital from ever reaching startups.

We need to wisely regulate in this country, and this legislation doesn't eliminate the need for larger investment funds to register with the SEC. It simply raises the cap for smaller groups of individuals to contribute a limited amount of funds to the American small business community. For businesses on the receiving end, these funds may be the difference between success and bankruptcy.

Thankfully, the Jumpstart Our Business Startups Act has already raised the cap requiring companies to register with the SEC from 500 investors to 2,000 investors. By allowing small companies to seek more individual investors, these businesses can expand the number of individuals who have a stake in the company's future, the number of individuals who will ensure the venture succeeds.

H.R. 1219 is a natural complement to the JOBS Act, allowing those potential investors to more easily join their resources to efficiently and successfully invest in America's small businesses. In fact, the current limit on the number of investors who can join together, set by the Investment Company Act of 1940, is a relic from nearly 80 years ago. In the past 80 years, our financial market and our economy have drastically changed. The barriers to entry for small businesses in many industries are lower than ever.

Just yesterday, I spent time with Etash Kalra. Etash is a young man from my district who won the Congressional App Challenge. Already, in high school, he takes computer science classes and codes smartphone apps. He even started a club to teach others programming.

He and students like him have many of the skills needed to start a small business. They have the ability to cre-

ate software programs that consumers want and need. They may start small, they may start in high school, but they hold great potential.

Many individual investors may see that potential. This bill allows those investors to make a down payment on the future of these young entrepreneurs. Without growing the sources and amount of capital available to these businesses, we will end up stifling the innovation and entrepreneurial spirit that our country is known for.

Our Nation is successful because Americans are innovators and hard workers. Those Americans who start businesses embody this spirit. We are not here asking for the government to help these people succeed. No, these individuals are fully capable of building businesses on their own. But we are here asking the government to step out of the way so that our fellow citizens can help American small businesses succeed.

This rule and the underlying legislation should not be controversial. Last Congress, similar legislation passed the Financial Services Committee by a vote of 57-2. It then passed the House by a vote of 388-9.

Yesterday, I came to the House floor and spoke about the importance of passing bipartisan bills. Many Americans see their Capital awash in partisanship and bickering. They suffer under poorly crafted policies, while politicians in D.C. fail to find consensus on legislation that would help. They wonder why politicians who talk about bipartisanship on the campaign trail can't come together in Washington to pass commonsense legislation.

The challenge before us is to find solutions to our Nation's problems that overlap the principles held by both parties. That is why this bill is refreshing. It stands as an exemplar of the sort of consensus-driven legislation that can earn America's trust.

Everyone can agree that innovative companies help the American economy grow and add to the quality of life in our Nation. Everyone recognizes how important access to capital is for small businesses.

This bill was reported out of the Financial Services Committee with overwhelming support. I ask now that the entire House support the rule and this underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman for yielding me the customary 30 minutes.

Mr. Speaker, this is the 28th closed rule we are considering in Congress. Let me repeat that. This is the 28th closed rule that we are considering in this Congress. That means that 64 percent of the rules that the Republican

leadership has brought to the floor this year have been completely closed, with no opportunity for Democrats or Republicans to offer their ideas to expand upon or improve the legislation.

Under a closed rule, you can't even offer an amendment to fix a typo. If somebody is in their office listening to the debate on this bill and has an idea on how to improve it, they are denied that opportunity to offer any amendments on the floor—in short, no amendments.

Mr. Speaker, this place is called the people's House. Maybe it should be called the Russia House because this is the way they legislate in Russia, completely closed, no opportunity for different ideas to be brought before the Congress and debated.

I have never, in all my years in Congress, experienced a more authoritarian approach to legislating than I have in this Congress. I have never encountered a more closed Congress than this Congress is.

This is not right, and it should not be considered normal. Not only Democrats should be outraged, but Republicans ought to be outraged as well.

You know, I wish my Republican friends had learned something from the collapse of their healthcare bill a few weeks ago. They rushed to the floor a bill cobbled together in the dark of night, filled with bribes and backroom deals. In fact, to strong-arm Members into voting for the bill and to correct for all the technical drafting errors that occurred thanks to their secretive process, there were not one, not two, not even three, but five—that is right, five—separate manager's amendments filed with the Rules Committee.

Now, let me explain that.

Only the people who wrote the bill were allowed to amend it. They wrote it so quickly, so sloppily, that they had to amend their amendments. I mean, this would be laughable if it weren't so tragic. And even after all of that, they were not able to piece together votes within their own Conference, and the bill imploded.

Well, it was a mess from beginning to end; and, to put it bluntly, the process was a disaster. Don't take it from me. Listen to Sean Hannity of FOX News. Now, don't adjust your television set. I am actually going to quote FOX News—and Sean Hannity, at that. I can't believe that he and I agree on something.

Here is what he said. According to a CNN report, he said: "Now, this legislation was flawed from the beginning. It was created behind closed doors. Not one single Member saw the bill until it was rolled out. And that made it a disaster."

That is Sean Hannity, one of President Trump's biggest cheerleaders, one of the biggest cheerleaders of my Republican friends. Here he is trashing the Republican health bill. And if that

is not a wake-up call for Republicans, I don't know what is. You know, if Republicans are being criticized on their process by Sean Hannity, they have a serious problem.

Now we are reading that Republicans are again huddling in back rooms in the Capitol in an effort to resurrect their terrible plan to repeal the Affordable Care Act, strip important protections away from our constituents, and put insurance companies in charge of our health care. There it is on the front page of today's Washington Post: "GOP Presses for New Health Plan."

Now, I haven't been invited to any of these secret backroom negotiations, but from what we are hearing, it isn't good. It seems that things are not looking good for hospitals. MassDevice alerted us to the fact that: "Hospital Stocks Fall as GOP Looks to Revive TrumpCare Bill."

It appears as though Republicans are still working to make their bill even more devastating. Mother Jones reported: "TrumpCare 2.0 Still Isn't Cruel Enough to Satisfy Conservatives."

Yesterday, Tribune Media Wire wrote about: "How the Revised TrumpCare Plan Could Hit Americans with Pre-existing Conditions."

I include in the CONGRESSIONAL RECORD, Mr. Speaker, an article that appears in today's New York Times about how the latest health proposal weakens coverage for preexisting conditions.

[From the New York Times, Apr. 4, 2017]

REPUBLICAN HEALTH PROPOSAL WOULD UNDERMINE COVERAGE FOR PRE-EXISTING CONDITIONS

(By Margot Sanger-Katz)

Throughout the debate to repeal and replace the Affordable Care Act, President Trump and Republican congressional leaders have insisted they would retain a crucial, popular part of the health law: the promise that people can buy insurance even if they've had illnesses in the past.

Their efforts foundered last month, when a House health bill had to be pulled from the floor after it failed to attract enough support. Late Monday night, word emerged that the White House and the group of conservative lawmakers known as the Freedom Caucus had discussed a proposal to revive the bill. But the proposed changes would effectively cast the Affordable Care Act's pre-existing conditions provision aside.

The terms, described by Representative Mark Meadows, Republican of North Carolina and the head of the Freedom Caucus, are something like this: States would have the option to jettison two major parts of the Affordable Care Act's insurance regulations. They could decide to opt out of provisions that require insurers to cover a standard, minimum package of benefits, known as the essential health benefits. And they could decide to do away with a rule that requires insurance companies to charge the same price to everyone who is the same age, a provision called community rating.

The proposal is not final, but Mr. Meadows told reporters after the meeting that his members would be interested in such a bill. To pass the House, any bill would need to

find favor not just with the Freedom Caucus, but also with more moderate Republicans. It would also need to attract the support of nearly every Republican in the Senate to become law.

The ability to opt out of the benefit requirements could substantially reduce the value of insurance on the market. A patient with cancer might, for example, still be allowed to buy a plan, but it wouldn't do her much good if that plan was not required to cover chemotherapy drugs.

The second opt-out would make the insurance options for those with pre-existing conditions even more meaningless.

Technically, the deal would still prevent insurers from denying coverage to people with a history of illness. But without community rating, health plans would be free to charge those patients as much as they wanted. If both of the Obamacare provisions went away, the hypothetical cancer patient might be able to buy only a plan, without chemotherapy coverage, that costs many times more than a similar plan costs a healthy customer. Only cancer patients with extraordinary financial resources and little interest in the fine print would sign up.

There is a reason that many conservatives want to do away with these provisions. Because they help people with substantial health care needs buy relatively affordable coverage, they drive up the price of insurance for people who are healthy. An insurance market that did not include cancer care—or even any cancer patients—would be one where premiums for the remaining customers were much lower. The result might be a market that is much more affordable for people with a clean bill of health. But it would become largely inaccessible to anyone who really needs help paying for medical care.

We do not have to speculate to know what the world looks like without essential health benefits and community rating. It was how most state insurance markets worked before Obamacare. Back in 2009, most sick people who did not get insurance through work or a government program were excluded from coverage if they had a history of health problems like allergies or arthritis. Plans that did not cover pregnancy care or drug addiction treatment were widespread. (The data about individual market insurance premiums is a little spotty, but it appears that they were substantially lower in most states.)

One idea Republicans have about how to care for the sick was also in effect pre-Obamacare. Many states had "high-risk pools," where people shut out of the traditional insurance markets could buy special plans with the help of state subsidies. The Freedom Caucus proposal is likely to include some money that states could use to set up such pools.

"The fundamental idea is that marginally sick people would pay with risk associated with their coverage," Mr. Meadows said Monday. "Those that have, you know, premiums that would be driven up because of catastrophic illness or long-term illnesses, we've been dealing with that for a long time with high-risk pools."

But insurance in the old high-risk pools tended to be expensive, and often came with long waiting periods or benefit limitations, even for the very sick.

The main difference between the policy environment in 2009 and today is that the federal government would now be offering tax credits to help healthy people buy what would probably be relatively skimpy plans.

That would mean that more middle-income Americans would probably have health coverage than before the Affordable Care Act, since the combination of policies would tend to make insurance much more affordable for people who are young and healthy.

What states would choose to do with this set of options is hard to predict. Before Obamacare, few states required community rating of health plans. And few states required insurers to cover all of the benefits deemed essential under Obamacare, though most did require a few types of treatments to be covered. State governments would face a difficult choice: either take away the requirements, and leave sick patients without insurance options, or keep them and see people unable to afford coverage under the new subsidy system.

Under Obamacare, states can already waive many of the law's insurance rules if they can show that an alternative program would cover as many people with comprehensive coverage at a lower cost to the government. But that standard is difficult to meet. Mr. Meadows suggested that the waivers under discussion should be "very easily granted" to states.

The politics of health care in the United States have shifted since the Affordable Care Act was passed seven years ago. In recent months, the law has grown more popular, and the pre-existing conditions policy is among its best-known protections. That could create political pressure for states to keep the insurance rules, even if they are not required by law. But it is likely that at least some states might decide to eliminate them if they are made optional. Shifting norms about health insurance regulation may also affect the idea's reception in Congress.

Mr. Meadows said that the proposal presented to the Freedom Caucus would retain the pre-existing conditions policy. But that would be true in only the most literal sense. The mix of policies could allow insurance companies to charge sick people prices that few of them could pay. And it could allow them to exclude benefits that many healthy people need when they get sick. The result could be a world where people with pre-existing conditions would struggle to buy comprehensive health insurance—just like before Obamacare.

Thomas Kaplan contributed reporting.

Mr. MCGOVERN. Mr. Speaker, I mean, preexisting conditions. Oh, my God. What are my friends thinking about?

And we are reading that essential health benefits are still on the chopping block.

You know, these are some of the main provisions of the ACA that people like, that people need, and that people deserve.

Protecting essential health benefits in people with preexisting conditions is our moral obligation. Taking these protections away from people would be cruel and unjust and immoral. I would say to my Republican friends: You don't have to do it.

But I guess we will have to wait and see until these secret negotiators emerge from their back rooms with details to share. And I will start getting ready for the next emergency Rules Committee. I am looking forward to that meeting because that will probably be the only time we will have to

talk about the bill because I think it is probably too much to expect that my Republican friends would actually, this time around, hold a hearing. Maybe they will bypass a markup, but they will have to go to the Rules Committee in an emergency meeting, and we will probably look forward to another martial law rule.

But we are doing this bill today that no one has ever heard of. It was a non-controversial suspension bill last year, but now we lift it up like it is the most important piece of business that we are facing in America today. You know, what about the urgent priorities facing our country?

I think it is clear that Speaker RYAN and the majority leader are grasping for filler legislation to keep us busy on the House floor so that the American people really don't see really how dysfunctional this majority really is.

Representative MARIO DIAZ-BALART, a Member of the Republican Conference, said, and I think he said it best last week when he said: "It's pretty evident that we don't have the votes among Republicans to do, in essence, anything that's real."

Maybe that is why we are wasting our time this week on these bills instead of moving an infrastructure package or finishing the FY17 appropriations process, which should have been finalized last year.

I will remind my Republican colleagues that our government runs out of funding on April 28. That is 5 legislative days from now, since we are going on break at the end of this week. Now, maybe, again, this is a radical idea, but maybe we should be dealing with that today.

I am beginning to give up hope for regular order in the appropriations process under the Republican leadership, but I would have thought we would at least have some insight about a funding bill by now. Again, 5 legislative days from now, the government potentially could be shut down.

Maybe some of you think that the underlying legislation that this rule would allow us to consider, a bill to increase the number of companies that are exempted from certain SEC regulations, is vitally important. Maybe you are being inundated with calls about this issue. I don't know. Maybe your townhalls are overflowing with people demanding this SEC suspension bill, but I am certain that no Member of this body could say with a straight face that this is somehow more important than keeping the entire Federal Government open.

For the life of me, I don't understand why we always have to get right up to the edge of the cliff, but here we are again. Today is just the latest example that the priorities of this Republican leadership do not serve the American people.

I would urge my colleagues to think about this as we spend time in our dis-

tricts over the next 2 weeks. Maybe, when we get back, Congress can actually do its job and fund the government and focus on things that are important like a jobs bill or an infrastructure bill instead of more of the same Republican messaging bills.

Mr. Speaker, I reserve the balance of my time.

□ 1245

Mr. BUCK. Mr. Speaker, I have an inquiry for the Speaker, if I may. What is the title of this bill?

The SPEAKER pro tempore (Mr. YODER). The Clerk has read the title of the bill. Would the gentleman like the Clerk to re-read the title of the bill?

Mr. BUCK. That is all right, Mr. Speaker. I appreciate it.

I yield 5 minutes to the gentleman from Michigan (Mr. HUIZENGA), my friend.

Mr. HUIZENGA. Mr. Speaker, I appreciate the opportunity to rise, and I do feel like, to clarify, the bill title of H.R. 1219 is Supporting America's Innovators Act.

Our colleagues have seen time and time and time again that the other side has wanted to come to the floor and talk about everything other than what we are dealing with. But I do want to lay out, as one of the senior members of the committee, what has happened in Financial Services when we have dealt with this.

Last Congress, this exact bill passed 52-2 in the committee, with the ranking member supporting the bill. There were no dissenting minority views that were offered. And now, with this particular piece of legislation, H.R. 1219, there were no amendments even offered at the Rules Committee.

So which is it? My friends across the aisle complain when we don't do regular order. They complain if this had gone on suspension. I am kind of reminded of Groucho Marx in his movie, "Horse Feathers." Whatever that is, I am against it. That seems to be their attitude.

But I do look forward to working with my colleagues across the aisle to make sure that they join me in supporting government funding when we are going to be dealing with that here shortly.

So on to our bill here, H.R. 1219, unless the opposition, the other side of the aisle, would like to continue to talk about a lot of nongermane things; I will keep bringing up Susan Rice and her illegally unmasking people if they would like to do that. We can continue with that conversation.

I would prefer to talk about H.R. 1219. So we know that small businesses and entrepreneurs are the heartbeat of the American economy, and access to financial capital is vital for entrepreneurs seeking startup money, or to operate, or to expand their businesses. However, gaining access to capital has

remained an enduring challenge for small businesses.

The financial crisis and the Great Recession made the situation worse as capital became increasingly hard to access from institutional banks and various capital players. And while conditions have improved somewhat in the recent years, many entrepreneurs continue to struggle with accessing the capital that they need to compete and to grow.

In order to succeed, these companies need capital and credit, which is the lifeblood for growth, expansion, and job creation. Yet the government continues to construct arbitrary walls that cut them off from essential financing as smaller companies are caught in a sea of regulatory red tape created by Washington bureaucrats of tentimes.

As we had a similar bill yesterday, I made the point at that time as well. We know that 60 percent of all net new jobs that have been created here in the United States, 60 percent of all net new jobs that have been created here over the last 2 decades, have come from these small businesses.

Congress has made strides in tailoring the regulatory environment for these smaller companies—most notably when we passed, with strong bipartisan support, the Jumpstart Our Business Startups Act, or JOBS Act, in 2012. That was a bipartisan bill that was signed by President Obama.

The JOBS Act's benefits are notable as more and more companies use its provisions to raise investment capital in both the public and the private markets. And the JOBS Act raised the cap on investors in a privately held company from 500 to 2,000 investors, but the limit on the number of investors acting as a coordinated group to invest in a company remained at 100, where it has been since 1940, some 77 years ago. I think it is about time that we update that.

As noted by Kevin Laws, of AngelList in his written testimony before the Capital Markets Subcommittee: "With online fundraising and general solicitation becoming more common because of the JOBS Act, companies are bumping up against the limit more frequently. The current limit . . . now acts as a brake on the amount of money the company wanted to raise, leaving tens of millions of dollars on the table that did not go into startups."

Well, H.R. 1219, the Supporting America's Innovators Act, a bipartisan bill introduced by Representatives PATRICK MCHEENRY and NYDIA VELÁZQUEZ, would amend the cap currently contained in the Investment Company Act to allow 250 investors, instead of that 100, for a qualified venture capital fund, and, therefore, enhance angel investors' ability to provide important funding to our small businesses.

This bill is a very modest increase to the current exemption which has been in place for nearly 77 years, since 1940. Modernizing the cap is long overdue and reflects today's capital markets realities and the increasingly important role that angel investors play as they commit the funds necessary to help these small businesses grow.

The Securities and Exchange Commission continues to ignore the backlog of good ideas to spur capital formation recommended by entrepreneurs, small businesses, and market participants at the SEC's annual government-business forum on capital formation. So in the SEC's absence, Congress must act to promote market efficiency and capital formation. That is what we are here to do today, and I do think that that is an extremely important thing for us to do here in Congress.

I think that we can all agree that we support smart regulation that protects investors and maintains orderly and efficient markets.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BUCK. I yield an additional 1 minute to the gentleman from Michigan.

Mr. HUIZENGA. I think we can all agree that we need to support smart regulation that protects investors and maintains orderly and efficient markets. But outdated, excessive, and unnecessary regulation where costs outweigh the benefits is just dumb regulation that overly burdens smaller companies.

So let's provide some regulatory relief by enacting this bipartisan bill that will ease the burdens on small businesses and job creators to help foster capital formation and get Americans back to work.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I am glad the gentleman from Michigan believes that closed rules are regular order—maybe in Russia, but that is not supposed to be the norm here in the people's House. We have an obligation to actually debate serious bills.

Right now, my Republican friends are behind closed doors somewhere in the Capitol debating healthcare legislation. And what I am against is this whole process. This is backwards. My Republican friends ought to be out in the open debating health care. They ought to be doing hearings. This is what I am objecting to.

In the scheme of things, this is a relatively minor piece of legislation, compared to my Republican friends' plans to repeal the Affordable Care Act.

Yes, we should be debating Russia and all the ties that the Trump administration has with Russia. The question used to be: Who in the administration has ties with Russia? Now the question is: Who in this administration doesn't have ties with Russia? Yes, those are important things we ought to be talking about. But, come on.

What we are objecting to is you bringing filler to the floor while, in secret, you are trying to dismantle health care in a way that we believe will harm millions and millions of Americans; that will take away their protections, those who have pre-existing conditions; that will throw millions of people off of their insurance; that will take away essential health benefits. Yeah, that is important to us, and it is important to the American people.

What we are objecting to is a process where you debate these issues in secret and you bring stuff like this to the floor.

Mr. Speaker, this week, President Trump signed a bill to allow internet service providers to sell their customers' sensitive information. This information includes location, financial and health data, information about customers' children, Social Security numbers, web browsing history, app usage history, and the content of their customers' communications, such as emails and video chats.

Yet, amazingly, President Trump's tax return information is still off limits to the American people. Every President since Gerald Ford has disclosed his tax return information. These returns have provided a basic level of transparency that has helped to ensure the public's interest is placed first.

So the message from President Trump and the Republican Party is clear: It is okay for companies to profit off your medical and financial information, or information contained in your private emails, but the American voter is not allowed to know if the President has any conflicts of interest. That is right. Donald Trump's privacy matters, but your privacy doesn't.

Internet companies can auction off your private, personal information to the highest bidder. But information related to Donald Trump's business life must be kept secret.

Mr. Speaker, the American people deserve better, and it is incumbent upon us, as the people's elected Representatives, to hold the executive branch accountable.

So I am going to ask people to vote "no" on the previous question. And if we defeat the previous question, I will offer an amendment to the rule to bring up Representative ESHOO's bill, which will require Presidents and major party nominees for the Presidency to release their tax returns.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, this is a big deal. The American people have a

right to know because the American people are concerned that this White House is on a collision course with corruption. It is time to let a little light shine on the President's tax returns so the American people know what his dealings have been and know what, quite frankly, they have been able to know about every other President and every other major party nominee.

I yield 5 minutes to the distinguished gentlewoman from California (Ms. ESHOO) to discuss our proposal.

Ms. ESHOO. Mr. Speaker, I thank my colleague from Massachusetts for yielding the time to me.

While I support the underlying bill, I want to urge my colleagues to defeat the previous question so that this bipartisan legislation, the Presidential Tax Transparency Act, can be made in order for consideration and a vote.

The legislation is very simple. It is not pages and pages and pages. It simply states that there will be a requirement that the President of the United States, all future Presidents, and Presidential nominees of the major parties publicly disclose their tax returns. For decades, Republican and Democratic Presidents and Republican and Democratic candidates of both parties have voluntarily disclosed this information, but not this President.

Now, this tradition began in 1973, with President Richard Nixon who, while under audit by the IRS, publicly released his tax returns and submitted them for review by Congress because there was a mini scandal at that time regarding his claims of charitable giving. He released his tax returns and, shortly after, gave what became a famous speech: "People have got to know whether or not their President is a crook. Well, I am not a crook."

The Joint Committee on Taxation, at that time, ultimately found numerous errors in the President's return, and that he owed about a half a million dollars in back taxes, and he paid them.

Now, since then, every President has voluntarily released their tax returns. But this tradition is now being tested by a President who continues to hide his finances and faces an unprecedented number of potential conflicts of interest relating to his business empire.

Now, through his financial disclosure forms, we know that he has some 564 businesses around the world and inside the United States. This is a legitimate question being posed by the American people, and that is: If we don't know, whose interest is he operating under? Who is he there for?

Is he making decisions relative to trade that will benefit his business? We don't know. Why? Because a tax return is highly instructive. Tax returns disclose to whom you owe debt, what the debt is, where your businesses are, whether they are in the United States or in a foreign country, whether you

have made charitable donations, whether you have paid taxes, whether you have avoided taxes, whether you have used loopholes, whether you have dollars in offshore areas. So this is an essential.

I want my Republican friends to think of something. This is not a partisan issue. This should concern you just as much as it concerns your constituents. The American people across the country, 74 percent, say that his tax returns should be disclosed.

□ 1300

We are now moving into an area of questions about national security.

Who is the President doing business with?

Whose interests come first? Is it the national security of the United States of America by the Commander in Chief, or is it for some Trump business?

These are very serious questions that you should want answered.

In a democracy—in a democracy—transparency is essential. They go hand in hand. We are not a banana republic. We don't have people in charge of the government that stand above the law or just disregard it.

In this case, it is not the law. It is a beautiful tradition that patriots on the Republican side and the Democratic side honored. Why did they honor it? I think they honored it because they wanted to honor the American people. That is what this effort is about.

Now, it is important to note that the President wasn't always opposed to this important transparency. As far back as 2011, he said that he would release his tax returns if he ran for President.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. MCGOVERN. Mr. Speaker, I yield the gentlewoman from California an additional 2 minutes.

Ms. ESHOO. In 2012, he criticized Mitt Romney for not releasing his returns until late in the campaign. In 2014, Mr. Trump told an Irish television network: "If I decide to run for office, I'll produce my tax returns, absolutely." In 2016, he said repeatedly that he would release his returns "over the next few months" and "before the election." It hasn't happened yet.

So all of these issues should concern all Members of Congress because, as I said a moment ago, transparency is essential in a democracy.

Mr. Speaker, this is the fourth time this year that I have offered the Presidential Tax Transparency Act as the previous question motion, and today I filed a discharge petition on the bill, which I encourage all of my colleagues to sign at the desk. If we defeat the previous question today or if we reach 218 Members of the House on the discharge petition, we can vote on this bipartisan legislation and ensure—underscore "ensure"—that the President of

the United States provides transparency for the American people now and in the future.

Mr. BUCK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am reminded of an old Western movie, "The Man Who Shot Liberty Valance," and a line in that movie: "When the legend becomes fact, print the legend."

It turns out, Mr. Speaker, that this bill was marked up without any amendments on March 9, 2017, in the Senate Banking Committee and was favorably reported unanimously and without any amendments offered. It was also marked up on March 9, 2017, in the Financial Services Committee and was reported out with a 54-2 vote.

There were no amendments offered on this particular legislation, Mr. Speaker, in the Rules Committee; and, as a matter of practice, it is considered a closed rule because there were no amendments offered. So the idea that somehow this legislation has been hidden and that we are engaging in some sort of subterfuge is not accurate.

Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. HULTGREN), my good friend.

Mr. HULTGREN. Mr. Speaker, I thank my good friend from Colorado.

Mr. Speaker, I rise today to support the rule providing for consideration of H.R. 1219, the Supporting America's Innovators Act of 2017. This is a bipartisan piece of legislation that has seen productive debate and almost no opposition when it was considered by the House Financial Services Committee. The House considered a very similar bill last July that received 388 votes here in the House in support.

Congressman PATRICK MCHENRY has been steadfast in his dedication to finding opportunities to update our securities laws so we can harness the true power of our capital markets. In recent memory, this started with the JOBS Act, which was very bipartisan and has been crucial to reinvigorating our capital markets. However, there is still more we can do.

The Supporting America's Innovators Act of 2017 increases the limit on the number of individuals who can invest in certain venture capital funds before those funds must register with the SEC as investment companies under the Investment Company Act of 1940. Currently, the act limits the number of investors in an investment company fund to 100 if the fund is to be exempt from registration with the SEC. This regulatory requirement that is not always appropriate.

The Chamber of Commerce describes this as a fix to what has come to be known as the "99 investor problem," that is, the requirement that certain venture capital funds register with the SEC once they reach their 100th investor. Increasing this low threshold,

originally set in the 1940s, would allow venture capital to continue to play the important role in the economy that it has in the past.

Unless Congress updates this threshold, startups, the driver of job creation and economic growth in our districts, will continue to be choked off from what should be easily accessible and affordable capital.

Mr. Speaker, I urge my colleagues to support this rule and to support this bipartisan legislation.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just want to be clear so that my good friend from Colorado understands where I am coming from.

I don't really care about this bill. I think it is a noncontroversial bill that, quite frankly, probably could be approved by voice vote if it were brought up that way.

The point I am trying to make is that this is a relatively minor bill compared to some of the important issues that we need to deal with. It is troublesome to me that, on this bill, which my friend from Colorado said involved years of hearings and where the sponsor of the bill consulted with Democratic colleagues—I favor all of that. But what I am really outraged about is that, while we are talking about this relatively inconsequential bill and about how wonderful this process around this bill is, there are meetings going on in secret, right now, with my Republican colleagues, on dismantling health care in this country, conversations that might result in tens of millions of Americans losing their health insurance, conversations involving taking away essential benefits from insurance packages, conversations that would basically remove protections for people who have preexisting conditions.

All of this is going on in secret. We are reading about it in the press. I am sure my colleagues know about it because they are reading about it. Maybe they are proud of these secret meetings. I want to know where these secret meetings are.

I am simply saying to my friends on the other side of the aisle, on something as big as health care, you ought to be having these meetings out in the open. There ought to be hearings. You ought to bring in patients and patient advocate groups. You ought to bring in doctors, nurses, and heads of hospitals. You ought to bring in people who are going to be affected by any kind of changes you make in our healthcare policy.

Instead, it is being done behind closed doors, in secret, and I think the American people are outraged by that. That is one of the reasons why the bill you brought to the floor recently only had 17 percent support amongst the American people.

So what we are objecting to is the fact that we are not bringing to the

floor matters that are urgent, like keeping the government running and like an infrastructure bill. We are also objecting to the fact that we are reading that my Republican friends are, once again, behind closed doors negotiating another healthcare bill that we think will do great damage to the health care of a lot of people in this country.

Mr. Speaker, I reserve the balance of my time.

Mr. BUCK. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time, and I will close for our side.

Mr. Speaker, I want to alert my Republican colleagues to some recent polls that came out today. There is a poll that Quinnipiac did that said that Trump is more unpopular than Obama ever was, and, today, President Trump's approval rating is at 35 percent. That is down from 37 percent, and that is the lowest, I think, of any President this early on in his Presidency. I think the lowest rating ever was President George W. Bush. It was at 28 percent, but it took 8 years, two unpopular wars, and a staggering economy to get to that point. But with President Trump, we are already at 35 percent. The Gallup Poll says his approval is at 39 percent.

By the way, the Affordable Care Act, according to Kaiser, now polls at 55 percent approval rating, and the Republican Congress is about as low as President Trump is right now.

I am trying to think of the words to help my colleagues understand what these polls mean. I guess "not good" comes to mind, or "very, very bad." I don't think, even if you tried, you could get poll numbers so low so early on in a new Congress or so early on in a new administration.

I would say to my friends the reason for this unpopularity is the way you are conducting business in our government, that the closed processes that are being used with regard to legislation I think are unprecedented. There has never been a more closed Congress than this one. You were pretty closed last session as well. This is a terrible pattern.

I agree with my friend, Mr. BUCK, on one thing he said. The gentleman said yesterday that good process produces good policy, but perhaps equally as important, good process helps instill faith in this institution. I agree with that. I could have said those remarks here today.

My question is: If that is the case, why are my Republican friends tolerating a process on healthcare reform that is now going on that is being done behind closed doors in some back room somewhere in this building with no input from patients or patient advocate groups or doctors or nurses or hos-

pitals or anybody who has anything to do with health care? Why, on something so important, is the process so closed and so restrictive and so secretive?

I will tell you, just as this closed process led to a disastrous Republican healthcare bill recently, this continued closed process will lead to more disaster. This is not the way we should be doing the people's business. So we strongly object to the way the Republicans are running this House and, in fact, the way the President is handling this issue as well.

It is always nice to see Vice President PENCE in the hallway when he is walking back and forth, but it would be better to see him in a public setting talking about what the administration's priorities are, not rushing from one back room to another back room to another back room trying to make secret deals to get more people to vote for something when they have no idea what is in the legislation. That is not the way of doing business. So we object to the process.

Again, I urge my colleagues to also vote "no" on the previous question so we can have an opportunity to see President Trump's tax returns. Every President since Gerald Ford has disclosed their tax returns, every major Presidential candidate, and every day we read in the newspaper about more and more potential conflicts of interest between the President and his family. I have to tell you, we are on a collision course with corruption. The President has promised to drain the swamp. He has created a cesspool, and it should be of concern to every single person in this Chamber, Democrat and Republican alike.

I don't think it is too much to ask for transparency when it comes to the person who is our Commander in Chief. I shudder to think if Hillary Clinton had won the Presidency and didn't release her tax returns, the outrage that would be coming from the other side of the aisle. I can't even imagine how much outrage would be coming from them.

Yet when Donald Trump hides his financial information from Congress and the American people, there is silence; people don't want to know. Well, the majority of people do. Poll after poll show the overwhelming majority of Americans want to know what is in his tax returns.

Why is this such a state secret? Why can't people see what they want to see and what they have been given with every other President?

So this is an opportunity to put this issue behind us, and if there is nothing controversial in his taxes, well, then this issue goes away and we can talk about something else. But maybe there is something he is hiding. Maybe there is something that we should be concerned about. Maybe there are conflicts of interest that might be constitu-

tionally questionable. Maybe there are ties to Russia that would cause my colleagues on the other side of the aisle more concern.

This idea of hiding this has to stop. I urge my colleagues to vote "no" on the previous question and vote "no" on the underlying rule.

Mr. Speaker, I yield back the balance of my time.

□ 1315

Mr. BUCK. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I appreciate my friend from Massachusetts quoting me yesterday, and I would love to just emphasize a few of the words that he said a moment ago: I also shudder to think if Hillary Clinton won the Presidency.

My friend was kind enough to focus his half hour on H.R. 1219, Supporting America's Innovators Act of 2017. It is, in fact, a great piece of legislation, and I am proud to close now on that bill.

We have the opportunity today to improve access to capital for America's entrepreneurs and startups. The men and women who start companies in this Nation put everything on the line. They give of their time and their financial resources. They give of their weekends and evenings and vacations.

Our economy relies on the small businesses that these men and women create. Small businesses are the backbone of the American economy. They provide jobs and important products and services. They contribute to the life of their communities.

If we want to grow our economy, if we want to increase hiring, if we want to improve our quality of life, then we need to unleash America's entrepreneurs and startups. That is why we need to support this bill.

We must expand access to credit for small-business owners. We need to make it easier for angel investors to take a risk on young companies. We are not asking the American taxpayer to take a risk or spend any money on this. We are simply asking the Federal Government to allow angel investors to join together in larger groups to invest in promising young American companies.

I am encouraged that this bill represents a bipartisan effort to make small-business owners in this country more rewarding. When the cost of starting a small business is outweighed by the reward, our country will benefit from the resulting innovation and job creation. We simply need to give entrepreneurs the tools they need to succeed, and one of those tools is access to capital.

America's entrepreneurs and startups need H.R. 1219. Americans who want to work for small businesses need H.R. 1219. Americans who want to buy great products, access incredible services, and visit amazing websites all need H.R. 1219.

I thank Chief Deputy Whip MCHENRY for introducing this important bill, and I thank Chairman HENSARLING for bringing this legislation before us. I also thank Representative VELÁZQUEZ, Representative HOLLINGSWORTH, Representative SHERMAN, and Representative GOTTHEIMER for cosponsoring this legislation.

I ask my colleagues to vote “yes” on the rule and vote “yes” on the bill.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 242 OFFERED BY
MR. MCGOVERN

At the end of the resolution, add the following new sections:

SEC. 6. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 305) to amend the Ethics in Government Act of 1978 to require the disclosure of certain tax returns by Presidents and certain candidates for the office of the President, and for other purposes. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Ways and Means and Oversight and Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 7. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 305.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party of-

fered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

The Republican majority may say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BUCK. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. DENHAM). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules

on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

FINANCIAL INSTITUTION BANKRUPTCY ACT OF 2017

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1667) to amend title 11 of the United States Code in order to facilitate the resolution of an insolvent financial institution in bankruptcy, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1667

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Financial Institution Bankruptcy Act of 2017”.

SEC. 2. GENERAL PROVISIONS RELATING TO COVERED FINANCIAL CORPORATIONS.

(a) DEFINITION.—Section 101 of title 11, United States Code, is amended by inserting the following after paragraph (9):

“(9A) The term ‘covered financial corporation’ means any corporation incorporated or organized under any Federal or State law, other than a stockbroker, a commodity broker, or an entity of the kind specified in paragraph (2) or (3) of section 109(b), that is—

“(A) a bank holding company, as defined in section 2(a) of the Bank Holding Company Act of 1956; or

“(B) a corporation that exists for the primary purpose of owning, controlling and financing its subsidiaries, that has total consolidated assets of \$50,000,000,000 or greater, and for which, in its most recently completed fiscal year—

“(i) annual gross revenues derived by the corporation and all of its subsidiaries from activities that are financial in nature (as defined in section 4(k) of the Bank Holding Company Act of 1956) and, if applicable, from the ownership or control of one or more insured depository institutions, represents 85 percent or more of the consolidated annual gross revenues of the corporation; or

“(ii) the consolidated assets of the corporation and all of its subsidiaries related to activities that are financial in nature (as defined in section 4(k) of the Bank Holding Company Act of 1956) and, if applicable, related to the ownership or control of one or more insured depository institutions, represents 85 percent or more of the consolidated assets of the corporation.”.

(b) APPLICABILITY OF CHAPTERS.—Section 103 of title 11, United States Code, is amended by adding at the end the following:

“(1) Subchapter V of chapter 11 of this title applies only in a case under chapter 11 concerning a covered financial corporation.”.

(c) WHO MAY BE A DEBTOR.—Section 109 of title 11, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking “or” at the end;

(B) in paragraph (3)(B), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(4) a covered financial corporation.”; and

(2) in subsection (d)—

(A) by striking “and” before “an uninsured State member bank”;

(B) by striking “or” before “a corporation”; and

(C) by inserting “, or a covered financial corporation” after “Federal Deposit Insurance Corporation Improvement Act of 1991”.

(d) CONVERSION TO CHAPTER 7.—Section 1112 of title 11, United States Code, is amended by adding at the end the following:

“(g) Notwithstanding section 109(b), the court may convert a case under subchapter V to a case under chapter 7 if—

“(1) a transfer approved under section 1185 has been consummated;

“(2) the court has ordered the appointment of a special trustee under section 1186; and

“(3) the court finds, after notice and a hearing, that conversion is in the best interest of the creditors and the estate.”.

(e)(1) Section 726(a)(1) of title 11, United States Code, is amended by inserting after “first,” the following: “in payment of any unpaid fees, costs, and expenses of a special trustee appointed under section 1186, and then”.

(2) Section 1129(a) of title 11, United States Code, is amended by inserting after paragraph (16) the following:

“(17) In a case under subchapter V, all payable fees, costs, and expenses of the special trustee have been paid or the plan provides for the payment of all such fees, costs, and expenses on the effective date of the plan.

“(18) In a case under subchapter V, confirmation of the plan is not likely to cause serious adverse effects on financial stability in the United States.”.

(f) Section 322(b)(2) of title 11, United States Code, is amended by striking “The” and inserting “In cases under subchapter V, the United States trustee shall recommend to the court, and in all other cases, the”.

SEC. 3. LIQUIDATION, REORGANIZATION, OR RECAPITALIZATION OF A COVERED FINANCIAL CORPORATION.

Chapter 11 of title 11, United States Code, is amended by adding at the end the following:

SUBCHAPTER V—LIQUIDATION, REORGANIZATION, OR RECAPITALIZATION OF A COVERED FINANCIAL CORPORATION

“§ 1181. Inapplicability of other sections

“Sections 303 and 321(c) do not apply in a case under this subchapter concerning a covered financial corporation. Section 365 does not apply to a transfer under section 1185, 1187, or 1188.

“§ 1182. Definitions for this subchapter

“In this subchapter, the following definitions shall apply:

“(1) The term ‘Board’ means the Board of Governors of the Federal Reserve System.

“(2) The term ‘bridge company’ means a newly formed corporation to which property of the estate may be transferred under section 1185(a) and the equity securities of which may be transferred to a special trustee under section 1186(a).

“(3) The term ‘capital structure debt’ means all unsecured debt of the debtor for borrowed money for which the debtor is the primary obligor, other than a qualified financial contract and other than debt secured by a lien on property of the estate that is to be transferred to a bridge company pursuant to an order of the court under section 1185(a).

“(4) The term ‘contractual right’ means a contractual right of a kind defined in section 555, 556, 559, 560, or 561.

“(5) The term ‘qualified financial contract’ means any contract of a kind defined in paragraph (25), (38A), (47), or (53B) of section 101, section 741(7), or paragraph (4), (5), (11), or (13) of section 761.

“(6) The term ‘special trustee’ means the trustee of a trust formed under section 1186(a)(1).

“§ 1183. Commencement of a case concerning a covered financial corporation

“(a) A case under this subchapter concerning a covered financial corporation may be commenced by the filing of a petition with the court by the debtor under section 301 only if the debtor states to the best of its knowledge under penalty of perjury in the petition that it is a covered financial corporation.

“(b) The commencement of a case under subsection (a) constitutes an order for relief under this subchapter.

“(c) The members of the board of directors (or body performing similar functions) of a covered financial corporation shall have no liability to shareholders, creditors, or other parties in interest for a good faith filing of a petition to commence a case under this subchapter, or for any reasonable action taken in good faith in contemplation of such a petition or a transfer under section 1185 or section 1186, whether prior to or after commencement of the case.

“(d) Counsel to the debtor shall provide, to the greatest extent practicable without disclosing the identity of the potential debtor, sufficient confidential notice to the chief judge of the court of appeals for the circuit embracing the district in which such counsel intends to file a petition to commence a case under this subchapter regarding the potential commencement of such case. The chief judge of such court shall randomly assign to preside over such case a bankruptcy judge selected from among the bankruptcy judges designated by the Chief Justice of the United States under section 298 of title 28.

“§ 1184. Regulators

“The Board, the Securities Exchange Commission, the Office of the Comptroller of the Currency of the Department of the Treasury, the Commodity Futures Trading Commission, and the Federal Deposit Insurance Corporation may raise and may appear and be heard on any issue in any case or proceeding under this subchapter.

“§ 1185. Special transfer of property of the estate

“(a) On request of the trustee, and after notice and a hearing that shall occur not less than 24 hours after the order for relief, the court may order a transfer under this section of property of the estate, and the assignment of executory contracts, unexpired leases, and qualified financial contracts of the debtor, to a bridge company. Upon the entry of an order approving such transfer, any property transferred, and any executory contracts, unexpired leases, and qualified financial contracts assigned under such order shall no longer be property of the estate. Except as provided under this section, the provisions of section 363 shall apply to a transfer and assignment under this section.

“(b) Unless the court orders otherwise, notice of a request for an order under subsection (a) shall consist of electronic or telephonic notice of not less than 24 hours to—

“(1) the debtor;

“(2) the holders of the 20 largest secured claims against the debtor;

“(3) the holders of the 20 largest unsecured claims against the debtor;

“(4) counterparties to any debt, executory contract, unexpired lease, and qualified financial contract requested to be transferred under this section;

“(5) the Board;

“(6) the Federal Deposit Insurance Corporation;

“(7) the Secretary of the Treasury and the Office of the Comptroller of the Currency of the Treasury;

“(8) the Commodity Futures Trading Commission;

“(9) the Securities and Exchange Commission;

“(10) the United States trustee or bankruptcy administrator; and

“(11) each primary financial regulatory agency, as defined in section 2(12) of the Dodd-Frank Wall Street Reform and Consumer Protection Act, with respect to any affiliate the equity securities of which are proposed to be transferred under this section.

“(c) The court may not order a transfer under this section unless the court determines, based upon a preponderance of the evidence, that—

“(1) the transfer under this section is necessary to prevent serious adverse effects on financial stability in the United States;

“(2) the transfer does not provide for the assumption of any capital structure debt by the bridge company;

“(3) the transfer does not provide for the transfer to the bridge company of any property of the estate that is subject to a lien securing a debt, executory contract, unexpired lease or agreement (including a qualified financial contract) of the debtor unless—

“(A)(i) the bridge company assumes such debt, executory contract, unexpired lease or agreement (including a qualified financial contract), including any claims arising in respect thereof that would not be allowed secured claims under section 506(a)(1) and after giving effect to such transfer, such property remains subject to the lien securing such debt, executory contract, unexpired lease or agreement (including a qualified financial contract); and

“(ii) the court has determined that assumption of such debt, executory contract, unexpired lease or agreement (including a qualified financial contract) by the bridge company is in the best interests of the estate; or

“(B) such property is being transferred to the bridge company in accordance with the provisions of section 363;

“(4) the transfer does not provide for the assumption by the bridge company of any debt, executory contract, unexpired lease or agreement (including a qualified financial contract) of the debtor secured by a lien on property of the estate unless the transfer provides for such property to be transferred to the bridge company in accordance with paragraph (3)(A) of this subsection;

“(5) the transfer does not provide for the transfer of the equity of the debtor;

“(6) the trustee has demonstrated that the bridge company is not likely to fail to meet the obligations of any debt, executory contract, qualified financial contract, or unexpired lease assumed and assigned to the bridge company;

“(7) the transfer provides for the transfer to a special trustee all of the equity securities in the bridge company and appointment of a special trustee in accordance with section 1186;

“(8) after giving effect to the transfer, adequate provision has been made for the fees, costs, and expenses of the estate and special trustee; and

“(9) the bridge company will have governing documents, and initial directors and senior officers, that are in the best interest of creditors and the estate.

“(d) Immediately before a transfer under this section, the bridge company that is the recipient of the transfer shall—

“(1) not have any property, executory contracts, unexpired leases, qualified financial contracts, or debts, other than any property acquired or executory contracts, unexpired leases, or debts assumed when acting as a transferee of a transfer under this section; and

“(2) have equity securities that are property of the estate, which may be sold or distributed in accordance with this title.

“§ 1186. Special trustee

“(a)(1) An order approving a transfer under section 1185 shall require the trustee to transfer to a qualified and independent special trustee, who is appointed by the court, all of the equity securities in the bridge company that is the recipient of a transfer under section 1185 to hold in trust for the sole benefit of the estate, subject to satisfaction of the special trustee's fees, costs, and expenses. The trust of which the special trustee is the trustee shall be a newly formed trust governed by a trust agreement approved by the court as in the best interests of the estate, and shall exist for the sole purpose of holding and administering, and shall be permitted to dispose of, the equity securities of the bridge company in accordance with the trust agreement.

“(2) In connection with the hearing to approve a transfer under section 1185, the trustee shall confirm to the court that the Board has been consulted regarding the identity of the proposed special trustee and advise the court of the results of such consultation.

“(b) The trust agreement governing the trust shall provide—

“(1) for the payment of the fees, costs, expenses, and indemnities of the special trustee from the assets of the debtor's estate;

“(2) that the special trustee provide—

“(A) quarterly reporting to the estate, which shall be filed with the court; and

“(B) information about the bridge company reasonably requested by a party in interest to prepare a disclosure statement for a plan providing for distribution of any securities of the bridge company if such information is necessary to prepare such disclosure statement;

“(3) that for as long as the equity securities of the bridge company are held by the trust, the special trustee shall file a notice with the court in connection with—

“(A) any change in a director or senior officer of the bridge company;

“(B) any modification to the governing documents of the bridge company; and

“(C) any material corporate action of the bridge company, including—

“(i) recapitalization;

“(ii) a material borrowing;

“(iii) termination of an intercompany debt or guarantee;

“(iv) a transfer of a substantial portion of the assets of the bridge company; or

“(v) the issuance or sale of any securities of the bridge company;

“(4) that any sale of any equity securities of the bridge company shall not be consummated until the special trustee consults with the Federal Deposit Insurance Corporation and the Board regarding such sale and discloses the results of such consultation with the court;

“(5) that, subject to reserves for payments permitted under paragraph (1) provided for in the trust agreement, the proceeds of the sale of any equity securities of the bridge company by the special trustee be held in trust for the benefit of or transferred to the estate;

“(6) the process and guidelines for the replacement of the special trustee; and

“(7) that the property held in trust by the special trustee is subject to distribution in accordance with subsection (c).

“(c)(1) The special trustee shall distribute the assets held in trust—

“(A) if the court confirms a plan in the case, in accordance with the plan on the effective date of the plan; or

“(B) if the case is converted to a case under chapter 7, as ordered by the court.

“(2) As soon as practicable after a final distribution under paragraph (1), the office of the special trustee shall terminate, except as may be necessary to wind up and conclude the business and financial affairs of the trust.

“(d) After a transfer to the special trustee under this section, the special trustee shall be subject only to applicable nonbankruptcy law, and the actions and conduct of the special trustee shall no longer be subject to approval by the court in the case under this subchapter.

“§ 1187. Temporary and supplemental automatic stay; assumed debt

“(a)(1) A petition filed under section 1183 operates as a stay, applicable to all entities, of the termination, acceleration, or modification of any debt, contract, lease, or agreement of the kind described in paragraph (2), or of any right or obligation under any such debt, contract, lease, or agreement, solely because of—

“(A) a default by the debtor under any such debt, contract, lease, or agreement; or

“(B) a provision in such debt, contract, lease, or agreement, or in applicable nonbankruptcy law, that is conditioned on—

“(i) the insolvency or financial condition of the debtor at any time before the closing of the case;

“(ii) the commencement of a case under this title concerning the debtor;

“(iii) the appointment of or taking possession by a trustee in a case under this title concerning the debtor or by a custodian before the commencement of the case; or

“(iv) a credit rating agency rating, or absence or withdrawal of a credit rating agency rating—

“(I) of the debtor at any time after the commencement of the case;

“(II) of an affiliate during the period from the commencement of the case until 48 hours after such order is entered;

“(III) of the bridge company while the trustee or the special trustee is a direct or indirect beneficial holder of more than 50 percent of the equity securities of—

“(aa) the bridge company; or

“(bb) the affiliate, if all of the direct or indirect interests in the affiliate that are property of the estate are transferred under section 1185; or

“(IV) of an affiliate while the trustee or the special trustee is a direct or indirect beneficial holder of more than 50 percent of the equity securities of—

“(aa) the bridge company; or

“(bb) the affiliate, if all of the direct or indirect interests in the affiliate that are property of the estate are transferred under section 1185.

“(2) A debt, contract, lease, or agreement described in this paragraph is—

“(A) any debt (other than capital structure debt), executory contract, or unexpired lease of the debtor (other than a qualified financial contract);

“(B) any agreement under which the debtor issued or is obligated for debt (other than capital structure debt);

“(C) any debt, executory contract, or unexpired lease of an affiliate (other than a qualified financial contract); or

“(D) any agreement under which an affiliate issued or is obligated for debt.

“(3) The stay under this subsection terminates—

“(A) for the benefit of the debtor, upon the earliest of—

“(i) 48 hours after the commencement of the case;

“(ii) assumption of the debt, contract, lease, or agreement by the bridge company under an order authorizing a transfer under section 1185;

“(iii) a final order of the court denying the request for a transfer under section 1185; or

“(iv) the time the case is dismissed; and

“(B) for the benefit of an affiliate, upon the earliest of—

“(i) the entry of an order authorizing a transfer under section 1185 in which the direct or indirect interests in the affiliate that are property of the estate are not transferred under section 1185;

“(ii) a final order by the court denying the request for a transfer under section 1185;

“(iii) 48 hours after the commencement of the case if the court has not ordered a transfer under section 1185; or

“(iv) the time the case is dismissed.

“(4) Subsections (d), (e), (f), and (g) of section 362 apply to a stay under this subsection.

“(b) A debt, executory contract (other than a qualified financial contract), or unexpired lease of the debtor, or an agreement under which the debtor has issued or is obligated for any debt, may be assumed by a bridge company in a transfer under section 1185 notwithstanding any provision in an agreement or in applicable nonbankruptcy law that—

“(1) prohibits, restricts, or conditions the assignment of the debt, contract, lease, or agreement; or

“(2) accelerates, terminates, or modifies, or permits a party other than the debtor to terminate or modify, the debt, contract, lease, or agreement on account of—

“(A) the assignment of the debt, contract, lease, or agreement; or

“(B) a change in control of any party to the debt, contract, lease, or agreement.

“(c)(1) A debt, contract, lease, or agreement of the kind described in subparagraph (A) or (B) of subsection (a)(2) may not be accelerated, terminated, or modified, and any right or obligation under such debt, contract, lease, or agreement may not be accelerated, terminated, or modified, as to the bridge company solely because of a provision in the debt, contract, lease, or agreement or in applicable nonbankruptcy law—

“(A) of the kind described in subsection (a)(1)(B) as applied to the debtor;

“(B) that prohibits, restricts, or conditions the assignment of the debt, contract, lease, or agreement; or

“(C) that accelerates, terminates, or modifies, or permits a party other than the debtor to terminate or modify, the debt, contract, lease or agreement on account of—

“(i) the assignment of the debt, contract, lease, or agreement; or

“(ii) a change in control of any party to the debt, contract, lease, or agreement.

“(2) If there is a default by the debtor under a provision other than the kind described in paragraph (1) in a debt, contract, lease or agreement of the kind described in subparagraph (A) or (B) of subsection (a)(2), the bridge company may assume such debt, contract, lease, or agreement only if the bridge company—

“(A) shall cure the default;

“(B) compensates, or provides adequate assurance in connection with a transfer under

section 1185 that the bridge company will promptly compensate, a party other than the debtor to the debt, contract, lease, or agreement, for any actual pecuniary loss to the party resulting from the default; and

“(C) provides adequate assurance in connection with a transfer under section 1185 of future performance under the debt, contract, lease, or agreement, as determined by the court under section 1185(c)(4).

“§ 1188. Treatment of qualified financial contracts and affiliate contracts

“(a) Notwithstanding sections 362(b)(6), 362(b)(7), 362(b)(17), 362(b)(27), 362(o), 555, 556, 559, 560, and 561, a petition filed under section 1183 operates as a stay, during the period specified in section 1187(a)(3)(A), applicable to all entities, of the exercise of a contractual right—

“(1) to cause the modification, liquidation, termination, or acceleration of a qualified financial contract of the debtor or an affiliate;

“(2) to offset or net out any termination value, payment amount, or other transfer obligation arising under or in connection with a qualified financial contract of the debtor or an affiliate; or

“(3) under any security agreement or arrangement or other credit enhancement forming a part of or related to a qualified financial contract of the debtor or an affiliate.

“(b)(1) During the period specified in section 1187(a)(3)(A), the trustee or the affiliate shall perform all payment and delivery obligations under such qualified financial contract of the debtor or the affiliate, as the case may be, that become due after the commencement of the case. The stay provided under subsection (a) terminates as to a qualified financial contract of the debtor or an affiliate immediately upon the failure of the trustee or the affiliate, as the case may be, to perform any such obligation during such period.

“(2) Any failure by a counterparty to any qualified financial contract of the debtor or any affiliate to perform any payment or delivery obligation under such qualified financial contract, including during the pendency of the stay provided under subsection (a), shall constitute a breach of such qualified financial contract by the counterparty.

“(c) Subject to the court’s approval, a qualified financial contract between an entity and the debtor may be assigned to or assumed by the bridge company in a transfer under, and in accordance with, section 1185 if and only if—

“(1) all qualified financial contracts between the entity and the debtor are assigned to and assumed by the bridge company in the transfer under section 1185;

“(2) all claims of the entity against the debtor in respect of any qualified financial contract between the entity and the debtor (other than any claim that, under the terms of the qualified financial contract, is subordinated to the claims of general unsecured creditors) are assigned to and assumed by the bridge company;

“(3) all claims of the debtor against the entity under any qualified financial contract between the entity and the debtor are assigned to and assumed by the bridge company; and

“(4) all property securing or any other credit enhancement furnished by the debtor for any qualified financial contract described in paragraph (1) or any claim described in paragraph (2) or (3) under any qualified financial contract between the entity and the debtor is assigned to and assumed by the bridge company.

“(d) Notwithstanding any provision of a qualified financial contract or of applicable

nonbankruptcy law, a qualified financial contract of the debtor that is assumed or assigned in a transfer under section 1185 may not be accelerated, terminated, or modified, after the entry of the order approving a transfer under section 1185, and any right or obligation under the qualified financial contract may not be accelerated, terminated, or modified, after the entry of the order approving a transfer under section 1185 solely because of a condition described in section 1187(c)(1), other than a condition of the kind specified in section 1187(b) that occurs after property of the estate no longer includes a direct beneficial interest or an indirect beneficial interest through the special trustee, in more than 50 percent of the equity securities of the bridge company.

“(e) Notwithstanding any provision of any agreement or in applicable nonbankruptcy law, an agreement of an affiliate (including an executory contract, an unexpired lease, qualified financial contract, or an agreement under which the affiliate issued or is obligated for debt) and any right or obligation under such agreement may not be accelerated, terminated, or modified, solely because of a condition described in section 1187(c)(1), other than a condition of the kind specified in section 1187(b) that occurs after the bridge company is no longer a direct or indirect beneficial holder of more than 50 percent of the equity securities of the affiliate, at any time after the commencement of the case if—

“(1) all direct or indirect interests in the affiliate that are property of the estate are transferred under section 1185 to the bridge company within the period specified in subsection (a);

“(2) the bridge company assumes—

“(A) any guarantee or other credit enhancement issued by the debtor relating to the agreement of the affiliate; and

“(B) any obligations in respect of rights of setoff, netting arrangement, or debt of the debtor that directly arises out of or directly relates to the guarantee or credit enhancement; and

“(3) any property of the estate that directly serves as collateral for the guarantee or credit enhancement is transferred to the bridge company.

“§ 1189. Licenses, permits, and registrations

“(a) Notwithstanding any otherwise applicable nonbankruptcy law, if a request is made under section 1185 for a transfer of property of the estate, any Federal, State, or local license, permit, or registration that the debtor or an affiliate had immediately before the commencement of the case and that is proposed to be transferred under section 1185 may not be accelerated, terminated, or modified at any time after the request solely on account of—

“(1) the insolvency or financial condition of the debtor at any time before the closing of the case;

“(2) the commencement of a case under this title concerning the debtor;

“(3) the appointment of or taking possession by a trustee in a case under this title concerning the debtor or by a custodian before the commencement of the case; or

“(4) a transfer under section 1185.

“(b) Notwithstanding any otherwise applicable nonbankruptcy law, any Federal, State, or local license, permit, or registration that the debtor had immediately before the commencement of the case that is included in a transfer under section 1185 shall be valid and all rights and obligations thereunder shall vest in the bridge company.

“§ 1190. Exemption from securities laws

“For purposes of section 1145, a security of the bridge company shall be deemed to be a security of a successor to the debtor under a plan if the court approves the disclosure statement for the plan as providing adequate information (as defined in section 1125(a)) about the bridge company and the security.

“§ 1191. Inapplicability of certain avoiding powers

“A transfer made or an obligation incurred by the debtor to an affiliate prior to or after the commencement of the case, including any obligation released by the debtor or the estate to or for the benefit of an affiliate, in contemplation of or in connection with a transfer under section 1185 is not avoidable under section 544, 547, 548(a)(1)(B), or 549, or under any similar nonbankruptcy law.

“§ 1192. Consideration of financial stability

“The court may consider the effect that any decision in connection with this subchapter may have on financial stability in the United States.”.

SEC. 4. AMENDMENTS TO TITLE 28, UNITED STATES CODE.

(a) AMENDMENT TO CHAPTER 13.—Chapter 13 of title 28, United States Code, is amended by adding at the end the following:

“§ 298. Judge for a case under subchapter V of chapter 11 of title 11

“(a)(1) Notwithstanding section 295, the Chief Justice of the United States shall designate not fewer than 10 bankruptcy judges to be available to hear a case under subchapter V of chapter 11 of title 11. Bankruptcy judges may request to be considered by the Chief Justice of the United States for such designation.

“(2) Notwithstanding section 155, a case under subchapter V of chapter 11 of title 11 shall be heard under section 157 by a bankruptcy judge designated under paragraph (1), who shall be randomly assigned to hear such case by the chief judge of the court of appeals for the circuit embracing the district in which the case is pending. To the greatest extent practicable, the approvals required under section 155 should be obtained.

“(3) If the bankruptcy judge assigned to hear a case under paragraph (2) is not assigned to the district in which the case is pending, the bankruptcy judge shall be temporarily assigned to the district.

“(b) A case under subchapter V of chapter 11 of title 11, and all proceedings in the case, shall take place in the district in which the case is pending.

“(c) In this section, the term ‘covered financial corporation’ has the meaning given that term in section 101(9A) of title 11.”.

(b) AMENDMENT TO SECTION 1334 OF TITLE 28.—Section 1334 of title 28, United States Code, is amended by adding at the end the following:

“(f) This section does not grant jurisdiction to the district court after a transfer pursuant to an order under section 1185 of title 11 of any proceeding related to a special trustee appointed, or to a bridge company formed, in connection with a case under subchapter V of chapter 11 of title 11.”.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) The table of sections of chapter 13 of title 28, United States Code, is amended by adding at the end the following:

“298. Judge for a case under subchapter V of chapter 11 of title 11.”.

(2) The table of subchapters of chapter 11 of title 11, United States Code, is amended by adding at the end the following:

"SUBCHAPTER V—LIQUIDATION, REORGANIZATION, OR RECAPITALIZATION OF A COVERED FINANCIAL CORPORATION

"1181. Inapplicability of other sections.

"1182. Definitions for this subchapter.

"1183. Commencement of a case concerning a covered financial corporation.

"1184. Regulators.

"1185. Special transfer of property of the estate.

"1186. Special trustee.

"1187. Temporary and supplemental automatic stay; assumed debt.

"1188. Treatment of qualified financial contracts and affiliate contracts.

"1189. Licenses, permits, and registrations.

"1190. Exemption from securities laws.

"1191. Inapplicability of certain avoiding powers.

"1192. Consideration of financial stability."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Illinois (Mr. SCHNEIDER) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 1667, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

In 2008, our economy suffered one of the most significant financial crises in history. In the midst of the crisis and in response to a fear that some financial firms' failures could cause severe harm to the overall economy, the Federal Government provided extraordinary taxpayer-funded assistance in order to prevent certain financial firms' failures.

In the ensuing years, experts from the financial, regulatory, legal, and academic communities have examined how best to prevent another similar crisis from occurring and to eliminate the possibility of using taxpayer monies to bail out failing firms.

The Judiciary Committee has advanced the review of this issue with the aim of crafting a solution that will better equip our bankruptcy laws to resolve failing firms, while also encouraging greater private counterparty diligence in order to reduce the likelihood of another financial crisis.

Among others things, this effort responded to provisions of the Dodd-Frank Wall Street Reform and Consumer Protection Act that called for an examination of how to improve the Bankruptcy Code in this area.

During the past two Congresses, the Judiciary Committee favorably reported the Financial Institution Bankruptcy Act, legislation that improved

the Bankruptcy Code to better facilitate the resolution of financial firms.

That legislation was the culmination of a bipartisan process that solicited and incorporated the views of a wide range of leading experts and relevant regulators. In both instances, the bill passed the House by a voice vote under suspension of the rules.

This Congress, Chairman MARINO of the Subcommittee on Regulatory Reform, Commercial and Antitrust Law introduced the Financial Institution Bankruptcy Act as H.R. 1667. Following its introduction, the Subcommittee on Regulatory Reform, Commercial and Antitrust Law conducted a hearing on the bill. H.R. 1667 is identical to previous legislation, with one minor change to refine the director liability protection provision. Last week, the Judiciary Committee approved the legislation by a unanimous voice vote.

The bill before us today is the product of a careful, deliberate, and thorough process, and reflects a diverse range of views from a variety of interested parties.

The Financial Institution Bankruptcy Act makes several improvements to the Bankruptcy Code in order to enhance the prospect of an efficient resolution of a financial firm through the bankruptcy process.

The bill allows for a speedy transfer of the operating assets of a financial firm over the course of a weekend. This quick transfer allows the financial firm to continue to operate in the normal course, which preserves the value of the enterprise for the creditors of the bankruptcy without a significant impact on the firm's employees, suppliers, and customers.

The bill also requires expedited judicial review by a bankruptcy judge randomly chosen from a pool of judges designated in advance and selected by the Chief Justice for their experience, expertise, and willingness to preside over these complex cases. Furthermore, the legislation provides for key regulatory input throughout the process.

The Financial Institution Bankruptcy Act is a bipartisan, balanced approach that increases transparency and predictability in the resolution of a financial firm. Furthermore, it ensures that shareholders and creditors, not taxpayers, bear the losses related to the failure of a financial company.

I would like to thank Chairman MARINO, who chaired the hearing on this legislation and who is the lead sponsor of the bill. I am also pleased that Ranking Member CONYERS and Subcommittee Ranking Member CICILLINE joined in introducing this important legislation. I want to thank them and their staff for their efforts in developing this bill.

I urge my colleagues to vote in favor of this important legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. SCHNEIDER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to rise in support of H.R. 1677, Financial Institution Bankruptcy Act of 2017.

I commend Regulatory Reform, Commercial and Antitrust Law Chairman TOM MARINO and Ranking Member DAVID CICILLINE, as well as Judiciary Committee Chairman BOB GOODLATTE, for their leadership on this bill.

I support this legislation for several reasons. To begin with, H.R. 1667 addresses a real need recognized by regulatory agencies, bankruptcy experts, and the private sector that the bankruptcy law must be amended so that it can expeditiously restore trust in the financial marketplace as soon as possible after the collapse of a systemically significant financial institution.

This need is perhaps best illustrated by the collapse and subsequent bankruptcy of Lehman Brothers in 2008. As a result of that firm's failure and the rampant uncertainty it generated, a worldwide freeze on the availability of credit quickly developed. This, in turn, triggered a near collapse of our Nation's economy and clearly revealed that current bankruptcy law is ill-equipped to deal with complex financial institutions in acute economic distress.

H.R. 1667 would establish a specialized form of bankruptcy relief specifically designed to facilitate the expeditious resolution of a large, systemically significant financial institution, such as Lehman Brothers, while minimizing its impact on the financial marketplace.

Under the bill, the debtor's operating subsidiaries would continue to function outside of bankruptcy, while the debtor's principal assets, such as its secured property, financial contracts, and the stock of its subsidiaries, would be transferred to a temporary "bridge company."

The bridge company, under the guidance of a trustee, would then liquidate these assets to pay the claims of the debtor's creditors. The bill would also temporarily prevent parties from exercising their rights in certain qualified financial contracts.

Each critical step of this process would be done under the supervision of a bankruptcy judge and subject to appeal.

Another reason I support this bill is that it appropriately recognizes the important role the Dodd-Frank Act has in the regulation of large financial institutions. Without doubt, the Great Recession was a direct result of the regulatory environment at the time. Fortunately, the Dodd-Frank Act has done much toward reinvigorating a regulatory system that makes the financial marketplace more accountable and more resilient.

In particular, title II of the Dodd-Frank Act establishes a mandatory

resolution process to wind down large financial institutions, which is a critical enforcement tool for bank regulators to ensure compliance with the act's heightened regulatory requirement.

H.R. 1667 is an excellent complement to the Dodd-Frank Act's resolution process and will help facilitate the rapid administration of a debtor's assets in an orderly fashion that maximizes value and minimizes disruption to the financial marketplace.

Accordingly, I support this measure.

Mr. Speaker, I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. MARINO), the chairman of the Regulatory Reform, Commercial and Antitrust Law Subcommittee and the chief sponsor of this legislation.

Mr. MARINO. Mr. Speaker, I thank Chairman GOODLATTE, Ranking Member CONYERS, and my current new ranking member, Mr. CICILLINE, for their work on this important legislation. I further thank my colleague across the aisle, Congressman SCHNEIDER from Illinois, for helping us manage this.

This is a bipartisan bill that is better for having gone through the regular legislative order. It was a pleasure to work with such knowledgeable and professional colleagues.

In the wake of the financial crisis of 2008, Congress enacted the Dodd-Frank Wall Street Reform and Consumer Protection Act. That legislation was intended to address, among other things, the potential failure of large financial institutions.

While the Dodd-Frank Act created a regulatory process for such an event, the act states that the preferred method of resolution for a financial institution is through the bankruptcy process.

However, the Dodd-Frank Act did not make any amendments to the Bankruptcy Code to account for the unique characteristics of a financial institution. The legislation before us today fills that void.

The Financial Institution Bankruptcy Act is the product of years of study by industry, legal, and financial regulatory experts. It is also the result of bipartisan review over the course of four separate hearings before the Judiciary Committee.

The legislation includes several provisions that improve the ability of a financial institution to be resolved through the bankruptcy process. It allows for a speedy transfer of a financial firm's assets to a newly formed company. That company would continue the firm's operations for the benefit of its customers, employees, and creditors, and ensure the financial stability of the marketplace.

This quick transfer is overseen by and subject to the approval of an expe-

rienced bankruptcy judge, and includes due process protections for parties in interest.

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The bill also creates an explicit role in the bankruptcy process for the key financial regulators. In addition, there are provisions that facilitate the transfer of derivative and similarly structured contracts to the newly formed company. This will improve the ability of the company to continue the financial institution's operations.

Finally, the legislation recognizes the factually and legally complicated questions presented by the resolution of a financial institution. To that end, the bill provides that specialized bankruptcy and appellate judges will be designated in advance to preside over these cases.

The bankruptcy process has long been favored as the primary mechanism for dealing with distressed and failing companies. This is due to its impartial nature, adherence to established precedent, judicial oversight, and grounding in the principles of due process and the rule of law. We are here today as part of an effort to structure a bankruptcy process that is better equipped to deal with the specific issues raised by failing financial firms.

I want to stress again the bipartisan support that went through this process—at the subcommittee level and at the full Committee on the Judiciary level chaired by Chairman GOODLATTE, my colleague on the other side of the aisle who is helping us manage this and the individuals in this House who realized what had to be done to protect the law abiding citizens of this country from a financial disaster.

As a sponsor of the bill, I urge my colleagues to vote in favor of this important legislation.

Mr. SCHNEIDER. Mr. Speaker, I yield myself the balance of my time.

I am pleased to note that H.R. 1667 is the product, indeed, of a very collaborative, inclusive, and deliberative process, which should be the norm, not the exception, when it comes to drafting legislation. It reflects thoughtful suggestions offered by Federal regulators and the Federal judiciary as well as leading bankruptcy practitioners and academics.

I support H.R. 1667, and I urge my colleagues to do the same.

Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield myself the balance of my time.

The Financial Institution Bankruptcy Act is a necessary reform to ensure that taxpayers will not be called on to rescue the next failing financial firm. The legislation relies on long-standing bankruptcy principles that will be applied in a predictable and transparent manner. The Financial Institution Bankruptcy Act is a bipar-

tisan measure that enjoys broad support from outside experts, and I urge my colleagues to vote in favor of this important reform.

Mr. Speaker, I yield back the balance of my time.

Mr. CICILLINE. Mr. Speaker, I rise in support of H.R. 1667, the "Financial Institution Bankruptcy Act of 2017."

In 2008, the United States economy nearly collapsed as a direct result of lending practices in the housing market that were predatory, unsafe, and in many cases fraudulent.

Investments in toxic securities created a cycle of failure in the housing market: the declining health of the market undermined the value of these securities, which, in turn, devastated the housing market and caused the failure of several of the nation's largest financial institutions.

With the financial system in near collapse, large financial institutions were essentially able to "blackmail" the government because these banks were so large that there was no way to break them apart, as then-FDIC Chair Sheila Bair testified in 2009.

Although the true hardship caused by this widespread fraud is incalculable, we do know that it erased \$10 trillion of household wealth and caused 8 million Americans to lose their jobs and 5 million Americans to lose their homes.

Rhode Island, my home state, was hit particularly hard by the recession. When I took office, the unemployment rate in Rhode Island hovered at 11.2%, the fifth highest in the country.

In the wake of this economic disaster, the Dodd-Frank Act was enacted to comprehensively reform the financial system.

Because of this law—which includes some of the strongest consumer protections passed since the Great Depression—the banking system is stronger; there is more transparency in consumer lending; and the Consumer Financial Protection Bureau (CFPB) continues to serve as an important watchdog to protect Americans against predatory lending and fraud in the financial system.

Title I of Dodd-Frank provides stability in markets by requiring large financial institutions to have a "living will" to serve as a plan for the "rapid and orderly resolution in the event of material financial distress or failure."

Title II ends taxpayer bailouts of banks that are too big to fail by providing financial regulators with orderly liquidation authority where a bank's collapse "would have serious adverse effects on financial stability in the United States" and "no viable private sector alternative is available." This process expressly requires a finding by the Secretary of the Treasury that the bankruptcy process would not be appropriate to resolve a distressed firm.

Leading commentators agree, however, that the U.S. bankruptcy process is not designed to accommodate the orderly resolution of a large financial institution that poses systemic risk to the entire economy.

H.R. 1667, the Financial Institution Bankruptcy Act, addresses this concern by establishing a "single point of entry" for the resolution of an insolvent financial institution with assets exceeding \$50 billion. The goal of the bill

is to establish a process where a distressed financial institution could voluntarily seek bankruptcy relief while its subsidiaries continue to operate.

But while I support H.R. 1667 and am an original cosponsor of this bill, make no mistake: I will strongly oppose any effort to combine this measure with a repeal of the Dodd-Frank Act, or any part of this law for that matter.

Since this law was enacted, the economic recovery has led to the creation of more than 15 million private sector jobs, a 60% increase in business lending, and record performance by the Dow Jones Industrial Average.

It is critical that we build on this progress through education, training, and other initiatives to promote economic opportunity. Too many Americans are still unemployed or working two or even three jobs just to get by while Wall Street has never been better.

We must also preserve and advance the protections established by the Dodd-Frank Act to ensure transparency and stability in the financial system while protecting consumers.

The National Bankruptcy Conference agrees with this assessment, and has previously instructed that the Dodd-Frank Act should “continue to be available even if the Bankruptcy Code is amended to better address the resolution of SIFs because the ability of U.S. regulators to assume full control of the resolution process to elicit the cooperation from non-U.S. regulators is an essential insurance policy against systemic risk and potential conflict and dysfunction among the multinational components of SIFs.”

Moreover, should this legislation become law, Dodd-Frank provides a valuable backstop to bankruptcy through its Orderly Liquidation Authority, which empowers the Federal Deposit Insurance Corporation (FDIC) to act as a receiver for large financial institutions that are “too big to fail.”

I urge my colleagues to support this legislation.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of the bipartisan measure, H.R. 1667, the Financial Institution Bankruptcy Act of 2017, which was reported favorably out of the Judiciary committee to the House floor, on March 29, 2017, on a voice vote.

As leaders of the Judiciary Committee with oversight of our nation's bankruptcy laws, I am glad to see that my colleagues and I were able to work across the aisle to answer the question of how to improve the existing bankruptcy process for the resolution of failing financial institutions.

Removing potential obstacles to an efficient bankruptcy of a financial institution, this legislation enhances the Bankruptcy Code and its ability to resolve financial firms for the benefit of stability in the U.S. and global economies and does so with minimal financial burdens or cost.

Specifically, H.R. 1667 will allow the expeditious resolution of large, complex financial institutions on the verge of insolvency to be better facilitated under the Bankruptcy Code by minimizing the disruptive impact of the company's collapse on the financial marketplace.

First, this legislation addresses a real need, which is recognized by the regulatory agencies, bankruptcy experts, and the private sec-

tor, that the bankruptcy law must be amended, so that it can expeditiously restore trust in the financial marketplace after the collapse of a major financial institution.

Such was the case with the failure of Lehman Brothers in 2008, for example, which caused a worldwide freeze on the availability of credit, wreaking havoc on Wall Street, as well as, on Main Street.

The near collapse of our nation's economy that resulted from Lehman's failure revealed that current bankruptcy law is, unfortunately, ill-equipped to deal with complex financial institutions that are in economic distress.

This legislation, accordingly, creates a court-supervised, orderly liquidation mechanism that will be guided by the regulators.

In sum, this process will allow a failing financial institution to transfer its assets to a newly-formed bridge company over a single weekend, which will promote confidence in the financial marketplace.

The institution's equity and debt will remain in the bankruptcy case to be administered by a trustee under court supervision.

As a result, valued assets will be maximized for the benefit of creditors, and the marketplace will stabilize.

Additionally, I support the legislation because it appropriately recognizes the important role that the Dodd-Frank Act has in the regulation of large financial institutions.

Without a doubt, the Great Recession resulted following the regulatory equivalent of the Wild West.

The Dodd-Frank Act goes a long way toward reinvigorating a regulatory system making the financial marketplace more accountable and hopefully more resilient.

The act also institutes long-needed consumer protections that have, up until now, not been available.

For example, Title II of the Dodd-Frank Act establishes a mandatory administratively-driven resolution process to wind down large financial institutions.

Title II is a critical enforcement tool for bank regulators to facilitate compliance with the act's heightened regulatory requirements for large companies.

Nevertheless, the Dodd-Frank Act clearly recognizes that bankruptcy should be a first resort and that the orderly liquidation process should be a last resort.

In fact, Title I of the act explicitly requires these companies to write so-called “living wills” explaining how they will resolve their financial difficulties hypothetically, in the event of a bankruptcy scenario.

This is because bankruptcy law has, for more than 100 years, enabled some of the nation's largest companies to regain their financial footing.

H.R. 1667 will ensure that bankruptcy is a truly viable alternative to the Dodd-Frank Act's resolution process.

Mr. Speaker, I am pleased to note that this legislation is the product of a very collaborative, bipartisan, and deliberate process, which should be the norm, not the exception, when it comes to drafting legislation.

For example, this bill, unlike similar legislation that has come through the Senate, does not include any controversial provisions aimed at undoing the important protections of the Dodd-Frank Act.

I should also note, however, that H.R. 1667 does not include any provision allowing companies to have access to lenders of last resort.

Nearly every expert recognizes that such access, even if it is by the federal government, is a necessary element to ensure financial stability.

I urge my colleagues to support this measure.

The SPEAKER pro tempore (Mr. JENKINS of West Virginia). The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 1667, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 242; and adopting House Resolution 242, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

PROVIDING FOR CONSIDERATION OF H.R. 1219, SUPPORTING AMERICA'S INNOVATORS ACT OF 2017, AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM APRIL 7, 2017, THROUGH APRIL 24, 2017

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 242) providing for consideration of the bill (H.R. 1219) to amend the Investment Company Act of 1940 to expand the investor limitation for qualifying venture capital funds under an exemption from the definition of an investment company, and providing for proceedings during the period from April 7, 2017, through April 24, 2017, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 231, nays 182, not voting 16, as follows:

[Roll No. 217]

YEAS—231

Abraham
Aderholt

Allen
Amash

Amodei
Arrington

Babin	Graves (GA)	Paulsen	Doyle, Michael	Lee	Rosen	Bishop (MI)	Harper	Pittenger
Bacon	Graves (LA)	Pearce	F.	Levin	Roybal-Allard	Bishop (UT)	Harris	Poe (TX)
Banks (IN)	Graves (MO)	Perry	Ellison	Lewis (GA)	Ruiz	Black	Hartzler	Poliquin
Barletta	Griffith	Pittenger	Engel	Lieu, Ted	Ruppersberger	Blackburn	Hensarling	Posey
Barr	Grothman	Poe (TX)	Eshoo	Lipinski	Rush	Blum	Herrera Beutler	Ratcliffe
Barton	Guthrie	Poliquin	Espallat	Loebsack	Ryan (OH)	Bost	Hice, Jody B.	Reed
Bergman	Harper	Posey	Esty	Lowenthal	Sánchez	Brady (TX)	Higgins (LA)	Reichert
Biggs	Harris	Ratcliffe	Evans	Lujan Grisham,	Sarbanes	Brat	Hill	Renacci
Bilirakis	Hartzler	Reed	Foster	M.	Schakowsky	Brooks (AL)	Holding	Rice (SC)
Bishop (MI)	Hensarling	Reichert	Frankel (FL)	Luján, Ben Ray	Schiff	Brooks (IN)	Hollingsworth	Roby
Bishop (UT)	Herrera Beutler	Renacci	Fudge	Lynch	Schneider	Buchanan	Hudson	Roe (TN)
Black	Hice, Jody B.	Rice (SC)	Gabbard	Maloney,	Schrader	Buck	Huizenga	Rogers (AL)
Blackburn	Higgins (LA)	Roby	Gallego	Carolyn B.	Scott (VA)	Bucshon	Hultgren	Rogers (KY)
Blum	Hill	Roe (TN)	Garamendi	Maloney, Sean	Scott, David	Budd	Hunter	Rohrabacher
Bost	Holding	Rogers (AL)	Gonzalez (TX)	Matsui	Serrano	Burgess	Hurd	Rokita
Brady (TX)	Hollingsworth	Rogers (KY)	Gottheimer	McCollum	Sewell (AL)	Byrne	Issa	Rooney, Francis
Brat	Hudson	Rohrabacher	Green, Gene	McGovern	Shea-Porter	Calvert	Jenkins (KS)	Rooney, Thomas
Brooks (AL)	Huizenga	Rokita	Grijalva	McNerney	Sherman	Carter (GA)	Jenkins (WV)	J.
Brooks (IN)	Hultgren	Rooney, Francis	Meeks	McGovern	Sinema	Carter (TX)	Johnson (LA)	Ros-Lehtinen
Buchanan	Hurd	Rooney, Thomas	Meng	McGovern	Sinema	Chabot	Johnson (OH)	Roskam
Buck	Issa	J.	Moore	McGovern	Smith (WA)	Chaffetz	Johnson, Sam	Ross
Bucshon	Jenkins (KS)	Ros-Lehtinen	Moulton	McGovern	Soto	Cheney	Jones	Rothfus
Budd	Jenkins (WV)	Roskam	Murphy (FL)	McGovern	Speier	Coffman	Jordan	Rouzer
Burgess	Johnson (LA)	Ross	Himes	McGovern	Suozi	Cole	Joyce (OH)	Royce (CA)
Byrne	Johnson (OH)	Rothfus	Huffman	McGovern	Swalwell (CA)	Collins (GA)	Katko	Russell
Calvert	Johnson, Sam	Rouzer	Jackson Lee	McGovern	Takano	Collins (NY)	Kelly (MS)	Rutherford
Carter (GA)	Jordan	Royce (CA)	Jayapal	McGovern	Thompson (CA)	Comer	Kelly (PA)	Sanford
Carter (TX)	Joyce (OH)	Russell	Jeffries	McGovern	Thompson (MS)	Comstock	King (IA)	Scalise
Chabot	Katko	Rutherford	Johnson (GA)	McGovern	Titus	Conaway	Kinzing	Schneider
Chaffetz	Kelly (MS)	Sanford	Johnson, E. B.	McGovern	Tonko	Cook	Knight	Schweikert
Cheney	Kelly (PA)	Scalise	Jones	McGovern	Torres	Costa	Kustoff (TN)	Scott, Austin
Coffman	King (IA)	Schweikert	Kaptur	McGovern	Vargas	Costello (PA)	Labrador	Sensenbrenner
Cole	Kinzing	Scott, Austin	Keating	McGovern	Veasey	Cramer	LaHood	Sessions
Collins (GA)	Knight	Sensenbrenner	Kelly (IL)	McGovern	Vela	Crawford	LaMalfa	Shimkus
Collins (NY)	Kustoff (TN)	Sessions	Kennedy	McGovern	Velázquez	Crist	Lamborn	Shuster
Comer	Labrador	Shimkus	Khanna	McGovern	Visclosky	Curbelo (FL)	Lance	Simpson
Comstock	LaHood	Shuster	Kihuen	McGovern	Walz	Davis, Rodney	Latta	Sinema
Conaway	LaMalfa	Simpson	Kildee	McGovern	Wasserman	Denham	Lewis (MN)	Smith (MO)
Cook	Lamborn	Smith (MO)	Kilmer	McGovern	Schultz	Dent	LoBiondo	Smith (NE)
Costello (PA)	Lance	Smith (NE)	Kind	McGovern	Price (NC)	DeSantis	Long	Smith (NJ)
Cramer	Latta	Smith (NJ)	Krishnamoorthi	McGovern	Quigley	DesJarlais	Loudermilk	Smith (TX)
Crawford	Lewis (MN)	Smith (TX)	Kuster (NH)	McGovern	Raskin	Diaz-Balart	Love	Smucker
Culberson	LoBiondo	Snucker	Langevin	McGovern	Rice (NY)	Donovan	Lucas	Stefanik
Curbelo (FL)	Long	Stefanik	Larsen (WA)	McGovern	Richmond	Duffy	Luetkemeyer	Stewart
Davidson	Loudermilk	Stivers	Lawrence	McGovern	Lofgren	Duncan (SC)	MacArthur	Stivers
Davis, Rodney	Love	Taylor	Lawson (FL)	McGovern	Lowey	Duncan (TN)	Marchant	Taylor
Denham	Lucas	Tenney	Beatty	McGovern	McEachin	Emmer	Marino	Tenney
Dent	Luetkemeyer	Thompson (PA)	Bridenstine	McGovern	Slaughter	Farenthold	Marshall	Thompson (PA)
DeSantis	MacArthur	Thornberry	Cárdenas	McGovern	Stewart	Faso	Massie	Thornberry
DesJarlais	Marchant	Tiberi	Chu, Judy	McGovern	Green, Al	Frelinghuysen	Mast	Tiberi
Diaz-Balart	Marino	Tipton	Davis (CA)	McGovern	Hoyer	Franks (AZ)	McCarthy	Tipton
Donovan	Marshall	Trott	Davis, Danny	McGovern	Hunter	Frelinghuysen	McCaul	Trott
Duffy	Massie	Turner		McGovern	King (NY)	Flores	McClintock	Turner
Duncan (SC)	Mast	Upton		McGovern	Larson (CT)	Fortenberry	McKinley	Upton
Duncan (TN)	McCarthy	Valadao		McGovern	Lofgren	Fox	McMorris	Valadao
Dunn	McCaul	Wagner		McGovern		Fox	Rodgers	Wagner
Emmer	McClintock	Walberg		McGovern		Franks (AZ)	McSally	Walberg
Farenthold	McHenry	Walden		McGovern		Frelinghuysen	Meadows	Walden
Faso	McKinley	Walker		McGovern		Gallagher	Meehan	Walker
Ferguson	McMorris	Walorski		McGovern		Garrett	Messer	Walorski
Fitzpatrick	Rodgers	Walters, Mimi		McGovern		Gibbs	Mitchell	Walters, Mimi
Fleischmann	McSally	Weber (TX)		McGovern		Gohmert	Moorenaar	Weber (TX)
Flores	Meadows	Webster (FL)		McGovern		Goodlatte	Mooney (WV)	Webster (FL)
Fortenberry	Meehan	Wenstrup		McGovern		Gosar	Mullin	Wenstrup
Fox	Messer	Westerman		McGovern		Gowdy	Murphy (PA)	Westerman
Franks (AZ)	Mitchell	Williams		McGovern		Granger	Newhouse	Williams
Frelinghuysen	Moorenaar	Wilson (SC)		McGovern		Graves (GA)	Noem	Wilson (SC)
Gaetz	Mooney (WV)	Wittman		McGovern		Graves (LA)	Nunes	Wittman
Gallagher	Mullin	Womack		McGovern		Graves (MO)	Olson	Womack
Garrett	Murphy (PA)	Woodall		McGovern		Griffith	Palazzo	Woodall
Gibbs	Newhouse	Yoder		McGovern		Guthrie	Palmer	Yoder
Gohmert	Noem	Yoho		McGovern			Paulsen	Yoho
Goodlatte	Nunes	Young (AK)		McGovern			Pearce	Young (AK)
Gosar	Olson	Young (IA)		McGovern			Perry	Young (IA)
Gowdy	Palazzo	Zeldin		McGovern			Peters	Zeldin
Granger	Palmer			McGovern				

NAYS—182

Adams	Capuano	Costa
Aguilar	Carbajal	Courtney
Barragan	Carson (IN)	Crist
Bass	Cartwright	Crowley
Bera	Castor (FL)	Cuellar
Beyer	Castro (TX)	Cummings
Bishop (GA)	Cicilline	DeFazio
Blumenauer	Clark (MA)	DeGette
Blunt Rochester	Clarke (NY)	Delaney
Bonamici	Clay	DeLauro
Boyle, Brendan	Cleaver	DelBene
F.	Clyburn	Demings
Brady (PA)	Cohen	DeSaulnier
Brown (MD)	Connolly	Deutch
Brownley (CA)	Conyers	Dingell
Bustos	Cooper	Doggett
Butterfield	Correa	

NOT VOTING—16

□ 1358

Mr. SUOZZI change his vote from “yea” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Mrs. DAVIS of California. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 217.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 240, noes 181, not voting 8, as follows:

[Roll No. 218]

AYES—240

Abraham	Arrington	Barr
Aderholt	Babin	Barton
Allen	Bacon	Bergman
Amash	Banks (IN)	Biggs
Amodei	Barletta	Bilirakis

NOES—181

Adams	Capuano	Cooper
Aguilar	Carbajal	Correa
Barragan	Cárdenas	Courtney
Bass	Carson (IN)	Crowley
Bera	Cartwright	Cuellar
Beyer	Castro (FL)	Cummings
Bishop (GA)	Castro (TX)	Davis (CA)
Blumenauer	Chu, Judy	DeFazio
Blunt Rochester	Cicilline	DeGette
Bonamici	Clark (MA)	Delaney
Boyle, Brendan	Clarke (NY)	DeLauro
F.	Clay	DelBene
Brady (PA)	Cleaver	Demings
Brown (MD)	Clyburn	DeSaulnier
Brownley (CA)	Cohen	Deutch
Bustos	Connolly	Dingell
Butterfield	Conyers	Doggett

Doyle, Michael	Lawson (FL)	Raskin
F.	Lee	Rice (NY)
Ellison	Levin	Richmond
Engel	Lewis (GA)	Rosen
Eshoo	Lieu, Ted	Roybal-Allard
Espallat	Lipinski	Ruiz
Esty	Loeb	Ruppersberger
Evans	Lofgren	Rush
Foster	Lowenthal	Ryan (OH)
Frankel (FL)	Lowe	Sánchez
Fudge	Lujan Grisham,	Sarbanes
Gabbard	M.	Schakowsky
Galleo	Luján, Ben Ray	Schiff
Garamendi	Lynch	Schrader
Gonzalez (TX)	Maloney,	Scott (VA)
Green, Al	Carolyn B.	Scott, David
Green, Gene	Maloney, Sean	Serrano
Grijalva	Matsui	Sewell (AL)
Gutiérrez	McCollum	Shea-Porter
Hanabusa	McGovern	Sherman
Hastings	McNerney	Sires
Heck	Meeks	Smith (WA)
Higgins (NY)	Meng	Soto
Himes	Moore	Speier
Huffman	Moulton	Suozzi
Jackson Lee	Murphy (FL)	Swalwell (CA)
Jayapal	Nadler	Thompson (CA)
Jeffries	Napolitano	Thompson (MS)
Johnson (GA)	Neal	Titus
Johnson, E. B.	Nolan	Tonko
Kaptur	Norcross	Torres
Keating	O'Halleran	Tsongas
Kelly (IL)	O'Rourke	Vargas
Kennedy	Pallone	Veasey
Khanna	Panetta	Vela
Kihuen	Pascarell	Velázquez
Kildee	Payne	Visclosky
Kilmer	Pelosi	Walz
Kind	Perlmutter	Wasserman
Krishnamoorthi	Peterson	Schultz
Kuster (NH)	Pingree	Waters, Maxine
Langevin	Pocan	Watson Coleman
Larsen (WA)	Polis	Welch
Larson (CT)	Price (NC)	Wilson (FL)
Lawrence	Quigley	Yarmuth

NOT VOTING—8

Beatty	Hoyer	Slaughter
Bridenstine	King (NY)	Takano
Davis, Danny	McEachin	

□ 1405

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. TAKANO. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 218.

AMENDING THE VETERANS ACCESS, CHOICE, AND ACCOUNTABILITY ACT OF 2014

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (S. 544) to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 544

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MODIFICATION OF TERMINATION DATE FOR VETERANS CHOICE PROGRAM.

Section 101(p)(2) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) is amended by striking "or the date that is 3 years after the date of the enactment of this Act, whichever occurs first".

SEC. 2. ELIMINATION OF REQUIREMENT TO ACT AS SECONDARY PAYER FOR CARE RELATING TO NON-SERVICE-CONNECTED DISABILITIES AND RECOVERY OF COSTS FOR CERTAIN CARE UNDER CHOICE PROGRAM.

(a) IN GENERAL.—Section 101(e) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) is amended—

(1) in the subsection heading, by striking "OTHER HEALTH-CARE PLAN" and inserting "RESPONSIBILITY FOR COSTS OF CERTAIN CARE";

(2) in paragraph (1), in the paragraph heading, by striking "TO SECRETARY" and inserting "ON HEALTH-CARE PLANS";

(3) by striking paragraphs (2) and (3);

(4) by redesignating paragraph (4) as paragraph (2); and

(5) by adding at the end the following new paragraph:

"(3) RECOVERY OF COSTS FOR CERTAIN CARE.—

"(A) IN GENERAL.—In any case in which an eligible veteran is furnished hospital care or medical services under this section for a non-service-connected disability described in subsection (a)(2) of section 1729 of title 38, United States Code, or for a condition for which recovery is authorized or with respect to which the United States is deemed to be a third party beneficiary under Public Law 87-693, commonly known as the 'Federal Medical Care Recovery Act' (42 U.S.C. 2651 et seq.), the Secretary shall recover or collect from a third party (as defined in subsection (i) of such section 1729) reasonable charges for such care or services to the extent that the veteran (or the provider of the care or services) would be eligible to receive payment for such care or services from such third party if the care or services had not been furnished by a department or agency of the United States.

"(B) USE OF AMOUNTS.—Amounts collected by the Secretary under subparagraph (A) shall be deposited in the Medical Community Care account of the Department. Amounts so deposited shall remain available until expended."

(b) CONFORMING AMENDMENT.—Paragraph (1) of such section is amended by striking "paragraph (4)" and inserting "paragraph (2)".

SEC. 3. AUTHORITY TO DISCLOSE CERTAIN MEDICAL RECORDS OF VETERANS WHO RECEIVE NON-DEPARTMENT OF VETERANS AFFAIRS HEALTH CARE.

Section 7332(b)(2) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

"(H)(i) To a non-Department entity (including private entities and other Federal agencies) that provides hospital care or medical services to veterans as authorized by the Secretary.

"(ii) An entity to which a record is disclosed under this subparagraph may not re-disclose or use such record for a purpose other than that for which the disclosure was made."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to

revise and extend their remarks and add extraneous material into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of S. 544. Congress created the Choice Program in 2014 to ensure that veterans waiting in line at the Department of Veterans Affairs medical facilities across the country had an option of seeking care in their communities. Though Choice is far from perfect, 3 years later, more than a million veterans have used it to get care they needed faster and closer to home.

Choice has also led to a nationwide conversation about the importance of the VA healthcare system, the need for VA to be a better partner to community providers and hospitals everywhere, and the actions we must take to ensure that VA is well positioned to provide high-quality care to veterans for generations to come. As chairman, I am wholeheartedly committed to seeing that conversation through to a solution.

We are currently refining legislation that will provide a long-term path to make the VA healthcare system and VA's care in the community programs, including Choice, work better for veterans, for VA, for community providers, and for taxpayers alike. Our goal is to have that solution on the President's desk later this year.

However, Choice is expected to sunset just four short months from now on August 7, 2017. And when it does, the VA expects to have anywhere from \$800 million to \$1.2 billion left in the Choice fund.

Absent enactment of this bill or legislation like it, on August 8, those funds will no longer be available to help veterans get the care they need, with potentially tragic consequences.

During a full committee hearing last month, Secretary Shulkin testified:

"Without congressional action, veterans will have to face longer wait times for care."

He went on to say that allowing Choice to sunset would be "a disaster for American veterans."

With the passage of this bill today, we can get one step closer to avoiding that disaster.

In anticipation of the program's expiration, VA has already started halting referrals to Choice for services, like maternity care and oncology care that typically require lengthy episodes of care. That means that veterans with cancer or veterans who are pregnant can no longer choose to take advantage of Choice care if they live far away from a VA medical facility or have to wait more than 30 days for the next VA appointment.

As if that wasn't bad enough, if Choice is not extended by the end of April, VA will have to stop sending referrals to Choice for many other services that veterans are relying on.

To prevent this, S. 544 would remove the August 7, 2017, sunset date from the Choice program. This will allow the program to continue working for veteran patients until all the money remaining in the veterans Choice fund—the money that Congress provided 3 years ago for this exact purpose—is fully expended.

It would also ensure that, as we move forward with ongoing efforts to create an enduring solution to the problems VA is facing, veterans are not cut off from potentially lifesaving or life-preserving care.

The bill would also eliminate the requirement for VA to act as the secondary payor for nonservice-connected care provided under Choice. This would bring Choice in line with VA's other care in the community programs and remove a pain point that, while well-intentioned, has impeded the provision of care for certain patients and challenged VA's ability to issue reimbursements to community providers in a timely consistent manner.

In addition, the bill would authorize VA to share medical record information with community providers who are jointly treating veteran patients. This would ensure that the clinicians caring for veterans, both in VA and community medical facilities, have all the information that they need to make well-informed treatment plans and provide the highest quality care.

Subsequent redisclosure of medical records information would be prohibited, meaning that personal patient information would be safeguarded from inappropriate disclosures.

As chairman, as a veteran, and as a doctor, I cannot think of anything more important that we can do today to help our Nation's veterans and pass this legislation out of the House of Representatives and swiftly deliver it to the President's desk for his signature.

I urge all of my colleagues to join me in doing that by supporting this bill today.

I reserve the balance of my time.

□ 1415

Mr. WALZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I, too, rise in strong support of S. 544 to eliminate the sunset on the Veterans Choice Program.

This bill will basically allow the Department of Veterans Affairs to continue spending previously appropriated resources in the Veterans Choice Program to provide direct and timely patient care to veterans. It allows the VA to charge a veteran's healthcare insurer for nonservice-connected care so that veterans aren't sent expensive

medical bills, wasting time trying to figure out how to get them paid. Finally, it allows the VA to share medical information with community care providers so patient care is better coordinated.

This legislation is identical to H.R. 369, which passed unanimously in our Committee on Veterans' Affairs. It includes amendments offered by members of that committee.

I would like to take a moment, Mr. Speaker, to congratulate and thank the chairman of the committee for the bipartisan way that he approached this. The issue of veterans care is a passionate issue for all of us.

The issue of the Choice Program arose out of the crisis in Phoenix and other places in 2014, and a sunset that needed to be addressed was handled in a professional manner. It brought all parties together. I think the chairman is going to get a unanimous vote. They have got one in the Senate.

I can see that, under less steady hands, where this may have bogged down, and I appreciate the chairman's sense of urgency in getting it to this point. It puts us in a good place. So thank you for that.

It also gives us the time we need to come to a bipartisan fix for the Choice Program. We know, under the Choice Program, veterans are still waiting too long to receive care. As we said, in 2014, we all supported the Choice Act because of the crisis. Throughout the country, veterans were waiting, and in some cases dying, because they were waiting for care. If we recall right, an honorable and decent man, the VA Secretary, resigned over this crisis. So this was an important issue that needed to be addressed. We passed the Choice Act so that veterans could get that care.

The Choice Program was created as a temporary fix, designed to end this summer or when the VA spent the \$10 billion. As the chairman said, there is about \$1 billion left in Choice. With veterans still in need of care, we cannot possibly allow that to go back without addressing where it needs to go. It would be a waste of money, a waste of time, and it would make veterans' wait times even higher.

The bill gives us time to rewrite the Choice Program. The bill will give us time to address all of the problems with Choice so that veterans' care is managed and coordinated with VA and community care providers and so that veterans do not have wait times. It will also make sure the money will continue to be spent on veterans' health care.

I look forward to working with the chairman. As I said earlier, his steady hand and visionary leadership has gotten us to this point. It will ensure that we can figure out what the next iteration of community-based care looks like, and we can come together,

bring that to the floor, and get it passed.

For this reason, I would urge my colleagues to support this legislation so veterans can receive their care now while Congress continues to work to improve upon that.

Mr. Speaker, I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I thank my friend, Ranking Member WALZ, for his kind words and his hard work on this legislation also.

I yield 2 minutes to the gentleman from Florida (Mr. BILIRAKIS), the vice chair of the Veterans' Affairs Committee.

Mr. BILIRAKIS. Mr. Speaker, while the Veterans Choice Program is by no means perfect—the chairman said this, as well as the ranking member—many of our men and women who wore our Nation's uniform rely on it for increased access to quality health care.

I strongly support S. 544 because veterans should have certainty that their care will continue, and I am optimistic that our efforts to reform and build upon the Choice Program will yield positive results going forward. The intentions and goals of the Choice Program are good, giving our true American heroes more choices and more focused care; but, clearly, some areas of the program need improvement. I hear that from my veterans.

We have already taken some solid steps to make the program work better for veterans, but not enough. We will have the opportunity to fix this in a bipartisan fashion; for example, one positive step: The eligibility rules initially stated that a veteran had to live 40 miles as the crow flies from the nearest VA facility. We changed it to 40 miles driving distance. That is just common sense; isn't it? I think it is. We have also made reforms to increase the number of non-VA providers who are allowed to participate in the program and expand eligibility to all enrolled veterans.

There is much work to be done, there is no question. The only way we can continue improving the Veterans Choice Program and ensure that veterans see no interruption to their health care is to eliminate the sunset date.

Mr. Speaker, I urge passage of S. 544.

Mr. WALZ. Mr. Speaker, I yield 2 minutes to the gentlewoman from New Hampshire (Ms. KUSTER), my good friend and a friend of all veterans, our ranking member on the Oversight and Investigations Subcommittee.

Ms. KUSTER of New Hampshire. Mr. Speaker, I, too, want to commend our chairman, Mr. ROE, and ranking member, Mr. WALZ, for their bipartisan efforts.

I rise to speak on S. 544, the bill that will eliminate the sunset on the Veterans Choice Program.

The Veterans Choice Program was a bipartisan effort to quickly help our

veterans in need by ensuring they had access to quality health care after the crisis in Phoenix. However, it was a temporary program. It was not intended to last longer than a few years until Congress could have developed the future of VA community care. As many of my colleagues note, the Choice Program needs an update. This bill represents the first step of that process.

It is expected that the Veterans Choice fund will still have funding by August 2017, as noted, when the Choice Program is scheduled to sunset. This bill will ensure that our veterans will be able to use those resources, and it will ensure those who have long-term care through the Choice Program will not suddenly find themselves without care.

But, as we design a new program to replace the Choice Program, we must ensure that it is an effective and efficient system of care that follows the very best practices of American health care. Part of that is ensuring that these healthcare practitioners do not discriminate on the basis of race, sex, gender, or sexual orientation.

The current Choice Program eliminated those protections to facilitate faster implementation, and while I am concerned of the regulatory burden these antidiscrimination measures could provide, I am committed to working with my colleagues across the aisle on a commonsense and reasonable compromise. We can make a program that not only provides effective and accessible care for our veterans, but also prevents discrimination in the workplace and upholds the finest ideals of the United States of America.

Mr. ROE of Tennessee. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. COFFMAN), my good friend, a veteran of both the Marine Corps and the Army, twice deployed to Iraq, and a very active member of the committee.

Mr. COFFMAN. Mr. Speaker, I stand today in support of legislation to remove the sunset date on the Veterans Choice Program and, in turn, bring continuity to our Nation's veterans currently receiving their health care in the community through the Choice Program. Although the program is not perfect, it did provide our Nation's veterans with an unprecedented choice in where they seek their health care and assisted the VA in reducing the appointment wait times backlog.

While my colleagues and I on the House Veterans' Affairs Committee work to streamline and reform the VA's in-community care programs, it is critical that we pass S. 544 to extend the Veterans Choice Program beyond the August 7 sunset date. This will provide help to veterans seeking long-term care through the Choice Program and help meet our Nation's obligations to our veterans who have sacrificed so much in defense of our freedom.

Mr. Speaker, I thank Chairman ROE for his leadership on this matter.

Mr. WALZ. Mr. Speaker, at this time it is my privilege to yield 3 minutes to the gentleman from California (Mr. TAKANO), my good friend and also a good friend of veterans, the vice ranking member of the full Committee on Veterans' Affairs.

Mr. TAKANO. Mr. Speaker, I thank the ranking member, the gentleman from Minnesota, for yielding.

Mr. Speaker, I rise today in support of S. 544. This legislation ensures that the approximately \$1 billion left in Choice funding is spent on the critical mission of providing veterans timely access to care.

It would be an abdication of our responsibility to veterans if we allowed this money to go back to the Treasury instead of going to those who need and deserve our support.

I appreciate the efforts from my colleagues on both sides of the aisle for advancing this legislation.

The Choice Act was designed as a rapid response to the veteran wait time crisis, but its framework and implementation has been deeply flawed. Objective analyses found that it is not meaningfully reducing veterans' wait times, and its arbitrary standards have added a layer of confusion for both patients and providers.

There is bipartisan consensus that these concerns must be addressed when the Choice Act sunsets and the funding expires. We can and must do a better job of prioritizing and streamlining veterans' access to care in the community. We can and must do better than the existing Choice Act.

Now, the Choice Act was a temporary emergency measure to address an unacceptable crisis. Unfortunately, it contained language that undermined protections against workplace discrimination for Federal contractors. The next iteration of this law cannot subvert the rights of those who treat and serve our veterans.

The Office of Federal Contract Compliance Programs continues to be a vital tool for ensuring fairness and equality in the workplace. It should apply to everyone that does business with the Federal Government because the Federal Government cannot endorse discrimination of any kind.

I will fight to ensure that this committee and this Congress restores their commitment to equality and fairness as we develop a more streamlined and thoughtful method for connecting veterans with community care.

Mr. Speaker, I include in the RECORD a letter echoing these concerns from the Human Rights Campaign, the National Women's Law Center, The Leadership Conference on Civil and Human Rights, and the National Partnership for Women & Families.

APRIL 5, 2017.

DEAR REPRESENTATIVE: We write to express our serious concerns about H.R. 369/S. 544,

which would eliminate the sunset of the Veterans Choice Program. The Veterans Choice Program currently includes a provision exempting it from oversight by the Office of Federal Contract Compliance Programs (OFCCP). This has diminished civil rights protections when the Department of Veterans Affairs (VA) enters into federal contracts for veterans' health care services. The Veterans Choice Program was always intended to be a temporary solution to ease the health care access crisis faced by the veterans receiving care through the VA. We fear that removing the sunset will open the door to extension of the program, including extending the provision that strips critical equal employment opportunity protections from the men and women serving our nation's veterans. OFCCP must have full jurisdiction to protect against employment discrimination and promote equal employment opportunities.

The antidiscrimination rules enforced by OFCCP ensure that federal contract dollars further equal employment opportunity and are not used to subsidize unlawful discrimination. OFCCP plays a unique and vital role in combating unlawful employment discrimination by federal contractors on the basis of sex, race, national origin, religion, color, sexual orientation, gender identity, and disability. It also enforces the Vietnam Era Veterans Readjustment Assistance Act, or VEVRAA, which requires nondiscrimination and affirmative action for special and disabled veterans of any war, campaign, or expedition in which a campaign badge has been authorized. In addition, OFCCP guides contractors and subcontractors on affirmatively promoting equal opportunity in the workplace and promotes fair and nondiscriminatory federal contractor workplaces. Many of its regulations require contractors to take affirmative steps to expand the pool of individuals from which it recruits, and evaluate their own practices to identify and address conduct that limits equal employment opportunities for protected classes of workers. By conducting compliance audits and systemic investigations, through its data collection and investigative authority, OFCCP can aid contractors in identifying and resolving practices that limit equal employment opportunities, without relying solely on individuals who are willing to risk retaliation to challenge unfair employment practices. OFCCP's historic and current role in ensuring artificial barriers do not restrict employment based on sex, race, color, national origin, religion, sexual orientation, gender identity, disability, or veteran status has improved opportunities for a wide range of workers across the country and has ensured that federal tax dollars do not subsidize discrimination.

Carving out the VA provider agreements from these antidiscrimination protections, affirmative action rules, and data reporting requirements has the effect of narrowing employment opportunities for women, people of color, people with disabilities, veterans, and LGBT individuals and removes critical tools for ending employment discrimination and harassment. Extending the provision that weakens these protections ultimately threatens harm not only to workers, but to those who depend on them for care.

There is no appreciable administrative burden that justifies continuing to suspend these protections and requirements. Federal contractors and subcontractors with less than 50 employees and \$50,000 in contracts or subcontracts are not covered by OFCCP's affirmative action requirements. More than 94

percent of health care and social assistance firms had fewer than 50 employees in 2009. The larger providers, those with 50 or more employees and \$50,000 or more in federal contracts, should be well-equipped to meet the minimal administrative obligations associated with maintaining an affirmative action plan.

The carve-out of VA contractors from the employment discrimination rules applicable to federal contractors not only has a detrimental impact on the workforces affected, but sends a disturbing message that ensuring fair treatment for women, people of color, LGBT people, veterans, and people with disabilities is unnecessary and inconsequential. It sets a precedent for future carve-outs and represents a step backward from equal opportunity. Any continuation of the Veterans Choice Program must ensure OFCCP jurisdiction to enforce the antidiscrimination rules and other equal employment opportunity protections for these providers.

For further information, please contact the Human Rights Campaign, the National Women's Law Center, the Leadership Conference on Civil and Human Rights, or the National Partnership for Women and Families.

Sincerely,

NATIONAL WOMEN'S LAW
CENTER.
LEADERSHIP CONFERENCE
ON CIVIL AND HUMAN
RIGHTS.
NATIONAL PARTNERSHIP
FOR WOMEN & FAMILIES.
HUMAN RIGHTS CAMPAIGN.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

I look forward to working with Ranking Member WALZ and our fellow committee members to strike the appropriate balance between ensuring protections that are in place to provide provider agreement authority from being unfairly utilized and reducing administrative burdens on small providers.

However, absent passage of this legislation today, veterans with serious need will not be able to get the care they need. Already, veterans who are pregnant or who have been diagnosed with cancer have been unable to take advantage of the increased access to care that the Choice Program provides.

I would also note that, since Choice granted VA provider agreement authority in the Choice Act 3 years ago, the committee has not heard a single instance where that authority has been improperly utilized or resulted in unfair labor practices.

Furthermore, the exclusion afforded in the Choice Act is no more generous than providers under Medicare or in TRICARE currently enjoy, and there is no reason why providers accepting veteran patients should have to deal with more administrative burdens than providers under Medicare and TRICARE. I can assure you, as a Medicare provider and a TRICARE provider, that is enough burden.

Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. LANCE), my good friend and fellow classmate.

Mr. LANCE. Mr. Speaker, I certainly commend the chairman of the committee, Dr. ROE, for his leadership on this issue, as well as the ranking member for his leadership.

I rise in strong support of S. 544, which will extend the Veterans Access, Choice, Accountability and Transparency Act. This is an important bill. I have heard from constituents in the congressional district I serve that the Choice Program is working and Congress should extend its authorization and its funding.

The Choice Program was the first step in a long road to true transformation of the Veterans Administration. Veterans should get to choose the care and the facility serving them best. No veteran should ever be forced into waiting lines and other limitations.

Many Veterans Administration healthcare facilities do tremendous work, like the Lyons VA Hospital in Bernards Township, Somerset County, New Jersey, in the district I serve. But care through the VA should not be limited to VA facilities.

The extension of the Choice Program should be a down payment on other reforms. We should be expanding choice and eliminating geographic limitations, and I hope to work with Chairman ROE and his committee to do so.

Too many of our Nation's heroes have lost confidence in a desperately broken bureaucracy, and we have begun to reform that in 2014, and we continue today. Legislation like this bill is another step in restoring that trust and faith.

The brave men and women who have stepped forward to serve our Nation deserve our continued dedication to fixing the VA and ensuring they receive the services they have earned in our defense.

□ 1430

Mr. WALZ. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. BROWNLEY), the ranking member of our Health Subcommittee.

Ms. BROWNLEY of California. Mr. Speaker, I thank the gentleman from Minnesota, our ranking member, for yielding me time and for his tireless advocacy on behalf of our Nation's veterans.

As the ranking member of the House Veterans' Affairs Subcommittee on Health, it has been my privilege to work with the ranking member and my fellow committee members to establish and conduct rigorous oversight of the Choice Program.

We enacted the Choice Act in a time of crisis. Those of us who served on the committee during that time remember all too well the horrific stories that came to light that moved Congress to enact this law.

Congress passed the Choice Act to ensure that all veterans receive timely access to quality care. It is clear, how-

ever, that, in the rush to set up the Choice Program, many veterans were still forced to wait too long and bureaucratic headaches continue to delay needed care.

We need to get Choice 2.0 right and balance the obvious need for care in the community while protecting the top quality care that the VA provides. We must also make sure that Choice 2.0 protects the civil rights of veterans as well as VA employees, contractors, and community providers caring for our veterans.

Today's bill will allow the VA to continue spending the remaining funds in the Veterans Choice Program fund. It will also allow the VA to reimburse community providers faster and improve the sharing of medical records. It gives us time to continue our bipartisan work to fix the Choice Program.

Each Member of this body, on both sides of the aisle, agrees that our veterans have earned the very best care available. Mr. Speaker, I urge my colleagues to support this legislation so that veterans can receive care now while Congress uses this opportunity to get this right.

Mr. ROE of Tennessee. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. COSTELLO), a former member and a very active member of our committee.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I thank the chairman for his leadership.

Mr. Speaker, I rise today in support of the Veterans Choice Program Improvement Act.

This legislation protects access to health care for our Nation's veterans by maintaining the VA Choice Program and ensuring that funds already allocated for veterans health care remain dedicated to that purpose.

Veterans across my district have utilized the program to access treatment from community healthcare providers. And while they appreciate the flexibility this program provides, I often hear of a need to make improvements and remove hurdles that prevent this program from realizing its full potential.

I am pleased this legislation takes several steps to reduce red tape. Now, what do I mean by that?

First, we are going to speed up reimbursements to community providers. We are going to strengthen medical record sharing between the VA and community providers and reduce out-of-pocket costs for veterans—all very important steps to improving the VA Choice Program. These are common-sense, bipartisan improvements.

I want to thank Chairman ROE for his leadership.

Mr. Speaker, I urge my colleagues to support this bill.

Mr. WALZ. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. O'ROURKE), my good friend, the

ranking member of our Economic Opportunity Subcommittee.

Mr. O'ROURKE. Mr. Speaker, I would like to begin by thanking the chairman of the full committee, and I join the ranking member of the full committee in honoring the work of Chairman ROE, his staff, and his ensuring that we do the right thing for every single one of the veterans in this country that we are here to serve.

It would be easy just to criticize the Choice Program which has not worked fully as intended. Too many of the veterans that we represent are still getting bills when their provider in the community, the VA, and the third-party administrator can't resolve their differences.

Too many veterans are having too hard of a time in getting an appointment in a timely fashion. And as we learned recently, the VA still is not fully measuring the true wait time for the more than 3 million appointments that have been made through the Choice Program right now. We don't have the kind of accountability that we must have.

All the same, the Choice Program is bridging care for veterans who need it in millions of instances. To simply allow the sunset to take place without having the time necessary to work on some of the necessary fixes would be irresponsible. So thanks to the chairman and the ranking member, we are able to do that today.

We also ensure that the VA becomes the primary payer, which is going to reduce some of the billing headaches that veterans have unnecessarily been subjected to.

Mr. Speaker, I also want to point out that the bill contains the Vet Connect Act, which I was able to author with Congressman BENISHEK, a bipartisan bill, last session, re-introduced this session.

It is bicameral, as well, in the Senate. We have Senators TESTER, ISAKSON, and MANCHIN, who authored this bill that ensures that veterans' private medical information follows them from the VA to their provider in the community and then back to the VA, ensuring that every appointment, every provider, and every doctor can make informed medical decisions on behalf of those veterans. Right now, at the current rate of inclusion of veterans' personal medical information, it would take 60 years to get all the data into the hands of the doctors who need to make that care.

This brings the VA and the veterans under the VA's care into modern medical record keeping and sharing. It honors all of the HIPAA regulations; ensures privacy of veterans' medical records; but, most importantly, ensures that they are going to get better, more informed quality care, better outcomes, better treatment. It is what the veterans that we serve have earned and deserve.

I am very proud to join my colleagues in this to work for its passage. I hope that the other Members of this body will join us in supporting this unanimously.

Mr. ROE of Tennessee. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. WALZ. Mr. Speaker, may I inquire how much time I have remaining? I have two speakers to go.

The SPEAKER pro tempore (Mr. WOODALL). The gentleman from Minnesota has 7½ minutes remaining.

Mr. WALZ. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CORREA), a good friend, a new member of the Veterans' Affairs Committee, someone who came to the House of Representatives and asked to serve veterans and be on the committee.

Mr. CORREA. Mr. Speaker, I thank Chairman ROE and our ranking member, Mr. WALZ, for all the good work for all of our veterans.

Mr. Speaker, I rise also in support of the Choice Act and urge my colleagues to also protect our veterans' access to health care.

Our veterans all gave some, and many, many made the ultimate sacrifice for our Nation. Providing our vets with the best health care our Nation can deliver on a timely basis is the least we can do for our veterans.

Sadly, as all of us know, in 2014, the average wait time at a VA medical center was 115 days. The Choice Program has provided vets with the opportunity of obtaining health care in their community on a timely basis.

The VA, of course, is an excellent institution that takes care of many, many of our veterans. Yet, when the VA is not available, the Choice Program can be the best option for our heroes.

No one—no one—should have to wait 3 months to see their doctor, especially our vets, our heroes. We must meet our commitment one way or another. I urge my colleagues to support this bill. Let's, all of us, keep the promise this country has made to every one of our veterans.

Mr. ROE of Tennessee. Mr. Speaker, I reserve the balance of my time.

Mr. WALZ. Mr. Speaker, I yield 1 minute to the gentleman from Nevada (Mr. KIHUEN), who has taken a keen interest in veterans' issues. I am grateful that he is here today.

Mr. KIHUEN. Mr. Speaker, I thank Chairman ROE and Ranking Member WALZ for their bipartisan work on this issue on behalf of our veterans and our country. It is very refreshing to see bipartisanship here in this body.

Mr. Speaker, veterans have made the incredible sacrifice for our country. The Department of Veterans Affairs has the obligation to ensure that they have access to high-quality and affordable health care.

I support the aim of S. 544 to make key improvements to the Choice Program as Congress continues to work on longer term solutions.

While I am hopeful that this bill will help eliminate the problems and delays that veterans have experienced with the Choice Program, this program should be the option of last resort for veterans.

In Ely, Nevada, a rural community in my district, the VA is considering not renewing its contract with the Ely Community Clinic, forcing veterans to rely solely on the Choice Program for access to care. Just this week, hundreds of veterans turned out at a forum in Ely to voice their opposition to using the Choice Program.

Closing the VA clinic in Ely will be burdensome for many veterans in northern Nevada and central Nevada and could force them to travel hundreds of miles to get healthcare services that they rely on. These veterans have already fought for their country. They shouldn't have to fight to keep their VA clinic in Ely open.

Mr. Speaker, I support this bill, but it is not enough. We owe it to our veterans not to use the Choice Program as a crutch, but to make the proper investments in the health care our veterans deserve.

Mr. ROE of Tennessee. Mr. Speaker, I reserve the balance of my time.

Mr. WALZ. Mr. Speaker, once again, I would like to thank the chairman, the staff, and everyone who has been here.

I think, of all the committees that are modeling the behavior of democracy, bipartisanship, and what our government stands for, the Veterans' Affairs Committee is one that takes that responsibility seriously. The chairman always models it. I think this is a case of that.

You heard the speakers come here. This is a big issue. There may be some differences in how the delivery, long term, looks, but there is no division on getting the best and most timely care to our veterans.

With that, I encourage my colleagues to support S. 544.

Mr. Speaker, I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself the balance of my time.

I want to thank the majority and the minority staff that worked on this bill, and certainly the Senate, Senators TESTER and ISAKSON, and the committee on the Senate side for getting this over here in a timely way. We needed to do this now so that we could continue care for patients that would go past August 7. We have people right now who are getting care that is going to be long term, and they would be cut off or couldn't use the Choice program.

We have heard a lot of the problems with Choice here, but it has also helped a lot of veterans. What we feel like we

want the opportunity to do now is be given a little bit of time, in a bipartisan way, to work out the problems with this.

I think this goes for everyone on our committee: At the end of the day, our purpose, our goal is to provide access and the best quality of care for veterans that this country can deliver. That is the goal of our committee in a bipartisan way.

With that, once again, I encourage all of my Members to support this legislation.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, S. 544.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SELF-INSURANCE PROTECTION ACT

Ms. FOXX. Mr. Speaker, pursuant to House Resolution 241, I call up the bill (H.R. 1304) to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to exclude from the definition of health insurance coverage certain medical stop-loss insurance obtained by certain plan sponsors of group health plans, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. RICE of South Carolina). Pursuant to House Resolution 241, the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce, printed in the bill, shall be considered as adopted, and the bill, as amended, shall be considered read.

The text of the bill, as amended, is as follows:

H.R. 1304

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Self-Insurance Protection Act”.

SEC. 2. CERTAIN MEDICAL STOP-LOSS INSURANCE OBTAINED BY CERTAIN PLAN SPONSORS OF GROUP HEALTH PLANS NOT INCLUDED UNDER THE DEFINITION OF HEALTH INSURANCE COVERAGE.

(a) ERISA.—Section 733(b)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1191b(b)(1)) is amended by adding at the end the following sentence: “Such term shall not include a stop-loss policy obtained by a self-insured health plan or a plan sponsor of a group health plan that self-insures the health risks of its plan participants to reimburse the plan or sponsor for losses that the plan or sponsor incurs in providing health or medical bene-

fits to such plan participants in excess of a predetermined level set forth in the stop-loss policy obtained by such plan or sponsor.”.

(b) PHSA.—Section 2791(b)(1) of the Public Health Service Act (42 U.S.C. 300gg–91(b)(1)) is amended by adding at the end the following new sentence: “Such term shall not include a stop-loss policy obtained by a self-insured health plan or a plan sponsor of a group health plan that self-insures the health risks of its plan participants to reimburse the plan or sponsor for losses that the plan or sponsor incurs in providing health or medical benefits to such plan participants in excess of a predetermined level set forth in the stop-loss policy obtained by such plan or sponsor.”.

(c) IRC.—Section 9832(b)(1)(A) of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: “Such term shall not include a stop-loss policy obtained by a self-insured health plan or a plan sponsor of a group health plan that self-insures the health risks of its plan participants to reimburse the plan or sponsor for losses that the plan or sponsor incurs in providing health or medical benefits to such plan participants in excess of a predetermined level set forth in the stop-loss policy obtained by such plan or sponsor.”.

The SPEAKER pro tempore. The gentlemanwoman from North Carolina (Ms. FOXX) and the gentleman from Virginia (Mr. SCOTT) each shall control 30 minutes.

The Chair recognizes the gentlemanwoman from North Carolina.

□ 1445

GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 1304.

The SPEAKER pro tempore. Is there objection to the request of the gentlemanwoman from North Carolina?

There was no objection.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

I rise today in strong support of H.R. 1304, the Self-Insurance Protection Act.

Mr. Speaker, across the country, hardworking men and women are struggling to afford rising healthcare costs, and their options continue to drop year after year. At the same time, employers, large and small, are finding it harder to provide the type of high-quality, affordable healthcare coverage their employees need.

With over 150 Americans relying on an employer-sponsored health plan, Congress must do everything possible to ensure employers have the tools they need to help control healthcare costs for working families. Preserving access to self insurance is one simple step we can take as part of that effort.

More than 60 percent of employers who offer healthcare coverage choose to self-insure. This means that instead of purchasing a plan from an insurance company, employers pay their employees' healthcare costs directly. As a result, the employers have greater flexibility to structure a healthcare plan to the unique needs of workers and their families.

Although these plans provide important protections, they are free from certain restrictive rules that force workers to purchase one-size-fits-all benefits that they may not want or need. Self-insurance is a popular option that often leads to lower health insurance premiums for workers and their families.

In years with below average medical claims, any remaining healthcare dollars can help offset premiums for workers the following year, or can be used to help create new jobs and higher wages.

It is not just private sector employers who like the flexibility and affordability of self-insured health coverage. It is also embraced by labor organizations, schools, cities, and counties.

Of course, there is some level of risk associated with these plans. That is why employers purchase stop-loss insurance, so that employees can count on their healthcare coverage when they need it. Because it simply serves as a financial backstop to an actual health insurance policy, stop-loss has never been regulated as health insurance by the Federal Government. Never.

But as we all know, the previous administration had a constant urge to regulate practically every aspect of American life, regardless of the consequences. It was only a matter of time before the Obama administration made stop-loss insurance one of its regulatory targets, even though many employers would find it nearly impossible to self-insure as a result.

Limiting a popular free-market healthcare option that millions of Americans rely on was a price they were willing to pay in order to push their government-run healthcare scheme.

Fortunately for working families, the Obama administration was unsuccessful, and we now have a new administration committed to expanding, not limiting, affordable healthcare options. However, all this highlights the need to protect access to self-insurance.

Employers need long-term certainty when it comes to the healthcare benefits they provide, and working families deserve peace of mind that they won't lose the plan they like because of a partisan, unnecessary Federal regulation. The Self-Insurance Protection Act provides that certainty and peace of mind by reaffirming existing law and preventing Federal bureaucrats from regulating stop-loss as health insurance.

There is more we can and should do to promote affordable healthcare coverage for working families. This legislation is one small step we can take to ensure Americans can continue to benefit from flexible healthcare plans that help lower costs.

I urge my colleagues to stand up for affordable healthcare options for workers and employers by voting in favor of H.R. 1304.

Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1304, the Self-Insurance Protection Act, purports to protect stop-loss insurers from being regulated at the Federal level. It appears that we are considering a bill that is a solution in search of a problem.

I am not opposed to stop-loss insurance or the purpose of stop-loss insurance. It can be helpful in shielding employers from unforeseen risks in many instances when they choose to self-insure and want to protect themselves from unexpected and unusually high expenses.

Now, while many self-funded plans, in conjunction with the purchased stop-loss, look like a traditional fully insured plan, stop-loss coverage itself is not regulated at the Federal level. There is no indication or suggestion that the administration would seek to regulate stop-loss insurance, so the bill prohibits Federal regulation of stop-loss insurance.

The Federal Government does not regulate stop-loss insurance today, and doesn't look like it is going to seek to regulate self-insurance in the foreseeable future, so it is difficult to ascertain exactly what the purpose of the bill is.

But employers, particularly small ones, do face risks when self-insuring. I think it is important that we ensure that employers are aware of the risks and protect them and their employees when appropriate. They can incur tremendous losses if the employee incurs a serious injury or illness.

Employees are also at risk of receiving fewer benefits because many consumer protections do not apply to self-funded plans.

Employers are legally prohibited from discriminating on the basis of health status, but stop-loss insurers are not. Many policies have provisions that will trigger immediate, even retroactive, increased premiums when the stop-loss insurer receives greater-than-expected claims.

To date, many States have taken action to regulate stop-loss insurance in order to protect both businesses and workers. Some have required a minimum, what is called attachment point. That is when the stop-loss insurance kicks in. Others have restricted the selling of stop-loss insurance with certain small group markets.

New York prohibits the sale of stop-loss insurance to small employers, and prohibits employers from serving as their own third-party administrators. North Carolina has chosen to regulate stop-loss insurance as if it were normal health insurance, holding stop-loss insurance to the same standards of others in the market.

Now, if States want to ban stop-loss insurance altogether, that should be a State prerogative. States have taken these steps because, frankly, self-insuring and stop-loss insurance come with greater risks to both employers and employees. Stop-loss plans place annual limits on services. Some place annual limits on services or exclude coverage for certain benefits, such as prescription drugs.

Furthermore, the renewal of stop-loss insurance is not guaranteed, so if an employer suddenly has high medical costs, the stop-loss insurer can refuse to renew or charge so much that it is no longer affordable.

In the committee markup, the gentlewoman from Oregon (Ms. BONAMICI) offered a clarifying amendment to ensure that this legislation would not be construed to restrict the ability of States to regulate stop-loss insurance. Chairwoman FOXX agreed to include such clarifying language in the committee report, agreeing with the intent of that amendment. Based on that understanding, that amendment was withdrawn.

The clarifying language is in the report, and that clarification is vital to ensure that there is nothing in the bill that incorrectly can be interpreted as to preempt or restrict a State's ability to regulate stop-loss insurance as they see fit, or otherwise restrict effective oversight and regulation of these policies at the State level. I appreciate the majority's willingness to work with us on the inclusion of that clarifying language.

Mr. Speaker, while I don't intend to oppose the legislation, I would note that it seems to be a distraction from the Republicans' recent failed attempt to repeal the Affordable Care Act. After 7 years of complaints, the Republicans offered an alternative which was demonstrably worse than the Affordable Care Act on every measure; more people uninsured, higher prices, and the policy you end up getting is worse.

Democrats will continue to resist any attempts to move this country backwards by making health insurance less accessible and less affordable to American families.

Mr. Speaker, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee (Mr. ROE), the author of the bill, a member of the Education and the Workforce Committee, and chair of the Veterans' Affairs Committee.

Mr. ROE of Tennessee. Mr. Speaker, I rise today in support of the Self-Insurance Protection Act, H.R. 1304.

Mr. Speaker, I find it hardly plausible you could make something worse where one-third of the counties in my district have no option to buy any insurance on the exchange, and the third largest county in the State of Tennessee has no option. So I would beg to differ, Mr. Speaker.

We all want to ensure workers have access to high-quality, affordable health coverage. That is exactly what this legislation is all about.

Self-insured plans offer high-quality healthcare coverage at a reasonable cost for workers. This popular option allows employers to pay their employees' healthcare costs directly and, if costs are lower than expected, those savings can be reserved for later years to help cover their workers' future healthcare costs.

One of the benefits to self-insurance is that employers have more flexibility to customize their healthcare plans as they see fit for the unique needs of their employees. These plans are also free from many of the restrictive requirements associated with traditional healthcare plans, requirements that limit choices and force employees to purchase specific benefits they may not want or need.

As healthcare costs have risen, many employers have turned to this cost-effective model. In fact, in 2016, more than 60 percent of all employers offering health insurance coverage were self-insured, of the 160 million or so people in this country that have insurance through their job.

Even the labor unions have embraced this approach. However, employers may also take greater financial risk when providing this popular option to workers. To help mitigate that risk, many employers opt to purchase stop-loss insurance.

Stop-loss insurance is not health insurance, nor has it ever been considered health insurance under Federal law. It does not process medical claims, and it does not perform any other traditional function of health insurance. What it does instead is provide employers choosing to provide self-insurance with a financial backstop, protecting the benefits of workers and their families.

Unfortunately, the former administration threatened to regulate stop-loss insurance as traditional health insurance, a move that would put workers and their families at risk of losing access to the self-insured market. While we now have a new administration that understands the importance of providing more pathways to affordable healthcare coverage, Congress must also act to ensure that no future administration will be able to restrict the self-insurance option. The Self-Insurance Protection Act does just that.

This legislation reaffirms longstanding policies, prevents future bureaucratic overreach, and clarifies once and for all that stop-loss insurance is not health insurance. By supporting H.R. 1304, we will promote more choices and protect access to affordable healthcare coverage options for families.

Let me put this all in English. I was the mayor of Johnson City, Tennessee,

where we had a self-insured plan for the teachers and for the workers there at the city. The city provided an opportunity for people to have health insurance for their families. We would accept risks up to \$250,000, and then we bought policies to protect the taxpayers and the city from any costs that went above that.

What this plan also allowed us to do is put in incredibly innovative health prevention, things like wellness programs, smoking cessation, weight loss, diabetes screening, lowering cholesterol. We put all those things in that plan, which helped hold—even with insurance premiums going up, we were able to level insurance costs going up and, therefore, save the employees and the teachers money in that community. That is all it is.

Everybody buys insurance in this country to mitigate risk. When you by homeowners insurance, you say: I will have \$1,000 deductible. So if I have a roof blow off, I can stand to pay \$1,000, but my insurance covers the rest.

That is all this is. It just protects risk.

Mr. Speaker, I urge my colleagues to support H.R. 1304.

Mr. SCOTT of Virginia. Mr. Speaker, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. WALBERG), chairman of the Health, Employment, Labor, and Pensions Subcommittee.

Mr. WALBERG. Mr. Speaker, I rise today in support of H.R. 1304, the Self-Insurance Protection Act. I thank my good friend, Dr. PHIL ROE, for his leadership and insights on this issue.

□ 1500

As the Affordable Care Act continues its death spiral—and indeed it does, very clearly, and ultimately will leave people without insurance—too many small businesses in the process and working families in my district have been left without real options for healthcare coverage that they can afford.

Self-insured plans are one solution that small businesses have tried to push back against these rising costs. These policies provide employers flexibility to design a healthcare plan tailored to the unique needs of their workers and their families. Last year, over 60 percent of employers who offered healthcare coverage utilized self-insured plans.

Unfortunately, the previous administration pursued regulations that would jeopardize access to self-insured plans by redefining stop-loss insurance as traditional health insurance under Federal law. Stop-loss insurance does not pay our medical claims; rather, it is a tool—I remind you—that simply provides protections for employers to guard against a catastrophic medical claim.

Mr. Speaker, our constituents need more affordable healthcare options, not fewer; and the bill before us will stop any future administration from putting harmful limitations on self-insured plans. To achieve meaningful healthcare reform, we must promote flexibility and innovative options, not curtail them.

H.R. 1304 provides much-needed certainty to the workers and employers who access quality care through self-insured healthcare plans. As employers and their employees look to plan for the future, the Self-Insurance Protection Act will help provide some long-term certainty that these affordable health insurance options are available. I ask my colleagues to join me in supporting this legislation and promoting healthcare choice for American workers and for their employers.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we are continuing to hear complaints about the Affordable Care Act. Whatever someone thinks about the Affordable Care Act, I think it is important to look at the replacement that was offered just over a week ago which actually would have made things worse. It would have increased the number of uninsured, it would have increased the price, it would have reduced the quality of the product, and it would have made it less likely that insurance companies would come in and offer anything at all.

If we are going to amend the Affordable Care Act, we ought to improve it. We ought to make things better. We should first do no harm with the Affordable Care Act, and we should not allow this administration to sabotage the Affordable Care Act. When they said it might implode, we have to be careful that they are not doing the implosion. There are things that this administration can do to undermine the Affordable Care Act and sabotage it, and we would hope that we would join in a bipartisan effort to make sure that that does not happen.

Mr. Speaker, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan (Mr. MITCHELL) who is a member of our committee.

Mr. MITCHELL. Mr. Speaker, I thank the gentlewoman from North Carolina for yielding.

Mr. Speaker, I rise today in support of the Self-Insurance Protection Act, of which I am a proud cosponsor. Restoring health care is more than one bill—our plan has always included a series of efforts to directly address the challenges facing our healthcare system. The challenges resulted from ObamaCare. This legislation is one such effort, part of a series of measures to increase choice and access. This bill would make it easier for families to get health insurance from their employers.

As my colleagues have noted, more than 160 million Americans get their insurance from an employer. Of that, 60 percent of employers offering healthcare coverage are self-insured, meaning employers directly reimburse healthcare providers and employees for medical expenses. These self-insured plans provide more flexibility than traditional healthcare plans, as they can be designed and operated to meet the unique needs of workers and families. For many years, the company I led, in fact, was self-insured, and we bought stop-loss coverage.

For most self-insured employers, choosing to buy stop-loss insurance simply assists them in avoiding catastrophic losses. It is a business insurance policy. Regulating it like a traditional healthcare insurance would restrict access to self-insured plans dramatically.

We should be making it easier, not harder, for employers to offer their employees comprehensive health packages, and it certainly should not be left to an unelected bureaucrat to decide which types of plans or which benefits work for American families.

This legislation is a simple, straightforward approach to protect self-insured healthcare plans. It offers clarity, reaffirming longstanding policies recognizing that stop-loss insurance is a distinct business insurance and prevents bureaucrats from—one more time—tinkering with our economy and damaging health care.

I urge my colleagues to support this legislation, as it is an important measure to promote and to increase access to health care.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this bill prohibits Federal regulation of stop-loss insurance. The Federal Government does not regulate stop-loss insurance. It does not affect the States' ability to regulate the insurance, and that is where it should be done. So the bill does no harm. I would hope that, after this bill, we will refocus our efforts into addressing some of the challenges with the Affordable Care Act by first doing no harm, not going backwards like the bill did several days ago where the costs went up, the number of insurers went down, and the quality of the insurance was worse. We can improve healthcare coverage in this country, but we can't do it if the first step is a backward step.

Mr. Speaker, I yield back the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, we all want workers and employers to have access to high-quality, affordable healthcare coverage, and that is exactly what this legislation is about.

Our Nation faces significant healthcare challenges. Costs are soaring, and choices are diminishing. This

legislation will in no way address all of these challenges; however, it is one step we can take to protect access to affordable healthcare options for workers and employers.

Let's give workers and employers who rely on self-insured healthcare plans a little bit of certainty and peace of mind today by passing this common-sense legislation.

Mr. Speaker, I urge Members to vote in favor of the Self-Insurance Protection Act, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). All time for debate has expired.

Pursuant to House Resolution 241, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. FOXX. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. JEFFRIES. Mr. Speaker, I rise to a question of the privileges of the House and offer a resolution previously noticed.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Expressing the sense of the House of Representatives that President Donald Trump shall publicly disclose his tax return information, which would conform with an important tradition connected to occupancy of the White House, as well as uphold his promise to the American people that he would release his tax returns.

Whereas, every President since Gerald Ford has disclosed his tax return information to the American people;

Whereas, in May 2014 Donald Trump stated during a television interview: "If I decide to run for office I'll produce my tax returns absolutely. I would love to do that";

Whereas, in February 2015 Donald Trump stated during a radio interview: "I have no objection to certainly showing tax returns";

Whereas, in February 2016 Donald Trump stated during a televised Republican Presidential debate: "I will absolutely give my returns, but I'm being audited now for two or three years, so I can't do it until the audit is finished, obviously";

Whereas, in May 2016 Donald Trump stated during a television interview: "I will really gladly give them. When the audit ends, I'll present them. That should be before the election";

Whereas, the IRS has made clear that any taxpayer, including Donald Trump, may re-

lease his tax returns at any time while under audit;

Whereas, the House of Representatives by constitutional design is the institution closest to the American people, and an overwhelming majority of the American people think Donald Trump should release his tax returns immediately;

Whereas, 17 different intelligence agencies in the United States have concluded that Vladimir Putin and his Russian regime interfered with our Presidential election for the purpose of helping Donald Trump;

Whereas, multiple high-level Trump associates were in regular contact with Russian operatives and intelligence agents during the same time that Russia was hacking into our democracy;

Whereas, multiple high-level Trump associates have financial ties to the Russian regime;

Whereas, Paul Manafort, Donald Trump's former campaign chairman, engineered a pro-Russia change in the Republican Party platform in July 2016 and has received millions of dollars from pro-Russian oligarchs to advance Putin's agenda;

Whereas, Michael Flynn, Donald Trump's first National Security Adviser, resigned in disgrace for misleading to Vice President Mike Pence about potentially unlawful phone calls to the Russian Ambassador and failed to disclose financial compensation received from a Russian propaganda media outlet closely tied to Vladimir Putin;

Whereas, Carter Page, a top foreign policy adviser to the Trump campaign, has now acknowledged visiting the Kremlin in the midst of the 2016 Presidential election;

Whereas, Jeff Sessions, Donald Trump's Attorney General, misled the Senate under oath by failing to disclose his meetings with the Russian Ambassador that took place in July 2016 at the Republican National Convention and again in September of 2016;

Whereas, Michael Cohen, Donald Trump's personal attorney, now acknowledges being in contact with Russian operatives at the same time the attacks on our democracy were taking place;

Whereas, Jared Kushner, a senior White House advisor and Donald Trump's son-in-law, now acknowledges previously undisclosed meetings with the Russian Ambassador;

Whereas, Roger Stone, a self-described political trickster and Donald Trump's longtime consigliere, now acknowledges being in contact with the Russian-aligned hacker Guccifer II and predicted during the campaign that John Podesta's emails would soon be exposed;

Whereas, Ian Fleming, the renowned British author has observed, "Once is happenstance. Twice is coincidence. Three times is enemy action";

Whereas, Donald Trump has shown an unrestrained willingness to criticize and insult allies of the United States of America;

Whereas, Donald Trump wrongly accused Great Britain, our closest ally, of wiretapping Trump Tower in New York City;

Whereas, Donald Trump declined to shake German Chancellor Angela Merkel's hand while seated together during their recent joint appearance at the White House;

Whereas, Donald Trump stated in a recent C-PAC speech that "Paris is no longer Paris";

Whereas, Donald Trump threatened to cancel a refugee transfer agreement with our ally Australia and reportedly hung up on the Prime Minister;

Whereas, Donald Trump told the President of Mexico that America would deploy mili-

tary personnel to that sovereign nation if our southern neighbor does not deal with its "bad hombres";

Whereas, Donald Trump has repeatedly criticized our strategic and military alliance with Western European allies and called NATO "obsolete";

Whereas, Donald Trump refuses to say a negative word about Vladimir Putin or his corrupt Russian regime;

Whereas, Bill O'Reilly interviewed Donald Trump on Super Bowl Sunday and asked about Putin's brutal and murderous regime;

Whereas, Donald Trump responded, "There are a lot of killers. You think our country's so innocent?"; suggesting a moral equivalence between the United States and Russia;

Whereas, Yogi Berra, the great Yankee catcher and philosopher-king, once observed "that's too coincidental to be a coincidence";

Whereas, Donald Trump tweeted on January 11: "I have nothing to do with Russia—no deals, no loans, no nothing";

Whereas, Donald Trump Jr. once stated: "Russians make up a pretty disproportionate cross-section of a lot of our assets. We see a lot of money pouring in from Russia";

Whereas, disclosure of Donald Trump's tax returns will help the American people and their elected Representatives in this House better understand Trump's financial ties, if any, to Putin's Russia;

Whereas, the American people have a right to know whether financial conflicts of interest exist between the President of the United States and a hostile foreign power;

Whereas, the chairmen of the House Ways and Means Committee, Joint Committee on Taxation, and Senate Finance Committee have the authority to request Donald Trump's tax returns under section 6103 of the Tax Code; and

Whereas, the FBI is conducting a criminal and counterintelligence investigation into Russian interference with the recent Presidential election, including possible collusion between the Trump campaign and the Kremlin: Now, therefore, be it:

Resolved, that the House of Representatives shall—

1. Immediately request tax return information of Donald J. Trump for tax years 2007 through 2016 for review in closed executive session by the Committee on Ways and Means, as provided under section 6103 of the Internal Revenue Code, and vote to report the information therein to the full House of Representatives; and

2. Postpone consideration of comprehensive tax reform legislation until after the elected Representatives of the American people in this House have been able to review Trump's tax returns and ascertain how any changes to the Tax Code might financially benefit the President of the United States.

□ 1515

The SPEAKER pro tempore. Does the gentleman from New York wish to present argument on the parliamentary question of whether the resolution presents a question of the privileges of the House?

Mr. JEFFRIES. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from New York is recognized.

Mr. JEFFRIES. Mr. Speaker, under rule IX, clause 1, questions of the privileges of the House are "those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings."

This resolution is privileged based on two issues of institutional integrity, both anchored in the United States Constitution.

Upon adoption of the Constitution, Senators were elected by State legislative bodies; justices were appointed by the executive branch; Presidents were placed into office indirectly through the electoral college.

The House was the only institution where Members were directly elected by the people. We were given 2-year terms to stay close to the people. Our integrity as a separate and coequal branch of government flows directly from our ability to vigilantly represent their interests.

We don't work for the executive branch. We don't work for President Trump. We work for the people of this great Nation, and the American people overwhelmingly want the President's tax returns released.

Secondarily, this House should exercise its prerogative as a separate and coequal branch of government, vigilantly represent the people, and act as a check and balance against Presidential obstruction. Our integrity hangs in the balance.

The integrity of this House also hinges, lastly, on our willingness to properly legislate changes to the Tax Code. The American people have, in many cases, lost faith in our institutions of government, in part because they believe that we are out of touch and that we do not act in the best interests of hardworking Americans.

Pursuant to Article I, section 7, clause 1 of the Constitution, often referred to as the Origination Clause, the House of Representatives has the sole authority to initiate legislation that raises revenue for the national government.

According to a 2011 Heritage Foundation report, the taxation power was intentionally placed with the body closest to the people as part of the Great Compromise. The Heritage Foundation report urges Members of this House to "be more zealous in protecting this exclusive prerogative."

President Trump has expressed an interest in working with the House to take on the most significant legislative reform of our Tax Code in 30 years. How can we work with him on this legislation if we do not know how the proposed reforms might financially benefit him or the companies or countries to which he has business entanglements?

How can we ascertain whether suggestions made by the executive branch are aimed to help the American people or aimed to help the President or his allies in business or throughout the world?

The Founders of this great Nation made it so that we, as representatives of the people, have the constitutional duty to check and balance the executive branch, not the other way around.

The integrity of this body is at risk if we choose to follow the path of unfettered obedience to the executive branch. The American people deserve to see his tax returns, and we have the power in this House to make it happen.

The SPEAKER pro tempore. The Chair is prepared to rule.

The gentleman from New York seeks to offer a resolution as a question of the privileges of the House under rule IX.

As the Chair most recently ruled on March 22, 2017, the resolution directs the Committee on Ways and Means to meet and consider an item of business under the procedures set forth in 26 U.S.C. 6103 and, therefore, does not qualify as a question of the privileges of the House.

Mr. JEFFRIES. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE

Ms. FOXX. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Ms. Foxx moves to lay the appeal on the table.

The SPEAKER pro tempore. The question is on the motion to table.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. JEFFRIES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to table will be followed by a 5-minute vote on passage of H.R. 1304.

The vote was taken by electronic device, and there were—yeas 228, nays 185, answered "present" 2, not voting 14, as follows:

[Roll No. 219]

YEAS—228

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck

Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent

DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar

Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur

Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCauley
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Roskam
Ross

NAYS—185

Adams
Aguilar
Barragán
Bass
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings

Davis (CA)
DeGette
Delaney
DeLauro
DeBene
Demings
DeSaulnier
Deutsch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Españillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.

Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tennet
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebach
Loftgren
Lowenthal
Lowe
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler

Napolitano	Rosen	Suozzi	Blackburn	Farenthold	Lewis (MN)	Rooney, Thomas	Shimkus	Upton
Neal	Roybal-Allard	Swalwell (CA)	Blum	Faso	Lieu, Ted	J.	Shuster	Valadao
Nolan	Ruiz	Takano	Blumenauer	Ferguson	Lipinski	Ros-Lehtinen	Simpson	Vargas
Norcross	Ruppersberger	Thompson (CA)	Blunt Rochester	Fitzpatrick	LoBiondo	Rosen	Sinema	Veasey
O'Halleran	Rush	Thompson (MS)	Bonamici	Fleischmann	Loeback	Roskam	Sires	Vela
O'Rourke	Ryan (OH)	Titus	Bost	Flores	Lofgren	Ross	Smith (MO)	Velázquez
Pallone	Sarbanes	Tonko	Boyle, Brendan	Fortenberry	Long	Rothfus	Smith (NE)	Wagner
Panetta	Schakowsky	Torres	F.	Foster	Loudermilk	Rouzer	Smith (NJ)	Walberg
Pascarell	Schiff	Tsongas	Brady (PA)	Fox	Love	Roybal-Allard	Smith (WA)	Walden
Payne	Schneider	Vargas	Brady (TX)	Frankel (FL)	Lowenthal	Royce (CA)	Smucker	Walker
Pelosi	Schrader	Veasey	Brat	Franks (AZ)	Lowey	Ruiz	Soto	Walorski
Perlmutter	Scott (VA)	Vela	Brooks (AL)	Frelinghuysen	Lucas	Ruppersberger	Speier	Walters, Mimi
Peters	Scott, David	Visclosky	Brooks (IN)	Fudge	Luetkemeyer	Rush	Stefanik	Walz
Peterson	Serrano	Walz	Brown (MD)	Gabbard	Lujan Grisham,	Russell	Stewart	Wasserman
Pingree	Sewell (AL)	Wasserman	Brownley (CA)	Gaetz	M.	Rutherford	Stivers	Schultz
Pocan	Shea-Porter	Schultz	Buchanan	Gallagher	Luján, Ben Ray	Ryan (OH)	Suozzi	Weber (TX)
Polis	Sherman	Buck	Bucshon	Gallo	Lynch	Sanford	Swalwell (CA)	Webster (FL)
Price (NC)	Sinema	Waters, Maxine	Budd	Garamendi	MacArthur	Sarbanes	Takano	Welch
Quigley	Sires	Watson Coleman	Burgess	Garrett	Maloney,	Scalise	Taylor	Wenstrup
Raskin	Smith (WA)	Welch	Bustos	Gibbs	Carolyn B.	Schiff	Tenney	Westerman
Rice (NY)	Soto	Wilson (FL)	Butterfield	Gohmert	Maloney, Sean	Schneider	Thompson (CA)	Wilson (FL)
Richmond	Speier		Byrne	Gonzalez (TX)	Marchant	Schrader	Thompson (MS)	Wilson (SC)
			Calvert	Goodlatte	Marino	Schweikert	Thompson (PA)	Wittman
			Capuano	Gosar	Marshall	Scott (VA)	Thornberry	Womack
			Carbajal	Gottheimer	Massie	Scott, Austin	Tiberi	Woodall
			Cárdenas	Gowdy	Mast	Scott, David	Tipton	Yarmuth
			Carson (IN)	Granger	Matsui	Sensenbrenner	Titus	Yoder
			Carter (GA)	Graves (GA)	McCarthy	Serrano	Tonko	Yoho
			Carter (TX)	Graves (LA)	McCauley	Sessions	Torres	Young (AK)
			Carter (TX)	Graves (MO)	McClintock	Sewell (AL)	Trott	Young (IA)
			Cartwright	Green, Gene	McCollum	Shea-Porter	Tsongas	Zeldin
			Castor (FL)	Griffith	McGovern	Sherman	Turner	
			Castro (TX)	Grothman	McHenry			
			Chabot	Guthrie	McKinley			
			Chaffetz	Gutiérrez	McMorris			
			Cheney	Hanabusa	Rodgers	Conyers	Jayapal	Schakowsky
			Chu, Judy	Harper	McNerney	DeSaulnier	Johnson (GA)	Visclosky
			Cicilline	Harris	McSally	Evans	Kaptur	Waters, Maxine
			Clark (MA)	Hartzler	Meadows	Green, Al	Lee	Watson Coleman
			Clarke (NY)	Hastings	Meehan	Grijalva	Lewis (GA)	
			Clay	Heck	Meeks	Huffman	Raskin	
			Cleaver	Hensarling	Meng			
			Clyburn	Herrera Beutler	Messer			
			Coffman	Hice, Jody B.	Mitchell			
			Cohen	Higgins (LA)	Moolenaar			
			Cole	Higgins (NY)	Mooney (WV)			
			Collins (GA)	Hill	Moore			
			Collins (NY)	Himes	Moulton			
			Comer	Holding	Mullin			
			Comstock	Hollingsworth	Murphy (FL)			
			Conaway	Hoyer	Murphy (PA)			
			Connolly	Hudson	Nadler			
			Cook	Huizenga	Napolitano			
			Cooper	Hultgren	Neal			
			Correa	Hunter	Newhouse			
			Costa	Hurd	Noem			
			Costello (PA)	Issa	Nolan			
			Courtney	Jackson Lee	Norcross			
			Cramer	Jeffries	Nunes			
			Crawford	Jenkins (KS)	O'Halleran			
			Crist	Jenkins (WV)	O'Rourke			
			Crowley	Johnson (LA)	Olson			
			Cuellar	Johnson (OH)	Palazzo			
			Culberson	Johnson, E. B.	Pallone			
			Cummings	Johnson, Sam	Palmer			
			Curbelo (FL)	Jones	Panetta			
			Davidson	Jordan	Pascarell			
			Davis (CA)	Joyce (OH)	Paulsen			
			Davis, Rodney	Katko	Payne			
			DeFazio	Keating	Pearce			
			DeGette	Kelly (IL)	Perlmutter			
			Delaney	Kelly (MS)	Perry			
			DeLauro	Kelly (PA)	Peters			
			DelBene	Kennedy	Peterson			
			Demings	Khanna	Pingree			
			Denham	Kihuen	Pittenger			
			Dent	Kildee	Pocan			
			DeSantis	Kilmer	Poe (TX)			
			DesJarlais	Kind	Polis			
			Deutch	King (IA)	Posey			
			Diaz-Balart	Kinzing	Price (NC)			
			Dingell	Knight	Quigley			
			Doggett	Krishnamoorthi	Ratcliffe			
			Donovan	Kuster (NH)	Reed			
			Doyle, Michael	Kustoff (TN)	Reichert			
			F.	Labrador	Renacci			
			Duffy	LaHood	Rice (NY)			
			Duncan (SC)	LaMalfa	Rice (SC)			
			Duncan (TN)	Lamborn	Richmond			
			Dunn	Lance	Roby			
			Ellison	Langevin	Roe (TN)			
			Emmer	Larsen (WA)	Rogers (AL)			
			Engel	Larson (CT)	Rogers (KY)			
			Eshoo	Latta	Rohrabacher			
			Españolat	Lawson (FL)	Rokita			
			Esty	Levin	Rooney, Francis			

ANSWERED "PRESENT"—2

DeFazio Sanford

NOT VOTING—14

Beatty	King (NY)	Slaughter
Bishop (UT)	LaMalfa	Velázquez
Bridenstine	Lawrence	Williams
Collins (GA)	McEachin	Yarmuth
Davis, Danny	Sánchez	

□ 1545

Ms. MCCOLLUM, Messrs. WELCH, and QUIGLEY changed their vote from "yea" to "nay."

Messrs. JOHNSON of Louisiana, POSEY, DENT, SMUCKER, HUNTER, and RODNEY DAVIS of Illinois changed their vote from "nay" to "yea."

Mr. SANFORD changed his vote from "yea" to "present."

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SELF-INSURANCE PROTECTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on passage of the bill (H.R. 1304) to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to exclude from the definition of health insurance coverage certain medical stop-loss insurance obtained by certain plan sponsors of group health plans on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 400, nays 16, not voting 13, as follows:

[Roll No. 220]

YEAS—400

Abraham	Babin	Bera
Adams	Bacon	Bergman
Aderholt	Banks (IN)	Beyer
Aguilar	Barletta	Biggs
Allen	Barr	Blirakis
Amash	Barragán	Bishop (GA)
Amodei	Barton	Bishop (MI)
Arrington	Bass	Black

NAYS—16

Conyers	Jayapal	Schakowsky
DeSaulnier	Johnson (GA)	Visclosky
Evans	Kaptur	Waters, Maxine
Green, Al	Lee	Watson Coleman
Grijalva	Lewis (GA)	
Huffman	Raskin	

NOT VOTING—13

Beatty	Lawrence	Slaughter
Bishop (UT)	McEachin	Smith (TX)
Bridenstine	Pelosi	Williams
Davis, Danny	Poliquin	
King (NY)	Sánchez	

□ 1557

Mr. NADLER changed his vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. POLIQUIN. Mr. Speaker, on rollcall No. 220 on passage of H.R. 1304, I am not recorded because I inadvertently missed the vote. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Ms. SÁNCHEZ. Mr. Speaker, on rollcall No. 219, On Motion to Table Appeal of the Ruling of the Chair, I was unavoidably detained and missed the vote. Had I been present, I would have voted "nay."

I was also unavoidably detained for rollcall No. 220, H.R. 1304, the Self-Insurance Protection Act and missed the vote. Had I been present, I would have voted "yea."

HOUR OF MEETING ON TOMORROW

Mr. WOMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore (Mr. COMER). Is there objection to the request of the gentleman from Arkansas?

There was no objection.

MOMENT OF SILENCE REMEMBERING VIRGINIA TECH VICTIMS

(Mr. GRIFFITH asked and was given permission to address the House for 1 minute.)

Mr. GRIFFITH. Mr. Speaker, I am joined today by Members of the Virginia delegation and Members who were affected by the horrific attack by a gunman at Virginia Tech on April 16, 2007. Today, we ask that all pause to remember the victims of this attack.

Although 10 years have passed, those whose lives were tragically cut short or altered forever will not be forgotten. As we approach April 16, I ask that we keep the families and loved ones of the victims in our thoughts and our prayers.

May God bless the Hokie community, their courage, their spirit, and their determination to honor the memory of those not here today.

Accordingly, I would ask that all Members join me at this time in a moment of silence.

RECENT CHEMICAL ATTACKS IN SYRIA

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, yesterday, dozens of Syrians suffered yet again at the hands of Bashar al-Assad when he employed chemical weapons in an attack that left children gasping for air and suffering in the middle of the streets. In the deadliest chemical attack in Syria since 2013, the death toll has now surpassed 70 and continues to rise.

This attack was morally reprehensible, but let's be clear: this attack is the fault of President Assad, and it is a war crime. He must be held accountable for his actions, as must the Russian regime that continues to enable his acts of carnage.

Such barbarism is an attack on our collective humanity, and a chemical attack of this nature must never happen again in Syria or anywhere else in the world, and the world must not look the other way.

Mr. Speaker, I condemn this attack and these actions in the strongest possible terms. I am grateful to the humanitarian groups and the medical personnel who are tending to these wounds today. My heart breaks for the victims who were injured and killed in Syria.

Let us speak out as a world with one voice to condemn this attack and say: Never again.

CLIMATE ALARMISTS OFFER NO SOLUTIONS

(Mr. SMITH of Texas asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, climate change alarmists always predict cataclysmic events that will inevitably occur when the world's temperature rises by more than 2 degrees Celsius.

But all the howling and gnashing of teeth signifies nothing. It is all posturing for their own purposes, including a desire to control people's lives or get another government grant or an academic promotion.

The Paris climate agreement, supported by about 200 countries, would, at best, only prevent an increase in temperature by one-sixth of a degree Celsius.

If the Paris Agreement has little impact on global temperatures, then no regulation proposed by the Obama administration nor any single bill introduced in Congress would have any significant impact on climate change—not one regulation, not one piece of legislation.

So the next time you hear or read about some imminent calamity due to climate change, remember it is just all words and no action.

The real solution isn't more ineffective and costly regulations. It is innovative technology that will make all forms of energy cleaner and less expensive.

HONORING BISHOP JIMMY W. GLENN, SR.

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I rise today to honor Bishop Jimmy W. Glenn, Sr., who was recently elevated to Auxiliary Bishop of Texas' Northeast Fourth Ecclesiastical Jurisdiction of the Church of God in Christ.

Bishop Glenn first embraced the call to serve at the young age of 8 years old when he began singing at revival services around Texas. By the time he was 21, Bishop Glenn was licensed and ordained to serve as minister and began to travel across the State of Texas to help spread the word of Christ.

Bishop Glenn has served in various Fort Worth churches, including Gethsemane Church of God in Christ, St. Mary Church of God in Christ, and Greater Love Chapel Church of God in Christ.

A true servant with a heart for others, he took on a major leadership role within the Church of God in Christ and now serves as the vice president of the National Evangelist Department.

On May 5, Bishop Glenn will be recognized for his recent elevation to Auxiliary Bishop of Texas' Northeast Fourth Ecclesiastical Jurisdiction during their inaugural banquet.

I hope you will all join me in congratulating Bishop Glenn on this momentous achievement.

DO YOUR JOB

(Mr. GALLAGHER asked and was given permission to address the House for 1 minute.)

Mr. GALLAGHER. Mr. Speaker, trust in government is at a record low, and it is not hard to see why.

In 2016, Members of the House of Representatives were in session for a total of just 55 full legislative days. That is 55 days out of 365. In what other job are you allowed to work for just 55 days a year?

Looking at this, it is not hard to understand why Congress has a lower approval rating than cockroaches, colonoscopies, and Genghis Khan.

Despite working for 55 days out of the year, Members of this body are paid more than three times the median household income in America.

Mr. Speaker, this is why I have introduced the Do Your Job Act, which would prohibit Congress from taking a recess until it passes a budget and funds the government. In other words, Congress can't take a vacation until it does its job. I know this sounds simple. But where I am from in northeast Wisconsin, if you don't do your job, you lose that job; if you don't finish your work, you do not collect a paycheck.

Here we are just a day away from leaving this Chamber for a 2-week break from legislative activity, risking government shutdown, and yet we are leaving.

This is unacceptable, and this is why I am standing before you today. I am urging all of my colleagues in the 115th Congress to unite behind a simple idea: let's work together and do our jobs.

STATE DEPARTMENT CUTS

(Mr. SCHNEIDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHNEIDER. Mr. Speaker, I rise today in support of our Nation's dedicated diplomats, the hardworking men and women at the State Department and USAID who are heroically serving our country here and around the world.

In his very first budget, President Trump has proposed draconian cuts to these agencies. These reductions threaten not only our leadership in the world, but they put our Nation's people and interests at unnecessary risk.

Our global leadership depends on balanced investment in three areas: defense, diplomacy, and development. Undermining any one of these pillars weakens all of them.

The State Department and USAID's effectiveness and success is not a function of equipment or technology. Rather, it is the experience, capabilities, and strategic deployment of our people.

In a world where our challenges are, every day, more numerous and more complex, we are constantly sending our diplomats to places further afield.

They are deserving of our full support and our utmost respect for their bravery, dedication, and service in defense of the United States and our values.

I call on my colleagues to join me in protecting our strategically important investments in diplomats, diplomacy, and development, as well as defense.

HONORING THE LIFE OF DR. BUDDY HICKS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, it is with heavy heart that I rise today to honor the life and memory of my friend, Dr. Buddy Hicks of Kingwood, Texas, who passed away Sunday while delivering a sermon at Pipeline Church in Humble, Texas.

This is a photograph of Buddy and his wife, Carolyn, and their grandson, Cole.

Buddy was doing what he loved to do until the very moment that the good Lord called him home. The Lord called him home right in the middle of his sermon.

For nearly 30 years, Buddy has faithfully and tenaciously ministered to congregations throughout the great State of Texas. He was a man of God, always had a smile, never met a stranger. He spent his life spreading the gospel to communities throughout Texas and bringing other followers to fellowship with each other.

Buddy was a member of my pastors' roundtable, an organization that he organized that had religious leaders from all faiths come together to work together in our community.

I leaned on him for prayer and guidance. I have a great deal of appreciation for Buddy and his dedication to church and the Humble-area community. He will be sorely missed.

My prayers are with his wife, Carolyn; their three children, Angela, Shari, and Trey—Trey worked for me here in Congress—and our prayers also go to his two grandchildren, Cole and Zoe, for they will miss their Pops.

2 Timothy 4:7 recites Buddy's life to a tee:

"I have fought the good fight, I have finished the race, I have kept the faith."

And that is just the way it is.

OPIOID EPIDEMIC

(Ms. TENNEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TENNEY. Mr. Speaker, I rise today to recognize families across this great country who have been tragically affected by the growing opioid epidemic plaguing our communities.

All too often, we hear the heart-wrenching stories from families who

have lost loved ones to this pernicious scourge. We have heard from law enforcement officers and healthcare providers who have chronicled the growing influx of crime and addiction in our society.

In 2016, in Broome County alone in my district, 76 people died from drug overdoses. Ninety percent of those deaths were opioid related.

We have kicked the can down the road for far too long. Now, Congress must act swiftly and work to provide resources for those struggling with addiction by supporting rehabilitation centers, as well as educational and preventative programs.

That is why I am taking the lead on the national level by supporting the funding of the Comprehensive Addiction and Recovery Act in the 2018 budget. This is only a start, but I will continue to fight across all sectors to find comprehensive and caring solutions to this tragedy in our communities.

RECENT ATTACKS IN SYRIA

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, I rise as a mother. As I looked at the video of young children trying to survive, trying to live in Syria—this is one of the most potent pictures—I had to come and cry out for the mothers and children of that vile and heinous act.

I am calling upon Americans and this government to stop talking and to act, to begin to demand that Russia stop assisting President Assad—himself a terrorist—against his people and begin to understand that the chemical attack was driven by Assad's bombers.

No matter where it might have been, you have to know that families are here.

To my Syrian neighbors in Houston, Texas, we are standing with you. We must find a resolution.

Even as we are investigating Russian collusion and Russian investigation into elections, the President must say to Vladimir Putin to become a world citizen and not a thug. This is thuggish. We are killing people.

The Syrian people and Syria deserve to live. We must stand up and fight together, and I hope that we will immediately be able to respond to this with the United Nations, with our surrounding neighbors, and with legislation that brings sanctions against Russia and Assad.

MAJOR GOALS

(Mr. BIGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BIGGS. Mr. Speaker, I rise today to speak to my constituents and report on promises I made to them.

I promised to introduce legislation to prevent Members of Congress from being paid until a balanced budget is passed.

I promised to rein in bureaucratic rulemaking and restore Article I authority to Congress.

I promised to end the ObamaCare loophole that is designed to benefit Members of Congress.

I promised to pass Grant's Law to protect innocent U.S. citizens from violent illegal immigrants.

I promised to ensure that Common Core never becomes a Federal mandate, and that States and local officials have authority over the teaching of our Nation's youth.

I promised to remove Arizona from the Ninth Circuit Court of Appeals and place it into a newly established 12th circuit that can provide more equal access to justice.

I am pleased to inform and report to my constituents that I have cosponsored legislation to address all six of my promises. I am working every day to pass these bills through the United States Congress. My constituents expect me to keep every promise I made. I intend to do that just as long as I am in this body.

□ 1615

HONORING THE LIFE OF KAREN DELANEY SHIDELEFF IN HER FIGHT WITH ALS

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FITZPATRICK. Mr. Speaker, I rise today in recognition of my constituent, Karen Delaney Shideleff of Ottsville, who passed away this January after a courageous fight with ALS.

During her 6 years with ALS, Karen did everything to make a difference and serve as an advocate for individuals and families living with ALS. She participated in the Ride to Defeat ALS; the Phillis Phestival benefiting research efforts; served as a board member for the Greater Philadelphia ALS Association Chapter; and she lobbied her representatives both in Washington and in Harrisburg, Pennsylvania, all the while undergoing numerous drug and other research trials.

The strength, compassion, and zest for life exhibited by Karen is an inspiration for those dealing with the diagnosis of ALS and those individuals and community members committed to defeating this uncompromising disease. It is with Karen's legacy in our minds that the fight against ALS continues, and must continue.

Our thoughts and our prayers as a nation and in this Chamber go out to Karen's husband, Bob, and her family and friends.

THE LORD'S PRAYER

(Mr. RUSH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RUSH. Mr. Speaker, I want to recite this prayer:

Our Father, who art in Heaven, hallowed be Thy Name; Thy kingdom come, Thy will be done, on Earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the kingdom, and the power, and the glory forever and ever.

In Jesus' name, Amen.

JEANNETTE RANKIN AND 100 YEARS OF WOMEN IN CONGRESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentlewoman from Indiana (Mrs. BROOKS) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mrs. BROOKS of Indiana. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks, and include extraneous materials on the topic of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Indiana?

There was no objection.

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to remember the first woman elected to Congress, Jeannette Rankin. 100 years ago this week, on April 2, 1917, Jeannette Rankin inspired millions of Americans when she became the first woman in the Nation's history to serve in the United States House of Representatives.

It is hard for me to believe, but Jeannette Rankin served in Congress before women had the national right to vote in this country. In fact, it was a driving force behind her decision to run for elected office. Upon her historic election in November 1916, she declared: "I may be the first woman Member of Congress, but I won't be the last."

The women who have joined me here, and are going to join me here on the floor this afternoon, are her living legacy, along with the more than 300 women who have served in Congress before us.

Representative Rankin, a Republican from Montana, served two terms in Congress; the first term from 1917 to 1918, and the second term from 1941 to 1942.

Because of Rankin's groundbreaking achievement 100 years ago, hundreds of women from across the country have made history in Congress, drawing attention to the pressing issues of their

time and creating policies that have impacted generations of Americans. We are as diverse as the districts we represent, and I am pleased to be joined on the floor by my fellow women in Congress to celebrate this important milestone.

In recognition of her work and the rich history of women in Congress, Members of Congress from across the country, across party lines, will be rising to honor Representative Rankin and to share what 100 years of women in Congress means to them.

Mr. Speaker, with that said, I yield to the gentlewoman from Florida (Ms. FRANKEL), my friend and co-chair of the Congressional Women's Caucus.

Ms. FRANKEL of Florida. Mr. Speaker, it is an honor to be with you today.

First of all, I want to celebrate Jeannette Rankin also as being the first woman in Congress.

Today I am going to talk about someone who was my role model, one of my favorites, Bella Abzug.

Bella Abzug was a leading liberal activist and politician. She lived from 1920 to 1998, and was especially known for her work with women's rights. After graduating from Columbia University Law School, she became involved in the antinuclear and peace movements. In the 1960s, she helped organize the Women Strike for Peace and the National Women's Political Caucus.

I just want to say that I feel like that is how I got my start in political activism, was in the antiwar marches in the 1960s at Boston University.

Mrs. Abzug won a seat in the United States House of Representatives, where she advocated for women's rights and withdrawal from the Vietnam war. And even after leaving office, she continued to work on many causes, including the establishment of the Women's Environment and Development Organization.

Incidentally, I know we have a lot of Harvard lawyers in this Congress, but she was rejected because of her gender. But kudos to Columbia because they got her.

She was known for her hats and her big voice, and she really left a mark for many of us.

Representative BROOKS, I am happy to be with you here today. I think there are a lot of women today who are feeling nervous or anxious because of political situations, but someone like Bella Abzug gives us inspiration that you can have a big voice, you can be a community activist, and you can make a difference in life.

I am going to leave you with her quote. She said of herself:

"I've been described as a tough and noisy woman, a prizefighter, a man-hater, you name it. There are some who say I'm impatient, uppity, rude, profane, brash and overbearing"—oh, my goodness, I think I am talking about the whole Women's Caucus

here—"but whatever I am—and this ought to be made very clear at the outset—I am a very serious woman."

Mr. Speaker, I want to thank another very serious woman. It has been a pleasure to be with you and to honor the women who came before us and led the pathway.

Mrs. BROOKS of Indiana. Mr. Speaker, I thank Congresswoman FRANKEL for her remarks and for reminding us that often while those of us in this arena might be called names, we are a strong voice. She was a very serious legislator, as are you. I just want to thank you for your leadership in this body and thank you for being a part of honoring the 100 years of women in the House.

Mr. Speaker, I yield to the gentlewoman from Washington (Mrs. McMORRIS RODGERS), my friend, our Republican Conference chair, the fourth highest ranking woman in the House, and also the highest ranking woman in Congress. I welcome her to discuss and honor Jeannette Rankin.

Mrs. McMORRIS RODGERS. Mr. Speaker, a big "thank you" to SUSAN BROOKS and LOIS FRANKEL, co-chairs of the Women's Caucus for this Congress, for bringing us all together to celebrate Jeannette Rankin.

This body, the people's House, is the heart of representative government, and it functions best when everyone, no matter their background or their walk of life, has a voice. And 100 years ago, Jeannette Rankin gave women that voice. She shattered a glass ceiling here in Congress and paved the way for more than 300 women to lead and to serve.

As she famously said: "I may be the first woman Member of Congress, but I won't be the last."

And she was right. We now have 104 women serving the Halls of Congress, more than any other time in history. Today, women play key roles in all areas of policymaking. We are involved in the budget, tax reform, education, health care, and national security. Every day, women bring their unique perspectives, talents, and passions into the national debate, and remind us that all issues are women's issues. Everything we have accomplished as women leaders: the first female speaker, the first female committee chairman, the first African-American woman; and Latinas; the first women to have children while serving in Congress. All of these advances and milestones were made possible by the bravery of women in the early 20th century.

Rankin had the courage to say: Why not me?

She had the courage to step up and be the first, and she couldn't even vote in the election, but she won and stood in this very Chamber and spoke her mind. I find it incredibly moving. It is so powerful.

She was a trailblazer, and she really set the standard for women. She stood

strong in her beliefs when everyone around her challenged her ideas, her methods, even her very presence.

This is the example everyone in the Chamber should be setting—is setting for the next generation of women leaders. Fortunately, we have a strong foundation. We are following in the footsteps of so many inspiring women: Jeannette Rankin, Edith Rogers, Clare Boothe Luce, Coya Knutson, Lindy Boggs, Jennifer Dunn, to name a few. The women in this room and the hundreds that came before us show the world that women have something unique, something special to offer the world.

I am reminded of this each time I look at my two young girls, Grace and Brynn; and I look at them and I see so much boundless potential. That is why I view this centennial, this milestone, so much bigger than Congress. It is not a date on the calendar. It is a celebration of the American spirit. Our country is the place where you can imagine what is possible, and then go out and make it happen.

Our government is where good ideas, no matter their source, can be debated, considered, and crafted into law, and where our ideas and values can have real and positive impact on millions of lives.

I want my daughters to know that not only should they take a seat at the table, but that there is a seat reserved for them. I want them to know that when they speak, the world should listen; that when they act, it is with purpose; and when they lead, they can change the world.

After 100 years, we stand on the shoulders of giants, but we stand there to lift up the next generation higher than ourselves. We stand there so that every woman has a voice and has an opportunity to be legendary, and so that women can keep making history for many years to come.

Mrs. BROOKS of Indiana. Mr. Speaker, I thank the gentlewoman so very much, and I am so inspired by the fact that the gentlewoman is the first woman to have given birth to three children while serving in Congress, also her service in her State legislature before and her role in leadership in this body. I just want to thank her very much for being a part of this.

Mr. Speaker, I yield to the gentlewoman from Michigan (Mrs. LAWRENCE), my friend from the State to the north of Indiana, and would turn it over to her for any thoughts she might have celebrating 100 years of women in Congress.

□ 1630

Mrs. LAWRENCE. Mr. Speaker, I thank the gentlewoman from Indiana for being co-chair of the Women's Caucus and for being an amazing mother.

Mr. Speaker, I rise today to illustrate the importance of 100 years of women in Congress.

On April 2, 1917, Jeannette Rankin from Montana was sworn in as the first woman ever to serve in Congress. Her life was filled with extraordinary achievements, and she was one of the few suffragists elected to Congress and the only Member of Congress to vote against the U.S. participation in both World War I and World War II.

She has said that "I may be the first woman," but we all know she said "I won't be the last," holding the door open for all of us to follow behind her.

While we have a long way to go for women representing Congress, in 2017, we are in the company of 104 amazing women in Congress. We are 19 percent of the 535 Members who serve. Thirty-eight of the 104 women in Congress are women of color: 18 African Americans, 10 Latinos, nine Asian Pacific Islanders, and one multiracial Member.

In 1951, Ruth Thompson, a longtime lawyer and judge, became the first woman to represent my home State of Michigan in Congress. She was the first woman to serve on the House Judiciary Committee.

Since then, we have had nine more female Members from Michigan, including myself. I am proud to be in the 115th Congress to stand alongside Congresswoman DEBBIE DINGELL and Senator DEBBIE STABENOW. We work together for the Michigan delegation and the Congressional delegation to advance the concerns of women and issues in our great State.

I also want to recognize a woman that truly I stand on her shoulders, and that was the first African-American woman to serve in Congress, Shirley Chisholm.

So we have, in our history of Congress, so many women who paved the way, opened doors, and have been role models not only for us standing here today but for women all over the country.

I will work with my colleagues across the aisle to see that the concerns of women are addressed and to continue increasing our representation in local government.

In the words of Representative Rankin, we are half of the people, and we should be half of Congress.

Mrs. BROOKS of Indiana. Mr. Speaker, I want to thank the gentlewoman from Michigan for her work as vice chair of the bipartisan Women's Caucus. I also want to thank her so much for partnering with me and visiting a school in Detroit where my son was a student teacher. I will forever remember our partnership visiting with those kids at Davison Elementary and want to thank her for that.

Mrs. LAWRENCE. Mr. Speaker, it is a great example of how we work together. I thank the gentlewoman from Indiana for her leadership.

Mrs. BROOKS of Indiana. I now yield to the gentlewoman from California (Mrs. MIMI WALTERS), the other vice

chair of the Women's Caucus, my friend.

Mrs. MIMI WALTERS of California. Mr. Speaker, I rise today to join my fellow female Members of the House of Representatives to pay tribute to Jeannette Rankin, the first woman elected to the U.S. House of Representatives 100 years ago.

A mere 4 years after Congresswoman Rankin's landmark election, three more women were elected to Congress, including Mae Ella Nolan.

Congresswoman Nolan was not only the first woman from California to be elected to Congress, she was also the first woman to chair a congressional committee.

Mr. Speaker, now a century after Jeannette Rankin was sworn into Congress, it is not enough to simply recognize the significant contributions women have made throughout history, we must also look to the future.

We have made significant strides in this country, but more are needed. Women represent over 50 percent of the population, yet we still face significant obstacles in the workplace, academia, and elsewhere. That is why we must work together to expand opportunities, remove barriers, and empower the next generation of women.

We must always remember that we stand on the shoulders of those who came before us and fought for equality—equality of opportunity, not-quality of outcome.

As we strive to make our country stronger for the next generation, we must continue to fight so that each woman has an equal opportunity to compete and to excel based on her abilities and accomplishments.

I want to thank the co-chairs of the Congressional Women's Caucus, Congresswoman BROOKS, and Congresswoman FRANKEL, for sponsoring this Special Order.

Mrs. BROOKS of Indiana. Mr. Speaker, I want to thank the gentlewoman from California for spending time with us and talking about the women who came before us who fought for equality, who fought for us, and women like Jeannette Rankin who actually fought so hard that she fought her way here before women had the right to vote in this country.

Mr. Speaker, the gentlewoman from California, too, has served in her State legislature, and I want to commend her for her service and being a role model for so many people in her State.

Mr. Speaker, I yield to another gentlewoman from the State of California (Ms. SPEIER), who, in my time here in Congress, I have observed has fought on behalf of women and girls and has fought, in particular, with respect to issues involving sexual violence and other violence against women. I want to commend her for that work.

Mr. Speaker, I would love to hear her thoughts on the 100 years of women in Congress.

Ms. SPEIER. Mr. Speaker, I thank the gentlewoman from Indiana for creating this opportunity for us to celebrate 100 years of women serving in Congress.

It is remarkable that we are still trying to see our numbers inch upwards and continue to be at something like 19 percent when women represent over 50 percent of the voting population.

I thought it would be interesting to highlight one of these women in Congress, a great woman, and one that I have long admired. Her name is Helen Gahagan Douglas. She was the first California woman elected to Congress in her own right—in that case, not succeeding a deceased husband.

Helen Gahagan was an actress and an opera singer who did not consider herself political until a chance conversation she had over coffee while performing in Vienna, Austria, in 1938. The man was a Nazi sympathizer, and the things she heard truly sickened her.

She returned to the United States intent on destroying Nazism. She and her husband, Oscar-winning actor Melvyn Douglas, joined the Hollywood Anti-Nazi League and called for a boycott of products made in Nazi Germany.

The release of John Steinbeck's seminal novel, "The Grapes of Wrath," consumed her. She began studying the plight of migrant farmworkers coming to California from the Dust Bowl States.

After meeting the author, Helen was named president of the John Steinbeck Committee and became the national spokesperson for the rights of migrants.

That work attracted the attention of President and First Lady Franklin and Eleanor Roosevelt, and Eleanor became a mentor to Helen.

Helen Gahagan Douglas won the open congressional seat in California's 14th District in 1944. She was in the Hollywood area, and that was her district.

She served three terms in Congress, earning a reputation as a deep thinker, voice for the downtrodden, and skilled orator.

In 1950, she ran for the United States Senate, facing fellow southern California Congressman Richard Nixon.

In the campaign, Nixon conflated her anti-Nazi views and work for migrant workers with being a communist fellow traveler.

He also employed anti-Semitic surrogates who attacked her for marrying a Jewish man.

These and other low-campaign tactics spurred Douglas to call Nixon "Tricky Dicky," a moniker that stuck with him his entire career.

During the Watergate scandal, more than two decades after the 1950 Senate race, a popular bumper sticker in California read, "Don't blame me, I voted for Helen Gahagan Douglas."

After her death in 1980, California State Senator Alan Cranston delivered

a stirring eulogy on the Senate floor. He said: "I believe Helen Gahagan Douglas was one of the grandest, most eloquent, and deepest-thinking people we have had in American politics. She stands among the best of our 20th century leaders, rivaling even Eleanor Roosevelt in stature, compassion, and simple greatness."

But it is Congresswoman Gahagan Douglas' own words that speak best for her legacy. As we celebrate 100 years of women in Congress, I can think of few quotes more fitting than Helen's: "I knew men never would share power with women willingly. If we wanted it, we would have to take it."

Mrs. BROOKS of Indiana. Mr. Speaker, I thank the gentlewoman from California for sharing the trials and tribulations of a woman who came before us. As she said, as I look throughout our Chamber, the descriptions of her as grand and eloquent and deep-thinking really remind me of so many of the women who we serve with currently today.

She certainly went through difficult elections and put herself in the arena which can be very difficult.

Mr. Speaker, I thank the gentlewoman from California for sharing that story, and I thank her for being here.

I would like to welcome the gentlewoman from Tennessee (Mrs. BLACK), my good friend, and actually the chair of the Budget Committee. I have long admired her career since joining the conference, and I just want to thank her for being here and look forward to anything she might share with us about her thoughts about women serving for 100 years here in Congress.

Mr. Speaker, I yield to the gentlewoman.

Mrs. BLACK. Mr. Speaker, I thank the gentlewoman from Indiana for yielding to me and for hosting this very important Special Order where we recognize women and, in particular, Jeannette Rankin.

Mr. Speaker, I want to rise today to honor Jeannette Rankin and to celebrate 100 years of women in Congress.

Jeannette inspired millions of Americans when she became the first woman in the Nation's history to serve in the House of Representatives.

A Republican and a former schoolteacher from Montana, Jeannette declared "I may be the first woman Member of Congress, but I won't be the last," as is seen on the poster that the gentlewoman from Indiana has right there in front of the Chamber.

Mr. Speaker, while we may not agree on all the issues, Jeannette and I share a vision to preserve and protect the American Dream for future generations.

We do so with the hope that young girls, like my two granddaughters, would be able to live a life they choose for themselves, not that someone else chooses for them.

For me, this topic is deeply personal. I spent the first years of my life in public housing, the daughter of parents with no more than a ninth-grade education.

I came from a background where people didn't always know how to dream, and, as a result, I was prepared to settle for a life of unfulfilled potential. I had started to believe that, as a young woman growing up in the fifties and the sixties, who literally lived on the other side of the tracks, maybe the American Dream wasn't for me.

But in time, doors of opportunity were opened that helped me to realize a plan for my life that was greater than I could ever imagine.

I became the first person in my family to earn a college degree. I fulfilled my desire of becoming a nurse, and I became privileged to serve in the Tennessee General Assembly, and now in Congress.

I have traveled far corners of the world, and I have seen the struggle that women endure for access to education, a paycheck, and for real independence. I am keenly aware that only here in this country is my story even possible.

Only here could someone like me go from living in the halls of public housing to serving in the halls of the United States Capitol—that is why we call this the American Dream.

Jeannette Rankin reminds us that the people's House represents Americans from all walks of life. Today in Congress, we have 104 women serving, and I am honored to be the first female chairman of the Budget Committee.

As we celebrate 100 years of women in Congress, we must resolve to ensure that stories like ours are not unique. The work we have done here in Congress must reach today's young women with the truth that they have God-given talents waiting to be used, and that the American Dream is theirs to share as well.

I again thank the gentlewoman from Indiana (Mrs. BROOKS) and the gentlewoman from Florida (Ms. FRANKEL) for bringing us together to celebrate this monumental anniversary.

Mrs. BROOKS of Indiana. Mr. Speaker, I want to thank the gentlewoman from Tennessee for spending her time with us today. I think her story coming from, as she said, public housing, and I think over time because of education and because of opportunities in this country, and she started the business, she got her nursing degree, she started a business before coming here to Congress, served in her State Legislature as well, I know she is a mom, she is a grandmother, she has been an incredible voice here in the House, and she really does show that everything is possible in this country. Yet I really appreciate her acknowledging that we are standing on the shoulders of the women who came before us.

□ 1645

I just want to thank the gentlewoman, and I know other women in Tennessee serve as well. The chair of my subcommittee, Congresswoman MARSHA BLACKBURN, is serving as chair of the Communications and Technology Subcommittee of the Energy and Commerce Committee, and there have just been terrific folks that have come from Tennessee.

Mrs. BLACK. It is really just such a wonder when we look at this country and, having traveled, as I know that you have, throughout the world, see the struggles of women in many, many other countries. I know we are not quite where we want to be, and I know we have still a ways to go, but I am so proud of what we do here in the United States to lift up our women and to recognize that they have talents that we need in every sector of our society.

Mrs. BROOKS of Indiana. Absolutely. As Congresswoman McMORRIS RODGERS mentioned, there needs to be a seat reserved at the table here in the House. And I certainly know that women on both sides of the aisle, like yourselves, are mentors to other women in other legislative bodies and in other elected offices, encouraging them to come to this body, and so I just want to thank you for that.

We come from all parts of this country to talk about women here serving in the House over the last 100 years. While I come from the Midwest, we heard from the West Coast, CATHY McMORRIS RODGERS. We heard from the other Midwest Member, BRENDA LAWRENCE from Michigan, the great State of California, but I don't think anyone comes as far to serve in the House of Representatives as the next Member I am about to introduce.

Congresswoman AMATA COLEMAN RADEWAGEN joins us from American Samoa, so she represents a territory and travels tremendous distances to be here in this body each and every week that we are in session.

I have really enjoyed getting to know you as a Member. With the beautiful reminder of the flower that you wear regularly here in this body, you remind us of the incredibly beautiful place from which you come and the proud people that you represent. I look forward to hearing your remarks.

I yield to the gentlewoman from American Samoa (Mrs. RADEWAGEN).

Mrs. RADEWAGEN. Mr. Speaker, I rise today to commemorate the 100th anniversary of the swearing in of the first woman to serve in Congress, Jeannette Rankin of Montana.

As the first woman to represent American Samoa, I could not be more honored and humbled to be here today to salute this great woman who paved the way for each and every one of us serving in Congress today.

Imagine the difficulties she had to deal with as the first woman in Con-

gress—in 1917, no less—a woman who stood by her convictions no matter the cost. It must have been extremely harrowing for her at times, but she soldiered on as one would expect from the first female in what was at the time, and in many ways still is, a male-dominated world.

The Congresswoman was a woman of rock-solid principles which she absolutely would not budge from, as evidenced by her being the only Member of Congress to vote against involvement in both world wars, a position that was very unpopular at the time. But she stood by her beliefs and could not be swayed, an example for all of us.

While Congresswoman Rankin served only two terms in Congress, her legacy lives on in all of the women who have served since and those who will in the future. She famously once said, and we have all said it several times because it is worth saying and repeating:

"I may be the first woman Member of Congress, but I won't be the last."

She was absolutely correct, and I am grateful for her determination to ensure that the women of this great Nation have a voice in Washington.

Mr. Speaker, I ask my colleagues to rise and join me in saluting this remarkable woman and the lasting legacy she has left behind as an example to all women.

Mrs. BROOKS of Indiana. Mr. Speaker, I just want to commend the gentlewoman as well for being an incredible role model, not only for the young women of American Samoa, but for the young men of American Samoa because, as I have often said, we need to also bring along the young men to support young women who choose to run for office. I assume the gentlewoman had many of them in her election getting involved and helping her come to this place and be a voice for American Samoa.

I know the gentlewoman's work on the Veterans' Affairs Committee, that she has continued to be a strong voice for the men and women of our armed services and veterans, and I want to thank her for that fine work.

At this time, I welcome a new friend and a new colleague to talk about the women in Congress, someone whom I have just recently met, Congressman RASKIN from the great State of Maryland. I welcome him to this body and to the Chamber and any thoughts that he might want to share. I know that he comes from the academic world prior to coming here, as a professor. And for anything the gentleman might want to share with us on his thoughts on women serving in Congress, I yield to the gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. Mr. Speaker, I thank the gentlewoman so much for convening this superb discussion of Jeannette Rankin and a century of women in Congress. She, of course, was

part of the great generation of suffragettes who transformed America by winning the right for women to vote, first in a lot of the State legislatures and by way of State constitutional amendment, and then by way of the 19th Amendment. So it is a fitting tribute that the gentlewoman brought everybody together to do this.

I was reflecting today, when I heard that this was going to happen, about the fact that we have, in Congress, I think it is 85 women now, which is about one-fifth of the Chamber, and I think there are 20 U.S. Senators, which is also one-fifth on the Senate side. Obviously, those numbers are not proportionate to women's place in the population.

I hope that we could use the anniversary of Jeannette Rankin's election to reflect on things that could be done to improve these numbers today. One of the things that I would love to be able to pursue with the gentlewoman and other interested Members is the use of multi-Member districts, which were much more common at the time that she first served than they are today.

A lot of our States have multi-Member districts for election to State house or State senate. When you use multi-Member districts, the proportion of women rises considerably because what happens is people form tickets, they form slates, and it would be very unusual today to form a slate that is not balanced according to gender and some kind of racial, ethnic diversity. When we have single-Member districts, it is much tougher to accomplish that. So that is one of the things that we could discuss, in addition to making this Chamber and other chambers much more work-family friendly, especially for people who are in the young parenting years.

I thank the gentlewoman for what she has done and salute her on this project.

Mrs. BROOKS of Indiana. I thank the gentleman for speaking out and for being here today.

I think that we do have a long way to go. There are many initiatives that are being undertaken around the country. The gentleman's offer or suggestion of a multi-Member district is certainly not one that I am familiar with. I know that often our party organizations require it to have gender balance, certainly in political organizations many times. But that is certainly a concept that I am not familiar with.

But I will say that, as a new Member of Congress, I think and am hopeful that, as you work in your committee work, you will meet the incredible women in the body who serve currently. We, both sides of the aisle, are constantly recruiting and asking more women to consider serving.

Often, our State legislatures or city councils and other places are wonderful places to seek out women to continue

to serve in office, and it is because of terrific colleagues like the gentleman who add so much. I know he is already adding to this body in a significant way, and I want to thank him for honoring Jeannette Rankin.

Mr. Speaker, I would like to talk a little bit more, because it was 97 years ago that the 19th Amendment granted women the right to vote. I want you to think about this once again.

Jeannette Rankin was elected to Congress before she could even vote, before women had the right to vote. And can you imagine being elected before women across the country could really cast a ballot? That is pretty incredible and pretty historic.

She had a vision that women in Congress would one day be equal to the number of men, their male colleagues. Now, unfortunately, 100 years later, we are still far short of that goal. The reality is that many women today are still making history by just running for elected office, just like Congresswoman Rankin did 100 years ago.

As you may or may not know, I am the Congresswoman from the Fifth Congressional District of Indiana. I represent Hoosier communities in eight urban, suburban, and rural counties in central Indiana.

What you may not know is that, when I was elected in 2012 along with my colleague Congresswoman JACKIE WALORSKI, we were the first Republican women to represent the State of Indiana in Congress in more than 50 years. By running and winning, Jackie and I were making history for the Indiana Republican Party, and we joined a proud tradition of Hoosier women across both sides of the aisle who served our State in government roles at every level since our State's founding 200 years ago.

It was in 1851 that women in Indiana, in response to the failure of an amendment to our State constitution to give married women equal rights to property, formed the Women's Rights Association of Indiana. This group worked for the next 70 years to achieve women's suffrage.

It is important that women recognize the success of other women, because we didn't get here on our own, and encourage and support each other to break through those barriers. The women that have come before us have set the groundwork for us to continue building upon.

Since winning the right to vote, seven women from Indiana have represented Indiana in Congress. That is only seven, and that includes me. I would like to highlight just some of the accomplishments of the Hoosier women who came before me.

Virginia Ellis Jenckes was a widow who managed her late husband's farm on the Wabash River. Serving as her own campaign manager, and with her 19-year-old daughter as her driver,

Jenckes logged 15,000 miles on a districtwide speaking tour before her election in 1933, unseating a 16-year veteran Congressman to become the first female to represent Indiana in Washington. In Congress, she advocated for stronger flood control measures, as well as for American farmers, veterans, and workers.

In 1949, Representative Cecil Murray Harden became the first Republican woman elected to represent Indiana. She believed that women had an important role to play in politics. She famously said earlier in her career: "The more interest you take in politics, the more you meet your responsibilities as a citizen." She served for five terms and pushed for more women to become engaged in and consider running for public office. And, in fact, I was pleased that her great-granddaughter was involved in my first run for office.

In 1982, Representative Katie Hall became the first African-American woman from Indiana to be elected to Congress. Democratic Representative Hall supported measures to reduce unemployment, to address crime, family debt and bankruptcy, and alcohol and drug abuse. She is best remembered for introducing and working to enact legislation to make Dr. Martin Luther King, Jr.'s birthday a Federal holiday.

The fourth female elected to represent our State in Congress, Representative Jill Long Thompson, earned the nickname "Jill Longshot" when she became the first woman to earn the nomination of a major party for a U.S. Senate seat in Indiana in 1986. Although her bid was unsuccessful, she went on to win a seat in the House in 1989. She served three terms in Congress, focusing on efforts to help Hoosier farmers.

She continued this work first as Under Secretary of Agriculture for Rural Development under President Clinton and then as Board Chair and CEO of the Farm Credit Administration under President Obama.

After nearly 20 years in the Indiana Legislature and as Center Township trustee, where she erased the city's welfare agency debt, Democratic Representative Julia Carson, the grandmother of our own colleague now, Congressman ANDRÉ CARSON, was elected to represent our State capital city of Indianapolis. She was the first African American and first woman to represent the city in Congress, and she served for 12 years. A staunch and passionate advocate for the poor, she focused on helping people achieve financial literacy and supported working families.

□ 1700

In 2013, Indiana sent two Republican women to Congress for the first time in more than 50 years. I am proud to be serving in Congress alongside my good friend, Representative JACKIE WALORSKI. Born in South Bend, JACKIE

served our State as a member of the Indiana State House of Representatives and in Congress. She has been an advocate for commonsense solutions to growing our economy and strengthening our national security from the beginning.

Hoosier women have certainly left their marks in America's history book, but as I stand here today, I am struck by, quite frankly, how much work we still have to do. Indiana is one of only 22 States that hasn't yet sent a female United States Senator to Washington. As you have heard today, 19.4 percent of the seats in the House and Senate are held by women.

A lot has been accomplished by women like Representative Jeannette Rankin—four women in the past 100 years—and, today, I want to encourage all of us to consider how much further we can go in the next 100 years.

I am pleased that another colleague, a freshman from the great State of Washington, is joining a previous Congresswoman, CATHY McMORRIS RODGERS, from the State of Washington, who was here earlier. I was pleased to meet Representative JAYAPAL at our first Women's Caucus meeting. I want to welcome the gentlewoman. The gentlewoman has been an incredibly strong advocate on behalf of women in her career prior to coming to Congress, representing Seattle and the surrounding area, and I would welcome a discussion.

I want to welcome the gentlewoman as a new member in the freshman class. Many women have joined the gentlewoman in this freshman class. I want to welcome the gentlewoman to our celebration of 100 years of women in Congress.

Ms. JAYAPAL. Mr. Speaker, I thank the Congresswoman so much for her leadership and for her work on all of these issues.

I was listening to the gentlewoman as I came in and thinking that I couldn't agree with the gentlewoman more on, first of all, the need for us to do a lot of work to continue to increase our presence and our ability to really effect policy decisions in the best ways, but also to celebrate the accomplishments of Jeannette Rankin as well as all of the Congress Members that are here.

I am so proud to represent the Seventh District in Seattle. When I ran for the State senate, it was my first run for elective office. I became the only woman of color in the State senate. But our State has traditionally been very strong with women's leadership. We are fortunate to have two women Senators. We have had a woman Governor and a woman mayor of the city of Seattle. So we have, I think, made some strides that have been very important to the well-being and the welfare of our State.

Unfortunately, we have taken some steps backwards in the last couple of

years. The numbers of women in legislative office at the State level have gone down, but I do believe that Republican and Democratic women, together, have put together a strong agenda for the things that we care about around families.

I am very pleased to have already worked with one of the members of your caucus across the aisle, ILEANA ROS-LEHTINEN, on a letter around domestic violence victims and the immigration system. I am very pleased about the work that the gentlewoman has championed and that we intend to, together, lead around making sure that families have security for themselves and for their children.

I rise to congratulate the gentlewoman for what the gentlewoman is speaking about today, for the work that the gentlewoman has done, and to say that I remain very committed to trying to find all of the areas where we women, together, can put forward priorities that are important to us.

We do joke that, if they would just turn the keys of all elective office over to women, I think we would get a lot of things done—and no disrespect to our incredible male colleagues who have been right there with us every step of the way. So I am looking forward to this time here in the House of Representatives.

I am proud to also be the first Indian-American woman ever elected to the House of Representatives. I think that as we think about getting women into office, we also should continue our work on making sure that women of color enter elective office and that the representation of people here in this great Chamber that we are so honored to serve in reflects the representation that we have across the country of women, of people of color, of African Americans—as the gentlewoman mentioned in her speech—of immigrants, and, actually, of people who have been born outside of the United States. I think I am one of just about a dozen Members of Congress who were not born in the United States but have the great honor and privilege of becoming a United States citizen and now serving in this great body where only 11,000 or so people have served before in the history of our country.

So I thank the gentlewoman again for her leadership. I look forward to working with the gentlewoman. I appreciate her yielding in her Special Order hour. Hopefully, it is a great symbol of the things we can do together.

Mrs. BROOKS of Indiana. I thank the gentlewoman so very much for coming here today.

I think the gentlewoman has reminded us that we are a body that reflects the country, and the gentlewoman, indicating that she was not born in this country, yet she is an incredible role model for so many young

men and women. As I have said previously, I think it is important for the young men of this country, regardless of where they were born, who now live in this country, to see that women like the gentlewoman are a strong voice in this body.

While the gentlewoman mentioned that there have been about 11,000 people who have served in this body, there have only been about 300 women. We have a long way to go.

I also want to thank the gentlewoman for sharing her work with ILEANA ROS-LEHTINEN, who has been in Congress serving this body, a female who has been here longer than any other female in this body. She does tremendous work. She has been chairwoman of the Foreign Affairs Committee and continues to be a strong—I assume the gentlewoman is serving with her on that committee.

Ms. JAYAPAL. Not on Foreign Affairs, unfortunately, but we work on immigration issues together.

Mrs. BROOKS of Indiana. I think the gentlewoman helps demonstrate that very often we find colleagues, female colleagues across the aisle, to work on issues together, whether it is on legislation, cosponsoring legislation or co-leading legislation, whether it is leading discussion groups here in the House, or whether it is leading letters to the agency heads in the executive branch and letting them know that we stand together on those issues.

So I look forward to working with the gentlewoman here in this body, and I want to thank the gentlewoman for her time and her thoughts.

At this time, I would like to wrap up by sharing that we see that women have taken on leadership roles like all of the women who have spoken here during this past hour. In many ways, these women have all made history in their own rights in their communities, in their States, in their districts, and in this body. We should celebrate each of their accomplishments.

As CATHY McMORRIS RODGERS from the great State of Washington said, we want to ensure that our daughters and our granddaughters have seats reserved at the tables, have seats here in this body in the future, and that eventually this body better reflects the composition of our country where, actually, more than 50 percent of our population is women. We need to do what we can to encourage women to continue to seek out leadership opportunities at all levels, whether it is working in student government in their schools, whether it is working in student government in their colleges and universities, whether it is having a leadership role in their church group, or whether it is having a leadership role in their neighborhood group or in their Y or in their 4-H.

All of these things can help give them the skills to then go on, whether it is in their local communities, in city

halls or in their local city councils or county councils, or in their neighborhood associations, or in State legislatures and then, really, coming to this body, because women do have strong, serious, and thoughtful voices. The women before us certainly had that. It was proud pioneers like Jeannette Rankin who came to this body before women had the right to vote. I want to continue to celebrate their accomplishments. The fact that women are still making history by participating in politics is a sign that we still have far to go.

I want to thank all of the women and the gentleman from Maryland who participated in celebrating Jeannette Rankin.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise today to commend Women's Caucus Chairs: SUSAN BROOKS and LOIS FRANKEL, for hosting this bipartisan special order focused on the Achievements and Importance of Women in Congress.

I am proud to be a Woman Member of Congress representing the great state of Texas.

And, as a member of the Women's Caucus, I am proud to be an original co-sponsor of Congresswoman BROOKS' commemorative resolution which honors the life and legacy of the first woman to serve in the United States Congress, Jeannette Pickering Rankin, on the 100th anniversary of her swearing-in to Congress, who famously said "I may be the first woman in Congress, but I won't be the last."

It is critical today that we take pause to highlight the importance and contributions of women Members in Congress; as well as:

1. Recognize the importance of the Suffrage Movement in achieving opportunities for women;
2. Emphasize the imperative of promoting education for women in STEM; and
3. Affirm our nation's commitment to expanding opportunities for women in my home state of Texas and across the country.

This year marks the 100th anniversary of the first woman being elected to Congress, Representative Jeannette Rankin of Montana.

This resolution is a fitting way to honor Representative Rankin's legacy, and to celebrate the many contributions of the female lawmakers who have succeeded her in this institution.

Jeannette Rankin was a trailblazer who broke barriers throughout her lifetime and whose example continues to inspire women the world over.

She graduated from the University of Montana with a biology degree in 1902.

She later became active in the women's suffrage movement, organizing the New York Women's Suffrage Party and working for the National American Woman Suffrage Association.

In 1916, Representative Rankin became the first woman elected to Congress, even before the ratification of the 19th Amendment, which guaranteed the right to vote to women.

For all of her contributions to women's rights, to political activism, and to this institution, it is only fitting to pay tribute to her achievements.

This year also marks the 45th anniversary of the first woman in her own right to represent Texas in the House of Representatives, Congresswoman Barbara Jordan.

In 1972, Congresswoman Jordan, was the first African American elected to the Texas Senate after Reconstruction, and the first Southern African-American woman elected to the United States House of Representatives.

Congresswoman Barbara Jordan was a lawyer, educator, an American politician, and a leader of the Civil Rights Movement.

Today, it is with great honor that I serve in my mentor and friend's former seat, continuing to carry the torch she elevated for so many and for so many years, representing the outstanding constituents of Houston, Texas.

We tend to think that before the Women's and Civil Rights Movements minority Americans had no ability to represent themselves in government.

Despite the tremendous obstacles of intimidation and harassment that was faced by these brave Americans, they sought and won election to political office.

Prior to her election to Congress, Jordan taught political science at Tuskegee Institute in Alabama for a year before passing the Texas State bar in 1960 and starting a private law practice by which she served her community with pride.

In 1994, President Clinton awarded her the Presidential Medal of Freedom and The NAACP presented her with the Springarn Medal.

She was honored many times and was given over 20 honorary degrees from institutions across the country, including Harvard and Princeton, and was elected to the Texas and National Women's Halls of Fame.

Congresswomen Jordan and Rankin both dedicated their lives to the pursuit of unfettered democracy so that we all could have a voice and use it freely.

Shirley Chisholm became the first African American woman elected to Congress, when she was elected to represent the New York's Twelfth Congressional District in 1968 running on the slogan, "Fighting Shirley Chisholm—Unbought and Unbossed."

She reflected that spirit well during her 14 years in Congress.

During her first term she spoke out for civil rights, women's rights, the poor and against the Vietnam War.

Her first term in Congress was set against the backdrop of the Civil Rights Movement and the women's movement for equal rights.

Shirley Chisholm had an understanding that during those turbulent times the nation required a determined leader to represent the voice of so many Americans who felt dismay at their treatment.

She took an extremely active role in changing the way women were to be judged from that point on.

She remarked that, "Women in this country must become revolutionaries. We must refuse to accept the old, the traditional roles and stereotypes."

This is a sentiment that I myself take to heart, women in this nation are now told they have a right to determine the kind of life they want to lead; Shirley Chisholm was at the core of this movement.

On January 25, 1972, Chisholm announced her candidacy for president.

She stood before the cameras and in the beginning of her speech she said:

"I stand before you today as a candidate for the Democratic nomination for the Presidency of the United States.

I am not the candidate of black America, although I am black and proud.

I am not the candidate of the women's movement of this country, although I am a woman, and I am equally proud of that. I am not the candidate of any political bosses or special interests.

I am the candidate of the people."

Shirley Chisholm did not win the nomination; but she went on to the Democratic Convention in Miami and received 151 delegates' votes.

More than that, she demonstrated the will and determination of so many Americans who had previously felt forgotten, she had lighted a fire under so many who had felt disenfranchised.

I am glad to walk in their footsteps and will continue to encourage women to uphold the principles they taught us to fight for and cherish.

Because Representative Rankin is a graduate of the sciences from a rural area, encouraging participation in programs such as the Jeannette Rankin Women and Minorities in STEM Fields Program is the perfect way to honor her legacy as a woman of the sciences and the first woman elected to Congress, and to inspire the next generation of women and minorities from rural areas to take up STEM fields.

Following in the footsteps of so many astounding role models, we must continue to encourage women, particularly those from underserved communities across the country, to participate in research and projects in all academic fields, and specifically in the sciences.

Women and minorities have been and continue to be underrepresented in STEM fields.

Although women make up 47% of the total U.S. labor force, they comprise only 36% of the computing workforce, 24% of the engineering workforce, and 18% of the advanced manufacturing workforce.

Indeed, minority representation in STEM fields is even lower, with African-American and Latino workers comprising 29% of the general workforce, but only 15% of the computing workforce, 12% of the engineering workforce, and 6% of the advanced manufacturing workforce.

The Jeannette Rankin Women and Minorities in STEM Fields Program is one way that we can address these glaring disparities.

The program awards grants to universities and institutions of higher learning to distribute to eligible applicants, and they prioritize projects and programs of particular relevance to USDA.

Recipient institutions have used these grants for worthy endeavors, such as:

1. establishing a Jeannette Rankin Women and Minorities in STEM Fields Program fellowship program for women and minority high school students in rural areas;
2. providing mentorship and hands-on, service-based learning to high school students and undergraduates in particular STEM fields; and
3. offering mentoring services to current undergraduates to help them successfully complete STEM-based degrees.

These women were in positions of great responsibility during times when this nation was under a great burden.

The true greatness of their story is not just that they overcame the oppression they faced, but that they had the courage to help remedy a nation that in many ways had spited them.

They refused to bend their principles to the hatred they faced; they were true pioneers in leadership.

They are my role models in Congress because they represent the kind of leaders that America has always needed at times of adversity, they had a spirit and a courage that could not be broken, they had a vision of America that exceeded that of most of their peers.

I am very proud to be a Member of Congress and to follow in the footsteps of giants like Jeannette Rankin, Barbara Jordan, and Shirley Chisholm.

Ms. MATSUI. Mr. Speaker, I rise to honor the life and legacy of Jeannette Rankin, whose groundbreaking career in Congress a century ago paved the way for all of my female colleagues standing here today.

Jeannette Rankin was persistent, driven, and fearless.

She came to the House of Representatives before women even had the right to vote in this country.

Jeannette Rankin's voice in Congress was instrumental for women's suffrage. She knew how to get things done, opening the first House floor debate on women's right to vote in 1918.

And she stayed true to her convictions throughout her life, advocating for peace.

Today my fellow female Members of Congress and I stand together to honor trailblazers like Jeannette Rankin, whose bravery and determination opened the doors for women in the United States and throughout the world.

Ms. KAPTUR. Mr. Speaker, I would like to honor former Congresswoman Jeannette Rankin, who deserves a special place in American History.

When I first came to the House of Representatives, I was one of just 24 women serving in Congress. Although a small cohort, this was made possible by Ms. Rankin, who was the first woman elected to Congress, 100 years ago.

Congresswoman Rankin was a part of the suffragist movement, even opening congressional debate on a Constitutional amendment to grant universal suffrage. She brought this same passion to her work in social welfare, advocating on behalf of women and children.

Today we have seen our ranks swell to 104 members of Congress. Research has shown that when women participate in government, it is more collaborative and more functional.

Congresswoman Jeannette Rankin was a trailblazer who shattered glass ceilings and proved to the American people that women's contributions are valuable and they are deserving of positions of power. For her tireless efforts, I worked to have a portrait commissioned in 2010, to fortify our institution's rich art history, paving a new way of democracy.

I know she would be proud to see the progress we have made, and prouder still of the indomitable spirit of American women, who continue to make their voices heard.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore (Mr. ROTHFUS) laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

MARCH 30, 2017.

Hon. PAUL D. RYAN,
*Speaker of the House of Representatives, U.S.
Capitol, Washington, DC.*

DEAR SPEAKER RYAN: Pursuant to Section 4(a) of House Resolution 5, 115th Congress, I am writing to appoint the following members to the House Democracy Partnership:

The Honorable David Price of North Carolina, Ranking Member

The Honorable Keith Ellison of Minnesota

The Honorable Susan Davis of California

The Honorable Gwen Moore of Wisconsin

The Honorable Dina Titus of Nevada

The Honorable Lucille Roybal-Allard of California

The Honorable Gerry Connolly of Virginia

The Honorable Ted Lieu of California

The Honorable Norma Torres of California

Thank you for your attention to these appointments.

Sincerely,

NANCY PELOSI,
Democratic Leader.

APPOINTMENT OF MEMBER TO CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 6913, and the order of the House of January 3, 2017, of the following Member on the part of the House to the Congressional-Executive Commission on the People's Republic of China:

Mr. LIEU, California.

SUPREME COURT NOMINATIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Maryland (Mr. RASKIN) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. RASKIN. Mr. Speaker, I ask unanimous consent that all participating Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. RASKIN. Mr. Speaker, on behalf of the Congressional Progressive Caucus and my partner in this Special Order hour, Congresswoman JAYAPAL from the State of Washington, I rise to discuss the imminent Senate filibuster against President Trump's nomination of Neil Gorsuch to the U.S. Supreme Court.

Ordinarily, a Supreme Court nomination like this would be an all-consuming public matter. It has gotten a

little bit less attention because there is so much going on all over the globe. The world is on fire today. We see outrageous atrocities taking place in Syria under the so-called leadership of President Assad. We see here in America a government in turmoil, as every day the curtain is drawn back just a little bit further on the Russian connection with the Trump White House.

But we do need to take some time to focus on the U.S. Supreme Court if for no other reason than what we have in America today is one-party control of the U.S. House of Representatives, the U.S. Senate, the White House, and, if the Supreme Court goes, too, we essentially have no meaningful multiparty democracy in terms of the essential governance of the country.

Now, as the Senate takes up the President's nomination of Neil Gorsuch to the Court, I have heard a number of officials and commentators criticize the effort taking place in the Senate over the last few days and into the next few days to stop Gorsuch. I have heard them criticize it by invoking the aphorism "two wrongs don't make a right." Of course, they are referring to the fact that President Obama's nomination of Merrick Garland, the Chief Judge of the D.C. Circuit Court of Appeals to the U.S. Supreme Court, was stonewalled for 9 months in the last year of President Obama's Presidency.

Judge Garland didn't even receive a hearing. It never got to the point that there was a vote. He would have loved the opportunity to have someone filibuster his nomination on the floor of the Senate. His nomination never got to the floor of the Senate. He never had a hearing in committee—completely unprecedented in our history simply to stonewall, obstruct, and sandbag a judicial nominee like this. I will have something to say about the qualifications of Judge Garland.

But, in any event, the Democrats now are saying: We are not going to proceed with the nomination of Judge Gorsuch; we are going to block it. In answer, I hear repeatedly from U.S. Senators and commentators this phrase: Two wrongs don't make a right. Of course, that truism is true. But what does this excellent piece of folk wisdom have to do with the current situation of the nomination of Gorsuch to the Supreme Court?

If you saw someone punching out a security guard and running into a bank to rob the bank, it would be legally and morally wrong for you to go punch out another security guard at a bank across the street and go rob that bank. Two wrongs, indeed, do not make a right. You don't solve one bank robbery by committing another. But if you saw someone punching out a security guard and running into a bank to go rob it and you decided to run after the robber, pounce on him, and punch him out, that would be completely legally and morally justified.

In other words, stopping the original wrong is not in itself a wrong. Stopping the original wrong is right. That is the right thing to do, and that is what the Democrats are doing. They are trying to block a crime in progress because, understand, we have never, in American history, seen something like a President send a nomination to the Supreme Court to the U.S. Senate to fill a seat probably for 20 or 30 years and the Senate just says simply: We are not going to have any hearings about it. That is exactly what they did to Judge Merrick Garland.

□ 1715

Let me just say a few words about him before I turn it over to my colleague, Congresswoman JAYAPAL.

Judge Garland is, arguably, one of the two or three most experienced and qualified judges ever to be nominated to the Supreme Court. He graduated summa cum laude from Harvard College and magna cum laude from Harvard Law School.

After serving as a law clerk to Judge Henry Friendly of the U.S. Court of Appeals for the Second Circuit, and then Justice William Brennan on the U.S. Supreme Court, he practiced law at Arnold & Porter here in Washington; and he worked as a Federal prosecutor in the Department of Justice, where he played a leading role in the investigation and prosecution of the Oklahoma City bombers and the investigation and prosecution of Ted Kaczynski, the Unabomber.

He has had nearly 20 years of judicial experience on the D.C. Circuit Court of Appeals. The Senate originally confirmed him in an overwhelming 76-23 vote, where he not only swept the Democratic Caucus in the Senate, but won the majority of Republicans when he first went on the court.

His nomination to the Supreme Court fell victim to the GOP Senate leadership's rule-or-ruin mentality that is ravaging the most basic norms of American political democracy in this century. If Garland could not be confirmed to the U.S. Supreme Court, then no moderate liberal judge can be.

Some people have suggested that Gorsuch should be filibustered for exactly 9 months, which is the length of time that the GOP used to run out the clock on the Merrick Garland nomination. In other words, he was blockaded for 9 months. Therefore, blockade Gorsuch for 9 months, then have a vote on him.

This apparently symmetrical answer would certainly make President Trump's nominee twist in the wind and suffer the way that President Obama's nominee twisted in the wind and suffered, but that is not the point. It is not to inflict pain on the nominee. The real problem is not 9 months of legislative obstructionism, much less retribution for what was inflicted on one judge.

The real question is: Who gets to have the seat on the Supreme Court?

It is about the next 25 years of Supreme Court decisionmaking. That seat, by all rights, belongs not to Judge Gorsuch, but, rather, to Judge Merrick Garland.

Judge Gorsuch, however qualified he might be in terms of his own career, would present a jurisprudence dramatically to the right of the jurisprudence that would clearly be advanced by the addition of Judge Garland to the court. That is what we are going to talk about tonight.

I am going to begin by turning it over to a great champion of justice, the Constitution, and the Bill of Rights for all the people, my distinguished colleague and the vice chair of the Progressive Caucus.

Mr. Speaker, I yield to the gentlewoman from Washington (Ms. JAYAPAL).

Ms. JAYAPAL. Mr. Speaker, I thank my good colleague from Maryland (Mr. RASKIN). It has been such a pleasure since coming to Congress—and it seems difficult to believe that it has been almost 3 months—but it has been such a pleasure to co-lead this Special Order hour with the gentleman and to really bring to the public all of the issues that we feel are so important in the Progressive Caucus, issues that have ranged from the issue we are talking about now with the Supreme Court nomination, to issues around health care, immigration, the Muslim ban, and many others.

I think that the vision that we are trying to make sure people understand for the Progressive Caucus and certainly for Democrats is a vision of inclusion, a vision that respects the rights of everybody, regardless of what gender you are, regardless of what race or religion you might be.

This moment is, in fact, very important. Tomorrow, Senate Republicans will attempt to push through President Trump's Supreme Court nominee Neil Gorsuch. I stand with my colleague, Mr. RASKIN, and with our other Democratic colleagues in the Senate who are opposing this nomination because I truly believe that confirming Neil Gorsuch to this position would be a devastating backslide for numerous communities.

I want to go through some of the communities that would be affected and how. Women, people of color, people living with disabilities and members of the LGBTQ community will have to wonder if the conservative majority on the Supreme Court is going to systematically remove their protections and strip them of their rights.

Unfortunately, Neil Gorsuch, though an accomplished justice in his own right, does have a track record of doing that throughout his judicial career. So this isn't as simple as saying: Well, you blocked our nominee; therefore, we are going to block your nominee.

No. This is about the issues and the refusal he has had to answer some of the questions before the committee.

I did want to reflect briefly on the fact that yesterday was Equal Pay Day. Ninety-four days into the year, Equal Pay Day symbolizes the amount of extra time that it takes for a woman to earn the same amount as a man. We have got to work—I see the heads nodding up there in the Chamber—extra hard for an additional 3 months and some days in order to earn the same wages as a man.

When you break it down by race, the gap widens even further. Black women working full time year round only earn 63 cents to the dollar. For them, Equal Pay Day comes on July 31. Latina women earn a mere 54 cents, which means that their Equal Pay Day—get this—is November 2.

Over a lifetime, the financial losses that women face due to this gap are immense. On average, a 20-year-old woman will lose \$418,000 over the course of her 40-year career. For Black women, they will lose \$840,000. Latinas will lose more than \$1 million.

Now, why do I bring this up in the context of Judge Gorsuch?

Because I believe that as we mark Equal Pay Day, we need to know that we will have a Supreme Court Justice who will, in fact, crack down on the gender pay gap and enforce the law.

Unfortunately, Judge Gorsuch has a history of prioritizing big business over people. In fact, he has ruled in favor of employers in two-thirds of the employment and labor disputes that have been brought before him on the basis of discrimination. Let's be clear: Equal Pay Day and the situation that women face is about discrimination.

Gorsuch ruled against an African-American man who claimed that he was fired because of racial discrimination in *Johnson v. Oklahoma Department of Transportation*.

In *Poindexter v. Board of County Commissioners of the County of Sequoyah*, he ruled against a man who argued that he was demoted because of his political views.

His opinion in *Strickland v. UPS* was particularly troubling. The court ruled in favor of a female employee who had been discriminated against based on sex. Judge Gorsuch, though, wrote a dissenting opinion, despite the fact that the woman's male colleagues testified that she was required to attend counseling sessions while they were not, even though she was out performing them.

The court ruled in her favor, but, again, Judge Gorsuch, President Trump's nominee to the Supreme Court of the United States of America, went out of his way to undermine her.

Perhaps the clearest example of Gorsuch's affinity for big business was his ruling in the Hobby Lobby case, which many people across the country

may know about. He ruled that private corporations should enjoy the same constitutional protections as people.

Not only are people being told that the money of corporations represents protected speech, but women across this country are being told that those corporations can make decisions about women's health care and their rights to make decisions about their own body. This case sent a clear signal that Judge Gorsuch is no friend of women's reproductive rights.

It isn't a surprise, frankly, that this President chose him, because he does fit right into this administration's all-out assault that we have seen since the beginning of this Congress on women's rights to make decisions about their bodies and their health care.

Judge Gorsuch wrote a concurring opinion arguing that the Affordable Care Act forced employers to violate their religious beliefs by providing birth control. It is our right to choose whether and when we want to have families. But rather than coming to the conclusion that corporations should be required to allow women to make their own healthcare decisions, Judge Gorsuch made it very clear that he stands with big business and against women's rights.

His appointment is a deep threat to something that I have appreciated my whole life and that women before me have fought for so hard. His appointment is a threat to *Roe v. Wade*, which has protected women's rights to abortion access.

Trump has said many times that he intended to appoint a Justice who would overturn *Roe v. Wade*. While being questioned in his confirmation hearing, Judge Gorsuch sidestepped all of the questions on this issue, but his views are obvious. He has questioned and argued against the legal foundation of a woman's right to choose, and he has been critical of the decisions of *Roe v. Wade*'s and its reliance on the right to privacy and the substantive due process rationale.

That is unacceptable. *Roe v. Wade* is the law of the land, and it has helped save the lives of millions of women across our country. We need to make sure that we protect that right to choose and continue to allow abortion access in this country.

Judge Gorsuch has also taken actions that signal his support for the defunding of Planned Parenthood. Of course, we remember the doctored videos that came out to destroy Planned Parenthood's image. Utah Governor Gary Herbert attempted to defund the organization, but the tenth circuit issued an injunction. Gorsuch stood with the Governor. He even went so far as to push for a rehearing by the full court, without being asked by the Governor. The court refused. Gorsuch issued then a dissenting opinion that relied on the very fallacies that the Governor was pushing.

We cannot afford to have this critical vote on the Supreme Court go to someone who so clearly intends to undermine women's fundamental and constitutional rights.

Judge Gorsuch has also shown that he presents a threat to the LGBT community. In 2005, he wrote that people should rely on the ballot box to achieve marriage equality.

During his confirmation hearing, he was asked about cases that involve LGBT people as a class. This qualification is important because it adds heightened scrutiny. Apparently, Gorsuch was not comfortable with this, because he dodged the question. That is alarming. Our LGBT community does face discrimination at extremely high rates. This is not a speculation; it is fact.

Gorsuch could not even give a straight answer when Senator DIANNE FEINSTEIN asked if he agreed with Justice Scalia that there is "no protection for women or gays or lesbians under the equal protection law."

With States around the country attempting to pass discriminatory bills, it is crucial that we have a Supreme Court Justice who will apply that heightened scrutiny.

Finally, people living with disabilities are also fearful of this appointment and the possibility that Judge Gorsuch might be our next Supreme Court Justice.

In *Luke P.*, a case involving a severely autistic student, Judge Gorsuch ruled that a State can provide an education offering minimal educational progress to students with disabilities.

Rather than requiring States to fulfill their responsibilities under the Individuals with Disabilities Education Act, Judge Gorsuch was satisfied with putting a student's learning potential at severe risk. In the middle of his confirmation hearing, the current Supreme Court unanimously overruled his decision.

What does that say about his judgment? Do we want a Supreme Court who gets it wrong on so many issues?

Judge Gorsuch should not be appointed to the Supreme Court. The fact that Senate Republicans are threatening the nuclear option if Democrats filibuster his appointment is just terrifying. It would have long-lasting consequences, and it is inappropriate to select a man for this key position to the United States Supreme Court who makes decisions about so many issues that affect all Americans across our country.

It is not right that they would make that on a purely partisan ideological basis. There should be a 60-vote threshold. We should make sure that they understand that, if they do this and they go to the nuclear option, it will have long-lasting consequences for them in their districts, in their offices, and also for the entire country.

□ 1730

Mr. RASKIN. Mr. Speaker, I thank Congresswoman JAYAPAL for that excellent discussion of the pro-choice question and other jurisprudence.

Mr. Speaker, I yield to the distinguished gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I am really grateful to the gentleman for yielding but also for organizing this Special Order on something that really is special: Who is going to sit on the Supreme Court, and how do we deal with Judge Neil Gorsuch's nomination? Of course, we in the House don't have a vote, but we certainly do have the privilege to be able to weigh in on something as important as this in this manner. So I do appreciate the opportunity.

Judge Gorsuch's nomination to the Supreme Court is the latest battle in the Republicans' war on women and workers. I will find myself agreeing and probably repeating some of what Congresswoman JAYAPAL has said, but I think it bears repeating.

First of all, let me say we should make no mistake: this is a stolen Supreme Court seat. Senate Republicans demonstrated unprecedented—meaning never before in history—disrespect for the President of the United States, Barack Obama, and our Constitution by denying Judge Merrick Garland a vote or even a hearing when he was put into nomination by President Obama. That has never, ever happened before in our history.

Last year, Republicans ignored their constitutional duty by denying Judge Garland a hearing. By the way, he had been approved by the Congress in the past for a seat on the district court, and he had praise on both sides of the aisle. So it wasn't a question of his being qualified or not. It was they did not want the ability of Barack Obama to even nominate someone and have him considered for the Supreme Court.

So now they want to break the rules of the Senate to rush their own nominee through. This is a nomination to the United States Supreme Court, the highest body in the land, the highest Court in the land. The decisions the next Justice takes part in will affect Americans for decades, if not centuries, because it could set precedent. Given the importance of this position, Senators have the right to insist on a 60-vote threshold for ending the debate on the nominee, and Senate Democrats should insist on 60 votes because Judge Gorsuch has demonstrated time and time again that he has put the interest of corporations above Americans—I will describe that later—whether it is worker safety or a woman's access even to contraception.

I am going to talk for a minute about women. President Trump said he would nominate a judge to overturn *Roe v. Wade*, the 1973 decision that said, as a

matter of privacy, that women could make their own decisions about terminating a pregnancy. Women take that threat very seriously. Judge Gorsuch talked about precedents he likes, like *Brown v. Board of Education*, integrating the schools. I agree with him on that. But tellingly, when he mentioned the precedents that he reveres, he certainly did not give *Roe v. Wade* the same status.

Judge Gorsuch's judicial record should add to our concern. After the 10th Circuit panel ruled against the State of Utah's attempt to defund Planned Parenthood following the release of deceptively edited videos, Judge Gorsuch called for the full court to hear the case, presumably to overturn the decision. Judge Gorsuch was in the minority in this instance, and his request was dismissed.

In the Hobby Lobby case, Judge Gorsuch sided against women, allowing bosses to deny their women employees contraception as part of health coverage.

Now I want to talk a little bit about workers. In many other cases, Judge Gorsuch has prioritized the interest of employers over the rights of workers. He blocked a woman in Colorado from going to trial on sexual harassment claims because she didn't report the harassment quickly enough.

Judge Gorsuch denied a professor with leukemia at Kansas State University protection under the Rehabilitation Act. He sided with a mining company after a worker was electrocuted due to inadequate safety training. He sided with a trucking company that fired a trucker driving through Illinois—that is my State—who decided to leave his broken trailer instead of freezing to death, literally. The truck was down, couldn't get started, and his choice was to sit there with the truck or to be able to go to safety in freezing temperatures.

Fortunately for workers, Judge Gorsuch was in the minority in some of those cases, but we can't count on him being in the minority once he is on the Supreme Court. His dangerous antiwoman, antiworker views should not be elevated to our highest court.

So I urge my Democratic colleagues in the Senate to stand strong against the Gorsuch nomination. And to Senate Republicans, it was disrespectful to the Constitution to block Judge Garland. I am not even saying necessarily that he would have been approved, but to not even offer him a hearing or a vote was disrespectful to our Constitution, and it is disrespectful to the traditions of the Senate to force Judge Gorsuch through now.

We don't want to break the rules to get one nominee through, especially not a nominee who puts critical protections for Americans at risk. Women are watching. Workers are watching. And on Friday, all Americans will know

whose side the Senate is on and whose side the Senate Republicans are on. Everyone is paying attention.

Mr. RASKIN. Mr. Speaker, I thank the gentlewoman from Illinois for those excellent comments. As we have been discussing this evening, there is an egregious process problem with the nomination of Judge Gorsuch, and there is an egregious substantive problem with it.

The process problem, of course, is that the seat properly belongs to Judge Merrick Garland, the chief judge of the D.C. Circuit Court of Appeals, who was denied, extraordinarily, even a hearing for a 9-month period. The justification for that offered by Senator McCONNELL was that he felt that the people should speak in the 2016 election. Of course, President Obama was President. The Senate was the Senate. The people had spoken in the 2012 and 2014 elections. But they said they wanted the people to speak.

Well, the interesting thing, of course, is that the people spoke, and 2.9 million more people voted for the candidate who said she would appoint someone to the Court who was pro-choice, pro-Bill of Rights, pro-civil liberties, and not the Justice promised by Donald Trump, someone who would reverse *Roe v. Wade* and stand by Citizens United and the corporatization of the Supreme Court. So the people spoke.

The other problem, the substantive problem, is that Judge Gorsuch adds to what has come to be called the corporate majority on the corporate Court. Corporations win; workers lose. Corporations win; investors lose. Corporations win; consumers lose. Repeatedly. Time after time in the Roberts Court, the jurisprudence of the Court is defined by the identity of the parties, which is completely antithetical to our whole concept of rule of law and constitutional justice.

Mr. Speaker, I yield to the very thoughtful gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the distinguished gentleman from the great State of Maryland, a well respected theorist and professor who has been such an addition to the Committee on the Judiciary.

Let me say something not out of arrogance or even difficult pride because pride goes before the fall, but I do believe the Committee on the Judiciary in this Congress—both the House and the Senate—has, at this moment, the highest responsibility for truth. I don't think there should be one moment of partisanship in our committee. Certainly I am delighted to be here with you and the Congressional Progressive Caucus, but we both serve on the Committee on the Judiciary, and our ranking member, Mr. CONYERS, is a member of the Congressional Progressive Caucus. I believe that we are here, as was

the Congressional Black Caucus just a few days ago, because it really behooves us to be able to speak to an important point that I think that I would like to make, a brief point.

First, I would like to indicate that none of this reflects on Mr. Gorsuch's personality, character, or standing as a member of the judiciary who has served in the 10th Circuit for any number of years or the many accolades that he received from colleagues, but it does go to the question of the temperament and the ability to withstand the easy way of making decisions where you feel most comfortable. That is not the Supreme Court.

The Supreme Court is to be able to look at the proceedings of the lower courts, but also the facts, and make decisions regardless of where you stand politically in your former life or where you feel comfortable in your philosophy. And so my concern, and the reason why I think there is courageous actions by my colleagues in the other body as they proceed to filibuster—and filibuster sounds like an ugly word. It sounds like here they go again, what obstructionists. But let me be very clear. I have had the privilege to either read about great jurists, or I have either lived through that period of time, and they were not all appointed by Democrats. I am certainly a great admirer of Chief Justice Warren, who led the Court for a number of years, a Republican, and certainly I have watched Justice Kennedy for a period of time and many others. But listen to the Leadership Conference on Civil Rights; I want to take their words: "Judge Gorsuch's decade-long record on the Federal bench, as well as his writings, speeches, and activities throughout his career, demonstrate he is a judge with an agenda. His frequent dissents and concurrences show he is out of the mainstream of legal thought . . ."

Now when we say mainstream, we are not suggesting that we dictate what he wants to do, but the mainstream is where the American people are. They are on Main Street, no matter who they are.

" . . . the mainstream of legal thought and unwilling to accept the constructs of binding precedent and stare decisis"—that is a key element, not willing to accept what has been accepted by so many—"when they dictate results he disfavours. If confirmed to the Supreme Court, which is closely divided on many critical issues, Judge Gorsuch would tip the balance in a direction that would undermine many of our core rights and legal protections."

So let me make these two points in joining my colleague. The most indicting decision where Judge Gorsuch was in the dissent—let me see if the American people can understand this decision where, in fact, if I am correct, the gentleman prevailed in the lower court, I believe, and this is the truck driver,

the freezing truck driver who was freezing one night when the cargo part of his big, huge 18-wheeler was attached to a bad working—I am trying to be a trucker here now—cab that he sits in. The brakes didn't work.

□ 1745

I know a lot of truckers, and that is absolutely zero. You just don't drive—icy roads, freezing. He tried to wait on the repair guys. They did not come. He knew that if he had attached the large part of the 18-wheeler that it would be dangerous, and he might lose his life. He drove the cab off and he was fired. His legs had been freezing. He had been there for a long period of time.

Judge Gorsuch wound up being the dissenter on a decision that favored not somebody's personality or "I am a union member judge." No. It was about the fact that he said employers could just fire you for whatever reason whatsoever.

The plaintiff has not been able to work for 7 years. It has impacted his whole life. But the other members of the court thought that he had a legitimate reason and did everything that he could. That is Main Street.

My final point is that we are in a very unique and challenging time. There are investigations going on regarding this administration, and we really don't know where the truth will wind up.

There are suggestions by committees—not this Member or not the distinguished Congressman that is on the floor here with me—that crimes have been perpetrated, criminal acts, someone may go to jail. I believe Judge Gorsuch should not be confirmed until we determine the conclusion of the investigations against the Trump administration. This is not biased. This is not about picking one side versus another.

I just want to remind my colleagues: Would it happen if it were President Obama? Would it happen if it were President George W. Bush? Would it happen if it were President Clinton? These are the Presidents I have had the privilege of serving with. No, it would not.

You cannot be the person who selects the person to a lifelong position on the Supreme Court and your whole administration, the context of the White House, is totally under investigation, including your former national security adviser for lying to the Vice President of the United States of America, your allegations that your former President wiretapped you, which has been disapproved by the FBI Director. I don't think so, and I don't think we can go forward.

So I would say that the nomination of Judge Gorsuch should be filibustered as it is. I am saddened by the fact that it has to be filibustered. I would hope that Mr. McCONNELL could pull it down, that the President would understand that the whole nomination process was compromised. There was no

consultation with the Democrats, as all Presidents have done. And, frankly, we call it: We are not ready; we are not prepared; we are unready, if you will, to go forward with a nomination by this President who is under complete investigation by the FBI and various intelligence agencies in the United States.

Mr. RASKIN. Mr. Speaker, I thank the gentlewoman from Texas for those extraordinary comments. Congresswoman LEE makes me think about the partisan identification of Supreme Court nominees because it is a relatively recent phenomena that we identify them as Democrats or Republicans.

Many of my favorite Supreme Court Justices were appointed to the Supreme Court by Republican Presidents. Justice Sutor, of course, was appointed by the first President Bush. He was an exceptional Justice, who earned the ire, unfortunately, of the Republicans because he voted with the majority in *Planned Parenthood v. Casey*, affirming a woman's right to choose an abortion in consultation with her physician and her family and because he voted in *Lee v. Weisman* to prevent religious prayers from taking place at public school graduation ceremonies.

The rhetoric then in the Republican Party was, "No more Sutors," despite the fact that he had been nominated by a Republican President. "No more Sutors" is what they said.

Or Justice Kennedy, who has been an exceptional Justice when it comes to vindicating the constitutional rights and equality of the LGBT Americans. He was the one who authored the decision in *Lawrence v. Texas*, overruling *Bowers v. Hardwick*, saying that the State of Texas and other States could not arrest, prosecute, and incarcerate gay people simply for their relationships. He wrote that.

He also was the author of the Supreme Court's magnificent decision in the *Obergefell* case, determining that equal protection means that States cannot discriminate against gay and lesbian citizens in the institution of marriage—and there is no going back on that.

But, of course, the rhetoric on the other side now, because it has got to be turned into a partisan football, is, "No more Kennedys." "No more Kennedys." "No more Sutors." Why? Because they did their jobs as Justices. "We want people like Neil Gorsuch who are going to tow the line every step along the way."

Neil Gorsuch is someone that they are convinced will be part of both the attempt to dramatically reduce or abolish the privacy rights of the people, turn the clock back on the equal rights of the LGBT community but, also, more importantly, participate in what has been called the development of the corporate court Neil Gorsuch.

Now, that is a long-running development. But the critical moment came in 2010 with the *Citizens United* decision. Understand, the traditional doctrine for two centuries was that a corporation is, in the words of Chief Justice John Marshall from the 1819 decision in the *Dartmouth College v. Woodward* case, he said, "an artificial being, invisible, intangible, existing only in contemplation of law," not possessing the constitutional political rights of the people. But in *Citizens United*, a deeply divided 5-4 Supreme Court found for the first time in our history that for-profit business corporations enjoy the political free speech rights of the people.

So what did that mean as a practical matter? Because, after all, before, the CEOs could spend whatever they wanted of their own money independently in a political campaign—see *Buckley v. Valeo*; the members of the board, the corporate executives, could spend whatever they wanted independently in a political campaign—see *Buckley v. Valeo*; they could contribute up to the limits—see *Buckley v. Valeo*; now they can contribute to every Member of Congress and every Member of Congress' opponent because of a recent decision handed down by the Supreme Court.

But there is one thing they couldn't do: The CEOs could not take money directly out of the corporate treasury to spend in politics. But the *Citizens United* majority gave them that power.

This breached an understanding that had been in place for centuries that the most conservative Justices on the Court adhered to. Chief Justice Rehnquist, a very conservative judge, said that corporations are magnificent vehicles for the accumulation and investment of wealth, and they have worked great for the economy, but they are very dangerous if you allow them to cross the line from economics to politics.

Justice White, a very conservative Justice, appointed by a Democrat, President Kennedy, said that corporations are endowed with all kinds of special attributes, like perpetual life of the corporation, the limited liability of the shareholders, and all kinds of legal trappings and subsidies. He said: The corporation is the creature of the State, and the State need not permit its own creature to consume it, to devour it.

So we had a doctrine, which is that corporations could be confined to the economic realm. They could not convert all of the wealth and power they accumulate in economics into political power. But that is what the Supreme Court did in *Citizens United*.

But it didn't stop there. Because now the question became, as the Tenth Circuit Court of Appeals put it: If a corporation has political rights, if a for-profit business corporation has polit-

ical rights, why doesn't a for-profit business corporation have the religious rights of the people? And that became the Hobby Lobby decision in 2014.

Hobby Lobby was a for-profit business corporation, not a religious entity, not a church, not a mosque. It was a business corporation. And it was not organized for religious purposes. It was organized for profitmaking purposes. Yet the corporate leadership said: We don't want to participate in the provision of contraceptive care for our employees under the Affordable Care Act. We don't want to do that. We assert the religious rights of the corporation.

Now, stop and think about that for a second. From the standpoint of most religions, it is pure blasphemy to say that a corporation should have religious rights. As James Madison put it back when he wrote his famous remonstrance against religious taxation: The religious rights of the people are sacred in our system because they are between the person and God, they are between the believer and God. The government doesn't get involved; corporations aren't involved; and all of these other artificial entities aren't involved. It is between the person and his or her religious faith or worship.

But beyond the blasphemy of it, think about what this means. What it means is that a business corporation can say that it does not want to participate in the provision of contraceptives to their employees, thereby violating the rights of their employees.

If a corporation can exercise its newly found religious conscience to say that it doesn't want to provide contraceptives to employees, why can't the corporations say: Well, it also violates our rights to compel us to serve people on an interfaith or interracial basis; that offends our religious beliefs, too, as a corporation? Where does this doctrine end?

Now, why do we raise this? Because Judge Gorsuch was part of the majority which determined that corporations have a religious conscience, have a religious soul. He has been part of the spiritual ennoblement of business corporations to the detriment of workers and consumers and other people who have to deal with this newfound corporate power.

Judge Gorsuch seems like a good guy. He is right out of central casting, but he is being put on the Court to participate in the greatest concentration of corporate power, jurisprudence, and thinking on the Supreme Court in its entire history, with the possible exception of the *Lochner* period. Of course, in the *Lochner* period, in the early 20th century, the Supreme Court began to slash away at child labor laws, at laws protecting the rights of people to belong to unions, at any kind of social regulation, saying that violated due process.

Well, today, the First Amendment, where religious freedom played the

same role that due process played during the *Lochner* period, they become a catchall rubric for the Court to strike down the laws of the people and to benefit big corporate power against the rights of actual human beings, like the people who lost their contraceptive care in the Hobby Lobby case because some of the corporate lawyers representing Hobby Lobby had the bright idea to assert that the corporation was protected by the Religious Freedom Restoration Act. And, of course, Judge Gorsuch went along for the ride, with all of the other corporate judges and the justices on the corporate court.

Mr. Speaker, there is one category of judges in our Federal judiciary that merit the Appalachian Justice, who are called "Justice." Everybody else is called "Your Honor" or "Judge." But the people who go on the Supreme Court get to be called "Justice." It means something.

□ 1800

There is a massive injustice taking place here because of the outrageous sandbagging, stonewalling, and obstruction of the D.C. Circuit Court Chief Judge Merrick Garland, who was denied even a hearing in the U.S. Senate. Now there is an attempt to tilt the Court for the next 15, 20, or 30 years with the appointment of Judge Gorsuch to the corporate bloc.

So here in the House of Representatives, of course, we do not enjoy the power of advice and consent; but a number of us simply wanted to say this evening that we stand very strongly in solidarity with those Members of the Senate who are exercising their constitutional duties by trying to filibuster this nomination, which is conceived in a wrong, in an attempt to steal a Supreme Court seat and, if it were to be accomplished, would be destined simply to add to a rightwing pro-corporate majority on the Roberts Court.

Mr. Speaker, I yield back the balance of my time.

THE SUPREME COURT AND THE RIGHT TO LIFE

The SPEAKER pro tempore (Mr. BIGGS). Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, it is my honor to be recognized by you to address you here on the floor of the U.S. House of Representatives.

I came to this floor this evening to take up a topic that I think is essential to the future of our country for our moral foundation. Yet, as I have listened to the gentleman from Maryland's presentation, there are a few moments I would like to spend with the other perspective before I move into the topic I came to address.

I go back as far as the gentlewoman from Texas (Ms. JACKSON LEE), who used the reference and said that stare decisis is binding precedent. Well, Mr. Speaker, I want the American people to know that stare decisis is a Latin term, a legal term that means, once the case is decided, it deserves deference. It has already been decided; it deserves deference, but where it has never been a binding precedent.

There have been a number of times that the Supreme Court has turned 180 degrees on what the gentlewoman from Texas (Ms. JACKSON LEE) has called a binding precedent. I could go through a list of those, Mr. Speaker.

I think it is important to note that accepting a decision of a previous Supreme Court as if somehow it were binding precedent and then settled law and then incorporate it into the Constitution itself would be a very erroneous concept to carry into the Supreme Court itself, because we have to go back and evaluate that these were mortals that made the decision in the Supreme Court and the other courts and they aren't always right. And if a case is not soundly reasoned, it needs to be reconsidered.

So I appreciate Justice Clarence Thomas' view on stare decisis. Essentially, it doesn't exist. If you want to evaluate the reasoning of a previous Court, that is a good thing to do because they have already thought it through and they have already written on it. There are already majority opinions and dissents that are generally written. Yet, to be bound by that, really handcuffs any future decisions. So it is worth looking at the decisions of the previous Court, but we can never be bound by them. So I take issue with the gentlewoman from Texas' position that stare decisis is binding precedent. It is never binding precedent.

Stare decisis is an indicator, and it is informative. We have to go back to the text of the Constitution and the various amendments, and we have to understand what they were understood to mean at the time of ratification. Otherwise, the Constitution no longer is a guarantee from generation to generation. It is just simply an artifact of history that allows the Justices to hold up and say: Hey, we are bound by stare decisis; we can only make a decision that narrows things down; and we are essentially trapped into a funnel of reason that brings about a predictable conclusion that might be completely erroneous.

To give an example, Mr. Speaker, I would say that the series of decisions that were made by the Supreme Court—and the first one I would start with, and I am going to get to abortion in this decision: *Griswold v. Connecticut*.

In the early sixties, the Court had a case before them where the State of Connecticut had banned contracep-

tives, not just contraceptives in the school, as one might say today, but contraceptives that would be used in marriages. So there was a case. *Griswold* took it all the way to the Supreme Court, and the Supreme Court ruled that it was a right to privacy of married couples to be able to purchase contraceptives.

There is no right to privacy that is stipulated in the Constitution. But it was a decision that was made by the Supreme Court that, if respected as stare decisis, now the next Court would be bound by it, and the next Court was.

So the Supreme Court ruled that Connecticut couldn't ban contraceptives to married couples because they had a right to privacy to purchase those—as illogical as it sounds, even as I say it, Mr. Speaker, married couples had a constitutional right decided by *Griswold v. Connecticut* to purchase contraceptives within the State of Connecticut and the Nation, as the decision turned out.

Well, that decision didn't flow over into unmarried couples. So unmarried couples went to court, and they sued. And it became the *Eisenstadt* decision, which concluded that any rights that are bestowed upon married couples with regard to right to privacy in purchasing contraceptives also must be available to unmarried couples who might be cohabiting or having a relationship in whatever way and they should be able to purchase contraceptives, too.

So this right to privacy established by *Griswold*, expanded by *Eisenstadt*—see, how this is bringing us down to an irreversible conclusion, Mr. Speaker?

This right to privacy was then argued before the Court in 1973 in *Roe v. Wade*. And the Supreme Court of the United States concluded in the emanations and penumbras that there was this right to privacy that extended to abortion itself.

So when I hear the gentlewoman from Texas (Ms. JACKSON LEE) say stare decisis is binding precedent—if we are going to accept as binding precedent that there is a Court-manufactured right to privacy in *Griswold*, reinforced by *Eisenstadt* that is the foundation for the irrational, illogical, and unconstitutional reasoning that has brought about the abortion of 58.5 million babies since 1973 and all because a Court chased the rationale down a narrower and narrower path that they were bound to make decisions only on the judgment of the previous Court—it left very little of the Constitution to be reviewed.

If we would have had nine Justice Thomases on that Court, they would have concluded this: first, that precedent didn't count. *Eisenstadt*, look at it if you like, look at the reasoning if you like, but they are not bound by it. *Griswold v. Connecticut*, they are not bound by it.

In the case of *Roe v. Wade* and *Doe v. Bolton*, I might add, the combination of those two cases together gave abortion on demand in America for any reason or no reason at all from an irrational foundation that began with a stare decisis view that came from an activist Court that, I believe, wanted to come to that conclusion anyway.

I think they believed that society was moving along and that society was going to get to the place where they supported abortion. They just thought they would just go ahead and beat the Congress to the punch or beat the State legislatures to the punch and impose a right to abortion on America, and that is what they did.

We saw this happen in our country. We saw this happen in different places around the world, and now it is still being pushed in some of the countries in the world.

Mr. Speaker, if there is anybody listening from the nation of Chile, I would suggest to them: Back away from that push to legalize abortion in your country. We have seen what has happened in America.

Twenty percent of the pregnancies in America now end in abortion, and the death toll of a bell that would ring for 58.5 million babies that have been aborted since 1973. It is a missing component of two going on three generations.

And those little babies today, Mr. Speaker, had they been given that right to life that is guaranteed to any born person in the United States—if someone commits mass murder in the United States of America, mass serial murder in the United States of America, mass serial murder in multiple locations in multiple States in a ghastly and ghoulish and blood-thirsty way, we take them to court and say: You are innocent until proven guilty. You may have, by my description, committed capital crimes that would be facing the death penalty. Federal murder, it might be, in multiple States that have the death penalty.

No matter how ghastly a murderer we have, we give that murderer first the presumption of innocence. They are innocent until proven guilty. We give them an opportunity to be tried by a jury of their peers. They are sometimes tried in the court of public opinion on top of it. If they don't have their due process—and often it is concluded by a judge along the way that they don't—they can appeal their death penalty all the way up to the Supreme Court of the United States.

Why?

Because they have a right to life because they are deemed and legally are a person not only in the eyes of God, but in the eyes of American law. In the eyes of American law, the most ghastly murderer that I can describe has a right to life and a right to due process until such time as the full appeals all

the way up the board have been heard. If they are sentenced to death, then it must be the most merciful death that we can possibly devise in this country or the judges will rule that it is unconstitutional, cruel, and inhuman punishment. That is how we treat the most ghastly murderers in America.

But the most innocent among us, those 58.5 million little babies that are there curled up in an innocent little fetal position in their mother's womb with little fingers, little toes, feet, hands, eyes, nose, ears, and a mouth—no teeth yet, but that mouth has an expression on it; it smiles; it frowns; it twists itself around—those babies can feel pain. They can put their hands together, and they can move around. The expressions on their faces, we now see them through 4D ultrasound.

Mother after mother, father after father, grandparents, brothers, sisters, uncles, even before the baby is born, they bond with that little baby through the ultrasound. We have always known, the Catholic church has always known, and so have many of the other Christians organizations and many entities around this country and around this world have always known that that baby's life began at the moment of conception.

If you look at our society, we don't have a lot of sympathy, as our society is concerned, for those beings that can't scream for their own mercy. That baby is silent. That baby can't cry out from the womb. The ring of that baby's cries doesn't echo in our ears. We turn our mind away from it. We turn our eyes away from it. And we listen to people say: Well, it is choice.

Well, the baby is never given the choice.

This little baby that could be the next Einstein, the next Lincoln, the next Ronald Reagan, the next Billy Graham, how many of those gifts to the world are in that mountain of guilt that is poured upon the United States of America that numbers now over 58.5 million?

We will never know the answer to that question, Mr. Speaker. We will never know.

We cry out to the conscience of the American people, the conscience that especially now knows because of ultrasound that that baby's life begins at the moment of conception, and science can prove it when we can detect a heartbeat. When we can detect a heartbeat, we know that is life and we know that it is innocent human life.

For the purposes of the law today, it is innocent, unborn human life not protected by law, not even close to the first protection we offer the most heinous murderer that we can devise. Yet, they are the most innocent.

I remember Father Jonathan Morris was speaking one day as I was watching him in the morning, and he was talking about the ladies in the church.

When a baby cries, they pick the baby up and they go outside the church in order to get that baby's cries away from the congregation so the rest of them can hear the sermon. He said it doesn't bother him when there are babies crying in his church because those are the only innocent voices in that church, the voice of babies.

The most innocent that we encounter are actually in the womb, not yet born, not yet with an opportunity to fill their lungs full of air and scream for their own mercy. We have to speak for them. We have to defend them. We have to protect them.

We know by our conscience, we know by our science, we know by natural law, we know by what is innate with us in our intuition that life has to begin at a moment. You can't take a life by accident. If there is going to be an error, it must be on the side of life.

□ 1815

I know that when I was able to hold our firstborn, I looked at him, and there was an aura about him. I was so amazed that that miracle was in my hands, and that was an extension into another generation from the long line of families that we all have and share and enjoy.

I looked at him, and I thought, could anybody take this little baby's life now, now that he is here, now that he is minutes old; could anybody take his life now? Of course they could not. Well, some can, and we do our best to lock them up or send them in the next life.

But to take the life of a newly born baby is one of the most ghoulish things that I can think of, and so I thought, this little life is sacred. I know there is a soul in him. I know there is. And so could anyone take his life the minute before he was born? Is he any different? What transformed him as he came through the birth canal? He is not transformed. He is the same baby.

He could be born by cesarean. His life is as sacred, and as unique, and as much created in God's image, and as much as a soul within him, born by cesarean as if he comes through the birth canal. So could anybody take his life the minute before he was born, or an hour, or a day, or a week, or a month, or a trimester, or two, or three?

What transforms this child through that period of time that I have described as 9 months? What transforms them? So if you think back through from the minute before a little boy or an innocent little baby girl is born to the hour of the week, the hour of the day, the week, the month, the trimester, there is no dramatic moment from the moment of conception, because conception is the dramatic moment. It is the instant, the moment life begins.

At that moment, if God doesn't already put the soul in that little baby,

I am completely convinced that it happens at that moment of conception when the genetics of the father and the mother are joined together in a unique being has begun, that has such a robust growth that if we think of it in terms of the multiples of size from the fertilized egg until the 5-, 6-, 7-, 8-, 9-pound baby is born, the dramatic growth that is there, that little baby has a soul in it from that moment. And that is human life. It is nurturable, and it must be protected, must be protected in law.

So what we have done is, we have introduced the Heartbeat bill here in the United States Congress, and we have two-and-a-half dozen or so cosponsors on the bill. This is the first time I know of that this legislation has been introduced in the United States Congress, but it protects the life of every little baby who has a heartbeat. It requires that if any abortionist seeks to commit an abortion, that they first check for a heartbeat.

That heartbeat can be discovered as early as 16 days from the moment of conception. I would like to have a bill that protected life from the moment of conception, and I would support such a thing. We can't scientifically prove conception, but we can scientifically prove heartbeat, and everybody knows, every mother knows, every father knows, every human being knows that if a heart is beating, there is life. And you can't describe this life as anything other than human life. It is human life. It is innocent life—nothing more innocent than a conceived little baby.

We need to protect human life in all of its forms, from conception to natural death. This bill, the Heartbeat Protection Act of 2017, protects those babies from the moment their heartbeat can be detected, the baby is protected.

And if an abortionist is determined or decides to commit an abortion, they must first check for a heartbeat under this law, and they must keep the records to demonstrate that they have done so. If they fail to do so, they would be facing a Federal penalty of a fine, imprisonment up to 5 years. The mother is not penalized in this. She is not subjected to this. It is the abortionists who are subjected to this statute.

I would reiterate: if a heartbeat is detected, the baby is protected. Mr. Speaker, some people will be wondering—and they will be wondering, well, what kind of support does legislation like that have across the United States of America? So we have a poll here that is on this easel, and this is the question about the Heartbeat bill, H.R. 490, and we went to over 1,000 adults in America and asked for their opinions.

Those 1,002 interviews were conducted, as a matter of fact, and this has a sampling error that is about as

small as you get in a legitimate poll. Sometimes you will see them in 5½ percent or more, but this is down to a little over 3 percent accuracy, and it says: Do you agree or disagree or have no opinion on supporting the Heartbeat bill that would outlaw abortion in America? If a heartbeat can be detected, it would outlaw abortion unless there was a physical threat to the physical life or health of the mother.

Sixty-nine percent of Americans agree with this legislation. That is across the spectrum. It is across the board, Mr. Speaker. That includes Democrats, no party, independents, and Republicans, and it includes 13 percent of the people who had no opinion.

Those that disagreed are 18 percent over here in the orange, Mr. Speaker. So we are sitting here with 69 percent of Americans who support legislation that would protect innocent, unborn human life from the moment that a heartbeat can be detected.

Because we know that life is precious, and every one of those lives contributes to the well-being of humanity. No matter what kind of life we may think they experience, they are a blessing to their father, they are a blessing to their mother, they are a blessing to their family, they are a blessing to this country. And I would point out, Mr. Speaker, that when you break this down, 69 percent in favor that support the Heartbeat bill, H.R. 490, only 18 percent oppose. And I think some of them will do that for political reasons, but they would have a hard time making the argument if they are looking in the eye of someone who has survived an abortion.

I have never heard one of the pro-abortion people look at one of the survivors of abortion and say: You should have never been born. No one does that. They don't have the nerve to do so because they know that each one of us contributes to the well-being of society, and each one of us are a gift from God. And His gift to us are the tools that we are born with, and our job is to develop them and utilize them for the well-being of everyone else.

Here is the breakdown politically: 86 percent of Republicans support the Heartbeat bill, only 6 percent of Republicans disagree. I don't know why they do, but 6 percent do. I don't know what their argument is. In the center, we have the graph of the Democrats; 55 percent of Democrats—they are the ones who would be lined up against this, I would think, but it is a significant majority. In fact, if this were a political election, Mr. Speaker, that would be a landslide at 55 percent of Democrats supporting the Heartbeat bill.

Now, we are looking for some Democrats to sign on it. Maybe they will reflect the will and wishes of their constituents. Fifty-five percent of Democrats support the Heartbeat bill, 25 per-

cent oppose—more than 2 to 1. The undecided are in orange. That is 25 percent. So it is well over 2 to 1—2½ and actually, bordering on 3 to 1, support among the Democrats for this.

If you go to the Independents, 61 percent of Independents support the Heartbeat bill, and 13 percent of the Independents oppose, and 27 percent of the—so it is 61 percent support among Independents, and 55 percent support among Democrats, 86 percent support among Republicans. That is the party breakdown for those who think of this in politics.

I think of this in human terms, Mr. Speaker. I think of this in terms of picking up little babies and holding them in my arms, and feeling that love, and that special smell that a little baby has, and the gurgle, the laughter, and the crying. It is all part of life.

When I think of the privilege of being able to go to church with almost my whole family and taking up, well, I guess last Sunday, parts of three pews and not all of all three. And I think of this little baby that got passed back to me, and he is kind of an in-law shirt-tail relation. I had never held him before. He snuggled up in my arms there at the end of mass, and I was able to carry him out.

We have also little children who come out of the pews to run up front at the beginning of the collection to carry their dollar bill up and put it in that basket. They are being raised right, those little kids. They will be fine. But I see them bubbling out of the pews and coming, pouring down the aisle, and lining up there. Sometimes they trip and run into each other, and knock each other down, and help each other up, and little big brother or sister will go help the little 2-year-old back again.

When you see that joy and you hear that gurgling laughter, and you think: 58.5 million babies never even had a chance to do that—never had a chance to learn, to love, to laugh, to play, to fall in love, to have their own children, to feel that joy of family, to experience this life in this wonderful country that we have. All denied them, denied them because the Supreme Court came down with a ruling that said: Well, stare decisis, the right to privacy, extended right to privacy. In the emanations and penumbras of the Constitution is a decision that they would support abortion on demand.

Well, we know that the Court has also left room—and we will have a new Court soon—the Court has left room for us to make this argument before the Court. And if anyone should stand up and say that we shouldn't move this legislation to save the lives of the next 58.5 million babies because a Court might rule it unconstitutional, my challenge back to the Court, Mr. Speaker, is: it was an erroneous decision in *Roe v. Wade*. It was erroneous in *Eisenstadt*, it was erroneous in *Griswold*, and it was erroneous in *Doe v.*

Bolton. And all of those together are bound up—don't be hiding behind stare decisis, Supreme Court.

Let's look at this right to life that we have, and the right to equal protection under the law that is guaranteed to us in the 14th Amendment, and that is extended out to all of the States. And if we can't execute the most heinous murderer without a due process all the way to the Supreme Court, and then do so in the most painless and merciful way possible while babies are being torn apart in the womb, then what have we come to as a nation?

We have the chance to rectify this, Mr. Speaker. We have an opportunity, an opportunity to move the Heartbeat bill, an opportunity to send a message from the House to the Senate and to all of America. Americans have an opportunity to weigh into us—to sign onto this bill, to move this, to save the lives of all of the babies who are born who have a heartbeat. If a heartbeat is detected, the baby is protected.

That needs to be our rallying cry across this country and across this land. Forever.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCEACHIN (at the request of Ms. PELOSI) for April 4 and today.

HOUSE BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the following titles:

January 20, 2017:

H.R. 39. An Act to amend title 5, United States Code, to codify the Presidential Innovation Fellows Program, and for other purposes.

January 31, 2017:

H.R. 72. An Act to ensure the Government Accountability Office has adequate access to information.

February 14, 2017:

H.J. Res. 41. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Securities and Exchange Commission relating to "Disclosure of Payments by Resource Extraction Issuers".

February 16, 2017:

H.J. Res. 38. A joint resolution disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule.

February 28, 2017:

H.J. Res. 40. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Social Security Administration relating to Implementation of the NICS Improvement Amendments Act of 2007.

H.R. 255. An Act to authorize the National Science Foundation to support entrepreneurial programs for women.

H.R. 321. An Act to inspire women to enter the aerospace field, including science, technology, engineering, and mathematics, through mentorship and outreach.

March 13, 2017:

H.R. 609. An Act to designate the Department of Veterans Affairs health care center in Center Township, Butler County, Pennsylvania, as the "Abie Abraham VA Clinic".

March 27, 2017:

H.J. Res. 37. A joint resolution disapproving the rule submitted by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation.

H.J. Res. 44. A joint resolution disapproving the rule submitted by the Department of the Interior relating to Bureau of Land Management regulations that establish the procedures used to prepare, revise, or amend land use plans pursuant to the Federal Land Policy and Management Act of 1976.

H.J. Res. 57. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to accountability and State plans under the Elementary and Secondary Education Act of 1965.

H.J. Res. 58. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to teacher preparation issues.

March 31, 2017:

H.J. Res. 42. A joint resolution disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants.

H.R. 1362. An Act to name the Department of Veterans Affairs community-based outpatient clinic in Pago Pago, American Samoa, the Faleomavaega Eni Fa'aua'a Hunkin VA Clinic.

April 3, 2017:

H.J. Res. 69. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of the Interior relating to "Non-Subsistence Take of Wildlife, and Public Participation and Closure Proce-

dures, on National Wildlife Refuges in Alaska".

H.J. Res. 83. A joint resolution disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness".

H.R. 1228. An Act to provide for the appointment of members of the Board of Directors of the Office of Compliance to replace members whose terms expire during 2017, and for other purposes.

SENATE BILLS AND JOINT RESOLUTIONS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and joint resolutions of the Senate of the following titles:

January 20, 2017:

S. 84. An Act to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces.

March 21, 2017:

S. 442. An Act to authorize the programs of the National Aeronautics and Space Administration, and for other purposes.

March 28, 2017:

S. 305. An Act to amend title 4, United States Code, to encourage the display of the flag of the United States on National Vietnam War Veterans Day.

March 31, 2017:

S.J. Res. 1. A joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield.

April 3, 2017:

S.J. Res. 34. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Protecting the Privacy of Customers of Broadband and Other Telecommunications Services".

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, April 6, 2017, at 9 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first quarter of 2017, pursuant to Public Law 95-384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO BELGIUM, EXPENDED BETWEEN FEB. 17 AND FEB. 21, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Michael Turner	2/19	2/21	Belgium		578.00		N/A				578.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO BELGIUM, EXPENDED BETWEEN FEB. 17 AND FEB. 21, 2017—Continued

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Lois Frankel	2/18	2/20	Belgium		578.00		8,576.00				9,154.00
Hon. Thomas Marino	2/18	2/21	Belgium		869.00		2,227.00				3,096.00
Hon. Steven "Brett" Guthrie	2/18	2/21	Belgium		869.00		1,778.00				2,647.00
Hon. Mike Kelly	2/18	2/21	Belgium		869.00		1,523.00				2,492.00
Hon. James Costa	2/17	2/21	Belgium		1,031.00		7,750.00				8,781.00
Hon. Ted Deutch	2/19	2/21	Belgium		578.00		6,839.00				7,417.00
Jessica Calio	2/17	2/21	Belgium		1,156.00		2,011.00				3,167.00
Janice Robinson	2/17	2/21	Belgium		1,156.00		2,011.00				3,167.00
Ed Rice	2/17	2/21	Belgium		1,156.00		2,011.00				3,167.00
Committee total					8,840.00		34,726.00				43,566.00

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MICHAEL R. TURNER, Feb. 21, 2017.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

974. A letter from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting the Commission's final rule — Inflation Adjustments and Other Technical Amendments Under Titles I and III of the JOBS Act [Release Nos.: 33-10332; 34-80355; File No.: S7-09-16] (RIN: 3235-AL38) received April 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

975. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's FY 2016 report to Congress entitled "Preservation and Promotion of Minority Depository Institutions", pursuant to 12 U.S.C. 1463 note; Public Law 101-73, Sec. 308 (as amended by Public Law 111-203, Sec. 367(4)(B)); (124 Stat. 1556); to the Committee on Financial Services.

976. A letter from the Executive Director, Office of Minority and Women Inclusion, Office of the Comptroller of the Currency, transmitting the FY 2016 Annual Report of the Office of Minority and Women Inclusion, pursuant to 12 U.S.C. 5452(e); Public Law 111-203, Sec. 342(e); (124 Stat. 1543); to the Committee on Financial Services.

977. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Rehabilitation of the Jetty System at the Mouth of the Columbia River: Jetty A, North Jetty, and South Jetty, in Washington and Oregon [Docket No.: 160405311-6999-02] (RIN: 0648-BF95) received April 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

978. A letter from the Acting Chairman, Federal Maritime Commission, transmitting the FY 2016 Annual Report, pursuant to 46 U.S.C. 806(a); Public Law 109-304, Sec. 4; (120 Stat. 1489); to the Committee on Transportation and Infrastructure.

979. A letter from the Vice President, Government Relations, Tennessee Valley Authority, transmitting the Authority's Statistical Summary for FY 2016; to the Committee on Transportation and Infrastructure.

980. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid

Services, Department of Health and Human Services, transmitting the Department's interim final rule — Medicare Program; Advancing Care Coordination Through Episode Payment Models (EPMs); Cardiac Rehabilitation Incentive Payment Model; and Changes to the Comprehensive Care for Joint Replacement Model; Delay of Effective Date [CMS-5519-IFC] (RIN: 0938-AS90) received April 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

981. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's final rule — Medicaid Program; Disproportionate Share Hospital Payments — Treatment of Third Party Payers in Calculating Uncompensated Care Costs [CMS-2399-F] (RIN: 0938-AS92) received April 3, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLATTE, Committee on the Judiciary. H.R. 1667. A bill to amend title 11 of the United States Code in order to facilitate the resolution of an insolvent financial institution in bankruptcy (Rept. 115-80). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LARSON of Connecticut (for himself, Ms. ADAMS, Mr. AGUILAR, Ms. BARRAGÁN, Ms. BASS, Mrs. BEATTY, Mr. BERA, Mr. BEYER, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Ms. BLUNT ROCHESTER, Ms. BONAMICI, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BRADY of Pennsylvania, Mr. BUTTERFIELD, Mr. CAPUANO, Mr. CARBAJAL, Mr. CARDENAS, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms.

CASTOR of Florida, Mr. CASTRO of Texas, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. CORREA, Mr. COURTNEY, Mr. CROWLEY, Mr. CUELLAR, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mr. DEFAZIO, Ms. DELAULO, Ms. DELBENE, Mrs. DEMINGS, Mr. DESAULNIER, Mr. DEUTCH, Mrs. DINGELL, Mr. DOGGETT, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Ms. ESTY, Mr. EVANS, Ms. FRANKEL of Florida, Ms. FUDGE, Ms. GABBARD, Mr. GALLEGO, Mr. GARAMENDI, Mr. GONZALEZ of Texas, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HANABUSA, Mr. HASTINGS, Mr. HECK, Mr. HIGGINS of New York, Mr. HUFFMAN, Ms. JACKSON LEE, Ms. JAYAPAL, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KEATING, Ms. KELLY of Illinois, Mr. KENNEDY, Mr. KHANNA, Mr. KIHUEN, Mr. KILDEE, Mr. KILMER, Ms. KUSTER of New Hampshire, Mr. LANGEVIN, Mrs. LAWRENCE, Mr. LAWSON of Florida, Ms. LEE, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. TED LIEU of California, Ms. LOFGREN, Mr. LOWENTHAL, Mr. BEN RAY LUJÁN of New Mexico, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mr. SEAN PATRICK MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCEACHIN, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MEEKS, Ms. MENG, Ms. MOORE, Mr. MOULTON, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL, Mr. NOLAN, Mr. NORCROSS, Ms. NORTON, Mr. O'ROURKE, Mr. PALLONE, Mr. PANTETTA, Mr. PASCRELL, Mr. PAYNE, Mr. PERLMUTTER, Mr. PETERSON, Ms. PINGREE, Ms. PLASKETT, Mr. POCAN, Mr. QUIGLEY, Mr. RASKIN, Mr. RICHMOND, Ms. ROYBAL-ALLARD, Mr. RUIZ, Mr. RUPPERSBERGER, Mr. RUSH, Mr. RYAN of Ohio, Ms. SÁNCHEZ, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Mr. DAVID SCOTT of Georgia, Mr. SERRANO, Ms. SEWELL of Alabama, Ms. SHEA-PORTER, Mr. SHERMAN, Mr. SIRES, Ms. SLAUGHTER, Ms. SPIER, Mr. SUOZZI, Mr. SWALWELL of California, Mr. TAKANO, Mr. THOMPSON of California, Mr. THOMPSON of Mississippi, Ms. TITUS, Mr. TONKO, Mr. VARGAS, Mr. VEASEY, Mr. VELA,

Ms. VELÁZQUEZ, Mr. WALZ, Ms. WASSERMAN SCHULTZ, Ms. MAXINE WATERS of California, Mrs. WATSON COLEMAN, Mr. WELCH, Ms. WILSON of Florida, and Mr. YARMUTH):

H.R. 1902. A bill to protect our Social Security system and improve benefits for current and future generations; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCOTT of Virginia (for himself, Mr. TAKANO, Mr. COURTNEY, and Ms. WILSON of Florida):

H.R. 1903. A bill to improve compliance with mine safety and health laws, empower miners to raise safety concerns, prevent future mine tragedies, and for other purposes; to the Committee on Education and the Workforce.

By Mr. OLSON (for himself, Mr. REICHERT, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. PASCRELL, and Mr. KIND):

H.R. 1904. A bill to amend title XVIII of the Social Security Act to align physician supervision requirements under the Medicare program for radiology services performed by advanced level radiographers with State requirements; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CUMMINGS (for himself, Mr. ISSA, Ms. JACKSON LEE, Mr. SCOTT of Virginia, Mr. SMITH of Washington, Mr. CONYERS, Mrs. WATSON COLEMAN, Ms. NORTON, Mr. GRIJALVA, Mr. COHEN, Mr. FOSTER, Mr. PAYNE, Ms. BASS, and Mr. SEAN PATRICK MALONEY of New York):

H.R. 1905. A bill to prohibit Federal agencies and Federal contractors from requesting that an applicant for employment disclose criminal history record information before the applicant has received a conditional offer, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on House Administration, the Judiciary, Armed Services, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CUMMINGS (for himself, Mr. CONYERS, Ms. JACKSON LEE, Mr. CLAY, Ms. LEE, Ms. BASS, Mr. CÁRDENAS, and Ms. NORTON):

H.R. 1906. A bill to provide for the sealing or expungement of records relating to Federal nonviolent criminal offenses, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Agriculture, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Georgia (for himself, Mr. CONYERS, Mr. POCAN, Mr. MEEKS, Mr. CICILLINE, Mr. RASKIN, Mr. COHEN, Mr. RUSH, Mr. BISHOP of Georgia, Ms. CLARKE of New York, Ms. NORTON, Ms. LEE, Mr. HASTINGS, Ms. JACKSON LEE, Mrs. WATSON COLEMAN, Ms. SLAUGHTER, Ms. WILSON of

Florida, Mr. TED LIEU of California, Mr. SCOTT of Virginia, Mr. DAVID SCOTT of Georgia, Mr. HUFFMAN, Mr. DANNY K. DAVIS of Illinois, Mr. RICHMOND, Ms. FUDGE, Ms. BASS, Mr. BUTTERFIELD, Mr. CUMMINGS, Mr. AL GREEN of Texas, Ms. MAXINE WATERS of California, Mr. NORCROSS, Mr. MCNERNEY, Mr. PAYNE, Ms. JUDY CHU of California, Ms. ESHOO, and Mr. SMITH of Washington):

H.R. 1907. A bill to direct the Secretary of Homeland Security to conduct research and development to mitigate the consequences of threats to voting systems, to amend the Help America Vote Act of 2002 to require the voting systems used in elections for Federal office to comply with national standards developed by the National Institute of Standards and Technology for operational security and ballot verification, to establish programs to promote research in innovative voting system technologies, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Science, Space, and Technology, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KELLY of Pennsylvania (for himself and Mr. DEFazio):

H.R. 1908. A bill to provide for the use of funds in the Harbor Maintenance Trust Fund for the purposes for which the funds were collected and to ensure that funds credited to the Harbor Maintenance Trust Fund are used to support navigation; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LAWRENCE (for herself, Mr. CONYERS, Ms. NORTON, Mrs. WATSON COLEMAN, Mr. BRADY of Pennsylvania, Mr. EVANS, and Mr. COHEN):

H.R. 1909. A bill to prioritize educating and training for existing and new environmental health professionals; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. STEFANIK (for herself, Mr. CARTER of Texas, Mr. COOK, Mr. CRAMER, Mr. FASO, Mr. JONES, Mr. OLSON, Mr. RENACCI, Mr. ROYCE of California, Mr. WEBSTER of Florida, Mr. YOUNG of Iowa, and Mr. ZELDIN):

H.R. 1910. A bill to amend title 38, United States Code, to improve the process for determining the eligibility of caregivers of veterans to certain benefits administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SMITH of New Jersey (for himself, Mr. SCHNEIDER, Mr. ROSKAM, Mr. ENGEL, Mr. WEBER of Texas, Mrs. LOWEY, Mr. DEUTCH, Mr. BILIRAKIS, and Mr. VEASEY):

H.R. 1911. A bill to amend the State Department Basic Authorities Act of 1956 to monitor and combat anti-Semitism globally, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CARTWRIGHT (for himself, Mr. SCOTT of Virginia, and Ms. WILSON of Florida):

H.R. 1912. A bill to ensure that claims for benefits under the Black Lung Benefits Act are processed in a fair and timely manner, to better protect miners from pneumoconiosis (commonly known as "black lung disease"), and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PANETTA (for himself, Mr. VALADAO, Mr. DENHAM, and Mr. COOK):

H.R. 1913. A bill to establish the Clear Creek National Recreation Area in San Benito and Fresno Counties, California, to designate the Joaquin Rocks Wilderness in such counties, and for other purposes; to the Committee on Natural Resources.

By Mr. ISSA (for himself and Mr. DEUTCH):

H.R. 1914. A bill to amend title 17, United States Code, to grant owners of copyright in sound recordings the exclusive right to prohibit the broadcast transmission of the sound recordings by means of terrestrial radio stations, and for other purposes; to the Committee on the Judiciary.

By Ms. VELÁZQUEZ:

H.R. 1915. A bill to amend the Small Business Act to provide the Administrator of the Small Business Administration authority to increase amount for general business loans, and for other purposes; to the Committee on Small Business.

By Mr. SHUSTER (for himself, Mr. ROGERS of Alabama, Mr. AUSTIN SCOTT of Georgia, Mr. FRANKS of Arizona, Mr. HUNTER, Mr. TURNER, Mr. MOULTON, and Ms. TSONGAS):

H.R. 1916. A bill to ensure the ballistic missile defense capacity of the Army; to the Committee on Armed Services.

By Mr. JOHNSON of Ohio (for himself, Ms. SEWELL of Alabama, Mr. BISHOP of Georgia, Mr. SESSIONS, Mrs. ROBY, and Mr. MURPHY of Pennsylvania):

H.R. 1917. A bill to allow for judicial review of any final rule addressing national emission standards for hazardous air pollutants for brick and structural clay products or for clay ceramics manufacturing before requiring compliance with such rule; to the Committee on Energy and Commerce.

By Ms. ROS-LEHTINEN (for herself,

Mr. SIREs, Mr. DUNCAN of South Carolina, Ms. WASSERMAN SCHULTZ, Mr. YOHo, Mr. CÁRDENAS, Mr. DIAZ-BALART, Mr. NORCROSS, Mr. CUREBELO of Florida, Mr. DEUTCH, Mr. BILIRAKIS, Mr. CUELLAR, Mr. SMITH of New Jersey, Ms. WILSON of Florida, Mr. POE of Texas, Mr. HASTINGS, Mr. DESANTIS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. MCCAUL, Ms. KELLY of Illinois, Mr. WEBER of Texas, Mr. DONOVAN, Mr. CHABOT, Mr. THOMAS J. ROONEY of Florida, and Mr. FRANCIS ROONEY of Florida):

H.R. 1918. A bill to oppose loans at international financial institutions for the Government of Nicaragua unless the Government of Nicaragua is taking effective steps to hold free, fair, and transparent elections, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FERGUSON (for himself, Mr. DUNCAN of Tennessee, Mr. BARTON,

Mr. GROTHMAN, and Mr. FRANKS of Arizona):

H.R. 1919. A bill to amend the Internal Revenue Code of 1986 to clarify eligibility for the child tax credit; to the Committee on Ways and Means.

By Mr. UPTON (for himself, Mr. GENE GREEN of Texas, Mr. SHIMKUS, Ms. DEGETTE, and Mr. TIBERI):

H.R. 1920. A bill to amend part B of title XVIII of the Social Security Act to exclude customary prompt pay discounts from manufacturers to wholesalers from the average sales price for drugs and biologicals under Medicare, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BANKS of Indiana:

H.R. 1921. A bill to amend the Head Start Act to authorize block grants to States for prekindergarten education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BURGESS (for himself and Mr. CUMMINGS):

H.R. 1922. A bill to amend the Higher Education Act of 1965 to establish fair and consistent eligibility requirements for graduate medical schools operating outside the United States and Canada; to the Committee on Education and the Workforce.

By Mr. CAPUANO (for himself and Mr. JONES):

H.R. 1923. A bill to prohibit the use of members of the United States Armed Forces to carry out offensive combat operations in Syria; to the Committee on Foreign Affairs.

By Mr. CÁRDENAS (for himself, Ms. CLARKE of New York, Mr. COHEN, Mr. CUMMINGS, Mr. JOHNSON of Georgia, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. SEAN PATRICK MALONEY of New York, Mr. RASKIN, Ms. ROYBAL-ALLARD, Mr. SERRANO, Ms. SLAUGHTER, Mr. VARGAS, and Mr. GRIJALVA):

H.R. 1924. A bill to provide definitions of terms and services related to community-based gang intervention to ensure that funding for such intervention is utilized in a cost-effective manner and that community-based agencies are held accountable for providing holistic, integrated intervention services, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CÁRDENAS (for himself and Mr. GRIFFITH):

H.R. 1925. A bill to amend title XIX of the Social Security Act to protect at-risk youth against termination of Medicaid eligibility while an inmate of a public institution; to the Committee on Energy and Commerce.

By Mr. CÁRDENAS (for himself, Mr. GRIJALVA, Mr. NORTON, Mr. POCAN, and Mr. SERRANO):

H.R. 1926. A bill to amend title 18, United States Code, to ensure that juveniles adjudicated in Federal delinquency proceedings are not subject to solitary confinement while committed to juvenile facilities; to the Committee on the Judiciary.

By Mr. CLAY (for himself, Mr. SMITH of Missouri, Ms. ADAMS, Ms. BASS, Mrs. BEATTY, Mr. BEYER, Mr. BISHOP of Georgia, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Ms. JUDY CHU of California, Ms. CLARKE of New York, Mr. CLYBURN, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Ms.

DELAURO, Mrs. DINGELL, Ms. FUDGE, Mr. GALLEGO, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. HASTINGS, Ms. NORTON, Mr. BROWN of Maryland, Mr. HOYER, Ms. JACKSON LEE, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. LARSON of Connecticut, Ms. LEE, Mr. LEWIS of Georgia, Mr. LOWENTHAL, Mr. MCGOVERN, Mr. MEEKS, Ms. MOORE, Mr. NADLER, Mrs. NAPOLITANO, Mr. PAYNE, Mr. POCAN, Mr. POLIS, Mr. RICHMOND, Mr. RUSH, Mr. SERRANO, Ms. SEWELL of Alabama, Mr. SCOTT of Virginia, Mr. THOMPSON of Mississippi, Mrs. TORRES, Mr. TURNER, Mr. VARGAS, Mr. VEASEY, Ms. WILSON of Florida, Ms. MCCOLLUM, Mr. HUFFMAN, Ms. KELLY of Illinois, Mr. SABLAN, Mrs. CAROLYN B. MALONEY of New York, Mr. CARTWRIGHT, Mr. ROSS, Ms. TSONGAS, Mr. GRAVES of Louisiana, Mr. PRICE of North Carolina, Ms. WASSERMAN SCHULTZ, Mr. RUIZ, Mr. PETERS, Ms. PLASKETT, Mr. EVANS, Mr. RASKIN, Mrs. DEMINGS, and Ms. LOFGREN):

H.R. 1927. A bill to amend title 54, United States Code, to establish within the National Park Service the African American Civil Rights Network, and for other purposes; to the Committee on Natural Resources.

By Mr. CONNOLLY (for himself and Mr. THOMAS J. ROONEY of Florida):

H.R. 1928. A bill to provide a permanent appropriation of funds for the payment of death gratuities and related benefits for survivors of deceased members of the uniformed services in event of any period of lapsed appropriations; to the Committee on Appropriations.

By Mr. CRIST:

H.R. 1929. A bill to increase the maximum amount of increased cost of compliance coverage available under the National Flood Insurance Program, and for other purposes; to the Committee on Financial Services.

By Mr. RODNEY DAVIS of Illinois (for himself and Mr. PETERS):

H.R. 1930. A bill to require the Administration of General Services to issue guidance relating to the procurement of reclaimed refrigerants; to the Committee on Oversight and Government Reform.

By Mr. DOGGETT (for himself, Mr. BLUMENAUER, Mr. CAPUANO, Mr. CARTWRIGHT, Ms. JUDY CHU of California, Mr. CICILLINE, Mr. COHEN, Mr. CONYERS, Mr. CUMMINGS, Mr. DEFazio, Ms. DELAURO, Mr. ELLISON, Mr. GARAMENDI, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KILDEE, Mr. LARSON of Connecticut, Ms. LEE, Mr. LEWIS of Georgia, Mr. LOEBSACK, Mr. LYNCH, Ms. MOORE, Mrs. NAPOLITANO, Ms. NORTON, Mr. POCAN, Mr. RASKIN, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, Ms. SLAUGHTER, Mr. THOMPSON of California, Mr. TONKO, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, Mr. WELCH, Mr. GUTIÉRREZ, Mr. YARMUTH, Mr. NADLER, Mr. SCOTT of Virginia, Mr. PAYNE, Ms. MCCOLLUM, Ms. PINGREE, Mr. PASCRELL, Mr. LIPINSKI, and Mr. SARBANES):

H.R. 1931. A bill to amend the Internal Revenue Code of 1986 to discourage corporate inversions and to impose tax on unrepatriated earnings and unrecognized gains in connection with corporate expatriations; to the Committee on Ways and Means.

By Mr. DOGGETT (for himself, Mr. BLUMENAUER, Ms. BONAMICI, Mr. CAPUANO, Mr. CARTWRIGHT, Ms. JUDY CHU of California, Mr. CICILLINE, Mr. COHEN, Mr. CONYERS, Mr. CUMMINGS, Mr. DEFazio, Ms. DELAURO, Mr. DEUTCH, Mr. ELLISON, Mr. FOSTER, Mr. GRIJALVA, Mr. GUTIÉRREZ, Mr. HASTINGS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Ms. KELLY of Illinois, Mr. LANGEVIN, Mr. LARSON of Connecticut, Ms. LEE, Mr. LEWIS of Georgia, Mr. TED LIEU of California, Mr. LOEBSACK, Mr. LYNCH, Ms. MCCOLLUM, Ms. MOORE, Mrs. NAPOLITANO, Ms. NORTON, Mr. PALLONE, Mr. POCAN, Mr. RASKIN, Ms. ROYBAL-ALLARD, Mr. RUIZ, Mr. RYAN of Ohio, Mr. SARBANES, Ms. SCHAKOWSKY, Ms. SLAUGHTER, Mr. TAKANO, Mr. TONKO, Ms. TSONGAS, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, Mr. WELCH, Mr. HIGGINS of New York, Mr. YARMUTH, Mr. NADLER, Ms. PINGREE, Mr. HUFFMAN, Mr. SCOTT of Virginia, Mr. PASCRELL, Mr. MCGOVERN, and Mr. LIPINSKI):

H.R. 1932. A bill to end offshore corporate tax avoidance, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DUNCAN of Tennessee (for himself, Mr. ROE of Tennessee, Mr. KUSTOFF of Tennessee, Mr. FLEISCHMANN, Mr. DESJARLAIS, Mrs. BLACKBURN, and Mrs. BLACK):

H.R. 1933. A bill to amend the Internal Revenue Code of 1986 to allow individuals to receive a premium assistance credit for insurance not purchased on an Exchange, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GALLAGHER:

H.R. 1934. A bill to establish a 5-year ban on individuals appointed to Executive Schedule positions and Members of Congress engaging in lobbying activities at the Federal level; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 1935. A bill to amend title 5, United States Code, to provide for the termination of further retirement coverage for Members of Congress under the Federal Employees' Retirement System, except for the right to continue participating in the Thrift Savings Plan, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GALLAGHER:

H.R. 1936. A bill to prohibit congressional recesses until Congress adopts a concurrent resolution on the budget that results in a balanced Federal budget by the last fiscal year covered by such resolution, and for other purposes; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARRETT:

H.R. 1937. A bill to provide loan forgiveness to borrowers of Federal student loans who agree to delay eligibility to collect social security benefits, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARRETT:

H.R. 1938. A bill to require the President-elect to submit copies to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate of the Federal income tax returns filed for the 4 most recent taxable years, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIFFITH (for himself and Mr. WELCH):

H.R. 1939. A bill to amend title XVIII of the Social Security Act to ensure equal access of Medicare beneficiaries to community pharmacies in underserved areas as network pharmacies under Medicare prescription drug coverage, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA (for himself, Mr. CARSON of Indiana, Ms. CLARKE of New York, Mr. CONYERS, Mr. EVANS, Mr. AL GREEN of Texas, Ms. JACKSON LEE, Ms. KAPTUR, Ms. LEE, Mrs. NAPOLITANO, Ms. NORTON, and Mr. RASKIN):

H.R. 1940. A bill to allow homeowners of moderate-value homes who are subject to mortgage foreclosure proceedings to remain in their homes as renters; to the Committee on Financial Services.

By Mr. HIGGINS of Louisiana:

H.R. 1941. A bill to amend the Immigration and Nationality Act to make the exception for returning workers permanent, and for other purposes; to the Committee on the Judiciary.

By Mr. HIGGINS of Louisiana:

H.R. 1942. A bill to amend title 38, United States Code, to direct the Comptroller General of the United States to periodically conduct an audit of the Veterans Health Administration budget, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KING of Iowa (for himself and Mr. GROTHMAN):

H.R. 1943. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to ensure that each wheelchair, furnished to a veteran because of a service-connected disability, restores the maximum achievable mobility in the activities of daily life, employment, and recreation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LATTA (for himself, Mr. FARENTHOLD, Mr. DUNCAN of South Carolina, Mr. BACON, Mr. SESSIONS, Mr. RYAN of Ohio, Mr. LAMALFA, Mr. COLE, and Mr. WALZ):

H.R. 1944. A bill to amend section 100905 of title 54, United States Code, to direct the

Secretary of the Interior and the Secretary of Agriculture to require annual permits and assess annual fees for commercial filming activities on Federal land for film crews of 5 persons or fewer, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATTA (for himself, Mr. FARENTHOLD, Mr. DUNCAN of South Carolina, Mr. SESSIONS, Mr. RYAN of Ohio, Mr. LAMALFA, Mr. COLE, and Mr. WALZ):

H.R. 1945. A bill to establish the Wildlife and Hunting Heritage Conservation Council Advisory Committee to advise the Secretaries of the Interior and Agriculture on wildlife and habitat conservation, hunting, recreational shooting, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS of Georgia:

H.R. 1946. A bill to amend the Public Health Service Act to require reporting by the National Institutes of Health on requests for funding research that were not granted and had the greatest potential for improving public health, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LEWIS of Georgia:

H.R. 1947. A bill to affirm the religious freedom of taxpayers who are conscientiously opposed to participation in war, to provide that the income, estate, or gift tax payments of such taxpayers be used for non-military purposes, to create the Religious Freedom Peace Tax Fund to receive such tax payments, to improve revenue collection, and for other purposes; to the Committee on Ways and Means.

By Mrs. LOVE (for herself and Mr. LUTKEMEYER):

H.R. 1948. A bill to raise the consolidated assets threshold under the small bank holding company policy statement, and for other purposes; to the Committee on Financial Services.

By Mrs. CAROLYN B. MALONEY of New York (for herself and Mr. MEEHAN):

H.R. 1949. A bill to amend the Higher Education Act of 1965 and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to combat campus sexual assault, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MURPHY of Pennsylvania (for himself, Mr. BRADY of Pennsylvania, Mr. EVANS, Mr. KELLY of Pennsylvania, Mr. PERRY, Mr. THOMPSON of Pennsylvania, Mr. COSTELLO of Pennsylvania, Mr. MEEHAN, Mr. FITZPATRICK, Mr. SHUSTER, Mr. MARINO, Mr. BARLETTA, Mr. ROTHFUS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. DENT, Mr. SMUCKER, and Mr. CARTWRIGHT):

H.R. 1950. A bill to designate the facility of the United States Postal Service located at

120 West Pike Street in Canonsburg, Pennsylvania, as the "Police Officer Scott Bashium Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. O'HALLERAN (for himself, Ms. SINEMA, and Mr. KIHUEN):

H.R. 1951. A bill to provide that the salaries of Members of a House of Congress will be held in escrow if that House has not agreed to a concurrent resolution on the budget for fiscal year 2018 by April 15, 2017, to eliminate automatic pay adjustments for Members of Congress, to prohibit the use of funds provided for the official travel expenses of Members of Congress and other officers and employees of the legislative branch for first-class airline accommodations, and to amend title 18, United States Code, to establish a uniform 5-year post-employment ban on lobbying by former Members of Congress; to the Committee on House Administration, and in addition to the Committees on the Judiciary, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. O'ROURKE (for himself, Mr. AMASH, Mr. JEFFRIES, Mr. SENSENBRENNER, Mr. NADLER, and Mrs. LOVE):

H.R. 1952. A bill to amend title 23, United States Code, with respect to the revocation or suspension of drivers' licenses of individuals convicted of drug offenses, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PAULSEN (for himself, Mr. KIND, Mrs. NAPOLITANO, Mr. BEN RAY LUJÁN of New Mexico, Mr. CÁRDENAS, Mr. POCAN, Mr. ROE of Tennessee, Mr. HECK, Mr. TIPTON, Mr. YOUNG of Iowa, Mr. BLUMENAUER, Mr. COHEN, Mr. TED LIEU of California, Mr. SHIMKUS, Mr. DEFAZIO, Mr. GUTHRIE, Mr. LEWIS of Georgia, Mr. MCGOVERN, Ms. JENKINS of Kansas, Ms. BONAMICI, Mr. ROSKAM, Mrs. BROOKS of Indiana, and Mr. PASCRELL):

H.R. 1953. A bill to amend title XVIII of the Social Security Act to provide for the coordination of programs to prevent and treat obesity, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. PINGREE (for herself, Ms. DELAURO, Ms. TSONGAS, Ms. BROWNLEY of California, Ms. TITUS, Mr. RUSH, Mr. TAKANO, Ms. ESTY, Mr. PETERS, and Mr. SABLON):

H.R. 1954. A bill to amend title 38, United States Code, to expand health care and benefits from the Department of Veterans Affairs for military sexual trauma, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REED (for himself and Mr. WELCH):

H.R. 1955. A bill to amend title XVIII of the Social Security Act to make permanent the extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 1956. A bill to amend title 38, United States Code, to increase the amounts of educational assistance payable under Survivors' and Dependents' Educational Assistance Program of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. SANCHEZ (for herself, Mr. CUREBELO of Florida, Mr. POCAN, Mr. YOUNG of Alaska, Mr. SEAN PATRICK MALONEY of New York, Mr. KING of New York, Mr. GALLEGO, Ms. ROSELEHTINEN, Mr. QUIGLEY, Mr. MACARTHUR, Ms. SINEMA, Mr. KILDEE, Mr. LOWENTHAL, and Mr. CICILLINE):

H.R. 1957. A bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students; to the Committee on Education and the Workforce.

By Mr. SHERMAN (for himself and Mr. ROYCE of California):

H.R. 1958. A bill to amend the Truth in Lending Act to include retrofit loans such as property assessed clean energy loans, and for other purposes; to the Committee on Financial Services.

By Ms. SINEMA (for herself and Ms. HERRERA BEUTLER):

H.R. 1959. A bill to amend the Internal Revenue Code of 1986 to increase the exclusion for employer-provided dependent care assistance; to the Committee on Ways and Means.

By Ms. SLAUGHTER (for herself, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. BROWNLEY of California, Mr. COHEN, Mr. CONNOLLY, Mr. COSTA, Mr. CROWLEY, Mr. CUMMINGS, Mr. HASTINGS, Mr. HUFFMAN, Ms. KELLY of Illinois, Mr. KILDEE, Mr. LANGEVIN, Mr. LIPINSKI, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. MCCOLLUM, Mrs. NAPOLITANO, Mr. PALLONE, Mr. PASCRELL, Mr. QUIGLEY, Mr. SARBANES, Mr. SCOTT of Virginia, Mr. SWALWELL of California, Ms. TSONGAS, Ms. VELÁZQUEZ, and Mr. YARMUTH):

H.R. 1960. A bill to require the Supreme Court of the United States to promulgate a code of ethics; to the Committee on the Judiciary.

By Mr. STEWART:

H.R. 1961. A bill to provide for the conveyance of certain land to Washington County, Utah, to authorize the exchange of Federal land and non-Federal land in the State of Utah, and for other purposes; to the Committee on Natural Resources.

By Mr. TIBERI (for himself and Mr. NEAL):

H.R. 1962. A bill to amend the Internal Revenue Code of 1986 to protect older, longer service and grandfathered participants in defined benefit plans; to the Committee on Ways and Means.

By Ms. WASSERMAN SCHULTZ (for herself and Mr. SMITH of Texas):

H.R. 1963. A bill to provide protection for survivors of domestic violence or sexual assault under the Fair Housing Act; to the Committee on the Judiciary.

By Mr. WILLIAMS:

H.R. 1964. A bill to preserve competition among mortgage lenders, provide relief from unnecessary regulatory requirements on responsible community mortgage lenders, and for other purposes; to the Committee on Financial Services.

By Mr. KING of Iowa (for himself and Mr. WOODALL):

H.J. Res. 94. A joint resolution proposing an amendment to the Constitution of the United States to repeal the sixteenth article

of amendment; to the Committee on the Judiciary.

By Mr. SWALWELL of California (for himself and Mr. ENGEL):

H. Con. Res. 47. Concurrent resolution expressing the sense of Congress that until the conclusion of the FBI's criminal and counterintelligence investigations into the nature of the Russian connection to the Trump campaign, the Trump Administration is acting under a "gray cloud" of the appearance of a conflict of interest, and, as such, should refrain from taking any actions or making any changes to United States policy that could be seen as benefitting President Putin or his inner circle; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BROOKS of Indiana (for herself, Ms. JENKINS of Kansas, Ms. SANCHEZ, Mr. GOWDY, Mrs. BUSTOS, Ms. NORTON, Mrs. LAWRENCE, Mrs. DEMINGS, Ms. FRANKEL of Florida, Ms. JACKSON LEE, Ms. GRANGER, Mr. MITCHELL, Mrs. MIMI WALTERS of California, Mrs. MCMORRIS RODGERS, Ms. LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WASSERMAN SCHULTZ, Ms. SPEIER, Ms. ADAMS, Mrs. BEATTY, Mrs. RADEWAGEN, Ms. STEFANIK, Ms. MCSALLY, Ms. HERRERA BEUTLER, Mrs. HARTZLER, Mrs. NOEM, Mr. JOHNSON of Ohio, Mr. COSTELLO of Pennsylvania, Mr. SCALISE, Mr. CARTER of Georgia, Mrs. COMSTOCK, Ms. FOX, Ms. ROSELEHTINEN, Mrs. WALORSKI, Mrs. LOVE, Mr. MEEHAN, Mr. PAULSEN, Mr. CULBERSON, Mr. RENACCI, Mr. OLSON, Mr. ISSA, Mr. DIAZ-BALART, Mr. KILMER, Mr. CONAWAY, Mr. STEWART, and Mrs. ROBY):

H. Res. 249. A resolution honoring the life and legacy of the first woman to serve in the United States Congress, Jeannette Pickering Rankin, on the 100th anniversary of her swearing-in to Congress; to the Committee on House Administration.

By Mr. CÁRDENAS (for himself, Mr. COHEN, and Mr. VARGAS):

H. Res. 250. A resolution expressing the need to eliminate life without parole for children; to the Committee on the Judiciary.

By Ms. SLAUGHTER (for herself, Mr. PAYNE, Ms. BONAMICI, and Ms. MCCOLLUM):

H. Res. 251. A resolution expressing support for designation of the weeks of April 9, 2017, through April 22, 2017, as National Young Audiences Arts for Learning Weeks; to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. LARSON of Connecticut:

H.R. 1902.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts

and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States

By Mr. SCOTT of Virginia:

H.R. 1903.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. OLSON:

H.R. 1904.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. CUMMINGS:

H.R. 1905.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18.

By Mr. CUMMINGS:

H.R. 1906.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article I, Section 8, Clause 3 of the United States Constitution, the Congress shall have the power to "regulate Commerce with foreign Nations, and among the several states, and with the Indian Tribes"

By Mr. JOHNSON of Georgia:

H.R. 1907.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article I of the Constitution, which grants Congress the Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. KELLY of Pennsylvania:

H.R. 1908.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I Section 8 of the United States Constitution.

By Mrs. LAWRENCE:

H.R. 1909.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18 allows Congress to make all laws, "which shall be necessary and proper for carrying into execution" any "other powers vested by the Constitution in the Government of the United States."

By Ms. STEFANIK:

H.R. 1910.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article 1 of the Constitution.

By Mr. SMITH of New Jersey:

H.R. 1911.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

Article I, Section 8, Clause 4

Article I, Section 8, Clause 18

By Mr. CARTWRIGHT:

H.R. 1912.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: To regulate commerce with foreign nations, and among the several states, and with the Indian tribes

By Mr. PANETTA:

H.R. 1913.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, clause 2 provides Congress with the power to "dispose of and make all needful Rules and Regulations respecting the Territory and other Property belonging to the United States."

By Mr. ISSA:

H.R. 1914.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 8, "to promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Rights to their respective Writings and Discoveries,"

By Ms. VELÁZQUEZ:

H.R. 1915.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. SHUSTER:

H.R. 1916.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the United States Constitution

By Mr. JOHNSON of Ohio:

H.R. 1917.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution, To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. ROS-LEHTINEN:

H.R. 1918.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. FERGUSON:

H.R. 1919.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to the pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. UPTON:

H.R. 1920.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power to regulate commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. BANKS of Indiana:

H.R. 1921.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. BURGESS:

H.R. 1922.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. CAPUANO:

H.R. 1923.

Congress has the power to enact this legislation pursuant to the following:

The War Powers Act—P.L. 93-148; 50 U.S.C. 1541-1548

By Mr. CÁRDENAS:

H.R. 1924.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. CÁRDENAS:

H.R. 1925.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. CÁRDENAS:

H.R. 1926.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. CLAY:

H.R. 1927.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. CONNOLLY:

H.R. 1928.

Congress has the power to enact this legislation pursuant to the following:

Section 1 and Section 8 of Article 1 of the United States Constitution.

By Mr. CRIST:

H.R. 1929.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. RODNEY DAVIS of Illinois:

H.R. 1930.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. DOGGETT:

H.R. 1931.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. DOGGETT:

H.R. 1932.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. DUNCAN of Tennessee:

H.R. 1933.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8 of the U.S. Constitution, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Under Article I, Section 8 of the U.S. Constitution, Clause 18: The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. GALLAGHER:

H.R. 1934.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3, To regulate Commerce with foreign Nations, and among the several states,

By Mr. GALLAGHER:

H.R. 1935.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 6, Clause 1: The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasuary of the United State.

By Mr. GALLAGHER:

H.R. 1936.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 5: Each House may determine the Rules of its Proceedings,

By Mr. GARRETT:

H.R. 1937.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. GARRETT:

H.R. 1938.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. GRIFFITH:

H.R. 1939.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. GRIJALVA:

H.R. 1940.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. HIGGINS of Louisiana:

H.R. 1941.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, sec. 8, cl. 4

U.S. Const. art. I, sec. 8, cl. 3

U.S. Const. art. I, sec. 8, cl. 11-16

U.S. Const. art. I, sec. 8, cl. 18

By Mr. HIGGINS of Louisiana:

H.R. 1942.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. KING of Iowa:

H.R. 1943.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. LATTA:

H.R. 1944.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States

Article I, Section 8, Clause 3

The Congress shall have Power to regulate Commerce with foreign Nations and among the several States

By Mr. LATTA:

H.R. 1945.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States

Amendment II

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

By Mr. LEWIS of Georgia:

H.R. 1946.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS of Georgia:

H.R. 1947.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mrs. LOVE:

H.R. 1948.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: "The Congress shall have power . . . To regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1949.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. MURPHY of Pennsylvania:

H.R. 1950.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. O'HALLERAN:

H.R. 1951.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. O'ROURKE:

H.R. 1952.

Congress has the power to enact this legislation pursuant to the following:

Section 4 of Article I of the Constitution:

Clause 18 of Section 8 of Article I of the Constitution: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Office thereof.

By Mr. PAULSEN:

H.R. 1953.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 grants Congress the power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States.

By Ms. PINGREE:

H.R. 1954.

Congress has the power to enact this legislation pursuant to the following:

Section 1, Article 8—The Congress shall have power to lay and collect taxes; duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States

By Mr. REED:

H.R. 1955.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. ROE of Tennessee:

H.R. 1956.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Ms. SÁNCHEZ:

H.R. 1957.

Congress has the power to enact this legislation pursuant to the following:

Article One, section 8, clause 18:

Congress shall have Power—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Mr. SHERMAN:

H.R. 1958.

Congress has the power to enact this legislation pursuant to the following:

Article I; Section 8; Clause 3 of the Constitution states The Congress shall have the Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes,

By Ms. SINEMA:

H.R. 1959.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Ms. SLAUGHTER:

H.R. 1960.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8.

By Mr. STEWART:

H.R. 1961.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 allows that "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

By Mr. TIBERI:

H.R. 1962.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I

By Ms. WASSERMAN SCHULTZ:

H.R. 1963.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. WILLIAMS:

H.R. 1964.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—"To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes"

By Mr. KING of Iowa:

H.J. Res. 94.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 60: Mr. LANCE and Ms. MENG.

H.R. 179: Ms. MICHELLE LUJAN GRISHAM of New Mexico and Mr. LANCE.

H.R. 282: Mr. KNIGHT.

H.R. 305: Mr. PANETTA, Ms. HANABUSA, Ms. WASSERMAN SCHULTZ, Mr. FOSTER, Mr. KEATING, Mr. SMITH of Washington, Mr. SHERMAN, and Mr. ESPAILLAT.

H.R. 367: Mr. SMITH of Nebraska and Mr. YOUNG of Alaska.

H.R. 392: Mr. TIBERI, Mr. CONYERS, Mr. ROSKAM, and Mr. HARPER.

H.R. 432: Mr. THOMPSON of California.

H.R. 490: Mr. WITTMAN, Mr. YOUNG of Alaska, Mr. JORDAN, and Mr. JOHNSON of Louisiana.

H.R. 496: Mr. STEWART and Ms. DEGETTE.

H.R. 502: Mr. RASKIN, Ms. GABBARD, and Mr. LYNCH.

H.R. 620: Mr. ISSA.

H.R. 635: Mr. HUFFMAN.

H.R. 659: Mr. PETERSON and Mr. PETERS.

H.R. 662: Mr. ROUZER.

H.R. 676: Mr. SARBANES, Ms. TITUS, Ms. MENG, Mr. CORREA, Ms. DEGETTE, and Mr. MCNERNEY.

H.R. 721: Mr. MCCAUL.

H.R. 739: Mr. VEASEY.

H.R. 741: Mr. TIPTON.

H.R. 747: Mrs. TORRES and Mr. DUNCAN of South Carolina.

H.R. 788: Mr. STEWART and Mr. VALADAO.

H.R. 804: Mr. CARSON of Indiana.

H.R. 807: Mrs. MURPHY of Florida.

H.R. 896: Mr. LOUDERMILK.

H.R. 899: Mr. DUNCAN of South Carolina.

H.R. 927: Ms. ESTY.

H.R. 953: Mr. SHUSTER and Mr. LOUDERMILK.

H.R. 959: Mr. MCKINLEY and Mrs. MURPHY of Florida.

H.R. 997: Mr. MARCHANT and Mr. BURGESS.

H.R. 1005: Mr. TONKO.

H.R. 1017: Mr. RICE of South Carolina.

H.R. 1054: Mr. SEAN PATRICK MALONEY of New York and Ms. KUSTER of New Hampshire.

H.R. 1057: Mr. TIPTON.

H.R. 1058: Mr. TROTT.

H.R. 1090: Mr. THOMAS J. ROONEY of Florida.

H.R. 1116: Mr. WITTMAN and Mr. WALZ.

H.R. 1148: Mr. UPTON and Mr. BEN RAY LUJAN of New Mexico.

H.R. 1155: Mrs. MURPHY of Florida.

H.R. 1160: Ms. VELÁZQUEZ.

H.R. 1172: Mr. WELCH.

H.R. 1225: Mr. SCOTT of Virginia and Mr. RYAN of Ohio.

H.R. 1227: Mr. GRIJALVA and Mr. COHEN.

H.R. 1235: Mr. DESAULNIER, Ms. BORDALLO, Mr. DEUTCH, Mr. CLAY, Mr. GUTIÉRREZ, Mr. CLYBURN, Mrs. BEATTY, Mr. CROWLEY, Mr. LARSEN of Washington, Mr. MEEKS, Mrs. NAPOLITANO, Mr. POCAN, Mr. PALLONE, Mr. PERLMUTTER, Mr. QUIGLEY, Mr. WALZ, Ms. VELÁZQUEZ, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. SLAUGHTER, Mrs. LOWEY, Mrs. RADEWAGEN, Mr. MEEHAN, and Mr. SHIMKUS.

H.R. 1241: Mr. REED.

H.R. 1243: Mr. SUOZZI and Mr. CARBAJAL.

H.R. 1291: Ms. BLUNT ROCHESTER, Mr. LAWSON of Florida, and Mr. MCEACHIN.

H.R. 1307: Mr. RASKIN.

H.R. 1318: Ms. ROSEN and Mr. THOMPSON of Mississippi.

H.R. 1322: Mrs. LOWEY.

H.R. 1380: Mr. DUNN.

H.R. 1404: Mr. GALLEGGO, Mr. SCHWEIKERT, Mr. FRANKS of Arizona, Mr. GOSAR, Ms. SINEMA, Mr. O'HALLERAN, Mr. BIGGS, and Ms. MCSALLY.

H.R. 1413: Mr. DEFazio.

H.R. 1419: Mr. WEBER of Texas.

H.R. 1468: Ms. MCSALLY.

H.R. 1485: Mr. ROYCE of California.

H.R. 1513: Mrs. BROOKS of Indiana and Mr. KILMER.

- H.R. 1516: Mr. CAPUANO.
H.R. 1544: Mr. O'ROURKE and Mr. HURD.
H.R. 1551: Mrs. ROBY.
H.R. 1566: Mr. GRIJALVA.
H.R. 1582: Mr. LUETKEMEYER and Mr. PETERSON.
H.R. 1587: Ms. CLARKE of New York, Mr. ELLISON, Ms. LEE, Ms. MOORE, Ms. PINGREE, Mr. SCHIFF, and Mr. TAKANO.
H.R. 1589: Mr. TED LIEU of California.
H.R. 1623: Mr. COLE and Mr. JONES.
H.R. 1626: Mr. CONAWAY and Mr. DESJARLAIS.
H.R. 1639: Mr. RYAN of Ohio.
H.R. 1645: Mr. GOTTHEIMER.
H.R. 1648: Mr. CARDENAS, Mr. YODER, Mr. RUPPERSBERGER, Mr. RYAN of Ohio, Ms. SPEIER, Mr. PETERS, Mr. BISHOP of Georgia, and Mr. CLAY.
H.R. 1661: Mr. HOLDING.
H.R. 1676: Mr. ROSKAM, Ms. LOFGREN, and Mr. ROUZER.
H.R. 1677: Mr. CROWLEY, Mr. MOULTON, and Mr. KEATING.
H.R. 1695: Mr. SCHIFF and Mr. CRAWFORD.
H.R. 1697: Mr. WALBERG, Mr. ROUZER, Mr. KATKO, Mr. GUTHRIE, Mr. GRAVES of Missouri, Mrs. HARTZLER, Mr. LATTA, Mr. DELANEY, Mrs. NOEM, Mr. ROGERS of Alabama, Mr. COMER, Mrs. MCMORRIS RODGERS, Mr. LAMALFA, Mr. COLLINS of New York, Mr. MOONEY of West Virginia, Mr. LEVIN, Mr. SAM JOHNSON of Texas, Mr. SWALWELL of California, and Mr. VEASEY.
H.R. 1698: Mr. COLLINS of New York, Mr. BILIRAKIS, Mr. MOONEY of West Virginia, Mr. RYAN of Ohio, Mr. SWALWELL of California, and Mr. VEASEY.
H.R. 1722: Mr. BURGESS, Mr. DESANTIS, Mr. HENSARLING, Mr. HUDSON, Mr. KING of Iowa, and Mr. LONG.
H.R. 1725: Mr. HIGGINS of New York.
H.R. 1762: Mr. RUIZ.
H.R. 1776: Mr. GRIJALVA and Mr. POCAN.
H.R. 1796: Mr. WITTMAN and Mr. CRAMER.
H.R. 1815: Mr. VEASEY.
H.R. 1832: Mr. CICILLINE.
H.R. 1833: Mrs. NAPOLITANO and Mr. GARAMENDI.
H.R. 1841: Mr. PERLMUTTER, Mr. BLUMENAUER, Ms. NORTON, Mr. HUFFMAN, and Mr. POCAN.
H.R. 1870: Mr. DESAULNIER.
H.R. 1899: Mr. RUSH.
H.J. Res. 1: Mr. GALLAGHER.
H.J. Res. 2: Mr. GALLAGHER.
H.J. Res. 59: Mr. THORNBERRY.
H. Con. Res. 8: Mr. MOONEY of West Virginia.
H. Con. Res. 10: Mr. KING of New York and Mr. SENSENBRENNER.
H. Res. 28: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. FITZPATRICK, Mr. LYNCH, Mr. BROWN of Maryland, Ms. WILSON of Florida, Mr. BOST, Mr. SMITH of Missouri, and Mr. LAHOOD.
H. Res. 31: Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. BARRAGAN, Mr. FITZPATRICK, Mr. SHIMKUS, and Mr. BOST.
H. Res. 129: Mr. PEARCE, Mr. DEFazio, Mr. LUETKEMEYER, Mr. LEWIS of Georgia, Mr. RYAN of Ohio, Mr. POSEY, Mr. LOUDERMILK, Mr. DESANTIS, and Mr. WITTMAN.
H. Res. 188: Mrs. WAGNER.
H. Res. 199: Mr. GALLEGRO and Mrs. DAVIS of California.
H. Res. 220: Mr. SIREs and Mr. BISHOP of Michigan.
H. Res. 234: Mr. ROE of Tennessee.
H. Res. 245: Mr. GRIFFITH.
H. Res. 246: Mr. HASTINGS, Mr. VEASEY, and Mr. BROWN of Maryland.

EXTENSIONS OF REMARKS

HONORING THE LIFE AND SERVICE
OF WILLIAM "BILL" SMETHERS

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Ms. LOFGREN. Mr. Speaker, I rise today to recognize and honor the life of William "Bill" Smethers, who passed away on March 31, 2017. Bill was a wonderful friend and beloved member of our community whose passing is deeply felt. Having known and worked with Bill, I know that he will be greatly missed. He touched many lives throughout his decades of service to our community.

As a former Santa Clara County Fair Manager, Bill fought to protect the County Fair from being eliminated and continued to advocate for improving the Fair well after leaving his post as manager. His steadfast dedication became an inspiration for others to follow, encouraging them to preserve and continue these Fairs, festivals, and other cultural institutions not only in Santa Clara County but across California.

Most importantly, Bill founded Youth Focus Inc. almost 50 years ago to empower and motivate youth, providing learning opportunities for youth to excel and become future leaders in our community. Through various cultural and educational enrichment programs, Bill and his team at Youth Focus Inc. made a tremendous impact on countless young people by helping them develop skills they needed to become productive and contributing members of our society. His work has left a lasting impression on those who participated in Youth Focus Inc. programs and will continue to be felt by future generations.

Mr. Speaker, our San Jose community mourns the passing of Bill Smethers as we honor his life today. We thank him for his lasting contributions to our community and join his loved ones in celebrating his incredible life.

REINA BAUTISTA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Reina Bautista for receiving the Adams County Mayors and Commissioners Youth Award.

Reina Bautista is a 10th grader at Eagle Ridge Academy and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Reina Bautista is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all

levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Reina Bautista for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

TRIBUTE TO THE LATE CHUCK
BERRY, THE FATHER OF ROCK N'
ROLL

HON. WM. LACY CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. CLAY. Mr. Speaker, I rise today to honor a legendary American musical genius;

An inaugural member of the Rock n' Roll Hall of Fame;

And a former neighbor and friend of the Clay family for six decades . . .

The father of Rock n' Roll; the immortal Chuck Berry.

Mr. Berry, a legendary singer, songwriter and guitarist who created the original American art form that would come to be known as Rock n' Roll, died on March 18 at the age of 90.

He began singing in the Antioch Baptist Church choir in St. Louis when he was just six years old.

In 1952, when jazz pianist Johnnie Johnson lost his saxophonist, Alvin Bennett, to a stroke on Christmas Eve, he called on Mr. Berry to join the Sir John Trio.

The group played at the famed Cosmopolitan Club in East St. Louis. Although he was a new guitarist, Mr. Berry added vocals and showmanship to the group and was soon its leader.

During a 1955 visit to Chicago, legendary Blues man Muddy Waters suggested that Berry should reach out to Leonard Chess at Chess Records.

Mr. Berry sent him four demos; one was his iconic single . . . Maybellene. He got the contract.

The high-octane Maybellene became his first hit single.

As the civil rights movement was awakening the nation to the struggle for justice and equality for African Americans, Chuck Berry's music smashed the color barrier. He was one of the first Black artists to become as popular with white audiences as he was with Black audiences.

In 1958, he did an ode to teenage-hood: Sweet Little Sixteen. It grabbed the No. 1 spot on the R&B chart and No. 2 on the pop chart.

Then came Johnny B. Goode, his anthem that was part autobiography, part tribute to his piano player, Johnny Johnson. It's about a

poor country boy with a gift for playing the guitar and dreams of someday seeing his name up in lights "saying Johnny B. Goode tonight."

In 1987, his self-titled autobiography was published and the enduring documentary film about his life, Hail! Hail! Rock n' Roll, was released.

Mr. Berry appeared as himself in the 1978 film, American Hot Wax, and performed at the Carter White House in 1979.

A career that transcended hate and racism, and outlasted hardship, began winning long-overdue recognition in the '80s.

In 1985, he received the Grammy Lifetime Achievement Award and was inducted into the Blues Foundation's Blues Hall of Fame.

In 1986, after more than 40 years in show business, Chuck Berry was inducted into the Rock n' Roll Hall of Fame as a member of its inaugural class.

Two years later, Chuck Berry received his star on St. Louis' Walk of Fame.

In 2011 . . . a larger than life statue of Mr. Berry was installed near his star, across the street from the world-famous Blueberry Hill on Delmar Boulevard in the heart of my Congressional District.

The Beatles, The Rolling Stones and many other world-class groups owe their success to the innovative genius of Chuck Berry.

Mr. Berry's most recent award, the Polar Music Prize, aptly stated: "Every riff and solo played by rock guitarists over the last 60 years contains DNA that can be traced right back to Chuck Berry."

Charles Edward Anderson Berry was born Oct. 18, 1926 in St. Louis' historic Ville neighborhood. He was the fourth of Martha Bell Banks Berry and Henry William Berry Sr.'s six children.

Mr. Berry is survived by his wife, Themetta, and his four children, Ingrid Berry, Melody Eskridge, Aloha Isa Leigh Berry and Charles Berry Jr.

On behalf of the Clay family, I want to express our deepest condolences to our old friends . . . the Berry family.

And on behalf of music fans everywhere, I want to give thanks for the life of this legendary artist . . . whose legacy and unique sound will live on for generations to come.

A true St. Louis legend and an American treasure . . . Chuck Berry.

PERSONAL EXPLANATION

HON. PETER J. VISCLOSKEY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. VISCLOSKEY. Mr. Speaker, on April 3, 2017, and April 4, 2017, I was absent from the House and missed Roll Call Votes 209 through 216.

Had I been present for Roll Call Vote 209, on passage of H. Res. 92, I would have voted Yes.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Had I been present for Roll Call Vote 210, on passage of H.R. 479, I would have voted Yes.

Had I been present for Roll Call Vote 211, on ordering the previous question, I would have voted No.

Had I been present for Roll Call Vote 212, on agreeing to H. Res. 241, I would have voted No.

Had I been present for Roll Call Vote 213, on ordering the previous question, I would have voted No.

Had I been present for Roll Call Vote 214, on agreeing to H. Res. 240, I would have voted No.

Had I been present for Roll Call Vote 215, on the motion to recommit H.R. 1343, I would have voted Yes.

Had I been present for Roll Call Vote 216, on passage of H.R. 1343, I would have voted No.

RECOGNIZING AND CELEBRATING
THE NORTHERN VIRGINIA VET-
ERANS ASSOCIATION'S 2ND ANNI-
VERSARY CELEBRATION

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. WITTMAN. Mr. Speaker, I rise to recognize and celebrate the Northern Virginia Veterans Association's 2nd Anniversary Celebration. NOVA Veterans operates with the mission of supporting local veterans and families through coordination of services and case management until all needs are met. After coordinating resources for the veterans and their families, NOVA Veterans then completes the case by supplying information on local fitness, arts programs, and recreation resources.

NOVA Veterans began supporting veterans and their families in July 2015 and have since supported more than 50 clients and have completed more than 600 hours of case management. The organization has grown to include 42 partners, affiliates, sponsors, and donors. NOVA Veterans has more than 60 individuals who support their mission on an individual level through volunteering and donations and these numbers continue to grow.

NOVA Veterans' comprehensive network of proven local resources creates rapid, efficient, and effective results while also serving as a rally point where former and current military members and military support organizations can team up and serve their community. The multifaceted, inclusive, and collaborative support and care NOVA Veterans gives to our nation's veterans and their families empowers them to become involved in their communities and to improve the health and quality of their lives. Mr. Speaker, I ask you to join me in celebrating NOVA Veterans' second anniversary and to wish them continued success in the future.

TRUMP DIRTY ENERGY
EXECUTIVE ORDER

HON. NANETTE DIAZ BARRAGÁN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Ms. BARRAGÁN. Mr. Speaker, after the hottest recorded year in history, Donald Trump and his Environmental Destruction Agency under Administrator Scott Pruitt will undo more than a decade's worth of progress fighting climate change and protecting public health by seeking to eliminate the Clean Power Plan as we know it.

The Clean Power Plan which seeks to reduce carbon pollution from fossil-fueled power plants by more than 30 percent, was the biggest action the United States had ever taken to reduce carbon pollution, the main source driving climate change. It was also the lynchpin of the Paris Climate Agreement which brought countries from all over the world together for the first time to combat climate change.

By weakening the Clean Power Plan and retreating as the world's leader in combating climate change, the Trump Administration is giving away the ever-growing clean energy economy to China.

Contrary to President Trump's assertions, these actions will not bring back coal-mining jobs in Appalachia as natural gas continues to be more economically competitive than coal, the main reason for coal's demise.

The climate gap, the sometimes hidden and often-unequal impact of climate change on people of color and the poor, is real and only getting worse. Climate change disproportionately impacts minority and low-income communities like those in my district, especially with respect to heat waves, air quality and extreme weather events.

Low-income and minority communities in the inner city are more susceptible to the "heat island" effect where temperatures are magnified by concrete and asphalt. Reports have shown that African Americans living in Los Angeles are twice as likely to die as other Angelenos during a heat wave.

One of my top priorities is the issue of environmental justice—people should not breathe dirtier air simply because of their income or what they look like. As a United States Congresswoman for California's 44th congressional district, I will do everything I can to ensure clean air, water and lands for vulnerable populations.

TRIBUTE TO GARY BOSWELL

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Gary Boswell. Gary was honored by the Adams Community Chamber of Commerce with the Agriculturalist of the Year Award at their annual banquet on January 26, 2017.

Gary is currently a member and board member of the Adams County Farm Bureau,

and is secretary for the Southwest Iowa Egg Cooperative Board. He was selected as Southwest Iowa Region 8 Conservation Farmer of the Year and is currently a member of the Iowa Cattleman Association, Iowa Soybean Association and the American Soybean Association.

Mr. Speaker, I commend Gary for receiving this outstanding award and for his continued commitment to the agriculture community. I am proud to represent him, and Iowans like him, in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating Gary and in wishing him nothing but continued success.

ZAIRA GARCIA DE LA CUEVA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Zaira Garcia De La Cueva for receiving the Adams County Mayors and Commissioners Youth Award.

Zaira Garcia De La Cueva is an 11th grader at Northglenn High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Zaira Garcia De La Cueva is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Zaira Garcia De La Cueva for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

CONGRATULATING ALBERT "AL"
YANGER ON RECEIVING THE U.S.
SMALL BUSINESS ADMINISTRATION'S 2017 VETERAN SMALL
BUSINESS CHAMPION OF THE
YEAR AWARD FOR GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Albert "Al" Yanger on receiving the U.S. Small Business Administration's 2017 Veteran Small Business Champion of the Year Award for Guam. This award honors an individual on Guam who has fulfilled a commitment to advancing small business opportunities for Veterans of the U.S. Armed Forces.

Al is the Co-Founder and President of Galaide Professional Services, Inc. (GPSI). Galaide Professional Services, Inc. is a Disabled Veteran Owned and SBA HUBZone certified small business providing professional,

technical management, administrative and general contracting services for the Federal Government, Government of Guam and clients in the Western Pacific Region.

Al faithfully served in the U.S. Army for 22 years and retired as the Division Chief of Intelligence at the Pentagon. He then joined the private sector and worked for the Native American Industrial Distributors, Inc. Al recognized there was a need for the services he was providing with NAID in his home island of Guam and returned to the island in 2010. Together with his partner and fellow veteran Frankie Dumanal, Al launched Galaide Professional Services Inc. in December 2010. The company specializes in program/project management consulting with core competencies in the information technology sector. GPSI Guam works diligently with the Department of Defense Small Business representatives on Guam and has helped build the confidence of federal and local buyers to use local Veteran/Disabled Veteran Owned Small Businesses. Additionally, GPSI Guam is committed to using other Veteran/Disabled Veteran Owned Small Businesses as subcontractors. GPSI Guam supports Joint Region Marianas, U.S. Navy and U.S. Air Force small business programs and the University of Guam Procurement Technical Assistance Center and Small Business Development Center. GPSI Guam is also a strong supporter of the Employee Support of the Guard and Reserve through financial donation and recruiting through the ESGR office. Half of GPSI Guam's work force is proudly made up of retired military or active guard and reserve members.

Al and GPSI Guam are also active in the island community. GPSI Guam is a member of the Guam Chamber of Commerce and the Chamber's Small Business and Armed Forces Committees. They are also members of the Guam Contractor's Association and Guam Visitors Bureau.

I join the people of Guam in congratulating Albert "Al" Yanger on his selection as the SBA's 2017 Veteran Small Business Champion for Guam. I commend him for his many contributions to our island and community.

HONORING THE CARTHAGE HIGH SCHOOL BULLDOGS, 2016 CLASS 4-A, DIVISION I STATE FOOTBALL CHAMPIONS

HON. LOUIE GOHMERT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. GOHMERT. Mr. Speaker, nestled in the eastern portion of the First District of Texas is a community which is home to the Texas Country Music Hall of Fame, known as the Gas Capital of the United States, and also home to the Texas state champions of the high school gridiron for 2008, 2009, 2010, and 2013. Once again we have the great honor to recognize the accomplishments of the Carthage Bulldogs football team which has captured the title of Class 4A Division I Texas State Football Champions for the fifth time in the school's history.

The title match found the Abilene Wylie Bulldogs meeting the Carthage Bulldogs on the

turf to tangle for the state championship bragging rights, with the Carthage team emerging victorious and a final score of 31-17. The Carthage Bulldogs displayed great resilience and commitment throughout their season, and it is indeed an honor to bring these outstanding athletes to national attention and retention in our national record. The life lessons learned about teamwork, perseverance, and discipline will no doubt improve every participant in immeasurable ways.

My heartfelt congratulations to champions Ashton Hicks, Jesus Jimenez, Keilinn Shelton, Davian Parker, Dee Bowens, Baylor Colle, Mason Graham, Felipe Ponce, Mekhi Colbert, Greg Hurst, Jase Dixon, Macain Jones, Dewaylon Ingram, Cole Whitlock, Josh Gradberg, Darrian Ingram, Elijah King, Tristan Boniol, Jace Tiller, Brandon Medrano, Roderic Calloway, Austin Russell, Gunner Capps, Austin Gray, Chris Attaway, James Ebarb, Cam'ron Matlock, Peyton Bickham, Nick Moore, Jaden Smith, Dayquan Woodard, Nate Brittenham, Logan Baker, Christian McClure, Freeman Thomas, Jaime Gonzalez, Kason Davis, Kevion Booty, Grant Griffin, Jesse Wayne Pierce, Brewster Griffith, Hunter Gauger, Chad West, Callam Barber, Terrance Lewis, J.T. Romero, Tyler Lewis, Demetrius Cooper, Mykel Gates, Casey Jones, Tucker Smith, Tanner Elliott, Jose DeJulian, Brandon Collier, Keaontay Ingram, Tykiesat Crawford, Montario Wilson, Dillon Ebarb, Kaden Holcomb, Peyton Monroe, Trevonte Alexander, Matt Davis, Kelvontay Dixon, Tre Gatlin, Jalen Brooks, Alberto Sigala, Callahan Baldree.

No matter how talented and committed, no team could achieve such success without a head coach of extraordinary vision and ability who could lead the Bulldogs to success both on and off the field. Scott Surratt has earned an unprecedented five state titles in his ten year career as head coach for the Carthage Bulldogs, placing him in the prestigious position of being one of the most successful Texas high school football coaches of all time.

The Bulldogs are a perfect representation of what can be accomplished when a team possesses both perseverance and resolve with proper guidance from the entire coaching and support staff. Congratulations are extended to Assistant Coaches: Darren Preston, Kevin Davis, Lee Berry, Zeke Dixon, Clint Endsley, John Goodwin, Brandon Hargers, Demond Horsley, Ryan Marion, Dennis McLaughlin, Jim Milstead, Mike Morgan, Josh Ross, Charlie Tucker, James Watson; Junior High Coaches: Paul Bishop, Art Horton, Jeff Griffin, Bryan Stacy, Damon Roberts; Athletic Trainer: Derek Reed; Athletic Secretary: Mamie Vanover; and the Student Assistants: Mynaisa Bowman, Tara Sells, Serena Rascoe, Neece Pellum, Kayleigh McCormick, Ebonae Maxwell, Devan Hudman, Hunter Gray, Leticia Gonzalez, Austin Buchanan, Caleb Randall.

A team and its coaches cannot soar to the heights of becoming champions without the encouragement and full support of the school itself, starting at the top with Superintendent: Dr. Glenn Hambrick; High School Principal: Otis Amy; and Assistant Principals: Pat Browning & Wade Watson.

It is truly an incalculable honor to pay tribute to this sensationally astounding group of young people who became so much more

than the sum total of the team's individual parts. They magnificently represent the very best of the Carthage community and the entire First District of Texas.

May God continue to bless these young people, along with their families, friends and neighbors in Carthage, Texas. It is a tremendous honor to congratulate the 2016 State Football Champion Carthage Bulldogs, as their legacy is now preserved in the United States Congressional Record which will endure as long as there is a United States of America.

EXPRESSING APPRECIATION FOR BRIGADIER GENERAL DAVID J. FURNESS

HON. MAC THORNBERRY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. THORNBERRY. Mr. Speaker, I rise today to express appreciation for an outstanding Marine, Brigadier General David J. Furness, who has directly supported the Armed Services Committees, this House, and the Congress at-large as the Legislative Assistant to the Commandant. Over the years, I have worked with him on a variety of issues. In each and every case, his focus has been improving our nation's security and bettering of the lives of Marines stationed around the world.

General Furness has been the Legislative Assistant to the Commandant since 2013. In that time he has served two Administrations, three Commandants, and four Secretaries of Defense. Through it all, General Furness has delivered a steady message focused on Marines and what the Marine Corps requires to remain our nation's force-in-readiness. As the Corps dealt with the consequences of the Budget Control Act, continuing resolutions, and inadequate funding, General Furness helped Members of Congress and our staffs understanding the real world consequences. He is known for his candor, responsiveness, and passion for his country and the Corps.

A big part of the reason that General Furness has been able to describe clearly the challenges facing the Marine Corps is his experience in command. He has led Marines in combat since he was a Second Lieutenant, where he served in Panama. He has also served multiple combat tours in Iraq and Afghanistan. In 2010, he was the Commander of the 1st Marine Regiment in Helmand Province, when operations in Southwestern Afghanistan were a principal line of effort and the coalition accomplished significant gains in the counter-insurgency mission.

General Furness is now returning to the operating forces where he will assume command of the Joint Task Force—Horn of Africa. I have no doubt that he will serve our Nation well in this challenging assignment.

This deployment will be the 11th of General Furness' career. Through all of them, his wife Lynda has been by his side. From coast-to-coast moves and years of separation, Lynda has raised four children—David, Elizabeth, Ben and Zachary. She truly is a testament to the reality that it is not just our service members, but also their families, who sacrifice for the safety of us all.

In thanking General Furness for his service thus far, I know that I join all our colleagues in wishing him and his family fair winds and following seas as he moves to the next phase of his career.

TRIBUTE TO A NOISE WITHIN

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. SCHIFF. Mr. Speaker, I, along with my colleague, Representative JUDY CHU, rise today to honor A Noise Within, a classic theater company of Pasadena, California upon its twenty-fifth anniversary.

A Noise Within (ANW) was established in 1991 by Artistic Directors Geoff Elliott and Julia Rodriguez-Elliott with the goal of performing classic theater as a vital means of enriching the community by embracing universal human experiences, expanding personal awareness, and challenging individual perspectives.

At a period when classical theater was seldom performed in the area, ANW's first production was Hamlet. Initially performing in a small theater in a former Masonic Temple in Glendale and funded by the founders, ANW flourished for nearly twenty years, garnering praise for its artistic excellence. After an effective capital campaign, ANW built a permanent home in east Pasadena, California in 2011.

A Noise Within performs in a rotating repertory manner to general and student audiences, reaching an audience of around thirty-five thousand people each season with one hundred-fifty shows of seven timeless classic plays, and has the distinction of being the only year-round classical repertory theater in Southern California. Dedicated to making great classic literature come to life for our youth, with its Our Classics Live! Education Program, ANW serves 16,000 students every season, with some level of subsidy for each student participant.

I ask all Members to join Congresswoman CHU and me in recognizing A Noise Within upon their twenty-fifth anniversary, and for their outstanding service and significant contributions to the arts in the greater Pasadena area.

RECOGNIZING THE CENTRALITY OF THE U.S.-SAUDI RELATIONSHIP TO THE FIGHT AGAINST TERRORISM

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. ROYCE of California. Mr. Speaker, as Major General Ahmed Hassan Mohammed Asseri made clear in a recent op-ed, the relationship between the United States and Saudi Arabia is central to the fight against terror. Together our two countries are responding to the serious threat from "Da'esh" (ISIS) and other terrorist groups, Iran's continued support of

terrorism, and the violent messages of religious extremism emanating from some quarters of the Middle East.

Gen. Asseri's support for intelligence-sharing is a clear recognition that countering these threats goes beyond the battlefield. We are appreciative of Saudi efforts to block the flow of funding to terrorists, weakening their capacity to perpetrate atrocities against innocents around the world. We note with enthusiasm efforts by Saudi Arabia to counter the messages of violent extremism that draw vulnerable young people into the grasp of these terrible groups and applaud efforts to address the challenge of rehabilitating convicted terrorists.

We are hopeful that the Saudi-led Islamic Coalition Against Terrorism will play an increasingly important role in both the fight against ISIS and efforts to push back against Iran's destabilizing activities in the region. Nowhere is this more relevant than in Yemen, where Saudi Arabia has suffered both military and civilian casualties. It is imperative to push Iranian influence out of Yemen, expedite humanitarian assistance to Yemenis suffering through this conflict, and develop a coherent, long-term political framework through which the country can move forward.

The United States values Saudi Arabia as a partner, and we are committed to working together in the fight against terror.

I include in the RECORD the recent editorial by General Asseri.

[From FoxNews.com, March 26, 2017]

MY COUNTRY SUPPORTS AMERICA'S TOUGH STANCE AGAINST ISIS, TERROR, AND IRAN
(By Ahmed Hassan Mohammed Asseri)

Published March 26, 2017 (FoxNews.com)

Leaders from 68 countries gathered in Washington for a meeting of the Global Coalition to Counter Daesh (ISIL) hosted by President Trump's administration this past week.

Saudi Arabia welcomes the new administration's attention to the Middle East and its support for America's friends who are fighting back against transnational terrorists such as Daesh and pushing back against Iranian interference in countries such as Yemen.

As Americans would say, "You've got our back." And America's support is indispensable as we stand together against a host of threats to regional stability.

While meeting with Saudi Deputy Crown Prince Mohammed bin Salman—an architect of our country's economic, social, and governmental reforms—at the White House recently, President Trump enthusiastically endorsed the modernization drive that will make our country an even more valuable strategic partner. Similarly, our government welcomes the United States' long-standing support of the Saudi defense forces.

The new administration is also toughminded about the Iranian threat to regional stability, which was magnified by the recent nuclear deal between Iran and six world powers, including the United States.

Defense Secretary James Mattis and CIA director Mike Pompeo each describe Iran as the world's largest state sponsor of terrorism, while Vice President Mike Pence has called the nuclear agreement "a terrible deal."

Saudi Arabia is prepared to work with the United States and its allies to restrain Iranian conduct, just as we have helped to stabilize the Arabian Gulf and its energy sup-

plies since World War II. While the US-Saudi partnership is time-tested, reaffirming this relationship is a matter of strategy, not sentiment. Since the Global Coalition's founding three years ago, Saudi Arabia has been an active partner from Day One, including sending fighter jets to the Incirlik airbase in southern Turkey to join the US-led air campaign against Daesh in Syria.

On the financial front, Saudi Arabia works closely with the United States to cut off funding for Daesh and Al Qaeda. Through real-time information-sharing, we cooperate with the United States to shut down the flow of funds from western banks to Middle Eastern extremists.

To ensure that charitable contributions don't subsidize terrorism, we prohibit Saudi mosques and aid organizations from transferring money outside our country.

We have also taken strong steps to stop unauthorized shipments of military equipment from leaving Saudi Arabia and to prevent people from crossing our borders to join Daesh in Iraq or Syria.

Meanwhile, Saudi Arabia is mobilizing the Muslim world against the extremist threat to our religion. Under Saudi leadership, the 41-nation Islamic Coalition is equipping our countries to fight violent extremists by training our security forces and sharing information and intelligence.

Last March, in the largest joint military exercise ever in the Middle East, some 350,000 soldiers, 20,000 tanks and 2,500 warplanes from 20 countries joined together in "war games" in the Saudi desert to jointly train our security forces for operations against non-state armed groups.

Turning from the battlefields to the battle of ideas, the Islamic Coalition is encouraging educators and scholars as well as religious and political leaders to raise their voices against those who preach violence. Moreover, Saudi Arabia has created a center which operates 24/7 to analyze social media to identify and track terrorist efforts to recruit and activate new followers.

But non-state armed groups and radical preachers aren't the only threats. By conducting ballistic missile tests last month and meddling in Yemen, Lebanon, Syria, Iraq, the Sinai Peninsula and even the Gulf States, Iran is imperiling the stability of our region. Even more disturbingly, Iran is sharing ballistic missile technology with the extremist Houthi militia in Yemen and similar groups in other countries, thereby imperiling the security of the entire region.

In Yemen, which shares a 1,100-mile border with Saudi Arabia, Iran is supporting and arming the Houthi militia, modeled on the terrorist Hezbollah movement that has destabilized Lebanon. While making Yemen ungovernable, the Houthis are attacking Saudi Arabia, having fired more than 40,000 mortars, rockets and other projectiles at our towns, killing at least 375 civilians, closing more than 500 schools and displacing 24 villages and over 17,000 people.

In January, three Houthi suicide boats rammed a Saudi frigate off the western coast, killing two crew members and injuring three others.

Responding to this threat, Saudi Arabia leads a coalition of 12 countries fighting to reinstate Yemen's legitimate, internationally recognized government and restore peace and security to the country.

To be sure, Saudi Arabia prefers to promote stability through peaceful means, as we do by providing much-needed diplomatic and economic support to strategic allies such as Egypt and Jordan. But aggression, active

destabilization and acts of terrorism, including Iran's infringements in Yemen, demand a military response.

From the Cold War through the War on Terror, the U.S. has helped Saudi Arabia strengthen our defenses through joint military training exercise and ballistic defensive weapons sales, making our country the largest customer of U.S. military equipment.

Today, we're working with the United States and its allies to defeat Daesh, Al Qaeda and Iranian-sponsored extremism and expansionism.

We stand shoulder-to-shoulder for a secure and stable Middle East in a peaceful and prosperous world.

(Major General Ahmed Hassan Mohammad Asseri is an adviser to Saudi Arabia's Defense Minister.)

IN HONOR OF THE 100TH ANNIVERSARY OF WOODLAND HIGH SCHOOL

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. ROGERS of Alabama. Mr. Speaker, I rise today to recognize the 100th Anniversary of Woodland High School.

Woodland School was organized in 1917. It was the first consolidated school in Randolph County. It formed when Lamar, Cross Line, and New Site consolidated to form the school.

The original school building consisted of a hall and five classrooms. Ten grades were taught there until 1928.

The school will be celebrating the centennial with a ceremony on April 27, 2017. During the celebration, a time capsule will be sealed to be opened in 2042. Each grade will participate by contributing something for the time capsule.

Woodland High School is beloved by its community, and many of its teachers are alumni who have returned to give back to the community that built them up.

Mr. Speaker, please join me in celebrating Woodland's 100th Anniversary and in wishing them many more.

IN RECOGNITION OF POLICE CHIEF KEVIN SANZENBACHER

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize Police Chief Kevin Sanzenbacher of the City of Winchester which is located in the 10th Congressional District of Virginia, and, as he nears retirement, ask that our colleagues join me in thanking him for his extraordinary service to the Winchester community and to our nation. After spending most of his career in various public safety positions in Maryland, Kevin Sanzenbacher became the Chief of Police of the City of Winchester in November of 2008, and in eight remarkable years, he has led the department to a new level of public service and professionalism.

As a strong advocate of community policing, Chief Sanzenbacher set the example for his

officers by constantly being a part of the community, extending himself beyond what would be expected of a police chief by taking on responsible roles in charitable organizations such as the United Way and participating in community meetings to learn from average citizens how they and the police could work together to make their neighborhoods more safe. As a proactive leader, Chief Sanzenbacher also implemented a Teen Night at the Youth Development Center and a Teen Citizen's Academy to develop a closer bond between law enforcement and young people and give them a good place to spend some time each week. He also responded to society's challenge of dealing with the mentally ill, by assigning officers to the City's award-winning Community Response Team that has developed personal relationships of trust with the mentally ill citizens of the city.

In response to the devastating impact of the heroin epidemic, Chief Sanzenbacher organized a variety of informational meetings about the epidemic, including one that I requested, and played a leading role in establishing the Northern Shenandoah Valley Substance Abuse Coalition and the Drug Court that has followed. He also took action to establish a partnership with the local chapter of the NAACP to deal with a police incident that divided the community and to develop greater long-term harmony among various racial groups.

As a champion of greater professionalism for his officers, Chief Sanzenbacher led the effort to attain accreditation by the Virginia Department of Criminal Justice in 2009 and to be reaccredited in 2013; he took the lead in forming the first Winchester Police Department Honor Guard in 2014; he implemented a standardized fitness testing program for all sworn officers through which all were declared "fit for duty"; he managed to obtain a grant for the purchase of body-worn cameras and he created defensive tactics training and fitness rooms for the employees of the Department. In 2009, Chief Sanzenbacher, Jim Wilkins, Jr. and other community leaders started the Winchester/Frederick County Law Enforcement Foundation in order to provide funding for National Night Out, Kids and Cops Camp, law enforcement training and scholarships for worthy students.

Chief Sanzenbacher is the first to acknowledge that his many accomplishments were the result of efforts of his entire team of capable, energetic professionals, yet, despite his self-effacing humility, there is no doubt that it took his special quality of leadership to accomplish these things. Mr. Speaker, I ask you and our colleagues to join me in honoring and thanking Police Chief Kevin Sanzenbacher for his extraordinary contributions to the City of Winchester and to our nation, and in wishing him and his wife, Estelle, great success and happiness in the next chapter of their lives.

TRIBUTE TO JILL AND LARRY HAMMITT

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Jill and Larry Hammitt of Minden, Iowa, on the very special occasion of their 50th Wedding Anniversary. They were married on January 28, 1967 in Missouri Valley, Iowa.

Jill and Larry's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 50th Anniversary, may their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

CONGRATULATING KATHLEEN THOMAS BENAVENTE ON RECEIVING THE U.S. SMALL BUSINESS ADMINISTRATION'S 2017 HOME-BASED BUSINESS CHAMPION OF THE YEAR AWARD FOR GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Kathleen Thomas Benavente on her selection as the U.S. Small Business Administration's 2017 Home-Based Business Champion of the Year Award for Guam. This award honors individuals who have experienced the rewards and difficulties of owning a home-based business and have worked voluntarily to improve the climate for other home-based businesses.

Kathleen is the Founder and President of The Occasion-Event Coordination and Decorating Co. Kathleen started the business as a side job to supplement her family's household expenses ten years ago and it grew into a fulltime success. Kathleen has since created over 200 events for people from all walks of life. Kathleen has always been known to have talent for organizing creative and successful events and was encouraged by friends and family to charge for her services. Kathleen and her family made substantial sacrifices and worked as the first employees to get the business going and they began to grow from word of mouth referrals. In 2011, Kathleen took a year off from the business for reflection after her foster mother passed away. She used the time to take a class at the University of Guam Small Business Development Center and began to make changes. Kathleen changed the name of the business and created a website for the business. She also sought out a long time event planner to be her mentor. In 2015, she began to see profits and she now

employs 8 part time employees and purchases supplies from local companies. Additionally, Kathleen uses the knowledge and tools she has gained from the University of Guam's Small Business Development Center and the Pacific Island Network SBDC in her business and shares them with her employees and networks.

Kathleen is also an active member of our community. Inspired by her experience as a foster child from the age of 4 to 16, Kathleen is now the President of Guam Foster Families Association. Kathleen is also the Vice-President of Soroptimist International Guam working to transform the life of women and girls. She has also served as a board member of Payu-ta, Guam's umbrella organization of non-governmental organizations since 2011.

I join the people of Guam in congratulating Kathleen Thomas Benavente on her selection as the SBA's 2017 Home-Based Business Champion for Guam. I commend her for her many contributions to our island and community.

RECOGNIZING HALL COUNTY VETERANS

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize five residents of Hall County who left school to serve their nation in foreign wars and who have recently received honorary high school diplomas from the district. On March 27 at Gainesville First Baptist Church, Larry Dean Martin, Jimmy Arnold Thompson, James Curtis Reed, Lee M. Cain and Jerry Harold Peck received the diplomas they had previously sacrificed in order to fight for their county.

Hall County Schools Superintendent Will Schofield commended these men for contributing to a number of initiatives in the Hall County community, including handing out Constitutions and participating in an educational veteran graduation ceremony.

Mr. Martin and Mr. Thompson attended East Hall High School, Mr. Cain and Mr. Peck attended North Hall High School, and Mr. Reed attended Johnson High School. Mr. Cain served during WWII, while the other men all fought in Vietnam.

Although the many years have passed since their military service, Mr. Schofield says that the men are gratified to be recognized by their community.

Mr. Speaker, I am honored to recognize these Georgians for their selfless service and their community involvement. They deserve our recognition and the diplomas that have been awarded to them because they chose to put others before themselves in our nation's time of need.

TAIWAN CAUCUS LETTER

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. SHIMKUS. Mr. Speaker, I rise today to commemorate the 38th Anniversary of the Taiwan Relations Act (TRA), the pillar upon which our robust friendship with Taiwan stands.

The United States and Taiwan share the common interests and values of freedom, democracy, rule of laws, human rights and free market. Our security commitment has helped Taiwan become one of the most free and prosperous societies in the world. The United States enjoys cooperation with Taiwan on a broad range of concerns, including security, economic cooperation and development, global engagement, humanitarian relief, counterterrorism, people-to-people exchanges—and the list goes on. It is my firm belief that a strong and prosperous Taiwan will guarantee peace and prosperity in the region.

As we commemorate the 38th Anniversary of the Taiwan Relations Act, it is in the national interest of the United States to take decisive action to strengthen U.S.-Taiwan relations.

I also noticed that the President of the People's Republic of China, Xi Jinping is visiting the United States to visit with our President. It is my hope that the upcoming meeting is positive and constructive: U.S. engagement with the PRC is important to the peace and stability of the region. We should always hope and insist that the U.S.-Taiwan relations, and Taiwan's security and interests, are not in any way compromised.

Taiwan is a great friend of the United States. Taiwan is and will continue to be a friend of the United States.

RECOGNIZING JOHN ALBAN FINCH

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. REED. Mr. Speaker, I rise today to honor the life and legacy of John Alban Finch.

Fifty years ago today, on April 5, 1967, a fire broke out at Cornell Heights Residential Club, an off-campus student dormitory in Ithaca, New York. The fire claimed the lives of eight students and one professor from Cornell University.

Mr. Finch was the professor who perished in the fire. On the night of the tragedy, he immediately took action by awakening his neighbors in the building and calling the Cornell Safety Division. Despite heavy smoke, Mr. Finch ran back into the building to help other occupants escape to safety. A total of 62 people escaped the fire, many of whom attributed their survival to Mr. Finch's heroic and selfless actions. Tragically, Mr. Finch did not survive.

Mr. Finch gave his life to save those in need—the true definition of a hero.

Mr. Finch was an assistant professor and faculty advisor for the Ph.D. program at Cornell University. He originally came to Cornell in

1960 as a graduate student on a Woodrow Wilson Fellowship. Mr. Finch earned a master's degree in 1961 and a Ph.D. in 1964. The following year, he began working as an Assistant Professor of English and an instructor in the English honors program. Mr. Finch was a distinguished scholar and highly valued faculty member.

I ask my colleagues to join me in honoring the life of John Alban Finch and recognizing his lifelong commitment to serving others.

PERSONAL EXPLANATION

HON. LOUISE MCINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed Roll Call vote numbers 209, 210, 211, 212, 213 and 214. Had I been present, I would have voted aye on votes 209, 210, 215 and 216. I would have voted nay on votes 211, 212, 213, and 214.

HONORING JOSEPH KOLB

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. QUIGLEY. Mr. Speaker, I rise today to honor a constituent of mine, Joseph Kolb, a native Chicagoan, who is set to retire after a lengthy and illustrious career in law enforcement.

Mr. Kolb began his career in 1983 as a Deputy Sheriff with the Cook County Sheriff's Department. In 1987, Mr. Kolb began his federal government service career with the former United States Immigration & Naturalization Service (INS) and during his tenure was promoted to the rank of the Assistant Port Director for INS at O'Hare International Airport in Chicago, Illinois.

When Congress created the U.S. Department of Homeland Security (DHS) in March of 2003, Mr. Kolb was selected by the U.S. Customs & Border Protection (CBP) Assistant Commissioner in Washington, D.C. as the interim Assistant Director for Immigration Policy and Programs at the Chicago Field Office. His vast knowledge of immigration law and policies combined with experienced leadership skills proved invaluable during the creation and implementation of the newly created agency.

Assigned as the Chief CBP Officer Program Manager for Admissibility Passenger and Programs, Mr. Kolb served as a subject matter expert, administering admissibility and immigration policy, managing and developing admissibility programs for the Chicago Field Office 12 state area.

He also performed the important role of liaison to the Foreign Consular Corp, Immigration Law Advocate groups, Community Based Organizations, U.S. Department of State, FBI, City of Chicago and Office of Civil Rights and Civil Liberties.

Later, Mr. Kolb was assigned to Washington, D.C. for CBP and DHS Headquarters

to author and administer national immigration policy, as well as provide guidance to the field. This latter task involved contributing to a number of national programs along with writing recommendations to Congress regarding special projects.

Mr. Kolb's long career took him to international posts throughout the world, working with the U.S. Department of State and DHS Headquarters in London, Amsterdam, Rome, Dublin, Helsinki and Tallinn, Estonia.

For his outstanding service, Mr. Kolb was nominated in 2016 by the Chicago Federal Executive Board as Employee of the Year.

Mr. Kolb graduated from Gordon Technical High School and holds a Law Enforcement degree from Oakton College. In 2001, he received the Alumni of the Year Award from Oakton College.

Mr. Speaker, I ask you to join me in recognizing Mr. Kolb's distinguished service to our country and his exemplary career as a law enforcement official.

TRIBUTE TO KEVIN ROSS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Kevin Ross of Minden, Iowa, for being named the Iowa Delegate to the Council for Agricultural Research, Extension, and Teaching (CADET). Kevin will represent Iowa State University Extension and Outreach and the College of Agriculture and Life Sciences.

CADET was originally organized in 1982. According to the Neola Gazette, "the organization works closely with the Association of Public and Land Grant Universities and advocates for support of the land grant university food and agricultural research, extension, and teaching programs that enhance the quality of life." Kevin holds a degree in agricultural studies, operates the Ross Land & Cattle LLC, a family farm and cow-calf operation, and is a licensed crop insurance agent. Kevin serves on the board of Iowa Energy, LLC, the National Corn Growers Association Board, and the West Pottawattamie County Extension Council.

Mr. Speaker, I commend Kevin on his many years of dedicated service to the agriculture community. I am proud to represent him in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating Kevin for his accomplishments and in wishing him and his family nothing but the best.

RECOGNIZING DERRICK MUNA QUINATA ON RECEIVING THE U.S. SMALL BUSINESS ADMINISTRATION'S 2017 SMALL BUSINESS PERSON OF THE YEAR AWARD FOR GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Derrick Muna Quinata on being awarded the U.S. Small Business Administration's 2017 Small Business Person of the Year Award for Guam. Derrick is being honored and recognized as an individual who has demonstrated outstanding skills, savviness, and ability to create success in the small business community. He holds a degree in Business Administration from the University of Guam and is a Masters of Business Administration candidate with the University of Phoenix. Derrick is currently the President of Monster Auto Corp dba Guam Autospot, a family-owned automobile dealership that he built from the ground up.

Derrick opened Guam Autospot in 2008 after working in the automobile industry for several years. Derrick dreamt of owning his own dealership as a young child accompanying his mother to work selling cars. Additionally, Derrick successfully negotiated with General Motors to be named the exclusive distributor for Buick GMC for Guam and the CNMI. He is one of the youngest General Motors franchise holders in the nation. Guam Autospot is also an authorized Mitsubishi Dealer for Guam. In just eight years, Guam Autospot has grown from an operation with five vehicles on consignment to becoming a major competitor in Guam's automobile industry. Since its humble beginnings in 2008, Guam Autospot has grown to have a net profit of \$1.7 million, and much of its growth can be attributed to their use of social media, technology, community outreach and customer engagement.

In particular, a hallmark of Derrick's business philosophy has been his commitment to Guam and the region by hiring local and supporting philanthropic initiatives that strengthen our communities. He was recently featured as one of Guam Business Journal's 40 under 40 who are making their mark in the Guam business community. Additionally, Derrick is a member of Dukduk Goose, Inc. Foundation that produces a local children television show that teaches children the Chamorro language and culture.

Derrick is a successful businessman and family man. He is a leader in our local community and a role model for others in the private business sector. Derrick and his company are committed to Guam and the region, and to improving the community through hiring local and boosting the economy. Derrick proudly supports the local workforce and currently employs 165 people. Backed by the sustained growth of his business over the years, I look forward to continued success for him and our entire community.

I congratulate Derrick on receiving the 2017 U.S. Small Business Administration's Small

Business Person of the Year Award for Guam. I join the people of Guam in commending him on this award and thanking him for his many contributions to our island community.

IN RECOGNITION OF THE 25TH ANNIVERSARY OF NATOMAS UNIFIED SCHOOL DISTRICT

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Ms. MATSUI. Mr. Speaker, I rise today to recognize the 25th Anniversary of the Natomas Unified School District. As staff, families, and community members gather to celebrate this momentous occasion, I ask all of my colleagues to join me in recognizing this outstanding school district and all that it has accomplished over the past 25 years.

On March 5th in 1991, the Natomas community overwhelmingly voted in support of a proposed Natomas Unified School District. It is hard to believe that 25 years have passed since July 1992, when the Natomas Unified School District officially was born. Today, the Natomas Unified School District serves over 15,000 students and their families in pre-kindergarten through 12th grade. The school district now offers countless programs and services that help students be successful in school and ultimately graduate college and enter the workforce.

I have seen firsthand the incredible impact the Natomas Unified School District has on our community. For 25 years, the dedicated staff of the Natomas Unified School District has carefully selected qualified and passionate teachers, involved the community in the education process, and worked tirelessly to meet the needs of students. These staff and teachers help create a safe and welcome learning environment for their students, and that important work truly has a positive impact on our community as a whole.

Mr. Speaker, as the Natomas Unified School District and the community it serves gather to celebrate the District's 25th Anniversary, I ask all my colleagues to join me in honoring 25 years of providing high quality education for children and adults in Natomas.

ARTHUR C. BUTLER'S 100TH BIRTHDAY

HON. NEAL P. DUNN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. DUNN. Mr. Speaker, I rise today to honor Mr. Arthur C. Butler, Sr. of Lake City, Florida who turns 100 years old today.

Mr. Butler has led a life of service to this country and represents the best of America. He served as a Technical Sergeant in the 10th Fighter Squadron of the U.S. Army Air Corps.

In 2015, Mr. Butler was awarded the French Legion of Honor for his role in the liberation of France and the Battle of Rhineland. During his tour he witnessed General Patton and troops

march through his base outside Paris on their way to the Battle of the Bulge.

Mr. Butler is also a Knight Chevalier in the French Legion of Honor.

Mr. Butler has been a pillar of the community and a member of the Lake City Lions Club for over 60 years.

Mr. Speaker, please join me in wishing Mr. Arthur C. Butler a Happy 100th Birthday and thanking him for his service to our great country.

THE RETIREMENT OF PRINCE
GEORGE'S COUNTY FIRE DE-
PARTMENT CHIEF MARC
BASHOOR

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. HOYER. Mr. Speaker, I rise to offer my gratitude and congratulations to an outstanding public servant and firefighter, who has been truly a gift to the people of Prince George's County, Maryland. Chief Marc Bashoor retired in February after leading the Prince George's County Fire Department for the past six years and following a career in the fire service that has lasted more than three decades. Throughout that time, he has won well-deserved praise from county, state, and national officials for his skill at management and his efforts to streamline operations and provide steady leadership. Chief Bashoor has also received high marks from residents across the county, grateful for the peace of mind that comes with a well-run fire department.

Chief Bashoor, a native of Bowie in Prince George's County, came to the fire service at the young age of sixteen, when he began as a volunteer firefighter there. It was there at Station No. 39 that he met his wife, Laura, a fellow volunteer firefighter. Their wedding celebration prominently included a County fire truck, naturally. Chief Bashoor became a paid firefighter with the Prince George's County Fire Department in 1987 and served until 2004, when he retired and took a job as Director of Homeland Security for Mineral County in West Virginia. Thankfully, Prince George's County Executive Rushern Baker was able to convince him to return in 2010 as Fire Chief. I, and so many in my district, am very glad that he did.

During his tenure in office, Chief Bashoor oversaw a major expansion to meet the needs of the growing county. He hired more paid firefighters, recruited more volunteers, purchased more vehicles and equipment, and worked to bring new fire stations online. He advocated for the Department to have a budget increase of 30 percent. It paid off, with response times to emergency calls going down measurably. We cannot even begin to speculate how many lives and properties were saved as a result.

I've been fortunate to work closely with Chief Bashoor throughout his tenure. As a Co-Chair of the Congressional Fire Services Caucus, I've worked to increase F.I.R.E. and S.A.F.E.R. grants and ensure that the Prince George's County Fire Department and depart-

ments all across the country have the resources they need to keep their communities and their personnel safe. I've also joined with him to advance the work of ensuring that the families of fallen firefighters receive the benefits they deserve as well as the honor and gratitude they are owed.

Mr. Speaker, our nation counts on dedicated fire service leaders like Chief Bashoor every day, and I join in thanking him and all who work or volunteer on the fire line. I hope my colleagues will join me in wishing Chief Bashoor well in his retirement and in thanking him for his extraordinary service to Prince George's County, the State of Maryland, and our nation.

RECOGNIZING THE PASSING OF
DOROTHY A. SMITH

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, it is with a heavy heart that I recognize the significant and rich life of a beloved woman, Dorothy A. Smith. Mrs. Smith was a religious woman, whose dedication to the many churches and communities she was a part of in her life was outweighed only by her constant warmth.

She was born on August 11, 1930 in Meridian, Mississippi to her parents, Otis and Maggie. Dorothy was one of eight children. She married Edward in Meridian, MS on February 8, 1948 and they had 6 children from this union. She was educated in the public schools in New Orleans, LA. She worked for the Department of the Army for 40+ years when she retired as a Hospital Medical Records Specialist in 1993. She spent the last 15 years as a resident of Wylie, Texas. Dorothy was a member of Secondary Missionary Baptist Church in Junction City, KS, Fifth Street Baptist Church in Meridian, MS; Mt. Calvary Baptist Church, Farmersville, TX; and at the time of her death a member of Christ Unveiled Ministries, Garland, TX. Dorothy enjoyed working as a Deaconess, Trustee, Choir Member, and an Usher in the churches she attended. She spent most of her time encouraging Senior citizens and young people to have a better quality of life.

Dorothy was preceded in death by her loving husband, Edward. She will be remembered by her loving children Gloria Richardson of Manhattan, KS; Mae Smith of Bossier City, LA; Edward R. Smith, Jr., Cedar Hill, TX; Audrey Lincoln (Charles) of Rowlett, TX; and James Foster, Sr. of Colorado Springs. She is also survived by 20 grandchildren, 63 great grandchildren, 2 great, great grandchildren, and a host of nieces, nephews, cousins, and many "adopted kids" of all ages. She was preceded in death by her son Joseph F. Smith; her daughter Lue E. Foster; her grandchildren Joseph Smith and Tiphonie Lincoln, her sisters Pauline Phillips and Josephine Smith, and her brother Robert Gordon.

Dorothy passed away peacefully on April 1, 2017, and will be missed dearly.

PERSONAL EXPLANATION

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Ms. MOORE. Mr. Speaker, I regrettably missed votes on Wednesday, March 15, 2017 that occurred while I was attending a meeting at the White House. Had I been present, I would have voted Yes on Roll Call 185 (the motion to recommit H.R. 1101), No on Roll Call 186 (passage of H.R. 1101) and Yes on Roll Call 187 (passage of H.R. 1238).

BILL ORCHARD, REBEL RODRIGUEZ, RANGER AND DOT MILLER, RON SLINGER, BOB DYER, ANDREW HEESAKER, JILL HARTMANN, MADDIE SCHMIDT

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Bill Orchard, Rebel Rodriguez, Ranger and Dot Miller, Ron Slinger, Bob Dyer, Andrew Heesaker, Jill Hartmann and Maddie Schmidt for being honored by the Arvada Chamber of Commerce for their service and dedication to the community.

Man of the Year Bill Orchard: The Man of the Year Award is a long standing tradition in Arvada recognizing an outstanding man for his amazing community involvement, generosity and overall impact on Arvada. Bill Orchard is being honored by the Arvada Chamber for his years of dedication and support of the community through Arvada Gardener's, Arvada Festivals Commission, Bike Friendly Arvada and much more.

Woman of the Year Rebel Rodriguez: The Woman of the Year Award is a long standing tradition in Arvada recognizing an outstanding woman for her amazing community involvement, generosity and overall impact on Arvada. Rebel Rodriguez is being honored by the Arvada Chamber for her years of dedication and volunteerism serving children at Ralston House and supporting homelessness efforts in Olde Town Arvada.

Image Award Ranger and Dot Miller: Image Award winners are selected for their commitment to Arvada and the overall positive image they portray within the community. Ranger and Dot Miller are being honored by the Arvada Chamber for their commitment to Arvada through their outstanding community leadership and volunteerism with countless organizations including Jefferson County Business Education Alliance, Arvada Vitality Alliance and Blues and BBQ for Better Housing.

Image Award Ron Slinger: Image Award winners are selected for their commitment to Arvada and the overall positive image they portray within the community. Ron Slinger is being honored by the Arvada Chamber for his commitment to Arvada through his engagement with countless organizations including Arvada Vitality Alliance, AWRSAY, Red Rocks Community College, Arvada Chamber of Commerce and many more.

Pioneer Award Bob Dyer: The Pioneer Award is given to an exceptional leader in the community who has served Arvada for many years and contributed in ways that are unprecedented. This award is only given as needed and is regarded with the highest level of accolades for the recipient's accomplishments. Bob Dyer is being honored by the Arvada Chamber for his incredible commitment to Arvada through civic and community leadership with the City of Arvada, Arvada Vitality Alliance, The Arvada Center For The Arts and Humanities, The Arvada Chamber of Commerce and much more.

AYP Leadership Award Andrew Heesaker: The AYP Leadership Award is based on the selected individuals innovation, entrepreneurship, professional accomplishments and/or community leadership. Andrew Heesaker is being honored by the Arvada Chamber for his extraordinary leadership and volunteerism with organizations including Arvada Chamber of Commerce, Arvada Young Professionals and Arvada Economic Development Association. Andrew also works with countless local non-profit organizations to support their events and efforts through Arvada Rent Alls.

AYP Leadership Award Jill Hartmann: The AYP Leadership Award is based on the selected individuals innovation, entrepreneurship, professional accomplishments and/or community leadership. Jill Hartman is being honored for her willingness to contribute to her community and provide exceptional Leadership within the Arvada Chamber of Commerce, Arvada Young Professionals and at Jefferson Center For Mental Health.

Rising Star Award Maddie Schmidt: Each year the Arvada Chamber of Commerce and the Arvada Young Professionals select a High School student who lives or attends school in Arvada who has exemplified extraordinary skills in entrepreneurship, innovation, community impact and leadership. Maddie Schmidt is being honored for her incredible involvement at Pomona High School and in her community through Westminster Youth Advisory panel, Denver Homeless Shelter, Baton Twirling and the Executive High School Internship Program.

I extend my deepest congratulations to Bill Orchard, Rebel Rodriguez, Ranger and Dot Miller, Ron Slinger, Bob Dyer, Andrew Heesaker, Jill Hartmann and Maddie Schmidt for these well-deserved honors by the Arvada Chamber of Commerce and their outstanding commitment to the community.

TRIBUTE TO MARILYN AND LARRY LARSEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Marilyn and Larry Larsen of Underwood, Iowa, on the very special occasion of their 50th Wedding Anniversary. They celebrated their anniversary on January 28, 2017.

Marilyn and Larry's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 50th An-

niversary, may their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion and in wishing them both nothing but the best.

CONGRATULATING GYONGI "PIKA" PILAR FEJERAN ON RECEIVING THE U.S. SMALL BUSINESS ADMINISTRATION'S 2017 WOMEN IN BUSINESS CHAMPION OF THE YEAR AWARD FOR GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Gyongi "Pika" Pilar Fejeran on her selection as the U.S. Small Business Administration's 2017 Women in Business Champion for Guam. This award honors an individual on Guam who, as an advocate for women entrepreneurs, has fulfilled a commitment to the advancement of women's business ownership.

Pika graduated from St. John's School in Guam and later from the University of Southern California. She worked as an urban planner and project manager in Pasadena, California before returning home to help fulfill her husband's dream of owning a restaurant.

Pika and Lenny opened Pika's Café in 2010 and in 2015 they opened Kitchen Lingo with their partner Lingo Quichocho. Pika is the President of Pika's Café and Managing Partner/Secretary-Treasurer of Kitchen Lingo. Since entering the Guam restaurant scene six years ago with her husband and business partner, Lenny, they have since inspired a restaurant evolution in Guam. In these short six years, the restaurant space has tripled in size, while opening a second location. Pika's businesses are known for "buying local" and are known for preparing food with the freshest ingredients on the island. Pika's success is coupled with her family focused philosophy. Upon opening the first restaurant, Pika and Lenny made a conscious decision to only open for breakfast and lunch Monday through Thursday. They chose to close on Sundays and at dinner throughout the week to ensure they always had time to spend with their three children. Pika is also deeply involved with several community organizations on Guam and is a staunch supporter of women in business. She is a board member of the Guam Women's Chamber of Commerce. Pika believes in promoting sustainable economic growth and the development of women to help them integrate into leadership roles. Her service in the Guam Women's Chamber of Commerce is evidence of her commitment to supporting the promotion of women in business on the island. Pika was recently nominated by the Guam Business Magazine for the Industry Influencer Award for her restaurants' support of buying

from and supporting local farmers and businesses. Pika is also a member of the Imagine Guam Core Values Committee and Policy team, creating a vision and planning for Guam in 2065. She also serves as a Commissioner of the Chamorro Land Trust.

I join the people of Guam in congratulating Gyongi "Pika" Pilar Fejeran on her selection as the SBA's 2017 Women in Business Champion for Guam. I commend her for her many contributions to our island and community.

PERSONAL EXPLANATION

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. LARSON of Connecticut. Mr. Speaker, on Tuesday, April 4, 2017, I was not present for roll call vote 215. If I had been present for this vote, I would have voted: Yea on roll call vote 215.

CELEBRATING THE ANNIVERSARY OF THE TAIWAN RELATIONS ACT

HON. AUSTIN SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I rise today to commemorate the 38th Anniversary of the Taiwan Relations Act, key legislation that was signed into law on April 10, 1979.

The Taiwan Relations Act has served as the foundation of U.S.-Taiwan relations for 38 years as Taiwan's democracy has flourished in peace and social harmony. This extraordinary and historic relationship between countries has been possible, to a large extent, because of the passage of the Taiwan Relations Act.

Chinese President Xi Jinping will visit the United States this week. I see the summit between President Trump and President Jinping as a constructive opportunity to continue to build diplomatic relations between the U.S. and China. However, I believe it is imperative that the vital interests of our security partner Taiwan not be marginalized through these meetings.

Taiwan is a great friend of the United States. It is appropriate and just that we continue to value our relationship and honor our commitments made in the Taiwan Relations Act and President Ronald Reagan's "Six Assurances".

RECOGNIZING NATIONAL RETIREMENT PLANNING WEEK 2017

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mrs. WALORSKI. Mr. Speaker, I rise today to recognize National Retirement Planning

Week. This is the perfect opportunity to remember that planning for retirement is not just an issue for older Americans.

The National Retirement Planning Coalition has consistently provided support and resources to engage people of all ages to encourage them to ensure their financial future is planned and protected. Preserving Americans' access to income options and workplace savings plans will restore and improve our society's financial security.

I am truly grateful for the hard work of everyone who made the events and activities of this week a success in motivating individuals across the country to plan for retirement. In today's economy, it is more important than ever that Americans start saving for retirement early. Through National Retirement Planning Week, the National Retirement Planning Coalition has created an innovative approach designed to help us 'Rethink Retirement.'

National Retirement Planning Week is an important initiative that is sure to have a positive impact on many lives. The educational opportunities throughout this week will provide a foundation for the invaluable asset of early, holistic financial planning.

Mr. Speaker, I applaud the National Retirement Planning Coalition for encouraging early and responsible planning, and for working with my colleagues and me to find bipartisan solutions to make it easier to plan for retirement.

HONORING APOSTLE THEODORE THOMAS HERRING, SR. ON THE OCCASION OF HIS 40 YEARS IN MINISTRY

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. BUTTERFIELD. Mr. Speaker, I rise to recognize and congratulate my constituent, Apostle Theodore Thomas Herring, Sr. for 40 faithful years in the ministry. Apostle Herring has used his ministry to inspire and uplift people for decades. He has honored God and his community in immeasurable ways.

Apostle Herring holds a master's degree in Theology from St. Paul's Bible Institute. He accepted the call to the ministry in April of 1977. On September 1, 1979, he was ordained pastor of Salvation and Deliverance Church located in Tarboro, North Carolina. Since his ordination, Apostle Herring has received numerous accolades for his work, including being named Pastor of the Year. He was named an "Apostle of the Lord" by the Chief Apostle of the Salvation and Deliverance Churches Worldwide in 2005. Apostle Herring also received an honorary certificate from Governor James B. Hunt for extraordinary services rendered at the Caledonia Correctional Institute.

Salvation and Deliverance Church's first location was a small room in a pool hall located on Main Street in Tarboro. The church's first members were Apostle Herring, his wife, First Lady Evangelist Elizabeth Herring, and their four children. Despite these humble beginnings, Apostle Herring preached diligently every Sunday and utilized the singing talent of his sons to bring in more members.

As time went on, the church began to grow by leaps and bounds. People were drawn to Apostle Herring's dynamic sermons and the church's critically acclaimed Salvation and Deliverance Choir. Under the guidance of Apostle and Evangelist Herring, the SDC Choir won numerous awards from various competitions including the Quaker Oats Voices of Tomorrow Youth Gospel Choir Competition, the Pathmark Gospel Choir Competition, UPN's Most Soulful Gospel Sound, Verizon's How Sweet the Sound Competition, and McDonald's GospelFest. In addition, the SDC choir has shared the stage with gospel artists such as Shirley Caesar, Yolanda Adams, Byron Cage, and Marvin Sapp and released its debut recording, "More Than Conquerors."

Mr. Speaker, Apostle Theodore Thomas Herring, Sr. is an inspiring teacher and dynamic minister of the Gospel. His faithful service to God and the ministry deserve of all his previous accolades and those yet to come. I ask my colleagues here in the United States House of Representatives to please join me in expressing sincere appreciation for Apostle Herring's faithfulness and extraordinary service to communities across our state and Nation.

RECOGNIZING APRIL 9-22, 2017 AS NATIONAL YOUNG AUDIENCES ARTS-FOR-LEARNING WEEK

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Ms. SLAUGHTER. Mr. Speaker, I rise today to recognize April 9-22, 2017 as National Young Audiences Arts-for-Learning Week. Young Audiences (YA) Arts for Learning was established in 1952 and is the nation's largest arts-in-education learning network. Young Audiences currently serves over 5 million children and youth each year in 8,300 schools and community centers across the country, through its diversified network of 30 local affiliates. This year, Young Audiences, and its affiliates, will be celebrating "Young Audiences Week" with numerous community events, educational programs, and initiatives across the country, culminating on April 21st and 22nd, at the Digital Transformation National Arts-in-Education Conference.

Young Audiences empowers our nation's next generation of scientists, mathematicians, entrepreneurs, artists, writers, parents, and community leaders, to be innovative, creative and critical thinkers. YA partners with nearly 9,000 local and national organizations, corporations, foundations, and government agencies, to create community-wide collaborations on behalf of arts-in-education. These partnerships enable YA to extend their work and reach more children year by year.

Young Audience's network strives to connect 4,600 teaching artists with over 80,000 educators to provide in-depth arts-in-education opportunities that raise academic and artistic achievement, while enhancing and developing learning skills that translate across curricula.

In my district, Young Audiences of Rochester, established in 1962, is upstate New

York's oldest and most comprehensive arts-in-education organization, having worked with over 186,000 students in the past year.

As co-chair of the Congressional Arts Caucus, I understand firsthand the benefits that comprehensive arts education has on our nation's youth. Students engaged in arts learning have higher GPAs, standardized test scores, stronger critical thinking skills, better decision making skills, and lower drop-out rates. Participating in the arts can have incredible benefits on our nation's students.

I encourage all of my colleagues to join me in recognizing National Young Audiences Arts-for-Learning Week.

TRIBUTE TO TINA AND JEFF RUSSELL

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Tina and Jeff Russell. The Russells were honored by the Adams Community Chamber of Commerce with the Entrepreneur of the Year Award at their annual banquet on January 26, 2017.

Tina and Jeff reopened the marina at Lake Icaria near Corning, Iowa, under the name Bobber's Down. They provide rental options and fishing advice for all who come to enjoy the lake. They also represent Adams County at trade shows all throughout the Midwest.

Mr. Speaker, I commend Tina and Jeff for receiving this outstanding award and for committing themselves to making their community a better place to live, work, and raise a family. I am proud to represent them in the United States Congress and I ask that all of my colleagues join me in congratulating them and in wishing them both nothing but continued success.

CONGRATULATING MONITO S. CO ON RECEIVING THE U.S. SMALL BUSINESS ADMINISTRATION'S 2017 MINORITY SMALL BUSINESS CHAMPION OF THE YEAR AWARD FOR GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Monito S. Co on receiving the U.S. Small Business Administration's 2017 Minority Small Business Champion of the Year Award for Guam. This award honors an individual on Guam who has fulfilled a commitment to support and assist minority entrepreneurs and small business owners.

Monito is the General Manager of Benson Guam Enterprises, Inc., a Minority Small Business entity and one of the largest construction and building material stores in Guam. Benson Guam Enterprises, Inc. engages in retail and

wholesale of materials, supplies, and equipment to construction companies, homeowners, local and federal government in Guam and customers in neighboring island communities. Monito oversees overall operations of the company and ensures that customers receive quality service, have access to a fully stocked store, and employees maintain high morale and are working diligently. Monito also serves as the company's liaison to various community, government, military and charitable projects.

Monito has been a driving force in his company's advancement of business activities and community service throughout the region. He has provided outstanding assistance to many local businesses building and renovating to improve services for everyone. Further, Monito and Benson Guam Enterprises, Inc. have worked tirelessly to support minority businesses through various charitable and community organizations. He generously volunteers his time with the Guam Chinese School Foundation, United Chinese Association of Guam, Metro Manila Association of Guam, Filipino Community of Guam, Lions Club International District 204, Make a Wish Foundation Guam Chapter, Guam Workforce Investment Board, Guam Chamber of Commerce, Chinese Chamber of Commerce of Guam, Guam Contractors Association and Guam Chinese Association.

I join the people of Guam in congratulating Monito S. Co on his selection as the U.S. Small Business Administration's 2017 Minority Small Business Champion of the Year Award for Guam. I commend him for his many contributions to our island and community.

HONORING THE LIFE OF SHERIFF
BOB VASS

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize the courageous life of Bob Vass, who was a true public servant to the Hall County community.

Mr. Vass was elected to be the sheriff of Hall County in 1992 and held that position for eight years before becoming a member of the State Board of Pardons and Parole. Our community will remember his dedication to the department and the citizens whom he served for years to come.

When he wasn't enjoying his favorite meal at the Longstreet Café, Sheriff Vass was continuously telling his neighbors stories of his time in law enforcement and his work for the Georgia Olympic Games. During the Atlanta Olympics he was in charge of studying terrorism in preparation for welcoming the centennial games to our great state. No matter the capacity, Bob's contagious smile and great sense of humor made him a bright figure around Hall County.

In addition to his work as a sheriff, he was a member of the Lanier Technical College Advisory Board, Edmonson-Telford Center for Children, and the Boy Scouts of America Board of Directors. In each of these roles, he

worked selflessly to change the lives of hundreds of individuals in the northeast Georgia community.

Mr. Speaker, while we mourn the loss of Sheriff Vass, we celebrate his many contributions to our state and the life of service that he led.

THE BOSTON CONSERVATORY AT
BERKLEE'S 150TH ANNIVERSARY

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. CAPUANO. Mr. Speaker, I rise today to recognize the Boston Conservatory at Berklee on the occasion of its 150th Anniversary. The Boston Conservatory, founded by violinist and composer Julius Eichberg in 1867, has a long and rich history of educating undergraduate and graduate students in music, dance and theater. The school has always set itself apart by the strength of its instructors and its distinctive, multidisciplinary structure. Indeed, the Conservatory has trained generations of talented performing artists. Today, the school's highly sought-after instructors are distinguished artists and leading practitioners in their fields, holding positions with the Boston Symphony and Boston Pops orchestras, the Boston Lyric Opera, Boston Ballet and a host of other prominent local and national companies.

Founder Julius Eichberg was a former Conservatoire of Geneva professor who immigrated to the United States from Germany, who founded the Boston Conservatory as a professional training academy and a community music school. It was one of the first conservatories to admit African-Americans and women, and featured in 1873 an opera performance by the first African-American opera company in the U.S., as well as the establishment of the first professional female string quartet in 1878. The Conservatory's commitment to equal opportunity continues through our times: the Conservatory earned the 2015 Commonwealth Award, Massachusetts' highest honor in arts, humanities and sciences in recognition of the school's music programs for students on the autism spectrum and with special needs.

The Boston Conservatory is the oldest performing arts conservatory of its kind in the United States. Its recent merger with the world renowned Berklee College of Music, which fosters unparalleled access to a broad range of academic and creative opportunities for students in both schools, is a final example of the forward looking, progressive approach that the Conservatory has always taken.

I thank the Boston Conservatory at Berklee's faculty, students, administration and alumni for their dedication, commitment and positive impact they have had on American performing arts. I also congratulate the school on 150 years of service and wish them well as they continue their fine traditions.

CONGRATULATING THE UNIVERSITY OF SOUTH CAROLINA
GAMECOCKS BASKETBALL
TEAMS

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. CLYBURN. Mr. Speaker, I rise to congratulate the University of South Carolina Gamecocks basketball team. It was the thrill of a lifetime to attend the NCAA women's basketball national championship game last Sunday at the American Airlines Center in Dallas, Texas. The Gamecocks have electrified Columbia and the entire state of South Carolina, and we are all incredibly proud of what these coaches and players have achieved.

For Head Coach Dawn Staley, winning the national championship is the latest in a string of achievements that she has accumulated in her lifetime and in South Carolina over the last nine seasons. Under her leadership, the Gamecocks have made the NCAA Tournament six years in a row and went to the final four in 2015. This year, they finally got over the hump and are national champions. Her coaching staff, Lisa Boyer, Nikki McCray-Penson, Fred Chmiel, Melanie Balcomb, Cynthia Jordan, Freddy Ready, Ariana Moore, Hudson Jacobs, Marcella Shorty, and Katie Fowler have done an impressive job, and I congratulate each of them.

The team Coach Staley has built is an incredible group of young women from South Carolina and around the country. A'ja Wilson, a Junior from Hopkins, South Carolina, won the Most Outstanding Player of the Final Four award and was named to the All-SEC First Team this season. Wilson was joined on the All-SEC First Team by Senior Alaina Coates from Irmo, South Carolina. Unfortunately, Coates missed the NCAA tournament with an ankle injury and has concluded a fantastic career with the Gamecocks. In addition to making All-SEC First team this year, she did so last season as well, and was All-SEC Second team in her first two years in the program. We wish her a speedy recovery and hope that she has as much success in the future as she has had with the Gamecocks.

The full roster of this championship team includes: Victoria Patrick, Bianca Cuevas-Moore, Kaela Davis, Doniyah Cliney, Allisha Gray, Araion Bradshaw, Tiffany Davis, Mikiah Herbert Harrigan, A'ja Wilson, Alexis Jennings, Alaina Coates, and Tyasha Harris.

The Gamecocks finished 2017 with a 33-4 record and won their third consecutive Southeastern Conference Championship en route to this national championship. The Gamecocks have developed an incredible fan base. They have led the nation in attendance for women's basketball over the last several years. In addition to their success on the court, these coaches and players are role models off the court.

I especially want to acknowledge Assistant Coach Nikki McCray-Penson. Diagnosed with cancer three years ago, she has been a real inspiration to many. Throughout her treatment she remained totally committed to the team, and never missed a day of work. Thankfully, she is now cancer free.

I also wish to congratulate the Gamecocks Men's team. After winning their first NCAA tournament game in 43 years they reached the final four for the first time in their program's history. Having both men and women from the same school reach the Final Four is pretty uncommon.

Coach Frank Martin and his assistants and staff consisting of: Matt Figger, Perry Clark, Bruce Shingler, Andy Assaley, Scott Greenawalt, Doug Edwards, Mark Rodger, Jay Gibbons, Dushawn Davis, Jarett Gerald, Brian Steele, and Ryan McIntyre recruited and molded an incredible group of young men including TeMarcus Blanton, Tommy Corchiani, PJ Dozier, Rakym Felder, Hassani Gravett, Khadim Gueye, Evan Hinson, Kory Holden, Jarrell Holliman, Sedee Keita, Maik Kotsar, Justin McKie, Duane Notice, John Ragin, Christian Schmitt, Chris Silva, Sindarius Thornwell, and Ran Tut. Although they came up five points short of a victory in the semi-championship game they proved themselves a team of champions.

Mr. Speaker, although representing the University of South Carolina in this august body is a singular honor for me, I feel certain that the 2017 NCAA Final Four appearances by these young men and women are the beginnings of many more to come. Coach Frank Martin and Coach Dawn Staley are truly a dynamic duo.

STACEY TEJADA-SANDOVAL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Stacey Tejada-Sandoval for receiving the Adams County Mayors and Commissioners Youth Award.

Stacey Tejada-Sandoval is an 8th grader at Shaw Heights Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Stacey Tejada-Sandoval is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Stacey Tejada-Sandoval for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

TRIBUTE TO JUDY LOONAN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Judy

Loonan, of Loonan Stock Farm in Corning, Iowa, for being named Iowa's Seedstock Producer of the Year.

This award is sponsored by the Iowa Beef Breeds Council and was presented at the Iowa Beef Expo Kick-Off Program. This award is given to honor outstanding cattle producers in the seedstock industry. Judy has been in the cattle business for 42 years, raising Red Angus, Simmental and Red SimAngus Cattle.

Mr. Speaker, the example set by Judy demonstrates the rewards of hard-work and determination. Her efforts embody the Iowa spirit and I am honored to represent her, and Iowans like her, in the United States Congress. I ask that all of my colleagues in the United States House of Representatives join me in congratulating Judy for her achievements and in wishing her nothing but continued success.

RECOGNIZING AND JOINING AUTISM COMMUNITY TOGETHER (ACT) IN CELEBRATING THE MONTH OF APRIL AS AUTISM AWARENESS MONTH

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Ms. BORDALLO. Mr. Speaker, I rise today to recognize Guam's Autism Community Together (ACT) as they join Autism Speaks and the international community in celebrating the month of April as Autism Awareness Month to shine a light on autism. I also join the pledge to "Light It Up Blue" throughout the month of April to support autism awareness and autism acceptance.

World Autism Awareness Day (WAAD) was established by the United Nations in 2007 to raise awareness of the issues surrounding people, particularly children with autism worldwide. World Autism Awareness Day has since been commemorated throughout the world by communities wearing blue. Autism Community Together is Guam's local organization leading the efforts to increase autism awareness and promoting World Autism Awareness Day. Autism Community Together is an organization based in Guam as a support group for families with autistic children. Though we have made great strides as a nation to improve services and opportunities for peoples with disabilities, there are still improvements that can be made. ACT is dedicated to helping individuals and parents find resources, support, and training while making diligent strides to increase the awareness of autism spectrum disorders and advocating for effective services and the unique needs of individuals with autism and their families.

During the month of April, I also encourage those throughout the Guam community and the nation to participate and pledge to "Light It Up Blue." Individuals and organizations can show their support by asking friends, family, and colleagues to wear blue or accessorize with blue; light up homes and businesses with blue lights and decorations; and turn social media pictures blue. These are just small acts that we can do as a community to show our support for autism awareness and acceptance.

Additionally, I commend Autism Community Together as it hosts the 10th Annual Autism Awareness Fair "Acceptance in Action" to coincide with World Autism Day. The Autism Awareness Fair is the largest outreach event hosted by ACT throughout the year and brings together government agencies, non-profit organizations, service providers, support vendors with the intent to provide information and resources on the various disability related programs and services available on Guam.

On behalf of the people of Guam, I thank the Autism Community Together organization and all government agencies and community partners for their assistance to spread autism awareness and acceptance. I join ACT in pledging to light up the island of Guam blue throughout the month of April and look forward to their future contributions in opening more opportunities to those in our community living with autism.

IN RECOGNITION OF THE ARAB AMERICAN COMMUNITY DURING ARAB AMERICAN HERITAGE MONTH

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the Arab American community during Arab American Heritage Month. Arab Americans embody the core values of our country through their initiative, work ethic and dedication to faith and family, and their contributions to the United States are worthy of commendation.

April is widely recognized as Arab American Heritage Month, and it is important that we acknowledge the vital role that this community plays in our country's civic life. According to the Arab American Institute, almost four million Arab Americans live and work through the United States, with a variety of backgrounds and cultures. These individuals have made vital contributions across a variety of fields, including medicine, business and government. Arab Americans represent individuals from all backgrounds and walks of life, and their family values, strong work ethic, dedication to education, and diversity in faith and creed that have added strength to our great democracy.

I am fortunate to represent one of the largest Arab American communities in the country in Dearborn, Michigan. Dearborn is a diverse blue-collar city that is home to a branch of the world-class University of Michigan and an iconic American auto company in Ford Motor Company, and the Arab American community continues to play a key role in their successes and other endeavors in the city. These hard-working individuals exemplify the values that make America great, and we must continue to recognize the heritage and contributions of the Arab American community to the United States. During Arab American Heritage Month, it is my hope that the contributions of Arab Americans throughout the country will be given the recognition and acclaim that they deserve.

Mr. Speaker, I ask my colleagues to join me in honoring the Arab American community and

their accomplishments during Arab American Heritage Month. Their positive impact on the United States' civic life is deserving of recognition.

HONORING 75TH ANNIVERSARY OF THE NATIONAL ASSOCIATION OF SURETY BONDS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I rise today to recognize the 75th Anniversary of the National Association of Surety Bond Producers (NASBP). Formed in 1942, NASBP is a national trade organization representing firms employing licensed surety bond producers and allied professionals. NASBP producers specialize in providing surety bonds for construction contracts and for other purposes to companies and individuals needing the assurance offered by surety bonds. The NASBP bond producer stands as the bridge between the construction firm and the surety company and works closely with the construction business to position the business to meet underwriting requirements to obtain surety credit for bonded work. Surety bonds are a time-honored, vital component of federal and state procurement systems, where a furnished surety bond evidences a contractor's qualifications to undertake the contract sought and taxpayer funds are protected through the surety bond's guarantee of performance. Mr. Speaker, I want to again extend my good wishes and recognize NASBP on its 75th Anniversary, and I encourage my colleagues in the House of Representatives to do the same.

SPECIAL ENVOY TO COMBAT AND MONITOR ANTI-SEMITISM ACT OF 2017

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to announce that I have introduced the bipartisan Special Envoy to Monitor and Combat Anti-Semitism Act of 2017 (H.R. 1911), along with my colleagues and lead original cosponsors, BRAD SCHNEIDER, PETER ROSKAM, ELIOT ENGEL, RANDY WEBER, NITA LOWEY, TED DEUTCH, GUS BILIRAKIS, and MARC VEASEY are also original cosponsors.

I wrote the provisions of the Global Anti-Semitism Review Act of 2004 to create in the State Department the Office to Monitor and Combat Anti-Semitism and the Special Envoy to lead it. President Bush signed the bill into law and since then the Special Envoy and Office have been crucial tools in our global fight against Anti-Semitism.

However, as witnesses testified at a recent hearing I chaired on "Anti-Semitism across Borders," the ninth hearing I have chaired on Anti-Semitism, Anti-Semitic hatred has metastasized across the ideological spectrum.

Secularists, Islamists, extremists on the right, and extremists on the left, propagate Anti-Semitism. Violent Anti-Semitic attacks have become more frequent and perpetrators are learning from and sometimes even cooperating with each other across national boundaries.

It's urgent that we enhance the position of Special Envoy to match the threats to Jewish communities and make sure our response is strong and focused. This legislation:

Elevates the position of Special Envoy to Monitor and Combat Anti-Semitism to the rank of Ambassador;

Directs the Special Envoy to report directly to the Secretary of State;

Prohibits the Special Envoy from being double-hatted with another portfolio of issues;

Emphasizes that the Special Envoy should be a person of recognized distinction in the field of combating Anti-Semitism or religious freedom; and

Clarifies that Special Envoy shall be the primary advisor and coordinator for U.S. government efforts to monitor and combat Anti-Semitism and Anti-Semitic incitement in foreign countries.

Mr. Speaker, many leading groups support this bill, including Agudath Israel of America, American Jewish Committee, Anti-Defamation League, B'nai B'rith International, The Conference of Presidents of Major American Jewish Organizations, The Jewish Federations of North America, National Coalition Supporting Eurasian Jewry, Orthodox Union, Secure Community Network, Simon Wiesenthal Center, and the World Jewish Congress of North America.

I call on my colleagues to cosponsor this bill so that it moves through the Congress and gets to the President as soon as possible. With these enhancements, and full staffing, the Special Envoy can help ensure that America continues to lead the world toward defeating the ancient, unique evil of Anti-Semitism and keeping Jewish communities throughout the world safe and secure.

HONORING MR. JEAN DECURTINS

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Ms. McCOLLUM. Mr. Speaker, I would like to take a moment to recognize the last surviving member of the Stillwater, Minnesota "Last Man's Club" of World War II veterans, Mr. Jean DeCurtins.

At age 98, Mr. DeCurtins is the only survivor of the 180 men who left Stillwater in February 1941 as part of the Minnesota Army National Guard's 34th Infantry Division Red Bulls mobilization for World War II. The A&D Last Man's Club was named for the A and D Army Companies in which members served and in honor of Stillwater's original Last Man's Club of 34 Civil War veterans.

Private DeCurtins served in Company D, the heavy-weapons company of the 133rd Infantry Regiment, 34th Infantry Division. He fought in six battles and 14 engagements in North Africa and Italy, including the Battles of Monte

Cassino and the Gothic Line. Injured twice during his service, taking shrapnel to his hand at the Battle of Kasserine Pass in Tunisia and in the head at the Anzio beachhead in Italy, DeCurtins returned to the battlefield both times. For his brave service, DeCurtins was awarded the Bronze Star and the Purple Heart.

The day after Christmas in 1944, Mr. DeCurtins returned to his parents' home in Stillwater, a decorated Army Private First Class. He took a job on a line crew for Northern States Power Co. where he worked until he retired in 1981. He still lives in his parents' home with his brother Johnny, also a World War II veteran, a home he has lived in for over 90 years. Still active in his community and an avid reader, DeCurtins visits the Stillwater Public Library twice daily and attends Mass at the Church of St. Michael every Saturday evening.

His humility, perseverance, and sacrifice certainly personifies those known as "the Greatest Generation," and we are proud to recognize him today as we remember all with whom he served. Mr. Speaker, please join me in rising to honor Mr. DeCurtins's courage and commitment to our nation.

TRIBUTE TO DEB WHEATLEY FIELD

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Deb Wheatley Field of Atlantic, Iowa, for her recent retirement after 35 years of dedicated service to the City of Atlantic as the City Clerk.

Over her 35 years as City Clerk, Deb was able to calculate that she attended around 950 City Council meetings. Her expertise has been an invaluable tool for the city throughout her career. Not only is Deb an expert on all things Atlantic, but she has also exhibited ethical standards and professionalism second to none. As Atlantic moves forward after Deb's retirement, Deb's legacy will, with no doubt, continue to have a lasting impact on the way the city is run for years to come.

Mr. Speaker, Deb has made a difference in her community by helping and serving others. It is with great pride that I recognize her today. I ask that all of my colleagues in the United States House of Representatives join me in congratulating Deb on her accomplishments and in wishing her nothing but continued success in her retirement.

RECOGNIZING JACINTA ELM ON RECEIVING THE U.S. SMALL BUSINESS ADMINISTRATION'S 2017 FINANCIAL SERVICES CHAMPION AWARD FROM GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Jacinta Elm on

her selection as the U.S. Small Business Administration's 2017 Financial Services Champion for Guam. Jacinta is being honored for her work in assisting small business owners through advocacy efforts to increase the usefulness and availability of accounting or financial services for small businesses.

Jacinta is the Assistant Vice President of the Anti-Money Laundering and Fraud Division for the Bank of Guam, the largest financial institution on Guam, serving individual clients, small businesses, middle-market and large corporations, and government entities. She is responsible for conveying awareness of the threat of cybercrime facing small businesses. Jacinta is one of only two Certified Anti-Money Laundering Specialists on Guam. Her training included identifying money laundering and terrorist financing methods, the best practices to stop these and other financial crimes, as well as key related legislation in place worldwide, and Anti-Money Laundering standards and developing defenses for financial institutions to stop terrorist financing and money laundering. Through Jacinta's certification, the Bank of Guam and its customers have access to the most reputable and recognizable network of specialized knowledge.

She is a cancer survivor who lost the ability to walk and had to re-learn how to walk. Jacinta has used the lessons she learned in fighting cancer and applies that same passion to helping others within the Bank of Guam and the community to identify and manage risks that could lead to unintended, potentially catastrophic consequences. Jacinta leads the Bank of Guam's regular outreach program for Money Services Businesses which provide services such as check cashing, money transfer, prepaid store value cards, money orders, travelers' checks, and tax preparation for clients. This is an outreach provided by the Bank of Guam to enhance awareness, which no other local financial institution provides. Jacinta helps Money Services Businesses meet their Bank Secrecy Act compliance obligations, protect the community and customers they serve and maintain strong relationships with their financial and banking partners.

I join the people of Guam in congratulating Jacinta Elm on her selection as the SBA's 2017 Financial Services Champion for Guam. I commend her for her many contributions to our island and community.

IN RECOGNITION OF THE 75TH ANNIVERSARY OF THE MIDDLETOWN VOLUNTEER FIRE AND RESCUE COMPANY, INC.

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise to honor the 75th anniversary of the Middletown Volunteer Fire and Rescue Company, Inc. in Frederick County, Virginia. Established in April of 1942, the Company formed in response to a devastating fire that nearly destroyed an entire block in Middletown, including the land where the Fire Station stands today. The original membership of the Company of a mere

twenty-two has nearly tripled over the past 75 years. I would like to personally commend the courageous men and women who so selflessly volunteer their time and put themselves in danger on behalf of their neighbors, friends, and strangers, without asking for anything in return.

Through both exemplary leadership and community support, the Middletown Volunteer Fire and Rescue Company has grown exponentially since its inception in 1942. Under the longtime leadership of Fire Chief Emeritus Henry Shiley, who only recently retired after 53 years of service, the Company transformed into a full-service emergency relief unit, and I have great confidence that the Company will continue to prosper under Chief Mark Dalton. Additionally, one support organization that has contributed to the growth of the Company immensely is the Lady Auxiliary, which formed in 1943 with the intention of providing both financial and moral support to the Company. Over the years, they have raised hundreds of thousands of dollars through community events and fundraisers, and their service to the Company is invaluable.

Today the Middletown Volunteer Fire and Rescue Company, which in 1942 only had one firetruck, is now a full service Company that protects the lives and properties of individuals from fires, accidents, illnesses and other emergencies in the Town of Middletown, Frederick County, and the surrounding vicinity.

Mr. Speaker, I ask my colleagues to join me in applauding the Middletown Volunteer Fire and Rescue Company, Inc. for their years of selfless service and heroism and to again congratulate them on this tremendous milestone. I wish them all the best in all of their future endeavors.

**IN HONOR OF THE CHANGE OF
COMMAND OF COLONEL
MARTINE KIDD**

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. ROGERS of Alabama. Mr. Speaker, I rise today to recognize the change of command of Colonel Martine S. Kidd, the 34th Commander of the Anniston Army Depot.

Colonel Kidd enlisted in the Army Reserve as a Supply Specialist in 1989. She was commissioned as a Quartermaster Officer in 1994.

Her first assignment was to the 7th Battalion, 159th Aviation Regiment, Illsheim, Germany, where she worked as a Supply Platoon Leader and Battalion S1, and later deployed to Operation Joint Endeavor. Next, she was assigned to the 10th Mountain Division, holding several positions including Main Support Battalion S3, Company Commander, and Division Support Command S4. Later, she served as the Aide-de-Camp for the Commanding General of the Army and Air Force Exchange Service, also deploying in support of Operation Iraqi Freedom in Kuwait and Iraq. In April 2007, she deployed as the Logistics Planner for the 3rd Infantry Division during the OIF Surge in Iraq. Afterwards, she was a Logistics Instructor at the Command and General

Staff College, and was the Executive Officer to the Deputy Commandant/Deputy Commanding General for the Combined Arms Center. In July 2010, she deployed again, serving as the Executive Officer to the Deputy Commanding General for Support, United States Forces-Iraq. In June 2011, she assumed Command of the America's East Battalion for the Defense Logistics Agency-Energy, in Houston, Texas. Later, she transitioned to Fort Belvoir, Va. working as the Executive Officer to the Commanding General of U.S. Army Cyber Command. In July of 2015, Col. Kidd became the 34th Commander of the Anniston Army Depot in Anniston, Alabama.

Among her awards and decorations are the Legion of Merit, two Bronze Star Medals, the Defense Meritorious Service Medal, three Meritorious Service Medals, the Joint Service Commendation Medal, three Army Commendation Medals, and the NATO Medal. In April of 2015, she was selected as a Distinguished Member of the Quartermaster Regiment.

Colonel Kidd is married to Justin E. Kidd who is an Assistant Professor at the Army's CGSC, a former U.S. Marine and a retired U.S. Army Lieutenant Colonel.

Mr. Speaker, please join me in congratulating Colonel Kidd on her change of command and wishing her the best in her future endeavors.

**INTERNATIONAL AFFAIRS BUDGET
PROPOSED BY THE TRUMP AD-
MINISTRATION**

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 5, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today in opposition to the draconian 31 percent cut to the international affairs budget proposed by the Trump Administration.

President Trump's budget would starve our nation's diplomacy and development efforts at a time of increased challenges to global security and stability.

Strategic investments in development and diplomacy, alongside a strong defense, are essential to fight terrorism, support our allies, and uphold America's leadership role in the world.

If the United States retreats from our global commitments, then we cede ground to countries that do not share American interests and pose a risk to American values.

You do not make America great again by unilaterally withdrawing from the world.

Since World War II, we have been and we remain the essential nation. Ronald Reagan used to talk about making America that shining city upon a hill.

What he meant was a beacon, a place people could look to for succor, human rights advocacy, and protection. That is who we are.

Yesterday, the Trump Administration announced that it was ending all funding for the United Nations Population Fund (UNFPA), which works to provide access to contraceptives, prevent unsafe abortions, and stop maternal deaths around the world.

Cutting these funds threatens the lives of millions of girls and women.

Throughout U.S. development operations, we are fostering American values through support for civil society, free markets, independent media, and democratic institutions.

At a time when countries like Russia and China are undermining democratic institutions and the post-WWII international order, we need robust diplomatic and development operations more than ever.

Foreign assistance is not just a nice thing to do. It opens foreign markets for American businesses and creates enduring partnerships abroad.

For example, what began as a donor-recipient relationship between the United States and South Korea in the wake of the Korean War has since blossomed into an unbreakable alliance bound by shared military, diplomatic, cultural, and economic ties. South Korea is now our sixth largest trading partner.

We turn to diplomacy to solve our most intractable national security challenges.

It is a political solution we seek in Syria, not a military one. It is the JCPOA, a multilateral diplomatic effort, that has effectively reversed the Iranian nuclear threat.

It is our aid and reconstruction efforts that will eliminate terrorists' sanctuaries in Afghanistan, not a permanent military presence.

Pulling out the rug beneath our nation's diplomats not only makes their efforts less effective, but it also further exposes our military by shifting the entire burden to them.

More than 120 retired generals and admirals recently wrote a letter to Congress on this matter saying "the State Department, USAID, Millennium Challenge Corporation, Peace Corps and other development agencies are critical to preventing conflict and reducing the need to put our men and women in uniform in harm's way."

This is no longer a battle about numbers or a budget. This is a battle about who we are as a people and what role we will play in shaping the world we hand over to our children and grandchildren.

There are people who benefit from the United States' diplomatic and foreign aid efforts, who are fighting for democracy as we speak, putting their lives on the line counting on us to have their backs.

This is not the time to retreat. But that is what this budget does. We must fight this budget for the sake of that shining city upon a hill.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, April 6, 2017 may be found in the Daily Digest of today's RECORD.

SENATE—Thursday, April 6, 2017

(Legislative day of Tuesday, April 4, 2017)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the Honorable LUTHER STRANGE, a Senator from the State of Alabama.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, our help in ages past, our hope for years to come, throughout life's seasons moments of decision arrive. As our lawmakers prepare to make critical decisions, give them the wisdom to choose the more challenging right that brings the greatest glory to Your Name. Supply their needs according to Your riches in glory. Purify their thoughts as they strive to do Your will. Remind them that those who are faithful with little will be faithful with much. May they seek simply to be faithful in whatever You assign their hands to do, striving to please You with their work.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 6, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable LUTHER STRANGE, a Senator from the State of Alabama, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. STRANGE thereupon assumed the Chair as Acting President pro tempore.

EXECUTIVE CALENDAR—Continued

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. MCCONNELL. Mr. President, the Senate has considered the nomination of Judge Neil Gorsuch for many weeks now. We have seen his impressive credentials. We have reviewed his incredible record. We have heard glowing praise on a nearly daily basis from colleagues and students, from judges and newspaper editorials, from Democrats and from Republicans.

Judge Gorsuch is independent, and he is fair. He is beyond qualified, and he will make a stellar addition to the Supreme Court.

Hardly anyone in the legal community seems to argue otherwise, and yet, our Democratic colleagues appear poised to block this incredible nominee with the first successful partisan filibuster in American history. It would be a radical move, something completely unprecedented in the history of our Senate and out of all proportion to the eminently qualified judge who is actually before us. But then again, this isn't really about the nominee anyway. The opposition to this particular nominee is more about the man who nominated him and the party he represents than the nominee himself. It is part of a much larger story, another extreme escalation in the left's never-ending drive to politicize the courts and the confirmation process.

It is a fight they have waged for decades with a singular aim: securing raw power, no matter the cost to country or institution. It underlies why this threatening filibuster cannot be allowed to succeed or continue—for the sake of the Senate, for the sake of the Court, and for the sake of our country.

I think a look back through history will help every colleague understand why. I always had a particular interest in the history of judicial nominations. It is an interest that predates my service here as a Senator. I remember serving on the staff of a Senator on the Judiciary Committee during a time when two different judicial nominees were being considered. One, Harrold Carswell, was voted down on the Senate floor—correctly, in my view. Another, Clement Haynesworth, also failed to receive the necessary support for confirmation—but in error, I thought.

It piqued my interest on what advice and consent should mean in the Senate, and what it actually meant in practice. I would learn later that I was witnessing the nascent stirrings of what would soon become the so-called judicial wars—the left's efforts to transform confirmations from con-

structive debates over qualifications into raw ideological struggles with no rules or limits.

It is a struggle that escalated in earnest when Democrats and leftwing special interests decided to wage war on President Reagan's nominee in 1987, Robert Bork. Polite comity went out the window as Democrats launched one vicious personal attack after another—not because Bork lacked qualifications or suffered some ethical failing, but because his views were not theirs. The Washington Post described it at the time: "It's not just that there has been an intellectual vulgarization and personal savagery to elements of the attack, profoundly distorting the record and the nature of the man."

As NPR would later observe, the left's "all-out campaign to defeat the nomination . . . legitimized scorched-earth ideological wars over nominations at the Supreme Court."

I was there. I saw it all. I remember the viciousness of it. I also remember feeling that the Senate was reaching a turning point where a judicial nominee would no longer be evaluated on their credentials but on their ideology. That observation, unfortunately, has proven correct, with Democrats raising the stakes and moving the goalposts each step of the way.

They certainly did so under the next Republican President, George H.W. Bush. We all know what happened to Clarence Thomas. If the gloves were off for Bork, the brass knuckles came out for Thomas. Here is how left-leaning columnist Juan Williams described the situation: "To listen or read some news reports on Thomas over the past month is to discover a monster of a man, totally unlike the human being full of sincerity, confusion, and struggles whom I saw as a reporter who watched him for some 10 years."

That is Juan Williams speaking on Clarence Thomas. Williams said:

He has been conveniently transformed into a monster about whom it is fair to say anything, to whom it is fair to do anything.

By the time Bill Clinton won the Presidency, "Bork" had become a verb and "high-tech lynching" was on the lips of the Nation. Wounds were fresh and deep when this Democratic President had the chance to name two Justices of his own to the Court.

Republicans could have responded in kind to these nominees, but that is not what happened. When President Clinton nominated Ruth Bader Ginsburg, the Senate confirmed her 96 to 3. When President Clinton nominated Stephen

Breyer, the Senate confirmed him 87 to 9. I, like the vast majority of Republicans, voted for both of them. We did so in full knowledge of the considerable ideological differences between these nominees and ourselves. Ginsburg, in particular, had expressed notably extreme views—even advocating for the abolition of Mother's Day. A nominee for the Supreme Court who advocated the abolition of Mother's Day was confirmed 96 to 3.

Could we have Borked these nominees? Could we have tried to filibuster them? Sure, but we didn't.

We resisted the calls for retribution and did our level best to halt the Senate's slide after the Bork and Thomas episodes. We respected the Senate's tradition against filibustering Supreme Court nominees.

Now, the tradition not to filibuster extended beyond just the Supreme Court. When President Clinton named two highly controversial nominees from California to the Ninth Circuit, some on my side wanted to defeat their nominations with a filibuster. The Republican leadership said: Let's not do that. To their great credit, Majority Leader Lott and Judiciary Chairman HATCH implored our confidence not to do that. Senator Lott filed cloture on these nominees to advance the nomination. He, Senator HATCH, and I and a vast majority of the Republican Conference voted for cloture to give them an up-or-down vote. We didn't do this because we supported the nominees. In fact, most of us voted against their actual confirmation, but we thought they deserved an up-or-down vote. That, after all, was the tradition of the Senate.

Given that we were in the majority and these nominations were highly controversial, our determination not to filibuster but instead advance them to an up-or-down vote was not, as you might imagine, popular with our base. But we resisted the political pressure. Again, we respected the Senate's tradition against filibustering judicial nominees.

But it would matter little to our Democratic friends.

Less than a year later, President Bush 43 comes to office. Before he had submitted a single judicial nominee, our Democratic colleagues held a retreat in Farmington, PA. There, according to participants, they determined to change the ground rules for how they would handle judicial nominees.

As the New York Times reported, Democrats apparently decided "there was no obligation to confirm someone just because they are scholarly." Our friend the Democratic leader said at the time that what he and his colleagues were "trying to do was set the stage" for yet another escalation in the left's judicial wars.

Senate Democrats soon became the majority in the Senate due to then-

Senator Jeffords' party switch. To help implement the imperative from their retreat "to change the ground rules," the current Democratic leader used his position on the Judiciary Committee to hold a hearing on whether ideology should matter in the confirmation process.

Now, it won't surprise you that the conclusion he and his colleagues reached was that it should. So they killed in committee, either through inaction or via committee vote, qualified judicial nominees who did not fit their preferred ideology. I know, because I was on the committee then. Eighteen months later, our Democratic colleagues lost control of the Senate, and, therefore, control of the Judiciary Committee. Our colleague, the current Democrat leader, again took center stage.

The New York Times noted that "over the last two years, Mr. Schumer has used almost every maneuver available to a Senate Judiciary Committee member to block the appointment" of the Bush administration judicial nominees. Then, in 2003, according to the New York Times, he "recommended using an extreme tactic, the filibuster," to block them.

"Mr. Schumer," it said, "urged Democratic colleagues in the Senate to use a tactic that some were initially reluctant to pursue, and that has roiled the Senate: a filibuster on the floor of the chamber to block votes on nominees that he and other Democrats had decided to oppose."

It is hard to express how radical a move that was at that time because it completely changed the way the Senate had handled these nominations for our entire history. Even filing cloture on a judicial nominee had been rare before then, and actually defeating any judicial nominee by filibuster, other than the bipartisan opposition to the nomination of Abe Fortas back in 1968, in a Presidential election year was simply unheard of.

No longer.

Democrats blocked cloture 21 times on 10 different circuit court nominees, including on outstanding lawyers like Miguel Estrada, whose nomination was filibustered an incredible 7 times.

These are not inflated statistics like the supposed 78 filibusters our Democratic colleagues are now alleging occurred during the Obama administration, which include numerous instances in which the prior Democratic leader unnecessarily filed cloture petitions. No, what I am talking about are real and repeated filibusters used by Democrats to defeat nominations.

In the face of this wholly unprecedented change in the norms and traditions of the Senate, we Republicans contemplated using the nuclear option. We decided against it. Fourteen colleagues—three of whom still serve in this body—reached an accord whereby

filibusters would be overcome for 5 of the 10 nominees in question. Regrettably, Miguel Estrada was not one of them. He had withdrawn his nomination after being put through an unprecedented ordeal.

Yet, the ink was barely dry on the accord I mentioned when Senate Democrats, led, in part, by our friend the Democratic leader, again did something exceedingly rare in the nominations process: They tried to filibuster Samuel Alito's nomination to the Supreme Court. No member of the Republican Conference, by the way, has ever voted to filibuster a Supreme Court nominee—ever. Nobody on this side of the aisle has ever done that.

Again, it would have been easy for Republicans to have retaliated when President Obama took office, but just like under Clinton, that is not what happened. How did we treat Obama's lower court nominees?

At the time, our Democratic colleagues decided to "fill up the D.C. Circuit one way or the other," as the Democratic leader put it. Senate Republicans had defeated a grand total of two of President Obama's judicial nominees. At the time that they decided to employ the nuclear option and fill up the D.C. Circuit, Senate Republicans had confirmed 215 Obama judges and had defeated just 2.

So our Democratic colleagues' decision to employ the nuclear option in 2013 was not in response to rampant obstruction but was, in the words of the Washington Post, a "power play." By the way, at the time, I don't recall the Democratic leader or any other of our Democratic colleagues repeating the refrain: If there are not 60 votes for a nominee, you don't change the rules; you change the nominee.

They were not saying that then.

What did they do? They changed the rules. It was a power play, but it was also something else. It was a tacit admission by our Democratic colleagues that the Senate tradition of up-or-down votes of judicial nominees that they had first upset back in 2003 by starting the practice of filibustering judicial nominees was a tradition they should have respected. Unfortunately, it took them 10 years to realize this and only after they captured the White House and only after Republicans also used, on a smaller scale, the tool that they, themselves, inaugurated a decade earlier.

And how did we treat President Obama's Supreme Court nominees? Did we try to filibuster them like our Democratic colleagues tried with Justice Alito? Of course not.

When President Obama nominated Sonia Sotomayor and Elena Kagan, we treated both nominees fairly, as they would later say themselves, and we secured an up-or-down vote for both. Most Republicans had significant misgivings about these nominees. Many of

us voted no on the confirmations, but we did not think it would be right to deny them up-or-down votes.

I and the ranking member of the Judiciary Committee at the time, Jeff Sessions, even protested when then-Democratic Leader Reid tried to file cloture on the Kagan nomination because we were determined to prevent even the hint of a filibuster. Again, we respected the Senate's tradition against filibustering Supreme Court nominees.

I know our friends on the Democratic side will be quick to interject with a predictable protest about last year, though they seem to forget their own position on the issue. When Justice Scalia passed away, the Senate chose to follow a standard that was first set forth by then-Senator Biden, when he was chairman of the Judiciary Committee, and then was expanded upon by the current Democratic leader, himself. The Senate exercised its constitutional advice and consent role by withholding its consent until after the election so that the next President, regardless of party, could select a nominee. It is a standard I held to even when it seemed inevitable that our next President was going to be Hillary Clinton. It is also a standard that President Obama's own legal counsel admitted that Democrats would have followed themselves had the shoe been on the other foot.

The majority of the Senate expressed itself then by withholding consent.

The majority of the Senate wishes now to express itself by providing consent to Judge Gorsuch.

The bipartisan majority that supports him cannot do so if a partisan minority filibusters. They are prepared to do so for the first time in American history, and the Democratic leader has mused openly about holding this seat vacant for an entire Presidential term.

We will not allow their latest unprecedented act on judicial nominations to take hold. This will be the first and last partisan filibuster of a Supreme Court nomination.

All of this history matters. I know the Democratic leader would rather not revisit the circumstances that brought us to this moment. I know the Democratic leader would rather not talk about it. Of course, he doesn't want to talk about it. He and his party decided to change the ground rules for handling judicial nominations.

He and his party pioneered the practice of filibustering lower court judicial nominees. He and his party launched the first partisan filibuster of a Supreme Court nominee. He and his party deployed the nuclear option in 2013. Now they are threatening to do something else that has never been done in the history of the Senate: successfully filibuster a Supreme Court nominee on a purely partisan basis.

For what reason—because he is not qualified or because he is not fit for the

job? No, it is because he was nominated by a Republican President.

This is the latest escalation in the left's never-ending judicial war—the most audacious yet. It cannot and it will not stand.

There cannot be two sets of standards—one for the nominees of Democratic Presidents and another for the nominee of a Republican President. The Democratic leader, essentially, claimed yesterday that Democratic Presidents nominate Justices who are near the mainstream but that Republican Presidents nominate Justices who are far outside the mainstream.

In what universe are we talking about here?

I would say to my friend from New York that few outside of Manhattan or San Francisco believe that Ruth Bader Ginsburg is in the mainstream but that Neil Gorsuch is not.

To quote a long-time Democrat and member of the left-leaning American Constitution Society, there is simply no principled reason—none—to vote no on Judge Gorsuch's nomination, even less of one to block that vote from occurring at all.

Let me say this to my Democratic colleagues: If you truly cannot support the nomination of this eminently qualified nominee, then at least allow the bipartisan majority of the Senate who supports Gorsuch to take an up-or-down vote. You already deployed the nuclear option in 2013. Do not trigger it again in 2017.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until the cloture vote on the Gorsuch nomination will be equally divided between Senators GRASSLEY and FEINSTEIN or their designees.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I was going to ask unanimous consent to that extent. I guess you have already announced that it is in place; is that right? I am going to add something to what the Acting President pro tempore just said, so let me start over again.

I ask unanimous consent that the time until 10:45 a.m. be equally divided between Senator FEINSTEIN or her designee and myself or my designee and that the time from 10:45 a.m. to 11 o'clock be reserved for Senator SCHUMER's leader remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Illinois.

Mr. DURBIN. Mr. President, I ask for a clarification. Is the remaining 17 or 18 minutes equally divided?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. GRASSLEY. Mr. President, that is what my unanimous consent request said.

Mr. DURBIN. Mr. President, I just wanted to get more specific. I am not questioning what the Senator asked for.

Do we have 9 minutes each or 8 minutes each?

Mr. GRASSLEY. I will probably need more than 9 minutes, but I will put the rest of my statement in the RECORD.

Mr. DURBIN. So will I.

Mr. President, I defer to the chairman of the committee if he would like to speak first.

Mr. GRASSLEY. Mr. President, within the next hour or so, we will learn whether the minority will come to their senses or whether they will engage in the very first partisan filibuster of a Supreme Court nominee. All indications are that they are committed to their course. That is unfortunate. It truly is.

The question one has to ask is this: What, exactly, is so objectionable about this nominee that he should be subjected to the first partisan filibuster in U.S. history? Is he, really, not well qualified?

He attended Columbia for his bachelor's, Harvard for law school, Oxford for his doctorate. He clerked for not one—but two—Supreme Court Justices. He has spent over 10 years on the circuit court and has heard 2,700 cases. It is clear, then, that he is extremely well qualified.

So what is it? What makes this nominee so objectionable?

The truth is, throughout this process, the minority, led by their leader, has been desperately searching for a justification for their preplanned filibuster. Over the course of the last couple of months, they have trotted out one excuse after another, but nothing will stick.

They said he isn't mainstream, but that is not true. Everyone from Obama's Solicitor General to Rachel Maddow has said he is mainstream. They said he isn't independent, but everyone knows he is an independent judge. He is his own man, and he understands the role of a judge.

Then they roll out this ridiculous argument that he is for the big guy and against the little guy. Even liberal law professors like Noah Feldman made fun of that attack. He called it "a truly terrible idea." Then they said we should hold him responsible for the legal positions he took on behalf of the U.S. Government. The only problem there is, we have had a lot of nominees who have represented the U.S. Government. They worked for it; the government was their client. The other side certainly didn't want to hold Justice Kagan responsible for taking the truly extreme position as Solicitor General that the U.S. Government was constitutionally permitted to ban pamphlets. So that argument fell flat as well.

Then, of course, after they ran out of substantive arguments against the

judge and his record, they resorted to attacks on his supporters or the President who nominated him or the selection process, anything—anything—to distract from the judge and the stellar record he has.

They trotted out this absurd claim that we should reject the judge not because of some opinion he has written but because those who support his nomination have the gall to actually speak out and make their voices heard, except they forgot to check with their own supporters first to make sure none of them are spending so-called dark money. Of course, they are spending money on issue advocacy, just as the law permits and the Constitution protects under the First Amendment.

As we all know, issue advocacy during Supreme Court nominations is absolutely nothing new. Those who are complaining about issue advocacy today don't seem to remember the TV ads the far left ran attacking Judge Bork in 1987. I remember those ads. I remember the ads the left ran against Justice Thomas as well. Of course, outside groups on the left have attacked every Republican nominee since.

So expressing selective outrage over issue advocacy doesn't advance their cause either, but they still keep it up.

Finally, the talking point we have heard repeated most often over the last 24 hours is that Candidate Trump "outsourced" his selection process to conservative groups. I must say, I find that argument the oddest of all. It is the kind of thing Justice Scalia would call "pure applesauce."

The President didn't outsource the selection process to conservative groups. He made his list public for the entire country to review during the campaign—the first President to do that. If anything, he outsourced the selection process to whom? The voters—the American people.

So what do you do? You are out of substantive arguments from the other side. Even shots fired at the judge's supporters somehow boomerang back and hit your own advocacy groups. We have seen all of this before. I have been through a few of these debates over the years. When a Republican occupies the Oval Office, the nominees may change, but the attacks remain the same.

You will hear today the same poll-tested catch phrases we have all heard time and again. You will hear words and phrases like "outside the mainstream," "far right," and "extreme." Invariably, these are words the left tries to pin on every nominee of a Republican President and the people he submits to the Senate. With each nominee, the playbook on the left seems to be the very same. The nomination process, it seems, is a desperate attempt to retell the same old preordained narrative.

As I have said, those of us who have been through a few of these episodes

have heard it all before, and we are going to hear it in the next few hours again, but this time something is very different. This time, they intend to use the same old preordained narrative to justify the first partisan filibuster in the 220-year history of the United States. Of course, this result was preordained because as the minority leader said weeks before the President was even sworn into office, "it's hard for me to imagine a nominee that Donald Trump would choose that would get Republican support that we [Democrats] could support."

You have already committed to the far left that you will launch the first partisan filibuster in U.S. history. So you are stuck. You have to press forward, don't you, even though you know the effort is doomed to fail. You know he will be confirmed, and you know in your heart of hearts he deserves to be confirmed. That is why this is an especially sad state of affairs, and I hope my colleagues will change their minds.

At the end of the day, we are left with an exceptional nominee, with impeccable credentials and broad bipartisan support. In short, we have in Judge Gorsuch a nominee who proves without a doubt that the minority leader would lead a filibuster against anyone nominated by this President. That is unfortunate because it is not the way it has to be, but it is a situation we cannot accept.

I yield the floor.

The ACTING PRESIDENT pro tempore. The minority whip is recognized.

Mr. DURBIN. Mr. President, for 3 straight days, the Senate Republican leader has come to the floor and has given us a history of Presidential nominations to the Supreme Court, but clearly an investigation is necessary. There must have been a hacking into his computer because he can't print the name "Merrick Garland" to include in his speech. The Senator from Kentucky, the Republican leader, has failed to mention that name because that name is the reason we are in this spot today.

When Justice Antonin Scalia passed away, President Obama exercised his constitutional responsibility to send a nominee to the Senate to fill the vacancy on the Supreme Court. For the first time in the history of the Senate—for the first time ever—this Republican-led Senate refused to give this nominee a hearing and a vote. It had never—underline the word "never"—happened before.

Was the reason that he was unqualified? Of course not: he was unanimously "well qualified," serving on the D.C. Circuit Court. The reason was stated clearly by Senator McConnell: We are going to place a bet that the next President will be a Republican, and we will let them fill this vacancy.

When the Republicans come to the floor, as they have this morning talk-

ing about the politicization of this process, the reason we are here, when we should be celebrating the 1-year anniversary of Merrick Garland on the Supreme Court, is because they kept that position vacant so it could be filled by a Republican President. That is exactly why we are here today.

This notion that it is somehow fanciful that the choice of Neil Gorsuch was made by outside groups is belied by the very words of the President himself, who thanked the Federalist Society and the Heritage Foundation—two special interest, Republican organizations—for giving him a list of nominees for the Supreme Court. It was very open and public, and there was gratitude—political gratitude—that they came up with the name Neil Gorsuch. That is a fact.

When we look at the history that has led us to this moment, the Senator from Kentucky, the Republican leader, has to accept what is clear. In the history of the United States of America, until Senator McConnell's days under President Obama, exactly 68 nominees had been filibustered. Under Senator McConnell and the Republicans, 79 nominees of President Obama's were filibustered. It was an abuse of the filibuster never seen before in the history of our Nation, and it was that abuse of the filibuster and statements made that they would leave vacancies on critical courts, like the D.C. Court of Appeals, there forever and ever amen, that led to the decision 4 years ago to say that we would employ a change in the rules so we could finally fill these court positions—finally break the filibuster death grip—which Senator McConnell brought to this Chamber in a way never before seen in history.

So the Senator from Kentucky has made history. He comes to the floor every day and tells us history. He made history in the number of filibusters he used on this floor. He made history in denying a Presidential nominee the opportunity for a hearing and a vote, which had never—never—happened before in the history of the United States. Talk about partisanship.

When it comes to Judge Gorsuch, I read his cases. I sat through the hearings. I was in the Senate Judiciary Committee. We took a measure of the man. He was careful to avoid any question that he could when it came to his position on cases and issues and values, and that is not unusual. Supreme Court nominees do that.

So we tried to look at his cases. What do the cases that he decided reveal about the man? Two or three cases came right to the front. The first involved the sad story of a frozen truck-driver on Interstate 88 outside of Chicago in January a few years back. It was 14 degrees below zero, and the brakes on his trailer froze. He pulled to the side of the road, called his dispatcher who said: Stay with the truck.

We are sending somebody. Hours passed. He was going through hypothermia. He was freezing. He called the dispatcher and said: I have to do something. He said: You either drive this disabled truck out on the interstate and take your best chances or you stick with the truck. He decided to unhitch the trailer and drive to a gas station, gas up and warm up, and come back. For that he was fired.

Seven judges looked at that case to decide whether it was fair to fire Alphonse Maddin. Six of the judges said: No, he did the right thing. One judge said: I rule for the trucking company that fired him—Neil Gorsuch, the nominee for the Supreme Court.

In the Hobby Lobby case, the decision was basic, who should decide the healthcare of thousands of workers. Well, the Green family who owns Hobby Lobby said: Our religious beliefs should dominate. We should decide family planning and birth control for our employees and their health insurance. Judge Gorsuch said: That is right because they own a corporation, and a corporation is a person, and as a corporation, they can have sincere religious beliefs. It was a choice between a corporate ownership of a family and 13,000 employees and their own personal religious rights, and Judge Gorsuch ruled for the corporation.

Kansas State University. A Kansas State University professor, Grace Hwang, after working there for many years, was diagnosed with cancer and had to go through a bone marrow transplant. She took 6 months off. Then, when she was called back to work, she called the university and said: I understand there is an influenza outbreak on campus, and I am afraid, after having just had a bone marrow transplant, to be exposed to influenza at this point. They said: You either come back and teach or you are fired. She didn't come back. They fired her. It was Judge Gorsuch who said their employer was right; Kansas State University was right.

Those are insights into the values of a man who wants a lifetime appointment to the U.S. Supreme Court, the highest Court in the land. The questions we have raised about his judgment and his values go to the heart of who we are and what we want to be. Do we want the Supreme Court to continue to be a voice for the corporations, the corporate elite, and employers? Do we want to exclude the opportunities of common people like that truckdriver, Al Maddin, to have his day in court and be treated fairly? That is what it comes down to. It is a fundamental question of fairness and justice.

I am sorry, because I love the Senate and I have spent a good part of my life here, that we have reached this moment. But it is this effort to fill the courts of this Nation with Republican appointments, even at the expense of

violating Senate traditions that are over 100 years old, that has brought us to this moment.

As someone said, the nuclear option was used by Senator McConnell when he stopped Merrick Garland. What we are facing today is the fallout.

Mr. President, I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, this past week, the American people have been exposed to a contentious debate here on the Senate floor about the nomination of Judge Gorsuch to the Supreme Court.

The American people have heard many arguments about the judge's merits and his shortcomings. They have also heard Senators litigate four decades of fierce partisan wrangling over the composition and direction of the Federal judiciary. That debate, that long debate, has informed the current one about Judge Gorsuch. Newer Members may not remember all the details. Friends of mine, like Senator Hatch, probably remember too many of them. Still, the vote on Judge Gorsuch and the decision by the majority leader to move to change the rules has roped in all of that history.

Now, how did we get here? The truth is, over the long history of partisan combat over judicial nominations, there is blame on both sides. We believe that the blame should not be shared equally between Republicans and Democrats. We believe the Republican Party has been the far more aggressive party in the escalation of tactics and in the selection of extreme judicial candidates, while Democrats have tended to select judges closer to the middle.

Keep this in mind: The last time a Republican-controlled Senate confirmed the Supreme Court nomination of a Democratic President was 1895. Nonetheless, each side comes here today in full confidence that their side is in the right. It was once said that "antagonism is never worse than when it involves two men each of whom is convinced that he speaks for the goodness and rectitude." So it is today.

My Republican friends feel that they have cause to change the rules because the Democrats changed the rules on the lower court nominees in 2013. We believe we had to change the rules in 2013 because the Republicans ramped up the use of the filibuster to historic proportions, forcing more cloture votes under President Obama than during all other Presidents combined—more cloture votes under Obama than under George Washington all the way through to George Bush.

My Republican friends think they have cause to change the rules because we are about to deny cloture on the nomination of Judge Gorsuch. We be-

lieve what Republicans did to Merrick Garland was worse than a filibuster, declaring mere hours after Justice Scalia's death that they would deny the constitutional prerogative of a President with 11 months left in his term. As my colleague from Illinois noted, we did not hear two words in the long speech of Senator McConnell: Merrick Garland.

We could relitigate these debates for the next hour, mentioning everything the Republican leader left out in his remarks. In fact, I am pretty sure we could argue endlessly about where, and with whom, this all started. Was it the Bork nomination or the obstruction of judges under President Clinton? Was it when Democrats blocked judges under President Bush or when Republicans blocked them under President Obama? Was it Judge Garland or Judge Gorsuch? Wherever we place the starting point of this long twilight battle over the judiciary, we are now at its end point.

These past few weeks, we Democrats have given Judge Gorsuch a fair process, something Merrick Garland was denied. My colleagues came into this debate with an open mind. I think many of them wanted to vote for Judge Gorsuch at the outset. So we met with the nominee. We consented to and participated in his hearing. But over the course of the hearing, during which Judge Gorsuch employed practiced evasions and judicial platitudes, the mood of our caucus shifted. Without so much as a hint about his judicial philosophy, without a substantive explanation of how he views crucial legal questions, all we had to go on was his record, and the more we learned about Judge Gorsuch's record, the more we didn't like.

Judge Gorsuch has shown in his rulings and in his writings to side almost instinctively with corporate interests over average Americans. He hasn't shown independence from the President, who so routinely challenges the legitimacy of the judiciary. While he has made a studious effort to portray himself as thoughtful and moderate, his record shows that, far from being the kind of mainstream candidate for the Supreme Court that could earn 60 votes, he may very well turn out to be one of the most conservative Justices on the bench. An analysis of his record in the New York Times showed he would be the second most conservative Justice on the bench, and one in the Washington Post showed he would be the most conservative Justice, even to the right of Justice Thomas.

For these principled reasons, Judge Gorsuch was unable to earn enough Democratic support for confirmation. Because of that, the majority is about to change the Standing Rules of the Senate to allow all Supreme Court nominees to pass on a majority vote.

It doesn't have to be this way. When a nominee doesn't get enough votes for

confirmation, the answer is not to change the rules; it is to change the nominee. Presidents of both parties have done so in similar situations. On several occasions, Supreme Court nominees were withdrawn because they did not have enough support; one was even withdrawn after a failed cloture vote.

So this week we have endeavored to give the majority leader and my friends on the other side of the aisle a way out of this predicament. We offered them the option to sit down with us Democrats and the President and discuss a nominee who would earn enough bipartisan support to pass the Senate, not one vetted only by far-right special interest groups.

I came here to the floor each day and made an offer to meet anywhere, anytime to discuss a new nominee. I hoped, perhaps naively, that we could discuss a way forward that both our parties could live with. Unfortunately, there were no counteroffers or discussion offered by the other side. But our offer was meant sincerely.

Democrats and Republicans are caught in such a bunker mentality on this issue that we are just talking past each other. I know that many of my Republican friends are squeamish and uncomfortable with the path we are on, as we Democrats are as well. We have reached a point where the level of distrust is so high on this issue, we can't even sit down and talk.

My Republican friends dismiss out of hand the notion that Democrats will ever vote to confirm a Republican-nominated judge, despite the fact that there were Democratic votes for both Justices Roberts and Alito to get them over 60 and despite our plangent attempts to convince them otherwise. But make no mistake about it, for all the back and forth, when history weighs what happened, the responsibility for changing the rules will fall on the Republicans' and Leader McConnell's shoulders. They have had other choices; they have chosen this one. No one forced them to act; they acted with free will. We offered them alternatives; they refused. They hardly entertained any other possibilities. It seemed that the Republican leader was, from day one, intent on changing the rules if he didn't get his way.

Frankly, this is how so many of our Republican friends have approached the judiciary for a long time. For two decades, they have done whatever it has taken to move the bench to an ideological, far-right position. Independent experts have stated that we have a more conservative Supreme Court than we have had in a very long time. Nothing—not even the rules, not even the comity of the Senate—seems to stop them.

When the dust settles, make no mistake about it, it will have been the Republicans who changed the rules on the

Supreme Court. But we take no solace that history will put it on their shoulders because the consequences for the Senate and for the future of the Supreme Court will be far-reaching. The nuclear option means the end of a long history of consensus on Supreme Court nominations. It weakens the standing of the Senate as a whole as a check on the President's ability to shape the judiciary. In a postnuclear world, if the Senate and the Presidency are in the hands of the same party, there is no incentive to even speak to the Senate minority. That is a recipe for more conflict and bad blood between the parties, not less. The cooling saucer of the Senate will get considerably hotter.

The 60-vote threshold on controversial matters is a hallmark of the Senate. The majority leader has said so himself. It fosters compromise, it fosters bipartisanship, and it makes the Senate more deliberative. Sixty votes ought to be the epigraph of the Senate. Losing that standard on the Supreme Court, a hugely controversial matter, erodes the very nature of this body.

The 60-vote bar in the Senate is the guard rail of our democracy. When our body politics is veering too far to the right or to the left, the answer is not to dismantle the guardrails and go over the cliff but to turn the wheel back toward the middle. The answer is not to undo the guardrails—the rules—it is to steer back to the middle and get a more mainstream candidate.

With respect to the Supreme Court, the 60-vote threshold operates as a guardrail against judicial extremism. When 60 votes—typically a bipartisan supermajority—are required for confirmation, nominees tend to be in the judicial mainstream. The only nominee on the Court to be confirmed with less than 60 votes was Justice Thomas, who is widely recognized to be the most ideologically extreme Supreme Court Justice. It will mean the end of any pressure on any future President to nominate someone in the mainstream.

When it comes to the courts, the guardrails are being dismantled. There will be more 5-to-4 decisions, as our ranking member of the Judiciary Committee has pointed out. There will be less faith in the Supreme Court because it will be seen as a political body, an extension of our most divisive debates. As a result, America's faith in the integrity of the Court and the trust in the rule of law will suffer.

In conclusion, I am disheartened that we are here. In the sweep of history, the Senate has been the place where great, seemingly intractable disagreements in American politics finally give way to compromise, precisely because we have a set of rules that requires it. The story of the Senate is one of fierce debate but eventual cooperation. We tend to pull back when things get too heated because we all care about this institution and its role in our national

life. In this case, the cumulative resentments from years of partisan trench warfare were too great. Instead of the Senate forcing us to change, Senators have decided to change the Senate. I worry a great deal about what that means for our future.

Twenty years ago, I think even the most partisan would say that the 60-vote threshold was basically inviolable. Today, it will be gone for all nominations, but at least not for legislation. My friend the majority leader has said he has no interest in removing the barrier for legislation.

I agree with him wholeheartedly, and I take him at his word.

I hope we can get together to do more in future months to ensure that the 60-vote threshold for legislation remains, but just as it seemed unthinkable only a few decades ago that we would change the rules for nominees, today's vote is a cautionary tale about how unbridled partisan escalation can ultimately overwhelm our basic inclination to work together and frustrate our efforts to pull back, blocking us from steering the ship of the Senate away from the rocks.

There is a reason it was dubbed the "nuclear option." It is the most extreme measure, with the most extreme consequences. While I am sure we will continue to debate what got us here, I know that in 20 or 30 or 40 years, we will sadly point to today as a turning point in the history of the Senate and the Supreme Court; a day when we irrevocably moved further away from the principles our Founders intended with these institutions, principles of bipartisanship and moderation and consensus.

Let us go no further on this path.

I yield the floor.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Neil M. Gorsuch, of Colorado, to be an Associate Justice of the Supreme Court of the United States.

Mitch McConnell, Mike Crapo, John Kennedy, Jerry Moran, Mike Rounds, Chuck Grassley, Jeff Flake, Todd Young, John Cornyn, Cory Gardner, Thom Tillis, Marco Rubio, John Thune, Michael B. Enzi, Orrin G. Hatch, Shelley Moore Capito, Steve Daines.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Neil M. Gorsuch, of Colorado, to be an Associate Justice of the Supreme Court of the United States shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 55, nays 45, as follows:

[Rollcall Vote No. 105 Ex.]

YEAS—55

Alexander	Fischer	Paul
Barrasso	Flake	Perdue
Bennet	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heitkamp	Rubio
Cassidy	Heller	Sasse
Cochran	Hoeven	Scott
Collins	Inhofe	Shelby
Corker	Isakson	Strange
Cornyn	Johnson	Sullivan
Cotton	Kennedy	Thune
Crapo	Lankford	Tillis
Cruz	Lee	Toomey
Daines	Manchin	Wicker
Donnelly	McCain	Young
Enzi	Moran	
Ernst	Murkowski	

NAYS—45

Baldwin	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Hirono	Sanders
Cantwell	Kaine	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Leahy	Stabenow
Coons	Markey	Tester
Cortez Masto	McCaskill	Udall
Duckworth	McConnell	Van Hollen
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Murphy	Whitehouse
Gillibrand	Murray	Wyden

The PRESIDING OFFICER (Mr. SULLIVAN). On this vote, the yeas are 55, the nays are 45.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

MOTION TO RECONSIDER

Mr. MCCONNELL. Mr. President, I move to reconsider the vote, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 55, nays 45, as follows:

[Rollcall Vote No. 106 Ex.]

YEAS—55

Alexander	Ernst	McCain
Barrasso	Fischer	McConnell
Blunt	Flake	Moran
Boozman	Gardner	Murkowski
Burr	Graham	Paul
Capito	Grassley	Perdue
Cassidy	Hatch	Portman
Cochran	Heitkamp	Risch
Collins	Heller	Roberts
Corker	Hoeven	Rounds
Cornyn	Inhofe	Rubio
Cotton	Isakson	Sasse
Crapo	Johnson	Scott
Cruz	Kennedy	Shelby
Daines	Lankford	Strange
Donnelly	Lee	
Enzi	Manchin	

Sullivan
Thune

Tillis
Toomey

Wicker
Young

NAYS—45

Baldwin	Gillibrand	Nelson
Bennet	Harris	Peters
Blumenthal	Hassan	Reed
Booker	Heinrich	Sanders
Brown	Hirono	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Coons	Markey	Udall
Cortez Masto	McCaskill	Van Hollen
Duckworth	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Murphy	Whitehouse
Franken	Murray	Wyden

The motion was agreed to.

The PRESIDING OFFICER (Mrs. FISCHER). The Democratic leader.

Mr. SCHUMER. Madam President, parliamentary inquiry.

The PRESIDING OFFICER. The Democratic leader will state the parliamentary inquiry.

Mr. SCHUMER. Madam President, is it correct that over half the nominations on which cloture motions were filed in the Senate, over the course of our entire history as a country, were filed between the beginning of President Obama's administration and November 21, 2013?

The PRESIDING OFFICER. The Secretary of the Senate's office confirms that 79 of the 147 cloture motions filed on nominations were filed between 2009 and November 21, 2013.

Mr. SCHUMER. Madam President, further parliamentary inquiry.

The PRESIDING OFFICER. The Democratic leader will state the parliamentary inquiry.

Mr. SCHUMER. Madam President, under the rules and precedents of the Senate, is the Senate prohibited from considering and voting on a nominee to the Supreme Court in the fourth year of the President's term?

The PRESIDING OFFICER. The Chair is not aware of any such prohibition in its rules or precedents.

Mr. SCHUMER. Madam President, additional parliamentary inquiry.

The PRESIDING OFFICER. The Democratic leader will state the parliamentary inquiry.

Mr. SCHUMER. Is the Chair aware of any instance in the years between the 1949 advent of routine public Supreme Court confirmation hearings and 2016 that a nominee who was not withdrawn did not receive a hearing and a vote?

The PRESIDING OFFICER. The Secretary of the Senate's office confirms that since 1949, Supreme Court nominees have routinely received public hearings. Harriet Miers, whose nomination was withdrawn, and Merrick Garland did not.

MOTION TO POSTPONE

Mr. SCHUMER. Madam President, in order to allow President Trump, Republicans, and Democrats time to come together and discuss a way forward on a Supreme Court nominee who can meet the 60-vote threshold, I move to

postpone the nomination to 3 p.m. on Monday, April 24, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 48, nays 52, as follows:

[Rollcall Vote No. 107 Ex.]

YEAS—48

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murphy	Wyden

NAYS—52

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Isakson	Shelby
Corker	Johnson	Strange
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Fischer	Paul	

The motion was rejected.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Madam President, our Democratic colleagues have done something today that is unprecedented in the history of the Senate. Unfortunately, it has brought us to this point. We need to restore the norms and traditions of the Senate and get past this unprecedented partisan filibuster.

Therefore, I raise a point of order that the vote on cloture, under the precedent set on November 21, 2013, is a majority vote for all nominations.

The PRESIDING OFFICER. The precedent of November 21, 2013, did not apply to nominations to the Supreme Court. Those nominations are considered under plain language of rule XXII. The point of order is not sustained.

APPEALING RULING OF THE CHAIR

Mr. MCCONNELL. Madam President, I appeal the ruling of the Chair.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Madam President, parliamentary inquiry.

The PRESIDING OFFICER. The Democratic leader will state the parliamentary inquiry.

Mr. SCHUMER. Madam President, did the Senate precedent established on

November 21, 2013, on how nominations are considered in the Senate change the cloture threshold for nominations to the Supreme Court?

The PRESIDING OFFICER. The consideration of nominees to the Supreme Court of the United States was unaffected by the precedent of November 21, 2013, and is as under rule XXII.

Mr. SCHUMER. Madam President, a second parliamentary inquiry.

The PRESIDING OFFICER. The Democratic leader will state the parliamentary inquiry.

Mr. SCHUMER. Madam President, in the history of the Senate, have there been any instances in which a nomination to the Supreme Court was withdrawn after cloture was not invoked on the nomination?

The PRESIDING OFFICER. The Secretary of the Senate's office has confirmed that such a withdrawal has taken place.

Mr. SCHUMER. Thank you, Madam President.

Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Democratic leader will state the parliamentary inquiry.

Mr. SCHUMER. Madam President, of the last 26 nominations of Justices confirmed to the Supreme Court, going back to 1954, how many were confirmed without a rollcall vote or received more than 60 votes in support of their nomination either on cloture or on confirmation?

The PRESIDING OFFICER. The Secretary of the Senate's office confirms that 25 of 26 nominees were confirmed in one or another of the manner so described.

MOTION TO ADJOURN

Mr. SCHUMER. Madam President, I move to adjourn until 5 p.m., and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 48, nays 52, as follows:

[Rollcall Vote No. 108 Ex.]

YEAS—48

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murphy	Wyden

NAYS—52

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Isakson	Shelby
Corker	Johnson	Strange
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Fischer	Paul	

The motion was rejected.

APPEALING RULING OF THE CHAIR

The PRESIDENT pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 48, nays 52, as follows:

[Rollcall Vote No. 109 Ex.]

YEAS—48

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murphy	Wyden

NAYS—52

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Isakson	Shelby
Corker	Johnson	Strange
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Fischer	Paul	

The PRESIDENT pro tempore. The decision of the Chair does not stand as the judgment of the Senate.

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby

move to bring to a close debate on the nomination of Neil M. Gorsuch, of Colorado, to be an Associate Justice of the Supreme Court of the United States.

Mitch McConnell, Mike Crapo, John Kennedy, Jerry Moran, Mike Rounds, Chuck Grassley, Jeff Flake, Todd Young, John Cornyn, Cory Gardner, Thom Tillis, Marco Rubio, John Thune, Michael B. Enzi, Orrin G. Hatch, Shelley Moore Capito, Steve Daines.

The PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Neil M. Gorsuch, of Colorado, to be an Associate Justice of the Supreme Court of the United States shall be brought to a close, upon reconsideration?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 55, nays 45, as follows:

[Rollcall Vote No. 110 Ex.]

YEAS—55

Alexander	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heitkamp	Rounds
Cassidy	Heller	Rubio
Cochran	Hoeven	Sasse
Collins	Inhofe	Scott
Corker	Isakson	Shelby
Cornyn	Johnson	Strange
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	Manchin	Toomey
Donnelly	McCain	Wicker
Enzi	McConnell	Young
Ernst	Moran	
Fischer	Murkowski	

NAYS—45

Baldwin	Gillibrand	Nelson
Bennet	Harris	Peters
Blumenthal	Hassan	Reed
Booker	Heinrich	Sanders
Brown	Hirono	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Coons	Markey	Udall
Cortez Masto	McCaskill	Van Hollen
Duckworth	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Murphy	Whitehouse
Franken	Murray	Wyden

The PRESIDENT pro tempore. On this vote, the yeas are 55, the nays are 45.

Upon reconsideration, the motion is agreed to.

The PRESIDING OFFICER (Mrs. FISCHER). The majority whip.

Mr. CORNYN. Madam President, the Senate has just restored itself to an almost unbroken tradition of never filibustering judges.

We have actually restored the status quo before the administration of President George W. Bush. It was during that administration when some of our friends across the aisle, along with some of their liberal law professor allies, dreamed up a way of blocking

President George W. Bush's judicial nominees, and that was by suggesting that 60 votes was really the threshold for confirming judges, rather than the constitutional requirement of a majority vote.

It has been a long journey back to the normal functioning of the United States Senate, and it is amazing that it has taken a nominee like Judge Gorsuch to bring us back to where we were back around 2001.

We have been debating and discussing this nominee for a long time now, and the opponents of Judge Gorsuch have tried time and time again to raise objections to this outstanding nominee—a nomination that no one in the Senate opposed 10 years ago when he was confirmed to a position on the Tenth Circuit Court of Appeals. They claimed he wasn't mainstream enough. They said this was a seat that really should have gone to Merrick Garland. They have even accused him of plagiarism. All of these arguments have no merit whatsoever and really represent desperate attempts to try to block this outstanding nominee. Their claims were simply baseless, and that much became even clearer as folks from across the political spectrum and newspapers from across the country urged our Democratic colleagues to drop their pointless filibuster and allow an up-or-down vote.

What also came to light is the type of man Judge Gorsuch is—a man of integrity, a man of strong independence; in other words, exactly the kind of person you would want to serve on the Supreme Court.

They even claimed that Judge Gorsuch went out of his way to side with the big guy against the little guy, ignoring the fact that during his 10 years on the Tenth Circuit Court of Appeals, where these judges sit on multi-judge panels, he was part of the majority decision 99 percent of the time, and 97 percent of those cases were unanimous in multi-judge panel decisions on the Tenth Circuit Court of Appeals—hardly radical. It actually is a remarkable record of a consensus-builder, someone who uses his great intellect, his education, and his training to build consensus on a multi-judge court—exactly the kinds of skills that are going to be so important for him to use on the Supreme Court of the United States.

As I said, ultimately today was the culmination of years of obstruction by our Democratic colleagues when it came to judicial nominees.

When I came to the Senate in 2003, the Democratic strategy was well underway to obstruct lower court judicial nominees from the George W. Bush administration.

Later, in 2013, when there was a Democrat in the White House and it suited them to do so, they decided to do away with the same tool they used and went

nuclear, lowering the threshold from 60 to 51 majority vote for circuit court nominees and district court nominees.

It took a Gang of 14—7 Democrats and 7 Republicans—to try to work through the differences back around the 2006 timeframe, which resulted in half of President George W. Bush's nominees to the circuit court getting confirmed and half not being confirmed. The standard was adopted by the so-called Gang of 14 that only under extraordinary circumstances would the filibuster be used, but that agreement expired in 2013.

Well, the minority leader and his colleagues like to say that back then it was necessary to restore a majority vote. He did that just last Sunday. He said: "Our Republican colleagues had been holding back on just about all of so many lower-court judges, including the very important D.C. circuit" court, that they were forced to engage in the nuclear option back in 2013. But the facts really belie what the Democratic leader claimed in terms of the necessity of going nuclear back then. In fact, prior to 2013, the Senate had confirmed more than 200 of President Obama's judicial nominees and it rejected just 2—more than 200 confirmed, 2 rejected. That hardly rises to a level of extreme obstruction or partisanship. That is a 99-percent confirmation rate for President Obama.

So let's make it clear just how this began. It started with Democratic obstruction under a Republican administration in 2001, and it is been continuing now under a new Republican administration in 2017. So we really have come full circle to restore the status quo before 2001, when our Democratic friends started down this path.

President Trump has, by all accounts, selected a judge with impeccable qualifications and the highest integrity. Not one of our Democratic colleagues has been able to offer a convincing argument against him, and that is why several of our Democratic colleagues have crossed the aisle to support his nomination, and I thank them for that. I think more would join if they didn't fear retribution from the radical elements in their own political party.

So today Republicans in the Chamber are following through on what we said we would do. We said we would let the American people decide who would select the next Supreme Court nominee and then we would vote to confirm that nominee. The American people, on November 8, selected President Trump. President Trump nominated Judge Neil Gorsuch. And tomorrow we will confirm that nominee and deliver on that promise.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Colorado.

Mr. GARDNER. Mr. President, over the next several hours, we will have

the final opportunity to debate the confirmation of Supreme Court Justice nominee Neil Gorsuch. This has been a lengthy process this week, as we have heard from Senators on both sides of the aisle who have come to the floor and talked about their support or their opposition to Judge Gorsuch's nomination to the Supreme Court.

I have had several opportunities over the past weeks and months to personally visit and speak with Judge Gorsuch, whom I have known from Colorado, the opportunity to listen to a number of my colleagues address the Chamber, to watch the Senate confirmation hearings in the Judiciary Committee—the day after day, it seemed, that that confirmation hearing proceeded—and of course we have gotten to know Judge Gorsuch over the past several years. We are proud that we have a Coloradan nominated to the Nation's highest Court and that he would be the second Coloradan to serve on the Supreme Court, the other one being Justice Byron White. Justice Byron White also led the NFL in rushing one year, and while Gorsuch will never live up to that part of the Supreme Court legacy for Coloradans, we know that Judge Gorsuch is an avid outdoorsman, a fly-fisher, expert-level skier, and somebody who understands public lands. I think having that kind of expertise and experience on our Nation's highest Court will serve this country well.

I think it is important to understand that his roots represent the roots that built the West. He is a fourth-generation Coloradan, somebody who hails from a State that is independent, that takes great pride in its libertarian streak, its love of the outdoors, recreational opportunities, understanding agriculture, energy. It is a State that really does have it all. From the Eastern Plains to the Western Slope, there is great beauty in our State.

Neil Gorsuch understands that. He served on a court, the Tenth Circuit Court, that is housed in Denver and represents 20 percent of the landmass of our State. Judge Gorsuch's family, as I mentioned, really does show the grit and determination of those who built the West. His grandfather was someone who worked in Union Station, someone who grew up driving trolleys back in the time when Denver was a trolley town. His other grandfather, of course, was a physician, and both were experts in their fields. One grandfather helped found a law firm, Gorsuch Kirgis, a very prestigious firm in Denver.

But it is Judge Gorsuch's experience, his high qualifications of academics that he brings to the Court, having received his degrees from Columbia, Oxford, Harvard, as I mentioned previously—the most important academic experience being the University of Colorado, where I think he spent at least

some time in the summer attending, and also teaching a course as a professor at my alma mater, the University of Colorado School of Law. This has all helped him build what he is today; that is, a very mainstream jurist, an incredibly exceptional legal mind, one of the brightest jurists this country has to offer, someone who is known as a feeder judge, providing clerks to the Supreme Court, and who has the respect of the Colorado legal community.

I want to talk about some of these things because I have come to the floor multiple times, and I have talked about his qualifications. I have talked about the people who know him best, not the people in Washington, DC, but the people who have practiced in front of his court in Denver, the people who know him personally out in Colorado.

Here is what those individuals have said. They believe that Judge Gorsuch deserves an up-or-down vote. Bill Ritter, former Democratic Governor for the State of Colorado, believes that Judge Gorsuch deserves an up-or-down vote. Now we will have it. We have invoked cloture. We will have a final debate on Friday night and a final vote on whether or not he should be confirmed.

People like Steve Farber, the cochair of the Democratic National Convention in 2008 in Colorado, have talked about the need to confirm Judge Gorsuch.

So the debate that we enter now is not one of whether he will have an up-or-down vote. He is going to have an up-or-down vote. But it is whether we should confirm him, actually give him the "yes" vote.

I urge my colleagues on both sides of the aisle to vote in favor of Judge Gorsuch's confirmation. Some of the arguments that I have heard over the past several weeks on the floor, listening to some of the arguments on the floor—it is quite interesting to me that some of the arguments we hear seem to be at odds with each other.

Presiding over the Senate yesterday, I heard people talk about how they don't think Neil Gorsuch will stand up to the President. They are concerned that he will not express the kind of independence the judiciary commands, that he will not be someone to stand up to the President of the United States. They often cite some of the comments or tweets that the President has made and then fail to mention the fact, though, that at the very time one of those tweets was mentioned, questioning the judiciary, Judge Gorsuch, in a meeting with one of our Democratic colleagues, actually had objections. He said he objected to the statements the President had made, expressing his independence, talking about how what he had heard was demoralizing—very much showing independence.

But the second argument you often hear, for those who have decided to op-

pose this mainstream jurist, is that they are afraid he won't show enough independence from the President, and then they say they are concerned about his language as it relates to the Chevron doctrine—whether Judge Gorsuch is going to be willing to overturn the Chevron doctrine.

I find those two arguments kind of interesting because, on one hand, you have an argument saying we are afraid he is not going to stand up to the President of the United States, and then, on the other hand, you have an argument saying that we are afraid he is not going to stand up to the administrative state of the President of the United States—because that is what the Chevron doctrine does; it gives great deference to the regulatory body, to the administrative state.

Here is another irony. The Administrator of the EPA in 1984 was Neil Gorsuch's mother, Anne Burford—the Administrator of the EPA. She was the first woman to serve as EPA Administrator who was the subject of the Chevron doctrine.

Not only is he willing to stand up to the President and the administrative state of the President, but he is willing to overturn a case that was a subject that his own mother was a subject to.

I have also heard comments from colleagues on the aisle that Judge Gorsuch is not a mainstream jurist. This argument, I think, can be dealt with in a couple of ways because there are some pretty good statistics to refute these arguments.

Ninety-seven. Ninety-seven percent is the number of times in the 2,700 opinions that he was a part of—97 percent represents the times that the decisions were unanimous. Judge Gorsuch did not serve only with conservative-appointed judges. He didn't serve with only Republican nominees. Judge Gorsuch served with Republican and Democrat nominees, appointments approved by the Senate. In 97 percent of the cases, Judge Gorsuch ruled—decided—in unanimous decisions.

The other statistic that I think is even more revealing, of course, as to whether Judge Gorsuch is a mainstream judge is 99 percent. Ninety-nine percent is the amount of times that Judge Gorsuch ruled with the majority of the court; he made decisions—opinions—with the majority of the court.

I heard a comment yesterday from a colleague who said that Judge Gorsuch was never intended to be a mainstream nominee. If Judge Gorsuch was never intended to be a mainstream nominee, do you think we would see a judge before us that has support from the 2008 Democratic National Convention Chairman? If Judge Gorsuch was never intended to be mainstream nominee, do you think we would have decisions by the Democratic Governor of Colorado, former Democratic Governor of Colorado, to demand or ask for an up-or-

down vote? If Judge Gorsuch was never intended to be a mainstream nominee, do you think that the President would have nominated somebody who agreed 99 percent of the time with his colleagues on the bench, colleagues who came from appointments given by Republican Presidents and Democrat Presidents?

The arguments over whether Judge Gorsuch is going to be with the little guy or he spends too much time defending the big guy—well, let me again go back to the people who know Judge Gorsuch the best, who have practiced in front of his court. Here is a statement from a Denver attorney and Democrat on representing underdogs before Judge Gorsuch. This is from the Denver Post: "He issued a decision that most certainly focused on the little guy."

Yet the story from the opposition here, out of 2,700 cases, is: Oh, my gosh, this is a person who has never defended the little guy. Well, here is somebody who has practiced in front of his court who absolutely believes he focused on the little guy.

So we have a judge who agrees with the majority of the court most of the time—99 percent of the time; 97 percent of the time it is a unanimous decision, and lawyers practicing in front of him believe that he represents the little guy. We have heard from leading Democrat voices in Colorado who support him. The ABA gave him its highest qualification, rankings, ratings. They believe it.

Then the question becomes, What are we looking for in a Justice? Maybe that is the biggest argument here. Maybe the argument should be about what are we looking for in terms of philosophy, ideology?

Well, we have seen his ideology and his philosophy in what he has testified before the Judiciary Committee, what he has stated in the past through writings. He is someone who is going to follow the law. He is someone who is going to take a decision where the law leads him, not somebody who is going to take an opinion or decision where his personal beliefs or politics take him. That is the kind of judge we want on the highest Court. That is the kind of Justice we want—someone who is not going to decide a policy preference from the bench of the Supreme Court, not somebody who is going to take a look at a public opinion poll or someone who is going to take a look at a focus group and make a decision but someone who will rule by the law.

I have heard colleagues come to the floor and talk about their experiences where they were given decisions to read without being given the law. They were given just the facts of the case. They said: How would you have decided this case? Then they showed him the actual ruling, the actual holding in the case.

Some people believe, well, that is not the way we would have decided because we don't feel that was a good outcome; we don't feel that was the right policy.

It is not the job of a Justice to put their thumb on the scale of policy; it is the job of a Justice to be a guardian of the Constitution, to defend the Constitution, to follow the law and to decide cases based on the law not on feelings, politics, polls, public opinion.

We have a judge, nominated for Justice, who has said that a judge who agrees with every opinion that they have issued is probably a bad judge. He is paraphrasing other judges and Justices throughout our history. It is because he knows it is not his job to issue opinions or decisions or to decide a case based on being a Republican or Democrat. It is not his job to decide a case based on whether he was nominated by President Trump or President Obama or President Bush. It is his job to look at the law, to leave policy decisions to the legislative branch. That is what we have to do. That is what Judge Gorsuch has said he will do.

So these arguments just don't hold water. It doesn't hold water that he is not looking out for the interests of our citizens, because here clearly he is. Democrats who have practiced before him in court have said as much. The argument that he will not stand up to Trump administration—we know it; he said in front of our Democratic colleagues that he would stand up to the President.

He has said that he rejected attacks on the Court. We also know that when it comes to the Chevron doctrine, which seems to be sacred ground now, that there are these ironic arguments taking place, because you want someone who will stand up to the administration, but then you are concerned that he is interested in or concerned that we have taken the Chevron deference—the doctrine of Chevron deference too far.

Now which is it? Do you want a judge who is going to stand up to the administration or do you want a judge who is not going to stand up to the administration? It sounds as though the arguments are trying to have it both ways.

The bottom line is that we know Judge Gorsuch to be a person who is eminently qualified, a mainstream jurist who has the respect and admiration of judges around the country, who has the admiration and respect of fellow jurists and legal professionals throughout Colorado, and we know that he will make this country proud. He is certainly going to make Colorado proud as he receives his confirmation to the Nation's highest Court.

I hope, as we spend these hours debating, that we can realize this Senate should operate in a bipartisan fashion, that we should confirm judges who are clearly mainstream.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, today is a day when many Senators are speaking about Judge Gorsuch and about the Supreme Court. As I think many know, in the last week, in the Judiciary Committee hearings and in other settings, I have announced that I will vote against Judge Gorsuch on the final vote tomorrow. I believe I have made my reasons for my opposition clear. I have thoroughly reviewed and considered Judge Gorsuch's record and where he fits within American jurisprudence, and I have no second thoughts about my decision.

As I look around at what has just happened on this Senate floor, I am sick with regret. So I rise now to speak in defense of the Senate.

The Senate has been hailed by many, including our nominee to the Supreme Court, Judge Gorsuch, as the world's greatest deliberative body. Yet today I think one more blow has been struck at that title and reality.

The late Senator Robert Byrd, who served in this Chamber for 51 years, would famously remind new Senators that "in war and in peace, [the Senate] has been the sure refuge and protector of the rights of the states and of a political minority."

Of course, although Senator Byrd was the longest serving Senator, as a Delawarean, I grew up in the tradition of Senator Joe Biden, a 36-year veteran of this body who left its ranks only to ascend to the Vice Presidency and spend 8 more years as its Presiding Officer.

Since I have had the honor of assuming Senator Biden's former seat, I have committed to following his example of working across the aisle, through Republican and Democratic administrations, with whoever is willing to roll up their sleeves and get to work for the American people. I know my colleagues share in this foundational commitment to serve our constituents and country.

As I look around at what just happened on this floor, with too little discussion of its lasting consequences and too little visible concern or even emotion, I must ask the question: Where are we headed?

You can't see it, but around this Chamber are white marble statues, busts of former Presiding Officers, of former Vice Presidents of the United States. They are in the halls outside this Chamber. They are at the upper level of this Chamber, in the Galleries. All the former Vice Presidents are memorialized in white marble busts.

Former Vice President Adlai Stevenson, the grandfather of the Illinois Governor who ran for President in the middle of the 20th century—former Vice President Adlai Stevenson, when he delivered his farewell address to the Senate on his last day in office as the Presiding Officer of the Senate in 1897, said:

It must not be forgotten that the rules governing this body are founded deep in human experience; that they are the result of centuries of tireless effort . . . to conserve, to render stable and secure, the rights and liberties which have been achieved by conflict.

By its rules, the Senate wisely fixes the limits to its own power. Of those who clamor against the Senate and its mode of procedure, it may be truly said, "They know not what they do."

In this Chamber alone are preserved, without restraint, two essentials of wise legislation and of good government—the right of amendment and of debate.

It was exactly that right, those rules that were assaulted today, but they have been under assault for a long time.

In recent days, I have reached out to my Republican and Democratic colleagues, trying to see if there was some way we could reach a reliable consensus agreement to safeguard these institutional values and avoid the events of today and tomorrow.

I told my colleagues that I was not ready to end debate on Judge Gorsuch's nomination until we could chart a course for the Senate to move forward on a bipartisan basis when considering future Supreme Court nominations.

I think for us to get to any constructive conversation about moving this Senate forward requires owning the role that all of us—each of us has played over our time here, whether a few years or decades, in bringing us to this point.

I, for one, will say I have come over time to regret joining my Democratic colleagues in changing the rules for lower court nominations and confirmations in 2013. Of course, I could give an entire speech on the obstruction that led us to that point. I could document the Republican and Democratic deeds and misdeeds of the last Congress and the Congress before that and the decade before that.

As my more seasoned and senior colleagues demonstrated in the Judiciary Committee deliberations, those who have served here longest know best the record of grievance of Congresses in decades past.

I anticipate that many of my colleagues will come to regret the decisions and actions taken today in this Congress and in Congresses ahead. Instead of focusing on that shared regret, I want to work together not to continue to tear down the traditions and rules of the Senate but to find ways to strengthen and fortify and sustain them.

I worked to try to find a solution to get past this moment on the brink. I wanted to ensure our next Supreme Court nominee would be the product of bipartisan consultation and consensus, as was safeguarded for years by the potential of the 60-vote margin. I wanted certainty that the voice of the minority would still be heard when the next

vacancies arise. Among many, this effort to forge consensus was met with hopelessness or even hostility.

Back home, thousands of constituents called my office, urging a vote against Gorsuch and urging I support the filibuster. Some even urged me to stop talking about any sort of deal. In fact, back home in Delaware, some national groups ran ads against me when there was even a rumor of a hint that there might be conversations about avoiding this outcome.

There were even Senators on both sides of the aisle who told me that an agreement was impossible. They said any agreement is based on trust, and we simply do not trust each other anymore.

Given the events of the last years, the disrespect and mistreatment of Merrick Garland, the course of the confirmation of Neil Gorsuch, I can understand how there is a raw wound right now in this Chamber, where each side feels the other has mistreated a good and honorable and capable nominee for the Supreme Court.

Let me say my last point again. Senators on both sides told me we could not find a durable compromise because we do not trust each other anymore. If we cannot trust each other anymore, then are there any big problems facing this country which we can address and solve?

This morning, I gave an address at the Brookings Institution about the threat Russia poses to our democracy, to our allies, to our national security, and to the endurance of our Republic. If that threat is not something that deserves determined, bipartisan effort, I don't know what is.

There are many threats to our future I could lay out today, but let me simply emphasize that in the absence of trust, this body cannot play its intended constitutional role, and without trust, we will not rebuild what is necessary to sustain this body.

Everyone likes to point the finger at the other side as the source of this distrust. The reality is, there is abundant blame to go around.

Folks like to remember the good old days when Justice Scalia was confirmed by this body 98 to 0, when Justice Ginsburg was confirmed 96 to 3, but if we look at our five most recent nominees to the Supreme Court who got votes, you can see a clear trend: Nine Senators, all Republican, voted against Justice Breyer. Then 22 Senators voted against Justice Roberts. Then 42 Senators, mostly Democrats, voted against Justice Alito. For President Obama's nominees, Justices Sotomayor and Kagan, more than 30 Republican Senators opposed each one. Only nine Republican Senators voted for Sotomayor, and only five Republicans voted for Justice Kagan. We have been on this trajectory—both parties—for some time.

Then, of course, we have Chief Judge Merrick Garland, the first Supreme Court nominee in American history to be denied a hearing and a vote, and we have Judge Gorsuch, the first to be the object of a partisan filibuster on this floor.

We did not get here overnight. We have become increasingly polarized. How can we work together to repair this lack of trust so we can face the very real challenges that face our Nation?

My own attempts of recent days—although I was blessed to be joined by Senators of good will and good faith and great skill in both parties—were ultimately not successful. I wish I had engaged sooner and more forcefully. I wish I had been clearer with my colleagues how determined I was to seek a result, but this doesn't mean I am disappointed that I tried, and it also doesn't mean I am going to stop. I am not going to stop trying to fix the damage that has been done, trying to find a better pathway forward.

I ask my colleagues: If you know what you have done today, then what will we do tomorrow? How could we avoid the further deepening, corrosive partisanship in this body? What past mistakes can each of us own up to? What steps can we take to mend these old wounds? What more can we do to move forward together?

We sometimes talk about the dysfunction of this body as if it is external to us, as if we bear no accountability for it, but at the end of the day, here we are: 100 men and women sent to represent 50 States of this Republic and 325 million people. In many ways, we have all let them down today.

I can tell you what I am going to do tomorrow. I commit to working with anyone who wants to join me to try to strengthen and save the rules and traditions of this body and its effectiveness as an absolutely essential part of the constitutional order for which so many have fought and died. It is what all of our predecessors would have wanted.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

THANKING SENATORS AND STAFF

Mr. ISAKSON. Mr. President, I will be brief. I also want to make sure I don't take advantage of the personal privilege I have as a United States Senator, but I am going to anyway.

I want Senator COONS from Delaware to pause for just a second.

I want to thank every Member of the Senate, Republican and Democrat, and the staff of the Senate for the many kindnesses they have extended to me in the last 4 months during my injury and my recovery. I am on the way back home, in large measure, because of the support of the Members of the United States Senate. I am very grateful for that and the staff who have allowed

that to take place. I say thank you very much.

Notwithstanding what your politics are or what your partisanship is or anything else, this is a great institution and a great body because it is made up of great people.

To that end, my friend Senator COONS from Delaware made an excellent speech, which I am going to adopt as my speech, since I don't have the strength to stand as long as I would like to, to talk about an issue so important. We do need to open all our minds and our hearts in the days ahead to make sure we know what direction we are going as Members of the Senate, regardless of our party and notwithstanding our partisanship.

Neil Gorsuch, from everything I have seen—and I probably have seen more than anybody because I have been watching it on TV while I have been recovering. You guys have had to do it in debate. I have seen the real thing.

His record, his testimony, the way he presented himself, the way Senator GRASSLEY and Senator FEINSTEIN allowed that hearing to go forth, I know we have a good man as a nominee to be a Supreme Court Justice of the United States, but the issues and the divide on the cloture, on a simple majority, and the rule change of 2013, and what has happened in the past, now has us in a position where we slowly but surely are moving to be a body that is another House of Representatives, not the United States Senate.

The majority rule is a great philosophy. The majority winning is always a great philosophy, but I used to have a teacher who taught me. She said: If four equals the majority, three equals zero, but you always need to listen to the other three because sometimes they may be right. I think that is a good lesson for us today, and that was a grammar school teacher.

If there are seven voting members, four does equal the majority, but three doesn't equal zero because the rest still count.

As we move forward in the days ahead and judge other issues, whether they be partisan issues in terms of regular debate and general legislation, whether it be issues over the confirmation of judges or Secretaries or whatever it may be, let's be thoughtful, so that, not as a criticism of the House, but as a compliment to our Founding Fathers, we don't become a second House and later a unicameral body, majority rule and mob rule, and eventually waive rules, where passions overrule common sense and all of a sudden you find yourself digging your way out of a hole that you have created, rather than building the dreams you have always wanted to do.

I commend the leadership of both parties for exercising their political and partisan desires. I commend each Member for being here to take part in

this debate today and being a part of it. That is what America is all about.

Somewhere down the line, there is going to be something that is going to happen that is going to cause a resurrection of the debate that we have had today and another road to cross on which way we go in the future. The more we move away from a Senate that is a deliberative body, that is a dignified body, to a body that makes sure it knows where it is going before it moves forward, we won't be better off. If we move toward a body that is a rubberstamp of the House or a unicameral government of legislation, we will never be the United States of America our Founding Fathers intended us to be. That is what I believe, and that is what I think the end of this will be.

To all our Members, I compliment them on everything they have had to say and have done.

Judge Gorsuch, I am so proud to have someone like that who will hopefully serve on the bench of the U.S. Supreme Court with distinction.

To all of us, our job is not finished. I look forward to being here and being a part of it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I thank the Senator for yielding to me. I wish to say how nice it is to see the Senator from Georgia back here with us. It means a lot to all of us to have Senator ISAKSON back on the Senate floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I don't wish to turn this into a bouquet-tossing process, but I think it is very clear that Senators on both sides of the aisle are very, very pleased to see our friend from Georgia back today. We are wishing him health and Godspeed. We look forward to his full and complete recovery. We are so glad to have him here.

I am also pleased that Senator COONS is on the floor, because I think it would be fair to say that Members on both sides of the aisle who have watched how Senator COONS has conducted himself throughout this extraordinarily contentious debate would say that Senator COONS makes all of us very, very proud.

It is no secret that he has tried repeatedly to bring both sides together, and he and I have talked often about this. I think there are going to be opportunities for finding common ground on important legislation, breaking out of this gridlock that we all understand is not what the Senate is all about and forging toward more mainstream topics. When we get there, to a great extent, it will be because of the thoughtful comments of my friend from Delaware.

Mr. President, the Senate is going to act on one of its most sacred and im-

portant constitutional duties, the advice and consent on the nomination of the next Associate Justice of the Supreme Court.

The long tails of these Supreme Court debates stretch through generations and shape our government deep into the future. The choice the Senate makes in this extraordinary debate will have a profound impact, from the broadest governing statutes down to the most specific particulars of the law that affect our daily lives.

There are several issues that are particularly relevant to this nominee that have gotten short shrift. I am talking about secret law, and warrantless wiretapping, death with dignity. I intend to discuss these issues shortly.

I would like to begin, however, by stating that whether one supports or opposes Judge Gorsuch, our job would have been easier had the judge been more forthcoming in his testimony before the Judiciary Committee. He chose, however, not to do so. So what the Senate has to go by instead is the judge's lengthy record of adhering to a rigid and far-right philosophy that is packaged in the branding of so-called originalism.

The originalist says that our rights as a people are contained within and linked to our founding documents. But that viewpoint is plainly incorrect. In practice, originalism becomes a cover for protecting the fortunate over the poor, corporations over individuals, and the powerful over virtually every other American. It is a political agenda that masquerades as philosophy, an agenda whose sole intent is reserving power for those in power and limiting the recognition of the rights reserved to the people.

Far from endorsing such a creed, our Constitution is actually a document of constraints, constraints that bind the government, not the people. The full scope of our fundamental rights as a people, as Justice M. Harlan once wrote, "cannot be found in or limited by the precise terms of the specific guarantees elsewhere provided in the Constitution." The exact concept is written into the Bill of Rights itself. The Ninth Amendment says: "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."

James Madison, the founder so significant that Americans are said to live in a "Madisonian Democracy," was outspoken about the dangers of future readers or interpreters thinking that the fundamental rights contemplated by the Framers were limited to the Constitution or Bill of Rights.

So our founding document and its Framers made clear that rights were not enumerated by the Constitution; they were retained by the people. Individual liberties, from personal privacy to a woman's right to vote, the choice

of contraception and abortion, interracial marriage, same-sex marriage, equal protection of the law—these liberties and, let me emphasize, many, many, many more have always existed. In fact, the Constitution and the Bill of Rights were silent on much of what Americans consider fundamental to a free people. That silence left the door open for the courts, as we shed the prejudices of a darker age, to recognize the true meaning of the words "all men are created equal" and "inalienable rights."

The process has been painfully slow. The Constitution, like any document composed by politicians, is fraught with original sin. For example, the three-fifths compromise was a shameful device of political accommodation. Through long stretches of our history, political agendas have left many individual rights unrecognized or unprotected by the courts. They ruled in favor of the powerful and against the disadvantaged and the disenfranchised, often with the justification that their rulings adhered to the text of the Constitution.

Nowhere did the Constitution expressly deny women the right to vote, but the Supreme Court ruled against Virginia Minor in 1875. The Federal Government was not expressly granted a right to intern residents of Japanese descent, but the Supreme Court allowed it in *Korematsu*. There was no constitutional basis on which to deny people of different ethnicities the right to marry. On those issues and more, our judges were wrong. Supreme Court Justices were wrong. In the service of the economic, political, and religious powers that be, the Court has defended slaveholders, denied the franchise, permitted racial, sexual, and other discrimination, and routinely—routinely—elevated the power of the State over individual liberties. Any defense of those rulings as adhering to the text of the Constitution is just plain wrong.

Let's look more closely at women's voting rights. In *Minor v. Happersett*, the Supreme Court found that women did not have the right to vote because that right was not expressly stated anywhere in the Constitution. In a unanimous decision, the Court took the absurd position that a document predicated on voting, organized by voting, and dependent on voting for any amendment, still did not protect the right to vote for all citizens. Such is the intellectual bankruptcy of a long legal tradition sustained by its defense of the status quo.

The 19th Amendment was a response to the abridgement of a fundamental right by political parties and their dependent courts, but it did not create a new right. It was a long overdue fix made necessary by an originalist court.

If there is a national evolution that extends protection of rights and liberties to disenfranchised and oppressed

people, it is because with time, our wonderful country tends to correct its wrongs. It did so with a Civil War and the amendments that followed. It did so with women's suffrage and the Brown decision. It did so more recently with the *Obergefell v. Hodges* decision. Historically, our country has gradually recognized fundamental rights and liberties.

"Recognition"—I use that word intentionally. It is recognition because there are no new rights, *per se*. They are inalienable, and those rights are not limited to those spelled out in the Constitution. A jurist governed by that principle would respect individual rights, but that simply isn't the viewpoint taken by many so-called originalists on the far right today.

The rightwing originalism looks, in my view, a lot more like the judicial philosophy that trampled on the rights of Americans in days past—a philosophy that throughout our history has left many Americans marginalized, disenfranchised, and oppressed by the State.

Unfortunately, after listening very carefully to Judge Gorsuch present his views and after reviewing his writings, including some I will mention that specifically talk about my home State, I have no faith that Judge Gorsuch would be any different from this philosophy that I mentioned that has left so many Americans marginalized in our country.

Judge Gorsuch not only has a long record of conservative activism in the courtroom, but he has demonstrated an out-and-out hostility toward the right of individuals to make decisions about their own lives and their own families without interference from the State. In one troubling instance, he went so far as to author a book attacking death with dignity. This of course has been a matter that historically has been left to the States, and the people of my State twice approved death-with-dignity ballot measures and our death-with-dignity laws have been in place for nearly 20 years. The Supreme Court upheld it more than a decade ago in a case known as *Gonzalez v. Oregon*. But Judge Gorsuch's record and his own words put the will of millions of Oregonians in question.

Nothing in the Constitution gives the Federal Government the power to deny suffering Oregonians the right to make basic choices about the end of their lives. There is nothing in the Constitution that gives the Federal Government a power to deny people in my State the right to make those emotional, difficult, wrenching decisions about end of life. It is a private matter between individuals and doctors, and when politicians attempt to force regulations through the back door by going after doctors and their ability to prescribe, in my view that is an obvious over-the-line Federal infringement.

But my guess is there are probably going to be some folks on the far right that are going to try that route again.

Nothing Judge Gorsuch said in his confirmation hearing gave me any indication that he respects the death-with-dignity issue as settled law or that he would rule against Federal abuse of power to intrude on a private choice. The bottom line is that Judge Gorsuch is locked into an extreme rightwing viewpoint on this issue.

And there is more. As I have listened to this debate and, particularly, the number of comments that some of those who have espoused the views that concern me so much come back to, part of this is that they are always talking about States' rights. States' rights—that will be the altar that we really build our views and philosophies around. I will state, however, that when we listen to some of what they are having to say about States' rights, what they are really saying is that they are for the State if they think the State is right. That is not, in my view, what fundamental rights—particularly, ones that have been afforded to States—ought to be all about.

As I indicated, I think his views with respect to death with dignity really do involve a Federal abuse of power in its intruding on private choices, but there are other issues that concern me as well.

He has made it clear, in many instances, that he favors corporations at the expense of the working people. He has sided with insurance companies to deny disability benefits to people with disabilities, with large companies to deny employees basic job protections, and has even written that class action lawsuits are just tools for plaintiffs to get "free rides to fast riches."

No example better illustrates this tendency—and my colleagues have talked about it—than the case of the truckdriver in *TransAm Trucking v. Department of Labor*. In this case that leaves one practically speechless, Judge Gorsuch sided against a truckdriver who was fired for leaving his freezing cold truck when his life was in danger.

I have another significant concern about Judge Gorsuch that came up in the context of his confirmation hearings. It is something that, I think, a lot of Americans and even those in government are trying to get their arms around. I have been on the Intelligence Committee since the days before 9/11, and one of the things we have come to feel strongly about is the danger of what I call "secret law." I want to make sure people know exactly what I am talking about when I describe "secret law."

In the intelligence world and in the national security sphere, operations and methods—the tactics used by our courageous men and women who are protecting us and who go into harm's

way to protect our people—always have to be secret. They are classified. They have to be because, if they were to get out, we could have Americans die—the people who do all of that wonderful work and, possibly, millions more. Sources and methods have to be secret, but the law and our public policies ought to always be transparent.

The American people need to know about them because that is how we make informed decisions in our wonderful system of government. Voters are given enough information to make the choices. Sources and methods and operations have to be secret, but the law and political philosophies have to be public.

Judge Gorsuch, as a senior attorney in the Department of Justice, was a practitioner of secret law. As I indicated, the public is not going to know about secret operations; we protect them. But trust in government and in our legal system cannot survive when Americans understand that the law says one thing and then the government or a secret court says that it means another. Secret law prevents the people from knowing whether their fundamental rights are being infringed by an unaccountable, unconstrained government that is aided by compliant courts.

Secret law also keeps the Congress in the dark. Congress's job is to represent the people and oversee the government. Congress, barring rebellion, is the only recourse of a free people against an executive-judicial alliance of secrecy that infringes their liberties. It is my view that secret law makes a mockery of the oath that Members of Congress, Justices, and each Senator here has taken to serve, protect, and defend our Constitution. Secret law is fundamentally corrosive to the rule of law in America.

As we learned during his confirmation hearings, Judge Gorsuch was a supporter of secret law. In 2005, the CIA was conducting a secret torture program. In May of that year, the Department of Justice's Office of Legal Counsel determined, secretly, that torture techniques, such as waterboarding, were legal. Somehow, it deemed them consistent with statutory prohibitions on torture and the Constitution. This was extraordinary, willful, faulty legal analysis. It was entirely inconsistent with how the Congress and the public would read the law or the Constitution.

Then our distinguished colleague from Arizona, Senator MCCAIN, who knows a little bit about these issues in his having been subjected to them in the defense of our country, passed the Detainee Treatment Act. Senator MCCAIN understood, in having fought for our country—given fully of himself—that our government had to find a way out of this problem. The McCain law prohibits the cruel and inhumane or degrading treatment that has been at issue here.

By any measure, both the law—the language of the law, the clear intent of the Congress—and the context in which it was passed would leave every American to understand that a decision had been made by their elected officials to limit the power of government. Yet Judge Gorsuch, then an employee of the Bush administration's, had a solution.

In December of 2005, he wrote to the author of the Justice Department's opinion, Mr. Bradbury, about a Presidential signing statement that would magically transform the McCain law into an endorsement of torture. What Judge Gorsuch wrote was that the McCain amendment that prohibited cruel, inhumane, and degrading treatment was best read as, essentially, codifying existing interrogation policies. In other words, according to Judge Gorsuch, JOHN MCCAIN's law—the one that passed 90 to 9 in the U.S. Senate—endorsed torture when it did just the opposite.

The issue came up in his nomination hearing. Judge Gorsuch's explanation was that he was making the recommendation as a lawyer who was helping his client, which was the administration. I have to say, if there is one thing we have learned, this “just following orders” defense has gone on for far too long in this city. It is a small and feeble excuse and is unbecoming of a judge who has been nominated to the highest Court in the land. A judge who justifies government violations in the law and the Constitution just so his boss can say “I was following the advice of counsel” is making a choice to do wrong.

The McCain amendment—what we passed here in the Congress—did not green-light torture. It did not codify torture, period. Anybody who has ever heard JOHN MCCAIN talk about this issue and describe his personal, horrifying experiences with torture knows that it, certainly, could not have been his intent when writing the bill.

Any lawyer, especially one secretly advising the government, first has an obligation to the law and the Constitution. Judge Gorsuch's failure to recognize that principle and his choice to do wrong, in my view, disqualifies him from having a seat on the U.S. Supreme Court.

Torture is not the only illegal program on which Judge Gorsuch has left his fingerprints. After news broke of the illegal, warrantless wiretapping program, Judge Gorsuch helped prepare testimony for the Attorney General, which asserted that these authorities are vested in the President and are inherent in the office.

It added: “They cannot be diminished or legislated away by other co-equal branches of the government.”

If that were the case, then no action taken in this area by the elected representatives of the people would have

any weight. The Foreign Intelligence Surveillance Act, which has existed since the 1970s, would just be some kind of advisory statement. Section 702 of the Foreign Intelligence Surveillance Act, which we are going to debate this year, would be little more than wasted paper. Then the USA FREEDOM Act, which ended the bulk collection of law-abiding Americans' phone records, might as well have never been signed into law.

Voting for those bills and voting to confirm Judge Gorsuch call into question any Member's commitment to those laws that we passed.

In response to a question during his nomination hearing, Judge Gorsuch said that he did not believe the Attorney General's testimony and that, again, he was only acting as a scribe, as a speechwriter. As such, he absolved himself of responsibility for his actions. Again, I think that it is just wrong to use this as an excuse. Like the endorsement of torture, assertions of Presidential authority to override congressional limits on warrantless surveillance rip at the fabric of the rule of law. Judge Gorsuch, a man who chose to get up and go to work every day for individuals who were violating the law, had the power to say no, but he would not make that choice.

Colleagues, the Senate is voting to confirm an individual to a lifetime position on the Supreme Court. What Judge Gorsuch has stood for and against over the course of his legal career is all we have to go on in this debate, and we will have to reflect on it. A history of support, in my view, for secret, illegal, and unconstitutional programs is an unacceptable record for someone who is seeking a place on the Supreme Court.

I have reminded this Senate of how, time and again, the Supreme Court has rubber-stamped the excesses of our executive and legislature over the years rather than defended individual liberty. That is the record—the Supreme Court rubbing-stamping the excesses of the executive and legislature rather than protecting the individual liberties of the American people.

It is my view that it is our job as Senators to ensure that the Supreme Court does not repeat the errors of yesterday—enshrining disenfranchisement and discrimination and denying equal protection of the law based on prejudice and political agendas. I believe that the only way to prevent this abuse is to appoint judges who recognize that the judiciary is a bulwark against any attempt to infringe on our unalienable rights.

The bottom line for me, colleagues, is whether Judge Gorsuch recognizes that rights are reserved for the people.

There is no respect for individual rights and liberty to be found in a viewpoint that allows for secret law to justify torture, that favors the power-

ful over the powerless, or that tramples on the rights of Americans to determine the courses of their own lives. Unfortunately, we have learned over the last few weeks that this is Judge Gorsuch's record.

I oppose his nomination. I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Montana.

Mr. DAINES. Mr. President, one of the most consequential votes that I will ever cast is a vote to confirm a U.S. Supreme Court nominee. It is a lifetime appointment to our Nation's highest Court. In fact, tomorrow, when I cast that vote for Judge Gorsuch, it will be the first chance I have had as a Senator to confirm a Supreme Court nominee.

As it stands today, the U.S. Senate is on the precipice of confirming Neil Gorsuch to be our next U.S. Supreme Court Associate Justice. Just a few short hours ago, my colleagues on the other side caved to the pressures of the far left and unleashed an unprecedented, partisan filibuster for the first time in 238 years of this institution.

I was honored to be at the White House's East Wing on January 31, with President Trump, when he made the announcement that Judge Neil Gorsuch would be the nominee to replace Antonin Scalia.

Judge Gorsuch's academic accomplishments are nothing short of being absolutely stellar. His decision to serve as a Justice on the highest Court in the land is a true testament to his character, his intelligence, his understanding of the law, and his commitment to the Constitution.

Judge Gorsuch was appointed by President George W. Bush to the Tenth Circuit in 2006 and was unanimously confirmed by the U.S. Senate. In fact, some of those Democrats who did not oppose Judge Gorsuch then included his Harvard Law classmate Barack Obama, Vice President Joe Biden, and Minority Leader CHUCK SCHUMER.

Of utmost importance in a Justice is the desire and the ability to apply the law as it is intended, not to legislate from the bench. So I can say that I was very thrilled to here Judge Gorsuch say this: “A judge who likes every outcome he reaches is very likely a bad judge, stretching for results he prefers rather than those the law demands.”

On February 9, I met Judge Gorsuch in my office. Let me tell my colleagues, he is impressive. We discussed the Constitution. We discussed the Second Amendment. I represent the State of Montana. I can tell my colleagues that as we look at our Constitution and our Bill of Rights, the Second Amendment is very important to the people of Montana. He will defend the Second Amendment. We also talked about the separation of powers, the role of government and federalism, and the Fourth Amendment.

Through 4 full days of hearings, Judge Gorsuch eloquently answered Judiciary Committee members' questions, and certainly, before the entire viewing audience of the American people, he showcased his brilliant legal mind.

Prior to his hearing, he met with 80 Senators. He provided the Judiciary Committee with 70 pages of written answers regarding his personal record and over 75,000 pages of documents, including speeches, case briefs, opinions, and written works going as far back as his college days. The White House archives produced over 180 pages of email and paper records related to Judge Gorsuch's time at the Department of Justice.

During the committee hearing, Judge Gorsuch sat for three rounds of questioning totaling nearly 20 hours. In fact, when Judge Gorsuch appeared before the Judiciary Committee of the U.S. Senate, it was the longest hearing of any nominee in this century. He answered nearly 1,200 questions during that hearing. By the way, that is nearly twice as many questions as Justices Sotomayor, Kagan, or Ginsburg.

Today's vote was nothing more than a campaign fundraising effort for Senate Democrats. In fact, the Democratic Members who have pledged to support him already have threats from liberals of voting them out of office. It is a sad day that this body has become so partisan that, for the first time in this body's history, we had a partisan filibuster to a more than qualified nominee.

Judge John Kane, a judge appointed by Democrat Jimmy Carter, said in an op-ed for an online legal website:

As the saying goes, we could do worse. I'm not sure we could expect better, or that better presently exists.

There is just no arguing that Judge Gorsuch a mainstream nominee.

Take the remarks of Obama's Solicitor General, Neal Katyal:

Judge Gorsuch is one of the most thoughtful and brilliant judges to have served our nation over the last century. As a judge, he has always put aside his personal views to serve the rule of law. To boot, as those of us who have worked with him can attest, he is a wonderfully decent and humane person. I strongly support his nomination to the Supreme Court.

I remind my colleagues that those are the words of President Obama's Solicitor General.

A nominee of this caliber who has undergone, as I just mentioned, rigorous vetting deserves the respect of the Members of this Chamber. Yet Senate Democrats walked down the road that their former leader did in 2013 by changing the precedent of this body and allowing the U.S. Senate to become even more partisan.

The American people want Judge Gorsuch. The polls show that. In fact, they demanded nine Justices on the Court. Today, we are one step closer to confirming him.

Judge Gorsuch is the right replacement to honor the legacy of Justice Antonin Scalia. He has widespread support across the State of Montana, including our agriculture groups, the NRA, and leaders from across our State. Four Indian Tribes in Montana have endorsed Judge Gorsuch.

The American people deserve a Supreme Court Justice who will uphold the rule of law and follow the Constitution. The American people deserve a Supreme Court Justice who doesn't legislate from the bench. The American people deserve Judge Gorsuch to serve them on the U.S. Supreme Court.

As the American people watched Judge Gorsuch before the Judiciary Committee, they saw an exceptionally qualified nominee for the highest Court in the land. They saw someone who is bright—Columbia undergraduate, Harvard Law School, Oxford Ph.D. I would submit that Judge Gorsuch's intellectual capacities are only exceeded by the size of his heart. This is a kind man. This is a brilliant man. This is an independent jurist.

I very much look forward to casting my vote tomorrow to confirm Judge Gorsuch.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, today we are one step closer to a vote to confirm Judge Gorsuch to the Supreme Court. I look forward to the vote tomorrow. We will be confirming a Justice to the Supreme Court who is supremely qualified, who is a mainstream judge, who respects the rule of law and the Constitution, and who will rule impartially from the bench—someone who will call balls and strikes. That is what I believe the American people look for when they look for a Supreme Court Justice.

While it was always clear that some Democrats would oppose any Supreme Court candidate the President nominated, I had hoped that partisanship would be at least somewhat limited. I had hoped the Democrats would want to preserve the Senate's nearly 230-year tradition in confirming Supreme Court Justices by a simple-majority vote. And I had hoped that more than a handful of Democrats would join us to confirm one of the most, as I said, supremely qualified judges in my memory. That is not what happened. Despite Judge Gorsuch's qualifications, despite the support for his nomination from both liberals and conservatives, the vast majority of Senate Democrats were determined to block this confirmation.

Of course, it wasn't really ever about Judge Gorsuch. It is not that Democrats were determined to block his confirmation; it is that they were determined to block any confirmation.

Democrats tried to offer reasons to oppose Judge Gorsuch, but they struggled to come up with anything plausible. The Senate minority leader actu-

ally came to the floor and tried to argue that he was worried that Judge Gorsuch would not be "a mainstream justice."

Over the course of 2,700 cases on the Tenth Circuit, Judge Gorsuch has been in the majority 99 percent of the time—99 percent. In 97 percent of those 2,700 cases, the opinions were unanimous. So I would love to hear an explanation for how exactly a judge who has been in the majority 99 percent of the time is out of the judicial mainstream. Was the minority leader attempting to argue that all of the judges on the Tenth Circuit, including those appointed by Democratic Presidents, are out of the mainstream?

The fact is that Democratic opposition to Judge Gorsuch had nothing to do with his qualifications. I doubt that any of my colleagues on the other side of the aisle really think that Judge Gorsuch is out of the mainstream or that he lacks the qualifications of a Supreme Court Justice, but they opposed him anyway.

If they opposed a judge with a distinguished resume and a reputation as a brilliant jurist; if they opposed a judge who is known for his fairness and impartiality; if they opposed a judge whose nomination has been repeatedly supported by liberals, as well as conservatives; if they opposed a judge who unanimously received the highest possible rating from the American Bar Association—a rating, I might add, that the minority leader once called the "gold standard" for judicial nominees; if they opposed a judge a number of them supported 10 years ago, then it is abundantly clear that their opposition wasn't about this judge but about any judge this President nominates. Thus, Republicans were left with no real alternative but to act to preserve the Senate's tradition of giving Supreme Court nominees an up-or-down vote. This wasn't my preference. I preferred to leave room for a minority to block a judge who is truly not fit for office. But it was the only alternative we were left with if we wanted to confirm anyone to the Supreme Court.

Historically, confirming judges was not a partisan process. During the George W. Bush administration, however, Democrats decided they were going to change that. They were mad back then too—mad that a Republican President was in charge. Apparently, modern-day Democrats are not reconciled to the fact that in our system of government, it is not always the Democrats who win.

Anyway, the Democrats were mad, and they decided that the historically bipartisan process of confirming judicial nominees was going to change. Their 2003 filibuster of Miguel Estrada, who had been nominated to a seat on the Court of Appeals for the D.C. Circuit, was the first time a judicial nominee who enjoyed clear majority support

was not confirmed because of a filibuster.

Democrats ultimately successfully filibustered no fewer than 10 Bush nominees to appellate courts. That was a massive reversal in Senate history. Suddenly the normally smooth process of confirming a President's judicial nominee had been turned into an exercise in partisanship.

Ten years later, Democrats struck again when they employed the nuclear option to ensure that they could pack the D.C. Circuit—despite the fact that at the time, when the current minority leader announced that Democrats would “fill up the D.C. Circuit one way or the other,” Republicans had blocked just two of President Obama's circuit nominees and had confirmed 99 percent of his judges. So 215 were confirmed out of 217 under President Obama up to that point.

And now here we are today. Democrats are again mad that they lost an election, that they can't control the nomination process, and they once again turned to “no-holds-barred” partisanship. They made it clear that no Republican nominee would ever make it to the Supreme Court; thus, we had to act to ensure that Supreme Court nominees can receive an up-or-down vote going forward.

In the Senate's nearly 230 years, the filibuster has been used to block a Supreme Court nominee exactly once—one time. Supreme Court Justice Abe Fortas's nomination to be Chief Justice of the Supreme Court was blocked by a bipartisan coalition, in part over ethical concerns. That is how strong the Senate's bipartisan tradition of an up-or-down vote on Supreme Court nominees has been—230 years, one time, and it was bipartisan. I am deeply sorry that the Democrats were determined to end that tradition.

Judge Gorsuch should never have faced the threat of a filibuster. There was no reason—no reason other than the most flagrant partisan politics—to block this supremely qualified nominee from the Supreme Court.

As I said, I look forward to tomorrow and to this final vote where we will have an opportunity to confirm to the Supreme Court this well-qualified, mainstream nominee who fundamentally respects the rule of law and the Constitution of the United States and will act impartially as a Justice for the American people.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SHELBY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SHELBY. Mr. President, I wish to address the Senate for a few minutes

about the nomination of Judge Neil Gorsuch, which is the topic of the day and has been the topic for weeks. It probably has been said, but I am going to go through some of it again.

Judge Gorsuch is a native of Denver, CO, where he currently resides with his wife Louise and their two daughters. He is currently 49 years old.

I want to talk about some of his credentials. Judge Gorsuch received his bachelor of arts degree from Columbia University in 1988, his juris doctor from Harvard Law School in 1991, and a doctorate in legal philosophy from Oxford University in the UK in 2004.

At Columbia, he was a member of Phi Beta Kappa, a Truman scholar at Harvard Law School, and a Marshall scholar at Oxford.

Following law school, Judge Gorsuch served as a law clerk to Federal appellate judge David Sentelle and then to Justice Byron White of the U.S. Supreme Court and Associate Justice Anthony M. Kennedy of the Supreme Court.

In 1995, Judge Gorsuch entered private practice as an associate of Kellogg, Huber, Hansen, Todd, Evans & Figel, and he was elected partner in that law firm in 1998. His practice focused on general litigation in both trial and appellate matters.

Judge Gorsuch left private practice in 2005 to serve as the Principal Deputy to the Associate Attorney General at the Justice Department in Washington.

President George W. Bush nominated Judge Gorsuch to the Tenth Circuit Court of Appeals, located in Denver, on May 10, 2006. He was confirmed in the Senate by a voice vote on July 20, 2006.

We talk about qualifications for judges. I want to share some of his. Judge Gorsuch has served over a decade on the U.S. Court of Appeals for the Tenth Circuit. He has an outstanding judicial record that speaks for itself. He has participated in over 2,700 appeals on the Tenth Circuit, and 97 percent of them have been unanimously decided. In those cases, he was in the majority 99 percent of the time.

Of the approximately 800 opinions he authored on the Tenth Circuit, 98 percent of his opinions were unanimous, even on a circuit where 7 out of the 12 active judges were appointed by Democratic Presidents. His opinions on the Tenth Circuit have the lowest rate of dissenting judges at 1.5 percent. That is unheard of. Out of the eight cases he has decided that were reviewed by the U.S. Supreme Court, seven were affirmed and one was vacated.

Judge Gorsuch's nomination to the Tenth Circuit Court of Appeals in 2006 was met without opposition, and he was confirmed by voice vote.

Notably, Senators serving during this time include a lot of my former colleagues: then-Senator Barack Obama, Senator Joe Biden, Senator Hillary Clinton, Senator John Kerry, Senator

Harry Reid, and 12 other current sitting Democratic Senators in this body, including the minority leader, CHUCK SCHUMER.

In March, the American Bar Association, ABA, unanimously gave Judge Gorsuch a “well qualified” rating, their highest possible mark. Minority Leader SCHUMER and Senator LEAHY have both previously referred to the ABA as the “gold standard by which judicial candidates are judged.”

In the area of jurisprudence, Judge Gorsuch has a mainstream judicial philosophy, which he clearly articulated during the Senate Judiciary's confirmation hearing.

I believe his record is unequivocal in that he believes judicial decisions should be based on the law and the Constitution and not personal policy preferences. He has a deep commitment to the Constitution and its protections established by our Founding Fathers, including the separation of powers, federalism, and the Bill of Rights. Judge Gorsuch's decisions demonstrate that he consistently applies the law as it is written, fairly and equally to all individuals.

Additional information about Judge Gorsuch: The American people deserve to have their voices heard in selecting Justice Scalia's replacement. This is what we are doing.

Some of my colleagues intend to oppose Judge Gorsuch based solely on the fact that they disagree with the outcome of the Presidential election.

During President Trump's campaign last year, he clearly defined the type of Justice he wished to nominate to the current vacancy. He even published, as you will recall, a list of 21 judges who possessed what he believed are the necessary qualifications to serve on the U.S. Supreme Court.

Following Judge Gorsuch's nomination, he sat for over 20 hours of questioning in front of the Senate Judiciary Committee in the Senate—the longest hearing of any 21st-century nominee. Additionally, he was given 299 questions for the record by my colleagues on the other side of the aisle. This also is the most in recent Supreme Court confirmation history.

Simply put, I believe this is the most open and transparent process in choosing a Supreme Court nominee ever conducted by an administration. By filibustering this nomination, some of my colleagues are breaking a nearly 230-year tradition of approving Supreme Court nominees by a simple-majority vote.

I believe the American people spoke clearly when they elected President Trump. I believe this is the American people's seat, and I believe Judge Gorsuch is an exceptional choice for the Supreme Court. He deserves an up-or-down vote, and that is why I believe we are getting ready in the next few hours to confirm him.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, as we finished the vote just hours ago, I could not help but notice a number of my colleagues on the other side of the aisle high-fiving each other. That image stays with me as I stand here now. It saddens me. There is no cause for celebration in what happened in the Senate just hours ago. No one should sleep well tonight. No one should underestimate the magnitude of what happened here. Damage was done to our democracy, in fact, to the institutions that are the pillars of our democracy—the United States Supreme Court and the Senate itself.

Today is, indeed, one of my saddest days in the Senate. Sadder than anything is the damage that has been caused to the Supreme Court by eroding and undermining trust and respect for an institution that has power only because of its credibility with the American people. It has no armies or police force; all it really has is the confidence and respect of the American people.

Today, raw political power has been exercised to break the rules and norms of this body so that a nominee could be confirmed. The only way that he could be confirmed was, in fact, to wreck the rules, a nuclear option that will have enduring fallout and rippling repercussions, perhaps for years come.

For myself, I would state unequivocally that I hope we will work together on issues where we have common ground, where we can reach common solutions on infrastructure, on tax reform, on immigration issues.

No one should make light of the potential fallout, as there is in any nuclear explosion, from this action today.

The Senate has broken with decades of bipartisan practice when it comes to the U.S. Supreme Court. The practice and the tradition was that Presidents of either party would consult with Members of both parties in this body before making a nomination so as to ensure a mainstream nominee, and that nominee would be in the mainstream even before his or her selection so that there was some modicum of comity and so that respect for this body, as well as the courts, would be preserved.

My concern is that the contagion of partisanship will infect the court system as a whole. All of the nominations to lower courts, as well as the appellate courts, will be affected.

My hope is that we can avoid that truly cataclysmic outcome, a nuclear

explosion, in some ways even more deafening and damaging than the one used today would be because our courts are the bulwark of our democracy. An attack on our courts is an attack on the only check we have against tyranny and autocratic erosion of those rights. That is why the nonpartisanship of our courts is so important.

The Supreme Court, of all our courts, should be above politics. In fact, that is why the 60-vote rule for the Supreme Court was so important. The Supreme Court is different: nine Justices appointed for life to the highest Court in the land. In some ways, it is an anachronism in our democracy—unaccountable, unelected, sitting for life with the power to strike down actions of elected representatives and an elected Executive by issuing words on paper without the direct means to enforce them, depending only on respect and credibility from the American people. To approve nominees by a razor-thin majority is a disservice to the Court and to our democracy.

Supreme Court Justices do more than just follow the law; they have to resolve conflicts in the law and differences among the lower courts where they disagreed and, in fact, ambiguities in the statute, where there is lack of clarity, where this body is unable to reach consensus and, in effect, decides to agree, to the extent it can, and leave some question to administrative agencies, which rightly are entitled to respect, as they implement the law.

Confidence and trust are essential, and we have undermined it today. Our Republican colleagues have gravely damaged it by the actions taken today.

I have urged my colleagues to reject Neil Gorsuch because I believe he is out of the mainstream, because he failed to answer questions about whether he agreed with established core precedents essential to rights of privacy and equality under the law, because he has a judicial philosophy that would involve substituting judgments of courts for administrative agencies and banning the Chevron doctrine, and because he favored in many of his actions, opinions, writings the interests of corporations over individual rights.

We have debated the merits of this nominee. I believe that his repeated evasion of the questions that were put to him leaves us with the inescapable conclusion that he passed the Trump test; that he is not a neutral caller of balls and strikes; that he is, in fact, an acolyte of the of the rightwing groups that screened and suggested his name; and that he would carry out not only the Trump litmus test to overrule *Roe v. Wade*, strike down gun violence provisions, but also other unknown decisions that would implement that far-right conservative agenda. We can debate whether that view is right or wrong.

Today is one of my saddest days in the Senate. It goes more to the institu-

tions that have been demeaned and degraded: the U.S. Senate and the Supreme Court. My hope is that maybe it will be a turning point. Maybe we can reconstruct the sense of bipartisanship and comity that existed for so many years. Many of my colleagues on the other side have expressed to me their misgivings about what was done today.

The obstruction of Merrick Garland's nomination was, as one of my colleagues put it, "the filibuster of all filibusters." It was another step in a continuing progression, culminating in today's outcome that very much betrays the spirit and values of a bipartisan selection of Supreme Court nominees because the highest Court in the land is different.

I had the extraordinary honor to clerk for a Justice on the U.S. Supreme Court, Harry Blackmun, who was appointed by a Republican, President Richard Nixon. He grew as a Justice and surprised a lot of people. He, no doubt, surprised the President who appointed him. And that is what happens to really extraordinary men and women who serve on our courts as well as in the U.S. Senate; they grow in the job.

Choosing a U.S. Supreme Court Justice is one of the most solemn and important duties that a President has, and confirming her or him is one of the most important tasks we have in this body.

Even at the most difficult and contentious times, as I served then as a law clerk and as I have litigated since then for several decades, I have never doubted that judges were working in good faith to uphold the rule of law. Whether they ruled my way or not, I believed that we were working to try to be above partisan politics and uphold the rule of law and do the right thing to follow the law.

The Supreme Court does more than follow; it leads. Today's vote is a significant challenge to that principle and perhaps the most difficult that we have seen in recent history. It threatens to exact profound damage on the confidence and trust the American people have in the Supreme Court and perhaps in the courts overall, and that is a danger for all of us.

In my view, when the history of this time is written, there will be two heroes: the free press that has uncovered abuses and wrongdoing despite opposition from many powerful forces, and our independent judiciary that has upheld their right to do it and, also, the rights of countless Americans in many areas of law.

Today's action threatens those two institutions in our society. It undermines our rules. It would not have happened without a choice made by the Republican leadership that they were willing to break the rules to achieve this result.

I am determined to try to move forward in a positive way, in legislation

as well as in protecting and enhancing our courts, giving them the resources they need to do their job—and law enforcement, the resources needed to uphold the rule of law.

We cannot hold the Supreme Court hostage to any ideology, and that is a lesson from today and from the past year that we should all heed.

Mr. President, I will continue to talk about this topic because I believe it is so profoundly important to our Nation, but for now, I yield the floor.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from South Carolina.

Mr. GRAHAM. Mr. President, when they write the history of our times, I am sure that when it comes to Senate history, this is going to be a chapter, a monumental event in the history of the Senate not for the better but for the worse. After we are all long dead and gone, somebody may be looking back and trying to figure out what happened or what motivated people.

I am going to tell you what has motivated me since I have been in the Senate: an understanding that the job of a Senator, when it comes to advice and consent, is not to replace my judgment for that of the President, not to nullify the election, but to be a check and balance to make sure that the President of either party nominated someone who is qualified for the job and is capable from a character point of view of being a judge for all of us, having the intellect, background, judgment, experience to carry out the duties of a Supreme Court Justice.

When President Obama won the White House, I suspected that he would pick judges who I would not have chosen, based on our different philosophies of liberal-conservative jurisprudence.

This is what Greg Craig, the former White House Counsel in the Obama administration, said about Elena Kagan, who is now on the Court: "Kagan is . . . a progressive in the mold of Obama himself."

This is what Vice President Biden's Chief of Staff Ronald Klain said about Elena Kagan: "Elena Kagan is clearly a legal progressive . . . [and] comes from the progressive side of the spectrum."

I think that was an accurate description of her and Sonia Sotomayor, who both are progressive Justices who come from the progressive side of the judicial spectrum. Both are highly qualified, capable women who had stellar legal records. Even though they had outcomes I did not agree with, they were certainly in the mainstream. Both had been judges. I think he chose people I would not have chosen, but they were really highly qualified.

I was the only member of the Judiciary Committee on the Republican side to vote for either Justice Kagan or Justice Sotomayor because I used a standard that I thought was constitutionally sound. I am not telling any other Sen-

ator what they should do. I am just trying to explain what I did. In the *Federalist Papers*, No. 76, written April 1, 1788, Mr. Hamilton said:

To what purpose then require the co-operation of the Senate? It would be an excellent check upon a spirit of favoritism in the President. It would portend greatly to prevent the appointment of unfit characters from state prejudice, from family connection, from personal attachment, and from a view to popularity.

So, from Hamilton's point of view, it was a check and balance against a crony or unqualified person, someone who was popular but not qualified for the job, somebody who was supported because they were close to the President and not qualified for the job, someone who was appointed because they were a favorite son of a particular State. That would not be fair to everybody else. When you look at the history of the advice and consent clause, it is pretty clear that the Founding Fathers did not have in their minds that one party would nullify the election when the President of another party was chosen by the people when it came to Supreme Court confirmations because they chose somebody they did not agree with philosophically.

I voted for Elena Kagan and Sonia Sotomayor, knowing they come from the progressive judicial pool. Neil Gorsuch is one of the finest conservatives that any Republican President could have chosen, and he is every bit as qualified as they were. His record is incredible—10½ years on the bench, 2,700 cases, and 1 reversal. He received the highest rating of the American Bar Association, "well qualified," just like Sonia Sotomayor and Elena Kagan.

To merit the committee's rating of "well qualified," a Supreme Court nominee must be a preeminent member of the legal profession, have outstanding legal ability and exceptional breadth of experience, meet the very high standards of integrity, professional competence, and judicial temperament. The rating of "well qualified" is reserved for those found to merit the committee's strongest affirmative endorsement. By unanimous vote on March 9, the standing committee awarded Judge Gorsuch this highest rating of "well qualified," just like they did for Sonia Sotomayor and Elena Kagan. He has 2,700 court decisions, 1 reversal, and praise from all areas of the law—left, right and middle. The ABA report of 900 cases describes a very thoughtful man, an incredible judge, and a good person. So I don't think anybody could come to the floor and say—even though they may disagree with the outcome—that Judge Gorsuch is not qualified, using any reasonable standard, to be chosen by President Trump. He is every bit as qualified as the two Obama appointments. So, clearly, qualifications no longer matter like they used to.

Antonin Scalia—whom Judge Gorsuch, hopefully, will soon replace as

Justice Gorsuch—was confirmed by the Senate 98 to 0. Ruth Bader Ginsburg was confirmed 96 to 3. I would argue that you could not find two more polar opposite people when it comes to philosophy than Justice Ginsburg and Justice Scalia. They became very dear friends, but nobody in their right mind would say there is not a difference in their judicial philosophy.

Strom Thurmond, my predecessor, a very conservative man himself, voted for Ms. Ginsburg. Clearly a conservative would not have chosen her because she was general counsel of the ACLU. I can tell you that Ted Kennedy and other people on the progressive side of the aisle would not have voted for Antonin Scalia based on philosophy. Something has happened in America from 1986 to 1993. The Constitution hasn't changed. Something has changed. I think the politics of the moment have taken the Founding Fathers' concept and turned it upside down. From the time that Scalia was put on the Court and Ginsburg was put on the Court, everything has changed.

I was here when the first effort to filibuster judicial nominations was made in earnest. In the first term of Bush 43, there was a wholesale filibuster on the circuit court nominees of President Bush. I was part of the Gang of 14 that broke the filibuster. We lost a couple nominees but we did move forward. We said there would be no further filibuster of judges unless there were extraordinary circumstance. That allowed Alito and Roberts to go forward. Both of them got a good vote. On Alito we had to get cloture, but we got 78 votes.

Clarence Thomas was probably the most controversial pick in my lifetime. If you can remember that hearing, it was front page news every day and on TV every night. Not one Democratic Senator chose to filibuster him. He got an up-or-down vote and he passed 52 to 48. They could have chosen to require cloture, but they didn't.

So this is the first time in the history of the Senate that you have a successful partisan filibuster of a Supreme Court nominee. Abe Fortas was filibustered to be Chief Justice of the Supreme Court by almost an equal number of Democrats and Republicans because of ethical problems, and he eventually resigned.

So we are making history today—the first successful filibuster in the history of the Senate to deny an up-or-down vote on a nominee to the Supreme Court. It breaks my heart that we are here. I don't know what to do other than to change the rules to have some sense of fairness. I can't believe that Judge Gorsuch is not qualified by any reasonable standard. I voted for Sotomayor and Kagan. Nobody even asked for a cloture vote. They went straight to the floor. One got 62 votes or 63 votes, and the other got 68 votes.

I don't know why we can't do for Judge Gorsuch what was done for Sotomayor and Kagan.

We keep hearing about Judge Garland. Judge Garland is a fine man and would have been a very good Supreme Court Justice. Justice Scalia died in February of 2016 after three primaries were already held. The nominating process was well on its way for picking the next President. So this was an election year. I remember what Joe Biden said in 1992, the last year of Bush 41's term, when there was the suggestion that somebody might retire in the election year, and he said, basically: If someone steps down, I would highly recommend that the President not name someone, not send a name up. If he, Bush, did send someone up, I would ask to seriously consider not having a hearing on that nominee. It would be our pragmatic conclusion that once the political season is underway, and it is, action on a Supreme Court nomination must be put off until after the election campaign is over. That is what Vice President Biden said when he was chairman of the Senate Judiciary Committee in 1992.

That made sense. President Trump put a list of names out that he would choose from if he became President, which was historic. Part of the contest in 2016 was about the Supreme Court. I have no problem at all saying that, once the campaign season is afoot, we will let the next President pick. That is no slam on Judge Garland. I have zero doubt that if the shoe had been on a different foot, there would not have been a different outcome. I can't imagine Harry Reid being in charge of the Senate in 2008 and allowing President Bush, in the last year, to nominate somebody in the Court and that they would approve that decision once the campaign season had started in 2008. I say that knowing that it was Senator Reid who chose to change the rules in 2013, which broke the agreement of the Gang of 14 in part.

Here is what Harry Reid said in 2005: The duties in the U.S. Senate are set forth in the Constitution of the United States. Nowhere in the document does it say the Senate has a duty to give the Presidential nominee a vote.

All I can say is that in the 100-year history of the Senate, from today going backward, there has been one person put on the Court when the President was of one party and the Senate was held by the other party and a vacancy occurred in the last year of a Presidential term.

We have done nothing that would justify Judge Gorsuch to be treated the way he has been treated, and he has been treated pretty badly. Here is what NANCY PELOSI said: "If you breathe air, drink water, take medicine, or in any other way interact with the courts, this is a very bad decision."

All I can say is that Judge Gorsuch does not deserve that. That is a polit-

ical statement out of sync with the reality of who this man is and the life he led, and it is that kind of attitude that has gotten us to where we are today.

I can also say that there is blame on my side too. Nobody has clean hands completely on this. When Justice Sotomayor was nominated, she made a speech to the effect that a White man would have a hard time understanding what life is like for minorities. That was taken to believe that she somehow could not be fair to White men. That was a speech she gave that was provocative, but I never believed it was an indication that she somehow was prejudiced against White men. The reason I concluded that was because anybody who had known her, including White men, said she was a wonderful lady.

I remember Elena Kagan. The attack on our side was that she joined with the administration of Harvard to kick the ROTC unit off campus. Somehow that made her unpatriotic. My view was that it was the position of a very liberal school called Harvard, and no one could ever convince me that Elena Kagan was unpatriotic. She seemed to be a very nice, highly qualified lady, and that decision by Harvard could not be taken to the extreme of saying that she is not fit to serve on the Court. So I was able to look beyond the charges leveled at these two ladies on our side to understand who they really were. When you look at people who know these judges the best, they can tell you the most accurate information. In the case of Kagan and Sotomayor, there were a lot of people, left and right, who said they were well-qualified, fine ladies. When you look at what was said about Judge Gorsuch in the ABA report, it is just an incredible life, well lived.

So here we are. We are about to change the rules. Up until 1948, it was a simple majority requirement for the Supreme Court. As a matter of fact, as for most Supreme Court nominations in the history of the country, a large percentage were done based on a voice vote. It is only in modern times that we got in this political contest over the Court. It probably started with Judge Bork.

There is some blame to go around on both sides, but I can say that while I have been here, I have tried to be fair the best that I know how to be. I voted for everybody I thought was qualified. I said, as for Judge Garland, let the next President decide. At the time I said that in March 2016, I had no doubt in my mind that Donald Trump would lose and that Hillary Clinton would probably pick somebody more liberal than Garland. But it made sense to me in that stage of the process to let the next President pick.

The fact that we are filibustering this man says a lot about the political moment. If this were a controversial character, I might understand it bet-

ter. When you look back and try to figure out what we did and how we got here, I can say that we took one of the best people that President Trump could have nominated—somebody I would have chosen if I had gotten to be President. I think PAUL RYAN, MIKE PENCE, or any of us would have chosen Neil Gorsuch, and he was denied an up-or-down vote. That says all we need to know about the political moment.

We will change the rules. It will have an effect on the judiciary, and it won't be a good one, because in the future, judges will be selected by a single party, if you have a majority with no requirement to reach across the aisle, which means the judges will be more ideological.

When you have to go over there to get a few votes or when they have to come over here to get a few votes, you have to water down some of your choices and the most extreme ideological picks or a party or President are probably not going to be able to make it through. Now they will. I think what you will see over time is that the most ideological people in the Senate are going to have a lot to say about who is chosen by the President. It will change the nature of the judiciary.

To the Senate itself, every Senate seat now becomes a referendum on the Supreme Court. So when we have a contest for a Senate seat, it is not just about the Senate. It is about the seat affecting the outcome of the Court, because all you need is a simple majority. Whether or not it leads to changing the legislative filibuster, which would be the end of the Senate, I don't know, but I don't think it helps. There will be a majority around here one day, a President of the same party, with control of the House, and they will get frustrated because the other side will not let them do everything they want to do, and they will be tempted to go down this road of doing away with the 60-vote requirement to pass a bill—not appoint a judge—and that will be the end of the Senate. We have made that more likely by doing this. It was more likely in 2013. I hope I am wrong, but I think we have set in motion the eventual demise of the Senate. The one thing I can say—I am optimistic, though—is that while I will vote to change the rules for this judicial nomination, I will not ever vote to change the rules for legislation.

The reason I am voting to change the rules is that I do not know what I would go home and tell people as to how Sotomayor and Kagan got on the Court and Gorsuch could not, why President Obama was able to pick two people who were highly qualified and why Trump was not able to pick one person who was highly qualified. You just can't have it where one side gets the judges and the other side does not. To rectify that wrong, I guess we had to change the rules.

It is not a good day. I was hoping it would never come, but it has. To the extent that I have been part of the problem, I apologize to the future. I think, at least in my own mind, I have tried to do the right thing as I saw it. I took a lot of heat for voting for their judges at a time when there was a lot of heat on our side. I am glad I did.

It is not that I am not partisan—certainly, I can be. I just think history is going down a very dark path, and the Senate is going down a very dark path. There will never be another 98 votes for a Scalia or another 96 votes for a Ginsburg. That is a shame because even though they may be different, they have one thing in common: They are good people who are highly qualified to sit on the Court. I can understand why a liberal President would choose one and a conservative President would choose another. Yet what we are doing today is basically saying that in the Senate, we do not really care about election results anymore.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Mr. President, Senator GRAHAM, my fellow Senators, our constituents in the Gallery, a lot of what has gone on today may seem very complicated. We have heard a lot of terms being thrown around: cloture, the nuclear option. Yet, really, the question that we were faced with today in the Senate was very simple, and it continues to be pretty simple and straightforward, in my judgment: Should we have an up-or-down vote on the nomination of Judge Neil Gorsuch to be an Associate Justice of the U.S. Supreme Court?

Earlier today, the Senate voted to do that. I think it is very important for the American judicial system and for the American system of democracy that the U.S. Senate be allowed to vote on Judge Gorsuch's nomination to the U.S. Supreme Court. It was not enough to only vote on a motion to end debate; we also needed to be allowed to vote on the actual nomination with "yes" or "no."

Unfortunately, our friends on the Democratic side of the aisle decided to filibuster in order to make it impossible for us to vote on this crucial nominee without modifying the rules of the U.S. Senate. That is what we did earlier today. I do not know that anybody did it happily, but certainly a majority of the Senate believed that the American people deserved an up-or-down vote, yea or nay. Stand up and be counted in front of God and country. Do you want Judge Neil Gorsuch to be on the Supreme Court, or do you not? That vote is going to take place tomorrow afternoon.

The Constitution reads that the President of the United States of America "shall nominate and by and with the advice and consent of the Sen-

ate shall appoint . . . judges of the Supreme Court." I do not need to tell you that this is an extremely important part of our separation of powers. It is vital to our protecting the integrity of the Supreme Court, the work that all of us do—not just members of the Judiciary Committee but every Member of the Senate—in vetting our nominees and making sure they are qualified and independent, as is Neil Gorsuch. He is enormously important for the protection of liberty itself.

Let's not ever forget what we are protecting. We are protecting justice, and we are protecting liberty. We are not supposed to be protecting a certain point of view. We are not supposed to be protecting a certain policy preference. We are not supposed to be protecting a certain political party.

I hope tomorrow, when we finally get the opportunity to vote up or down on Neil Gorsuch for his membership on the greatest tribunal in the history of civilization, in my judgment, the U.S. Supreme Court, that we will consider his nomination in light of how it will affect our country, not our party. When we look at his nomination from that perspective and leave the politics of the last few years in the rearview mirror, I think we can analyze his nomination with a lot more clarity.

Alexander Hamilton, whom I think most Americans admire, said in *Federalist No. 78* that the Court has "neither force nor will but merely judgment." I think that is what we are all looking for—or should be—in a nominee to any court but especially to the U.S. Supreme Court. We are not looking for somebody with a certain policy preference. We are not looking for people with ideas of how the law can be improved because the role of a judge is not to make law, it is to interpret the law as made by the legislative body as best that judge can understand it. That is why we need someone like Neil Gorsuch, in my estimation, who has good judgment.

I sit on the Judiciary Committee. I have spent 20 to 40 hours with Neil Gorsuch or with people who know him well, in hearing their testimony. I have read his opinions. As far as I am concerned, he is as good as it gets. I cannot imagine that President Trump could have picked better.

He is a thoroughbred. He is a legal rock star. If you read his opinions, you will see that he is painstaking in his application of the law to the facts before him. He writes beautifully. His communication skills are absolutely amazing. His analysis and analytical rigor are clear and concise. His decisions are wise and disciplined, and he is faithful to the law. He is an intellectual, not an ideologue. He is a judge, not a politician. He is whip-smart, has clear writing, is a strict constitutionalist, likes snow skiing, fly fishing, and is a fourth-generation Coloradan. I

think he will serve every person in our country well as a member of the Supreme Court. That is why I am supporting him.

Let me say one final thing. I do not think there is any vote that will be more important than the vote we will take tomorrow on a President's nomination to the U.S. Supreme Court, so I want to choose my words carefully. Not a single, solitary vote is more important than that vote we will take tomorrow. That is not to say that there are not other important issues before this body. That is why I think it was so important today that we decided to vote up or down on Judge Gorsuch so that we can move on to those other important issues—jobs, jobs, jobs; designing a healthcare delivery system that looks like somebody designed it on purpose, which our Acting President has worked so hard on; infrastructure; elementary and secondary education; a skilled workforce. I could go on.

There is an enormous amount of pain in America today. There are too many Americans who are not participating in the great wealth of America—not economically, not socially, not culturally, and not spiritually. We have been elected in the Congress to do something about that.

I talk to people in my State every day, and I know the Presiding Officer does too. The people of Louisiana are fun-loving, God-fearing, and plain-talking, and this is what they tell me: Kennedy, this country was founded by geniuses, but sometimes I think it is being run by idiots.

They say: Kennedy, we look around our country today, and here is what we see. We see too many undeserving people at the top—I want to emphasize "undeserving" because I don't want to paint with too broad a brush—who are getting bailouts, and we see too many undeserving people at the bottom who are getting handouts. We are in the middle, and we get stuck with the bill. We cannot pay it anymore, Kennedy, because our health insurance has gone up, our kids' tuitions have gone up, and our taxes have gone up. I will tell you what has not gone up—our income.

These are real people with real problems, and they sent all of us here because they are real mad and they expect us to do something about it.

The sad truth is that our children's generation is at risk of becoming the first in America, unless this body does something, to be worse off than their parents' generation because in our country today, for too many Americans, it is harder than ever to get ahead. That is why so many Americans feel stuck. They feel like the hope and change they were promised has become decline and uncertainty, and they are looking to us to do something about it.

So let's vote. Let's vote tomorrow. I understand reasonable people disagree. I understand unreasonable people can

disagree too. But I am going to vote for Neil Gorsuch to be an Associate Justice of the U.S. Supreme Court. Then I am going to ask this body to move on to other important issues that are keeping moms and dads awake at night when they lie down and try to go to sleep.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, when we lost the Honorable Justice Antonin Scalia, we were all saddened, as he was such a legend on the Court, and I am very proud that President Trump nominated a successor who is worthy of fulfilling his shoes.

Judge Gorsuch has garnered respect and approval from people across the legal community, and he has unrivaled bipartisan support. It is unfortunate that the Democrats have tried to block his nomination. It is not going to work, but they have tried.

Recently, I had the honor of meeting Judge Gorsuch. It is kind of interesting because I was not on his list to visit. In fact, I had even said: Don't waste your time on me, as I know your credentials and I am going to support you anyway, and I am not on the appropriate committees that would pass judgment. Yet he did call, and we met. I will tell you that you have to meet and talk to the guy in person to know what kind of an individual he really is.

Of course, being from Oklahoma, I am sensitive to the fact that he is the son of the West. In fact, none of our Justices up there, with the exception of California, are from what we would call the Western United States—the area where people need to be properly represented.

As a judge on the Tenth Circuit Court of Appeals, he has heard from Utah, Wyoming, Colorado, Kansas, New Mexico, and my State of Oklahoma. He knows the issues of the Western States and what we are facing, and he has expertise to deal with them. He has handled with a lot of care and fairness the issues that have come before him. Of course, we know this because Oklahoma is in the Tenth Circuit.

His reputation is such that, regardless of party affiliation, countless groups, organizations, and individuals have come out in support of Judge Gorsuch, including Neal Katyal. Neal Katyal was the Acting Solicitor General in President Obama's Cabinet, so he was a Cabinet member of President Obama's. He testified before the Senate Judiciary Committee and wrote an op-ed piece in the New York Times. Keep in mind, when you listen to this—this is a quote from an op-ed piece in the New York Times, and one of the individuals from the administration of President Obama said this: "His years on the bench reveal a commitment to judicial independence—a record that

should give the American people confidence that he will not compromise principle to favor the President who appointed him."

That comes from an Obama appointee.

Not only is he well liked, but he also has an impressive resume, serving as law clerk to two different Supreme Court Justices. He attended Columbia, Harvard, Oxford, and it doesn't get any better than that. It is clear he has the qualifications, and as recently as the last administration, that was really all you needed to be confirmed to be on the U.S. Supreme Court.

What the Democrats have done to block his nomination has never been done before. This is significant. People don't realize—people who are maybe critical of some of the procedures that were taking place, they forget the fact that there has never been, in the history of America, a successful partisan filibuster of a Supreme Court nomination—there has never been. This will be the first time this happened.

I support the majority leader in changing the rules in the face of this unprecedented action by a minority party. There is really no reason for their filibuster of this highly qualified individual, other than partisanship and catering to their liberal base. Changing the rules for Supreme Court nominations had to be done, and if the situation were reversed, the Democrats would have done the same thing in a heartbeat, as we saw in 2013 when they did the same thing.

Judge Gorsuch deserves to be on the Supreme Court. He does not deserve to be blocked because people are upset that we observed the Biden rule; that is, not providing for any action on a nominee for a Supreme Court vacancy once the election season is underway—and they lost the election.

Now, that is Joe Biden, not JIM INHOFE.

In addition to his impeccable job and experience and educational background, he is perhaps best known for his defense of religious liberty, including a role in the dispute during the Obama administration that required employers to provide abortion-inducing drugs to their employees as part of their health insurance. One of these employers was Hobby Lobby.

Everyone knows who Hobby Lobby is, but not everyone knew them back when I knew them. I knew them back in the 1970s, when the Green family, who started Hobby Lobby, were actually operating out of their garage, making picture frames, and look at them today. I have known them for a long time. They started out their whole business with a \$600 loan. Now they have over 700 stores across the United States and are the largest privately owned arts and crafts store in the world.

Judge Gorsuch and the Supreme Court agreed with Hobby Lobby and

upheld their religious liberty rights. I am going to read to my colleagues his concurring opinion. It is very profound. Judge Gorsuch wrote, after they made the determination that Hobby Lobby did not have to give these drugs to their employees:

It is not for secular courts to rewrite the religious complaint of a faithful adherent, or to decide whether a religious teaching about complicity imposes "too much" moral disapproval on those only "indirectly" assisting wrongful conduct. Whether an act of complicity is or isn't "too attenuated" from the underlying wrong is sometimes itself a matter of faith we must respect the faith.

Now, that is what he wrote in Hobby Lobby.

In a very similar situation around the same timeframe, there was a case that is known now to be the Little Sisters of the Poor. He joined in an opinion defending the rights of nuns not to be forced to pay for abortion-inducing drugs in their healthcare plans. This is another profound statement he made. He said: "When a law demands that a person do something the person considers sinful, and the penalty for refusal is a large financial penalty, then the law imposes a substantial burden on that person's free exercise of religion."

It is not just petitioners of the Christian faith whom Judge Gorsuch has sided with. He upheld the religious beliefs of a Native American prisoner and of a Muslim prisoner who found their ability to practice their faith restricted in one manner or another.

He comes to his decision not because he is seeking some predetermined outcome; he comes to his decisions because that is where the facts of the law and the Constitution lead him.

For example, in the Lynch case—another Oklahoma case—Gorsuch referred to Chevron deference as "a judge-made doctrine for the abdication of the judicial duty."

Chevron deference is the judicial rule that requires judges to defer to an agency's interpretation—we are talking about a bureaucracy—an agency's interpretation of the law if the law is considered ambiguous or unclear and if the agency's interpretation is reasonable. This defense to the agency gives them a lot of authority, a lot of power. Moreover, it can provide a lot of uncertainty to the regulated community.

As Judge Gorsuch wrote, Chevron deference allows agencies to "reverse its current view 180 degrees any time based merely on the shift of political winds and still prevail [in court]."

I know a little bit about this. I spent a lot of years being the chairman of a committee called the Environment and Public Works Committee. During the Obama years, we had a bureaucracy that was trying to change the law instead of following the law. It was exactly what Judge Gorsuch was talking about in this case when he talked about the Chevron deference, giving

deference to a bureaucracy. You can imagine being in business, especially a heavily regulated one, that has to worry that every 4 to 8 years the rules might change then and how do you plan to make your plans.

I think Gorsuch's opinion on Chevron deference is an important debate to have. Do we, as a coequal branch of government, continue to give up our powers to the administrative state or do we take our power back and write laws as they should be implemented? Furthermore, does the judicial branch, as a coequal branch of government, continue to give up their power of interpretation to the administrative state?

These are important, fundamental questions that should be addressed, and I am glad the Gorsuch nomination has brought these cases to light.

Although Judge Gorsuch was nominated by a Republican President, this doesn't mean my colleagues on the other side of the aisle should have any concern about Judge Gorsuch's decisionmaking ability. This is important to point out because being a judge is not about making decisions that are in the best interests of any political party but really about making decisions based on facts and the law and the Constitution without bias.

During his confirmation, Judge Gorsuch stated his judicial philosophy, saying:

I decide cases . . . I listen to the arguments made. I read the briefs that are put to me. I listen to my colleagues carefully and I listen to the lawyers in the well . . . keeping an open mind through the entire process as best I humanly can and I leave all the other stuff at home. And I make a decision based on the facts and the law.

Who can argue with that? He has proven over a period of time that he will do that.

Through the whole debate, it has become evident that the Democrats were asking him to rule in favor of causes and not to follow the law, which is what a judge does and should do.

Regarding the roles and balance of our government, Gorsuch is what a judge should be. He believes Congress should write the laws, the executive branch is to carry them out, and the judicial branch is to interpret the laws. The confirmation of Judge Gorsuch will shape our Nation for generations to come, and all of us will be able to benefit from his wise decisions.

I am looking forward to confirming Judge Neil Gorsuch. It is going to happen tomorrow, and then all of this will be over. I am proud to give him my vote. Justice will be well served as such.

With that, Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VENEZUELA

Mr. NELSON. Mr. President, I have already cast my "no" vote with regard to the judge and will so again whenever we get to final passage, but I want to take this opportunity to talk about the chaos that is going on in Venezuela.

As if there weren't already enough chaos, last week Venezuela's supreme court stripped its legislative branch of its powers—just stripped them of powers. Only because the court had gotten such significant criticism did it reverse its decision. Apparently even the very shaky President of Venezuela, Maduro, weighed in to get them to reverse their decision. Now, isn't that something? This is supposed to be a democracy. Yet it is being run as a dictatorship, where even the judicial branch goes and does something crazy and the President of the country gets up and tells them: You had better reverse yourself; there is too much criticism.

This is the nonsense that is going on in Venezuela. Of course, what went on last week further undermines Venezuela's so-called democracy, and it is only the latest in President Maduro's creeping dictatorship. That is what it is.

He has repeatedly and violently suppressed protesters and jailed his political opponents in violation of any understanding of human rights. He has used that same Supreme Court to block members of the National Assembly from taking office, and he has used that Supreme Court as a rubberstamp to overturn the laws that the National Assembly does that he doesn't like. Isn't it a sad state that Venezuela has reached?

The President has also thwarted opposition efforts to recall him, President Maduro, in a national referendum. In so doing, he was able to appoint a Vice President with ties to Hezbollah, and now a Vice President it appears that he has sanctioned for drug trafficking.

Meanwhile, the poor Venezuelan people suffer the consequences of the political, humanitarian, and economic crisis. Venezuelans are dying because of severe shortages of food and medicine and other products. The economy is in freefall, and crime and corruption are rampant.

Last year, 18,000 Venezuelans sought asylum in the United States—more than any other nationality. The United States stands clearly on the side of the Venezuelan people in calling on President Maduro to cease undermining democracy, release all political prisoners, respect the rule of law, and respect human rights.

There obviously is no sign that he is going to be doing this. What should we

do? First of all, we ought to get our Secretary of State to work with the international community, including the Organization of American States, to help resolve this crisis and alleviate the suffering of the Venezuelan people.

That is the first order of business, to try to eliminate the suffering of people. It is all so true; whenever a dictator takes control, as has happened in Venezuela, it is the people who suffer first.

Additionally, I am suggesting and I am calling on the administration to fully enforce and, where appropriate, expand the sanctions on those responsible for continued violence and human rights violations that are perpetrated against the people.

It is very interesting. A lot of these so-called big guys in Venezuela love to travel. They love to have bank accounts. They love to come to Miami. They love to have U.S. bank accounts. Let's slap some severe economic sanctions on these guys. The situation is increasingly dire, and we must stand with the Venezuelan people in their struggle for democracy and human rights.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AFFORDABLE CARE ACT

Mr. NELSON. Mr. President, while we have a lull in the debate, I want to take an opportunity to talk about healthcare. Since we had an utter inability of the House of Representatives to come together on any kind of healthcare bill, this Senator would suggest that instead of the mantra "repeal and replace," since now that seems to be dead, why don't we take the existing law that has provided a lot of things for the average citizen? For the average person in my State of Florida, it means a great deal to have the availability of health insurance, which they never had and can now afford.

There need to be fixes to the law known as the Affordable Care Act that was passed several years ago. Indeed, one of those fixes could be a kind of "smoothing fund," that as the insurance companies vie for this business on the State exchanges, they would be able to have this fund as a resource for them to get over some of the humps—also, certainly for some of the insureds.

Just because you are at 400 percent of poverty and therefore no longer eligible for some of the subsidies to enable you to buy health insurance—and, by the way, for a single individual, that is only about \$47,000 a year of income—the person who makes \$47,000, \$50,000 a

year can't afford to go out and spend \$8,000, \$10,000, \$11,000 on a health insurance policy.

We need to adjust that—in other words, fix that as well. There needs to be an additional fix of a subsidy for the people who are just over 400 percent of poverty. To translate that another way, for a family of four, that is only about \$95,000 a year. On a tight budget like that, they simply can't afford health insurance. They need some help.

With a few little fixes like that to the existing law—the Affordable Care Act—we could get this thing tuned up and, indeed, continue to provide what we need in order for people to have healthcare.

One other fix: There are about 4 million people in the country who, if their State legislatures and their Governor would expand Medicaid—and some of those Governors are now expressing interest in doing this—under the Federal law up to 138 percent of poverty, 4 million more people would be covered with healthcare. In my State of Florida alone, there are 900,000 people who otherwise would be getting healthcare who do not because the government in the State of Florida has refused to expand Medicaid coverage up to 138 percent of poverty.

How much is that? For a single individual, that is someone making about \$16,000 a year. A person like that can't afford health insurance. A person like that can't afford any kind of paying for any healthcare.

What happens to them? When they get sick, they wait and wait to try to cure themselves because they can't pay a doctor. When the sickness turns into an emergency, they end up in the emergency room and then, of course, it is uncompensated care and the hospital eats it. The hospital, of course, passes that uncompensated care on to all the rest of us who are paying our premiums on health insurance.

It makes sense to do this. With a few fixes, we would be able to tune up the existing law to provide the healthcare that most of us want to provide. It seems to me that it is common sense, and it is common sense that can be done in a bipartisan way. It is my hope and my prayer that the Senate and the House will come together and ultimately do this.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, the Senate has decided on a purely partisan basis to resolve the impasse of Judge Gorsuch's nomination by invoking the so-called "nuclear option." For the first time in our history, nominees to the Supreme Court of the United States may advance from nomination to confirmation with a simple majority vote in this body.

I have heard many of my colleagues ascribe blame equally to both sides,

and I have heard analysts and experts say the same. One can question that diagnosis, as some very respected scholars like Norm Ornstein of the American Enterprise Institute and Thomas Mann of the Brookings Institute have demonstrated that our political polarization over the last several years, and hence our current impasse, has been driven predominantly by the ever more conservative ideology of the Republican Party. Regardless, here we are.

The Gorsuch nomination lacks the traditional level of support required for a Supreme Court seat, and the majority leader has chosen a step that Democrats clearly and emphatically rejected when we needed to confirm nominees with broad support but were blocked because they were submitted by President Obama.

I had hoped it was not too late for cooler heads to prevail. Unfortunately, adherence to the principle of 60 votes for consideration of a Justice of the Supreme Court and indeed the existing rule in the Senate was ignored, and we are at this impasse.

Since many have drawn a false equivalence between the last so-called "nuclear option" vote of several years ago and what occurred today, let me take a moment to explain, for my part, why I very reluctantly supported a change to the Senate precedent for nominees other than the Supreme Court in 2013.

During President Obama's tenure, Republicans necessitated more cloture votes than were taken under every previous President combined. Let me repeat that. During President Obama's tenure, Republicans necessitated more cloture votes than were taken under every previous President combined, from George Washington to George W. Bush. In numerical terms, Republicans demanded a cloture vote 79 times over just 5 years. In contrast—from the Founding Fathers all the way through George W. Bush—the Senate only faced that situation 68 times. Republicans obstructed Obama nominees more in 5 years than the United States Senate obstructed all nominees combined over the course of more than two centuries.

The bitter irony, of course, was that after a nominee would break through, Republicans often would vote overwhelmingly to confirm the very nominee they so adamantly delayed. It was clear their sole guiding principle was obstruction and delay.

Judges nominated by President Obama faced some of the longest median and average wait times under the five most recent Presidents, and President Obama tied with President Clinton for the fewest number of circuit court nominees confirmed during that same period. All that time, judicial vacancies stacked up. Justice was delayed and denied. Critical public service roles went unfilled, and the American public came to regard Congress as

a place where nothing of substance can occur.

It was under those dire and unprecedented circumstances that I reluctantly joined my colleagues to change the filibuster rules for executive nominations and judicial nominations, other than the Supreme Court—very consciously excluding the Supreme Court, which at that time was recognized as appropriate by all my Republican colleagues. But there really is no equivalence between that decision and what the majority did today.

Even in 2013, at the height of Republicans' partisan attacks on President Obama, Senate Democrats believed the Supreme Court was too important to subject to a simple majority vote. The Supreme Court is a coordinate branch of our government, and its lifetime appointees have final authority to interpret the Constitution. We understood then—as we do now—that the traditional 60-vote threshold to conclude debate on the highest Court in our nation was too important to the consensus-driven character of this body to sacrifice.

I think we also have to acknowledge that a President already has nominated a consensus choice capable of earning 60 votes to a seat on the Court, and that nominee was Chief Judge Merrick Garland. The unprecedented treatment he received by the majority has already made this one of the most infamous and politicized Supreme Court nominations in American history. It is all the more disconcerting that Judge Gorsuch witnessed Judge Garland be treated so poorly but now seems to feel entitled to his seat on the Court, even if the Senate must change its precedence to give it to him.

I already addressed this body about my deep concerns regarding Judge Gorsuch's judicial record of ideological activism and championing the powerful over the powerless, but it is worth going into greater detail on one of his opinions that is emblematic of this, and that has recently come to the fore.

In 2008, Judge Gorsuch heard what is referred to as the Luke P. Case. In that case, the parents of an autistic child sought reimbursement from a school district for the cost of specialized education because the school had not provided adequate accommodations for the child under the Individuals with Disabilities Education Act or IDEA. The case presented heart-wrenching facts that are too familiar for families affected by disabilities such as autism. The child, Luke, experienced severe behavioral issues in public and at home. His parents sought advice from the best sources available to create the most effective atmosphere for him to make progress in school. Ultimately, they recognized the public school Luke had attended could not provide the learning atmosphere required by the law for Luke. So they placed him in a different school setting.

Luke's parents exercised their rights under IDEA. The Colorado Department of Education, the Colorado Office of Administrative Courts, and a Federal district court all agreed that the law entitled them to reimbursement from the school district that was not able to provide an adequate learning environment for Luke. This should have been the end of the matter, but when the school district appealed the case to the Tenth Circuit, Judge Gorsuch's decision reversed all these factfinders to hold in favor of the school district.

In order to reach his conclusion, Judge Gorsuch went to great lengths—picking and choosing passages from previous decisions—to weave a new standard that essentially eviscerated the protections under IDEA. His strict interpretation of this landmark law utterly ignored congressional intent and created a new precedent that schools need only provide “merely more than de minimis” or, in plainer terms, just a little bit more than zero educational opportunity for children with disabilities. The immediate result of this decision was to force Luke back into an inadequate learning environment and leave his parents with yet another unexpected financial hardship. At the same time, Judge Gorsuch's new legal standard threatened to degrade the quality of education for children with disabilities all across the country.

The good news for Luke's family—and for so many others—is that the Supreme Court of the United States intervened in a rare unanimous opinion, reversing Judge Gorsuch's position—ironically during his confirmation hearings. The Nation has been spared the potential harm that could have resulted from lowering expectations for schools nationwide and leaving families like Luke's without sufficient recourse.

Yet as my colleagues and I have pointed out at every turn of this confirmation process, this is far from the only decision by Judge Gorsuch that is widely outside the mainstream of modern jurisprudence. He is not—and was never intended to be—a consensus nominee to fill the vacancy on the Supreme Court. It should not come as a surprise, therefore, that this body is divided over his nomination to the highest Court in the land, and Judge Gorsuch could not earn enough support under the 60-vote threshold.

The filibuster was intended to be an institutional safeguard that protects the minority by requiring broad consensus for major decisions by this body. It should be equally apparent in this circumstance that the filibuster did its job. A large minority of this body viewed Judge Gorsuch as too extreme for the Supreme Court, and that minority blocked cloture on his nomination. There was no national emergency, no danger, no serious consequence whatsoever that prevented

the majority from reversing course and working with Democrats and the President to find a consensus nominee. In one day, the majority has lessened the distinction between our Chamber and our colleagues across the Capitol, all the while lowering ourselves further in the eyes of the Nation and opening the door to an even more polarized judiciary.

I regret that this is the case, and I hope this body can turn back from the course we find ourselves on today.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, we are now well on our way to confirming Judge Gorsuch as the next Justice of the Supreme Court. I have a few things to say about the way we have gotten here.

Earlier today, the other side—meaning the Democrats—made a very unprecedented break with Senate history and with Senate tradition. They launched the first partisan filibuster of a Supreme Court nominee in our Nation's history. For our part, we Republicans insisted that we follow the practice of the Senate. We don't engage in partisan filibusters of Supreme Court nominees.

Yesterday, I came to the floor to speak about the path that brought us to this point. As I discussed, way back in 2001, the current minority leader and some of his allies on the far left hatched a plan to, in their words, “change the ground rules” with regard to lower court nominees. I noted a New York Times article describing the Democratic senatorial caucus retreat, where the new approach to nominees was discussed; in other words, where they discussed the strategy for changing the ground rules of how judges are considered by the United States Senate.

Mr. President, I ask unanimous consent to have printed in the RECORD the May 1, 2001, New York Times article entitled “Washington talk; Democrats Ready for Judicial Fight,” and the April 5, 2017, story from the Washington Examiner entitled “The Gorsuch Plagiarism Story is Bogus.”

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, May 1, 2001]

WASHINGTON TALK; DEMOCRATS READY FOR JUDICIAL FIGHT

(By Neil A. Lewis)

President Bush has yet to make his first nominee to a federal court and no one knows whether anyone will retire from the Supreme

Court this summer, an event that would lead to a high-stakes confirmation battle.

Nonetheless, the Senate's Democrats and Republicans are already engaged in close-quarters combat over how to deal with the eventual nominees from the Bush White House. Democrats in particular are trying to show some muscle as they insist that they will not simply stand aside and confirm any nominees they deem right-wing ideologues.

“What we're trying to do is set the stage and make sure that both the White House and the Senate Republicans know that we expect to have significant input in the process,” Senator Charles E. Schumer, New York's senior Democrat, said in an interview. “We're simply not going to roll over.”

Forty-two of the Senate's 50 Democrats attended a private retreat this weekend in Farmington, Pa., where a principal topic was forging a unified party strategy to combat the White House on judicial nominees.

The senators listened to a panel composed of Prof. Laurence H. Tribe of Harvard Law School, Prof. Cass M. Sunstein of the University of Chicago Law School and Marcia R. Greenberger, the co-director of the National Women's Law Center, on the need to scrutinize judicial nominees more closely than ever. The panelists argued, said some people who were present, that the nation's courts were at a historic juncture because, they said, a band of conservative lawyers around Mr. Bush was planning to pack the courts with staunch conservatives.

“They said it was important for the Senate to change the ground rules and there was no obligation to confirm someone just because they are scholarly or erudite,” a person who attended said.

Senator Tom Daschle of South Dakota, the Democratic leader, then exhorted his colleagues behind closed doors on Saturday morning to refrain from providing snap endorsements of any Bush nominee. One senior Democratic Senate staff aide who spoke on the condition of anonymity said that was because some people still remembered with annoyance the fact that two Democratic senators offered early words of praise for the nomination of Senator John Ashcroft to be attorney general.

Senators Robert G. Torricelli of New Jersey and Joseph R. Biden Jr. of Delaware initially praised the Ashcroft selection, impeding the early campaign against the nomination. Both eventually acceded to pressure and voted against the nomination.

The current partisan battle is over a parliamentary custom that Republicans are considering changing, which governs whether a senator may block or delay a nominee from his home state. Democrats and Republicans on the Judiciary Committee have not resolved their dispute over the “blue-slip policy” that allows senators to block a nominee by filing a blue slip with the committee.

On Friday, Senator Patrick J. Leahy of Vermont, the ranking Democrat on the Judiciary Committee, and Mr. Schumer sent a letter to the White House signed by all committee Democrats insisting on a greater role in selecting judges, especially given that the Senate is divided 50-50 and that the Republicans are the majority only because Vice President Dick Cheney is able to break any tie.

Senator Trent Lott of Mississippi, the Republican leader, told reporters today that he believed “some consideration will be given to Democratic input, but I don't think they should expect to name judges from their state.”

Mr. Lott said he expected that Democrats might slow the process but, in the end, would not block any significant number of nominees.

Behind all the small-bore politics is the sweeping issue of the direction of the federal courts, especially the 13 circuit courts that increasingly have the final word on some of the most contentious social issues. How the federal bench is shaped in the next four or eight years, scholars say, could have a profound effect on issues like affirmative action, abortion rights and the lengths to which the government may go in aiding parochial schools.

Mr. Bush is expected to announce his first batch of judicial nominees in the next several days, and it is likely to include several staunch conservatives as well as some women and members of minorities, administration officials have said. Among those Mr. Bush may put forward to important federal appeals court positions are such conservatives as Jeffrey S. Sutton, Peter D. Keisler, Representative Christopher Cox of California and Miguel Estrada.

The first group of nominees, which may number more than two dozen, is part of an effort to fill the 94 vacancies on the federal bench while the Republicans still control the Senate.

But it remains unclear if there will be a Supreme Court vacancy at the end of the court's term in July. Speculation on possible retirements has focused on Chief Justice William H. Rehnquist and Justices Sandra Day O'Connor and John Paul Stevens. But in recent days, associates of Justice O'Connor have signaled that she wants it known that she will not retire after this term.

[From the Washington Examiner, Apr. 5, 2017]

THAT GORSUCH PLAGIARISM STORY IS BOGUS (By T. Becket Adams)

Supreme Court nominee Neil Gorsuch is not a plagiarist, according to the woman from whom he has been accused of lifting materials.

"I have reviewed both passages and do not see an issue here; even though the language is similar. These passages are factual, not analytical in nature," Abigail Lawlis Kuzma, who serves as chief counsel to the Consumer Protection Division of the Indiana Attorney General's office, said in a statement made available to the Washington Examiner.

Her remarks came soon after two reports alleged Tuesday evening that President Trump's Supreme Court nominee had "copied" passages in his 2006 book, "The Future of Assisted Suicide and Euthanasia." The reports alleged he also lifted material for an academic article published in 2000.

The charge, which involves Gorsuch repeating medical terms and not original concepts or ideas, is weak, at best.

"[The similar] passage are factual, not analytical in nature, framing both the technical legal and medical circumstances of the 'Baby/Infant Doe' case that occurred in 1982," Kuzma explained. "Given that these passages both describe the basic facts of the case, it would have been awkward and difficult for Judge Gorsuch to have used different language."

BuzzFeed was first to report on the similarities between Gorsuch and Kuzma. It published a story Tuesday headlined, "A Short Section in Neil Gorsuch's 2006 Book Appears To Be Copied From A Law Review Article."

Politico followed suit publishing a story titled, "Gorsuch's writings borrow from other authors."

Other newsrooms, including the Huffington Post, Business Insider and New York magazine, moved quickly to repeat the charges against Gorsuch.

Politico bolstered its charge with quotes from multiple academic experts, including Syracuse University's Rebecca Moore Howard, who, interestingly enough, is quite open about supporting former President Barack Obama.

However, several professors who worked closely with Gorsuch during the period in which he produced much of the work in question said the hints and allegations against the judge are nonsense.

"[I]n my opinion, none of the allegations has any substance or justification," Oxford University's John Finnis said in a statement made available to the Examiner. "In all four cases, Neil Gorsuch's writing and citing was easily and well within the proper and accepted standards of scholarly research and writing in the field of study in which he was working."

Georgetown University's John Keown, who reviewed Gorsuch's dissertation, said elsewhere in a statement: "The allegation is entirely without foundation. The book is meticulous in its citation of primary sources. The allegation that the book is guilty of plagiarism because it does not cite secondary sources which draw on those same primary sources is, frankly, absurd."

Indeed, the book's reliance on primary rather than secondary sources is one of its many strengths."

Further, actual attorneys disagree that Gorsuch plagiarized anything.

"People unfamiliar with legal writing, or even writing, may be unfamiliar with how citations work," Attorney Thomas Crown explained Wednesday. "When I cite to a case or statute, if I am quoting verbatim, I give a direct quotation, with apostrophes and everything, and then the source. If I am summarizing, sometimes even using the same words, I follow with the direct citation. The Bluebook, which is the legal style Bible, is for law reviews and some appellate and trial courts, and has more specific rules."

"I mention this because this is standard across numerous fields, not just law, and only illiterates . . . are shocked," he added. "Different field with different standards and forms; but even most academics believe that a good synopsis with citation isn't plagiarism."

In conclusion, he wrote, "I don't want to ruin a perfectly good five-minute hate, but this isn't even close to plagiarism."

Mr. GRASSLEY. After a brief time in the majority, Senate Democrats were back in the minority in 2003—so approximately 2 years after they had this strategy. It was at that time the Senate Democrats began an unprecedented and systemic filibuster of President George W. Bush's circuit court nominees.

Then the tables turned. President Obama was elected, and Republicans held the Senate minority. At that time, even though many of us did not like the idea of using the filibuster on judicial nominees, we also recognized that we could not have two sets of rules—one for Republican Presidents and one for Democratic Presidents.

Our party defeated two nominees for the lower courts by filibuster and denied cloture to three of President Obama's nominees to the D.C. Circuit

Court of Appeals. But the other side did not appreciate being subject to the rules that they first established and started using in 2003 to filibuster judges. So at that point, in 2013, they decided to change the rules of the Senate.

By the way, they changed the rules by breaking the rules. I say that because the rules of the Senate say it takes a two-thirds vote to change the rules of the Senate, but they changed it by a majority vote. Now at that time, as we all know, Majority Leader Reid changed the rules for all Cabinet nominations and lower court nominees. To say that my colleagues and I were disappointed is a gross understatement.

The majority claimed that they left intact the filibuster for Supreme Court nominees. But my view back in 2013, when they did that, was that the distinction Majority Leader Reid drew between lower court nominees and Supreme Court nominees was not a meaningful one. My view, in 2013, was that Majority Leader Reid had effectively eliminated the filibuster for both lower court nominees and the Supreme Court.

Here is the reason. There are two circumstances where this issue might conceivably arise: either you have a Democrat in the White House and a Democrat-controlled Senate or you have a Republican in the White House and a Republican-led Senate.

In the first, there was a Democrat in the White House and the party led by Leader Reid and Leader-in-Waiting SCHUMER was in the majority. If for some extraordinary reason Senate Republicans chose to filibuster the nominee, there is no question that a Majority Leader Reid or a Majority Leader SCHUMER would change the rules.

Now, I do not believe that this particular circumstance would ever arise, because our side does not believe in filibustering Supreme Court nominees. I have never voted to filibuster a Supreme Court nominee, not once. I think I have a pretty good sense of the rest of our caucus. Our side just does not believe in it. It is not much more complicated than that simple common-sense statement I just made.

Of course, even if for some extraordinary reason our side did choose to filibuster a Supreme Court nominee, we do not have to speculate as to whether the other side would have changed the precedent with respect to the Supreme Court. Last year, when everyone thought that Secretary Clinton was going to win the election, their own Vice-Presidential candidate said that they would change the rules if they needed to if we had a Republican filibuster.

Then, of course, the other circumstance where this issue would arise is what we have seen this very day—a Republican in the White House and a

Republican-controlled Senate. We saw this very day that the minority was willing to take that last step and engage in the first partisan filibuster in U.S. history.

As I have repeatedly discussed, because they were willing to do it with a nominee as well-qualified as Judge Gorsuch, it proved, without a shadow of a doubt, that they would filibuster any one submitted by this Republican President. That is why, on the day that Majority Leader Reid took that unprecedented action in 2013 to break the Senate rules to change the Senate rules, I spoke on the floor.

I concluded my remarks this way. So I want to quote myself:

So the majority has chosen to take us down this path. The silver lining is that there will come a day when the rolls are reversed. When that happens, our side will likely nominate and confirm lower court and Supreme Court nominees with 51 votes, regardless of whether the Democrats actually buy into this fanciful notion that they can demolish the filibuster on the lower court nominees and still preserve it for the Supreme Court nominees.

That is what I said when Reid took that extraordinary step. So though I am extremely pleased that we will confirm such an exceptional nominee to the Supreme Court in the next day or so, I am, of course, disappointed with what we were forced to do to get it done. Sadly, I cannot say I am surprised. I think my surprise, or the fact that I can't be surprised—you can tell it from what I said back there, what I just quoted from the 2013 speech that I gave.

I knew when Majority Leader Reid did it in 2013 that this is where we were headed. That is where we ended earlier this afternoon. But the bottom line is that you cannot have two sets of rules. You cannot clothe yourself in the tradition of a filibuster while simultaneously conducting the very first partisan filibuster of a Supreme Court nominee in history. You cannot demand a rules change only when it suits the Democratic Members of this body.

You just can't have it both ways. You can't use the Senate rules as both a shield and a sword. But I must say, the one thing that does not disappoint me is this: The nominee to take Justice Scalia's seat is eminently qualified. He will apply the law faithfully without respect to persons. He is a judge's judge. Come some time tomorrow, we will all start calling him Justice Gorsuch.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BLUNT). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WICKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WICKER. Mr. President, I rise to express my strong support for Judge Neil Gorsuch, to say that I will proudly vote in favor of his confirmation tomorrow, and to express my confidence that history will judge this nominee to be an outstanding Associate Justice of the Supreme Court. I hope he serves a long and distinguished career and believe he will. I think Justice Neil Gorsuch will turn out to be a credit to the Supreme Court, to the President who nominated him, and to the Senate that will confirm him tomorrow.

It is unfortunate that we have had quite a bit of discussion about procedure and the process that has gotten us to this vote, which will take place tomorrow afternoon.

I had a conversation with one of my Democratic colleagues yesterday afternoon as we were leaving the Capitol Building. This is a person with whom I have worked on issues and for whom I have great regard. I asked him how he was doing, and he said: Well, OK. I am just getting ready for the United States Senate to be forever changed.

I paused for a moment, and I said: How can it be that two reasonably intelligent Senators of good will can look at the same factual situation and see it so differently? I think my colleague did agree that, indeed, the situation we have is what has led us to our proceedings today.

I do believe my colleagues on the other side of the procedural issues today are people of good will who are trying to do the right thing by their country on this issue, just as I have been.

Let's look first of all at the candidate himself, and then I might take a moment or two to talk about what we have already done. That decision has been made. Let's talk about Neil Gorsuch, about this outstanding future Supreme Court Justice who I believe will be sworn in tomorrow or the next day.

Is Neil Gorsuch qualified? Really, can anyone contest that he is highly qualified? He is perhaps one of the most qualified people ever to have been nominated by a President for the High Court. He has degrees from Columbia, Harvard Law, and Oxford University. He has received the American Bar Association's highest rating, the gold standard that we look at when it comes to judging nominees for the Federal bench up to and including the High Court. He served for 10 years with distinction on the Tenth Circuit Court of Appeals. Clearly, he has got the qualifications, and clearly, he is among that group of qualified individuals that the President promised to look at back during the campaign and promised to send that type of individual over to the Supreme Court. I really don't think there is much that can be said to contradict the fact that Neil Gorsuch is qualified and highly qualified.

So now let's ask if Neil Gorsuch is somehow out of the broad judicial mainstream. Again, I think it is clear that, based on his history, based on his testimony, and based on his rulings up until now, he is part of the broad judicial mainstream that will put him in good company on the Supreme Court and makes him a worthy successor to Justice Scalia.

First of all, he has earned the praise of both conservatives and liberals. He has even won the endorsement of President Obama's former Acting Solicitor General, who wrote in the New York Times, "If the Senate is to confirm anyone, Judge Gorsuch who sits on the U.S. Court of Appeals for the Tenth Circuit in Denver should be at the top of the list." So thank you to the former Acting Solicitor General for going beyond ideology and political philosophy and saying a true statement that Judge Gorsuch is outstanding and should be at the top of the list.

Editorial boards across the country have touted Judge Gorsuch's credentials and temperament. The Denver Post, his hometown newspaper, wrote an editorial praising his ability to apply the law fairly and consistently. Of course, there has been newspaper after newspaper from the right and left across this country who come down on this side of the issue saying that Judge Gorsuch should be confirmed.

Let's look also—and this has been pointed out so often that you wonder if you should say it again, but Judge Gorsuch on the Tenth Circuit has participated in 2,700 cases, he has written over 800 opinions, and has been overruled by the Supreme Court one time. Is this a judicial radical? I think not.

I think this is someone who is demonstrated to be in the judicial mainstream—one reversal by the Supreme Court out of 800 written decisions and 2,700 votes cast on panels with the Tenth Circuit. He has almost always been in the majority some 99 percent of the panels he served on, he was in the majority of those opinions, and 97 percent of those decisions were unanimous. This is hardly some radical pick as some might have suggested.

Has the process been unfair? We have heard a lot about this. A lot of my dear friends on the other side of the aisle feel aggrieved for sure. They feel that Judge Garland, the nominee of President Obama in 2016, was treated unfairly. I would simply make this observation, and the American public can decide if this was unfair.

This is a vacancy that came up during a heated, hotly contested Presidential year. There is really no doubt that, under similar circumstances, had the roles been reversed and had a Republican tried to nominate a nominee in the last year of his 8-year term, that a Democrat majority in the Senate would have done exactly as we did.

I am not guessing when I say this because the Democratic leaders of previous years have said as much. No less than Joe Biden—who was a former chairman of the Judiciary Committee and later on became Vice President for 8 years—no less than Joe Biden said exactly the same. It almost became the Biden rule. Republican Presidential nominees taken up during the final year of a term will not be considered by a Democratic Senate. So the shoe was on the other foot, and we acted the same.

So we will leave it up to the American people to decide whether Judge Garland was treated unfairly. I do not believe he was. As a matter of fact, I felt very comfortable during 2016 saying that who fills a Supreme Court seat is so important, such a significant and long-lasting decision, that the American people deserve to be heard on this issue. I felt comfortable making the Presidential election largely about what the Supreme Court would look like over the coming years.

There is no question about it, the American people got to decide in November of 2016 whether they would like a judge in the mold of Justice Scalia whose seat we were trying to fill or would they like a judge in the mold of Judge Garland who President Obama was seeking to put in place. So I make no apology for saying to the American people, You get to decide in this Presidential year what sort of Supreme Court you want. The American people made that decision, and I am comfortable with that.

I was asked today by several members of the press about the change in the rules that I voted for today. It is not a situation that makes me overly joyed. It is not my idea of a good time to overrule a precedent and to substitute another one in its place. You would rather not do that if you are a U.S. Senator; but the fact is that it puts us back into a place that we were for 200 years in this Republic.

From the beginning of this Senate, 1789 through 1889, through 1989, up to and including 2003, there was no filibuster at all on Supreme Court Justices. There was no partisan filibuster at all in Supreme Court Justices, and no judge had ever been denied his position because of a partisan filibuster at any level—Federal judge, circuit level, or Supreme Court.

That changed in 2003, and with the Miguel Estrada nomination, our Democrat friends stopped a qualified judge from going on the Federal appeals court. That was the beginning of an unfortunate 14-year experiment in judicial filibusters. It is not a filibuster that I think—it is not a precedent or experiment that I think this Senate can be very proud of, but it took place over a relatively short period of time over 14 years, and it ends it today.

As of today, the U.S. Senate is back where it was for over 200 years in the

history of this Senate and the history of our Republic without the ability to stop a judge on a partisan filibuster. In fact, this fact cannot be contradicted. There has never been in the history of our country, even in this past decade and a half of having the possibilities of a Supreme Court filibuster, there has never been a Supreme Court nominee in the history of our republic stopped by a partisan filibuster.

Today that 225-year or so precedent would have ended had we not acted to change the rules back to where we are back to fundamental principles. I was not willing to see Judge Neil Gorsuch be that first nominee stopped by a partisan filibuster in the history of our country. I was simply not willing to do that.

We now must proceed to the rest of our business. We will confirm Judge Gorsuch tomorrow. I think he will serve well. Then we have work to do. We have other nominees to consider, and then we've got an agenda that we need to tend to for our people.

I am encouraged by the exchange of the first early steps of goodwill after this divisive process. Indeed, there was an article in one of our publications today that talked about a healthy feeling now in both caucuses, that we have got to put this procedural episode behind us, this crisis behind us and legislate.

I am glad to hear that sort of bipartisan talk coming from the other side of the aisle. Another of my friends across the aisle said, "We're not looking for dilatory procedures," he said. "When there are things where we can work together, we're looking for that."

I am encouraged—even encouraged that my friend who I was talking to yesterday afternoon will conclude that we have not forever changed the Senate in a negative way, that we are, in fact, back to where we were before 2003 and getting things done.

In the end, this is about an individual who is qualified. It is about a vacancy that needs to be filled. I for one am highly comfortable that the President, in Neil Gorsuch, has put forth an outstanding, eminently qualified judge and that he will serve us well. My vote tomorrow in favor of confirmation will be cast enthusiastically and proudly, and I think that it will stand the test of time.

I thank the Presiding Officer very much, and at this time, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RUBIO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUBIO. Mr. President, tomorrow morning or tomorrow afternoon at

some point, we will, I believe, vote to confirm Judge Gorsuch to be a Justice to the U.S. Supreme Court. There is so much that has been said about him and his qualifications. I have been listening to the speeches all week. Even headed to the committee hearing, I think so much had been said about him. This is a mainstream candidate. This is a mainstream judge. He is someone who voted with the majority 99 percent of the time during his time on the bench. He is someone who 97 percent of the time, in 2,700 cases, was a part of rulings that were unanimous. He most certainly, I believe, is someone who believes the Constitution should be interpreted according to its original intent of the writers, but he is certainly not someone outside the mainstream of American legal thinking, and he is certainly eminently qualified. It is interesting in that you see a broad array of individuals come forward and talk about his qualifications.

I also thought it was interesting that there really was no coherent reason for opposing him. There are a lot of different opinions on the floor that claim he would not commit to certain decisions that people would like to see him make on the Court. That would be true of virtually everyone who has been nominated to the Court over the last quarter century.

There is no doubt that he is someone who has certain beliefs and views about the Constitution that are reflective of the President's party, but that is what elections are about. Obviously, the great people whom President Obama appointed reflected his thinking. That is our system.

A lot of the attention, though, in this debate has been about the process that brought us here. There has been tremendous consternation about the change that no longer would there be a requirement of 60 votes in order to end debate. I think a lot of people have a fundamental misunderstanding of what has happened and how we have gotten here, and I thought it was important for the people of Florida and others who may be interested to know how I approached it, because it was something that I am not excited about or gleeful about or happy about. I would say that is probably the sentiment of most of the people here in the Senate. Yet it happened anyway.

I saw a cartoon by one of these editorial cartoonists; I am not quite sure who it was. It had this picture of both sides basically saying: This is terrible, but we are going to do it anyway.

I think it is important to understand, first and foremost, about the Senate. It is unique. There is no other legislative body like it in the world. Unlike most legislative institutions, it does not function by majority rule. It actually requires a supermajority to move forward. That was by design; it was not an accident.

The people—the Founders, the Framers—created a system of government in which they wanted one branch of the legislature to be very vibrant, active, representative of the people. They represent districts, and they have 2-year terms. Then they created another Chamber which was different in nature. At the time, the U.S. Senate was designed, first of all, to represent the States. Where the House was the people's House, the Senate was the place the States were represented.

The other thing they wanted to design was a place that was at some level possibly immune from the passions of the moment. They wanted a place where things would slow down for a moment, where we would take a deep breath and make sure we were doing the right thing. It was a wise course.

Our Republic is not perfect, but it has survived for over two centuries. In the process, it has given us the most dynamic, most vibrant, and, I believe, the most exceptional Nation in all of human history. While not perfect, the Senate has been a big part of that endeavor.

By the way, at the time, Senators were elected by the legislature; they were not even elected by people. Of course, that changed. I am not saying we should go back, but that is the way it was.

That Senate was also unique because it had this tradition of unlimited debate. When a Senator got up to speak, they got to debate as long as they wanted, and no one could stop them. Then, at some point, that began to get a little bit abused, so they created a rule that required a supermajority, and that supermajority was further watered down. Then we arrive here, over the last 4 years, to see what has happened.

Basically, what happens now is that there are two ways to stop debate, which is as a result of a procedure that was undertaken on the floor first by Senator Reid when he was the majority leader and now by the majority leader today on what is called the Executive Calendar, where there are nominations for the Cabinet, Ambassadors, the sub-Cabinet, courts, and now the Supreme Court. No. 1 is by unanimous consent, when everybody agrees to it, or, No. 2, through 51 votes, a majority vote.

I think that is problematic in the long term, not because of Judge Neil Gorsuch, for I believe that in any other era and at any other time, he would not have just gotten 60 votes or even unanimous consent to stop debate; I think he would have gotten 60-plus votes, maybe 70 votes, to be on the Court. I think it is problematic because we do not know who is going to be the President in 15 years or what will be the state of our country. Yet, by a simple majority, without talking to a single person or getting a single vote from the other party or the other point of

view, they are going to be able to nominate and confirm and place someone on the bench of the Supreme Court—to a lifetime appointment to a coequal branch of government—without even consulting with the other side. I think, long term, that is problematic—in the case of Neil Gorsuch, not so much, but for the future of our country, I think it could be problematic.

The argument has been made that this has never been used before, so all of the stuff brings us back to where we once were. I think technically that is accurate, but this is not exactly where we once were. Where we once were was that there were people who worked here who understood they had the power to do this. They got it. They understood that if they had wanted to, they could have forced the 60 votes. They understood they had the power to do it, but they chose not to exercise it. They chose to be judicious because they understood that with the power, there comes not just the power to act but sometimes the power not to act, to be responsible, to reserve certain powers for extraordinary moments when it truly is required. And over the years, it has been abused.

This is not going to be a speech where I stand up here and say that this is all on the Democrats, although I most certainly have had quarrels over some of the decisions that have been made by the other side of the aisle. I think it is a moment to be honest and say that we all have brought us here to this point, both sides, and it has required us to do this.

The reason I was ultimately able to vote for the change today is that I am convinced that no matter who would have won the Presidential election and no matter which party would have controlled this Chamber, that vote was going to happen. Both sides were going to do this because we have reached a point in our politics in America where what used to be done is no longer possible, and that has ultimately found its way onto the floor of the U.S. Senate.

Rules are rules, and ultimately the Republic will survive the change we have seen here today. I think the more troubling aspects are the things that have brought us to this point.

A couple of days ago, while at a lunch with my colleagues, I said that one of the things, I think, we are going to have to accept is that, quite frankly, the men and women who served in this Chamber before us—20, 30 years ago—were just better than we are. They were human beings who, quite frankly, had deeply held beliefs. I do not know of any Member of this Chamber who was more conservative than Barry Goldwater or Jesse Helms. I do not know any Member of this Chamber who was more progressive or liberal than Hubert Humphrey or Ted Kennedy or others. Yet somehow, despite their

deeply held principles, these individuals were able to work together to prevent what happened here today.

The fact is, for both sides, that is not possible anymore. Today, our politics require us to use every measure possible, even if it is for symbolic purposes. That is just the way it is. That is more of a reflection of our political process than it is of the Senate.

I have seen these articles that have been written of “the end of the Senate” or “the death of the Senate.” It is a little bit of an exaggeration, but I think it is actually just reflective of the fact that this is the way politics has become, that as a nation today, we are less than ever capable of conducting a serious debate about major issues in the way we once were able to do. I think everyone is to blame.

I think the way politics is covered is to blame. Today, most articles on the issues before us are not about the issues before us; they are about the politics of the issues before us. Today, most of the work that is done in this Chamber and in the other Chamber has more to do with the messaging behind it than it does with the end result of where it will lead us. That is just the honest fact.

Before people start writing or blogging: Well, look at all of these other times when the Senator from Florida—when I did some of these things—I admit it. I do not think there is a single person here with clean hands on any of this. I admit that I have been involved in efforts that, looking back on some of these things, perhaps, if we knew then what we know now, we would have done differently. I think it is important in life to recognize and learn from those experiences and to adapt them to the moment before us.

I think, moving forward, the biggest challenge we will face in the country is that our issues are not going to solve themselves. They will require people from very different States, very different backgrounds, and very different points of view to be able to come together and solve some pretty big deals. It is ultimately not about silencing people or having them compromise their principles but about acknowledging that in our system of government, we have no choice but to do so. We have no choice.

I think it also requires us to take a step back and understand that the people who have a different point of view than ours actually believe what they are saying. They hold it deep, and they represent people who believe what they are saying. I say this as someone who will admit that, in my time of public service, perhaps I have not always applied that as much as I wish I had. I try to. You certainly live and learn when you get to travel the country and meet as many people as I did over the last couple of years. I certainly think that impacts us profoundly.

I have a deeply held belief in limited government and free enterprise and a strong national defense and the core principles that define someone as a conservative. But I have also grown to appreciate and understand the people who share a different point of view—perhaps not as much as I hope to one day be able to understand and respect it, but certainly more than I once did, simply because the more people you meet, the more you learn about them, and the more you learn and understand where they are coming from.

Are we capable as a society to once again return to a moment where people who have different ideas can somehow try to figure out how to make things better, even if the solutions are not perfect? I hope so, because the fate of the most important country in human history is at stake. Are we capable of once again having debates, not that aren't vibrant and not that from time to time people may say things or even do things that they may regret, but certainly ones that at the end of the day are constructed for the purpose of solving a problem, not winning an election. I hope so, because if we don't, we will have to explain to our children why we inherited the greatest country in human history and they inherited one that is in decline.

I don't mean to exaggerate, because ultimately this is a rule change. We don't vote on the Supreme Court every day, every week, every month. Sometimes we don't vote on it for long periods of time. But I think it exposes a more fundamental challenge that we face today in American politics, and that we better confront sooner rather than later, and that we should all confront with the understanding and the knowledge that none of us come to it with clean hands.

We were reminded again this week by the images that emerged from Syria of what a dangerous world we live in, and we are reminded that the threats remain.

I ask people tonight—no matter who you write for, who you blog for, what political party you are a member of, or whom you vote for in November—to ask yourself a question and to be honest about the answer. If, God forbid—and I mean this, God forbid—there were another 9/11-style attack on the United States, how would we honestly react? Because September 11 was a scary day, and on that day I remember there weren't Democrats or Republicans. Everyone was equally frightened and everyone was equally angered. There was a sense of unity and purpose that we had not seen in a long time and have not seen since.

I honestly believe, sadly, that if today there were another 9/11-style attack on America, one of the first things we would see people doing is blaming each other, saying whose fault it was. You will have some people say-

ing: Well, this terrorist attack happened because President Obama didn't do enough to defeat the terrorists. And others would say: It happened because the Republicans and the new President, President Trump, has not done enough, or has done things to provoke them. I honestly believe that. I think that is what the debate would look like. I hope I am wrong.

Just think about how far we have come in almost 20 years, 15 years. That is the kind of debate I believe we would have. Think about how destructive that is.

I also think we would see a plethora of crazy, fake stories about what was behind it. And here is the craziest part: Some very smart and educated people would believe those stories because we have reached the point now where conspiracies are more interesting than facts.

I know that people may see this and say: Oh, I think you are exaggerating. Maybe, I hope so. But I honestly think that we are headed in a direction that is actually making us—not us the Senate, but us, Americans—incapable of confronting problems.

I will just say this. What I really hope will happen soon is that we are going to get tired of fighting with other Americans all the time, that we will finally get fatigued with all of this constant fighting against other Americans. Americans are not your enemies. Quite frankly, I hope we have no enemies anywhere in the world, other than vicious leaders, and we hope to be a part of seeing taken them out of power at some point for the horrible things they do. I hope we will reach a point where people are saying, I am just tired of constantly fighting with other Americans. We will have differences and we will debate them. Thank God that we have been given a republic where we have elections every 2 years and where we can have these debates. But, in the interim, whether we like it or not, none of us is going anywhere.

The vast and overwhelming of majority of Americans will live in this country for the rest of their lives. This is their home and this is their country. We are going to have to figure out how to share and work together in this unique piece of land that we have been blessed with the opportunity to call home. If we don't figure out a way to do that soon enough, then many of these issues that confront America will go unsolved, and not only will our people pay a price and our children pay a price, but the world will pay a price.

So I know that is a lot to say about a topic as simple as a rule change and ultimately a vote for the Supreme Court, but I really think it exposed something deeper about American politics that we had better confront sooner rather than later, or we will all live to regret what it leads to, and that is the

decline of the single greatest Nation in all of human history.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

CONGRATULATING THE UNIVERSITY OF SOUTH CAROLINA WOMEN'S BASKETBALL TEAM ON WINNING THE NATIONAL BASKETBALL CHAMPIONSHIP

Mr. GRAHAM. Mr. President, on a more upbeat note, the lady Gamecocks are national champions.

On April 2, this past Sunday, the University of South Carolina women's basketball team beat Mississippi State 67 to 55 to end a magical season and become the national champions.

This is a magical year for the State of South Carolina. We have the Clemson Tigers, who are the national football champs. Coastal Carolina University is the College World Series title holder for baseball. Now we have the lady Gamecocks as the national champs and in women's basketball. Dustin Johnson is the No. 1 golfer in America, who hurt his back today and had to withdraw from the Masters. So that was bad.

This was a great year. I went to the University of South Carolina. I still have 4 years of eligibility in all sports for a reason: I was no good. My colleague who is here actually played college football, and we are both Gamecocks fans.

Coach Dawn Staley came to South Carolina in 2008. She has been on three gold medal national championship teams as a player. She is now in the Hall of Fame for basketball and is one of two African-American female head coaches to win the national title in women's basketball. She is the real deal. She is a wonderful lady.

A'ja Wilson, our dominating junior forward, was the MVP for the Final Four and SEC player of the year, and first team All American. All the girls played really, really hard.

The men's basketball team made it to the Final Four and lost in a very tough contest. I could not be more proud of the University of South Carolina men's basketball team.

Frank Martin, the men's basketball coach, is the National Coach of the Year.

This is a special time in South Carolina. If you are a Gamecocks fan, you have been long suffering for a while, and our ship finally came in.

So congratulations to the lady Gamecocks. I can't wait until next year. We always say that with a sense of dread, but I can't wait until next year for South Carolina, Clemson, and every other sports team in South Carolina. We are doing something right. I don't know what it is, but we are all grateful in South Carolina.

I yield to my colleague, who actually played college football, and I don't think he has any eligibility left because he was good.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. SCOTT. Mr. President, just in the very few spaces that are left after we finish chatting about our great State and the great season our school had, there are two things I want to note. No. 1, Coach Frank Martin: coach of the year, a fantastic person, a great communicator, a strong, disciplined coach. It is very hard to misunderstand what he is saying.

Coach Staley: Absolutely, positively, unequivocally the best women's basketball coach, in my opinion, ever, against UCONN—ever. Dawn Staley, 20 years ago, came within a single point of winning a national championship as a player. Can you just imagine being a single point short? And this must feel like redemption for our coach.

We are so proud of the fact that both of our coaches are producing student athletes, learning academically, striving on courts but prepared for life, for living. So we are excited about that.

I want to note as well that there have only been 10 times in NCAA history—10 times—that both the women's and the men's basketball teams from the same school were in the Final Four at the same time.

It is a good time to be a South Carolinian.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, I have a question for the Senator from South Carolina. It is very important.

Is the Senator aware that Frank Martin, an incredible coach for the men's basketball team is from Miami, FL?

Mr. SCOTT. I am aware of that. And that is relevant to you how?

Mr. RUBIO. I just wanted you to know.

Mr. SCOTT. Will the Senator yield for a question?

Mr. RUBIO. I will.

Mr. SCOTT. What State are you from, sir?

Mr. RUBIO. Florida.

Mr. SCOTT. In what part of Florida were you born and raised?

Mr. RUBIO. South Florida.

Mr. SCOTT. Have you had any relationship with the coach before, Senator?

Mr. RUBIO. I have. Coach Martin is a good friend, and I think a testament to how much Florida has to contribute to South Carolina.

Mr. SCOTT. Having been there when you were in South Florida, I would say we made a big contribution to you too.

Mr. RUBIO. I would say to the Senator from South Carolina, South Carolina has gotten better results for Frank Martin than it did for me. But we are very proud of Coach Martin. I would just add that, given the litany of athletic success this year by the State of South Carolina, I find that to be highly suspicious. I know I just spoke about

conspiracy theories, but statistically, it is very unlikely that a State would have that many championships. I am not calling for a congressional inquiry, but I think it is an interesting topic of conversation.

Mr. SCOTT. Mr. President, if my colleague will yield, I would note that Senator GRAHAM did have clarity in his purpose of identifying the fact that the State has only 4.7 million people in a country of 330 million people, and we have been able to secure the No. 1 golfer, that is true; the No. 1 baseball team, that is true; and the No. 1 football team in all of the Nation, Clemson University, that is true; and now the women's basketball champions, and that is true as well. However, I would point out that we were able to show you a wonderful experience as well in the State of South Carolina, and I hope that one day when you retire from politics, you and your lovely wife will join us and become a South Carolinian yourself. Perhaps then, and only then, will you be a successful football coach. You have a promising career in politics, but I know that you love and have passion for football, and perhaps when you retire, you too will be a national champion football coach.

Mr. RUBIO. That is highly unlikely. But in all seriousness—

Mr. SCOTT. I am serious—

Mr. RUBIO. I do want to restate that Frank Martin is really an extraordinary person. Much more, Senator SCOTT and I both had a chance to interact with him on a number of occasions. I don't mean to single them out among all of the other suspicious athletic accomplishments in South Carolina that are certainly worth noting, but I would say, with Frank, one of the things that really impresses me is not what he does with these young men on the court but the kind of influence he is in their lives off the court and the impact he has.

He was a high school coach in Miami and won State championships there. He comes from a hard-working family of Cuban exiles who made their home in South Florida. So we are very, very proud of what he has achieved. But what I am most proud of is the way Coach Martin has been able to influence those young men.

He did defeat the Florida Gators to make it to the final four, and I was not happy about that. But I would say this—and I have said it to others—if the Florida Gators had to lose, I would want it to be to Frank Martin because of the extraordinary work he does. So I can't wait to see which Florida university hires him away.

Thank you.

Mr. SCOTT. Before Senator RUBIO walks off the floor, having had the opportunity to listen to him over a number of years, he is eloquent. He is inspiring. Sometimes he is just dead wrong. Coach Martin will be staying at the University of South Carolina, without any question at all.

Let me put the suspicions to rest. The reality of it is that good teams are made up of good recruiting. The fact that we have great recruiters in the State of South Carolina is indicative of the fact that we have a lot of titles in our State.

So I will be praying for the Senator's State to succeed during the hurricane season, without any question, and to be consistently behind the State of South Carolina in every athletic event in which we have a competition, wherever there is a competition.

Mr. RUBIO. I was going to say, I am not going to invoke that rule.

Mr. SCOTT. Rule XIX.

Mr. RUBIO. I think it is a good opportunity to say nothing—but congratulations, and we will be back.

Mr. SCOTT. In a decade. Thank you.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I have listened over the last several weeks to accusations and a type of smear campaign, quite frankly, of a good judge and a good man: Neil Gorsuch.

It is remarkable to me to see that the debate has become more about character destruction than it has been about policy differences. I understand there are policy differences, but why does it have to come to this?

In the past few weeks, I have heard on this floor that Neil Gorsuch shouldn't be a Justice on the Supreme Court because he has no independence from President Trump.

No. 2, I have heard he was hand-picked by far right groups like the Federalist Society, a group of legal minds committed to the original interpretation of the Constitution—clearly, a scandalous group of radicals.

I have heard that Judge Gorsuch supports torture, he is against privacy, he hates truckers, he will step on the little guy, he will help only big corporations, he is just not mainstream, and I have heard that he shouldn't be selected because he was not approved first by the Democratic Senate leadership.

All of these reasons have been given for a historic change in Senate tradition not to give a Supreme Court Justice an up-or-down vote. Block him on a procedural motion; for the first time ever, block a Supreme Court Justice on a procedural motion with a partisan vote.

Let me take these one at a time as I walk through this.

No. 1, I heard constantly that he is not independent enough from President Trump. As far as I know, he had never even met President Trump before. This didn't seem to be a standard, to be independent from the current sitting President.

Let me give an example: Justice Elena Kagan, who is clearly qualified as a legal mind, but I would say Republicans have serious policy differences

with her. Justice Kagan was allowed to have an up-or-down vote. This body did not have a standard that they had to be independent from the President. If they had a standard like that, Justice Kagan would have never been on the bench. Why do I say that?

On May 10, 2010, President Obama nominated Elena Kagan to be an Associate Justice of the Supreme Court. From 1997 to 1999, she served as Deputy Assistant to the President for Domestic Policy and was Deputy Director of the Domestic Policy Council for President Clinton. In 2009, she was confirmed Solicitor General of the United States for President Obama. She worked for President Obama in the Obama White House as his Solicitor General and then was taken directly out of the White House and put on the Supreme Court.

I would say that is not independent from the President. So this mythological new standard that any Court Justice nominee needs to be independent from the President clearly wasn't in place when Elena Kagan was being heard.

It is also interesting to me that one of the most talked about decisions from Judge Gorsuch was a Chevron decision that he put out. The whole crux of that decision was the independence of the executive branch, the legislative branch, and the judicial branch. Let me just read a few paragraphs from the decision he wrote. He wrote this:

For whatever the agency may be doing under Chevron, the problem remains that courts are not fulfilling their duty to interpret the law and declare invalid agency actions inconsistent with those interpretations in the cases and controversies that come before them. A duty expressly assigned to them by the APA [Administrative Procedures Act] and one often likely compelled by the Constitution itself. That's a problem for the judiciary. And it is a problem for the people whose liberties may now be impaired not by an independent decisionmaker seeking to declare the law's meaning as fairly as possible—the decisionmaker promised to them by law—but by an avowedly politicized administrative agent seeking to pursue whatever policy whim may rule the day. Those problems remain uncured by this line of reply.

In other words, the judiciary needs to have oversight of the executive agency in what they put out as far as agency rulings, not allowing the White House or any agency to just make any decision they like. He continued writing:

Maybe as troubling, this line of reply invites a nest of questions even taken on its own terms. Chevron says that we should infer from any statutory ambiguity Congress's "intent" to "delegate" its "legislative authority" to the executive to make "reasonable" policy choices. But where exactly has Congress expressed this intent? Trying to infer the intentions of an institution composed of 535 members is a notoriously doubtful business.

In all the accusations that he is not independent of the President, in one of his most famous opinions, he declares

that we absolutely need to have independence from the White House—of any White House—and have a clear separation of powers between judiciary, legislative, and executive. That actually does not stand up to simple muster. So the first thing falls: no independence from the President.

The second issue which came up often was that he was handpicked by far-right groups. There were all these groups that handpicked him, so somehow that made it horrible that these different groups would actually try to support him.

I go back to Justice Kagan. Again, that wasn't the standard at that time, and I could use numerous judges through that process. Elena Kagan was supported by the AFL-CIO, by the Human Rights Campaign, by numerous environmental groups like WildEarth Guardians, Sierra Club, and the National Organization for Women. She had a lot of different liberal or progressive groups that were very outspoken in support of and helping to push her nomination.

There is nothing wrong with that. She was a nominee who was actively engaged in White House politics; she was actively engaged in Democratic campaigns. Before that, as far as working for the Dukakis campaign, she was a Democratic activist, and it was well known. That did not preclude her from getting an up-or-down vote for the Supreme Court because she is sitting on the Supreme Court today. There was no cloture vote mandate or requirement for a 60-vote threshold as there was pushed by this minority.

This issue that somehow you can't be handpicked or that having some groups that would support you from the outside somehow precludes you from being a serious consideration is not legitimate, and everyone knows it.

I have also heard individuals out there saying that he is for torture, he is against privacy, he hates truckers, he will step on the little guy, he is only for big corporations, and he is not mainstream.

Here is the problem: When you actually look at the history, it is very different from that. Of the 2,700 cases that Judge Gorsuch has been involved in, in the 10½ years he has been on the Tenth Circuit, he has been overturned in his opinions once—once in 2,700 cases; 97 percent of the time his cases were settled unanimously, and 99 percent of the time he voted with the majority.

Lest you don't know the Tenth Circuit as we know the Tenth Circuit in Oklahoma, because it is the circuit court for our State, the majority of the judges on the Tenth Circuit are judges selected by President Carter, President Clinton, and President Obama. They hold the majority in the Tenth Circuit. So to say that he voted with them in the majority 99 percent of the time would be to say that the Carter, Clin-

ton, and Obama appointees also apparently had these radical ideas. It is just not consistent with the facts.

Then I have heard of late that the President should have engaged with Senate leadership on both sides of the aisle to be asked for their approval of the nominee before that nominee was ever brought. Well, I don't know if that has ever been a requirement. There have been times that Presidents in the past have had conversations with people on both side of the aisle. Fine, but it is certainly not a requirement of the Constitution, and it certainly doesn't preclude a nomination.

It is interesting to me that Judge Gorsuch offered to meet with 100 Senators one-on-one, face-to-face. Only 80 of them accepted his offer; 20 of them refused to even meet with him face-to-face. He did 4 days of hearings in the Judiciary Committee, 4 solid, long days, where he answered every possible question he could answer.

He has had extensive background checks. Everyone has gone through every piece of everything they could find that has ever been written. In fact, the latest new accusation is they found a couple of places where what he wrote seemed to look strangely like something else someone else wrote—which, when I saw it and read the side-by-side on it, I thought: He forgot to do an annotation and a footnote in the 800 opinions he has written. In the tens of thousands of annotations that he did, he didn't do a couple of them. Somehow that doesn't seem to rise to the level that he shouldn't be on the Supreme Court—that in the tens of thousands of annotations he put there, he might have missed a couple.

I would challenge anyone serving in this body, to say: You can serve only if you have never missed a single footnote on any paper you ever wrote. I would say: Those who live in glass houses probably shouldn't throw stones because we have all had times like that.

He is a solid jurist. I believe he will do a good job. In the time I sat down in his office, we looked at each other face-to-face, and I went through multitudes of hard questions with him, trying to determine his judicial philosophy, seeking one simple thing: Will you interpret the law as the law—not with personal opinion but as the law.

This body is about opinions. This body is about listening to the voices all across our States and trying to make good policy. Across the street at the Supreme Court, it is about one thing: What does the law say and what did it mean when it was written?

The Constitution and law were not living documents. They do live in the sense that if you want to make changes in the Constitution, you amend the Constitution and you make changes to it. You can't suddenly say it meant one thing one day but culture has changed and now it means something new.

If you need new law, this body passes new law. Across the street, they read the law and ask: What does it mean? It is that straightforward.

I look forward to having a jurist on the Supreme Court as an Associate Justice who says: I may not even like all my opinions and you may not like all my opinions, but I am going to follow the law, and what the law says is what we are going to do.

I think that is the best we can ask from a Supreme Court Justice, and I think it is a fair way to be able to get him an up-or-down vote. I have to tell you, I am profoundly disappointed that the Senate, to get a simple up-or-down vote, had to go through all of this just to be able to do what we have always done. Regardless of background or preferences or policy or politics, this body has always said the President, for his nomination, should get an up-or-down vote when they go through the process.

We are going to do that tomorrow. We will put Judge Gorsuch on the bench, and we are ready for him to go to work.

Mr. President, I yield back.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PERDUE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PERDUE. Mr. President, it is humbling to be on the floor of the U.S. Senate with colleagues like Senator LANKFORD from Oklahoma. It is an honor to listen to his words, to his heart, on an issue like today because this is, I believe, a historic day.

On January 31 of this year, I had the great honor of being invited to the White House when President Donald Trump announced his nominee for Associate Justice of the U.S. Supreme Court, Judge Neil Gorsuch. It was a professional rollout of this nomination, but it spoke more to the man, the individual, Judge Gorsuch, than it did to the circumstance surrounding it.

Today, I want to again discuss Judge Gorsuch's nomination and the 200-plus years of historical precedent put on the line today. As an outsider of this political process, it is clear to me what is going on here. It really has nothing to do with Judge Gorsuch.

The minority party today abandoned 230 years of tradition because of politics, in my opinion. Never before in the U.S. history has a purely partisan filibuster killed a Supreme Court nomination. Never before, in the history of our country, has a partisan filibuster killed a district judge nomination. Never before, and until 2003, has a partisan filibuster killed a circuit judge nomination. Mr. President, 2003 was the first time in our history that the rules of

the Senate were used in a purely partisan way to stop a judicial nomination.

In 2003, the Democratic Party threw out over 200 years of precedent when it comes to circuit judge nominees and killed a circuit judge nomination. Today they attempted to do the same thing when it comes to a nominee to the highest Court in the United States.

It should be noted Republicans did not attempt to do this to either Justice Sotomayor or Justice Kagan when they were nominated by President Obama a few years ago. Throughout our history, even the most controversial Supreme Court nominees have gotten an up-or-down vote, a simple majority vote. On that note, I also wish to point out there is no longstanding rule or tradition that a Supreme Court nominee must obtain 60 votes to be confirmed.

Judge Clarence Thomas was confirmed by a narrow 52-to-48 margin. Even though a single Senator could have required 60 votes to invoke cloture, and none did. Likewise, Justice Samuel Alito was confirmed by a 58-to-42 margin. Again, no Senator required 60 votes to invoke cloture. Neither of those nominees were filibustered to death. They got an up-or-down vote.

Mainstream media outlets have repeatedly fact-checked the minority party on this. For example, last week the Washington Post said: "Once again: There is no 'traditional' 60-vote 'standard' or 'rule' for Supreme Court nominations, no matter how much or how often Democrats claim otherwise."

Even PolitiFact has repeatedly pointed out that "Gorsuch, like all other Supreme Court Justice nominees, needs only a simple majority to be confirmed by the Senate."

Clearly, outside of this body, it is recognized in the media, and on both sides of the aisle for that matter, that there is no such thing as a 60-vote standard when it comes to the nomination and confirmation of Supreme Court Justices.

Additionally, the notion that the minority party filibustering Judge Gorsuch's confirmation is the same as our not allowing a vote last year, that logic doesn't hold up.

Last year, I joined many of my colleagues on the Senate floor in explaining why we felt it best not to give advice or consent on the nomination of a Justice to the Supreme Court during a Presidential election year. The integrity of the process, clearly outlined in article II, section 2, of the Constitution was at stake. It was about the principle, not the individual. Unlike the argument that it is tradition for a Supreme Court nominee to receive 60 votes, there is actual precedent for the position we took last year on President Obama's Supreme Court nominee.

Former Vice President Biden, former Minority Leader Reid, and many other Members of both parties have agreed

that the political theater of a Presidential election year should not influence the process.

The last time a Justice was nominated and confirmed by a divided government in a Presidential election year was 1888. Clearly, there is more than 100 years of precedent for the position we took last year in not giving advice and consent.

We took a position that was consistent with more than 100 years of actions and comments from Members of both parties. Let's just get over that. This year stands on its own, independently. The time for debate on this issue has come and gone.

Furthermore, it is obvious that what is at issue here is not Judge Gorsuch's qualifications. In 2006, Judge Gorsuch was confirmed to the Tenth Circuit Court of Appeals by a voice vote in this body with no opposition. Again, no opposition on the floor of the U.S. Senate, just 10 years ago.

Then-Senator Biden did not object, then-Senator Reid did not object, then-Senator Clinton did not object, and, yes, then-Senator Obama did not object. Twelve current Members of this body, including the current senior Senator from New York, the senior Senator from Illinois, the senior Senator from California, did not object to Judge Gorsuch's confirmation in 2006.

It is a simple fact, they had the opportunity to raise an objection, and they did not do it. It is obvious that what is going on here has nothing to do with Judge Gorsuch's qualifications. What is at issue is nothing but pure, unadulterated politics.

This is exactly why I ran for the U.S. Senate, having never been involved in politics. This is what makes people home very nervous about the gridlock in this body. This is why President Trump still cannot meet with his full Cabinet today, months after he was sworn in as our President. This is the very cause of gridlock that I believe is causing the dysfunction in Washington.

As I said, Judge Gorsuch was confirmed unanimously by voice vote with no opposition in 2006. Judge Gorsuch is a principled jurist who is steadfast in his commitment to defending and upholding the Constitution.

In my private meetings with him, I have been very impressed that this is his starting and finishing point: He is there to interpret the law, not to be an activist for his own personal opinion. He boasts a unanimous seal of approval from the gold standard, the American Bar Association.

Throughout his extensive career in both the public and private sectors and through hour after hour of testimony, Judge Gorsuch has demonstrated an impartial commitment to the rule of law. This is another area in which legal minds from both sides of the aisle agree.

Harvard Law School Professor Noah Feldman, himself no conservative,

called it a “truly terrible idea” to try to force Judge Gorsuch, or any judge for that matter, to base their decisions on the parties involved. Beyond a shadow of a doubt, I know that Judge Gorsuch fully understands that the job of a judge is to interpret, not make, the law.

As he himself said, “A judge who likes every result he reaches is very likely a bad judge, reaching for results he prefers rather than those the law compels.”

This commitment to impartiality, regardless of those involved in individual cases, is further evidence his nomination should be confirmed rather than filibustered to death like we have seen today.

Judge Gorsuch’s record is evidence enough that he is an impartial judge committed to the Constitution. The opposition has said he is outside the mainstream. That also doesn’t hold up.

In 97 percent of his 2,700 cases, judges who also heard the cases unanimously ruled with Judge Gorsuch. In 99 percent of his cases, he was not a dissenting vote. The other side is consistent in saying he is not mainstream. Seriously? How much more mainstream does he have to be?

To that point, Judge Gorsuch has drawn praise from both liberals and conservatives alike. Former President Obama’s Acting Solicitor General called Judge Gorsuch “an extraordinary judge and man.”

He is not alone in that assessment of Judge Gorsuch. Mainstream media outlets across the country have praised this nominee to the Supreme Court. Recently, the USA Today Editorial Board wrote: “Gorsuch’s credentials are impeccable . . . he might well show the independence the nation needs at this moment in its history.”

The Washington Post’s Editorial Board wrote:

We are likely to disagree with Mr. Gorsuch on a variety of major legal questions. That is different from saying that he is unfit to serve.

The Wall Street Journal Editorial Board wrote: “No one can replace Antonin Scalia on the Supreme Court, but President Trump has made an excellent attempt by nominating appellate Judge Neil Gorsuch as the ninth justice.”

As I have noted, the minority party’s move to filibuster Judge Gorsuch is not rooted in any actual precedent in the U.S. Senate. It also clearly has nothing to do with Judge Gorsuch himself. By any and all objective measure, he is a mainstream, well-qualified nominee to the U.S. Supreme Court.

That is a point agreed upon by liberals and conservatives alike. Yet here we are still today throwing out almost 230 years of tradition, purely because of politics. This body must rise above the self-manufactured gridlock.

Our last President, according to constitutional law professor Jonathan

Turley, created a constitutional crisis. It was caused by shutting down the Senate and creating the fourth arm of government, the regulators, and threatening the very balance of our three-branch system. It allowed the former President, through regulatory mandates and Executive orders, to basically fundamentally change the direction of the country without Congress.

Given this threat to the Constitution, at this point in our history, we absolutely need a jurist on the Supreme Court who will bring a balanced view and impartial commitment to the rule of law. It is imperative we confirm Judge Neil Gorsuch tomorrow—a principled, thoughtful jurist—to the U.S. Supreme Court.

If we can’t confirm this individual, who is absolutely in the middle of the profile agreed to by past Democrats and Republicans alike, who in the world will we ever be able to confirm?

Seriously, if we can’t get together on this individual, who is in the mainstream in the middle of the profile? How in the world are we ever going to save Social Security, Medicare, all the other critical issues that are before this body? Bipartisan compromise is what this body was built on. I call on my colleagues to put self-interest and even party interest aside for the Nation’s interest.

I count it an honor to be in this body. It is a sobering responsibility, but I am very optimistic when men or women of the character of a Neil Gorsuch are willing to go through this grueling exercise that we put them through in order to serve. Because of that, I am proud tonight to be a part of a majority that stood up and precluded this from happening.

I am so excited that tomorrow we will confirm Judge Neil Gorsuch as the next Associate Justice to the United States Supreme Court.

I yield back my time.

The PRESIDING OFFICER (Mr. YOUNG). The Senator from Ohio.

Mr. PORTMAN. Mr. President, I rise today to express my strong support again for Judge Neil Gorsuch. I spoke on the floor the other day about Judge Gorsuch. I just heard my colleague from Georgia talk about him, and he did a terrific job.

This guy, Neil Gorsuch, is the right person for the job. He is qualified. He is smart and he is fair, and a bipartisan majority of the Senate will vote for this worthy candidate tomorrow. Let me underscore that. A bipartisan majority of the Senate will vote for this worthy candidate tomorrow. He will end up getting on the Court.

I must tell you that I regret that some of my colleagues on the other side of the aisle refused to provide him that up-or-down vote without going through the process we had to go through today. As someone who has

gone through two Senate confirmations myself, I know they are not always easy. But I will tell you, it is a whole lot better for this institution and our country when we figure out ways to work together—in this case, to continue a Senate tradition of allowing up-or-down votes.

I like to work across the aisle. I have done that through my career. I can point to 50 bills I authored or co-authored that have become law in the last 6 years. They were bipartisan, by definition, because they got through this body and were signed into law by President Obama. I have voted for President Obama’s nominees before President Trump. When President Obama had a well-qualified judge here on the floor, I voted for that judge. I voted for Loretta Lynch. That was not an easy vote. I took heat for it back home because I thought she was well-qualified. I think that is what we ought to do in this body.

I am disappointed in the situation we are in. I think we could have followed more than 200 years of Senate tradition and not allowed for a partisan filibuster to try to block this nomination. We chose not to do that in this body. Never in the history of this body has there been a successful partisan filibuster of a Supreme Court judge—never. Some of my colleagues said: How about Abe Fortas? That was several decades ago, and that was bipartisan. Abe Fortas was a Supreme Court Justice who had some ethics issues, and he actually dropped out of trying to get the nomination because of it. But never have we stood up as Republicans—or stood up as Democrats—and blocked a nominee by using the filibuster. It has just not been the tradition.

Instead, it has been to allow an up-or-down vote—a majority vote. There are two Justices on the Supreme Court right now who got confirmed with less than 60 votes. One is Clarence Thomas—probably the most controversial nominee in the last couple of decades, I would say. I wasn’t in the Senate then, but I was watching it, as many of you were. It was certainly controversial, yet he got to the Court with 52 votes. Justice Alito was confirmed by 58 votes only 10 years ago. So these nominees were not filibustered.

By the way, President Obama’s nominees, Elena Kagan and Justice Sotomayor, were not filibustered by Republicans. They were given an up-or-down vote. In the history of the Senate, 12 nominations have been defeated on the floor, but, again, never a successful partisan filibuster. Even Judge Robert Bork—some of you remember that nomination. It was very controversial. His nomination was defeated in 1987. He was a Reagan appointee. But he wasn’t filibustered. They had an up-or-down vote, and he was voted down.

So what are these objections to Judge Gorsuch that would rise to that level where we want to say that over 200 years of Senate tradition ought to be shunted aside and we ought to stop this man? What are those objections? I must say that I have listened to the floor debate and talked to some of my colleagues on the other side of the aisle. I made my case. They made their case. I just don't see why this man is not qualified. He was a law clerk for two Supreme Court Justices. He served in the Justice Department and had a distinguished career there. He was also a successful lawyer in the private sector. And of course, he has been a Federal judge for a decade. So we can look at his record.

My colleague from Georgia just talked about that record. It is why the American Bar Association—a group not known to be a conservative body—decided that he was “well qualified.” They unanimously declared him to get their highest rating of “well qualified.” This is what they said about him. They said:

Based on the writings, interviews, and analyses we scrutinized to reach our rating, we discerned that Judge Gorsuch believes strongly in the independence of the judicial branch of government, and we predict that he will be a strong but respectful voice in protecting it.

That is why the American Bar Association gave him their highest rating. Not qualified? By the way, nobody objected—nobody—for any reason, to his nomination to serve as a Federal judge, to be a circuit court judge, a level right below the Supreme Court, back in 2006. Not a single Senator objected. By the way, those Senators included Senator Hillary Clinton, Senator Barack Obama, Senator Joe Biden, and a number of Senators, of course, who are still here today with us, who chose to filibuster this nomination. So I don't know.

I heard some of my colleagues talk about some of his decisions. They have picked one or two of his decisions as judge over the past 10 years and said they didn't like the outcome, and that is why he is not qualified to sit on the Supreme Court. I have a couple of concerns with that argument. One, Judge Gorsuch has decided over 2,700 cases. I am sure we can all find one or two of these we didn't like. That is true for any judge. As I said, I voted for a number of President Obama's nominees, and I voted against others based on the merits and based on their qualifications. It didn't mean I agreed with them—trust me—or disagreed with them on everything. The odds are very good that you agree with Judge Gorsuch's decisions a lot more than you disagree with them. You know why I say that? Because the odds are really good that you agreed with them. Let's try 97 percent, because 97 percent is the number of his decisions that were

unanimous with the other judges on a three-judge panel. So 97 percent of the time, his decisions were unanimous.

Who is on these three-judge panels? Well, it is usually bipartisan in the sense that it is nominees who have been nominated by different Presidents of different parties. In the case of his circuit court, there is Judge Paul Kelly, who was appointed by President George H.W. Bush. There have also been several of his colleagues who were appointed by President Bill Clinton. Judge Gorsuch even mentioned in his testimony that he was on judge panels. He presided with Judge William Holloway, who was appointed by President Lyndon B. Johnson. So these three-judge panels tend to have judges that were appointed by Republicans and Democrats alike—97 percent of the time unanimous. And 98 percent of the time, his decisions were in the majority.

So again, I think the odds are pretty good that we are going to agree with Judge Gorsuch a lot more than we disagree when we look at his cases. He is a consensus builder. He is a guy who figures out how to come to a decision people agree with on different sides of the aisle, and from different points of view. That is what his record is. Actually, that doesn't surprise me at all, because he clerked in the Supreme Court for two Justices. One was Byron White and the other was Justice Anthony Kennedy. Those are two Justices who get a lot of heat. Byron White did, and Anthony Kennedy does—from both sides. Why? Because they tend to be in the middle. They write a lot of decisions that are consensus decisions. They tend to be that fifth vote on a 5-to-4 decision. That is whom he clerked for.

To note that somehow this guy shouldn't be confirmed for the Supreme Court because of one or two decisions just doesn't seem to be legitimate to me. This is a guy who had thousands of decisions, and the vast majority were 98 percent or 97 percent unanimous. He had one decision that was appealed to the Supreme Court because the litigants must have thought he was wrong. They took it to the Supreme Court to correct him. What happened? The Supreme Court affirmed it. They agreed with Judge Gorsuch.

I don't know whom you could find out there among judges who has a stronger record. In every case, somebody wins and somebody loses. I get that. Think about this: Out of Judge Gorsuch's 180 written opinions, only one has ever been appealed to the Supreme Court—wow. And they agreed with his ruling.

He made it clear he makes decisions not based on the outcome he likes, but based on what the law says. He thinks his job on the court for the last decade—and going forward—is to actually look at the law and decide what the

law says and what the Constitution provides, not what he wants.

I think that is the kind of judge we would want—particularly those of us who are lawmakers, right? We are the ones writing the laws. We would hope that would be respected and that judges wouldn't try to legislate. This is what he said in his testimony:

A judge who likes every outcome he reaches is very likely a bad judge . . . I have watched my colleagues spend long days worrying over cases. Sometimes the answers we reach aren't ones we would personally prefer. Sometimes the answers follow us home and keep us up at night. But the answers we reach are always the ones we believe the law requires.

Interesting perspective. He is saying: Hey, if you like all your decisions, you are probably not a very good judge because your personal beliefs aren't always going to be consistent with what the law says or the Constitution says.

He goes on to say:

I've ruled for disabled students, for prisoners, for the accused, for workers alleging civil rights violations, and for undocumented immigrants. Sometimes, too, I've ruled against such persons. My decisions have never reflected a judgment about the people before me, only a judgment of the law and the facts at issue in each particular case.

Again, it seems to me that is the kind of person you want on the court. Making a decision as a judge is not about ruling in favor or against somebody because you like them or don't like them. It is about applying what the law says. As he said in his testimony recently, his philosophy is “to strive to understand what the words on the page mean . . . [to] apply what the people's representatives, the lawmakers, have done.” That is us. That is the House. That is people who are elected back home by the people who expect us to be the elected representatives and to listen to their concerns and then vote. Those laws should not be rewritten by the judiciary. That is the approach he takes. I would think any legislator would want to ensure the laws we pass are applied as written. Much more importantly, that is what people want too. That is what people should insist on. We want our votes to count. We want our voices to be heard.

President Lincoln warned in his first inaugural address that if judges legislate from the bench, “the people will have ceased to be their own rulers.”

“The people will have ceased to be their own rulers” if judges legislate from the bench.

I think President Lincoln was right. When judges become legislators, the people do have less of a voice. Judge Gorsuch himself summed it up. He said: “If judges were just secret legislators, declaring not what the law is but what they would like it to be, the very idea of government by the people and for the people would be at risk.” I think that is the deeper issue here.

Again, I think he is the kind of judge we should want. Judge Gorsuch and I

had the chance to sit down and talk about this philosophy. We talked about his background and his qualifications. I asked him some very tough questions, as he got asked during the Judiciary Committee nomination process. His hearings were something that all Americans had the opportunity to watch. He did a great job, in my view, because he did focus on how he believes that his job is not to allow his personal beliefs to guide him but, rather, upholding the law as written and the Constitution.

I think that approach is a big reason he has earned the respect of lawyers and judges from across the spectrum, by the way. If you look at the people who say this guy is a great judge, it goes all the way across the political spectrum.

Professor Laurence Tribe of Harvard Law School, an advisor to former President Obama, said Judge Gorsuch is "a brilliant, terrific guy who would do the Court's work with distinction." Those of you who know Laurence Tribe, he is well-regarded, considered to be a liberal thinker on many issues. But he has looked at the guy, and he has looked at his record. He knows him. He says he is brilliant, terrific, and will do the Court's work with distinction.

Neal Katyal—you have heard about him. He was the Acting Solicitor General for President Obama, a guy who knows a thing or two about arguing before the Supreme Court. He said Judge Gorsuch's record "should give the American people confidence that he will not compromise principle to favor the President who appointed him. . . . He's a fair and decent man."

This goes to what the ABA said about him: Independent. He will protect the independence of the judiciary.

Look, he is smart, no question about it. You saw him answer those questions. You have seen his record. He is qualified, as we talked about. He is certainly a mainstream judge, when you look at his opinions—98 percent of the time in the majority, 97 percent of the time unanimous. Three-judge panels. He has the support—the bipartisan support—of a majority of the Senate.

By the way, the American people, as they have plugged into this, also think he ought to be confirmed. There is a recent poll by the Huffington Post, which is not considered a conservative newspaper or entity. They said the people want us to confirm Neil Gorsuch by a 17-point margin. Why? Because they watched this. They looked at the guy. They saw the hearings. They looked at his record. People believe he is the right person to represent them on the Supreme Court.

So, again, while I am disappointed this process has become so polarized and divisive here in this body, I am glad to see this good man take a seat in our Nation's highest Court. I believe he deserves our support.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO FREY TODD

Mr. MCCONNELL. Mr. President, today it is my privilege to celebrate the retirement of Frey Todd, the "Mayor for Life" of Eubank, KY.

In the last census, Eubank was home to fewer than 400 Kentuckians, but despite their small number, the Eubank community is proud of their town and their mayor.

Since the 1960s, Todd has served his community on the town board. He spent 10 years as the chair of the board, and when Kentucky reorganized municipal governments in 1982 and the position of mayor became available, he proudly was elected its first mayor. And every 4 years since, Todd has been elected by his constituents to be their mayor.

Over his 35-year tenure as mayor, Todd has overseen major projects like the construction of the senior citizens center and the Eubank Water System.

In a small town like Eubank, the people and their government are almost as close as family. Throughout his entire career, Mayor Todd has shown his passion for his constituents, and they have returned the affection.

At the age of 82, Todd announced his retirement from public service. I would like to join with all the people of Eubank to thank him for his years of dedication and congratulate him on an impressive career.

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter

references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-80, concerning the Army Corps of Engineers' proposed Letter(s) of Offer and Acceptance to the Government of Kuwait for airbase construction and services estimated to cost \$319 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 16-80

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Kuwait.

(ii) Total Estimated Value:

Major Defense Equipment* \$ 0 million.

Other \$319 million.

Total \$319 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Non-MDE: Design, construction, and procurement of key airfield operations, command and control, readiness, sustainment, and life support facilities for the Al Mubarak Airbase in Kuwait. The U.S. Army Corps of Engineers (USACE) will provide project management, engineering services, technical support, facility and infrastructure assessments, surveys, planning, programming, design, acquisition, contract administration, construction management, and other technical services for the construction of facilities and infrastructure for the airbase. The overall project includes, among other features, a main operations center, hangars, training facilities, barracks, warehouses, support facilities, and other infrastructure required for a fully functioning airbase.

(iv) Military Department: U.S. Army Corps of Engineers (USACE) (HBE).

(v) Prior Related Cases, if any: N/A.

(vi) Sales Commission. Fee, etc., Paid. Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: April 6, 2017.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Kuwait—Facilities and Infrastructure Construction Support Service

The Government of Kuwait has requested possible sale for the design, construction, and procurement of key airfield operations, command and control, readiness, sustainment, and life support facilities for the Al Mubarak Airbase in Kuwait. The U.S.

Army Corps of Engineers (USACE) will provide project management, engineering services, technical support, facility and infrastructure assessments, surveys, planning, programming, design, acquisition, contract administration, construction management, and other technical services for the construction of facilities and infrastructure for the airbase. The overall project includes, among other features, a main operations center, hangars, training facilities, barracks, warehouses, support facilities, and other infrastructure required for a fully functioning airbase. The estimated total cost is \$319 million.

The proposed sale will contribute to the foreign policy and national security of the United States by supporting the infrastructure needs of a friendly country which has been, and continues to be, an important force for political stability and economic progress in the Middle East.

The facilities being constructed are similar to other facilities built in the past by USACE in other Middle Eastern countries. These facilities replace existing facilities and will provide autonomous airbase operations to the Kuwait Air Force. The new airbase will ensure the continued readiness of the Kuwait Air Force and allow for the continued education of current and future Kuwait Air Force personnel. The construction of this airbase will enable Kuwait to enhance the operational effectiveness of its military and promote security and stability throughout Kuwait. Kuwait will have no difficulty absorbing this additional capability into its armed forces.

The proposed sale of this infrastructure and support will not alter the basic military balance in the region.

USACE is the principal organization that will direct and manage this program. USACE will provide services through both in-house personnel and contract services. The estimated number of U.S. Government and contractor representatives to be assigned to Kuwait to implement the provisions of this proposed sale will be determined as a result of program definitization.

There are no known offset agreements proposed in connection with this potential sale.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale. All defense articles and services listed in this transmittal are authorized for release and export to the Government of Kuwait.

H.J. RES. 66 AND H.J. RES. 67

Mr. CASEY. Mr. President, the easiest way for workers to save the additional money they need for retirement is through work-based retirement plans. When workers have access to work-based plans, the vast majority of them choose to participate, but many Americans do not work for an employer that offers such a plan. According to AARP, 55 million private-sector workers ages 18 to 64 had no ability to save for retirement through an employer-sponsored plan in 2013. Of those workers, 2.2 million lived in Pennsylvania.

In response, numerous States and multiple cities have considered programs that would give residents better access to retirement savings accounts, and multiple States have already passed laws putting such programs in

place: Our Republican colleagues are trying to nullify efforts by these States and cities, rolling back their efforts to give their citizens better access to retirement savings accounts.

It is both surprising and disappointing to see this opposition mounted against a measure we should all be able to support—enhancing access to retirement savings. In undermining these programs, Republicans will be denying access to safe, low-cost retirement savings vehicles.

A recent study looking at just the city of Philadelphia found that roughly half of Philadelphia workers between the ages of 25 and 64 did not have access to an employer-sponsored retirement plan at work. Further, 20 percent of Philadelphians over the age of 65 are poor, compared to 9 percent nationwide; 30 percent of Philadelphians over the age of 65 have incomes between 100 and 200 percent of poverty.

One of the most important elements of economic security for the middle class is retirement security. Millions of Americans ask, “Will I have enough money saved to retire and retire comfortably?” The answer to that question for too many Pennsylvanians is no. Looking at these facts, Philadelphia took action and began exploring ways to expand access to saving for our workers. Through these resolutions, Republicans will severely undermine the efforts of cities and States to expand access to retirement savings vehicles to the citizens by facilitating IRA retirement savings through private employers.

The programs States and cities are pursuing are simple, low-cost, and voluntary. Most would simply require that employers that do not currently offer a plan facilitate voluntary employee contributions to an Individual Retirement Account. Our State and local governments are our idea incubators. Many of our States and cities, including Philadelphia, want to make it easier for workers to save for retirement. In repealing this guidance, Republicans are hindering that effort.

COMBATING GLOBAL CORRUPTION ACT

Mr. CARDIN. Mr. President, this week, I introduced, along with Senators PERDUE, FEINSTEIN, RUBIO, BLUMENTHAL, COLLINS, MERKLEY, BOOKER, and LEAHY, the Combating Global Corruption Act of 2017.

Global corruption is a fundamental obstacle to peace, prosperity, and human rights. It is fueling transnational criminal networks and violent extremism, and combatting it should be elevated and prioritized across our foreign policy efforts.

I know my colleagues understand the crucial importance of addressing corruption because it undermines public confidence in government institutions

and fosters resentment and instability. There is growing recognition across the United States and around the world that corruption is a serious threat to international security and stability. The countries and names might be different, but the characteristics and the impact on innocent people are the same.

The bribery scandal surrounding the huge Brazilian construction firm Odebrecht has tarnished politicians and governments from Peru to Columbia to Mexico. Rampant corruption in oil-rich Angola is depriving children of a quality education and contributing to the highest child mortality rate in the world. While progress is now being made, extensive corruption in Afghanistan resulted in billions of dollars of assistance winding up in the pockets of crooked elites.

The connections are clear: Where there are high levels of corruption, we find fragile states, political instability, and people suffering from hunger and violence.

Corruption is a global problem, but its consequences take the harshest toll at the local level, and it is very tough to fight. The problem of corruption, and the disruption and suffering it causes, involves many corrupt actors, from government officials to businessmen, from law enforcement and military personnel to street gangs. Corruption is a system that operates via extensive, entrenched networks in both the public and private sectors.

We know that corruption is the lifeblood of Vladimir Putin's Russia, and it is the glue for his regime's survival. Parasitic at home, deeply corrupt regimes like Putin's seek to enrich themselves, hollow out their own countries' institutions, and subvert rules-based democratic states abroad. An anticorruption platform run by opposition activist and aspiring, Presidential candidate Alexei Navalny recently released information uncovering four mansions, an Italian vineyard, yachts, and other high-value assets reportedly held by Prime Minister Dmitry Medvedev. Anticorruption demonstrations, in Moscow, St. Petersburg, and across the country in recent weeks reflect the ongoing resistance of the Russian people to government corruption. Hundreds were arrested. Prominent anticorruption activist Ildar Dadin, who has already spent over a year in prison for earlier protests, was among those arrested.

Corruption feeds the destructive fire of criminal networks and transnational crime. Citizens lose faith in the social compact between governments and the people. In Venezuela, we have seen how rampant corruption has collapsed the country's economy, sparked a humanitarian crisis, and produced chains of money laundering that span several continents. The ongoing crisis there now threatens to collapse the last few remnants of the rule of law.

Corruption also fuels violence by security forces. South Sudan's kleptocrats have either failed to pay or delayed salary payments to their soldiers who have in turn taken out their rage on innocent civilians, attacking them, looting and burning their homes, and engaging in other violent criminality.

We should take heart that in just the past 2 years, popular protests against corruption have broken out in Iraq, Azerbaijan, Brazil, Guatemala, Honduras, Lebanon, Malaysia, Moldova, and Venezuela. In Romania, efforts to weaken anticorruption laws there prompted an estimated 500,000 protesters to take to the streets last month, even after the government repealed its decree, showing the degree to which citizens are fed up with graft and determined to push back. These were the largest demonstrations since the fall of communism.

Some victims express their frustration through peaceful protest, but not all. The revolutions of the Arab Spring and Ukraine began, in part, as determined anticorruption protests.

In every country where protests erupted in 2011, demonstrators condemned the corruption of detested ruling elites and demanded accountability and the return of looted assets. These revolutions have degenerated into some of the chief security challenges we confront now—Russian aggression in Ukraine, 6 years of slaughter in Syria, the implosion of Libya, a brutal war in Yemen, the fraying of Iraq, and an expanding insurgency in Egypt.

Official corruption fuels radical extremism and terrorism, too; it gives credibility to militant religious extremists and helps them gain recruits and increasing footholds in Afghanistan and Iraq to Pakistan, Central Asia, the Sahel, and West Africa. It may seem like a spurious example, but it can be persuasive to a young Nigerian man whose sister was molested by a teacher as the cost for attending school.

Let's be clear-eye. Any fight against corruption will be long-term and difficult. It is a fight against powerful people, powerful companies, and powerful interests. It is about changing a mindset and a culture as much as it is about establishing and enforcing laws.

As my colleagues and constituents know, my attention has long been focused on fighting corruption. I introduced the Global Magnitsky Human Rights Accountability Act to target human rights abusers and corrupt individuals around the globe who threaten the rule of law and deny fundamental freedoms, but the problem is so big—we simply have to do more.

This is why this week I introduced with bipartisan support the Combating Global Corruption Act of 2017 in the U.S. Senate.

We must meet the scale of entrenched corruption with greater re-

solve and commitment. To do that, I believe we must focus on three things which I will lay out in my legislation.

First, we must institutionalize the fight against corruption as a national security priority. In my bill, the State Department will produce an annual report, similar to the Trafficking in Persons Report, which takes a close look at each country's efforts to combat corruption. That model, which has effectively advanced the effort to combat modern day slavery, will similarly embed the issue of corruption in our collective work, so that we hold governments to account.

The bill establishes minimum standards for combating corruption—standards that should be every government's duty to its citizens. These include whether a country has laws that recognize corrupt acts for the crimes they are—violations of the people's trust—and that come with serious penalties for breaking that trust; whether an independent judiciary decides corruption cases, free from influence and abuse; whether there is support for civil society organizations that are the watchdogs of integrity against would-be thieves of the state. This bill aims to build anticorruption DNA into the basic functions of government.

Second, the bill would improve the way we look at our own foreign and security assistance, and promote more transparency—let in some daylight. For countries that fall short on their corruption efforts, the bill calls for an assessment of the risk of corruption for our foreign assistance and steps to combat corruption, including the ability to claw back any funds diverted from their intended purpose and terminate compromised programs. American taxpayers should know how our foreign assistance is spent, and they should feel confident that we are doing the kind of risk assessments, analysis, and oversight that ensure our assistance to other countries is having the effect we want it to have.

Third, the bill consolidates information about anticorruption efforts abroad and puts it online, where citizens can see the numbers and the programs. That kind of transparency is essential to open government, but in my experience, it also has the effect of making us better at self-policing our work. We can use the data to capture redundancies and analyze trends, improving our decisionmaking.

I urge my colleagues to join me and the bipartisan cosponsors of this legislation in this effort. The success of our diplomacy, and the ultimate impact of our international security efforts depend on it.

Thank you.

JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

RULES OF PROCEDURE

Mr. SHELBY. Mr. President, on April 6, 2017, the Joint Committee of Congress on the Library organized, elected a chairman, a vice chairman, and adopted committee rules for the 115th Congress. Members of the Joint Committee on the Library elected Congressman GREGG HARPER as chairman and Senator RICHARD SHELBY as vice chairman. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF PROCEDURE OF THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY—115TH CONGRESS

TITLE I—MEETINGS OF THE COMMITTEE

1. Regular meetings may be called by the Chairman, with the concurrence of the Vice-Chairman, as may be deemed necessary or pursuant to the provision of paragraph 3 of rule XXVI of the Standings Rules of the Senate.

2. Meetings of the committee, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the committee on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in subparagraphs (A) through (F) would require the meeting to be closed followed immediately by a recorded vote in open session by a majority of the members of the committee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(A) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(B) will relate solely to matters of the committee staff personal or internal staff management or procedures;

(C) will tend to charge an individual with a crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of privacy of an individual;

(D) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interest of effective law enforcement;

(E) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the benefit, and is required to be kept secret in

order to prevent undue injury to the competitive position of such person; or

(F) may divulge matters required to kept confidential under the provisions of law or Government regulation. (Paragraph 5(b) of rule XXVI of the Standing Rules of the Senate.)

3. Written notices of committee meetings will normally be sent by the committee's staff director to all members at least 3 days in advance. In addition, the committee staff will email or telephone reminders of committee meetings to all members of the committee or to the appropriate staff assistants in their offices.

4. A copy of the committee's intended agenda enumerating separate items of committee business will normally be sent to all members of the committee by the staff director at least 1 day in advance of all meetings. This does not preclude any member of the committee from raising appropriate non-agenda topics.

5. Any witness who is to appear before the committee in any hearing shall file with the clerk of the committee at least 3 business days before the date of his or her appearance, a written statement of his or her proposed testimony and an executive summary thereof, in such form as the Chairman may direct, unless the Chairman waived such a requirement for good cause.

TITLE II—QUORUMS

1. Pursuant to paragraph 7(a)(1) of rule XXVI of the Standing Rules, 4 members of the committee shall constitute a quorum.

2. Pursuant to paragraph 7(a)(2) of rule XXVI of the Standing Rules, 2 members of the committee shall constitute a quorum for the purpose of taking testimony; provided, however, once a quorum is established, any one member can continue to take such testimony.

3. Under no circumstance may proxies be considered for the establishment of a quorum.

TITLE III—VOTING

1. Voting in the committee on any issue will normally be by voice vote.

2. If a third of the members present so demand, a recorded vote will be taken on any question by roll call.

3. The results of the roll call votes taken in any meeting upon a measure, or any amendment thereto, shall be stated in the committee report on that measure unless previously announced by the committee, and such report or announcement shall include a tabulation of the votes cast in favor and the votes cast in opposition to each measure and amendment by each member of the committee. (Paragraph 7(b) and (c) of rule XXVI of the Standing Rules.)

4. Proxy voting shall be allowed on all measures and matters before the committee. However, the vote of the committee to report a measure or matters shall require the concurrence of a majority of the members of the committee who are physically present at the time of the vote. Proxies will be allowed in such cases solely for the purpose of recording a member's position on the question and then only in those instances when the absentee committee member has been informed of the question and has affirmatively requested that he be recorded. (Paragraph 7(a)(3) of rule XXVI of the Standing Rules.)

TITLE IV—DELEGATION AND AUTHORITY TO THE CHAIRMAN AND VICE CHAIRMAN

1. The Chairman and Vice Chairman are authorized to sign all necessary vouchers and routine papers for which the committee's approval is required and to decide in

the committee's behalf on all routine business.

2. The Chairman is authorized to engage commercial reporters for the preparation of transcripts of committee meetings and hearings.

3. The Chairman is authorized to issue, on behalf of the committee, regulations normally promulgated by the committee at the beginning of each session.

JOINT COMMITTEE ON PRINTING

RULES OF PROCEDURE

Mr. SHELBY. Mr. President, on April 6, 2017, the Joint Committee on Printing organized, elected a chairman, a vice chairman, and adopted committee rules for the 115th Congress. Members of the Joint Committee on Printing elected Senator RICHARD SHELBY as chairman and Congressman RODNEY DAVIS as vice chairman. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JOINT COMMITTEE ON PRINTING—115TH CONGRESS

RULE 1.—COMMITTEE RULES

(a) The rules of the Senate and House insofar as they are applicable, shall govern the Committee.

(b) The Committee's rules shall be published in the Congressional Record as soon as possible following the Committee's organizational meeting in each odd-numbered year.

(c) Where these rules require a vote of the members of the Committee, polling of members either in writing or by telephone shall not be permitted to substitute for a vote taken at a Committee meeting, unless the Ranking Minority Member assents to waiver of this requirement.

(d) Proposals for amending Committee rules shall be sent to all members at least one week before final action is taken thereon, unless the amendment is made by unanimous consent.

RULE 2.—REGULAR COMMITTEE MEETINGS

(a) The regular meeting date of the Committee shall be the second Wednesday of every month when the House and Senate are in session. A regularly scheduled meeting need not be held if there is no business to be considered and after appropriate notification is made to the Ranking Minority Member. Additional meetings may be called by the Chairman, as he may deem necessary or at the request of the majority of the members of the Committee.

(b) If the Chairman of the Committee is not present at any meeting of the Committee, the Vice-Chairman or Ranking Member of the majority party on the Committee who is present shall preside at the meeting.

RULE 3.—QUORUM

(a) Five members of the Committee shall constitute a quorum, which is required for the purpose of closing meetings, promulgating Committee orders or changing the rules of the Committee.

(b) Three members shall constitute a quorum for purposes of taking testimony and receiving evidence.

RULE 4.—PROXIES

(a) Written or telegraphic proxies of Committee members will be received and recorded on any vote taken by the Committee, except for the purpose of creating a quorum.

(b) Proxies will be allowed on any such votes for the purpose of recording a member's position on a question only when the absentee Committee member has been informed of the question and has affirmatively requested that he be recorded.

RULE 5.—OPEN AND CLOSED MEETINGS

(a) Each meeting for the transaction of business of the Committee shall be open to the public except when the Committee, in open session and with a quorum present, determines by roll call vote that all or part of the remainder of the meeting on that day shall be closed to the public. No such vote shall be required to close a meeting that relates solely to internal budget or personnel matters.

(b) No person other than members of the Committee, and such congressional staff and other representatives as they may authorize, shall be present in any business session that has been closed to the public.

RULE 6.—ALTERNATING CHAIRMANSHIP AND VICE-CHAIRMANSHIP BY CONGRESSES

(a) The Chairmanship and Vice Chairmanship of the Committee shall alternate between the House and the Senate by Congresses: The senior member of the minority party in the House of Congress opposite of that of the Chairman shall be the Ranking Minority Member of the Committee.

(b) In the event the House and Senate are under different party control, the Chairman and Vice Chairman shall represent the majority party in their respective Houses. When the Chairman and Vice-Chairman represent different parties, the Vice-Chairman shall also fulfill the responsibilities of the Ranking Minority Member as prescribed by these rules.

RULE 7.—PARLIAMENTARY QUESTIONS

Questions as to the order of business and the procedures of Committee shall in the first instance be decided by the Chairman; subject always to an appeal to the Committee.

RULE 8.—HEARINGS: PUBLIC ANNOUNCEMENTS AND WITNESSES

(a) The Chairman, in the case of hearings to be conducted by the Committee, shall make public announcement of the date, place and subject matter of any hearing to be conducted on any measure or matter at least one week before the commencement of that hearing unless the Committee determines that there is good cause to begin such hearing at an earlier date. In the latter event, the Chairman shall make such public announcement at the earliest possible date. The staff director of the Committee shall promptly notify the Daily Digest of the Congressional Record as soon as possible after such public announcement is made.

(b) So far as practicable, all witnesses appearing before the Committee shall file advance written statements of their proposed testimony at least 48 hours in advance of their appearance and their oral testimony shall be limited to brief summaries. Limited insertions or additional germane material will be received for the record, subject to the approval of the Chairman.

RULE 9.—OFFICIAL HEARING RECORD

(a) An accurate stenographic record shall be kept of all Committee proceedings and actions. Brief supplemental materials when required to clarify the transcript may be inserted in the record subject to the approval of the Chairman.

(b) Each member of the Committee shall be provided with a copy of the hearing transcript for the purpose of correcting errors of transcription and grammar, and clarifying questions or remarks. If any other person is authorized by a Committee Member to make his corrections, the staff director shall be so notified.

(c) Members who have received unanimous consent to submit written questions to witnesses shall be allowed two days within which to submit these to the staff director for transmission to the witnesses. The record may be held open for a period not to exceed two weeks awaiting the responses by witnesses.

(d) A witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the Committee. Testimony received in closed hearings shall not be released or included in any report without the approval of the Committee.

RULE 10.—WITNESSES FOR COMMITTEE HEARINGS

(a) Selection of witnesses for Committee hearings shall be made by the Committee staff under the direction of the Chairman. A list of proposed witnesses shall be submitted to the members of the Committee for review sufficiently in advance of the hearings to permit suggestions by the Committee members to receive appropriate consideration.

(b) The Chairman shall provide adequate time for questioning of witnesses by all members, including minority Members and the rule of germaneness shall be enforced in all hearings notified.

(c) Whenever a hearing is conducted by the Committee upon any measure or matter, the minority on the Committee shall be entitled, upon unanimous request to the Chairman before the completion of such hearings, to call witnesses selected by the minority to testify with respect to the measure or matter during at least one day of hearing thereon.

RULE 11.—CONFIDENTIAL INFORMATION FURNISHED TO THE COMMITTEE

The information contained in any books, papers or documents furnished to the Committee by any individual, partnership, corporation or other legal entity shall, upon the request of the individual, partnership, corporation or entity furnishing the same, be maintained in strict confidence by the members and staff of the Committee, except that any such information may be released outside of executive session of the Committee if the release thereof is effected in a manner which will not reveal the identity of such individual, partnership, corporation or entity in connection with any pending hearing or as a part of a duly authorized report of the Committee if such release is deemed essential to the performance of the functions of the Committee and is in the public interest.

RULE 12.—BROADCASTING OF COMMITTEE HEARINGS

The rule for broadcasting of Committee hearings shall be the same as Rule XI, clause 4, of the Rules of the House of Representatives.

RULE 13.—COMMITTEE REPORTS

(a) No Committee report shall be made public or transmitted to the Congress without the approval of a majority of the Committee except when Congress has adjourned: provided that any member of the Committee may make a report supplementary to or dissenting from the majority report. Such supplementary or dissenting reports should be as brief as possible.

(b) Factual reports by the Committee staff may be printed for distribution to Com-

mittee members and the public only upon authorization of the Chairman either with the approval of a majority of the Committee or with the consent of the Ranking Minority Member.

RULE 14.—CONFIDENTIALITY OF COMMITTEE REPORTS

No summary of a Committee report, prediction of the contents of a report, or statement of conclusions concerning any investigation shall be made by a member of the Committee or by any staff member of the Committee prior to the issuance of a report of the Committee.

RULE 15.—COMMITTEE STAFF

(a) The Committee shall have a staff director, selected by the Chairman. The staff director shall be an employee of the House of Representatives or of the Senate.

(b) The Ranking Minority Member may designate an employee of the House of Representatives or of the Senate as the minority staff director.

(c) The staff director, under the general supervision of the Chairman, is authorized to deal directly with agencies of the Government and with non-Government groups and individuals on behalf of the Committee.

(d) The Chairman or staff director shall timely notify the Ranking Minority Member or the minority staff director of decisions made on behalf of the Committee.

RULE 16.—COMMITTEE CHAIRMAN

The Chairman of the Committee may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective operation of the Committee. Specifically, the Chairman is authorized, during the interim periods between meetings of the Committee, to act on all requests submitted by any executive department, independent agency, temporary or permanent commissions and committees of the Federal Government, the Government Publishing Office and any other Federal entity, pursuant to the requirements of applicable Federal law and regulations.

REMEMBERING EDWARD "NICK" McMANUS

Mr. GRASSLEY. Mr. President, today I wish to pay tribute to fellow Iowan Judge Edward "Nick" McManus.

Judge McManus died earlier this month at the age of 97.

He has a long and deep history in Iowa politics and judicial activities.

When I first entered the State legislature, Judge McManus was known as Lieutenant Governor McManus. He also served in the Iowa Senate.

In 1962, President John F. Kennedy appointed him chief judge of the Northern District of Iowa where he served for 23 years when he took senior status. His ascension to this position made him the first native-born Iowan appointed to the Federal Northern District Court of Iowa. He remained on the bench for a total of 55 years and was still taking cases at the time of his death.

He was proud of his service on the court and the modernization of the court he started in 1962.

Upon Judge McManus's death, current acting U.S. Attorney Sean Berry

told the Cedar Rapids Gazette, "The changes implemented by Judge McManus left an indelible and positive impact on the efficient administration of justice for all litigants in the federal court."

He took great pride that the only time he had a backlog of cases was the first 100 that were there when he took the job. He took very seriously the Bill of Rights Sixth Amendment where it says "the accused shall enjoy the right to a speedy and public trial."

His longtime assistant, Deb Frank, may have said it best, "I know he loved to work. He loved what he was doing. I think it's just the whole idea of coming to the office every day and doing what needed to be done."

Barbara and I send our sincerest condolences to Judge McManus's five sons, two step-sons, other family members, and friends.

He served our State and our country with great distinction and will be missed.

102ND ANNUAL CONFERENCE OF THE WYOMING STATE SOCIETY, DAUGHTERS OF THE AMERICAN REVOLUTION

Mr. ENZI. Mr. President, I appreciate having this opportunity to recognize the 102nd annual conference of the Wyoming State Society, Daughters of the American Revolution. This year's conference is being held in Casper and once again promises to be an interesting, informative, and inspirational event.

In the years since the National Society Daughters of the American Revolution was founded on October 11, 1890, the organization has kept its focus on the preservation and promotion of the ideals, principles, and values that are reflected in our Charters of Freedom—the Declaration of Independence, the Constitution and the Bill of Rights. They knew what a great gift we have been given with our citizenship in the United States of America and they wanted to show their great pride in those who had fought for our freedom as a nation and won it.

With such a strong base on which to build, it is no wonder that the DAR continues to grow in size and influence. Year after year, more and more people are drawn to join the DAR and help to promote the principles and values of our Nation. That is why it is really no wonder that the DAR can now boast of over 185,000 members all over the world. In Wyoming, that enthusiasm shows itself as each chapter continues to encourage its members to be more active and involved in the day-to-day workings of our government on the local, State, and national levels.

There is only one qualification for membership in the DAR. You must be able to trace your lineage back to the days of our fight for freedom, when a young nation took up arms to sever the

ties between the United States and Great Britain. Some member of your family must have been a part of our American Revolution for you to be accepted into the DAR as a member. It is then up to you to continue the work that a member of your family began.

That legacy has been handed down to the members of the DAR and to all of us as American citizens. It is also the legacy we will hand down to our children and grandchildren.

We recognize the members of the DAR and the difference all of you are making as individuals and as members of an organization that has been keeping the "Spirit of '76" alive for generations now. The principles and values that are embodied in our Charters of Freedom have helped you to make a difference and that has helped to make our nation a better place for us all to live.

Thank you for the good work you do.

ADDITIONAL STATEMENTS

TRIBUTE TO RANDY J. HOLLAND

• Mr. CARPER. Mr. President, it is with great pleasure that I rise today, on behalf of Delaware's congressional delegation—Senator CHRIS COONS, Congresswoman LISA BLUNT ROCHESTER, and myself—to honor the exemplary service of Delaware Supreme Court Justice Randy J. Holland. His talent and expertise is admired by both Republicans and Democrats alike. Justice Holland was the youngest person to serve on the Delaware Supreme Court when he was appointed and confirmed by Delaware Governor Mike Castle in 1986. I had the honor of reappointing him to a second 12-year term when I was Governor of Delaware in 1999. Then, in March 2011, he was reappointed again by Governor Markell and unanimously confirmed by the Senate for an unprecedented third 12-year term. His length on the Delaware Supreme Court—30 years and the longest in history—is a result of his broad knowledge of the law and of our State and the respect and professionalism he upholds on and off the bench.

Delaware's supreme court has a reputation for handling complex disputes in a knowledgeable, reliable, and expedient way. It is no doubt that Justice Holland was an integral part of making Delaware's highest court one of the most respected in the Nation and highly regarded internationally. Over the course of three decades, Justice Holland has written more than 700 opinions and several thousand orders and gained the reputation as an expert in Delaware's constitutional law. He has done this all with a unique sense of humility and respect for others, something that fellow judges and attorneys have and will continue to emulate. He is the embodiment of the "Golden

Rule," always treating others the way he would like to be treated.

It is perhaps his homegrown knowledge of Delaware and his experience as a general practitioner of the law that allowed Justice Holland to make his mark in the Supreme Court. He grew up in Milford, DE, and went on to graduate from Swarthmore College, University of Pennsylvania Law School, and the University of Virginia Law School. Before joining the bench at age 39, Justice Holland was a partner at Morris, Nichols, Arsht and Tunnell in Georgetown, DE, where he was known for his ability to draw clients from all over the State on issues ranging from corporate and contract law to zoning and real estate transactions. During this time, he had the opportunity to appear before almost every judge in every court of the State. It was this wide breadth of knowledge that made him an excellent choice for Delaware's supreme court, even though he had no judicial experience at all.

Justice Holland's colleagues describe him as a mentor and a role model and have relied on him throughout the years for his institutional knowledge of Delaware and the court. This especially came into practice during an unprecedented turnover in the Delaware Supreme Court. That turnover allowed Governor Jack Markell to appoint four justices, including the chief justice, to the five-officer court. Justice Holland's help and guidance to his colleagues throughout this transitional time proved vital as they became acclimated to their new roles.

When Justice Holland was not in his role as an officer of the court, he was writing. Regarded internationally as an author and historian, Justice Holland has written, coauthored, or edited nine books including "Delaware Supreme Court Golden Anniversary," "Delaware Constitution of 1897," "The First One Hundred Years," "Magna Carta: Muse & Mentor," "Delaware's Destiny Determined By Lewes," and "Delaware Corporation Law, Selected Cases." He has also published several law review articles, primarily dealing with judicial ethics and legal history.

Over his three decades on the Delaware Supreme Court, Justice Holland has received numerous awards, including the 2014 American Inns of Court Powell Award for Professionalism and Ethics, 2012 First State Distinguished Service Award, and the 2011 Dwight D. Opperman Award. In 2004, he was elected to be an Honorable Master of the Bench by Lincoln's Inn in London. He was also recognized by members of our Nation's highest court—Chief Justices William Rehnquist and John Roberts—when they appointed him as the State judge member of the Federal Judicial Conference Advisory Committee on Appellate Rules.

On behalf of Senator COONS and Congresswoman BLUNT ROCHESTER, let me

express our heartfelt thanks to Justice Holland for his service to our State and judicial system. Today we are honored to be able to offer him our sincere congratulations on a job well done. It will be quite a change not to see him sitting on the second chair in from the left, but we look forward to him continuing to share his deep knowledge about the history and legacy of Delaware law. From our hearts, we wish him and his wife, Ilona, along with their son Ethan and daughter-in-law Jennifer and granddaughters Aurora and Chloe, many happy, healthy, and successful years to come.●

REMEMBERING DR. THOMAS E. STARZL

• Mr. CASEY. Mr. President, I rise to pay tribute to Dr. Thomas E. Starzl, the pioneer in the field of organ transplantation who impacted the lives of thousands directly and indirectly. Dr. Starzl died on March 4, 2017, 1 week shy of his 91st birthday.

To say Dr. Starzl was a remarkable surgeon, researcher, or physician does not begin to describe this man or the contributions he made. He was a visionary who created and then transformed an entire field of medicine. He performed the first liver transplant in 1963, the first heart-liver transplant in 1984, and led a team conducting a five-organ transplant in 1987. In 2007, at the age of 80, Dr. Starzl visited with me to seek research funding for the hand transplant program at the University of Pittsburgh. He never stopped envisioning what more could be done or striving to achieve it.

The late Senator Robert F. Kennedy once said, "only those who dare to fail greatly can ever achieve greatly." Dr. Starzl was not afraid to fail, and through his determination and the innovation and advances he brought forth, organ transplantation preserved human life, and the University of Pittsburgh became the busiest transplant center in the world. Knowing that the actual surgery is only one part of a successful transplantation, Dr. Starzl worked to develop immunosuppressant therapies and played a role in creating tacrolimus, which remains the most widely used immunosuppressant drug in the world. He also believed that it was his obligation to train the next generation of transplant surgeons. Today approximately 90 percent of transplant centers are headed by surgeons Dr. Starzl directly trained or by surgeons who learned from surgeons Dr. Starzl trained.

Over his decades of service, Dr. Starzl profoundly impacted many lives and families, including my own. Our family will always be grateful for the extraordinary care Dr. Starzl provided for my father, during his second term as Governor of Pennsylvania. In June of 1993,

Dr. Starzl oversaw Governor Casey's exceedingly rare heart and liver double transplant surgery. My family cherished the 7 additional years we had with my father.

Among the many accolades Dr. Starzl received was being ranked 213th in the book "1,000 Years, 1,000 People: Ranking the Men and Women Who Shaped the Millennium." Published in 1998, this book named the people who had the greatest impact on the world over the previous 1,000 years. Dr. Starzl's inclusion speaks to the enormous impact he had on so many lives.

Dr. Starzl's passing leaves a void, but we know the foundation he built for organ transplantation will endure through the many lives he saved, the surgeons he trained, and the high standards he set for quality of care. In the statement released by his family, it was noted that he "was a force of nature that swept all those around him into his orbit, challenging those that surrounded him to strive to match his superhuman feats of focus, will and compassion." His "superhuman feats" will remain an inspiration for those in the medical profession and beyond.●

RECOGNIZING THE PEOPLE OF LIBBY, MONTANA

● Mr. DAINES Mr. President, this week I would like to recognize the people of Libby, MT, for their resiliency and strength in confronting economic, environmental, and public health challenges. This week is National Asbestos Awareness Week, and the people of Libby are perhaps the most acutely aware community in our Nation when it comes to understanding asbestos related menaces. As the seat of Lincoln County, Libby has persevered through a lengthy process of identifying and removing threats to public health and has emerged ready to share the treasures of northwestern Montana.

A few miles outside of Libby, nearly a century ago, a vermiculite ore mine began operations. At one point, this mine accounted for a large portion of total global vermiculite production. Unknown to the people of Libby, the local vermiculite also contained a toxic form of asbestos, Libby Amphibole asbestos. The Libby mine was eventually closed in 1990, and Libby was designated as a Superfund site by the Environmental Protection Agency in 2002. The asbestos identification and cleanup process has been extensive. Last week marked the successful conclusion for submitting new requests to the EPA for identification and cleanup of impacted sites. As the environmental cleanup process draws to a close, we must not lose sight of the continued healthcare requirements for Libby residents and the truly unique challenges they face in improving their quality of life.

Eight years ago, former U.S. Senator Max Baucus led the charge to ensure

that three essential functions were established to help the people of Libby. These functions included screening for asbestos related diseases, healthcare for conditions caused by asbestos exposure, and a program to assist patients with unique services due to asbestos exposure. These vital programs, specifically designed to help those most in need, are essential and must be preserved. With these tools available, over 4,000 individuals have been screened and over 2,000 individuals have been diagnosed with asbestos related diseases. On March 6, I sent a letter to Speaker of the House PAUL RYAN and Senate Majority Leader MITCH MCCONNELL to preserve these tools for the people of Libby. The latency period for diseases related to asbestos exposure can be decades into the future. Long after the environmental and economic impacts have been overcome, the human impact in Libby will continue. As the debate over healthcare ebbs and flows, the essential protections for the people of Libby must remain intact.

The Center for Asbestos Related Disease, known locally as the CARD clinic, is a vital nonprofit resource located in Libby that helps with identification, treatment, and research for those with asbestos exposure. The tools championed by Senator Baucus are vital to the success of a community resource like the CARD clinic. As the Senator who now serves the people of Montana from Senator Baucus's old seat, it is my duty to continue to fight for the people of Libby.

To understand the impact these programs have on the daily lives of people in the area, it makes sense to listen to their personal experiences. Lynn Sather-Diller said the CARD clinic has helped "me to stay as healthy as possible even though I have an asbestos related disease. I wouldn't be able to do it without their help."

The basic activity of breathing, something many of us simply take for granted, is a daily concern and immense priority for those with asbestos related diseases.

Angie Hill added, "Asbestos related disease is life changing. Hard to say in only a few words, our exposure started in our childhood & is so scary when you struggle to breathe. We are thankful for the exceptional medical care & educational information the CARD center, Dr. Brad Black & his staff provide to it's patients." Echoing those sentiments was Judy Lundstrom: "You helped with exams and I am on night oxygen and feel much better so can continue my job. I am able to stay in my own home because Dr. Black and Tanis helped."

These examples show the strength of the people of Libby. This region will continue to find ways to reach its potential. Like the rest of Montana, Libby is blessed with awe-inspiring beauty and immense natural resources.

The Cabinet Mountain Range south of Libby has the majesty of a divine painting, and this masterpiece will always draw travelers to the region. The soon to open Montanore Mine will be a major producer of copper and silver. The Kootenai National Forest contains significant timber resources. The Libby Dam to the east of town produces reliable energy, helping to empower the United States through energy dominance. The Kootenai River flows through that dam and is an engine of recreational activity, inviting outdoor enthusiasts from across the globe to explore the natural splendor of Lincoln County and gaze in wonder at the Kootenai Falls. As the people of Libby overcome the past and chart a course for the years ahead, I admire their resilient attitude and steadfast determination. While the hardy character and independent spirit of this small community in far Northwest Montana, we must not abandon our commitment to giving them a hand up and the tools necessary to succeed.●

RECOGNIZING FLATHEAD VALLEY COMMUNITY COLLEGE

● Mr. TESTER Mr. President, today I wish to celebrate the 50th anniversary of Flathead Valley Community College in Kalispell, MT, and to honor the many contributions that FVCC has made in northwest Montana.

In 1967, Dr. Larry Blake was hired as the first president of FVCC, and months later, he opened the doors to 611 students who made up the very first class.

Fifty years later, over 3,500 students are enrolled in FVCC and studying more than 100 degree and certificate programs.

The campus today is unrecognizable to those who studied at its original downtown location, and in recent years, I have seen the new campus boom with the construction of additional education facilities, laboratories, and campus housing.

In 2001, Jane Karas was hired as the 11th president of FVCC, and she has been instrumental in the growth of the region's largest higher education institution.

Under Jane Karas's leadership, FVCC has expanded the nursing school and developed a renowned culinary school that has helped meet the growing demand for jobs in the communities that lay in the shadow of Glacier National Park.

In addition to serving thousands of students in Kalispell, FVCC operates a satellite campus an hour away in Libby, MT.

Over the past 50 years, FVCC has made a profound impact in Montana, and I join all of the Montanans who can't wait to see what they have in store for the next 50 years.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY ORIGINALLY DECLARED IN EXECUTIVE ORDER 13536 ON APRIL 12, 2010 WITH RESPECT TO SOMALIA—PM 6

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13536 of April 12, 2010, with respect to Somalia is to continue in effect beyond April 12, 2017.

The United States is strongly committed to Somalia's stabilization, and it is important to maintain sanctions against persons undermining its stability. For this reason, I have determined that it is necessary to continue the national emergency with respect to Somalia and to maintain in force the sanctions to respond to this threat.

DONALD J. TRUMP.
THE WHITE HOUSE, April 6, 2017.

MESSAGES FROM THE HOUSE

At 10:02 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 544. An act to amend the Veterans Access, Choice, and Accountability Act of 2014

to modify the termination date for the Veterans Choice Program, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1304. An act to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to exclude from the definition of health insurance coverage certain medical stop-loss insurance obtained by certain plan sponsors of group health plans.

H.R. 1667. An act to amend title 11 of the United States Code in order to facilitate the resolution of an insolvent financial institution in bankruptcy.

The message further announced that pursuant to 22 U.S.C. 6913, and the order of the House of January 3, 2017, the Speaker appoints the following Member of the House of Representatives to the Congressional-Executive Commission on the People's Republic of China: Mr. LIEU of California.

ENROLLED BILL SIGNED

At 12:20 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 353. An act to improve the National Oceanic and Atmospheric Administration's weather research through a focused program of investment on affordable and attainable advances in observational, computing, and modeling capabilities to support substantial improvement in weather forecasting and prediction of high impact weather events, to expand commercial opportunities for the provision of weather data, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

At 12:50 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following joint resolutions, without amendment:

S.J. Res. 30. Joint resolution providing for the reappointment of Steve Case as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 35. Joint resolution providing for the appointment of Michael Govan as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 36. Joint resolution providing for the appointment of Roger W. Ferguson as a citizen regent of the Board of Regents of the Smithsonian Institution.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1219. An act to amend the Investment Company Act of 1940 to expand the investor limitation for qualifying venture capital funds under an exemption from the definition of an investment company.

At 3:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to

the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 48. Concurrent resolution providing for a conditional adjournment of the House of Representatives.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1219. An act to amend the Investment Company Act of 1940 to expand the investor limitation for qualifying venture capital funds under an exemption from the definition of an investment company; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1304. An act to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to exclude from the definition of health insurance coverage certain medical stop-loss insurance obtained by certain plan sponsors of group health plans; to the Committee on Health, Education, Labor, and Pensions.

H.R. 1667. An act to amend title 11 of the United States Code in order to facilitate the resolution of an insolvent financial institution in bankruptcy; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HOEVEN, from the Committee on Indian Affairs, without amendment:

S. 91. A bill to amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to facilitate the ability of Indian tribes to integrate the employment, training, and related services from diverse Federal sources, and for other purposes (Rept. No. 115-26).

S. 302. A bill to enhance tribal road safety, and for other purposes (Rept. No. 115-27).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. KLOBUCHAR (for herself and Ms. COLLINS):

S. 862. A bill to establish and strengthen projects that defray the cost of related instruction associated with pre-apprenticeship and apprenticeship programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WHITEHOUSE:

S. 863. A bill to amend the Internal Revenue Code of 1986 to provide for the taxation of income of controlled foreign corporations attributable to imported property; to the Committee on Finance.

By Mrs. SHAHEEN (for herself and Mr. WICKER):

S. 864. A bill to promote development goals and the strengthening of the private sector in Bosnia and Herzegovina; to the Committee on Foreign Relations.

By Mr. CASEY (for himself, Mr. WHITEHOUSE, Mr. HIRONO, Mr. FRANKEN, Mr. SCHUMER, Mr. MENENDEZ, Mr. REED,

Mr. MERKLEY, Mr. DURBIN, Mrs. FEINSTEIN, and Mr. VAN HOLLEN):

S. 865. A bill to amend the Safe Drinking Water Act to repeal a certain exemption for hydraulic fracturing, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CASEY (for himself and Mr. PAUL):

S. 866. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to eliminate the use of valid court orders to secure lockup of status offenders, and for other purposes; to the Committee on the Judiciary.

By Mr. DONNELLY (for himself, Mr. YOUNG, Mrs. FEINSTEIN, Mr. CORNYN, Mr. BLUNT, and Mr. COONS):

S. 867. A bill to provide support for law enforcement agency efforts to protect the mental health and wellbeing of law enforcement officers, and for other purposes; to the Committee on the Judiciary.

By Mr. ISAKSON (for himself and Mr. MURPHY):

S. 868. A bill to amend the Employee Retirement Income Security Act of 1974 to require a lifetime income disclosure; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL (for himself and Mr. WICKER):

S. 869. A bill to repeal the violation of sovereign nations' laws and privacy matters; to the Committee on Finance.

By Mr. HATCH (for himself, Mr. WYDEN, Mr. ISAKSON, Mr. WARNER, Mr. BENNET, Mr. CARDIN, Mr. THUNE, Mr. CASEY, Mr. CORNYN, Mr. CRAPO, Mr. GRASSLEY, Mr. CARPER, Ms. STABENOW, and Mrs. MCCASKILL):

S. 870. A bill to amend title XVIII of the Social Security Act to implement Medicare payment policies designed to improve management of chronic disease, streamline care coordination, and improve quality outcomes without adding to the deficit; to the Committee on Finance.

By Mr. HELLER:

S. 871. A bill to appropriate such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, and supporting civilian and contractor personnel continue to receive pay and allowances for active service performed when a funding gap caused by the failure to enact interim or full-year appropriations for the Armed Forces occurs, which results in the furlough of non-emergency personnel and the curtailment of Government activities and services; to the Committee on Appropriations.

By Mr. GRASSLEY (for himself, Mr. SCHUMER, Ms. STABENOW, Mrs. CAPITO, Mrs. MCCASKILL, Ms. BALDWIN, Mr. LEAHY, Mr. BENNET, Mr. MCCAIN, and Mr. GARDNER):

S. 872. A bill to amend title XVIII of the Social Security Act to make permanent the extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program; to the Committee on Finance.

By Mr. PORTMAN (for himself and Mr. CARPER):

S. 873. A bill to amend section 8433 of title 5, United States Code, to provide for flexibility in making withdrawals from the Thrift Savings Fund; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MURPHY (for himself and Mr. BOOKER):

S. 874. A bill to amend title XIX of the Social Security Act to protect the enrollment

of incarcerated youth for medical assistance under the Medicaid program, and for other purposes; to the Committee on Finance.

By Mr. SULLIVAN:

S. 875. A bill to require the Comptroller General of the United States to conduct a study and submit a report on filing requirements under the Universal Service Fund programs; to the Committee on Commerce, Science, and Transportation.

By Ms. HEITKAMP (for herself, Mr. INHOFE, Mr. HELLER, Mr. SCHATZ, Mr. HOEVEN, Ms. KLOBUCHAR, and Mr. UDALL):

S. 876. A bill to amend the Internal Revenue Code of 1986 to recognize Indian tribal governments for purposes of determining under the adoption credit whether a child has special needs; to the Committee on Finance.

By Mr. MARKEY (for himself and Mr. HATCH):

S. 877. A bill to amend the Family Educational Rights and Privacy Act of 1974 to ensure that student data handled by private companies is protected, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself, Mr. BLUMENTHAL, Ms. WARREN, Mr. SANDERS, Mr. MERKLEY, Mr. HEINRICH, Mr. UDALL, Mr. LEAHY, Ms. BALDWIN, Mr. VAN HOLLEN, and Mr. FRANKEN):

S. 878. A bill to establish privacy protections for customers of broadband Internet access service and other telecommunications services; to the Committee on Commerce, Science, and Transportation.

By Mr. BARRASSO (for himself, Mr. FLAKE, Mr. MCCAIN, and Mr. ENZI):

S. 879. A bill to expedite and prioritize forest management activities to achieve ecosystem restoration objectives, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. BALDWIN (for herself, Mr. BROWN, Mr. SANDERS, Mr. FRANKEN, Ms. WARREN, Mr. WHITEHOUSE, Ms. STABENOW, and Mrs. MCCASKILL):

S. 880. A bill to ensure the use of American iron and steel in public water systems, and for other purposes; to the Committee on Environment and Public Works.

By Ms. WARREN (for herself, Mr. MCCAIN, Ms. CANTWELL, and Mr. KING):

S. 881. A bill to reduce risks to the financial system by limiting banks' ability to engage in certain risky activities and limiting conflicts of interest, to reinstate certain Glass-Steagall Act protections that were repealed by the Gramm-Leach-Bliley Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ROUNDS (for himself, Mr. MANCHIN, Ms. WARREN, and Mr. KAINE):

S. 882. A bill to amend title 38, United States Code, to provide for the entitlement to educational assistance under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs for members of the Armed Forces awarded the Purple Heart, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 883. A bill to provide for reforms of the administration of the outer Continental Shelf of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI:

S. 884. A bill to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bu-

reau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself and Mr. CARDIN):

S. 885. A bill to amend the Internal Revenue Code of 1986 to include foster care transition youth as members of targeted groups for purposes of the work opportunity credit; to the Committee on Finance.

By Mr. DAINES (for himself and Mrs. MCCASKILL):

S. 886. A bill to amend the Homeland Security Act of 2002 to establish an Acquisition Review Board in the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DAINES (for himself and Mrs. MCCASKILL):

S. 887. A bill to amend the Homeland Security Act of 2002 to require a multiyear acquisition strategy for the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MURPHY (for himself, Mr. PAUL, Mr. DURBIN, and Mr. FRANKEN):

S.J. Res. 40. A joint resolution to provide limitations on the transfer of air-to-ground munitions from the United States to Saudi Arabia; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GARDNER (for himself and Mr. PETERS):

S. Res. 119. A resolution requiring authorizing committees to hold annual hearings on Government Accountability Office investigative reports on the identification, consolidation, and elimination of duplicative Government programs; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MANCHIN (for himself and Mrs. CAPITO):

S. Res. 120. A resolution designating April 20, 2017, as "National Alternative Fuel Vehicle Day."; to the Committee on the Judiciary.

By Mr. MURPHY (for himself and Mr. BLUMENTHAL):

S. Res. 121. A resolution designating April 11, 2017, as the "National Birthday of the U.S. Navy Submarine Force"; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 57

At the request of Mr. CASSIDY, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 57, a bill to require the Secretary of Veterans Affairs to revoke bonuses paid to employees involved in electronic wait list manipulations, and for other purposes.

S. 59

At the request of Mr. CRAPO, the name of the Senator from Georgia (Mr.

ISAKSON) was added as a cosponsor of S. 59, a bill to provide that silencers be treated the same as long guns.

S. 74

At the request of Mr. SCHATZ, his name was added as a cosponsor of S. 74, a bill to improve the ability of the National Oceanic and Atmospheric Administration, the Coast Guard, and coastal States to sustain healthy ocean and coastal ecosystems by maintaining and sustaining their capabilities relating to oil spill preparedness, prevention, response, and for other purposes.

S. 108

At the request of Mr. HATCH, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 108, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 203

At the request of Mr. BURR, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 203, a bill to reaffirm that the Environmental Protection Agency may not regulate vehicles used solely for competition, and for other purposes.

S. 236

At the request of Mr. WYDEN, the names of the Senator from Maine (Mr. KING) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 260

At the request of Mr. CORNYN, the names of the Senator from Alabama (Mr. STRANGE) and the Senator from Arkansas (Mr. COTTON) were added as cosponsors of S. 260, a bill to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board.

S. 266

At the request of Mr. HATCH, the names of the Senator from Colorado (Mr. BENNET) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 266, a bill to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

S. 283

At the request of Mr. FRANKEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 283, a bill to amend title 38, United States Code, to provide for the treatment of veterans who participated in the cleanup of Enewetak Atoll as radiation exposed veterans for purposes of the presumption of service-connection of certain disabilities by the Secretary of Veterans Affairs, and for other purposes.

S. 293

At the request of Mr. SCOTT, the name of the Senator from New Hamp-

shire (Ms. HASSAN) was added as a cosponsor of S. 293, a bill to amend the Internal Revenue Code of 1986 to provide for the deferral of inclusion in gross income for capital gains reinvested in opportunity zones.

S. 322

At the request of Mr. PETERS, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 322, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 324

At the request of Ms. HIRONO, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 324, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 393

At the request of Mr. SCOTT, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 393, a bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for employees who participate in qualified apprenticeship programs.

S. 413

At the request of Mrs. CAPITO, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 413, a bill to amend title XVIII of the Social Security Act to prohibit prescription drug plan sponsors and MA-PD organizations under the Medicare program from retroactively reducing payment on clean claims submitted by pharmacies.

S. 479

At the request of Mr. BROWN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 479, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 545

At the request of Mr. PAUL, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 545, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 548

At the request of Ms. CANTWELL, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 548, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 568

At the request of Mr. BROWN, the name of the Senator from New Hamp-

shire (Mrs. SHAHEEN) was added as a cosponsor of S. 568, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 583

At the request of Mr. CORNYN, the names of the Senator from Indiana (Mr. DONNELLY) and the Senator from Indiana (Mr. YOUNG) were added as cosponsors of S. 583, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds to hire veterans as career law enforcement officers, and for other purposes.

S. 594

At the request of Mr. CORNYN, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Arkansas (Mr. COTTON) were added as cosponsors of S. 594, a bill to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes.

S. 655

At the request of Mr. RISCH, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 655, a bill to exempt certain 16- and 17-year-old individuals employed in logging operations from child labor laws.

S. 697

At the request of Mr. DAINES, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 697, a bill to amend the Internal Revenue Code of 1986 to lower the mileage threshold for deduction in determining adjusted gross income of certain expenses of members of reserve components of the Armed Forces, and for other purposes.

S. 722

At the request of Mr. CORKER, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 722, a bill to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes.

S. 792

At the request of Mr. TILLIS, the names of the Senator from Arizona (Mr. FLAKE) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 792, a bill to amend the Immigration and Nationality Act to establish an H-2B temporary non-agricultural work visa program, and for other purposes.

S. 796

At the request of Mr. WARNER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 796, a bill to amend the Internal

Revenue Code of 1986 to extend the exclusion for employer-provided education assistance to employer payments of student loans.

S. 808

At the request of Mr. THUNE, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 808, a bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

S. 811

At the request of Mr. ENZI, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 811, a bill to ensure that organizations with religious or moral convictions are allowed to continue to provide services for children.

S. 818

At the request of Mr. CASEY, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 818, a bill to amend the Internal Revenue Code of 1986 to allow individuals with disabilities to save additional amounts in their ABLE accounts above the current annual maximum contribution if they work and earn income.

S. 829

At the request of Mr. MCCAIN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 829, a bill to reauthorize the Assistance to Firefighters Grants program, the Fire Prevention and Safety Grants program, and the Staffing for Adequate Fire and Emergency Response grant program, and for other purposes.

S. 835

At the request of Mr. MURPHY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 835, a bill to require the Supreme Court of the United States to promulgate a code of ethics.

S. 845

At the request of Mr. BLUMENTHAL, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 845, a bill to protect sensitive community locations from harmful immigration enforcement action, and for other purposes.

S. RES. 59

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. Res. 59, a resolution expressing the support for the designation of February 12, 2017, as "Darwin Day" and recognizing the importance of science in the betterment of humanity.

S. RES. 87

At the request of Mr. KAINE, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Oregon (Mr. MERKLEY), the

Senator from New Jersey (Mr. BOOKER) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. Res. 87, a resolution expressing the sense of the Senate concerning the ongoing conflict in Syria as it reaches its six-year mark in March, the ensuing humanitarian crisis in Syria and neighboring countries, the resulting humanitarian and national security challenges, and the urgent need for a political solution to the crisis.

S. RES. 106

At the request of Mr. WICKER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 106, a resolution expressing the sense of the Senate to support the territorial integrity of Georgia.

S. RES. 114

At the request of Mr. YOUNG, the names of the Senator from Colorado (Mr. GARDNER) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. Res. 114, a resolution expressing the sense of the Senate on humanitarian crises in Nigeria, Somalia, South Sudan, and Yemen.

S. RES. 116

At the request of Mr. CARDIN, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from New Jersey (Mr. BOOKER), the Senator from Oregon (Mr. MERKLEY) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. Res. 116, a resolution condemning the Assad regime for its continued use of chemical weapons against the Syrian people.

S. RES. 118

At the request of Ms. DUCKWORTH, her name was added as a cosponsor of S. Res. 118, a resolution condemning hate crime and any other form of racism, religious or ethnic bias, discrimination, incitement to violence, or animus targeting a minority in the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DAINES (for himself and Mrs. MCCASKILL):

S. 886. A bill to amend the Homeland Security Act of 2002 to establish an Acquisition Review Board in the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. DAINES. Mr. President, the Department of Homeland Security, DHS, is tasked with keeping Americans safe in the homeland. To carry out this mission, DHS spends over \$7 billion on acquisition programs annually. DHS and its agencies are held to a high standard for keeping our Nation safe. We also must hold it to a high standard of fiscal responsibility. DHS must be good stewards of taxpayer resources.

DHS's acquisition process has long faced problems resulting in waste,

delays, and under delivery of performance objectives. Since the inception of DHS, the Government Accountability Office, GAO, has highlighted challenges and offered recommendations to improve the acquisition process. There has been progress; however, there continues to be room for improvement. According to a GAO report released today, DHS's acquisition process remains a high-risk issue, susceptible to cost overruns and schedules delays. These issues reduce buying power and force security employees to wait for new capabilities. This is not fair to those on the front lines tasked with keeping us safe and it is not fair to the American taxpayers.

I spent 28 years in the private sector. I know when tough business decisions need to be made, you convene a board that brings with it a breadth of experience and a deep understanding of strategic objectives and goals.

That is why I am introducing the OHS Acquisition Review Board Act of 2017. This legislation will create a review board within the Department to strengthen accountability and uniformity across all agencies and the entire acquisition process, ensure long term strategic objectives are met, and ensure the use of industry-proven best practices.

I thank Senator MCCASKILL for being an original cosponsor of this bill and Representatives THOMAS GARRETT and MICHAEL MCCAUL for leading introduction of companion legislation in the House of Representatives. I ask my Senate colleagues to join us in support of this important legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 886

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "DHS Acquisition Review Board Act of 2017".

SEC. 2. ACQUISITION REVIEW BOARD.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is amended by adding at the end the following:

"SEC. 836. ACQUISITION REVIEW BOARD.

"(a) DEFINITIONS.—In this section:

"(1) ACQUISITION.—The term 'acquisition' has the meaning given the term in section 131 of title 41, United States Code.

"(2) ACQUISITION DECISION AUTHORITY.—The term 'acquisition decision authority' means the authority, held by the Secretary acting through the Deputy Secretary or Under Secretary for Management to—

"(A) ensure compliance with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives;

"(B) review (including approving, pausing, modifying, or cancelling) an acquisition program through the life cycle of the program;

“(C) ensure that acquisition program managers have the resources necessary to successfully execute an approved acquisition program;

“(D) ensure good acquisition program management of cost, schedule, risk, and system performance of the acquisition program at issue, including assessing acquisition program baseline breaches and directing any corrective action for such breaches; and

“(E) ensure that acquisition program managers, on an ongoing basis, monitor cost, schedule, and performance against established baselines and use tools to assess risks to an acquisition program at all phases of the life cycle of such program to avoid and mitigate acquisition program baseline breaches.

“(3) ACQUISITION DECISION EVENT.—The term ‘acquisition decision event’, with respect to an acquisition program, means a predetermined point within each of the acquisition phases at which the acquisition decision authority determines whether the acquisition program shall proceed to the next acquisition phase.

“(4) ACQUISITION DECISION MEMORANDUM.—The term ‘acquisition decision memorandum’, with respect to an acquisition, means the official acquisition decision event record that includes a documented record of decisions, exit criteria, and assigned actions for the acquisition, as determined by the person exercising acquisition decision authority for the acquisition.

“(5) ACQUISITION PROGRAM.—The term ‘acquisition program’ means the process by which the Department acquires, with any appropriated amounts, by contract for purchase or lease, property or services (including construction) that support the missions and goals of the Department.

“(6) ACQUISITION PROGRAM BASELINE.—The term ‘acquisition program baseline’, with respect to an acquisition program, means a summary of the cost, schedule, and performance parameters, expressed in standard, measurable, quantitative terms, which must be met in order to accomplish the goals of such program.

“(7) BEST PRACTICES.—The term ‘best practices’, with respect to acquisition, means a knowledge-based approach to capability development that includes—

“(A) identifying and validating needs;

“(B) assessing alternatives to select the most appropriate solution;

“(C) clearly establishing well-defined requirements;

“(D) developing realistic cost assessments and schedules;

“(E) securing stable funding that matches resources to requirements;

“(F) demonstrating technology, design, and manufacturing maturity;

“(G) using milestones and exit criteria or specific accomplishments that demonstrate progress;

“(H) adopting and executing standardized processes with known success across programs;

“(I) establishing an adequate workforce that is qualified and sufficient to perform necessary functions; and

“(J) integrating the capabilities described in subparagraphs (A) through (I) into the mission and business operations of the Department.

“(8) BOARD.—The term ‘Board’ means the Acquisition Review Board required to be established under subsection (b).

“(9) MAJOR ACQUISITION PROGRAM.—The term ‘major acquisition program’ means a Department acquisition program that is esti-

mated by the Secretary to require an eventual total expenditure of not less than \$300,000,000 (based on fiscal year 2017 constant dollars) over the life cycle cost of the acquisition program.

“(b) ESTABLISHMENT OF BOARD.—The Secretary shall establish an Acquisition Review Board to—

“(1) strengthen accountability and uniformity within the Department acquisition review process;

“(2) review major acquisition programs; and

“(3) review the use of best practices.

“(c) COMPOSITION.—

“(1) CHAIRPERSON.—The Under Secretary for Management shall serve as chairperson of the Board.

“(2) OTHER MEMBERS.—The Secretary shall ensure participation by other relevant Department officials, including not fewer than 2 component heads or their designees, as permanent members of the Board.

“(d) MEETINGS.—

“(1) REGULAR MEETINGS.—The Board shall meet regularly for purposes of ensuring all acquisitions processes proceed in a timely fashion to achieve mission readiness.

“(2) OTHER MEETINGS.—The Board shall convene—

“(A) at the discretion of the Secretary; and

“(B) at any time—

“(i) a major acquisition program—

“(I) requires authorization to proceed from one acquisition decision event to another throughout the acquisition life cycle;

“(II) is in breach of the approved requirements of the major acquisition program; or

“(III) requires additional review, as determined by the Under Secretary for Management; or

“(ii) a non-major acquisition program requires review, as determined by the Under Secretary for Management.

“(e) RESPONSIBILITIES.—The responsibilities of the Board are as follows:

“(1) Determine whether a proposed acquisition has met the requirements of key phases of the acquisition life cycle framework and is able to proceed to the next phase and eventual full production and deployment.

“(2) Oversee whether the business strategy, resources, management, and accountability of a proposed acquisition is executable and is aligned to strategic initiatives.

“(3) Support the person with acquisition decision authority for an acquisition in determining the appropriate direction for the acquisition at key acquisition decision events.

“(4) Conduct systematic reviews of acquisitions to ensure that the acquisitions are progressing in compliance with the approved documents for their current acquisition phases.

“(5) Review the acquisition documents of each major acquisition program, including the acquisition program baseline and documentation reflecting consideration of trade-offs among cost, schedule, and performance objectives, to ensure the reliability of underlying data.

“(6) Ensure that practices are adopted and implemented to require consideration of trade-offs among cost, schedule, and performance objectives as part of the process for developing requirements for major acquisition programs prior to the initiation of the second acquisition decision event, including, at a minimum, the following practices:

“(A) Department officials responsible for acquisition, budget, and cost estimating functions are provided with the appropriate opportunity to develop estimates and raise

cost and schedule matters before performance objectives are established for capabilities when feasible.

“(B) Full consideration is given to possible trade-offs among cost, schedule, and performance objectives for each alternative.

“(f) ACQUISITION PROGRAM BASELINE REPORT REQUIREMENT.—If the person exercising acquisition decision authority over a major acquisition program approves the major acquisition program to proceed into the planning phase before the major acquisition program has a Department-approved acquisition program baseline—

“(1) the Under Secretary for Management shall create and approve an acquisition program baseline report regarding such approval; and

“(2) the Secretary shall—

“(A) not later than 7 days after the date on which the acquisition decision memorandum is signed, notify in writing the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate of the decision; and

“(B) not later than 60 days after the date on which the acquisition decision memorandum is signed, submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report stating the rationale for such decision and a plan of action to require an acquisition program baseline for such program.

“(g) REPORT.—Not later than 1 year after the date of enactment of this section and every year thereafter through fiscal year 2022, the Under Secretary for Management shall provide information to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the activities of the Board for the prior fiscal year that includes information relating to the following:

“(1) For each meeting of the Board, any acquisition decision memoranda.

“(2) Results of the systematic reviews conducted under subsection (e)(4).

“(3) Results of acquisition document reviews required under subsection (e)(5).

“(4) Activities to ensure that practices are adopted and implemented throughout the Department under subsection (e)(6).”

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by inserting after the item relating to section 835 the following:

“Sec. 836. Acquisition Review Board.”.

By Mr. DAINES (for himself and Mrs. McCASKILL):

S. 887. A bill to amend the Homeland Security Act of 2002 to require a multiyear acquisition strategy for the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. DAINES. Mr. President, the Department of Homeland Security, DHS, is tasked with keeping Americans safe in the homeland. To carry out this mission, DHS spends over \$7 billion on acquisition programs annually. DHS and its agencies are held to a high standard for keeping our Nation safe. We also must hold it to a high standard of fiscal responsibility. DHS must be good stewards of taxpayer resources.

DHS's acquisition process has long faced problems resulting in waste, delays, and under delivery of performance objectives. Since the inception of DHS, the Government Accountability Office, GAO, has highlighted challenges and offered recommendations to improve the acquisition process. There has been progress; however, there continues to be room for improvement. According to a GAO report release today, DHS's acquisition process remains a high-risk issue, susceptible to cost overruns and schedules delays. These issues reduce buying power and force security employees to wait for new capabilities. This is not fair to those on the frontlines tasked with keeping us safe, and it is not fair to the American taxpayers.

That is why I am introducing the DHS Multiyear Acquisition Strategy Act of 2017. This legislation will require DHS to develop a multiyear acquisition plan to guide the overall direction of the Department's acquisitions, across all agencies, and include it annually in the Department's budget request to Congress. It will create a Departmentwide prioritized list of investment, to ensure limited resources are being directed to the highest valued use.

This legislation will increase communication internal to DHS, as well as with industry and with academia, to help identify current capability gaps and future technological needs. It also includes private sector principles, such as developing incentives for program managers to exceed project cost, schedule, and capabilities goals. I have seen these principles work during my 28-year private sector career, and it is long past due that we apply them to government. We must move away from the "spend it or lose it" mentality of government budgeting.

I thank Senator CLAIRE MCCASKILL for being an original cosponsor of this bill and Representatives BRIAN FITZPATRICK and MICHAEL MCCAUL for leading introduction of companion legislation in the House of Representatives. I ask my Senate colleagues to join us in support of this important legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 887

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "DHS Multiyear Acquisition Strategy Act of 2017".

SEC. 2. MULTIYEAR ACQUISITION STRATEGY.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is amended by adding at the end the following:

"SEC. 836. MULTIYEAR ACQUISITION STRATEGY.

"(a) DEFINITIONS.—In this section:

"(1) ACQUISITION.—The term 'acquisition' has the meaning given the term in section 131 of title 41, United States Code.

"(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' has the meaning given the term in section 226(a).

"(3) BEST PRACTICES.—The term 'best practices', with respect to acquisition, means—

"(A) a knowledge-based approach to capability development that includes identifying and validating needs;

"(B) assessing alternatives to select the most appropriate solution;

"(C) clearly establishing well-defined requirements;

"(D) developing realistic cost assessments and schedules;

"(E) securing stable funding that matches resources to requirements;

"(F) demonstrating technology, design, and manufacturing maturity;

"(G) using milestones and exit criteria or specific accomplishments that demonstrate progress;

"(H) adopting and executing standardized processes with known success across programs;

"(I) establishing an adequate workforce that is qualified and sufficient to perform necessary functions; and

"(J) integrating the capabilities described in subparagraphs (A) through (I) into the mission and business operations of the Department.

"(4) COMPONENT ACQUISITION EXECUTIVE.—The term 'Component Acquisition Executive' means the senior acquisition official within a component who is designated in writing by the Under Secretary for Management, in consultation with the component head, with authority and responsibility for leading a process and staff to provide acquisition and program management oversight, policy, and guidance to ensure that statutory, regulatory, and higher level policy requirements are fulfilled, including compliance with Federal law, the Federal Acquisition Regulation, and Department acquisition management directives established by the Under Secretary for Management.

"(5) MAJOR ACQUISITION PROGRAM.—The term 'major acquisition program' means an acquisition program of the Department that is estimated by the Secretary to require an eventual total expenditure of not less than \$300,000,000 (based on fiscal year 2017 constant dollars) over the life cycle cost of the program.

"(b) MULTIYEAR ACQUISITION STRATEGY REQUIRED.—

"(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall submit to the appropriate committees of Congress and the Comptroller General of the United States a multiyear acquisition strategy to—

"(A) guide the overall direction of the acquisitions of the Department while allowing flexibility to deal with ever-changing threats and risks; and

"(B) help industry better understand, plan, and align resources to meet the future acquisition needs of the Department.

"(2) UPDATES.—The strategy required under paragraph (1) shall be updated and included in each Future Years Homeland Security Program required under section 874.

"(3) FORM.—The Secretary shall—

"(A) submit the strategy required under paragraph (1) in unclassified form, but may include a classified annex for any sensitive or classified information if necessary; and

"(B) publish the strategy required under paragraph (1) in an unclassified format that is publicly available.

"(c) CONSULTATION.—In developing the strategy required under subsection (b), the Secretary shall, as the Secretary determines appropriate, consult with headquarters, components, employees in the field, and individuals from industry and the academic community.

"(d) CONTENTS OF STRATEGY.—The strategy required under subsection (b) shall include the following:

"(1) PRIORITIZED LIST.—A systematic and integrated prioritized list developed by the Under Secretary for Management in coordination with all of the Component Acquisition Executives of major acquisition programs that Department and component acquisition investments seek to address, including the expected security and economic benefit of the program or system that is the subject of acquisition and an analysis of how the security and economic benefit derived from the program or system will be measured.

"(2) INVENTORY.—A plan to develop a reliable Department-wide inventory of investments and real property assets to help the Department—

"(A) plan, budget, schedule, and acquire upgrades of the systems and equipment of the Department; and

"(B) plan for the acquisition and management of future systems and equipment.

"(3) FUNDING GAPS.—A plan to address funding gaps between funding requirements for major acquisition programs and known available resources, including, to the maximum extent practicable, ways of leveraging best practices to identify and eliminate overpayment for items to—

"(A) prevent wasteful purchasing;

"(B) achieve the greatest level of efficiency and cost savings by rationalizing purchases;

"(C) align pricing for similar items; and

"(D) utilize purchase timing and economies of scale.

"(4) IDENTIFICATION OF CAPABILITIES.—An identification of test, evaluation, modeling, and simulation capabilities that will be required to—

"(A) support the acquisition of technologies to meet the needs of the strategy;

"(B) leverage to the greatest extent possible emerging technological trends and research and development trends within the public and private sectors; and

"(C) identify ways to ensure that appropriate technology is acquired and integrated into the operating doctrine of the Department to improve mission performance.

"(5) FOCUS ON FLEXIBLE SOLUTIONS.—An assessment of ways the Department can improve the ability of the Department to test and acquire innovative solutions to allow needed incentives and protections for appropriate risk-taking in order to meet the acquisition needs of the Department with resiliency, agility, and responsiveness to assure homeland security and facilitate trade.

"(6) FOCUS ON INCENTIVES TO SAVE TAXPAYER DOLLARS.—An assessment of ways the Department can develop incentives for program managers and senior acquisition officials of the Department to—

"(A) prevent cost overruns;

"(B) avoid schedule delays; and

"(C) achieve cost savings in major acquisition programs.

"(7) FOCUS ON ADDRESSING DELAYS AND BID PROTESTS.—An assessment of ways the Department can improve the acquisition process to minimize cost overruns in—

- “(A) requirements development;
- “(B) procurement announcements;
- “(C) requests for proposals;
- “(D) evaluations of proposals;
- “(E) protests of decisions and awards; and
- “(F) the use of best practices.

“(8) FOCUS ON IMPROVING OUTREACH.—An identification and assessment of ways to increase opportunities for communication and collaboration with industry, small and disadvantaged businesses, intra-government entities, university centers of excellence, accredited certification and standards development organizations, and national laboratories to ensure that the Department understands the market for technologies, products, and innovation that is available to meet the mission needs of the Department and to inform the requirements-setting process of the Department before engaging in an acquisition, including—

“(A) methods designed especially to engage small and disadvantaged businesses, a cost-benefit analysis of the tradeoffs that small and disadvantaged businesses provide, information relating to barriers to entry for small and disadvantaged businesses, and information relating to unique requirements for small and disadvantaged businesses; and

“(B) within the Department Vendor Communication Plan and Market Research Guide, instructions for interaction by acquisition program managers with those entities to—

“(i) prevent misinterpretation of acquisition regulations; and

“(ii) permit, within legal and ethical boundaries, interacting with those entities with transparency.

“(9) COMPETITION.—A plan regarding competition under subsection (e).

“(10) ACQUISITION WORKFORCE.—A plan regarding the Department acquisition workforce under subsection (f).

“(e) COMPETITION PLAN.—The strategy required under subsection (b) shall include a plan to address actions to ensure competition, or the option of competition, for major acquisition programs, which may include assessments of the following measures in appropriate cases if the measures are cost effective:

“(1) Competitive prototyping.

“(2) Dual-sourcing.

“(3) Unbundling of contracts.

“(4) Funding of next generation prototype systems or subsystems.

“(5) Use of modular, open architectures to enable competition for upgrades.

“(6) Acquisition of complete technical data packages.

“(7) Periodic competitions for subsystem upgrades.

“(8) Licensing of additional suppliers, including small businesses.

“(9) Periodic system or program reviews to address long-term competitive effects of program decisions.

“(f) ACQUISITION WORKFORCE PLAN.—

“(1) ACQUISITION WORKFORCE.—The strategy required under subsection (b) shall include a plan to address Department acquisition workforce accountability and talent management that—

“(A) identifies the acquisition workforce needs of each component performing acquisition functions; and

“(B) develops options for filling those needs with qualified individuals, including a cost-benefit analysis of contracting for acquisition assistance.

“(2) ADDITIONAL MATTERS COVERED.—The acquisition workforce plan under this subsection shall address ways to—

“(A) improve the recruitment, hiring, training, and retention of Department acquisition workforce personnel, including contracting officers' representatives, in order to retain highly qualified individuals who have experience in the acquisition life cycle, complex procurements, and management of large programs;

“(B) empower program managers to have the authority to manage their programs in an accountable and transparent manner as such managers work with the acquisition workforce;

“(C) prevent duplication within Department acquisition workforce training and certification requirements through leveraging existing training within the Federal Government, academic community, or private industry;

“(D) achieve integration and consistency with Government-wide training and accreditation standards, acquisition training tools, and training facilities;

“(E) designate the acquisition positions that will be necessary to support the acquisition requirements of the Department, including in the fields of—

“(i) program management;

“(ii) systems engineering;

“(iii) procurement, including contracting;

“(iv) test and evaluation;

“(v) life cycle logistics;

“(vi) cost estimating and program financial management; and

“(vii) additional disciplines appropriate to the mission needs of the Department;

“(F) strengthen the performance of contracting officers' representatives (as defined in subpart 1.602-2 and subpart 2.101 of the Federal Acquisition Regulation), including by—

“(i) assessing the extent to which those representatives are certified and receive training that is appropriate;

“(ii) assessing what training is most effective with respect to the type and complexity of assignment; and

“(iii) implementing actions to improve training based on those assessments; and

“(G) identify ways to increase training for relevant investigators and auditors of the Department to examine fraud in major acquisition programs, including identifying opportunities to leverage existing Federal Government and private sector resources in coordination with the Inspector General of the Department.”

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135) is amended by inserting after the item relating to section 835 the following:

“Sec. 836. Multiyear acquisition strategy.”

SEC. 3. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF MULTIYEAR ACQUISITION STRATEGY.

(a) DEFINITIONS.—In this section—

(1) the terms “acquisition”, “best practices”, and “major acquisition program” have the meanings given those terms in section 836 of the Homeland Security Act of 2002, as added by section 2 of this Act; and

(2) the term “Department” means the Department of Homeland Security.

(b) REVIEW.—Not later than 180 days after the date on which the Secretary of Homeland Security submits the first multiyear acquisition strategy required under section 836 of the Homeland Security Act of 2002, as added by section 2 of this Act, after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review of the strategy and analyze the viability of the effectiveness of the strategy in—

(1) complying with the requirements of such section 836;

(2) establishing clear connections between Department objectives and acquisition priorities;

(3) demonstrating that Department acquisition policy reflects program management best practices and standards;

(4) ensuring competition or the option of competition for major acquisition programs;

(5) considering potential cost savings through using existing technologies when developing acquisition program requirements;

(6) preventing duplication within Department acquisition workforce training requirements through leveraging already-existing training within the Federal Government, academic community, or private industry; and

(7) providing incentives for acquisition program managers to reduce acquisition and procurement costs through the use of best practices and disciplined program management.

(c) REPORT.—The Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives a report on the review conducted under subsection (b), which shall be submitted in unclassified form but may include a classified annex.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 119—REQUIRING AUTHORIZING COMMITTEES TO HOLD ANNUAL HEARINGS ON GOVERNMENT ACCOUNTABILITY OFFICE INVESTIGATIVE REPORTS ON THE IDENTIFICATION, CONSOLIDATION, AND ELIMINATION OF DUPLICATIVE GOVERNMENT PROGRAMS

Mr. GARDNER (for himself and Mr. PETERS) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 119

Resolved,

SECTION 1. SHORT TITLE.

This resolution may be cited as the “Congressional Oversight to Start Taxpayer Savings Resolution” or the “COST Savings Resolution”.

SEC. 2. REQUIRING COMMITTEE HEARINGS ON GOVERNMENT ACCOUNTABILITY OFFICE REPORTS.

(a) DUPLICATION REPORTS.—Not later than 90 days after the date on which the Comptroller General of the United States transmits each annual report to Congress identifying programs, agencies, offices, and initiatives with duplicative goals and activities within the Government under section 21 of the Joint Resolution entitled “Joint Resolution increasing the statutory limit on the public debt” (Public Law 111-139; 31 U.S.C. 712 note), each standing committee of the Senate (except the Committee on Appropriations) with jurisdiction over any such program, agency, office, or initiative covered by that report shall conduct hearings on the recommendations for consolidation and elimination of such program, agency, office, or initiative.

(b) **HIGH RISK LIST.**—Not later than 90 days after the date on which the Comptroller General of the United States publishes a High Risk List, or any successor thereto, each standing committee of the Senate (except the Committee on Appropriations) with jurisdiction over any agency or program area on the High Risk List shall conduct hearings on the vulnerabilities to fraud, waste, abuse, and mismanagement, or need for transformation, of the agency or program area.

(c) **JOINT HEARINGS.**—For any program, agency, office, initiative, or program area over which more than 1 standing committee of the Senate (except the Committee on Appropriations) has jurisdiction, to the extent determined beneficial and appropriate by the Chairmen of the committees, the committees may hold joint hearings under subsection (a) or (b).

SENATE RESOLUTION 120—DESIGNATING APRIL 20, 2017, AS “NATIONAL ALTERNATIVE FUEL VEHICLE DAY”

Mr. MANCHIN (for himself and Mrs. CAPITO) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 120

Whereas the United States should reduce dependence on foreign oil and enhance energy security by creating a transportation sector that is less dependent on oil;

Whereas the United States should improve the air quality of the country by reducing emissions from the millions of motor vehicles that operate in the United States;

Whereas the United States should foster national expertise and technological advancement in the development of cleaner, more energy-efficient alternative fuel vehicles and advanced technology vehicles;

Whereas a robust domestic industry for alternative fuels, alternative fuel vehicles, and advanced technology vehicles will create jobs and increase the competitiveness of the United States in the international community;

Whereas the people of the United States need more options for clean and energy-efficient transportation;

Whereas the mainstream adoption of alternative fuel vehicles and advanced technology vehicles will produce benefits at the local, national, and international levels;

Whereas consumers and businesses require a better understanding of the benefits of alternative fuel vehicles and advanced technology vehicles;

Whereas numerous audiences, such as first responders, require comprehensive training to become fully prepared for any precautionary measures for working with alternative fuel vehicles and advanced technology vehicles; and

Whereas the Federal Government can lead the way toward a cleaner and more efficient transportation sector by choosing alternative fuel vehicles and advanced technology vehicles for the fleets of the Federal Government: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 20, 2017, as “National Alternative Fuel Vehicle Day”;

(2) proclaims National Alternative Fuel Vehicle Day as a day to promote programs and activities that will lead to the greater use of cleaner, more efficient transportation that uses new sources of energy; and

(3) urges the people of the United States—

(A) to increase the personal and commercial use of cleaner and energy-efficient alternative fuel vehicles and advanced technology vehicles;

(B) to promote public sector adoption of cleaner and energy-efficient alternative fuel vehicles and advanced technology vehicles; and

(C) to encourage the adoption of Federal policies to reduce the dependence of the United States on foreign oil through the advancement and adoption of alternative, advanced, and emerging vehicle and fuel technologies.

SENATE RESOLUTION 121—DESIGNATING APRIL 11, 2017, AS THE “NATIONAL BIRTHDAY OF THE U.S. NAVY SUBMARINE FORCE”

Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 121

Whereas, for 117 years, the broad strategic and tactical advantages created by the submarine force of the Navy (referred to in this preamble as the “Submarine Force”) have enhanced the national security of the United States through undersea missions;

Whereas, over the course of the last 11 decades, the submarines of the Navy have advanced through 4 generations;

Whereas the Navy first acquired a commissioned submarine, the USS Holland (SS-1), on April 11, 1900;

Whereas the first generation submarines of the Navy rapidly evolved from small, limited-capability submersibles to a dominant force in naval warfare;

Whereas the second generation submarines of the Navy, defined by the heroes of World War II, made a decisive difference in a war in which control of the sea was crucial;

Whereas the third generation submarines of the Navy, defined by the Cold War and the use nuclear power, helped prevent a nuclear world war and secured the interests of the United States;

Whereas the modern, fourth generation submarines of the Navy use long-range sensors and weapons to stay ahead of global threats and preserve freedom of navigation in the global maritime environment;

Whereas, in 2017, the Submarine Force consists of 52 attack, 14 ballistic missile, and 4 guided missile submarines that enable the Navy to win wars, prevent conflicts, and defeat threats posed by terrorists;

Whereas, throughout the history of the Submarine Force, the 1 constant has been the tremendous character, courage, and dedication of the men and women who maintain, equip, and train and fight in the submarines of the Navy; and

Whereas April 11, 2017, marks the 117th birthday of the Submarine Force and is an appropriate date to designate as the “National Birthday of the U.S. Navy Submarine Force”: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 11, 2017, as the “National Birthday of the U.S. Navy Submarine Force”; and

(2) acknowledges the critical role that the men and women of the submarine force of the Navy fulfill in defending the United States.

AUTHORITY FOR COMMITTEES TO MEET

Mr. GARDNER. Mr. President, I have 7 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, April 6, 2017, at 9:30 a.m.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, April 6, 2017, at 10 a.m., in 215 Dirksen Senate Office Building, to conduct a hearing entitled “The 2017 Tax Filing Season: Internal Revenue Service Operations and the Taxpayer Experience.”

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, April 6, 2017, at 9:30 a.m., in 215 Dirksen Senate Office Building, to consider the nomination of Robert Lighthizer, of Florida, to be United States Trade Representative.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, April 6, 2017 at 11 a.m., to hold a business meeting.

COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Thursday, April 6, 2017 at 2 p.m., in room SH-219 of the Senate Hart Office Building.

SUBCOMMITTEE ON AVIATION OPERATIONS, SAFETY AND SECURITY

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Thursday, April 6, 2017, at 10 a.m. in room 253 of the Russell Senate Office Building.

The Committee will hold Subcommittee Hearing on FAA Reauthorization: Perspectives on Rural Air Service and the General Aviation Community.

SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

The Subcommittee on Regulatory Affairs and Federal Management of the Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, April 6, 2017 at 10 a.m. in order to conduct a roundtable entitled, “Case Studies in Personnel Management Reform in Federal Agencies.”

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority leader and chairman of the Senate Committee on Armed Services, pursuant to the provisions of Public Law 114-328, appoints the following individuals to serve as members of the National Commission on Military, National, and Public Service: the Honorable Joseph Heck of Nevada and Steve Barney of Massachusetts.

ORDER OF PROCEDURE

Mr. McCONNELL. Mr. President, I ask unanimous consent that following leader remarks on Friday, April 7, and notwithstanding rule XXII, there be 2 hours of debate equally divided in the usual form; further, that upon the use or yielding back of time, the Senate vote on the Gorsuch nomination with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR FRIDAY, APRIL 7, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Friday, April 7; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that following leader remarks, the Senate resume executive session to consider the nomination of Neil Gorsuch, as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:05 p.m., adjourned until Friday, April 7, 2017, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

DAVID L. NORQUIST, OF VIRGINIA, TO BE UNDER SECRETARY OF DEFENSE (COMPTROLLER), VICE MICHAEL J. MCCORD.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ERIC D. HARGAN, OF ILLINOIS, TO BE DEPUTY SECRETARY OF HEALTH AND HUMAN SERVICES, VICE WILLIAM V. CORR, RESIGNED.

DEPARTMENT OF JUSTICE

MAKAN DELRAHIM, OF CALIFORNIA, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE WILLIAM JOSEPH BAER, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

NEIL R. COPELAND
ANDREW R. DAVIS
ZACHARY M. DREADEN
ALEX Y. HERNANDEZ
OLIVIA M. VAUGHAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

ROBERT P. MCCOY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

ALLEN R. HENDERSON, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

GEORGE L. BURNETT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

DION R. DIXON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

REBECCA A. LIPE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MICHAEL N. TESFAY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MEGAN G. K. STEELE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

RYAN W. ABNER
CHRISTINE M. AINSWORTH
JULIE L. AIRHART
JEANETTE AMBERSLEY
SEAN M. AMPORT
ELENA A. AMSPACHER
ERICKA M. ANDERSON
MELISSA M. ANHALT
JONATHAN R. BEATTY
DAVID M. BERGERON
DAENA E. BERTACINI
HOLLY E. BLACK
MELISSA B. BLACKBURN
TARA R. BLACKWELDER
PINKY JAYNE BREWTON
JOSHUA K. BROWN
TAMARA N. BROWN
REBECCA J. BRYANT
KRISTEN D. CALDWELL
JENA J. CAMPBELL
OMAR CARRASCO
ARTHUR R. CARTWRIGHT, JR.
MELODY L. COBB
HEATHER D. COHEN
JOPER E. COLLADO
NATURE D. COMANS
JOANNA M. COOLEY
KYLE W. CRISSMAN
KATRINA S. CROWELL
ROWENA D. DACUMOS
PATRICK J. DAVIDSON
CANDIDA K. DAVIS
TRACY T. DAVIS
COURTNEY DESUTTER KUJANSU
JAN M. DOCKERY
ALECIA T. DOEMAN
EDITA U. DUNGCA
JAMES D. DUNHAM
MARC K. DUNHAM
SHANNON A. DURHAM
CHRISTIE J. DURNAN
SHANNON L. EARLYRICE
EVALEEN M. FLECK
BERNADETTE M. GABUCAN
VALERIA Y. GADSON
CHRISTOPHER M. GREEN
TAMARA N. GRIMAUD
WENDY S. GRUBER

LORNA B. GUTIERREZ
SHAUNTEL E. HAAS
STEPHANIE HANA TANI HAHLEBECK
AQUILA L. HANEY
JENNIFER R. HARDIN
EUGENE S. HARRIS
CONSUIA L. HARRISGAINES
FRANK H. HAUN
THOMAS E. HEERING, JR.
CHRISTINA M. HENDERSON
KELLEY M. HENSON
BRYAN M. HERSCH
MARISA L. HESTER
JEREMY M. HOLZBERGER
LINDSAY A. HONEYCUTT
NICOLE M. HUST
TINA R. ISAAC
DAYLA K. JACKSON
EMILY K. JARDING
ALEXIS JO JOHNSON
TEKIA L. JONES
THOMAS J. JONES
KRISTIN L. KAAUAMO
ZACKERY D. R. KALINASKAS
ALINA V. KENDRICK
STEPHEN W. KENNEDY
YONG N. KIM
SEAN L. KIMSEY
ARIA A. KLEIN
MICHAEL A. KOLYSKO
SARAH U. LEEMULVEY
MELISSA L. LEGOWSKI
HEATHER M. LEWIS
ANGELA M. LING
LORI L. LITTLEJOHN
KEVIN M. MASSEY
AVIS L. MCCASLIN
REGINA A. MCCLURE
ANGELA L. MCELROY
LISA M. MCFARLAN
TONI M. MCGEE
TIFFANI J. MCMANN
MARY KATHRYN MCPHERSON
CHRISTINE EVETTE MONTEZ
NICOLA GORDON MORRISON
PATRICIA A. MORTON
HILERY D. MULHOLLAND
CATHERINE D. NICHOLSON
MICHAEL S. NIXON
KAREN S. P. NORTHEY WARREN
LAURA R. NOWLIN
GEOFFREY O. OBIA
RACHAEL A. PALERMO
DANIEL T. PEREZ
ALLEN C. POTTER
KARLA L. PRATHER
TAMELA E. PRATT
NICOLE A. PRIES
STEVEN A. RADAKER
KATHRYN A. RANDALL
CADE A. REEDY
LAURA K. REEFER
SHANNON D. RENICK
JANELLE L. RIVERA
EMILY K. ROARK
JOYCE STAMARIA RONAN
ANTONETTE T. ROSE
KPRANBU J. SELLY
SHELLY E. SHILDT
YESSSENIA N. SINCLAIR
STEFANIE A. SITTMANN
NICOLE T. SPEAKMAN
JOHN A. STREETER
LORA M. STUDLEY
LEAH S. SWEENEY
CHAREE L. TACCOGNO
JULIE M. TARR
ANDREW L. TAYLOR
JULIE A. THOMAS
GARRETT M. TILLMAN
TONYA M. TOCHE HOWARD
MICHELLE M. TRAMMEL
EMILY S. TRIMBLE
CINDY ANN VELASQUEZ
NICOLE M. WARD
SCOTT W. WESTERMAN
SHAMEKA L. WILLIAMS
ROBERT L. WITTWER
KISHA A. WOOD
MICHELLE F. G. WOODIE
TRACY S. WORRELL
CARMEN D. YALUNG
BREANCA G. YOUNG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ALLEN SETH ABRAMS
SHALIMAR PEARL ADDY
NATHAN R. ALLRED
CHRISTOPHER MICHAEL BAILEY
JULIE ANNE BEYER
KATHRYN MAE BOUCHER
ASHLEY BOWER
ANDREW SCOTT BOWNE
STEPHEN ALEKSAND BRAUNLICH
THOMAS RICHARD BURKS
LINDSEY ANNE CALLAHAN
JONATHAN EDWARD CARROLL
PAUL G. CLAWSON
APRIL E. COBB

NICHOLAS CAMERON COOPER
DANIELLE HESS CROWDER
WALTON L. DABNEY
ALEXANDER OWEN DEHNER
CHRISTOPHER THOMAS DELGIORNO
IAN TIMLIN DUGGAN
CELINA E. DUVALL
DAVID O. ENNIS
SEPTEMBER RAE FOY
GRANT BENJAMIN GARDNER
MICHELLE ERICA GREGORY
JAMES R. HASLUP
KELLY BROLAN HASLUP
CHRISTOPHER THOMAS HECK
ERIC GERARD HERGENROEDER
JUSTIN DEAN HESS
JUSTINA OLIVER PERRY HOOPER
PATRICK JOSEPH HUGHES
SAMUEL JOSEPH JORDAN
KENNARD JAMES KEETON II
TAMERA RENEE KENNARD
ERIN AILEEN KENNY
MARTA JANINA KOLCZRYAN
STEPHANIE LYN KRAL
JENNIFER MARIE LAKE
CARMAN ANTHONY LEONE
ANASTASIA M. LEWANDOSKI
JENNY A. LIABENOW
JEREMY JOHN MALDONADO
JEREMY A. MARTIN
YOLANDA DENISE MILLER
DAVID DOMAGALA MITCHELL
JOCELYN R. MITNAUL
NICOLE RODRIGUEZ MODESITT
ANN WELLINGTON MORGAN
GREGORY JUSTIN MORGAN
RYAN GRAYSON MOSHELL
BRITTANY R. MUSLEVE
TYLER BLAIR MUSSELMAN
MEGAN ELIZABETH ORTNER
BRADLEY JAMES PALMER
RYAN PHILLIPS PAYNE
GABRIEL JOHN PODESTA
CHRISTOPHER DALE PORTER
KATHLEEN MARIE POTTER
RYAN D. RICHTER
MARQUITA V. RICKS
PETER BROOKS ROSE
BRADLEY J. SAUER
KAYLYNN NICOLE SHOOP
MICAH LEE SMITH
CARSON CUNNINGHAM SPROTT
JOSHUA MEAD STARR
TROY G. TAYLOR
NICK T. TESMER
MEGAN ELIZABETH TONNER ROBINSON
MATTHEW LLOYD TUSING
LAURA ASHLEY WAGNER
KATHRYN ANNE WATSON
SAMUEL THOMAS WELCH
JOSHUA J. WENDELL
THOMAS BENJAMIN WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES AIR
FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

CHAD A. BELLAMY
JASON MCKINLEY BOTTS
MATTHEW F. BOYD
GLENN B. BRIGHT
CHRISTIAN J. CHAE
ERIK G. HARP
ROLF E. HOLMQUIST
JONATHAN R. HURT
DAVID B. KNIGHT, JR.
PATRICK E. KNOESTER
DALLAS L. LITTLE
MARK W. NEVIUS
ISMAEL RODRIGUEZ
REGINA O. SAMUEL
RUTH N. SEGRES
CHARLES SELIGMAN III
WILLIAM R. SPENCER
ANDREW L. THORNLEY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES AIR
FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

AIMEE L. ALVIAR
JOHNNIE I. BARRETT
LAURA A. BELT
JASON D. BOLT
WILLIAM N. CLARK
WANDA L. CLEMONS
CINDY L. CRADDOCK
DARREN J. DAMIANI
DALE H. DESALIS
HOLLY ANN DINKEL
DANA LEA DUERR
MICHAEL H. EDGING
TRACY S. EDWARDS
STEPHANIE M. ELLENBURG
SARAH M. EVANS
STACY G. FRIESEN
MICKAELLE M. GERMAIN
WANDA R. GREENE
WANDA M. HOGGARD
MATTHEW J. HOWARD
SARAH L. HUFFMAN

CHRISTOPHER W. KELLY
ROBIN R. LECH
LUVENIA M. MANNING
SARAH E. MARTIN
TROY D. MEFFERD
JOSEPH C. MELDER
MICHAEL J. MORROW
VANESSA L. MOSES
TAMMY M. MOSLEY
FRANCES M. NICHOLS
COREY M. NORTON
LISA R. PALMER
LEILA V. PASIGNAJEN
ANN M. PETCAVAGE
GARY A. PULMANO
KATHERINE S. ROBBEL
KARRI A. ROMAN
DARRELL W. SAYLOR
JIMMY D. SCOTT
JULIE A. SKINNER
DON L. SMITH
MYRNA L. SPENCER
ANNE S. STALEY
DOUGLAS W. STILES
NICOLE THOMPSON STONEBURG
ANNA M. VANCE
ANGELIQUE VANN PATTERSON
LISA A. WARE
SHAUN S. WESTPHAL
DAVID A. WHITEHORN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES AIR
FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

WILLIE J. BABOR
SOPHIA B. CARRILLO
KERIC D. CLANAHAN
DAVID WILLIAM CROMWELL
SIMONE V. DAVIS
SARA M. DAYTON
CARLOS M. DEDIOS
LAURA C. Y. DESIO
RANAE L. DOSER PASCUAL
JAMES B. EVES
DAVID E. FEITH
KURT T. GERLACH
ANTHONY J. GHOTTO
JAMES H. GUTZMAN
ANDREA MARIE HALL
JASON R. HULL
DYLAN THOMAS IMPERATO
SAM C. KIDD
JOSEPH J. KUBLER
EVEYLYN C. MACK
MICHELLE D. MARTY
BRIAN C. MASON
THOMAS A. MCNAB
GLEN R. MILLER
MONICA E. NUSSBAUM
SHERRI M. OHR
JEFFREY C. PHILLIPS
LANOURRA L. PHILLIPS
AMANDA SEIDEL ROCKERS
NORA C. RULE
JENNIFER M. SANCHEZ
ERIKA LEE SLEGER
MICHAEL G. THIEME
TODD F. TILFORD
JAMES E. TUCKER
GRANT TIMOTHY WAHLQUIST
DANIEL J. WHITE
JA RAI A. WILLIAMS
TIFFANY J. WILLIAMS
MAUREN SCHELLIE WOOD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES AIR
FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

HECTOR L. COLONCOLON
MATTHEW P. FRANKE
JAMES A. HAMEL
LESLIE A. JANOVEC
DANIEL N. KARANJA
KEVIN L. LOCKETT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES AIR
FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

BETH M. BAYKAN
JAMES E. CAMPION
THERESA D. CLARK
SUZIE C. DIETZ
DANIEL E. DONAHUE
VICKI M. FAIR
COURTNEY D. FINKBEINER
ALISON T. FORSYTHE
GWENDOLYN A. FOSTER
MATTIE D. GOODE
LARHONDA M. GRAY
KRISTINE M. HACKETT
JEANINE D. HATFIELD
JENNIFER J. HATZFELD
ANITA A. HOYUELA
LAURA K. JONES
RONALD L. JONES, JR.
MARK A. KNITZ
STEVEN W. LEHR

LIONEL M. LYDE
KRISTELL L. MICHAEL
KARI A. MILLER
PAUL T. MILLER, JR.
CAMELLA D. NULTY
HEATHER A. PEREZ
KIMBERLY A. SCHMIDT
ANTOINETTE M. SHINN
VICKIE L. SKUPSKI
MELISSA C. SMITH
KARI M. STONE
SCOTT R. TONKO
CANDY S. WILSON
WILLIAM T. WILSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
IN THE GRADE INDICATED IN THE RESERVE OF THE AIR
FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MARTIN J. HAMILTON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES AIR
FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

MICHAEL A. BLACKBURN
ERIC J. CADOTTE
ROBERT P. CHATHAM
KRISTINE M. DOUGLAS
KENNETH L. HOBBS
JOHN J. HOPKINS III
CHRISTOPHER D. MAY
TERRENCE J. MCCOLLOM
TARALYNN M. OLAYVAR
CHRISTOPHER M. SCHUMANN
COREA B. SMITH
MATTHEW P. STOFFEL
BRIAN M. THOMPSON
JASON S. WRACHFORD

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES ARMY
UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

JENNIFER A. MCAFEE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES ARMY
UNDER TITLE 10, U.S.C., SECTION 624:

To be major

NINA R. COPELAND

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES ARMY
UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CALVIN E. TOWNSEND

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES ARMY
JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10,
U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

SCOTT A. MCDONALD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES ARMY
UNDER TITLE 10, U.S.C., SECTION 624:

To be major

THOMAS P. LUKINS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES ARMY
UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

SCOTT M. MCFARLAND

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES ARMY
JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10,
U.S.C., SECTIONS 624 AND 3064:

To be colonel

JEFFREY A. MILLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES ARMY
AS A CHAPLAIN UNDER TITLE 10, U.S.C., SECTIONS 624
AND 3064:

To be lieutenant colonel

JOSEPH M. KILONZO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES ARMY
MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SEC-
TIONS 624 AND 3064:

To be lieutenant colonel

BRANDI A. SCHUYLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES ARMY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

DAVID J. KACZMAREK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JONATHAN A. JOHNSON

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

JAMES A. BENSON
CHARLENE C. DALTO
ALFRED J. FLEMING
JASON W. FRYMAN
RANDY S. GREEN
ELMER S. HOLT
MICHAEL J. HUNT
GREGORY C. KNIGHT
MICHAEL B. MADDOX
DAVID T. MAY
ANDREW P. MILLIGAN
THOMAS E. MOORE II
CHARLES W. MORRISON
DANIEL W. MURPHY
DAVID L. NIXON
CHRISTOPHER M. PANZER
DEAN A. PRESTON
SHAWN R. SATTERFIELD
FRANKLIN P. SLOAN, JR.
TYSON Y. TAHARA
ROBERT A. WOOD
WILLIAM M. YANEK II

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

CRYSTAL J. SMITH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

DANA B. LOVE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

DOUGLAS A. MCKEWAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:TO

To be colonel

DAVID M. WALLACE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

LISA M. PATTON

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

MICHAEL W. AMECHE
JOSHUA M. BERGEN
MICHAEL M. CATALANO
COREY J. CHONSKY
JASON M. CLARK
HENRY J. DONAGHY
STEVEN L. EVANS, JR.
NATHANIEL C. FETTING
ROBERT L. FOSTER
CONNOR M. HERRON
THOMAS J. HOFFMAN
STEVEN D. HOPKINS
RICHARD S. JORDAN
MICHAEL A. KENNEDY
KEITH R. KROUCHICK
MATTHEW B. LEES
REED H. MACKENZIE
MICHELLE A. MATTHEWS
JAMES M. MAXWELL
IAN W. MCMENAMIN
JUSTIN G. MILLER
JONATHAN T. NODA
JASON T. OWENS
PHILLIP A. RIOS
SCOTT R. SALLY
LESTER L. SHEWMAKE III
SEAN M. STANDEN
STEPHEN B. SZALAI
JACOB A. UPTEGROVE
JOSHUA J. WHITLOW

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

RACHEL E. CARTER
IVAN M. GUTIERREZ
KEVIN D. KEITH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

MAUER BISCOTTI III
MICAH B. BLAIS
PAMELA M. CHOI

CONOR B. GARRY
ANDREW L. MIDDLETON
RANDY K. SULAVER
ADAM J. SUSMARSKI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

DONALD V. WILSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

MICHAEL A. WINSLOW

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

HORACIO G. TAN

To be lieutenant commander

CLARENCE M. BRADLEY
ALDRIN J. A. CORDOVA
JIMMY J. PAVELKA
DERRICK A. THOMAS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

NATALIE C. O. GILLIVER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTIONS 624 AND 1552:

To be commander

JOHN F. SHARPE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

REANN S. MOMMSEN

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

BASIL J. CATANZARO

HOUSE OF REPRESENTATIVES—Thursday, April 6, 2017

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Eternal God, we thank You for giving us another day.

Send Your spirit upon the Members of this people's House to encourage them in their official tasks.

Assure them that in the fulfillment of their responsibilities, You provide the grace to enable them to be faithful in their duties, and the wisdom to be conscious of their obligations to fulfill them with integrity.

As the Congress looks to the upcoming holy celebrations of millions of Americans, may they, and may we all, be mindful of Your love for us. May we be faithful stewards not only of Your creation, but also Your desire that all people would be free from whatever inhibits them to be fully alive.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from California (Mr. RUIZ) come forward and lead the House in the Pledge of Allegiance.

Mr. RUIZ led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

HONORING PAUL SMITH'S COLLEGE FOR THEIR COMMITMENT TO VETERANS

(Ms. STEFANIK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. STEFANIK. Mr. Speaker, I rise today to praise a school in my district that is going the extra mile to ensure that our heroes are given the resources and opportunities they deserve.

On April 22, Paul Smith's College in my district will hold the grand opening of their Veterans Resource Center—a project made possible through grants from the Holder Family Foundation and the Fred L. Emerson Foundation. This center will provide vets on campus with an important recreational resource and place to study, as well as house the Paul Smith's College Veteran's Club. Paul Smith's has a proud tradition of service with our Armed Forces dating back to when the campus was first built during World War II and was used as a U.S. Army Signal Corps training center.

Since then, the school has upheld their commitment to our servicemembers, working with several organizations to ease the transition from service to academia for our veterans.

Mr. Speaker, I am pleased to speak on the House floor today to recognize the special work being done for our heroes by Paul Smith's College.

HONORING THE MEMORY OF CHIEF MASTER SERGEANT SHIRLEY POWELL

(Mr. RUIZ asked and was given permission to address the House for 1 minute.)

Mr. RUIZ. Mr. Speaker, Air Force Chief Master Sergeant Shirley Powell of Cathedral City exemplified our Nation's highest values of dedication to public service. She passed away last month, March 2017. Her legacy of leadership is a constant source of inspiration. I am humbled to have called her my constituent and my friend.

Chief Master Sergeant Powell joined the U.S. Air Force in 1962, where she served for 38 years. She opened important doors for women in our military. She was the first woman to have achieved the rank of chief master sergeant in the Air National Guard 146th Airlift Wing and to be selected for the special duty of first sergeant.

She continued to serve the Coachella Valley after her retirement in numerous veterans' organizations. She became a life member of the Palm Springs Air Force Association, and was also selected to serve on the Riverside County Veterans' Advisory Committee.

She served on my Congressional Veterans' Advisory Board and Military Academy Nominations Committee. Her advice and counsel were invaluable to me.

Mr. Speaker, I am humbled to recognize Chief Master Sergeant Powell and add her story and contributions to our Nation's record. Her distinguished career is an example of excellence, dedication, and service to our Nation.

CONGRATULATIONS TO MICHAEL HAIN OF NITTANY MEDIA

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize Michael Hain, general manager and chief technology officer of Nittany Media, for being named Independent Tech Executive of the Year by Cablefax magazine.

Michael was a second-generation executive. Nittany Media is a locally owned and operated cable provider that has served rural Pennsylvania since 1957. They are credited with bringing the internet to some very rural areas as early as 1997.

His parents, Harry and Anna Hain, founded the business, and Michael has been actively involved since he was a child. He climbed his first cable tower at age 3 during a neighbor's barbecue. Michael told a news outlet: "When the other kids were going down to the river fishing, my dad and I were going up to the mountain with an inch-and-a-quarter mast with an antenna. And we were fishing too; fishing for a distant signal."

A love for cable runs deep for Michael Hain.

On behalf of the people of the Fifth Congressional District of Pennsylvania, I extend my sincere congratulations to Michael Hain of Nittany Media for this outstanding achievement.

APPOINT A SPECIAL COUNSEL TO INVESTIGATE RUSSIAN CONNECTIONS

(Ms. VELÁZQUEZ asked and was given permission to address the House for 1 minute.)

Ms. VELÁZQUEZ. Mr. Speaker, another week in Washington and, yet, more evidence mounts; our election and the White House have been compromised by Russia.

This week we learned one of the President's informal advisers—a mercenary who founded the company Blackwater—met secretly with a Putin representative and attempted to establish back-channel conversations between the Trump administration and Russia.

Remember, this comes after we found out the President's son-in-law met with Russian banking officials. It comes after it was reported that the Attorney General likely perjured himself before Congress about his own meeting with Russians.

Sadly, it comes after there were chemical weapons attacks in Syria. Let us recall that Assad's closest ally in that horrific civil war has been—you guessed it—Russia.

It is imperative we unearth all of the links between this administration, Russia, and Russia's hacking of our election. The House Intelligence Committee's investigation has become a farce. We need a thorough, independent investigation. Appoint a special counsel now.

HONORING THE PERRY TECHNICAL INSTITUTE

(Mr. NEWHOUSE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NEWHOUSE. Mr. Speaker, I rise today to recognize the Perry Technical Institute, a technical school serving the students of the Yakima Valley in Washington's Fourth Congressional District.

Since its founding, Perry Tech has focused on educating and preparing students for real-world employment in fields such as welding, instrumentation, carpentry, machining, and manufacturing. These programs provide students practical experience as well as skills in time management, goal setting, and financial literacy.

A recent study of economic mobility conducted of nearly 700 technical schools from around the Nation ranked Perry Tech number one for having graduates move from low income into the top 20 percent of earners. With an astoundingly high job placement rate of 93 percent, it is clear that Perry Technical Institute is providing its students with the skills they need to excel in the workplace.

Please join me in celebrating Perry Technical Institute's success.

NATIONAL YOUTH VIOLENCE PREVENTION WEEK

(Mr. CÁRDENAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CÁRDENAS. Mr. Speaker, it is my honor to be a Member of this House and to serve the public. This week I announced that it is National Youth Violence Prevention Week. Preventing youth violence can't happen overnight. It requires change across our society, from our courts to our classrooms.

This week I introduced a package of bills to correct these problems that we have imposed upon our children and our communities. I urge my colleagues to get serious about these issues. Our children are our future. We owe our children every opportunity. We owe our children a system that works with them and for them. It is not a system that is out to get them.

We do not owe our children a system that allows them to be in our streets and to not be safe. For example, to make sure that our children are safe, means that we have safer communities. Right now the United States of America has a criminal justice system that spends over \$80 billion a year to incarcerate men, women, and children.

And who do these adults incarcerated become eventually?

Well, once they were children.

We can correct the system. We are the most incarcerated place on the planet in every sense of the word. We can change this. We must change this for the sake of our communities.

NULLIFY RULE PROMULGATED BY FEDERAL COMMUNICATIONS COMMISSION

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to help set the record straight on the vote last week to roll back the Federal Communications Commission's flawed internet service provider rules.

Since the internet was created, the Federal Trade Commission has been in charge of online privacy and has been largely successful in this mission. However, last year, the Federal Communications Commission overreached its authority by creating its own set of privacy rules that applied to a small group of internet service providers like Comcast, Verizon, and AT&T.

This is why I joined my colleagues in the House to approve the Congressional Review Act to nullify this redundant rule promulgated by the FCC. The FCC claimed these rules would provide customers with strong security protections, but, in reality, the FCC's rules created confusion, an additional layer of bureaucratic red tape, and a false sense of privacy that did not exist.

In fact, the head of both the FCC and FTC penned a joint op-ed recently supporting Congress' decision. In their own words, we cleared the way to reinstate a rational and effective system for protecting consumer privacy.

CELEBRATING THE SIKH HOLIDAY VAISAKHI

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, I rise today to join the Sikh community in celebrating Vaisakhi. In the San Joaquin Valley, I have the honor and the privilege to represent many diverse ethnic communities that are part of the mosaic of America.

The Sikh community is the American story, for they are the story of immigrants past and immigrants present that have come from all over the world to establish themselves as Americans and to build a better life for themselves and their family and add value to our country. So I am very proud, among so many ethnic groups, to be representing their interests here in our Nation's Capital.

On April 14, Vaisakhi is recognized by the Sikhs around the world, including thousands in California's San Joaquin Valley. On Vaisakhi, the Sikh community celebrates a new year and new beginnings. We honored the progress of the Sikh community that first came to California at the turn of the 20th century for their shared values, their family, their history, and the culture of Sikhism.

This holiday also recognizes the best of what all cultures strive for, and it is time that we celebrate the common bonds that we share as Americans. Notwithstanding our differences, we know at the end of the day that bonds that we as Americans share are far stronger than whatever differences we may have.

So I ask my colleagues to please join in celebrating this special tradition in the Sikh community.

HOUSE NEEDS TO STAY IN SESSION

(Mr. GALLAGHER asked and was given permission to address the House for 1 minute.)

Mr. GALLAGHER. Mr. Speaker, in just a few hours, Members of this body are leaving for a 2-week recess without having resolved the significant question of funding the government.

Funding expires only 3 days after we return—3 days—yet we are leaving. We are skipping town, but just yesterday, the chiefs of all of the military branches testified before this body about the damage another continuing resolution would do to our military.

The leaders of the Army, the Navy, the Marine Corps, and the Air Force all

testified that a continuing resolution would put our warfighters in greater danger, our Nation at greater risk, and the world less secure; yet we are leaving with our work unfinished. Our troops continue to serve, but we are leaving.

In what other profession would you take a 2-week pause without actually finishing the job?

Now, I know I am new to the House, but someone please tell me how this makes sense. We should stay in session and do what the American people sent us here to do: our jobs.

□ 0915

SUPPORTING AMERICA'S INNOVATORS ACT OF 2017

Mr. HUIZENGA. Mr. Speaker, pursuant to House Resolution 242, I call up the bill (H.R. 1219) to amend the Investment Company Act of 1940 to expand the investor limitation for qualifying venture capital funds under an exemption from the definition of an investment company, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to House Resolution 242, the bill is considered read.

The text of the bill is as follows:

H.R. 1219

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Supporting America's Innovators Act of 2017".

SEC. 2. INVESTOR LIMITATION FOR QUALIFYING VENTURE CAPITAL FUNDS.

Section 3(c)(1) of the Investment Company Act of 1940 (15 U.S.C. 80a-3(c)(1)) is amended—

(1) in the matter preceding subparagraph (A), by inserting "(or, in the case of a qualifying venture capital fund, 250 persons)" after "one hundred persons"; and

(2) by adding at the end the following:

"(C)(i) The term 'qualifying venture capital fund' means a venture capital fund that has not more than \$10,000,000 in aggregate capital contributions and uncalled committed capital, with such dollar amount to be indexed for inflation once every 5 years by the Commission, beginning from a measurement made by the Commission on a date selected by the Commission, rounded to the nearest \$1,000,000.

"(ii) The term 'venture capital fund' has the meaning given the term in section 275.203(l)-1 of title 17, Code of Federal Regulations, or any successor regulation."

The SPEAKER pro tempore. The gentleman from Michigan (Mr. HUIZENGA) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. HUIZENGA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to

submit extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HUIZENGA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we all know that small businesses and entrepreneurs are the heartbeat of the American economy. Access to financial capital is vital for entrepreneurs seeking to start up, operate, or expand their businesses. However, gaining access to capital has remained an enduring challenge for many small businesses.

The financial crisis and the Great Recession made the situation worse, frankly, as capital became increasingly hard to access from institutional banks and various capital market players. While conditions have improved somewhat in recent years, many entrepreneurs continue to struggle with accessing the capital they need to compete and to grow.

In order to succeed, these companies need capital and credit, the lifeblood for growth, expansion, and job creation. Yet the government continues to construct arbitrary walls that cut them off from essential financing, as smaller companies are caught in a sea of regulatory red tape created by Washington bureaucrats.

We know that 60 percent of all net new jobs that have come into this country, that have been created here in the United States, come from these small businesses. They are oftentimes S corporations, LLCs, sole proprietorships. Small companies often have such owners also be operators. They are working alongside their fellow employees.

That 60 percent of those jobs that have been created here in the United States isn't just a one-time blip. That is over the last 20 years, the last two decades, that we have seen that trend.

Congress has made strides in tailoring the regulatory environment for smaller companies, no doubt, most notably when we passed, with strong bipartisan support, the Jumpstart Our Business Startups, or JOBS, Act in 2012. This was a bipartisan bill that was signed into law by President Obama. The JOBS Act's benefits are notable as more and more companies use its provisions to raise investment capital in both the public and private markets.

The JOBS Act has raised the cap on investors in a privately held company from 500 to 2,000 investors, but the limit on the number of investors acting as a coordinated group to invest in a company remained at 100, where it has been since 1940, some 77 years ago.

As noted by Kevin Laws of AngelList in his written testimony before our Capital Markets Subcommittee: "With online fundraising and general solicitation becoming more common because

of the JOBS Act, companies are bumping up against the limit more frequently. The current limit . . . now acts as a brake on the amount of money the company wanted to raise, leaving tens of millions of dollars on the table that did not go into startups."

While H.R. 1219, the Supporting America's Innovators Act, a bipartisan bill introduced by the vice chairman of our Financial Services Committee, Representative PATRICK MCHENRY, and NYDIA VELAZQUEZ of New York, would amend the cap currently contained in the Investment Company Act to allow 250 investors for a "qualified venture capital fund," therefore enhancing angel investors' ability to provide important funding to small businesses.

This bill is a very modest increase to the current exemption that has been in place for nearly 77 years. Modernizing this cap is long overdue and reflects today's capital markets and the reality of the increasingly important role that angel investors and others play as they commit the funds necessary to help small businesses grow.

The Securities and Exchange Commission, unfortunately, continues to ignore the backlog of good ideas to spur capital formation, which is recommended by entrepreneurs, small businesses, and market participants from their annual SEC Government-Business Forum on Capital Formation. This is a forum that is put together annually. They take and solicit ideas. They want to hear from people that are in the marketplace to figure out what ways they could go to improve that. Unfortunately, they have not acted on this, and in the SEC's absence, Congress must act to promote market efficiency and capital formation.

I think we can all agree that we support smart regulation that protects investors and maintains orderly and efficient markets. But outdated, excessive, and unnecessary regulation whose costs outweigh benefits is dumb regulation that overburdens smaller companies. Let's provide some regulatory relief by enacting the bipartisan bill that will ease the burdens on small businesses and job creators and help foster capital formation and get Americans back to work.

Mr. Speaker, I would also like to note, in a hearing that we had on this bill last Congress, it passed our committee 52-2, including the ranking member voting for it. There were no dissenting minority views that were offered, and no amendments were offered at the Rules Committee on this. We have got a lot of consensus. I believe this is the right thing to do to move forward.

Mr. Speaker, I reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1219, the Supporting America's Innovators Act, is legislation that certainly shows that sometimes we can get together and we can support a good idea. This act is such a thing. It shows how well we can work together to craft bipartisan solutions that support our Nation's innovators and the jobs that they create.

Last Congress, Mr. MCHENRY came to me with a problem: Sophisticated angel investors who fund promising startup businesses want to pool their money together, but the law effectively caps them at 100 investors per fund. If more than 100 people want to invest, the fund is forced to exclude some of them from the deal to avoid registration and regulation as an "investment company" under the securities laws. That means investors willing to commit capital are being turned away and startups are losing out on important early-stage funding.

Because of Congresswoman NYDIA VELÁZQUEZ and Mr. PATRICK MCHENRY working together, working out any concerns that had been identified on either side of the aisle, we now, today, have a piece of legislation, a bill, that would narrowly increase the investor limitation from 100 to 250 persons for certain venture capital funds, provided that the fund does not have more than \$10 million in total investor capital.

This type of fund structure is used today by AngelList, an angel investing platform that connects investors meeting certain income and asset thresholds with one another so they can pool their money into special-purpose funds which then invest them in a particular startup company. Importantly, both the companies and the investors benefit from this structure.

Compared with making hundreds of smaller direct investments, a company, for example, only has as a single point of contact, the angel fund advised by a fiduciary, rather than hundreds of investors who must all individually approve corporate actions such as mergers and acquisitions and expanding ownership.

Investors also like this structure because they can delegate monitoring the startups they invest in to the investment adviser to the fund. Such monitoring may be significant, considering that investors, recognizing that most early-stage companies fail, typically diversify their investments among 30 to 80 companies.

H.R. 1219 reasonably promotes this fund structure for startup investments by providing a narrowly tailored exemption for certain venture capital funds which must invest at least 80 percent of their funds in small businesses. Under the bill, the venture capital funds must have no more than 250 investors and no more than \$10 million in investor capital, ensuring that they are small enough that investors are able to

monitor and manage their investments.

The bill's limits also ensure that we aren't creating a loophole for other investment companies, like mutual funds, to avoid regulation; nor are we providing relief to other private funds, like hedge funds or private equity funds, that have very little restriction and investor protection.

Mr. Speaker, too often Congress seeks to help small businesses by repealing sensible guardrails and rules of the road with little to no thought of the impact on investors or market integrity. This is a mistake since it is investors that provide the money necessary for small businesses to grow. If investors don't trust the markets to operate fairly, they will decline to invest or raise costs on the very businesses we want to help. H.R. 1219 is different and reflects a measured, bipartisan approach to promoting our Nation's startups and the investors who take a chance on them.

I thank Mr. MCHENRY and Ms. VELÁZQUEZ for their leadership on this bill. I urge all of my colleagues to vote "yes."

Mr. Speaker, I reserve the balance of my time.

Mr. HUIZENGA. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. MCHENRY), our vice chairman and the sponsor of this bill.

Mr. MCHENRY. Mr. Speaker, it is an honor to be here today, the day after the fifth anniversary of the JOBS Act.

Five years ago, yesterday, in a bipartisan way, this divided House, this divided government that got next to nothing done, in a bipartisan way, was able to achieve a huge bipartisan victory to help small businesses raise capital. In light of that and in that history, in that spirit, we have reached across the aisle, and Representative VELÁZQUEZ and Ranking Member WATERS worked with me to craft a very good bill here today.

This bill is targeted at small businesses across the rest of the country. We know that 78 percent of venture capital goes to just three States. If you are in Austin, Boston, or the Silicon Valley, you have capital flowing to you; you have funds for your idea. The rest of the country, whether you are in an urban area or rural area, is starved for capital.

In light of that problem, we are trying to work for a solution for those small businesses, those innovators with good ideas that maybe don't have the best access to capital. We raised the cap on angel investing, thereby allowing more people to participate at a lower threshold dollar amount while still including important investor protection.

Today is a great victory for small-business folks that need access, that need capital to take their idea to market. Mr. Speaker, I urge my colleagues to support this measure.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. Mr. Speaker, let me take this opportunity to thank the ranking member for yielding me time.

Mr. Speaker, I rise in support of H.R. 1219, the Supporting America's Innovators Act of 2017, which I am proud to cosponsor with Mr. MCHENRY.

Throughout my career here in Congress, I have always supported and encouraged legislation that creates jobs and fosters innovation for America's entrepreneurs and small businesses. The bill we are considering today will further that goal.

Mr. Speaker, I always say access to capital is access to opportunity. That is exactly what this legislation does.

The Investment Company Act of 1940 currently limits the number of accredited investors in a venture fund to no more than 100 individuals, but most funds try not to reach that limit in order to adjust for unforeseen circumstances. This artificially low limit restricts the number of individuals that can invest in small businesses and startups. That means less opportunity for entrepreneurs.

Our bill will address this problem by allowing up to 250 accredited investors to participate in venture funds with up to \$10 million in capital.

□ 0930

It is important to stress that these are accredited investors. They have at least \$200,000 in minimum income or \$1 million in net assets. These are sophisticated investors comfortable with the risks involved in the startup sector.

Many of these investors pool their money together either in local or national groups. More recently, many have gotten involved in online crowdfunding platforms, which were created through the JOBS Act, to funnel more capital to small businesses and startups.

Our bill will create greater access for women-owned and women-led businesses. The types of funds empowered to attract more investors under this bill are often a good capital source for women-owned firms.

I am proud that our bipartisan legislation has garnered a wide range of attention and support from the industry. The Angel Capital Association and the Internet Association have endorsed the bill. These are groups dedicated to expanding capital opportunities for small businesses.

This bill has also moved through the legislative process with strong bipartisan support every step of the way. Last month, we passed this bill out of the Financial Services Committee with a broad bipartisan vote of 54-2. The same day, the Senate Banking Committee was busy passing its bipartisan companion version, S. 444, sponsored by

Senators HEITKAMP and HELLER. It is also important to recognize that, last year, this Chamber passed a nearly identical version of our bill by a vote of 388-9.

It is time to see this legislation enacted. It will create more capital for small businesses and it will mean more jobs throughout the Nation.

Let me take a moment to thank Mr. MCHENRY for working with me on this bill, as well as Chairman HENSARLING. And let me also thank Ranking Member WATERS for her leadership and hard work.

Again, a vote for this bill is a vote for America's entrepreneurs. I urge my colleagues to vote "yes."

Mr. HUIZENGA. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. CHABOT), the chairman of the Committee on Small Business here in the House of Representatives and a strong supporter of this bill.

Mr. CHABOT. Mr. Speaker, I thank the gentleman from North Carolina (Mr. MCHENRY) for the work that he has done on H.R. 1219, the Supporting America's Innovators Act, and the entire Financial Services Committee for their work on this important topic.

As chairman of the House Small Business Committee—and I would note that you have here not only the Republican chair, but we just heard speak the ranking member of the Small Business Committee, Ms. VELÁZQUEZ; both in support of this legislation. It is bipartisan, which, as PATRICK MCHENRY mentioned, doesn't happen around here often enough, but it did in this case.

I often hear from entrepreneurs and small-business folks that the process to obtain capital is too rigid for them to expand and create jobs. Access to capital is a major issue that we need to address, and that is what we are doing here.

When it comes to helping small businesses get off the ground, no effort we can make is too small. The Supporting America's Innovators Act could make all the difference for an entrepreneur, and that is why, again, we are here to support it.

Commonsense reforms like this one, which raises the cap on the number of people who can invest in a venture fund, can go a long way for the Nation's entrepreneurs, startups, and small businesses. With 28 small businesses in the United States and nearly half of all private sector workers employed by one, the Nation's economic future lies squarely with this Nation's smallest companies and firms.

Those who risk everything and sacrifice much to take a shot at building the next great American company should be operating in a business environment that is free from overly burdensome rules and regulations. They should be able to concentrate on expanding their companies, gaining more customers, and job creation, not com-

pliance issues and outdated capital formation rules that prevent the largest pool of investors from investing in these companies.

As this economic recovery continues to take shape, let's stand with our small businesses and create an environment for growth. This bill is another important step in that direction.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support this very good legislation.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 4 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the ranking member of the Financial Services Committee's Subcommittee on Capital Markets, Securities, and Investments.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank the ranking member for her leadership on this bill and in so many other areas. I also thank Chairmen Hensarling and Huizenga; and, of course, my good friend and colleague from the great State of New York, NYDIA VELÁZQUEZ, the champion for small businesses; and Mr. MCHENRY, who has spent a great deal of his time focusing on job creation and access to capital for small businesses.

This bill passed in the last Congress under suspension with overwhelming bipartisan support. This bill is intended to make it easier for startup companies to raise money from sophisticated investors by allowing sophisticated angel investors to pool their money into a single venture capital fund, which allows them to leverage their resources and make investments more effectively.

The bill does this by increasing the number of investors who can invest in venture capital funds that are exempt from SEC oversight.

Under current law, a fund can be exempt from SEC oversight if it has fewer than 100 investors and its securities are not offered publicly. This is the exemption that the majority of venture capital funds currently rely on.

Venture capital funds are long-term investors that provide much-needed equity capital to startups and other small companies. The fact that venture capital funds are subject to the same limitation on the number of investors they can have as other private funds, like hedge funds and private equity funds, has limited the growth of venture capital funds.

Specifically, it has limited the ability of angel investors—all of whom are sophisticated, accredited investors—to coordinate their investments by grouping together into a single venture capital fund in order to invest in a promising startup company.

This bill will accommodate these types of angel investors who want to coordinate their investments by increasing the number of accredited investors they can have before they are

required to register with the SEC—from 100 investors to 250 investors.

The bill is also narrowly tailored to avoid raising investor protection concerns. It only raises the investor threshold to 250 for venture capital funds that meet the SEC's rigorous five-part definition of a venture capital fund.

Finally, the bill is limited to funds that have less than \$10 million in capital invested. So we are only providing relief to relatively small venture capital funds that do not pose a huge risk to the capital markets.

This bill is the product of genuine hard work and bipartisan compromise. Again, I thank Mr. MCHENRY for his leadership, along with Ms. VELÁZQUEZ, Ranking Member WATERS, and Chairman HENSARLING for their hard work on this bill.

I urge my colleagues to join me—and I believe the majority in this body—in supporting this important bill to provide easier and better access to capital for small businesses.

Mr. HUIZENGA. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. HULTGREN), the vice chairman of our Subcommittee on Capital Markets, Securities, and Investments.

Mr. HULTGREN. Mr. Speaker, I rise today to speak in support of H.R. 1219, the Supporting America's Innovators Act of 2017. This is another example of great bipartisan legislation that has been produced by the House Financial Services Committee. Mr. MCHENRY and Ms. VELÁZQUEZ should be commended for their hard work on this important piece of legislation.

Startups and small businesses are the primary job creators and engines for growth in our economy. Unfortunately, the Securities and Exchange Commission has not been focused enough on capital formation aspects of its tripartite mission. This has left thousands of companies interested in raising capital stuck complying with outdated regulations that make it more difficult for them to invest in growing their businesses. This means job creation and wealth building are not reaching their full potential.

Certainly, the SEC should not overlook investor protection, but the number one concern of my constituents is jobs. This directly impacts their ability to put food on the table, get the car repaired, and pay for college.

Today we have the opportunity to consider a noncontroversial bill that will make it easier for companies to raise capital without undermining investor production.

The Supporting America's Innovators Act of 2017 increases the limit on the number of individuals who can invest in certain venture capital funds before those funds must register with the SEC as investment companies. Currently, the Investment Company Act limits the number of investors in an investment company fund to 100 if the fund is

to be exempt from registration with the SEC, a burdensome requirement.

This would permit angel funds, which run syndicates that allow accredited investors to participate in investing in startups, to obtain funds from a greater number of investors. As a result, investors will benefit from investment opportunities that otherwise they would have no access to.

As noted by Kevin Laws of AngelList in written testimony before the Subcommittee on Capital Markets, Securities and Investments:

“With online fundraising and general solicitation becoming more common because of the JOBS Act, companies are bumping up against the limit more frequently. The current limit now acts as a brake on the amount of money the company wanted to raise, leaving tens of millions of dollars on the table that did not go into startups.”

Mr. Speaker, I urge all of my colleagues to vote in support of this legislation. A nearly identical bill passed the House last Congress with 388 votes in support, and we passed the bill out of the Financial Services Committee with almost no opposition.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. FOSTER), a member of the Subcommittee on Capital Markets, Securities, and Investments.

Mr. FOSTER. Mr. Speaker, I rise today in support of H.R. 1219, the Supporting America's Innovators Act of 2017.

This bill will increase the number of accredited investors who can invest in an angel or venture fund before requiring the fund to register as an investment company. This will encourage capital formation in one of the major types of funds that seed startups and helps bring new ideas to market.

Innovation and invention are integral to economic growth, but new ideas are only the first step in the type of businesses that can grow the economic pie. It is crucial that these companies have access to capital to grow and to bring the product to market. Competition from startups, bolstered by access to funding, creates jobs and forces incumbent firms to stay aggressive in their own research and development.

H.R. 1219 is exactly the type of bipartisan legislation that Congress should be considering to facilitate capital formation.

This bill will make it easier to form a fund made up of sophisticated investors who can assess and bear the risks that come with investing in startups. These funds are capped at \$10 million in paid-in and callable capital. This means the funds will largely be engaged in angel investing that helps early-stage investors build a better mousetrap. These funds can often be cheaper for the company and can be structured as equity debt or a combination of both.

A fund like this can bring expertise and connections that increase the likelihood of success for the inventor. It can also spread the risk and rewards for investors because it is important to note that not every invention will turn into the next big thing.

We need a startup ecosystem that encourages the testing of new ideas and products with a wide range of risks and rewards. This bill is a targeted measure to help create that ecosystem by enhancing the ability of early-stage companies to get funding.

Mr. Speaker, I urge my colleagues to support the bill today.

Mr. HUIZENGA. Mr. Speaker, I yield 2 minutes to the gentleman from Maine (Mr. POLIQUIN).

Mr. POLIQUIN. Mr. Speaker, the responsibility of those of us in Congress is to create a predictable and streamlined set of regulations, such that we have an environment for the private sector, for businesses to invest, to grow, and to hire more of our constituents. And when that happens, Mr. Speaker, the folks in America live better lives with fatter paychecks and better futures.

Now, we all know that small businesses need more help than large companies when it comes to dealing with the regulatory environment because they don't have the firepower, the horsepower, the manpower to deal with these complex regulations.

When you start a small business, one of the most important ingredients is access to capital. You need investment funds, whether you are starting a bakery in Lewiston, Maine, or an auto body shop in Oxford, Maine. Now, that is why H.R. 1219 is important, and I want to congratulate Congressman PATRICK MCHENRY for bringing this to the floor.

By increasing the number of investors capped from 100 to 250 individuals who are qualified to make these investments to help small businesses, it will provide more money, more funding, more capital for small businesses and startups to grow, to start, and to create more jobs for folks back home.

Government is in the business and should be in the business to help our families, not hurt them. That is why I encourage all of my fellow colleagues here in the House, Republicans and Democrats, to support this good, commonsense bill.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have received tremendous support for this legislation, and we are extremely hopeful that we will be able to come together on both sides of the aisle and continue to give support to our small businesses. As a matter of fact, we have a lot of those in the Congress of the United States—a lot of Members, rather—who talk about supporting small businesses, but we

don't often see real legislation that can do that. This is such legislation, and I cannot thank Ms. VELÁZQUEZ and Mr. MCHENRY enough for the way that they have worked on this legislation together.

□ 0945

Mr. Speaker, I include in the RECORD some of the letters of support that we have received from the Center for American Entrepreneurship, the Internet Association, TechNet, Angel Capital Association, and AngelList.

CENTER FOR
AMERICAN ENTREPRENEURSHIP,
April 25, 2016.

Hon. JEB HENSARLING,
*Chairman, Committee on Financial Services,
House of Representatives, Washington, DC.*

Hon. MAXINE WATERS,
*Ranking Member, Committee on Financial Services,
House of Representatives, Washington, DC.*

DEAR CHAIRMAN HENSARLING AND RANKING MEMBER WATERS: On behalf of the Center for American Entrepreneurship, I write today to express our strong support for legislation offered by Rep. Patrick McHenry: H.R. 4854, the “Supporting America's Innovators Act of 2016,” and H.R. 4855, the “Fix Crowdfunding Act of 2016.” Both bills will significantly enhance American entrepreneurs' access to the capital they need to launch and grow new businesses and, in doing so, accelerate economic growth and job creation.

CAE is a nonpartisan policy and advocacy organization whose mission is to engage policymakers in Washington and across the nation regarding the critical importance of entrepreneurs and start-ups to innovation, economic growth, and job creation, and to pursue a comprehensive policy agenda intended to significantly enhance the circumstances for new business formation, survival, and growth.

As you may know, recent research has demonstrated that start-ups are disproportionately responsible for the innovations that drive economic growth and account for virtually all net new job creation. Alarmingly, recent research has also demonstrated that, despite impressive strength in certain cities around the country, rates of new business formation in America have been declining for 30 years, and the decline is occurring in all 50 states, in all but a handful of the 360 metro areas examined, and across a broad range of industry sectors, including high-technology. Given the importance of thriving entrepreneurship to innovation, economic growth, and job creation, such circumstances amount to nothing less than a national emergency.

When asked or surveyed, entrepreneurs across the country report that access to sufficient capital on affordable terms remains among their principal challenges. The legalization of crowdfunding by way of the Jumpstart Our Business Start-ups (JOBS) Act in 2012 was a major step forward in meaningfully enhancing innovators' access to investment capital. But further reforms are necessary to realize the Act's full potential to promote entrepreneurship, growth, greater opportunity, and job creation.

H.R. 4854, the “Supporting America's Innovators Act” would amend an exemption under the Investment Company Act of 1940 by increasing the investor limitation from 100 to 500 persons for qualifying venture capital funds that purchase no more than \$10

million in securities in any one issuer, adjusted for inflation. Lifting the current arbitrary cap would not only increase entrepreneurs' access to additional investors, but will protect investors through a greater diversification of risk.

H.R. 4855, the "Fix Crowdfunding Act" would amend the crowdfunding aspects of the JOBS Act in a number of important ways:

Raising the annual issuance amount from \$1 million to \$5 million;

Exempting the beneficial owners of crowdfunding securities from counting towards the Exchange Act 12(g) requirement triggering public reporting;

Exempting special purpose vehicles (SPVs) created for the purpose of investing in a single issuer of crowdfunding securities from registration as investment companies under the Investment Company Act, and permitting SPVs considered as "venture capital funds" to offer crowdfunding securities;

Revising the investment cap so that investors earning \$100,000 or less may invest up to 5 percent of their annual income or net worth, and investors earning more than \$100,000 to invest up to 10 percent of their annual income or net worth;

Defining the requirements for a crowdfunding intermediary to disqualify an issuer when the intermediary, through a background check or other means, determines that the issuer knowingly made untrue statements or omissions related to material facts, or engaged in fraud;

Defining a crowdfunding intermediary's potential liability to include only instances when the intermediary knowingly makes untrue statements or omissions related to material facts or knowingly engages in fraud;

Permitting an issuer to "test the waters" by soliciting non-binding commitments of interest from potential investors without filing information with the SEC, provided that no funds are accepted by the issuer and any material changes that occur between the solicitation and the offer are highlighted to potential investors; and,

Providing a 5-year grace period for portals to make a good-faith effort to comply with all crowdfunding rules, and prohibits the SEC from bringing any enforcement actions during that period.

Both bills help strike a more appropriate balance between the twin priorities of capital formation and investor protection. In doing so, these reforms significantly enhance the prospects for new business formation, survival, and growth at a time when faster economic growth is necessary to address challenges such as underemployment, stagnant middle-class wages, the income and wealth gaps, and alarmingly high levels of poverty and dependence.

CAE commends you for your leadership to promote American entrepreneurship and innovation and greatly appreciates your thoughtful consideration of the reforms in H.R. 4854 and H.R. 4855. We look forward to continuing to work with you, the bills' sponsors, and the Committee's distinguished members on behalf of American entrepreneurs and start-ups.

Sincerely,

ROBERT E. LITAN,
Chairman, Center for American
Entrepreneurship.

INTERNET ASSOCIATION,
June 10, 2016.

Hon. JEB HENSARLING,
Chairman, Committee on Financial Services,
House of Representatives, Washington, DC.
Hon. MAXINE WATERS,
Ranking Member, Committee on Financial Services,
House of Representatives, Washington, DC.

DEAR CHAIRMAN HENSARLING AND RANKING MEMBER WATERS: The Internet Association appreciates your attention to the issues impacting startups, and urges support for the Supporting America's Inventors Act of 2016 (H.R. 4854) and Fix Crowdfunding Act (H.R. 4855). Both bills are common-sense, meaningful reforms that will improve startups' access to capital across the United States. There are a number of internet based funding platforms that will benefit directly from this legislation as well as the broader internet ecosystem.

The Internet Association works to advance policies that foster innovation, promote economic growth, and empower people through the free and open internet. Access to capital funding is critical to internet companies as they scale innovative business models that now account for six percent, or nearly \$1 billion, of our GDP. Empowering startups through efficient mechanisms for investors and innovators to access capital will ultimately grow our economy and help create the internet industry leaders of tomorrow. The internet industry is unique in the low barrier to entry for new ideas and increased competition. Legislation that promotes growth through internet platforms and for internet startups will benefit the economy at large.

The Supporting America's Inventors Act of 2016 and Fix Crowdfunding Act both take common sense steps to empower innovators through access to capital. The Supporting America's Inventors Act of 2016 raises the number of investors permitted in qualifying venture capital funds from 100 to 500 persons, eliminating an arbitrary cap and instead creating a more efficient environment for investors to grow startups. The Fix Crowdfunding Act would make necessary reforms to Title III of the JOBS Act allowing for more efficient and attractive investment crowdfunding, including raising the annual limit on issuers and clarifying certain definitions.

We commend Representative McHenry for his commitment to create a thriving startup ecosystem by enhancing the opportunity for investment in our innovation economy. We urge the Committee to support these bills.

Respectfully Submitted,

MICHAEL BECKERMAN,
President & CEO.

TECHNET,
Washington, DC, June 10, 2016.

Hon. PATRICK MCHENRY,
House Majority Chief Deputy Whip,
Washington, DC.

DEAR REPRESENTATIVE MCHENRY: TechNet, the national, bipartisan network of innovation economy CEOs and senior executives, is pleased to offer our support for your efforts to provide American innovators with the tools necessary to launch, fund, and scale their companies.

In particular, we are pleased to support the Supporting America's Innovators Act of 2016 (H.R. 4854) and the Fix Crowdfunding Act (H.R. 4855), both of which provide much needed reforms to the laws governing early stage financing of dynamic startups.

The Supporting America's Innovators Act will expand the pool of investors eligible to

participate in venture capital funds, creating a more robust venture funding marketplace and increasing the amount of capital startups can potentially raise.

The Fix Crowdfunding Act contains a number of sensible and timely reforms to the recently finalized Title III crowdfunding rules of the JOBS Act. In particular, the legislation defines the requirements and authority by which intermediaries can disqualify issuers who make untrue statements or engage in fraud. The legislation also makes important reforms that will allow more companies to "test the waters" and solicit non-binding commitments from potential crowdfunding investors without filing with the Securities and Exchange Commission. Finally, the legislation creates a powerful incentive for more crowdfunding portals to enter the marketplace by providing a 5-year grace period for portals to make a good-faith effort to comply with all crowdfunding rules.

Taken together, these bills will expand access to early-stage funding, improving the process by which innovators scale their companies and create American jobs.

Thank you for your leadership on these important issues affecting the innovation economy. TechNet looks forward to working with you to advance this legislation.

Sincerely,

LINDA MOORE,
President and CEO.

ANGEL CAPITAL ASSOCIATION,
Overland Park, KS, March 7, 2017.

Hon. JEB HENSARLING,
Chairman, Committee on Financial Services,
Washington, DC.

DEAR CHAIRMAN HENSARLING: On behalf of the 13,000 members of the Angel Capital Association representing accredited individual angel investors, accredited on-line platforms and family offices, we write in support of H.R. 1219, Supporting America's Innovators Act of 2017 sponsored by Reps. Patrick T. McHenry (R-NC) and Nydia M. Velázquez (D-NY).

Angel investors are directly engaged in supporting American startup companies and providing much needed early stage capital and mentoring to emerging businesses and entrepreneurs. Angel investors invest their capital in new ways, with many now choosing to pool their money in an angel fund or syndicate on an online investing platform for accredited investors. Two of the most well-known are the Golden Seeds fund which invests nationally in women-led companies and AngelList, which supports numerous investor syndicates on its platform. Changes created in the JOBS Act have allowed angel funds and online platforms of accredited investors to catalyze investors across the country to support startups. Platforms such as AngelList, FundersClub and CircleUp have opened opportunities for entrepreneurs to reach more investors and have expanded the capital opportunities for startups.

The ability of these venture funds has been limited by out-of-date regulations which have restricted these funds to no more than 99 investors. This 99-investor cap is in reality more like 90 investors because fund managers need to take into effect potential splitting of assets in divorce, death or other unforeseen circumstances.

H.R. 1219 will allow up to 250 accredited investors—investors with at least \$200,000 in minimum income (or \$300,000 for a couple or \$1,000,000 in net worth, not including their residence—to invest in an angel fund or syndicate with a maximum of \$10 million in assets. This change in legislation will allow

more investors to invest in these venture funds, creating more capital opportunities for American entrepreneurs and more American jobs.

The Angel Capital Association worked closely with the Investment Company Institute and other stakeholders to craft what has become bi-partisan legislation by Representatives McHenry and Velázquez. We urge the Members of the Committee to support this legislation and seek quick consideration by the broader House of Representatives.

Sincerely,

MARIANNE HUDSON,
Executive Director.

— ANGELLIST,
San Francisco, CA, June 9, 2016.

Hon. JEB HENSARLING,
*Chairman, Committee on Financial Services,
House of Representatives, Washington, DC.*
Hon. MAXINE WATERS,
*Ranking Member, Committee on Financial Services,
House of Representatives, Washington, DC.*

DEAR CHAIRMAN HENSARLING AND RANKING MEMBER WATERS: Thank you for your recent hearings on "The JOBS Act at Four: Examining Its Impact and Proposals to Further Enhance Capital Formation." I was honored to testify on the positive impacts the JOBS Act has had on startup capital formation and the potential improvements to the JOBS Act.

AngelList helps early stage companies raise financing based on the statutes laid out in the JOBS Act and subsequent SEC no-action letters. To date, we have helped over a quarter billion dollars from accredited investors reach almost one thousand companies using the online portal provisions to make such financings much more efficient.

We have learned a great deal about the early stage capital markets and how they function online. From that perspective, we believe that several of the bills under consideration would improve startup financing.

H.R. 4854, the "Supporting America's Innovators Act of 2016", lifts the investor limit on LLCs created to finance companies. One very good outcome of the move online has been that more investors can invest smaller amounts. This allows diversification for investors and more access to capital for companies. However, smaller investors often band together in a formal vehicle (usually a limited liability company or LLC). This means the company deals with a single investor (the LLC) and the investors can rely on a trusted lead to review the documents and make decisions on behalf of the investors. The JOBS Act lifted the shareholder limit to 2,000, but left in place the 99 limit on organized investors that the LLC is subject to. This act lifts that limit to 499 to allow more investors in and more capital be raised by the companies.

As an online platform, most of our investors expect our investments to be structured that way, and many angel groups also form them to invest in startups. We believe this law allows more sophisticated accredited investor activity.

H.R. 4855, the "Fix Crowdfunding Act", takes into account much of what has been learned in the accredited investor space in the last 3 years and applies it to the recently released crowdfunding regulations. There are three areas in particular this bill addresses that we believe are important. First, it fixes the so-called "12g" problem by which crowdfunded companies are subject to public reporting requirements at a very low asset

threshold. That issue makes it difficult for crowdfunded companies to raise subsequent financing rounds and would dissuade many high growth companies from using the provision. Fixing that problem makes it more likely that high growth companies will consider crowdfunding as an option. Second, the act allows special purpose vehicles (like those LLCs referred to above in the paragraph on H.R. 4854) to be used for crowdfunded offerings. These benefit both investors and the companies. Finally, we believe the "test the waters" provision is critical. Most companies do not know whether they will be attractive to investors beforehand; imposing high costs prior to finding that out serves as a deterrent without any offsetting investor protection benefit. The "test the waters" provision will allow a crowdfunded company to incur the legal costs only after it knows that it is likely to raise (but still prior to accepting any investor funds).

Finally, we feel that H.R. 4852, the "Private Placement Improvement Act of 2016" addresses several issues that affect the startup community. It clarifies that the JOBS Act was intended to remove burdensome filing requirements that would be difficult for early stage startups without full-time lawyers to help. We at AngelList believe transparency has a very positive effect on markets. We have made several suggestions in a letter to the SEC (<https://www.sec.gov/comments/s7-06-13/s70613-37.pdf>) as to how this can be achieved without significant burden through use of modern technology. We believe this act would provide good guidelines to the SEC about the intent of the JOBS Act in ways that would encourage that avenue to transparency rather than additional burden that we do not believe helps investors.

We look forward to engaging where we can to help further both investor protections and capital formation.

Thank You,

KEVIN LAWS,
Chief Investments Officer.

Ms. MAXINE WATERS of California. Mr. Speaker, I reserve the balance of my time.

Mr. HUIZENGA. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Arkansas (Mr. HILL).

Mr. HILL. Mr. Speaker, I rise in strong support today of H.R. 1219, the Supporting America's Innovators Act, introduced by the gentleman from North Carolina (Mr. MCHENRY), the chief deputy whip. I am proud to have his leadership in promoting capital formation in our country.

Yesterday, as he has noted, marks the fifth anniversary of the JOBS Act, which has had a positive impact on easing capital formation woes for small businesses and startups.

I am proud to represent and have the opportunity to work every day with The Venture Center in Little Rock and its FinTech Accelerator program, and the innovation hub in North Little Rock and its medical technology innovation hub. These high-tech innovations, combined with angel funds, give good-paying job opportunities to people out in the heartland and not just on the East and West Coasts.

But in order for these innovative startups to grow, they have got to have

access to greater sources of angel capital, and raising capital in rural America is a challenge.

Having helped design and offer private placements for emerging companies during my whole career, and participating in angel funds in 2 decades prior to coming to Congress, I know firsthand the importance of having a multitude of options for our small businesses to raise capital, no matter what their stage of formation.

This bill builds on the success of the JOBS Act by providing an update to a limit set in 1940, Mr. Speaker, limiting the number of accredited investors that can participate in a qualified venture fund. I am glad we are rushing to a change since 1940. And this simple change from 100 to 250 really allows more angel investors to participate in funds of this nature across the country and gives particular advantage off the East and West Coasts.

I thank the chairman for the time and my good friend from North Carolina for his leadership. I urge my colleagues on both sides of the aisle to support this worthy measure.

Ms. MAXINE WATERS of California. Madam Speaker, I continue to reserve the balance of my time.

Mr. HUIZENGA. Madam Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. EMMER).

Mr. EMMER. Madam Speaker, I rise today in support of the Supporting America's Innovators Act of 2017.

Far too often, during my travels throughout Minnesota's Sixth District, I hear frustrations from small-business owners and entrepreneurs about the difficulties they face gaining access to working capital.

With Dodd-Frank's one-size-fits-all regulation being imposed on the banks and credit unions that drive America, our Nation's job creators struggle to grow existing businesses and to even start new ones.

Today's small business is tomorrow's big business, and if our entrepreneurs and job creators are to succeed, we must remove the roadblocks currently standing in their way.

Companies that started in a garage are now Fortune 500 companies and global giants that provide goods and services across the globe. These include many brands and companies we all use each and every day such as Apple, Amazon, Microsoft, and even Minnesota's own, Medtronic. They all started with a dream, a lot of hope, and necessary access to tools, resources, and, most importantly, working capital.

Not only does the limited access to working capital affect our State and local economies, it impacts opportunities and jobs for hardworking Americans. Small businesses are responsible for nearly 70 percent of new jobs in this country. This legislation will help put Americans to work.

The Supporting America's Innovators Act updates current law to increase the number of individuals who are able to invest in and support startups and small businesses across the country. This bill will help jump-start capital formation for local businesses and entrepreneurs, enabling Main Street America to not just survive but to, once again, thrive.

I want to thank Congressman MCHENRY for introducing this bill that received, again, near unanimous support in the committee, and I encourage all my colleagues on both sides of the aisle to support this important legislation.

Ms. MAXINE WATERS of California. Madam Speaker, I continue to reserve the balance of my time.

Mr. HUIZENGA. Madam Speaker, may I inquire as to the balance of time each side has left?

The SPEAKER pro tempore (Ms. FOXX). The gentleman from Michigan has 14 minutes remaining. The gentleman from California has 15 minutes remaining.

Mr. HUIZENGA. Madam Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. DAVIDSON).

Mr. DAVIDSON. Madam Speaker, I thank Chairman HUIZENGA for the work on this with PATRICK MCHENRY and the folks on the other side of the aisle. It is nice to come here and see something that is truly collaborative and underway that helps businesses.

Prior to coming to Congress last year, I spent the past 16 years growing manufacturing companies in Ohio, so I know firsthand how difficult it is to acquire capital to start and operate and grow small businesses. Businesses that overcome the challenges are faced with numerous regulatory roadblocks that further hinder their growth. Many of those have come at the hands of regulatory frame works like Dodd-Frank.

But this bipartisan measure that we are talking about today has the opportunity to help the challenges with capital acquisition that government has created and continues to create. Currently, the Investment Company Act of 1940 requires any qualified venture fund over 100 to register with the Securities and Exchange Commission.

The real burden of these regulations hits small companies in middle America like Ohio's Eighth District where, unlike major cities, particularly on the coast, we do not have as many options for raising capital.

Not every company seeks to become the next billion-dollar blockbuster, but some of them do. All these companies offer great jobs and give many people the dignity of work, but they can also provide great returns. So we are crowding out investment opportunities, and we are crowding out job opportunities.

This is why I am pleased to support H.R. 1219, the Supporting America's Innovators Act of 2017, which simply

increases the cap to allow up to 250 investors to be exempt from registration for qualified venture capital funds, allowing America's small businesses the flexibility to operate and grow their companies, hire employees, and innovate.

Last year, this Congress passed legislation similar to H.R. 1219 on a bipartisan vote of 388-9. I urge my colleagues to vote "yes" on H.R. 1219 and, perhaps, increase its margin of victory.

Ms. MAXINE WATERS of California. Madam Speaker, I continue to reserve the balance of my time.

Mr. HUIZENGA. Madam Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. HOLLINGSWORTH), a new member of our Financial Services Committee.

Mr. HOLLINGSWORTH. Madam Speaker, I also rise in support of H.R. 1219. I absolutely believe that the time has come for us to modernize how capital gets to our small businesses.

Prior to Congress, I have a history in business, so I fundamentally understand that having a better mousetrap is not enough. Small businesses need capital, need access to more capital in order to grow and get their innovations out to market. They also need access to these sophisticated, accredited investors so that they can get the advice that they need in order to get those better mousetraps out to the people who need them, want to buy them, and want to use them to better their lives.

Fundamentally, everybody can agree that we want Americans to have more economic opportunity, and many Americans find that economic opportunity by starting small businesses or by being a part of small businesses, by investing in small businesses, by working for and with small businesses.

Whether it is a startup in New Albany, Indiana, or a small company growing in Franklin, Indiana, these businesses need access to capital to realize the dreams of their founders, the dreams of their investors, and the dreams of their employees.

Quite simply, H.R. 1219 provides them with the access to more accredited investors, enabling them and empowering them to bring their innovations to market. I am excited to be a cosponsor of this important legislation, and I thank all of my colleagues in the Financial Services Committee, as well as, hopefully, on the floor later today, for their support of this important legislation.

Ms. MAXINE WATERS of California. Madam Speaker, I continue to reserve the balance of my time.

Mr. HUIZENGA. Madam Speaker, I yield as much time as he may consume to the gentleman from Texas (Mr. HENSARLING), chairman of the Financial Services Committee.

Mr. HENSARLING. Madam Speaker, first, I want to thank the gentleman from Michigan, not only for yielding

but, more importantly, for his leadership in helping improve our capital markets and our economy here.

I want to thank all of the Republican and Democrat cosponsors of H.R. 1219, particularly our vice chairman of the full committee Mr. MCHENRY of North Carolina, for his leadership and also Ms. VELÁZQUEZ on the other side of the aisle for her leadership on this issue as well. Both of these colleagues are senior members of the committee which I have the honor of chairing.

Madam Speaker, we know that while optimism and confidence in our economy are up considerably over the last few months, our Nation still has a way to go to experience the robust economic growth the American people have experienced in the past of which they also deserve.

One obvious reason that the economy continues to limp along is bureaucratic burdens imposed by Washington's top-down regulations on America's small businesses on Main Street.

I got a message from a gentleman by the name of Larry, a small-business owner in Mabank, Texas, who I have the privilege of representing here in Congress, and he summed it up fairly well. He said: "So many businesses have to deal with regulations and taxes that didn't exist a few years ago. It is especially hard on smaller businesses. While large companies have their own staff of attorneys and the capital to comply with regulations, small businesses don't."

So, Madam Speaker, as my colleagues on the Financial Services Committee know all too well, because we have had countless witnesses before our committee to attest to such, Washington has inflicted upon Main Street America a complex set of burdensome and expensive and confusing regulations.

□ 1000

Many were written, again, with the largest public companies in mind, but they burden small companies and hurt their ability to access capital. That is exactly what Larry of Mabank, Texas, has told me, and I believe it.

So, clearly, Congress should work, preferably on a bipartisan basis, to level the playing field while maintaining fair and efficient capital markets, protecting investors, and allowing small companies the chance to succeed.

We can make progress on these goals today by advancing this bipartisan bill, the Supporting America's Innovators Act. This bill was approved by the Financial Services Committee with the overwhelming support of Republicans and Democrats. The vote in committee was 54-2. In addition, a similar bill passed the House last year overwhelmingly on a bipartisan basis.

Madam Speaker, these vote totals demonstrate that just about everyone—Republican and Democrat—agrees

that this commonsense legislation will indeed help grow our economy.

H.R. 1219 specifically increases the limits on the number of individuals from 100 to 250 who invest in certain venture capital funds before those funds are forced to register with the SEC as “investment companies.” This change would permit angel and venture funds to better help accredited investors invest in small-business startups. These early stage investors play a vital role in helping many small businesses get their start. In 2015, angel investors deployed nearly \$25 billion to 71,000 different startups across our Nation. In the first quarter of 2017, venture capital invested more than \$16 billion in almost 1,800 startups.

If anyone here, for some reason, doubts the impact these investors can have on our Nation's economic growth, let me remind them that companies such as Amazon, Costco, Google, Facebook, and Starbucks were all first funded by angel investors. Let's also remember, Madam Speaker, that almost half of the people who work in this country own or work for small businesses. They create nearly historically two-thirds of the new jobs in America. So clearly our economy works better for working Americans when small businesses thrive and have access to capital and credit they need to innovate, expand, and create jobs.

The Supporting America's Innovators Act modernizes a regulation to enhance the ability for startups and small businesses to receive critical funding and capital from the private markets and, in particular, angel investors and venture capital. Undoubtedly it will help today's small-business startups become the next great American entrepreneurial success story and, in doing so, help invigorate economic growth and help create more American jobs.

I urge the adoption of H.R. 1219.

Ms. MAXINE WATERS of California. Madam Speaker, I have no further requests for time, and I yield myself the balance of my time.

Madam Speaker, I am pleased that, for the first time this Congress, committee Republicans have brought to the House floor a bill that has broad bipartisan support. Oftentimes, the opposite side of the aisle on our committee take a partisan approach to legislation and sometimes do not express a lot of interest in the views of the opposite side of the aisle or the millions of Americans whom they represent. However, in contrast, this bill before us today is the product of thoughtful, bipartisan compromise and will help startup companies and their investors equally. Madam Speaker, this is how laws should be made.

Indeed, last Congress, Mr. MCHENRY and I worked together to promote liquidity in the secondary market for startup company stock by creating a

clearer path for startup investors to resell their stock. The result of our bipartisan efforts was the Reforming Access for Investments in Startup Enterprises Act, which became law in 2015, along with seven other bipartisan, financial services bills included in the Fixing America's Surface Transportation Act.

Going forward, I hope that my friends on the opposite side of the aisle will remember what we can achieve when we work together. So, again, I thank both Mr. MCHENRY for reaching across the aisle and Ms. VELÁZQUEZ for working with me on H.R. 1219, the Supporting America's Innovators Act of 2017. I urge all of my colleagues to join me and vote “yes.”

Madam Speaker, I yield back the balance of my time.

Mr. HUIZENGA. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, as I close on this very important bill that we have been talking about, H.R. 1219, I just want to say congratulations to our sponsors, Congressman MCHENRY and Congresswoman VELÁZQUEZ, for their leadership on this, as well as my Capital Markets, Securities, and Investments Subcommittee ranking member, Representative MALONEY, for working together to advance this commonsense bill.

As was pointed out by both the chairman and the ranking member, there is strong bipartisan consensus that this bill is a winner for the American people. Some people today, as they tee off the Masters, we might say it is a 6-inch putt for the American people knowing that this is good for them and good for the economy.

I want to encourage all of my colleagues on both sides of the aisle to support this bill, H.R. 1219.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 242, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HUIZENGA. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on passage of the bill will be followed by a 5-minute vote on agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 417, nays 3, not voting 9, as follows:

[Roll No. 221]

YEAS—417

Abraham	DeFazio	Johnson (LA)
Adams	DeGette	Johnson (OH)
Aderholt	Delaney	Johnson, E. B.
Aguiar	DeLauro	Johnson, Sam
Allen	DelBene	Jones
Amodei	Demings	Jordan
Arrington	Denham	Joyce (OH)
Babin	Dent	Kaptur
Bacon	DeSantis	Katko
Banks (IN)	DeSaulnier	Keating
Barletta	DesJarlais	Kelly (IL)
Barr	Deutch	Kelly (MS)
Barragán	Diaz-Balart	Kelly (PA)
Barton	Dingell	Kennedy
Bass	Doggett	Khanna
Beatty	Donovan	Kibuen
Bera	Doyle, Michael	Kildee
Bergman	F.	Kilmer
Beyer	Duffy	Kind
Biggs	Duncan (SC)	King (IA)
Bilirakis	Dunn	Kinzinger
Bishop (GA)	Ellison	Knight
Bishop (MI)	Emmer	Krishnamoorthi
Bishop (UT)	Engel	Kuster (NH)
Black	Eshoo	Kustoff (TN)
Blackburn	Espallat	Labrador
Blum	Esty	LaHood
Blumenauer	Farenthold	LaMalfa
Blunt Rochester	Faso	Lamborn
Bonamici	Ferguson	Lance
Bost	Fitzpatrick	Langevin
Boyle, Brendan	Fleischmann	Larsen (WA)
F.	Flores	Larson (CT)
Brady (PA)	Fortenberry	Latta
Brady (TX)	Foster	Lawrence
Brat	Fox	Lawson (FL)
Brooks (AL)	Frankel (FL)	Lee
Brooks (IN)	Franks (AZ)	Levin
Brown (MD)	Frelinghuysen	Lewis (GA)
Brownley (CA)	Fudge	Lewis (MN)
Buchanan	Gabbard	Lieu, Ted
Buck	Gaetz	Lipinski
Bucshon	Gallagher	LoBiondo
Budd	Galleo	Loebach
Burgess	Garamendi	Lofgren
Bustos	Garrett	Long
Butterfield	Gibbs	Loudermilk
Byrne	Gohmert	Love
Calvert	Gonzalez (TX)	Lowenthal
Carbajal	Goodlatte	Lowe
Cárdenas	Gosar	Lucas
Carson (IN)	Gottheimer	Luetkemeyer
Carter (GA)	Gowdy	Lujan Grisham,
Carter (TX)	Granger	M.
Cartwright	Graves (GA)	Luján, Ben Ray
Castor (FL)	Graves (LA)	MacArthur
Castro (TX)	Graves (MO)	Maloney,
Chabot	Green, Al	Carolyn B.
Chaffetz	Green, Gene	Maloney, Sean
Cheney	Griffith	Marchant
Chu, Judy	Grijalva	Marino
Ciçilline	Grothman	Marshall
Clark (MA)	Guthrie	Massie
Clarke (NY)	Gutiérrez	Mast
Clay	Hanabusa	Matsui
Clyburn	Harper	McCarthy
Coffman	Harris	McCauley
Cohen	Hartzer	McClintock
Cole	Hastings	McCollum
Collins (GA)	Heck	McGovern
Collins (NY)	Hensarling	McHenry
Comer	Herrera Beutler	McKinley
Comstock	Hice, Jody B.	McMorris
Conaway	Higgins (LA)	Rodgers
Connolly	Higgins (NY)	McNerney
Conyers	Hill	McSally
Cook	Himes	Meadows
Cooper	Holding	Meehan
Correa	Hollingsworth	Meeks
Costa	Hoyer	Meng
Costello (PA)	Hudson	Messer
Courtney	Huffman	Mitchell
Cramer	Huizenga	Moolenaar
Crawford	Hultgren	Mooney (WV)
Crist	Hunter	Moore
Crowley	Hurd	Moulton
Cuellar	Issa	Mullin
Culberson	Jackson Lee	Murphy (FL)
Cummings	Jayapal	Murphy (PA)
Curbelo (FL)	Jeffries	Nadler
Davidson	Jenkins (KS)	Napolitano
Davis (CA)	Jenkins (WV)	Neal
Davis, Rodney	Johnson (GA)	Newhouse

Noem	Ross	Tenney
Nolan	Rothfus	Thompson (CA)
Norcross	Rouzer	Thompson (MS)
Nunes	Roybal-Allard	Thompson (PA)
O'Halloran	Royce (CA)	Thornberry
O'Rourke	Ruiz	Tiberi
Olson	Ruppersberger	Tipton
Palazzo	Rush	Titus
Pallone	Russell	Tonko
Palmer	Rutherford	Torres
Panetta	Ryan (OH)	Trott
Pascarella	Sánchez	Turner
Paulsen	Sanford	Upton
Payne	Sarbanes	Valadao
Pearce	Scalise	Vargas
Pelosi	Schakowsky	Veasey
Perlmutter	Schiff	Vela
Perry	Schneider	Velázquez
Peters	Schrader	Visclosky
Peterson	Schweikert	Wagner
Pingree	Scott (VA)	Walberg
Pittenger	Scott, Austin	Walden
Pocan	Scott, David	Walker
Poe (TX)	Sensenbrenner	Walorski
Poliquin	Serrano	Walters, Mimi
Polis	Sessions	Walz
Posey	Sewell (AL)	Wasserman
Price (NC)	Shea-Porter	Schultz
Quigley	Sherman	Waters, Maxine
Raskin	Shimkus	Watson Coleman
Ratcliffe	Shuster	Weber (TX)
Reed	Simpson	Webster (FL)
Reichert	Sinema	Welch
Renacci	Sires	Wenstrup
Rice (NY)	Smith (MO)	Westerman
Rice (SC)	Smith (NE)	Williams
Richmond	Smith (NJ)	Wilson (FL)
Roby	Smith (TX)	Wilson (SC)
Roe (TN)	Smith (WA)	Wittman
Rogers (AL)	Smucker	Womack
Rogers (KY)	Soto	Woodall
Rohrabacher	Speier	Yarmuth
Rokita	Stefanik	Yoder
Rooney, Francis	Stewart	Yoho
Rooney, Thomas	Stivers	Young (AK)
J.	Suozi	Young (IA)
Ros-Lehtinen	Swalwell (CA)	Zeldin
Rosen	Takano	
Roskam	Taylor	

NAYS—3

Amash Capuano Lynch

NOT VOTING—9

Bridenstine	Duncan (TN)	McEachin
Cleaver	Evans	Slaughter
Davis, Danny	King (NY)	Tsongas

□ 1031

Mr. CAPUANO changed his vote from "yea" to "nay."

Mses. SANCHEZ and SCHAKOWSKY changed their vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Madam Speaker, I was unavoidably detained and missed rollcall vote Nos. 217, 218, 219, 220, 221, and 222. Had I been present, I would have voted "aye" on votes 220 and 221. I would have voted "nay" on votes 217, 218, 219, and 222.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Mariel Ridgway, one of his secretaries.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 246

Mr. CONYERS. Madam Speaker, I ask unanimous consent that the gentleman from Connecticut (Mr. COURTNEY) be removed as a cosponsor from H. Res. 246.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PROVIDING FOR THE REAPPOINTMENT OF A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. HARPER. Madam Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the joint resolution (S.J. Res. 30) providing for the reappointment of Steve Case as a citizen regent of the Board of Regents of the Smithsonian Institution, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The text of the joint resolution is as follows:

S.J. RES. 30

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Steve Case of Virginia on April 25, 2017, is filled by the reappointment of the incumbent. The reappointment is for a term of 6 years, beginning on the later of April 26, 2017, or the date of the enactment of this joint resolution.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR THE APPOINTMENT OF A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. HARPER. Madam Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the joint resolution (S.J. Res. 35) providing for the appointment of Michael Govan as a citizen regent of the Board of Regents of the Smithsonian Institution,

and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The text of the joint resolution is as follows:

S.J. RES. 35

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy of the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Dr. Shirley Ann Jackson of New York on May 5, 2017, is filled by the appointment of Michael Govan of California. The appointment is for a term of 6 years, beginning on May 6, 2017, or the date of the enactment of this joint resolution, whichever occurs later.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR THE APPOINTMENT OF A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. HARPER. Madam Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the joint resolution (S.J. Res. 36) providing for the appointment of Roger W. Ferguson as a citizen regent of the Board of Regents of the Smithsonian Institution, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The text of the joint resolution is as follows:

S.J. RES. 36

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy of the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Robert P. Kogod of the District of Columbia on May 5, 2017, is filled by the appointment of Roger W. Ferguson of the District of Columbia. The appointment is for a term of 6 years, beginning on May 6, 2017, or the date of the enactment of this joint resolution, whichever occurs later.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO THE PRESIDENT

Mr. GOODLATTE, from the Committee on the Judiciary, submitted an adverse privileged report (Rept. No. 115-83) on the resolution (H. Res. 203) of inquiry requesting the President, and directing the Attorney General, to transmit, respectively, certain documents to the House of Representatives relating to certain communications by the President of the United States, which was referred to the House Calendar and ordered to be printed.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO SOMALIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 115-28)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13536 of April 12, 2010, with respect to Somalia is to continue in effect beyond April 12, 2017.

The United States is strongly committed to Somalia's stabilization, and it is important to maintain sanctions against persons undermining its stability. For this reason, I have determined that it is necessary to continue the national emergency with respect to Somalia and to maintain in force the sanctions to respond to this threat.

DONALD J. TRUMP.

THE WHITE HOUSE, April 6, 2017.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.J. RES. 85

Mr. BACON. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.J. Res. 85.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

MOMENT OF SILENCE IN HONOR OF JAIDEN BARTTEE AND TORI PEREZ

(Mr. GARRETT asked and was given permission to address the House for 1 minute.)

Mr. GARRETT. Mr. Speaker, I ask that you join me today as we remember the lives of Jaiden Bartee and Tori Perez, ages 5 and 6 years old, who, as they stood with their mothers waiting for the schoolbus on the morning of March 30, were struck down and taken from this world far too soon by a passing truck.

Mr. Speaker, Members, there is no Scripture, no words, no thought poignant enough to address the loss of these mothers, of the Buckingham County, Virginia, community, of humanity of these two lives; but in what is the best effort that I can make, I ask that all of my colleagues and these Members of the Virginia delegation who join me to join in a moment of silence to recognize these two young people.

ATROCIOUS CHEMICAL WEAPONS ATTACK

(Mr. PANETTA asked and was given permission to address the House for 1 minute.)

Mr. PANETTA. Mr. Speaker, in the early morning hours on a day earlier this week, a small town in northwest Syria was atrociously attacked with chemical bombs. As a result, over 75 civilians died and over 20 children gasped for air, writhed in pain, and foamed at the mouth. They suffered dilated pupils, muscle spasms, and involuntary defecation.

Based on the state of this evidence, it appears that it was the Syrian President, Bashar al-Assad, who committed this heinous act against his people once again. The last time Assad committed such an act, in 2013, he agreed to eliminate his chemical weapons. However, it appears he lied, and he continues his sick aggression against his own people and our humanity.

From the first use of chemical weapons in World War I to the Iran-Iraq war in the 1980s and now in Syria, chemical weapons epitomize the absolute horror of modern-day warfare. That is, of course, why they are outlawed and why their use is a war crime. That is also why anybody who uses them must be treated and penalized like a war criminal.

OUR WORK ON HEALTH CARE IS UNDONE

(Mr. MESSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MESSER. Mr. Speaker, Congress is leaving for Easter break with work undone. For 7 years, we have told the

American people that we would repeal ObamaCare and replace it with something better, and we have legislation that provides that opportunity. It is not a perfect bill—no bill is. But President Trump has said this is our best and only chance to get this done.

The bill cuts taxes by hundreds of billions of dollars and reduces government by hundreds of billions, too. It keeps preexisting condition prohibitions and lets 26-year-olds stay on their parents' health care. But most importantly, it unshackles American families from government-forced mandates costing them hundreds of thousands of dollars each year. Simply put, it is an enormous improvement over the status quo.

My hope is we will be back next week before Easter. I know many of my colleagues are ready for the holidays, but we need to do what we said we would do: repeal ObamaCare and replace it with something better.

□ 1045

DEMAND FOR AN INDEPENDENT INVESTIGATION OF THE TRUMP-RUSSIA SCANDAL

(Mr. BEYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEYER. Mr. Speaker, I rise today to express my constituents' demand for an independent investigation of the Trump-Russia scandal.

Since mid-November, this has been a major issue for the people I represent, who are deeply concerned about protecting democratic elections. Among their concerns are the following:

Changes last July to the Republican Party's platform that are beneficial to Russia, which the Trump campaign spearheaded.

A few days later, Trump's call on Russia to launch a cyber attack against former Secretary of State Hillary Clinton.

Trump's refusal to say anything negative about Vladimir Putin, such as his terrible record on human rights or his crackdown on dissent.

The intelligence community's consensus that Putin directed a campaign of weaponized information against Hillary Clinton.

And the implication of numerous Trump advisers in unseemly relations with Russia, including Michael Flynn, Jeff Sessions, Roger Stone, Paul Manafort, Michael Cohen, and Carter Page.

Mr. Speaker, my constituents have watched as the House Intelligence Committee's investigation lapsed into confusion and obfuscation, obviously at the behest of the White House.

Last month, that committee canceled public hearings which would have included the testimony of former Acting Attorney General Sally Yates.

My constituents have watched President Trump, whose Presidential campaign is under FBI investigation, alternate between protestations that “Trump-Russia is a hoax” and repeated attempts to change the subject.

QUAPAW AREA COUNCIL GOLD LEVEL

(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Mr. Speaker, today I rise to recognize the Quapaw Area Council, which, for the first time, was recognized by the Boy Scouts of America’s Journey to Excellence program as a Gold Level Council, the highest award possible.

The Boy Scouts of America’s Journey to Excellence program is designed to encourage excellence and reward success at all levels of scouting, measuring several indicators that include fiscal management, fundraising, youth advancement, youth camping, and membership recruitment.

As a fellow Scout, I am proud of the high standards our Scouts in Arkansas are setting. This achievement is a credit to the dedication of members of the council, countless volunteers, devoted parents, and committed Scouts.

On behalf of all Arkansans, congratulations. We look forward to following your continued success for generations of Scouts to come.

INVESTIGATE RUSSIA’S INVOLVEMENT IN OUR NATIONAL ELECTIONS

(Mr. GARAMENDI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GARAMENDI. Mr. Speaker, I remember well the investigations that Congress undertook in the Nixon period—the Watergate investigations.

Frankly, I am appalled at the way in which this House is conducting its investigations. It is high time that we have an independent investigation.

The reality has changed since the sixties and seventies. We now have 24-7 cable TV, and everything seems to be momentarily disclosed. We can’t continue. We need an independent investigation of this extremely important issue of Russia’s involvement in our national elections.

RETURN STABILITY AND PEACE TO SYRIA

(Mr. MOONEY of West Virginia asked and was given permission to address the House for 1 minute.)

Mr. MOONEY of West Virginia. Mr. Speaker, I rise today to express my outrage at the chemical attack in

Syria on April 4, 2017, that killed upwards of 70 civilians, including children.

I am proud to represent many Syrian Americans in my congressional district in Charleston, West Virginia. They share their concerns with me on a regular basis.

This type of violence is a regular occurrence in Syria. Hospitals, markets, schools, bus stations, warehouses—none of these places are off limits for bombing and destruction by Bashar al-Assad and his allies. The slaughter of innocent life will not end unless the United States of America takes the lead.

Peace in Syria is impossible while Bashar al-Assad remains in control. He has proven this time and again by his reckless and evil use of chemical weapons and other cruel tools of war on his own people. We must establish safe zones for innocent civilians.

I call upon President Trump and other world leaders to do whatever they reasonably can to end these atrocious attacks on the innocent, and return stability and peace to Syria.

TRUMP ADMINISTRATION MUST STAND UP FOR SYRIAN CHILDREN NOW

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, I could not leave this place, the most powerful lawmaking body in the world, in the season of Easter and Passover and sacrifice without bringing to the attention of my colleagues that children are dying. The children in Syria are suffering from the bombing and the vileness of President Assad and the chemical attack, where children and babies are struggling to breathe.

This Congress has to act. We must join those who want an infusion of emergency dollars.

Where is our heart.

And then the famine in Sub-Saharan Africa, where there are more displaced persons than we have seen in history. Sixty thousand have escaped to Kenya, and children and women are dying. In the name of our former colleague, the Honorable Mickey Leland, who died in 1989, taking grain to the famine area in Sub-Saharan Africa, we must act now.

As a founder of the Congressional Children’s Caucus myself, I cannot stand here and allow the children to die. This Congress must immediately issue emergency funds that appropriators such as Congresswoman LEE are putting forward. We must go to the region now and say what America is going to do. And the Trump administration must stand up for children now.

HONORING MICHIGAN FARMERS HELPING THOSE AFFECTED BY WILDFIRES IN AMERICAN HEARTLAND

(Mr. MOOLENAAR asked and was given permission to address the House for 1 minute.)

Mr. MOOLENAAR. Mr. Speaker, today another farm convoy left Michigan and headed south to help those suffering in America’s heartland, where wildfires have burned more than 1 million acres in four States.

This convoy, and those like it in days gone by and the days to come, is the work of the amazing farming community in my district and across the State of Michigan.

They have donated trucks, trailers, and time to drive supplies to the affected areas. They have donated food and fencing to help farmers recover and rebuild. They have donated care packages with candy and cards to care for the hurting souls.

Many volunteers are staying and helping in the devastated communities. In fact, tomorrow, two young men from Ogemaw County, Brady and Keaton, are scheduled to travel with 4-H kids from Michigan’s Thumb area to volunteer their skills and help build fencing in Kansas.

The overwhelmingly and generous efforts of the Michigan farming community, in response to this tragedy, represent the best of America. I pray for God’s blessing on all those involved as they help with this crisis.

UNDETECTABLE FIREARMS MODERNIZATION

(Mr. KIHUEN asked and was given permission to address the House for 1 minute.)

Mr. KIHUEN. Mr. Speaker, in 1988, Congress realized the danger posed by guns that can pass through security checkpoints undetected, and passed the Undetectable Firearms Act.

The act, signed by President Reagan, has since been reauthorized under every single President, both Democrats and Republicans alike.

When this bill originally became law, fully plastic guns were science fiction. But, today, plans for plastic guns are available online and can be produced at home with no technical expertise. Unfortunately, the Undetectable Firearms Act hasn’t been updated since 1988, and glaring gaps exist.

That is why today I am introducing the Undetectable Firearms Modernization Act. This bill will make modest changes to the original act to more fully adhere to the spirit of the law.

Mr. Speaker, we need to be working to ensure that terrorists and criminals can’t walk through security checkpoints with firearms undetected.

MEDICAL MARIJUANA

(Mr. GAETZ asked and was given permission to address the House for 1 minute.)

Mr. GAETZ. Mr. Speaker, 93 percent of Americans support the legalization of doctor-prescribed medical marijuana—93 percent. But despite this widespread public support, marijuana remains classified as a schedule I drug, the same as LSD or heroin.

This harms low-income communities each year, it turns thousands of citizens into felons, and it punishes people who are sick and looking for medical help.

I think of Rayann, a young lady in my district with juvenile refractory epilepsy. She has seizures every day. Other treatments failed, but medical marijuana helped improve her condition. I thought of her when I worked on, and passed, Florida's Compassionate Medical Cannabis Act.

Marijuana must be moved to schedule III, which will make it easier to conduct research into its medical uses. It will allow businesses to work with banks instead of looking over their shoulders in fear of a Federal raid, and it will keep States from being at odds with Federal law.

Today I am proud to introduce legislation that will reclassify marijuana as a schedule III drug. I look forward to working with my colleagues. America is watching, and now we must act.

HONORING JOHN HERSCHEL GLENN

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, the American flag on our Nation's Capitol is flying at half-mast to honor the life of American hero, Ohio Senator and Colonel John Herschel Glenn, being laid to rest today at Arlington National Cemetery.

What a human being, what a patriot, what an American hero, and what a marine whose raw courage was evidenced time and time again. A devoted, faithful husband to his beautiful wife, Annie, and father and grandfather, his life and works keep giving to us and our world.

John was a highly decorated war veteran, a Marine Corps colonel who completed 56 combat missions on the Pacific front alone during World War II, and then served in the Korean conflict. He was awarded six Distinguished Flying Crosses and 18 clusters on his Air Medal.

At the dawn of the space age, Senator Glenn became the first human being to orbit our planet Earth in 1962 on Friendship 7.

Can you imagine his awe as he became the first human to observe planet Earth suspended aloft in the heavens with endless space beyond?

In 1974, John Glenn was elected to the U.S. Senate, and undertook many tough missions in his life, but none could have been more piercing than when he was given the weighty task of informing the children of Senator Robert F. Kennedy of that Senator's fateful assassination.

John Glenn's life embodies the words "devotion," "honor," "patriotism," and "bravery." He never stopped giving. At age 77, he chose to join the team of astronauts who were launched into space on the Discovery.

Upon retirement from the U.S. Senate in 1999, after a quarter century of service, he dedicated his years to founding and raising funds for the John Glenn College of Public Affairs at the Ohio State University.

In recognition of his incredible and generous life, I will place in the RECORD the remarks of Vice President Joe Biden at a remembrance ceremony held in Columbus, Ohio, recently, as our State honored his life and legacy.

May the angels lead John Glenn into paradise and give peace to his family. May eternal rest grant unto you, dearest Senator and Colonel Glenn. You gave all that you could possibly give, and America is forever grateful.

May I ask my colleagues to stand with me for a moment of silence in remembrance of Senator John Glenn.

□ 1100

COMMENDING DEPUTY FIRE CHIEF JOHN SCHOTT

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to recognize the heroic efforts of Deputy Fire Chief John Schott, from the Carlinville, Illinois, Fire Department. Deputy Schott has gone above and beyond the call of duty in his efforts to assist the neighboring Morrisonville, Illinois, Fire Department.

On October 22, Deputy Schott was one of the first witnesses to a two-vehicle crash and applied first aid to one of the drivers involved in the accident. While on the scene, Schott could not help but notice that the emergency services from the Morrisonville-Palmer Fire Protection District lacked the proper hydraulic extraction tools, more commonly known as the Jaws of Life.

Deputy Schott's efforts did not end that day. After the crash, he began his mission to equip the Morrisonville firefighters with the suitable tools they would need for any future emergencies. By making several phone calls, Schott was able to locate a set of the Jaws of Life and communicate the Morrisonville firefighters' need to a generous contact who gladly donated the tool.

Firefighters from Morrisonville are currently training with the equipment as a need for their use, thankfully, has not yet presented itself since the donation.

Deputy Chief Schott's dedication to the betterment of a department other than his own is commendable.

Thank you, Deputy Schott, for your service, and may God bless our first responders.

ATTACKS IN SYRIA WILL NOT BE TOLERATED

(Mr. ENGEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ENGEL. Mr. Speaker, I want to express my revulsion at the gas attacks killing innocent Syrian civilians. One of the responses from this Congress should be when we get back, as soon as possible, we pass the Caesar Syria Civilian Protection Act of 2017. It is sponsored by myself and Chairman ROYCE. It is named in honor of the courageous former Syrian photographer known as "Caesar," who testified before the House Foreign Affairs Committee in 2014 about the Assad regime's torture of Syrian civilians. This legislation passed the House in November 2016 by voice vote but didn't pass the other body.

This bill requires the President to impose new sanctions on anyone who does business with or provides financing to the Government of Syria, including Syrian intelligence and security services, or the Central Bank of Syria. It sanctions anyone that provides aircraft or spare parts for aircraft to Syria's airlines, including financing. It sanctions anyone who does business with transportation or telecom sectors controlled by the Syrian Government or anyone who supports Syria's energy industry.

Mr. Speaker, we need to send a strong message to the murderous Assad regime and a strong message to Russia, Iran, and Hezbollah that we will not tolerate attacks on innocent civilians.

CONGRATULATIONS TO SID MARTIN BIOTECHNOLOGY INSTITUTE

(Mr. YOHO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YOHO. Mr. Speaker, I would like to take this time to recognize the Sid Martin Biotechnology Institute, a leading biotechnology incubator headquartered in Alachua, Florida, in conjunction with the University of Florida, in my home district. The Sid Martin Biotechnology Institute focuses on promoting the growth of innovative, early-stage bioscience and biotechnology companies and technology-based economic development in and around my district.

Over the past 20 years, this institute has worked with more than 100 startup companies in biotechnology, biomedicine, and bioagriculture, and it has created over 200 high-tech jobs. The survival rate of the companies in this program have a 93 percent survival rate, creating a successful business community in north central Florida area.

Their dedication to these causes has not gone unnoticed. Recently, Sid Martin Biotechnology Institute was awarded the Randall M. Whaley Incubator of the Year award for 2017, the highest award given by the International Business Innovation Association. This institute was named Incubator of the Year among more than 7,500 incubators worldwide. This is the second time the Sid Martin Biotechnology Institute has received this award, and, additionally, they have also been awarded Technology/Science Incubator of the Year.

I would like to congratulate them on their accomplishment and thank them for their positive and meaningful contributions to Florida's Third Congressional District.

INDEPENDENT INVESTIGATION NEEDS TO BE ESTABLISHED CONCERNING RUSSIA CONNECTION

(Mr. RASKIN asked and was given permission to address the House for 1 minute.)

Mr. RASKIN. Mr. Speaker, the gassing of civilians is an atrocity, a human rights violation, and a war crime. Assad's chemical gassing of his own people took place just a few days after the White House said that it would be silly to try to dislodge President Assad from power in Syria.

Somehow, we have to disentangle and disentrail ourselves from Putin's friend, Assad, and all of the bullies and dictators and authoritarians on Earth who are a threat to their own people.

Last week 75,000 people marched in Russia against corruption and human rights violations. We should be on the side of the Russian people who are trying to liberate themselves from human rights violations and murder and political corruption in their country.

We need an independent investigation of the political, financial, military, and diplomatic invasion of America with this Russian connection. We need to restore our moral leadership in the world as the champion of human rights.

FUND THE ARTS AND HUMANITIES

The SPEAKER pro tempore (Mr. FASO). Under the Speaker's announced policy of January 3, 2017, the gentleman from Rhode Island (Mr. LANGEVIN) is recognized for 60 minutes as the designee of the minority leader.

Mr. LANGEVIN. Mr. Speaker, I rise today to join a number of my col-

leagues in strong support of the National Endowments for the Arts and Humanities. These venerable institutions, which both recently celebrated their 50th anniversaries, are a cornerstone of American cultural expressions. Sadly, they are also under attack.

The President's recent budget outline called for the defunding and dismantling of the Endowments. So I have gathered here with my friends and colleagues in the hope that we can help the President change his mind and demonstrate to him the immense benefit that the NEA and the NEH bring to our districts, our country, and, in fact, the world.

Being a Rhode Islander, I have always felt a special connection to the arts and humanities. Rhode Island was founded as a colony that welcomed free expression of religion, and that freedom of thought quickly translated into an independent mindedness that drove creative endeavors. It is no wonder, then, that into such an environment was born one of the 20th century's great statesmen and a champion of the arts, our late senior Senator, Senator Claiborne Pell.

Senator Pell was a mentor of mine, and I actually had the privilege of interning with him twice at one point. He is rightly lionized for many of his legislative achievements, including the Pell grants that bear his name. But I believe that no issue was closer to his heart than that of preserving and promoting American art and culture.

Anyone who knew the Senator knew that his own passion was reflected and redoubled by his wife, the indomitable Nuala Pell, one of the great supporters of the arts that my State and our country has ever seen. The National Endowments for the Arts and Humanities can trace their beginnings to the passions of the Pells, the vision of President Kennedy, and the determination of President Johnson.

President Kennedy began his term with a focus on American culture, when he invited Robert Frost to read a poem at his inauguration. He soon followed this up by appointing August Heckscher his Special Consultant on the Arts. Heckscher's report entitled, "The Arts and the National Government," led to the creation of the President's Advisory Council on the Arts.

Meanwhile, Senator Pell, the chairman of the Senate Special Subcommittee on the Arts and Humanities, was hard at work. He began his first hearing in 1963 with this statement: "I believe that this cause and its implementation has a worldwide application; for as our cultural life is enhanced and strengthened, so does it project itself into the world beyond our shores. Let us apply renewed energies to the very concept we seek to advance: a true renaissance—the reawakening, the quickening, and above all, the unstinted growth of our cultural vitality."

So over the next 2 years, working with legislators including Senators Hubert Humphrey and Jacob Javits and Representatives Frank Thompson and William Moorhead, Senator Pell crafted President Kennedy's vision into a reality. With the full support and assistance of President Johnson, the National Foundation on the Arts and the Humanities Act was signed into law on September 29, 1965.

The first Chairman of the National Endowment for the Humanities, incidentally, was another Rhode Islander, Barnaby Keeney, then president of Brown University.

Mr. Speaker, I begin this hour with a survey of history for a couple of reasons. First, I think that it is vital that both Members and the President understand the care and consideration that went into creating the Endowments. So years of deliberation by some of our finest legislators went into the determination made in the arts and said:

While primarily a matter for private and local initiative, the arts and humanities are also appropriate matters of concern of the Federal Government.

So there is no doubt that private foundation and corporate philanthropy are the bedrock of artistic funding in this country. Nonetheless, there is an important role for government at all levels to play, and the Endowment serves as the catalyst for governmental involvement.

Second, looking back helps remind us of the aspirations that drove the creation of the Endowments in the first place. Last week, we learned of the death of Yevgeny Yevtushenko, a Soviet poet who defied his totalitarian government. When President Kennedy brought poetry to his inauguration, it was in direct contrast to the Soviet Union, where literary dissidents were imprisoned or exiled and not given freedom to create.

What a message to send to the world in the 1960s, that the United States prized artistic expression, celebrated scholarly inquiry, and believed in the strength and progress embodied by multiculturalism. So the playwright in New York was not censored. He was cheered. A historian in North Carolina was greeted not with accusation, but acclaim. The painter in Nevada was not imprisoned; she was empowered.

Placed in context, the message sent by the creation of the Endowments was that America's culture was not just an asset to be protected, but a powerful tool for promoting freedom worldwide.

Just as importantly, the 1965 act recognized that American culture was not static. Rather, its evolution over time was the source of its power. However, I believe the most important reason to begin with the history of the Endowments can be found in the Arts and Humanities Act itself: "An advanced civilization must not limit its efforts to science and technology alone, but must

give full value and support to the other great branches of scholarly and cultural activity in order to achieve a better understanding of the past, a better analysis of the present, and a better view of the future.”

Why do we study the arts and humanities? Why do we promote them in the Halls of Congress? “To achieve a better understanding of the past, a better analysis of the present, and a better view of the future.”

Mr. Speaker, I co-chair the Congressional Cybersecurity Caucus, a caucus that owes its very name to the work of an artist, William Gibson, who first coined the phrase “cyberspace” in 1984. Gibson helped create the lexicon that we use today to describe the internet as we know it and, in so doing, helped to shape its development and growth—a better view of the future, indeed.

For years, I promoted the STEM to STEAM movement, the concept of adding art and design to the STEM disciplines of science, technology, engineering, and mathematics.

Incidentally, this movement is another product of my home State, courtesy of the brilliant minds at the Rhode Island School of Design, in particular, as I understand it, then former President John Maeda, who, as I understand, coined the term “STEM to STEAM.”

Incorporating principles of art and design in STEM helps foster creativity, encourages collaboration, and can engender sudden, inspired breakthroughs, all by helping to better analyze the present.

So in my role in the Armed Services and Homeland Security Committees, I am presented daily with new threats brought on by the advent of new technologies or fast-moving global events. The temptation to act quickly is strong, and sometimes immediate reaction is warranted; but more often than not, it is through examination of the past that I find a path forward.

These United States have weathered many crises over the centuries—some of our own making—but by better understanding of them, I can better analyze the present and better see a future of America peaceful, prosperous, and free.

Mr. Speaker, I know my colleagues have stories to tell of the great works that the NEA and NEH have supported in their districts, and I will share some of those stories as well. But I hope my words on the history of the Endowments have helped shape our understanding of their incredible purpose and ideals of President Kennedy, President Johnson, Senator Pell, and their colleagues.

America is better for the Endowments existing. The world is better for it. To cast them away in a budget outline that zeros them out without even a word of justification is a tragedy.

□ 1115

It dismisses the ideals of our forbearers as insignificant. It ignores the half century of work that many of my colleagues here have done to promote our culture through the Endowments. And in the cruelest of ironies, it does so without engaging with the very disciplines it dismisses as unneeded. It cannot and will not go unchallenged.

Mr. Speaker, I am pleased to yield as much time as he may consume to the gentleman from North Carolina (Mr. PRICE). The gentleman has co-led this effort with me, and he proudly co-chairs the Caucus on the Humanities.

Mr. PRICE of North Carolina. Mr. Speaker, I thank my colleague for yielding and for taking up this Special Order to focus on the role of the Endowments for the Arts and the Humanities in American life and the need for us in this body to have some historical perspective and appreciation of that, and to rise to the occasion of the challenge presented by the Trump preliminary budget to make certain that these efforts are appreciated, and, more importantly, that they are funded, that they are supported in this body and in our budget for fiscal 2018.

I am glad that the gentleman took some time to give us a history lesson. He comes by this advocacy honestly because he is the Representative from Rhode Island. The inspiration behind the Endowments, back in the 1960s, was Senator Claiborne Pell of Rhode Island, a towering figure in the Senate.

I suppose I am one of the few Members around here who has been around long enough to remember Claiborne Pell. I never served with him, but I was a young staff member in the U.S. Senate when Claiborne Pell was going strong.

I first got a job as a summer intern and then returned summer after summer. I ended up writing a dissertation out of the Senate office of Senator Bob Bartlett of Alaska who was a friend and collaborator of Claiborne Pell’s.

Pell had many things going. I remember his chairman, Senator Lister Hill of Alabama. When I interviewed him at one point, he remarked on Claiborne and how just Claiborne had everything going. You had to really work to keep up with him.

But these Endowments were favorite projects of Claiborne Pell and of that uniquely fertile period in the history of this Congress when these efforts were pioneered and established, and, of course, they have enriched our national life ever since.

As the gentleman from Rhode Island mentioned, I have been honored to co-chair the Congressional Humanities Caucus. I have also been a member for a long time of the Congressional Arts Caucus.

It is at least in part in that capacity I speak out today in defense of these Endowments, but also as a U.S. citizen,

as a former academic who appreciates the role both of these Endowments play in supporting academic life and research into our history, our culture, our national background.

And not just research at the very top levels of our great universities, although they do some of that, but also the kind of local historical understanding that is developed through local arts councils and through local groups who research history and put on pageants and who educate young people and who do so much to enrich our national life from the bottom up.

One of the strengths, I think, of both the Arts and the Humanities Endowments, maybe their greatest strength, is their grassroots character—how they work to make history and the arts real and tangible and meaningful to young people coming along and to our local communities.

That is one reason their political support is so strong and so broad in terms of the political spectrum. We all know there have been times in the past where opportunistic politicians took out after the arts and the humanities thinking that maybe they could get a point or two by pretending to be antielitist or something like that. Efforts fall flat because Members of this body and most Americans know that the Endowments for the Arts and the Humanities operate at anything other than an elitist fashion.

They have managed to, at one and the same time, support the great achievements of our top research institutions but also to fund all sorts of activity at the local level, to the grassroots level, that has enriched our understanding of who we are and where we came from.

There was a Commission on the Humanities organized by the American Academy of Arts & Sciences a few years ago. It was co-chaired by the distinguished president of Duke University, Dick Brodhead, and a prominent businessman, John Rowe. The heart of the matter is the report that they produced. I would recommend to colleagues that report. It is not a report designed to gather dust on a shelf. It is a report designed to be an action document to help us understand that the humanities in this country are an important part of our educational excellence. They are an important part of our competitiveness internationally.

The humanities are important to national security and to the business world in terms of languages and cultural understanding and the kind of historical perspective that people need to operate in the modern world.

We all have our stories about how the humanities have enriched our lives and given us understanding. I experience that every day, not in a direct application necessarily but some kind of appreciation of where we have come from historically. What is the validity of

some of these ideological arguments that we hear? What is the history of our institution and of our role at critical moments? There is so much, whatever your walk of life, whether you are a Member of Congress or a businessperson or whatever. You are not going to get an instant history when you need it, when you need to have that understanding and that perspective. You gain this only by virtue of your educational background and what is available to you in terms of resources to deepen your understanding, and then you draw on that later, and it is extremely important to have that to draw on.

We need to situate ourselves, in this body especially, situate ourselves historically and understand the challenges we face. A broad liberal arts education is simply irreplaceable as a way of doing that. There are no more effective champions of broad liberal arts education and all of its facets than the Endowments for the Arts and the Humanities.

They have a robust system of partnerships with State agencies, local leaders, and the philanthropic sector. I particularly appreciate, in my district, the Carolina Ballet; the North Carolina Symphony, which gave a wonderful performance at the Kennedy Center as part of a series to celebrate State orchestras last week; and the National Humanities Center in my district also, a home for first-rate research in the humanities where scholars come year in and year out.

There is an economic impact that is sometimes not fully appreciated. A recent analysis by the Bureau of Economic Analysis found that our Nation's arts and cultural capacity produces over \$700 billion in economic output and supports millions of jobs.

Coming down to specific programs, in fiscal year 2016 alone, the Endowment for the Humanities museums grants leveraged \$33 million into an additional \$104 million. That is a pretty good return, quite a return, for the American taxpayer.

In fact, every dollar that the State Humanities Council gives out in grants, since fiscal year 2015, leveraged at least \$5 at the local and State level.

There are all kinds of reasons for us to appreciate the arts and the humanities—the ways they enrich our lives, the kind of ways they equip this country and this country's young people to be insightful, to be creative, to think outside the box, to develop their skills to the fullest extent for their own good and also for the good of our country.

In the face of all this, how can it be that the preliminarily budget of the Trump administration proposes eliminating these time-tested and productive programs?

I don't believe that will stand. I don't believe Members of either party in this body will let it stand. The funding al-

ready is very modest for these institutions. I am not talking about meeting the Trump administration halfway. I am talking about restoring full funding for the Endowments for the Arts and the Humanities and standing up proudly for these institutions and understanding and furthering understanding of the role they play in our national life.

Where did this proposal come from? I know where it came from—an outside rightwing think tank. That is the only credential that I know that this proposal from the preliminary budget has. I hope and believe that this was an overly hasty inclusion in that preliminary budget based on nothing more than this think tank's proposal.

I know it is up for reconsideration, I hope by the administration itself, but certainly by this body, as we put together our budget for 2018 and also our appropriations bills for the year.

We have got to stand up for our institutions' prerogatives in this case, but exercise those prerogatives on behalf of our own constituents, our own communities, and two of the finest and most efficient and most effective uses of Federal funds that are in the whole budget, the National Endowments for the Arts and the Humanities.

Let's hold fast in our investment. It is one of the most efficient we make in terms of leveraging private, nonprofit, and corporate dollars. It is one of the very most effective in enriching our national life.

Mr. Speaker, I thank my friend again for taking up this Special Order. I am happy to work with him on this, and we will count on a cooperative effort going forward.

Mr. LANGEVIN. Mr. Speaker, I thank the gentleman for his outstanding comments, his insights, and his leadership on the arts and humanities issues. As co-chair of the Humanities Caucus here in the Congress, I appreciate his efforts in helping me organize and colead this effort to speak out against the effort to zero out the National Endowments for the Arts and the Humanities budget. We hope it will not stand, and we hope that the President will reconsider his initial budget proposal.

I am proud to yield to a number of my colleagues and want to begin with the gentleman from New Jersey (Mr. PASCRELL), no shrinking violet himself, someone who is artistic and colorful in his own right, but it is no surprise to me that being from New Jersey he would be here since it was one of his late colleagues, the former Congressman from New Jersey, Frank Thompson, who was the House sponsor of the National Foundation on the Arts and the Humanities Act.

Mr. PASCRELL. Mr. Speaker, I thank the gentleman from Rhode Island.

Mr. Speaker, I rise today to express my strong support for the National En-

dowments for the Arts and the Humanities. I want to associate myself with the comments of the gentleman from Rhode Island and the gentleman from North Carolina.

As a former teacher, I have seen firsthand how important the arts and humanities are in educating our kids and bettering society as a whole.

It has been shown that exposure to the arts stimulates students' learning, their motivation, and their creativity.

Those students involved in the arts score significantly higher in the SATs than other students. Now, more than ever, the arts often seem to be one of the first programs cut from a school or a government budget.

In fact, this President has proposed eliminating both the Endowments entirely—the first time any President has proposed such a measure. This has been supported by Democrats and Republicans because it is meaningful to the entire Republic.

The NEA, the National Endowment for the Arts, has already sustained significant budget reductions. The NEA appropriation is 12 percent lower than it was in 2010. It declined to \$19.5 million.

And while I understand, when everything is a priority, nothing is a priority, I understand that this priority affects the spirit of the greatest Nation in the world.

□ 1130

The importance of arts and humanities is not something we should even forget, even in the face of tough economic times. The arts support 4.7 million full-time United States jobs and, as you have heard, creates billions in economic activity each year.

In New Jersey, the National Endowment for the Arts last year provided over \$1 million in direct grant funding to 13 arts organizations, community groups, schools, and artists, as well as enabled the New Jersey State Council on the Arts to award 171 grant and nongrant services totalling over \$13 million. So there are consequences and a ripple effect to the few Federal dollars that are provided and targeted.

In my hometown of Paterson, New Jersey, the Council for the Humanities has awarded grant funding to the Hamilton Partnership for Paterson in support of their work for the Great Falls National Historical Park.

Humanities organizations like these enrich the cultural and historical benefits of the Great Falls through programming and community involvement initiatives. That is why it is crucial that we ensure that they receive the funding and the recognition they deserve.

The budget proposal does damage to Americans across the board. One area taking a massive hit, if I may use a parallel, is health care. This budget would cripple the NIH, the National Institutes of Health, slashing funding by

\$5.8 billion, equal to 19 percent of the current \$30.8 billion discretionary budget. The budget takes aim at vital antipoverty programs that directly impact health care because poverty causes poor health. So our physical health is going to take a toll.

But it is our mental health that could be improved through a strong arts foundation, helping to relieve stresses and lift American spirits. Spiritual health of Americans, supported by the NEA and the NEH, is a key piece of our overall well-being.

As an active member of the Congressional Arts Caucus, I have spent years opposing those who wanted to slash funding for the National Endowment for the Arts and Humanities.

I will continue to work with my colleagues—and I pledge to you today that I will—on these Federal initiatives that possess widespread and bipartisan support.

Democrats and Republicans have always come together on this issue. It lifts our spirit as a culture and a nation. You mentioned Yevtushenko before, a Russian poet who came to New York City in the fifties. I only know a few words in Russian, but I went anyway because he was going to read his poetry in Russian. There was no interpreter there.

Yevtushenko had been in the midst of the Russian Revolution. He had been in the midst of people trying to gain a voice. I just know a few words; nonetheless, I was moved by his spirit, like watching a painting or looking at a photograph or going to a movie. I understand without knowing the words. That is what a poem should be. It should be, regardless of meaning, in any language. Whether it is music, art, poetry, sculpture, cinema, photography, dance, it doesn't matter.

This is the heart of America. Our children are drawn to it. And we even use art and the humanities now to help those people through very distressing times, which is very interesting and fascinating.

So I thank the gentleman from Rhode Island (Mr. LANGEVIN) for yielding. I want him to know he has a partner. Once I partner, you know I am not going to go away.

I also thank those who did stay to speak about this very critical issue.

Mr. LANGEVIN. Mr. Speaker, I know everyone is on a tight time schedule, but I thank the gentleman from New Jersey (Mr. PASCRELL) for staying and contributing his thoughts and his support to this effort.

Mr. Speaker, I yield to the gentleman from Rhode Island (Mr. CICILLINE). I know that he is on a tight schedule to try to catch a train at noon.

Mr. CICILLINE. Mr. Speaker, I thank the gentleman from Rhode Island for convening this Special Order hour and for his incredible leadership on this issue of the importance of the National

Endowment for the Arts and the National Endowment for the Humanities, not only here in Congress, but for what the gentleman does back in Rhode Island to ensure that all Rhode Islanders have the ability to experience and enjoy the beauty of the arts and culture in our great State.

As the gentleman knows, and I am sure he has referenced, we come from the State of the late Senator Claiborne Pell, the founder of the National Endowment for the Arts. So we feel a special privilege, and it is a great honor to stand and defend this great institution. As has been mentioned, art not only nourishes our soul, but it makes us more human and creates beauty in the world.

We have had a number of events recently in Rhode Island where we have brought in invited artists and people who enjoy art to speak about what the impact might mean if we defunded the National Endowment for the Arts. There were so many beautiful words that were shared by a young woman who said: Art helped me find my voice.

And she described kind of what her life had been before she became an artist.

We know the economic impact of the arts. In my congressional district, there are 1,340 arts-related businesses that employ almost 7,000 people. We spend in this country a very modest amount, .004 percent, so four one-thousandths of 1 percent is the budget of the National Endowment for the Arts. So it is a very modest budget.

Forty percent of the programming for the National Endowment for the Arts supports activities in high-poverty areas. So the contributions it makes are enormous to our economy. For every dollar that is invested in the arts, it yields \$51 in economic activity. So there are tremendous economic benefits to this.

In addition to that, as was referenced by Representative PRICE from North Carolina, arts, culture, and creativity are essential parts of the job skills for the 21st century. People want to employ people who are entrepreneurial, creative, problem-solving; and arts and music are some of the best vehicles to develop those skills.

So it is something which is important to the future economy of our country, to the kind of civilization that we will be a part of. It adds to the lives of everyone that we will represent.

I thank Representative LANGEVIN for giving me an opportunity to reinforce the importance of funding the National Endowment for the Arts and the National Endowment for the Humanities. It makes all the difference in the world to the kind of art experiences people have in this country. We invest a very modest amount of money, and it yields so much more that it is hard to imagine America without the National En-

dowment for the Arts and the National Endowment for the Humanities.

Mr. Speaker, I thank my friend and colleague from Rhode Island (Mr. LANGEVIN) for leading this effort and for convening this Special Order hour.

Mr. LANGEVIN. Mr. Speaker, I thank Congressman CICILLINE from Rhode Island for his comments and also for his partnership in helping to support the arts and humanities back home in Rhode Island and in our country as a whole. As the gentleman said, we have a special connection to the arts and humanities, given the leadership of our late senior Senator Claiborne Pell who created the National Endowment for the Arts and Humanities in the first place, along with the support of his wife, Nuala Pell, who David and I both know very well.

Mr. Speaker, I yield to the gentleman from North Carolina (Ms. ADAMS).

Ms. ADAMS. Mr. Speaker, I thank the gentleman from Rhode Island (Mr. LANGEVIN) for his dedication to the National Endowment for the Arts and the National Endowment for the Humanities, and for organizing this Special Order today.

As the 12th Congressional District Representative from North Carolina, as a practicing professional artist, as an arts educator, a curator, and a retired 40-year visual arts professor, I am pleased to join with all of my colleagues expressing my support for the National Endowment for the Arts and the National Endowment for the Humanities. I want to associate myself with the previous comments made by my colleagues from North Carolina and New Jersey as well.

I have learned throughout my professional arts education and arts management careers that, yes, the arts are nice; but beyond being nice, they are absolutely necessary and essential to enriching our lives.

Artists connect the past to the present. They convey our unique experiences. And they are presented in many forms, sometimes familiar and other times unfamiliar.

A universal language, the arts speak to people everywhere to help them understand diversity and cultures and some of the most complicated issues.

The arts and humanities are critical for adding value to our shared culture. They are not just used to mark celebrations, but to challenge perceptions of society.

Museums function as tools to house and preserve our collective history as a nation and bind us together as one community. Visual artists reflect on our society and they force us to reconcile our past. Writers record history and expose and challenge readers to different ideals presented in our society. Musicians transcend social and cultural boundaries to connect the listener through the sound of their instruments.

Time and time again, we have made a conscious decision to fund the arts and the humanities, signaling that we intrinsically value the arts as being crucial to our collective identity.

The NEA and the NEH have been and continue to be necessary to the success of the arts and humanities in my home State of North Carolina. As a Representative of Charlotte, one of the largest cities in the South, I understand how important the NEA and the NEH is to Charlotte's unique and thriving art culture.

In 2016, the NEA invested \$60,000 in grants in Charlotte for programs such as the Children's Theatre of Charlotte Inc.'s performance of the "Journey to Oz" and the McColl Center for Art and Innovation's exhibition and residency featuring Latino and Hispanic artists. NEA grants make these cultural events possible not just in my State, but in States throughout this Nation.

The arts not only provide entertainment, but they also encourage us to think critically. Advocates and researchers have shown that the arts have a positive impact on a young person's development. And because of this understanding, the arts and music were included in the Every Student Succeeds Act as part of a well-rounded education.

The NEA is a critical component to ensuring strong arts education in our schools. Through direct grants, the NEA is able to support crucial preschool through 12th grade education projects.

By establishing partnerships with our colleges and universities, the NEA is able to engage with our institutions of higher learning to provide necessary grants to preserve and restore historic works of art.

As a college art professor, I had the privilege of working with the NEA to secure a matching grant, which allowed the college to preserve and restore a historic painting by Aaron Douglas, the father of the Harlem Renaissance.

In order to continue to ensure that our students remain competitive in a global society, we must continue to fund the arts.

In addition to the cultural and educational impact of the arts, they play an important role in helping our veterans transition to civilian life and combat physical and mental illnesses. Through the NEA Military Healing Arts Partnership, the NEA has worked with the Department of Defense to create an art therapy program to treat servicemembers with traumatic brain injuries and associated psychological health issues at the Walter Reed National Military Medical Center. This program places art therapy at the center of a multidisciplinary treatment approach.

Through art therapy, our brave servicemen and -women are able to receive

specialized treatment that enable them to heal both their physical and their mental wounds. Participants in the program have found relief and have seen vast improvements in sleep, communication, pain, and their ability to confront emotional challenges. This program has also invested in critical research on the impacts and the benefits of this treatment.

The NEA's budget for fiscal year 2017 was \$148 million, just .004 percent of the Federal budget, a small amount.

Through a relatively small investment in the arts, we are able to yield large returns. Not only do the arts serve us culturally in terms of being significant, but the nonprofit arts and the cultural sector is an economic driver, supporting about 4.13 million jobs and contributing to a gross domestic product of 4.2 percent, or about \$729 billion.

□ 1145

The arts are crucial. They are critical to our culture. They are crucial to our education and to our economy. And in all respects, it is the arts that make us human. So funding for NEA and the NEH must remain in the Federal budget.

I would urge my colleagues to support us in that effort to keep the arts as a viable part of our budget, which means that it will be a viable part of our communities.

I thank the gentleman so much for putting together this Special Order and for allowing me to have input today.

Mr. LANGEVIN. I thank the gentleman for her presence here today but, most especially, for her outstanding words and participation in this effort. Thank you for what you have contributed here today, your wonderful perspective. I hope it catches the President's attention and, hopefully, reverses this effort to zero out funding for the National Endowments for the Arts and the Humanities.

Mr. Speaker, some may think of the arts and humanities as just luxuries or extras, but they are not. They are central to who we are. It is also about the jobs they create and how the artists and the folks from the humanities contribute to our economy, people who earn a living and pay taxes and, again, are a vibrant part of our communities, our States, and our country. So that is something else that is important to remember.

Mr. Speaker, I am very proud now to yield to my colleague from New York (Mr. TONKO), who has an important perspective to offer.

Mr. TONKO. Mr. Speaker, I thank the gentleman from Rhode Island for yielding. Thank you, Representative LANGEVIN, for leading us in this hour, and also for your great leadership on behalf of the arts and humanities.

I am very pleased to join my colleagues in taking this time to speak

about the critical importance of the National Endowment for the Arts, NEA, and the National Endowment for the Humanities, NEH.

Any great civil society will grow even stronger by embracing the arts and humanities, and certainly America, when she embraces the arts and the humanities, grows to the greatest potential; so the greatness of America is reflected by that interest and that investment.

At a time when some are arguing that we must cut our way to success, I would remind them that investments in the arts and in humanities are investments in our workforce and in our economy. I fully support funding for these programs.

The National Endowment for the Arts provides a foundation for America's artistic excellence, her creativity, and innovation that benefits individuals, communities, and our industries.

As NEA Chair Jane Chu once said: "Although many may not realize it, the arts actively intersect with areas such as the economy, human development, and community vitality."

The NEA, as a strong sponsor of the arts and artists, is an integral source of strength at these intersections, challenging students to turn imaginative ideas into brilliant solutions for generations to come.

Art in our communities, and especially in our schools, is indeed vital. It is one of the most important ways that we celebrate our unique regional heritage and expand our own horizons of creativity and innovation.

In the capital region of New York, the area that I am so proud to represent, we value the arts. So much of our artistic achievement would not be possible without the National Endowment for the Arts.

For many years, the Albany Symphony Orchestra has received NEA grants in support of the American Music Festival.

The Arts Center of the Capital Region has received NEA grants for exhibitions, workshops, and master classes.

Yaddo has been the recipient of many NEA grants to support residencies for collaborative teams.

Fence magazine uses NEA grants for publication of books of poetry and podcasts.

Rensselaer Polytechnic Institute was just awarded an NEA grant for residencies to create works investigating the intersection of art, media, technology, and, yes, science.

Without the NEA, these programs would not be there to enrich our communities and our lives.

National Endowment for the Humanities awards also support research and innovation, strengthen critical thinking and writing skills, as well as strengthen humanities education in all institutions of learning.

Supporting the growth of the humanities in our communities is just as essential. The National Endowment for

the Humanities has contributed in many ways to the capital region, which has a very rich history and heritage worthy of preservation, promotion, and celebration.

Many of our institutes of higher education have benefited from these grants, including RPI, Skidmore, Union College, and SUNY Albany, to name a few.

Some of the projects that have been funded by NEH include the Underground Railroad History Project of the Capital Region, which explores the complex relationship between the Underground Railroad, the end of the Civil War and Reconstruction in our region, as well as the influence of these events on our contemporary society.

Investments in the humanities also drive us to be better citizens. NEH has supported the League of Women Voters of New York State Education Foundation, which is working toward the celebration of women's right to vote and the 100th anniversary of the League of Women Voters in New York State to celebrate the upcoming events commemorating the women's suffrage centennial.

Grant recipients include the Girl Scouts, the Troy Boys and Girls Club, libraries, museums, high schools, and elementary schools. Our history reminds us of the pride that comes with developing community and neighborhood, investments that those who came before us made in growing families, developing households, building neighborhoods in powerful and meaningful ways.

This conversation is also closely linked to two other important fields that are intertwined with the arts and humanities. First, I am a longtime supporter of America's heritage areas, special places that have played important roles in shaping our Nation. They tell the stories of people and communities, the pioneer spirit of which laid the foundations of our society.

Heritage areas provide enormous economic benefits, and I greatly appreciate the work that the Erie Canalway and Hudson Valley heritage areas have done for upstate New York. As the co-chair of the Congressional National Heritage Area Caucus, I continue to be impressed by how the entire National Heritage Areas program operates on a very small budget. These cost-effective programs create jobs and grow our local economies.

In fact, each Federal dollar invested in this program leverages more than \$5 in non-Federal funds. That is exactly the kind of smart investing we need to see more of.

By the way, thank you to the 77 Members who joined me in supporting funding for heritage areas.

I am also supporting funding for the Institute of Museum and Library Services because museums are a vital part of our communities and educational in-

frastructure. These museums collectively employ 400,000 Americans and have an impact of \$20 billion in their communities.

During my time in Congress, I have been a steadfast advocate for our Nation's museums, and I have urged my colleagues to robustly fund the Institute of Museum and Library Services, the primary agency that supports our Nation's 33,000 museums. It is highly accountable, and its great competitive, peer-reviewed grants programs serve all States.

This year, we had 166 Members signing on to that letter. So it is very obvious, NEH, NEA, IMLS, and National Heritage Areas are fundamental investments in our communities. They make life richer, more meaningful; they inspire us; they challenge us. They need to be funded. Let's move forward with the critical funding they require and deserve.

Mr. LANGEVIN. I thank the gentleman from New York for his comments and for his leadership on this issue.

Mr. Speaker, may I inquire as to how much time we have remaining?

The SPEAKER pro tempore (Mr. FERGUSON). The gentleman from Rhode Island has approximately 12 minutes remaining.

Mr. LANGEVIN. Mr. Speaker, I am proud to yield now to the gentleman from Illinois (Mr. FOSTER).

Mr. FOSTER. Mr. Speaker, I would like to thank the gentleman from Rhode Island for yielding and for leading this important conversation.

We come here today to call attention to a misguided turn that this administration proposes to take in our country's cultural history.

I am the only Ph.D physicist in Congress, so I frequently come to the floor to speak out in defense of science and scientific research, but I am here today for another reason, to call attention to the grave threat that President Trump's budget poses to the future of our country's arts and culture.

What is it that makes a country great; and how will our country be viewed a generation from now, a century from now, or in the next millennia?

To answer this question, we can only look to the great nations of the past. Why was Athens great in a way that Sparta never was?

Why is Florence, under the Medici, revered and remembered in a way that its forgotten competitors never are?

It is because, after they defended their homeland, after they conquered their rivals in war, after they triumphed in commerce, those countries invested a significant fraction of their national wealth in things that had nothing to do with material conquest.

The Medici supported the science and the art of Leonardo da Vinci, Michelangelo, and the Renaissance masters; and

Athens supported the immortal accomplishments of the Greek storytellers, historians, artists, and philosophers, and that is what made them great.

For many decades, our country has supported the arts and humanities through the National Endowments for the Arts and the Humanities. Now our President has proposed a budget that would cut these Endowments completely in favor of more defense spending and a useless wall on our southern border.

The National Endowments for the Arts and the Humanities provide critical funding for students and organizations throughout the country, including in my district in Illinois. His budget proposes that we wipe them away completely. These cuts might make the President feel like a hero in the short term, but they will be a disaster for our country's place in human history.

Programs that support understanding of the arts and humanities play a vital role in our society. They give us knowledge and a shared cultural base that we rely on every day, regardless of what career we go into. And they also help children and students of all ages embrace the complexity and the wonder of humanity.

History, literature, and the arts connect us to a common past and allow us to explore our differences and to understand places beyond our own imaginations. Simply put, the arts and humanities teach us how to be compassionate and understanding toward other people. This is what makes America truly great.

The National Endowment for the Arts and the National Endowment for the Humanities help show us what it means to be human because, regardless of who you are and what you do, knowledge, empathy, and compassion are the national values and the human values that we need to defend, not with bombs and fighter jets, but with sustained support and the cultivation of knowledge and culture.

Now, for most of my career in science, I worked at Fermi National Accelerator Laboratory. The founding director of Fermilab, Robert Wilson, spoke eloquently about this over 40 years ago. Bob was a physicist who worked on the Manhattan Project and who walked away from his security clearance and dedicated his life to pure science, to building giant accelerators, experiments, international collaborations at Fermilab to explore the fundamental properties of matter.

He was also an artist who, after he made all of the magnets and particle accelerators, then filled his laboratory with graceful and imaginative art.

In 1969, he was called to testify in front of the Joint Committee on Atomic Energy to answer why it was that we were spending all of this money at Fermilab during the Cold War and

what all this had to do with the national defense.

Robert Wilson looked the committee in the eye and said that all of the work at Fermilab, driven by natural human curiosity, has nothing at all to do with the national defense except, perhaps, to make our country more worth defending.

So I would hope that a President so bent on building his wall and increasing our defense budget by over \$50 billion, to the detriment of funding for education, science, and the arts, would pause for a moment and heed those words from history so that a century from now, when our children and grandchildren look back on this time in our country's history, they will see that the human values of our country were always what made it more worth defending, in part, because of the greatness that the National Endowments for the Arts and the Humanities have sustained for decades.

So I thank my colleague from Rhode Island for this important discussion.

Mr. LANGEVIN. I thank the gentleman from Illinois for his great comments and for his participation here today. It is very deeply impactful, and I am grateful.

Mr. Speaker, may I inquire how much time remains?

The SPEAKER pro tempore. The gentleman from Rhode Island has approximately 7 minutes remaining.

Mr. LANGEVIN. Mr. Speaker, like my colleagues, I too have stories of the impact that the National Endowments for the Arts and the Humanities have back home, and some of these stories are small and deeply personal. I would like to thank the wonderful leaders of the Rhode Island Arts and Humanities Council for helping to collect them so that I can share them with everyone here today.

□ 1200

The State of Rhode Island is deeply indebted to Randy Rosenbaum and Dr. Elizabeth Francis for their work in promoting the arts and humanities. The State councils are an essential component of the Endowments' efforts, and we are incredibly lucky in Rhode Island to have Elizabeth and Randy heading up our initiatives.

One of the stories they shared comes from FirstWorks, an NEA-supported organization that helps connect students experiencing new types of performance with artists premiering new pieces. FirstWorks recently helped bring together a Philadelphia hip-hop group with high school students in downtown Providence. The students participated in a workshop with one of the dancers one day and followed it up with a lecture and a matinee performance the next.

FirstWorks had just created a Spanish-language version of their student survey, which they administered after

the matinee performance. Students were asked to rate their enjoyment and explain why they gave their answer. Two Spanish-speaking students responded that they loved the performance because it was "the first time they went to one."

The FirstWorks team weren't exactly sure what the students meant. Was it the first matinee? Was it the first time seeing the hip-hop group? So they followed up with the teacher, who wrote back: "These students have never been to a live performance. It just goes to show you how important these opportunities are for our population. They will remember this forever."

This is the kind of impact the arts can have on our communities.

Another story comes from an artist who has, with the help of State Arts Council funding, been working with underserved communities for 6 years. She helps students learn to apply themselves to art projects in a way that builds self-confidence and helps them learn the power of their imaginations. About an elementary school student named Danny, she wrote: "When I first started working with him, he did nothing but whine and cry and insist he couldn't do anything. With my encouragement, he took his own ideas and went with them—in a puppet workshop, he made three stuffed animals instead. He sleeps with them every night now. They make him feel safe."

There are hundreds of these stories in Rhode Island alone, and they would simply not be possible without the support of the Endowments.

Of course, some projects supported by NEA and NEH are on a much larger scale. It is virtually impossible right now to find a Rhode Islander who, today, doesn't know about WaterFire, Providence's massively successful creative placemaking project. I have experienced this wonderful WaterFire many times myself.

For those of my colleagues who have not had the pleasure of attending a WaterFire—and, Mr. Speaker, I am happy to extend an invitation to all of my colleagues to come and to visit—it is a dynamic sculpture, basically, with dozens of these metal baskets or metal braziers transforming the rivers of downtown Providence.

This groundbreaking artwork has completely transformed Saturday nights in Providence, with tens of thousands of people flocking downtown for each lighting and the performances, music, and camaraderie that accompany it. It is hard to describe it in words, but it has been transformative. WaterFire really has fundamentally altered the way Providence is viewed and the way the people of Providence view themselves. Support from NEA is helping WaterFire further explore creative placemaking, and it is incredibly meaningful.

A final thought to share comes from Professor Toubia Ghadessi, a board

member for the Rhode Island Council on the Humanities. Professor Ghadessi was asked to share her thoughts on why NEH matters for all Rhode Islanders, and I truly cannot improve upon her words. This is what she had to say:

"The Rhode Island Council for the Humanities uncovers beautiful stories about individuals and places and brings them to life—these stories become our history and make us understand that we, too, write the narratives that construct culture. The intentionally diverse programming that RICH supports builds communities that, eventually, will view diversity as normalcy—this normalcy is the one I aspire to construct for the next generation. RICH allows for our best selves to come forward and celebrate together what culture teaches us—from the struggles of social justice, to the legacy of first peoples, to the craft of filmmaking for children. All of these things matter. All of these things make us better human beings. All of these things turn us into ethical and engaged citizens of the world. Without an understanding of the humanities, opinions become facts and truth is debatable. History has offered us a roadmap to behaving with integrity—we can't ignore it or ignorance wins."

Mr. Speaker, I cannot think of more important words for these times, and I would ask all of my colleagues to reflect on what it will take to view diversity as normalcy and why it seems today that the truth is debatable.

Mr. Speaker, I thank all my colleagues for being here today. I am proud to share my thoughts on why it is so important that we not zero out the National Endowment for the Arts and Humanities and the incredible impact they have on our communities.

I have one more story from my district about the impact of the arts and humanities that I'd like to share.

It, too, relates to the legacy of Senator Pell, but it also points to the broader cuts to arts and humanities in the President's budget outline.

A decade after the passage of the National Foundation for the Arts and Humanities Act, Senator Pell was again at the forefront of cultural preservation and promotion when he sponsored legislation creating the Office of Museum Services.

While the Office was eventually rolled into the Institute of Museum and Library Services, it continues to support great work, which I saw firsthand last year in my district when the Tomaquag Museum in Exeter was awarded the prestigious National Medal for Museum and Library Service.

Recently, we in Rhode Island have been celebrating the 350th anniversary of our charter and Roger Williams's respect for the Indigenous People he lived among.

But far too often, this story treats Rhode Island's tribes as bit players rather than delving into their rich culture and history.

The Tomaquag Museum's founders recognized this flaw in the narrative in the 1950s,

and while I'm disappointed it took the rest of us so long to catch up, I'm incredibly proud of all the recognition it's received of late.

The Tomaquag Museum remains the only Rhode Island institution dedicated solely to the history and culture of the state's indigenous population, and I have experienced its power to start conversations and change attitudes in our communities.

Unfortunately, IMLS, too, is slated for defunding under the President's budget outline.

We are very lucky that my home state Senator, JACK REED, has taken up Senator Pell's mantle in pushing for its reauthorization and full funding.

But it is important that all of my colleagues join together to protect the NEA, the NEH, IMLS, and support for the arts and humanities throughout the federal budget.

We must do so because of the lives touched and forever altered by these organizations.

We must do so in order to achieve a better understanding of the past, a better analysis of the present, and a better view of the future.

We must do so because it is good policy.

I hope that hearing the stories shared today has helped cement that fact in the minds of my colleagues, and I look forward to working with them to continue to promote the arts and humanities.

With that, I again thank all my colleagues who joined me this morning.

Mr. Speaker, I yield back the balance of my time.

REMEMBERING WORLD WAR I

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Oklahoma (Mr. RUSSELL) is recognized for 60 minutes as the designee of the majority leader.

Mr. RUSSELL. Mr. Speaker, today, exactly 100 years ago, on this very floor, the United States declared war on Imperial Germany and entered the First World War on the side of the Allies. The decisions that led to that monumental declaration forever changed America's destiny, economy, military, foreign policy, and culture.

Today also marks the beginning of our National Centennial remembrance of America's service in World War I for the sacrifices made by all Americans and for the more than one-quarter of a million American casualties, including over 100,000 dead, most of whom were lost in a mere 6-month period from May to November 1918.

By the war's end, my great-grandfather and his three brothers would all serve. My great-grandfather's brother, my great-uncle, Frank Chamberlain, was killed in action. This is his pipe that he was carrying when he was killed in France, his dog tags, and his uniform insignia that I was able to inherit from my great-grandfather.

He lays peacefully in France under a white marble military gravestone, a scant, faceless hint of the man who was once filled with laughter and humor,

who held dreams, hopes, and goals for the future. Frank was 19 years old.

On April 6, 1917, our country was forever changed, and it began right here on this very floor. It is only fitting, Mr. Speaker, that we give remembrance to its beginning here today. I am indeed indebted to the fine work of Dr. Eric B. Setzekorn of the United States Army's Center of Military History for his material from "Joining the Great War," which forms the basis for today's remembrance.

After the assassination of Archduke Franz Ferdinand of Austria on the 28th of June 1914, which led to the military mobilization across Europe and declarations of war by early August, most Americans took solace that the Atlantic Ocean shielded the United States from the conflict. The Chicago Herald summed up the popular support for isolation from Europe's strife in its article that said: "Peace-loving citizens of this country will now rise up and tender a hearty vote of thanks to Columbus for having discovered America."

Germany's invasion of neutral Belgium brought Great Britain into the war and divided Europe into two great camps. Britain joined France and Russia to form the Triple Entente, more commonly referred to as the Allied Powers. Opposed to them were Germany and Austria-Hungary, making up the Central Powers.

President Woodrow Wilson believed that the immoral nature of European politics created entangling alliances that transformed a regional conflict into a global war that threatened world peace. The President delivered a Declaration of Neutrality to this very Congress on the 19th of August 1914, calling on all citizens to remain "impartial in thought, as well as in action." However, between late 1914 and early 1917, the escalating conflict tested American traditions of isolationism as it threatened to draw the Nation closer to the war.

The initial German offensive against France ended in September at the Battle of the Marne, after which both sides attempted a series of flanking maneuvers to gain the advantage. Neither side proved capable of overcoming the killing power that machine guns and rapid-firing artillery brought to the defensive, and the battle lines all along the Western Front stabilized in a vast system of trenches stretching from Switzerland all the way to the English Channel. This was a new type of warfare, with soldiers subjected to prolonged stress and danger, with little chance for daring heroics or martial glory.

Behind the trenches, the development of sophisticated supply systems that were able to support millions of men and massive levels of firepower and the ability to rush reserves to block any potential enemy breakthrough led to a vicious stalemate.

On the broad expanses of the Eastern Front, Germany and Austria were locked in a brutal war of attrition with Russia, where logistics and artillery shells counted far more than bravery.

To break through the deadlock, the combatants attempted to smash through enemy lines with ever larger offensives. Attacks in 1915 saw tens of thousands of soldiers and hundreds of artillery pieces deployed along only a few miles of the front, trying to win through sheer weight of numbers and ordinance. The result was thousands of dead and gains measured in yards after weeks of constant fighting.

Poison gas, first used by the Germans in April 1915 and later adopted by every nation,

added to the daily misery and danger. By 1916, as the industrial economies of Germany, France, and Britain became fully geared toward war production, battles increased in scale and destructiveness. In the fight of the fortress of Verdun between February and December, the French and Germans suffered more than 1 million casualties combined.

On the first day of the Somme Offensive on the 1st of July 1916, the British and French fired more than 2 million artillery shells into the German lines in support of 19 divisions attacking along only a 20-mile front. Despite this colossal weight of numbers, the British alone suffered 57,000 casualties on the very first day and did not break the German defenses. By the time the Somme ended in mid-November, all sides had suffered more than a combined 1 million casualties, while the front moved fewer than 10 miles. As a result, Verdun and the Somme became synonymous with the slaughter and destruction that defined the Western Front.

As the stalemate in France continued, U.S. political and public opinion began to shift from neutrality toward support for the Allies. German atrocities in Belgium, at times exaggerated by Allied propaganda, shocked many Americans. Additionally, in early 1915, the Germans began an effort to isolate the British Isles by using submarines, known as Unterseeboote, or U-boats, to attack British merchant shipping.

□ 1215

The German campaign, which consisted of the unrestricted sinking of any merchant vessel bound for Britain, was portrayed by American newspapers as a cowardly and immoral method of warfare.

On the 1st of May 1915, a German U-boat sank the British liner RMS *Lusitania*, killing 1,198 men, women, and children, including 128 American citizens onboard. After the attack, The New York Times called on President Wilson to "demand that the Germans shall no longer make war like savages drunk with blood."

Fearing that such action could pull the United States into the war, and concerned over British violations of American shipping rights, President Wilson continued his policy of neutrality. Seeking to take the moral high road, he proclaimed: "There is such a thing as a man being too proud to fight . . . There is such a thing as a Nation being so right that it does not need to convince others by force that it is right."

However, after the Germans sank the French passenger ferry SS *Sussex* in March 1916, Wilson threatened to break off diplomatic relations with Germany. In May, the Germans pledged to abandon unrestricted submarine warfare, though they reserved the right to attack legitimate targets such as armed merchant ships or those vessels carrying war materiel.

As Germany's submarine campaign damaged its relations with the United States, America's economic relationship with Britain and France expanded. Faced with a war of attrition, the Allies relied on agricultural and industrial resources to support their war efforts.

Despite a British blockade that severely cut American commerce and its friendly relations to the former central powers, U.S. trade with Europe more than doubled from 1913 to 1917. U.S. companies not only provided civilian goods, but also war materiel. Bethlehem Steel alone supplied the Allies with over 20 million artillery shells between 1914 and 1918, while major weapons manufacturers like Remington and Winchester sold

rifles and guns. Allied governments relied heavily on the U.S. banking industry for billions in loans to finance their war.

Despite the United States' growing economic ties to the Allies, the American public still preferred that the Nation remain neutral. The British Government's brutal suppression of the 1916 Easter Rising in Ireland angered many Americans—and certainly, Irish Americans—as did its continued violation of American neutral shipping rights through its blockade of Germany.

As the casualty list grew during 1916, most Americans were thankful that they had not been drawn into the carnage engulfing Europe.

In November 1916, President Wilson won reelection by a narrow margin, largely on the slogan, "He kept us out of war." However, circumstances changed rapidly in early 1917. Many Americans began to volunteer for the French, Great Britain or Canada, like my Uncle Frank.

Germany's increasingly desperate strategic situation led to a resumption of unrestricted submarine warfare on the 31st of January 1917. This action broke the earlier pledge of the Germans to respect passenger shipping and convinced President Wilson to break diplomatic relations with Germany on the 3rd of February 1917.

Soon after, the British Government provided Wilson an intercepted communication from the German foreign secretary, Arthur Zimmermann, to the German envoy in Mexico. In the telegram, Zimmermann proposed that if the United States joined the war on the Allied side, Germany and Mexico should enter into an alliance. In return, Mexico, by taking up arms against the United States, would receive from Germany supplies, financial assistance. Once a victory was achieved, Mexico could claim territory in Texas, New Mexico, and Arizona.

The State Department released the telegram to the Associated Press on the 28th of February, and the American public opinion turned sharply, as many became convinced of German duplicity and aggressive intentions. No longer was the war seen as simply a horrific folly by the European powers, but rather as a clear indication of the danger of unchecked militarism.

With the abdication of the Russian czar in February 1917 and the rise of a provisional representative government, Americans came to see the war as a struggle that pitted democracies against aggressive, authoritarian imperialists.

Faced with this clear contrast, President Wilson addressed this very floor on April 2, 1917, in a joint session of Congress declaring his desire that: We shall fight for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their governments, for the rights and liberties of small nations, for universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free.

On the 6th of April—100 years ago today, where I am standing—with concrete evidence of German hostility to the United States, to international peace, and to liberal democracy, Congress of the United States declared war on Germany.

The first act of war committed on Germany was executed that very day, when the United States Army's 1st Battalion, 22nd Infantry marched from Fort Jay, New York, to Hoboken, New Jersey, boarded and seized the German

ships in the harbor and interned the German crews. I had the privilege to command the 1st Battalion, 22nd Infantry in Iraq in 2003–2004.

Among the ships seized that day on April 6, 1917, was the SS *Vaterland*, a luxury liner later renamed the USS *Leviathan*. This luxury transport would send 10 percent of all doughboys to France and bring a great many of them home as well.

The last American World War I veteran was Frank Buckles, who enlisted from Oakwood, Oklahoma, in August of 1917. He died only 6 years ago, in February 2011, at age 110.

I had the privilege to know a great many World War I veterans. The last time I saw my great-grandfather was when I came home on leave as a young Army captain. As we had a very pleasant visit and it came to a close and I had to go, he told me: "Don't go yet. I want to give you something."

He returned from his bedroom with some items in a cigar box that I remember looking at as a kid. He said: "I want you to have these."

I said: "I can't take these, grandpa. Those were your brother's."

He said: "You will take them because I know you will keep Frank's memory alive."

He was right. They have been displayed by me ever since, wherever I have been.

As we reflect today on the declaration of war 100 years ago on this very spot in 1917 that began the United States entry into World War I, let us embark on a national centennial remembrance for all Americans of that day who sacrificed so much for our Republic. They are all gone now, but as long as we who knew them have breath and remember them, they will live.

Mr. Speaker, I yield back the balance of my time.

BRIDGES ACADEMY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 30 minutes.

Ms. FOXX. Mr. Speaker, last weekend I had the pleasure of visiting Bridges Academy, a charter school in State Road, North Carolina. The school was celebrating the decision by the North Carolina Department of Public Instruction unanimously to renew its charter for an additional 10 years.

Bridges Academy opened in 1997 as one of the first charter schools in North Carolina. Established by a local community group, it is overseen by a grassroots, local board of directors. It serves a rural population from surrounding systems in Alleghany, Surry, Wilkes, and Yadkin counties, and Elkin city.

The mission of Bridges Academy is to provide all students with the oppor-

tunity to develop an academic foundation that empowers students to reach their full potential. It has focused on students that are struggling in the traditional school setting.

The school is doing great work, especially in regard to serving students with disabilities who, on average, make up 45 percent of the student body. There is a teacher assistant in each class providing accommodations and modifications to all students. End-of-grade proficiency among the subgroup of students with disabilities is in the top 3 percent of the State.

Bridges Academy is fairly unique for a charter school in that it provides transportation for students in three counties. When nearly 90 percent of the student population is considered economically disadvantaged, the school offers free breakfast and lunch for all students through the Community Eligibility Provision, and a food backpack program is offered to the neediest students each Friday.

All lead teachers at Bridges Academy are highly qualified, while 50 percent of the regular education teachers also hold licensure in special education. New leadership in both governing board members and administration several years ago has led to growth in accountability, student population, and campus construction.

We have always known what makes a great school: it is a great principal who attracts great teachers and parental involvement. That is what you see at Bridges Academy. Don't take my word for it, though. Listen to this testimonial from a parent who wrote:

"As the new school year approaches, I wanted to take a moment to write. I can't thank you enough for being there for my daughter.

"You and the Bridges staff have made such a difference in her life. Before we moved here and found this wonderful school, my daughter was struggling. She was isolated and bullied by her classmates and so depressed that she didn't fit in with the other children because of her emotional and learning disabilities.

"At Bridges, she was welcomed with open arms and she knows that everyone on staff is working for her best interests. Finding her teacher, who is from our home State, was truly a blessing. She understood that my daughter needed to learn in a different way, and you helped her adjust to our new community.

"Always remember that you and the school that has done so much for my daughter will continue to have my support."

The power of an excellent education is truly life-changing. I know because it changed mine. As a child, I attended public school. It was a very poor school, but it provided some very positive experiences. The lessons learned and encouragement provided there

have helped me go further in life and achieve more than I ever dreamed.

There are countless stories just like mine. Every day, students take classes, hear lectures, or receive advice that will have long and lasting impacts on their lives. That is why it is so important we continue working to improve K-12 education and ensure all students are able to benefit from those opportunities.

Every student in every school deserves an excellent education, but, unfortunately, we are falling far short of that goal as a nation. Thankfully, innovative charter schools like Bridges Academy are providing thousands of families with new hope and opportunity.

School choice provides real hope to moms and dads, and school choice has provided the students at Bridges Academy with a high-quality education and a greater chance to succeed in life.

□ 1230

School choice is a powerful tool to help children succeed, and I am encouraged by the momentum that is building. The challenge we face is extending the promise of school choice to more students and families.

As chairwoman of the House Committee on Education and the Workforce, that is a challenge I take seriously and one I am committed to tackling head-on.

The bipartisan Every Student Succeeds Act includes a number of reforms to expand school choice; and across the country, efforts are underway to empower families with more educational options, including charter schools, home schooling, scholarship programs, and education savings accounts.

We must ensure Federal policies support—rather than discourage—innovative school choice and explore additional opportunities to expand the promise of school choice.

I look forward to the work ahead and exploring additional opportunities to provide parents more choices for their children's education.

THANK YOU TO NVIZION, INC.

Ms. FOXX. Mr. Speaker, on Monday night, fans across my home State and the entire country were ecstatic as we celebrated the University of North Carolina's sixth NCAA men's basketball championship. It was a thrilling evening.

But in the Fifth District, one company was getting to work. Five minutes after the 71-65 victory against Gonzaga, the presses at NVIZION, Inc., in King, North Carolina, started moving and printing thousands of championship T-shirts commemorating the national title. The company runs two presses on a typical day but ran four presses to fill the order of five different championship designs. The dedicated staff stayed until the last T-shirt was printed, folded, packaged, and picked up.

Congratulations to the UNC players on their hard-fought victory, and thank you to the folks at NVIZION for producing the victory T-shirts that I am sure have been quickly snapped up by the university's dedicated fans.

How about them Heels?

REINING IN THE RADICAL ISLAMISTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, it is always a privilege to be in this last bastion of civility. Sometimes it hasn't been all that civil, but it has been a place where the rules were supposed to be enforced.

I know there are all kinds of wild allegations being thrown around. People seem to enjoy throwing them at this White House, but I think we all owe a debt of gratitude to the President this week. This has been a very big week, as an article by Kaitlan Collins from The Daily Caller points out: our President hosting three foreign leaders this week in what could be a big moment for foreign policy. Well, this was dated April 2.

One guest that he invited that I am so grateful that President Trump invited was the Egyptian President, Abdel Fattah el-Sisi. It has been my privilege with some of our other colleagues, and I have had other occasions alone to visit with him in Cairo. I am just so grateful he was invited because Egypt is doing everything it can. The leaders of Egypt right now are doing all they can to try to prevent an international caliphate that is dominated and enforced by radical Islam.

In years past, when I brought up that there are some radical Islamists who are wanting to create a new Ottoman Empire—and I think it is an indictment of some of our schools, both secondary and college level, that more people are not familiar with world history. So I referred some reporters to a map. Go look at a map, look at where the Ottoman Empire was, look at what countries were included in that empire, and look at what the Islamic State is trying to do, what al-Qaida had tried to do, and what radical Islam, with really Muslim Brotherhood playing a powerful role in trying to create part of that caliphate, you look at what they have done, advances made, and it is very clear that those who wanted a new Ottoman Empire that many thought was over 100 years or so ago, we would never see the rise of radical Islam controlling so much of north Africa and Europe.

Then, of course, during World War II, radical Islamists raised their heads. They had something in common with Hitler. Many don't realize that radical

Islamist leaders were allied with Hitler because they shared what? A common hatred for Jewish people. They both wanted Jewish people annihilated. They wanted a genocide. They wanted them wiped off the Earth. In the early days, the United States, to our discredit, did not do enough to help the Jewish people who were the target of that genocide, both by radical Islamists but largely led by Hitler himself.

So when that great June uprising in Egypt that was completely peaceful by the Egyptian people—the only real violence was instigated by the Muslim Brotherhood, and the Muslim Brotherhood continues to this very day to plot and to strategize to try to take back over the country of Egypt. With over 90 million people or so in Egypt with such a critical location, the Nile River running through Egypt, being right there at the Suez Canal, being right there at the gate of the Middle East, being at the gate to north Africa from the east, it is a critical linchpin for any radical Islamist who wants to start with a caliphate.

Of course, the true radicals, though they have some disagreements over what real radical Islam is, they all agree that to get back this worldwide caliphate, we actually must get Egypt back under radical Islamic control.

Having met President el-Sisi, visited on a number of occasions, even before he was President, this is a man who wants to do the will of the people. He is also a man who has 20/20 vision when it comes to looking at the Muslim Brotherhood.

It was rather tragic when President Obama and two Republican Senators started putting pressure on the 30-plus million Egyptians who made clear that despite Morsi, the Muslim brother leader who allegedly was elected despite the claims of fraud in the election that were not followed up on because of the threats that were made by the Muslim brothers that if you contest this election, we will burn Egypt down.

But the 30 million after the election, once they saw Morsi was acting extra-constitutionally, he was taking powers that didn't belong to him, really kind of following the model of Chavez in Venezuela where, yeah, he got elected, and then he used that position to start knocking off and eliminating competition, pulling powers under himself. Morsi was doing that. And, of course, there is video of him taking marching orders from a radical Islamic leader. So some think he was more of a puppet at the whims of radical Islamic leaders.

But that was such an incredible day for the world, when 30 million Egyptians, moderate Muslims, Christians, Jews, secularists, they went to the street. Some people are not aware, yes, there are Jews in Egypt. There is a millennia of history there. But they went to the street, and as I have mentioned before, Mr. Speaker, the Pope

there in Cairo has told me on more than one occasion just how deeply emotionally moving it was to have secularists, Muslims, and Jews come up to him and say there in the streets as they marched together peacefully: We are so sorry for the way you have been treated by the Muslim Brotherhood. We are so sorry for the persecution that our leaders have inflicted upon you and Christians here in Egypt.

What a great day for the world when they demanded, peacefully but demanded, the removal of the President who would be king, Muslim brother Morsi.

And now we still have some in this country, former President Obama and others, who had such wrongheaded policies that put the world so much at risk by supporting Muslim Brotherhood, they complain that this President, our President Trump, doesn't know what he is doing. It appears to me he knows exactly what he is doing when it comes to radical Islam, to those who want an international caliphate, to those who are moderate Muslims, like President el-Sisi, who has actually had the courage to stand up, as I have not seen any national or international leader do, and tell a roomful of imams that it is critical that we get control of Islam back from the radicals who have hijacked it.

It did a disservice when the last administration kept saying the Islamic State, the radicals in Egypt, radicals in Libya, al-Qaida, that they are not Islam. Well, yes, they are. And that is why President el-Sisi had to make clear: We need to get our religion back. Baghdadi, who is head of the Islamic State, has made very clear that, yes, the Islamic State is Islamic, and if moderate leaders don't step up and rein in radical Islam, then this world is headed for disaster.

Though we had some disagreements here recently on other matters, I still think that the media attention that is given claiming Trump is this crazy guy, that Donald Trump puts the world at risk, they are so reflective of the comments that were heard about a guy named Ronald Reagan when he was President.

As I mentioned last fall in a private meeting with now President Trump, I said, you know, my study of American history seems to indicate that those Presidents who were considered by the media to be our smartest Presidents, when it came to foreign matters, foreign policy, they were some of the least effective.

□ 1245

In some cases, actually, terrible at foreign policy and foreign diplomacy, it seems that some of our most successful Presidents, when it comes to foreign policy, have been depicted as being just a little bit crazy.

And I mention to now President Trump, if he will remember back to the

days of "Saturday Night Live" when it was funny, they did skits about President Reagan. They enjoyed portraying President Reagan walking around as if he was in some daze or stupor, with his finger out asking where the red button is—"Where is the red button?"—like he was so anxious to start a nuclear war.

But when you analyze the history of our Presidents and their effectiveness at foreign policy, I think you actually end up seeing that, when the world is a little bit concerned about a United States President being just a little bit crazy—"That guy is crazy enough, he may start a nuclear war"—it is a fantastic help to diplomacy, so that when a President like Reagan or Trump says, "This is it. Don't do this because I will draw a red line," they can't be sure that he won't launch a nuclear war.

So I hope that he won't take anything off the table. I think he has handled some of these issues very well. As he has said: I am not taking anything off of the table. I am not going to warn our enemies of exactly what we are going to do and when.

That is wise counsel in handling foreign diplomacy.

I am looking forward to the days ahead, because this week, in meeting with President el-Sisi, it sent a message to the world that President Obama refused to send, and that is we think we can work with President el-Sisi.

He has his hands full. Egypt has a tough road ahead because they are trying to come back from what had become a quite socialized government in Egypt. A lot of people are on some form of welfare.

It is always difficult, as one of the Caesars found, when you try to move people off of bread and circuses and get them to working so that they will find out they have value, provide self-worth. Every individual has value in God's eyes, and the Founders knew that. So let's get them working. Most everybody can do something. And leaders like President el-Sisi are attempting to do that.

It was also an embarrassment for the United States, and those that are observing world affairs, to have noted that an incredible world event happened since President el-Sisi has been the head of the government in Egypt. They opened a second lane to the Suez Canal. There were top leaders from most all of the more powerful nations in the world. They came to honor Egypt and their incredible accomplishment of opening a second lane. It didn't go all the way the distance, but it allows for so much more traffic through the Suez Canal.

I remember one conversation prior to that with President el-Sisi, when President Obama had promised Muslim brother leader Morsi: We will send you tanks. We will send you jets. We will send you money. We will send you Apache helicopters.

President Obama was more than happy to send powerful weaponry that the Muslim brothers could use to go after Christians to weaponize the Sinai, as Morsi did.

A lot of Americans had the wool pulled over their eyes, including some at AIPAC, who didn't realize, as they sent people around to support President Morsi, that: Oh, gee, we think he is a lot better than people are giving him credit for.

I knew who he was. I know what he was. But some of the top folks at AIPAC did not realize you don't want to be supporting a Muslim brother President or leader anywhere.

And, in fact, we should do right here in the United States what Egypt did, and that is list the Muslim Brotherhood as a terrorist organization. Now, it is true in the United States. Some of their leaders have said, oh, no, we don't want to get to violence, because the indications are they believe that they are making so much progress, and they really did. Under the leadership of President Obama, the Muslim Brotherhood made vast strides in power in the United States without violence, so they didn't want to jeopardize that.

But as some of the documents that had been seized over the last 30 years make clear: Yeah, we will use peaceful means as long as we can; but, of course, at some point, when we are no longer successful in gaining the upper hand in America, we will have to support violence to do the final takeover.

But some people here get it. They understand the threat that the Muslim Brotherhood is.

It is great that President Trump invited Egyptian President el-Sisi to be here to meet with him. And, Mr. Speaker, I look forward to the day when we have enough time to have President el-Sisi stand right here where Prime Minister Netanyahu has stood at least, I think, three times and where other great international leaders have stood and have spoken to a joint session. I look forward to the day when we have President el-Sisi stand here. The man is a true hero for the world, for everyone except the Muslim Brotherhood.

President Trump also welcomed King Abdullah of Jordan, King Abdullah, leader of a majority Muslim country. And, of course, those who have studied the Bible know that so many of the Biblical references actually are right there in Jordan.

Some wondered why President Obama didn't get much encouragement from those around him to go ahead and do a status of forces agreement with Iraq. We know that Iran was making so many of the IEDs, putting people and weapons inside the country of Iraq, while American soldiers were fighting, losing their lives, being maimed, losing arms and legs—our great heroes—carrying out the will of the U.S. Government.

It seemed that President George W. Bush pretty well had a status of forces agreement teed up. He probably could have finalized it. For all the criticism that some heap onto President Bush, he is actually a very gracious man. Look at the time he entertained people at the White House and was so gracious. People like Ted Kennedy that would walk right outside and trash him after he had been so gracious to him.

But he actually left a hanging curve ball for President Obama to hit after he came in as President. And from what I understood from people in the Bush administration, they thought this would help his Presidency come in and very quickly sign the status of forces agreement that should be easy to get done.

But one of the things—well, there were two main things, it seems, from what I can figure out, that stood in the way of the status of forces agreement. One was President Obama really didn't want to leave troops in Iraq, not even a small force, to help solidify what we had taken away from the radicals. And he didn't use good judgment, which has now cost the lives of tens of thousands—hundreds of thousands of people in the Middle East because of his shortsightedness.

Another reason that there is no status of forces agreement was an element I didn't realize until I was talking to my friend Joel Rosenberg, a great author, a New York Times Best Seller author. Joel has done so much fantastic research into Israel, Egypt, and the Middle East. His novels reflect so much history that is accurate.

He was pointing out to me—and I had not seen it until he pointed it out and I started doing some research on it. But some of the crazies who think that the 12th imam, who was thrown in as well as a child around 10 years of age, is going to some day come back and take over and be the great Mahdi, the 12th imam, that unites the world caliphate and puts everyone under radical Islamic control of the Mahdi, the 12th imam, most of the 12th-ers believe, those who believe the 12th imam is coming back, some have said they have already seen him on short appearances.

There are prophecies that the 12th imam will first come back and take charge in a small town. I believe it is pronounced Kufa. It is kind of like the Bible prophesied that the Messiah would be born in Bethlehem.

Well, those who believe the 12th imam is going to come back—and, actually as I understand, they do believe in Jesus. They believe he is going to fight at the right hand of the 12th imam, so they don't have anything close to the beliefs that Christians do and the orthodox Jews do. But the only way he can come back and begin the start of this reign, if he comes back to Kufa, there cannot be any infidel sol-

diers, infidels in the land, occupying the land.

So if the United States had an occupying force in Iraq, it is going to impede the ability of the 12th imam to come back and start the beginning of the worldwide caliphate that will fall in place thereafter. And, of course, he is supposed to emerge from chaos.

There were those in Iran at the top who thought—not rank-and-file people, but some at the top thought, look, he is supposed to come out of chaos. He will appear here in this small town and start the beginning of the accumulation of the world caliphate.

So, in Iran, if you were a crazy top leader in Iran that believed that is where the 12th imam is coming back, you could not allow the United States—that they consider infidels, the Great Satans—you could not allow the United States to have a status of forces agreement so that we had what they consider infidel soldiers. So it wasn't anticipation that Iran would fight so hard to keep America from agreeing to keep soldiers in Iraq, and part of that is because President Obama did not allow people who had studied radical Islam.

Now, he had Muslim brothers around him. That is what Muslim Brotherhood publication indicated in December of 2012, I believe is when that article came out, bragging about the six people that were in top positions, people like Imam Magid; and Eliabary, who was on the Homeland Security Advisory Council, the top advisory council for Secretary of Homeland Security Janet Napolitano. And I pointed out conflicts there that were disregarded and problems that his allegiance was not to us; it was for a more radical Islam, for the Muslim brotherhood at least.

□ 1300

Finally, when he tweeted out that the caliphate—the world caliphate is inevitable and Americans just need to get used to it, they finally decided to let him rotate off advisory council. But the Muslim brothers were bragging about the people they had in top positions that were advising President Obama.

There are some holdovers in positions who were not top Muslim brothers, but they are in positions that I hope this President will be able to root out. And I think it helps a great deal that he talks to President el-Sisi, he talks to President Abdullah, because some of these radical Islamists are also a great threat to King Abdullah in Jordan, and we need him keeping peace on the eastern side of Israel.

And then you also had the Chinese President come, and we have got to deal with China because they are a power and they own a lot of our debt.

But I appreciate what was reported this week. Ali Waked at Breitbart reported from Tel Aviv:

“ . . . Abdel Fattah Sisi's visit to the United States . . . will be an opportunity to undermine the Muslim Brotherhood's standing in Washington, a former Egyptian Ambassador to the United States said.

“Abdel Raouf al-Ridi told Egyptian paper Alshorouk that ‘Egyptian-American relations are entering a new phase, and the degree of their success relies on Egyptian efforts.’”

He went on to say: “‘Presidents Trump and Sisi can break the ice created during the Obama administration,’ he said. ‘Without doing injustice to Obama, he adopted the ideology of the Muslim Brotherhood.’”

He is talking about President Obama. President Obama would never admit that. Who knows whether he was taken in or really understood what he was embracing.

But one other great thing that I want to express appreciation for is the President's steps on trying to stop illegal immigration into this country.

Mr. Speaker, as I have talked about a number of times, having spent so much time all night on the border, the drug cartels control traffic coming into America, and they have people that they are smuggling in through their coyotes who actually get paid to bring them in. That money goes to the drug cartels and they coordinate. The drug cartels, according to the Border Patrol, coordinate sending in these groups of illegal aliens in the United States. They knew, when they sent a big group in on one or more rafts, that all of our border patrolmen would have to flock to that area and start processing them, go through their checklist of questions, and that is when they could send massive amounts of drugs in.

So what President Trump is doing is a great favor to the United States. When he stops illegal immigration, he is not just stopping illegal immigration, he is stopping the ability to bring in drugs, making it more difficult. Oh, they are still coming, but it is a start. And I am grateful to the President for doing that.

Mr. Speaker, I yield back the balance of my time.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 3 minutes p.m.), the House stood in recess.

□ 1429

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLLINGSWORTH) at 2 o'clock and 29 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1628, AMERICAN HEALTH CARE ACT OF 2017

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 115-88) on the resolution (H. Res. 254) providing for further consideration of the bill (H.R. 1628) to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017, which was referred to the House Calendar and ordered to be printed.

PROVIDING FOR AN ADJOURNMENT OF THE HOUSE

Mr. SESSIONS. Mr. Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 48

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Thursday, April 6, 2017, through Friday, April 21, 2017, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, April 25, 2017, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT FROM THURSDAY, APRIL 6, 2017, TO SATURDAY, APRIL 8, 2017

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent when the House adjourns today, it shall adjourn to meet at 11 a.m. on Saturday, April 8, 2017, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 48, in which case the House shall stand adjourned pursuant to that concurrent resolution.

THE SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. EVANS (at the request of Ms. PELOSI) for today.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 353. An act to improve the National Oceanic and Atmospheric Administration's weather research through a focused program of investment on affordable and attainable advances in observational, computing, and modeling capabilities to support substantial improvement in weather forecasting and prediction of high impact weather events, to expand commercial opportunities for the provision of weather data, and for other purposes.

JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on April 5, 2017, she presented to the President of the United States, for his approval, the following joint resolutions:

H.J. Res. 43. Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by Secretary of Health and Human Services relating to compliance with title X requirements by project recipients in selecting sub-recipients.

H.J. Res. 67. Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for nongovernmental employees.

ADJOURNMENT

Mr. SESSIONS. Mr. Speaker, pursuant to the order of the House of today, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 32 minutes p.m.), under its previous order, the House adjourned until Saturday, April 8, 2017, at 11 a.m., unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 48, in which case the House shall stand adjourned pursuant to that concurrent resolution.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

982. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Samuel D. Cox, United States Air Force, and his advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

983. A letter from the Senior Official Performing Duties of the Assistant Secretary of the Army (Manpower and Reserve Affairs),

Department of Defense, transmitting a notice of mobilizations of Selected Reserve units that will be ordered to active duty from April 1, 2017 through June 30, 2017, pursuant to 10 U.S.C. 12304b(d); Public Law 112-81, Sec. 516(a)(1); (125 Stat. 1396); to the Committee on Armed Services.

984. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (Carroll County, MS) [Docket ID: FEMA-2016-0002] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

985. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations (Washington County, Oregon and Incorporated Areas) [Docket ID: FEMA-2016-0002] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

986. A letter from the Acting Chairman, Federal Energy Regulatory Commission, transmitting a report titled "Extensions of Hydropower Construction Deadlines Under Sec. 13 of the Federal Power Act", pursuant to Sec. 1701(c)(5) of the Energy Policy Act of 1992; to the Committee on Energy and Commerce.

987. A letter from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Removal of Certain Persons from the Entity List; Addition of a Person to the Entity List; and EAR Conforming Change [Docket No.: 170109042-7255-01] (RIN: 0694-AH30) received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

988. A letter from the Diversity and Inclusion Program Director, Board of Governors of the Federal Reserve System, transmitting the Board's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

989. A letter from the Chairman, Federal Communications Commission, transmitting the Commission's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

990. A letter from the Staff Director, Federal Election Commission, transmitting the Commission's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

991. A letter from the President, Inter-American Foundation, transmitting the Foundation's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

992. A letter from the Acting President and CEO, Overseas Private Investment Corporation, transmitting the Corporation's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as

amended by Public Law 109-435, Sec. 604(f); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

993. A letter from the General Counsel, Privacy and Civil Liberties Oversight Board, transmitting the Board's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

994. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's interim rule — Recreational Boat Flotation Standards—Update of Outboard Engine Weight Test Requirements [Docket No.: USCG-2016-1012] (RIN: 1625-AC37) received April 4, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

995. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Corps' Los Angeles River Ecosystem Restoration Integrated Feasibility Report: Final Feasibility Report and Environmental Impact Statement/Environmental Impact Report for September 2015 (H. Doc. No. 115—29); to the Committee on Transportation and Infrastructure and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 680. A bill to prohibit accessing pornographic web sites from Federal computers, and for other purposes (Rept. 115-81). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 1003. A bill to authorize the establishment of a program of voluntary separation incentive payments for nonjudicial employees of the District of Columbia courts and employees of the District of Columbia Public Defender Service (Rept. 115-82). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. House Resolution 203. Resolution of inquiry requesting the President, and directing the Attorney General, to transmit, respectively, certain documents to the House of Representatives relating to certain communications by the President of the United States, with an amendment; adversely (Rept. 115-83). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 455. A bill to designate the United States courthouse located at 501 East Court Street in Jackson, Mississippi, as the "R. Jess Brown United States Courthouse" (Rept. 115-84). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 1346. A bill to repeal the rule issued by the Federal Highway Administration and the Federal Transit Administration entitled "Metropolitan Planning Organization Coordination and Planning Area Reform" (Rept. 115-85). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. House Concurrent

Resolution 36. Resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby (Rept. 115-86). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. House Concurrent Resolution 35. Resolution authorizing the use of the Capitol Grounds for the National Peace Officers Memorial Service and the National Honor Guard and Pipe Band Exhibition (Rept. 115-87). Referred to the House Calendar.

Mr. SESSIONS: Committee on Rules. House Resolution 254. Resolution providing for further consideration of the bill (H.R. 1628) to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017 (Rept. 115-88). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. TIPTON:

H.R. 1965. A bill to amend the Federal Land Policy and Management Act of 1976 to improve the transparency and oversight of land conveyances involving the sale, exchange, or other disposal of National Forest System lands or public lands under the jurisdiction of the Bureau of Land Management or the acquisition of non-Federal lands for inclusion in the National Forest System or administration as public lands, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIPTON:

H.R. 1966. A bill to provide protections and certainty for private landowners related to resurveying certain Federal land under the administrative jurisdiction of the Bureau of Land Management, and for other purposes; to the Committee on Natural Resources.

By Mr. LAMBORN (for himself, Mr. NEWHOUSE, and Mrs. McMORRIS RODGERS):

H.R. 1967. A bill to amend the Reclamation Project Act of 1939 to authorize pumped storage hydropower development utilizing multiple Bureau of Reclamation reservoirs; to the Committee on Natural Resources.

By Mr. DUNN:

H.R. 1968. A bill to amend title 10, United States Code, to improve the authority of the Secretary of Defense to protect certain military facilities, assets, and information from unmanned aircraft; to the Committee on Armed Services, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself, Ms. TSONGAS, Mr. GRIJALVA, Ms. SPEIER,

Mr. HUFFMAN, Mr. TAKANO, Mrs. NAPOLITANO, Mr. BEYER, Ms. CLARK of Massachusetts, Mr. CONNOLLY, Mr. SARBANES, Ms. NORTON, Mr. BLUMENAUER, Ms. SLAUGHTER, Mr. ELLISON, Mr. YARMUTH, Mr. LOWENTHAL, Mr. QUIGLEY, Mr. GALLEGO, Mr. EVANS, Ms. LOFGREN, Ms. ESHOO, Mr. POLIS, Mr. CARTWRIGHT, Mr. SCHIFF, Ms. MCCOLLUM, Mr. HASTINGS, Ms.

MAXINE WATERS of California, and Ms. MENG):

H.R. 1969. A bill to amend the Safe Drinking Water Act to require testing of underground sources of drinking water in connection with hydraulic fracturing operations, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BACON (for himself, Mr. FORTENBERRY, and Mr. YOUNG of Iowa):

H.R. 1970. A bill to amend the Immigration and Nationality Act to provide for expedited naturalization processes for the alien spouses of first responders who die as a result of their employment, and for other purposes; to the Committee on the Judiciary.

By Mr. SMUCKER:

H.R. 1971. A bill to provide for integrated plan permits, to establish an Office of the Municipal Ombudsman, to promote green infrastructure, and to require the revision of financial capability guidance; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMUCKER (for himself, Mr. EMMER, and Mr. PETERSON):

H.R. 1972. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to waive the requirement of certain veterans to make copayments for hospital care and medical services in the case of an error by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. BROOKS of Indiana (for herself, Ms. FRANKEL of Florida, and Mr. GOODLATTE):

H.R. 1973. A bill to prevent the sexual abuse of minors and amateur athletes by requiring the prompt reporting of sexual abuse to law enforcement authorities, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILDEE:

H.R. 1974. A bill to amend the Safe Drinking Water Act to improve transparency under the national primary drinking water regulations for lead and copper, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCGOVERN (for himself and Mr. ISSA):

H.R. 1975. A bill to protect civilians from cluster munitions, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JENKINS of West Virginia (for himself and Mr. MASSIE):

H.R. 1976. A bill to nullify any generalized, routine or ongoing reporting requirement imposed on a person licensed under section 923 of title 18, United States Code, that is based on the geographic location in which the licensee is located or on the sale of multiple rifles or shotguns, or any specific type of rifle or shotgun, to the same person; to the Committee on the Judiciary.

By Ms. WASSERMAN SCHULTZ (for herself and Mr. RUTHERFORD):

H.R. 1977. A bill to amend title 38, United States Code, to authorize the Secretary of

Veterans Affairs to transport an individual employed at a medical facility of the Department of Veterans Affairs between a parking facility and the medical facility; to the Committee on Veterans' Affairs.

By Ms. JACKSON LEE:

H.R. 1978. A bill to establish a grant program to empower relatives, friends, and co-workers of domestic violence victims to create safety plans; to the Committee on the Judiciary.

By Ms. JACKSON LEE:

H.R. 1979. A bill to increase the evidentiary standard required to convict a person for a drug offense, to require screening of law enforcement officers or others acting under color of law participating in drug task forces, and for other purposes; to the Committee on the Judiciary.

By Ms. JACKSON LEE:

H.R. 1980. A bill to require non-Federal prisons and detention facilities holding Federal prisoners under a contract with the Federal Government to make available to the public the same information pertaining to facility operations and to prisoners held in such facilities that Federal prisons and detention facilities are required to make available; to the Committee on the Judiciary.

By Ms. JACKSON LEE:

H.R. 1981. A bill to codify an office within the Department of Homeland Security with the mission of strengthening the capacity of the agency to attract and retain highly trained computer and information security professionals, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Science, Space, and Technology, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE:

H.R. 1982. A bill to authorize funding to increase access to mental health care treatment to reduce gun violence; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE:

H.R. 1983. A bill to enhance Federal enforcement of hate crimes, and for other purposes; to the Committee on the Judiciary.

By Ms. JACKSON LEE:

H.R. 1984. A bill to provide for research and education with respect to triple-negative breast cancer, and for other purposes; to the Committee on Energy and Commerce.

By Ms. JACKSON LEE:

H.R. 1985. A bill to provide for the appointment of additional immigration judges; to the Committee on the Judiciary.

By Ms. JACKSON LEE:

H.R. 1986. A bill to amend title 49, United States Code, to establish an Ombudsman Office within the Transportation Security Administration for the purpose of enhancing transportation security by providing confidential, informal, and neutral assistance to address work-place related problems of Transportation Security Administration employees, and for other purposes; to the Committee on Homeland Security.

By Mr. RASKIN (for himself, Mr. CONYERS, Mr. MCGOVERN, Ms. LEE, Ms. JAYAPAL, Mr. BLUMENAUER, Mr. DOGGETT, Mr. SOTO, Ms. JACKSON LEE, Mr. COHEN, Mr. GUTIERREZ, Ms. JUDY

CHU of California, Mr. GRIJALVA, Ms. LOFGREN, Mr. BROWN of Maryland, Mr. CICILLINE, Mr. TAKANO, Ms. WASSERMAN SCHULTZ, Mr. EVANS, and Mr. NADLER):

H.R. 1987. A bill to establish the Oversight Commission on Presidential Capacity, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCARTHY:

H.R. 1988. A bill to designate the facility of the United States Postal Service located at 1730 18th Street in Bakersfield, California, as the "Merle Haggard Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. MCCARTHY (for himself, Mrs. COMSTOCK, Mr. COSTELLO of Pennsylvania, Mr. HURD, Mr. PAULSEN, Ms. STEFANIK, Mr. KHANNA, Mr. CRAWFORD, Mr. GUTHRIE, Mr. WALDEN, Mr. YODER, Mrs. BROOKS of Indiana, and Mrs. MCMORRIS RODGERS):

H.R. 1989. A bill to direct the Secretary of Veterans Affairs to carry out a high technology education pilot program; to the Committee on Veterans' Affairs.

By Mr. BANKS of Indiana (for himself and Mr. COURTNEY):

H.R. 1990. A bill to amend title 23, United States Code, to allow food concessions at State-owned interstate rest areas; to the Committee on Transportation and Infrastructure.

By Mr. BARLETTA:

H.R. 1991. A bill to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; to the Committee on Ways and Means.

By Mr. BARR (for himself and Ms. FUDGE):

H.R. 1992. A bill to direct the Secretary of the Interior to conduct a special resource study of the site of the Camp Nelson Civil War Heritage Park in Jessamine County, Kentucky, and for other purposes; to the Committee on Natural Resources.

By Mrs. BEATTY (for herself, Mr. STIVERS, and Mr. TIBERI):

H.R. 1993. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into partnerships with public and private entities to provide legal services to homeless veterans and veterans at risk of homelessness; to the Committee on Veterans' Affairs.

By Mr. BILIRAKIS:

H.R. 1994. A bill to direct the Secretary of Veterans Affairs to make improvements to the information technology system of the Veterans Benefits Administration of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. BLACK (for herself, Mr. BLUMENAUER, Mrs. MCMORRIS RODGERS, and Mrs. DINGELL):

H.R. 1995. A bill to amend title XVIII of the Social Security Act to provide for national testing of a model of Medicare Advantage value-based insurance design to meet the needs of chronically ill Medicare Advantage enrollees; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in

each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BONAMICI:

H.R. 1996. A bill to amend the Internal Revenue Code of 1986 and the Consumer Financial Protection Act of 2010 to regulate tax return preparers and refund anticipation payment arrangements, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRENDAN F. BOYLE of Pennsylvania (for himself and Mr. FITZPATRICK):

H.R. 1997. A bill to encourage United States-Ukraine cybersecurity cooperation and require a report regarding such cooperation, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BRENDAN F. BOYLE of Pennsylvania (for himself and Mr. TAKANO):

H.R. 1998. A bill to direct the Secretary of Veterans Affairs to notify the Committees on Veterans' Affairs of the Senate and the House of Representatives and certain Members of Congress before the expiration or termination of a HUD-VASH contract, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BUCK (for himself, Mr. PALMER, Mr. BIGGS, Mr. MEADOWS, Mr. GOSAR, Mr. JODY B. HICE of Georgia, Mr. DESJARLAIS, Mr. BABIN, Mr. BRAT, Mr. GROTHMAN, Mr. POLIS, Mr. GRIFFITH, Mr. RENACCI, Mr. SANFORD, and Mr. PERRY):

H.R. 1999. A bill to require an annual report on offsets and pay-fors, and for other purposes; to the Committee on the Budget.

By Mr. CARTWRIGHT (for himself, Mr. BEYER, Mr. BLUMENAUER, Mr. CAPUANO, Ms. CLARKE of New York, Mr. CONNOLLY, Mr. CUMMINGS, Mr. DEFazio, Ms. DELBENE, Ms. DEGETTE, Mr. ELLISON, Ms. ESHOO, Mr. GRIJALVA, Mr. HUFFMAN, Mr. KEATING, Mr. LANGEVIN, Ms. LEE, Mr. LOEBSACK, Mr. LOWENTHAL, Mr. LYNCH, Ms. MCCOLLUM, Mr. MOULTON, Ms. MENG, Mrs. NAPOLITANO, Ms. NORTON, Mr. POCAN, Mr. POLIS, Mr. QUIGLEY, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCOTT of Virginia, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Mr. TAKANO, Mr. THOMPSON of California, and Mrs. WATSON COLEMAN):

H.R. 2000. A bill to require regulation of wastes associated with the exploration, development, or production of crude oil, natural gas, or geothermal energy under the Solid Waste Disposal Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CARTWRIGHT (for himself, Mr. AGUILAR, Mr. BEYER, Mr. BLUMENAUER, Mr. CAPUANO, Ms. CLARKE of New York, Mr. CONNOLLY, Mr. CUMMINGS, Mr. DEFazio, Ms. DELBENE, Ms. DEGETTE, Mr. ELLISON, Ms. ESHOO, Mr. GRIJALVA, Mr. HUFFMAN, Mr. KEATING, Mr. LANGEVIN, Ms. LEE, Mr. LOEBSACK, Mr. LOWENTHAL, Mr. LYNCH, Ms. MCCOLLUM, Mr. MOULTON, Ms. MENG, Mrs. NAPOLITANO, Ms. NORTON, Mr. POCAN, Mr. POLIS, Mr. QUIGLEY, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF,

Mr. SCOTT of Virginia, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Mr. TAKANO, Ms. TSONGAS, and Mrs. WATSON COLEMAN):

H.R. 2001. A bill to amend the Federal Water Pollution Control Act and direct the Secretary of the Interior to conduct a study with respect to stormwater runoff from oil and gas operations, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. CASTOR of Florida (for herself, Mr. CRIST, Mr. HASTINGS, and Mrs. MURPHY of Florida):

H.R. 2002. A bill to amend the Outer Continental Shelf Lands Act to prohibit oil and gas releasing, leasing, and related activities in certain areas of the Outer Continental Shelf off the coast of Florida, and for other purposes; to the Committee on Natural Resources.

By Mr. CASTRO of Texas:

H.R. 2003. A bill to amend the Every Student Succeeds Act to provide grants for high-quality, local prekindergarten programs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CHABOT (for himself, Mr. CHAFFETZ, Mr. HARRIS, Mr. YODER, and Mr. GIBBS):

H.R. 2004. A bill to modify the provisions of the Immigration and Nationality Act relating to nonimmigrant visas issued under section 101(a)(15)(H)(ii)(b) of such Act, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CICILLINE:

H.R. 2005. A bill to amend the Internal Revenue Code of 1986 to provide for the taxation of income of controlled foreign corporations attributable to imported property; to the Committee on Ways and Means.

By Mr. COFFMAN:

H.R. 2006. A bill to amend title 38, United States Code, to improve the procurement practices of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. COLLINS of New York (for himself and Mr. LAMALFA):

H.R. 2007. A bill to prohibit the awarding of Federal Pell Grants to incarcerated individuals, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. COMSTOCK (for herself, Mr. HARPER, and Mr. RODNEY DAVIS of Illinois):

H.R. 2008. A bill to increase funding for the 10-Year Pediatric Research Initiative Fund by eliminating taxpayer financing of presidential election campaigns; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COSTELLO of Pennsylvania (for himself and Mr. PETERS):

H.R. 2009. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide clarity with respect to the regulation of diagnostic imaging devices intended for use with contrast agents; to the Committee on Energy and Commerce.

By Mr. CRAMER (for himself, Mr. MCKINLEY, and Mr. DUNCAN of South Carolina):

H.R. 2010. A bill to amend the Internal Revenue Code of 1986 to enhance the requirements for secure geological storage of carbon dioxide for purposes of the carbon dioxide sequestration credit; to the Committee on Ways and Means.

By Mr. CURBELO of Florida (for himself and Mr. VEASEY):

H.R. 2011. A bill to amend the Internal Revenue Code of 1986 to provide for the issuance of exempt facility bonds for qualified carbon dioxide capture facilities; to the Committee on Ways and Means.

By Ms. DEGETTE (for herself, Mr. SMITH of Washington, Mr. TONKO, Ms. MCCOLLUM, Mr. GRIJALVA, Ms. TSONGAS, Mr. TAKANO, Ms. SCHAKOWSKY, Mr. POLIS, Mr. CARTWRIGHT, Mr. CAPUANO, Mr. SCOTT of Virginia, Ms. LEE, Mr. SWALWELL of California, Mr. ENGEL, Mr. POCAN, Mr. CONNOLLY, Mr. BLUMENAUER, Mr. SARBANES, Ms. NORTON, Mr. QUIGLEY, Mr. HUFFMAN, Ms. ESHOO, Mrs. CAROLYN B. MALONEY of New York, Mr. SERRANO, Mr. YARMUTH, Mr. BEYER, Mr. PALLONE, Ms. MENG, Ms. MAXINE WATERS of California, and Ms. LOFGREN):

H.R. 2012. A bill to repeal the exemption for hydraulic fracturing in the Safe Drinking Water Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DELANEY (for himself, Mr. FLEISCHMANN, and Mr. LOEBACK):

H.R. 2013. A bill to extend the eligibility of redesignated areas as HUBZones from 3 years to 7 years; to the Committee on Small Business.

By Mr. DELANEY (for himself, Mr. CARTWRIGHT, and Mr. POLIS):

H.R. 2014. A bill to amend the Internal Revenue Code of 1986 to impose an excise tax on greenhouse gas emissions; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOGGETT (for himself, Ms. ADAMS, Ms. BARRAGAN, Mr. BEYER, Mr. BLUMENAUER, Ms. BONAMICI, Ms. BROWNLEY of California, Mrs. BUSTOS, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Mr. CASTRO of Texas, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARKE of New York, Mr. COHEN, Mr. CUELLAR, Mrs. DAVIS of California, Ms. DELAURO, Ms. DELBENE, Mr. ELLISON, Mr. GALLEGO, Mr. GARAMENDI, Mr. GONZALEZ of Texas, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIÉRREZ, Mr. HASTINGS, Mr. HIGGINS of New York, Ms. JACKSON LEE, Ms. JAYAPAL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY, Mr. KILDEE, Mr. KIND, Mr. LARSEN of Washington, Mr. LEWIS of Georgia, Mr. BEN RAY LUJÁN of New Mexico, Ms. MICHELLE LUJÁN GRISHAM of New Mexico, Mr. MEEKS, Ms. MOORE, Mr. MOULTON, Mr. NADLER, Mr. NOLAN, Ms. NORTON, Mr. O'ROURKE, Mr. PAYNE, Mr. POCAN, Mr. PRICE of North Carolina, Mr. RUPPERSBERGER, Mr. RYAN of Ohio, Ms. SÁNCHEZ, Mr. SARBANES, Mr. SCOTT of Virginia, Mr. DAVID SCOTT of Georgia, Mr. SOTO, Mr. SWALWELL of California, Ms. TITUS, Mrs. TORRES, Ms. VELÁZQUEZ, Mr. WELCH, and Mr. WILSON of South Carolina):

H.R. 2015. A bill to amend the Higher Education Act of 1965 to simplify the financial

aid application process, and for other purposes; to the Committee on Education and the Workforce.

By Mr. DUNCAN of Tennessee (for himself and Mr. LIPINSKI):

H.R. 2016. A bill to mandate the monthly formulation and publication of a consumer price index specifically for senior citizens for the purpose of establishing an accurate Social Security COLA for such citizens; to the Committee on Education and the Workforce.

By Mr. EMMER:

H.R. 2017. A bill to amend the Internal Revenue Code of 1986 to provide for the indexing of certain assets for purposes of determining gain or loss of eligible individuals; to the Committee on Ways and Means.

By Mr. FOSTER (for himself and Mr. TAKANO):

H.R. 2018. A bill to amend the Internal Revenue Code of 1986 to establish a program to populate downloadable tax forms with taxpayer return information; to the Committee on Ways and Means.

By Ms. FOXX (for herself and Mr. SMITH of New Jersey):

H.R. 2019. A bill to amend the Internal Revenue Code of 1986 to exclude certain abortions from the definition of qualified medical expenses for purposes of distributions from health savings accounts; to the Committee on Ways and Means.

By Mr. GAETZ (for himself and Mr. SOTO):

H.R. 2020. A bill to provide for the rescheduling of marijuana into schedule III of the Controlled Substances Act; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Miss GONZÁLEZ-COLÓN of Puerto Rico (for herself, Mr. MACARTHUR, Mr. DUFFY, Ms. VELÁZQUEZ, Mr. YOUNG of Alaska, Mr. BANKS of Indiana, Ms. PLASKETT, and Mr. CURBELO of Florida):

H.R. 2021. A bill to amend the Internal Revenue Code of 1986 to repeal the limitation on the cover over of distilled spirits taxes to Puerto Rico and Virgin Islands; to the Committee on Ways and Means.

By Mr. GOSAR:

H.R. 2022. A bill to ensure certain safety measures are utilized in the interest of public health security with respect to labeling and transporting human tissue specimen or collection of specimens into interstate commerce; to the Committee on Energy and Commerce.

By Mr. GRAVES of Louisiana (for himself, Mr. GENE GREEN of Texas, Mr. WITTMAN, and Mr. WEBSTER of Florida):

H.R. 2023. A bill to modernize recreational fisheries management; to the Committee on Natural Resources.

By Mr. GRAVES of Missouri (for himself, Mr. COHEN, Mr. RODNEY DAVIS of Illinois, Mr. LONG, Mr. LUETKEMEYER, Mr. SMITH of Missouri, Mr. BOST, Mr. FARENTHOLD, Mr. CLAY, Mr. RICHMOND, Ms. MOORE, Mr. CHABOT, Mr. BISHOP of Michigan, Mr. FRANKS of Arizona, Mr. DUNCAN of Tennessee, Mr. JORDAN, Mr. BARR, Mrs. NAPOLITANO, Mr. RASKIN, and Mr. ISSA):

H.R. 2024. A bill to protect consumers from discriminatory State taxes on motor vehicle rentals; to the Committee on the Judiciary.

By Mr. GRIFFITH (for himself and Mr. COSTELLO of Pennsylvania):

H.R. 2025. A bill to amend section 505(c)(3)(E) of the Federal Food, Drug, and Cosmetic Act to prevent certain applications from being considered ineligible for approval under section 505(c) of such Act on the basis that the proposed labeling includes information describing abuse-deterrent properties that otherwise would be blocked by exclusivity under clause (iii) or (iv) of section 503(c)(3)(E) of such Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GUTHRIE:

H.R. 2026. A bill to improve patient access to emerging medication therapies by clarifying the scope of permitted health care economic and scientific information communications between biopharmaceutical manufacturers and population health decision makers; to the Committee on Energy and Commerce.

By Mr. HARPER (for himself and Mr. BRADY of Pennsylvania):

H.R. 2027. A bill to amend title 40, United States Code, to include as part of the buildings and grounds of the National Gallery of Art any buildings and other areas within the boundaries of any real estate or other property interests acquired by the National Gallery of Art; to the Committee on House Administration.

By Mr. HULTGREN (for himself, Mr. LAHOOD, Mr. BANKS of Indiana, Mr. ADERHOLT, Mrs. HARTZLER, Mr. JODY B. HICE of Georgia, and Mr. BABIN):

H.R. 2028. A bill to authorize the Secretary of Health and Human Services, acting through the Administration for Children & Families, to award grants on a competitive basis to public and private entities to provide exclusively education in sexual risk avoidance (meaning avoiding all sexual risk by voluntarily refraining from nonmarital sexual activity); to the Committee on Energy and Commerce.

By Mr. SAM JOHNSON of Texas (for himself and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 2029. A bill to require the Administrator of the Federal Highway Administration to issue a final rule that approves the use of Clearview font for positive contrast legends on guide signs, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SAM JOHNSON of Texas (for himself and Mr. NEAL):

H.R. 2030. A bill to amend the Internal Revenue Code of 1986 to extend the rollover period for plan loan offset amounts and to modify the rules relating to hardship withdrawals from cash or deferred arrangements; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas (for himself, Mr. TIBERI, Mr. SMITH of Nebraska, Mr. KELLY of Pennsylvania, Mr. RENACCI, and Mr. REED):

H.R. 2031. A bill to amend title II of the Social Security Act to prevent concurrent receipt of unemployment benefits and Social Security disability insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 2032. A bill to direct the Secretary of the Interior to enter into an agreement to provide for management of the free-roaming wild horses in and around the Currituck National Wildlife Refuge; to the Committee on Natural Resources.

By Mr. KIHUEN (for himself, Mr. SCHNEIDER, Mr. CICILLINE, Mr. LANGEVIN, Ms. TSONGAS, Mr. BLUMENAUER, Mr. RASKIN, and Ms. SLAUGHTER):

H.R. 2033. A bill to modernize the Undetectable Firearms Act of 1988; to the Committee on the Judiciary.

By Mr. KILMER (for himself, Mr. RENACCI, Miss RICE of New York, Mr. AMODEI, Mr. PETERS, Mr. BUCSHON, Mr. JONES, Mr. POLIS, Mr. BARLETTA, Mrs. MURPHY of Florida, Mr. BUCK, and Mr. SARBANES):

H.R. 2034. A bill to amend the Federal Election Campaign Act of 1971 to reduce the number of members of the Federal Election Commission from 6 to 5, to revise the method of selection and terms of service of members of the Commission, to distribute the powers of the Commission between the Chair and the remaining members, and for other purposes; to the Committee on House Administration.

By Mr. KILMER (for himself, Mr. COLE, Mr. YOUNG of Alaska, Mr. KIND, and Ms. JAYAPAL):

H.R. 2035. A bill to amend the Internal Revenue Code of 1986 to recognize Indian tribal governments for purposes of determining under the adoption credit whether a child has special needs; to the Committee on Ways and Means.

By Mr. KILMER (for himself and Mr. JONES):

H.R. 2036. A bill to prohibit any reduction in the amount of the per diem allowance to which members of the Army, Navy, Air Force, and Marine Corps or civilian employees of the Department of Defense are entitled based on the duration of temporary duty assignments or official travel, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANCE:

H.R. 2037. A bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to expand and make permanent the Veterans Choice Program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LARSON of Connecticut:

H.R. 2038. A bill to amend the Internal Revenue Code of 1986 to establish a stewardship fee on the production and importation of opioid pain relievers, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEVIN (for himself, Mr. PASCRELL, and Mr. RYAN of Ohio):

H.R. 2039. A bill to amend title VII of the Tariff Act of 1930 to clarify that countervailing duties may be imposed to address subsidies relating to a fundamentally undervalued currency of any foreign country; to the Committee on Ways and Means.

By Mr. LEWIS of Minnesota:

H.R. 2040. A bill to impose consequences on the Department of Defense for any failure to meet statutory deadlines for validation of financial statements of the Department of Defense as ready for audit and for completion of a full audit on financial statements of the Department of Defense for fiscal year 2018; to the Committee on Armed Services.

By Mr. LOEBSACK:

H.R. 2041. A bill to direct the Secretary of Labor to carry out a grant program for employers to develop and carry out job training programs; to the Committee on Education and the Workforce.

By Mr. LOEBSACK:

H.R. 2042. A bill to amend the Public Health Service Act to direct the Secretary of Health and Human Services to establish a Frontline Providers Loan Repayment Program; to the Committee on Energy and Commerce.

By Ms. LOFGREN (for herself, Mr. GUTIERREZ, Ms. ROYBAL-ALLARD, Mr. CONYERS, Ms. JUDY CHU of California, Mr. MCGOVERN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CROWLEY, Mr. VEASEY, Mr. GRIJALVA, Mrs. NAPOLITANO, Mr. QUIGLEY, Ms. BONAMICI, Mr. SIREs, Mr. YARMUTH, Ms. DELBENE, Ms. SANCHEZ, Mr. ELLISON, Mr. SCOTT of Virginia, Mr. HUFFMAN, Ms. MOORE, Mrs. TORRES, and Mr. LEWIS of Georgia):

H.R. 2043. A bill to provide access to counsel for children and other vulnerable populations; to the Committee on the Judiciary.

By Mr. LOWENTHAL (for himself, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CARTWRIGHT, Mr. CONYERS, Ms. DEGETTE, Ms. DELBENE, Ms. ESHOO, Mr. EVANS, Mr. FOSTER, Mr. GOTTHEIMER, Mr. GRIJALVA, Mr. HUFFMAN, Ms. JACKSON LEE, Mr. KHANNA, Mrs. LAWRENCE, Mr. LIPINSKI, Mr. MCNERNEY, Ms. MOORE, Mr. PAYNE, Mr. POCAN, Mr. RYAN of Ohio, Ms. SCHAKOWSKY, Ms. SPEIER, Mr. SWALWELL of California, Ms. TSONGAS, Mr. WALZ, Mrs. WATSON COLEMAN, Mr. WELCH, and Mr. YARMUTH):

H.R. 2044. A bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States; to the Committee on Natural Resources.

By Mr. BEN RAY LUJÁN of New Mexico (for himself, Mr. RUSH, Mr. LOEBSACK, Mr. CARDENAS, Ms. CLARKE of New York, Mr. GARAMENDI, Mr. TONKO, Mr. GRIJALVA, Mr. PASCRELL, Ms. NORTON, Ms. LEE, Ms. PINGREE, Ms. MOORE, Mr. THOMPSON of Mississippi, Mrs. NAPOLITANO, Mr. CONYERS, Mrs. LAWRENCE, Mr. MCGOVERN, and Ms. SLAUGHTER):

H.R. 2045. A bill to require the Secretary of Energy, in coordination with the Secretary of Labor, to establish a program to provide for workforce training and education, at community colleges, in sustainable energy; to the Committee on Education and the Workforce.

By Mr. BEN RAY LUJÁN of New Mexico (for himself, Mr. ENGEL, Ms. CLARKE of New York, Mrs. NAPOLITANO, and Mr. LOEBSACK):

H.R. 2046. A bill to provide for a report on best practices for peer-support specialist programs, to authorize grants for behavioral health paraprofessional training and education, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BEN RAY LUJÁN of New Mexico (for himself, Mr. KENNEDY, Ms. CLARKE of New York, and Mrs. NAPOLITANO):

H.R. 2047. A bill to amend title XIX of the Social Security Act to provide for behavioral health infrastructure improvements under the Medicaid program; to the Committee on Energy and Commerce.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 2048. A bill to amend title XIX of the Social Security Act to incentivize the development of community-based interventions to

reduce health disparities among certain populations, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BEN RAY LUJAN of New Mexico (for himself, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. PEARCE, Ms. BORDALLO, Mr. O'HALLERAN, Ms. TITUS, Ms. DEGETTE, Mr. PERLMUTTER, Mr. CÁRDENAS, Mr. SOTO, Mr. SMITH of Washington, Mr. GRIJALVA, Mr. MCGOVERN, Mr. HECK, Ms. JAYAPAL, Mr. GALLEGO, Ms. SINEMA, Mr. DEFAZIO, Mr. HASTINGS, Mr. HIGGINS of New York, Ms. JACKSON LEE, Ms. DELBENE, Mr. KILMER, Mr. BLUMENAUER, Mr. DOGGETT, and Mr. SCHRADER):

H.R. 2049. A bill to amend the Radiation Exposure Compensation Act to improve compensation for workers involved in uranium mining, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. BILIRAKIS, and Mr. COHEN):

H.R. 2050. A bill to provide for a Medicare demonstration project to evaluate the fiscal impact of covering low vision devices as durable medical equipment under part B of the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKINLEY (for himself and Mr. WELCH):

H.R. 2051. A bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that eligible product developers have competitive access to approved drugs and licensed biological products, so as to enable eligible product developers to develop and test new products, and for other purposes; to the Committee on Energy and Commerce.

By Ms. MCSALLY (for herself, Ms. STEFANIK, Mr. JONES, Mr. RUSSELL, Mr. KNIGHT, Mr. BACON, Mrs. COMSTOCK, Mrs. MIMI WALTERS of California, Ms. SPEIER, Ms. TSONGAS, Mr. TURNER, and Ms. GABBARD):

H.R. 2052. A bill to amend the Uniform Code of Military Justice to prohibit the wrongful broadcast or distribution of intimate visual images; to the Committee on Armed Services.

By Ms. MCSALLY (for herself, Mr. PERLMUTTER, Mr. AMODEI, Mrs. NOEM, and Mr. YOUNG of Alaska):

H.R. 2053. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to enhance and support mining and mineral engineering programs in the United States by funding activities at mining schools, and for other purposes; to the Committee on Natural Resources.

By Mr. MEADOWS:

H.R. 2054. A bill to repeal the violation of sovereign nations' laws and privacy matters; to the Committee on Ways and Means.

By Mr. MESSER (for himself, Mr. POCAN, Mr. REICHERT, Mr. POLIS, Mr. KIND, Mr. WILSON of South Carolina, and Mr. NORCROSS):

H.R. 2055. A bill to amend the Employee Retirement Income Security Act of 1974 to require a lifetime income disclosure; to the Committee on Education and the Workforce.

By Mrs. MURPHY of Florida (for herself, Ms. VELÁZQUEZ, and Mr. MOULTON):

H.R. 2056. A bill to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes; to the Committee on Small Business.

By Mr. POCAN (for himself, Ms. NORTON, Mr. CONYERS, Ms. MOORE, Ms. LEE, Ms. SCHAKOWSKY, Mr. CICILLINE, and Mr. GRIJALVA):

H.R. 2057. A bill to amend the Internal Revenue Code of 1986 to limit the interest deduction for excessive interest of members of financial reporting groups and to terminate the deferral of active income of controlled foreign corporations, and to amend the Securities Exchange Act of 1934 to require the disclosure of total corporate tax paid by a corporation in each annual report required to be filed under such Act, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas (for himself, Mr. WEBER of Texas, Mr. COOK, and Mr. PERRY):

H.R. 2058. A bill to amend the Internal Revenue Code of 1986 to provide for disclosure for charity employees and board members previously implicated in terror finance; to the Committee on Ways and Means.

By Mr. POLIS (for himself, Mr. BEYER, Mr. BLUMENAUER, Mr. CAPUANO, Ms. JUDY CHU of California, Ms. CLARK of Massachusetts, Mr. CONNOLLY, Ms. DEGETTE, Mr. ELLISON, Ms. ESHOO, Mr. GRIJALVA, Mr. HUFFMAN, Mr. KEATING, Mr. LANGEVIN, Ms. LEE, Ms. LOFGREEN, Mr. LOWENTHAL, Mrs. CAROLYN B. MALONEY of New York, Ms. MCCOLLUM, Mr. MCGOVERN, Ms. MENG, Mrs. NAPOLITANO, Ms. NORTON, Mr. PERLMUTTER, Ms. PINGREE, Mr. POCAN, Mr. CARTWRIGHT, Mr. QIGLEY, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Mr. SMITH of Washington, Mr. SOTO, Ms. SPEIER, Mr. TAKANO, Mr. TONKO, Ms. TSONGAS, and Ms. MAXINE WATERS of California):

H.R. 2059. A bill to amend the Clean Air Act to eliminate the exemption for aggregation of emissions from oil and gas sources, and for other purposes; to the Committee on Energy and Commerce.

By Mr. REICHERT (for himself, Mr. DANNY K. DAVIS of Illinois, and Mr. REED):

H.R. 2060. A bill to amend the Internal Revenue Code of 1986 to include foster care transition youth as members of targeted groups for purposes of the work opportunity credit; to the Committee on Ways and Means.

By Ms. ROS-LEHTINEN (for herself, Mr. ENGEL, Mr. YOHIO, and Mr. SHERMAN):

H.R. 2061. A bill to reauthorize the North Korean Human Rights Act of 2004, and for other purposes; to the Committee on Foreign Affairs.

By Ms. ROSEN (for herself and Mr. LAMBORN):

H.R. 2062. A bill to authorize assistance, upon request of the Government of Israel, for the development, maintenance, enhancement, and sustainment, and procurement of anti-missile defense systems; to the Committee on Foreign Affairs.

By Mr. SCHNEIDER:

H.R. 2063. A bill to amend the Controlled Substances Act to require certain training as a condition of registration to prescribe or dispense opioids for the treatment of pain or pain management, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SERRANO:

H.R. 2064. A bill to amend the Food, Drug, and Cosmetic Act and the egg, meat, and poultry inspection laws to ensure that consumers receive notification regarding food products produced from crops, livestock, or poultry raised on land on which sewage sludge was applied; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SHEA-PORTER:

H.R. 2065. A bill to amend title XVIII of the Social Security Act to provide for an option for any citizen or permanent resident of the United States to buy into Medicare; to the Committee on Ways and Means.

By Ms. SPEIER (for herself and Ms. TITUS):

H.R. 2066. A bill to prevent abusive billing of ancillary services to the Medicare program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STIVERS (for himself, Mrs. BEATTY, and Mr. TIBERI):

H.R. 2067. A bill to amend title 31, United States Code, to save the American taxpayers money by immediately altering the metallic composition of the one-cent, five-cent, dime, and quarter dollar coins, and for other purposes; to the Committee on Financial Services.

By Mr. TAKANO (for himself, Ms. SHEA-PORTER, Mr. GRIJALVA, Ms. DELBENE, Ms. SLAUGHTER, Mr. RUSH, Ms. SPEIER, Mr. BLUMENAUER, and Mr. PETERS):

H.R. 2068. A bill to amend title 38, United States Code, to provide veterans affected by school closures certain relief and restoration of educational benefits, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TURNER (for himself, Mr. KILDEE, Mr. LANGEVIN, Mr. MARINO, Mr. HILL, Ms. MOORE, and Ms. BASS):

H.R. 2069. A bill to provide priority under certain federally assisted housing programs to assist youths who are aging out of foster care, and for other purposes; to the Committee on Financial Services.

By Mr. VEASEY (for himself, Ms. LEE, Mr. ELLISON, Ms. DELBENE, and Mr. GRIJALVA):

H.R. 2070. A bill to amend the Higher Education Act of 1965 to include guidance on how dependent students with parents without SSNs may obtain Federal student assistance; to the Committee on Education and the Workforce.

By Mr. VEASEY:

H.R. 2071. A bill to amend the Higher Education Act of 1965 to prohibit institutions of

higher education from denying students admission on the basis of immigration or naturalization status; to the Committee on Education and the Workforce.

By Mr. VEASEY:

H.R. 2072. A bill to amend the Higher Education Act of 1965 to provide alternative identity verification procedures for individuals applying for Federal student assistance, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELÁZQUEZ (for herself, Mr. VARGAS, Mr. GUTIÉRREZ, Ms. JAYAPAL, Mr. GALLEGOS, Mr. ESPAILLAT, Mr. GRIJALVA, Ms. BONAMICI, Ms. LEE, Mr. VEASEY, Mr. MCGOVERN, Mr. CORREA, Ms. MOORE, Mrs. TORRES, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. CAROLYN B. MALONEY of New York, and Mr. SERRANO):

H.R. 2073. A bill to amend section 287 of the Immigration and Nationality Act to prohibit immigration officers or agents of the Department of Homeland Security from wearing clothing or other items bearing the word "police"; to the Committee on the Judiciary.

By Mr. WALDEN:

H.R. 2074. A bill to amend chapter 3203 of title 54, United States Code, to require compliance with the National Environmental Policy Act of 1969 as a condition on the designation of national monuments; to the Committee on Natural Resources.

By Mr. WALDEN:

H.R. 2075. A bill to adjust the eastern boundary of the Deschutes Canyon-Steelhead Falls Wilderness Study Area in the State of Oregon to facilitate fire prevention and response activities in order to protect adjacent private property, and for other purposes; to the Committee on Natural Resources.

By Ms. MAXINE WATERS of California (for herself, Mr. AL GREEN of Texas, Ms. MOORE, Mr. VARGAS, Mr. SMITH of Washington, Mr. MCNERNEY, Ms. SLAUGHTER, Mrs. TORRES, Mr. ELLISON, Ms. SCHAKOWSKY, Ms. VELÁZQUEZ, Mr. LYNCH, Mrs. NAPOLITANO, Mr. DANNY K. DAVIS of Illinois, and Ms. LEE):

H.R. 2076. A bill to provide a path to end homelessness in the United States, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WENSTRUP (for himself and Mr. RUIZ):

H.R. 2077. A bill to amend the Employee Retirement Income Security Act of 1974 to require a group health plan (or health insurance coverage offered in connection with such a plan) to provide an exceptions process for any medication step therapy protocol, and for other purposes; to the Committee on Education and the Workforce.

By Mr. WILLIAMS:

H.R. 2078. A bill to amend the Internal Revenue Code of 1986 to simplify individual income and corporate tax rates, to set a maximum on the capital gains rate, to make permanent the deduction for dividends received for repatriated foreign earnings, to reduce the rate of payroll and self-employment taxes, to make 100-percent bonus deprecia-

tion permanent, and to repeal the Federal estate and gift taxes; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska (for himself and Mr. MOULTON):

H.R. 2079. A bill to preserve United States fishing heritage through a national program dedicated to training and assisting the next generation of commercial fishermen; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 2080. A bill to provide that the management plan entitled "Eastern Interior Proposed Resource Management Plan and Final Environmental Impact Statement" shall have no force or effect; to the Committee on Natural Resources.

By Mr. ZELDIN (for himself and Mr. SCHWEIKERT):

H.R. 2081. A bill to amend the Iran Threat Reduction and Syria Human Rights Act of 2012 to modify the requirement to impose sanctions with respect to the provision of specialized financial messaging services to the Central Bank of Iran and other sanctioned Iranian financial institutions, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE:

H.J. Res. 95. A joint resolution expressing support for designation of September 2017 as "Gospel Music Heritage Month" and honoring gospel music for its valuable and longstanding contributions to the culture of the United States; to the Committee on Oversight and Government Reform.

By Mr. YOUNG of Alaska:

H.J. Res. 96. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of the Interior relating to "Eastern Interior Proposed Resource Management Plan and Final Environmental Impact Statement"; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.J. Res. 97. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Agriculture relating to "Tongass National Forest Land and Resource Management Plan Amendment"; to the Committee on Natural Resources.

By Mr. SESSIONS:

H. Con. Res. 48. Concurrent resolution providing for a conditional adjournment of the House of Representatives; considered and agreed to.

By Mr. ENGEL (for himself, Ms. BARRAGÁN, Mr. CICILLINE, Ms. CLARKE of New York, Ms. DEGETTE, Ms. DELBENE, Mr. DEUTCH, Mrs. DINGELL, Ms. ESTY, Mr. GRIJALVA, Ms. HANABUSA, Mr. HASTINGS, Ms. NORTON, Ms. JAYAPAL, Mr. KEATING, Mr. KHANNA, Mr. KILMER, Mr. KRISHNAMOORTHY, Ms. KUSTER of New Hampshire, Mr. LOWENTHAL, Mrs. CAROLYN B. MALONEY of New York, Mr. MOULTON, Mr. NORCROSS, Mr. PALLONE, Mr. PETERS, Mr. POCAN, Mr. PRICE of North Carolina, Miss RICE of New York, Ms. SÁNCHEZ, Ms. SINEMA, Ms. SLAUGHTER, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, Mr. TONKO, Ms. TSONGAS, Ms. WASSERMAN SCHULTZ, Mr. WELCH, Ms. WILSON of Florida, Mr. SEAN PAT-

RICK MALONEY of New York, and Mr. POLIS):

H. Con. Res. 49. Concurrent resolution supporting the goals and ideals of GLSEN's 2017 Day of Silence in bringing attention to anti-lesbian, gay, bisexual, transgender, and queer name-calling, bullying, and harassment faced by individuals in schools; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. TORRES (for herself, Ms. JACKSON LEE, Ms. BORDALLO, Mr. FOSTER, Ms. SHEA-PORTER, Mrs. DAVIS of California, Mr. GRIJALVA, Mr. RASKIN, Ms. NORTON, Mrs. NAPOLITANO, Ms. ESHOO, Mr. KHANNA, Mr. AGUILAR, Mr. PAYNE, Mrs. WATSON COLEMAN, Mr. RUIZ, Ms. LOFGREN, and Mr. DESAULNIER):

H. Con. Res. 50. Concurrent resolution supporting the goals and ideals of National Public Safety Telecommunicators Week; to the Committee on Energy and Commerce.

By Mr. LAHOOD (for himself, Ms. KAPTUR, and Mr. ABRAHAM):

H. Res. 252. A resolution expressing the sense of the House of Representatives on the challenges posed to long-term stability in Lebanon by the conflict in Syria and supporting the establishment of safe zones in Syria; to the Committee on Foreign Affairs.

By Mr. WILSON of South Carolina (for himself, Mr. KEATING, Mr. SCHIFF, and Mr. LATTA):

H. Res. 253. A resolution expressing gratitude and appreciation for the entry of the United States into World War I; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CASTOR of Florida (for herself, Mr. JONES, Mr. PETERS, and Mr. WALZ):

H. Res. 255. A resolution commemorating the 30th anniversary of United States Special Operations Command; to the Committee on Armed Services.

By Mr. COHEN (for himself, Mr. SHIMKUS, Mr. SIREN, Mr. HASTINGS, Mr. BARR, Mrs. WAGNER, Mr. FITZPATRICK, Ms. SHEA-PORTER, Mr. DONOVAN, Mr. ISSA, Mr. CICILLINE, Mr. MCEACHIN, Mr. LAMBORN, Mr. HUNTER, Mr. EVANS, Mr. ENGEL, Mr. WEEKS, Mr. RASKIN, Mr. BANKS of Indiana, Mr. SCHIFF, Mr. KENNEDY, Ms. KAPTUR, Mr. DIAZ-BALART, Mr. CARTWRIGHT, Mr. TURNER, Mr. COOK, Mr. WITTMAN, Ms. KELLY of Illinois, Mr. MOULTON, Mr. SUOZZI, Mr. COLE, Mr. KEATING, Mr. POE of Texas, Mr. WILSON of South Carolina, and Ms. STEFANIK):

H. Res. 256. A resolution expressing support for the countries of Eastern Europe and the North Atlantic Treaty Organization; to the Committee on Foreign Affairs.

By Mrs. COMSTOCK (for herself, Mrs. DINGELL, Mr. TAYLOR, and Mr. CURELO of Florida):

H. Res. 257. A resolution condemning hate crime and any other form of racism, religious or ethnic bias, discrimination, incitement to violence, or animus targeting a minority in the United States; to the Committee on the Judiciary.

By Mr. CRIST:

H. Res. 258. A resolution urging the Secretary of Veterans Affairs to prioritize the hiring of mental health professionals; to the Committee on Veterans' Affairs.

By Mr. DESANTIS (for himself, Ms. ROS-LEHTINEN, Mr. MCCAUL, Mr. CURBELO of Florida, Mr. YOHIO, Mr. WEBER of Texas, Mr. BILIRAKIS, Mr. SIREN, and Mr. SMITH of New Jersey):

H. Res. 259. A resolution expressing concern and condemnation over the political, economic, social, and humanitarian crisis in Venezuela; to the Committee on Foreign Affairs.

By Mr. FOSTER (for himself, Mr. VIS-CLOSKY, and Mr. FORTENBERRY):

H. Res. 260. A resolution expressing the sense of the House of Representatives in support of the International Atomic Energy Agency's (IAEA) nuclear security role; to the Committee on Foreign Affairs.

By Mr. HUNTER (for himself, Mr. KINZINGER, Mr. KNIGHT, Mr. PETERS, Mr. ISSA, and Mr. JONES):

H. Res. 261. A resolution honoring and remembering on National Former POW Recognition Day and the 75th Anniversary of the Fall of Bataan on the Philippine Islands, the brave men and women who as prisoners of war gave their liberty to ensure ours, thus embodying the enduring spirit of American freedom and determination; to the Committee on Foreign Affairs.

By Ms. LEE:

H. Res. 262. A resolution supporting the goals and ideals of National Youth HIV & AIDS Awareness Day; to the Committee on Energy and Commerce.

By Mr. TED LIEU of California (for himself, Ms. NORTON, Mr. RASKIN, and Ms. LOFGREN):

H. Res. 263. A resolution expressing support for the designation of May 4, 2017, as a "National Day of Reason" and recognizing the importance of reason in the betterment of humanity; to the Committee on Oversight and Government Reform.

By Mr. LIPINSKI (for himself, Mrs. DAVIS of California, Mr. DESAULNIER, Ms. HANABUSA, Ms. JACKSON LEE, Mr. KILMER, Mr. MCNERNEY, Ms. NORTON, Ms. ROSEN, Mr. SCHIFF, and Mr. SOTO):

H. Res. 264. A resolution supporting the goals and ideals of Mathematics and Statistics Awareness Month; to the Committee on Education and the Workforce.

By Mr. LOEBSACK (for himself and Mr. GRIJALVA):

H. Res. 265. A resolution expressing support for the designation of the week of April 24, 2017, through April 28, 2017, as National Specialized Instructional Support Personnel Awareness Week; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LOVE (for herself, Mr. GOSAR, Mr. STEWART, Mr. CHAFFETZ, and Mr. BISHOP of Utah):

H. Res. 266. A resolution designating the week of April 15, 2017, through April 23, 2017, as "National Park Week"; to the Committee on Natural Resources.

By Mr. MARSHALL (for himself, Ms. JENKINS of Kansas, and Mr. YODER):

H. Res. 267. A resolution recognizing the 100th anniversary of the 1st Infantry Division; to the Committee on Armed Services.

By Mr. MCKINLEY (for himself, Mr. JOYCE of Ohio, Mr. RYAN of Ohio, and Ms. TSONGAS):

H. Res. 268. A resolution expressing the sense of the House of Representatives regarding the trafficking of illicit fentanyl into the United States from Mexico and China; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REED (for himself, Ms. SPEIER, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. SLAUGHTER, Mr. FOSTER, Mrs. NAPOLITANO, Ms. CLARK of Massachusetts, Mr. RYAN of Ohio, Ms. NORTON, Mr. YARMUTH, Ms. MCCOLLUM, Mr. MEEHAN, Mrs. BEATTY, Mr. SOTO, Mr. KHANNA, Mr. COSTA, Mr. COOK, Mr. COHEN, Ms. JAYAPAL, Mr. MCEACHIN, Ms. ROSEN, Mr. POE of Texas, Ms. ESHOO, Mr. TED LIEU of California, Mr. POCAN, Mr. GRIJALVA, Ms. JACKSON LEE, Mr. GALLAGHER, Mr. SWALWELL of California, Mr. BLUMENAUER, Mr. CÁRDENAS, Mr. MOULTON, Ms. JENKINS of Kansas, Ms. WASSERMAN SCHULTZ, Mr. CICILLINE, Mrs. CAROLYN B. MALONEY of New York, Ms. BROWNLEY of California, Mr. KIND, Mr. RUSH, Mr. PEARCE, Mr. LIPINSKI, Mr. RASKIN, Mrs. MIMI WALTERS of California, Mrs. DEMINGS, Ms. SCHAKOWSKY, Mr. COSTELLO of Pennsylvania, Mr. KEATING, Mr. KATKO, Mr. JOYCE of Ohio, Mr. FASO, Mr. JOHNSON of Georgia, Mr. PETERS, Mr. COFFMAN, and Ms. KUSTER of New Hampshire):

H. Res. 269. A resolution recognizing and supporting the goals and ideals of National Sexual Assault Awareness and Prevention Month; to the Committee on the Judiciary.

By Ms. ROYBAL-ALLARD (for herself, Mr. WITTMAN, Mr. GENE GREEN of Texas, Mr. MCGOVERN, Ms. GRANGER, Ms. SLAUGHTER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. HASTINGS, Mrs. DINGELL, Ms. KELLY of Illinois, Ms. MATSUI, Ms. ADAMS, Mrs. NAPOLITANO, Ms. NORTON, Mr. GRIJALVA, Ms. MCCOLLUM, Mr. RASKIN, Ms. MOORE, Mr. RUTHERFORD, and Ms. BARRAGÁN):

H. Res. 270. A resolution supporting the goals and ideals of National Public Health Week; to the Committee on Energy and Commerce.

By Mr. YOHIO (for himself, Mr. ROYCE of California, Ms. ROS-LEHTINEN, Mr. DIAZ-BALART, and Mr. HARPER):

H. Res. 271. A resolution expressing the sense of the House of Representatives that the United States Trade Representative should commence negotiations to enter into a bilateral trade agreement with Taiwan; to the Committee on Ways and Means.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

21. The SPEAKER presented a memorial of the Senate of the State of California, relative to Senate Resolution No. 26, affirming strong support for the Affordable Care Act and calls upon the United States Congress to reject any effort to repeal the Affordable Care Act unless it is simultaneously replaced with an alternative program that meets the standards clearly and consistently articulated by President Trump; which was referred to the Committee on Energy and Commerce.

22. Also, a memorial of the Senate of the State of California, relative to Senate Resolution No. 22, calling upon President Trump and Secretary Kelly to publicly and explicitly reaffirm the principles and content of the ICE policy memorandum dated October 24, 2011, regarding enforcement actions at or focused on sensitive locations; which was referred to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. THOMPSON of Mississippi introduced a bill (H.R. 2082) for the relief of Daniela Vargas; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. TIPTON:

H.R. 1965.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution: to make rules for the government and regulation of the land.

By Mr. TIPTON:

H.R. 1966.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution: to make rules for the government and regulation of the land.

By Mr. LAMBORN:

H.R. 1967.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 18

By Mr. DUNN:

H.R. 1968.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 14 and 18

By Ms. SCHAKOWSKY:

H.R. 1969.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. BACON:

H.R. 1970.

Congress has the power to enact this legislation pursuant to the following:

Article I

Section 8

Clause 4

By Mr. SMUCKER:

H.R. 1971.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of Article I of the Constitution

By Mr. SMUCKER:

H.R. 1972.

Congress has the power to enact this legislation pursuant to the following:

This legislation provides the Secretary of Veterans Affairs the authority to waive a co-payment requirement if the Department of Veterans Affairs is the cause of an error that delays sending a bill to a veteran. Additionally, the bill requires the Department of Veterans Affairs to notify a veteran of how to

get a waiver and establish a payment plan before they can collect payment when they do not bill a veteran in a timely manner. Specific authority is provided by Article 1, section 8 of the United States Constitution (clauses 12, 14, 16), which grants Congress the power to raise and support Armies; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mrs. BROOKS of Indiana:

H.R. 1973.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: The Congress shall have power to make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this 'Constitution in the Government of the United States, or in any Department of Officer thereof.

By Mr. KILDEE:

H.R. 1974.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MCGOVERN:

H.R. 1975.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (to provide for the common Defense and general Welfare); Article I, Section 8, Clause 14 (to make Rules for the government and regulation of the land and naval Forces); and Article I, Section 8, Clause 18 (to make laws necessary and proper . . . in the Government of the United States or in any Department or Officer thereof).

By Mr. JENKINS of West Virginia:

H.R. 1976.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the United States Constitution

By Ms. WASSERMAN SCHULTZ:

H.R. 1977.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Ms. JACKSON LEE:

H.R. 1978.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 3, and 18 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 1979.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 1980.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 1981.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 1982.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 3 and 18 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 1983.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 1984.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 1985.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 4, and 18 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 1986.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. RASKIN:

H.R. 1987.

Congress has the power to enact this legislation pursuant to the following:

25th Amendment itself.

Necessary & Proper Clause

By Mr. MCCARTHY:

H.R. 1988.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article 1, Section 8, Clause 7

By Mr. MCCARTHY:

H.R. 1989.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 12, 13, and 18

By Mr. BANKS of Indiana:

H.R. 1990.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3 gives Congress the power "to regulate Commerce with foreign Nations, and among the several States . . ."

By Mr. BARLETTA:

H.R. 1991.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18

By Mr. BARR:

H.R. 1992.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mrs. BEATTY:

H.R. 1993.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. BILIRAKIS:

H.R. 1994.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States and Article I, Section 8, Clause 7 of the Constitution of the United States.

Article I, section 8 of the United State Constitution, which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and provide for organizing, arming, and disciplining the militia.

By Mrs. BLACK:

H.R. 1995.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of the U.S. Constitution which states, "(t)he Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defence and general welfare of the United States."

By Ms. BONAMICI:

H.R. 1996.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. BRENDAN F. BOYLE of Pennsylvania:

H.R. 1997.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution under the General Welfare Clause.

By Mr. BRENDAN F. BOYLE of Pennsylvania:

H.R. 1998.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution under the General Welfare Clause.

By Mr. BUCK:

H.R. 1999.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Article I, Section 8, Clause 2: To borrow Money on the credit of the United States;

Article I, Section 9, Clause 7: No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

By Mr. CARTWRIGHT:

H.R. 2000.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mr. CARTWRIGHT:

H.R. 2001.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Ms. CASTOR of Florida:

H.R. 2002.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the U.S. Constitution
By Mr. CASTRO of Texas:
H.R. 2003.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

Art. I, Sec. #8, Clause #18

By Mr. CHABOT:

H.R. 2004.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4

By Mr. CICILLINE:

H.R. 2005.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. COFFMAN:

H.R. 2006.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. COLLINS of New York:

H.R. 2007.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States

By Mrs. COMSTOCK:

H.R. 2008.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 8 of the United States Constitution; Article I, Section 9, Clause 7 of the United States Constitution; and Amendment XVI to the United States Constitution. Additionally, since the Constitution does not provide Congress with the power to provide financial support to U.S. political parties, the general repeal of the Presidential Election Campaign Fund for this purpose is consistent with the powers that are reserved to the States and to the people as expressed in Amendments IX and X to the United States Constitution. Further, Article I Section 8 defines the scope and powers of Congress and does not include this concept of taxation in furtherance of funding U.S. political parties within the expressed powers.

By Mr. COSTELLO of Pennsylvania:

H.R. 2009.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. CRAMER:

H.R. 2010.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is in clause 1 of section 8 of article I of the Constitution.

By Mr. CURBELO of Florida:

H.R. 2011.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Ms. DEGETTE:

H.R. 2012.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. DELANEY:

H.R. 2013.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I

By Mr. DELANEY:

H.R. 2014.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. DOGGETT:

H.R. 2015.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. DUNCAN of Tennessee:

H.R. 2016.

Congress has the power to enact this legislation pursuant to the following:

Article I

Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 8.

1) The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. EMMER:

H.R. 2017.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. FOSTER:

H.R. 2018.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Ms. FOXX:

H.R. 2019.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but not limited to, Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. GAETZ:

H.R. 2020.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 2021.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 1 of the U.S. Constitution "All legislative powers herein granted shall be vested in a congress of the United States, which shall consist of a Senate and House of Representatives"

By Mr. GOSAR:

H.R. 2022.

Congress has the power to enact this legislation pursuant to the following:

The sale, transport, delivery and storing of cadavers, body parts, human tissues and samples typically involves interstate commerce.

The power to regulate inter-state commerce is set forth Article I, Section 8 power to "regulate commerce among the several states." If the matter in question is not a purely local matter (intra-state) or if it has an impact on interstate commerce, it falls within the Congressional power to regulate interstate commerce. National Federation of Independent Business v. Sebelius (2012).

By Mr. GRAVES of Louisiana:

H.R. 2023.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution

By Mr. GRAVES of Missouri:

H.R. 2024.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. GRIFFITH:

H.R. 2025.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. GUTHRIE:

H.R. 2026.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the United States Constitution

By Mr. HARPER:

H.R. 2027.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article 1 of the United States Constitution.

By Mr. HULTGREN:

H.R. 2028.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1, 3—The Congress shall have the power to provide for the common welfare of the United States and to regulate commerce . . . among the several states.

By Mr. SAM JOHNSON of Texas:

H.R. 2029.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 3 of the United States Constitution and Article 1, Section 8, Clause 7 of the United States Constitution.

By Mr. SAM JOHNSON of Texas:

H.R. 2030.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. SAM JOHNSON of Texas:

H.R. 2031.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution, to "provide for the common defense and general welfare of the United States."

By Mr. JONES:

H.R. 2032.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, and Article IV, Section 3, of the Constitution of the United States.

By Mr. KIHUEN:

H.R. 2033.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. KILMER:

H.R. 2034.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4 of the U.S. Constitution granting Congress the authority to make laws governing the time, place, and manner of holding Federal elections.

By Mr. KILMER:

H.R. 2035.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. KILMER:

H.R. 2036.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. LANCE:

H.R. 2037.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, Clause 1, of the United States Constitution:

This states that "Congress shall have power to . . . lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States."

By Mr. LARSON of Connecticut:

H.R. 2038.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Article I, Section 9, Clause 7

By Mr. LEVIN:

H.R. 2039.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mr. LEWIS of Minnesota:

H.R. 2040.

Congress has the power to enact this legislation pursuant to the following:

As enumerated by Article 1 Section 8 of the Constitution, Congress has the power "to raise and support Armies", "to provide and maintain a Navy", and "to make Rules for the Government and Regulation of the land and naval forces"

By Mr. LOEBSACK:

H.R. 2041.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the Constitution which grants Congress the power to provide for the general Welfare of the United States.

By Mr. LOEBSACK:

H.R. 2042.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution.

By Ms. LOFGREN:

H.R. 2043.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 4 provides Congress with the power to establish a "uniform rule of Naturalization."

By Mr. LOWENTHAL:

H.R. 2044.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 of the U.S. Constitution

"The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state."

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 2045.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 2046.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 2047.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 2048.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 2049.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 2050.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: to provide for the common defense and general welfare.

By Mr. MCKINLEY:

H.R. 2051.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, section 8, Clause 3 of the United States Constitution. The Constitution's Commerce Clause allows Congress to enact laws when reasonably related to the regulation of interstate commerce.

By Ms. MCSALLY:

H.R. 2052.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 14: "To make Rules for the Government and Regulation of the land and naval forces."

By Ms. MCSALLY:

H.R. 2053.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Article IV, Section 3, Clause 2: The Congress shall have Power to dispose of and make all needfull Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. MEADOWS:

H.R. 2054.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. MESSER:

H.R. 2055.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution

By Mrs. MURPHY of Florida:

H.R. 2056.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact the Microloan Modernization Act of 2017 pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. POCAN:

H.R. 2057.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. POE of Texas:

H.R. 2058.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. POLIS:

H.R. 2059.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with the foreign Nationa, and among the several States, and with the Indian Tribes).

By Mr. REICHERT:

H.R. 2060.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Clause I of Section 8 of Article I of the United States Constitution.

By Ms. ROS-LEHTINEN:

H.R. 2061.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. ROSEN:

H.R. 2062.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 3 of the United States Constitution, respectively providing the implicit power to spend and the explicit power to regulate commerce with foreign nations.

By Mr. SCHNEIDER:

H.R. 2063.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. SERRANO:

H.R. 2064.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution The Congress shall have the power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States

By Ms. SHEA-PORTER:

H.R. 2065.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE I, SECTION 8.

By Ms. SPEIER:

H.R. 2066.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. STIVERS:

H.R. 2067.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8—"To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures"

By Mr. TAKANO:

H.R. 2068.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. TURNER:

H.R. 2069.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States"

Article I, Section 8, Clause 3 (the Commerce Clause) of the United States Constitution, to "regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

Article I, Section 8, Clause 18 of the United States Constitution, "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. VEASEY:

H.R. 2070.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution

By Mr. VEASEY:

H.R. 2071.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution

By Mr. VEASEY:

H.R. 2072.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution

By Ms. VELÁZQUEZ:

H.R. 2073.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. WALDEN:

H.R. 2074.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. WALDEN:

H.R. 2075.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Ms. MAXINE WATERS of California:

H.R. 2076.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 5 and Clause 18 of the United States Constitution

By Mr. WENSTRUP:

H.R. 2077.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. WILLIAMS:

H.R. 2078.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts, and Excises shall be uniform throughout the United States.

By Mr. YOUNG of Alaska:

H.R. 2079.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

"The Congress shall have power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes"

By Mr. YOUNG of Alaska:

H.R. 2080.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 & Article 4, Section 3, Clause 2

"The Congress shall have power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

"The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

By Mr. ZELDIN:

H.R. 2081.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. THOMPSON of Mississippi:

H.R. 2082.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. JACKSON LEE:

H.J. Res. 95.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 5, Clause 2 of the United States Constitution.

By Mr. YOUNG of Alaska:

H.J. Res. 96.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 & Article 4, Section 3, Clause 2

"The Congress shall have power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

"The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

By Mr. YOUNG of Alaska:

H.J. Res. 97.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 & Article 4, Section 3, Clause 2

"The Congress shall have power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

"The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 19: Mrs. COMSTOCK and Mr. FRELINGHUYSEN.

H.R. 38: Ms. GRANGER and Mr. LABRADOR.

H.R. 60: Ms. GRANGER, Mr. SMITH of Missouri, Mr. RYAN of Ohio, Mr. BUCSHON, Ms. MCSALLY, Ms. JUDY CHU of California, Mr. BISHOP of Georgia, Ms. SCHAKOWSKY, Mr. SMITH of New Jersey, Mr. RASKIN, Ms. FUDGE, Ms. ROSEN, Mr. NADLER, Mr. KILDEE, Mr. KRISHNAMOORTHY, Ms. FRANKEL of Florida, Ms. CLARK of Massachusetts, Ms. JAYAPAL, Mr. COHEN, Mr. JEFFRIES, Mr. GONZALEZ of Texas, and Mr. GARRETT.

H.R. 116: Mr. CUELLAR.

H.R. 169: Mrs. NAPOLITANO.

H.R. 179: Mr. RICHMOND and Mr. SMITH of New Jersey.

H.R. 233: Mr. WALZ.

H.R. 299: Mr. POSEY, Mr. O'HALLERAN, and Mr. SMUCKER.

H.R. 305: Ms. LEE, Mr. PETERS, Mr. LARSON of Connecticut, and Ms. MATSUI.

H.R. 389: Mr. ISSA.

H.R. 390: Mr. ROSKAM.

H.R. 392: Mr. AMODEI and Mr. HECK.

H.R. 490: Mr. SMITH of Nebraska, Mr. LABRADOR, Mr. ABRAHAM, and Mr. LUETKEMEYER.

H.R. 520: Mr. OLSON.

H.R. 545: Mr. BRAT, Mr. STIVERS, Mr. BANKS of Indiana, Mr. GOSAR, and Mr. WALBERG.

H.R. 564: Mr. POE of Texas.

H.R. 579: Mr. MULLIN.

H.R. 635: Mr. KRISHNAMOORTHY.

H.R. 644: Mr. MCKINLEY.

H.R. 668: Mr. BACON.

H.R. 676: Mrs. DINGELL, Mr. GALLEG0, and Mr. LOEBACK.

H.R. 746: Mr. BRADY of Pennsylvania.

H.R. 747: Ms. VELÁZQUEZ.

H.R. 765: Mrs. CAROLYN B. MALONEY of New York.

H.R. 778: Ms. STEFANIK.

H.R. 790: Mr. GUTIÉRREZ, Mrs. NAPOLITANO, and Mr. PETERSON.

H.R. 795: Mr. COOK, Mr. SHUSTER, Mr. BERA, Ms. DELBENE, Mr. SCHRADER, Mr. KILMER, and Ms. LOFGREN.

H.R. 807: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BEN RAY LUJÁN of New Mexico, and Ms. BLUNT ROCHESTER.

H.R. 810: Ms. JAYAPAL.

H.R. 846: Mr. BUDD, Mr. WITTMAN, Mr. CAPUANO, Mrs. BLACKBURN, Mr. YOUNG of Iowa, Mr. O'HALLERAN, Mr. RUSH, Mr. FRANKS of Arizona, Mr. THOMPSON of Pennsylvania, Mr. LANCE, Mr. ABRAHAM, Mr. WALDEN, Ms. STEFANIK, Mr. POLIQUIN, Mr. BACON, and Mr. YOUNG of Alaska.

H.R. 849: Mr. CONAWAY, Mr. POSEY, Mr. DESANTIS, Mr. CHABOT, Mr. SMUCKER, Ms. JENKINS of Kansas, Mr. GUTHRIE, Mr. AMODEI, Mr. NUNES, Mr. BISHOP of Michigan, and Mr. TURNER.

H.R. 877: Mr. DUFFY.
 H.R. 881: Mr. JEFFRIES.
 H.R. 916: Ms. LEE.
 H.R. 917: Mr. POE of Texas.
 H.R. 931: Mr. SCHNEIDER, Mr. RUPPERS-BERGER, Mr. GUTHRIE, Mr. STIVERS, Mr. BRADY of Pennsylvania, and Mr. GALLEG0.
 H.R. 942: Mr. THOMPSON of Mississippi.
 H.R. 948: Mr. EVANS.
 H.R. 991: Ms. VELÁZQUEZ.
 H.R. 1006: Mr. VEASEY.
 H.R. 1017: Mr. CICILLINE and Mr. BARR.
 H.R. 1026: Mr. LOWENTHAL.
 H.R. 1057: Mr. COLLINS of Georgia, Mr. LEWIS of Minnesota, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. WILLIAMS, Mr. BROWN of Maryland, and Ms. CLARKE of New York.
 H.R. 1059: Mr. GUTIÉRREZ and Mr. WELCH.
 H.R. 1090: Mr. FORTENBERRY and Mr. CONNOLLY.
 H.R. 1121: Mr. BARLETTA.
 H.R. 1143: Mr. KILDEE, Ms. HANABUSA, and Mr. PRICE of North Carolina.
 H.R. 1154: Mr. MCKINLEY, Mr. RODNEY DAVIS of Illinois, Mr. LUETKEMEYER, Mr. ABRAHAM, and Mr. THOMPSON of Mississippi.
 H.R. 1155: Mr. TROTT.
 H.R. 1162: Mr. COLLINS of Georgia, Mr. PETERS, Mr. MAST, and Ms. JENKINS of Kansas.
 H.R. 1180: Mr. GROTHMAN.
 H.R. 1196: Mr. COOK.
 H.R. 1206: Mr. DEUTCH.
 H.R. 1222: Ms. VELÁZQUEZ.
 H.R. 1225: Mr. DELANEY and Mr. COOPER.
 H.R. 1235: Mr. CRAWFORD, Ms. SÁNCHEZ, Mrs. COMSTOCK, and Mr. TIBERI.
 H.R. 1245: Mrs. NAPOLITANO.
 H.R. 1264: Mr. ROE of Tennessee, Mr. GROTHMAN, Mr. LATTI, Mr. SMITH of Texas, and Mr. MARCHANT.
 H.R. 1270: Ms. DELBENE, Mr. RASKIN, and Ms. BLUNT ROCHESTER.
 H.R. 1272: Ms. JAYAPAL and Mr. SERRANO.
 H.R. 1279: Mr. BERA.
 H.R. 1303: Mr. ROSS.
 H.R. 1311: Mr. BOST, Mr. YODER, and Ms. KELLY of Illinois.
 H.R. 1318: Mr. LIPINSKI.
 H.R. 1358: Ms. PINGREE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. KUSTER of New Hampshire, Mr. DELANEY, Mr. DOGETT, Mr. ELLISON, Mr. HECK, Mr. CLAY, Mr. CARBAJAL, Mr. HIGGINS of New York, Mr. McEACHIN, Ms. DELBENE, Ms. MAXINE WATERS of California, and Ms. CASTOR of Florida.
 H.R. 1360: Mr. EMMER and Mr. MARCHANT.
 H.R. 1364: Mrs. HARTZLER.
 H.R. 1380: Mr. HUFFMAN.
 H.R. 1438: Mr. LIPINSKI.
 H.R. 1444: Ms. JENKINS of Kansas.
 H.R. 1452: Mr. WELCH and Mr. MCGOVERN.
 H.R. 1454: Mr. MOOLENAAR.
 H.R. 1468: Mr. NEWHOUSE.
 H.R. 1471: Mr. FLORES, Mr. GOHMERT, Mr. SANFORD, and Mr. DUNN.
 H.R. 1472: Mr. HECK, Mr. O'HALLERAN, Mr. HIMES, and Mr. GALLEG0.
 H.R. 1478: Mrs. DEMINGS, Ms. NORTON, Mr. HASTINGS, Mr. LANGEVIN, Mr. GRIJALVA, Mr. RYAN of Ohio, Mr. MOULTON, Mr. SMITH of Washington, Mr. BLUMENAUER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CONNOLLY, Ms. KELLY of Illinois, Mr. CÁRDENAS, Mr. RASKIN, Ms. VELÁZQUEZ, Mr. JEFFRIES, Mr. COHEN, Ms. MENG, Ms. DELBENE, Mr. GUTIÉRREZ, Mr. SCOTT of Virginia, Mr. GALLEG0, Mr. PASCRELL, Mr. LARSEN of Washington, Mr. HUFFMAN, Ms. ESTY, Mr. O'ROURKE, Ms. BLUNT ROCHESTER, Ms. SINEMA, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BEYER, Mr. SOTO, Mr. PALLONE, Ms. CLARKE of New York, Ms. WASSERMAN

SCHULTZ, Mr. CONYERS, Mr. ENGEL, and Mr. SCHIFF.
 H.R. 1512: Mr. WEBER of Texas and Mr. BISHOP of Michigan.
 H.R. 1516: Ms. DEGETTE.
 H.R. 1528: Ms. DEGETTE and Mr. JONES.
 H.R. 1540: Mr. ARRINGTON.
 H.R. 1550: Mr. BRADY of Pennsylvania, Mr. THOMPSON of Pennsylvania, and Mr. LAHOOD.
 H.R. 1552: Mr. ROYCE of California and Mr. WILSON of South Carolina.
 H.R. 1568: Mr. DENT.
 H.R. 1613: Mr. SHIMKUS.
 H.R. 1615: Mr. CICILLINE, Mr. LYNCH, Mr. NOLAN, Mr. O'HALLERAN, and Ms. SCHAKOWSKY.
 H.R. 1626: Mr. CUELLAR, Mr. GIBBS, Mr. BABIN, Mr. YOHO, and Mr. ROE of Tennessee.
 H.R. 1645: Mrs. WAGNER and Mr. PITTENGER.
 H.R. 1652: Mr. BACON.
 H.R. 1666: Mr. LARSON of Connecticut.
 H.R. 1673: Mr. SCHNEIDER and Ms. LOFGREN.
 H.R. 1676: Ms. MAXINE WATERS of California and Mr. MOULTON.
 H.R. 1677: Mr. PASCRELL, Mr. LIPINSKI, Mr. RUSH, Mr. CÁRDENAS, Mr. HILL, Ms. MENG, Mr. SMITH of Washington, Mr. VISCLOSKEY, Mrs. TORRES, Mr. LOWENTHAL, Mr. SIRES, Mrs. NAPOLITANO, Mrs. COMSTOCK, Ms. BASS, Mr. MOONEY of West Virginia, Ms. JUDY CHU of California, Ms. ESTY, and Ms. KELLY of Illinois.
 H.R. 1681: Ms. WASSERMAN SCHULTZ and Mr. O'ROURKE.
 H.R. 1697: Mr. NORCROSS, Mr. CALVERT, Mr. VALADAO, Mr. SEAN PATRICK MALONEY of New York, and Mr. LANCE.
 H.R. 1698: Ms. MENG, Mr. SMITH of Washington, Mr. CALVERT, Mr. ISSA, Mr. VALADAO, Mr. NORCROSS, Mr. SAM JOHNSON of Texas, Mrs. MURPHY of Florida, Mr. OLSON, Mr. WEBER of Texas, and Mr. WALBERG.
 H.R. 1730: Mr. RUIZ.
 H.R. 1744: Mr. PALLONE.
 H.R. 1754: Mr. LANCE and Mr. MITCHELL.
 H.R. 1755: Mr. KILDEE.
 H.R. 1760: Mr. ROUZER, Mr. YOHO, Mr. RICE of South Carolina, and Mr. HARRIS.
 H.R. 1772: Mr. HARPER.
 H.R. 1776: Mr. CONYERS and Mr. PETERSON.
 H.R. 1777: Mr. GRAVES of Louisiana, Mr. GRAVES of Georgia, Mr. JONES, and Mr. BISHOP of Georgia.
 H.R. 1784: Ms. WASSERMAN SCHULTZ and Mr. HASTINGS.
 H.R. 1794: Ms. SINEMA.
 H.R. 1803: Mr. YOHO.
 H.R. 1808: Mr. ROE of Tennessee, Mr. MITCHELL, Mr. WALBERG, Ms. FOX, Mr. FERGUSON, and Mr. WILSON of South Carolina.
 H.R. 1809: Mr. ROE of Tennessee, Mr. MITCHELL, Ms. STEFANIK, Mr. FERGUSON, Mr. WILSON of South Carolina, and Mr. DANNY K. DAVIS of Illinois.
 H.R. 1810: Mr. SCHRADER and Mr. SMITH of Washington.
 H.R. 1812: Ms. MAXINE WATERS of California.
 H.R. 1820: Ms. NORTON and Mr. GALLEG0.
 H.R. 1823: Ms. NORTON.
 H.R. 1824: Ms. NORTON.
 H.R. 1825: Mr. HECK, Mr. BACON, and Ms. DELBENE.
 H.R. 1838: Mr. GUTHRIE.
 H.R. 1844: Mrs. RADEWAGEN.
 H.R. 1847: Mr. REICHERT and Mr. SMUCKER.
 H.R. 1857: Ms. NORTON.
 H.R. 1860: Ms. WILSON of Florida and Miss RICE of New York.
 H.R. 1874: Mr. JOYCE of Ohio, Mr. TURNER, Mr. MOULTON, Mr. O'HALLERAN, and Mr. GONZALEZ of Texas.
 H.R. 1877: Mr. LUCAS.
 H.R. 1880: Ms. SCHAKOWSKY.

H.R. 1881: Mr. WEBSTER of Florida and Mr. JODY B. HICE of Georgia.
 H.R. 1891: Mr. DENHAM.
 H.R. 1896: Mr. JOYCE of Ohio, Mr. MOULTON, Mr. TURNER, Mr. O'HALLERAN, and Mr. GONZALEZ of Texas.
 H.R. 1897: Mr. JOYCE of Ohio, Mr. MOULTON, Mr. TURNER, Mr. O'HALLERAN, Mr. GONZALEZ of Texas, and Mr. WALDEN.
 H.R. 1902: Ms. TSONGAS.
 H.R. 1903: Mr. POCAN.
 H.R. 1904: Mr. KING of Iowa and Mr. DEFALZIO.
 H.R. 1911: Mr. LANCE.
 H.R. 1912: Mr. POCAN.
 H.R. 1919: Mr. COMER.
 H.R. 1920: Mr. KIND.
 H.R. 1951: Mr. CARBAJAL and Mrs. MURPHY of Florida.
 H.J. Res. 48: Mr. CUMMINGS.
 H. Res. 28: Mr. RASKIN.
 H. Res. 129: Mr. BERGMAN and Mr. DESAULNIER.
 H. Res. 187: Mr. CROWLEY.
 H. Res. 189: Mr. COSTA, Mr. PALLONE, Mr. MCCLINTOCK, Mr. GRIJALVA, Mrs. COMSTOCK, Mr. DESAULNIER, Ms. LOFGREN, Mr. JOHNSON of Georgia, and Ms. LEE.
 H. Res. 239: Mr. CROWLEY and Mr. MCGOVERN.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.J. Res. 85: Mr. BACON.
 H. Res. 246: Mr. COURTNEY.

PETITIONS, ETC.

Under clause 3 of rule XII,

33. The SPEAKER presented a petition of the Montgomery County Board of Supervisors, Virginia, relative to Resolution R-FY-17-100, urging Congress to Allow State and Local Governments to Collect Internet Sales Tax; which was referred to the Committee on the Judiciary.

DISCHARGE PETITIONS

Under clause 2 of rule XV, the following discharge petition was filed:

Petition 1, April 5, 2017, by Ms. ESHOO on H.R. 305, was signed by the following Members: Ms. Eshoo, Mr. Pascrell, Mr. Tonko, Ms. Pelosi, Mrs. Carolyn B. Maloney of New York, Mr. Cicilline, Mr. Brendan F. Boyle of Pennsylvania, Mr. Quigley, Mr. Nadler, Mr. Cohen, Mr. Heck, Mr. Capuano, Mr. Evans, Ms. Kaptur, Mr. Hastings, Mr. Lynch, Mr. Scott of Virginia, Mr. Courtney, Ms. Adams, Mr. Himes, Ms. Fudge, Mrs. Watson Coleman, Ms. Eddie Bernice Johnson of Texas, Mr. Bishop of Georgia, Mr. Khanna, Mr. Walz, Mr. Price of North Carolina, Mr. Kilmer, Mr. Ellison, Ms. Clark of Massachusetts, Mr. Delaney, Mr. Cartwright, Mr. Brady of Pennsylvania, Mr. Carson of Indiana, Mr. Aguilar, Mrs. Dingell, Mr. Jeffries, Mr. Espallat, Mr. Butterfield, Ms. McCollum, Mr. Soto, Ms. Esty, Ms. Matsui, Mrs. Bustos, Mr. Carabajal, Mrs. Demings, Ms. Blunt Rochester, Ms. Schakowsky, Mr. Brown of Maryland, Ms. Tsongas, Mr. Krishnamoorthi, Mr. Vargas, Ms. Michelle Lujan Grisham of New Mexico, Mr. Huffman, Mr. Rush, Ms. Roybal-Allard, Mr. Serrano, Ms. Moore, Ms. Pingree, Mr. Langevin, Mr.

Lowenthal, Ms. Jayapal, Mr. Al Green of Texas, Ms. Titus, Mr. Gutiérrez, Mr. Yarmuth, Mr. Panetta, Mr. Schiff, Mrs. Lawrence, Mr. Cleaver, Mr. DeSaulnier, Mr. Payne, Ms. Velázquez, Ms. Frankel of Florida, Ms. Clarke of New York, Mr. Clyburn, Mr. Cárdenas, Ms. Wilson of Florida, Mr. Costa, Mr. Correa, Mrs. Torres, Mr. Kildee, Mr. Sarbanes, Mr. Johnson of Georgia, Ms. Bass, Mr. DeFazio, Mr. Garamendi, Mr. Ted Lieu of California, Mr. Kennedy, Mr. Levin, Mr. Cooper, Mr. Welch, Ms. Castor of Florida, Mr. Polis, Mr. Lewis of Georgia, Ms. Kuster of New Hampshire, Ms. Sinema, Mr. Gene Green of Texas, Mrs. Napolitano, Mr. David Scott of Georgia, Ms. Lofgren, Mr.

Cummings, Ms. Brownley of California, Mr. Pocan, Ms. Kelly of Illinois, Ms. DeLauro, Ms. Hanabusa, Mr. Norcross, Ms. Jackson Lee, Mr. Lipinski, Mr. Deutch, Mr. Moulton, Mr. McGovern, Ms. Shea-Porter, Mr. Beyer, Mr. Sherman, Mr. Pallone, Mr. Meeks, Ms. Wasserman Schultz, Mr. Ben Ray Lujan of New Mexico, Mr. Foster, Mr. Higgins of New York, Mr. Crist, Mrs. Davis of California, Ms. DelBene, Mr. Thompson of California, Mr. Kind, Mr. Castro of Texas, Mr. Keating, Mr. Michael F. Doyle of Pennsylvania, Mr. Blumenauer, Mr. Doggett, Ms. Maxine Waters of California, Ms. DeGette, Mr. Takano, Mr. Ryan of Ohio, Mr. Connolly, Ms. Bonamici, Ms. Speier, Mr. McNerney, Mr. Raskin, Mr.

Crowley, Ms. Rosen, Mrs. Beatty, Mr. Sean Patrick Maloney of New York, Mr. Hoyer, Mr. Smith of Washington, Mr. Swalwell of California, Ms. Meng, Mr. Veasey, Mr. Kihuen, Mrs. Murphy of Florida, Mr. Lawson of Florida, Mr. Perlmutter, Mr. Ruiz, Mr. Gallego, Ms. Sánchez, Ms. Barragán, Mr. Nolan, Mr. Engel, Mr. O'Rourke, Mr. Conyers, Mr. Ruppersberger, Mr. Neal, Mr. Gonzalez of Texas, Mrs. Lowey, Mr. Suozzi, Ms. Judy Chu of California, Ms. Sewell of Alabama, Mr. Richmond, Ms. Lee, Mr. Vela, Mr. Sires, Miss Rice of New York, Mr. Larsen of Washington, Mr. Schneider, Mr. Peters, and Ms. Gabbard.

EXTENSIONS OF REMARKS

TRIBUTE TO MARLENE HITT—28TH
CONGRESSIONAL DISTRICT
WOMAN OF THE YEAR**HON. ADAM B. SCHIFF**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District. I would like to recognize a remarkable woman, Marlene Hitt of Sunland, California.

A lifelong Sunland resident and consummate volunteer, Marlene has been active in many organizations in the Sunland-Tujunga community. She has been a member of the Sunland-Tujunga Neighborhood Council for many years, serving in various leadership roles and on many committees.

Marlene has been a dedicated and devoted member of the Little Landers Historical Society (LLHS), a non-profit organization founded in 1959 to preserve Bolton Hall, a 1913 historic stone building in Tujunga that was the Tujunga City Hall and the hub for many community activities up until the late 1950's when it was saved from destruction. The LLHS subsequently collects, preserves and displays records, artifacts and landmarks of the history of the Sunland-Tujunga area and people active in that history in the Bolton Hall Museum. For nearly three decades, Ms. Hitt has capably and enthusiastically served the LLHS and Bolton Hall Museum as Museum Director, Docent Director, Boardmember, Archivist and Docent. In addition, Marlene and her husband Lloyd, were very involved in the successful effort to obtain historic designation for a portion of the Verdugo Hills Golf Course, where a World War II detention center for Japanese-Americans was located.

A well-regarded writer, Ms. Hitt is a longtime member of the Chupa Rosa Writers of Sunland-Tujunga and the Foothills, and has authored anthologies, readings, poetry chapbooks, a non-fiction book: "Sunland-Tujunga, from Village to City," and has written articles for many newspapers. Along with other community members, Marlene co-founded the Sunland-Tujunga Poet Laureate program, where she was honored to serve as its first Poet Laureate.

Married for sixty-one years, Marlene and Lloyd have two children, two grandchildren and one great grandchild.

I ask all Members to join me in honoring an exceptional, well-respected woman of California's 28th Congressional District, Marlene Hitt.

RECOGNIZING MARY AND HANS
POSTMA FOR THEIR COMMIT-
MENT TO THE DEVELOPMENT OF
THE ARTS IN GREATER PRINCE
WILLIAM COUNTY**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. CONNOLLY. Mr. Speaker, I rise to commend Mary and Hans Postma, the Seventh Annual Hylton Performing Arts Center Awards Gala honorees, for their endless contributions to expanding the reach of the arts in the Greater Prince William County area.

In recognition of the arts being the heart of a civilized society, net proceeds from the annual gala benefit the Hylton Center's many artistic performances, arts education programs, veterans art and outreach initiatives, and the Hylton Center's endowment. These programs help to ensure the continuation of artistic excellence in performances as well as the accessibility by area residents to quality artistic programs.

Mary and Hans Postma have provided instrumental support to the Hylton Center even prior to its full conceptualization. As avid art enthusiasts, Mr. and Mrs. Postma have worked to ensure accessibility to art and artistic programs for all. In the fall of 2013, Mary Postma founded Performing Arts for Kids (PAK) to support and foster the arts among children of all socioeconomic backgrounds in Greater Prince William County by actively pursuing opportunities at the Hylton Performing Arts Center. Through their established community relationships, Mr. and Mrs. Postma have expanded the PAK membership total to 30 and have raised more than \$20,000 to encourage the pursuit of advanced art education. During the 2013–2014 school year, PAK exposed more than 2,000 schoolchildren to live dance highlights from The Nutcracker and Sleeping Beauty. In March of 2016, PAK sponsored A Place to Be's Same Sky Project, "Where Music Meets Therapy." During the performance, children and young adults provided personal testimonies of their experiences dealing with bullying and low self-esteem in light of their diagnosis with autism, Asperger's, down syndrome, cerebral palsy, brain damage, and other ailments for an audience of 800 middle-school students and adults from Didlake, an AbilityOne Program.

Over the short, storied history of the Hylton Performing Arts Center, a series of milestones have been reached but nothing has come to fruition without the dedication and support of Mary and Hans Postma. In the fall of 2016, Mr. and Mrs. Postma presented the Hylton Center with a "legacy gift" to name a rehearsal hall in the Education and Rehearsal Wing currently under construction. As Leonardo da Vinci once said, "Art is never fin-

ished, only abandoned." We can take great comfort in knowing that with the support of Hans and Mary Postma as well as other great benefactors of the Hylton Performing Arts Center, art will never be abandoned.

Mr. Speaker, I ask my colleagues to join me in commending the Seventh Annual Hylton Performing Arts Awards Gala honorees, Mr. and Mrs. Postma, for their tireless stewardship of the arts in Greater Prince William County.

RECOGNIZING JEFF COOK OF
EAGLE ALLOY, MUSKEGON,
MICHIGAN AND PRESIDENT OF
THE AMERICAN FOUNDRY SOCI-
ETY**HON. BILL HUIZENGA**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. HUIZENGA. Mr. Speaker, I rise today to recognize Jeff Cook, Vice President of Eagle Alloy Inc. in Muskegon, Michigan, for his long-term contributions to Eagle Alloy and the U.S. metalcasting industry. Eagle Alloy is an innovative steel foundry providing vital castings for key sectors including agriculture, construction, mining, defense and railroads. Metal castings are integral to virtually all U.S. manufacturing activities. Jeff joined Eagle Alloy in 1986 after graduating high school. His first position on the shop floor was as a grinder, machining castings on the third shift. He has worked his way up over the past thirty years to become Vice President of Sales and Marketing.

Jeff is passionate about attracting the next generation to the metalcasting industry and has dedicated significant amount of time reaching out to local schools and businesses about careers in the metal casting industry. In addition, he has been actively involved in the leadership of the local American Foundry Society (AFS) West Michigan Chapter for many years. He joined the AFS National Board of Directors in 2011, where he spent the past year as its President traveling across the country, meeting with thousands of metalcasters and suppliers underscoring the importance of taking time to "Attract. Educate. Support" the next generation of metalcasters. AFS is the major trade and technical association for the North American metalcasting industry. The association has more than 8,000 members representing over 2,000 metalcasting firms, their suppliers and customers.

In Muskegon, Jeff has reached out to educational institutions, including local high schools and Muskegon Community College, to better communicate the skills needed and the certifications that are in demand in the industry. Through the AFS chapter, Jeff has worked with local schools to host student night, where they showcase the traveling casting kit, known

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

as Foundry in a Box. It shows students how to form patterns, melt them, the cleanup process behind it, and gives an overview of how castings are made.

Mr. Speaker, it is with great pleasure that I congratulate Jeff Cook, as he completes his successful term as AFS President, for his strong commitment and dedication to Eagle Alloy and to the growth and prospering of the metalcasting industry.

TRIBUTE TO THE LIFE AND CAREER OF SECRETARY WILLIAM T. COLEMAN, JR.

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. SHUSTER. Mr. Speaker, I rise today to honor the distinguished life and career of William T. Coleman, Jr., a fellow Pennsylvanian, who passed away on March 31, 2017 at the age of 96.

Coleman served our Nation as the fourth Secretary of the U.S. Department of Transportation, from March 7, 1975 to January 20, 1977. He was nominated by and served under President Gerald R. Ford.

Ironically, just one day after the passing of Secretary Coleman, the Department he once led marked its 50th anniversary of operation.

President Ford nominated Coleman, a fellow Republican, to serve as Secretary based in part on his expertise in transportation law. During his tenure at the Department, he worked to strengthen the long-term viability of the U.S. rail industry, oversaw the opening of the National Highway Traffic Safety Administration's automobile test facility at East Liberty, Ohio, established the Materials Transportation Bureau to address pipeline and hazardous materials transportation safety, and opened the United States to flights of the Concorde aircraft.

As Transportation Secretary, William Coleman was beloved by Members of Congress from both sides of the aisle. My father served on the Public Works and Transportation Committee during Secretary Coleman's tenure. The two were good friends, even though they didn't agree on every issue. On one occasion, the previous Congressman Shuster gave the Secretary a particularly difficult time during a committee hearing. Afterwards, my father received a bottle of wine from the Secretary and a note that said, "I hope we're still friends." Although it never crossed my father's mind that they wouldn't be, Secretary Coleman's gesture is one small example of why he was so well respected.

By the time William Coleman was sworn in as the Secretary of Transportation, he had already made his important and indelible mark on U.S. history.

Coleman was the second African American to serve in a cabinet-level post, following Robert Weaver, who served as housing secretary under President Johnson. Appropriately enough, his oath of office was administered by Supreme Court Justice Thurgood Marshall, with whom Coleman had previously worked alongside to help end discrimination and secure greater equality for all Americans.

For example, they worked together—Coleman writing legal briefs for Marshall—on *Brown v. Board of Education*, the case which ultimately ended the doctrine of "separate but equal" and segregation in our public school system. This alone would have been an exceptional achievement for an African American from the Germantown area of Philadelphia, Pennsylvania, who attended a segregated elementary school.

However, Coleman also later argued against a law that prohibited interracial couples from living together, and soon after, the Supreme Court ended all prohibitions against interracial marriage in the United States.

Coleman was the first African American to serve as law clerk to a Supreme Court Justice, worked to defend civil rights activists, and served as president of the NAACP Legal Defense Fund. He also served as a lawyer on the Warren Commission, charged with investigating President Kennedy's assassination. During his career, Coleman served in the military, argued 19 cases before the Supreme Court, co-chaired the White House Conference on Civil Rights, and was awarded the Presidential Medal of Freedom in 1995.

Able serving as the U.S. Secretary of Transportation would have been a notable enough accomplishment, but William T. Coleman, Jr. achieved much more than that. He will be remembered as a thoughtful, dedicated, and just man who helped spearhead the fight for equal rights for all Americans.

HONORING SUSAN K. WRIGHT
AFTER 40 YEARS OF SERVICE TO
WRIGHT CITY HIGH SCHOOL

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor a constituent of mine, Mrs. Susan K. Wright, who will be retiring on May 17, 2017 after 40 years teaching biology and coaching track and field at Wright City High School.

Mrs. Wright was influenced by several teachers throughout her childhood that positively affected her decision to dedicate her life to educating America's youth. For example, her 1st grade teacher taught her the importance of caring, her high school biology teacher introduced her to an interest in the sciences, and a college professor showed her that everyone can become great even without being the best. The enthusiasm Mrs. Wright has shown over the past four decades has been appreciated by her colleagues and students. She has truly made the classroom and track field a fun learning environment.

While growing up in St. Louis County, Mrs. Wright attended Webster Groves High School. After spending her youth in such a big district, she was instilled with the desire to spend her teaching years in a smaller school. After receiving her bachelor's degree in education from Missouri State University, she began her teaching career at Wright City High School. Mrs. Wright started the track and field program at Wright City High School and the track now

bears her name. Throughout the years, she has been a motivational mentor to numerous students and has always been willing to give a few extra moments to those who might need a listening ear.

Mrs. Wright is involved with the National Science Teachers Association and is active in her local community. She is passionate about volunteering and teaching her students to have that same giving spirit. Mrs. Wright has contributed many hours to the Blue and Gold Scholarship Dinner, the Christmas celebration Strassenbash, and the local Easter egg hunt.

The love Mrs. Wright has for teaching and coaching has never waned over the years. As Mrs. Wright puts it, "to be a great teacher is to know your subject matter and be willing to grow as education grows, to care about those that you work with and especially the students you teach, to set your goals high and work diligently to reach each goal." Her understanding, passion and mentality are something that all teachers should strive to attain.

I ask you to join me in recognizing Mrs. Susan Wright on her retirement after 40 years of improving the lives of all who walk the halls at Wright City High School.

TRIBUTE TO CAMILLE
LOMBARDO—28TH CONGRES-
SIONAL DISTRICT WOMAN OF
THE YEAR

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District. I would like to recognize a remarkable woman, Camille Lombardo of Pasadena, California.

Camille has a Bachelor of Arts in Theology degree from Pitzer College and a Master of Business Administration from Pepperdine University.

For twenty-five years, Camille has admirably served as Executive Director of the Friends of the Observatory (FOTO), the non-profit organization that supports the world-renowned Griffith Observatory in Los Angeles. During this time, Ms. Lombardo has not only raised tens of millions of dollars for the Observatory, but has also been a leader in assisting with the development, planning and execution of key Observatory initiatives. During her tenure, she spearheaded the funding effort of the public-private partnership with the City of Los Angeles for the observatory's ninety-three million dollar expansion and renovation project, raising over twenty-five million dollars of that in private funding and working with local, state and federal agencies to secure public funding.

Ms. Lombardo has continued to raise millions of dollars for upgrades in the ten years to the observatory. These include the planetarium show production capability, theater projection and sound systems, and the ability to record and broadcast live astronomical observations and special events, thus greatly expanding its audience both world-wide and at

the observatory itself. In addition, Camille raises funds for the observatory's school program for fifth-graders which serves 25,000 mostly public school students annually, and Bus Scholarship program for disadvantaged schools, resulting in free school programs.

A consummate professional, Ms. Lombardo capably guides FOTO with its thousands of members and many activities, and works effortlessly with the City of Los Angeles and the observatory staff on policy issues, building improvements, and major events organization and implementation.

I ask all Members to join me in honoring an exceptional woman of California's 28th Congressional District, Camille Lombardo.

RECOGNIZING THE CAREER OF DR. WATTS

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. CONAWAY. Mr. Speaker, I rise today to recognize Dr. W. David Watts on his distinguished tenure at the University of Texas of the Permian Basin.

For the past fifteen years, Dr. Watts has served as the President of UTPB. Under his leadership, UTPB has seen an unprecedented growth and the university's reputation has grown exponentially. Since 2001, the university enrollment increased from 2,200 to 6,315 students and the availability of student housing has increased from just six buildings with 96 beds to 37 buildings with 1,197. These additions have significantly impacted the local economy and transformed UTPB to an established university community.

Early into his presidency, Dr. Watts made a commitment to expand educational opportunities by investing in online programs to allow students to earn a degree from a distance and allow for the development of career opportunities throughout the region. These efforts have led UTPB to be recognized by numerous outlets, such as BestColleges.com and U.S. News and World Report, as one of the most affordable online programs in the nation. In addition, Dr. Watts' vision of expanding access to quality education has also led to the creation of Texas' first entirely virtual Early College High School network. This network allows universities and colleges to partner with local school districts to offer at risk high school students to earn a high school diploma and up to sixty college credits at no cost. These accelerated courses reduce the barriers to college access and increased college readiness with these students. This program has allowed thousands of students to set out on their path to achieve their professional goals.

Dr. Watts' commitment to quality education has allowed UTPB to be the first school in Texas to offer a \$10,000 bachelor's degree in select majors and is recognized as the least expensive Texas public, four-year institution. Under his leadership, UTPB has received national accreditation in Art, Business, Education, Mechanical Engineering and Petroleum Engineering, Social Work, Music, Nursing, and Athletic Training Education. These initiatives

have allowed UTPB to leave its imprint on the workforce, and it could not have been accomplished without Dr. Watt's leadership.

Over the last few years, Dr. Watts spearheaded efforts to write a new chapter in UTPB's history by bringing college football to the university. Prior to this, UTPB was the only public university west of I-35 that did not participate in football. Now UTPB is in a more competitive position to attract new students to the Permian Basin. Last year, the Falcons kicked off the inaugural season and set the foundation for the program. The team looks to build off of that progress as they begin to prepare for next season.

Dr. Watts' contributions to UTPB will always be remembered and his impact will surely be felt by generations to come. As he and his wife Denise embark on a new chapter in their life, I wish them all my best.

PERSONAL EXPLANATION

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. KIND. Mr. Speaker, I was unable to have my votes recorded on the House Floor on Monday, April 3, 2017. Weather across the Midwest delayed my flight to Washington, D.C. until after votes had been called. Had I been present, I would have voted in favor of H. Res. 92 and H.R. 479.

INTRODUCTION OF BIPARTISAN RESOLUTION EXPRESSING STRONG SUPPORT FOR THE COUNTRIES OF EASTERN EUROPE AND THE NORTH ATLANTIC TREATY ORGANIZATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. COHEN. Mr. Speaker, I rise in support of a bipartisan resolution I introduced earlier today with my colleague JOHN SHIMKUS expressing strong support for the North Atlantic Treaty Organization (NATO). This resolution reaffirms the importance of harmony and stability rather than war and conflict and acknowledges the NATO's pivotal role in achieving such goals.

NATO remains the most important and critical security link between the United States and Europe.

The incorporation of Eastern European countries into NATO has contributed towards a vision of a stable and united Europe. NATO allies and partners in both Central and Eastern Europe have stood alongside the United States in joint peace operations in the Western Balkans, Afghanistan, Iraq, and elsewhere.

Our resolution emphasizes the United States' strong commitment to the independence, sovereignty, territorial integrity, and democratic development of the countries that have emerged from the former Soviet Union, including Estonia, Latvia, and Lithuania, Geor-

gia, Ukraine, and Moldova. During the past three decades, many of these countries have undertaken considerable political and economic reforms necessary to achieve aspirations for European integration and Euro-Atlantic cooperation.

I want to thank Congressman SHIMKUS for his partnership on this resolution and urge my colleagues to pass it swiftly to reaffirm the United States' commitment to our NATO allies.

TRIBUTE TO NOEMI TORRES—28TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my congressional district. I would like to recognize a remarkable woman, Noemi Torres of West Hollywood, California.

Noemi Torres immigrated to the United States from Guadalajara, Mexico at the age of 13. After some time in Seattle, Washington, she came to Los Angeles and now calls West Hollywood home. Ms. Torres came to California, as many do, to pursue her dreams. While she has a passion for photography and acting, she found herself working with a successful startup telecommunications company, and it was while at that company, that she was exposed to the real estate industry. Now Noemi is on the Modern Living LA team of the John Aaroe Group Sunset, where she uses her considerable talents to help her clients with their real estate needs.

Along with her incredible professional accomplishments, Ms. Torres has also shown herself to be an astoundingly capable community leader. She volunteers for Project Angel Food, AIDS Walk Los Angeles, the Revlon Run/Walk, Children's Hospital Los Angeles, Heal the Bay, and the Downtown Women's Center. Noemi especially shines in her advocacy in her two terms on the City of West Hollywood Women's Advisory Board, which she currently chairs.

I ask all Members to join me in honoring an exceptional woman of California's 28th Congressional District, Noemi Torres.

RECOGNIZING THE ACHIEVEMENTS OF GUS MACHADO

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. DIAZ-BALART. Mr. Speaker, I rise to recognize Mr. Gus Machado and celebrate his career.

Gus moved to the United States from Cuba with his family in 1949, and has become a symbol of the American dream for many.

Through hard work and determination, Gus has built several successful car dealerships. He has managed to stay in business through a recession that had a significant impact on car sales, and worked diligently to avoid downsizing his workforce and keep others employed. Throughout his career in car sales, Gus has acted as an honorable man with the best interests of the community at heart.

For the past seven years, Gus Machado's businesses have received the Blue Oval Certification status from Ford Motor Company. Additionally, in 2013, one dealership received Ford Motor Company's highest honor, the President's Award.

Gus has proved himself to be dedicated to improving his community. In 2008, he founded the Gus Machado Family Foundation, which provides children with backpacks full of school supplies. The Foundation also works to keep children healthy by providing them with immunizations.

Gus is deeply involved with the U.S.-Cuba Democracy PAC, an organization dedicated to promoting freedom and democratic ideals in the communist country of Cuba. Although he has lived in Florida for most of his life, Gus remembers his native Cuba and has not lost sight of the importance of allowing the Cuban people the same basic rights and freedoms we take for granted in the United States that are stifled under the Castro regime.

For his successful businesses, involvement in the community, and unfailingly optimistic outlook, Gus Machado is an excellent inspiration for Miami and Florida. It has been a privilege to know him and his family, including the love of his life Lilliam, who has become a dear friend of mine. I ask my colleagues to join me in congratulating him on his work to date and wishing him continued success.

HONORING LINDA MCGURK'S MANY YEARS OF SERVICE TO EDUCATION

HON. VICENTE GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. GONZALEZ of Texas. Mr. Speaker, I rise today to honor Linda McGurk for her 25 years of service as principal of Ben Milam Elementary School in McAllen, Texas.

Linda McGurk received her Bachelor of Science in Elementary Education from The University of Texas Pan-American in 1964. That same year, she began teaching first grade. In 1968, while raising a family with her husband James McGurk, Linda McGurk served on the St. Joseph's School Board and volunteered with the Edinburg Parks and Recreation Department, the Edinburg Junior Service League. Linda McGurk became principal of St. Joseph Catholic School in 1984. Two years later, she earned her Master's in Educational Administration from The University of Texas Pan-American. In 1992, Linda McGurk was named principal of Ben Milam Elementary School, a position she still holds today. Over the course of her tenure at Ben Milam, she has helped thousands of children embark on an educational journey.

In 2006, the University of Texas Pan-American recognized Linda McGurk for her leadership and countless contributions to elementary education in South Texas. And in 2012, the Texas Classroom Teachers Association named her Administrator of the Year. Most recently, the McAllen Education Foundation honored Linda McGurk for her commitment to student success, naming her an "Outstanding Educator" this past year.

For more than 50 years, Linda McGurk has dedicated her life to expanding educational opportunities for all. She has been a champion of student success and her commitment to parents, teachers, and staff at Ben Milam Elementary School is admirable.

As we recognize Linda McGurk's service to the McAllen Independent School District, we also celebrate Ben Milam Elementary School's 50th Anniversary.

If walls could talk, the walls of Ben Milam Elementary School would tell an inspirational story spanning half a century. Milam Elementary School has molded numerous generations of McAllen's young minds and given them the tools they need to succeed.

Mr. Speaker, this week South Texas honors a great educator. It is my privilege to recognize Mrs. Linda McGurk in the U.S. House of Representatives today.

IN RECOGNITION OF THE 38TH ANNIVERSARY OF THE TAIWAN RELATIONS ACT

HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. PAYNE. Mr. Speaker, I rise today to recognize the 38th Anniversary of the Taiwan Relations Act (TRA), which has played an essential role in advancing the shared interests and values of the United States and Taiwan. Taiwan has become the United States' 10th largest trading partner and is a beacon of democracy in East Asia.

Along with the TRA, the "Six Assurances" have also guided our relationship with Taiwan. Three years after the TRA was enacted, President Reagan issued the "Six Assurances," reaffirming our nation's support for Taiwan. There is one area that, because of China's intransigence, needs further consideration. China has blocked Taiwan's entrance into international organizations where Taiwan could play a meaningful role.

In addition to security, the United States and Taiwan have a close economic partnership. In 2016, bilateral trade was slightly over \$65 billion. Taiwan and New Jersey also have very close trade ties. In 2015, Taiwan was New Jersey's 6th largest export market in Asia, with New Jersey's exports to Taiwan reaching \$491 million.

This week, Chinese President Xi visited the United States and met with President Trump. While this meeting presented a constructive opportunity, the interests must in no way be marginalized. The commitments made in the Taiwan Relations Act and the "Six Assurances" must never be compromised.

Mr. Speaker, it is my privilege to be a friend of Taiwan and her people, and to recognize the anniversary of the TRA.

TRIBUTE TO CHRISTINE RODRIGUEZ—28TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District. I would like to recognize a remarkable woman, Christine Rodriguez, of Elysian Valley, a unique neighborhood in Los Angeles, California.

Christine has spent many years of her life serving her community through her work as a librarian and through volunteering. She was the Children's Librarian at the East Los Angeles County Library, and then became a volunteer at that library, leading the Summer Reading Program. Since 1994, Ms. Rodriguez has worked for the City of Burbank's libraries, and is currently Supervising Librarian at the Buena Vista Branch Library.

A consummate volunteer, Christine has been active at Dorris Place Elementary School, running school book fairs, fundraising and participating in the parent support organization. She is a graduate of the Leadership Burbank program, where she assisted with fundraising for Monterey High School in Burbank, and was active in the John Burroughs High School Boosters, where she raised money for the water polo team.

Ms. Rodriguez served as Secretary and Treasurer of the Elysian Valley Neighborhood Council, chairing the Neighborhood Purposes Grants Committee, utilizing her longtime city employment knowledge. Her current volunteer organizations include serving as a member of the Elysian Valley Fruit Share, where excess fruit from neighborhood gardens is given to residents without gardens, attending a variety of neighborhood community meetings, and as a member of the Elysian Valley Art Collective where she raised funds for two of the annual Frogtown Artwalks. In addition, Christine is an art quilter whose artwork has been displayed at the Cactus Gallery in Elysian Valley.

I ask all Members to join me in honoring an exceptional woman of California's 28th Congressional District, Christine Rodriguez.

RECOGNIZING ARTHUR A. ANSELENE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize Arthur A. "Art" Anselene on the occasion of his retirement as Town Manager of the Town of Herndon. For 41 years, Art has dedicated his life to the service of his community and the residents of Herndon. In 1976, he assumed the position of Director of the Department of Parks and Recreation for the

Town of Herndon, a position in which he would serve for 31 years, and in 2007 he was appointed Town Manager.

His tenure as Director of Parks and Recreation was marked by the creation of many new events in the Town. These included, among others, the inaugural Herndon Festival, the Labor Day Festival, the July 4th celebration, the Turkey Trot, Holiday Arts and Craft Show, and the always popular summer concert series. In addition, Art worked with the Mayor and the Town Council on a number of public works projects including the Herndon Community Center, Chestnut Grove Cemetery, the Downtown Master Plan, and the Herndon Metrorail Station Area Plan.

Under his leadership, the Parks and Recreation Department became one of only 66 elite parks agencies in the country and the fourth in Virginia to receive national agency accreditation. He oversaw the development of a comprehensive parks and recreation system for the town which included a dozen parks, the Herndon Centennial Golf Course, an indoor tennis center, and the flagship Herndon Community Center. As Town Manager for Herndon, Art has had oversight responsibility for all town operations including Community Development, Finance, Human Resources, Parks and Recreation, Police, Public Works, Golf, Cemetery, Communications and Economic Development, IT, and the Town Clerk.

His efforts have resulted in the Town of Herndon receiving numerous local, state and national awards and recognitions including a fourth Gold Medal Award for Excellence from the National Recreation and Park Association, the Virginia Municipal League's Achievement Award, and two Green Government Certifications to both the Department of Parks and Recreation and the Town of Herndon Police Department. In addition, the Town received the Government Finance Officers Association of both the United States and Canada's Award for Excellence in recognition of his commitment to fiscal responsibility and his work in maintaining the Town's AAA bond rating.

While one might think that this level of dedication and commitment would be enough for one individual, Art's involvement in his community also extends to his activities outside of his profession. He is a member of the Herndon Rotary and Lions Clubs, the National Recreation and Parks Association Commission on Accreditation, and the Virginia Local Government Management Association, to name a few.

Mr. Speaker, I have often said that public service is among the most noble of callings. The tireless dedication of individuals like Art are selfless acts that are truly worthy of our highest praise. I commend him for his service to our community and ask my colleagues to join me in wishing him great success in all his future endeavors.

HONORING NAIMAH BILAL

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. SERRANO. Mr. Speaker, this past February we celebrated Black History Month, dur-

ing which time we recognize the important contributions made by African-Americans to this great nation. Nowhere is that heritage more visible than in New York City. That is why, at my office's annual Black History Month Celebration, I was honored to recognize Ms. Naimah Bilal, who has been a lifelong, tireless community advocate.

Born and raised in Harlem, NY, she started her community involvement at an early age. She and other community members marched for an overpass to be built for the newly constructed FDR Drive, where many accidents occurred as people tried to cross over to the park where the basketball and handball courts were located. Her efforts were successful, the overpass was built and accidents decreased.

Later, Naimah and her family moved to Lenox Avenue in Harlem and she continued to be active on several committees at Masjid Malcolm Shabazz.

Naimah worked for the NYS Division of Housing & Community Renewal (DHCR) Representing the Clerical Staff of this Agency and Delegate of DC 37 until retiring after 22 years in October 2007.

Upon moving to the Bronx, she got involved with several community based organizations including the 44th Precinct Community Council and CASA (Community Action for Safe Apartments). She is the President of Council Member Vanessa Gibson's Tenants Block and Neighborhood Council and President of her Tenants Association. She is an active member of DC37 Retirees.

Ms. Bilal prides herself on being a mother, grandmother, great-grandmother, and a community organizer. She encourages all to get involved, especially the Youth, so they have a full understanding of what is going on in their communities and to be aware of what their rights and responsibilities are so that they are empowered and civically engaged. Ms. Bilal serves as a wonderful example of those important values. She has made great contributions to the Bronx and my congressional district, and I am truly thankful to count her as a constituent.

Mr. Speaker, I respectfully ask that you and my other distinguished colleagues join me in honoring Ms. Naimah Bilal for her continued commitment to service.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI SOLDIER ARMY SPECIALIST (SPC) WILLIAM ANTHONY BLOUNT

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Army Specialist (SPC) William Anthony Blount who paid the ultimate sacrifice while defending our nation on April 7, 2010, in Mosul, Iraq when his vehicle was attacked with an improvised explosive device. He was 21 years old and was serving with the 1st Battalion, 64th Armor Regiment, 2nd Brigade Combat Team, 3rd Infantry Division of Fort Stewart, GA. His commanding officer, 1LT Robert Wilson Collins was also killed in the attack.

SPC Blount joined the military in 2009 after graduating from Petal High School in Petal, Mississippi. Following his death, the SPC William Anthony Blount Memorial Scholarship was established at Petal High School.

Nate McRae, SPC Blount's brother-in-law said his brother was extremely honorable. All of his commanding officers said he was an amazing soldier and that his loss was keenly felt.

The procession of SPC Blount's body from the Pine Belt Regional Airport to Moore Funeral Home, led by Mississippi Highway Patrol officers and Petal officials, travelled from Interstate 59 to Evelyn Gandy Parkway to Petal High School along Mississippi Highway 42. With flags and posters in hand, residents lined the streets, and students were released from school to view the procession.

SPC Blount is survived by his wife Amanda and his daughter Avery Elizabeth Blount. He is also survived by parents, Billy and Kay Blount, and his siblings, Laken Blount and Lori McRae.

RECOGNITION OF THE WEST GADSDEN BOYS BASKETBALL TEAM

HON. AL LAWSON, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. LAWSON of Florida. Mr. Speaker, I rise today to honor the West Gadsden Boys Basketball Team on their 2017 FHSAA State Championship win over Wildwood. This is the first time in 46 years that the mighty bulldog's basketball team has accomplished this great milestone. They have proven that dedication, hard work and unwavering passion will carry you a long way.

This win was a special moment for West Gadsden Bulldogs as it honored one of their very own. On June 17, coaching legend William Moody, who helped the Bulldogs win 75 games in a row and Class C state titles from 1969-71, passed away.

The Bulldogs has made not only me and Coach Moody proud, but the entire Fifth Congressional District proud as well.

I look forward to watching their future success in both their academic and athletic pursuits and wish them all the very best.

IN RECOGNITION OF KEITH MOSS, MAYOR OF DURYEA

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Keith Moss, Mayor of Duryea Borough. On April 18, 2017, Mayor Moss will receive the 2017 Joseph Saporito, Sr. Lifetime of Service Award for his dedication to the people of Duryea.

Keith first began serving his community in his youth as a Boy Scout. At the age of 20, Keith joined the Germania Hose Company as a volunteer firefighter. Throughout his membership with the hose company, Keith served

as president, vice-president, and trustee. Keith began his political career in 1992, when he was elected to Duryea Borough Council. In 2001, Keith successfully ran for Mayor of Duryea and has since served the borough as its chief administrator. In addition to presiding over the borough's affairs, Mayor Moss has officiated weddings over the years.

In September 2011, Mayor Moss' leadership was put to the test when rain from Hurricane Irene and Tropical Storm Lee flooded areas of Duryea. After being alerted by Luzerne County Emergency Management of possible flooding, Mayor Moss issued a declaration that gave him temporary operational control of Duryea. For 72 hours, he worked non-stop with other government officials to prepare residents for evacuation. After the storm hit, 139 homes in the borough were destroyed. Tasked with clean up from the storm, Mayor Moss was promised federal aid from former Vice President Joe Biden, who personally surveyed flooded sections of Duryea.

Today, Mayor Moss continues to serve the Duryea Borough and is focusing on fostering closer relationships in the community. He helped arrange Duryea's involvement in National Night Out, an event that promotes community-police camaraderie, as well as the borough's Halloween party.

It is an honor to recognize Mayor Moss as he accepts the 2017 Joseph Saporito, Sr. Lifetime of Service Award. His long history of service to Duryea is significant contribution to the fabric of America. May he continue to fulfill his mayoral duties with honor.

RECOGNIZING THE 2017 FAIRFAX COUNTY FIRE AND RESCUE DEPARTMENT VALOR AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize an outstanding group of men and women in Northern Virginia. These individuals have demonstrated superior dedication to public safety and have been awarded the prestigious Valor Award by the Northern Virginia Chamber of Commerce.

This is the 39th Annual Valor Awards sponsored by the Northern Virginia Chamber of Commerce. This event honors the remarkable heroism and bravery in the line of duty exemplified by our public safety officers. Our public safety and law enforcement personnel put their lives on the line every day to keep our families and neighborhoods safe. This year's ceremony will present 125 awards to recognize extraordinary actions above and beyond the call of duty in a variety of categories including the Lifesaving Certificate, the Certificate of Valor, and the Bronze and Silver Medals of Valor.

Twenty-three awards will be bestowed upon first responders who serve with the Fairfax County Fire and Rescue Department in recognition of their exceptional service. It is with great pride that I include in the RECORD the names of the following Valor Award Recipients.

BRONZE MEDAL OF VALOR

Captain I Bruce A. Neuhaus
Lieutenant Ji Y. Lee
Lieutenant Sean E. Ferguson
Lieutenant Diron D. Powell
Master Technician Marc G. Campet
Master Technician Daryl T. Casey
Master Technician Herbert M. Knerr
Master Technician Michael C. Lewis
Master Technician Peter G. Zagorites
Technician Sean P. Allen
Firefighter Fidel A. Blanco

LIFESAVING AWARD

Deputy Chief Andrew L. Duke
Captain II Mark E. Kordalski
Captain Walter Johnson
Lieutenant Scott F. Primrose
Technician James L. Campbell
Technician Travis L. Franks
Technician Michael A. Garcia
Technician James E. Pfister
Technician Adam J. Silvers
Firefighter Medic Vicki L. Swain
Firefighter Sidney B. Boyd
Firefighter Robert L. Knupp

Mr. Speaker, I congratulate the 2017 Valor Award Recipients, and thank each of the men and women who serve in the Fairfax County Fire and Rescue Department. Their efforts, made on behalf of the citizens of our community, are selfless acts of heroism and truly merit our highest praise. I ask my colleagues to join me in applauding this group of remarkable citizens.

HONORING SHIRLEY POWELL FOR HER LEGACY AND COURAGEOUS SERVICE

HON. RAUL RUIZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. RUIZ. Mr. Speaker, I rise to recognize an outstanding member of my district Chief Master Sergeant (CMSgt) Shirley Powell of Cathedral City, California. She passed away in March 2017. Her dedication and service to our nation are an inspiration. CMSgt Powell was a member of my congressional office's Veterans' Advisory Board and Military Academy Nominations Selection Committee. She was a remarkable leader, and I am honored to have called her my constituent and my friend. Today, I want to recognize her life achievements.

CMSgt Powell worked for 45 years in the field of Aerospace. In 1962, she joined the U.S. Air Force (USAF), where she served for 38 years. She was a founding member of the 68th Aeromedical Evacuation Squadron (AES) in the Military Airlift Command KC-97 Globemaster Program, where she served multiple tours in support of Vietnam and other international and domestic efforts. In 1981, she transferred to the California Air National Guard TAC C-130 Program.

She was honored with numerous, well-deserved distinctions. In the Air National Guard 146th Wing, Shirley was the first female to achieve the rank of Senior Master Sergeant and the first female to be selected for the special duty of First Sergeant. Among her numerous awards are the Meritorious Service Medal,

the Presidential Unit Citation, the Combat Readiness Medal, the Air Reserve Forces Meritorious Service Medal, the National Defense Service Ribbon, the Vietnam Service Medal, and the Southwest Asia Service Medal.

After her retirement in 2000, she was highly active in various associations in the community. She became an active member of the Palm Springs Air Force Association, the Air Force Sergeants Association, the Noncommissioned Officer Association, and the Enlisted Association of the National Guard, where she held numerous Board positions. She was selected to serve on the Riverside County Veterans Advisory Committee, and she maintained her status as Chief Exam Proctor for the Los Angeles Chapter of the American Society for Quality.

Mr. Speaker, I am proud to recognize and honor Shirley Powell. I am proud of the opportunity to have worked together with her to improve the lives of veterans in our community. Her distinguished career and her years of committed service to the community are an example of excellence, dedication, and service to our Nation that all should seek to emulate.

PERSONAL EXPLANATION

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. AL GREEN of Texas. Mr. Speaker, on Wednesday, April 5, 2017, I missed the following vote:

1. Motion on Ordering the Previous Question on the Rule providing for consideration of H.R. 1219. Had I been present, I would have voted "NO" on this motion.

HONORING BRONX COUNTY DISTRICT ATTORNEY DARCEL CLARK

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. SERRANO. Mr. Speaker, we recently celebrated Black History Month this past February. During my office's annual Black History Month Celebration, I was honored to reflect on the tremendous contributions African-Americans have made within my district in Bronx County, and to recognize several outstanding individuals contributing to their community. Let me mention one of those people today—Bronx County District Attorney Darcel Clark. She is the first woman in this position, the first female African-American District Attorney in the state of New York, and has been a trailblazer for criminal justice throughout her professional career.

District Attorney Clark became the District Attorney for our county on January 1, 2016. Prior to her election, District Attorney Clark served as an Associate Justice for the New York State Supreme Court Appellate Division, First Department; a New York State Supreme Court Justice in Bronx County; and a Criminal

Court Judge in Bronx and New York Counties. She spent more than 16 years on the bench.

District Attorney Clark is also a lifelong Bronxite, raised in NYCHA's Soundview Houses. She attended public schools in New York City, graduating from Harry S Truman High School. She attended Boston College and received her Bachelor's Degree in Political Science where she was the first recipient of the University's Martin Luther King, Jr., Memorial Scholarship. She then went on to earn her law degree at the Howard University School of Law in Washington, D.C.

District Attorney Clark returned home in 1986 to begin her legal career at the Bronx District Attorney's Office. She prosecuted many cases, including drug felonies, violent crimes, and homicides. District Attorney Clark served as a Supervising ADA in the Narcotics Bureau and the Deputy Chief of the Criminal Court Bureau. In 1999, she left the Office for her first judicial post.

District Attorney Clark also serves on the Boston College Board of Trustees and has served in leadership positions in the National Association of Women Judges and the Black Bar Association of Bronx County.

Throughout her career in public service, District Attorney Clark has worked to ensure fairness, accountability, and justice for Bronxites. In her new role as Bronx County District Attorney, she has already made the office more responsive, and worked to reduce case delays that have diminished trust in our system of justice. She is an important role model to all in our community, and I look forward to working with her in the years to come.

Mr. Speaker, I respectfully ask that you and my other distinguished colleagues join me in honoring Ms. Darcel Clark for her tireless work to ensure justice and commitment to the people of the Bronx.

RECOGNIZING THE LIFE OF FALL-
EN MISSISSIPPI SOLDIER ARMY
SPECIALIST (SPC) LARRY
KENYATTA BROWN

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Army Specialist (SPC) Larry Kenyatta Brown who paid the ultimate sacrifice while defending our nation April 6, 2006, during Operation Iraqi Freedom III. SPC Brown was mortally wounded during a combat mission to liberate the Iraqi city of Karbala. SPC Brown was assigned to C Company, 1st Battalion, 414 Infantry Regiment, Fort Riley, Kansas.

SPC Brown, a Jackson native, attended Bailey Magnet High School where he was a track and basketball athlete. His high school principal, Dorothy Terry, said SPC Brown was a serious young man who was kind. Terry said SPC Brown also had a great sense of humor.

During the funeral held at Blacks Chapel Baptist Church, Brigadier General Frank Helmick described SPC Brown's devotion to our nation.

"Larry Brown displayed the intensive fortitude to fight and complete the mission even though it meant giving his life for our country."

Hundreds of people came to the funeral including twenty-nine soldiers from Fort Riley. Ten soldiers from Fort Polk, Louisiana carried Brown's coffin.

SPC Brown's bravery and courage in service to our nation will always be remembered.

MEDICARE DEMONSTRATION OF
COVERAGE FOR LOW VISION DE-
VICES ACT OF 2017

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, the Centers for Disease Control and Prevention (CDC) estimates that 80 million Americans are at risk of serious vision loss—a number expected to increase as the baby boomer generation ages. Along with my colleague Rep. GUS BILIRAKIS, I am proud to reintroduce legislation to support Americans with limited or impaired vision.

For some, reading a book or crossing the street is difficult even with glasses or contact lenses due to blurriness or distortion. Doctors can prescribe magnifiers and other special devices, but their current exclusion from Medicare coverage greatly restricts access to these devices. While there are a wide variety of options to help people with low vision, currently, there is an exclusion from Medicare coverage for devices that include a lens to aid vision or provide magnification of images for impaired vision. Coverage of these devices will greatly enhance the ability of older Americans to age independently and enjoy everyday activities.

To understand the impact of covering these devices for America's seniors, we are reintroducing the Medicare Demonstration of Coverage for Low Vision Devices Act of 2017. This legislation would create a five-year national demonstration project administered by the Department of Health and Human Services to evaluate the economic impact of allowing reimbursement for certain low vision devices under the Social Security Act. Coverage of such devices could help Medicare beneficiaries with low vision lead healthy, safe, and independent lives.

I urge my colleagues to join us by supporting this legislation that will make a significant change to improve the quality of life for the visually impaired.

IN RECOGNITION OF THE I.C.
NORCOM BOYS' BASKETBALL
TEAM

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. SCOTT of Virginia. Mr. Speaker, I rise with great pride to call attention to a group of young students who have distinguished themselves, their school, their community, and the city of Portsmouth, Virginia. The I.C. Norcom Greyhounds boys' basketball team had a remarkable season and I believe the Grey-

hounds deserve formal recognition for their accomplishments.

On March 10, 2017, the I.C. Norcom Greyhounds beat the Northside Vikings of Roanoke, Virginia, to win the Group 3A boys' state basketball championship, becoming the first basketball team, boys or girls, to win four consecutive state championships. The Greyhounds completed their 2017 season with an impressive 22-8 record.

I.C. Norcom won the championship in dramatic fashion, with a steal in the last six seconds of the game leading to a two point victory of 67 to Northside's 65. I.C. Norcom's boys' basketball team has had a consistent run of excellence in recent years, and has become a dominant force in Virginia high school sports.

I.C. Norcom was founded in 1913 as the High Street School, the first public high school for black students in Portsmouth. It was later renamed in honor of its first supervising principal, Israel Charles Norcom, a businessman, fraternalist, and leader in the Portsmouth community. Now, more than 100 years after its founding and three locations later, I.C. Norcom High School is still striving to ensure academic excellence for its students.

In addition to excelling on the basketball court, the Greyhounds are also doing great things in the classroom. I.C. Norcom has been nominated for Steve Harvey's Neighborhood Award and has partnered with community businesses to help tutor students.

I.C. Norcom students have been participating in the First College program—attending Tidewater Community College this semester and taking up to 14 college credits before they graduate. I.C. Norcom is doing a great job cultivating excellence both on and off the athletic field.

I would like to extend my enthusiastic congratulations to the I.C. Norcom players, their families, Principal Dr. Laguna Foster, Coach Leon Goolsby and the rest of his coaching staff on this most recent State Championship and on the team's continued excellence. On behalf of the citizens of the Third Congressional District of Virginia, I commend the team for this historic win, this historic run of championships, and wish the program years of continued success.

CELEBRATING THE 275TH ANNI-
VERSARY OF MORAVIAN COL-
LEGE

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. DENT. Mr. Speaker, I am honored to recognize Moravian College on the occasion of its 275th Anniversary.

Located in Bethlehem, Pennsylvania, Moravian's roots go all the way back to May 1742, when it began as a girls' school founded by Countess Benigna von Zinzendorf, who was only 16 years-old at the time. Motivated by her religious roots in the Moravian denomination, Countess Benigna accompanied her father, Count Nicholas von Zinzendorf, on a visit to the Moravian settlements in the New

World. The intent was to use education as an instrument of salvation for the surrounding community of Bethlehem, which was established one year prior.

Zinzendorf's school became the first girls' boarding school in America. Eventually, it would come to be known as the Bethlehem Female Seminary, and in 1913, it became the Moravian Seminary and College for Women. The school developed such a distinguished reputation that in its early years, George Washington personally petitioned the headmaster for the admission of two of his great-nieces while he served his second term as President.

In 1954, the women's institution joined with the men's institution, Moravian College and Theological Seminary, which was comprised of boys' schools from Bethlehem and Nazareth, to form the singular Moravian College. Moravian Theological Seminary maintained a close, but distinct identity as a graduate school of theology. The merger made Moravian College the first coeducational institution of higher learning in the Lehigh Valley region of Pennsylvania.

Today, Moravian College remains committed to its mission of preparing individuals for a "reflective life, fulfilling careers, and transforming leadership in a world of change." The school offers more than 50 programs of study, and over 2,000 students make up its undergraduate and graduate student population.

It is my pleasure to congratulate the students, alumni, faculty, and staff of Moravian College as they celebrate this very special 275th Anniversary. May they enjoy continued success in edifying and serving the Lehigh Valley and all those who look to carry on its proud tradition.

RECOGNIZING NATIONAL BEER DAY

HON. DAVE BRAT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. BRAT. Mr. Speaker, I rise today to pay tribute to National Beer Day. On April 7, 1933, the Cullen-Harrison Act, named after the legislation's sponsors, went into effect and for the first time since 1920 the purchase, sale, and consumption of beer and wine with an alcohol content of 3.2 percent, was legal.

Fast forward 76 years to 2009 when one of my constituents, Justin Smith, sparked the idea of celebrating National Beer Day on April 7th. In March of this year, Justin's efforts eventually lead to our Governor Terry McAuliffe recognizing National Beer Day in Virginia. National Beer Day has grown to such prominence that it was recently featured as a clue on Jeopardy.

The impact that craft brewers have on the Virginia economy is substantial. According to the Virginia Craft Brewers Guild, the Commonwealth of Virginia had 142 breweries and nearly \$1 billion in economic impact in 2016. The craft brewing industry is growing rapidly in Virginia and given current trends, will continue to do so. In 2016, Virginia craft brewers took

home 13 medals from the Great American Beer Festival proving that Virginia's craft brewers are plenty in number, but also in quality.

Craft breweries such as 1781 Brewing Co., Battlefield Brewing Co., Beer Hound Brewery, Extra Billy's Smokehouse and Brewery, Far Gohn Brewing Co., Final Gravity Brewing Co., Kindred Spirit Brewing, Lickinghole Creek Craft Brewery, Midnight Brewery LLC, Rock Bottom Restaurant & Brewery, Steam Bell Beer Works, Strangeways Brewing, The Answer Brewpub Co., and Willow Spring Brewery are located in my district.

I'm delighted to have so many craft brewers supporting the local economy, providing jobs, and promoting the safe consumption of beer in my district.

RECOGNIZING THE LIFE OF FALLEN SOLDIER ARMY CORPORAL (CPL) TYLER JOE DICKENS

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of fallen soldier Army Corporal (CPL) Tyler Joe Dickens who paid the ultimate sacrifice while defending our nation on April 12, 2005, during Operation Iraqi Freedom III. CPL Dickens died from injuries he sustained when a rocket-propelled grenade struck his guard tower in Al Mahmudiyah, Iraq. CPL Dickens was assigned to the 2nd Squadron, 11th Armored Cavalry Regiment, Fort Irwin, California.

CPL Dickens entered active service in June 2002. He followed in the footsteps of his father, Joseph Dickens, who also served in the Army. CPL Dickens served as a sniper team leader at the time of his death.

During CPL Dickens's memorial service, a letter from a superior, Captain Gary Mills, was read aloud. Mills described how proud Dickens was of his family and that he enjoyed sharing stories with his unit and pictures of his wife, Elisha, and newborn son, Austin.

"The platoon was proud when [his] son was born," Mills wrote. "We would like to thank his entire family. None of us will ever forget Tyler J. Dickens."

CPL Dickens was awarded the Bronze Star Medal, Army Commendation Medal, National Defense Service Medal, Global War on Terrorism Expeditionary Medal, Expert Infantryman Badge, and the Combat Infantryman Badge.

CPL Dickens's sacrifice for the freedoms we all enjoy will not be forgotten.

INTRODUCTION OF A PRIVATE BILL FOR THE RELIEF OF DANIELA VARGAS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, today, I am introducing a bill to provide re-

lief to Ms. Daniela Vargas, a young woman from my Congressional district in Mississippi.

Ms. Vargas was brought to the United States by her parents as a seven-year-old child from Argentina in 2001. Like the estimated 750,000 other young people in the same situation, she became a Deferred Action for Childhood Arrivals (DACA) recipient and has a pending DACA renewal application. By all accounts, Ms. Vargas is a hard worker who, up until March, was living the American Dream. Having graduated from high school with honors in 2013, Ms. Vargas was pursuing her college degree in hopes of becoming a math teacher. On March 1, 2017, this valuable member of our community who respects our laws, pays her taxes, and has no criminal record found herself the innocent victim of the cruelties of our current immigration system.

On that day, Ms. Vargas participated in a press event at City Hall in Jackson, Mississippi organized by local church leaders and immigration advocates to raise awareness about the negative impacts that politically-motivated immigration enforcement actions directed by the Trump Administration are having on communities across the country and those young people with DACA status who have come to be known as "Dreamers". Exercising her First Amendment Rights, Ms. Vargas shared her family's story and courageously spoke out on behalf of those who, like her, live with the fear that on any given day they will be deported in furtherance of the President's misguided and cruel immigration agenda. When Ms. Vargas and a friend left the DACA event at City Hall, they were trailed by ICE Agents. After pulling the car over on the side of the road, the ICE Agents, who should have been aware that Ms. Vargas had a pending DACA renewal application, took her into custody and transferred her to a detention facility in Jena, Louisiana—160 miles from her home. When Ms. Vargas' case was brought to my attention, I, along with a diverse network of civil and immigration rights groups, mobilized on her behalf. Thankfully, on March 10th, a U.S. District Court granted the petition submitted on her behalf and she was released from detention, but an order for her removal remains active.

Enforcement of our country's immigration laws must hold steadfast to our cherished American values. Our nation needs law-abiding DACA recipients, like Ms. Vargas, to be free from the threat of deportation so that they can contribute to our communities. These Dreamers took a leap of faith during the Obama Administration and came out of the shadows in the hopes that our immigration laws would be reformed to give them the security they need to build a better future for themselves and their families. Members of the Jackson community support Ms. Vargas wholeheartedly, and I am proud to offer my support as well. While this may be a private bill for one individual, I strongly believe we must do better by the thousands of other young people like Ms. Vargas who now live in fear of being uprooted from the communities that they call home. We urgently need to offer them a secure path forward, not one that pushes them back into the shadows or threatens to send them away from the country that is their home.

IN RECOGNITION OF NATIONAL
VOLUNTEER WEEK

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to recognize National Volunteer Week, which will take place the week of April 23–29, 2017. During National Volunteer Week, organizations across the country celebrate the efforts of volunteers who share their time and talents with those in need—the homeless, the hungry, the elderly, the at-risk youth, and other marginalized populations.

National Volunteer Week was established in 1974 by President Richard Nixon. Every U.S. president since then has issued a proclamation during National Volunteer Week, encouraging Americans to volunteer in their communities. This week serves to remind us all that we are a nation of people that thrives on serving others. The volunteering of time and resources has been an instrumental part of the essence and tradition of our country and remains essential to its spirit and vitality.

I especially would like to recognize the great work of the Tri-Community Directors of Volunteer Services (Tri-DVS), which has been providing support to professionals working in the volunteer services field in Columbus and Fort Benning, Georgia and Phenix City, Alabama since 1985. In addition to promoting volunteerism, Tri-DVS provides support, training, networking opportunities, and professional skills accreditation to its members.

Each year, Tri-DVS holds a luncheon during National Volunteer Week to recognize and thank the volunteers in the tri-city area. In September, the group sponsors a seminar, Investing in Volunteerism, to help organizations integrate volunteer services into their operations.

Tri-DVS is a leader in the movement to improve communities through volunteerism and I applaud their resounding efforts to encourage and expand volunteer services for individuals and organizations throughout the tri-city area.

Mr. Speaker, I ask my colleagues in the U.S. House of Representatives to join me in recognizing National Volunteer Week by acknowledging the positive impact volunteerism has on communities throughout the country. In addition, I ask that my colleagues join me in honoring the Tri-Community Directors of Volunteer Services for their efforts to provide support for the volunteers who tirelessly share their time and talents with those in need.

PERSONAL EXPLANATION

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mrs. BEATTY. Mr. Speaker, on April 5, 2017, I was unavoidably absent due to a family medical emergency and missed roll call votes 217–220. Had I been present, I would have voted as follows:

Roll call vote 217: On ordering the previous question: NAY

Roll call vote 218: On agreeing to the Resolution, H. Res. 242: NAY

Roll call vote 219: On Motion to Table the Appeal of the Ruling of the Chair: NAY

Roll call vote 220: On final passage of H.R. 1304—Self-Insurance Protection Act: YEA

38TH ANNIVERSARY OF THE
TAIWAN RELATIONS ACT (TRA)

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. KING of Iowa. Mr. Speaker, I would like to recognize a very important day in U.S.-Taiwan relations. April 10th marks the 38th Anniversary of the Taiwan Relations Act (TRA). This important statute has been critical in defining the diplomatic, economic, and strategic relationship we have enjoyed with Taiwan over the last four decades. In 2017, Taiwan is the United States' tenth largest trading partner. The TRA has strengthened our relationship and helped encourage a particularly strong economic partnership.

The growth of Taiwan is a living breathing example that trade benefits humanity, and not just economically. Particularly in light of the scheduled meeting between President Trump and Chinese President Xi Jinping, it is important for our nation to remember and commemorate the special relationship between the United States and Taiwan, a thriving and innovative economy that most countries envy. In this new and exciting era for our two nations, one that promises to emphasize bilateral trade agreements, I impress on the administration that a strong relationship between the U.S. and Taiwan is key to sustaining peace, stability and liberty in the Asia-Pacific region.

Mr. Speaker, I look forward to a continuing successful cooperation between the United States and Taiwan. I am also confident that if we continue to enhance our economic relationship, this dynamic partnership that we've built together will continue to thrive in the future.

HONORING MR. BERVIN HARRIS

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. SERRANO. Mr. Speaker, this past February, I was honored to recognize outstanding members of the Bronx community during my office's annual Black History Month Celebration. During that time, we gave pause to commemorate the innumerable contributions that African Americans have made—and continue to make—to our Nation. Today, it gives me great pleasure to rise in honor of one of those exceptional individuals, a trailblazer in youth civic engagement through the power of music. It is with great pleasure and admiration that I stand before you to honor Mr. Bervin Harris.

Mr. Harris is the Co-Founder and CEO of Renaissance Youth Center in my district. He has over 30 years of social development ex-

perience in the areas of youth services and community development, and cofounded the Youth Center in 2001. As CEO, he has created and managed several successful programs throughout the Bronx community. Renaissance Youth Center serves close to 4,000 youth a week at multiple sites, providing children in the Bronx with educational programming, tutoring, and musical lessons. Mr. Harris also manages, writes and directs for the center's Music With A Message (MWAM) Band, performing with them in close to 100 shows a year. Mr. Harris is also the director of the center's citywide youth council, Youth In Power, with more than one thousand teens participating.

Under the direction of Mr. Harris, the youth council participates in precinct, community board, and mayoral meetings by partnering with community organizations and advocating for their peers and neighborhoods. Recently, the council led the charge to hold a local slaughterhouse owner accountable for properly disposing of their trash and keeping the surrounding area clean. Their efforts brought this quality of life issue to the attention of the health department and local elected officials which in turn forced the business owner to address the community's concerns. Mr. Harris has built many partnerships for Renaissance including with the New York Police Department, Carnegie Hall, NYC Parks Department, Berklee College of Music, and many more.

Prior to Renaissance, Mr. Harris was the program director at a Beacon program where he more than tripled the annual budget and was recognized as one of the 4 "Model Beacons" by the Department of Youth and Community Development.

Mr. Harris is also an artist on Capitol Records where as an accomplished musician, singer, song writer he has produced and written songs for a wide variety of musicians, ranging from Hip Hop artists like KRS-1 to R&B artists like Mary J. Blige to Jazz artists like Herbie Hancock. Mr. Harris has also written the music score for the stage play I Sing 4 Luv and recently co-wrote and directed the stage play Bronx Side Story. Mr. Harris received his undergraduate degree from Old Westbury College and management certificate from Fordham University.

Mr. Harris is an incredible advocate for the youth of our community, and he has made our borough a much better place because of his efforts.

Mr. Speaker, I respectfully ask that you and my other distinguished colleagues join me in honoring Mr. Bervin Harris for his passion for uplifting the youth in our community.

ACCOMPLISHMENTS OF FAMU
WOMEN'S SOFTBALL HEAD
COACH, VERONICA WIGGINS

HON. AL LAWSON, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. LAWSON of Florida. Mr. Speaker, I rise today to honor the accomplishments of FAMU Women's Softball Head Coach, Veronica Wiggins. Coach Wiggins and her team celebrated her 700th career victory earlier this

month in the Puerto Rico Collegiate Softball Classic.

Coach Wiggins reached this impressive milestone in her 26th season at Florida A&M University. With this win, Coach Wiggins is now the longest serving head coach in the school's 100-plus year of athletic history and ranked 44th on the NCAA's Career Coaching wins list for active coaches. Known as an intense competitor, master psychologist and mother hen, Coach Wiggins is a true leader in the Rattler Community.

Since the beginning of her career at FAMU in 1990, Coach Wiggins has been the architect of one of the more respected mid major Women's Softball programs in NCAA Division One. She has led FAMU Softball to a 226-76 record all-time in Mid-Eastern Athletic Conference play, while guiding her charges into postseason play eight times. Coach Wiggins was inducted into the FAMU Sports Hall of Fame, won the MEAC Outstanding Tournament Coach Award eight times and is a four-time MEAC Coach of the Year. She has served with a spirit of love and patience that has carried her into victory.

Mr. Speaker, on behalf of the entire FAMU Rattler community, I am proud to honor Coach Wiggins. She is an inspiration to many across northern Florida both on and off the softball field. Her enthusiasm and passion for her team have not gone unnoticed.

I look forward to watching FAMU Women's Softball Team future success and I wish Coach Wiggins well as she continues to lead the mighty rattlers to victory.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI NAVY SEAMAN (SN) KATRINA RENEE GRADY

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of fallen Mississippi Navy Seaman (SN) Katrina Renee Grady who died of an intracerebral hemorrhage on April 18, 2002, during Operation Enduring Freedom. She had been onboard the USS *Port Royal* when she became ill. She passed away at Bethesda Naval Medical Center, MD.

SN Grady was the youngest of six children raised by her mother, Mary Grady, in Greenville, Mississippi. She graduated from T.L. West High School in 1992. Following graduation from Mississippi Valley State University in 1998, SN Grady enlisted in the U.S. Navy. It was her desire to follow in the footsteps of her grandfather who served in the military and her brother, Charles Grady, who joined the Mississippi National Guard.

SN Grady's mother says Katrina was a smart girl who wanted more out of life and military service was the way to accomplish that goal.

"She wanted to serve her country most of all," Mary said. "She loved her work aboard ship. She was excellent."

Hundreds of people came to the funeral which was held at the St. Mathews Methodist Church in Greenville, including her fellow serv-

ice members, school teachers, and classmates.

SN Grady's dedication to military service and to the protection of our nation will always be remembered.

VICE PRESIDENT JOSEPH BIDEN ADDRESS AT THE PUBLIC MEMORIAL FOR JOHN GLENN

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Ms. KAPTUR. Mr. Speaker, I include in the RECORD the remarks of Vice President Joe Biden at a remembrance ceremony held in Columbus, Ohio on December 17, 2016 at the Mereson Auditorium (The Ohio State University):

When John Glenn was 10 years old, his father, his hero, a veteran of World War I, taught him how to play "Taps" on the bugle. They'd play together on Memorial Day in New Concord [Ohio], small flags and flowers next to gravesites—gravestones of the fallen. And John would recall that time and feeling when he said, where "Love of country was a given. Defense of its ideals was an obligation." And, "The opportunity to join in its [quests] and explorations was a challenge not only to fulfill a sacred duty but to join a joyous adventure.

With John, all the years I knew him and worked with him was always a joyous adventure.

Annie, what a joyous adventure you and John had together, on display for your children and the whole world to see.

You all know it. You can tell when a couple really, genuinely loves and enjoys one another.

It was infectious.

On behalf of President Obama and the First Lady, on behalf of the American people, Jill and I are here because we love you Annie, and we loved John. And together you taught us all how to love.

That's not something you usually talk about when you talk about heroes, especially heroes like John Glenn, who lived a life that was rigorous but tinged with just a little bit of magic.

Just a little bit of magic.

We talk about daring spirit, poise under pressure, mental and physical toughness, but for all his heroism that history will remember in war, in space, in public life, you felt something deeper with John.

Annie, on the way to get to Air Force 2, I got a call from John Kerry, who's somewhere over the Atlantic on the way to another mission in the Middle East to try to deal with Yemen. And he told me about his time he got to spend with you a couple days ago, and the family. He pointed out, he said, "Joe, you know John's only the ninth person in history in the state of Ohio to ever lie in state. Governor, I didn't know that."

Only the ninth in history.

And he talked about how much it meant to him to be with you. And he gave, spontaneously, what I think is maybe the best description of John Glenn I've ever heard—and I new John for 40 years. He said, "John came out of the heart of the country"—like you kids do—"and he stole America's heart." "Came out of the heart of the country and he stole America's heart."

And he did: He stole America's heart.

I remember as a kid, freshman in college, John's historic flight.

And Annie, you and John and Jill and I have been friends for 40 years. I know others have longer relationships but what a wonderful 40 years it has been.

We served in the Senate together side-by-side for 25 years, and we traveled around the world together. John was one of the happiest people I ever knew. Think about it—one of the happiest people I ever knew. He had that infectious smile. Even when things looked like everything was crashing down, John would walk into my office or walk into a caucus with that big smile on his face and I wondered, "Where in the hell has he been?" "Did he not just hear what I just heard?" (You think I'm kidding. I'm not kidding.)

But the world knew, [revered], and respected John, from Columbus to Cambodia, from Washington to Beijing. He loved being a senator. He loved his constituents and his colleagues. He loved his staff, many of whom are here today. And, boy, did they love him back.

And you could feel his love for his country and for his state and for the Marine Corps. He was kind of partial to NASA.

But most especially you felt his love for you, Annie, and for Dave and Lyn, and his grandchildren. All you had to do, as I said, was see John and Annie just walk together, just the way they looked at each other, and you knew that's what it's supposed to be like.

I said that to Annie today before we came in and she said, "Well, that's like you and Jill." I said, "No it's different. Everybody knows I love Jill more than she loves me. I think you, [Annie], loved him just as much."

The last time we were together, when Jill and I had Annie and John over to the Vice President's residence—I was looking at the picture this morning, Annie, of you guys walking down the steps, walking out to the gate, and Jill and I behind you. And the words of the poet Christopher Marlowe literally came to mind, and I had to rewrite this on the way to the plane. Christopher Marlowe said: "Come with me and be my love and all the pleasures we shall prove."

Well, together, Annie, you and John proved all the pleasures. You not only had a magical love affair—the other thing about you, you were partners. You were [unclear] partners. Together, you bore the way to fame and responsibility and with enormous humility, and a sense of duty that defined you as the greatest of America's greatest generation.

I think John defined what it meant to be America, what it meant to be an American, what we were about—just by how he acted. Always about promise. We were a country of possibilities, opportunity. Always a belief in tomorrow.

Tomorrow.

When John was at the house a couple years ago it's all he kept talking about: "What are you going to do now, Joe?" "What are we going to do tomorrow?" "We have all these opportunities."

Together, you and John taught us that a good life is built not on a single historic act—or multiple acts—of heroism, but a thousand little things; the thousand little things that build character, treating everyone with dignity and respect.

John was one of the few of my colleagues who would be going to the restroom where there was a shoeshine guy. John would always pat him on the shoulder and give him a hug, understanding that despite fame and position everybody was John's equal.

Everybody was John's equal—in his mind.

And it all comes down to being personal. The President always kids me, Annie, because I'm getting older, now. I could even try to improve on Tip O'Neill's admonition about "all politics is local." I don't think John agreed with that either. I think, and I think he thought, all politics is personal. It's all personal.

It all comes down to being personal—to being there for family, and being there for friends, in good times and in bad times; like you and John were there for me and Jill when I was in the hospital. You were there for us when our son, Beau, was deployed and you were there when we buried him.

It's all about being personal.

Annie, you and John, as was mentioned earlier by the first speaker, were with Ethel [Kennedy]. I happened to be with Ethel Kennedy at an awards ceremony in New York, the little ripple of hope ceremony. And, ironically, a fellow who runs my office, who's a Ohio guy, said John "wasn't doing well." "You ought to call John." And I had a brief discussion with Ethel as I sat with her. And the story is well known about him talking to the kids, being sent back to Hickory Hill. But what struck me was I was told that when you and John got to Hickory Hill, John walked into Senator [Robert] Kennedy's private study and saw that Robert Kennedy, who was the only political [uncertain] I ever had in my life, had out a book of Ralph Waldo Emerson's poetry. And it was opened up, and in a leaf of the book, there in the margins, were comments made by Robert Kennedy. And the passage that John, I'm told, remembered was where Emerson said, "This time, like all times, is a very good one, if we but know what to do with it."

The thing that I liked most about John was he knew from his upbringing that ordinary Americans can do extraordinary things.

Ordinary Americans could do extraordinary things.

And he believed, I believe, he was confident that every successive generation would know what to do with it. And that's the charge I think John left us, Annie: to join our nation's conquests and our nation's explorations as a challenge, not only to fulfill a sacred duty, but to join in this joyous adventure.

So when the Marine plays "Taps" on the bugle at Arlington for our friend, we can look deep into the heavens and know with certitude that John believed—and was right—that future generations of Americans will also look deep within the heavens and understand how to explore, how to serve, how to love; and will come to understand that if we're looking for a message to send about our time here on earth, for what it means to be an American: It's the life of John Glenn. And that is not hyperbole.

So, God bless you, John.

God bless you, Annie.

And may God protect our troops.

IN RECOGNITION OF CAMDYN LEWIS, AVA DECKER, AND MOLLY DOUGHERTY FOR WINNING FIRST PLACE IN THE MIDDLE SCHOOL DIVISION FOR THE 2017 NATIONAL C-SPAN STUDENTCAM VIDEO CONTEST

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Camdyn Lewis, Ava Decker, and Molly Dougherty of West Scranton Intermediate School. These three 8th grade students, with the help of their social studies teacher Erin Mangan, came in first place in the middle school division of the 2017 National C-SPAN StudentCam Video Contest.

The students' prize-winning entry is entitled "US Gun Violence—A Complicated Puzzle." The seven minute piece covers the victims, legislation, law enforcement, mental health, and socioeconomic aspects of gun violence and included interviews with leaders who work in areas related to firearm policy. Those featured in the film were Nicole Hockley, whose son Dylan Hockey was a victim of the Sandy Hook shooting; U.S. Senator BOB CASEY; Philadelphia Police Commissioner Richard Ross, Jr.; NRA Spokesperson Catherine Mortensen; and Jeffry W. Swanson, Ph.D., Professor in Psychiatry and Behavioral Services at Duke University. The video urges Congress and the president to take action to reduce the number of gun-related casualties in the country, but also calls viewers of the piece to action to prevent incidents of gun violence in their communities.

It is an honor to recognize these three young women for covering such an important issue with sensitivity and tact. I congratulate them on winning the 2017 National C-SPAN StudentCam Video Contest. I applaud the faculty and staff at West Scranton Intermediate School for helping these students make a successful video project. Camdyn, Ava, and Molly should be proud of the exceptional piece of journalism they produced.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI SOLDIER SERGEANT (SGT) HENRY LEVON BROWN

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Army Sergeant (SGT) Henry Levon Brown who paid the ultimate sacrifice while defending our nation on April 8, 2003, during Operation Iraqi Freedom. SGT Brown was assigned to Headquarters and Headquarters Company, 1st Battalion, 64th Field Artillery Regiment, Fort Stewart, Georgia. He was serving as a Colonel's driver at the time of his death. He was mortally wounded in an enemy rocket attack in Baghdad.

SGT Brown was born September 30, 1980, in Natchez, Mississippi. He joined the military after graduating from Natchez High School in 1999. SGT Brown held the rank of Corporal with the Army's HHC 2nd Brigade Command Group when he lost his life.

"He was very proud of what he did," said Staff Sergeant James Dayton, who was Brown's Army supervisor for a year and a half and escorted his body to Mississippi. "He was very sharp. He always stayed ahead of me."

"There wasn't anything he wouldn't do for me, and I know there wasn't anything he wouldn't have done for everyone in this room," said his wife, Army Specialist JoDona Brown.

SGT Brown was honored by Natchez Mayor F.L. Hank Smith, members of his high school class, and Adams County supervisors. More than 1,500 people attended the spirited celebration of the soldier's life. Those at the funeral remembered Brown as a quiet, religious young man. Before joining the service, SGT Brown was a Sunday School teacher, secretary, and junior choir member at Greater New Bethel Baptist Church.

SGT Brown is survived by his wife, SPC JoDona Brown, and his mother, Rhonda James-Brown and father, Elm Carter Brown.

NATIONAL LAWN CARE MONTH

HON. ANDY HARRIS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. HARRIS. Mr. Speaker, it is with great pleasure that I rise today to recognize April as National Lawn Care Month. The landscape industry employs nearly 1 million workers and contributes annual revenue of \$78 billion to our nation's economy. From the National Mall to an opening day outfield and even in our own front and back yards, images of beautiful lawns are often iconic depictions of American culture and the American dream.

As we recognize these images, we must also recognize the work that goes into the upkeep of such lawns. Landscape and lawn care professionals play a vital role in ensuring that lawns are not only maintained but also healthy as healthy grass and turf deliver essential benefits to families, communities, and the environment.

Healthy lawns offer protection against disease carrying insects. They provide oxygen, protect our waterways, and clean the air. They are the backdrop for important life memories such as first steps, athletic accomplishments, and gatherings for friends and families. Healthy lawns are important parts of our communities.

PERSONAL EXPLANATION

HON. JUDY CHU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Ms. JUDY CHU of California. Mr. Speaker, due to unforeseen delays on April 5, 2017, I was not present on the House Floor for the

first vote of the day. Had I been present, I would have voted nay on Roll Call No. 217, the Motion on ordering the Previous Question on the Rule providing for consideration of H.R. 1219.

RECOGNITION OF RIBAUT HIGH SCHOOL GIRL'S BASKETBALL TEAM

HON. AL LAWSON, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. LAWSON of Florida. Mr. Speaker, I rise today to congratulate the Ribault High School Girls' Basketball Team. The Lady Trojans won their 11th state championship title with a 60-37 win over Orlando Bishop Moore in the Class 5A championship game. Under the leadership and guidance of Head Coach Shelia Seymore-Pennick, the Lady Trojans are truly a force to be reckoned with.

The Lady Trojans Basketball team is no stranger to winning. With a nearly perfect record for the season, with only a three-point loss, they make residents of Florida's Fifth Congressional District proud.

As a former basketball player, I am excited to witness the success of such hardworking and dedicated young women. They are the true definition of a team and show these qualities both on and off the basketball court.

I look forward to watching their future success in both their academic and athletic pursuits and wish them all the best in their future endeavors.

Mr. Speaker, I congratulate the Lady Trojans Girls' Basketball Team and Coach Shelia Seymore-Pennick on a job well done.

HAPPY 100TH ANNIVERSARY SUL ROSS STATE UNIVERSITY

HON. WILL HURD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. HURD. Mr. Speaker, I rise today to recognize the 100th Anniversary of Sul Ross State University, a premiere public institution dedicated to higher education- nestled in the foothills of West Texas.

On April 4, 1917, Governor James E. Ferguson signed a bill, passed by the 35th Texas Legislature, establishing Sul Ross Normal College. Over the past century, Sul Ross has developed into the cultural and educational epicenter for Alpine and the surrounding areas, offering 25 undergraduate and 22 graduate degree programs administered by a tremendous faculty. Situated in a unique geographic location, Sul Ross offers unparalleled learning experiences in some of Texas' most scenic regions, including Big Bend National Park, Fort Davis State Park, the Rio Grande, and the Guadalupe Mountains.

Today I applaud the 29,000 graduates and countless faculty and staff members who have helped shape Sul Ross State University into the institution it is today. The positive impact

of this university resonates across Texas' 23rd Congressional District.

RECOGNIZING THE LIFE OF FALLEN ARMY SPECIALIST (SPC) CASEY MICHAEL LAWARE

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of fallen Army Specialist (SPC) Casey Michael LaWare who paid the ultimate sacrifice while defending our nation on April 9, 2005, during Operation Iraqi Freedom III. SPC LaWare was severely burned in a guard tower fire in Al Mahmudiyah, Iraq and passed away at the Landstuhl Regional Medical Center in Germany.

SPC LaWare was assigned to the 2nd Squadron, 11th Armored Cavalry Regiment, Fort Irwin, California. LaWare enlisted in the Army prior to graduating from Enterprise High School in 2004. He was trained as a sharpshooter and deployed to the Mosul region in northern Iraq as part of the buildup of U.S. forces for the Iraqi election.

SPC LaWare's mother, Kathy Grace, said her son was proud to serve America and the Army is what he really wanted to do with his life. In a Los Angeles Times news article, family members said SPC LaWare wanted to serve our nation.

"He wanted to be in the Army. He wanted to serve his country," said cousin, Kendall Grace, of Redding, California.

"The hands-on activities from the Army appealed to him," his uncle, Dick Grace, said. "He was challenging himself."

California Governor Arnold Schwarzenegger issued a statement when he heard about SPC LaWare's death.

"Serving in the armed forces is a noble calling with grave risks. SPC LaWare bravely assumed those risks and we honor his courage and commitment to our country."

SPC LaWare honored his family in great service to our nation. His sacrifice will not be forgotten.

NATIONAL RETIREMENT PLANNING WEEK

HON. DON BACON

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. BACON. Mr. Speaker, I rise today in recognition of the more than 48 million Americans who have currently reached retirement age. Shockingly, a significant number of Americans have saved nothing for their retirement. While retirement is often viewed as an issue for older Americans, today's economic realities mean that saving for retirement needs to start earlier than ever before. With rising healthcare costs, longer life spans, a burdensome tax code, and a reduction of pension offerings, more Americans than ever before are should-

ering the burden of financing retirement entirely by themselves.

The first week of April has annually been proclaimed as National Retirement Planning Week. Under the leadership of the National Retirement Planning Coalition, we are all being urged to rethink what we believe we know about retirement planning. Despite developing trends, the National Retirement Planning Coalition hopes to help guide all Americans towards securing a dignified retirement through holistic planning.

Mr. Speaker, there are steps we all can take to achieve financial independence in our retirement years. We now have the opportunity to renew the national conversation on the importance of preparing and protecting retirement. I encourage my colleagues to support legislation which will help their constituents prepare for a dignified retirement.

TRIBUTE TO DAVID POMERANTZ

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mrs. LOWEY. Mr. Speaker, I rise to pay tribute to David Pomerantz, the retiring Democratic Staff Director of the House Appropriations Committee, who reflects the best of public service and the institution of Congress.

The Appropriations Committee has historically been a body more interested in substance and policy than politics. Democrats and Republicans fight strongly for what we believe in, and at the end of the day, we try to work together to produce good legislation that funds important services and investments, helps Members of Congress address local challenges, and provides sound guidance to federal agencies as they administer federal law.

But Members of the Appropriations Committee could not accomplish any of these goals if not for the hard work and support of dedicated staff, like David.

His retirement is bittersweet. Since 2011, David has led our House Democratic staff and supported the Members of our Committee with wisdom, calm, and occasionally boisterous laughter. David and I have had more emergency meetings, late night conference calls, and strategy sessions than either of us care to remember. His steady hand has been an asset during some of the most contentious funding debates with which the federal government has ever had to grapple.

While we already miss his depth of knowledge, expertise, and good humor, we are delighted for him to begin this new chapter in his life.

Having grown up on the West Coast, the son of a successful professional in the entertainment industry, David's return to his family's roots on the East Coast and his pursuit of a long career in federal service may have seemed counterintuitive. Prior to his distinguished career on Capitol Hill, Dr. Pomerantz was an Assistant Professor of Political Philosophy at SUNY Stony Brook. He began his service to the U.S. House of Representatives with the Democratic staff of the Rules Committee in 1983. He joined the Appropriations

Committee in 2001, where he served as Professional Staff, Clerk of the Commerce, Justice, State Subcommittee, and Director of the nonpartisan Surveys & Investigations staff under Chairman and Ranking Member David Obey and finally as Democratic Staff Director for Ranking Member Norm Dicks and myself.

David reflects the best of this institution. He served the Appropriations Committee, the Rules Committee, and the U.S. Congress with integrity and skill. His time and talents were essential in solving some of the greatest challenges before the Congress, particularly in recent years when we faced government shut-downs and gridlock over appropriations and budget matters. In addition to his expertise of agency and program budgets, his knowledge of parliamentary process is unparalleled. His vast institutional knowledge of the House is second to none, and he will be sorely missed. Members of the Committee, staff, and the full Democratic caucus are deeply indebted for his tireless service and dedication.

It is a testament to David's leadership that our Committee remains so well prepared to address the great challenges we face, and his lasting imprint will be an unyielding commitment to fighting for Democratic ideals and an excellent staff who will carry forward his legacy.

I wish David the best as he begins this new and exciting chapter in his life.

GOLD STAR FAMILIES

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. LONG. Mr. Speaker, I rise today to recognize and thank College of the Ozarks in Branson, Missouri, for their dedication to honoring Gold Star Families in Missouri by building Missouri's first memorial dedicated to those individual families.

A Gold Star family is one that has lost a loved one in military service.

The Gold Star memorial on College of the Ozarks campus will honor Gold Star Families of Missouri. This memorial preserves the memory of the fallen and stands as a stark reminder that freedom is not free. College of the Ozarks feels that it is their duty to honor all who have paid the ultimate sacrifice. Building this memorial is the college's way of honoring those families that sacrificed everything in the name of freedom.

I urge my colleagues to join me in recognizing College of the Ozarks on their outstanding dedication to this country by honoring Missouri's Gold Star Families.

DEATH OF SECRETARY WILLIAM T. COLEMAN

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Ms. LEE. Mr. Speaker, I rise to honor the life of a civil rights champion: Secretary William T. Coleman.

I had the privilege to know while working as a congressional staffer for another civil rights hero, Congressman Ron Dellums.

Secretary Coleman served this country with character and conviction.

He served in World War II and graduated first in his 1946 Harvard Law School Class.

He also broke through racial barriers to become the first African American Supreme Court Clerk and the second African-American in U.S. history to lead a Cabinet-level department.

Secretary Coleman believed deeply in the Constitution and fought to defend civil rights at all costs.

It was his commitment to that belief that led Thurgood Marshall to recruit Secretary Coleman to coauthor the legal brief in *Brown v. Board of Education* in 1954.

I was honored to work in a bipartisan fashion alongside Secretary Coleman's Special Assistant, Elaine Jones during his tenure as Secretary of Transportation in the Ford Administration.

Together we were able to include language on affirmative action in the Airport and Airway Development Act.

Secretary Coleman's determination in the face of discrimination has served as an inspiration for me throughout my career.

My thoughts and prayers are with Bill's wife and family during this trying time.

I am confident that his legacy will live on through the lives of those he touched.

May his soul rest in peace.

IN HONOR OF ALENE OWENS

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. BRADY of Texas. Mr. Speaker, after four decades of service on the Downhome Gospel radio show on KMYL and two decades as the show's primary host, Alene Owens signed off Madisonville's airwaves on Sunday, April 2, 2017.

Although she was born 84 years ago in Nacogdoches, Texas, Miss Alene and her family settled in Madisonville in 1976 where she began working as an assistant radio co-host. Never did she think she would host the Sunday morning gospel hour, but that is just what happened. After the host moved away, KMYL owner Leon Hunt asked Miss Alene to take over.

Miss Alene says she didn't know much about the radio business or hosting a radio show back then, but she dove right in and started sharing her love of the Lord to all who tuned in. She cherishes the listeners and supporters of her show and considers herself blessed to share God's glory over the radio.

As a busy member of Lakeview Missionary Baptist Church, Miss Alene has more praise for the Lord than ever. She is Superintendent of her Sunday School Class and a member of a prayer band that meets four times a week—all while striving to get even more involved in her Women's Bible Class.

As if her calling wasn't enough, Miss Alene is excited about having more time to enjoy her

nine great-grandchildren. While she feels the Lord moving her in a new direction, she remains thankful for her faithful listeners, station owner Leon Hunt, the KMYL family, and especially her Heavenly Father for "the strength to continue on this long."

She is confident that the next Downhome Gospel host will take the program she has loved for four decades to "another level in the name of Jesus." As she embarks on her next adventure, it is my honor to recognize Miss Alene and thank her for her many years of faithful service.

HONORING GIVE EVERY CHILD A CHANCE CEO CAROL DAVIS

HON. JERRY MCNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. MCNERNEY. Mr. Speaker, I want to honor Carol Davis for her long commitment to the future of our youth and her belief in the power of education to improve our communities. Over the last 17 years, Carol Davis' leadership has been instrumental to the academic success of thousands of struggling students in my district.

Ms. Davis turned her lifelong passion for helping children into reality when she became the CEO of Give Every Child A Chance 17 years ago. At that time Give Every Child A Chance (GECAC) was tutoring 125 students within the Manteca Unified School District and had 50 volunteer tutors. In her first year as CEO, Ms. Davis expanded Give Every Child A Chance to provide tutoring assistance to 325 students in need. 17 years later, Give Every Child A Chance reaches more than 4,500 students in 49 schools with more than 400 mentors and tutors. Carol Davis' outstanding leadership and vision has helped make Give Every Child A Chance the San Joaquin region's leading non-profit afterschool program and has greatly improved the lives of thousands of children.

Carol Davis recently retired as CEO of GECAC. She is a highly respected and inspiring public servant of San Joaquin County. I wish Ms. Davis and her family well and thank her for her years of dedicated service to the students and families associated with Give Every Child A Chance.

HONORING THE GAY AND LESBIAN ACTIVIST ALLIANCE OF WASHINGTON, D.C.

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in celebrating the 46th anniversary of the Gay and Lesbian Activists Alliance of Washington, D.C. (GLAA), a revered organization that has long been a leader in the struggle for equal rights for the lesbian, gay, bisexual, transgender, and questioning (LGBTQ) community.

Since its founding in April 1971, GLAA has been a respected and tireless advocate not only for LGBTQ rights, but also for full and equal rights for the District of Columbia, and has been at the forefront of efforts to strengthen enforcement of the landmark D.C. Human Rights Act of 1977. One of GLAA's most significant achievements, on which it worked with coalition partners, D.C. elected officials, and District residents, was the enactment of the D.C. Religious Freedom and Civil Marriage Equality Amendment Act, which allowed same-sex couples to marry in the District.

GLAA also has been an outspoken advocate for LGBTQ youth and seniors; has stood up for the rights of LGBTQ consumers; has upheld the rights of transgender people, including equal treatment by police and access to culturally competent healthcare; has educated and rated local candidates on LGBTQ issues; and has built and nurtured coalitions with other constituencies to advance these causes and defend the District's autonomy.

At GLAA's 46th anniversary reception on April 20, 2017, the following recipients of its 2017 Distinguished Service Awards will be recognized:

José Gutierrez is an activist, historian, poet and leather enthusiast who resides in Washington D.C. and is originally from Reynosa, Mexico. His family immigrated to Atlanta, GA in the mid-1980s, where he launched his advocacy career working for AID Atlanta and co-founding Latinos en Acción, a Latino LGBTQ organization. José is recognized for his work on human rights and AIDS advocacy both locally and nationally. In 2000, he founded the Latino GLBT History Project, the oldest D.C. Latino LGBTQ organization and most recently co-founded the Rainbow History Project, DiCción Queer and the Latino Leather. In 2007, José organized the first D.C. Latino Pride. Currently, José is pursuing his B.S. in psychology at the University Ana G. Mendez, and works at the Department of Homeland Security in the District. José is an active member of the D.C. Latino Caucus, LULAC LAMBDA, the OutWrite and the Latinx LGBTQ D.C. Center.

Reverend Cedric A. Harmon is a native Midwesterner with Southern and New England influences—a surprise last child to older parents who shared with him the gift of experience and wisdom. He has a B.S. in media management from Emerson College, and has completed extensive graduate work at Wesley Seminary. Cedric's deep faith calls him to do the work of justice and equality and to equip others to do the same. He is also known for his writing and television appearances—again on human rights and social justice—and serves on several boards having to do with sexuality and religion. He served as pastor of a “radically inclusive” congregation in the District, and is currently Executive Director of Many Voices—a new nonprofit creating a Black Church movement for gay and transgender justice.

Mara Keisling is the Executive Director of the National Center for Transgender Equality, the nation's leading social justice advocacy organization winning life-saving change for transgender people. Since founding NCTE in 2003, Mara has led organizational and coalition efforts that have won significant advances

in transgender equality, including the inclusion of gender identity in the Employment Non-Discrimination Act, the first-ever congressional hearing on transgender issues, and countless federal administrative and state-level wins. As one of the nation's leading voices for transgender equality, Mara is regularly quoted in national and local print media and has appeared on major television networks. She was part of the first all-transgender television interview on Melissa Harris-Perry's show in 2012. Mara holds a B.A. from Pennsylvania State University, and did her graduate work in American Government at Harvard University.

Reverend Barry W. Lynn is the retiring Executive Director of Americans United for Separation of Church and State (AU) after serving in that capacity for the last 25 years. GLAA has worked very productively with Rev. Lynn and his highly capable and efficient staff at AU in resisting the federally imposed school voucher program in D.C. These private schools are not accountable to D.C.'s elected officials and their students, staffs, and teachers may lack the protections of the D.C. Human Rights Act. We are also honoring Rev. Lynn for aggressively defending the civil rights of the LGBTQ community on a host of national issues. He has long championed marriage equality, fought against “bathroom bills” that demonize transgender men and women and legislative attempts to gut local and national civil rights protections in the guise of “religious freedom.” The AU has, with Rev. Lynn's direction, filed numerous amicus briefs in cases directly affecting the LGBTQ community. Few if any other activists have been more outspoken than Rev. Lynn in integrating the interests of the LGBTQ community with the whole range of church-state separation issues.

I ask the House to join me in honoring the recipients of GLAA's 2017 Distinguished Service Award and in celebrating GLAA's 46 years of contributions to the LGBTQ community in the District of Columbia.

**RECOGNIZING THE LIFE OF FALL-
EN MISSISSIPPI SOLDIER MA-
RINE STAFF SERGEANT (SSG)
JASON AARON ROGERS**

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Marine Staff Sergeant (SSG) Jason Aaron Rogers who paid the ultimate sacrifice while defending our great nation on April 7, 2011. SSG Rogers was killed in Northern Helmand Province, Afghanistan when an improvised explosive device detonated while he was clearing a path for wounded marines in a live mine field during combat operations. He was assigned to the 2nd Combat Engineer Battalion, 2nd Marine Division, II Marine Expeditionary Force out of Camp Lejeune, North Carolina.

SSG Rogers was born on April 9, 1982, in Jackson, MS. He graduated from Brandon High School in 2000. Shortly after September 11, 2001, SSG Rogers joined the Marine Corps, where he served eight years. He was

deployed on six overseas assignments, five of which were combat deployments in Iraq and Afghanistan. He was 28 years old at the time of his death.

SSG Rogers' mother, Jenny Smith, recently said, “I'm extremely proud. He was proud to serve our country. He had a calling to offer his life for friends and family. He loved America. Every year, we hold the Annual Running for Jason 5K Run/Walk in Brandon to honor his service.”

Mayor Tim Coulter of Brandon, Mississippi said, “We are saddened by the death of one of our hometown heroes, Jason Rogers, a brave man of character. He will be missed by our city and our hearts and prayers are with his family at this time.”

Brandon Winfield, a childhood friend of SSG Rogers said, “The loss of Jason Rogers is going to make this world an emptier and lonelier and colder place. I could write a War and Peace sized story of the kind of person he was. Some people have it; the room just seemed to be dizzier and brighter with him in it.”

SSG Rogers is survived by wife Angela Rita Marie Rogers. He is also survived by his parents, Jennifer and William Smith, and Liz and Tracy Aaron Rogers.

**HONORING LIEUTENANT COLONEL
CHRISTOPHER L'HEUREUX**

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. LANGEVIN. Mr. Speaker, today I recognize Lieutenant Colonel Christopher L'Heureux of the United States Army for his extraordinary dedication to duty and service to our Nation. Colonel L'Heureux will soon transition from his current assignment as an Army Congressional Liaison in the House of Representatives to serve as the Commander of 2d Squadron, 2d Cavalry Regiment. The unit is currently leading a multinational battle group in Poland deterring adversaries and reassuring allies of America's continued commitment to the region.

A native of Woonsocket, Rhode Island, Colonel L'Heureux began his military career as an enlisted infantryman in the Rhode Island Army National Guard. He was commissioned in 1999 through the Providence College Army ROTC Program and subsequently assigned to a tank battalion in Germany. While in Germany, he deployed twice to Kosovo and again to Iraq as part of Operation Iraqi Freedom. Since then, Colonel L'Heureux has served in multiple leadership and staff positions in combat units, including two additional deployments to Iraq and one to Afghanistan.

In 2015, Colonel L'Heureux was selected to serve as a Congressional Liaison in the United States Army House Liaison Division. As the primary liaison between Members of the House of Representatives and the Army, Colonel L'Heureux has provided insight and a deep understanding of Army policies, actions, operations, and requirements. His first-hand knowledge of the military, its culture, and traditions has been of tremendous benefit to Congressional offices. Chris was especially effective in

his service to Members and staff as he escorted them on fact-finding and oversight delegations within the United States and to multiple countries in South America, Europe, and the Middle East. I have had the privilege to travel with Colonel L'Heureux on several occasions, including to Israel and to various military exercises in the United States, and I found him to be a thoughtful, intelligent, and dedicated Soldier in the best traditions of America's Armed Forces and the men and women called to serve from the great state of Rhode Island.

Mr. Speaker, it has been a pleasure to work with Colonel L'Heureux during his time as an Army Congressional Liaison Officer in the House of Representatives. On behalf of a grateful Nation, it is my honor to recognize the selfless service and sacrifice of Lieutenant Colonel Christopher L'Heureux, his wife, Danielle, and their children, Ella and Jonathan. I wish them the very best as they continue their journey in the United States Army and thank them for dedicating their lives to the service of our Nation.

PERSONAL EXPLANATION

HON. STEPHANIE N. MURPHY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mrs. MURPHY of Florida. Mr. Speaker, on April 4, 2017, I was unavoidably absent from the House chamber due to a family medical emergency. Due to these unforeseen circumstances, I was unable to vote on six legislative measures on the floor.

Had I been present and voting, I would have voted as follows:

- 1) Nay on Roll Call No. 211: H. Res. 241, On Order the Previous Question, Providing for consideration of H.R. 1304, the Self-Insurance Protection Act
- 2) Nay on Roll Call No. 212, H. Res. 241, On Agreeing to the Resolution, Providing for consideration of H.R. 1304, the Self-Insurance Protection Act
- 3) Nay on Roll Call No. 213, H. Res. 240, On Ordering the Previous Question, Providing for consideration of H.R. 1343, the Encouraging Employee Ownership Act of 2017
- 4) Nay on Roll Call No. 214, H. Res. 240, On Agreeing to the Resolution, Providing for consideration of H.R. 1343, the Encouraging Employee Ownership Act of 2017
- 5) Aye on Roll Call No. 215, H.R. 1343, On Motion to Recommit with Instructions, the Encouraging Employee Ownership Act of 2017
- 6) Aye on Roll Call No. 216, H.R. 1343, On Passage, the Encouraging Employee Ownership Act of 2017

IN RECOGNITION OF ALLISON LOUISE ROSA

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. VALADAO. Mr. Speaker, I rise today to thank Ms. Allison Louise Rosa for her service

to my office and the people of California's 21st Congressional District.

Ms. Rosa was born May 14, 1994 in Hanford, California where she grew up on her family's dairy farm with her parents, Roland and Karen, her sister Emily, and her brother Jack. Growing up, Allison was very active in the dairy community; she was even crowned the First Alternate Dairy Princess for Kings County, California in 2012.

After graduating from Mt. Whitney High School in Visalia, California, Ms. Rosa went on to attend College of the Sequoias and Holy Names University. She graduated in 2016 from Fresno Pacific University with a degree in Communications. While in college, Allison was an avid tennis player and an NCAA division II athlete.

Allison joined my team as Scheduler in my Washington, D.C. office in May 2016. As Scheduler, she was instrumental to my team through managing my daily schedule and helping her coworkers with daily tasks to make the office run more smoothly. While on my team, Allison was greatly respected by her peers for her professionalism, dedication to her work, and sense of humor.

Outside of work, Allison enjoys spending time with her friends and talking to her family back in California. She is currently looking forward to moving back home to California to be closer to her family and the coast.

Ms. Rosa's time with my office will come to a close April 7, 2017 when she leaves to begin a new career at Epoch Estate Wines in Templeton, California. Knowing Ms. Rosa, her character, and her work ethic, I have no doubt that she will achieve many great things in her future.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Ms. Allison Louise Rosa for her public service to the people of the Central Valley and wishing her well as she embarks on the next chapter of her life.

RECOGNIZING APRIL 3-7, 2017 AS NATIONAL RETIREMENT PLAN- NING WEEK

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. ROE of Tennessee. Mr. Speaker, I rise today to recognize April 3-7 as National Retirement Planning Week.

Saving for retirement is one of the most important steps that Americans can take to build a better future for themselves and their families. Unfortunately, all too often, saving for retirement remains a distant goal that is put off in exchange for more immediate needs. The Government Accountability Office reports that 29 percent of Americans aged 55 and older have no retirement savings, and no traditional pension. With this in mind, it must be a national priority for us to communicate the importance of retirement planning. By encouraging more Americans to adequately prepare for their retirement years, we can significantly enhance retirement security in the United States.

Recognizing this week as National Retirement Planning Week is an important step to

help raise awareness of this need, and I commend the members of the National Retirement Planning Coalition for their efforts to educate Americans about the importance of retirement planning. I wish them all the best as they continue this valued campaign.

HONORING THE SERVICE OF RICH RIMKUNAS

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Ms. PELOSI. Mr. Speaker, I rise today to wish Rich Rimkunas congratulations for his many long years of service to Congress. Rich Rimkunas has had a career filled with outstanding achievement at the Congressional Research Service. After nearly 37 years of service, Rich will be retiring from CRS on Friday, April 28th.

When Rich joined CRS in 1980, he was an analyst working on a broad array of social policy issues. Initially, he worked on such issues as child nutrition, poverty, social security, social services for the aged, and unemployment insurance. Rich co-created and co-authored a widely circulated CRS report on federal social welfare spending. He was also a co-author and contributor to several chapters in the House Ways and Means Committee print *Children in Poverty*, which provided a detailed look at the incidence and characteristics of child poverty in the United States.

Rich ultimately became heavily involved in providing research and analytical support to the Congress on many health policy issues, including analyses of aggregate national health expenditures, the Medicare hospital prospective payment system, the Medicare Advantage program, and Medicare catastrophic drug costs. Additionally, he has worked on numerous issues related to Medicaid. He both directed a team of CRS analysts as well as contributed his own analysis to the Medicaid "Yellow Book," a 1988 House Ways and Means Committee print that provided a comprehensive analysis of the Medicaid program as it existed at the time. Rich also managed the 1993 update of the "Yellow Book."

Rich's analyses have typically involved quantitative research methodologies, modeling techniques, and the use of complex databases. Rich has excelled at developing approaches for simulating the effects of potential changes to federal benefits and grant allocation formulas.

In addition to the direct impact his research and analytical work has had on federal policies, Rich has made equally important contributions within CRS in managerial roles. During his tenure at CRS, he has served as Section Research Manager (SRM) of the Methodology Section, the Research Development Section, the Research Development and Income Support Section, and the Health Insurance and Financing Section. During his tenure as an SRM, Rich helped manage CRS work on the 1996 welfare reform law and the 2003

overhaul of Medicare in the Medicare Prescription Drug, Improvement, and Modernization Act. Rich helped manage an inter-disciplinary team numbering about 3 dozen CRS analysts that provided legislative support during the passage of the Affordable Care Act.

Throughout his career, Rich has served as a role model for the highest level of CRS service to Congress, upholding the Service's standards of authoritativeness, objectivity and confidentiality. He is known within CRS for his attention to detail, methodological strength, and creative approaches toward conducting analyses. His input is sought on a great many research efforts spanning virtually all of the major domestic social policy issue areas that Congress deals with.

Rich is renowned for his tremendous work ethic and energizing presence. Those who have worked closely with him appreciate his ability to keep his sense of humor even during the most stressful times.

In recent years, Rich has served as the Deputy Assistant Director of CRS's Domestic Social Policy Division. In that role he has mentored and helped develop many of the division's managers, analysts and research assistants. He has also played a central role in reviewing written work produced by the division, helping to ensure its accuracy, completeness and quality. Moreover, in his work as a division manager, Rich has served on numerous advisory panels that have recommended organizational practices and policies for CRS, many of which have been adopted.

Rich's policy expertise has been broadly recognized. He is regularly sought for his expertise at professional meetings and conferences. He was nominated to the National Academy of Social Insurance in 2002 and has served on the steering committee of the National Health Forum. He has also been recognized with numerous Library of Congress Special Achievement Awards.

Rich has devoted nearly his entire distinguished professional career to supporting the work of the Congress and to helping build and strengthen CRS and forward its mission. Congratulations to him, and I wish him many long and happy years in retirement.

COMMEMORATING THE WORLD WAR I CENTENNIAL

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor and remember twelve brave soldiers from Crockett and Port Costa, California who paid the ultimate price to defend our nation. This week marks the 100th Anniversary of the United States Entry into World War I.

The Crockett Memorial in my district reads: "In loving memory of the men of this community who gave their lives in the great war. D. Crowley, G.M. Lee, W.E. Dunn, O.A. Sweet, M.H. Sievers, F. Remaini, B.L. Catelini, C.W. Ross, J.R. Carroll, R.L. Dingman, V.L. Dunn, B.A. Secor." These soldiers, their families, and our community sacrificed to serve our nation. We are forever in their debt.

I would like to honor and thank the members of the Crockett Memorial Hall Restoration Committee, including Harvey Duran, Kent Peterson, Mike Kirker, Ron Wilson, Bud Burlison, Scott Lawton and Charles Dell, as well as the members of the Crockett Historical Society, including Mary Wais, Kathy Cargo and Erin Mullen-Brosnan for organizing a commemoration for this anniversary and for supporting numerous events for veterans in our community.

These individuals and their organizations bring our community together and encourage us to remember the sacrifices of those who came before us, as well as the heroes who still live among us. They are passionate advocates for our veterans and our history, and they are responsible for organizing the Phillips 66 Annual Crockett Walk of Honor for Veterans, fundraising events for the restoration of the WWI Memorial Hall, the Memorial Day Concert and the Veterans' Day Parade.

Mr. Speaker, we are forever grateful and humbled by the lives that were given for us all those years ago. We owe tremendous gratitude to the Crockett Memorial Hall Restoration Committee and the Crockett Historical Society for their service. It is therefore fitting and proper that we honor them here today.

HONORING PFC ROBERT LIEBRICH

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. LANGEVIN. Mr. Speaker, it is my solemn privilege to recognize the late World War II veteran Private First Class (PFC) Robert Liebrich of Rhode Island. Tomorrow, it will be my honor to present Carol Liebrich, his widow, a Purple Heart with Bronze Oak Leaf Cluster for PFC Liebrich's meritorious service with the Army after being shot in the arm during an engagement with opposing forces. This is the second Purple Heart for PFC Liebrich, who was first injured after being shot in the abdomen in events leading up to the Battle of the Bulge, which began in December 1944. He was only 18 years old when he sustained both injuries.

We owe our Soldiers who fought in World War II an enormous debt of gratitude, and PFC Liebrich is no exception. Mr. Speaker, I would like to thank PFC Liebrich and his widow, Carol, for dedicating their lives to the service of our Nation and for defending humanity and human dignity during one of our world's most pressing crises. It will be a great and humbling honor to present this award to Mrs. Liebrich for her husband's heroism.

HONORING THE LIFE AND LEGACY OF MR. LOLIS EDWARD ELIE

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. RICHMOND. Mr. Speaker, I rise today to honor the life and legacy of Mr. Lolis Ed-

ward Elie, a prominent New Orleans, Louisiana civil rights lawyer, who passed away on April 4, 2017 at the age of 89.

Mr. Elie was born on February 9, 1928 in New Orleans, Louisiana. He attended Gilbert Academy, a Methodist high school. After high school he did a six-month stint as a merchant seaman and wound up in New York City, where he was impressed by the music clubs and the Apollo Theater. To support himself, Mr. Elie did menial work such as shining shoes and delivering stationery.

When the Korean conflict broke out, Mr. Elie was drafted into the Army and sent to California, where he was trained as a clerk. Afterward, he attended Howard University, and then transferred home to Dillard University, where he helped to organize a sizable student chapter of the NAACP. It was suspended in 1956 after the Legislature required civil rights groups to publicly reveal their membership lists, putting members at risk.

In 1959, Mr. Elie received his law degree from Loyola University Law School, got an office on Dryades Street and opened what became the legendary firm of Collins, Douglas & Elie with Loyola Nils Douglas and Robert Collin.

In 1960, Mr. Elie and his colleagues represented the New Orleans chapter of the Congress of Racial Equality (CORE) following a sit-in campaign. The case, centered on CORE chapter President Mr. Rudy Lombard and three others who were arrested for staging a sit-in protest, paved the way for a watershed decision that redefined racial justice in America. They appealed the case all the way to the United States Supreme Court which, in its decision, declared the city's ban on sit-ins unconstitutional.

Later in his career, Mr. Elie was one of seven supporters of the Freedom Riders who met with Attorney General Robert Kennedy, when Kennedy encouraged them to register black Southerners to vote to increase their political power. He also represented the 'Deacons for Defense and Justice' in their negotiations with the Governor's office and Bogalusa City Council defending their right to self-defense.

Mr. Elie remained active in New Orleans and continued to mentor the next generation of leaders through his training program for new black lawyers. Though he is no longer with us, his influence and example will live on through the many young black men and women who continue to be inspired by his legacy, myself included.

Mr. Elie's survivors include his son Mr. Lolis Eric Elie, his daughter D. Migel Elizabeth Elie; three grandchildren; and three great-grandchildren.

Mr. Speaker, I celebrate the life and legacy of Mr. Lolis Edward Elie, a beloved husband, father, and grandfather.

HONORING BISHOP JIMMY W. GLENN, SR.

HON. MARC A. VEASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. VEASEY. Mr. Speaker, I rise today to honor Bishop Jimmy W. Glenn, Sr. who was

recently elevated to Auxiliary Bishop of Texas Northeast Forth Ecclesiastical Jurisdiction of the Church of God in Christ.

Bishop Glenn was born in 1954 to Superintendent Emuel Robert Glenn Sr. and Mrs. Dixie Jewel Glenn. Bishop Glenn was raised in the Lake Como community of Fort Worth, where he proudly graduated from Trimble Technical High School in 1973. His legacy of ministry started at the early age of 8 when he began singing in a number of church programs at Wayside Church of God in Christ. He embraced his call to service at a very young age and sang at revival services around Texas with Bishop R.E. Ranger and his father.

By the time Bishop Glenn turned 21 in 1979, he was licensed to preach. The Church of God in Christ ordained Bishop Glenn as an Elder in 1981, and he served for two years under his father at the St. Paul Church of God in Christ. In 1983, he was named pastor of Gospel Lighthouse Church of God in Christ in Cleburne, Texas. Bishop Glenn served in that parish for 10 years before spending time at several churches in Fort Worth, including Gethsemane Church of God in Christ, the St. Mary Church of God in Christ, and Greater Love Chapel Church of God in Christ.

Bishop Glenn has served in a number of leadership positions at the state and national level within the Church of God in Christ. He served as Chief Adjutant to the late presiding prelate of Texas Northeast First Ecclesiastical Jurisdiction of the Church of God in Christ, Bishop James Neaul Haynes. Bishop Glenn served as a National Adjutant to Bishop Haynes as well during Haynes' tenure as one of the 12 General Board members of the Church of God in Christ. Bishop Glenn served loyally in this capacity with Bishop Haynes for over 30 years until Haynes' death in March of 2015. Currently, he holds the title of Vice President of the National Evangelist Department at the national level.

The Church of God in Christ will honor Bishop Glenn's lifetime of service and his appointment to the post of Auxiliary Bishop of Texas Northeast Fourth Ecclesiastical Jurisdiction at an inaugural banquet and celebration in Fort Worth, Texas on May 5, 2017.

I honor Bishop Jimmy W. Glenn, Sr.'s decades of service to the Church of God in Christ.

RECOGNIZING THE LIFE OF FALL-
EN MISSISSIPPI SOLDIER ARMY
STAFF SERGEANT (SSG) JERRY
CLARK BURGE, JUNIOR

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Army Staff Sergeant (SSG) Jerry Clark "Chip" Burge, Junior who paid the ultimate sacrifice while defending our nation on April 4, 2007, during Operation Iraqi Freedom. SSG Burge was mortally wounded when an improvised explosive device detonated near his military vehicle. SSG Burge and Corporal Joseph H. Cantrell IV, of Ashland, Kentucky, were both killed by the blast.

Prior to his death, SSG Burge received a Purple Heart for being wounded during a pre-

vious deployment in Kosovo. It was during that tour that SSG Burge, a demolitions expert and engineer, was investigating a bomb in a house when it exploded. He suffered damage to his eyesight and hearing. He also received a concussion. At the time of his death, SSG Burge was serving his second tour of duty.

SSG Burge, a Picayune native, was assigned to the 2nd Battalion, 8th Cavalry Regiment, 1st Brigade Combat Team, Fort Hood, Texas. SSG Burge's aunt, Bobbi Kenney, told a local newspaper that her nephew was a soldier who knew the risks associated with his job, but was willing to take the risks in order to serve his country.

Picayune American history teacher Allison Wheat remembers the day of SSG Burge's funeral procession. The whole student body of Picayune High School and members of the community attended in order to pay their respects. In memory of SSG Burge, Wheat's students began hosting a luncheon on Veterans Day to honor veterans and their families. SSG Burge's family attends the luncheon every year. What began with ten veterans has grown to more than 100 in attendance.

SSG Burge will always be remembered as a tough soldier and leader, and at the same time, a great father of three. His devotion to protecting our freedoms will not be forgotten.

RECOGNIZING THE LIFE OF FALL-
EN MISSISSIPPI SOLDIER MA-
RINE PFC CHRISTOPHER DALE
MABRY

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of fallen Mississippi soldier Marine Private First Class (PFC) Christopher Dale Mabry who paid the ultimate sacrifice while defending our nation on April, 7, 2004, during Operation Iraqi Freedom III. PFC Mabry was killed by hostile fire battling Sunni insurgents while conducting combat operations west of Baghdad in Al Anbar Province, Iraq.

PFC Mabry, a Chunky native, was assigned to 2nd Battalion, 4th Marines, 1st Marine Division, I Marine Expeditionary Force, Camp Pendleton, California. PFC Mabry enlisted in the Marines the last year of high school at Clarkdale Attendance Center. While in high school, PFC Mabry excelled in track and once placed second in the 400-meter sprint at a track meet in Carthage in 2002. PFC Mabry, a high school senior defensive back, led the football team to a district championship and to the state playoffs. Football team member, Spencer Robinson, remembers Mabry's dedication.

"He was the leader of the team," Robinson said. "Everyone followed him. He was the hardest worker in the weight room and the most energetic athlete."

On the day of his funeral, 300 people attended the funeral at the First Baptist Church. Cars lined the streets leading to the church. An American flag was raised on the ladder of a fire truck. Clarkdale Attendance Center students were excused from class to pay their re-

spects. PFC Mabry's grandmother, Frances Mabry, will never forget the response from the community.

"I'm not surprised at the turnout," Mabry said. "I know he's proud of all the people being here. I know Chris is happy about that."

PFC Mabry proudly served our nation. His devotion to protecting the freedoms we all enjoy will not be forgotten.

PROTECTING THE NATIONAL EN-
DOWMENTS FOR THE ARTS AND
HUMANITIES

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Ms. DeLAURO. Mr. Speaker, I rise today in strong support of the National Endowments of the Arts and the Humanities. The Trump Administration has proposed completely defunding these two essential organizations.

President Trump's budget would eliminate the NEA's \$148 million budget, the NEH's \$148 million budget—accounting for less than .03 percent of total discretionary spending. Yet the impact they make on our communities is enormous. While all fifty states would be negatively impacted by these cuts, rural communities would be hit the hardest. According to the National Assembly of State Arts Agencies, approximately 25 percent of NEA block-grant funds go to rural communities and 54 percent to low-income areas.

A nation without arts is one without an identity. In the words of one of my heroes, the late Congresswoman Barbara Jordan, "The arts are not a frill. The arts are a response to our individuality and our nature, and help to shape our identity. Art has the potential to unify. It can speak in many languages without a translator. The arts do not discriminate. The arts can lift us up." And they do.

Artists have used their mediums to process their experiences—and to share their perspectives with all of us. There is no more valuable gift. We must defend this funding.

HONORING JONATHAN SHUFFIELD

HON. BRUCE WESTERMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. WESTERMAN. Mr. Speaker, I rise today to recognize an individual who has served the people of Arkansas' Fourth Congressional District with dedication during the last two and a half years. My legislative director, Jonathan Shuffield, has led my legislative team since I took office in January 2015, bringing with him an extensive knowledge of federal lands, forestry, and how to navigate the legislative process in the House.

Prior to serving the people of Arkansas, Jonathan worked as a legislative assistant for Congressman STEVE PEARCE of New Mexico beginning in January 2011 and the Congressional Western Caucus, where he served as executive director until December 2014.

While I am disappointed to lose a valuable member of my office's senior leadership, I know Jonathan will continue to make an impact on the important issues in the years ahead. I thank him for his work on behalf of the people of Arkansas and wish him well as he moves forward in his career.

COMMEMORATING 38TH ANNIVERSARY OF THE TAIWAN RELATIONS ACT

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. SHIMKUS. Mr. Speaker, I rise today to commemorate the 38th Anniversary of the Taiwan Relations Act (TRA), the pillar upon which our robust friendship with Taiwan stands.

The United States and Taiwan share the common interests and values of freedom, democracy, rule of laws, human rights and free market. Our security commitment has helped Taiwan become one of the most free and prosperous societies in the world. The United States enjoys cooperation with Taiwan on a broad range of concerns, including security, economic cooperation and development, global engagement, humanitarian relief, counterterrorism, people-to-people exchanges—and the list goes on. It is my firm belief that a strong and prosperous Taiwan will guarantee peace and prosperity in the region.

As we commemorate the 38th Anniversary of the Taiwan Relations Act, it is in the national interest of the United States to take decisive action to strengthen U.S.–Taiwan relations.

I also noticed that the President of the Peoples Republic of China, Xi Jinping is visiting the United States to visit with our President. It is my hope that the upcoming meeting is positive and constructive. U.S. engagement with the PRC is important to the peace and stability of the region. We should always hope and insist that the U.S.–Taiwan relations, and Taiwan's security and interests, are not in any way compromised.

Taiwan is a great friend of the United States. Taiwan is and will continue to be a friend of the United States.

HONORING WILLIAM T. COLEMAN

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Ms. LEE. Mr. Speaker, I rise to honor the life of a civil rights champion: Secretary William T. Coleman, who I had the privilege to know while working as a congressional staffer for another civil rights hero, Congressman Ron Dellums. Secretary Coleman served this country with character and conviction.

He served in World War II and graduated first in his 1946 Harvard Law School Class. He also broke through racial barriers to become the first African American Supreme Court Clerk and the second African-American

in U.S. History to lead a Cabinet-level department.

Secretary Coleman believed deeply in the Constitution and fought to defend civil rights at all costs. It was his commitment to that belief that led Thurgood Marshall to recruit Secretary Coleman to coauthor the legal brief in *Brown v. Board of Education* in 1954. I was honored to work in a bipartisan fashion alongside Secretary Coleman's Special Assistant, Elaine Jones during his tenure as Secretary of Transportation in the Ford Administration.

Together we were able to include language on affirmative action in the Airport and Airway Development Act. Secretary Coleman's determination in the face of discrimination has served as an inspiration for me throughout my career.

My thoughts and prayers are with Bill's wife and family during this trying time. I am confident that his legacy will live on through the lives of those he touched.

May his soul rest in peace.

HONORING THE LIFE OF SUPERVISOR JOHN J. BENOIT AND HIS POSITIVE CONTRIBUTION TO THE LIVES OF THOUSANDS OF RESIDENTS OF RIVERSIDE COUNTY

HON. RAUL RUIZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. RUIZ. Mr. Speaker, I rise to honor the life of Riverside County Supervisor John Benoit who passed away on December 26, 2016 after a life of public service to the people of California and the residents of Riverside County. Throughout his career, Mr. Benoit served with duty, honor, and integrity and was an example to many across the region.

Mr. Benoit began his life in public service with the Corona Police Department and then with the California Highway Patrol. Over the next 30 years, Supervisor Benoit rose through the ranks to become commander of the Indio CHP Station. Because of his dedication and tireless efforts, California's highways and communities are safer. Supervisor Benoit retired from his distinguished career in law enforcement in 2001 to pursue elected office.

Supervisor Benoit served as a board member for the Desert Sands Unified School District in 1999. He also served as a State Senator and while serving as a California Assemblyman, Mr. Benoit drew from his dedication to bettering the lives of children as well as his respect for law and order to write, introduce, and advance Aryanna's Law, Assembly Bill 617, which instituted tougher daycare safety measures. As a resident of California and a father of twin girls, I personally thank him for his work in protecting our children.

I am honored to have had the opportunity to work with him while he was a Riverside County Supervisor. His dedication, respect, and love for his constituents is as an example for all who want to serve their community. I give my deepest sympathies to his wife, Sheryl, and to their two children, Ben and Sarah.

HONORING THE 2017 FAIRFAX COUNTY STUDENT PEACE AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the recipients of the 2017 Fairfax County Student Peace Awards.

The program was founded in 2006 to encourage high-school-aged students to think about peace as both a means and an end, and to recognize young people who work as peacemakers. The program began with one high school and expanded gradually from there. By 2013, the program was offered in every public high school in Fairfax County, as well as in three private schools.

Participating high schools choose one junior or senior or one student group active in promoting peace and/or removing the causes of conflict. Examples of outreach include: committing to peace by engaging in activities that strive to end conflict, either locally or globally, seeking to discuss or otherwise resolve potentially controversial issues within the school or community, promoting the understanding of divisive issues and situations to bridge language, ethnic, racial, religious, gender, sexual orientation, or class differences, and working to resolve conflicts among students or members of the community who feel isolated or alienated.

I am pleased to include in the RECORD the names of this year's Student Peace Award winners.

Ethan Mirani, Cedar Lane Anti-Bullying Committee

Jasmine Howard, Centreville H.S.
Shaan Chudasama, Chantilly H.S.
Vanessa Mae Avendano, Falls Church H.S.
Sabah Munshi, Hayfield S.S.
Surabhi Khanal, Herndon H.S.
Naba Khan, King Abdullah Academy
Shafia Talat, King Abdullah Academy
Jamie Hunstad, Lake Braddock S.S.
Donya Momenian, Langley H.S.
Chrissie Ivanova, Langley H.S.
Naomi Soquar, Robert E. Lee H.S.
Sean Doyle, James Madison H.S.
Aidan Kemp, George C. Marshall H.S.
Josh Leong, McLean H.S.
Sam Gollob, McLean H.S.
Roza Al Barznji, Mountain View H.S.
Yosaph Boku, Mount Vernon H.S.
"Blossoming Beauties", Quander Road School
Narjes Bencheikh, South County H.S.
Emily Lockwood, South Lakes H.S.
Maiss Mohamed, JEB Stuart H.S.
Deema Alharthi, JEB Stuart H.S.
"TJ Minds Matter", Thomas Jefferson H.S.
"Combating Intolerance", West Potomac H.S.

Rodney Wrice, West Springfield H.S.
Audrey Weyer, West Springfield H.S.

Mr. Speaker, the efforts of these young people to build a more peaceful world in their own communities are the building blocks of a more peaceful and tolerant world. I commend them on their efforts and dedication, and ask my colleagues to join me in congratulating each recipient on receiving this award.

IN RECOGNITION OF RON FARADAY, 2017 SUNDAY DISPATCH PERSON OF THE YEAR

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Ron Faraday, who will be honored April 18 as the Greater Pittston Person of the Year. Ron is the president of the Greater Pittston Historical Society. Ron's work with the Greater Pittston Historical Society has helped revitalize the organization's involvement in the community.

The Greater Pittston Historical Society was founded in 2000 as a repository organization so that members of the community could gather, donate, and preserve items of local history. Ron joined the organization in 2012. After an increase of membership and reorganization in 2013, Ron was elected president of the Society. It is headquartered at the Pittston Memorial Library and has 85 active members. The members diligently work to collect memorabilia and digitize newspapers, photographs, and other historical records. Under Ron's leadership, the Greater Pittston Historical Society has partnered with Misericordia University to provide internships to students. The students have helped with the Society's website design, research, and archiving materials. Ron was also instrumental in pushing for the documentary film "Our Town: Pittston" which was released on February 23, 2017 by WVIA-TV.

It is an honor to recognize Ron for all the great work he has done with the Greater Pittston Historical Society. I congratulate him being named the Sunday Dispatch Person of the Year.

HONORING NEW YORK CITY PUBLIC ADVOCATE LETITIA (TISH) JAMES

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. SERRANO. Mr. Speaker, this past February, we all celebrated Black History Month.

As part of that celebration, I was honored to hold my annual Black History Month event, and to take time to recognize and pay tribute to outstanding members of the New York City community. I was proud to pay tribute to my friend, New York City Public Advocate Letitia "Tish" James. She has been a public servant for many years, and worked tirelessly to improve the lives of all New Yorkers.

Ms. James is the first African-American Woman to serve as the New York City Public Advocate and the first woman of color to hold city wide office. This position is vital to New Yorkers, as she acts to ensure that New York City's government is responsive, efficient, and promoting policies that help all New Yorkers. Her office investigates problems at city agencies and pushes solutions both through our court system and through the New York City Council.

Since her election in 2013, Public Advocate James has worked on numerous issues important to Bronxites, including criminal justice reform, paid family leave, and protecting tenants and affordable housing. She has helped lead the push for police accountability, including the use of body-worn cameras by the New York Police Department. She has also worked to ensure that special prosecutors are used in all cases of police misconduct.

She has also worked to hold landlords accountable to ensure that New Yorkers have safe and affordable housing. Through the development of the 'Worst Landlords' list and her active legal strategy to ensure that landlords are held to account for unsafe living conditions, she has made a difference in the lives of many Bronxites and New Yorkers.

Prior to being elected Public Advocate, Letitia James represented Brooklyn as a Member of the New York City Council from 2004 to 2013. As a City Council Member, she fought for Paid Sick Leave, and passed the Safe Housing Act, which ensured that thousands of families in rental buildings receive prompt and full repairs to their apartments. She was also an early critic on the Council of the Office of Payroll Administration's CityTime contract, a payroll system later found to be overly costly and difficult to manage. As a result, she worked to pass legislation addressing oversight of high-cost service contracts with the City of New York. While Chair to the Council's Sanitation Committee, she pushed-through a revolutionary recycling package that included

expanding plastic recycling, a new clothing and textile recycling program, and improved public space recycling.

Public Advocate James is a graduate of CUNY's Lehman College and Howard University Law School. She previously served as an Assistant Attorney General, and a public defender. She currently resides in Brooklyn.

Tish James has helped many of my constituents, and many residents of New York City. Mr. Speaker, I respectfully ask that you and my distinguished colleagues join me in honoring Public Advocate Letitia James for her perseverance and dedication to fighting for all New Yorkers.

RECOGNITION OF FAMU DEVELOPMENT RESEARCH SCHOOL BABY RATTLERS GIRLS' BASKETBALL TEAM

HON. AL LAWSON, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 6, 2017

Mr. LAWSON of Florida. Mr. Speaker, I rise today to recognize a school in my District who was recently crowned as state champions for the third time in three years. The FAMU Development Research School Baby Rattlers Girls' Basketball Team, led by Head Coach Erika Cromartie, made history with a 46-37 win over Tampa Carrollwood in the FHSAA Class 3A state championship game. As a fellow rattler, I am extremely proud of their hard work and dedication in achieving this goal.

The baby Rattlers has had an amazing season and has made Florida's fifth Congressional District proud. They have represented us well. Winning a state championship is a testament to their impressive athletic ability, unselfish mentality, and determination to succeed.

It takes a dedicated combination of skills and many hours of practice to win a state title. They have surely earned this honor. I look forward to watching their future success in both their academic and athletic pursuits and wish them all the best in these future endeavors.

Mr. Speaker, I congratulate the Baby Rattlers Girls' Basketball Team on a job well done.

SENATE—*Friday, April 7, 2017*

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord God of Hosts, be with us yet, lest we forget that our work on Capitol Hill matters to Your Kingdom.

Lord, with the military response against Syria, we are reminded again that eternal vigilance is the price for freedom. Continue to provide our lawmakers with opportunities to serve Your purposes on Earth.

May they take seriously the responsibilities entrusted to them in their stewardship of the legislative branch. Remind them that You know the pressures they must confront as they strive to serve You and country. Bestow upon them the blessing of Your presence that will guard their hearts with Your peace.

Lord, give them the confidence that, in following You, they can be certain of ultimate triumph.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. CAPITO). The majority leader is recognized.

SYRIA

Mr. McCONNELL. Madam President, last evening the Vice President notified me of the President's decision to respond to the Syrian regime's use of chemical weapons against its own people through military action. The action was taken to deter the Assad regime from using chemical weapons again.

I support both the action and the objective. The planning of this operation was clearly well considered. It was taken against the Shayrat airfield from which the aircraft used in the attack had been launched, where chemical weapons had been stored, and was taken against assets of importance to the regime—aircraft, hardened shelters, and air defense systems.

In the days ahead, I am committed to working with the administration to continue developing a counter-ISIL strategy that hastens the defeat of ISIL and establishes objectives for dealing with the Assad regime in a manner that preserves the institutions of government in an effort to prevent a failed state.

Our gratitude goes out to the world's most capable military, which in a span of just hours presented options, capabilities, and plans to the Commander in Chief and then executed a difficult mission. None of this occurs without years of training, investment, and the dedication by our servicemembers.

This was an action of consequence. It is a clear signal from America that Bashar al-Assad can no longer use chemical weapons against his own people with impunity.

In addition, for the attention of all Senators, we will have a briefing on this matter later today.

NOMINATION OF NEIL GORSUCH

Mr. McCONNELL. Madam President, yesterday, as we all know, was a consequential day for the Senate. In the end, we restored to this body a tradition that Democrats first upset in 2003 by using a tool Democrats first employed in 2013. As a result, we will move to the confirmation of Judge Gorsuch shortly. He is going to make an incredible addition to the Court. He is going to make the American people proud.

After all, at this point, a few things about this man seem beyond dispute. He has sterling credentials, an excellent record, and an ideal judicial temperament. He has independence of mind and a reputation for fairness. He has also earned plaudits from so many across the political spectrum.

President Obama's former Acting Solicitor General lauded Judge Gorsuch as "one of the most thoughtful and brilliant judges to have served our nation over the last century," while President Obama's legal mentor called Judge Gorsuch a "brilliant, terrific guy who would do the Court's work with distinction."

An appointee of President Clinton's, Judge James Robertson, said Judge Gorsuch "is superbly well prepared and well qualified to serve as an associate justice of the Supreme Court. There is no real dispute about that."

An appointee of President Carter's, Judge John Kane, perhaps summed it up best when he said: "I'm not sure we could expect better [than Judge Gorsuch] or that better presently exists." In other words, no one is better.

Of course, we all know what longtime Democrat and board member of the left-leaning American Constitution Society, David Frederick, had to say about Judge Gorsuch. "The Senate should confirm him, because there is no principled reason to vote no"—"no principled reason to vote no."

There is a reason Neil Gorsuch enjoys the support of a bipartisan majority of the Senate. There is a reason that a bipartisan majority stands ready to confirm him today. He is an exceptional choice, and I am very much looking forward to confirming him today. Of course, I wish that important aspect of this process had played out differently. It didn't have to be this way. But today is a new day. I hope my Democratic friends will take this moment to reflect and, perhaps, consider a turning point in their outlook going forward.

The Senate has a number of important issues to consider in the coming months. Each Member, if he or she chooses, can play a critical part in that process.

I urge colleagues to consider the role they can play, and I ask them to consider what we have been able to achieve in years past by working together, including the numerous bipartisan accomplishments of the last Congress, because, as we all know, the Senate does more than confirm Supreme Court nominees, although I sure am looking forward to confirming this one.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the Gorsuch nomination, which the clerk will report.

The legislative clerk read the nomination of Neil M. Gorsuch, of Colorado, to be an Associate Justice of the Supreme Court of the United States.

The PRESIDING OFFICER. Under the previous order, there will now be 2 hours of debate, equally divided in the usual form.

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

Mr. SCHUMER. Madam President, first, let me address the nomination of Judge Gorsuch, which will soon proceed to a final vote over the objection of we Democrats. Even though Democrats had principled reasons to oppose this judge, even though we offered many times to meet with the majority to discuss a new nominee and a way forward, the Republicans chose to break the rules and erase the 60-vote threshold for all judicial nominees. They had many options, and they chose, unfortunately, the nuclear option.

I believe it will make this body a more partisan place, it will make the cooling saucer of the Senate considerably hotter, and I believe it will make the Supreme Court a more partisan place. As a result, America's faith in the integrity of the Court and their trust in the basic impartiality of the law will suffer. Those are serious things for this Republic. Prior to yesterday's cloture vote, I shared my views on this moment at length, and I will let those comments stand in the RECORD.

As I have said repeatedly over the last week, week and a half, let us go no further down this road. I hope the Republican leader and I can, in the coming months, find a way to build a firewall around the legislative filibuster, which is the most important distinction between the Senate and the House. Without the 60-vote threshold for legislation, the Senate becomes a majoritarian institution like the House, much more subject to the winds of short-term electoral change. No Senator would like to see that happen so let's find a way to further protect the 60-vote rule for legislation.

Since he will soon become the ninth Justice on the Court, I hope Judge Gorsuch has listened to our debate in the Senate, particularly our concerns about the Supreme Court increasingly drifting toward becoming a more pro-corporate Court that favors employers, corporations, and special interests over working America.

We all know there is an anger and sourness in the land because average people aren't getting a fair shake compared to the powerful. In many cases, the Supreme Court is the last resort for everyday Americans who are seeking fairness and justice against forces much larger than themselves. At a

time when folks are struggling to stay in the middle class and are struggling as hard as ever to get into the middle class, we need a Justice on the Court who will help swing it back in the direction of the people.

So we are charging Judge Gorsuch to be the independent and fairminded Justice America badly needs. If he is, instead, a Justice for the Federalist Society and the Heritage Foundation, that will spell trouble for America.

SYRIA

Finally, Madam President, on Syria, I salute the professionalism and skill of our Armed Forces that took action last night. The people of Syria have suffered untold horrors and violence at the hands of Bashar al-Assad and his supporters in Tehran and in Putin's Russia. Making sure Assad knows when he commits such despicable atrocities he will pay a price is the right thing to do. However, it is now incumbent on the Trump administration to come up with a coherent strategy and consult with Congress before implementing it.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BLUNT. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUNT. Madam President, I want to talk about what we are doing today and how important it is, how unique it is in the history of the country. Since 1789, 112 people have served on the Supreme Court. It is hard not to be reminded today, as we vote for the replacement for Justice Scalia, that he served on the Court for 26 years after Ronald Reagan, who appointed him, left the White House and 13 years after President Reagan died. Clearly, the impact of a Supreme Court nomination by the President and confirmation by the Senate is one of those things that has the potential to last long beyond either the service of those in the Senate at the time or beyond those of the President at the time. It is a significant decision.

A Federal Court appointment, generally an appointment for life, is different than an appointment for someone who serves during the tenure of the President. I think almost all of us look at judicial appointments differently than we look at Cabinet appointments and other appointments that are concurrent with the President's term. This is an appointment that lasts as long as the judge is willing to serve and able to serve.

At 49 years old, Judge Gorsuch, who has already been a judge for 10 years, should know whether he likes being a judge. It would appear, and we would hope, he will have a long and healthy

life to use his skills on the Court. I think those skills are very obvious in the over 2,000 decisions he has been part of, of the 800 decisions he has written as a circuit judge, the appeals judge above other Federal judges and right below the Supreme Court.

So he is someone who comes to this job understanding the job, with a significant body of work that the Senate has had plenty of time to look at and the President had time to look at before this nomination was made. In those 800 opinions Judge Gorsuch has written, he has been overturned by the Court he will now sit on, the U.S. Supreme Court, exactly 1 time. That is an incredible average of decisionmaking if 1 of 800 times is the only time a court that is the court of appeals for you, the Supreme Court in this case, decides that your decision did not meet their view. Now, that does not mean that your decision did not meet your view of the law, if you are Judge Gorsuch, or your view of the Constitution. Of course, both of those things, after today—his view of the law, his view of how you apply the law—will go to the Court with him.

At the White House event where his nomination was announced, Judge Gorsuch said that a good judge is not always happy with his opinions. Now, what would that mean? I thought that was very reassuring in the sense that his job as a judge is to read the law, to look at the Constitution, and to determine how the facts of the case meet the reality of the law.

One of the things that makes this a great country to live in, a great country to work in, and a great country to take a chance in is the one thing you can rely on, hopefully—the rule of law. The one thing you can rely on, when good lawyers read the law, is that they all understand it to mean the same thing, and you move forward with whatever decision you make on that. What Judge Gorsuch was saying was that personal opinions are not always satisfied by reading the law. What he also, I think, reflects is a view that the law is what the law was intended to mean at the time.

There are ways to change the law. If the country has changed, if the world has changed, if circumstances have changed, there are ways to change the law, and that is our job. That is not the job of any Federal judges anywhere, including on the Supreme Court. Their job is to determine what the law was intended to mean when it was written, and their job is to determine what the Constitution was intended to mean when it was written. Everything the Constitution intended was not what we would want to live with today, and that is why we have that long list of amendments, starting with the Bill of Rights.

Even immediately, the people who wrote the Constitution said that we

have to add some things to this because this does not mean what we really want it to mean as it is applied. So you get the Bill of Rights. Yet that is not the job of the Court. It is the job of the Congress to pass laws, the President to do his job of vetoing and sending those laws back or of signing them into law. The Court's job is what Judge Gorsuch understands it to be.

He said in his hearings: I have one client, and that client is the law. That client is not either party appearing before the Court. That client is not the government. That client is the law. I think he also said that judges are not politicians in robes.

We have a job to do that is different than the job of the Court, and I think, as we send Judge Gorsuch to the Court today—to be the 113th person in the history of the country to serve on the Court—we send a person who has an understanding of what a judge should do. Most Americans, when they think about what the Court is supposed to do, would clearly understand that is the job of the Court. There are other jobs to be done, and they are to be done in other places. I think he will be a great addition to the Court with his 10 years of experience as a judge and as the judge that other Federal judges' cases are appealed to. What great training he has had to get ready for the Court.

Then, of course, to get this job done, we had to return to the traditional standard that has always been the standard in the country, until the last few years, as to how Presidential nominations are dealt with. It is easy to confuse, I think, the unique role of the Senate in its having some barriers that the House does not have with regard to advancing legislation. Since, basically, 1789, that has been applied to legislation. The Senate has always seen its job as wanting to be sure the minority is heard before we move forward. Yet, starting in 1789, there was never a supermajority for Presidential nominations, whether it was to the Cabinet or the Court.

It is impossible to find, even before 1968, any case in which the Senate came together and said: We are officially going to decide that we are not going to have a vote on this judge. Now, not every judge got a vote, but when every judge got a vote, a majority of Senators determined whether that judge would go on the Court or not. Two members of the Court today did not get 60 votes. Clarence Thomas got 52 votes, and I think Judge Alito got 58 votes. Two members did not get 60 votes, but nobody thought they needed 60 votes because that had never been part of the structure of how judges got on the Court.

I think what we have done this week is return the Senate to, essentially, the practice on Presidential nominees that for 214 years was the way nominees were always dealt with.

In 2013, the Senate was controlled by our friends on the other side of the aisle. With the roughly 1,250 to 1,300 Presidential nominations, they decided that every nomination that was available to them—for every judge where there was a vacancy, for every person where the President might have had a vacancy to fill—would be determined by a simple majority. From that moment on, everybody, I think, should not have been surprised, when we eventually had a Supreme Court vacancy—and this is the first one since that happened—that whoever was in charge would extend that same majority to the Supreme Court. Now all Presidential nominees are back to where they had been for 214 years.

I heard the minority leader—I heard my friend Mr. SCHUMER—talk about the importance of our recommitting ourselves to the protections for the minority in passing legislation. I think we can do that. Frankly, this exercise of refreshing our minds as to how legislation has always been handled in that way, I believe, has probably created a greater commitment to that—to the legislative supermajority to move forward with debate—than we have had for a while.

I think the leader of our friends on the other side and certainly the leader on our side have both said nobody is willing to back down on the challenges the Senate faces when we are required to come together to get things done.

The Senate is unique. Essentially, it takes 6 years for every Senator to run for election. After some new sense of the direction of the country occurs, voters basically have to say again and again and maybe a third time: No, we really want to change the way the country has run up until now. Quick decisions are not necessarily the best decisions in a democracy, and in our democracy, this institution—the Senate—is the legislative institution that determines that there is a necessary either coming together of the people who are here at the time or for voters to say at another time: No, you did not get it the first time, and we are sending different people because we really want to make this change.

I think the vote today and the traditions of the country send that 113th person into the history of America to serve a lifetime term on the Court. I am confident the President's nominee and the Senate's decision to send that nominee to the Court sends a good person to the Court with a good understanding of what the Supreme Court of the United States is supposed to be. His job is not to look at the law and try to determine what it should have said or to look at the Constitution and determine what it should have said but rather to look at the law and the Constitution and determine what they say.

Judge Gorsuch, as well as any person who has ever appeared before the Sen-

ate to stand available for that job, understands that principle, will take that principle to the Court, will work with his colleagues, as he has on the Tenth Circuit, in order to rally around what the law says and what people can rely on in a country where our freedoms should be secure and where we should know that the courts are there to determine what is right in any given case, not what the judges think would be their ideas of what would be right.

I look forward to the vote later this morning and to seeing Judge Gorsuch be sworn in as a member of the Court sometime in the very near future.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Madam President, I rise today in support of the nomination and the confirmation of Judge Neil Gorsuch to the U.S. Supreme Court. I do so with mixed emotions because I believe that the actions taken in order to achieve this position will have lasting effects that are unfortunate on this body as far as comity is concerned, but also the confirmation of future judges of the Supreme Court by 51 votes. Rather than go back through the history of what former Majority Leader Reid did in regard to judges and what we are doing now, I am very concerned about the future which will then, with only a 51-vote majority required, lead to polarization of the nominees as far as their philosophies are concerned when the majority does not have to consider the concerns and the votes of the minority.

With my focus on Democrats' unprecedented filibuster of Judge Gorsuch's nomination to the U.S. Supreme Court and the Senate's regrettable action yesterday to invoke the nuclear option on Supreme Court nominees, I have been remiss in not taking the time to describe for the American people why I support strongly and without qualification confirming Judge Gorsuch to serve as an Associate Justice of the U.S. Supreme Court.

Why I do so is very simple. Rarely has this body seen a nominee to the Supreme Court so well qualified, so skilled, with such command of constitutional jurisprudence, with such an established record of independence and such judicial temperament as Judge Gorsuch. It is, in fact, exactly for these very reasons that this very body unanimously voted in 2006 to confirm this very judge—this same judge—to the U.S. Court of Appeals for the Tenth Circuit. Yet, now, the other side would have the American people believe that this very same judge lies firmly outside the mainstream and is, therefore,

otherwise unacceptable to serve in the Nation's highest Court. Even by the standards of this body, this sophistry is breathtaking.

Let me take a moment to join the chorus of support of my colleagues and recount why Judge Gorsuch is so deserving of this body's support for confirmation to the Supreme Court.

First and foremost, Judge Gorsuch is a world-class judge. On the U.S. Appellate Court for the Tenth Circuit, Judge Gorsuch has maintained the lowest rating of other judges dissenting from his opinion. Indeed, according to the Congressional Research Service, only 1.5 percent of Judge Gorsuch's majority opinions were accompanied by a dissent—the lowest of any judge in that study. Notably, the U.S. Supreme Court has never overruled any of Judge Gorsuch's opinions—not a single one. Furthermore, in the more than 2,700 cases Judge Gorsuch participated in, 97 percent of them were decided unanimously, and Judge Gorsuch was in the majority 99 percent of the time. These are facts. In addition, the U.S. Supreme Court overruled an opinion where Judge Gorsuch sat on a panel only one time.

While serving on that court, Judge Gorsuch built an exceptional reputation for his fair-minded, articulate, and sharp intellect. Stanford Professor Michael McConnell, who served with Judge Gorsuch on the Tenth Circuit, characterized Judge Gorsuch as “an independent thinker, never a party liner” and “one of the best writers in the judiciary today. . . . [H]e sets forth all positions fairly and gives real reasons—not just conclusions—for siding with one and rejecting the other.”

Second, Judge Gorsuch has one of the most impressive professional and academic backgrounds this body has ever seen. He graduated from Columbia cum laude and Phi Beta Kappa and cum laude from Harvard Law School. He also obtained a doctorate degree in philosophy from Oxford University and served as a Truman and Marshall Scholar. Additionally, he served for U.S. Circuit Court Judge David Sentelle, Supreme Court Justices Byron White and Anthony Kennedy. Judge Gorsuch also served as Principal Deputy Assistant Attorney General at the Department of Justice before serving as a judge on the U.S. Court of Appeals for the Tenth Circuit.

For all of these achievements, Judge Gorsuch has earned the highest possible rating from a group Minority Leader SCHUMER calls the “gold standard” for evaluating judicial nominations.

Finally, Judge Gorsuch has established himself as an exceptional nominee. Indeed, Judge Gorsuch's appearance before the Senate Judiciary Committee was extraordinary. In the course of the three rounds of questioning by that committee, each Mem-

ber had the opportunity to quiz Judge Gorsuch for over an hour each on just about every aspect of constitutional law. In answering about 1,200 questions from the panel, he demonstrated almost peerless mastery over that field.

Furthermore, Judge Gorsuch's nomination, with the help of my friend and former member of this body Kelly Ayotte, was exemplary in its transparency. Before his hearing, and in response to the Judiciary Committee's requests, Judge Gorsuch provided over 70 pages of written answers about his personal record and over 75,000 pages of documents, including speeches, case briefs, and opinions—which, by the way, makes you wonder why he wanted the job. Anyway, White House archives and the Department of Justice similarly produced over 180,000 pages of documents related to Judge Gorsuch's time at the DOJ. The Department of Justice, moreover, provided access to reams of documents that would ordinarily be subject to claims of privilege. However, in the spirit of cooperation and in the hope of truly bipartisan consideration, the Department of Justice provided my friends on the other side access to these records anyway.

Additionally, in response to almost 300 separate questions posed by Democrats on the committee, Judge Gorsuch provided another 70 pages of written responses, and did so within a week of receiving them, to give my friends sufficient time to review the answers before the committee voted for consideration of his nomination.

Despite all of that I just said—despite everything that I just said, my friends on the other side would have the American people believe that Judge Gorsuch lies firmly out of the mainstream and hopelessly obfuscated his judicial philosophy.

My friends, when you do that with an individual that qualified, you lose credibility.

For all of the reasons I just went through, that is simply untrue. Moreover, when many of my friends on the other side had the opportunity to question Judge Gorsuch over the 20 hours they had with him during his confirmation hearing, they contented themselves with asking Judge Gorsuch for his personal opinions on issues that could come before him if he is confirmed to the Court. In addition, they passed hypotheticals they knew he, for ethical and prudential reasons, could not possibly be expected to answer.

Here is some straight talk. The real reason most of my friends on the other side opposed Judge Gorsuch's confirmation is that President Trump nominated him—because their base of support and related special interests on the far left have been upset about President Trump's election in November. The fact is that if most of my friends on the other side of the aisle are opposed to this nominee, they will

oppose any nominee put forward by this President, or any Republican President, for that matter.

The record is clear. Judge Gorsuch's qualifications, knowledge, skill, judicial temperament, and record of independence are truly exceptional. For these reasons, he has earned my strong and unqualified support for his confirmation to the Nation's highest Court.

Could I just make one additional comment, and I know my friend from Utah is waiting. When President Obama and Presidents before him were elected from both parties, it was pretty much the standard procedure here in the U.S. Senate to give the incoming President the benefit of the doubt. In other words, the American people, by electing a President of the United States, had also basically endorsed his responsibility and his right to nominate judges to the courts. That is just sort of a given, because the American people spoke in their selection of the President of the United States, taking into consideration those responsibilities the President would have. So, therefore, for those reasons, I voted for most of President Obama's nominees, as I did most of President Clinton's nominees. Now we are in a position where we are so polarized that even a man of the qualifications of Judge Gorsuch is now opposed by our friends on the other side of the aisle.

I say to my friends on the other side of the aisle, and I say to my friends on this side of the aisle: That is not the way the Senate was designed to work. The Senate was designed for us to communicate, for us to work together, for us to understand the results and repercussions of a free and fair election. It is about time we sat down together and tried to do some things for the American people in a bipartisan fashion. This near-hysterical opposition that I see from my friends on the other side of the aisle does not bode well for what we know we need to do.

Madam President, I recognize the presence of the distinguished Senator from Utah, and I say “distinguished” because both he and I are of advanced age.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Utah.

MR. HATCH. Madam President, I really appreciate my colleague for his comments. He is one of the great Senators here, and we all pay attention to what he has to say, especially on foreign policy and military affairs, but also on so many other things as well. People ought to be listening to what he is saying with regard to this judgeship. I have great respect for Senator MCCAIN and always will. He is one of the truly great Senators in this body. I just wish my colleagues on the other side would pay a little more attention to what he is having to say here today. So I thank the Senator.

NOMINATION OF HEATHER WILSON

Madam President, I rise today in strong support of the confirmation of Dr. Heather Wilson to be the 24th Secretary of the Air Force.

I have had the privilege of knowing Dr. Wilson since her election to Congress, where she distinguished herself as a member of the House Intelligence Committee. In my interactions with Dr. Wilson in the Intelligence Committee, it quickly became apparent that she is a person of great intellect and exceptional character. But this should come as no surprise since she has always achieved a level of excellence in each of her endeavors.

Dr. Wilson knew success from an early age. She made history as one of the first female graduates of the Air Force Academy. At the academy, she thrived as a student, eventually earning a Rhodes scholarship to attend Oxford University, where she earned a Ph.D. in international relations.

Dr. Wilson then wrote a well-received book titled "International Law and the Use of Force by National Liberation Movements." As a lawyer, I was particularly impressed by Dr. Wilson's in-depth analysis of international law. What is all the more impressive is that the book was published as she was serving as Director of Defense Policy and Arms Control for the National Security Council.

Dr. Wilson's commitment to national security was evident when she served in the House of Representatives from 1998 to 2009. When she left the House after more than a decade of service, Congress' loss was South Dakota's gain. In 2013, she became the president of the South Dakota School of Mines and Technology. There, she showed extraordinary skill in leading a large institution.

In sum, Dr. Heather Wilson is a person of great intellect, strong management skills, and superlative character. I believe she will be an outstanding Secretary of the Air Force, which is why I strongly encourage my colleagues to confirm her without delay.

Confirming Dr. Wilson with dispatch is necessary to address the many challenges currently facing our military. After all, there are fundamental issues regarding the readiness of our armed services—especially the Air Force—which must be confronted and resolved.

Although the lack of proper investment and training is evident in each of the military departments, I am especially concerned about the Air Force because of its unique missions and responsibilities. Two words describe each set of problems facing our Air Force: "too few"—too few aircraft; too few personnel, including pilots; too few flight training hours.

Regarding the shortage of aircraft, as the Air Force Vice Chief of Staff recently testified before the SASC Readiness Subcommittee, less than 50 per-

cent of the services' aircraft are ready to perform all of the combat missions to which they are assigned. The average age of the service's fighter aircraft is 27 years old. Many other aircraft, including the B-52 and the KC-135, have decades of wear and tear. Even more alarming, the aging aircraft of the 1950s and 1960s will be retained in the force for the foreseeable future.

The current number of 55 fighter squadrons falls short of the number needed to fulfill our warfighters' requirements. As Dr. Wilson testified during her confirmation hearing, "the Air Force is not fully ready to fight against a near-peer competitor," such as China or Russia—too few aircraft, indeed.

Of course, the number of aircraft is just one of the multiple issues facing the Air Force. We also have too few personnel, including pilots. Our aircraft—no matter how advanced—cannot fly without experienced and highly trained maintenance personnel, and we need 3,400 more before the service can effectively accomplish its mission.

We are also running short of the men and women who fly these aircraft. In recent testimony before the Airland Subcommittee, senior Air Force officers testified that the service had a deficit of 1,555 pilots. Of that number, we require more than 750 additional fighter pilots. Further, there is concern that those pilots who remain are receiving very few flight training hours—much less than needed.

These are enormous challenges. But despite the Herculean task in front of us, I have no doubt Dr. Wilson will develop the strategies and policies required to restore our Air Force to a full state of readiness. I hope the Senate will speed the confirmation of Dr. Wilson to become the 24th Secretary of Air Force.

Madam President, I am very concerned with the way Neil Gorsuch has been treated. We could not have a finer person, a more ready person, a more knowledgeable person, a more legal expert-type of a person than Neil Gorsuch for this very, very important calling on the Supreme Court.

It is amazing to me how some of my colleagues on the other side have ignored all of the facts, all of the evidence, all of the experience, all of the goodness of this man. I hope they will not vote against him, but it looks to me as though many of them are going to vote against him. If you are voting against Neil Gorsuch, who can you support? Are you just going to support people who do your bidding? Or are you going to support people who really can do the Nation's bidding, do the things that this country needs?

Neil Gorsuch is that type of a person. He has that kind of an ability. He has that kind of experience. He is a terrific human being. Whether you agree with him or disagree with him, you walk

away saying: "Well, he certainly makes a lot of good points." You walk away saying: I like that guy. He is somebody I can work with. He is somebody that really loves this country. He is somebody who sets an exemplary example in every way.

I have to say that, in my years of service here, I have seen a number of Supreme Court nominations, and I have seen a number of people put on the Court, and they have all been exceptional people. But there is none of them who exceeds Neil Gorsuch. He is that good. It is kind of a shame that we can't, in a bipartisan way, support this selection.

I suspect that there is more to it than Judge Gorsuch. I think our colleagues on the other side know that this early in President Trump's reign as President of the United States, he might very well have another one, two, or even three or four, nominees to the Court. I don't blame my colleagues on the other side for being concerned, because—let's face it—he is unlikely to put people on the Court with whom they agree.

On the other hand, he is very likely to put people on the Court who are great lawyers, who have had great experience, who will bring great distinction to the Court, and who will, without telling us how they are going to vote and how they are going to rule, do the job that we all count on the Supreme Court doing.

The Supreme Court, to me, is a sacred institution. We have had great Justices on both sides—on all sides, as a matter of fact. We have had great Democrat Justices. We have had great Republican Justices. No one knows how great the nominee is going to be until that nominee actually serves on the Court and does the job that is so difficult to do as a member of the U.S. Supreme Court. I have every confidence Neil Gorsuch will be one of the all-time great Justices for that Court. He deserves confirmation. He deserves overwhelming confirmation. If we weren't in such a disputative mood around here, if we didn't have so much problems with each other, he would be an easy person to support.

So I hope we can put our politics aside and look at the man, look at his experience, look at his ability, look at his genius, look at his decency, and look at the fact that he agreed with his colleagues on 99 percent of the cases tried before the Tenth Circuit Court of Appeals—and most of those colleagues were Democrats. Look at these types of things, and say: My gosh, what are we about here? Has it just become a politicized exercise every time we have a Supreme Court nomination, one way or the other?

I have to admit that it looked as though Hillary Clinton was going to win. Senator MCCONNELL decided that we should not put Merrick Garland on

during a Presidential election, which I think was a good decision. It was a sincere decision. It looked as though, if Hillary Clinton was going to win, she might very well put a much more liberal judge on the Court than Merrick Garland. The fact of the matter is, Senator McConnell knew the odds were against Republicans winning the Presidency this last election.

To some, it was kind of miraculous for Donald Trump to win. It wasn't miraculous to me, because last May Donald Trump called me and asked me to support him. I said: You don't want me. I said: I am the kiss of death.

He laughed and he said: What do you mean the kiss of death?

Well, I supported Jeb Bush, and he went down to defeat. Then I supported MARCO RUBIO, my colleague in the Senate, and he had to withdraw. So I am the kiss of death.

He said: I want you, anyway.

So I became one of two Senators who supported this now-President of the United States and was gratified to see him win that election. I thought he could. Deep down, I knew there was a great chance because I was going all over the country and I found that people were not willing to say whom they were for. I knew darn well they were for Trump. They just didn't want to admit it—especially Democrats. But he got an overwhelming number of blue-collar Democrats—I understand them; I learned a trade as a young man—who voted for him.

When I say I learned a trade, I was born not with the wealth of some of our colleagues. I was born in what some people would call poverty today. We didn't think we were poverty-stricken. My parents were very solid, decent, honorable people, but they were poor—frankly, poor in the sense of monetary value. But they were good, honest, decent people, and I feel very blessed to have been raised by them.

All I can say is this. To allow the selection of the Supreme Court nominee to come down to a wide vote against that nominee with the qualities of Neil Gorsuch—if that is what my colleagues on the other side, in their wisdom, decide to do, I think it is a disgrace. I think it flies in the face of years and years of people selected for the Court. Now, we all can differ. Everybody has that right. All I can say is I just wish we were more together as a body.

I have great respect for my Democratic colleagues, as well as my Republican colleagues. This is the greatest deliberative body in the world. Despite our difficulties and our differences, we do a lot of really good things for this country. And we do it at its best in a bipartisan way when we can.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SYRIA

Mr. CORNYN. Madam President, I would like to start briefly by mentioning the horrific chemical attack on innocent civilians in Syria earlier this week. It was nothing short of evil. I stand shoulder to shoulder with the administration in condemning this brutality. Again, we see Bashar al-Assad crossing a line—a line drawn and then ignored by the Obama administration.

The United States and the world community simply can't stand idly while Syria continues crimes against humanity, again, under Russian protection. That is why last night the administration responded quickly and proportionally. I commend the President and his national security team for acting decisively and sending a clear message to Assad and our allies. I am sure it was a message that was not missed by the leaders of the Iranian Government, the Russian Federation, and North Korea.

I agree with Ambassador Haley that Russia's obstructionism at the U.N. has enabled Assad and prevented international action, resulting in at least 400,000 Syrians dead in this civil war and millions of others displaced as refugees, not only internally but externally as well. Going forward, I stand ready to work with the President and his administration on a unified strategy to defeat Assad's barbarism and work toward greater stability in Syria and throughout the region.

Madam President, on another subject, as we all know, here in about 20 minutes, we will start the vote to confirm Neil Gorsuch as the next Justice of the Supreme Court. Over the last few weeks, our colleagues and I have—and the entire country, as a matter of fact—have gotten to know Judge Neil Gorsuch not only as a judge but as a man. He is a good man with superb qualifications and incredible integrity.

A Colorado native, Judge Gorsuch has served on the Denver-based Tenth Circuit Court of Appeals for about 10 years. He is known for his sharp intellect, his brilliant writing, and his faithful interpretation of the Constitution and laws passed by Congress. He is, in short, a distinguished jurist with an impeccable legal and academic record.

In addition to his decade on the bench, his professional experience includes years practicing in a private law firm, prestigious clerkships, including the Supreme Court of the United States under two separate Justices, and service in the Department of Justice.

It is simply undeniable that Judge Gorsuch is a qualified, high-caliber nominee. I have no doubt that he will

serve our Nation well on the Supreme Court. But of course, in spite of all of this—his sterling background, his proven character, his broad bipartisan support—we have seen an unprecedented attack on this good judge and this good man in the form of a partisan political filibuster, the first ever lodged against a Supreme Court nominee. Yesterday, our Democratic colleagues would have prevented the up-or-down vote we are getting ready to have here starting at 11:30. For what? Well, it certainly was not because of the judge, his character, his qualifications, or his background and experience; it was merely because so many of our colleagues across the aisle simply have not gotten over the fact that Donald Trump won the Presidential election and Hillary Clinton did not.

Before Judge Gorsuch was nominated, the minority leader, our colleague Senator SCHUMER, said they needed a “mainstream nominee.” After President Trump nominated a mainstream nominee, Democrats then looked for other ways to make him out to be some sort of extremist or radical. But they failed because there is simply no evidence to justify those kinds of characterizations.

For one, judicial experts spanning the political spectrum, including President Obama's former Solicitor General, voiced their support.

Second, they had to deal with the facts of his record. During his time on the Tenth Circuit, Judge Gorsuch was involved in thousands of decisions—2,700 to be exact. The vast majority of those panel decisions made by at least three judges—sometimes more on the panel—97 percent of them were unanimous. So you would basically have to slander the reputations of all of those other judges with whom the judge agreed to claim that he is some sort of out-of-the-mainstream extremist. That is truly an impressive record for a judge in a multi-judge court like the Denver-based Tenth Circuit Court of Appeals. It simply rebuts any picture our friends across the aisle have attempted to paint of him as some kind of extremist or radical.

I would ask our friends this question: If Judge Gorsuch does not fit the bill for a qualified, mainstream nominee, then is there any nominee from this President or any other Republican President who will meet the Democrat's arbitrary, flimsy standard?

Time and time again, our friends across the aisle failed to make any intellectually honest argument against this nominee. Still, they are determined to block him. That brought us to the cloture vote yesterday and the last-ditch effort to block Judge Gorsuch. They did not want to even give him the up-or-down vote we are getting ready to have here in a few minutes. Instead, they wanted to kill his nomination by simply refusing an

up-or-down vote and moving his nomination forward.

In our Nation's entire history, before yesterday there had only been four cloture votes for Supreme Court nominees—only four. None of them had been cast as a partisan filibuster determined to try to block the nomination—until yesterday.

Still, the minority leader, cheered on by the extreme groups on the left, barreled this Chamber to the first-ever partisan filibuster of a Supreme Court nominee, following a regrettable and recent tradition of Democratic obstructionism when it came to Republican judicial nominees.

Now that there is a Republican White House, that is what they want to do again—obstruct. This is a wholly concocted method the Democrats started back when George W. Bush was President to deny a Republican President an opportunity to nominate the person of his choice, confirmed by a majority vote in the Senate.

Before 2000, before Senator SCHUMER and a number of liberal legal activists decided they wanted to raise the threshold for confirmation to 60 votes, instead of what the Constitution requires, which is a majority vote. No one would ever have dreamed that the Constitution would have allowed for a 60-vote requirement, rather than an up-or-down vote.

It is not that our friends across the aisle truly oppose Judge Gorsuch. The fact is, they oppose President Trump. That is what this is all about.

This vote isn't actually about President Trump. It is about the man we have all learned so much about, Judge Neil Gorsuch, who has a record of faithfully interpreting the law, a man who has proved himself to possess an independent judicial mind, who simply follows the law wherever it may lead. He is someone who has won bipartisan approval.

This vote is about delivering our promise. The Republicans have promised to let the American people's voice be heard in deciding who they would choose as President to select the next Supreme Court Justice. The American people did that. They chose President Trump, and he chose Judge Gorsuch.

If Hillary Clinton had been elected President today, I have no doubt that her choice for the Supreme Court would be confirmed by a majority vote in the same U.S. Senate.

Now it is time that we deliver on the promise we made to the American people and confirm Judge Neil Gorsuch to the Supreme Court.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I hadn't planned to speak this morning, but when my friend from Texas decided to give his version of history, I thought: Well, I ought to give my version. It is slightly different.

Justice Antonin Scalia passed away in February of last year. President Barack Obama, the President of the United States of America, had a constitutional responsibility under article II, section 2 to nominate a person to fill the vacancy on the Supreme Court, as every other President had. And he did.

He came up with the name Merrick Garland, the Chief Judge on the DC Circuit Court of Appeals, a man who is widely respected, judged unanimously "well qualified" by the American Bar Association. President Obama submitted his name to this Congress, to the Senate, a Senate that has a Republican majority, led by Senator MITCH MCCONNELL of Kentucky.

Senator MCCONNELL and the Republican Senators did something that had never happened in the history of this Chamber—not once. They denied President Obama's nominee the opportunity for a hearing and a vote. In fact, Senator MCCONNELL went further and said: I won't even meet with the man.

It had never happened before.

You say to yourself: Well, come on. This isn't beanbag. You are in Washington. This is major league politics. This sort of thing must happen all the time. Never.

In fact, if you go back not that far in history, to 1988, in the last year of President Ronald Reagan's Presidency—his fourth year of his second term, some call it the lameduck year—there was a vacancy on the Supreme Court.

Republican President Ronald Reagan sent the name Anthony Kennedy to a Democratically controlled Senate, which had the power to do the same thing Senator MCCONNELL did: Deny a hearing, deny a vote.

Well, what did the Democrats do? We gave Justice Kennedy a hearing, a vote, and sent him to fill the vacancy on the Supreme Court.

Under Senator MCCONNELL, the Republicans refused Merrick Garland the same opportunity, and they said to President Obama: You are in your fourth year. You are a lameduck. Your choice for the Supreme Court really doesn't count.

But there was more to it. Really, the strategy was based on the premise and possibility that a Republican would be elected in this last November election, and if so, that Republican President could fill the vacancy on the Supreme Court.

Well, that is exactly what happened. The election of Donald Trump gave him the opportunity to fill the vacancy of Antonin Scalia, a vacancy that should have been filled, I believe, by Merrick Garland, President Obama's nominee.

That is what led up to the vote yesterday, but there was more.

Where did the name Neil Gorsuch come from? It is true that he served on

the Tenth Circuit for 10 years. He had been approved by the Senate. He certainly had a strong resume. But how did he get on the finalist list?

Well, most of the time you never know. Presidents don't always disclose how they come up with names. In this case, it was very open because, during the course of his campaign, Donald Trump, the candidate, listed 21 names of people whom he would appoint to the U.S. Supreme Court. On that list of names, Neil Gorsuch of Colorado.

How did that name make the list? Well, we know because President Trump told us. He was the choice of the Federalist Society and the Heritage Foundation. If you know these two organizations, you know they are Republican advocacy groups, very conservative groups, and they were going to pick the nominees who were approved by them and submit them to Donald Trump, which he then publicized. We know that because, at the end of the day, Donald Trump thanked the Federalist Society for nominating Judge Gorsuch. That is how the name came to us.

I sat through the hearings as a member of the Senate Judiciary Committee, and I will tell you that most Supreme Court nominees don't go out of their way to volunteer information. They try to be respectful, but they don't try to say much of anything. They don't want to get in trouble either as judges or as candidates to be a Justice on the U.S. Supreme Court. So there were gaps in his testimony and troubling questions raised about him.

I don't want to dwell on him so much as I want to dwell on this process. What happened yesterday on the floor of the Senate was unfortunate. Since I have been in the Senate, the last four Justices on the Supreme Court—two nominated by President Obama, Sonia Sotomayor and Elena Kagan, and two nominated by George W. Bush, John Roberts as well as Justice Alito—all received 60 votes during the course of their consideration. That is not, as the Senator from Texas alluded, written in the law per se, but it was written—until yesterday—in the rules of the Senate. You needed 60 votes to overcome the possibility of a filibuster and to file cloture.

Well, that rule was changed yesterday to a simple majority. That is an unfortunate occurrence. A lifetime appointment to the highest Court in the land should be more than just a bare majority vote, as far as I am concerned, and, historically, with very few exceptions, that has been the case.

That is not the case here. We found yesterday that the Republicans voted for a change in rules, which was under the power of the majority to do—a change in the rules, which lowered the standard for this judge for the first time officially in at least a century to a mere majority vote. That is what he

received, and that is what brings his nomination to the floor today to be considered for the Supreme Court.

At the end of yesterday's session, when the rule was changed, some Senators were engaged in high fives on the other side of the aisle. I am not sure why. I don't think it was a time for any winning celebration. I think it was an unfortunate moment.

The question is, Where will we go from here? We know what the outcome of the vote will be on Judge Gorsuch this afternoon. That is preordained by the rule struggles we went through yesterday. But where does the Senate go? Where should we go? Well, I hope we will have the good sense to restore the 60-vote margin when it comes to future Supreme Court nominees.

It may be that Justice Gorsuch has an asterisk by his name as the only one to have been officially approved with cloture set at a majority vote, but I am hoping, even if he reaches the Supreme Court, that will not hold him back from serving this Nation well. I know he has told us over and over again that is exactly what he wants to do.

But I hope the Senate will restore the standard of 60 votes necessary for the Supreme Court. I really believe serving as a Supreme Court Justice is an extraordinary opportunity for a person to serve this Nation, an extraordinary responsibility, and we should take it very seriously. It shouldn't be a majority decision; it should be a 60-vote decision. I hope we get back to that very soon.

Secondly, I hope the Senate will not be derailed by this Supreme Court nomination having happened so early in the session. This is a great institution. I have given a big part of my life to it and look forward to serving more in the Senate—not as long as the Senator from Iowa, who I think has retired the trophy in his State for his service in the Senate—but I do believe this is a great institution.

An example is that the Senator from Iowa and I are of opposite political faiths. He and I have worked together on some important issues in the past, and we want to work together in the future. I think we can. If we can restore what you and I remember as the glory days of this body, it is in the best interest of this Nation.

So beyond this Supreme Court nomination, let's hope we can all come together to make that happen.

I see my colleagues filing in. I know they are anxious to vote. I am not going to hold the Chamber. I am just going to say that I thank the Presiding Officer and my friend, the chairman of the Senate Judiciary Committee. I look forward to the vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, we are about to vote on the nomination

of Judge Gorsuch, so I would like to say to my colleagues why I am so pleased that we will soon be referring to him as "Justice Gorsuch."

I opened our Judiciary Committee hearing with this:

One of Justice Scalia's best opinions begins with this declaration: it is the "proud boast of our democracy that we have a government of laws and not of men. . . . Without a secure structure of separated powers, our Bill of Rights would be worthless."

The separation of powers in our Constitution is a guardian of our liberty. Judge Gorsuch understands that. His deep understanding of the separation of powers enlivens his opinions.

By faithfully enforcing the boundaries among the branches of government and the power of the Federal Government in our lives, this Justice will ensure that the law protects our liberties.

Here is the other thing that is important about a judge who respects the separation of powers: We know he will be independent. He told us that he is his own man, that no person speaks for him. He is not beholden to the President who appointed him. His testimony shows that he is not beholden to us in the Congress either. He wouldn't compromise his independence to win confirmation votes. He passed the test.

This is a man of integrity, and his qualifications for the bench are exceptional. You know the story: bachelor's from Columbia University, Harvard Law School, doctorate from Oxford University, partnership at a prestigious law firm, and high-level Justice Department service for the people of our country, but most importantly, a decade-long record of faithfully applying the law on the Federal bench in 2,700 cases as a member of the Tenth Circuit Court of Appeals.

Let me sum up this way: This brilliant, honest, humble man is a judge's judge, and he will make a superb Justice.

I yield the floor.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. DURBIN. I yield back the remainder of our time.

I withhold that request until the arrival of the leader.

I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I yield back the remainder of time on this side.

The VICE PRESIDENT. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the Gorsuch nomination?

Mr. McCONNELL. I ask for the yeas and nays.

The VICE PRESIDENT. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

Further, if present and voting, the Senator from Georgia (Mr. ISAKSON) would have voted "yea."

The VICE PRESIDENT. As a reminder, expressions of approval or disapproval are not permitted from the gallery.

Are there any other Senators in the Chamber desiring to vote or change their vote?

The result was announced—yeas 54, nays 45, as follows:

[Rollcall Vote No. 111 Ex.]

YEAS—54

Alexander	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Gardner	Perdue
Boozman	Graham	Portman
Burr	Grassley	Risch
Capito	Hatch	Roberts
Cassidy	Heitkamp	Rounds
Cochran	Heller	Rubio
Collins	Hoeven	Sasse
Corker	Inhofe	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Strange
Crapo	Lankford	Sullivan
Cruz	Lee	Thune
Daines	Manchin	Tillis
Donnelly	McCaIn	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young

NAYS—45

Baldwin	Gillibrand	Nelson
Bennet	Harris	Peters
Blumenthal	Hassan	Reed
Booker	Heinrich	Sanders
Brown	Hirono	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Coons	Markey	Udall
Cortez Masto	McCaskill	Van Hollen
Duckworth	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Murphy	Whitehouse
Franken	Murray	Wyden

NOT VOTING—1

Isakson

The nomination was confirmed.

The VICE PRESIDENT. The majority leader.

Mr. McCONNELL. Mr. President, I move to reconsider the vote, and I move to table the motion to reconsider.

The VICE PRESIDENT. The question is on agreeing to the motion.

The motion was agreed to.

LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session. The VICE PRESIDENT. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 34, Rod Rosenstein to be Deputy Attorney General.

The VICE PRESIDENT. The question is on agreeing to the motion.

The motion was agreed to.

The VICE PRESIDENT. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Rod J. Rosenstein, of Maryland, to be Deputy Attorney General.

CLOTURE MOTION

Mr. McCONNELL. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER (Mrs. CAPITO). The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Rod J. Rosenstein, of Maryland, to be Deputy Attorney General.

Mitch McConnell, John Boozman, Jeff Flake, Thom Tillis, Richard Burr, Mike Crapo, John Barrasso, Chuck Grassley, Mike Rounds, John Kennedy, John Thune, Pat Roberts, James E. Risch, Orrin G. Hatch, Shelley Moore Capito, Lindsey Graham, John Cornyn.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call with respect to the cloture motion be waived and that notwithstanding the provisions of rule XXII, the cloture vote on the nomination occur following disposition of the Perdue nomination on Monday, April 24.

The PRESIDING OFFICER (Mr. SASSE). Without objection, it is so ordered.

The Senator from Iowa.

THANKING STAFF

Mr. GRASSLEY. Mr. President, there are some people who need to have a thank-you for what we just completed here—people who hardly ever get any attention. So I will take a couple of minutes to express my appreciation to some of the staff who worked on this Supreme Court nomination.

The staff for both the majority and minority put in a lot of hours and reviewed a lot of material. Their work ensured that the hearing we held for

Judge Gorsuch went smoothly and was fair to all of the Members. Our staff reviewed all of the 2,700 cases Judge Gorsuch participated in as well as 180,000 pages of documents that were produced by the Department of Justice and the George W. Bush Presidential Library and Museum that were related to that nomination.

First, on my staff, I would like to recognize my Judiciary Committee staff director, Kolan Davis. Mr. Davis has been with me for 31 years, and I always value his wise counsel.

I thank, as well, my personal office chief of staff, Jill Kozeny, who has been with me for 27 years.

My deputy staff director is Rita Lari, and my chief nominations counsel is right here at my side, Ted Lehman.

I would also like to thank counsels Megan Lacy, Lauren Mehler, Kasey O'Connor, and Katharine Willey. Each of them worked incredibly hard.

Also on the team were several special counsels who joined the staff to work on this important nomination. They are Dan Guarnera, Bill Lane, Katie Roholt, and Carol Szurkowski.

Every one of these talented lawyers played a very important role, and I think every member of the Senate Judiciary Committee benefited from their wise counsel throughout this confirmation process.

I would also like to acknowledge and thank Ranking Member FEINSTEIN, the Senator from California. The ranking member and her staff approached this process seriously from the very beginning. So I want to thank her staff for all the work they have put into preparing for the hearing and the debate, both in committee and here on the floor.

Thank you to her staff director, Jennifer Duck, and several of the other lawyers on her staff who, I know, put a lot of time into ensuring that the hearing was a success. They include Paige Herwig, Nazneen Mehta, and Chan Park.

I am also thankful for my very talented press team, Beth Levine and Taylor Foy, and for Jen Heins for keeping me on schedule, as well as for my personal office staff and the rest of the Judiciary Committee staff who took care of things while I was on the floor and during the long hours in the hearing.

I also deeply appreciate the work of Senator McCONNELL's staff who was constantly in contact with my staff—most importantly John Abegg.

The people I mentioned bore the bulk of the workload and labored tirelessly night after night, day after day, and nonstop through the weekends. They deserve our recognition as a tribute to their hard work, professionalism, and dedication to public service.

Finally, my thanks to the Judiciary Committee's chief clerk, Roslyne Turner, and her team, Michelle Heller and Jason Covey.

All of these staff members contributed to this process, and we would not have been able to conduct such a fair and thorough hearing without their hard work and their professionalism. To each of them, I extend a heartfelt thanks, and if I left anybody out, I will buy them a Dairy Queen.

Mr. President, finally, my wife Barbara is in the Capitol today. As always, I thank her for her support and partnership for more than 62 years.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

CONFIRMATION OF NEIL GORSUCH

Mr. GARDNER. Mr. President, I thank the chairman of the Senate Judiciary Committee for the work he carried out over the past several months as this nomination proceeded.

Mostly, I want to congratulate Judge Neil Gorsuch on his confirmation to the U.S. Supreme Court.

While people in this Chamber voted yea or nay—some voted yes and some voted no—we all recognize the heavy obligation that now falls on the shoulders of Judge Gorsuch as a Justice of the U.S. Supreme Court.

We will lean on Judge Gorsuch to make sure our Constitution is enforced. The American people will lean on Judge Gorsuch to make sure justice is dispensed impartially, with equality—that justice is indeed blind.

To Judge Gorsuch and his family, congratulations.

To the people of this Chamber who worked so hard over the past several weeks and months to assure this moment happened, thank you.

To the great State of Colorado, it is an honor to have a fourth-generation Coloradan—a man of the West, with grit and determination—join the Nation's High Court.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SASSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GARDNER). Without objection, it is so ordered.

COMMENDING THE CHAIRMAN OF THE JUDICIARY COMMITTEE

Mr. SASSE. Mr. President, I would like to add my voice to yours in commending the chairman of the Judiciary Committee, the Senator from Iowa, for the honorable, principled, and commonsense way in which he led this committee through the last number of weeks and months as he shepherded through this body the confirmation of Judge—on Monday, Justice—Gorsuch.

The chairman from Iowa is a special man, and the 100 of us—or the 99 of us—who are privileged and blessed to serve with him know he is the model of how

to conduct oneself honorably in this job, and America will benefit from Judge Gorsuch's joining the Court.

I add my voice to those commending the senior Senator from Iowa for the way he has helped shepherd this body.

The PRESIDING OFFICER (Mr. SASSE). The majority leader.

CONGRATULATING NEIL GORSUCH AND THANKING THOSE INVOLVED IN THE CONFIRMATION PROCESS

Mr. MCCONNELL. Mr. President, I am proud to say the Senate has now confirmed Judge Neil Gorsuch as an Associate Justice on the Supreme Court. I want to congratulate Judge Gorsuch on this significant achievement. I look forward to observing his good work in the years to come.

The confirmation process was certainly a significant undertaking—one that would not have been possible without the dedicated efforts of so many. I would like to take a moment to recognize them now.

First, I would like to thank the man who made this moment possible by sending us this outstanding nominee. He is our President, Donald Trump. This has been one of the most transparent judicial nomination processes anybody can remember, and President Trump should be commended for his efforts.

I also appreciate the role Vice President PENCE played in moving this nomination forward as well as the outstanding work of the White House staff, led by Don McGahn, and for the wise counsel they provided throughout this process.

Of course, we all know how tirelessly our dear friend Senator GRASSLEY has worked in leading the Judiciary Committee through this process. He has been an unwavering leader, though we know it has not always been easy. Chairman GRASSLEY worked long and hard to ensure this process ran efficiently, to give Members on both sides ample opportunity to review the nomination, to see that the nominee was treated respectfully, and, ultimately, to help bring this well-qualified jurist over the finish line.

I would be remiss if I did not also mention the work of the Judiciary Committee collectively for its time and effort as well. I am referring to members of the committee, and I am referring to Chairman GRASSLEY's excellent Judiciary staff as well. They were critical to this effort.

Specifically, I thank the following: Staff Director Kolan Davis, Chief Nominations Counsel Ted Lehman, Communications Director Beth Levine, Megan Lacy, Lauren Mehler, Kasey O'Connor, Katharine Willey, Bill Lane, Carol Szurkowski, Dan Guarnera, and Katie Roholt.

To that end, I would also like to acknowledge our former colleague Kelly Ayotte. From dozens of meetings with Senators to lengthy days-long hear-

ings, she helped to ensure that this process ran as smoothly as possible, and she did so with a sense of grace that we all came to know when she was one of our colleagues.

Similarly, I want to recognize several White House Legislative Affairs staff who helped guide Judge Gorsuch through this process, including Mary Elizabeth Taylor, Marc Short, and Amy Swonger.

There are several others I would like to thank as well.

To the floor staff, Laura Dove, Robert Duncan, and their team, thank you for keeping the floor running smoothly and guiding us through Senate procedure. You all do incredible work and very difficult work, and you make it look effortless during each and every time.

To the folks who keep our institution running—the Parliamentarians, the clerks, the reporters of debates, the doorkeepers, Capitol Police, and numerous others who have sacrificed and worked long—often grueling—hours, thank you for everything you do and for always doing it with a smile.

Of course, I would also like to thank my Republican colleagues for their months of hard work. It has been a winding and sometimes bumpy road, but together we were able to confirm a judge who, I believe, will serve his country very well.

In particular, let me thank Republican whip, JOHN CORNYN, and his team, led by Monica Popp, for their efforts. Theirs is certainly not an easy job, but it is a necessary one.

There are a few others I could not leave today without mentioning.

To each and every member of my own staff, I want to express my sincere appreciation. There are almost too many names to mention, but, if I may, I would like to acknowledge a few individuals who have been particular assets through this entire process.

My chief of staff, Sharon Soderstrom, led our team through this lengthy and arduous confirmation process while balancing a never-ending list of demands. She has been a constant source of support and, as always, an indisputable and fearless leader.

Sharon, I am immensely grateful to you for being at the helm of my leadership office.

My deputy chief, Don Stewart—"Stew" as we like to call him—always knows exactly what to say or not to say, as the case may be. He has been a critical member of the team in charting the way forward and in helping convey our efforts to the American people.

Stew, thank you for your discerning advice and, yes, for your good humor as well.

My policy director, Hazen Marshall, has steered our policy objectives forward, balancing numerous legislative items and making it look effortless along the way.

So thanks, Hazen, for your sound counsel and for driving the train forward on so many different issues.

To my counsel, John Abegg, where do I begin? John has been an invaluable member of my team, a guiding source of wisdom, and a driving force in bringing Judge Gorsuch over the finish line. He has put in countless hours and has never stopped working, even in the most trying of times.

John, literally, this moment would not have been possible without you.

I know there are many others whom I wasn't able to name right now, but I want them to know we recognize their efforts, and we are immeasurably grateful for the work they do.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO COLONEL OSSEN D'HAITI

Mr. SCHUMER. Mr. President, today I wish to recognize the life and service of Col. Ossen D'Haiti, who is retiring from Active Duty in the U.S. Marine Corps after 27 years.

From an early age, he felt called to military service and attended the U.S. Merchant Marine Academy at Kings Point. As an engineering cadet, he sailed abroad on four ocean-going vessels with port calls in Egypt, Israel, Greece, Italy, Spain, Germany, Holland, and England. In 1990, he graduated Kings Point with a bachelor of science in marine engineering and a U.S. Coast Guard third assistant engineer's license.

Commissioned as a Marine Corps officer, Colonel D'Haiti spent the next 27 years as an AV-8B Harrier pilot, completing notable assignments both in and out of the cockpit. He has deployed with aviation detachments aboard the USS *Nassau*, LHA-41, and the USS *Bonhomme Richard*, LHD-6, and has flown over 150 combat missions during Operations Joint Endeavor and Guardian Retrieval in 1996, Operations Enduring Freedom and Anaconda in 2002, and Operation Iraqi Freedom in 2006—

2007. He has also served on the staff of the Secretary of Defense, the Secretary of the Navy, the Commandant of the Marine Corps' Strategic Initiatives Group, and the Marine Corps Forces Central Command Coordination Element forward deployed in Bahrain. His personal decorations include the Defense Superior Service Medal, the Meritorious Service Medal with Gold Star in lieu of Second Award, the Air Medal with 6 strike device, the Navy Marine Corps Commendation Medal with Gold Star in lieu of Second Award, as well as numerous campaign and service awards.

While serving, Colonel D'Haiti also made numerous civic contributions and is a leader within his community. After a 7.0 magnitude earthquake devastated Haiti in 2010, Colonel D'Haiti volunteered for nearly a month with the Haiti Micah Project, working to provide hot meals and shelter to street children in Mirebalais. Colonel D'Haiti is married to the former Maxine Hall of Sharon, MA, and loving father to Elizabeth, Grace, and Benjamin.

On behalf of my colleagues in the U.S. Congress and the thousands of sailors and marines you have led and mentored, thank you. Your life and service are the hallmark of the American Dream and will be an enduring inspiration for generations of young men and women after you. I wish you fair winds and following seas in all of your future endeavors.

TRIBUTE TO NEIL SMIT

Mr. TOOMEY. Mr. President, I want to recognize a constituent of mine, Neil Smit, for his service to our country, volunteer work in the community, and accomplishments in the business world. Earlier this year, Neil stepped down as president and CEO of Comcast Cable after 7 years with the company, but he will continue to work for the Comcast Corporation in his new role as a vice chairman.

Many know Neil for his business success and acumen, but his impressive career began as a member of the Armed Forces. Neil served on Active Duty with the Navy SEAL teams for over 5 years and retired from the service as a lieutenant commander. Neil never forgot the actions of his fellow servicemembers, which is why he championed Comcast's pledge to help Active-Duty servicemembers find jobs and make the transition into the civilian workforce. In particular, Neil spearheaded Comcast's commitment to hire 10,000 veterans, Reservists, and their spouses, as well as improving the company's military leave policies.

Neil is active in community service, both nationally and in the Philadelphia region. He currently sits on the executive committee of the board of trustees for the Children's Hospital of Philadelphia, and he serves on the board of di-

rectors of the National Cable and Telecommunications Association and C-SPAN, which broadcasts the Senate's proceedings nationwide.

As CEO of Comcast Cable, Neil developed and implemented significant changes aiming to improve cable and broadband services across the country. Comcast has a strong and well-known presence in Pennsylvania, both in terms of delivering television programming and Internet service to customers and in employing thousands of hard-working individuals across a variety of careers. Under Neil's leadership, Comcast Cable accelerated its commitment to job creation and innovation, developing new products that changed how customers consume telecommunication services. Prior to his time at Comcast, Neil displayed the same leadership and dedication to teamwork while serving in senior leadership positions at Charter Communications, AOL, Pillsbury, and Nabisco.

Today I congratulate Neil Smit on his leadership and an impressive career. I thank him for his service to our Nation and wish him well in his new role.

ADDITIONAL STATEMENTS

TRIBUTE TO MAJOR GENERAL H. MICHAEL EDWARDS

• Mr. ALEXANDER. Mr. President, today I wish to recognize and commend Maj. Gen. H. Michael Edwards, who retired on March 31, 2017, after 43 years of exceptional leadership and service to our country, including 36 years in the Colorado Air National Guard.

For almost a decade in the position of the adjutant general for Colorado, General Edwards was responsible for the command administration of over 5,300 Army and Air National Guard members.

He also served as the executive director of the Department of Military & Veterans Affairs and was a member of the Governor's cabinet.

He had responsibility for the Colorado National Guard's primary missions of national defense and State emergency response. In addition, he was responsible for supporting the missions of the Civil Air Patrol's Colorado Wing.

General Edwards received his commission in 1973, after graduating from the U.S. Air Force Academy, and earned his pilot wings in 1974 at Reese Air Force Base, TX.

He served as an F-4 pilot and AT-38 Fighter lead-in instructor pilot at Osan Air Base, Korea, and Holloman Air Force Base, NM, respectively.

General Edwards joined the Colorado Air National Guard in August 1980. He has served in numerous assignments in flying and operations, as well as command positions at squadron, group, and

wing levels—culminating as the adjutant general for Colorado.

During his tenure as adjutant general, more than 6,000 Colorado National Guard citizen-soldiers and citizen-airmen have mobilized in support of overseas contingency operations.

He also oversaw the Colorado National Guard's record-setting response to some of the worst natural disasters impacting Colorado, including the High Park fire and the Waldo Canyon fire during 2012, followed by the Black Forest fire and historic flooding along the Colorado Front Range in 2013.

Furthermore, General Edwards was instrumental in bringing a new National Guard cyber protection team to Colorado, bolstering the State's cyber defenses. He also diversified the Colorado National Guard through the appointment of its first female general officer.

Over a period of 10 years, General Edwards significantly grew the Colorado National Guard's enduring relationships with the Republic of Slovenia and the Hashemite Kingdom of Jordan under the National Guard State Partnership Program.

These military-to-military exchanges have supported combatant command security cooperation objectives, promoted regional stability, and increased partner capacity and interoperability.

General Edwards has also overseen the missions of the Civil Air Patrol's Colorado Wing, consisting of more than 1,600 volunteers. Under his leadership, the Civil Air Patrol took on a bigger role in State response, flying fire watch, and conducting flood damage surveys.

Colorado's Civil Air Patrol was first to fly support of the U.S. Army's on-base unmanned aerial systems operations.

General Edwards has flown over 4,600 mishap-free flight hours in a variety of aircraft to include the AT-38, A-7, C-21, F-4, F-16, T-37 and T-38.

Of note, he has achieved the distinction of the wing's "Top Gun" award on five separate occasions in his decorated flying career.

Major Edwards has received numerous military decorations, including two Legion of Merit awards and three Meritorious Service medal awards, along with many others from the State of Colorado.

General Edwards' operational experience, charismatic leadership, and unyielding patriotism have served him well in a lifetime of military service, both in the Colorado Air National Guard and abroad.

Today we honor his distinguished service to our Nation as one of the most accomplished adjutant generals in Colorado history.

We offer our heartfelt appreciation to his family for their countless sacrifices and selfless support to our country spanning over four decades.

On behalf of the Senate and a grateful nation, I congratulate Maj. Gen. H. Michael Edwards on a job well done and wish him the very best as he begins a hard-earned retirement in the great State of Colorado.

I look forward to our continued friendship. Thank you.●

TRIBUTE TO ROBERT HOO

● Mr. HELLER. Mr. President, today I wish to recognize Robert Hoo, the founder of Nevadans for the Common Good, an organization dedicated to community and making the great State of Nevada a better place through public service. Robert was born and raised in China and moved to New York with his family after the Communist revolution. For the last 5 years, Robert has lived in Las Vegas and committed himself to the goals of his impressive organization.

Nevadans for the Common Good trains everyday citizens for public service, such as running for political office or becoming active on an issue. The organization is run by 40 generous institutions and is a collection of religious congregations, civic associations, professional organizations, schools, fraternities, sororities, and other community-based groups.

Robert understands the importance of a good and honest government that truly works for the people. Having experienced the impact of communism on his family in China, he only further appreciated American ideals, and these values fuel the work he does to this day.

Robert Hoo has taken public and community service very seriously. Before he moved to Nevada, Robert worked for a nonprofit organization in Connecticut and also for an organization that targeted neighborhood blight in East Brooklyn. The people of Nevada are very fortunate that Robert's journey took him to our State.

Lastly, Robert's dedication to finding common ground is truly admirable. In today's political environment, too often we focus on what divides us. Robert, on the other hand, chooses to focus on what unites us at the grassroots level and is committed to helping people solve real problems for others and themselves. The world needs more public servants that have Robert's dedication to helping others and making a difference.

I am both humbled and honored to acknowledge Robert Hoo for his outstanding work. His organization is making a difference for so many people who want to better our great State through public service. As the senior Senator from the great State of Nevada, I am proud to call Robert a Nevadan and applaud the work he has done and will continue to do for years to come.●

TRIBUTE TO BOBI PIKE-OATES

● Mr. HELLER. Mr. President, today I wish to recognize Bobi Pike-Oates of Las Vegas for her service to our country and to the great State of Nevada. Bobi Pike-Oates served in the U.S. Air Force for 23 years, retiring with the rank of senior master sergeant. Now, even in retirement, she remains active in various groups and dedicated to helping veterans and the community.

Bobi Pike-Oates traveled the world during her time in the Air Force, serving in Hungary for Operation Joint Endeavor and in Turkey for Operation Provide Comfort. Being so far from home was, of course, very difficult, and we cannot adequately repay Bobi for the sacrifices she made in order to serve our country.

Throughout her time in the Air Force, Bobi earned awards and received recognition for going above and beyond in her service. During her time at Nevada's own Nellis Air Force Base, Bobi received the Senior Noncommissioned Officer of the Year, as well as the Resource Advisor of the Year Air Warfare Center.

Even though she is now retired from the Air Force, Bobi Pike-Oates's commitment to serving her country remains just as strong. Currently, Bobi serves on various boards, commissions, and associations that help our veterans. Bobi is a board member for the Women Veterans of Nevada, a life member of the Air Forces Association, a charter member of the Women in Military Service for America, Air Force Sergeants Association, American Legion, life member of the Veterans of Foreign Wars, and a life member of the Disabled American Veterans. She also serves on the State of Nevada Women Veterans Advisory Committee. Through these various organizations, Bobi continues to make Nevada proud.

I am both humbled and honored to acknowledge Bobi Pike-Oates for her service to our country. Her sacrifices and continued commitment to helping those who served makes me proud, and it is an honor to call her a fellow Nevadan. As Nevada's senior Senator, I look forward to seeing her continue to inspire others and work to help fellow veterans who, like her, make it possible for us to live in the freest nation on Earth.●

MESSAGE FROM THE HOUSE

ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

At 10:58 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill and joint resolutions:

S. 544. An act to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes.

S.J. Res. 30. Joint resolution providing for the reappointment of Steve Case as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 35. Joint resolution providing for the appointment of Michael Govan as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 36. Joint resolution providing for the appointment of Roger W. Ferguson as a citizen regent of the Board of Regent of the Smithsonian Institution.

The enrolled bill and joint resolutions were subsequently signed by the President pro tempore (Mr. HATCH).

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 861. A bill to provide for the compensation of Federal employees affected by lapses in appropriations.

H.R. 1301. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1203. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Monoethanolamine; Exemption from the Requirement of a Tolerance" (FRL No. 9949-11) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1204. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acetamiprid; Pesticide Tolerances for Emergency Exemption" (FRL No. 9959-90) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1205. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Samuel D. Cox, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-1206. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; SC; Infrastructure Requirements for the 2012 PM2.5 National Ambient Air Quality Standard" (FRL No. 9960-92-Region 4) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC-1207. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; North Carolina; Motor Vehicle Emissions Control Program; Correcting Amendment" (FRL No. 9960-94-Region 4) received in the Office of the President of the Senate on April 5, 2017; to the

Committee on Environment and Public Works.

EC-1208. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Michigan; Part 9 Miscellaneous Rules; Correction" (FRL No. 9960-49-Region 5) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC-1209. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Ohio; Removal of Gasoline Volatility Requirements in the Cincinnati and Dayton Areas; Update on the Boutique Fuel List for Illinois and Ohio" (FRL No. 9960-96-Region 5) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC-1210. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Indiana; Base Year Emissions Inventory and Emissions Statement Rule Certification for Lake and Porter Counties for the 2008 Ozone Standard" (FRL No. 9960-90-Region 5) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC-1211. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Ohio; Redesignation of the Ohio Portion of the Cincinnati-Hamilton, OH-IN-KY Area to Attainment of the 1997 Annual Standard for Fine Particulate Matter" (FRL No. 9960-82-Region 5) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC-1212. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Minnesota; Sulfur Dioxide Limits for Saint Paul Park Refining Co. LLC Facility" (FRL No. 9960-88-Region 5) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC-1213. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Indiana; Redesignation of the Indiana Portion of the Cincinnati, Ohio-Kentucky-Indiana Area to Attainment of the 2008 Ozone Standard" (FRL No. 9960-79-Region 5) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC-1214. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval and Air Quality Designation; KY; Redesignation of the Kentucky Portion of the Louisville 1997 Annual PM2.5 Nonattainment Area to Attainment" (FRL No. 9960-55-Region 4) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC-1215. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Florida; Infrastructure Requirements for the 2012 PM2.5 NAAQS" (FRL No. 9960-97-Region 4) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC-1216. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Reclassification of the Sheboygan, Wisconsin Area To Moderate Nonattainment for the 2008 Ozone National Ambient Air Quality Standards; Correction" (FRL No. 9960-91-Region 5) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC-1217. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Indiana; Emissions Statements Rule" (FRL No. 9960-78-Region 5) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC-1218. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Michigan; Transportation Conformity Procedures" (FRL No. 9960-81-Region 5) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC-1219. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval Tennessee: Reasonable Measures Required" (FRL No. 9960-57-Region 4) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC-1220. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maine, New Hampshire, Rhode Island, and Vermont; Interstate Transport of Fine Particle and Ozone Air Pollution" (FRL No. 9960-86-Region 1) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC-1221. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; NC; Infrastructure Requirements for the 2012 PM2.5 National Ambient Air Quality Standard" (FRL No. 9960-95-Region 4) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC-1222. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Kentucky; Nonattainment New Source Review Requirements for the 2008 8-Hour Ozone NAAQS" (FRL No. 9960-54-Region 4) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC-1223. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Georgia; Inspection and Maintenance Program Updates" (FRL No. 9960-59-Region 4) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC-1224. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Washington: General Regulations for Air Pollution Sources, Southwest Clean Air Agency Jurisdiction" (FRL No. 9960-83-Region 10) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC-1225. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Mercury and Air Toxics Standards (MATS) Electronic Reporting Requirements" (FRL No. 9958-30-OAR) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC-1226. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, the Commission's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1227. A communication from the Chairman of the Federal Communications Commission, transmitting, pursuant to law, the Commission's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1228. A communication from the Director, Congressional Affairs and Public Relations, U.S. Trade and Development Agency, transmitting, pursuant to law, the Agency's 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1229. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Elizabeth River, Elizabeth, NJ" ((RIN1625-AA09) (Docket No. USCG-2017-0070)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1230. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Detroit River (Trenton Channel), Grosse Ile, MI" ((RIN1625-AA09) (Docket No. USCG-2016-0988)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1231. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation, 2017 Catano Offshore, San Juan Harbor, San Juan, PR" ((RIN1625-AA08) (Docket No. USCG-2017-0255)) received

in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1232. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; VIP Visits, Palm Beach, FL" ((RIN1625-AA00) (Docket No. USCG-2017-0220)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1233. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; USCGC MUNRO Commissioning Ceremony Elliott Bay; Seattle, WA" ((RIN1625-AA00) (Docket No. USCG-2017-0261)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1234. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Charleston Race Week, Charleston Harbor, Charleston, SC" ((RIN1625-AA00) (Docket No. USCG-2017-0023)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1235. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone for Fireworks Display; Patapsco River, Inner Harbor, Baltimore, MD" ((RIN1625-AA00) (Docket No. USCG-2017-0176)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1236. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Pacific Ocean, Kilauea Lava Flow Ocean Entry on Southeast Side of Island of Hawaii, HI" ((RIN1625-AA00) (Docket No. USCG-2017-0172)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1237. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; San Francisco, CA" ((RIN1625-AA00) (Docket No. USCG-2016-0836)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1238. A communication from the Assistant Chief Counsel for Regulatory Affairs, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Harmonization with International Standards (RRR)" ((RIN2137-AF18) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1239. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Implementation of the Federal Civil Penalties Inflation Adjustment Act Improvements Act for a Violation of a Federal Rail-

road Safety Law, Federal Railroad Administration Safety Regulation or Order, or the Hazardous Material Transportation Laws or Regulations, Orders, Special Permits, and Approvals Issued Under Those Laws" ((RIN2130-AC65) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1240. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9069)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1241. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-6431)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1242. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9051)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1243. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2014-0922)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1244. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-8183)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1245. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9054)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1246. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2017-0129)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1247. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to

law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9068)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1248. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-8844)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1249. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9300)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1250. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; CFM International S.A. Turboprop Engines" ((RIN2120-AA64) (Docket No. FAA-2016-9128)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1251. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Textron Aviation Inc. (Type Certificate Previously Held by Cessna Aircraft Company) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-3705)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1252. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Safran Helicopter Engines, S.A., Turboshaft Engines" ((RIN2120-AA64) (Docket No. FAA-2017-0115)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1253. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney Division Turboprop Engines" ((RIN2120-AA64) (Docket No. FAA-2016-8836)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1254. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters" ((RIN2120-AA64) (Docket No. FAA-2016-9291)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1255. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-9302)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1256. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE Systems (Operations) Limited Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-0457)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1257. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Part 95 Instrument Flight Rules; Miscellaneous Amendments; Amendment No. 532" ((RIN2120-AA63) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1258. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (73); Amdt. No. 3735" ((RIN2120-AA65) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1259. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (92); Amdt. No. 3737" ((RIN2120-AA65) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1260. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace, Manti, UT" ((RIN2120-AA66) (Docket No. FAA-2016-8164)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1261. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace, Trinidad, CO" ((RIN2120-AA66) (Docket No. FAA-2015-7115)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1262. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Elmira, NY" ((RIN2120-AA66) (Docket No.

FAA-2015-8128)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1263. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Air Traffic Service (ATS) Routes; Eastern United States" ((RIN2120-AA66) (Docket No. FAA-2016-0986)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1264. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Air Traffic Service (ATS) Routes Q-917 and Q-923; Northcentral United States" ((RIN2120-AA66) (Docket No. FAA-2017-0116)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1265. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Restricted Areas R-7201; Farallon De Medinilla Island, Mariana Islands" ((RIN2120-AA66) (Docket No. FAA-2015-0739)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1266. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Extension of the Prohibition Against Certain Flights in the Tripoli (HLLL) Flight Information Region (FIR)" ((RIN2120-AK99) (Docket No. FAA-2011-0246)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CORKER, from the Committee on Foreign Relations, with amendments and with an amended preamble:

S. Res. 116. A resolution condemning the Assad regime for its continued use of chemical weapons against the Syrian people.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. GRASSLEY (for himself and Mr. FRANKEN):

S. 888. A bill to amend the Higher Education Opportunity Act to add disclosure requirements to the institution financial aid offer form and to amend the Higher Education Act of 1965 to make such form mandatory; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRASSLEY (for himself and Mr. FRANKEN):

S. 889. A bill to amend the Higher Education Act of 1965 to make technical improvements to the Net Price Calculator sys-

tem so that prospective students may have a more accurate understanding of the true cost of college; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL (for himself and Mr. HEINRICH):

S. 890. A bill to grant the Congressional Gold Medal to the troops who defended Bataan during World War II; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MURPHY (for himself, Mr. BROWN, Mr. BLUMENTHAL, Ms. BALDWIN, and Mr. MERKLEY):

S. 891. A bill to amend title 10, United States Code, to require contracting officers to consider information regarding domestic employment before awarding a Federal defense contract, and for other purposes; to the Committee on Armed Services.

By Mrs. GILLIBRAND (for herself and Mr. MCCAIN):

S. 892. A bill to amend the Controlled Substances Act to establish additional registration requirements for prescribers of opioids, and for other purposes; to the Committee on the Judiciary.

By Mr. SHELBY:

S. 893. A bill to repeal the current Internal Revenue Code and replace it with a flat tax, thereby guaranteeing economic growth and fairness for all Americans; to the Committee on Finance.

By Mr. DAINES:

S. 894. A bill to amend title 40, United States Code, to provide requirements for the disposal of surplus Federal property relating to review of bidders and post-sale responsibilities; to the Committee on Environment and Public Works.

By Mr. HEINRICH (for himself and Mr. BOOKER):

S. 895. A bill to require the Secretary of Energy to establish a comprehensive program to improve education and training for energy- and manufacturing-related jobs to increase the number of skilled workers trained to work in energy- and manufacturing-related fields, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BURR (for himself, Mr. BENNET, Ms. COLLINS, Mr. GARDNER, Mr. DAINES, Mrs. SHAHEEN, and Mr. HEINRICH):

S. 896. A bill to permanently reauthorize the Land and Water Conservation Fund; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mr. BROWN, Mr. CARDIN, Mr. DURBIN, Mr. FRANKEN, Ms. KLOBUCHAR, Mr. MURPHY, Mrs. MURRAY, Mr. SANDERS, Mr. UDALL, Mr. WHITEHOUSE, Mr. MARKEY, and Mr. MERKLEY):

S. 897. A bill to protect civilians from cluster munitions, and for other purposes; to the Committee on Foreign Relations.

By Ms. KLOBUCHAR (for herself, Ms. COLLINS, and Ms. HEITKAMP):

S. 898. A bill to provide incentives to physicians to practice in rural and medically underserved communities, and for other purposes; to the Committee on the Judiciary.

By Ms. HIRONO (for herself, Mr. MORAN, and Mr. TESTER):

S. 899. A bill to amend title 38, United States Code, to ensure that the requirements that new Federal employees who are veterans with service-connected disabilities are provided leave for purposes of undergoing medical treatment for such disabilities apply to certain employees of the Veterans Health Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. HIRONO (for herself, Mr. REED, Mr. FRANKEN, Ms. STABENOW, Mr. MARKEY, Mr. HEINRICH, and Ms. KLOBUCHAR):

S. 900. A bill to improve the Federal Pell Grant program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HIRONO (for herself, Mr. ROUNDS, Ms. CANTWELL, Ms. HASSAN, Mrs. MURRAY, Mrs. SHAHEEN, Mr. SCHATZ, Mr. WARNER, Ms. COLLINS, and Mr. KAINE):

S. 901. A bill to prohibit any reduction in the amount of the per diem allowance to which members of the Army, Navy, Air Force, and Marine Corps or civilian employees of the Department of Defense are entitled based on the duration of temporary duty assignments or official travel, and for other purposes; to the Committee on Armed Services.

By Mrs. MCCASKILL (for herself and Mr. DAINES):

S. 902. A bill to amend the Homeland Security Act of 2002 to provide for certain acquisition authorities for the Under Secretary of Management of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. UDALL (for himself and Mr. TESTER):

S. 903. A bill to amend the Caregivers and Veterans Omnibus Health Services Act of 2010 to extend and expand the pilot program on the use of community-based organizations and local and State government entities to ensure that veterans receive care and benefits for which they are eligible and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GRASSLEY (for himself, Mrs. FEINSTEIN, Mr. SHELBY, Mr. WHITEHOUSE, and Mr. STRANGE):

S. 904. A bill to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes; to the Committee on the Judiciary.

By Mr. CARDIN (for himself, Mr. RUBIO, Mr. CORKER, Mrs. SHAHEEN, Mr. MENENDEZ, and Mr. YOUNG):

S. 905. A bill to require a report on, and to authorize technical assistance for, accountability for war crimes, crimes against humanity, and genocide in Syria, and for other purposes; to the Committee on Foreign Relations.

By Mrs. MCCASKILL (for herself and Mr. DAINES):

S. 906. A bill to amend the Homeland Security Act of 2002 to provide for congressional notification regarding major acquisition program breaches, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. MURKOWSKI:

S. 907. A bill to authorize the modification of the Second Division Memorial, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. STABENOW (for herself, Mr. PETERS, and Ms. BALDWIN):

S. 908. A bill to amend chapter 83 of title 41, United States Code, to increase the requirement for American-made content, to strengthen the waiver provisions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. THUNE:

S. 909. A bill to amend the Food Security Act of 1985 to extend and improve conservation programs, and for other purposes; to the

Committee on Agriculture, Nutrition, and Forestry.

By Mr. SCHUMER (for himself, Mr. CASEY, and Ms. WARREN):

S. 910. A bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself and Mr. TOOMEY):

S. 911. A bill to direct the Administrator of the Federal Aviation Administration to issue an order with respect to secondary cockpit barriers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. KLOBUCHAR (for herself and Mr. BURR):

S. Res. 122. A resolution designating April 2017 as "National 9-1-1 Education Month"; to the Committee on the Judiciary.

By Mr. WYDEN (for himself, Mr. ALEXANDER, Mr. HEINRICH, Mr. PORTMAN, Mr. BOOKER, and Ms. HIRONO):

S. Res. 123. A resolution designating May 20, 2017, as "Kids to Parks Day"; to the Committee on the Judiciary.

By Mr. MERKLEY (for himself, Ms. MURKOWSKI, Mr. WHITEHOUSE, Mr. BOOKER, Mr. COONS, Mr. BLUMENTHAL, Ms. STABENOW, Mr. BROWN, Ms. HIRONO, Mr. WYDEN, Ms. KLOBUCHAR, Mr. CASSIDY, Ms. HASSAN, Mr. FRANKEN, Mr. LEAHY, Mrs. SHAHEEN, Mr. PETERS, Mr. SCHATZ, Mr. KAINE, Mr. NELSON, Mr. SANDERS, Mr. MARKEY, Mr. MURPHY, Mr. CARDIN, Ms. CANTWELL, and Mrs. FEINSTEIN):

S. Res. 124. A resolution expressing the sense of the Senate that the National Sea Grant College Program is a valuable program that protects and enhances the coastal communities and economy of the United States; to the Committee on Commerce, Science, and Transportation.

By Mr. UDALL (for himself, Mr. WHITEHOUSE, Mr. MARKEY, Ms. HEITKAMP, Ms. WARREN, Mr. CARDIN, Mr. KING, Mrs. SHAHEEN, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. HEINRICH, Mr. FRANKEN, Mrs. MURRAY, Mr. BROWN, and Mr. VAN HOLLEN):

S. Res. 125. A resolution supporting the goals and ideals of National Public Health Week; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARPER (for himself, Mr. HELLER, Mr. MARKEY, and Mr. ENZI):

S. Res. 126. A resolution expressing support for the designation of the week of April 10 through April 14, 2017 as "National Assistant Principals Week"; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BURR (for himself and Ms. HEITKAMP):

S. Res. 127. A resolution supporting the goals and ideals of Take Our Daughters and Sons To Work Day; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN (for himself and Mr. STRANGE):

S. Res. 128. A resolution designating April 2017 as "National Congenital Diaphragmatic Hernia Awareness Month"; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself, Ms. KLOBUCHAR, Mr. LANKFORD, and Mr. DURBIN):

S. Res. 129. A resolution designating April 2017 as "Second Chance Month"; to the Committee on the Judiciary.

By Mr. BOOZMAN (for himself, Mr. RISCH, Mr. COONS, Mr. CASSIDY, Ms. BALDWIN, Mr. ROBERTS, Mr. PETERS, and Mr. KAINE):

S. Res. 130. A resolution expressing gratitude and appreciation for the entry of the United States into World War I; to the Committee on Foreign Relations.

By Mr. GRASSLEY (for himself, Mr. LEAHY, Mr. CRAPO, and Mrs. FEINSTEIN):

S. Res. 131. A resolution supporting the mission and goals of National Crime Victims' Rights Week in 2017, which include increasing public awareness of the rights, needs, and concerns of, and services available to assist, victims and survivors of crime in the United States; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself and Mr. BROWN):

S. Res. 132. A resolution congratulating the Ashland University women's basketball team for winning the 2017 National Collegiate Athletic Association division II championship; to the Committee on Commerce, Science, and Transportation.

By Mr. BURR (for himself and Mr. TILLIS):

S. Res. 133. A resolution congratulating the University of North Carolina Tar Heels basketball team for winning the 2016-2017 National Collegiate Athletic Association men's basketball national championship; to the Committee on Commerce, Science, and Transportation.

By Mr. SCOTT (for himself and Mr. GRAHAM):

S. Res. 134. A resolution congratulating the University of South Carolina women's basketball team for winning the 2017 National Collegiate Athletic Association Division I Women's Basketball Tournament Championship; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 26

At the request of Mr. WYDEN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 26, a bill to amend the Ethics in Government Act of 1978 to require the disclosure of certain tax returns by Presidents and certain candidates for the office of the President, and for other purposes.

S. 234

At the request of Mr. DONNELLY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 234, a bill to provide incentives for businesses to keep jobs in America.

S. 253

At the request of Mr. CARDIN, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 253, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 339

At the request of Mr. NELSON, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 339, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 474

At the request of Mr. GRAHAM, the names of the Senator from Maine (Ms. COLLINS) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 474, a bill to condition assistance to the West Bank and Gaza on steps by the Palestinian Authority to end violence and terrorism against Israeli citizens.

S. 477

At the request of Mr. DURBIN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Michigan (Ms. STABENOW), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 477, a bill to amend the Public Health Service Act to coordinate Federal congenital heart disease research and surveillance efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

S. 479

At the request of Mr. BROWN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 479, a bill to amend title XVIII of the Social Security Act to waive coin-surance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 493

At the request of Mr. RUBIO, the names of the Senator from Texas (Mr. CRUZ) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. 493, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 591

At the request of Mrs. MURRAY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 591, a bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes.

S. 593

At the request of Mrs. CAPITO, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 593, a bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States.

S. 792

At the request of Mr. TILLIS, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 792, a bill to amend the Immigration and Nationality Act to establish an H-2B temporary non-agricultural work visa program, and for other purposes.

S. 815

At the request of Mr. NELSON, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 815, a bill to amend titles XVIII and XIX of the Social Security Act to make premium and cost-sharing subsidies available to low-income Medicare part D beneficiaries who reside in Puerto Rico or another territory of the United States.

S. 828

At the request of Mr. ROUNDS, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 828, a bill to amend the Federal Deposit Insurance Act to require the appropriate Federal banking agencies to treat certain municipal obligations as level 2B liquid assets, and for other purposes.

S. 829

At the request of Mr. MCCAIN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 829, a bill to reauthorize the Assistance to Firefighters Grants program, the Fire Prevention and Safety Grants program, and the Staffing for Adequate Fire and Emergency Response grant program, and for other purposes.

S. 870

At the request of Mr. HATCH, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 870, a bill to amend title XVIII of the Social Security Act to implement Medicare payment policies designed to improve management of chronic disease, streamline care coordination, and improve quality outcomes without adding to the deficit.

S. 881

At the request of Ms. WARREN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 881, a bill to reduce risks to the financial system by limiting banks' ability to engage in certain risky activities and limiting conflicts of interest, to reinstate certain Glass-Steagall Act protections that were repealed by the Gramm-Leach-Bliley Act, and for other purposes.

S. CON. RES. 7

At the request of Mr. ROBERTS, the names of the Senator from Ohio (Mr. BROWN) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. CON. RES. 12

At the request of Mr. GRASSLEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. Con. Res. 12, a concurrent resolution expressing the sense of Congress that those who served in the bays, harbors, and territorial seas of the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, should be presumed to have served in the Republic of Vietnam for all purposes under the Agent Orange Act of 1991.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DAINES:

S. 894. A bill to amend title 40, United States Code, to provide requirements for the disposal of surplus Federal property relating to review of bidders and post-sale responsibilities; to the Committee on Environment and Public Works.

S. 894

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MODIFICATIONS RELATING TO METHOD OF DISPOSITION OF SURPLUS FEDERAL PROPERTY AND SUBSEQUENT RESPONSIBILITIES.

Section 543 of title 40, United States Code, is amended—

(1) in the first sentence, by striking "An executive" and inserting the following:

"(a) IN GENERAL.—The Administrator of General Services or an executive";

(2) in the second sentence—

(A) by striking "it considers"; and

(B) by striking "The agency" and inserting the following:

"(b) DISPOSAL ACTIONS.—

"(1) DOCUMENTATION.—The Administrator of General Services or an executive agency"; and

(3) in subsection (b) (as designated by paragraph (2)(B)), by adding at the end the following:

"(2) OBSERVATIONS OF BIDDER.—For purposes of ensuring settlement of a loan used for the purchase by a member of the public of any Federal real property with a significant health or safety concern sold by the General Services Administration under this chapter, the Administrator of General Services shall—

"(A) during the course of the ordinary bidding process, identify, to the best of the ability of the Administrator of General Services, whether any obvious and significant indication is present that the purchaser is not capable of—

"(i) settling the loan obligation; or

"(ii) removing any health or safety conditions; and

“(B) if such an obvious and significant indication is identified—

“(i) document the indication; and

“(ii) disallow sale of the Federal property to the prospective purchaser.

“(3) ASBESTOS.—

“(A) DEFINITION OF ASBESTOS-AFFECTED PROPERTY.—In this paragraph, the term ‘asbestos-affected property’ means any Federal property that—

“(i) is sold by the General Services Administration under this chapter after April 30, 2013; and

“(ii) contains—

“(I) friable asbestos; and

“(II) a significant overall quantity of asbestos, such that damage inflicted on the Federal property by a natural disaster would cause significant damage to the public due to the quantity of asbestos.

“(B) RESPONSIBILITY.—In the event that an immediate or subsequent purchaser of an asbestos-affected property is a debtor (as defined in section 101 of title 11, United States Code), and transfers any portion of the asbestos-affected property with significant quantities of unabated asbestos to a unit of State or local government, on request by that unit of government, the Administrator of General Services shall coordinate with other Federal agencies to identify funding resources for the purpose of asbestos abatement if that unit of government submits the request to the Administrator of General Services not later than 20 years after the date of the initial sale of the real property by the General Services Administration.”.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mr. BROWN, Mr. CARDIN, Mr. DURBIN, Mr. FRANKEN, Ms. KLOBUCHAR, Mr. MURPHY, Mrs. MURRAY, Mr. SANDERS, Mr. UDALL, Mr. WHITEHOUSE, Mr. MARKEY, and Mr. MERKLEY):

S. 897. A bill to protect civilians from cluster munitions, and for other purposes; to the Committee on Foreign Relations.

Mrs. FEINSTEIN. Mr. President, I rise today with my colleagues Senators LEAHY, BROWN, CARDIN, DURBIN, FRANKEN, KLOBUCHAR, MURPHY, MURRAY, MARKEY, MERKLEY, SANDERS, UDALL, and WHITEHOUSE to introduce the Cluster Munitions Civilian Protection Act of 2017.

First and foremost, the legislation would limit the use of cluster munitions by the U.S. Armed Forces. In June 2008, then-Secretary of Defense Robert Gates signed a memo stating that after 2018 the United States will not use cluster munitions with a greater than 1 percent unexploded ordnance rate. The Cluster Munitions Civilian Protection Act would codify the Gates policy by immediately prohibiting the use of cluster munitions with a greater than 1 percent failure rate.

Second, this bill would make it clear that the export of U.S.-made cluster munitions must be contingent upon the receiving country not using these weapons inappropriately. Since 2008, the Congress has required that U.S.-made cluster munitions can only be used by the recipient country against

clearly defined military targets and will not be used where civilians are known to be present or in areas normally inhabited by civilians.

During the 114th Congress, the Defense Department discovered that several export agreements for U.S. cluster munitions—known as letters of offer and acceptance—failed to mirror congressional restrictions on their use. Specifically, the Pentagon found that letters of offer and acceptance with South Korea and Saudi Arabia were either incomplete or missing. While the Pentagon is attempting to amend the mistake, it is imperative that the Congress make clear that U.S.-made cluster munitions must not be used where civilians are known to be present or in areas normally inhabited by civilians. As a result, the legislation requires export policies and licenses to restrict cluster munition use against clearly defined military targets and not in civilian areas.

Today 119 countries have signed or acceded to the Convention on Cluster Munitions. In fact, four of our closest allies—Canada, Great Britain, Germany, and France—are states parties, legally bound by all of the convention’s provisions.

The convention prohibits the use, production, transfer, and stockpiling of cluster munitions. The convention also requires the destruction of stockpiled cluster munitions within eight years, clearance of cluster munition remnants within 10 years, and assistance to victims, including those injured by submunitions.

I am disappointed that the United States has not signed the convention but believe we can move toward doing so. This legislation states that it is the sense of Congress that No. 1, the U.S. Government should phase out the use of all cluster munitions as soon as possible; No. 2, any alternatives that the United States develops to replace cluster munitions should be compliant with the Convention on Cluster Munitions; and No. 3, the United States should accede to the convention as soon as possible.

The United States has not widely used cluster munitions since the first weeks of the 2003 Iraq war. Unfortunately, cluster munitions have been used by others around the world with devastating effect on civilians in the past year.

According to the Cluster Munition Monitor, since 2012, Syrian government forces have used at least 13 different types of cluster munitions in 360 recorded attacks. Additionally, the United States and the United Kingdom have publicly accused Russia of using these weapons in Syria, including against the moderate opposition.

In Yemen, the Saudi-backed coalition has employed cluster munitions against the Houthis. Human Rights Watch and Amnesty International have

documented at least 19 instances of cluster munitions use in Yemen, including with U.S.-made weapons. The U.S. Defense Department has acknowledged that U.S.-made weapons were employed in Yemen, though the Pentagon has said their use didn’t violate export restrictions.

Finally, there is evidence that cluster munitions were also used in the Nagorno-Karabakh region and by Kenya in Somalia.

According to the Cluster Munitions Monitor, over the past 50 years, there have been 20,300 documented cluster munitions deaths in 33 nations. The estimated number of total cluster munitions casualties, however, is an astonishing 55,000 people.

While cluster munitions are intended for military targets, in actuality civilians accounted for 97 percent of cluster munition casualties in 2015.

Worldwide casualties caused by cluster munitions demonstrate that they are indiscriminate weapons. While U.S.-made cluster munitions reduce the likelihood of civilian casualties when they are used correctly, U.S. ratification of the Convention on Cluster Munitions would help move the world toward a global ban.

This legislation moves the United States toward accession by codifying the Gates policy and encouraging the Pentagon to develop alternatives to cluster munitions that are compliant with the convention.

Mr. President, the Congress cannot compel the administration to sign the Convention on Cluster Munitions. But, we can surely take steps to abide by its spirit. Passing the “Cluster Munitions Civilian Protection Act” would do exactly that.

I urge my colleagues to support this bill.

By Mr. SCHUMER (for himself, Mr. CASEY, and Ms. WARREN):

S. 910. A bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 910

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Disability Integration Act of 2017”.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) In enacting the Americans with Disabilities Act of 1990 (referred to in this Act as the “ADA”), Congress—

(A) recognized that “historically, society has tended to isolate and segregate individuals with disabilities, and, despite some improvements, such forms of discrimination against individuals with disabilities continue to be a serious and pervasive social problem”; and

(B) intended that the ADA assure “full participation” and “independent living” for individuals with disabilities by addressing “discrimination against individuals with disabilities [that] persists in critical areas”, including institutionalization.

(2) While Congress expected that the ADA’s integration mandate would be interpreted in a manner that ensures that individuals who are eligible for institutional placement are able to exercise a right to community-based long-term services and supports, that expectation has not been fulfilled.

(3) The holdings of the Supreme Court in *Olmstead v. L.C.*, 527 U.S. 581 (1999), and companion cases, have clearly articulated that individuals with disabilities have a civil right under the ADA to participate in society as equal citizens. However, many States still do not provide sufficient community-based long-term services and supports to individuals with disabilities to end segregation in institutions.

(4) The right to live in the community is necessary for the exercise of the civil rights that the ADA was intended to secure for all individuals with disabilities. The lack of adequate community-based services and supports has imperiled the civil rights of all individuals with disabilities, and has undermined the very promise of the ADA. It is, therefore, necessary to recognize in statute a robust and fully articulated right to community living.

(5) States, with a few exceptions, continue to approach decisions regarding long-term services and supports from social welfare and budgetary perspectives, but for the promise of the ADA to be fully realized, States must approach these decisions from a civil rights perspective.

(6) States have not consistently planned to ensure sufficient services and supports for individuals with disabilities, including those with the most significant disabilities, to enable individuals with disabilities to live in the most integrated setting. As a result, many individuals with disabilities who reside in institutions are prevented from residing in the community and individuals with disabilities who are not in institutions find themselves at risk of institutional placement.

(7) The continuing existence of unfair and unnecessary institutionalization denies individuals with disabilities the opportunity to live and participate on an equal basis in the community and costs the United States billions of dollars in unnecessary spending related to perpetuating dependency and unnecessary confinement.

(b) **PURPOSES.**—The purposes of this Act are—

(1) to clarify and strengthen the ADA’s integration mandate in a manner that accelerates State compliance;

(2) to clarify that every individual who is eligible for long-term services and supports has a Federally protected right to be meaningfully integrated into that individual’s community and receive community-based long-term services and supports;

(3) to ensure that States provide long-term services and supports to individuals with disabilities in a manner that allows individuals with disabilities to live in the most integrated setting, including the individual’s

own home, have maximum control over their services and supports, and ensure that long-term services and supports are provided in a manner that allows individuals with disabilities to lead an independent life;

(4) to establish a comprehensive State planning requirement that includes enforceable, measurable objectives that are designed to transition individuals with all types of disabilities at all ages out of institutions and into the most integrated setting; and

(5) to establish a requirement for clear and uniform annual public reporting by States that includes reporting about—

(A) the number of individuals with disabilities who are served in the community and the number who are served in institutions; and

(B) the number of individuals with disabilities who have transitioned from an institution to a community-based living situation, and the type of community-based living situation into which those individuals have transitioned.

SEC. 3. DEFINITIONS AND RULE.

(a) **DEFINITIONS.**—In this Act:

(1) **ACTIVITIES OF DAILY LIVING.**—The term “activities of daily living” has the meaning given the term in section 441.505 of title 42, Code of Federal Regulations (or a successor regulation).

(2) **ADMINISTRATOR.**—The term “Administrator” means—

(A) the Administrator of the Administration for Community Living; or

(B) another designee of the Secretary of Health and Human Services.

(3) **COMMUNITY-BASED.**—The term “community-based”, when used in reference to services or supports, means services or supports that are provided to an individual with an LTSS disability to enable that individual to live in the community and lead an independent life, and that are delivered in whichever setting the individual with an LTSS disability has chosen out of the following settings with the following qualities:

(A) In the case of a dwelling or a nonresidential setting (such as a setting in which an individual with an LTSS disability receives day services and supported employment), a dwelling or setting—

(i) that, as a matter of infrastructure, environment, amenities, location, services, and features, is integrated into the greater community and supports, for each individual with an LTSS disability who receives services or supports at the setting—

(I) full access to the greater community (including access to opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community); and

(II) access to the greater community to the same extent as access to the community is enjoyed by an individual who is not receiving long-term services or supports;

(ii) that the individual has selected as a meaningful choice from among nonresidential setting options, including nondisability-specific settings;

(iii) in which an individual has rights to privacy, dignity, and respect, and freedom from coercion and restraint;

(iv) that, as a matter of infrastructure, environment, amenities, location, services, and features, optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including choices about daily activities, physical environment, and persons with whom the individual interacts; and

(v) that, as a matter of infrastructure, environment, amenities, location, services, and features, facilitates individual choice regarding the provision of services and supports, and who provides those services and supports.

(B) In the case of a dwelling, a dwelling—

(i) that is owned by an individual with an LTSS disability or the individual’s family member;

(ii) that is leased to the individual with an LTSS disability under an individual lease, that has lockable access and egress, and that includes living, sleeping, bathing, and cooking areas over which an individual with an LTSS disability or the individual’s family member has domain and control; or

(iii) that is a group or shared residence—

(I) in which no more than 4 unrelated individuals with an LTSS disability reside;

(II) for which each individual with an LTSS disability living at the residence owns, rents, or occupies the residence under a legally enforceable agreement under which the individual has, at a minimum, the same responsibilities and protections as tenants have under applicable landlord-tenant law;

(III) in which each individual with an LTSS disability living at the residence—

(aa) has privacy in the individual’s sleeping unit, including a lockable entrance door controlled by the individual;

(bb) shares a sleeping unit only if such individual and the individual sharing the unit choose to do so, and if individuals in the residence so choose, they also have a choice of roommates within the residence;

(cc) has the freedom to furnish and decorate the individual’s sleeping or living unit as permitted under the lease or other agreement;

(dd) has the freedom and support to control the individual’s own schedules and activities; and

(ee) is able to have visitors of the individual’s choosing at any time; and

(IV) that is physically accessible to the individual with an LTSS disability living at the residence.

(4) **DWELLING.**—The term “dwelling” has the meaning given the term in section 802 of the Fair Housing Act (42 U.S.C. 3602).

(5) **HEALTH-RELATED TASKS.**—The term “health-related tasks” means specific nonacute tasks, typically regulated by States as medical or nursing tasks that an individual with a disability may require to live in the community, including—

(A) administration of medication;

(B) assistance with use, operation, and maintenance of a ventilator; and

(C) maintenance and use of a gastrostomy tube, a catheter, or a stoma.

(6) **INDIVIDUAL WITH A DISABILITY.**—The term “individual with a disability” means an individual who is a person with a disability, as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102).

(7) **INDIVIDUAL WITH AN LTSS DISABILITY.**—The term “individual with an LTSS disability” means an individual with a disability who—

(A) in order to live in the community and lead an independent life requires assistance in accomplishing—

(i) activities of daily living;

(ii) instrumental activities of daily living;

(iii) health-related tasks; or

(iv) other functions, tasks, or activities related to an activity or task described in clause (i), (ii), or (iii); and

(B) (i) is currently in an institutional placement; or

(ii) is at risk of institutionalization if the individual does not receive community-based long-term services and supports.

(8) **INSTRUMENTAL ACTIVITIES OF DAILY LIVING.**—

(A) **IN GENERAL.**—The term “instrumental activities of daily living” means 1 or more activities related to living independently in the community, including activities related to—

(i) nutrition, such as preparing meals or special diets, monitoring to prevent choking or aspiration, or assisting with special utensils;

(ii) household chores and environmental maintenance tasks;

(iii) communication and interpersonal skills, such as—

(I) using the telephone or other communications devices;

(II) forming and maintaining interpersonal relationships; or

(III) securing opportunities to participate in group support or peer-to-peer support arrangements;

(iv) travel and community participation, such as shopping, arranging appointments, or moving around the community;

(v) care of others, such as raising children, taking care of pets, or selecting caregivers; or

(vi) management of personal property and personal safety, such as—

(I) taking medication;

(II) handling or managing money; or

(III) responding to emergent situations or unscheduled needs requiring an immediate response.

(B) **ASSISTANCE.**—The term “assistance” used with respect to instrumental activities of daily living, includes support provided to an individual by another person due to confusion, dementia, behavioral symptoms, or cognitive, intellectual, mental, or emotional disabilities, including support to—

(i) help the individual identify and set goals, overcome fears, and manage transitions;

(ii) help the individual with executive functioning, decisionmaking, and problem solving;

(iii) provide reassurance to the individual; and

(iv) help the individual with orientation, memory, and other activities related to independent living.

(9) **LONG-TERM SERVICE OR SUPPORT.**—The terms “long-term service or support” and “LTSS” mean the assistance provided to an individual with a disability in accomplishing, acquiring the means or ability to accomplish, maintaining, or enhancing—

(A) activities of daily living;

(B) instrumental activities of daily living;

(C) health-related tasks; or

(D) other functions, tasks, or activities related to an activity or task described in subparagraph (A), (B), or (C).

(10) **LTSS INSURANCE PROVIDER.**—The term “LTSS insurance provider” means a public or private entity that—

(A) provides funds for long-term services and supports; and

(B) is engaged in commerce or in an industry or activity affecting commerce.

(11) **PUBLIC ENTITY.**—

(A) **IN GENERAL.**—The term “public entity” means an entity that—

(i) provides or funds institutional placements for individuals with LTSS disabilities; and

(ii) is—

(I) a State or local government; or

(II) any department, agency, entity administering a special purpose district, or other

instrumentality, of a State or local government.

(B) **INTERSTATE COMMERCE.**—For purposes of subparagraph (A), a public entity shall be considered to be a person engaged in commerce or in an industry or activity affecting commerce.

(b) **RULE OF CONSTRUCTION.**—Nothing in subsection (a)(2) or any other provision of this section shall be construed to preclude an individual with a disability from receiving community-based services and supports in an integrated community setting such as a grocery store, retail establishment, restaurant, bank, park, concert venue, theater, or workplace.

SEC. 4. DISCRIMINATION.

(a) **IN GENERAL.**—No public entity or LTSS insurance provider shall deny an individual with an LTSS disability who is eligible for institutional placement, or otherwise discriminate against that individual in the provision of, community-based long-term services and supports that enable the individual to live in the community and lead an independent life.

(b) **SPECIFIC PROHIBITIONS.**—For purposes of this Act, discrimination by a public entity or LTSS insurance provider includes—

(1) the imposition or application of eligibility criteria or another policy that prevents or tends to prevent an individual with an LTSS disability, or any class of individuals with LTSS disabilities, from receiving a community-based long-term service or support;

(2) the imposition or application of a policy or other mechanism, such as a service or cost cap, that prevent or tends to prevent an individual with an LTSS disability, or any class of individuals with LTSS disabilities, from receiving a community-based long-term service or support;

(3) a failure to provide a specific community-based long-term service or support or a type of community-based long-term service or support needed for an individual with an LTSS disability, or any class of individuals with LTSS disabilities;

(4) the imposition or application of a policy, rule, regulation, or restriction that interferes with the opportunity for an individual with an LTSS disability, or any class of individuals with LTSS disabilities, to live in the community and lead an independent life, which may include a requirement that an individual with an LTSS disability receive a service or support (such as day services or employment services) in a congregated or disability-specific setting;

(5) the imposition or application of a waiting list or other mechanism that delays or restricts access of an individual with an LTSS disability to a community-based long-term service or support;

(6) a failure to establish an adequate rate or other payment structure that is necessary to ensure the availability of a workforce sufficient to support an individual with an LTSS disability in living in the community and leading an independent life;

(7) a failure to provide community-based services and supports, on an intermittent, short-term, or emergent basis, that assist an individual with an LTSS disability to live in the community and lead an independent life;

(8) the imposition or application of a policy, such as a requirement that an individual utilize informal support, that restricts, limits, or delays the ability of an individual with an LTSS disability to secure a community-based long-term service or support to live in the community or lead an independent life;

(9) a failure to implement a formal procedure and a mechanism to ensure that—

(A) individuals with LTSS disabilities are offered the alternative of community-based long-term services and supports prior to institutionalization; and

(B) if selected by an individual with an LTSS disability, the community-based long-term services and supports described in subparagraph (A) are provided;

(10) a failure to ensure that each institutionalized individual with an LTSS disability is regularly notified of the alternative of community-based long-term services and supports and that those community-based long-term services and supports are provided if the individual with an LTSS disability selects such services and supports; and

(11) a failure to make a reasonable modification in a policy, practice, or procedure, when such modification is necessary to allow an individual with an LTSS disability to receive a community-based long-term service or support.

(c) **ADDITIONAL PROHIBITION.**—For purposes of this Act, discrimination by a public entity also includes a failure to ensure that there is sufficient availability of affordable, accessible, and integrated housing to allow an individual with an LTSS disability to choose to live in the community and lead an independent life, including the availability of an option to live in housing where the receipt of LTSS is not tied to tenancy.

(d) **CONSTRUCTION.**—Nothing in this section—

(1) shall be construed—

(A) to prevent a public entity or LTSS insurance provider from providing community-based long-term services and supports at a level that is greater than the level that is required by this section; or

(B) to limit the rights of an individual with a disability under any provision of law other than this section; or

(2) (including subsection (b)(3)) shall be construed to prohibit a public entity or LTSS insurance provider from using managed care techniques, as long as an individual described in subsection (a) whose care is managed through such techniques receives the services and supports described in subsection (a).

SEC. 5. ADMINISTRATION.

(a) **AUTHORITY AND RESPONSIBILITY.**—

(1) **DEPARTMENT OF JUSTICE.**—The Attorney General shall—

(A) investigate and take enforcement action for violations of this Act; and

(B) enforce section 6(c).

(2) **DEPARTMENT OF HEALTH AND HUMAN SERVICES.**—The Secretary of Health and Human Services, through the Administrator, shall—

(A) conduct studies regarding the nature and extent of institutionalization of individuals with LTSS disabilities in representative communities, including urban, suburban, and rural communities, throughout the United States;

(B) publish and disseminate reports, recommendations, and information derived from such studies, including an annual report to Congress, specifying—

(i) the nature and extent of progress in the United States in eliminating institutionalization for individuals with LTSS disabilities in violation of this Act and furthering the purposes of this Act;

(ii) obstacles that remain in the effort to achieve the provision of community-based long-term services and supports for all individuals with LTSS disabilities; and

(iii) recommendations for further legislative or executive action;

(C) cooperate with, and provide technical assistance to, Federal, State, and local public or private agencies and organizations that are formulating or carrying out programs to prevent or eliminate institutionalization of individuals with LTSS disabilities or to promote the provision of community-based long-term services and supports;

(D) implement educational and conciliatory activities to further the purposes of this Act; and

(E) refer information on violations of this Act to the Attorney General for investigation and enforcement action under this Act.

(b) **COOPERATION OF EXECUTIVE DEPARTMENTS AND AGENCIES.**—Each Federal agency and, in particular, each Federal agency covered by Executive Order 13217 (66 Fed. Reg. 33155; relating to community-based alternatives for individuals with disabilities), shall carry out programs and activities relating to the institutionalization of individuals with LTSS disabilities and the provision of community-based long-term services and supports for individuals with LTSS disabilities in accordance with this Act and shall cooperate with the Attorney General and the Administrator to further the purposes of this Act.

SEC. 6. REGULATIONS.

(a) **ISSUANCE OF REGULATIONS.**—Not later than 24 months after the date of enactment of this Act, the Attorney General and the Secretary of Health and Human Services shall issue, in accordance with section 553 of title 5, United States Code, final regulations to carry out this Act, which shall include the regulations described in subsection (b).

(b) **REQUIRED CONTENTS OF REGULATIONS.**—

(1) **ELIGIBLE RECIPIENTS OF SERVICE.**—The regulations shall require each public entity and LTSS insurance provider to offer, and, if accepted, provide community-based long-term services and supports as required under this Act to any individual with an LTSS disability who would otherwise qualify for institutional placement provided or funded by the public entity or LTSS insurance provider.

(2) **SERVICES TO BE PROVIDED.**—The regulations issued under this section shall require each public entity and LTSS insurance provider to provide the Attorney General and the Administrator with an assurance that the public entity or LTSS insurance provider—

(A) ensures that individuals with LTSS disabilities receive assistance through hands-on assistance, training, cueing, and safety monitoring, including access to backup systems, with—

- (i) activities of daily living;
- (ii) instrumental activities of daily living;
- (iii) health-related tasks; or
- (iv) other functions, tasks, or activities related to an activity or task described in clause (i), (ii), or (iii);

(B) coordinates, conducts, performs, provides, or funds discharge planning from acute, rehabilitation, and long-term facilities to promote individuals with LTSS disabilities living in the most integrated setting chosen by the individuals;

(C) issues, conducts, performs, provides, or funds policies and programs to promote self-direction and the provision of consumer-directed services and supports for all populations of individuals with LTSS disabilities served;

(D) issues, conducts, performs, provides, or funds policies and programs to support informal caregivers who provide services for individuals with LTSS disabilities; and

(E) ensures that individuals with all types of LTSS disabilities are able to live in the community and lead an independent life, including ensuring that the individuals have maximum control over the services and supports that the individuals receive, choose the setting in which the individuals receive those services and supports, and exercise control and direction over their own lives.

(3) **PUBLIC PARTICIPATION.**—

(A) **PUBLIC ENTITY.**—The regulations issued under this section shall require each public entity to carry out an extensive public participation process in preparing the public entity's self-evaluation under paragraph (5) and transition plan under paragraph (10).

(B) **LTSS INSURANCE PROVIDER.**—The regulations issued under this section shall require each LTSS insurance provider to carry out a public participation process that involves holding a public hearing, providing an opportunity for public comment, and consulting with individuals with LTSS disabilities, in preparing the LTSS insurance provider's self-evaluation under paragraph (5).

(C) **PROCESS.**—In carrying out a public participation process under subparagraph (A) or (B), a public entity or LTSS insurance provider shall ensure that the process meets the requirements of subparagraphs (A) and (C) of section 1115(d)(2) of the Social Security Act (42 U.S.C. 1315(d)(2)), except that—

(i) the reference to “at the State level” shall be disregarded; and

(ii) the reference to an application shall be considered to be a reference to the self-evaluation or plan involved.

(4) **ADDITIONAL SERVICES AND SUPPORTS.**—The regulations issued under this section shall establish circumstances under which a public entity shall provide community-based long-term services and supports under this section beyond the level of community-based long-term services and supports which would otherwise be required under this subsection.

(5) **SELF-EVALUATION.**—

(A) **IN GENERAL.**—The regulations issued under this section shall require each public entity and each LTSS insurance provider, not later than 30 months after the date of enactment of this Act, to evaluate current services, policies, and practices, and the effects thereof, that do not or may not meet the requirements of this Act and, to the extent modification of any such services, policies, and practices is required to meet the requirements of this Act, make the necessary modifications. The self-evaluation shall include—

(i) collection of baseline information, including the numbers of individuals with LTSS disabilities in various institutional and community-based settings served by the public entity or LTSS insurance provider;

(ii) a review of community capacity, in communities served by the entity or provider, in providing community-based long-term services and supports;

(iii) identification of improvements needed to ensure that all community-based long-term services and supports provided by the public entity or LTSS insurance provider to individuals with LTSS disabilities are comprehensive, are accessible, are not duplicative of existing (as of the date of the identification) services and supports, meet the needs of persons who are likely to require assistance in order to live, or lead a life, as described in section 4(a), and are high-quality services and supports, which may include identifying system improvements that create an option to self-direct receipt of such services and supports for all populations of such individuals served; and

(iv) a review of funding sources for community-based long-term services and supports and an analysis of how those funding sources could be organized into a fair, coherent system that affords individuals reasonable and timely access to community-based long-term services and supports.

(B) **PUBLIC ENTITY.**—A public entity, including a LTSS insurance provider that is a public entity, shall—

(i) include in the self-evaluation described in subparagraph (A)—

(I) an assessment of the availability of accessible, affordable transportation across the State involved and whether transportation barriers prevent individuals from receiving long-term services and supports in the most integrated setting; and

(II) an assessment of the availability of integrated employment opportunities in the jurisdiction served by the public entity for individuals with LTSS disabilities; and

(ii) provide the self-evaluation described in subparagraph (A) to the Attorney General and the Administrator.

(C) **LTSS INSURANCE PROVIDER.**—A LTSS insurance provider shall keep the self-evaluation described in subparagraph (A) on file, and may be required to produce such self-evaluation in the event of a review, investigation, or action described in section 8.

(6) **ADDITIONAL REQUIREMENT FOR PUBLIC ENTITIES.**—The regulations issued under this section shall require a public entity, in conjunction with the housing agencies serving the jurisdiction served by the public entity, to review and improve community capacity, in all communities throughout the entirety of that jurisdiction, in providing affordable, accessible, and integrated housing, including an evaluation of available units, unmet need, and other identifiable barriers to the provision of that housing. In carrying out that improvement, the public entity, in conjunction with such housing agencies, shall—

(A) ensure, and assure the Administrator and the Attorney General that there is, sufficient availability of affordable, accessible, and integrated housing in a setting that is not a disability-specific residential setting or a setting where services are tied to tenancy, in order to provide individuals with LTSS disabilities a meaningful choice in their housing;

(B) in order to address the need for affordable, accessible, and integrated housing—

(i) in the case of such a housing agency, establish relationships with State and local housing authorities; and

(ii) in the case of the public entity, establish relationships with State and local housing agencies, including housing authorities;

(C) establish, where needed, necessary preferences and set-asides in housing programs for individuals with LTSS disabilities who are transitioning from or avoiding institutional placement;

(D) establish a process to fund necessary home modifications so that individuals with LTSS disabilities can live independently; and

(E) ensure, and assure the Administrator and the Attorney General, that funds and programs implemented or overseen by the public entity or in the public entity's jurisdiction are targeted toward affordable, accessible, integrated housing for individuals with an LTSS disability who have the lowest income levels in the jurisdiction as a priority over any other development until capacity barriers for such housing are removed or unmet needs for such housing have been met.

(7) **DESIGNATION OF RESPONSIBLE EMPLOYEE.**—The regulations issued under this

section shall require each public entity and LTSS insurance provider to designate at least one employee to coordinate the entity's or provider's efforts to comply with and carry out the entity or provider's responsibilities under this Act, including the investigation of any complaint communicated to the entity or provider that alleges a violation of this Act. Each public entity and LTSS insurance provider shall make available to all interested individuals the name, office address, and telephone number of the employee designated pursuant to this paragraph.

(8) **GRIEVANCE PROCEDURES.**—The regulations issued under this section shall require public entities and LTSS insurance providers to adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging a violation of this Act.

(9) **PROVISION OF SERVICE BY OTHERS.**—The regulations issued under this section shall require each public entity submitting a self-evaluation under paragraph (5) to identify, as part of the transition plan described in paragraph (10), any other entity that is, or acts as, an agent, subcontractor, or other instrumentality of the public entity with regards to a service, support, policy, or practice described in such plan or self-evaluation.

(10) **TRANSITION PLANS.**—The regulations issued under this section shall require each public entity, not later than 42 months after the date of enactment of this Act, to submit to the Administrator, and begin implementing, a transition plan for carrying out this Act that establishes the achievement of the requirements of this Act, as soon as practicable, but in no event later than 12 years after the date of enactment of this Act. The transition plan shall—

(A) establish measurable objectives to address the barriers to community living identified in the self-evaluation under paragraph (5);

(B) establish specific annual targets for the transition of individuals with LTSS disabilities, and shifts in funding, from institutional settings to integrated community-based services and supports, and related programs; and

(C) describe the manner in which the public entity has obtained or plans to obtain necessary funding and resources needed for implementation of the plan (regardless of whether the entity began carrying out the objectives of this Act prior to the date of enactment of this Act).

(11) **ANNUAL REPORTING.**—

(A) **IN GENERAL.**—The regulations issued under this section shall establish annual reporting requirements for each public entity covered by this section.

(B) **PROGRESS ON OBJECTIVES AND TARGETS.**—The regulations issued under this section shall require each public entity that has submitted a transition plan to submit to the Administrator an annual report on the progress the public entity has made during the previous year in meeting the measurable objectives and specific annual targets described in subparagraphs (A) and (B) of paragraph (10).

(12) **OTHER PROVISIONS.**—The regulations issued under this section shall include such other provisions and requirements as the Attorney General and the Secretary of Health and Human Services determine are necessary to carry out the objectives of this Act.

(c) **REVIEW OF TRANSITION PLANS.**—

(1) **GENERAL RULE.**—The Administrator shall review a transition plan submitted in

accordance with subsection (b)(10) for the purpose of determining whether such plan meets the requirements of this Act, including the regulations issued under this section.

(2) **DISAPPROVAL.**—If the Administrator determines that a transition plan reviewed under this subsection fails to meet the requirements of this Act, the Administrator shall disapprove the transition plan and notify the public entity that submitted the transition plan of, and the reasons for, such disapproval.

(3) **MODIFICATION OF DISAPPROVED PLAN.**—Not later than 90 days after the date of disapproval of a transition plan under this subsection, the public entity that submitted the transition plan shall modify the transition plan to meet the requirements of this section and shall submit to the Administrator, and commence implementation of, such modified transition plan.

(4) **INCENTIVES.**—

(A) **DETERMINATION.**—For 10 years after the issuance of the regulations described in subsection (a), the Secretary of Health and Human Services shall annually determine whether each State, or each other public entity in the State, is complying with the transition plan or modified transition plan the State or other public entity submitted, and obtained approval for, under this section. Notwithstanding any other provision of law, if the Secretary of Health and Human Services determines under this subparagraph that the State or other public entity is complying with the corresponding transition plan, the Secretary shall make the increase described in subparagraph (B).

(B) **INCREASE IN FMAP.**—On making the determination described in subparagraph (A) for a public entity (including a State), the Secretary of Health and Human Services shall, as described in subparagraph (C), increase by 5 percentage points the FMAP for the State in which the public entity is located for amounts expended by the State for medical assistance consisting of home and community-based services furnished under the State Medicaid plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) or a waiver of such plan—

(i) that—

(I) are identified by a public entity or LTSS insurance provider under subsection(b)(5)(A)(iii);

(II) resulted from shifts in funding identified by a public entity under subsection (b)(10)(B); or

(III) are environmental modifications to achieve the affordable, accessible, integrated housing identified by a public entity under subsection (b)(6)(E); and

(ii) are described by the State in a request to the Secretary of Health and Human Services for the increase.

(C) **PERIOD OF INCREASE.**—The Secretary of Health and Human Services shall increase the FMAP described in subparagraph (B)—

(i) beginning with the first quarter that begins after the date of the determination; and

(ii) ending with the quarter in which the next annual determination under subparagraph (A) occurs.

(D) **DEFINITIONS.**—In this paragraph:

(i) **FMAP.**—The term “FMAP” means the Federal medical assistance percentage for a State determined under section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)) without regard to any increases in that percentage applicable under other subsections of that section or any other provision of law, including this section.

(ii) **HOME AND COMMUNITY-BASED SERVICES DEFINED.**—The term “home and community-

based services” means any of the following services provided under a State Medicaid plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) or a waiver of such plan:

(I) Home and community-based services provided under subsection (c), (d), or (i) of section 1915 of the Social Security Act (42 U.S.C. 1396n).

(II) Home health care services.

(III) Personal care services.

(IV) Services described in section 1905(a)(26) of the Social Security Act (42 U.S.C. 1396d(a)(26)) (relating to PACE program services).

(V) Self-directed personal assistance services provided in accordance with section 1915(j) of the Social Security Act (42 U.S.C. 1396n(j)).

(VI) Community-based attendant services and supports provided in accordance with section 1915(k) of the Social Security Act (42 U.S.C. 1396n(k)).

(VII) Rehabilitative services, within the meaning of section 1905(a)(13) of the Social Security Act (42 U.S.C. 1396d(a)(13)).

(d) **RULE OF CONSTRUCTION.**—Nothing in subsection (b)(10) or (c) or any other provision of this Act shall be construed to modify the requirements of any other Federal law, relating to integration of individuals with disabilities into the community and enabling those individuals to live in the most integrated setting.

SEC. 7. EXEMPTIONS FOR RELIGIOUS ORGANIZATIONS.

This Act shall not prohibit a religious organization, association, or society from giving preference in providing community-based long-term services and supports to individuals of a particular religion connected with the beliefs of such organization, association, or society.

SEC. 8. ENFORCEMENT.

(a) **CIVIL ACTION.**—

(1) **IN GENERAL.**—A civil action for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order, may be instituted by an individual described in paragraph (2) in an appropriate Federal district court.

(2) **AGGRIEVED INDIVIDUAL.**—

(A) **IN GENERAL.**—The remedies and procedures set forth in this section are the remedies and procedures this Act provides to any individual who is being subjected to a violation of this Act, or who has reasonable grounds for believing that such individual is about to be subjected to such a violation.

(B) **STANDING.**—An individual with a disability shall have standing to institute a civil action under this subsection if the individual makes a prima facie showing that the individual—

(i) is an individual with an LTSS disability; and

(ii) is being subjected to, or about to be subjected to, such a violation (including a violation of section 4(b)(11)).

(3) **APPOINTMENT OF ATTORNEY; NO FEES, COSTS, OR SECURITY.**—Upon application by the complainant described in paragraph (2) and in such circumstances as the court may determine to be just, the court may appoint an attorney for the complainant and may authorize the commencement of such civil action without the payment of fees, costs, or security.

(4) **FUTILE GESTURE NOT REQUIRED.**—Nothing in this section shall require an individual with an LTSS disability to engage in a futile gesture if such person has actual notice that a public entity or LTSS insurance provider does not intend to comply with the provisions of this Act.

(b) DAMAGES AND INJUNCTIVE RELIEF.—If the court finds that a violation of this Act has occurred or is about to occur, the court may award to the complainant—

(1) actual and punitive damages;

(2) immediate injunctive relief to prevent institutionalization;

(3) as the court determines to be appropriate, any permanent or temporary injunction (including an order to immediately provide or maintain community-based long-term services or supports for an individual to prevent institutionalization or further institutionalization), temporary restraining order, or other order (including an order enjoining the defendant from engaging in a practice that violates this Act or ordering such affirmative action as may be appropriate); and

(4) in an appropriate case, injunctive relief to require the modification of a policy, practice, or procedure, or the provision of an alternative method of providing LTSS, to the extent required by this Act.

(c) ATTORNEY'S FEES; LIABILITY OF UNITED STATES FOR COSTS.—In any action commenced pursuant to this Act, the court, in its discretion, may allow the party bringing a claim or counterclaim under this Act, other than the United States, a reasonable attorney's fee as part of the costs, and the United States shall be liable for costs to the same extent as a private person.

(d) ENFORCEMENT BY ATTORNEY GENERAL.—

(1) DENIAL OF RIGHTS.—

(A) DUTY TO INVESTIGATE.—The Attorney General shall investigate alleged violations of this Act, and shall undertake periodic reviews of the compliance of public entities and LTSS insurance providers under this Act.

(B) POTENTIAL VIOLATION.—The Attorney General may commence a civil action in any appropriate Federal district court if the Attorney General has reasonable cause to believe that—

(i) any public entity or LTSS insurance provider, including a group of public entities or LTSS insurance providers, is engaged in a pattern or practice of violations of this Act; or

(ii) any individual, including a group, has been subjected to a violation of this Act and the violation raises an issue of general public importance.

(2) AUTHORITY OF COURT.—In a civil action under paragraph (1)(B), the court—

(A) may grant any equitable relief that such court considers to be appropriate, including, to the extent required by this Act—

(i) granting temporary, preliminary, or permanent relief; and

(ii) requiring the modification of a policy, practice, or procedure, or the provision of an alternative method of providing LTSS;

(B) may award such other relief as the court considers to be appropriate, including damages to individuals described in subsection (a)(2), when requested by the Attorney General; and

(C) may, to vindicate the public interest, assess a civil penalty against the public entity or LTSS insurance provider in an amount—

(i) not exceeding \$100,000 for a first violation; and

(ii) not exceeding \$200,000 for any subsequent violation.

(3) SINGLE VIOLATION.—For purposes of paragraph (2)(C), in determining whether a first or subsequent violation has occurred, a determination in a single action, by judgment or settlement, that the public entity or LTSS insurance provider has engaged in

more than one violation of this Act shall be counted as a single violation.

SEC. 9. CONSTRUCTION.

For purposes of construing this Act—

(1) section 4(b)(11) shall be construed in a manner that takes into account its similarities with section 302(b)(2)(A)(ii) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12182(b)(2)(A)(ii));

(2) the first sentence of section 6(b)(5)(A) shall be construed in a manner that takes into account its similarities with section 35.105(a) of title 28, Code of Federal Regulations (as in effect on the day before the date of enactment of this Act);

(3) section 7 shall be construed in a manner that takes into account its similarities with section 807(a) of the Civil Rights Act of 1968 (42 U.S.C. 3607(a));

(4) section 8(a)(2) shall be construed in a manner that takes into account its similarities with section 308(a)(1) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12188(a)(1)); and

(5) section 8(d)(1)(B) shall be construed in a manner that takes into account its similarities with section 308(b)(1)(B) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12188(b)(1)(B)).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 122—DESIGNATING APRIL 2017 AS “NATIONAL 9-1-1 EDUCATION MONTH”

Ms. KLOBUCHAR (for herself and Mr. BURR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 122

Whereas 9-1-1 is recognized throughout the United States as the number to call in an emergency to receive immediate help from police, fire, emergency medical services, or other appropriate emergency response entities;

Whereas, in 1967, the President's Commission on Law Enforcement and Administration of Justice recommended that a “single number should be established” nationwide for reporting emergency situations, and various Federal Government agencies and governmental officials supported and encouraged the recommendation;

Whereas, in 1968, the American Telephone and Telegraph Company (commonly known as “AT&T”) announced that it would establish the digits 9-1-1 as the emergency code throughout the United States;

Whereas Congress designated 9-1-1 as the national emergency call number in the Wireless Communications and Public Safety Act of 1999 (Public Law 106-81; 113 Stat. 1286);

Whereas section 102 of the ENHANCED 911 Act of 2004 (47 U.S.C. 942 note) declared an enhanced 9-1-1 system to be “a high national priority” and part of “our Nation's homeland security and public safety”;

Whereas it is important that policy makers at all levels of government understand the importance of 9-1-1, how the 9-1-1 system works, and the steps that are needed to modernize the 9-1-1 system;

Whereas the 9-1-1 system is the connection between the eyes and ears of the public and the emergency response system in the United States and is often the first place emergencies of all magnitudes are reported, making 9-1-1 a significant homeland security asset;

Whereas more than 6,000 9-1-1 public safety answering points serve more than 3,000 counties and parishes throughout the United States;

Whereas telecommunications at public safety answering points answer more than 200,000,000 9-1-1 calls each year in the United States;

Whereas a growing number of 9-1-1 calls are made using wireless and Internet Protocol-based communications services;

Whereas a growing segment of the population of the United States, including individuals who are deaf, hard of hearing, or deaf-blind, or who have speech disabilities, is increasingly communicating with nontraditional text, video, and instant messaging communications services and expects those services to be able to connect directly to 9-1-1;

Whereas the growth and variety of means of communication, including mobile and Internet Protocol-based systems, impose challenges for accessing 9-1-1 and implementing an enhanced 9-1-1 system and require increased education and awareness about the capabilities of different means of communication;

Whereas numerous other “N-1-1” and 800 number services exist for nonemergency situations, including 2-1-1, 3-1-1, 5-1-1, 7-1-1, 8-1-1, poison control centers, and mental health hotlines, and the public needs to be educated on when to use those services in addition to or instead of 9-1-1;

Whereas international visitors and immigrants make up an increasing percentage of the population of the United States each year, and visitors and immigrants may have limited knowledge of the emergency calling system in the United States;

Whereas people of all ages use 9-1-1 and it is critical to educate people on the proper use of 9-1-1;

Whereas senior citizens are highly likely to need to access 9-1-1 and many senior citizens are learning to use new technology;

Whereas thousands of 9-1-1 calls are made every year by children properly trained in the use of 9-1-1, which saves lives and underscores the critical importance of training children early in life about 9-1-1;

Whereas the 9-1-1 system is often misused, including by the placement of prank and nonemergency calls;

Whereas misuse of the 9-1-1 system results in costly and inefficient use of 9-1-1 and emergency response resources and needs to be reduced;

Whereas parents, teachers, and all other caregivers need to play an active role in 9-1-1 education for children, but can do so only after first being educated themselves;

Whereas there are many avenues for 9-1-1 public education, including safety fairs, school presentations, libraries, churches, businesses, public safety answering point tours or open houses, civic organizations, and senior citizen centers;

Whereas children, parents, teachers, and the National Parent Teacher Association make vital contributions to the education of children about the importance of 9-1-1 through targeted outreach efforts to public and private school systems;

Whereas the United States should strive to host at least 1 educational event regarding the proper use of 9-1-1 in every school in the country every year;

Whereas programs to promote proper use of 9-1-1 during National 9-1-1 Education Month could include—

(1) public awareness events, including conferences, media outreach, and training activities for parents, teachers, school administrators, other caregivers, and businesses;

(2) educational events in schools and other appropriate venues; and

(3) production and distribution of information about the 9-1-1 system designed to educate people of all ages on the importance and proper use of 9-1-1; and

Whereas the people of the United States deserve the best education regarding the use of 9-1-1: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2017 as “National 9-1-1 Education Month”; and

(2) urges governmental officials, parents, teachers, school administrators, caregivers, businesses, nonprofit organizations, and the people of the United States to observe the month with appropriate ceremonies, training events, and activities.

SENATE RESOLUTION 123—DESIGNATING MAY 20, 2017, AS “KIDS TO PARKS DAY”

Mr. WYDEN (for himself, Mr. ALEXANDER, Mr. HEINRICH, Mr. PORTMAN, Mr. BOOKER, and Ms. HIRONO) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 123

Whereas the 7th annual Kids to Parks Day will be celebrated on May 20, 2017;

Whereas the goal of Kids to Parks Day is to promote healthy outdoor recreation and environmental stewardship, empower young people, and encourage families to get outdoors and visit the parks and public land of the United States;

Whereas on Kids to Parks Day, individuals from rural and urban areas of the United States can be reintroduced to the splendid national, State, and neighborhood parks located in their communities;

Whereas communities across the United States offer a variety of natural resources and public land, often with free access, to individuals seeking outdoor recreation;

Whereas the people of the United States, young and old, should be encouraged to lead more healthy and active lifestyles;

Whereas Kids to Parks Day is an opportunity for families to take a break from their busy lives and come together for a day of active, wholesome fun; and

Whereas Kids to Parks Day will broaden an appreciation for nature and the outdoors in young people, foster a safe setting for independent play and healthy adventure in neighborhood parks, and facilitate self-reliance while strengthening communities: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 20, 2017, as “Kids to Parks Day”;

(2) recognizes the importance of outdoor recreation and the preservation of open spaces to the health and education of the young people of the United States; and

(3) encourages the people of the United States to observe the day with appropriate programs, ceremonies, and activities.

SENATE RESOLUTION 124—EXPRESSING THE SENSE OF THE SENATE THAT THE NATIONAL SEA GRANT COLLEGE PROGRAM IS A VALUABLE PROGRAM THAT PROTECTS AND ENHANCES THE COASTAL COMMUNITIES AND ECONOMY OF THE UNITED STATES

Mr. MERKLEY (for himself, Ms. MURKOWSKI, Mr. WHITEHOUSE, Mr. BOOKER, Mr. COONS, Mr. BLUMENTHAL, Ms. STABENOW, Mr. BROWN, Ms. HIRONO, Mr. WYDEN, Ms. KLOBUCHAR, Mr. CASIDY, Ms. HASSAN, Mr. FRANKEN, Mr. LEAHY, Mrs. SHAHEEN, Mr. PETERS, Mr. SCHATZ, Mr. KAINE, Mr. NELSON, Mr. SANDERS, Mr. MARKEY, Mr. MURPHY, Mr. CARDIN, Ms. CANTWELL, and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 124

Whereas the National Sea Grant College Program, established in 1966, serves 31 States and 2 territories to strengthen the health and stewardship of local, State, and national coastal and marine resources;

Whereas 42 percent of the United States population lives or works in a coastal area, and coastal counties contribute over \$7,600,000,000 annually to the economy;

Whereas the National Sea Grant College Program is critical in improving the health of coastal ecosystems, supporting sustainable fisheries and aquaculture, building resilient communities and economies, improving environmental literacy, and developing the next generation of students in science and technology;

Whereas the National Sea Grant College Program had an economic impact of \$575,000,000 in 2015 from a Federal investment of \$67,300,000, which is an 854-percent return on investment;

Whereas the National Sea Grant College Program creates or sustains more than 20,000 jobs and 2,900 businesses annually;

Whereas the National Sea Grant College Program has supported 1,175 John A. Knauss Marine Policy Fellows in Congress and throughout Federal agencies since 1979; and

Whereas the National Sea Grant College Program has supported thousands of undergraduate and graduate students at institutions of higher education across the United States: Now, therefore, be it

Resolved, That it is the sense of the Senate that the National Sea Grant College Program is—

(1) of vital importance to improving the economy, health, stewardship, and preparedness of the United States;

(2) an exceptional example of effective partnerships between Federal, State, and local governments; and

(3) a valuable investment for the Federal Government.

SENATE RESOLUTION 125—SUPPORTING THE GOALS AND IDEALS OF NATIONAL PUBLIC HEALTH WEEK

Mr. UDALL (for himself, Mr. WHITEHOUSE, Mr. MARKEY, Ms. HEITKAMP, Ms. WARREN, Mr. CARDIN, Mr. KING, Mrs. SHAHEEN, Ms. KLOBUCHAR, Mr.

BLUMENTHAL, Mr. HEINRICH, Mr. FRANKEN, Mrs. MURRAY, Mr. BROWN, and Mr. VAN HOLLEN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 125

Whereas the week of April 3, 2017, through April 9, 2017, is National Public Health Week; Whereas the theme of National Public Health Week in 2017 is “Healthiest Nation 2030”, with the goal of making the United States the healthiest country in 1 generation;

Whereas, according to the National Academy of Medicine, despite being one of the wealthiest countries in the world, the United States ranks below many other economically prosperous and developing countries with respect to measures of health, including life expectancy and infant mortality rates;

Whereas the life expectancy for the population of the United States has declined for the first time in more than 2 decades and the leading causes of deaths are among the most common, costly, and preventable of all health problems;

Whereas there is a significant difference in the health status, including with respect to obesity, mental health, and infectious disease, of individuals who live in the healthiest States as compared with individuals who live in the least healthy States;

Whereas, despite having a high infant mortality rate compared to other economically prosperous and developing countries, and a death rate that varies greatly among States, the United States, until recently, was making steady progress with respect to overall measures of public health, with the infant mortality rate in 2014 reaching a historic low of 5.8 infant deaths per 1,000 live births;

Whereas, since 1999, opioid-involved deaths have more than quadrupled, requiring a comprehensive strategy across a range of sectors, including robust efforts to prevent substance misuse disorders;

Whereas the percentage of adults in the United States who smoke cigarettes, an activity that is the leading cause of preventable disease and death in the United States and accounts for more than 480,000 deaths each year, decreased from 20.9 percent in 2005 to 15.1 percent in 2015;

Whereas a strong public health system results in clean and healthy air, water, food, and places in which to live, learn, work, and play;

Whereas public health organizations use National Public Health Week to educate the public, policymakers, and public health professionals on issues that are important to improving the health of the people of the United States;

Whereas studies show that small strategic investments in prevention can result in significant savings in health care costs;

Whereas each 10 percent increase in local public health spending contributes to a 6.9 percent decrease in infant deaths, a 3.2 percent decrease in deaths related to cardiovascular disease, a 1.4 percent decrease in deaths due to diabetes, and a 1.1 percent decrease in cancer-related deaths;

Whereas public health professionals help communities prevent, prepare for, withstand, and recover from the impact of a full range of health threats, including disease outbreaks, such as the Zika virus, natural disasters, and disasters caused by human activity;

Whereas public health professionals collaborate with partners that are not in the

health sector, such as city planners, transportation officials, education officials, and private sector businesses, recognizing that other sectors have an important influence on health;

Whereas, in communities across the United States, individuals are changing the way that they care for their health by avoiding tobacco use, eating healthier, becoming more physically active, and preventing unintentional injuries at home and in the workplace; and

Whereas efforts to adequately support public health and prevention can continue the transformation from a health system that is focused on treating illness to a health system that is focused on preventing disease and promoting wellness: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Public Health Week;

(2) recognizes the efforts of public health professionals, the Federal Government, States, tribes, municipalities, local communities, and individuals in preventing disease and injury;

(3) recognizes the role of the public health system in improving the health of individuals in the United States;

(4) encourages increased efforts, and the use of additional resources, to improve the health of people in the United States and make the United States the healthiest country in 1 generation—

(A) through greater opportunities to improve community health and prevent disease and injury; and

(B) by strengthening the public health system in the United States; and

(5) encourages the people of the United States to learn about the role of the public health system in improving health in the United States.

SENATE RESOLUTION 126—EXPRESSING SUPPORT FOR THE DESIGNATION OF THE WEEK OF APRIL 10 THROUGH APRIL 14, 2017 AS “NATIONAL ASSISTANT PRINCIPALS WEEK”

Mr. CARPER (for himself, Mr. HELLER, Mr. MARKEY, and Mr. ENZI) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 126

Whereas the National Association of Secondary School Principals (NAASP), the National Association of Elementary School Principals (NAESP), and the American Federation of School Administrators (AFSA) have designated the week of April 10 through April 14, 2017, as “National Assistant Principals Week”;

Whereas an assistant principal, as a member of the school administration, interacts with many sectors of the school community, including support staff, instructional staff, students, and parents;

Whereas assistant principals are responsible for establishing a positive learning environment and building strong relationships between school and community;

Whereas assistant principals play a pivotal role in the instructional leadership of their schools by supervising student instruction, mentoring teachers, recognizing the achievements of staff, encouraging collaboration among staff, ensuring the implementation of

best practices, monitoring student achievement and progress, facilitating and modeling data-driven decision-making to inform instruction, and guiding the direction of targeted intervention and school improvement;

Whereas the day-to-day logistical operations of schools require assistant principals to monitor and address facility needs, attendance, transportation issues, and scheduling challenges, as well as supervise extra- and co-curricular events;

Whereas assistant principals are entrusted with maintaining an inviting, safe, and orderly school environment that supports the growth and achievement of each and every student by nurturing positive peer relationships, recognizing student achievement, mediating conflicts, analyzing behavior patterns, providing interventions, and, when necessary, taking disciplinary actions;

Whereas since its establishment in 2004, the NAASP National Assistant Principal of the Year Program recognizes outstanding middle and high school assistant principals who demonstrate success in leadership, curriculum, and personalization; and

Whereas the week of April 10 through April 14, 2017, is an appropriate week to designate as National Assistant Principals Week: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of April 10 through April 14, 2017, as “National Assistant Principals Week”;

(2) honors the contributions of assistant principals to the success of students in the United States; and

(3) encourages the people of the United States to observe National Assistant Principals Week with appropriate ceremonies and activities that promote awareness of the role played by assistant principals in school leadership and ensuring that every child has access to a high-quality education.

SENATE RESOLUTION 127—SUPPORTING THE GOALS AND IDEALS OF TAKE OUR DAUGHTERS AND SONS TO WORK DAY

Mr. BURR (for himself and Ms. HEITKAMP) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 127

Whereas the Take Our Daughters To Work program was created in New York City as a response to research that showed that, by the 8th grade, many girls were dropping out of school, had low self-esteem, and lacked confidence;

Whereas, in 2003, the name of the program was changed to “Take Our Daughters And Sons To Work” so that boys who face many of the same challenges as girls could also be involved in the program;

Whereas, in 2017, the mission of the program, to develop “innovative strategies that empower girls and boys to overcome societal barriers to reach their full potential”, fully reflects the addition of boys;

Whereas the Take Our Daughters And Sons To Work Foundation, a nonprofit organization, has grown to be one of the largest public awareness campaigns, with more than 39,000,000 participants annually in more than 3,000,000 organizations and workplaces representing each State;

Whereas, in 2007, the Take Our Daughters To Work program transitioned to Elizabeth City, North Carolina, became known as the

Take Our Daughters And Sons To Work Foundation, and received national recognition for its dedication to future generations;

Whereas, every year, mayors, governors, and other private and public officials sign proclamations and lend support to Take Our Daughters And Sons To Work Day;

Whereas the fame of the Take Our Daughters And Sons To Work program has spread overseas, with requests and inquiries being made from around the world on how to operate the program;

Whereas 2017 marks the 24th anniversary of the Take Our Daughters And Sons To Work program;

Whereas Take Our Daughters And Sons to Work Day will be observed on Thursday, April 27, 2017; and

Whereas, by offering opportunities for children to experience activities and events, Take Our Daughters And Sons To Work Day is intended to continue helping millions of girls and boys on an annual basis to examine their opportunities and strive to reach their fullest potential: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the goals of introducing our daughters and sons to the workplace; and

(2) commends all participants of Take Our Daughters And Sons To Work Day for the—

(A) ongoing contributions that the participants make to education; and

(B) vital role that the participants play in promoting and ensuring a brighter, stronger future for the United States.

SENATE RESOLUTION 128—DESIGNATING APRIL 2017 AS “NATIONAL CONGENITAL DIAPHRAGMATIC HERNIA AWARENESS MONTH”

Mr. CARDIN (for himself and Mr. STRANGE) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 128

Whereas congenital diaphragmatic hernia (referred to in this preamble as “CDH”) occurs in individuals in which the diaphragm fails to fully form, allowing abdominal organs to migrate into the chest cavity and preventing lung growth;

Whereas the Director of the Centers for Disease Control and Prevention recognizes CDH as a birth defect;

Whereas the majority of CDH patients suffer from underdeveloped lungs or poor pulmonary function;

Whereas babies born with CDH endure extended hospital stays in intensive care with multiple surgeries;

Whereas CDH patients often endure long-term complications, such as pulmonary hypertension, pulmonary hypoplasia, asthma, gastrointestinal reflux, feeding disorders, and developmental delays;

Whereas CDH survivors sometimes endure long-term mechanical ventilation dependency, skeletal malformations, supplemental oxygen dependency, enteral and parenteral nutrition, and hypoxic brain injury;

Whereas CDH is treated through mechanical ventilation, a heart and lung bypass (commonly known as “extracorporeal membrane oxygenation”), machines, and surgical repair;

Whereas surgical repair is often not a permanent solution for CDH and can lead to reherniation and require additional surgery;

Whereas CDH is diagnosed in utero in less than 50 percent of cases;

Whereas infants born with CDH have a high mortality rate, ranging from 20 to 60 percent, depending on the severity of the defect and interventions available at delivery;

Whereas CDH has a rate of occurrence of 1 in every 2,500 live births worldwide;

Whereas in the United States, CDH affects approximately 1,600 babies each year;

Whereas since 2000, CDH has affected more than 700,000 babies worldwide since 2000;

Whereas CDH does not discriminate based on race, gender, or socioeconomic status;

Whereas the cause of CDH is unknown;

Whereas the average CDH survivor will face postnatal care that totals not less than \$100,000; and

Whereas Federal support for CDH research at the National Institutes of Health for 2017 is estimated to be not more than \$4,000,000: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2017 as “National Congenital Diaphragmatic Hernia Awareness Month”;

(2) encourages that steps should be taken to—

(A) raise awareness of and increase public knowledge about congenital diaphragmatic hernia (referred to in this resolving clause as “CDH”);

(B) inform all Americans about the dangers of CDH, especially groups of people that may be disproportionately affected by CDH or have lower survival rates;

(C) disseminate information on the importance of quality neonatal care of CDH patients;

(D) promote quality prenatal care and ultrasounds to detect CDH in utero; and

(E) support research funding of CDH to—

(i) improve screening and treatment for CDH;

(ii) discover the causes of CDH; and

(iii) develop a cure for CDH; and

(3) calls on the people of the United States, interest groups, and affected persons to—

(A) promote awareness of CDH;

(B) take an active role in the fight against this devastating birth defect; and

(C) observe National Congenital Diaphragmatic Hernia Awareness Month with appropriate ceremonies and activities.

Mr. CARDIN. Mr. President, I rise today to ask my Senate colleagues to join me in designating April 2017 as National Congenital Diaphragmatic Hernia Awareness Month. Congenital Diaphragmatic Hernia, also known as CDH, is a birth defect that occurs when the fetal diaphragm fails to fully develop, allowing abdominal organs to move into the chest cavity and preventing lung growth. When the lungs do not develop properly during pregnancy, it can be difficult for the baby to breathe after birth or the baby is unable to take in enough oxygen to stay healthy. Congenital diaphragmatic hernia is a birth defect that occurs in 1 out of every 2,500 live births worldwide. Only about 50 percent of CDH cases are diagnosed in utero. The Center for Disease Control & Prevention, CDC, estimates that CDH affects 1,600 babies in the United States each year. Every 10 minutes, a baby is born with CDH, adding up to more than 700,000 babies with CDH since 2000. According to the CDC, babies born with CDH experience a high mortality rate ranging from 20 to 60 percent depending

on the severity of the defect and the treatments available at delivery, yet most people have never heard of CDH.

Researchers are making great progress to determine the cause of this birth defect and to identify optimal treatment methods. In fiscal year 2017, the National Institutes of Health funded approximately \$4 million in CDH research, an increase of \$700,000 from fiscal year 2015. There is still much progress to be made, however. The cause of CDH remains unknown, and there currently is no cure. CDH survivors often endure long-term complications such as congenital heart defects and developmental delays and the average CDH survivor will face postnatal care of more than \$100,000.

Last month, members from the Association of Congenital Diaphragmatic Hernia Research, Awareness and Support, also known as CHERUBS, visited my office. Among them were David and Allison Finger and their daughter Vivienne from Hyattsville, MD. Vivienne was born with CDH and had to spend 60 days in the newborn intensive care unit after birth and had to have surgery to repair the hernia when she was only 3 weeks old. On March 18, 2017, Vivienne celebrated her second birthday and is doing very well. Babies like Vivienne, born with CDH, today have a better chance of survival due to early detection and research on treatment options.

For these reasons, I am proud my colleague the junior Senator from Alabama, Senator STRANGE, has joined me in introducing a bill designating April 2017 as National Congenital Diaphragmatic Hernia Awareness Month. In previous years, I was pleased to work with his predecessor; Senator Sessions, on this legislation. Designating this month in this fashion provides an opportunity to raise public awareness about CDH; promote quality prenatal care and ultrasounds to detect CDH in utero; and support funding for the research necessary to improve screening and treatment of CDH, discover the causes of CDH, and develop a cure for CDH.

SENATE RESOLUTION 129—DESIGNATING APRIL 2017 AS “SECOND CHANCE MONTH”

Mr. PORTMAN (for himself, Ms. KLOBUCHAR, Mr. LANKFORD, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 129

Resolved, That the Senate—

(1) designates April 2017 as “Second Chance Month”;

(2) honors the work of communities, governmental entities, nonprofit organizations, congregations, employers, and individuals to remove unnecessary legal and societal barriers that prevent an individual with a criminal record from becoming a productive member of society; and

(3) calls on the people of the United States to observe Second Chance Month through actions and programs that—

(A) promote awareness of collateral consequences; and

(B) provide closure for individuals who have paid their debts.

SENATE RESOLUTION 130—EXPRESSING GRATITUDE AND APPRECIATION FOR THE ENTRY OF THE UNITED STATES INTO WORLD WAR I

Mr. BOOZMAN (for himself, Mr. RISCH, Mr. COONS, Mr. CASSIDY, Ms. BALDWIN, Mr. ROBERTS, Mr. PETERS, and Mr. KAINE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 130

Whereas, on April 2, 1917, President Thomas Woodrow Wilson asked Congress to convene an extraordinary session to officially declare war on the Imperial German Government;

Whereas, on April 4, 1917, the Senate passed a joint resolution that declared a formal state of war between the United States and the Imperial German Government;

Whereas, on April 6, 1917, the House of Representatives adopted the same joint resolution that the Senate had passed, thereby marking the official entry of the United States into World War I;

Whereas, consequently, April 6, 2017, marks the 100th anniversary of the entry of the United States into World War I beside France, Russia, and the United Kingdom, the countries of the Triple Entente;

Whereas, on December 7, 1917, the United States declared war on the Austro-Hungarian Empire;

Whereas, beginning in August 1914—

(1) a portion of France was occupied by German forces; and

(2) France fought—

(A) beside the United Kingdom and all countries of the British Empire (notably, Australia, New Zealand, Canada, and South Africa), Belgium, Russia, Italy, and Portugal;

(B) on land, at sea, and in the air;

(C) along a front line of more than 460 miles; and

(D) to recover full sovereignty;

Whereas, before April 6, 1917, the United States had supported France and the Allies economically, financially, and with human support, including through 3,600 individuals who served as volunteers, ambulance attendants, nurses, philanthropists, and soldiers in the French Foreign Legion;

Whereas the expeditionary force of the United States was created on May 3, 1917, under the command of General John J. Pershing, to provide military support to France and the Allies;

Whereas the United States started huge mobilization efforts after Congress passed the Act entitled “An Act to authorize the President to increase temporarily the Military Establishment of the United States”, approved May 18, 1917 (Public Law 65-15; 40 Stat. 76), thereby introducing military conscription and enabling 4,800,000 individuals from the United States to serve during World War I;

Whereas the first forces of the expeditionary corps led by General Pershing arrived quickly in France;

Whereas General Pershing landed in Boulogne-sur-Mer on June 13, 1917, 14,750

members of the First Infantry Division landed in Saint-Nazaire on June 26, 1917, and 7,500 soldiers landed in Brest on November 12, 1917;

Whereas members of the Armed Forces were involved in a considerable logistics effort in France, building many transportation infrastructure projects, including roads, harbors, and railways, communications networks, and accommodation buildings, which were crucial for the war effort and the transformation of the French landscape;

Whereas a debt of gratitude is owed to the 3 members of the Armed Forces who fell in France during the first combat of the Armed Forces in Bathelémont-lès-Bauzemont on November 3, 1917;

Whereas individuals from many different sectors of the population of the United States, including African Americans, Hispanics, and Native Americans, were involved in logistics, support, or combat operations in France between 1917 and 1918;

Whereas President Thomas Woodrow Wilson was deeply involved in the peace process in Europe, notably through his speech to Congress on January 8, 1918, the 14 points of which were proposed as a basis for negotiation at the Versailles Peace Conference, which began on January 18, 1919;

Whereas approximately 2,000,000 members of the Armed Forces fought in France and 126,000 died during the war, including 53,402 individuals who were killed in action in French territory during battles in 1918, such as the Battle of Belleau Wood, the Battle of Saint-Mihiel, and the Meuse-Argonne Offensive;

Whereas numerous reminders of the actions of the Armed Forces during World War I remain in France, notably in buildings and memorials; and

Whereas the people of France will always be grateful when remembering the sacrifices of members of the Armed Forces during World War I: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 100th anniversary of the official entry of the United States into World War I on April 6, 1917;

(2) expresses gratitude and appreciation to—

(A) the members of the Armed Forces who participated in World War I operations alongside the countries of the Triple Entente; and

(B) the members of the Allied Forces who participated in World War I operations alongside France from 1914 until the end of the war;

(3) commends centenary commemorations to honor people from France, the United States, and all countries involved in World War I that aim to make future generations aware of the acts of heroism and sacrifice performed by the Armed Forces and the Allies;

(4) recognizes efforts undertaken by France, especially by port cities on the Atlantic coast and by the regions of Hauts-de-France, Bretagne, Loire-Atlantique, Aquitaine, Centre, and Grand-Est, to preserve the memory and celebrate the legacy of the involvement of the United States during World War I;

(5) recognizes that the people of France plan to—

(A) celebrate this anniversary with commemorations and relevant programs to express gratitude to those individuals who helped restore hope among the Allies; and

(B) during the celebration of the 100th anniversary of the Armistice of November 11, 1918, express gratitude and appreciation to every—

(i) military force that fought alongside France, inside or outside its territory, during World War I; and

(ii) individual who died fighting or was injured during the hostilities, whether physically or psychologically; and

(6) encourages all countries involved in World War I to participate in the centennial of the Armistice, which will be celebrated in 2018, to the fullest extent possible.

SENATE RESOLUTION 131—SUPPORTING THE MISSION AND GOALS OF NATIONAL CRIME VICTIMS' RIGHTS WEEK IN 2017, WHICH INCLUDE INCREASING PUBLIC AWARENESS OF THE RIGHTS, NEEDS, AND CONCERNS OF, AND SERVICES AVAILABLE TO ASSIST, VICTIMS AND SURVIVORS OF CRIME IN THE UNITED STATES

Mr. GRASSLEY (for himself, Mr. LEAHY, Mr. CRAPO, and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 131

Whereas, in 2015, according to a survey by the Bureau of Justice Statistics—

(1) an estimated 5,000,000 residents of the United States who were not younger than 12 years of age were the victims of violent crime; and

(2) households in the United States experienced an estimated 14,600,000 property victimizations;

Whereas, in 2015, only 47 percent of violent crime and 38 percent of property victimizations were reported to police;

Whereas, as of 2008, the most conservative estimate for the economic losses sustained by victims of property crimes and victims of violent crime was approximately \$17,000,000,000 per year;

Whereas the economic cost alone does not fully describe the emotional, physical, and psychological impact endured by a victim of crime;

Whereas crime can touch the life of any individual, regardless of the age, race, national origin, religion, or gender of the individual;

Whereas a just society acknowledges the impact of crime on individuals, families, schools, and communities by—

(1) protecting the rights of crime victims and survivors; and

(2) ensuring that resources and services are available to help rebuild the lives of the victims and survivors;

Whereas, despite impressive accomplishments between 1974 and 2017 in increasing the rights of, and services available to, crime victims and survivors and the families of the victims and survivors, many challenges remain to ensure that all crime victims and survivors and the families of the victims and survivors are—

(1) treated with dignity, fairness, and respect;

(2) offered support and services, regardless of whether the victims and survivors report crimes committed against them; and

(3) recognized as key participants within the criminal, juvenile, Federal, and tribal justice systems in the United States when the victims and survivors report crimes;

Whereas crime victims and survivors in the United States and the families of the victims and survivors need and deserve support and

assistance to help cope with the often devastating consequences of crime;

Whereas, each year from 1984 through 2016, communities across the United States joined Congress and the Department of Justice in commemorating National Crime Victims' Rights Week to celebrate a shared vision of a comprehensive and collaborative response that identifies and addresses the many needs of crime victims and survivors and the families of the victims and survivors;

Whereas Congress and the President agree on the need for a renewed commitment to serve all victims and survivors of crime in the 21st century;

Whereas, in 2017, National Crime Victims' Rights Week will be celebrated from April 2 through April 8 and the theme, "Strength. Resilience. Justice.", will reflect the empowerment and strength of individual victims, the ability of victim assistance organizations to achieve solutions for providing effective services, and a community-based effort to deliver justice and healing to all victims;

Whereas engaging communities in victim assistance is essential in promoting public safety;

Whereas the United States must empower crime victims and survivors by—

(1) protecting the legal rights of the victims and survivors; and

(2) providing the victims and survivors with services to help them in the aftermath of crime; and

Whereas the people of the United States recognize and appreciate the continued importance of—

(1) promoting the rights of, and services for, crime victims and survivors; and

(2) honoring crime victims and survivors and individuals who provide services for the victims and survivors: Now, therefore, be it

Resolved, That the Senate—

(1) supports the mission and goals of National Crime Victims' Rights Week, which include increasing individual and public awareness of—

(A) the impact of crime on victims and survivors and the families of the victims and survivors; and

(B) the challenges to achieving justice for victims and survivors of crime and the families of the victims and survivors and the many solutions available to meet those challenges; and

(2) recognizes that crime victims and survivors and the families of the victims and survivors should be treated with dignity, fairness, and respect.

SENATE RESOLUTION 132—CONGRATULATING THE ASHLAND UNIVERSITY WOMEN'S BASKETBALL TEAM FOR WINNING THE 2017 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION II CHAMPIONSHIP

Mr. PORTMAN (for himself and Mr. BROWN) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 132

Whereas the Ashland University Eagles won the 2017 National Collegiate Athletic Association (referred to in this preamble as the "NCAA") division II women's basketball championship game against the Virginia Union University Panthers at Alumni Hall on the campus of Ohio Dominican University by a score of 93 to 77;

Whereas, with a record of 37-0, the Ashland University Eagles achieved the best record ever by a NCAA division II women's team;

Whereas the 2017 NCAA championship was the second division II national championship for Ashland University during the last 5 years;

Whereas head coach Robyn Fralick was named the 2017 United States Marine Corps Women's Basketball Coaches Association NCAA Division II Coach of the Year;

Whereas assistant coach Kari Pickens was named the 2017 Women's Basketball Coaches Association NCAA Division II Assistant Coach of the Year;

Whereas junior forwards Laina Snyder and Andi Daugherty were named Division II Conference Commissioner's Association All-Americans; and

Whereas Laina Snyder was named the Most Outstanding Player of the NCAA division II women's basketball tournament: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Ashland University women's basketball team on winning the 2017 National Collegiate Athletic Association division II championship; and

(2) recognizes the contributions and achievements of each player, coach, and staff member of the Ashland University women's basketball team who contributed to the 2016-2017 undefeated season.

SENATE RESOLUTION 133—CONGRATULATING THE UNIVERSITY OF NORTH CAROLINA TAR HEELS BASKETBALL TEAM FOR WINNING THE 2016-2017 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION MEN'S BASKETBALL NATIONAL CHAMPIONSHIP

Mr. BURR (for himself and Mr. TILLIS) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 133

Whereas, on April 3, 2017, the University of North Carolina defeated Gonzaga University by a score of 71 to 65 to win the 2016-2017 National Collegiate Athletic Association (referred to in this preamble as the "NCAA") men's basketball national championship;

Whereas the University of North Carolina Tar Heels returned to the NCAA national championship just 1 year after a heart-breaking, last-second loss to Villanova University;

Whereas the University of North Carolina Tar Heels were ranked sixth in the 2016-2017 preseason Associated Press and USA Today Coaches polls;

Whereas the University of North Carolina Tar Heels finished the 2016-2017 season with—

(1) a record of 33 wins and 7 losses; and
(2) an Atlantic Coast Conference (referred to in this preamble as the "ACC") record of 14 wins and 4 losses;

Whereas, for the 2016-2017 regular season, the University of North Carolina Tar Heels were the ACC champions for the 31st time, an ACC record;

Whereas Justin Jackson was—

(1) named 2016-2017 ACC Player of the Year; and

(2) selected to the 2016-2017 ACC, Associated Press, National Association of Basketball Coaches, and the Sporting News All-America First Team;

Whereas Joel Berry II was selected to the 2016-2017 ACC second team;

Whereas Kennedy Meeks was selected to the 2016-2017 All-ACC honorable mention team;

Whereas the University of North Carolina Tar Heels were ranked third in the final NCAA rankings;

Whereas the University of North Carolina Tar Heels—

(1) beat Texas Southern University, the University of Arkansas, Butler University, and the University of Kentucky to win the South Region of the 2016-2017 NCAA men's basketball national championship; and

(2) reached the Final Four for the 20th time, an NCAA record;

Whereas Luke Maye, a former walk-on player, was named the South Regional Most Outstanding Player;

Whereas the University of North Carolina defeated the University of Oregon to return to back-to-back national championships for the second time in the history of the University of North Carolina;

Whereas seniors Nate Britt and Isaiah Hicks played in their 151st game for the University of North Carolina;

Whereas 76,168 fans attended the national championship game at the University of Phoenix Stadium in Glendale, Arizona;

Whereas there were 11 ties and 12 lead changes throughout the national championship game;

Whereas the University of North Carolina trailed Gonzaga University by 3 points at halftime;

Whereas the University of North Carolina trailed Gonzaga University by 2 points with 1 minute and 53 seconds left to play in the game;

Whereas the University of North Carolina held Gonzaga University scoreless over the final 1 minute and 53 seconds of the game, finishing on an 8 to 0 run;

Whereas Joel Berry II—

(1) fighting through dual ankle injuries—

(A) scored 22 points;

(B) gathered 3 rebounds; and

(C) tallied 6 assists; and

(2) was named the 2016-2017 NCAA men's basketball championship Most Outstanding Player;

Whereas Roy Williams—

(1) coached in his 100th NCAA tournament game;

(2) became the sixth coach in NCAA history to win 3 national championships, surpassing Hall of Fame former University of North Carolina head coach Dean Smith; and

(3) tied for fourth for the most national championship wins in NCAA history; and

Whereas the 2016-2017 national championship was the sixth NCAA national championship in the history of the University of North Carolina, moving the University of North Carolina out of a tie with Duke University for sole possession of third most national championships in NCAA history: Now therefore be it

Resolved, That the Senate—

(1) congratulates the University of North Carolina for winning the 2016-2017 National Collegiate Athletic Association men's basketball national championship;

(2) recognizes the achievement of the players, coaches, students, and staff of the University of North Carolina whose perseverance and dedication to excellence helped propel the men's basketball team to win the championship; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the chancellor of the University of North Carolina, Carol L. Folt;

(B) the athletic director of the University of North Carolina, Lawrence R. "Bubba" Cunningham; and

(C) the head coach of the University of North Carolina men's basketball team, Roy Williams.

SENATE RESOLUTION 134—CONGRATULATING THE UNIVERSITY OF SOUTH CAROLINA WOMEN'S BASKETBALL TEAM FOR WINNING THE 2017 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I WOMEN'S BASKETBALL TOURNAMENT CHAMPIONSHIP

Mr. SCOTT (for himself and Mr. GRAHAM) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 134

Whereas, on April 2, 2017, at American Airlines Center in Dallas, Texas, the University of South Carolina Gamecocks won the national title game for the National Collegiate Athletic Association Division I Women's Basketball Tournament over the Mississippi State Bulldogs by a score of 67 to 55;

Whereas the University of South Carolina Gamecocks women's basketball team won the 2017 Southeastern Conference championship;

Whereas the University of South Carolina Gamecocks women's basketball team head coach Dawn Staley, a 3-time Olympian who was elected to carry the United States flag at the opening ceremony of the 2004 Summer Olympics, was elected to the Naismith Memorial Basketball Hall of Fame in 2013, and is the new head coach of the United States women's national basketball team, joins Carolyn Peck as the only 2 African-American female head coaches to lead a National Collegiate Athletic Association Division I basketball team to a national title;

Whereas this is the first National Collegiate Athletic Association Division I Women's Basketball Tournament Championship for the University of South Carolina Gamecocks women's basketball team, who finished the season with 34 wins and 4 losses;

Whereas A'ja Wilson, who is from Columbia, South Carolina, and an alumnae of Heathwood Hall Episcopal School, was named Southeastern Conference player of the year and the National Collegiate Athletic Association Division I Women's Basketball Tournament Championship most valuable player;

Whereas the University of South Carolina has been a leader on the Southeastern Conference Academic Honor Roll for last 10 years;

Whereas, each year, University of South Carolina student-athletes support approximately 100 events and organizations for a total of more than 5,000 hours of service;

Whereas A'ja Wilson received First Team All-America recognition from the Women's Basketball Coaches Association, and senior center Alaina Coates earned an All-America honorable mention;

Whereas junior Kaela Davis was a College Sports Information Directors of America Academic All-District selection;

Whereas University of South Carolina student-athletes earned a departmental grade point average of 3.245 for the Fall 2016 semester, the 20th-consecutive semester in which

Gamecock student-athletes have combined for a grade point average above 3.0; and

Whereas the University of South Carolina is ranked number 1 in the United States for attendance at women's basketball games: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of South Carolina women's basketball team for winning the 2017 National Collegiate Athletic Association Division I Women's Basketball Tournament Championship; and

(2) recognizes the achievements of—

(A) the team's players, coaches, and staff, whose hard work and dedication helped the University of South Carolina women's basketball team win that Championship; and

(B) the dedicated faculty and staff of the University of South Carolina for building an educational environment that has helped University of South Carolina student-athletes to thrive.

AMENDMENTS SUBMITTED AND PROPOSED

SA 206. Mr. PAUL (for himself, Mr. UDALL, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the resolution S. Res. 116, condemning the Assad regime for its continued use of chemical weapons against the Syrian people; which was ordered to lie on the table.

SA 207. Mr. PAUL (for himself, Mr. UDALL, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the resolution S. Res. 116, *supra*; which was ordered to lie on the table.

SA 208. Mr. PAUL (for himself, Mr. UDALL, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the resolution S. Res. 116, *supra*; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 206. Mr. PAUL (for himself, Mr. UDALL, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the resolution S. Res. 116, condemning the Assad regime for its continued use of chemical weapons against the Syrian people; which was ordered to lie on the table; as follows:

On page 4, line 1, strike "That the Senate—" and insert the following:

SECTION 1. SENSE OF THE SENATE.

The Senate—

At the end of the Resolution, add the following:

SEC. 2. RULE OF CONSTRUCTION.

Nothing in this Resolution shall be construed as an authorization for the use of force or a declaration of war.

SA 207. Mr. PAUL (for himself, Mr. UDALL, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the resolution S. Res. 116, con-

demning the Assad regime for its continued use of chemical weapons against the Syrian people; which was ordered to lie on the table; as follows:

On page 4, line 1, strike "That the Senate—" and insert the following:

SECTION 1. SENSE OF THE SENATE.

The Senate—

At the end of the Resolution, add the following:

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On page 4, line 1, strike "That the Senate—" and insert the following:

SECTION 1. SENSE OF THE SENATE.

The Senate—

At the end of the Resolution, add the following:

SEC. 2. RULE OF CONSTRUCTION.

Nothing in this Resolution shall be construed as an authorization for the use of force or a declaration of war.

MEASURES PLACED ON THE CALENDAR—S. 861 AND H.R. 1301

Mr. BARRASSO. Mr. President, I understand that there are two bills at the desk due for a second reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the second time en bloc.

The senior assistant legislative clerk read as follows:

A bill (S. 861) to provide for the compensation of Federal employees affected by lapses in appropriations.

A bill (H.R. 1301) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes.

Mr. BARRASSO. In order to place the bills on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be placed on the calendar.

APPOINTMENTS AUTHORITY

Mr. BARRASSO. Mr. President, I ask unanimous consent that notwithstanding the upcoming adjournment of the Senate, the President of the Sen-

ate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate, and that they be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR MONDAY, APRIL 10, 2017, THROUGH MONDAY, APRIL 24, 2017

Mr. BARRASSO. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn to then convene for pro forma sessions only, with no business being conducted, on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Monday, April 10, at 1:30 p.m.; Thursday, April 13, at 8:30 a.m.; Monday, April 17, at 4:30 p.m.; and Thursday, April 20, at 7:20 p.m. I further ask that when the Senate adjourns on Thursday, April 20, it next convene at 3 p.m., Monday, April 24; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that following leader remarks, the Senate resume executive session as under the previous order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, APRIL 10, 2017, AT 1:30 P.M.

Mr. BARRASSO. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 12:41 p.m., adjourned until Monday, April 10, 2017, at 1:30 p.m.

CONFIRMATION

Executive nomination confirmed by the Senate April 7, 2017:

SUPREME COURT OF THE UNITED STATES

NEIL M. GORSUCH, OF COLORADO, TO BE AN ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES.

HOUSE OF REPRESENTATIVES—Saturday, April 8, 2017

The House met at 11 a.m. and was called to order by the Speaker pro tempore (Mr. SIMPSON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 8, 2017.

I hereby appoint the Honorable MICHAEL K. SIMPSON to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Gracious and merciful God, we give You thanks for giving us another day.

In this Chamber, where the people's House gathers, we pause to offer You gratitude for the gift of this good land on which we live, and for this great Nation which You have inspired in developing over so many years.

Send Your spirit of peace to those places of our world where so many live with war and violence. We ask a special blessing upon the people of Syria.

Give to us and all people a vivid sense of Your presence, that we may learn to understand each other, to respect each other, to work with each other, to live with each other, and to do good to each other. So shall we make our Nation great in goodness, and good in its greatness.

May all that is done this day be for Your greater honor and glory.
Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 2(a) of House Resolution 242, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill and joint resolutions were signed by the Speaker on Thursday, April 6, 2017:

S. 544, to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes;

S.J. Res. 30, providing for the reappointment of Steve Case as a citizen regent of the Board of Regents of the Smithsonian Institution;

S.J. Res. 35, providing for the appointment of Michael Govan as a citizen regent of the Board of Regents of the Smithsonian Institution;

S.J. Res. 36, providing for the appointment of Roger W. Ferguson as a citizen regent of the Board of Regents of the Smithsonian Institution.

REAPPOINTMENT OF INDIVIDUALS TO BOARD OF DIRECTORS OF THE OFFICE OF COMPLIANCE

The SPEAKER pro tempore. The Chair announces, on behalf of the Speaker and minority leader of the House of Representatives and the majority and minority leaders of the United States Senate, their joint reappointment, pursuant to section 301 of the Congressional Accountability Act of 1995 (2 U.S.C. 1381) as amended, and section 1(b) of Public Law 115-19, of the following individuals on April 7, 2017, to the Board of Directors of the Office of Compliance:

Ms. Barbara Childs Wallace, Ridgeland, Mississippi, Chair, for a term of 4 years;

Mr. Alan V. Friedman, Los Angeles, California, for a term of 3 years;

Ms. Susan S. Robfogel, Rochester, New York, for a term of 4 years.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 7, 2017.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following mes-

sage from the Secretary of the Senate on April 7, 2017, at 10:41 a.m.:

Appointments:
National Commission on Military, National, and Public Service.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

SENATE ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

The Speaker announced his signature on April 6, 2017 to an enrolled bill and Joint Resolutions of the Senate of the following titles:

S. 544. An act to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes.

S.J. Res. 30. Joint Resolution providing for the reappointment of Steve Case as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 35. Joint Resolution providing for the appointment of Michael Govan as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 36. Joint Resolution providing for the appointment of Roger W. Ferguson as a citizen regent of the Board of Regents of the Smithsonian Institution.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on April 6, 2017, she presented to the President of the United States, for his approval, the following bill:

H.R. 353. To improve the National Oceanic and Atmospheric Administration's weather research through a focused program of investment on affordable and attainable advances in observational, computing, and modeling capabilities to support substantial improvement in weather forecasting and prediction of high impact weather events, to expand commercial opportunities for the provision of weather data, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 2(b) of House Resolution 242, the House stands adjourned until 11 a.m. on Wednesday, April 12, 2017.

Thereupon (at 11 o'clock and 4 minutes a.m.), under its previous order, the House adjourned until Wednesday, April 12, 2017, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

996. A communication from the President of the United States, transmitting a letter regarding actions taken by the United States military in Syria on April 6, 2017, pursuant to 50 U.S.C. 1543(a); Public Law 93-148, Sec. 4(a); (87 Stat. 555) (H. Doc. No. 115—30); to the Committee on Foreign Affairs and ordered to be printed.

997. A letter from the Trial Attorney, Office of the Chief Counsel, Federal Railroad Administration, Department of Transportation, transmitting the Department's final rule — Implementation of the Federal Civil Penalties Inflation Adjustment Act Improvements Act for a Violation of a Federal Railroad Safety Law, Federal Railroad Administration Safety Regulation or Order, or the Hazardous Material Transportation Laws or Regulations, Orders Special Permits, and Approvals Issued Under Those Laws [Docket No.: FRA-2016-0021; Notice No.: 2] (RIN: 2130-AC65) received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

998. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Safran Helicopter Engines, S.A. Turbo-shaft Engines [Docket No.: FAA-2016-7850; Directorate Identifier 2016-NE-16-AD; Amendment 39-18819; AD 2017-05-08] (RIN: 2120-AA64) received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

999. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters [Docket No.: FAA-2016-9291; Directorate Identifier 2016-SW-004-AD; Amendment 39-18840; AD 2017-07-02] (RIN: 2120-AA64) received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1000. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Division Turbofan Engines [Docket No.: FAA-2016-8836; Directorate Identifier 2016-NE-17-AD; Amendment 39-18815; AD 2017-05-05] (RIN: 2120-AA64) received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1001. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; CFM International S.A. Turbofan Engines [Docket No.: FAA-2016-9128; Directorate Identifier 2016-NE-19-AD; Amendment 39-18820; AD 2017-05-09] (RIN: 2120-AA64) received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1002. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2017-0129; Directorate Identifier 2017-NM-020-AD; Amendment 39-18825; AD 2017-06-01] (RIN: 2120-AA64) received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[The following action occurred on April 7, 2017]

Mr. McCAUL: Committee on Homeland Security. House Resolution 235. Resolution directing the Secretary of Homeland Security to transmit certain documents to the House of Representatives relating to the Department of Homeland Security's research, integration, and analysis activities relating to Russian Government interference in the elections for Federal office held in 2016; adversely (Rept. 115-89). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. HERRERA BEUTLER (for herself and Mr. SCHRADER):

H.R. 2083. A bill to amend the Marine Mammal Protection Act of 1972 to reduce predation on endangered Columbia River salmon and other nonlisted species, and for other purposes; to the Committee on Natural Resources.

By Ms. ROYBAL-ALLARD (for herself, Ms. SANCHEZ, Mr. KILMER, and Mr. CARBAJAL):

H.R. 2084. A bill to improve the Federal Pell Grant program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SABLÁN (for himself and Ms. BORDALLO):

H.R. 2085. A bill to approve an agreement between the United States and the Republic of Palau, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RATCLIFFE:

H.J. Res. 98. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. YOHO:

H. Res. 272. A resolution expressing the sense of the House of Representatives that the President of the United States shall, with the help of the Congress, address comprehensive tax reform within the first 240 days of the President's administration; to the Committee on Ways and Means.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. POCAN: H.R. Res. 2057.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and

among the several States, and with the Indian Tribes.

By Ms. HERRERA BEUTLER:

H.R. 2083. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. ROYBAL-ALLARD:

H.R. 2084.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Mr. SABLÁN:

H.R. 2085.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Congress may also make laws that are necessary and proper for carrying into execution their powers enumerated under Article I.

By Mr. RATCLIFFE:

H.J. Res. 98.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution, which grants Congress the authority, whenever two thirds of both Houses deem it necessary, to propose amendments to the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 82: Mr. LAMALFA, Mr. DUNCAN of South Carolina, and Mr. PERRY.

H.R. 380: Mr. GROTHMAN.

H.R. 490: Mr. MOONEY of West Virginia and Mr. HARPER.

H.R. 508: Mrs. CAROLYN B. MALONEY of New York.

H.R. 930: Mr. GRAVES of Louisiana, Mr. SHUSTER, Ms. MATSUI, Mr. BROOKS of Alabama, Mr. LUETKEMEYER, and Ms. BLUNT ROCHESTER.

H.R. 1017: Mr. SARBANES, Mr. O'HALLERAN, Mr. GOTTHEIMER, Mr. CARTER of Georgia, and Mr. SOTO.

H.R. 1242: Mr. GOODLATTE.

H.R. 1317: Mr. CALVERT.

H.R. 1318: Mr. AGUILAR.

H.R. 1384: Mr. PAULSEN and Ms. BLUNT ROCHESTER.

H.R. 1406: Mr. WELCH.

H.R. 1582: Mr. ADERHOLT.

H.R. 1626: Mr. WEBER of Texas, Mr. RASKIN, and Mr. LOEBACK.

H.R. 1725: Ms. SHEA-PORTER.

H.R. 1841: Mr. SWALWELL of California.

H.R. 1861: Mr. KELLY of Mississippi.

H.R. 1915: Mr. EVANS, Mr. LAWSON of Florida, and Ms. JUDY CHU of California.

H.R. 1973: Mrs. ROBY.

H.R. 2000: Ms. LOFGREN, Mrs. CAROLYN B. MALONEY of New York, Mr. NADLER, Mr. TONKO, Ms. TSONGAS, Ms. VELÁZQUEZ, Ms. MAXINE WATERS of California, and Mr. WELCH.

H.R. 2001: Ms. LOFGREN, Mrs. CAROLYN B. MALONEY of New York, Mr. NADLER, Mr. TONKO, Ms. VELÁZQUEZ, Ms. MAXINE WATERS of California, and Mr. WELCH.

H.R. 2029: Mr. BRADY of Texas, Mr. VELA, and Mr. FARENTHOLD.

H.R. 2052: Mrs. HARTZLER, Ms. SHEA-PORTER, and Ms. ROSEN.

H.R. 2053: Mr. GOSAR.

H.J. Res. 31: Mr. BEN RAY LUJÁN of New Mexico.

H. Con. Res. 8: Mr. BRAT.

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H. Con. Res. 41: Mr. COURTNEY, Ms. HANABUSA, Mr. COFFMAN, and Mr. PETERS.

H. Res. 30: Mr. POLIS, Mr. PANETTA, Ms. KUSTER of New Hampshire, Mr. FITZPATRICK, and Mrs. CAROLYN B. MALONEY of New York.

H. Res. 129: Ms. ROSEN and Mr. HILL.

H. Res. 188: Mr. FARENTHOLD.

H. Res. 249: Ms. MATSUI, Mrs. LOWEY, Ms. DELBENE, Ms. CLARKE of New York, Mrs. CAROLYN B. MALONEY of New York, Ms.

BARRAGÁN, Ms. BONAMICI, and Ms. SCHAKOWSKY.

H. Res. 270: Ms. TSONGAS and Mr. VELA.

EXTENSIONS OF REMARKS

HONORING LEBANON MISSIONARY
BAPTIST CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 8, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a resourceful church, Lebanon Missionary Baptist Church.

The Lebanon Missionary Baptist Church had its beginning in 1869, when the congregation worshipped under a "brush arbor" with the Reverend David Adams serving as pastor and founder.

Realizing the need for a structure in which to worship, the pastor and members put forth every effort to design and construct the first church. The building was erected approximately 60 to 70 feet from the old church site.

As we look back over the 147-year history of Lebanon, we are reminded of the loyal devotion of the early pioneers and their steadfastness to the cause of the Gospel of Jesus Christ. We attribute any success or progress of this church to their loyalty.

The Reverend David Adams served faithfully as pastor until his death; and the Reverend Riley Russell accepted the call as pastor and served diligently until his death. Some of the early pastors were the Reverends: S.D. Smith, Joe Baskin, Dan Anderson, Connelly, and J. A. Johnson. Pleasant Fractions: Jimmy Mines; and J. Carter.

The Lebanon Missionary Baptist Church is recognized as the oldest land grant church in this area. It has served as a torch shining forth "her" brilliant light in this community. This light of hope and compassion has compelled many to come to Christ.

No church can survive without the dedicated cooperation of its members. The long, successful history of Lebanon is due to the dedicated, cooperative efforts of the many pastors, deacons, church mothers, and general congregation.

Some of the early deacons were: Brothers Joe Hodges; Pink Roseby; Ben Friar; C. H. Benson; R. B. Roseby; Richard Epps; Michael C. Smith; George Friar; and Tom Randle.

In 1912, the first church was destroyed by a violent storm. The force of the storm served as the epitome for the rebuilding of the second church, and its completion was the epoch of the old church site.

Some of the pioneer members of the Mothers Board were: Sisters Ophelia Anderson; Mary Benson; Sara Smith; Mary Anderson; Lucy Hunter; Hassie Montgomery; Harriet Craighead; Mattie L. Benson; Martha Ross Benson; and Sallie Epps.

Still moving forward, the Reverend A. W. Jones accepted the call as pastor. He served well until his accepting the call of another church. Following Reverend Jones, the Reverends: C. D. Brown; C. L. Clark; George Har-

per; Aaron Barron; and Melvin Lewis served as pastor of Lebanon.

Deacons serving under these administrations were: Brothers West Benson; Eddie Donelson; Leslie Hodges; Edgar Waddell; Pinkney Benson; Daniel Mickey; Daniel Kimbrough; Ira Blake; Mack Friar; O. W. Hodges; Mack McKennie; Samuel Friar; Charles Quincy Spurlin; Jessie Harmon; L. B. Hathorn; Alphonso Wright; Jacob J. McClain; and Charlie Benson.

The Mothers Board consisted of: Sisters Harriet Friar, Hallie Donelson, Elmira Horton, Minnie Hodges, Lyda Friar, Mary V. Hodges, Rebecca Kimbrough, Bessie Green, Roberta Blake, Priscilla Benson, Lillie Waddell, Mamie McKennie, Mary L. Friar, Mattie L. Hodges, Paralee McClain, Frankie Hodges, Eula Spurlin, Callie McKennie, Willie Mae Meeks, Ollie Harmon, and Olivia Garnett.

The edifice of the old church underwent many changes such as: lowering the ceilings; modern light fixtures; paneling of the sanctuary; bricking; and the construction of a kitchen and fellowship hall. Sanctuary pews, a communion table, and new pulpit furniture were purchased to enhance the decor of the church. These ventures of improvement were all completed under the leadership of the Reverend Aaron Barron.

Reverend Barron served as pastor for 27 consecutive years. He was a faithful and dynamic minister of the Gospel. During his administration, many souls realized the need for peace in their lives—that peace that surpassed all understanding—and accepted Christ as their personal Savior. Reverend Aaron Barron exchanged mortality for immortality and entered unto eternity in October 1983, while serving as pastor of Lebanon.

In January 1984, the Reverend Melvin B. Lewis accepted the call and served as pastor until 1987. Under the leadership of Reverend Lewis, a pastor's study was constructed, central heat and air conditioning was installed, and an organ was purchased for the sanctuary.

In June 1987, the Reverend J.W. Redmond accepted the call to serve as pastor of Lebanon. The church was blessed with many members, an Inspirational Choir, and Evangelist Quinzola McKennie.

Brothers: Coy Henderson; Leslie McKennie; Charlie Wright; Larry McKennie; and Paul Gilmore were installed as deacons. Installed on the Mothers Board were Sisters: Ola Mae Bailey, Priscilla Anderson, Grace Kimbrough, Rose Gibson, and as Deaconess were Sisters: Minnie McKennie, Sharon Wright, and Annie Gilmore.

Under the leadership of Reverend Redmond, a new roof was installed on the church, the choir stand was elevated and carpeted, floral arrangements and doors were added to the sanctuary. Following the leadership of the pastor, the Lebanon Inspirational Choir dedicated to the church some choir

robes, and added mirrors and double doors to the sanctuary, remodeled and refurnished the pastor's study. The Friar and Montgomery families dedicated chandeliers to enhance the entrance of the church.

Reverend Redmond exchanged mortality for immortality and entered unto eternity in January 2000, while serving as pastor of Lebanon Church.

After the death of Reverend Redmond, the Reverend Walter Eskridge, Jr. accepted the call to serve as pastor of the Lebanon Missionary Baptist Church in October 2000.

Under the leadership of Reverend Eskridge, the church has been blessed with many new members and rededications. A new church building was erected on land given to the church by Sis. Earsalean McClain's family, and the doors were opened for the first service on July 4, 2004; new choir robes were purchased for LSC, LIC, and LYC; a television and VCR were purchased through the aid of the Home Mission Society; Discipleship and New Members classes were started; the Fellowship Hall has been named the Earsalean McClain Fellowship Hall in memory of Sis. Earsalean McClain; the Educational Wing has been named the Martha Ross Benson Educational Wing in memory of Sis. Martha Ross Benson; each classroom has been named in memory of: Class No. 1—Deacon Samuel Friar; Class No. 2—Mother Elmira Horton; Class No. 3—Mother Lillie Waddell; Nursery—Mothers Callie McKennie and Roberta Blake; Choir Room—Sister Levirda Dixon and Bro. Eric Friar; and the Business Office in honor of Deacon Jessie Harmon; and the church is growing through his ministry. A new roof "The Red Top" was installed on the church. On June 7, 2015 Bro. Andrew Lee Brown was crowned as Deacon.

The Lebanon Missionary Baptist Church's current Deacons and Trustees Board members are Brothers: Jessie Harmon; Coy Henderson; Lawrence McKennie; Andrew Brown; and Sisters: Lula Friar; Lillie Benson Green and Earline Wright Hart.

The present Mothers Board members are Sisters: Ollie Harmon and Deaconess, Sister Annie Gilmore.

Through these many years of service to God and mankind, the Lebanon Missionary Baptist Church has survived many trials and tribulations, but are determined that forces of evil will not hinder them nor separate them from the love of God.

The torch carried by the pioneer members of the Lebanon Missionary Baptist Church, cast rays of light across their pathway. This light gives the church hope of a brighter future for the church. Those following will raise that torch high and keep the light burning bright. They will trim their lamps, put on the whole armor of God, and continue to hold up the blood stained banner.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

It is with this same spirit as soldiers going forth to war, accented with Christian love, devotion and dedication to the cause of the Kingdom, which the history of the Lebanon Missionary Baptist Church continues.

Mr. Speaker, I ask my colleagues to join me in recognizing the historic Lebanon Missionary Baptist Church.

HONORING GILFIELD MISSIONARY
BAPTIST CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 8, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to recognize the Gilfield M.B. Church in Doddsville, Mississippi. The church was founded and built by slaves on the banks on the Sunflower River located on the plantation of United States Senator James O. Eastland in 1894.

The history of the church spans 122 years with records showing three structures as its home, each with its own fascinating and remarkable journey. Early records of the church were recalled and passed down by word of mouth from slaves down to the members of the church who were also relatives. The earliest written record of the church was around the 1980s. Many of the elders and other members were still attending the church, so Ms. Hattie Jordan, a member of the church, volunteered to be the church historian and keeper of the records. She gathered documents, recorded oral stories, researched "leads" of where she could get more information or someone who could corroborate the findings. One source of information she relied on were two cornerstones located on the existing churchfront in Doddsville. One of the cornerstones was once the original place of the church in 1894, and transferred thereafter to structures one and two.

In 1894 the location of the first church was strategically planned to exist near water. It is believed but not recorded that the location was chosen because the river could be used to secretly baptize members—a practice not openly approved of by plantation owners. Ms. Jordan told the story of how she was baptized in the Sunflower River behind Gilfield M.B. Church in 1953 by Rev. McGee. Gilfield M.B. Church was allowed to exist only because Senator Eastland gave the slaves his approval.

The first pastors of Gilfield M.B. Church at its initial location were: Rev. C.C. Edwards, Rev. Hester, Rev. Hobbs, and Rev. Mose Watson. No written records were kept by slaves. The only source for handing down information was by word of mouth to the younger generation.

The second Gilfield M.B. Church was built a mile down from the first site on the banks of the Sunflower River on the Eastland Plantation. Rev. Mose Watson was the pastor. He continued to lead the church as he did while pastoring at the first location. After Rev. Watson, the church installed Rev. Issac as the new pastor until his death in 1947. Following Rev. Issac the church was led by Rev. Latson

from 1947 to 1952. Rev. Latson left the church to move to Chicago, IL. Immediately afterwards, Rev. McGee became the pastor in 1952 but separated from the church in 1953. There was a short lapse in pastors because Rev. Fleming did not begin pastoring the church until 1954. Records indicate he was the last pastor of the second structure listed as the home of Gilfield M.B. Church.

Rev. Fleming moved with the church to their third home beside the site of the second home, on the banks of the Sunflower River located on the Eastland Plantation. The sanctuary section of the second site was demolished, leaving the backside section to be used for church gatherings, which still stands today. The pastors of the third site location in order of leadership were: Rev. Fleming, Rev. John H. Williams, Rev. Clarence Tolbert, and the current pastor is Rev. Theatry Winters.

Mr. Speaker, I ask my colleagues to join me in recognizing the Gilfield M.B. Church of Doddsville, MS located in Sunflower County inside of the Second Congressional District of Mississippi.

HONORING SYKES CHAPEL
MISSIONARY BAPTIST CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 8, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable historical church, Sykes Chapel Missionary Baptist Church of Lambert, Mississippi and the great leadership it is under.

Sykes Chapel Missionary Baptist Church was founded in the 1900s by the share cropping plantation families: the Sykes family, the Noble family, the Cox family, and the McCray family. For years, there was no building for worship service. Therefore, the families went from house to house worshipping and praising God. The plantation was first-owned by Mr. Yeager who later gave it to his relative, Mr. E. H. Anderson. Mr. Anderson was a God-fearing man who would often stand in the back of worship service.

The Sykes family was the oldest and first family on the plantation. Therefore, the families gathered together and sold cakes to raise a little money. Afterwards, they asked Mr. Anderson to allow them to have a spot to build a church. Mr. Anderson allowed them to build a one-room shot gun building and allowed the men on the plantation to provide the labor. There was one wood heater and no air, but the families continued to praise God.

The members along with Mr. Anderson agreed to name the church Sykes Chapel Missionary Baptist Church. Minister Richardson was the first pastor selected. He served for a while, and later God called him home. In addition to the church, Mr. Anderson provided them with burial ground, and they called it the Sykes Chapel Cemetery. Some of the members are actually buried there.

Later, the church was destroyed twice—first by storm and later by fire. With the assistance of Mr. Anderson and loyal families, the church was rebuilt twice. After rebuilding the church,

they had worship service once a month. The church has been under the leadership of several pastors: Rev. Harry Benimon, Rev. Rollie Lee, Rev. Arthur Lee, Rev. Lloyd Johnson, and Rev. Robert Griffin.

Pastor Lloyd Johnson enjoyed praising God. He encouraged members to attend church every Sunday, and the membership increased. He later had a vision to build a larger sanctuary. In the process of preparing to build a larger church, no deed was found. Several deacons, including Deacon Albert Emerson, Deacon James Lee McCray, Deacon Ollie McCray, and Deacon Eddie Moore went to Mr. Anderson to inquire about the deed, and he sold the land to Sykes Chapel Missionary Baptist Church for \$1.00. In addition to the new sanctuary, a bus and van were purchased; outreach ministries and abstinence programs were started. Pastor Johnson served as pastor for seventeen years, until God called him home.

God sent Pastor Robert Griffin, who served for approximately four years. Under his leadership, the church continued to praise God. The youth ministry flourished, and the church was paid off in one and a half years.

Currently, Sykes Chapel Missionary Baptist Church is under the leadership of Pastor Derell Wiley. He believes that we can truly move mountains through prayer and faith. His established mission for Sykes Chapel is: "Exalting the Savior, Equipping the Saints, and Evangelizing the Sinner." In his vision, souls are saved, minds are renewed, hearts are cleansed, and members are rejuvenated. He emphasizes that the atmosphere will be shifted and a change will occur when we work together and embrace others with love, for God is love.

They are a little country church, but they serve an awesome God, who is able to transform minds, spirits, and lives. Under Pastor Wiley's leadership, they are growing physically and spiritually—studying and standing on the word of God. The following ministries have been started: Youth Ministry, Jail Ministry and Counseling, and the Convalescent Home Ministry.

By faith, they are discovering their purposes and trusting God for His promises. As God leads and guides, the future ministries will be developed: family ministries, couple ministries, and single ministries, as we become spiritually and physically prepared for God's kingdom. By faith, mountains are being moved, sinners are seeking Christ, and Christians are being restored.

The Sykes Chapel Missionary Baptist Church, believes that the greatest privilege and responsibility is to create disciples for Christ. The members are therefore committed to fulfilling their purpose through worship, fellowship, ministry, and Christian education.

Mr. Speaker, I ask my colleagues to join me in recognizing Sykes Chapel Missionary Baptist Church for its dedication to serving our great community and country.

RECOGNIZING DR. JAMES NEWTON
AS HE IS HONORED BY THE
BOYS AND GIRLS CLUB OF THE
NORTHTOWNS

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 8, 2017

Mr. HIGGINS of New York. Mr. Speaker, today I rise to honor the career of a dedicated public servant, Superintendent Dr. James Newton, who is being honored by the Boys and Girls Club of the Northtowns, also known as the Newman Club, with an award.

Dr. Newton spent 31 years working in public education; 19 of those were in the City of Tonawanda. He began his career as junior high principal in 1998. He was an integral part in passing the largest capital project in the history of the district. The project was over 25 million dollars in improvements to fund a new library media center and gymnasium, among other upgrades.

In 2009, he was appointed to middle/high school principal and in 2013 became the superintendent. Dr. Newton has dedicated his career in public education to creating a positive school environment, increasing the graduation rate, and allowing students to excel.

Dr. Newton serves his community outside of his job with a membership in the Exchange Club, Kiwanis Club, and as a Board member for the Northtowns Boys and Girls Club. He is also a dedicated husband to his wife Lisa, with whom he has a beloved daughter.

Mr. Speaker, I honor the distinguished career of Dr. Newton as he retires from his position as superintendent. It is with great pride that I stand to recognize the leadership and accomplishments of Dr. James Newton and wish him the best in all his future endeavors.

HONORING WANDERERS HOME
MISSIONARY BAPTIST CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 8, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Wanderers Home Missionary Baptist Church, a remarkable house of worship in Mound Bayou, Mississippi.

The Wanderers Home Missionary Baptist Church has a rich history, which is a legend within itself. At the turn of the twentieth century, a group of Christian leaders and laymen, some early settlers and others who migrated to the town of Mound Bayou, were led by the inspiration of the Holy Spirit to come together to organize a church in the year of 1908. Some acquired land and others share-cropped farms outside of the town limit. There was no church in the near vicinity of their homes, and means of transportation was limited. There had been a yearning for a place to fellowship and worship, and to praise and give thanks unto the Almighty God for His goodness. Coming together in the home of early settlers Mr. and Mrs. Wash and Kerri Mosley, led to fruitful discussions and plans to lay the founda-

tion for what was to become their own place of worship, the Wanderers Home Missionary Baptist Church.

Initially, the church was located on the north side of Township Road, but later relocated to the south side of the road where they purchased land and built a church. The land was sold and later rebuilt back on the north side, its present location.

The late Reverend W.M. Wilson was named the first pastor and began with a small group of faithful members under the most humble circumstances and with lots of faith in God. As the town of Mound Bayou became a major tourist attraction, with the growing population and industrial development, the membership at Wanderers Home grew rapidly.

The pulpit has been graced with some of the most remarkable preachers and ministers. The late Reverend Thornton, Reverend H.H. Humes, Reverend W.M. Stampley, Reverend W.M. Walden, Reverend Richardson, Reverend Zack Pittman, Reverend T.F. Hammond, Reverend C.H. Moreland, (who served as pastor for twenty-six years), Reverend Andrew Hawkins and Reverend Willie J. Jackson (the current pastor), was called as the leader of the congregation in 1991.

Under the leadership of Pastor Moreland, a fellowship hall was added to the church as the need for a place to extend their fellowship beyond the sanctuary. Under the leadership of Pastor Jackson, many accomplishments have taken place: Wanderers Home became the first church in Mound Bayou to have full-time worship services; incorporated 4th Sunday Broadcast Worship Service; started weekly bible class for adults and youths; and organized and increased Youth ministry activities.

The sanctuary was renovated with stained glass windows and new pews. Due to growth in membership the church purchased a van to transport elderly and youth parishioners.

Over the years, the church has reached beyond its walls to support the community, families, other communities throughout Bolivar and surrounding counties through its Missionary Ministry, as well as its Youth and Adult ministries.

Wanderers Home supported and been actively involved as a member of the Bolivar County Baptist Association since its organization, as well as a member of the State and National Congress of Christian Education. Many of its members have and continue to serve in leadership roles as leaders, teachers, and auxiliary heads in the organization.

Mr. Speaker, I ask my colleagues to join me in recognizing Wanderers Home Missionary Baptist Church for their spiritual enhancements in Mound Bayou, the surrounding communities and the State of Mississippi.

HONORING SWEET CANAAN
CHURCH OF GOD IN CHRIST

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 8, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a historic church, Sweet Canaan Church of God in Christ. It has

shown what can be done through the years of dedication of a progressive church.

The historic Sweet Canaan Church of God in Christ is the second oldest Church of God in Christ in the World and is located at 1946 Bellbottom Road in Lexington, MS 39095.

"The first church added to the number professing sanctification was located in Carroll (Holmes) County sixteen or seventeen miles north of Lexington, Mississippi." This statement is from the book: "Fifty Years Achievement from 1906-1956 A PERIOD IN HISTORY OF THE CHURCH OF GOD IN CHRIST." The Editorial note stated: The Historic Sweet Canaan church is located near the Carroll County line, but it is actually in northern Holmes County just south of Carroll County.

Sweet Canaan began as a little prayer mission in a wayside house of Professor Allen Taylor. Allen Taylor's property was located on Bell Bottom Road which is located about ten to fifteen miles north of Lexington. During those days Elder Morgan Williams was in charge of the small congregation. In the year 1909, the prayer mission decided to organize itself and the name Sweet Canaan was chosen. Prior to selecting the name Sweet Canaan, the church was known as the "Colored Sanctified Church." It was through continuous fervent prayer that other community people soon joined the early saints.

The present site of Sweet Canaan was once the spot where cattle of Professor Taylor grazed. Professor Taylor donated the land to the church for the sum of twenty dollars (\$20.00); a legal formality.

Although the small congregation did not have seats, the community was blessed. Mr. Isaac Randle was given a few dollars to bring some sweet gum logs to be used as seats in the prayer mission. Recognizing the small congregation's perseverance, Bishop Charles Harrison Mason, Founder of the Church Of God In Christ, appointed Elder Jeffery A. Lewis as their first pastor. He was also appointed the first Overseer of the State of Mississippi. At that time, the whole state was under one jurisdiction.

Sweet Canaan is blessed to have had its first three pastors to serve as state overseers; they were Elder Jeffery Lewis, Elder Stephen Rice, and Elder James Henderson. Sweet Canaan is also blessed to have had the jurisdictional supervisor of women for northern Mississippi, Mother Sarah Ann Braggs Gaston, as a member during her youth. Bishop Timothy Titus, Prelate of Northern Mississippi Jurisdiction, preached at Historic Sweet Canaan during his early years as a young preacher. The late Bishop Louis Henry Ford, former Presiding Bishop of the Church of God in Christ, often talked about his experience when he preached at Sweet Canaan, when he was a child and a student at Saint Academy and College in Lexington.

The first State Holy Convocation of the Church Of God In Christ was held at Historic Sweet Canaan.

Former Pastors of Sweet Canaan were: Elder J.A. Lewis, Elder Stephen Rice, Elder Fred Winans, Elder W.B. Huges, Elder D.R. Curry, Elder James Lee, Elder James Henderson, Elder D. Pitchford, Elder J.L. Pleas, Superintendent Fred Wade, and currently Elder Dr. Percy Washington, Sr.

The first deacons of Sweet Canaan were Brother Phillip Blake, Brother Louis Brooks and Brother Charlie Randle. Mother Abbie Banks was the church mother.

Some of the early saints of Sweet Canaan were: Professor Allen Taylor, Brother Louis Brooks, Brother Willis Randle, Brother Frank Blake, Brother Jessie Banks, Brother Frank Hoover, Brother Ben Simmons, Mother Sara Booker, Mother Ina Jenkins, Mother Ida Wilson, Mother Abbie Banks, Mother Ella Taylor, Mother Emma Brooks, and Deacon Payton Smith.

The present pastor, Elder Dr. Percy Louis Washington, was appointed to serve on May 18, 2003 by Bishop T.T. Scott. Pastor Washington and his lovely wife, Glenda, have five sons and nine grandchildren.

He and the Sweet Canaan congregation have worked hard together to preserve the history of Sweet Canaan by enclosing the whole building inside the Dr. Tyree and Mary Carr Multipurpose Building. The beautiful Carr Multipurpose Building houses not only the entire historic church, but it houses the fellowship hall, residential quarters, office, and classroom space.

On July 18, 2013, Bishop Charles Edward Blake, the Pastor of West Angeles Cathedral in Los Angeles, California, and the Presiding Bishop of the Church of God in Christ, Inc., visited Historic Sweet Canaan. They were joined at Sweet Canaan by General Board Members, Bishop Brandon Porter of Memphis, Tennessee, and Bishop Wooten of St. Louis, Missouri. Also joining Bishop Blake were several other bishops and more than half of the Trustee Board of the Church of God in Christ.

Pastor Washington has said many times, "When I went to Sweet Canaan, on my way to the church I saw many cows. When I got to the church, I saw a honey bee hive in the back of the church. I knew I was in the right place. For I was in the Land of Milk and Honey—in the land of Canaan—Sweet Canaan."

Sweet Canaan often times invites many to praise and worship with them every Sunday. Their Prayer service begins at 9:00 a.m., Sunday school starts at 9:30 a.m., and Sunday Worship Service starts at 11:00 a.m.

Mr. Speaker, I ask my colleagues to join me in recognizing the historic Sweet Canaan Church of God in Christ.

HONORING JAYLIN RODGERS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 8, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Cadet COL Jaylin Rodgers of Lanier High School, recipient of the 2016 Jackson Public Schools Junior Reserve Officer Training Corps Cadet of the Year.

Cadet COL Rodgers, son of Mr. and Mrs. Larry and Tamarrus Rodgers, serves as the Battalion Commander for Lanier's 1st Battalion Mighty Bulldogs. He holds a 3.33 GPA and has earned a score of 25 on the ACT. He has taken advanced level courses throughout high

school, such as Accelerated English I and II, Accelerated Geometry, and Advanced Placement U.S. History.

A member of the school's National Honor Society, Cadet COL Rodgers is also the recipient of JROTC's Scholastic Excellence Award and was a Leadership Education and Training, Level One top cadet.

Cadet COL Rodgers served on Lanier High School's Battalion staff for three years as the Human Resources Officer, Executive Officer, and now the Battalion Commander. Cadet Rodgers has attended the LeaderSTATE Leadership and STEM Camp and Boys State at Mississippi State University and the Junior Cadet Leadership Challenge at Fort Knox, Kentucky. His plans are to attend Jackson State University, major in Electrical Engineering, and attain a commission into the Army as a second lieutenant.

Mr. Speaker, I ask my colleagues to join me in recognizing Cadet COL Jaylin Rodgers.

HONORING MR. JAMES MALLETT

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 8, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a community servant, Mr. James Mallett. Mr. Mallett has shown what can be done through tenacity, dedication and a desire to serve his community.

James Mallett was born in the Carter community to Edward and Ethel Mallett. James' family lived on a plantation called Clark and Cato. He grew up in a small church called Mt. Salem. He learned many life lessons from working on the family farm.

James graduated from Yazoo City High School in 1983. James attended Jackson State University, but returned home to take a job with Yazoo Industries, where he remained for ten years.

In 1990 Chief BJ Wright offered James a job at the Yazoo City Fire Department. Through the years, James also had the opportunity to work under Charles Moore, Mike Woodard, Roy Wilson and Terry Harber.

James credits his wife, Alma, for supporting him as he worked for the Yazoo City Fire Department for 25 years.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. James Mallett for his dedication and loyalty to Yazoo City.

HONORING RICK OATES AS HE IS RECOGNIZED BY THE CITY OF TONAWANDA COMMON COUNCIL

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 8, 2017

Mr. HIGGINS of New York. Mr. Speaker, today I rise to honor the career and accomplishments of a distinguished public servant, Richard Oates, as he is recognized by the City of Tonawanda Common Council. Officer Oates is a fire police officer and Associate Chaplain

of the Tonawanda Fire Department, as well as the Exchange Club Fire Fighter of the Year Recipient of 2017.

Officer Oates entered the Volunteer Division of the Tonawanda Fire Department in 2007 and received his New York State Peace Officer status. He has also been an integral member of the Chaplain Corps, made up of lay chaplains who serve as both first responders and chaplains. This position shows Officer Oates' commitment to helping people of his community.

Officer Oates has been critically helpful in many emergency situations, not just as a responder but as a community asset to those affected by the emergency. There are countless stories of Officer Oates going beyond the call of duty to serve. One such story is when Officer Oates comforted the daughter of a victim receiving CPR by first responders.

An extremely devoted citizen, Officer Oates is dedicated to giving back to his community past his volunteer service. Oates leads the organization of regular Red Cross Blood Drives at the fire hall, even starting the bi-monthly free meals for donors to incentivize community members to give. Recently, he has organized two very successful blood drives in memory of Jed Woormer, a local cancer victim.

Beyond his service, Oates is a very dedicated husband, father, and son. He is married to Rhoda Oates and they have seven children together: Annabeth, Christa Mae, Rebecca, Charlotte, Jenna, Andrew, and the newest addition, Louie. He is also very committed to his faith and lives his life in a devoted manner through his work.

Mr. Speaker, I honor a hard-working, tireless public servant who has spent his life helping the people of Tonawanda. The Tonawanda community and I are thankful for Officer Oates' many years of service and wish him all the best in his future endeavors.

HONORING WILLIE "SATELLITE" TOTTEN

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 8, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Willie Totten, who is a former professional football player and current college football coach. Totten played his high school football at J.Z. George High School in North Carrollton, Mississippi. Totten was a four-year starter quarterback at Mississippi Valley State University from 1981 to 1985. Totten set more than 50 Division I-AA passing records.

The Delta Devils averaged 59 points a game during the 1984 season, with Totten throwing for a record 58 touchdowns and leading the Delta Devils to the Division I-AA playoffs in 1984. Archie Cooley, who was the head coach at MVSU from 1980 to 1986, was the architect of the pass-oriented offense that utilized the skills of Totten.

Totten played professionally in the Canadian Football League (CFL) with the BC Lions (and Toronto Argonauts before moving on to the National Football League (NFL), as a replacement player for the Buffalo Bills during the

strike-shortened 1987 NFL season. Totten played in the Arena Football League for the Chicago Bruisers, Pittsburgh Gladiators and the New Orleans Night.

Totten earned his master's degree at Grambling State University, and was a graduate assistant on the coaching staff for head football coach Eddie Robinson. Totten returned to his alma mater and served as quarterbacks coach and running back coach during the 1990s before moving on to coach at the high school level for two years. He returned to the MVSU coaching staff in 2000, and was elevated to head coach in 2001. Totten brought pride back to Mississippi Valley State, as he led the Delta Devils to back-to-back winning seasons in 2005 and 2006. Totten resigned after the 2009 season, and took an administrative position at MVSU in 2010. In 2013, Totten became quarterbacks coach at Albany State University in Albany, Georgia for one season before accepting the quarterback coaching position at Alabama A&M University under new head football coach James Spady.

Totten is one of a few college football coaches ever to coach in a stadium named after him. The Delta Devils football team plays in Rice-Totten Field, named for Totten and wide receiver Jerry Rice. He is a member of the College Football Hall of Fame. Totten is a member of Phi Beta Sigma Fraternity.

Mr. Speaker, I ask my colleagues to join me in recognizing Willie "Satellite" Totten, a professor football player and educator, for his dedication to serving others and giving back to the African American community.

HONORING DONESHIA JOHNSON

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 8, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable student, Ms. Doneshia Johnson.

Ms. Johnson is a Leland High School graduate from Leland, Mississippi whose outstanding academic performance resulted in her being recognized on both her Superintendent's and Principal's List for high achievers. After graduating, Ms. Johnson began her academic career at Jackson State University in the fall of 2016, where she currently studies Human Resources and Mass Communications.

Ms. Johnson is a member of the following organizations: DECA, National Honor Society, National Technical Honor Society, MS Tech Masters, and is a MS Scholar. She also volunteers for the Habitat for Humanity, and is a loyal blood donor.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Doneshia Johnson for her dedication to serving others and giving back to the community.

HONORING NEW TOWN MISSIONARY BAPTIST CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Saturday, April 8, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to recognize New Town Missionary Baptist Church in Charleston, MS inside of Tallahatchie County.

New Town Missionary Baptist Church was built in 1805. Like so many Black rural churches the history of New Town Missionary Baptist Church was passed down by word of mouth from members who were slaves. The church was built under the guidance of Spring Hill Baptist Church which was an all-white congregation. However, New Town Missionary Baptist Church, an all-black congregation, was pastored by a white minister, Rev. Porter, until the church was successful in finding a Black minister who could lead. The Rev. Hampton Clemmons was the first Black pastor of the church.

The first building was a one room structure located where the Old New Town Cemetery is now. The following ministers have served as pastor of the church: Rev. Matthew Black, Rev. Neison Harris, Rev. William West, Rev. Willie Penn, Rev. Charlie Johnson, Rev. William Booker, Rev. P.R. Gipson, Rev. J.T. Brown, Rev. H.C. Jones, Rev. L.J. Jordan, Rev. R.S. Phamphlet, Rev. David B. Curry, and Rev. Derrick Williams, Sr. Some of the deacon members of the church were: Bro. James H. Reed, Bro. Burel Reed, Bro. James H. Bellamy, Bro. Robert E. Pollard, Bro. Nathan Metcalf, Bro. Richard Gray, Bro. Ben Thompson, Bro. Green Hudson, Bro. James Bellamy, Jr., Bro. Charlie Simmons, Bro. B.L. Reed, Bro. John H. Gray, Bro. Barney Willis, Bro. N.A. Bocclair, Bro. Charlie Anderson, Bro. Jessie Terry, Bro. Minon Reed, Bro. S.N. Drake, Bro. Grafton Gray, Bro. John Winford, Bro. George Fair, Bro. James Frost, Bro. Roberson Jennings, Bro. Eckles Simmons, Bro. Frank Diltz, and Bro. Erwin Maynew.

Mr. Speaker, I ask my colleagues to join me in recognizing the New Town Missionary Baptist Church in Charleston, MS in Tallahatchie County inside of the Second Congressional District of Mississippi.

SENATE—Monday, April 10, 2017

The Senate met at 1:30 and 1 second p.m. and was called to order by the Honorable DEB FISCHER, a Senator from the State of Nebraska.

**APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 10, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable DEB FISCHER, a Senator from the State of Nebraska, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mrs. FISCHER thereupon assumed the Chair as Acting President pro tempore.

ADJOURNMENT UNTIL THURSDAY,
APRIL 13, 2017, AT 8:30 A.M.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 8:30 a.m. on Thursday, April 13, 2017.

Thereupon, the Senate, at 1:30 and 34 seconds p.m., adjourned until Thursday, April 13, 2017, at 8:30 a.m.

EXTENSIONS OF REMARKS**SENATE COMMITTEE MEETINGS**

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference.

This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this infor-

mation, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, April 11, 2017 may be found in the Daily Digest of today's RECORD.

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HOUSE OF REPRESENTATIVES—Wednesday, April 12, 2017

The House met at 11 a.m. and was called to order by the Speaker pro tempore (Mr. HARRIS).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 12, 2017.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

Reverend Michael Wilker, Lutheran Church of the Reformation, Washington, D.C., offered the following prayer:

Lord God, You hear the cries of those oppressed by violence and enslaved by sin. You bring us out of the narrow confines of ignorance, greed, and death with a strong hand and an outstretched arm.

We pray for Jews, who celebrate Passover this week. Continue to give them life and liberation for generations. Thank You for blessing them to be a blessing to the nations.

We also pray for Christians, who remember when Jesus celebrated the Passover with his friends. He was crucified by Roman imperial power. As Christians celebrate the resurrection of Jesus, bless them with renewed joy, courage, and compassion.

Even as we remember Your gracious, passionate, and saving acts, we grieve that Your children throughout the world are suffering famine, hard labor, violent attacks, and state-sponsored executions. Embolden us to join Your divine work to heal the world and share Your abundant life with all creation.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 2(a) of House Resolution 242, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 2(b) of House Resolution 242, the House stands adjourned until 10 a.m. on Friday, April 14, 2017.

Thereupon (at 11 o'clock and 2 minutes a.m.), under its previous order, the House adjourned until Friday, April 14, 2017, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1003. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting the Army Corps of Engineers' proposed Letter of Offer and Acceptance to the Government of Kuwait, Transmittal No. 16-80, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Armed Services.

1004. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's Major final rule — Federal Reserve Bank Capital Stock [Regulation I; Docket No.: R-1533] (RIN: 7100-AE 47) received April 6, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

1005. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's interim final rule — Federal Reserve Bank Capital Stock [Regulation I; Docket No.: R-1533] (RIN: 7100-AE 47) received April 6, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

1006. A letter from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting the Bureau's Office of Minority and Women Inclusion Annual Report to Congress and the Equal Employment Opportunity program status report for FY 2016, pursuant to 12 U.S.C. 5452(e); Public Law 111-203, Sec. 342(e); (124 Stat. 1543); to the Committee on Financial Services.

1007. A letter from the Deputy Assistant Secretary for Program Operations, Employee Benefits Security Administration, Department of Labor, transmitting the Department's Major final rule — Definition of the Term "Fiduciary"; Conflict of Interest Rule — Retirement Investment Advice; Best Interest Contract Exemption (Prohibited Transaction Exemption 2016-01); Class Exemption for Principal Transactions in Certain Assets Between Investment Advice Fiduciaries and Employee Benefit Plans and IRAs (Prohibited Transaction Exemption 2016-02); Prohibited Transaction Exemptions

75-1, 77-4, 80-83, 83-1, 84-24 and 86-128 (RIN: 1210-AB79) received April 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

1008. A letter from the Director, EEOCO, Department of Health and Human Services, transmitting the Department's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

1009. A letter from the Acting Secretary, Department of Labor, transmitting the Department's final rule — Revision of FOIA Regulations (RIN: 1290-AA30) received April 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

1010. A letter from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting thirteen (13) notifications of a federal vacancy, designation of acting officer, nomination, action on nomination, or discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

1011. A letter from the Acting Administrator, National Aeronautics and Space Administration, transmitting the Administration's summary of the inventories of commercial and inherently governmental activities for fiscal years 2014 and 2015, pursuant to 31 U.S.C. 501 note; Public Law 105-270, Sec. 2(c)(1)(A); (112 Stat. 2382); to the Committee on Oversight and Government Reform.

1012. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

1013. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period January 1, 2017 to March 31, 2017, pursuant to 2 U.S.C. 104a (H. Doc. No. 115—31); to the Committee on House Administration and ordered to be printed.

1014. A letter from the Assistant Chief Counsel for Regulatory Affairs, Office of Hazardous Materials Safety, Pipeline and Hazardous Safety Administration, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Harmonization with International Standards (RRR) [Docket No.: PHMSA-2015-0273 (HM-215N)] (RIN: 2137-AF18) received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1015. A letter from the Attorney, CG-LRA, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Detroit River (Trenton Channel), Grosse Ile, MI [Docket No.: USCG-2016-0988]

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

(RIN: 1625-AA09) received April 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1016. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; San Francisco, CA [Docket No.: USCG-2016-0836] (RIN: 1625-AA00) received April 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1017. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation, 2017 Catano Offshore, San Juan Harbor, San Juan, PR [Docket No.: USCG-2017-0255] (RIN: 1625-AA08) received April 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1018. A letter from the Attorney, CG-LRA, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Pacific Ocean, Kilauea Lava Flow Ocean Entry on Southeast Side of Island of Hawaii, HI [Docket No.: USCG-2017-0172] (RIN: 1625-AA00) received April 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1019. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Security Zone; VIP Visits, Palm Beach, FL [Docket No.: USCG-2017-0220] (RIN: 1625-AA87) received April 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1020. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Security Zone; USCGC MUNRO Commissioning Ceremony Elliott Bay, Seattle, WA [Docket No.: USCG-2017-0261] (RIN: 1625-AA87) received April 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1021. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-6431; Directorate Identifier 2015-NM-182-AD; Amendment 39-18823; AD 2017-05-12] (RIN: 2120-AA64) received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1022. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-9069; Directorate Identifier 2016-NM-012-AD; Amendment 39-18821; AD 2017-05-10] (RIN: 2120-AA64) received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1023. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2016-8183; Directorate Identifier

2015-NM-083-AD; Amendment 39-18822; AD 2017-05-11] (RIN: 2120-AA64) received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1024. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Safran Helicopter Engines, S.A., Turboshift Engines [Docket No.: FAA-2017-0115; Directorate Identifier 2017-NE-04-AD; Amendment 39-18824; AD 2017-04-51] (RIN: 2120-AA64) received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1025. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2014-0922; Directorate Identifier 2014-NM-156-AD; Amendment 39-18836; AD 2017-06-12] (RIN: 2120-AA64) received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1026. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Textron Aviation Inc. (Type Certificate Previously Held by Cessna Aircraft Company) Airplanes [Docket No.: FAA-2016-3705; Directorate Identifier 2015-NM-168-AD; Amendment 39-18837; AD 2017-06-13] (RIN: 2120-AA64) received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1027. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-9068; Directorate Identifier 2016-NM-067-AD; Amendment 39-18838; AD 2017-06-14] (RIN: 2120-AA64) received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1028. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Extension of the Prohibition Against Certain Flights in the Tripoli (HILL) Flight Information Region (FIR) [Docket No.: FAA-2011-0246; Amdt. No.: 91-321C] (RIN: 2120-AK99) received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1029. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Restricted Area R-7201; Farallon De Medinilla Island, Mariana Islands [Docket No.: FAA-2015-0739; Airspace Docket No.: 14-AWP-11] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1030. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace, Manti, UT [Docket No.: FAA-2016-8164; Airspace Docket No. 15-ANM-25] received April 5, 2017, pursuant to 5 U.S.C.

801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1031. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Air Traffic Service (ATS) Routes Q-917 and Q-923; Northcentral United States [Docket No.: FAA-2017-0116; Airspace Docket No.: 17-AGL-2] (RIN: 2120-AA66) received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1032. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Air Traffic Service (ATS) Routes; Eastern United States [Docket No.: FAA-2016-0986; Airspace Docket No.: 15-AEA-7] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1033. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No.: 31129; Amdt. No.: 532] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1034. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace, Trinidad, CO [Docket No.: FAA-2015-7115; Airspace Docket No.: 15-ANM-30] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1035. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Elmira, NY [Docket No.: FAA-2015-8128; Airspace Docket No.: 15-AEA-14] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1036. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31123; Amdt. No.: 3737] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1037. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31121; Amdt. No.: 3735] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1038. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-8844; Directorate Identifier 2016-NM-026-AD; Amendment 39-18833; AD 2017-06-09] (RIN: 2120-AA64) received April 5,

2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1039. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-9300; Directorate Identifier 2016-NM-124-AD; Amendment 39-18829; AD 2017-06-05] (RIN: 2120-AA64) received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1040. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2016-9051; Directorate Identifier 2016-NM-035-AD; Amendment 39-18828; AD 2017-06-04] (RIN: 2120-AA64) received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1041. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2016-9054; Directorate Identifier 2016-NM-081-AD; Amendment 39-18834; AD 2017-06-10] (RIN: 2120-AA64) received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1042. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Services B.V. Airplanes [Docket No.: FAA-2016-9302; Directorate Identifier 2016-NM-037-AD; Amendment 39-18826; AD 2017-06-02] (RIN: 2120-AA64) received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1043. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Airplanes [Docket No.: FAA-2016-0457; Directorate Identifier 2015-NM-084-AD; Amendment 39-18751; AD 2016-25-25] (RIN: 2120-AA64) received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1044. A letter from the Assistant Secretary, Federal Maritime Commission, transmitting the Commission's final rule — Amendments to Regulations Governing Service Contracts and NVOCC Service Arrangements [Docket No.: 16-05] (RIN: 3072-AC53) received April 6, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1045. A letter from the Attorney Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone for Fireworks Display; Patapsco River, Inner Harbor, Baltimore, MD [Docket No.: USCG-2017-0176] (RIN: 1625-AA00) received April 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1046. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Charleston Race Week, Charleston Harbor, Charleston, SC [Docket No.: USCG-2017-0023] (RIN: 1625-AA00) received April 7, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1047. A letter from the Chief, Special Projects, Office of Regulation Policy and Management, Office of the Secretary (00REG), Department of Veterans Affairs, transmitting the Department's final rule — VA Dental Insurance Program (RIN: 2900-AP91) received April 6, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McCAUL: Committee on Homeland Security. H.R. 1258. A bill to make technical corrections to the Homeland Security Act of 2002 (Rept. 115-90). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. BLACKBURN:

H.R. 2086. A bill to amend the Internal Revenue Code of 1986 to waive the individual mandate in areas with no Exchange plans; to the Committee on Ways and Means.

By Mr. DUFFY:

H.R. 2087. A bill to amend the Immigration and Nationality Act to expand the H-2A worker program to include certain additional laborers, and for other purposes; to the Committee on the Judiciary.

By Mr. ENGEL (for himself, Mr.

SUOZZI, Mr. TONKO, Mr. SEAN PATRICK MALONEY of New York, Mrs. CAROLYN B. MALONEY of New York, Ms. MENG, Mr. SERRANO, Mr. CROWLEY, and Mrs. LOWEY):

H.R. 2088. A bill to amend title XIX of the Social Security Act to increase certain Federal amounts payable under Medicaid for certain States; to the Committee on Energy and Commerce.

By Mr. ENGEL:

H.R. 2089. A bill to protect the Nation's law enforcement officers by regulating the sale of the Five-seveN pistol and its variants, testing handguns for capability to penetrate body armor, and regulating the manufacture, importation, sale, or purchase of such handguns by civilians; to the Committee on the Judiciary.

By Mr. MESSER:

H.R. 2090. A bill to amend the Help America Vote Act of 2002 to require voters in elections for Federal office to provide photo identification as a condition of casting a ballot in such elections, and for other purposes; to the Committee on House Administration.

By Mr. REED (for himself and Mr. THOMPSON of California):

H.R. 2091. A bill to amend the Internal Revenue Code of 1986 to make permanent the 7-year recovery period for motorsports entertainment complexes; to the Committee on Ways and Means.

By Mr. REICHERT (for himself, Mr. KIND, Mr. TIBERI, Mr. BLUMENAUER, Mr. PAULSEN, Mr. NEAL, and Mr. PASCRELL):

H.R. 2092. A bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

MEMORIALS

Under clause 3 of rule XII,

23. The SPEAKER presented a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 36, urging the Congress of the United States to reauthorize the Rohrabacher-Farr amendment to prevent the United States Department of Justice from spending funds to interfere with the implementation of state medical marijuana laws; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. BLACKBURN:

H.R. 2086.
Congress has the power to enact this legislation pursuant to the following:
Article 1 Section 8 Clause 3

By Mr. DUFFY:

H.R. 2087.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8

By Mr. ENGEL:

H.R. 2088.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 1 of the Constitution.

By Mr. ENGEL:

H.R. 2089.
Congress has the power to enact this legislation pursuant to the following:
U.S. Const. Art. I § 8

By Mr. MESSER:

H.R. 2090.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, Clause 1: The Times, Places, and Manner of holding Elections for Senators and Representatives, shall be prescribed by each state by the legislature thereof; but the Congress may at any time by Law make or such Regulations, except as to the Places of choosing Senators.

By Mr. REED:

H.R. 2091.
Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution

By Mr. REICHERT:

H.R. 2092.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Clause I of Section 8 of Article I of the United States Constitution, specifically Clause 1 (relating to providing for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 38: Mrs. MIMI WALTERS of California.
 H.R. 112: Mr. GOSAR.
 H.R. 173: Ms. ROYBAL-ALLARD and Ms. DELBENE.
 H.R. 367: Ms. GRANGER.
 H.R. 510: Mr. CHABOT and Ms. JENKINS of Kansas.
 H.R. 539: Mr. KILMER and Mr. LUETKEMEYER.
 H.R. 598: Mr. RASKIN.
 H.R. 662: Mr. LAHOOD.
 H.R. 669: Ms. SPEIER.
 H.R. 672: Ms. KUSTER of New Hampshire.
 H.R. 721: Mr. COLLINS of Georgia and Mr. GARAMENDI.
 H.R. 741: Mr. BEN RAY LUJÁN of New Mexico.
 H.R. 757: Mr. PRICE of North Carolina.
 H.R. 772: Mr. KINZINGER.
 H.R. 792: Mr. MURPHY of Pennsylvania and Mr. RYAN of Ohio.
 H.R. 824: Mr. GROTHMAN.
 H.R. 931: Mr. COMER, Mr. GARRETT, Mr. SARBANES, Mr. DELANEY, and Mr. GRAVES of Missouri.
 H.R. 960: Mr. SMUCKER.
 H.R. 972: Mrs. LAWRENCE, Ms. CLARK of Massachusetts, and Mr. RASKIN.
 H.R. 1002: Mr. CAPUANO and Mr. EVANS.
 H.R. 1017: Mr. KILMER.
 H.R. 1058: Mr. BLUM and Mr. LOEBSACK.
 H.R. 1090: Mrs. NOEM.
 H.R. 1141: Mr. DONOVAN, Ms. JUDY CHU of California, Mr. GALLEGO, Mr. SERRANO, and Mr. SMITH of Washington.
 H.R. 1143: Ms. JACKSON LEE, Ms. SHEA-PORTER, and Ms. SCHAKOWSKY.
 H.R. 1146: Ms. SCHAKOWSKY.
 H.R. 1158: Mr. BUTTERFIELD, Mrs. WAGNER, Mr. RENACCI, and Mr. KATKO.

H.R. 1206: Mr. COHEN.
 H.R. 1225: Mrs. COMSTOCK.
 H.R. 1243: Ms. TENNEY and Mr. VEASEY.
 H.R. 1267: Mr. RODNEY DAVIS of Illinois, Mr. KILMER, Mr. MULLIN, and Mr. RYAN of Ohio.
 H.R. 1268: Mr. NOLAN.
 H.R. 1299: Mr. PANETTA and Mr. DESAULNIER.
 H.R. 1311: Mrs. BUSTOS, Mrs. NOEM, and Mr. LAHOOD.
 H.R. 1318: Mr. ENGEL.
 H.R. 1322: Mrs. RASKIN and Ms. MATSUI.
 H.R. 1368: Mr. SUOZZI.
 H.R. 1445: Ms. SHEA-PORTER.
 H.R. 1456: Mr. DONOVAN, Mr. BACON, and Mr. SHUSTER.
 H.R. 1510: Mr. GAETZ.
 H.R. 1617: Mr. BACON.
 H.R. 1625: Mrs. HARTZLER and Mr. WEBER of Texas.
 H.R. 1626: Mr. VELA and Mr. GONZALEZ of Texas.
 H.R. 1676: Mrs. BLACKBURN, Mr. GOTTHEIMER, Mr. O'HALLERAN, Ms. STEFANIK, Mr. SMITH of Missouri, Mr. YODER, Mr. LANCE, Mr. COOK, Mr. YOUNG of Alaska, Mr. MCKINLEY, and Mr. ZELDIN.
 H.R. 1677: Mr. SHERMAN, Mr. CHABOT, Mr. ROKITA, Mr. STEWART, Mrs. WAGNER, Mrs. WALORSKI, Mr. WEBER of Texas, Mr. YOHO, Ms. ROSEN, Mr. SCHNEIDER, Mrs. LOWEY, Mr. JOHNSON of Georgia, Mr. DIAZ-BALART, Mr. HURD, Mr. CURBELO of Florida, Mr. POLIS, Ms. SLAUGHTER, Mr. CONNOLLY, Mr. CAPUANO, Ms. MAXINE WATERS of California, Ms. ESHOO, and Mr. VEASEY.
 H.R. 1695: Mr. COHEN.
 H.R. 1698: Mr. SUOZZI, Ms. WILSON of Florida, Mr. RASKIN, Mr. BURGESS, and Mr. DESANTIS.
 H.R. 1721: Mr. MEADOWS.
 H.R. 1744: Ms. ROS-LEHTINEN.
 H.R. 1761: Mr. POE of Texas.
 H.R. 1795: Mr. RICHMOND.
 H.R. 1841: Mr. HECK.
 H.R. 1868: Mr. CAPUANO and Ms. KUSTER of New Hampshire.
 H.R. 1872: Mr. SENSENBRENNER.
 H.R. 1881: Mrs. HARTZLER.
 H.R. 1886: Mr. KILMER.
 H.R. 1896: Mr. MEEHAN.
 H.R. 1897: Mr. MEEHAN.
 H.R. 1899: Ms. GABBARD and Mr. COHEN.
 H.R. 1911: Ms. NORTON and Mr. COHEN.
 H.R. 1944: Mr. KELLY of Mississippi.
 H.R. 1945: Mr. JOHNSON of Ohio, Mr. BISHOP of Michigan, and Mr. KELLY of Mississippi.
 H.R. 2029: Mr. BABIN and Mr. SESSIONS.
 H.R. 2053: Mr. PEARCE and Mr. MCKINLEY.
 H.R. 2059: Mr. EVANS and Mr. SCHIFF.
 H.J. Res. 28: Mr. CARBAJAL.
 H. Con. Res. 8: Ms. TENNEY.

H. Con. Res. 49: Mr. ESPAILLAT and Ms. CLARK of Massachusetts.

H. Res. 15: Mr. RASKIN, Mr. TAKANO, Mr. RUPPERSBERGER, Mr. PAYNE, and Mr. CARTWRIGHT.

H. Res. 232: Mr. MEADOWS, Mrs. MURPHY of Florida, Mr. JONES, Mr. YOHO, and Mr. POSEY.

H. Res. 239: Ms. SHEA-PORTER.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

34. The SPEAKER presented a petition of the Mayor and Borough Council of the Borough of South River, Middlesex County, NJ, relative to Resolution 2017-105, supporting H.R. 814, known as the "Thin Blue Line Act", and urging the United States House of Representatives and U.S. Senate to enact this legislation; which was referred to the Committee on the Judiciary.

35. Also, a petition of the City Council of Redmond, WA, relative to Resolution No. 1470, urging the United States Congress to enact legislation enabling state and local governments to collect sales tax revenues that are due and protect local business through the preservation of an equitable sales tax system; which was referred to the Committee on the Judiciary.

36. Also, a petition of the Franklin County, VA, Board of Supervisors, relative to a resolution urging the United States Congress to enact legislation that will enable State and Local governments to collect revenues due to local government that are essential to the expansion of our local and regional economy; which was referred to the Committee on the Judiciary.

37. Also, a petition of Senate of Puerto Rico, relative to Senate Resolution 156, requesting the United States Congress to direct the members of the Board created by the Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA) and the contractors thereof [to disclose] any and all information relating to the holding of Bonds of the Government of Puerto Rico and its instrumentalities; holdings or similar securities, in their capacity as natural or juridical person, and for other related purposes; which was referred jointly to the Committees on Natural Resources, the Judiciary, Education and the Workforce, and Small Business.

EXTENSIONS OF REMARKS

HONORING THE LIFE OF FIRE-FIGHTER AND EMT KEVIN LEE FRYE

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 12, 2017

Mrs. COMSTOCK. Mr. Speaker, I would like to honor the life of Mr. Kevin Lee Frye, who passed away on March 23, 2017 at the age of 53. Throughout his life, Mr. Frye was a respected leader in our community and an exemplary Firefighter and Emergency Medical Technician in both Prince William County and the City of Manassas. His dedicated service helped keep the people of Virginia's Tenth District safe for over thirty years, and he will always be remembered.

Mr. Frye began his career of service in 1983 with the Buckhall Volunteer Fire Department, Company 16, which is located in Manassas, Virginia. It was here where he held the ranks of Lieutenant, Captain, and Assistant Chief. In October of 1989, Mr. Frye joined the City of Manassas Fire and Rescue Department that both cooperates and coordinates with the Manassas Volunteer Fire Company and the Greater Manassas Volunteer Rescue Squad.

He honorably served the City of Manassas Fire and Rescue Department for over 25 years, holding the rank of Lieutenant and also serving on the Health and Safety Committee. During this time he also served as the department's Training Officer, cultivating a rising generation of new service members that will carry on his legacy of dedication as they continue their careers with Mr. Frye's counsel always in mind. He always displayed both determination and dedication and continued his training and mentorship of other Firefighters and EMT's even while battling cancer. Through his long and impressive career Mr. Frye became one of the most respected, senior firefighters in the entire department, and his memory will always be present as a true inspiration to both the department and our local community.

In addition to his selfless legacy and career of service, Mr. Frye enjoyed fishing, completing home projects, and spending time with his family. He is survived by his wife, Stacy, and his two sons, Zachary and Tyler. He will be missed by the countless lives he has touched over his years of public service.

Mr. Speaker, I ask that my colleagues join me in celebrating the life of, and bidding farewell to, Kevin Lee Frye. May he rest in peace, and his family be comforted.

COMMEMORATING THE 25TH ANNIVERSARY OF THE GUAHAN LIONS CLUB

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 12, 2017

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate the Guahan Lions Club as they celebrate 25 years of public service to the people of Guam. The Guahan Lions Club was established in 1992 by a group of business people, teachers, accountants, engineers, and government and private employees who shared a common desire to give back to our community. Throughout its rich history, the Guahan Lions Club has championed numerous causes and donated thousands of dollars in support of charitable organizations.

The Guahan Lions Club was chartered by the International Association of Lions Clubs on March 23, 1992, and since then the club has advocated for numerous causes and donated thousands of dollars in support of charitable organizations. They were critical to the passage of local legislation, Guam Public Law 23–27, that sought to combat graffiti, and they held an island-wide “Graffiti Wipe-out Campaign” to remove graffiti throughout Guam and ensure that the island was clean. They have also been strong supporters of the Salvation Army, Guma Trankilidat, the Guam Memorial Hospital, St. Dominic Home Care, as well as numerous other community and non-profit organizations. They have also joined other Lions Clubs in Guam and throughout the region in sharing their knowledge and expertise on ways to improve local communities.

I join the people of Guam in thanking all members of the Guahan Lions Club for their invaluable work to our community. I especially congratulate the Guahan Lions Club's charter members—Evelyn Angeles, Cely Aquino, Thelma Barrozo, Fely Co, Monito Co, Bella Duplito, Fernando Duplito, Aida Fernandez, Fred Flores, Mirasol Flores, Rose Hidalgo, Nydia Llarenas, Cely Nisperos, Romy Nisperos, Lulu Olamot, Rolly Ricabar, Yolly Ricabar, Nora Sicad, Bernie Tiong, Lath Tiong, Emelio Uy and Gloria Villanueva—for their foresight and diligence in creating the foundation for their success.

On behalf of the people of Guam, I congratulate the Guahan Lions Club on their 25 years of service and look forward to continued success in the future.

COMMEMORATING THE ANNIVERSARY OF THE TAIWAN RELATIONS ACT

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 12, 2017

Mr. RENACCI. Mr. Speaker, I rise to commemorate the 38th Anniversary of the enactment of the Taiwan Relations Act (TRA), which originated in the Congress, and which has been instrumental in protecting the people of Taiwan from the ambitions of the People's Republic of China (PRC).

Along with the Six Assurances issued by President Ronald Reagan in 1982, the TRA forms the basis of our security relationship with one of our most important security and trading partners in Asia. The U.S.-Taiwanese relationship has particular importance for my State of Ohio. Ohio's exports to Taiwan are valued at over \$500 million a year and are growing in value. Taiwan is also one of our largest export markets in Asia. Together, the Six Assurances and TRA remain the bedrock of the U.S.-Taiwanese relationship, but we must do more.

As the PRC forges ever-stronger links with its neighbors through trade and investment, so we must find new ways to strengthen Taiwan's regional presence and secure our own interests in the wake of our withdrawal from the Trans-Pacific Partnership. It is my hope that we take bilateral steps to deepen our own trade relationship, which I hope will culminate in a free trade agreement. Such a goal, when achieved, will enhance our own economic presence in the region and contribute to Taiwan's freedom and prosperity.

For myself and on behalf of my constituents, I celebrate our friendship with the people of Taiwan as this anniversary approaches, and offer my congratulations to them as we celebrate their democratic way of life.

RECOGNIZING RENARD GROUP ADVERTISING FOR 40 YEARS SERVING THE TYLER COMMUNITY

HON. LOUIE GOHMERT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 12, 2017

Mr. GOHMERT. Mr. Speaker, today, I rise in recognition of Renard Group Advertising, the oldest advertising agency dedicated to supporting and assisting the businesses, organizations and charities of Tyler, Texas. This agency recently celebrated 40 years of dedicated service to its community.

As the representative and servant of the 1st District of Texas, I have had the privilege of

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

knowing the city of Tyler, its blessed and beneficent inhabitants along with its very rich history. Renard Group truly and accurately promotes the pride, passion and personality of the people and businesses who make Tyler the remarkable and close-knit Rose Capital that it is and proudly will be for the future.

Accordingly, congratulations is due to and extended in honor of all those who have contributed to Renard Group Advertising's success, especially its founder, Michael P. Smith.

HONORING THE 2016-2017 GONZAGA BULLDOGS MEN'S BASKETBALL TEAM AND THEIR REMARKABLE ACCOMPLISHMENTS

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 12, 2017

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today to recognize the achievements of the 2016-2017 Gonzaga University Bulldogs Men's Basketball Team. After a spectacular 37-2 season culminating in an appearance in the NCAA Championship game, we celebrate and reflect upon their success.

This season once again demonstrated that Gonzaga men's basketball is one of the nation's elite programs. The Zags ended the regular season 29-1, a run which included their 3rd Advocare Invitational Championship, a number one ranking, and their fifth West Coast Conference regular season championship in a row and 17th since 1999. They also continued their run of 19 straight NCAA tournament appearances by winning the West Coast Conference Tournament Championship, their 15th since 1999 and fifth in a row. This year's NCAA Tournament was a watershed moment in the program's history. After hard-fought wins over South Dakota State, Northwestern, and West Virginia, the Zags defeated Xavier to reach their first Final Four in program history. And they capped it off, beating South Carolina in the Final Four to advance to their first NCAA Championship Game.

Additionally, the individual accomplishments of this year's team are significant. Guard Nigel Williams-Goss was a standout on the court and in the classroom, becoming a consensus All-American for his performance on the court and an Academic All-American. Przemek Karnowski shattered the record for all-time wins in Men's Division I College Basketball by winning 137 games over the course of his career. Head Coach Mark Few, who has been a leader in our community in both basketball and service, capped his most successful season by becoming National Coach of the Year. These individual accolades serve to highlight the overall success by this team.

I also want to recognize and congratulate all of the individuals who were so important in this year's success, including coaches Mark Few, Tommy Lloyd, Donny Daniels, and Brian Michaelson and all of their staff; Director of Basketball Operations John Jakus; Athletic Director Mike Roth; The Gonzaga University Administration, board of trustees, and President Thayne McCulloh; and athletes Przemek Karnowski, Nigel Williams-Goss, Jordan Mat-

hews, Johnathan Williams III, Josh Perkins, Silas Melson, Zach Collins, Killian Tillie, Rui Hachimura, Bryan Alberts, Jeremy Jones, Dustin Triano, Ryan Edwards, Rem Bakamus, Jack Beach, Jacob Larsen, and Zack Norvell. All of them exemplify the team philosophy of hard work, personal sacrifice, and shared values. Their success is an inspiration.

So today, I rise to recognize the Gonzaga Bulldogs Men's Basketball Team and the community that supports them—the current and former players, coaches, staff, students, administration, and fans. The Gonzaga Bulldogs have long been a model for excellence in college basketball, and have continuously exceeded expectations. We are grateful for their positive impact on Eastern Washington, and we look forward to their continued success.

IN RECOGNITION OF THE SIXTH GRADERS OF BLUE RIDGE MIDDLE SCHOOL

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 12, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize and congratulate the sixth grade students of Blue Ridge Middle School located in Loudoun County, Virginia and the adults who worked with them, in creating an extraordinarily successful One to the World Project, recently.

Through the Loudoun County Public Schools' One to the World Project, students have an opportunity to work on a challenging societal problem using critical thinking, communication, collaboration and creativity to make a difference in addressing or alleviating the problem.

Students and faculty at Blue Ridge Middle School, as well as the staff at Mobile Hope of Loudoun and their Executive Director, Donna Fortier, devoted countless hours to this project and truly went above and beyond what could have been expected and I am proud of their collective efforts and generosity.

The students decided to address the problem of homelessness and made arrangements to partner with Mobile Hope of Loudoun to deliver items of support to them. As soon as the partnership arrangement was made, the sixth graders of Blue Ridge Middle School enthusiastically began to work on a variety of videos, posters, brochures, and presentations in order to raise awareness for their project and to solicit donations. Impressively, the students received over 1,400 donations, ranging from clothing to household cleaning products, and diapers to canned foods.

The project concluded with a visit and speech from Donna Fortier, whose direction and leadership truly guided the students. Not only were they able to see firsthand how local organizations like Mobile Hope of Loudoun can help those in need, but they also learned the value of being charitable.

Mr. Speaker, I ask that my colleagues join me in honoring Blue Ridge Middle School's sixth graders, the school's faculty, and Ms. Fortier for their extraordinary work on this project. Dedicating their time and efforts to

helping those less fortunate attests to their unselfish character and determination to better their community.

IN RECOGNITION OF THE KANNAPOLIS MIDDLE SCHOOL HISTORY QUIZ BOWL TEAM

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 12, 2017

Mr. HUDSON. Mr. Speaker, I rise today to recognize the Kannapolis Middle School North Carolina History Quiz Bowl Team for their victory in the 2017 History Quiz Bowl. This year, the team of Katie Messick, Robert Le, Tanner Sims, Raegan Koon, and Kandace Davis took home the top prize after beating five other squads in the competition.

Originally sponsored by the state in a partnership with various historic sites, the Quiz Bowl pits local eighth graders against each other to test their knowledge of North Carolina and national history. After the 2008 recession, the state cut funding for the event but a few dedicated teachers kept the competition alive. Now the competition operates as a community-based event showcasing exceptional students from both public and private schools.

This year's event brought a host of talent and I am extremely proud of all of the students who participated. As a history major myself, I have a deep appreciation for both our state and nation's history and I am glad these students share the same passion. I am also thankful for the teachers and volunteers who made the event possible. I look forward to many more years of a successful competition and wish all the students well as they continue their academic pursuits.

Mr. Speaker, please join me today in congratulating the Kannapolis Middle School History Quiz Bowl Team on their accomplishment.

RECOGNIZING THE 10TH ANNIVERSARY OF CAMP HOPE/CHRIS NEAL FARM

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 12, 2017

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor Camp Hope/Chris Neal Farm on the occasion of its 10th Anniversary. Created by Gold Star parents, William, "Mike" and Galia White, the camp located on the farm in St. Francois County, Missouri, honors their 23-year-old son, Marine Private First Class Christopher Neal White. Chris was killed in action in Al Anbar, Iraq on June 20, 2006. Not long after, the Whites began to develop their vision for helping wounded soldiers enjoy the great outdoors as their son had done.

Camp Hope provides outdoor adventures for combat wounded veterans of the War on Terror and active-duty combat-wounded soldiers, Marines, airmen and sailors. Their Camp Hope experience is entirely free of charge.

Camp Hope's mission is to offer these combat veterans the chance to shoot skeet, hunt

turkey and deer, fish, hike, explore the country, or relax around the ever-burning fire pit. The goal is to help them experience healing through nature.

Since 2007, dozens of wounded soldiers from across the nation and all branches of service have laughed and cried together and found their own sense of peace at this 170-acre farm near Farmington. Volunteers—many of them veterans themselves—have helped to make the dream come true donating their time and money to these heroes on the homefront.

In celebration of the 10th Anniversary of Camp Hope/Chris Neal Farm, it is my great pleasure to honor the Whites, the volunteers who join them and the combat veterans they serve today before the United States House of Representatives.

HONORING OUR LOCAL COPS

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 12, 2017

Mr. DUFFY. Mr. Speaker, I would like to recognize the dedication and bravery of our nation's law enforcement, especially in relation to keeping drugs out of our communities.

I would like to commend the efforts of Wisconsin officers who are on the front lines to halt the flow of methamphetamines into our communities. After a three-year investigation conducted by local, state, and federal law enforcement agencies, 19 individuals have pleaded guilty to conspiring to distribute meth in central Wisconsin. During that period, the individuals involved distributed 127 pounds of meth, at a value of \$5.7 million.

These heroes in law enforcement deserve our praise. They go to work every day not knowing if they are going to come home. And they are leading the fight against meth, which has scourged our families and communities. Meth distributors intentionally seek to create new addicts in our communities by flooding the market with cheap product and targeting individuals. Our officers see the consequences of meth in the eyes of the children they rescue from homes consumed by this addiction. That's why the fight against this epidemic is so important, and why we are eternally grateful for their service.

I would like to recognize the Lincoln County Sheriff's Office, especially Detective Lieutenant Chad Collinsworth; the Wisconsin Department of Justice, Division of Criminal Investigation; the Wausau office of the Federal Bureau of Investigation; the Drug Enforcement Administration; the Marathon County Sheriff's Office Special Investigations Unit; the Wausau Police Department, and IRS Criminal Investigation unit for their work on behalf of our community.

Mr. Speaker, I encourage all Americans to take the opportunity to thank a police officer in their community. They have our backs, and the least that we can do is to let them know that we have theirs.

IN RECOGNITION OF THE 60TH ANNIVERSARY OF THE DESEGREGATION OF THE PURCELLVILLE LIBRARY

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 12, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize the 60th anniversary of the desegregation of the Purcellville Library and to express gratitude for all those people of good will who helped bring about the change. On April 9, 1957, the Purcellville Public Library opened its doors to African-American patrons, and on April 8, 2017, the community of Purcellville celebrated this important historical milestone with a series of informational programs and exhibits describing the Civil Rights heritage of western Loudoun.

It is clear that we all owe a great debt of gratitude for the courage and tenacity of two residents of Purcellville, Samuel Cardoza Murray and his wife, Josie Cook Murray, who had a very successful upholstery business in the town. Around Christmas, 1956, the Murrays went to the Purcellville Library to do some research on ornate Austrian shades for a window in a customer's home and were shocked when they were denied the opportunity to take out books that they needed. That incident began a several month struggle by the Murrays to challenge the library's segregation policy.

The Murrays' struggle included being rebuffed by several attorneys, and experiencing various other forms of personal harassment. Although the financial well-being of the library played a role, a positive side of the controversy was the sentiment of the residents of Loudoun revealed in a petition and counter-petition that were collected; Those petitioning to keep the library segregated got 44 signatures and those willing to integrate the library had 366 signatures, which was eight times the number of the pro-segregation group. The integration of Purcellville Library has great historical significance as one of the first victories in the civil rights movement in Loudoun County.

Mr. Speaker, I ask that my colleagues join me in thanking Samuel Cardoza Murray and Josie Cook Murray for their commitment to make sure that all young minds will be nurtured in our libraries, in our schools, and in our homes.

HONORING THE 90TH BIRTHDAY OF PEG YORKIN

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 12, 2017

Ms. PELOSI. Mr. Speaker, I rise today to pay tribute to an American leader, a true pioneer, and my dear friend, Peg Yorkin, on the occasion of her 90th birthday. As a Co-Founder and Chair of the Feminist Majority Foundation, Peg has been a tremendously effective and tireless advocate for women's rights, set-

ting an inspiring example for women across the United States and around the globe.

Peg Yorkin's visionary leadership and extraordinary generosity have made the Feminist Majority one of the most formidable partners in enacting groundbreaking legislation for women and families for over four decades.

Strengthened by Peg's bold vision, the Feminist Majority's achievements include the Civil Rights Act of 1991, which contained a provision for monetary damages to women who win sexual harassment lawsuits; the Family and Medical Leave Act of 1993; the Violence Against Women Act, and many more.

The breadth of Peg's accomplishments is truly remarkable. In addition to her work with the Feminist Majority, Peg has provided outstanding support to a variety of other praiseworthy women's causes including Voters for Choice, the Rape Foundation, and the Sojourner Center for Abused Women. Peg has helped to advance women's access to reproductive health care in America and drawn the world's attention to the plight of women and girls in Afghanistan.

Peg's leadership has spotlighted the vast potential of the national and global empowerment of women. With each day that passes, Peg's legacy continues to impact women everywhere as the march for women's economic, social, and political progress continues.

It is my great honor to join Peg's children and grandchildren, her many friends, my colleagues in the House of Representatives, and women everywhere, in wishing Peg a happy 90th birthday—and many more years to come.

RECOGNIZING THE SERVICE OF MAJOR JACK BORNHOEFT, USAF (RET.)

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 12, 2017

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to recognize the wartime service of Major Jack Bornhoeft, a longtime resident of the Village of Mount Prospect, Illinois.

On April 3, the Consul General of France in Chicago, Vincent Floreani, recognized Jack Bornhoeft as a French Knight of the Legion of Honor. The award is an important recognition of Major Bornhoeft's contribution to efforts to liberate France from German occupation.

In 1942, Jack Bornhoeft, then only 19 years of age, volunteered for service in the Army Air Corps. He would eventually pilot a B-26 Marauder on 45 missions—participating in three major campaigns from September 1944 through June 1945.

Jack Bornhoeft risked his life time and time again—participating in operations across France and Germany as United States and Allied forces fought against the Nazi regime. He and his crew regularly braved enemy fire, and their B-26 survived numerous hits.

I am forever grateful for the service of Major Bornhoeft and his crew, and I believe that we must never forget what they and other service members went through as they risked—and in many cases sacrificed—their lives to defend freedom in World War II.

I also want to recognize the Village of Mount Prospect, Illinois, and the French government for their efforts to recognize veterans like Major Bornhoeft who have done their duty and deserve recognition.

I Thank Major Bornhoeft, for all that he has done for our country.

IN RECOGNITION OF THE UNIVERSITY OF MICHIGAN IN THE YEAR OF ITS BICENTENNIAL CELEBRATION

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 12, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the University of Michigan in the year of its bicentennial. Since 1817, the University of Michigan has established a reputation as one of the world's foremost centers of learning and research, and has produced generations of leaders, scholars and innovators.

Founded in 1817 in Detroit, Michigan, the University of Michigan has since evolved to become one of the United States' great public institutes of higher education. The university was moved to its current location in Ann Arbor in 1837, where it continued to expand and develop. Today, the University of Michigan contains nineteen colleges, including prominent graduate schools of medicine, law and business, and educates tens of thousands of undergraduate and postgraduate students each year. Michigan also serves as one of the leading centers of research and played a key role in developing key scientific breakthroughs such as a vaccine for polio. In addition, the University of Michigan is well known for its student activism and was instrumental in the establishment of the Peace Corps. The university has also achieved excellence in athletics, with the Wolverines consistently competing at the highest levels of collegiate sports.

The University of Michigan continues to serve the state and country by attracting some of the brightest educators and scholars and inspiring a new generation of leaders. Its alumni include twenty six Rhodes Scholars, political leaders including former President Gerald Ford, and leading innovators like Google co-founder Larry Page. The university also has a rich literary tradition, having educated prominent writers and journalists including Mike Wallace and Arthur Miller. The University of Michigan has successfully pursued knowledge and truth for two hundred years, and I have confidence that it will continue to build on this outstanding legacy going forward.

Mr. Speaker, I ask my colleagues to join me in honoring the University of Michigan during its bicentennial. The University's record of excellence in scholarship and research is worthy of commendation.

IN RECOGNITION OF KRISSY GREEN AND THE DOUGLAS J. GREEN MEMORIAL FOUNDATION

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 12, 2017

Mrs. COMSTOCK. Mr. Speaker, I am honored to recognize my constituent, Krissy Green, for her devotion to United States military service members both here and abroad. Ms. Green, along with her mother, Suni Chabrow, founded the Douglas J. Green Memorial Foundation in honor of her brother, Specialist Douglas J. Green, who was killed in the line of duty in 2011. The Douglas J. Green Memorial Foundation is an all-volunteer, non-profit organization that has been dedicated to providing comfort and support for military service members through the shipment of care packages since 2011 and planning memorable experiences for service members to look forward to once they return from deployments.

Specialist Douglas J. Green enlisted in the United States Army in 2007 shortly after graduating from Potomac Falls High School in Virginia's Tenth District and served two tours of duty in support of both Operation Iraqi Freedom and Operation Enduring Freedom. It was in his second tour in Afghanistan that Specialist Green made the ultimate sacrifice for his country. Specialist Green was posthumously awarded the Bronze Star with a Combat V, a Purple Heart, an Army Commendation Medal, and the Combat Infantryman Badge for his distinguished and honorable service. He is remembered not only for his bravery, but also for his generosity and smile.

While on deployment, Specialist Green's family fondly recalled his appreciation of receiving care packages from his family and friends. He always enjoyed sharing care packages with his fellow service men and women, and, with this in mind, his mother and sister started the Douglas J. Green Memorial Foundation.

As the Director of Activities for the Greater Virginia/District of Columbia region, Krissy Green maintains her brother's legacy by sending care packages to troops, many of whom were friends of her brother. Ms. Green has established partnerships with local businesses and organizations in Virginia's Tenth District, such as Soldier Fit in Sterling, Virginia, to host events to put together, care packages. Her efforts have allowed for her brother to be remembered and celebrated, and these efforts have bettered the lives of hundreds of troops overseas.

Since 2011, the Douglas J. Green Memorial Foundation has continuously helped service men and women around the world, and I am grateful the organization holds many of its events in my district. Mr. Speaker, I ask my colleagues to join me in applauding Krissy Green and the Douglas J. Green Memorial Foundation for its dedication to serving our nation and honoring the life of Specialist Douglas J. Green. I wish Krissy Green, Suni Chabrow, and the entire organization the best in their future endeavors.

HONORING REVEREND EDDIE PERRY

HON. A. DONALD McEACHIN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 12, 2017

Mr. McEACHIN. Mr. Speaker, I would like to honor Reverend Eddie Perry, pastor emeritus of Saint John's Baptist Church.

Reverend Eddie Perry's efforts and continued courage to spread the Gospel of Jesus Christ through oratory teachings, community involvement and leadership are to be commended. He continues to make an indelible mark in Charles City and has served as the pastor of Saint John's Baptist Church for several years. Reverend Perry is a committed husband and father whose continued leadership is an inspiration to his congregation and all those who know him—myself included.

Reverend Perry is a dedicated man of faith. I thank Reverend Perry for his service. The bell of his lifelong achievements will ring for all of eternity.

H.R. 1353, THE TRANSPARENCY IN TECHNOLOGICAL ACQUISITION ACT OF 2017

HON. MICHAEL T. McCAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 12, 2017

Mr. McCAUL. Mr. Speaker, I include in the RECORD the cost estimate from the Congressional Budget Office regarding H.R. 1353. The cost estimate was not available at the time of the filing of the Committee report or consideration by the Full House.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 12, 2017.

Hon. MICHAEL McCAUL,
*Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1353, the Transparency in Technological Acquisitions Act of 2017.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Megan Carroll.

Sincerely,

KEITH HALL.

Enclosure.

H.R. 1353—*Transparency in Technological Acquisitions Act of 2017*

H.R. 1353 would expand requirements for the Transportation Security Administration (TSA) to report to the Congress on the status of the agency's planned investments in technologies related to transportation security. CBO estimates that implementing H.R. 1353 would have no significant effect on the federal budget. According to TSA, the agency already collects data necessary to meet the legislation's requirements to provide additional information about acquisition programs on a more frequent basis. As a result, CBO estimates that any change in the agency's costs, which would be subject to appropriation, would not exceed \$500,000 in any year.

Enacting H.R. 1353 would not affect direct spending or revenues; therefore, pay-as-you-

go procedures do not apply. CBO estimates that enacting H.R. 1353 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

H.R. 1353 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, tribal governments.

The CBO staff contact for this estimate is Megan Carroll. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

COMMEMORATING THE 100TH ANNIVERSARY OF THE SMS CORMORAN'S SINKING IN APRA HARBOR, GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 12, 2017

Ms. BORDALLO. Mr. Speaker, I rise today to commemorate the 100th anniversary of the scuttling of the World War I German ship, the SMS *Cormoran*, in Guam's Apra Harbor, which occurred on April 7, 1917.

The SMS *Cormoran* was scuttled by its crew on April 7, 1917, the day the United States entered World War I. Twenty six years later, on August 27, 1943 the Japanese freighter *Tokai Maru* was torpedoed and came to rest also in Apra Harbor's waters. This Apra Harbor site is symbolic of Guam's rich history and unique role in United States and world history, as this is the only site in the world housing two shipwrecks from the two World Wars.

Originally a Russian merchant fleet vessel, SMS *Cormoran* was captured by Germans in the years leading up to World War I, and was transformed into an auxiliary cruiser which Germany docked in the Chinese province of Tsingtao, a small German colony at the time. In December of 1914, the SMS *Cormoran* was chased by Japanese warships on a routine trip, and running low on fuel, docked at Apra Harbor in Guam. At the time, Guam was a U.S. territory, and the United States was a neutral nation. The SMS *Cormoran's* captain,

Captain Adalbert Zuckschwerdt requested fuel and provisions from Guam's naval Governor William Maxwell, who promptly denied the request due to the United States' neutrality. Instead he gave Captain Zuckschwerdt two options—to leave Guam immediately or remain interned. Captain Zuckschwerdt chose to remain on island. On April 7, 1917 the United States entered World War I, and naval Governor Roy Smith ordered Captain Zuckschwerdt to surrender his personnel and the SMS *Cormoran*. While Captain Zuckschwerdt surrendered his personnel, he ordered the crew to scuttle the vessel. American soldiers noticed the activity and fired a warning shot, which signified America's first engagement with Germany the very same day we declared our entry into World War I. Six German soldiers died in the scuttling of SMS *Cormoran* and they were buried with full military honors at the U.S. Naval Cemetery.

In 1975, the wreck of the SMS *Cormoran* was placed on the National Register of Historic Places. I commend the work of the Guam Visitors Bureau and all other stakeholders for organizing an event to commemorate the 100th anniversary of the SMS *Cormoran's* sinking, which prompted the first American action upon its entry into World War I. This ceremony highlights Guam's unique history in world events and provides an opportunity to showcase the distinctive historical sites that are only available on our island.

CONGRATULATING THE LOUDOUN VALLEY HIGH SCHOOL BOYS' BASKETBALL TEAM ON WINNING THE 4A STATE CHAMPIONSHIP

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 12, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize a boys' basketball team from Loudoun Valley High School, in our Tenth Congressional District, who recently won the 4A State Championship. Their dedication, hard work, and perseverance, along with guidance and direction of head coach, Chad Dawson

and assistant head coach, Josh Mallory, helped earn their school's boys' basketball program its first state championship title.

The Loudoun Valley Vikings opened the state tournament with an impressive 83–61 win over the 2016 state champions, the Monacan Chiefs of Chesterfield, in the quarterfinals. The Vikings then prevailed over the George Washington Eagles of Danville in the semifinals. The game was initially close as the Vikings were only leading by eight points at the end of the first half, but they persevered as their endurance led the Vikings to yet another victory. In the state championship game, the Vikings faced the Eagles of Jamestown City County who entered the game with a remarkable 27–3 record for the season. While the Eagles were a formidable opponent and should be applauded for their effort, the Vikings handily won the game as the skills that their coaches instilled in them shined from start to finish. The Viking's championship victory marked the conclusion of an impressive 30–1 team record for the season. We are all proud of these young men and their coaches.

Loudoun Valley High School's basketball team, their coaching and athletic training staff as well as School Athletic Director, Kris Kelican, have made Loudoun County and Virginia's Tenth Congressional District proud. Winning a state championship is an extraordinary achievement and it attests to the team's noteworthy athletic talent, laudable work ethic, commitment to teamwork, tireless dedication, and determination to succeed. I also want to commend the Vikings' excellent coaching staff, as without their mentorship this would not have been possible. The Loudoun Valley basketball program has certainly earned this distinct honor, and the leadership that sports instill and the sportsmanship these young men have acquired in their athletic student careers will valuably serve them in their future academic endeavors and dedication to athletics.

Mr. Speaker, I ask that my colleagues join me in congratulating the Loudoun Valley Vikings on winning the 4A State Championship and representing Virginia's Tenth Congressional District with such distinction. I am proud to represent these students and wish them all the best in their future endeavors.

SENATE—Thursday, April 13, 2017

The Senate met at 8:30 and 5 seconds a.m. and was called to order by the Honorable ROY BLUNT, a Senator from the State of Missouri.

APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 13, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROY BLUNT, a Senator from the State of Missouri, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. BLUNT thereupon assumed the Chair as Acting President pro tempore.

ADJOURNMENT UNTIL MONDAY,
APRIL 17, 2017, AT 4:30 P.M.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 4:30 p.m. on Monday, April 17, 2017.

Thereupon, the Senate, at 8:30 and 32 seconds a.m., adjourned until Monday, April 17, 2017, at 4:30 p.m.

HOUSE OF REPRESENTATIVES—Friday, April 14, 2017

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. UPTON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

April 14, 2017.

I hereby appoint the Honorable FRED UPTON to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

Reverend Gene Hemick, St. Joseph's Catholic Church, Washington, D.C., offered the following prayer:

At this sacred time in which Christian and Jewish religions celebrate God's loving care, we pray our Congress will be blessed with the devoted support God has bestowed on humankind throughout time.

May the strength of God's compassion sustain our Congress and enable it to wisely confront the complex challenges it encounters in guiding our country.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 2(a) of House Resolution 242, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 2(b) of House Resolution 242, the House stands adjourned until 11 a.m. on Monday, April 17, 2017.

Thereupon (at 10 o'clock and 1 minute a.m.), under its previous order, the House adjourned until Monday, April 17, 2017, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1048. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; NC; Infrastructure Requirements for the 2012 PM_{2.5} National Ambient Air Quality Standard [EPA-R04-OAR-2014-0428; FRL-9960-95-Region 4] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1049. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Kentucky; Nonattainment New Source Review Requirements for the 2008 8-Hour Ozone NAAQS [EPA-R04-OAR-2017-0048; FRL-9960-54-Region 4] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1050. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval Tennessee: Reasonable Measures Required [EPA-R04-OAR-2016-0575; FRL-9960-57-Region 4] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1051. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Indiana; Base Year Emissions Inventory and Emissions Statement Rule Certification for Lake and Porter Counties for the 2008 Ozone Standard [EPA-R05-OAR-2016-0370; EPA-R05-OAR-2016-0371; FRL-9960-90-Region 5] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1052. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; SC; Infrastructure Requirements for the 2012 PM_{2.5} National Ambient Air Quality Standard [EPA-R04-OAR-2014-0429; FRL-9960-92-Region 4] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1053. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; North Carolina; Motor Vehicle Emissions Control Program; Correcting Amendment [EPA-R04-OAR-2013-0772; FRL-9960-94-Region 4] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1054. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Michigan; Part 9 Miscellaneous Rules; Correction [EPA-R05-OAR-2015-0845; FRL-9960-49-Region 5] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1055. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Ohio; Removal of Gasoline Volatility Requirements in the Cincinnati and Dayton Areas; Update on the Boutique Fuel List for Illinois and Ohio [EPA-R05-OAR-2016-0781; FRL-9960-96-Region 5] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1056. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Ohio; Redesignation of the Ohio Portion of the Cincinnati-Hamilton, OH-IN-KY Area to Attainment of the 1997 Annual Standard for Fine Particulate Matter [EPA-R05-OAR-2016-0479; FRL-9960-82-Region 5] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1057. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Minnesota; Sulfur Dioxide Limits for Saint Paul Park Refining Co. LLC Facility [EPA-R05-OAR-2015-0844; FRL-9960-88-Region 5] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1058. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Indiana; Redesignation of the Indiana portion of the Cincinnati, Ohio-Kentucky-Indiana Area to Attainment of the 2008 Ozone Standard [EPA-R05-OAR-2016-0135; FRL-9960-79-Region 5] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1059. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval and Air Quality Designation; KY; Redesignation of the Kentucky Portion of the Louisville 1997 Annual PM_{2.5} Nonattainment Area to Attainment [EPA-R04-OAR-2012-0773; FRL-9960-55-Region 4] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1060. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Indiana; Emissions Statements Rule [EPA-R05-OAR-2016-0328; FRL-9960-78-Region 4] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

1061. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Michigan; Transportation Conformity Procedures [EPA-R05-2016-0705] FRL-9960-81-Region 5] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1062. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Georgia; Inspection and Maintenance Program Updates [EPA-R04-OAR-2015-0292; FRL-9960-59-Region 4] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1063. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Washington: General Regulations for Air Pollution Sources, Southwest Clean Air Agency Jurisdiction [EPA-R10-OAR-2016-0784; FRL-9960-83-Region 10] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1064. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maine, New Hampshire, Rhode Island and Vermont; Interstate Transport of Fine Particle and Ozone Air Pollution [EPA-R01-OAR-2016-0552; A-1-FRL-9960-86-Region 1] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1065. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Monoethanolamine; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2015-0697; FRL-9949-11] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1066. A letter from the Director, Court Services and Offender Supervision Agency for the District of Columbia, transmitting the FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

1067. A letter from the Acting Director, Environmental Protection Agency, transmitting the Agency's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

1068. A letter from the Acting Chairman, Federal Energy Regulatory Commission, transmitting the Commission's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

1069. A letter from the Acting Chairman, Occupational Safety and Health Review Commission, transmitting the Commission's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

1070. A letter from the Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

1071. A letter from the Special Counsel, U.S. Office of Special Counsel, transmitting the Office's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BLUMENAUER:

H.R. 2093. A bill to provide for an alternative body to transmit a written declaration that the President is unable to discharge the powers and duties of his office in accordance with the provisions of the 25th Amendment of the Constitution; to the Committee on the Judiciary.

By Mr. GOTTHEIMER (for himself and Mr. FITZPATRICK):

H.R. 2094. A bill to amend the Safe Drinking Water Act to establish deadlines for promulgation of national primary drinking water regulations for certain contaminants, and for other purposes; to the Committee on Energy and Commerce.

By Ms. NORTON (for herself, Mr. POCAN, Mr. RYAN of Ohio, Mrs. DAVIS of California, and Mr. PALLONE):

H.R. 2095. A bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes; to the Committee on Education and the Workforce.

By Ms. NORTON (for herself, Mr. RICHMOND, Mr. CONYERS, Mrs. WATSON COLEMAN, Ms. CLARKE of New York, Ms. BASS, Mrs. NAPOLITANO, Ms. JACKSON LEE, Mr. CARSON of Indiana, Mrs. BEATTY, Ms. MAXINE WATERS of California, Mr. LEWIS of Georgia, Mr. BRADY of Pennsylvania, Ms. WILSON of Florida, and Ms. JAYAPAL):

H.R. 2096. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to require the publication of certain demographic data regarding missing children, and for other purposes; to the Committee on Education and the Workforce.

By Mr. PERRY (for himself and Mr. LAMALFA):

H.R. 2097. A bill to prevent the reclassification of certain ammunition as armor piercing ammunition; to the Committee on the Judiciary.

By Mr. PERRY:

H.R. 2098. A bill to eliminate the authority of the executive branch to further restrict the conduct of individuals in relation to firearms or ammunition; to the Committee on the Judiciary.

By Mr. TAKANO:

H.R. 2099. A bill to amend title 38, United States Code, to consider certain time spent by members of reserve components of the Armed Forces while receiving medical care from the Secretary of Defense as active duty for purposes of eligibility for Post-9/11 Educational Assistance, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TAKANO:

H.R. 2100. A bill to amend title 38, United States Code, to extend the authority to provide work-study allowance for certain activities by individuals receiving educational assistance by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

MEMORIALS

Under clause 3 of rule XII,

24. The SPEAKER presented a memorial of the Senate of the Commonwealth of Kentucky, relative to Senate Resolution No. 182, urging Congress and the President to extend tax incentives supporting carbon capture research and deployment; which was referred jointly to the Committees on Ways and Means and Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BLUMENAUER:

H.R. 2093.
Congress has the power to enact this legislation pursuant to the following:
Amendment XXV, Section 4.

By Mr. GOTTHEIMER:

H.R. 2094.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18

By Ms. NORTON:

H.R. 2095.
Congress has the power to enact this legislation pursuant to the following:
clauses 3 and 18 of section 8 of article I of the Constitution.

By Ms. NORTON:

H.R. 2096.
Congress has the power to enact this legislation pursuant to the following:
clause 3 of section 8 of article I of the Constitution.

By Mr. PERRY:

H.R. 2097.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. PERRY:

H.R. 2098.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. TAKANO:

H.R. 2099.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. TAKANO:

H.R. 2100.
Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 25: Mr. WITTMAN and Mr. FLORES.
H.R. 90: Ms. SLAUGHTER,
H.R. 103: Ms. SHEA-PORTER.
H.R. 299: Mr. BUCHANAN, Mr. COHEN, Mr. GRIJALVA, and Ms. MCSALLY,
H.R. 305: Mr. MCEACHIN, Mr. LOEBSACK, Mr. JEFFRIES, Mr. LARSEN of Washington, Mr. RUSH, Mr. VARGAS, Mr. SCOTT of Virginia, Ms. BONAMICI, Ms. TSONGAS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MEEKS, Mr. RYAN of Ohio, Mr. CICILLINE, Mr. MOULTON, Mrs. NAPOLITANO, Ms. DEGETTE, Mr. KIHUEN, Mr. YOHO, Ms. ROSEN, Mr. PAL-LONE, Mrs. DAVIS of California, Mr. O'ROURKE, and Mr. Gutiérrez.
H.R. 367: Mr. PETERSON.
H.R. 457: Ms. ESHOO.
H.R. 592: Mr. FLEISCHMANN, Mr. YODER, Ms. SHEA-PORTER, Ms. TENNEY, Mr. BLUMENAUER, Mr. BEN RAY LUJÁN of New Mexico, and Mr. PALAZZO.
H.R. 691: Mr. BACON.
H.R. 820: Mrs. WATSON COLEMAN, Ms. SCHAKOWSKY, Mr. BEN RAY LUJÁN of New Mexico and Mr. NOLAN.
H.R. 873: Mr. DUFFY, Ms. BORDALLO, Mr. RUSH, Ms. STEFANIK, Mr. SEAN PATRICK MALONEY of New York, Mr. NEWHOUSE, Mr. MULLIN, Mr. SWALWELL of California, Mr. BISHOP of Georgia, Ms. KUSTER of New Hampshire, and Mr. STIVERS.
H.R. 909: Mrs. DEMINGS, Mr. MCEACHIN, and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 1017: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 1143: Mrs. CAROLYN B. MALONEY of New York.
H.R. 1204: Mr. WALBERG.
H.R. 1231: Mrs. COMSTOCK.
H.R. 1267: Mr. ROE of Tennessee.
H.R. 1375: Ms. SHEA-PORTER.
H.R. 1627: Mr. FASO, Mr. POLIS, Mr. MULLIN, Mr. BISHOP of Michigan, Mr. YOHO, Mr. YOUNG of Alaska, and Mr. MITCHELL.
H.R. 1727: Mr. TED LIEU of California and Mr. DEUTCH,
H.R. 1736: Mrs. BLACKBURN.
H.R. 1783: Mr. GALLEGO, Mr. TAYLOR and Mr. RYAN of Ohio.
H.R. 1791: Ms. JAYAPAL.
H.R. 1836: Mr. COHEN, Mr. CROWLEY, Mr. TIPTON, Ms. BROWNLEY of California, Mr. GUTIÉRREZ and Ms. BASS.
H.R. 1886: Ms. JAYAPAL.
H.R. 1916: Mr. BRIDENSTINE.
H.R. 1955: Mr. FASO.
H.R. 2004: Mr. LONG, Mr. GOODLATTE, Mr. MEEHAN, Mr. STEWART, and Mr. THOMPSON of Pennsylvania.
H.R. 2024: Mr. CONYERS.
H.R. 2092: Ms. JENKINS of Kansas,
H.J. Res. 53: Mr. BROWN of Maryland, Mr. KHANNA, Mr. THOMPSON of Mississippi, and Mr. LAWSON of Florida.
H. Res. 15: Ms. ROYBAL-ALLARD.
H. Res. 129: Mr. HIMES, Ms. HANABUSA, Mr. PETERSON, Mr. MAST, and Mr. RUSH.
H. Res. 269: Ms. ADAMS, Mr. PANETTA, Mrs. LAWRENCE, Ms. KELLY of Illinois, and Ms. CASTOR of Florida.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

38. The SPEAKER presented a petition of the Jamestown, NY City Council, relative to Resolution 201703A16, calling upon President Donald J. Trump, United States Senate Majority Leader Mitch McConnell, United States Senate Minority Leader Charles Schumer, United States House of Representatives Speaker Paul Ryan, United States House of Representatives Minority Leader Nancy Pelosi, United States Senator Kirsten Gillibrand and United States Representative Thomas Reed to vigorously oppose the proposed elimination and any further reductions in funding for the Community Development Block Grant (CDBG) and HOME Programs; which was referred to the Committee on Financial Services.

39. Also, a petition of the City of Lauderdale Lakes, FL, relative to Resolution 2017-042, urging support of the adequate funding of the low income home energy assistance program; which was referred jointly to the Committees on Appropriations, Energy and Commerce, and Education and the Workforce.

EXTENSIONS OF REMARKS

A TRIBUTE TO ANDREA VAN DE KAMP

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 14, 2017

Mr. SCHIFF. Mr. Speaker, I rise today to honor Andrea Van de Kamp, of Pasadena, California, upon receiving the prestigious Rose Award from the Los Angeles Parks Foundation.

Born in Michigan, Andrea attended Michigan State University and received her Master's Degree from the Teacher's College of Columbia University. Andrea has an impressive and varied career in business, fundraising and the arts. These include serving as Associate Director of Admissions for Dartmouth College, Director of Public Affairs for Carter Hawley Hale Stores, Executive Director of the Southern California Coro Foundation, Director of Development at the Museum of Contemporary Art, and President and CEO of the Independent Colleges of Southern California where she administered annual funding campaigns for 15 colleges. In addition, she was Managing Director of Sotheby's West Coast Operations and Vice President of Sotheby's North America.

Andrea is well known for her energy, good sense of humor, and exceptional people skills, and those traits have been invaluable to the many arts organizations she has been involved with. A volunteer for the Music Center Performing Arts Center of Los Angeles for many years, she chaired the center's Board of Governors, chaired the Operating Company, was a member of The Blue Ribbon—the center's women's support group, and chaired the foundation giving fund. One of her greatest achievements was in 1995 when Andrea took up the challenge and embarked on a vigorous funding campaign and raised the remaining \$264 million needed to build the Walt Disney Concert Hall.

In addition to the Music Center, where she is Chair Emeritus, she served on the Walt Disney Company Board of Directors, the UCLA Hammer Museum Board of Directors, Vice Chaired the California Council of the Humanities, was Co-Chair of the Los Angeles Arts Task Force, as well as serving on various financial and business organizations. In addition to the Los Angeles Parks Foundation Rose Award, Ms. Van de Kamp was honored with the 2003 Junior League of Los Angeles' Lifetime Community Achievement Award.

Andrea and her late husband, former California Attorney General John Van de Kamp, have one daughter, Diana.

I ask all Members to join me in thanking Andrea Van de Kamp of Pasadena, California for her extensive and outstanding contributions to the arts in the greater Los Angeles community.

THE INTRODUCTION OF THE MISSING CHILDREN'S ASSISTANCE AMENDMENT ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 14, 2017

Ms. NORTON. Mr. Speaker, I rise today to introduce the Missing Children's Assistance Amendment Act of 2017, along with Congressional Black Caucus Chair CEDRIC RICHMOND (D-LA), House Judiciary Committee Ranking Member JOHN CONYERS (D-MI), Congressional Caucus on Black Women and Girls Co-Chair BONNIE WATSON COLEMAN (D-NJ), YVETTE CLARKE (D-NY), KAREN BASS (D-CA), GRACE NAPOLITANO (D-CA), SHEILA JACKSON LEE (D-TX), JOYCE BEATTY (D-OH), ANDRÉ CARSON (D-IN), MAXINE WATERS (D-CA), JOHN LEWIS (D-GA), ROBERT BRADY (D-PA), FREDERICA WILSON (D-FL), and PRAMILA JAYAPAL (D-WA). The bill would require the U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention (OJJDP) to collect and publish broad demographic characteristics, including race, gender, ethnicity, sexual orientation and gender identity, of missing children.

Congress has long recognized that missing children are a national problem. In 2013, Congress required OJJDP to conduct national incidence studies of missing children every three years instead of periodically. Such a study is now underway. However, my bill would require OJJDP to collect, break down, and publish demographic characteristics, including subgroups, of these missing children. It is critical that the public know if there is a disproportionate number of missing children of color, particularly missing girls of color, which may be an underreported national problem. Experts need to first measure the incidences, and then study whether children have been trafficked, abducted, are running away, or are missing for other reasons, and make recommendations.

The last national comprehensive study of missing children by OJJDP was based on a survey conducted in 1999, known as the National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children (NISMAART-2). Currently, OJJDP is conducting a new study, known as NISMAART-3. However, there is no statutory requirement that the triennial study collect or publish demographic characteristics of missing children. For instance, while NISMAART-2 published race and gender data, it did not publish any subgroups, such as the number of girls of color missing.

It is more important than ever to have reliable statistics on missing children. I urge my colleagues to support this bill.

A TRIBUTE TO HOLLY HAMPTON—28TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 14, 2017

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my congressional district. I would like to recognize a remarkable woman, Holly Hampton of Echo Park, a unique neighborhood in Los Angeles, California.

Holly Hampton has been a resident of Echo Park for many years, calling this historic neighborhood and community home since 1989. Ms. Hampton currently serves as Vice President of the Echo Park Historical Society's Board of Directors, which preserves and promotes the neighborhood's architectural and cultural heritage. Holly also serves as Chair of the Historic Echo Park Home Tours.

Ms. Hampton, a professional graphic designer, has been recognized for her involvement in numerous community design projects. Most notably, she participated as a judge for the Echo Park Community Parade's children's art contest for the past six years, and has designed installations for the Echo Park Historical Society. She received recognition from the City of Los Angeles at the Echo Park Farmers' Market's 10 year anniversary for her work with Katrina Alexy, an artist, on the creation of the market logo.

In 2001, Ms. Hampton purchased a home in Echo Park, and became active in the development of her local neighborhood watch, which included neighbors on Grafton Street, Lemoyne Street, Effie Street, Lake Shore Avenue and Lobdell Place. She also began partnering with the Los Angeles City Council 13th District Office to organize staircase street clean-up events in an effort to help maintain the public staircase located on her street.

I ask all Members to join me in honoring an exceptional woman of California's 28th Congressional District, Holly Hampton.

HONORING MINNESOTA PAINTERS LOCAL 681 ON THEIR 100TH ANNIVERSARY

HON. TIMOTHY J. WALZ

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 14, 2017

Mr. WALZ. Mr. Speaker, I rise today to congratulate Rochester, Minnesota's Painters Local 681 on their 100th anniversary. Local

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

681 should be immensely proud of this achievement and of the excellent work they have done for our community over the many years. Organizing for fair pay and safe working conditions is a fundamental right of all workers, and I applaud Local 681 for building and preserving this important tradition.

**A TRIBUTE TO BETTY PORTO—
28TH CONGRESSIONAL DISTRICT
WOMAN OF THE YEAR**

HON. ADAM B. SCHIFF

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Friday, April 14, 2017

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my congressional district. I would like to recognize a remarkable woman, Betty Porto of La Cañada Flintridge, California.

The success of the Porto family stems from humble beginnings in Manzanillo, Cuba. After Fidel Castro's violent revolution erupted in Cuba in the 1950s, Raul, Sr. and his wife, Rosa requested permission to leave the country. As they waited for approval, both Raul, Sr. and Rosa were dismissed from their jobs. To support their three children, Betty, Raul, Jr., and Margarita, Rosa, a talented baker, refined her recipes and started selling her cakes to neighbors and friends. The Porto family's request to leave the country was eventually approved, and they entered the United States in the early 1970s. In the United States, they opened a bakery in the Echo Park area of Los Angeles that quickly flourished, and Betty Porto, in addition to her siblings, was there to lend a helping hand.

Betty Porto attended John Marshall High School in Los Angeles, and simultaneously worked at the family's bakery, Porto's Bakery & Café, taking care of the front of the house since she loved interacting with people and enjoyed customer service. Her mother, who valued the importance of receiving a higher education and credits a large part of her success to having a bachelor's degree, influenced Betty's love of learning. Upon graduating from high school, Betty received a bachelor's degree and a master's degree in political science from California State University, Los Angeles, and the University of California, Los Angeles, respectively. Her goal was to attend law school, but she quickly changed her mind as spending time with her family at the bakery had awakened her passion for the family business, and she wanted to support her parents, keeping in mind all the sacrifices they had made to give her a better life.

Over the years, Ms. Porto and her siblings became increasingly involved in the community by supporting many worthwhile organizations, including Glendale Healthy Kids, American Red Cross, Glendale police and fire departments, and the Alex Theatre to name a few. For the past seven years, Betty has been a staunch supporter of Union Rescue Mission, donating the remaining food from Porto's Bak-

ery & Café at the end of each day. She also gives tours of Porto's Bakery & Café to culinary students, to show them firsthand, out of the classroom setting, how to run a bakery, and has even hired some of these students to work at Porto's Bakery & Café. Betty and Rick, her husband of twenty-five years, have two daughters.

I ask all Members to join me in honoring an exceptional woman of California's 28th Congressional District, Betty Porto.

**A TRIBUTE TO LENA
KORTOSHIAN—28TH CONGRES-
SIONAL DISTRICT WOMAN OF
THE YEAR**

HON. ADAM B. SCHIFF

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Friday, April 14, 2017

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District. I would like to recognize a remarkable woman, Lena Kortoshian of La Crescenta, California.

Ms. Kortoshian attended California State University, Northridge, where she received a Bachelor's Degree in Mathematics, and a Master's Degree in Leadership and Policy Studies.

For many years, Ms. Kortoshian has been a pillar of education and an avid supporter of our youth. Lena's career in education began in 1986, when she was working as an instructional assistant at an elementary and a middle school in the Glendale Unified School District. Since then, she has served in many capacities, including as a mathematics teacher at Glendale High School and Clark Magnet High School, Assistant Principal of Herbert Hoover High School, and a Mathematics Administrator at the Los Angeles County Office of Education. Lena has also served as Assistant Principal and Associate Principal of Clark Magnet High School, and is currently Principal of the school.

Lena has always dedicated her time and efforts to ensure the success of her students. She served as a volunteer math tutor with the Committee for Armenian Students in Public Schools, a non-profit organization that addresses both the educational and social needs of immigrant children in public schools, and continues to tutor students after school, giving special attention to each student she helps. Lena is also a Member of the Board of Regents of Prelacy Armenian Schools—a board which is appointed by the Prelate and Executive Council of the Western Prelacy of the Armenian Apostolic Church of America.

Over the years, Lena has received recognition for her contributions to the community, such as the Armenian American Chamber of Commerce's "Friend of the Armenian Community" award.

I ask all Members to join me in honoring an exceptional woman of California's 28th Congressional District, Lena Kortoshian.

**REMEMBERING THE LIFE OF
ROBERT A.D. SCHWARTZ**

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 14, 2017

Ms. LEE. Mr. Speaker, I rise today to pay final tribute to Robert A.D. Schwartz. Mr. Schwartz died on February 18, 2017 in his Oakland, California home, at the age of 92. He was a businessman, philanthropist, patron of the arts, and jazz musician.

Mr. Schwartz was born in 1925 in Chicago, and received his B.S. in June 1944 from the Massachusetts Institute of Technology. Upon graduation, he joined the Navy and was sent to the Pacific.

Bob moved to Oakland in 1951, where he founded Schwartz & Lindheim and later Keysource International, which develops and manufactures specialized keyboards for industry. He later earned a Doctor of Jurisprudence degree from Golden Gate University Law School, becoming a member of the California State Bar in 1974.

In 1979, Mr. Schwartz founded the Robert A.D. Schwartz Foundation. The foundation's mission is to develop vocational, musical and citizenship educational programs. His philanthropic work also led him to serve as chairman of Urban Strategies Council, a non-profit organization, which works to eliminate persistent poverty in the Bay Area.

He also founded Peer Tutoring Resources Center, which works to support the development of caring and collaborative citizens by enhancing the use, expansion and sustainability of peer tutoring—a model engaging students as instructors and leaders in classrooms and across schools.

In recognition of his contributions to the Oakland community, Bob was named Oakland Citizen of the Year in 1996, and December 14 2016 was proclaimed "Robert Schwartz Day" in Oakland.

An avid musician, Mr. Schwartz was instrumental in reviving the Oakland Symphony, and started his own jazz band which played for seniors at local retirement homes.

As chairman of the Northern California Democratic Party, Bob worked tirelessly on many campaigns, including my own campaigns for Congress.

On a personal note, Bob was a trusted confidant, a brilliant strategist, and most important, a loyal friend who I loved very much.

I invite my colleagues to join me as I offer condolences to his loving family, and his loving wife Debba Wood Schwartz.

Robert A.D. Schwartz will be greatly missed but his legacy as a creative spirit and a trail-blazer community activist will live on as a source of inspiration for generations to come.

A TRIBUTE TO ANNE-MARIE JOHNSON—28TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 14, 2017

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District. I would like to recognize a remarkable woman, Anne-Marie Johnson of Silver Lake, a unique neighborhood in Los Angeles, California.

Born in Los Angeles, Anne-Marie Johnson has been a lifelong Silver Lake resident, and graduated from the University of California, Los Angeles. Since 2011, she has served as an At-Large Representative on the Silver Lake Neighborhood Council. In this capacity, she has co-chaired town hall meetings and has served as co-chair of the Governmental Affairs Committee.

Ms. Johnson is a familiar face in motion pictures and television. She has starred in numerous television series such as *Melrose Place*, *In Living Color*, *In the Heat of the Night*, and for a few seasons, she appeared on *JAG*, portraying Congresswoman "Bobbi Latham." In addition, Anne-Marie has appeared on *Days of Our Lives*, *Chasing Life*, *Hunter*, *The X-Files* and *CSI: Crime Scene Investigation*, and most recently in *Pretty Little Liars*, *Castle*, *Grey's Anatomy*, *Major Crimes*, and *NCIS: Los Angeles*. Anne-Marie Johnson has an impressive list of feature film credits, in addition to the remarkable roles she has had in many television series. She has appeared in *Strictly Business*, *Robot Jox*, *Pursuit of Happiness*, *True Identity*, and *Sister Code* among others.

For many years, Ms. Johnson served as a Screen Actors Guild National Board officer, and served as the Screen Actors Guild's first vice president for four terms. In 2016, she received the Screen Actors Guild Ralph Morgan Award, and was the first African American to receive this award since the inception of the honor in 1981. In 2017, Anne-Marie received the Rosa Parks Legacy Award from the Southern Christian Leadership Conference, in recognition of her tireless efforts in the community. In addition, Ms. Johnson has volunteered with the Los Angeles Police Department, where she co-created, co-produced and co-directed a series of public service announcements called "Obey The Rules Of The Road" to bring attention to traffic safety. Anne-Marie has been married to Martin Grey since 1996.

I ask all Members to join me in honoring an exceptional woman of California's 28th Congressional District, Anne-Marie Johnson.

STRENGTHENING AND CLARIFYING THE 25TH AMENDMENT ACT OF 2017

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, April 14, 2017

Mr. BLUMENAUER. Mr. Speaker, like many people, I have noticed a renewed interest in the 25th Amendment as we have seen erratic behavior out of the White House. As I examined the Amendment, it became clear that in the case of mental or emotional incapacity, there is a glaring flaw. In the absence of Congressional action, the constitutional language depends on actions by the Cabinet. Because the Cabinet can be fired by the President, there is a natural bias that would make them reluctant to acknowledge the President's inability to serve. It's time to revisit and strengthen the Amendment and make sure there is a reliable mechanism in place if the President becomes unable to discharge the powers and duties of office.

The 25th Amendment was adopted 50 years ago in the wake of President Kennedy's assassination. It provides a mechanism for the succession of the President for his or her replacement in the event he or she proves unfit to serve. Under the Amendment, the Vice President and a majority of either the Cabinet or some "other body" designated by Congress, may remove the President from office.

While the language is straightforward, it raises a host of questions. This "other body," rather than the principal officers of the executive branch, is undefined and there is no guidance for how it should operate. This legislation determines the body would consist of the Vice President, advised by a majority of the living former Presidents and Vice-Presidents. These people have been President, or in the line of succession and understand the pressures of the office and the responsibilities the Presidency entails. They are of both parties, experienced, and well regarded by the American public. It is hard to imagine a better group to work with the Vice President to examine whether the President is able to discharge the duties of the office. When there are questions about the President's ability to fulfill his or her constitutional responsibilities, it is in the country's best interest to have a mechanism in place that works effectively.

A TRIBUTE TO PHYLLIS KIM—28TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 14, 2017

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District. I would like to recognize a remarkable woman, Phyllis Kim of Glendale, California.

Phyllis Kim received her Bachelor of Arts Degree and an Interpretation & Translation Certificate from the University of California, Los Angeles. Currently, she is a court interpreter in the Korean language in Los Angeles.

For years, Ms. Kim has been very active with the Korean American Forum of California, which is dedicated to bringing public attention and recognition to the "comfort women" of World War II. From 1932 until the end of World War II, over 200,000 women and girls throughout Asia, many of them kidnapped, threatened, or lured from their homes under false pretenses, were forced into sexual slavery by the Imperial Armed Forces of Japan. Ms. Kim continues to raise awareness about these women, known as "comfort women," and also works toward receiving a formal recognition and an apology from Japan for its past war crimes of sexual slavery by its military, and to prevent wartime crimes against women as well as children.

Through the dedicated efforts of Ms. Kim and the Korean American Forum of California, the Comfort Women statue was built in Glendale, California. Phyllis makes every effort to visit the statue as often as she can to honor the Halmoni.

Phyllis lives in Glendale with her husband of nine years, Roy Hong.

I ask all Members to join me in honoring an exceptional woman of California's 28th Congressional District, Phyllis Kim.

A TRIBUTE TO KAREN VOLPEI-GUSSOW—28TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 14, 2017

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District. I would like to recognize a remarkable woman, Karen Volpei-Gussow of Burbank, California.

For over twenty years, Ms. Volpei-Gussow has symbolized the tireless and dedicated work of a true pillar of her community. She has given of herself with joy, humility, and grace and, along the way, has changed so many lives for the better in Burbank. Her kind and relaxed demeanor is not only evident in her treasured relationships with her husband Barry, her family and friends, but also in her charitable work in the community.

Ms. Volpei-Gussow has brought her incredible talent, insight, time, and energy to numerous boards and special committees over the years. She currently sits on the Boards of the Burbank Chamber of Commerce, City of Burbank Heritage Commission, Burbank Arts for All, Burbank on Parade, Burbank Business Partners, and Keller Williams Agent Leadership Council. She serves on committees for the Providence Saint Joseph Foundation Emergency Service Campaign, Boys and Girls Club of Burbank and Greater East Valley, Burbank Temporary Aid Center, and Family Service Agency of Burbank.

Her past community involvement includes Ambassador Chair of the Burbank Chamber of Commerce, Docent at the Burbank Historical Society's Gordon R. Howard Museum, and Board Member of both the Kids Community Dental Clinic and The Burbank Association of REALTORS, Community Service Foundation.

Ms. Volpei-Gussow's charitable and professional work has not gone unnoticed as she was awarded 2012 Realtor of the Year by the Burbank Association of REALTORS and named Community Leader of the Year at the Boys and Girls Club of Burbank and Greater East Valley 2013 Gala Dinner.

Ms. Volpei-Gussow rarely says no when asked to give a helping hand, and once given, her level of leadership, support, and generosity never waivers. She is a community leader who is unafraid of challenging the ways things were done in the past as she looks towards the future with a bold new plan to make the organizations she is involved with and the City of Burbank grow and thrive.

I ask all Members to join me in honoring an exceptional woman of California's 28th Congressional District, Karen Volpei-Gussow.

HONORING PHILIP KALAYIL

HON. RAJA KRISHNAMOORTHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 14, 2017

Mr. KRISHNAMOORTHY. Mr. Speaker, today I honor the life of Philip Kalayil who passed away on March 13 this year of natural causes.

It seems like everybody who's anybody in the city of Chicago has a story about Philip Kalayil.

Philip came to Chicago from India in the mid-1950s and became an early leader and organizer of the Indian-American community in the Chicago area.

Before his untimely death, Philip had been recognized by the Association for Asian American Studies, which honored him with its Heart of Asian American Community Award.

Philip's legacy of leadership and bridge-building between all racial and ethnic groups are needed now more than ever. While Philip left this world far too early, we should all take comfort in knowing that his memory and selfless service have left a mark on Chicago and our nation.

The civic contributions and dedication to the Indian-American community by Philip Kalayil have helped Indian Americans in the Chicago area such as myself to pursue professional achievements to further the development of our community.

On behalf of all of Philip's countless friends and associates, I just want to say thank you for all that you did for the people of Illinois. You're leaving some big shoes to fill in the city of Chicago.

Mr. Speaker, I hope we might all keep in our thoughts and prayers the Kalayil family as they mourn their loss. In that spirit, I celebrate Philip's life and think about what an impact that life made on so many people.

A TRIBUTE TO AMANDA TRUELOVE FAIREY—28TH CONGRESSIONAL DISTRICT WOMAN OF THE YEAR

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 14, 2017

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District. I would like to recognize a remarkable woman Amanda Truelove Fairey of the Franklin Hills neighborhood of Los Angeles, California.

Amanda Truelove Fairey is a co-founder and partner with her husband, Shepard Fairey, in the creative agency Studio Number One, the art and project space Subliminal Projects Gallery, and the online store Obey Giant/The Art of Shepard Fairey; all based in the Echo Park neighborhood of Los Angeles.

Ms. Truelove Fairey became a vocal advocate for research advancements through the MS Hope Foundation, after her own diagnosis of Multiple Sclerosis in 2013. She also believes in the importance of arts and music education for all, through her work with Art of Elysium and the Silverlake Conservatory of Music. Ms. Truelove Fairey currently sits on the board of the Library Foundation of Los Angeles and was the 2016 Chair of the foundation's annual fundraiser, The Young Literati Toast. Funds raised at the Toast support Adult Literacy Services, a vital program of the library that breaks the cycle of low literacy throughout Los Angeles with one-on-one tutoring, self-directed and online practice, and group classes.

In 2016, Ms. Truelove Fairey and her husband founded Make America Smart Again, an organization that encouraged voter education and registration during the 2016 election season. It has evolved from a call to action into a movement that empowers citizens to stay engaged and informed about social issues. Make America Smart Again has partnered with a variety of non-profit organizations including Rock the Vote, The Young Literati, and Vote Detroit to continue its mission in building a coalition of a well-informed citizenry.

Ms. Truelove Fairey enjoys family time with her husband, Shepard and their two wonderful daughters, Vivienne and Madeline.

I ask all Members to join me in honoring an exceptional woman of California's 28th Congressional District, Amanda Truelove Fairey.

THE INTRODUCTION OF THE FAIR PAY ACT OF 2017 APRIL 4, 2017

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 14, 2017

Ms. NORTON. Mr. Speaker, today is Equal Pay Day, which marks the number of additional days a woman must work to earn what a man earned by the end of last year. The

1963 Equal Pay Act (EPA), the first of the great civil rights statutes of the 1960s, has grown creaky with age and needs updating to reflect the new workforce, in which women work almost as much as men.

The best case for a stronger and updated EPA occurred here in the Congress in 2003, when female custodians in the House and Senate won an EPA case after showing that female workers were paid a dollar less per hour for doing the same or similar work as men. Had these women not been represented by their union, they would have had an almost impossible task in using the rules for bringing and sustaining an EPA class action suit.

Based on my own experience as the first woman to chair the Equal Employment Opportunity Commission, I again introduce the Fair Pay Act (FPA) on behalf of the average female worker, who is often first steered to, and then locked into, jobs with wages that are deeply influenced by the gender of women who have traditionally held such jobs. Much of the wage inequality women experience today is because of employer-steering and deeply rooted wage stereotypes, which result in wages being paid according to gender and not according to the skill necessary to do the job. I introduce the FPA because pay disparity most women face today stems mainly from the segregation of women and men in different jobs and paying women in female-dominated jobs systematically less. Two-thirds of white women and three quarters of African-American women work in just three areas: sales/clerical, service and factories. We need more aggressive strategies to break through the societal barriers present throughout history the world over, as well as employer-steering based on gender, which is as old as paid employment itself.

The FPA requires that if men and women are doing comparable work, they are to be paid comparable wages. If a woman, for example, is an emergency services operator, a female-dominated profession, she should not be paid less than a fire dispatcher, a male-dominated profession, simply because each of these jobs has been dominated by one sex. If a woman is a social worker, a traditionally female occupation, she should not earn less than a probation officer, a traditionally male job, simply because of the gender associated with each of these jobs.

The FPA, like the EPA, will not tamper with the legal burden. Under the FPA, as under the EPA, the burden will be on the plaintiff to prove discrimination. The plaintiff must show that the reason for the disparate treatment is gender discrimination, not legitimate market factors.

Remedies to achieve comparable pay for men and women are not radical or unprecedented. State governments, in red and blue states alike, have shown that it is possible to eliminate the part of the pay gap that is due to discrimination. Twenty states have adjusted wages for female-dominated professions, raising pay for teachers, nurses, clerical workers, librarians, and other female-dominated jobs that paid less than comparable male-dominated jobs. Minnesota, for example, implemented a pay equity plan when it found that traditionally female jobs paid 20 percent less than comparable traditionally male jobs. There

may well be some portion of a gender wage gap that is traceable to market factors, but 20 states have shown that you can tackle the gender discrimination-based wage gap without interfering in the market system. States generally have closed the wage gap over a period of four to five years at a one-time cost of no more than three to four percent of payroll.

In addition, many female workers routinely achieve pay equity through collective bargaining, and countless employers provide it on their own as they see women shifting out of vital female-dominated occupations as a result of the shortage of skilled workers, as well as because of the unfairness to women. Unequal pay has been built into the way women have been treated since Adam and Eve. To dislodge such deep-seated and pervasive treatment, we must go to the source, the traditionally female occupations, where pay is linked with gender and always has been.

A TRIBUTE TO AMY YANOW—28TH
CONGRESSIONAL DISTRICT
WOMAN OF THE YEAR

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 14, 2017

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year,

we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my Congressional District. I would like to recognize a remarkable woman, Amy Yanow of the Hollywood Hills neighborhood of Los Angeles, California.

Amy Yanow has always had a passion for community. After a career in real estate development, she obtained a Master of Business Administration from the Anderson School of Management at UCLA and combined her love of community with her love for small businesses. As co-owner of two of the most notable craft beer destinations in Southern California, Mohawk Bend in Echo Park and Tony's Darts Away in Burbank, Ms. Yanow has found innovative ways to incorporate her desire to support community and her passion for locally sourced products and services. Ms. Yanow formalized sourcing guidelines which focus on procuring products that celebrate Los Angeles and California local farming.

Charitable giving is built into every level of Ms. Yanow's restaurant strategy from menu offerings to marketing efforts. She believes in personal outreach to build lasting and meaningful relationships with her community. On behalf of Mohawk Bend, Ms. Yanow has partnered with thirty local non-profits to achieve fundraising and awareness of community-based initiatives in her backyard. Machine

Project, 826LA, Echo Park Recreational Center, Echo Park Parenting and Education, Sandra Cisneros Academy, Fire Station 20 Echo Park, Echo Park Community Parade, Edendale Branch Library, and Food Forward are a few of the beneficiaries of her generosity. Under her guidance, Tony's Darts Away has supported community-based initiatives in the City of Burbank by providing funds to the Family Service Agency of Burbank, the Beagle Freedom Foundation, and Keep-A-Breast Foundation to name a few.

Ms. Yanow and her husband, Tony Yanow, have shown great dedication to the non-profit organization River LA and its mission to unlock the potential and beauty of the Los Angeles River's fifty-one miles. From late 2015 until February 2016, the Yanows led a public matching grant campaign to raise funds and awareness for the creation of the community-oriented recreation areas and green spaces along the river. Ms. Yanow was deeply involved in the fundraising drive by creating a public awareness campaign through personal outreach and building a comprehensive social media strategy that ultimately accomplished the fundraising goal of \$500,000. Ms. Yanow is a treasure to her community and an inspiration to all who know her.

I ask all Members to join me in honoring an exceptional woman of California's 28th Congressional District, Amy Yanow.

SENATE—Monday, April 17, 2017

The Senate met at 4:31 and 2 seconds p.m. and was called to order by the Honorable BOB CORKER, a Senator from the State of Tennessee.

**APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The assistant bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 17, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BOB CORKER, a Senator from the State of Tennessee, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. CORKER thereupon assumed the Chair as Acting President pro tempore.

**ADJOURNMENT UNTIL THURSDAY,
APRIL 20, 2017, AT 7:20 P.M.**

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 7:20 p.m. on Thursday, April 20, 2017.

Thereupon, the Senate, at 4:31 and 34 seconds p.m., adjourned until Thursday, April 20, 2017, at 7:20 p.m.

HOUSE OF REPRESENTATIVES—Monday, April 17, 2017

The House met at 11 a.m. and was called to order by the Speaker pro tempore (Mr. SENSENBRENNER).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 17, 2017.

I hereby appoint the Honorable F. JAMES SENSENBRENNER, Jr. to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

Reverend Dr. Dan C. Cummins, Skyline Wesleyan Church, San Diego, California, offered the following prayer:

Almighty Father, Alpha of life and the Omega to death. This Easter Monday we pray in the shadow of that old rugged cross, cast by the radiant glory emanating from His empty tomb, proclaiming confidently, "O death, where is thy sting? O grave, where is thy victory?" Thanks be to God, who gives us the victory through Jesus Christ our Lord.

Therefore, my beloved brethren, be ye steadfast, unmovable, always abounding in the work of the Lord, knowing that your governance is not vain in the Lord. As we walk crooked paths through perilous times, may that light from His empty tomb be a lamp unto our feet.

Teach us to number our days, and apply our hearts unto wisdom. The fear of the Lord is the beginning of wisdom, and unless the Lord builds this House, our governance is naught and the King's speech vanity.

Lord Jesus, build this House.
Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 2(a) of House Resolution 242, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 2(b) of House Resolution 242, the House stands adjourned until 4 p.m. on Thursday, April 20, 2017.

Thereupon (at 11 o'clock and 3 minutes a.m.), under its previous order, the House adjourned until Thursday, April 20, 2017, at 4 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1072. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Acetamiprid; Pesticide Tolerances for Emergency Exemption [EPA-HQ-OPP-2017-0005; FRL-9959-90] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1073. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality Plan; Florida; Infrastructure Requirements for the 2012 PM_{2.5} NAAQS [EPA-R04-OAR-2016-0192; FRL-9960-97-Region 4] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1074. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Reclassification of the Sheboygan, Wisconsin Area To Moderate Non-attainment for the 2008 Ozone National Ambient Air Quality Standards; Correction [EPA-R05-OAR-2016-0277; FRL-9960-91-Region 5] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1075. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Mercury and Air Toxics Standards (MATS) Electronic Reporting Requirements [EPA-HQ-OAR-2009-0234; FRL-9958-30-OAR] received April 5, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. AMODEI:

H.R. 2101. A bill to amend the Federal Election Campaign Act of 1971 to expand the abil-

ity of trade associations to solicit contributions from the stockholders and executive or administrative personnel of their member corporations, and for other purposes; to the Committee on House Administration.

By Mr. KIHUEN:

H.R. 2102. A bill to amend the Investment Company Act of 1940 to require a report on improving access to capital in rural areas for small businesses and qualifying venture capital funds; to the Committee on Financial Services.

By Mr. RUTHERFORD (for himself and Mr. PETERS):

H.R. 2103. A bill to amend title 38, United States Code, to include the Frye Scholarship in the Yellow Ribbon G.I. Education Enhancement Program; to the Committee on Veterans' Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. AMODEI:

H.R. 2101.

Congress has the power to enact this legislation pursuant to the following:

Amendment 1: Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

By Mr. KIHUEN:

H.R. 2102.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8 of the United States Constitution.

By Mr. RUTHERFORD:

H.R. 2103.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 36: Mr. WEBSTER of Florida and Mr. CARTER of Texas.

H.R. 37: Mr. ROE of Tennessee and Mr. WEBSTER of Florida.

H.R. 95: Mr. GONZALEZ of Texas.

H.R. 113: Mr. DELANEY.

H.R. 305: Ms. GABBARD and Ms. Kuster of New Hampshire.

H.R. 676: Mr. POLIS, Mr. SABLON, Mr. PERLMUTTER, Mr. GONZALEZ of Texas, and Mr. SMITH of Washington.

H.R. 741: Mr. MARSHALL.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

- H.R. 828: Mr. BACON and Mr. HENSARLING.
H.R. 849: Mr. YOUNG of Alaska, Mr. PALMER, Mr. SENSENBRENNER, and Mrs. MURPHY of Florida.
H.R. 873: Mr. GRAVES of Missouri.
H.R. 931: Mr. HUFFMAN, Mr. CARSON of Indiana, Mr. HIGGINS of New York, Mr. CAPUANO, Mr. THOMPSON of Pennsylvania, Mr. CONYERS, Mr. JENKINS of West Virginia, and Ms. BORDALLO.
H.R. 1057: Mr. LAHOOD, Mr. MESSER, Mrs. WAGNER, Mr. PITTENGER, Ms. ROS-LEHTINEN, Ms. DELBENE, and Mr. LARSON of Connecticut.
H.R. 1098: Mrs. BEATTY.
H.R. 1120: Mr. ENGEL and Mr. HUFFMAN.
H.R. 1268: Mr. HASTINGS.
H.R. 1270: Mr. LEWIS of Georgia, Mr. GALLEG0, Mr. DESAULNIER, and Mr. HIGGINS of Louisiana.
H.R. 1318: Ms. DELBENE and Mrs. BEATTY.
H.R. 1464: Ms. DELBENE and Mr. LYNCH.
H.R. 1478: Ms. SHEA-PORTER.
H.R. 1625: Ms. NORTON and Mr. EMMER.
H.R. 1661: Mr. SERRANO, Mr. CARBAJAL, and Mr. POLIS.
H.R. 1677: Mr. BARR, Mr. ISSA, Mr. FOSTER, Ms. SINEMA, and Mr. SENSENBRENNER.
H.R. 1698: Mrs. COMSTOCK and Mr. BIGGS.
H.R. 1895: Mr. SMITH of Missouri.
H.R. 1987: Ms. NORTON.
H.R. 2000: Ms. BARRAGÁN and Mr. EVANS.
H.R. 2001: Ms. BARRAGÁN and Mr. EVANS.
H.J. Res. 51: Mr. YOUNG of Alaska and Mr. PALMER.
H.J. Res. 85: Ms. TENNEY.
H. Res. 128: Ms. ADAMS, Ms. SCHAKOWSKY, and Mr. GUTIÉRREZ.
H. Res. 218: Mr. RICHMOND, Mr. WEBER of Texas, Mr. PALLONE, and Mr. KILMER.

EXTENSIONS OF REMARKS

REMEMBERING MARY PEARSON

HON. MARK SANFORD

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 17, 2017

Mr. SANFORD. Mr. Speaker, I rise today in remembrance of Mary Lee Alcock Pearson, the Dorchester County Treasurer since December 2006. She died March 27 at home in Summerville, South Carolina. Accordingly, I want to take a moment to offer my condolences to a host of family and friends she leaves behind.

It was Ernest Hemingway who said, "Every man's life ends the same way. It's only the details of how he lived . . . that distinguish one man from another."

In that vein, Mary distinguished her life by serving others—her community, in particular. Indeed, she loved Dorchester County, and she was in turn loved back. Mary was loyal almost to a fault and certainly extended me grace in the ups and downs of my life, and for that, I am indebted.

She also cared about conservative ideals and good government. It is for that reason that I appointed her Dorchester County Treasurer back during my time as governor. In short, she was a great friend, a real leader, and a committed participant in the Lowcountry who will be sorely missed.

In her memory, I would ask that we take a moment today for reflection, and pause in asking how we can live up to the legacy of giving

and care that Mary embodied. For those of us who knew her, she will be missed. I look forward to our reunion in the heavens above.

Until that meeting, Godspeed.

CONGRATULATING CAROL STREAM

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 17, 2017

Mr. ROSKAM. Mr. Speaker, I rise today to congratulate Carol Stream on being named one of the safest cities in the United States. The Village of Carol Stream was named the eighty-ninth safest city on Neighborhood Scout's list of America's 100 Safest Cities.

Working together, law enforcement, local officials, and the community have made Carol Stream a safer place to live, work, and raise a family. The residents of Carol Stream should never underestimate the impact each citizen's positive actions can have. Everyday there are members of the community helping to change lives, while also inspiring their peers to do the same.

I would be remiss to not also mention the wonderful job of the Carol Stream Police and Fire Departments. Day in and day out the men and women of the Carol Stream Police and Fire Departments risk their lives to protect our community. Their bravery and courage are very deserving of our recognition and admiration, and I am pleased to see their service has

led to Carol Stream being named one of the safest cities in America.

Mr. Speaker, please join me in recognizing the Village of Carol Stream, Illinois and congratulating them on being named one of the safest cities in America.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, April 18, 2017 may be found in the Daily Digest of today's RECORD.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

SENATE—Thursday, April 20, 2017

The Senate met at 7:20 and 5 seconds p.m. and was called to order by the Honorable ROY BLUNT, a Senator from the State of Missouri.

**APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 20, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROY BLUNT, a Senator from the State of Missouri, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. BLUNT thereupon assumed the chair as Acting President pro tempore.

**ADJOURNMENT UNTIL 3 P.M. ON
MONDAY, APRIL 24, 2017**

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 3 p.m. on Monday, April 24, 2017.

Thereupon, the Senate, at 7:20 and 32 seconds p.m., adjourned until Monday, April 24, 2017, at 3 p.m.

HOUSE OF REPRESENTATIVES—Thursday, April 20, 2017

The House met at 4 p.m. and was called to order by the Speaker pro tempore (Mr. THOMAS J. ROONEY of Florida).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 20, 2017.

I hereby appoint the Honorable THOMAS J. ROONEY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

Reverend Alisa Lasater Willoo, Capitol Hill United Methodist Church, Washington, D.C., offered the following prayer:

Faithful God, we bow our heads today on the heels of Passover and Easter remembering that You are the God of deliverance and new life, and we are the people of holy week.

Help us confess today when we are like Peter, who denies that he sees or knows the one in need and saves himself instead; or, like Pilot, who, when conflict arises, washes his hands of the responsibility given him.

Help us be, Lord, like Mother Mary, who refuses to look away from her son's pain and walks alongside those struck by violence; and Simon of Cyrene, who drops his own load to carry the cross and burden of a stranger; and Mary Magdalene, who faithfully tends to her task at the graveside, even though it seems pointless.

God of us all, like Mary at the graveside, surprise us as we work in this Chamber or our home districts today. Open each of us to new possibilities and Your endless love.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 2(a) of House Resolution 242, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 17, 2017.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

Dear Mr. Speaker: Pursuant to 44 U.S.C. 2702, I hereby reappoint as a member of the Advisory Committee on the Records of Congress the following person: Dr. Sharon Leon, Fairfax, Virginia.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 2(b) of House Resolution 242, the House stands adjourned until noon on Monday, April 24, 2017.

Thereupon (at 4 o'clock and 3 minutes p.m.), under its previous order, the House adjourned until Monday, April 24, 2017, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1076. A letter from the Acting Under Secretary, Acquisition, Technology, and Logistics, Department of Defense, transmitting the Department's Report to Congress entitled "Modification to Support for Non-Federal Development and Testing of Material for Chemical Agent Defense for CY 2016", pursuant to 10 U.S.C. 272 note; Public Law 110-181, Sec. 1034(d)(1) (as amended by Public Law 114-328, Sec. 1043(1)); (130 Stat. 2393); to the Committee on Armed Services.

1077. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General William J. Bender, United States Air Force, and his advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

1078. A letter from the Deputy Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting the Bureau's Fair Lending Report, pursuant to 12 U.S.C. 5493(c)(2)(D); Public Law 111-203,

Sec. 1013(c)(2)(D); (124 Stat. 1970); to the Committee on Financial Services.

1079. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility, Jackson County, MO, et al. [Docket ID: FEMA-2016-0002; Internal Agency Docket No.: FEMA-8463] received April 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

1080. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility, Loudoun County, VA, et al. [Docket ID: FEMA-2016-0002; Internal Agency Docket No.: FEMA-8467] received April 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

1081. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations, Panola County, MS, and Incorporated Areas, et al. [Docket ID: FEMA-2017-0002] received April 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

1082. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility, Davidson County, TN, et al. [Docket ID: FEMA-2016-0002] [Internal Agency Docket No.: FEMA-8473] received April 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

1083. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility, Pierce County, WA, et al. [Docket ID: FEMA-2016-0002] [Internal Agency Docket No.: FEMA-8469] received April 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

1084. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility, Otsego County, NY, et al. [Docket ID: FEMA-2016-0002; Internal Agency Docket No.: FEMA-8471] received April 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

1085. A letter from the Regulations Coordinator, Division of Select Agents and Toxins, Centers for Disease Control and Prevention, Department of Health and Human Services, transmitting the Department's final rule — Possession, Use, and Transfer of Select Agents and Toxins — Addition of *Bacillus cereus* Biovar anthracis to the HHS List of Select Agents and Toxins [CDC Docket No.: CDC-2016-0045] (RIN: 0920-AA64) received April 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

1086. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval of California Air Plan Revisions, Butte County Air Quality Management District [EPA-R09-OAR-2016-0466; FRL-9957-15-Region 9] received April 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1087. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Bacillus thuringiensis* (mCry51Aa2) protein in or on cotton; Temporary Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2016-0279; FRL-9957-23] received April 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1088. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Deltamethrin; Pesticide Tolerances [EPA-HQ-OPP-2016-0087; FRL-9959-54] received April 14, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1089. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pyriofenone; Pesticide Tolerances [EPA-HQ-OPP-2014-0153; FRL-9953-96] received April 14, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1090. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pyrooxasulfone; Pesticide Tolerances [EPA-HQ-OPP-2016-0171; FRL-9959-25] received April 14, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1091. A letter from the Acting Chief, Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Parts 2, 15, 80, 90, 97, and 101 of the Commission's Rules Regarding Implementation of the Final Acts of the World Radiocommunication Conference (Geneva, 2012) (WRC-12), Other Allocation Issues, and Related Rule Updates [ET Docket No.: 15-99] received April 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1092. A letter from the Associate Chief, Mobility Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Promoting Technological Solutions to Combat Contraband Wireless Device Use in Correctional Facilities [GN Docket No.: 13-111] received April 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1093. A letter from the Deputy Chief, Disability Rights Office, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting the Commission's final rule — Structure and Practices of the Video Relay Service Program [CG Docket No.: 10-51]; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities [CG Docket No.: 03-123] received

April 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1094. A letter from the Associate Chief, Mobility Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of the Commission's Rules with Regard to the 800MHz Cellular Radiotelephone Service [WT Docket No.: 12-40] (RM No.: 11510) (RM No.: 11660) [WT Docket No.: 10-112] [WT Docket No.: 16-138] received April 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1095. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions [GN Docket No.: 12-268]; Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Digital Low Power Television and Television Translator Stations [MB Docket No.: 03-185]; Channel Sharing by Full Power and Class A Stations Outside the Broadcast Television Spectrum Incentive Auction Context [MB Docket No.: 15-137] received April 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1096. A letter from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Revisions to the Unverified List (UVL) [Docket No.: 170105022-7022-01] (RIN: 0694-AH29) received April 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

1097. A letter from the Associate General Counsel for General Law, Citizenship and Immigration Services, Department of Homeland Security, transmitting two notices for a discontinuation of service in an acting role and a designation of an acting officer, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

1098. A letter from the Director, Office of Presidential Appointments, Department of State, transmitting thirty-six (36) notifications of a federal vacancy, designation of acting officer, nomination, action on nomination, or discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

1099. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Space Vehicle and Missile Launch Operations [Docket No.: 160809705-7102-02] (RIN: 0648-BG25) received April 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

1100. A letter from the Chief, Branch of Foreign Species, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Removal of the Scarlet-Chested Parrot and the

Turquoise Parrot From the Federal List of Endangered and Threatened Wildlife [Docket No.: FWS-HQ-ES-2015-0176; 4500030113] (RIN: 1018-BB29) received April 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

1101. A letter from the Chief, Branch of Recovery and State Grants, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Reclassification of the West Indian Manatee From Endangered to Threatened [Docket No.: FWS-R4-ES-2015-0178; [FXES11130900000-178-FF09E42000] (RIN: 1018-AY84) received April 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

1102. A letter from the Wildlife Biologist, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Migratory Bird Subsistence Harvest in Alaska; Harvest Regulations for Migratory Birds in Alaska During the 2017 Season [Docket No.: FWS-R7-MB-2016-0136; FF09M21200-156-FXMB1231099BPP0] (RIN: 1018-BB71) received April 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

1103. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the Report of the Attorney General to the Congress on the Administration of the Foreign Agents Registration Act of 1938, as amended, for the six months ending June 30, 2016, pursuant to 22 U.S.C. 621; June 8, 1938, ch. 327, Sec. 11 (as amended by Public Law 104-65, Sec. 19); (109 Stat. 704); to the Committee on the Judiciary.

1104. A letter from the Special Agent in Charge, Branch of Investigations, Office of Law Enforcement, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Civil Penalties; 2017 Inflation Adjustments for Civil Monetary Penalties [Docket No.: FWS-HQ-LE-2017-0001; FF09L00200-FX-LE18110900000] (RIN: 1018-BB97) received April 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

1105. A letter from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the Department's Annual Privacy Report covering the period October 1, 2013 through September 30, 2016, pursuant to Sec. 1174, 28 U.S.C. 509 note (2006); to the Committee on the Judiciary.

1106. A letter from the Attorney, CG-LRA, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Elizabeth River, Elizabeth, NJ [Docket No.: USCG-2017-0070] (RIN: 1625-AA09) received April 11, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

1107. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Notice on Windsor-Related Estate, Gift and Generation-Skipping Transfer Issues [Notice 2017-15] received April 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

1108. A letter from the Chief, Publications and Regulations Branch, Internal Revenue

Service, transmitting the Service's IRB only rule — Election by Qualified Small Business to Claim Payroll Tax Credit for Increasing Research Activities [Notice 2017-23] received April 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

1109. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — March 2017 Supplement to Rev. Proc. 2014-64, Implementation of Nonresident Alien Deposit Interest Regulations (Rev. Proc. 2017-31) received April 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

1110. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Announcement and Report Concerning Advance Pricing Agreements (Announcement 2017-03) received April 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

1111. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Small Business/Self Employed Fast Track Settlement (Rev. Proc. 2017-25) received April 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

1112. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2017 Automobile Price Inflation Adjustment (Rev. Proc. 2017-29) (RP-128592-16) received April 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

1113. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Proposed Revenue Procedure for Requesting Consent to Change a Method of Accounting [Notice 2017-17] received April 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

1114. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Relief From Section 4975 of the Internal Revenue Code (Announcement 2017-4) received April 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

1115. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Anti-Harassment and Hostile Work Environment Case Tracking and Records System [Docket No.: SSA-2015-0014] (RIN: 0960-AH82) received April 13, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLATTE: Committee on the Judiciary. H.R. 1695. A bill to amend title 17,

United States Code to provide additional responsibilities for the Register of Copyrights, and for other purposes; with an amendment (Rept. 115-91). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SIMPSON (for himself and Mr. LABRADOR):

H.R. 2104. A bill to modify the boundaries of the Morley Nelson Snake River Birds of Prey National Conservation Area, and for other purposes; to the Committee on Natural Resources.

By Mr. WEBSTER of Florida (for himself, Mr. LIPINSKI, Mr. SMITH of Texas, Mrs. COMSTOCK, Ms. ROSEN, Mr. HULTGREN, Mr. KNIGHT, Mr. LAHOOD, Mr. MARSHALL, and Mr. POSEY):

H.R. 2105. A bill to require the Director of the National Institute of Standards and Technology to disseminate guidance to help reduce small business cybersecurity risks, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. ROSKAM (for himself, Mr. CONNOLLY, Mr. MEADOWS, Mr. FRANKS of Arizona, Mr. KINZINGER, Mr. CASTRO of Texas, Mr. LUCAS, Mr. STEWART, Mr. VALADAO, Mr. SENSENBRENNER, Ms. DELBENE, Mr. AMODEI, Mr. QUIGLEY, Mr. SCHIFF, Mr. BEYER, and Mr. HIMES):

H.R. 2106. A bill to provide high-skilled visas for nationals of the Republic of Korea, and for other purposes; to the Committee on the Judiciary.

By Mr. GRAVES of Missouri (for himself, Mr. ROKITA, Mr. LIPINSKI, and Mr. PETERSON):

H.R. 2107. A bill to amend the Pilot's Bill of Rights to facilitate appeals, to limit the reexamination of airman certificates, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCKINLEY (for himself, Ms. SINEMA, and Ms. TITUS):

H.R. 2108. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide additional educational assistance benefits under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs to certain eligible individuals; to the Committee on Veterans' Affairs.

By Mr. MESSER:

H.R. 2109. A bill to require the development of a national strategy to secure schools against terrorism nationwide, and ensure domestic preparedness for and the response to terrorism, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER:

H.R. 2110. A bill to amend the Internal Revenue Code of 1986 to provide an increasingly larger earned income credit for families with more than 3 children; to the Committee on Ways and Means.

By Mr. NADLER (for himself, Mrs. LOWEY, and Mr. SUOZZI):

H.R. 2111. A bill to amend the Internal Revenue Code of 1986 to provide for adjustments

in the individual income tax rates to reflect regional differences in the cost-of-living; to the Committee on Ways and Means.

By Mr. RYAN of Ohio:

H.R. 2112. A bill to establish a commission to study the relocation of select executive agencies or divisions of such agencies outside the Washington metropolitan area, to make recommendations to Congress on appropriate findings, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STIVERS (for himself and Mr. RYAN of Ohio):

H.R. 2113. A bill to require the Food and Drug Administration to expedite review of pharmaceuticals that are approved for marketing in the European Union; to the Committee on Energy and Commerce.

By Mr. YOHIO:

H.R. 2114. A bill to require the Secretary of the Treasury to implement security measures in the electronic tax return filing process to prevent tax refund fraud from being perpetrated with electronic identity theft; to the Committee on Ways and Means.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Ms. LOFGREN, Mr. LIPINSKI, Ms. BONAMICI, Mr. BERA, Ms. ESTY, Mr. VEASEY, Mr. BEYER, Ms. ROSEN, Mr. MCNERNEY, Mr. PERLMUTTER, Mr. TONKO, Mr. FOSTER, Mr. TAKANO, Ms. HANABUSA, and Mr. CRIST):

H. Res. 273. A resolution supporting the principles and goals of the March for Science taking place in Washington, DC, and cities all over the world on Earth Day, April 22, 2017; to the Committee on Science, Space, and Technology.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

25. The SPEAKER presented a memorial of the Legislature of the State of North Dakota, relative to House Concurrent Resolution No. 3006, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; to the Committee on the Judiciary.

26. Also, a memorial of the Legislature of the State of North Dakota, relative to House Concurrent Resolution No. 3006, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SIMPSON:

H.R. 2104.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact legislation is provided by Article I,

Section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. WEBSTER of Florida:

H.R. 2105.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Mr. ROSKAM:

H.R. 2106.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. GRAVES of Missouri:

H.R. 2107.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

"Congress shall have the power to regulate commerce with foreign nations, and among the several states, and with the Indian Tribes."

General Aviation contributes \$150 billion to the U.S. economy and supports 1.2 million jobs. This legislation will both protect the rights of over 400,000 general aviation pilots currently flying and encourage more to participate in this community.

By Mr. MCKINLEY:

H.R. 2108.

Congress has the power to enact this legislation pursuant to the following:

Article 1 section 8

To make rules for the government and regulation of land and naval forces

By Mr. MESSER:

H.R. 2109.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18 of the United States Constitution

By Mr. NADLER:

H.R. 2110.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 and Clause 18 of Section 8 of Article 1 of the Constitution.

By Mr. NADLER:

H.R. 2111.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 and Clause 18 of Section 8 of Article 1 of the Constitution.

By Mr. RYAN of Ohio:

H.R. 2112.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: To Make Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. STIVERS:

H.R. 2113.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, section

8, Clause 3 of the United States Constitution. The Constitution's Commerce Clause allows Congress to enact laws when reasonably related to the regulation of interstate commerce.

By Mr. YOHO:

H.R. 2114.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1; Article 1, Section 8, Clause 18

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 93: Mr. O'HALLERAN.

H.R. 113: Mr. SUOZZI, Ms. NORTON, and Mr. GUTIERREZ.

H.R. 179: Mr. TURNER, Mr. YARMUTH, Ms. TENNEY, and Mr. BROOKS of Alabama.

H.R. 305: Mr. JONES, Mr. JOHNSON of Georgia, Mr. MCNERNEY, Ms. FRANKEL of Florida, Ms. SEWELL of Alabama, Mr. LAWSON of Florida, Mr. CROWLEY, Mr. DEFAZIO, Ms. MENG, Mr. CÁRDENAS, and Mr. BUTTERFIELD.

H.R. 314: Mr. RATCLIFFE.

H.R. 350: Mr. MASSIE and Mr. ROHR-ABACHER.

H.R. 535: Ms. ESHOO.

H.R. 553: Mr. TAYLOR and Mrs. RADEWAGEN.

H.R. 592: Mr. NUNES, Mr. CICILLINE, and Mrs. BEATTY.

H.R. 606: Ms. Barragán, Mr. CARBAJAL.

H.R. 619: Mr. MASSIE, Mr. GAETZ, and Mr. STIVERS.

H.R. 672: Mrs. WALORSKI.

H.R. 676: Ms. SÁNCHEZ.

H.R. 721: Mr. HUNTER.

H.R. 757: Mr. LEWIS of Georgia, Mr. CAPUANO, and Mr. HUFFMAN.

H.R. 761: Ms. DELBENE.

H.R. 809: Mr. VARGAS, Ms. BORDALLO, and Mrs. RADEWAGEN.

H.R. 820: Ms. WILSON of Florida, Mr. HUFFMAN, Mr. LAMALFA, Mr. THOMAS J. ROONEY of Florida, Ms. MOORE, Ms. FRANKEL of Florida, Mr. GOODLATTE, Mr. BARLETTA, and Ms. BORDALLO.

H.R. 849: Mr. SCHNEIDER, Mr. DAVID SCOTT of Georgia, Mr. BARLETTA, and Mr. RICE of South Carolina.

H.R. 881: Ms. BASS.

H.R. 918: Mr. RUSH, Ms. MOORE, and Mr. BLUMENAUER.

H.R. 947: Mr. PALLONE.

H.R. 1014: Mr. CAPUANO.

H.R. 1079: Mr. DESAULNIER.

H.R. 1090: Mr. COFFMAN.

H.R. 1136: Mr. PERRY, Mr. PITTINGER, Mr. WALBERG, Mr. PETERS, Mr. SANFORD, and Mr. EMMER.

H.R. 1141: Mr. AGUILAR and Mr. CONYERS.

H.R. 1143: Mr. SERRANO and Mr. AL GREEN of Texas.

H.R. 1155: Ms. SINEMA and Mr. BARLETTA.

H.R. 1163: Mr. HARRIS.

H.R. 1192: Mr. FLORES.

H.R. 1200: Mr. SENSENBRENNER.

H.R. 1222: Ms. ROS-LEHTINEN.

H.R. 1236: Mr. RASKIN.

H.R. 1241: Mr. COLLINS of New York and Mr. YOHO.

H.R. 1299: Mr. LOWENTHAL and Mrs. CAROLYN B. MALONEY of New York.

H.R. 1322: Mr. CASTRO of Texas.

H.R. 1329: Mr. CONNOLLY.

H.R. 1358: Mr. SMITH of Washington, Mr. VELA, Mr. SCHNEIDER, Ms. ESHOO, Mrs. BEATTY, Mr. COOPER, and Mr. SARBANES.

H.R. 1370: Mr. THOMPSON of Mississippi.

H.R. 1384: Ms. DELBENE.

H.R. 1428: Mr. COHEN.

H.R. 1445: Mr. RYAN of Ohio.

H.R. 1454: Mr. BERGMAN and Mr. MEADOWS.

H.R. 1516: Mrs. LOWEY, Ms. ADAMS, Mr.

HUFFMAN, Mr. ESPAILLAT, Mr. SARBANES, Mr.

PALLONE, Mr. RASKIN, and Mr. NORCROSS.

H.R. 1539: Mr. RYAN of Ohio, Mr. MCKINLEY,

Mr. ROE of Tennessee, Ms. SCHAKOWSKY, and

Mr. THOMPSON of California.

H.R. 1552: Mr. PERRY and Mr. YODER.

H.R. 1625: Mr. EVANS.

H.R. 1652: Ms. NORTON, Mr. MCGOVERN, and Ms. TSONGAS.

H.R. 1660: Ms. DELBENE.

H.R. 1677: Mrs. HARTZLER, Mr. JENKINS of West Virginia, and Mr. LAMBORN.

H.R. 1697: Mr. SMUCKER, Mr. OLSON, Mr.

SMITH of Washington, Ms. ROYBAL-ALLARD,

Ms. WILSON of Florida, Mr. TED LIEU of Cali-

fornia, Mrs. COMSTOCK, Mr. DESANTIS, Mr.

BIGGS, Mr. BUCK, Mr. RATCLIFFE, Mr. JOHN-

SON of Louisiana, Mr. COURTNEY, and Mr.

SMITH of Missouri.

H.R. 1698: Mr. EMMER, Mr. RATCLIFFE, Mr.

FOSTER, Mr. COFFMAN, Mr. JOHNSON of Lou-

isiana, Mr. HIMES, Ms. JUDY CHU of Cali-

fornia, Mr. WALDEN, Mr. SMITH of Missouri,

Mr. BERA, and Mr. GONZALEZ of Texas.

H.R. 1711: Ms. PINGREE, Mr. DELANEY, Mrs.

CAROLYN B. MALONEY of New York, and Mr.

PAYNE.

H.R. 1759: Mr. HASTINGS and Mr. DEUTCH.

H.R. 1808: Mr. TAKANO, Ms. WILSON of Flor-

ida, Ms. BONAMICI, Ms. ADAMS, Mr. GRIJALVA,

Mr. SABLAN, Mr. ESPAILLAT, Ms. BLUNT

ROCHESTER, Mr. POLIS, and Mr. DESAULNIER.

H.R. 1809: Mr. CÁRDENAS, Mr. TAKANO, Ms.

BONAMICI, Ms. ADAMS, Mr. GRIJALVA, Mr.

ESPAILLAT, Ms. BLUNT ROCHESTER, Mr.

POLIS, Mr. DESAULNIER, and Mr. COHEN.

H.R. 1836: Ms. SLAUGHTER and Ms. JUDY

CHU of California.

H.R. 1847: Ms. CASTOR of Florida, Mr.

FRELINGHUYSEN, Mr. HUNTER, Mr. BEN RAY

LUJÁN of New Mexico, Mr. POSEY, and Mr.

WALBERG.

H.R. 1849: Mr. BISHOP of Michigan.

H.R. 1861: Mr. EMMER, Mr. LOWENTHAL, Mr.

ROSS, and Mr. FLEISCHMANN.

H.R. 1868: Ms. ROS-LEHTINEN.

H.R. 1873: Mr. PEARCE and Ms. SINEMA.

H.R. 1880: Ms. ESHOO and Ms. BASS.

H.R. 1886: Mr. COHEN and Mr. AL GREEN of

Texas.

H.R. 1891: Mr. NEWHOUSE.

H.R. 1902: Mr. ESPAILLAT.

H.R. 1928: Mr. MOULTON, Mr. RYAN of Ohio,

Ms. MOORE, Mr. POCAN, Ms. LEE, Mr. CORREA,

Mr. GONZALEZ of Texas, and Mr. BISHOP of

Georgia.

H.R. 1955: Mr. TONKO and Mr. KING of Iowa.

H.R. 2004: Mr. SENSENBRENNER, Mr.

FITZPATRICK, Mr. BISHOP of Utah, and Mrs.

LOVE.

H.R. 2029: Mr. HENSARLING, Mr. SENSEN-

BRENNER, Mr. RATCLIFFE, Mr. GONZALEZ of

Texas, and Mr. MARCHANT.

H.R. 2103: Mr. LAWSON of Florida.

H. J. Res. 28: Mr. PAYNE.

H. Con. Res. 43: Mr. CLAY, Mrs. BEATTY,

and Mr. BRADY of Pennsylvania.

H. Res. 15: Mr. LAWSON of Florida and Mr.

LARSON of Connecticut.

H. Res. 69: Mr. CHAFFETZ.

H. Res. 129: Mr. RATCLIFFE.

H. Res. 232: Mr. DUNN, Mr. CRIST, and Mrs.

BEATTY.

H. Res. 239: Ms. LEE.

H. Res. 269: Mr. BEYER.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

40. The SPEAKER presented a petition of the City Council, Atlanta, GA, relative to Resolution 17-R-3393, urging President Trump and all members of the United States Congress to restore funding to the Department of Housing and Urban Development

Block Grant, Housing opportunities for Persons with AIDS (HOPWA) and Home Investment Partnership Programs to fiscal 2017 levels; to the Committee on Financial Services.

41. Also, a petition of Allegany County Board of Legislators, NY, relative to Resolution No. 63-17, supporting federal legislation that would prohibit New York state from passing on the cost of Medicaid to a county; to the Committee on Energy and Commerce.

EXTENSIONS OF REMARKS

TRIBUTE TO NETTY CARR—28TH
CONGRESSIONAL DISTRICT
WOMAN OF THE YEAR

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Mr. SCHIFF. Mr. Speaker, I rise today in honor of Women's History Month. Each year, we pay special tribute to the contributions and sacrifices made by our nation's women. It is an honor to pay homage to outstanding women who are making a difference in my congressional district. I would like to recognize a remarkable woman, Netty Carr of Atwater Village, a unique neighborhood in Los Angeles, California.

Netty Carr was born in the Echo Park neighborhood of Los Angeles, and has been a resident of Atwater Village for many years. A successful small business owner, Ms. Carr founded Netty's Restaurant in 1987 in Silver Lake, serving comfort food to customers until 2007.

Over the years, Ms. Carr has dedicated her time and efforts to better her community. She is an avid supporter of green space, the environment, and historic preservation. Most notably, in 1999, Netty spearheaded the Coalition to Save the Van de Kamp's bakery building on Fletcher Drive, because a developer had plans to demolish the building to build a "big box" store. Through the hard work and commitment of Ms. Carr and the Coalition, which was comprised of 23 community groups, they succeeded in saving this historical building.

Ms. Carr co-founded Friends of Atwater Village, a non-profit organization, where volunteers work together with the common goal of improving Atwater Village, and promoting and preserving the local history. From neighborhood clean-ups to mural projects, two of which Netty personally funded, Netty's dedication to improve the community through beautification projects is nothing short of extraordinary.

I ask all Members to join me in honoring an exceptional woman of California's 28th Congressional District, Netty Carr.

TRIBUTE TO HONOR THE LIFE OF
ROBERT F. GLOCKNER

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Ms. ESHOO. Mr. Speaker, I rise today to honor the extraordinary life of Robert F. Glockner by including in the RECORD the Memorial Tribute prepared by his loving family.

Bob Glockner died peacefully on March 26, 2017, surrounded by his family. A vibrant man, Bob will be remembered for his warmth and generosity, commitment to his family and community, and his boundless energy.

Born in Pittsburgh, Pennsylvania, in the summer of 1938, he was the third child of Paul and Stephanie Glockner. He moved with his family to Oakland, California, in 1947.

In 1956 Bob graduated from St. Elizabeth High School, where he enjoyed drama and sports. He served in the U.S. Army and later in the Army reserves.

He attended San Francisco State, graduating in 1961 with a bachelor's degree in Legal Studies. San Francisco is also where he met his wife of 54 years, Ginger Alfs. Together, they had four daughters.

Bob began his career as a salesman for Modernfold of Northern California. In 1970 he became a partner in Partition Specialties, Inc., serving as president before striking out on his own to found WestFour Construction and Whitney Investment Company in 1983.

He did not retire but more transitioned to the role of "Volunteer Project Manager," helping his family as well as organizations that were close to his heart. Bob always had a project, and many knew him as the person you would turn to when you needed to get something done.

A dedicated and active member of his community, he was a member of the Board of Trustees for Sacred Heart Schools in Atherton, as well as a member of Sharon Heights Country Club, the Vineyard Club, and the Peninsula Investors Club. He was quick to offer his time or his counsel to assist a worthy cause.

Bob loved travel, art and music. He was an avid sports fan, skier, golfer, and lover of the outdoors. Later in life, he tried his hand at growing grapes and winemaking, and enjoyed producing wine under his own "Four Sisters Vineyard" label.

Above all, Bob loved and was loved by his family. He will be remembered by his wife, Ginger; his daughters and sons-in-law Jennifer and John Whitcomb, Ellen and Fred Eder, Julie Morris, and Whitney and Peter Glockner Black; his 10 grandchildren, Stan, Mackenzie and Brooke Whitcomb, Elizabeth and Fred Eder, Kyle and Hannah Morris, and Axel, Jasper, and Hugo Black; as well as his sisters, Audrey Glockner and Mary Akey; his sister-in-law, Diane Orsellini, and their families.

I had the privilege of knowing Bob Glockner for decades. He was a gentleman and a man of great faith. He loved his family and was devoted to his church, his community and his country. It was an honor to have known him and call him my friend. Because of all he did in living a worthy life, our country has been bettered immeasurably. Mr. Speaker, I ask the entire House of Representatives to join me in expressing our collective sympathy to the great love of his life, Ginger, their children, grandchildren, and entire family on the loss of a great and good man.

IN RECOGNITION OF JOSHUA CHU

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Mr. MEEHAN. Mr. Speaker, I rise today to congratulate Joshua Chu of Wissahickon High School, Montgomery County, Pennsylvania on receiving the Congressional Award's Bronze Medal. The Congressional Award is Congress' award for young Americans who dedicate themselves to public service, personal development, physical fitness and exploration. It motivates young people to improve themselves, try new things and learn new skills.

Joshua served his community through volunteering in a soup kitchen, packing food, sorting donated items and aiding the kitchen's staff. He also broadened his knowledge by traveling to Boston and Hawaii to learn more about their culture and history.

I congratulate Joshua on earning this honor and I congratulate his parents on raising such a fine young man.

IN RECOGNITION OF SPECIALIST
JAMES C. MCCLOUGHAN FOR HIS
EXEMPLARY SERVICE DURING
THE VIETNAM WAR

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Specialist James C. McCloughan for his service as a combat medic during the Vietnam War. SPC McCloughan demonstrated extraordinary heroism during the Battle of Nui Yon Hill, and his actions as a combat medic saved the lives of his fellow service members during this encounter.

In 1969, then-Private First Class James McCloughan was serving as one of two medics between the 89-man Charlie Company when the group came under fire from an estimated 2,000 enemy soldiers. During the subsequent two-day Battle of Nui Yon Hill, then-PFC McCloughan braved heavy enemy gunfire to rescue and provide medical care to his fellow service members. Then-PFC McCloughan refused to leave the battle, fighting through shrapnel and gunfire wounds and continued to serve Charlie Company for the remainder of the battle. For his efforts during his service, he received multiple awards, including the Combat Medical Badge, two Purple Hearts, the U.S. Army Valorous Unit Citation and the National Defense Medal. Additionally, SPC McCloughan was authorized to receive the Medal of Honor for his actions during the Vietnam War on December 27, 2016.

SPC McCloughan's remarkable record of valor during his service in the Vietnam War is

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

worthy of special recognition. He went above and beyond the call of duty throughout his military service to aid his comrades, and the fellow service members' lives he saved at great personal risk are a testament to his bravery. His tenacity and willingness to sacrifice on behalf of others is extraordinary and demonstrates his character. It is my hope that SPC McCloughan continues to receive the acclaim that his military record merits while serving as an inspiration for current service members.

Mr. Speaker, I ask my colleagues to join me in honoring SPC James C. McCloughan for his courage under fire as a combat medic during the Vietnam War. SPC McCloughan saved countless lives through his actions.

IN RECOGNITION OF THE GRAND OPENING OF THE NEW STERLING LIBRARY

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize the Grand Opening of the new Sterling Library. This new branch, located in the heart of Sterling, Virginia is nearly three times the size of the former library and includes state-of-the-art facilities, increased access to computers, and the most up to date technology and resources, such as 3D printers, recording studios, and books offered in multiple languages. I take great pride knowing this state-of-the-art facility is opening in Virginia's Tenth District, and I am very thankful for the broad range of learning opportunities it will afford my constituents.

Since the mid-1970s the Sterling Library has been a vital part of the community's steady development, but the old building could no longer support the everyday needs of the community. According to the Director of Loudoun County Public Library, Chang Liu, community input played a crucial role in the plans for this library. Residents were very engaged during the planning and design processes, and the new elements, such as the high-tech workspaces and the unique teen area, coupled with the tremendous amount of space offered in the new library, better suit the current needs of the growing Sterling community.

This project is part of the broader Sterling Public Facilities Master Plan, which was approved in a referendum in 2014. In addition to the library, the plan calls for the expansion of the Sterling Volunteer Fire and Rescue Station and the renovation and expansion of the Sterling Community Center into the former library space. The opening of the new library marks the first step in what will be an exciting period of innovation in Sterling.

Mr. Speaker, I would ask that my colleagues join me in applauding the Grand Opening of the new Sterling Library. I look forward to the impact it will have on the children, teenagers, and adults of Sterling and our Commonwealth as a whole.

ROGER THOMAS PROMOTED TO
BISHOP, CALIFORNIA SOUTHERN
THIRD ECCLESIASTICAL JURIS-
DICTION CHURCH OF GOD IN
CHRIST

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Mr. COOK. Mr. Speaker, I rise today to recognize the exemplary service and promotion of Bishop Roger Thomas to his current position. As a result of his keen awareness, understanding of humankind, his unquestionable devotion to serve God is boundless.

It is his effective stewardship that leads men and women to successful conclusions within the church and in their private lives. The sincerity of his voice moves individuals to be at their best regardless of the challenges they face.

He inspires youth and adults to further their education in higher institutions of learning. Individuals in search of counseling, guidance, advice, employment and legal matters are aided directly and/or indirectly by his influence.

Bishop Roger Thomas proves regularly that the service of God's children is more than an obligation but rather to care for the needs of all humankind is an honor.

TRIBUTE IN HONOR OF THE LIFE AND MEMORY OF JAMES "JIMMY" LANZA

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Mr. CROWLEY. Mr. Speaker, I rise today to pay tribute to the life and service of James "Jimmy" Lanza. Jimmy passed on April 6 of this year, surrounded by his family, friends, and beloved brothers from the Fire Department of New York City, after a noble battle with brain cancer. An esteemed member of the Woodside community, Jimmy's life was characterized by a tireless dedication to others in keeping with the highest tradition of service to our country. Jimmy gave perennially of himself, serving in the U.S. Navy during the Vietnam War, where he was a member of a crew of flying airborne early warning and control systems. After his tenure in the Navy, Jimmy went on to serve as a firefighter, devoting three decades to the FDNY with Engine 53, Ladder 43, in East Harlem as part of "El Barrio's Bravest."

During his time with the FDNY, Jimmy devoted countless hours to the search and recovery mission at the World Trade Center in the aftermath of September 11. After Hurricane Katrina, he traveled to New Orleans with his FDNY comrades to assist in their rescue, search, and recovery mission. As a volunteer with the Red Cross, he stood ever-ready to lend a hand to suffering communities in the aftermath of devastation. Jimmy also served on the executive board of the FDNY Fire Family Transport Foundation, an organization devoted to providing care and comfort to the

families of firefighters during times of great need or bereavement. Jimmy was also deeply involved with charitable work on behalf of wounded veterans and their families. He made numerous trips to Washington, D.C. to visit veterans in military hospitals, and assisted in many sponsored events for vets and their families. A lifetime member of the American Legion, Jimmy served as the Commander of Post 1836, at the Boulevard Gardens in Woodside, Queens. In that role, he helped to educate the community on the profound sacrifices made by those who choose to serve our country in the armed forces.

A lifelong Woodside resident, Jimmy devoted his time after retirement from the FDNY to improving his local community. He served as the President of the Boulevard Gardens Co-op Board for 15 years, the longest anyone had ever held the position. During his tenure, he worked to improve communication between the local precinct, the community board, and the Co-op board in order to assure that issues were dealt with in a timely manner. Jimmy was also instrumental in the fight to bring fair assessment to property values for co-ops across New York City. Over his tenure as President, the Boulevard Gardens community saw a marked increase in the quality of life and overall safety, as well as the financial standing of the co-op.

Jimmy Lanza lived his entire life in service of others. His was the highest ideal of a life devoted to one's community and country, and should serve as an example for us all to aspire to. He was a truly great man, and also a dear friend of mine. He was a devoted family man, and is survived by his beloved sister Marian, his nephews Keith and Michael, niece Stephanie, grand-nieces Emily and Eva, grand-nephews Brandon and Andrew, countless friends, and all of the lives he touched over the years. Mr. Speaker, Jimmy's commitment to both community and country was, and will continue to be, an inspiration to all of us. I ask my colleagues to join me in honoring the life and legacy of James J. Lanza. May he rest in peace.

THE AMERICAN PEOPLE ARE RIGHT TO DEMAND THE PRESI- DENT RELEASE HIS TAX RE- TURNS

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Ms. JACKSON LEE. Mr. Speaker, every year at this time tens of millions of Americans are completing their tax returns and rushing to the nearest post office to mail them before the deadline.

No one likes to pay taxes but the vast majority of Americans voluntarily comply out of their respect for law and because paying taxes is one of the responsibilities of citizenship.

That responsibility is placed upon and assumed by struggling wage earners to the wealthiest individuals in America.

And that even includes the President of the United States.

Americans have the right to expect and to know that the leader of their country, and the

most powerful person on Earth, is paying his fair share of taxes that fund the government he heads, the Armed Forces he commands, the nuclear arsenal he controls, the Secret Service protection he receives, and the White House he lives in.

And that is why thousands of persons took to the streets last Saturday in peaceful protest to demand that the President of the United States do what every President since Gerald Ford in 1976 has done.

And that is to release his tax returns while in office.

Trump is the first President since Watergate to refuse to release his tax information to the public.

Full release of Trump's tax returns will provide the public with clear information as to his potential conflicts of interest and entanglements with foreign governments and businesses.

A recent Washington Post-ABC News poll found that 74 percent of Americans, including 53 percent of Republicans, believe Trump should release his tax returns.

All roads lead back to the President's tax returns, and the light they can shine on his actions.

As chief steward of America's extensive domestic, global, and national security interests, the fidelity of the President of the United States to the national interest must never be subject to question or doubt.

Trump's extensive financial interests in more than 100 companies operating in more than 18 countries and on five continents potentially represent major conflicts of interest between his personal financial interests and the national interests of the American people.

A preliminary analysis of Trump's extensive financial arrangements reveals dozens of potential conflicts of interest.

For example, Trump has received more than \$10 million from his interest in the Trump Towers Istanbul in Turkey, a country with which the United States has extensive, complicated, and politically sensitive military and diplomatic relations.

Since August 2015, Trump's business organizations have registered eight separate companies connected to hotel deals in Saudi Arabia, which is located in one of the world's most critical geopolitical regions.

Based on the limited and inadequate financial disclosures he has made to date, it appears that Trump's business organization is financially dependent upon, and obligated to, Deutsche Bank, its biggest lender, which happens to be negotiating a multibillion-dollar settlement over housing-crisis-era abuses with the Justice Department, a deal that will be finalized with Justice Department officials appointed by Trump.

Companies owned or controlled by Trump's organization also owe hundreds of millions of dollars to the state-owned Bank of China and to Wall Street interests.

The American people are entitled to assume without hesitation or doubt that when the President of the United States meets with foreign leaders and dignitaries that he is motivated only by what is in the national interest and not the private, pecuniary interests of himself, his family members, or his business enterprises.

That assurance cannot be provided when the President of the United States has enormous financial stakes in the enterprises operating in those same foreign countries and refuses to release his tax returns for examination by the public.

It is for this reason—to ensure that the President's loyalty will always be to the nation he leads—that the Framers included the Emoluments Clause in Article I, Section 9 of the Constitution, which provides that: 'no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.'

According to leading experts in ethics, a prohibited emolument would include, for example, anything from a foreign government that benefits Trump, such as providing favorable tax, zoning, licensing treatment for his real estate holdings or enhanced security to protect his business operations.

The financial interests of Trump are extensive, complex, and inter-connected with the interests of foreign leaders and countries.

They are all-encompassing and time-consuming.

But they pale in comparison to the global, diplomatic, economic, and national security interests of the United States, which supersede the interests of any one person or corporation.

As the Scriptures teach, you cannot serve two masters.

And that is why, Mr. Speaker, I believe the President must make a choice, either he should:

1. release his tax returns and divest all of his financial interests; or
2. relinquish the office he holds due to his inability to 'take care that the Laws be faithfully executed' and 'to preserve, protect, and defend the Constitution of the United States.'

IN RECOGNITION OF RICHARD BERNSTEIN FOR RECEIVING THE JOHN DINGELL OUTSTANDING PUBLIC OFFICIAL AWARD

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Richard Bernstein for receiving the John Dingell Outstanding Public Official Award at the 2017 Governor's Fitness Awards Banquet. Mr. Bernstein has had an outstanding legal career and served as a justice on the Michigan Supreme Court with distinction.

After earning a law degree from Northwestern University in 1999, Mr. Bernstein joined the Law Offices of Sam Bernstein, where his work focused on defending the rights of the disabled. In addition to his work in ensuring that public facilities in Michigan are accessible by disabled individuals in accordance with federal law, Mr. Bernstein has also served as an advocate for disabled rights internationally through visits and lectures in various countries, including Australia, Ecuador and Israel. Mr. Bernstein has also compiled a distinguished career in public service. In addition to currently serving an 8-year term on the Michigan Supreme Court, Bernstein has previously been elected to the Wayne State University Board of Governors in 2002 and serving as its chair from 2009 to 2010.

Mr. Bernstein has fought tirelessly on behalf of Michigan residents and those with disabilities. During his time in private practice, Mr. Bernstein helped represent the Paralyzed Veterans of America in a case that resulted in improved accessibility to the University of Michigan's athletic facilities. In addition, his advocacy and effort have resulted in improved accessibility for disabled fliers at Detroit Metro Airport. For these accomplishments, Mr. Bernstein has received numerous awards, including the University of Michigan's James T. Neubacher Award for his work to ensure equal rights for individuals with disabilities. Mr. Bernstein's record of outstanding public service and advocacy on behalf of Michigan residents is more than deserving of this prestigious award.

Mr. Speaker, I ask my colleagues to join me in honoring Richard Bernstein and his record of achievement. Mr. Bernstein's professional record and public service have benefited Michigan and are worthy of commendation.

IN RECOGNITION OF MR. BILL GASKIN

HON. DAVID P. JOYCE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Mr. JOYCE of Ohio. Mr. Speaker, I would like to recognize Mr. Bill Gaskin of Chagrin Falls, Ohio, who for the past forty years has committed his life to growing manufacturing in Northeast Ohio and around the country. Having worked at the Precision Metalforming Association, based in Independence, Ohio, since 1977, Bill has spent the past seventeen years as its President, and helped guide the metalworking industry through some perilous times and lately, through significant growth. Manufacturing is the backbone of our economy, not just in Ohio but throughout the country. Businesses like those in my district are providing family-sustaining careers to more than 12 million Americans now working in manufacturing. Upon his retirement this year, Bill will leave the metalworking industry in much stronger shape than when he first became involved forty years ago. The industry is more vibrant than ever, in part due to the efforts of Bill and others who have committed themselves to strengthening manufacturing in America. I hope that Bill's dedication will serve as an example to future generations of manufacturing leaders.

IN RECOGNITION OF THE 10TH ANNIVERSARY OF THE DOMINION WOMAN'S CLUB

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Mrs. COMSTOCK. Mr. Speaker, I am honored to use this time to recognize the 10th anniversary of the Dominion Woman's Club (DWC) in Virginia's 10th District. The DWC is a member and volunteer organization that focuses on enhancing our community and advocating for important issues—such as performing arts, education, leadership, hospitality, and conservation—through volunteer service in both Prince William and Fauquier Counties.

The DWC was founded in 2007 under the guidance of the General Federation of Women's Clubs of Virginia (GFWC-VA). The GFWC-VA, founded in 1890, focuses on promoting culture and education, increasing domestic abuse awareness, and also establishing smaller, local clubs across Virginia. The DWC's first President was Nanette McKeel Petrella, and many current members credit the club's early success to her leadership and vision.

Today the DWC supports a wide variety of organizations and groups across Prince William and Fauquier Counties, including Bull Run Mountain Conservancy, the Haymarket Regional Food Pantry, Haymarket Elementary School, and more. The members of the club come from many different backgrounds, including teachers, counselors, professional moms, and women involved in various other volunteer organizations in their community, and while their levels of participation and interests may vary, they each share the common goal of serving their community and empowering one another.

The club's current co-Presidents, Susan Sivioli and Celeste Corrigan, have been members of the DWC for a combined 16 years—a true testament to their dedication to our community and helping others. Under their leadership in 2016, the club participated in 49 volunteer programs, contributed 2,746 volunteer hours, and donated over \$7,000 to local groups and organizations and over \$24,000 in in-kind donations.

Mr. Speaker, I ask my colleagues to join me in applauding the Dominion Woman's Club for its dedication to serving our community for the past 10 years. I wish Ms. Sivioli, Ms. Corrigan, and the entire organization the best in their future endeavors.

COMMEMORATING CALVARY TEMPLE'S 100TH ANNIVERSARY

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Mr. DENT. Mr. Speaker, I have the privilege of recognizing Calvary Temple in Allentown, Pennsylvania on the occasion of its 100th anniversary. During the last century, Calvary Temple has served as a place of spiritual en-

lightenment and refuge to the City of Allentown and the surrounding Lehigh Valley.

Calvary Temple began in 1917 as an informal gathering of 12 believers who met in one another's houses to pray for the salvation of close friends and family members. Led by layman Edwin C. Conrad from the 12th Street Baptist Church of Allentown, the group devoted itself to building a new meeting space that could accommodate their growing attendance numbers. By 1922, a ground-breaking was held for the new building, and the group officially deemed their organization the Pentecostal Prayer Band—Assembly of God.

The church wasted no time in establishing ministries, both locally and internationally. Sister Mary Lindberg became the church's representative in India, establishing missionary outreach, which continues to this day. In Allentown, the church began to work with the elderly and inmates at the Lehigh County Prison. Additionally, baptismal services for new members were held at Jordan Park in the nearby river. In the following decades, despite initial hardships, the church continued to devise creative ways of ministering to the surrounding community, including radio and television broadcasts, an annual summer camp, and eventually, Allentown Christian School. Finally, after a number of name changes, the church adopted the name Calvary Temple, and ultimately decided to withdraw from the Assemblies of God in order to become a self-governing, non-denominational body of believers.

Today, Calvary Temple remains a beacon of innovation and community service in its current location. In addition to its four Sunday services, the church hosts small group ministries across the Lehigh Valley throughout the week, and they remain a dedicated and hospitable presence in Allentown.

It is with the utmost respect and appreciation that I ask the House to join me in offering well wishes and congratulations to the men and women of Calvary Temple. May the next century bring about continued congregational growth and meaningful outreach to the Lehigh Valley.

IN RECOGNITION OF MIKE ILITCH FOR RECEIVING THE 2017 VERN SEEFELDT LIFETIME ACHIEVEMENT AWARD

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Mike Ilitch for receiving the 2017 Vern Seefeldt Lifetime Achievement Award at the 2017 Governor's Fitness Awards Banquet. Mr. Ilitch was a Detroit icon whose business and philanthropy have shaped Detroit and the surrounding communities.

A lifelong Detroit resident, Mr. Ilitch joined the Marines after graduating from Cooley High School and then played professional baseball in the Detroit Tigers organization. He then began a pizza operation that, along with his success as a door-to-door salesman, earned enough money to open a dedicated restaurant called Little Caesar's. The chain became a

massive success, and Mr. Ilitch used the proceeds to purchase the Detroit Red Wings and Detroit Tigers sports franchises. Additionally, Mr. Ilitch was a strong supporter of the city of Detroit, refurbishing the Fox Theatre and moving his business headquarters downtown in the 1980s, and continued to support education, nonprofit and civic initiatives in the city throughout his life.

Mr. Ilitch is a Detroit icon whose life and work impacted countless individuals and was crucial to the City of Detroit's revival. His passion and hard work created a world-class organization in Ilitch Holdings, and he was committed to helping Detroit and its citizens throughout his life. Additionally, Mr. Ilitch revived two of America's great sports teams in the Detroit Tigers and Red Wings, bringing Detroit four Stanley Cups and two American League pennants while helping revitalize downtown. In addition, Mr. Ilitch was a committed philanthropist whose nonprofit organization, Ilitch Charities, invested in the community and future of southeast Michigan through its contributions to Detroit area civil groups. He was also a committed father and authentic individual with a kind heart, and he is missed.

Mr. Speaker, I ask my colleagues to join me in honoring Mike Ilitch for receiving the 2017 Vern Seefeldt Lifetime Achievement Award. Mr. Ilitch was a once in a generation entrepreneur and philanthropist whose work impacted countless lives.

IN RECOGNITION OF SEAN ENGLISH

HON. DAVID A. TROTT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Mr. TROTT. Mr. Speaker, I rise today in recognition of the heroic actions of Sean English of Northville, Michigan.

As he and his family drove down I-96 in Detroit, they witnessed a rolled over SUV and selflessly pulled over to help a fellow Michigander. However, at the scene of the accident, Sean and another Good Samaritan, Cynthia Ray, were struck by another vehicle. Tragically, Cynthia Ray, a doctor at Henry Ford Hospital, passed. However, thanks to the actions of Michigan State Police Trooper Patrick Arena, we are blessed to have Sean still with us.

As a junior at University of Detroit Jesuit High School, Sean is admired by his classmates and teachers alike. His dedication to service and kind and uplifting spirit make him the true embodiment of his high school's motto—"men for others."

A shining star on his school's cross country and track teams, he is a talented runner who challenges not only himself, but his teammates and his friends to give it their all and be the best they can at everything they do.

I am so thankful that Sean will continue to be a vibrant presence in our community, surrounded by his family, friends, and fellow Michiganders who will continue to recognize his selflessness on that day and as he continues to serve others.

Sean's a fighter with an unbreakable spirit—a spirit that will sustain him as he experiences

life's peaks and triumphs over its hurdles. My thoughts and prayers are with Sean and his family—John, Peggy, and Megan—as he makes a speedy recovery

RECOGNIZING THE BIRTHDAY OF
QUINN MICHAEL PFENDER

HON. BRIAN K. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize Quinn Michael Pfender, on the day of his Twenty-Second birthday. Quinn is a shining example of a young man, whose characteristics of hard work, determination, and faith exemplify everything we hope to see in our future generations. It is my privilege to recognize him on the Floor of the House of Representatives in our nation's capital.

HONORING THE LIFE OF FRITZ
GERHARD HETZEL

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Ms. KAPTUR. Mr. Speaker, I rise today to recognize the life of Fritz Gerhard Hetzel, a devoted husband, father and grandfather; successful businessman and civic leader; and the Godfather of the Toledo-area German-American Festival.

Fritz was born on July 4, 1931, and grew up in war-torn Germany. He lost his father and other members of his family during the conflict. These tragedies and the difficulty that his mother and his sister and he lived through taught him many things. One such lesson was one that he passed down to his children and grandchildren: "Tough times don't last but tough people do." As his wife Ann says, "That was his mantra with the kids, and even for himself. He went through a lot."

After the war, Fritz learned to be a barber and cut hair at the U.S. 7th Army headquarters in Heidelberg. It was appropriate that Fritz was born on the Fourth of July because his time spent working on the base inspired him to move to the United States. He first immigrated to Canada where he worked as a barber and then earned enough to be granted a U.S. visa.

In 1958, Fritz moved to Toledo, Ohio and began his new life by purchasing a barber business. He later went into sales at Ottawa Hills Memorial Park and was a co-owner of Fritz and Alfredo's, where the German and Mexican dishes on the menu were very popular.

Fritz thrived in Toledo, meeting his loving wife Ann, whom he married on September 9, 1961. He and Ann had 2 daughters, Susan Molloy and Tina Zientarski, and were blessed with six grandchildren: Mitchell, Michael, Matthew, Katherine, Zachary and Grace.

He dedicated himself to his family and to sharing his pride of his German heritage. He was an active member of the American Turn-

ers Club, Bavarian Sports Club and the Toledo Schwaben Verein. At one point there were seven separate German societies in Toledo, and Fritz, along with his friends, was instrumental in bringing the seven societies together to organize one major event, the annual German-American Festival which attracts over 35,000 people annually. The first German-American festival was held in 1966.

Fritz was passionate about music as well, where he led one of the area's most popular German bands, The Tirolers. The band played German music at festival and functions in Ohio, Michigan, Indiana and Pennsylvania.

In 1977, he received the Bundesverdienstkreuz, or, the Federal Cross of Merit from the Federal Republic of Germany, an honor given to citizens of other countries who work to promote German cultural activities in the United States.

Upon his retirement from the restaurant business in Toledo in 2005, Fritz and Ann moved to Delray Beach, Florida, where he immediately joined the Lantana German-American Club and led as the Director of the Club Choir.

Fritz Gerhard Hetzel had never-ending energy and gave his all to his family, community, businesses, and cultural activities. We should all aspire to be a selfless leader as he was. Goodbye (Auf Wiedersehen), Fritz.

IN RECOGNITION OF LTC CHARLES
KETTLES FOR HIS BRAVERY
AND SERVICE TO THE UNITED
STATES

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Lieutenant Colonel Charles Kettles for his outstanding service to the United States during the Vietnam War. LTC Kettles' quick thinking and actions during a firefight with the enemy singlehandedly saved the lives of 44 fellow service members.

LTC Kettles began his military career in 1951 when he was drafted into the Army. He was then commissioned as an armor officer in the Army Reserve in 1953 and subsequently graduated from Army Aviation School, after which time he served active duty tours in Japan, Korea and Thailand. Kettles returned to serve in the U.S. Army during the Vietnam War, where he demonstrated outstanding heroism and service on behalf of the country.

On May 15, 1967, after an airborne infantry unit was ambushed in the Song Tra Cau riverbed in Vietnam by the North Vietnamese Army, then-Major Kettles led three helicopter flights into extremely hostile territory to deliver supplies, reinforcements, and evacuate the wounded and trapped. During the final flight, shortly after leaving the landing zone, then-Major Kettles was informed that eight soldiers remained on the ground. Without hesitating, he returned on his own, without regard for his own safety and with no other support, to rescue the remaining men. For his actions, LTC Kettles was awarded the Medal of Honor on June 18, 2016, following a large grassroots ef-

fort as well as a special Act of Congress to waive the time limit for the award.

LTC Kettles is a true American hero whose bravery and courage under fire are extraordinary and worthy of special commendation. With the efforts of the Veterans History Project, his friends and family, as well as a bipartisan effort from Congress, LTC Kettles was finally able to receive the recognition he deserved. It is a privilege to honor LTC Kettles for his selfless actions that saved so many lives.

Mr. Speaker, I ask my colleagues to join me in honoring LTC Charles Kettles for record of bravery during the Vietnam War. His actions will stand the test of time as an example of true valor and courage.

IN RECOGNITION OF THE GRAND
OPENING OF MOPAR'S WIN-
CHESTER PARTS DISTRIBUTION
CENTER

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Mrs. COMSTOCK. Mr. Speaker, I would like to share with you and our colleagues the news of an infusion of economic vitality in Virginia's 10th Congressional District. On Tuesday, April 18th, Mopar, the service, parts and customer-care brand of Fiat Chrysler Automobiles, will have celebrated the Grand Opening of a 400,000-plus square foot parts distribution center outside of Winchester, in the northern Shenandoah Valley. When fully operational this November, Mopar will have hired 70 workers who, each year, will be shipping 9.2 million auto parts to a couple hundred dealerships in the mid-Atlantic region. Mopar has signed a 15-year lease with Equus Capital Partners and will invest \$12.2 million into equipment for the facility.

First introduced as the name of a line of antifreeze products in 1937, the Mopar brand, which comes from a contraction of the words "motor parts," celebrates 80 years of a significant transformation that today encompasses total service, parts and customer care for Fiat Chrysler Automobile owners around the globe.

The choice of Frederick County, Virginia is an ideal location for Mopar in fulfilling its goal of better and more efficiently servicing Mid-Atlantic regional dealers. Located at the midpoint of the East Coast, Mopar will be able to move product in and out of Frederick County with ease via multiple highways, including Interstates 81 and 66. Frederick County's pro-business tax structure and important workforce development initiatives have led to the county being recognized as among the top 10 percent of all Virginia localities for new job creation and top 15 percent for capital investment over the past decade. In fact, Forbes lists Frederick County and the greater Winchester region as among the top 20 "best small places for business and careers" in the nation.

The quality of the workforce is a critically important consideration of companies as they make decisions about where to locate their operations and I am proud of my constituents in the northern Shenandoah Valley for being

the hard working, well-educated workforce that attracts employers to the area.

Mr. Speaker, I ask that you and our colleagues join me in congratulating Fiat Chrysler Automobiles' Mopar, for 80 years of success and for hiring American workers to distribute automobile parts to customers around the nation, including an additional 70 workers who will be hired at the newly established distribution center in Frederick County, Virginia.

TRIBUTE TO BRIANNE SANCHEZ

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Brianne Sanchez for being named a 2017 Forty Under 40 honoree by the award-winning central Iowa publication, Business Record.

Since 2000, Business Record has undertaken an exhaustive annual review to identify a standout group of young leaders in the Greater Des Moines Area that are making an impact in their communities and their careers. Each year, forty up-and-coming community and business leaders under 40 years of age are selected for this prestigious honor based on a combined criteria of community involvement and success in their chosen career field. The 2017 class of Forty Under 40 honorees will join an impressive roster of 680 past business leaders and growing.

Brianne is the Community Relations Manager at Des Moines University, and is very active in the young professional's community in Des Moines. She was honored as the 2015 YPC Amy Jennings YP Impact Award winner, and co-founded the Des Moines Chapter of the Young Nonprofit Professionals Network. Brianne enjoys spending time with her husband Joe and children Emmett and Eileen, especially going for family bike rides.

Mr. Speaker, it is a profound honor to represent leaders like Brianne in the United States Congress and it is with great pride that I recognize her today for utilizing her talents to better both her community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Brianne on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing each member of the 2017 Forty Under 40 class a long and successful career.

EARTH FRIENDLY PRODUCTS

HON. RAJA KRISHNAMOORTHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Mr. KRISHNAMOORTHY. Mr. Speaker, today I recognize a family-owned and operated company celebrating its 50th anniversary on April 21, 2017.

When it comes to trends that will keep America competitive in the global economy for generations to come, we think of innovation,

entrepreneurship, environmentally friendly businesses, and manufacturing. I was sent to Congress by my constituents to look for innovative ways to bring these trends together, and today I am reminded that a shining example resides right here in my district in Addison, Illinois.

The founding of Earth Friendly Products (ECOS) is a story that rivals any other. The founder, Van Vlahakis, immigrated from Greece to the United States with \$22 in his pocket in 1953 to escape poverty after World War II. First living in homeless shelters and speaking little English, he went on to study chemistry at Roosevelt University while working the night shift at a cleaning products company. During his work, he was exposed to harsh chemicals that gave him headaches and caused co-workers to suffer from rashes and other irritations. Remembering that his mother in Greece used natural substances such as water, vinegar and olive oil for cleaning, Vlahakis decided to start his own business to make better cleaning products. In 1967, he created in his home's garage what would become Earth Friendly Products. ECOS now sells more than 200 environmentally friendly cleaning products in more than 60 countries and has been recognized with safety awards by the Environmental Protection Agency.

We all know we need to make more things in America again. ECOS is a great example of using clean technology to do that while still creating jobs for Illinois working families. Transforming Illinois into a center for science, technology, and innovation is the kind of opportunity that many of us envision for our state. This 50th anniversary for ECOS is an opportunity to remind the country that we can continue to use clean products that protect the environment while creating good-paying jobs at the same time. For ECOS, that means a \$17 per hour companywide minimum wage started by the company in 2014.

Mr. Speaker, I am proud to have Earth Friendly Products in my district, and I look forward to the company continuing to create jobs for my constituents for the next 50 years. I celebrate the 50th anniversary of ECOS and the impact the company has had throughout the country.

IN RECOGNITION OF DICK THELEN FOR HIS OUTSTANDING SERVICE DURING THE SECOND WORLD WAR

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Dick Thelen for being named a finalist for the Wins for Warriors Veteran of the Year Award at the 2017 Governor's Fitness Awards Banquet. Mr. Thelen served his country with distinction and demonstrated extraordinary courage during the sinking of the USS *Indianapolis* during World War II.

Mr. Thelen, born and raised in Lansing, Michigan, joined the United States Navy in 1944 at the age of 17. The following year, he was posted on the USS *Indianapolis* in the

Pacific as it was tasked with delivering the first atomic bomb to the Mariana Islands. After completing this task, the ship moved toward the Philippines to meet up with the 7th Fleet in preparation for a possible invasion of the Japanese mainland. However, during its voyage, the USS *Indianapolis* was attacked and sunk by a Japanese submarine. In the aftermath, Thelen and hundreds of other sailors were forced to float in the water for days while awaiting rescue. Of the crew of 1,197, only 317, including Thelen, made it home.

Thelen is a true hero who endured unspeakable hardship during his service to the United States. His actions and cool head during the aftermath of the USS *Indianapolis* sinking saved lives, and perseverance and character during these difficult circumstances speaks to his resourcefulness and tenacity. It is heartening to see Mr. Thelen continue to be recognized for his heroism, and events like these provide an important opportunity to reflect on the sacrifices our veterans make for our country and the values that it represents.

Mr. Speaker, I ask my colleagues to join me in honoring Dick Thelen for being named a finalist for the 2017 Wins for Warriors Veteran of the Year Award. Mr. Thelen is a true hero who has made tremendous sacrifices on behalf of our country.

TRIBUTE TO CINDY COOKE, DNP, FNP-C, FAANP, AMERICAN ASSO- CIATION OF NURSE PRACTI- TIONERS

HON. MO BROOKS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Mr. BROOKS of Alabama. Mr. Speaker, it is with great pride that I recognize a constituent of mine, Cindy Cooke, DNP, FNP-C, FAANP, of Huntsville, Alabama, for her service over the last two years as President of the American Association of Nurse Practitioners (AANP).

Dr. Cooke has an exemplary career of service with 42 years as an experienced nurse and nurse practitioner. As a nationally board certified family nurse practitioner, Dr. Cooke has provided care to patients for 18 years and for over 12 years exclusively to active duty and retired military members and their families.

Dr. Cooke has been involved in local, state, and national nurse practitioner organizations. Prior to her term as AANP President, Dr. Cooke was past President of North Alabama Nurse Practitioner Association (NANPA), the founding President of the Nurse Practitioner Alliance of Alabama (NPAA), past American Academy of Nurse Practitioners (AANP) State Representative for Alabama, and past AANP Regional Director. Dr. Cooke has been active in speaking locally and nationally on various clinical and health policy topics. She was elected as a Fellow of the American Academy of Nurse Practitioners in 2009.

The American Association of Nurse Practitioners is a national professional membership organization representing over 225,000 nurse practitioners nationally. Under Dr. Cooke's tenure, AANP membership has grown to more

than 75,000 members, making AANP the largest nurse practitioner organization in the world. Dr. Cooke has helped lead nurse practitioners in transforming patient-centered health care and has made tremendous strides in ensuring that policy makers and the public understand the care that nurse practitioners provide to millions of Americans each year.

I urge my colleagues to join me in congratulating Dr. Cooke on a successful term as President of the American Association of Nurse Practitioners and in thanking her for the excellent care she has provided to her patients, the nurse practitioner profession, and the constituents in the Fifth District of Alabama.

SAN BERNARDINO COUNTY
VISION2READ NATIONAL PRESS
CONFERENCE SCHEDULED FOR
APRIL 19, 2017

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Mr. COOK. Mr. Speaker, I rise today to recognize the San Bernardino County Board of Supervisors, San Bernardino Council of Governments Board of Directors, and school districts and agencies throughout San Bernardino County that have adopted the County's Vision2Read early literacy program.

The San Bernardino County Vision2Read National Press Conference was held on April 19, 2017 to announce a newly formed partnership between San Bernardino County Superintendent of Schools, San Bernardino County Preschool Services, First 5 San Bernardino, and the Children's Fund, which will offer the nationally acclaimed services of Footsteps2Brilliance to residents in San Bernardino County. Footsteps2Brilliance will provide free access to early literacy activities in English and Spanish to all families with pre-kindergarten children.

On behalf of the U.S. House of Representatives, I would like to thank all agencies, organizations, and volunteers involved in this collaboration to provide the resources of Footsteps2Brilliance and tools for our future leaders.

IN RECOGNITION OF THE 60TH ANNIVERSARY OF THE MANASSAS BASEBALL LEAGUE

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize the 60th anniversary of the Greater Manassas Baseball League and express gratitude to all those that have contributed both to the success of this volunteer organization and to the development of the youth of Manassas and Prince William County.

In spring of 1957, the league was established with only 4 teams—Manassas Lumber, Mifco (Manassas Ice and Fuel Company), Merchant's Firestone, and Martin Chevrolet—also known as "The Four M's." Each team was fully sponsored by local businesses, which contributed greatly to the community feel of this small-town little league. In fact, Mifco, after 60 years, remains a proud sponsor of the league. In 1978, the late Harry J. Parrish, who was then mayor of Manassas, and Caton Merchant spearheaded the efforts to expand the league, renaming it The Greater Manassas Baseball League. Then in 1981, IBM donated land to the City of Manassas for the construction of a baseball complex. The league today, under the leadership of President Kevin Jennings, consists of nearly 75 teams across all age groups, hosts a variety of fundraisers and events, and still uses the original baseball complex constructed in 1981.

I owe a great debt of gratitude to the Manassas community, local businesses, parents, and coaches for supporting the league throughout the course of its 60-year existence. Today, the league affords many of my young constituents the opportunity to learn the values of confidence and positive character through the various lessons taught in baseball and softball. Sports not only promote healthy living and foster personal growth, but they also are an excellent way to engage with our youth.

Mr. Speaker, I would ask that my colleagues join me in thanking the Greater Manassas Baseball League and its current President, Kevin Jennings, for their commitment to the youth of Manassas. I wish Mr. Jennings, the rest of the Board of Directors, parents, coaches, and all of the little-leaguers the best in their collaborative efforts and future endeavors.

IN RECOGNITION OF THE THIRD ANNIVERSARY OF THE STOUT THEATRE COMPANY AND ITS PRODUCTION OF ALADDIN JR.

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 20, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the Stout Theatre Company on the opening date of its production of Aladdin Jr. For the past three years, the Stout Theatre has provided entertainment and enrichment activities for Dearborn youth through its production and showcasing of musical theatre.

Founded in 2014, the Stout Theatre Company is a student-led enterprise that provides opportunities for personal expression, growth and creativity through its production of plays and community events. STC began at Stout Middle School in Dearborn, Michigan, but has since expanded and now works with youth in surrounding elementary and middle schools to stage musical and dramatic productions. In addition to performing the musical Aladdin Jr., past STC productions have included Hairspray and a musical adaptation of the film Stand and Deliver. The success of these productions has established STC as an important pillar of the community.

STC has not only provided entertainment to the greater Dearborn community, but its productions help provide opportunities for leadership, growth and personal development for Dearborn area students. The months of rehearsals in preparation for the production are a testament to the hard work and dedication of the students and staff involved, and the creativity and dedication of all involved in this undertaking have been key to making the play a success. The STC continues to distinguish itself through its elaborate production and strong performances of the featured students, and it is my hope that the STC will continue to build on the success of previous productions while providing students with the opportunity to gain teamwork and valuable life skills in the years ahead.

Mr. Speaker, I ask my colleagues to join me in honoring the Stout Theatre Company for its record of success on the date of its premiere of Aladdin Jr. The students and staff involved in these and other productions have continued to demonstrate their talent and commitment.

HOUSE OF REPRESENTATIVES—Monday, April 24, 2017

The House met at noon and was called to order by the Speaker pro tempore (Mrs. COMSTOCK).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 24, 2017.

I hereby appoint the Honorable BARBARA COMSTOCK to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

Reverend Vincent DeRosa, Francis Xavier, Catholic Church, Washington, D.C., offered the following prayer:

God and Lord of all, we acknowledge You to be the shepherd of our national good. Exercise over our people all Your benign sovereignty.

We renew our dedication to the rights and justice with which You have endowed us and recommit ourselves in leading truly virtuous lives. In a particular manner, we undertake to bring about the triumph of the common good, especially for the neediest among us, so far as we are able.

Divine Lord, we offer You our humble actions to obtain the peace and prosperity of all our fellow citizens. In this way, may the reign of Your peace be firmly established in all hearts.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 2(a) of House Resolution 242, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 2(b) of House Resolution 242, the House stands adjourned until

noon tomorrow for morning-hour debate and 2 p.m. for legislative business.

Thereupon (at 12 o'clock and 2 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, April 25, 2017, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1116. A letter from the Assistant General Counsel, Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule — Safety Standard for Infant Bath Tubs [Docket No.: CPSC-2015-0019] received April 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1117. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Connecticut; General Permit to Limit Potential to Emit from Major Stationary Sources of Air Pollution [EPA-R01-OAR-2016-0542; A-1-FRL-9952-93-Region 1] received April 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1118. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 2008 Lead, 2008 Ozone, 2010 NO₂, 2010 SO₂, and 2012 PM_{2.5} National Ambient Air Quality Standards; Wyoming [EPA-R08-OAR-2012-0933; FRL-9958-35-Region 8] received April 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1119. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Bacillus simplex strain BU288; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2016-0123; FRL-9960-61] received April 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1120. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Syria that was declared in Executive Order 13338 of May 11, 2004, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

1121. A letter from the Census Bureau Federal Register Liaison Officer, U.S. Census Bureau, Department of Commerce, transmitting the Department's final rule — Foreign

Trade Regulations (FTR): Clarification on Filing Requirements [Docket No.: 151222999-7048-02] (RIN: 0607-AA55) received April 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

1122. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final and temporary regulations — Transfers of Certain Property by U.S. Persons to Partnerships with Related Foreign Partners [TD 9814] (RIN: 1545-BM95) received April 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

1123. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Applicable Federal Rates — February 2017 (Rev. Rul. 2017-4) received April 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

1124. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Rules for Certain Reserves (Rev. Rul. 2017-03) received April 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

1125. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations — Application of Modified Carryover Basis to General Basis Rules [TD 9811] (RIN: 1545-BK09) received April 19, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McCAUL: Committee on Homeland Security. H.R. 1372. A bill to amend the Homeland Security Act of 2002 to ensure that the needs of children are considered in homeland security planning, and for other purposes; with an amendment (Rept. 115-92 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 1694. A bill to require additional entities to be subject to the requirements of section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act), and for other purposes; with an amendment (Rept. 115-93). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 1372 referred to the Committee of the Whole House on the state of the Union.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII,

Ms. BASS (for herself and Mr. RICHMOND) introduced a bill (H.R. 2115) to encourage State, local and tribal jurisdictions to implement and enforce appropriate and time-sensitive procedures to notify the next-of-kin or designated person upon the death or life-threatening emergency of an individual who is in the custody of law enforcement; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY
STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. BASS:

H.R. 2115.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 of the United States Constitution, providing—"All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 31: Mr. ARRINGTON.

H.R. 305: Mr. CONYERS, Mr. SUOZZI, and Mr. CARBAJAL.

H.R. 358: Mr. BYRNE.

H.R. 525: Mr. TAYLOR.

H.R. 548: Mr. JOHNSON of Ohio.

H.R. 564: Mr. BANKS of Indiana.

H.R. 662: Mr. JOHNSON of Ohio.

H.R. 664: Mr. DUNCAN of Tennessee.

H.R. 669: Mr. CARBAJAL.

H.R. 721: Mr. THOMPSON of California.

H.R. 771: Mr. JOHNSON of Georgia and Mr. LARSEN of Washington.

H.R. 959: Ms. SHEA-PORTER.

H.R. 1002: Mr. LOESBACH.

H.R. 1017: Mr. JOHNSON of Ohio, Mr. KIHUEN, Ms. SPEIER, Mr. BARLETTA, Ms. BORDALLO, and Mr. SENSENBRENNER.

H.R. 1065: Mr. SANFORD.

H.R. 1148: Ms. ROYBAL-ALLARD, Mr. KILMER, Mr. KIND, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. CUMMINGS, Mr. HECK, Mr. WELCH, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CRIST, and Mr. COSTA.

H.R. 1279: Ms. SHEA-PORTER.

H.R. 1322: Mr. CONYERS.

H.R. 1442: Mr. MCGOVERN.

H.R. 1452: Ms. BROWNLEY of California and Mrs. BEATTY.

H.R. 1512: Mr. HENSARLING and Ms. DELBENE.

H.R. 1626: Mr. LAWSON of Florida and Mr. DAVID SCOTT of Georgia.

H.R. 1676: Mr. WELCH, Mr. TED LIEU of California, Mr. SMITH of New Jersey, Mr. LIPINSKI, Mr. GUTHRIE, Mr. PANETTA, Mr. PRICE of North Carolina, Mr. KIHUEN, Mr. WALZ, and Mr. LARSEN of Washington.

H.R. 1677: Mr. CARBAJAL, Mr. McCAUL, and Mr. FARENTHOLD.

H.R. 1734: Ms. HANABUSA.

H.R. 1739: Mr. MCGOVERN and Mr. HUFFMAN.

H.R. 1841: Mr. RASKIN.

H.R. 1857: Mr. RASKIN.

H.R. 1899: Mr. GUTIÉRREZ, Mr. BLUMENAUER, Mr. RASKIN, Ms. DELBENE, Ms. JAYAPAL, and Ms. NORTON.

H.R. 1939: Mrs. McMORRIS RODGERS and Mr. ALLEN.

H.R. 2059: Ms. BARRAGÁN.

H.J. Res. 53: Mr. CASTRO of Texas and Ms. PLASKETT.

H. Con. Res. 8: Mr. DEFazio, Mr. MEEKS, Mr. BROOKS of Alabama, Mr. REICHERT, Mr. FLEISCHMANN, and Mr. CURBELO of Florida.

H. Res. 188: Mr. JEFFRIES, Mr. GOSAR, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H. Res. 239: Mr. BERA.

SENATE—Monday, April 24, 2017

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Eternal Lord God, our sure foundation, we need You during this challenging season.

As our lawmakers face a Friday deadline to fund the Federal Government beyond April 28, inspire them to be part of the solutions and not the problems. Remind them that Your first command to humanity in Genesis 1 was to be productive, to solve problems, to subdue the Earth, and to have sovereignty.

Lord, give our Senators the wisdom to subdue division, rancor, and partisanship. May their primary desire be to unite in the common cause of doing what is best for our Nation and world. Show them how to protect the Constitution against all enemies, foreign and domestic.

May those who believe in You remember that You are the only constituent whom they must always seek to please.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. YOUNG). The majority leader is recognized.

ISSUES BEFORE THE SENATE

Mr. McCONNELL. Mr. President, over the past couple of weeks, Senators have had the opportunity to travel to their States, meet with those they represent, and talk about issues that matter most to their communities. I think I speak on behalf of each of my colleagues when I say that this is one of the most important aspects of our jobs. Hearing from those we represent and engaging in discussions about the issues they face allow us to better serve as their voices here in the Senate.

It was a productive State work period, and I know we are all eager to get

back to work here in Washington on many important issues. So I would like to welcome back my colleagues as we head into what is sure to be a busy work period.

As we all know, bipartisan talks continued through the State work period on the way forward on government funding legislation. Those discussions continue this week so we can complete our work on that issue very soon.

And, today, we will have the opportunity to advance two well-qualified administration nominees. In just a couple of hours, we will vote to confirm former Georgia Governor Sonny Perdue to be our next Secretary of Agriculture.

Governor Perdue—who grew up on a farm, worked as a veterinarian, and eventually led a State with a \$74 billion agricultural sector—has been around agriculture his entire life. He is well qualified to oversee and implement this Nation's agriculture, forestry, and food policies. Because of his more than 20 years of public service, Governor Perdue has garnered significant bipartisan backing and was reported out of committee with a near unanimous vote. This is good news for our country, and it is certainly good news for my home State of Kentucky.

Kentucky has a strong heritage of agriculture, which plays an invaluable role in our economy. From traditional cash crops like corn and soybeans to groundbreaking innovations like industrial hemp, Kentuckians continue to be on the forefront of agriculture with cutting-edge research and quality products. In addition, Kentucky is recognized as the world capital of both bourbon and horses. These industries contribute to the State's economy and to our tourism. As the world turns to the Commonwealth for the 143rd Kentucky Derby, our agricultural sector will be on full display.

I look forward to voting to confirm Governor Perdue later today, just as I look forward to working with him to continue developing smart agricultural policies that support both Kentucky and our country.

Then we will take a vote to advance the nomination of Rod Rosenstein to be Deputy Attorney General. Rod Rosenstein was confirmed to his current position as the U.S. attorney for the District of Maryland by a voice vote. He was nominated to that position by President Bush and retained it under President Obama—throughout President Obama's entire term of office.

He comes to the Senate with a recommendation of Democrats, like our

former colleague Senator Mikulski and Maryland's Democratic attorney general, who said that "[Rod] Rosenstein would be an 'outstanding' deputy attorney general."

Rosenstein has earned so much bipartisan support to serve as the Deputy Attorney General that the Judiciary Committee reported out his nomination with all but one member voting in the affirmative. So, clearly, there is no need to force additional procedural hurdles on this nominee. Yet, our colleagues across the aisle have decided to force an unnecessary cloture vote on his nomination anyway. It is the latest in a long pattern this year of needless Democratic obstruction that is not intended to change a result—just delay for delay's sake. I would urge our Democratic friends to reconsider what they are doing.

Mr. Rosenstein is a highly qualified nominee. He is well respected across the political spectrum and within the legal and law enforcement communities. He should be confirmed without further delay.

REMEMBERING KATE O'BEIRNE

Mr. McCONNELL. Mr. President, on another matter, over the weekend, we lost one of conservatism's most insightful journalists with the passing of Kate O'Beirne.

Kate was long a leading voice for conservative principles, and she served as mentor to so many all along the way. In a town full of class presidents and big shots, Kate never hesitated to help someone who was new to Washington or down on his luck.

She was fiercely devoted to her country, to her faith, and to her family, including her husband, Jim, her two sons Phil and John, her sisters, and her grandchildren. Beyond her immediate family, Kate helped to foster a family at National Review with her wit, warmth, and compassion.

As her family, friends, and many others across the Nation mourn her loss today, we wish them comfort in this trying time.

As anyone who knew Kate can attest, her impact will not soon be forgotten.

REMEMBERING MATTHEW McCLANAHAN

Mr. McCONNELL. Mr. President, on one final matter, I would like to offer the Senate's condolences to a family in the Capitol community who suffered a great loss during the recent State work period.

Last week, Matthew McClanahan, a well-respected member of the Capitol

community, passed away after a tragic accident near the Capitol Grounds. Matt worked as a pipefitter for the Architect of the Capitol and earned a reputation as a hard worker who took pride in his work here at the Capitol. As those who were closest to him recall, Matt was “funny, sweet, and kind” and “always the first to show up when someone needed a helping hand.”

His sudden passing is felt by so many—colleagues, friends, family, and most especially by his wife, Lauren, and two young children, Evie and Matthew.

We know that no words can convey the heartbreaking loss they feel, but on behalf of the Senate and the Capitol community as a whole, I want to send our deepest condolences to them at this immensely difficult time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

REMEMBERING MATTHEW MCCLANAHAN

Mr. SCHUMER. Mr. President, first, I echo the majority leader's remarks on the tragic death of Matthew McClanahan last Tuesday. We all know the Architect of the Capitol employs plumbers, landscapers, painters, electricians, custodians, and mechanics. They make their careers by ensuring that our buildings and grounds are well maintained, safe, and beautiful. The stunning tragedy of last week has shaken this entire staff to its core.

Matthew McClanahan died way too young. That he died at work in repairing the Capitol's sprinkler system has hit our entire community very hard.

To those who worked so hard to save him, you have our gratitude and admiration.

To those who feel his absence so keenly in their daily lives, you have our sympathy and our support.

May you remember the words of Scripture fittingly from Matthew: “Blessed are those who mourn, for they shall be comforted.”

Our prayers go out to his family—his wife, Lauren; his 7-year-old daughter, Evie; his young son, Matthew; and to his parents, brothers, and sisters-in-law, and grandparents.

His funeral was yesterday, and I understand it was completely packed, with some mourners outside and un-

able to get in. He was well loved. He will be well remembered.

GOVERNMENT SPENDING BILL

Mr. SCHUMER. Mr. President, I join the majority leader in welcoming everybody back to the Senate after the 2-week recess. We have a lot of business to attend to this week. Most importantly, we have to pass a spending bill to keep the government open.

So far, the discussions between our two sides have been constructive and are progressing nicely. Without interference, I believe our two parties can come together on an agreement by the end of the week. The four-corner negotiations—that is Leader MCCONNELL, Speaker RYAN, Leader PELOSI, and I—have been going very well, and a monkey wrench was thrown into them.

I will caution: If the administration insists on poison pill riders or extraneous funding requests, then our talks could get sidetracked, particularly if the administration demands funding for a border wall.

Democrats have been long clear that the border wall is a nonstarter. More than a month ago, here on the floor, from this desk, I warned against including funding for the border wall in any must-pass government spending bill. If the administration insists on funding for a wall in this bill, it will endanger the prospects of a bill's passing and raise the prospects of a government shutdown because a border wall, we believe, is a pointless waste of taxpayer money for several reasons.

First, President Trump promised that Mexico would pay for the wall, not American taxpayers. The idea that President Trump is fulfilling a campaign promise when he says that America will pay for the wall now and Mexico will pay it back later is untrue. He will only fulfill his campaign promise if he gets Mexico to pay for the wall now. That is No. 1.

Second, the Trump administration has not shown us any specific plans about how and where the wall will be built. How high will it be? How much will it cost? Where along the Rio Grande River will it be built? The President's own Secretary of the Interior, Mr. Zinke, said:

The border is complicated, as far as building a physical wall . . . the Rio Grande, what side of the river are you going to put the wall? We're not going to put it on our side and cede the river to Mexico. And we're probably not going to put it in the middle of the river.

Zinke said it well: How, where, when, and how many dollars is this wall going to cost? Before rushing into it, we ought to see some real plans, not just talk.

Third, the cost of the wall is staggering. Some estimates peg it as high as \$50 billion. That money could be spent a lot better elsewhere on things

like infrastructure and education. For example, with \$50 billion, we could connect more than 98 percent of Americans to high-speed internet, more than double the Federal funding for roads and bridges across our country, and update every VA building listed in the VA's long-range strategic capital plan. The money would be better spent elsewhere.

Fourth, there are much better ways to protect our borders—with drones, fences, and other more cost-effective measures. The President said the wall is needed to stop the flow of drugs, but drugs come into our country in several ways, including by water, through tunnels, and snuck in by cars and trucks. We have all seen the pictures on TV where they hide them in the carburetor of the car, and no one finds them.

A huge, expensive wall will still have to have border crossings for vehicles. A huge, expensive wall could still have tunnels dug beneath it. In reality, a combination of drones and fencing and other more sophisticated means would be a much more effective way to secure the border.

Fifth, in order to build the wall, the President—the Federal Government—would need to take private land, using eminent domain from thousands of law-abiding Americans. Much of the land on the border is privately owned. It is not owned by the Federal Government. Eminent domain? A lot of people on that side of the aisle don't like it, and we all know it would take a very long time to get it done.

For those reasons, it is not just Democrats who oppose the wall, many Republicans oppose the wall. According to a Wall Street Journal survey: “Not a single member of Congress who represents the territory on the southwest border said they support President Trump's request for \$1.4 billion to begin construction of his promised wall.” That includes my friends Senators CORNYN, CRUZ, MCCAIN, and FLAKE.

For the very same reasons, the American people don't support the idea of a border wall by almost a 2-to-1 margin. A recent Quinnipiac poll found that 64 percent of Americans oppose a wall on the border with Mexico, versus only 33 percent who favor it, and that poll didn't even include the fact that Mexico would not be paying for it under the President's plan.

Now, I say to my colleagues and to President Trump, we Democrats don't mind having a debate on the wall in regular order. We don't think it would pass, given the amount of opposition on both sides, but certainly a proposal with as many flaws as this one shouldn't be the thing the administration uses to hold the government hostage and certainly shouldn't be pushed through without debate, without regular order, without answers to these questions.

THE PRESIDENT'S FIRST ONE HUNDRED DAYS

Mr. SCHUMER. Mr. President, now, let's talk a little bit about the President's first 100 days. We are approaching the 100-day mark of the Trump Presidency. It is an appropriate time to take stock of what this President has accomplished so far. Unfortunately, it is not much.

In the first 100 days, so many of the promises the President made to working families during the campaign have either been broken outright or remain unfulfilled.

The President ran as a populist. I have said this to him. The President ran as a populist against both the Democratic and the Republican establishments, promising to stick up for the American worker. He talked like a different kind of Republican who might be willing to work with Democrats, particularly on issues like trade or infrastructure. Instead, the President has spent the first 100 days governing from the far right on behalf of the powerful and the special interests he once campaigned against, breaking his promise to be a President for the American worker—the forgotten men and women, as he called them. It sure didn't take long for the President to forget them too.

The President has broken promises or has yet to fulfill them in areas that matter to so many of his voters and to so many Americans, whether they voted for him or not. He promised he would drain the swamp, right? He talked about it over and over again. He promised he would drain the swamp, but instead he has filled his Cabinet with billionaires and bankers. And listen to this: He has given out secret waivers that allow lobbyists to work in his administration on the very issues they previously lobbied on. That is not draining the swamp. That is filling it up to the brim, going far beyond what others have done.

He said he would deliver better healthcare that would cost less and provide more benefits. At one point, he said we are going to give healthcare to everybody, but his bill, TrumpCare, does the exact opposite, providing fewer benefits at higher costs, all to finance a massive tax break for the wealthy.

He promised a \$1 trillion infrastructure bill. We Democrats sent him our proposal—a \$1 trillion infrastructure bill, taking the number he talked about in the campaign—over a month ago. We haven't seen any proposal or gotten any response from the President.

The President promised he would be tough on trade, outsourcing, and jobs. He promised he would label China a currency manipulator and fight back against their rapacious trade policies which robbed America of millions of jobs and cost trillions of dollars of our wealth. He hasn't done that either.

The 2018 budget he proposed is a dagger to the heart of the middle class, cutting some of the programs that matter to the middle class most, including transportation, education, and scientific research.

So as we head into the 100-day mark, Democrats are going to hold the President accountable for the promises he made to working-class voters. We obviously disagreed with a lot of what he said in the campaign, but he made a number of promises to working-class voters that we could have helped him to accomplish. Unfortunately, he has abandoned those promises in favor of a hard-right, special interest agenda.

We can work together, but only if President Trump and Republicans actually seek Democratic input and are willing to compromise. Right now it seems the President's idea of compromise is never talk to Democrats, put forward his own Republican proposal, and pressure us to support it; never talk to Democrats, that is, about the issues he is moving forward. I have talked to him, but it is never on the issues that are before us. That is not the way our politics have ever worked. Unless the President's approach changes, the next 100 days will be just like the first: a whole lot of talk and no progress, a series of broken or unfulfilled promises to the working families of America.

NOMINATION OF ROD ROSENSTEIN

Mr. SCHUMER. Mr. President, finally, one final issue, the nomination of Rod Rosenstein to be Deputy Attorney General, which we will vote to proceed on later tonight.

I sat down with Mr. Rosenstein a few weeks ago and spent time asking him about his career, his views on the Department of Justice, and protecting the integrity of the Department. I came away with the impression that he is someone who is independent, who would stand up for the law, regardless of which party controlled the White House, and his career backs that up.

With respect to the executive branch investigation into ties between the Trump campaign and Russia, Mr. Rosenstein committed to me he would appoint a special counsel to conduct that investigation if one is required. He has developed a reputation for integrity. He has promised to give this issue careful consideration. I believe, if he studies the Department regulations, he will come to the same conclusion many of us have; that a special counsel is merited.

For those reasons, I will be voting for cloture this evening and voting for his confirmation.

Thank you, Mr. President.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume executive session for consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Sonny Perdue, of Georgia, to be Secretary of Agriculture.

The PRESIDING OFFICER. Under the previous order, the time until 5:30 p.m. will be equally divided in the usual form.

The Senator from Utah.

BEARS EARS NATIONAL MONUMENT

Mr. HATCH. Mr. President, last week, I had the opportunity to return home to visit the recently declared Bears Ears National Monument. This Federal designation encompasses roughly 1.35 million acres in Utah, and it is located in one of our country's most remote communities—Juan County.

For decades, this quiet county remained largely untouched by the tensions of modern life and the taint of Washington politics, but no more. San Juan County is now the epicenter of a brutal battle over public lands, the outcome of which will have long-lasting consequences not only for Utah but for the entire Nation.

In geographical terms, San Juan County is massive. It is the largest county in the State of Utah and the second largest county in the United States. To put the size of San Juan County in perspective, consider that the county itself is larger than several States, including Connecticut, Delaware, and Rhode Island.

San Juan County alone accounts for nearly 10 percent of all the land in Utah. Yet Utahns have had very little to say about what actually goes on there. That is because the Federal Government administers the vast majority of San Juan County. Incredibly, just 8 percent of the county's land is under private ownership while an area of more than 2 million acres is controlled by the Bureau of Land Management.

This means that for years, my constituents who depend on the land's resources, have been at the mercy of out-of-touch bureaucrats who have little knowledge or personal connection to the land. President Obama only made

matters worse when he spurned the men and women of San Juan County by declaring the Bears Ears National Monument last December. In doing so, he defied the will of the State legislature, the Governor, and the entire Utah congressional delegation. President Obama's midnight monument designation imposed even greater land use restrictions on a region that is already predominantly controlled by the Federal Government.

This last-minute monument designation was a case study in Presidential hubris. In making this unilateral decision, our former President either failed to heed the concerns of San Juan County residents or ignored them completely. As evidence of his disdain, President Obama issued this declaration with no open debate, no public hearing, and no vote in Congress. Utahns are now suffering the consequences of his recklessness.

When I visited the Bears Ears region last week, I met with small business owners and local officials who admitted the fact that the Obama administration never even gave them the courtesy of a simple phone call. President Obama knew his last-minute decision would impact the livelihoods of thousands in my State, but he was clearly more concerned with appeasing far-left interest groups than helping the men and women who depend on this land for their very survival.

I wish to be clear. In opposing the Bears Ears Monument designation, I am in no way opposing the protection of lands that need to be protected. Indeed, there are many cultural sites in San Juan County that deserve special care, and I am committed to working with the President and with Congress and with the people in that county to preserve these sacred sites.

I believe it is both unlawful and undemocratic for any President to seize millions upon millions of acres of land through the Antiquities Act—a law that was meant to give the President a narrow authority to designate special landmarks, such as a unique natural arch or the site of old cliff dwellings.

We desperately need a more sensible approach to protecting public lands—an approach that adheres more closely to the original intent of the Antiquities Act. Under this bill, Presidents were to exercise their authority to designate only the smallest area necessary to protect objects of antiquity. Instead, past Presidents have abused their power under the Antiquities Act to seize entire swaths of land.

In the case of Bears Ears, President Obama cited his authority under the Antiquities Act to lock away an entire quarter of San Juan County—an action that undermines local autonomy and clearly violates the spirit of the law. In my view, land use decisions should not be decreed by executive fiat. They should be made only through a collabora-

tive process that involves those who actually live there, live on the land, and know how to manage it.

For example, had President Obama worked with—rather than around—Congress to protect public lands, Utah's schoolchildren would be better off today. That is because there are more than 100,000 acres of school trust land that lie within the 1.3 million-acre Bears Ears National Monument. The land is a significant source of revenue for schools across our State, providing children with the instruction and resources they need to succeed well into adulthood. But with President Obama's unilateral monument designation, this land was effectively rendered useless, eroding our State's ability to raise much needed funding for Utah's schools. Had a more responsible legislative approach been taken to protect Bears Ears, we could have preserved our school trust lands and protected the revenue they generate to benefit Utah's schoolchildren.

I wish to emphasize again that I am fully committed to protecting the vast stretches of red rock, desert, and rolling prairie that dot our western landscape, but the Antiquities Act is not the means to that end. Monumental land use decisions affecting thousands of westerners should be made by the men and women on the ground and their duly elected representatives, not just the President and his advisers. Congress—not the President alone—should have a say in decisions that restrict access to millions of acres of federally owned land.

In making such decisions, the voice of the people is paramount. That is why last week I visited the people of San Juan County. There, I spoke with Native Americans who rely upon this land and its resources for their very livelihood. I met with members of the San Juan School District who depend on the school trust lands to keep their classrooms lit and their schools up and running, and I met with members of the San Juan County Commission who are dealing firsthand with the negative consequences of the Bears Ears designation.

I traveled to San Juan County to listen to the people who feel abandoned by their very own government. My trip only reaffirmed my concern for the Bears Ears National Monument, which I have long held is not in the best interest of San Juan County.

The men and women of San Juan County are a strong and hardy people. They share a deep connection and history with the land. But San Juan County isn't without its struggles. For decades, it has been listed among the most persistently poor counties in the Nation. With the vast majority of the land owned and operated by the Federal Government, the fate of San Juan County rests almost entirely with beltway bureaucrats making politically

motivated decisions more than 2,000 miles away. The families of Southern Utah should not be at the mercy of a Federal bureaucracy so completely out of touch with the western way of life.

Enough is enough. Under the Constitution, Congress has the sole authority to manage public lands. The only reason the executive branch has any say in the management of Federal lands is because Congress granted the President limited authority to participate in this process. We entrusted the executive branch to exercise reasonable authority through bills such as the Federal Land Policy and Management Act. At the heart of these policies was the principle of multiple use and sustainable yield—a mandate that Congress gave the executive branch when granting it this authority.

The mandate of multiple use was meant to preserve the ability of areas like San Juan County to live and grow, even when inundated with federally owned public lands. But President Obama betrayed this mandate through his Bears Ears designation when he declared much more than the smallest acreage possible as required by the Antiquities Act.

When I spoke with the leadership of the San Juan School District, they told me how prosperous the county had been when they were able to strike a balance with multiple land use. But the county's schools have been strapped for cash ever since the Bears Ears National Monument designation rendered these lands useless.

After speaking with school officials, we then met with local county commissioners and Navajo from San Juan County and drove together to the heart of Bears Ears, Bears Ears Meadow—behind me, the actual Bears Ears split of the mountains. We discussed how the monument could be altered so that the lands that deserve protection can remain protected but in a way that is consistent with the language of the Antiquities Act.

I believe there will be changes made to Bears Ears. These beautiful lands deserve protection, but so too do the people of San Juan County. They should not be trampled on by their own government. As long as I am a U.S. Senator, I will not stop fighting to make sure that Utahns have a voice in the management of public lands. For years, I have fought to check the abuse of executive power under the Antiquities Act. That is why I have been working closely with the Trump administration from day one to right the wrongs of previous administrations.

In the opening weeks of his Presidency, I met personally with President Trump in the Oval Office to discuss the national monument issue at length. He listened intently as I relayed the fears and frustrations of thousands in our State who have been personally hurt by the Bears Ears and Grand Staircase

monument designations. I explained the urgency of addressing the harm caused by these devastating measures, and I asked for his help in doing so. I was encouraged that, unlike his predecessor, President Trump actually took the time to listen and understand the heavy toll of such overreaching activities. Our President even assured me that he stands ready to work with us to undo the damage wrought by previous Presidents under the Antiquities Act, and I believe he will do so.

As details emerge, I understand the President even stands ready to issue an Executive order reining in the abuse of authority under the Antiquities Act. Now, this action would direct the Department of the Interior “to review prior monument designations and suggest legislative changes or modifications to [these] proclamations.”

In President Trump, we have a leader who is committed to defending the western way of life. I am deeply grateful for his willingness to work with us to undo the harm caused by the overreach of his predecessors.

In protecting our public lands, I look forward to working with the Trump administration to establish a new precedent of collaboration and trust between States and the Federal Government.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I ask unanimous consent that the time during quorum calls be divided equally.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. STABENOW. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

Ms. STABENOW. Madam President, I rise to support the nomination of former Georgia Governor Sonny Perdue to serve as Secretary of Agriculture.

Since the beginning of the Trump administration, the Department of Agriculture has been left without leadership. Based on President Trump's decisions over the past few months, it is clear, unfortunately, that agriculture and small towns like those all over Michigan have been an afterthought.

It didn't help that Governor Perdue was the very last Cabinet Secretary to

be nominated by President Trump. The White House then took 7 weeks to submit the official nomination paperwork to the Senate, which further delayed our hearing process.

Despite unprecedented delays from this administration, the Agriculture Committee acted in a swift and bipartisan fashion to approve Governor Perdue with overwhelming support.

Governor Perdue grew up on a dairy and crop farm in a small town in Georgia. He worked as a veterinarian and served as a two-term Governor. He has the confidence of nearly 700 agricultural stakeholder groups that represent farmers, ranchers, conservationists, landowners, and the food and nutrition communities. He understands that the Agriculture Department has a profound impact on nearly every community across the country and certainly every family.

Whether it is bringing broadband to small towns, supporting lifesaving agricultural research, feeding our children, our families, our veterans, or protecting our forests, our land, our water, and our air, the Agriculture Department plays a vital role in almost every aspect of American life.

Governor Perdue's leadership is desperately needed by farmers, families, and all Americans who rely on the USDA.

For months, rural America has not had a voice in this administration, and frankly it shows. President Trump's budget proposal makes it clear that rural America is not a top priority for his administration. His proposal cuts USDA funding by 21 percent, the third largest cut to any Federal agency.

To examine the impact these proposed cuts would have on our country's small towns and rural communities, I released a report that highlights how President Trump is turning his back on rural America.

This report demonstrates how the Trump budget would eliminate—eliminate—the rural water and sewer program that repairs crumbling water infrastructure that is depended upon in communities all across America and certainly all across Michigan. This would leave thousands of communities across the country without the ability to provide clean water.

USDA business loans are also slated to end, undermining the creation of new jobs in areas where unemployment is already too high. Again, I can go from community to community in Northern Michigan or in the east or the west and talk with people who have been able to start their small business with the support of USDA rural development business loans, creating jobs, communities, and really helping to form the lifeblood of small towns all across Michigan and the country.

Many more critical services for rural Americans are also on the chopping block. Our farmers and our families,

frankly, deserve better. We need a Secretary of Agriculture who will be a relentless advocate for our Nation's farmers and the important services USDA provides. That is why I am supporting Governor Perdue.

It is important to stress again that American agriculture and our rural communities are already doing more with less. In the last farm bill, we made responsible, bipartisan reforms that cut \$23 billion in Federal spending, and we now know that the 2014 farm bill policies are actually predicted to save tens of billions of dollars more than we originally had expected.

The budget cuts the Trump administration has proposed are frankly irresponsible and show a stunning disregard for the current state of the farm economy. Farm prices are down nearly 50 percent from their highs just a few years ago, and producers are struggling to make ends meet. Rural America is the economic backbone of our country, and too many small towns are still struggling to recover from the great recession.

Over the last 8 years, USDA has made important investments in rural communities, and we are beginning to see small towns across the country on the road to recovery, but there is more to do. Now is not the time for the Trump administration to turn its back on people who live in rural America.

We need a strong voice to insist that the President listen to the 500 groups that are saying that agriculture, conservation, food assistance, and other farm bill services are critical to our economy and should be maintained.

Rural America has waited long enough for a leader at the USDA. I am pleased the Agriculture Committee worked together promptly and thoroughly to review Governor Perdue's qualifications. After multiple conversations and questions, I am confident that Governor Perdue has the experience, the judgment, and the commitment to lead this important Department.

In this Congress, we also have a farm bill on the horizon. I am confident Governor Perdue will be a strong partner as we develop a bipartisan, comprehensive bill that works for farmers and families across our country.

In my conversations with Governor Perdue, it is clear that he understands the challenges farmers are facing, from continued low prices, especially our dairy producers who are struggling because unfortunately the safety net that was put in place has not worked as intended, and it needs to be fixed.

I am pleased he is committed to looking for creative solutions in the short run as well as the long run. Now more than ever, we need the next Secretary of Agriculture to be a champion for all those families across our country who live in small towns and rural communities. I believe Governor

Perdue will look past regional divides and partisan pressures to do what is best for the people we serve.

I urge colleagues to support the nomination of Governor Sonny Perdue, and I also urge this administration to start supporting the small towns and rural communities that make our country great.

Madam President, I yield the floor.

Mr. LEAHY. Madam President, today I will vote for Sonny Perdue to be the next Secretary of Agriculture. Governor Perdue, with his lifetime of experience with farming and agribusiness, stands out as one of the few nominees to this Cabinet who appears well qualified for the position to which he has been nominated.

But to lead the U.S. Department of Agriculture, USDA, and American agriculture, Governor Perdue must represent the broad spectrum of interests before USDA and do all he can to hear from all sides because this truly is the "People's Department." USDA touches the lives of every American, in many ways that include but go far beyond farming itself. This Department's workforce is spread across all 50 States and another 99 countries.

I hope that Governor Perdue will continue the important work that Secretary Vilsack diligently led for the last 8 years, to help USDA look forward to addressing the changing needs of agriculture and rural America. We must stand by our rural communities, communities that, thus far, seem to be forgotten by this administration. These small towns desperately need USDA's help to access broadband, to make critical infrastructure improvements to their water and wastewater systems, and to support new rural businesses.

I also hope that he succeeds in elevating the status of USDA among government agencies in an administration that appears to have forgotten about both this Department, as well as the rural communities that depend on its work. I am hopeful that, as the President's top adviser on matters of agriculture, rural development, safe and affordable food, the role of immigration in our farm labor needs, research, agricultural trade, and countless other issues, he will carefully provide advice that reflects good judgment and independence from the President and respect for the law.

I was grateful when Mr. Perdue said in his confirmation hearing that he would be a voice and an advocate for agriculture at the highest levels of government. As I reminded him at his hearing and in our private meeting, he must represent all of agriculture. This includes not only the farmers he has gotten to know during his tenure as Governor of Georgia, but also our new and beginning farmers, organic farmers, Vermont's dairy farmers, those selling directly to consumers or fo-

cused on local food systems, those trying to develop new markets for energy crops, as well as researchers promoting new farm practices, forestry opportunities, and sustainable practices. He must also stand up for our hungry and malnourished families, both here and abroad, and for consumers who want to know that their food is safe to eat and grown in responsible ways.

This Department's work is vast and far-reaching—from helping those with the least, to stewarding Federal forest and range lands, combating climate change, ensuring food safety, conserving water and wildlife, and preserving farmland, to researching new technologies, feeding young school children healthy meals, advancing international trade, supporting rural communities and housing, and ensuring fair and competitive markets for farmers.

I do have concerns about some of Mr. Perdue's past statements and positions. I am concerned that he continues to question broadly accepted science regarding the role of humans in the mounting climate crisis. I don't feel that every question has been answered related to past ethical issues. I have heard from many Vermonters concerned not so much with the policies and positions of Mr. Perdue himself, but who are alarmed by this administration overall. Some Vermonters fear that Mr. Perdue will not fully defend our vital social programs and environmental regulations. I do appreciate that, in his confirmation hearings, he said that he recognizes that as Secretary he must work hard to improve the lives of the least among us and that he knows that it is our responsibility to leave the land better than we found it.

In these challenging times for agriculture and our rural communities, I call on Governor Perdue to provide a loud voice of reason and a thoughtful balance within what continues to be an undisciplined and impulsive administration led by a President who continues to put forward extreme proposals, such as budget cuts that would starve small towns and communities of jobs and opportunity and have a disproportionate impact on small towns, and the rest of the Cabinet appears in many cases to have very little understanding or interest in the needs of rural Americans.

As a chairman and most senior member of the Senate Agriculture, Nutrition, and Forestry Committee as we begin to write the next Farm Bill, and as vice chairman of the Appropriations Committee, I look forward to working closely with Mr. Perdue in his new role.

Mr. VAN HOLLEN. Madam President, I support the nomination of George Sonny Perdue to be the next Secretary of Agriculture. While I have reservations about some of his record

and views, particularly about climate change, Governor Perdue has expressed the collaborative spirit that I believe will make him an effective Secretary and partner to Congress in our effort to support America's farmers and rural communities.

During his confirmation hearing, Governor Perdue committed to support issues of great importance to Maryland: the Chesapeake Bay, conservation programs, agricultural research, and rural development. Governor Perdue recognized the Chesapeake Bay as a national priority. He acknowledged that it is essential for USDA to work with State and local governments, as well as landowners, on conservation and bay protection. He agreed to work with Congress and the States to dedicate appropriate resources to nutrient reduction and water quality improvements in the bay. I also encouraged him to work with me to support small- and medium-sized farms and to keep our 1,890 Historically Black Colleges and Universities strong, and he committed to do so.

Governor Perdue voiced support for the critical Federal assistance that the Department's rural development agency provides to rural communities in Maryland and the Nation as a whole. He also committed to working with Congress to improve broadband and telecommunications infrastructure in rural America.

Governor Perdue faces a budget that cuts the Department 21 percent, completely eliminates the Water and wastewater loan program and reduces staffing at USDA service center agencies. The budget's \$17.9 billion cut would harm those the Department serves and the people who work there. I expect Governor Perdue to keep his word to be a forceful advocate for his Department.

I have concerns about ethics controversies during Mr. Perdue's tenure as Governor of Georgia and his climate change skepticism. If the Senate confirms Governor Perdue, I will pay close attention to his actions as Secretary. Governor Perdue has made a number of commitments to support agriculture and environmental conservation in Maryland, and I intend to hold him to them.

The PRESIDING OFFICER. If no one yields time, the time will be divided equally.

The majority leader.

LEGISLATIVE SESSION

Mr. McCONNELL. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 32, Alexander Acosta to be Secretary of Labor.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of R. Alexander Acosta, of Florida, to be Secretary of Labor.

CLOTURE MOTION

Mr. McCONNELL. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of R. Alexander Acosta, of Florida, to be Secretary of Labor.

John Barrasso, Susan M. Collins, Ron Johnson, Deb Fischer, Luther Strange, Bill Cassidy, Lindsey Graham, John Boozman, Mike Rounds, David Perdue, Lamar Alexander, Tom Cotton, Orrin G. Hatch, Todd Young, Mitch McConnell, Joni Ernst, Dan Sullivan.

Mr. McCONNELL. I ask unanimous consent that the mandatory quorum call with respect to the cloture motion be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE CALENDAR—Continued

Mr. McCONNELL. Madam President, I ask unanimous consent that the Senate resume consideration of the Perdue nomination, as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MARKEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. (Mr. PERDUE). Without objection, it is so ordered.

REMEMBERING TRISH VRADENBURG

Mr. MARKEY. Mr. President, I rise today to honor the wonderful life and extraordinary work of Trish Vradenburg. It is with a heavy heart that I note the passing of my dear friend and esteemed ally in our na-

tional effort to defeat Alzheimer's disease.

Many of our colleagues in this Chamber not only counted Trish as a friend but also greatly respected her as a champion in the war against an international enemy—Alzheimer's disease. It is through our work shedding light on this horrific disease, creating a roadmap for a cure and strategies for prevention, that Trish and I developed an enduring friendship. She and I shared the experience of having our beloved mothers claimed by this cruel and merciless illness. We knew the ravages of Alzheimer's on our loved ones firsthand and vowed that other people should not have to experience such suffering.

The impact of her mother's illness motivated Trish and her cherished husband George to dedicate much of the past two decades to fighting Alzheimer's disease. Together they raised funds, founded and led the innovative UsAgainstAlzheimer's organization, committing their time, energy, personal resources, and passion to bring Alzheimer's disease out of the shadows and to advocate for the policies and research needed to stop this disease and prevent it from occurring in the future.

Trish was a multidimensional force of nature. Creative, caring, and compassionate, she was a devoted daughter and caregiver to her mother. She was a loving mother to her two children, Alissa and Tyler, their spouses, and four grandchildren. And, as so many of us here know, she was completely dedicated to her husband George, a man of enormous talent and business acumen.

My wife Susan and I have been privileged to call Trish and George treasured friends for more than 20 years. To say that George and Trish were ideal partners does not fully capture their love story. They were soulmates, complementing each other perfectly and creating a powerful, enchanting, and dynamic duet. Many of us have tales of our interactions with Trish and George, witnessing firsthand Trish's indefatigable spirit, perseverance, and leadership. Simply put, you never wanted to tell Trish "maybe" or "no," particularly when the issue was Alzheimer's disease.

This was compounded by the fact that Trish was a master communicator and humorist. She did not mince words and knew how to convey a message, often delivered with memorable one-liners. A gifted writer, she authored novels, sitcoms, and op-eds, with many of her recent pieces calling attention to the great threat of Alzheimer's disease. I had the honor of playing the role of her mother's doctor on stage in Trish's award-winning play, "Surviving Grace," which shines a spotlight on Alzheimer's impact not only on the patient but on their family members as well.

It was right here in the Senate that Trish began her professional career as

a speechwriter to Senator Harrison Williams of her home State of New Jersey. Therefore, it is particularly fitting that the Senate pause to recognize this remarkable woman and her many accomplishments across so many fields.

In closing, it is difficult for me to comprehend that Trish has passed away and that we will no longer hear her powerful voice, her luminous laughter, her one-liners, experience her creativity, and benefit from her passionate conviction that we must keep fighting to defeat Alzheimer's. The indomitable memory of Trish Vradenburg—an amazing, creative, and pioneering woman—motivates us all to live to the fullest and to accelerate our work so that we can soon reach the day when Alzheimer's disease is found only in the history books. In these ways, her inspirational legacy lives on as George continues their important work with Trish in his heart, in her family's love, and in her friends' and colleagues' admiration.

This was a great woman whom we have just lost, a champion for finding a cure for Alzheimer's disease, and I am so honored to be able to speak in the U.S. Senate to tell the Nation of the work of this great woman.

With that, I yield back the remainder of my time.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. TESTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TESTER. Mr. President, I rise to support the nomination of Gov. Sonny Perdue for Secretary of the Department of Agriculture.

As the only active farmer in the U.S. Senate, I have high expectations of the next Ag Secretary. Over the past 2 weeks, like millions of other farmers across this country, I have been on my farm and out in the fields, planting peas and wheat and safflower. When you are on the tractor day in and day out, from sunrise to sunset, you have a lot of time to think, and over these past 2 weeks, I have been thinking a lot about the important role Mr. Perdue will play in strengthening rural America.

A lot has changed in the 100 years since my grandparents homesteaded our farm. New technology and improved equipment has made us more efficient producers, but a consolidation in the marketplace has taken its toll on rural communities. The shrinking number of family farms has depopulated rural communities like the one I grew up in.

Today, a combination of consolidation and low commodity prices is taking its toll on family farmers and

ranchers. Commodity prices are low across the board. In fact, in some cases, markets are below the cost of production. At the same time, we have seen rising input costs. The price of fertilizer and seed is increasing at the same time that we have seen prices decrease. To make matters worse, the big guys use tough times like this to sweep up the family farms and ranches and add to their bottom lines at the expense of hardworking folks who are trying to keep their operations in the family.

The next Ag Secretary needs to work with Senators from rural States like Montana to identify ways to reverse this trend of consolidation because when a family farm goes under, the ripple is felt across the community as schools lose funding, and the local grocery stores and hardware stores lose customers.

Yet this is not the first time rural America has stood nose to nose with adversity. We had adversity in the dirty thirties, and we fought through the high interest rates of the 1970s. I know folks in rural America will overcome adversity once again, but in order to do so, we need an Ag Secretary who will ensure that we are supporting rural communities, not pulling the rug out from underneath them. This means pushing back against the draconian budget cuts that have been put forward by this administration.

The proposed budget slashes 21 percent from the USDA. That is nearly \$5 billion. These budget cuts undermine important resources in rural America across this country and in Montana.

The proposed budget also guts the Farm Service Agency—a one-stop shop where farmers and ranchers sign up for critical ag initiatives. If cuts are made to the Farm Service Agency, farmers and ranchers will likely be forced to travel greater distances to get the assistance they rely on to create jobs in communities like Havre and that they rely on to put food on the tables of this country.

The proposed budget also eliminates the rural Water & Wastewater Loan & Grant Program. When communities cannot access the resources they need to update critical water and watershed infrastructure, rural families suffer. Quite frankly, the White House's budget will be a nail in the coffin for rural America.

The USDA budget needs to reflect the needs of rural communities. That means increasing resources for farmers and ranchers and improving access to high-speed broadband for schools, businesses, and families. It also means boosting overhead support and loans for mom-and-pop businesses. The next Ag Secretary needs to fight for a USDA budget that works for rural families. Once Mr. Perdue is confirmed, I urge him to take the initiative and fight against these damaging cuts that will hurt rural America.

In addition to the USDA budget, we are a year away from the expiration of the farm bill. Over the past 6 months, I have traveled across Montana and have met with folks to discuss their priorities for the next farm bill. With wheat prices at a decade low and with ranchers experiencing an incredible plunge in cattle prices, it is critical that we construct a farm bill that works for family farms and ranches. I do not believe the next farm bill will solve all of the challenges we are facing today, but it should give certainty to farmers and ranchers who could be a bad storm or a cold winter away from losing their livelihoods.

Once Mr. Perdue is confirmed, I will be asking him to take an active role in this debate to ensure that the next farm bill meets the needs of family farmers and ranchers. I urge Mr. Perdue to help me educate folks in this body and in the White House that the safety net is more than a talking point.

Preserving the safety net in the next farm bill will ensure that a bad year does not wipe out family farms and ranches across this country. Families in rural America want a fair opportunity to succeed, and the farm bill should be a tool that works for small-scale producers, not just for the big guys.

Finally, I urge Mr. Perdue to work hand in hand with us westerners to make sure we are responsibly managing our forests. Breaking through the management gridlock in our national forests will reduce fire risks and will put folks back to work.

I have been a long supporter of collaborative efforts to increase active forest management, improve recreation opportunities on our public lands, and preserve these special places for future generations. Republicans and Democrats have worked together to propose important reforms that end fire-borrowing and fund our response to forest fires like we fund other natural disasters. These are the kinds of solutions we need to increase active forest management and put folks back to work in the woods, and I look forward to the next Ag Secretary joining our efforts.

The USDA has a lot on its plate, and rightfully so. There are major issues facing our farmers and ranchers in rural communities and national forests, and it is time to tackle these issues head-on. I think Governor Perdue is a standup man. I appreciate our open and honest conversations about the need to work together to strengthen rural America, and I am more than willing to give him a fair shake, but I will be honest. These problems are too great to ignore through the honeymoon period. I expect Governor Perdue to hit the ground running so we can invest in rural families, improve opportunities for farmers and ranchers, and break through the gridlock that plagues our national forests.

I look forward to tackling these issues with Mr. Perdue, and I encourage my colleagues to give Mr. Perdue the same fair shake.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Georgia.

MR. ISAKSON. Mr. President, first of all, I have a rare opportunity to follow JON TESTER, who is a great farmer from Montana, a great ranking member of the Veterans' Affairs Committee, and a man who knows agriculture well.

I grew up picking up pecans off the ground on my grandfather's farm. I know a little about it. I know the salt-of-the-earth people who grow our food and our fiber who make our country work. I doubt if many people have had the opportunity to be a U.S. Senator, but I know this; that very few have had the opportunity to be a U.S. Senator and serve with the cousin of an ag commissioner, because the Presiding Officer who is presiding over this vote is the cousin of Sonny Perdue, the man we are going to confirm as Secretary of Agriculture under Donald Trump's administration. I am pleased to be the senior Senator from Georgia to brag about all of the Perdues whom I know in my State and all they have contributed to our State and how important Sonny Perdue is going to be to us as the Secretary of Agriculture.

If one looked in Webster's Dictionary—and if it were a picture dictionary and every word were described not by words but by a picture—if one looked up "Ag Secretary," you would see Sonny Perdue's picture.

Think about this for a second. He grew up on a row crop farm in Bonaire, GA, which is an ag community in our State. He was in the fertilizer business and the grain business. He was a partner in a storage and shipping business with his cousin, the junior Senator from Georgia, DAVID PERDUE. He graduated with a doctorate degree in veterinary medicine from the University of Georgia—one of the preeminent veterinary medicine schools in the country. He presided as Governor of the State of Georgia after he was speaker pro tempore of the senate of the State of Georgia. He was the president pro tempore in the senate when he was a Democrat. He was the Governor when he was a Republican. He did not switch parties for any reason except that he wanted to do right, and when one party went in the wrong direction, he took the party in the next direction and took them to lead our State to bigger and higher heights. He presided over a State that has 42,000 farmers and a \$75 billion farm gate product. Georgia is agriculture and knows agriculture.

I served in the legislature with him in the State senate. I served under him when he was our Governor. I served with him as the Governor when I was in the U.S. House, and later in the U.S. Senate. We worked on agriculture business and port business. We worked on

the Port of Savannah. We worked on everything that was in the interests of Georgia. Sonny Perdue knows that there is one way to do a job, and that is the best way he knows how: Do it right the first time, and you never have to apologize.

President Trump has made a great decision for our State. He has made a great decision for our country. He has picked the finest person you could find available in the United States to be the Secretary of Agriculture for the United States of America.

He graduated from the University of Georgia, was in the farm business himself, served as a Governor, served as the speaker pro tempore, and married the prettiest woman in Georgia—and I will get in trouble for classifying her that way, but it happens to be the truth, and I never lie on the floor of the Senate.

I am going to be proud tonight when I cast my vote for Sonny Perdue as Secretary of Agriculture, along with the Presiding Officer and everybody else. I commend our President on a great selection, I congratulate our State on a great favorite son, and I commend the Senate Committee on Agriculture for the nomination of a great Agriculture Secretary, as well as Senator ROBERTS.

I commend my brother and my friend, my fellow Georgian, Sonny Perdue, to the Senate today, and I urge all of my colleagues to vote in favor of his nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I wish to thank my dear friend, my colleague from Georgia, for making such an outstanding statement in his own inimitable fashion—sort of a Paul Harvey of the Senate, if you will—and I know that he would never lie on the Senate floor. He might stretch the truth a little, but just a bit. I thank him so much for his testimony on behalf of our next Secretary of Agriculture.

The Senate will soon vote on the confirmation of Governor Sonny Perdue, the President's nominee for U.S. Secretary of Agriculture.

The Department of Agriculture is made up of 29 agencies and offices, and it employs nearly 100,000 men and women who work in all 50 States and around the globe. The Department provides leadership on food, agriculture, natural resources, rural development, nutrition, scientific research, and related issues that impact every American every day.

Throughout our Nation's history, our farmers and ranchers and business owners in rural America have survived drought and disease and floods and tornadoes and whatever else Mother Nature throws at them. We just had a big prairie fire in Kansas. Yet, year after year, they produce the safest, most

abundant and affordable food and fiber supply in the world.

Today, however, our producers from across the country are facing tough economic times, with multiple years of low prices. These same producers now need a strong market for whatever they produce. During this critical time, the importance of trade for the agriculture industry cannot be overstated. We have to understand within the administration, within this Senate, and with our colleagues in the House, that, yes, it is important to export things that we make, but it is also equally important to export things that we grow.

On top of all of this, our farmers and ranchers and rural businesses have been burdened by regulations from agencies across the Federal Government. I have heard time and again, as has my distinguished colleague who is the Presiding Officer, that the costly and hard-to-understand regulations have and are endangering the ability of our producers to even stay in business.

Members of the Agriculture Committee have a lot of work to do over the next 2 years, including regulatory reform and recommending to our new Secretary what he can do in that regard but also the reauthorization of the farm bill. We intend to do that work in the bipartisan fashion that has served us so well in the past. I will make the statement—I have the privilege of being chairman of the Agriculture Committee—that we are the least partisan committee in the Senate, and today that means a lot. It also means we work well with our distinguished ranking member, Senator DEBORAH STABENOW from Michigan.

But, now, more than ever, agriculture needs a voice, an advocate, and a champion at the highest levels of government, and Governor Perdue has been nominated to serve in exactly that role.

As has been said, he is from Georgia. He was raised on a farm and practiced as a veterinarian before returning to his home county to work in the grain business. He was elected to serve in local and State government, including two terms as the distinguished Governor of the State of Georgia.

During his confirmation hearing—and I want to underscore that his confirmation hearing was unique in the Senate in that there were no attacks on the nominee—Governor Perdue knew the answers to the questions that he was going to be asked. He didn't have to be briefed. The Governor demonstrated a real understanding of the challenges that now face the agriculture industry and the willingness to work together to find solutions.

The Agriculture Committee received many letters in support of his nomination, including support from six former U.S. Secretaries of Agriculture, representing both Republican and Democratic Presidents, and another from

nearly 700 organizations across the agriculture and food value chain.

Last month, the Agriculture Committee voted by voice vote to report Governor Perdue's nomination to the full Senate—a voice vote.

Our farmers and ranchers have been long waiting for this important role to be filled. Once Governor Perdue becomes Secretary Perdue, I know he will put the needs of farmers, ranchers, and others in rural America first, and lead us in both the House and Senate to implement a productive trade policy and economic recovery in rural and smalltown America.

So I urge my colleagues to join in bipartisan support for Sonny Perdue's confirmation as Agriculture Secretary and for being the champion for farmers and ranchers and growers and consumers.

I yield the floor.

Mr. President, after a careful counting of the Members present on the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the question is, Will the Senate advise and consent to the Perdue nomination?

Mr. ISAKSON. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. PERDUE (when his name was called). Present.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. FLAKE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 87, nays 11, as follows:

[Rollcall Vote No. 112 Ex.]

YEAS—87

Alexander	Cortez Masto	Heitkamp
Baldwin	Cotton	Heller
Barrasso	Crapo	Hirono
Bennet	Cruz	Hoeven
Blunt	Daines	Inhofe
Boozman	Donnelly	Isakson
Brown	Duckworth	Johnson
Burr	Durbin	Kaine
Cantwell	Enzi	Kennedy
Capito	Ernst	King
Cardin	Feinstein	Klobuchar
Carper	Fischer	Lankford
Casey	Franken	Leahy
Cassidy	Gardner	Lee
Cochran	Graham	Manchin
Collins	Grassley	McCain
Coons	Hassan	McCaskill
Corker	Hatch	McConnell
Cornyn	Heinrich	Merkley

Moran	Rounds	Sullivan
Murkowski	Rubio	Tester
Murphy	Sasse	Thune
Murray	Schatz	Tillis
Nelson	Schumer	Toomey
Paul	Scott	Udall
Peters	Shaheen	Van Hollen
Portman	Shelby	Warner
Risch	Stabenow	Wicker
Roberts	Strange	Young

NAYS—11

Blumenthal	Markey	Warren
Booker	Menendez	Whitehouse
Gillibrand	Reed	Wyden
Harris	Sanders	

ANSWERED "PRESENT"—1

Perdue

NOT VOTING—1

Flake

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Rod J. Rosenstein, of Maryland, to be Deputy Attorney General.

Mitch McConnell, John Boozman, Jeff Flake, Thom Tillis, Richard Burr, Mike Crapo, John Barrasso, Chuck Grassley, Mike Rounds, John Kennedy, John Thune, Pat Roberts, James E. Risch, Orrin G. Hatch, Shelley Moore Capito, Lindsey Graham, John Cornyn.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Rod J. Rosenstein, of Maryland, to be Deputy Attorney General shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. FLAKE) and the Senator from Alabama (Mr. SHELBY).

Further, if present and voting, the Senator from Alabama (Mr. SHELBY) would have voted "yea."

The PRESIDING OFFICER (Mr. ROUNDS). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 92, nays 6, as follows:

[Rollcall Vote No. 113 Ex.]

YEAS—92

Alexander	Boozman	Cardin
Baldwin	Brown	Carper
Barrasso	Burr	Casey
Bennet	Cantwell	Cassidy
Blunt	Capito	Cochran

Collins	Inhofe	Reed
Coons	Isakson	Risch
Corker	Johnson	Roberts
Cornyn	Kaine	Rounds
Cotton	Kennedy	Rubio
Crapo	King	Sanders
Cruz	Klobuchar	Sasse
Daines	Lankford	Schatz
Donnelly	Leahy	Schumer
Duckworth	Lee	Scott
Durbin	Manchin	Shaheen
Enzi	Markey	Stabenow
Ernst	McCain	Strange
Feinstein	McCaskill	Sullivan
Fischer	McConnell	Tester
Franken	Menendez	Thune
Gardner	Merkley	Tillis
Graham	Moran	Toomey
Grassley	Murkowski	Udall
Hassan	Murphy	Van Hollen
Hatch	Murray	Warner
Heinrich	Nelson	Whitehouse
Heitkamp	Paul	Wicker
Heller	Perdue	Wyden
Hirono	Peters	Young
Hoeven	Portman	

NAYS—6

Blumenthal	Cortez Masto	Harris
Booker	Gillibrand	Warren

NOT VOTING—2

Flake	Shelby

The PRESIDING OFFICER. On this vote, the yeas are 92, the nays are 6.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Rod J. Rosenstein, of Maryland, to be Deputy Attorney General.

The PRESIDING OFFICER. The Senator from Georgia.

CONFIRMATION OF SONNY PERDUE

Mr. PERDUE. Mr. President, I rise tonight to speak briefly about our new Secretary of Agriculture, my first cousin Sonny Perdue. I grew up with this man. I probably know too much about him, but we won't go there tonight. He grew up on a farm. He became a doctor of veterinary medicine and served in the Air Force. He had an ag business for the past 40 years. He and I have been in business together. I have seen his integrity, and I have seen his responsibility all my life.

He is the first Republican Governor in over 135 years in our State in Georgia—just 15 years ago now, I guess. He served two terms. He created the Commission for a New Georgia, and he started an economic development focus in our State that has carried on for the last 15 years and has yielded the fact that our State today, by independent reports, is the best State in the country in which to do business.

Tonight, he has been confirmed as our next Secretary of Agriculture. I could not be more proud for him, for our family, and, most importantly, for our country. I want to be the first in this august body to call my cousin Sonny Perdue by his new title: Mr. Secretary.

I believe he is an outstanding candidate. I want to commend the Presi-

dent of the United States for his nomination. I think this is further evidence that this President, Donald J. Trump, is building an outstanding Cabinet with which to change the direction of our country, to get this economy going, to put America back to work again, to reengage internationally, and develop a fair and level playing field for the rest of the world economically.

As Secretary of Agriculture, my cousin has a big job, and he has a big responsibility. I look forward to working with him as a member of the Senate Agriculture Committee to make our agricultural and farming and ranching industries vigorous and strong now and for future generations. I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BOOZMAN. Mr. President, I am grateful for this opportunity also to offer a few remarks on the confirmation of Governor Sonny Perdue as Secretary of the U.S. Department of Agriculture. President Trump could not have nominated a more qualified individual to lead the USDA.

Today's vote is not only a huge win for agriculture and rural America, but it is a win for the American economy. This vote also represents the first time since the 1990s that a southerner has become Secretary of USDA. For many Arkansans, agriculture is not just a rich part of our State's heritage; it is our livelihood.

Over the last few years, this livelihood has been threatened due to tough economic times in the farm economy. As I travel across the State of Arkansas, I see and hear about those challenges firsthand. In 2013, the farm economy accounted for a record high of \$120 billion. Three years later, the farm economy now has accounted for a record low of \$67 billion. This is a really hard time for the farm economy, and folks are really hurting in rural America.

Now more than ever, our farmers and ranchers need a champion. I believe Sonny Perdue is that champion. One of the ways we can help our farm economy is by opening new markets for American products. I was pleased that during his confirmation hearing, Governor Perdue expresses his support for working hard to open new markets to American agricultural products.

As a two-term Governor from Georgia with a background in agriculture and as a veterinarian, he understands the importance of the agriculture industry to our economy and the challenges our farmers and ranchers face in rural communities. I can think of no better person to lead the USDA during this challenging time. Governor Perdue's resume is impressive, and he is highly respected in the agriculture community.

Simply put, he has what it takes to get the job done. I congratulate Governor Perdue on his confirmation as

Secretary of USDA. I thank my colleagues in the Senate for their support, and I look forward to working closely with him and his staff to address the needs of rural America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

OSCE

Mr. WICKER. Mr. President, I was saddened to learn that an American member of the OSCE Special Monitoring Mission to Ukraine was killed this past weekend by a landmine. Joseph Stone was carrying out his duties in territory controlled by Russian-backed separatists. Two other members of the team—one from the Czech Republic and another from Germany—were injured.

The Organization for Security and Cooperation in Europe controls these monitoring teams. They are comprised of unarmed civilians. The mission has been in the region since 2014, when, unfortunately, Russian-backed troops invaded Crimea. Had Russia lived up to the Minsk agreements and ceased supporting, directing, funding, and fueling separatists in this region, there would have been no need for the mission to continue.

Sadly, that is not the case. This particular special monitoring mission currently fields roughly 700 monitors, with 600 of them in Donetsk and Luhansk. Those who are part of this mission are unarmed civilians. They serve as the eyes and ears for the world in the conflict zone. They report on the near-constant violations of the cease-fire, as well as reporting on humanitarian needs of the population.

They play an essential role in the understanding of the situation on the ground, often under extremely difficult circumstances and, certainly, as we have seen with Joseph Stone, dangerous circumstances. As a member of the Armed Services Committee, I often hear from our top military leaders about the importance of the OSCE and the work being done by the special monitoring missions.

In late March, for example, during a hearing of the Armed Services Committee, GEN Curtis M. Scaparrotti, commander of the U.S. European Command and Supreme Allied Commander in Europe, called attention to the good work of OSCE in the region and the work of the monitoring missions. He confirmed in his testimony that “Russia is directing combined Russian-separatist forces to target civilian infrastructure and threaten and intimidate OSCE monitors in order to turn up the pressure on Ukraine.” He also said, “Russian-led separatist forces continue to commit the majority of ceasefire violations despite attempts by the OSCE to broker a lasting ceasefire along the Line of Contact.”

The tragic death of American Joseph Stone underscores the need for the

OSCE monitors to have unfettered access across the front lines and across the border regions controlled by the separatists. This unfortunate tragedy is a result of this access not being granted.

I commend the Austrian Foreign Minister, who serves as OSCE chair-in-office, for calling attention to this tragedy and calling for an immediate investigation into these events. Those who are responsible for the death of Joseph Stone and the injury of the two other monitors should be held accountable.

Joseph Stone died serving his country by serving as a part of this international effort, and I extend my condolences this evening to his family and friends.

I once again call on the Russian leadership to put an end to the cycle of violence and to live up to its OSCE commitments. As chairman of the Helsinki Commission, the U.S. part of the OSCE Parliamentary Assembly, I think it is important for Members of the Senate and for Americans to understand the important role that Americans are playing in this effort.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

RELEASE OF AYA HIJAZI

Mr. RUBIO. Mr. President, as a part of my office’s “Expression NOT Oppression” initiative, I come to the floor today to highlight once again both a good news story with regard to human rights and a continuing challenge.

First let me begin by highlighting the good news. Aya Hijazi, whom I have spoken about before on the floor, is an American-Egyptian citizen whom Egyptian officials had imprisoned on trumped-up charges almost 3 years ago. She was released, and she was able to return home to the United States last week. I am pleased that she was set free, as are many of my colleagues in the Senate who had been calling for the Egyptian authorities to release her. I know this was a topic of conversation during Egyptian President Elsis’s visit to the United States 3 weeks ago.

I want to also take this moment to thank the Trump administration for working to ensure her freedom. They were instrumental—in fact, they were key in this being possible. They made it a priority in their private engagements with regard to President Elsis.

Sadly, there are still many more political prisoners who remain jailed in Egypt. We here in Congress as well as the administration should continue to raise these issues with the Egyptian Government until all of them are released, regardless of their citizenship status.

As the leader of the free world, the United States must work to safeguard the freedoms and liberties of all people. We must speak frankly with our allies, with our partners around the world,

and we must work with governments to improve their human rights records.

It is ultimately in America’s national security interests to have stable democracies that observe the impartial rule of law and that respect the rights of their people.

CHECHNYA

Mr. President, I would like to highlight the horrific reports on the pro-Russian Chechen Government’s brutal campaign against LGBT people and others over the last several weeks.

Human Rights Watch recently reported that “law enforcement and security agency officials under control of the ruthless head of the Chechen Republic, Ramzan Kadyrov, have rounded up dozens of men on suspicion of being gay, torturing and humiliating the victims.”

There are reports that at least 100 men have been arrested. At least three men have reportedly been killed since the campaign began. Chechen LGBT individuals, as well as those suspected of being gay, have been taken to unofficial secret detention facilities where they have endured heinous abuses.

They also face the danger of so-called honor killings committed by their own relatives.

Instructive in that vein is a statement from a spokesman for the Chechen leader. Here is what he told the Russian news agency, talking about gay men, in particular, in the LGBT community: “If such people existed in Chechnya, law enforcement would not have to worry about them, as their own relatives would have sent them to where they could never return.”

Unfortunately, this is not a new reality for those living under the brutal tyranny of the Chechen leader who, by the way, happens to be a loyal ally of Vladimir Putin. There have been reports in the past of similar abuses, although these reports seem to be the most brutal and should provoke anger in all of us.

We should never, ever tolerate human rights violations against any person for their political views, their religious beliefs, or their sexual orientation.

According to reports today, Russian Foreign Minister Lavrov said that Russian officials had not seen information to confirm the reports. Additionally, Putin’s spokesman said: “We have no reason not to trust the head of the republic”—talking about the Chechen Republic—“until there are actual complaints in this regard, not abstract, anonymous but actual complaints.”

Well, the actual complaints are all around us. They have been well documented in publications throughout the world, but instead, Vladimir Putin is choosing to prop up Kadyrov, the Chechen brutal dictator, and prop up his brutal regime instead of holding them accountable.

The United States and other responsible nations should do more to ensure that all people are protected and those who harm them are held responsible. We should use our voice on the global stage to call attention to these horrifying acts and to ensure that they are condemned in an appropriate way, ultimately in the hopes that they will be stopped.

TRIBUTE TO ALEX BURGOS

Mr. President, before I yield the floor, as a matter of privilege, I am joined by a long-time staffer of mine who, in about 20 minutes, will end his employment with our office.

Alex Burgos has worked for me since 2009, when he left a stable job with a stable paycheck to go work for an underdog candidate with no chance to win in the U.S. Senate race in Florida.

For the last 8 years, he has been a critical member of our team. We are proud that he has moved on and is going to be working in another place outside of government, where he will be quite successful. We have watched him grow both in his professional career as well as his family.

We are very proud of Alex because he is also from South Florida. He grew up in a household in the community where I grew up, in a story we are quite familiar with.

We are very grateful for the service he has provided to the State of Florida, to my office, to my campaign before that, and we are proud of what I know he will achieve in the months and years to come.

Given all the leadership he has provided our office over the years, I am grateful he had a chance to be on the floor with us for this speech.

With that, Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TECHNET'S 20TH ANNIVERSARY

Mr. HATCH. Mr. President, today I wish to recognize TechNet for its indispensable role in promoting the innova-

tion economy and to congratulate the organization on its 20th anniversary.

TechNet is a national, bipartisan network of technology CEOs and senior executives that represents more than 2 million employees in the fields of information technology, e-commerce, advanced energy, biotechnology, venture capital, and finance. Over the last two decades, TechNet has advanced public policies and private sector initiatives that have helped to strengthen our Nation's position as the global technology leader and to create jobs and opportunities for millions of Americans. TechNet has been at the forefront of championing research and development, broadband connectivity, entrepreneurship, cyber security, tax reform, education reform, high-skilled immigration, and many other issues.

TechNet was founded in 1997 by two giants in the technology industry: John Doerr and John Chambers.

John Doerr's technology career began in 1974 at Intel, where he held roles in engineering, marketing, management, and sales. He later founded Silicon Compilers, a VLSI CAD software company, and cofounded @Home, a nationwide broadband cable Internet service. In 1980, John joined Kleiner Perkins Caufield & Byers, KPCB, and has since supported some of the world's most successful entrepreneurs, including Google's Larry Page, Sergey Brin, and Eric Schmidt; Amazon's Jeff Bezos; and Inuit's Scott Cook and Bill Campbell. John avidly supports entrepreneurs seeking to create the "next big thing" in mobile and social networks, education, and economic development. Ventures sponsored by John have created more than 300,000 new jobs. Outside of KPCB, John also supports entrepreneurs who focus on the environment, public education, and alleviating global poverty. John serves on the boards of Amyris, Google, and Zynga, as well as several private technology ventures.

John Chambers spent 8 years with Wang Laboratories and 6 years with IBM before joining Cisco in 1991 as senior vice president, worldwide sales and operations. Over the course of 20 years at Cisco, he helped grow the company from \$70 million, when he joined, to \$1.2 billion when he assumed the role of CEO, to \$47 billion when he stepped down as CEO in 2015. He is now executive chairman of the board for Cisco, where he counsels Cisco's leadership on company strategy, digital transformation, and strategic partnerships. John has received numerous awards for his leadership, including being named one of the Best-Performing CEOs in the World in 2015 by Harvard Business Review and receiving the Edison Achievement Award for Innovation. John has also been named one of Barron's' World's Best CEOs, one of Time Magazine's 100 Most Influential People, and the Best Boss in America by 20/20. In

addition, John has been widely recognized for his philanthropic leadership and his active role in corporate social responsibility initiatives. He served on President Bill Clinton's Trade Policy Committee and on President George W. Bush's National Infrastructure Advisory Council, Transition Team, and Education Committee.

As chairman of the Senate Republican High-Tech Task Force, I commend John Doerr and John Chambers for their continuing efforts to keep America's technology industry at the forefront of the global economy. I honor them for their significant contributions to the tech industry.

In February of this year, I unveiled my innovation agenda for the 115th Congress and discussed several priorities to strengthen and secure America's place as the global leader in innovation. TechNet shares many of these priorities, including spurring high-tech investment and enhancing America's competitive workforce.

Our Nation is in need of workers with training in science, technology, engineering, and math—or STEM disciplines. We need to encourage our rising generation to focus on hard science and quantitative skills and to provide opportunities for Americans already in the workforce to develop expertise in these fields. Enhancing our competitive workforce also means improving the process by which high-skilled individuals in other countries come to the United States to fill crucial positions for which there is a shortage of American labor. As we endeavor to reform our high-skilled immigration system, we need to ensure that this system is not manipulated to undercut domestic wages or displace American workers. We need to reward good actors who use the system as it was intended and close off the ability of bad actors to profit by sending American jobs overseas.

TechNet provides our Nation an invaluable service as it continues to champion policies that promote the innovation economy. As a leader on tech and innovation issues here in the Senate, I look forward to working with TechNet and the rest of the tech community to ensure that the United States remains the global technology leader. I congratulate TechNet on its first 20 years and wish the organization the best of luck in its next 20 years.

REMEMBERING TOM BUTLER

Mr. McCONNELL. Mr. President, I wish to honor my dear friend, Tom Butler, a longtime journalist from Paducah, KY. After an extraordinary life, Tom passed away March 31, 2017 at the age of 79.

During his 35-year career at WPSD Local 6, Tom worked as an announcer, news director, and the vice president of news. John D. Williams, the general manager of the station, remembered

him as “probably the most talented journalist I’ve ever had the privilege to know.” Tom maintained a fierce dedication to accurate and fair reporting. To his viewers throughout western Kentucky, he became a symbol of trustworthy news.

In his decades in the news business, Tom covered everything from the weather to U.S. Presidents, but he may be remembered most fondly for the mentorship he provided. Bill Evans, WPSD Local 6 vice president of news and operations, wrote “[a]t one time, all three television stations in Louisville had prime anchors whom Tom had mentored.” He constantly praised those whom he had helped to get their start in the business, instead of accepting any acclaim himself.

I had the privilege of knowing Tom for many years, and I always enjoyed appearing on his show “Accent,” where I saw his kindness and professionalism firsthand. I join the entire Jackson Purchase community in remembering Tom’s honesty, passion, and faith. Even after his retirement from WPSD, Tom continued to serve at East Baptist Church and as president of the Community Concert Association of Paducah.

Earlier this year, the University of Kentucky Journalism Alumni Association announced that Tom would be inducted into the 2017 Class of the Kentucky Journalism Hall of Fame. Tom’s long and distinguished career makes him incredibly deserving of this honor, and I believe it is an excellent way to pay tribute to his legacy.

Elaine and I send our deep condolences to Tom’s wife, Janice, and his children, Tom, Jr., and Amy. Tom touched so many lives, and we all stand by the Butler family in their time of grief.

AMBASSADOR NIKKI HALEY ON HUMAN RIGHTS

Mr. LEAHY. Mr. President, on April 19, CNN published a guest column by U.S. Ambassador to the United Nations Nikki Haley, “An unprecedented step on human rights.” At a time when President Trump has praised Egypt’s President el-Sisi and Turkey’s President Erdogan, both of whom are responsible for brutal crackdowns on dissent and for subverting the institutions of democracy, and after the White House lifted human rights restrictions on the sale of military equipment to Bahrain and Secretary of State Tillerson did not participate in the public release of the Department’s Annual Report on Human Rights Practices, Ambassador Haley’s op-ed is welcome.

In it, she made several statements that I think bear repeating. For example, she said: “[W]idespread human rights violations are a warning sign—a loud, blaring siren—that a breakdown in peace and security is coming.”

“[T]here is hardly an issue on the agenda of the Security Council that does not in some way involve human rights.”

“The next international crisis could very well come from places in which human rights are widely disregarded . . . we know from history that it will happen. And when it does, the United Nations will be called upon to act. We are much better off acting before abuse turns to conflict.”

I strongly agree with all of that and commend her for saying it.

Ambassador Haley singled out several countries, including Syria, North Korea, Iran, and Cuba, where violations of human rights—although of different types and on vastly different scales—are common.

A few days later, Secretary Tillerson rightly criticized the government of Venezuelan President Maduro, who has locked up his political opponents and sought to decapitate what remains of the institutions of democracy in that country.

It is not sufficient, however, as some in this administration have been doing, to defend human rights only in countries whose governments are regarded as adversaries of the United States. That is the politically safe approach, and it weakens the credibility of those who seek to defend human rights.

It is important to note that the governments of a number of U.S. allies, such as Egypt, the Philippines, Turkey, Ethiopia, Bahrain, Saudi Arabia, and Vietnam, also routinely violate human rights by arresting and imprisoning dissidents, independent journalists, and members of organizations who peacefully protest against government policies.

In the Philippines, anyone suspected of using or selling drugs is in danger of summary execution by the police. Thousands have been killed with impunity in the past 9 months. In Honduras, scores of journalists and environmental activists have been assassinated, and rarely is anyone arrested or punished. In Colombia, thousands of social activists and human rights defenders have been killed, many of them victims of the security forces and rightwing armed groups, and few people have been held accountable. There are many other examples.

I hope Ambassador Haley’s statement is a sign that human rights will become a visible and consistent focus of the Trump administration’s foreign policy. Freedom of expression, association, and peaceful assembly, and due process—these are all rights and ideals that Americans cherish. They are also enshrined in the Universal Declaration of Human Rights. As the world’s oldest democracy, we have a responsibility, and it is in our interest to defend them wherever they are violated because protecting fundamental rights is necessary, not only for justice and the rule

of law, but, as Ambassador Haley points out, for global peace and security, including America’s security.

I ask unanimous consent that Ambassador Haley’s guest column be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From CNN, Apr. 19, 2017]

AN UNPRECEDENTED STEP ON HUMAN RIGHTS

(By Nikki Haley)

Imagine you are the parent of a boy—a teenager. Policemen come to your home in the middle of the night and take your boy away. He is held without explanation for weeks. And when he finally comes home, your boy has all the marks of having been tortured. Bruises from being beaten. Red, open wounds from being burned. Then you look at his hands and the worst is confirmed. Where his fingernails once were, there are only raw, bloody, exposed nerves. Grown men with pliers, he tells you, ripped his fingernails off in prison.

For a group of parents in Syria in 2011, this was not an exercise in imagination but a horrifying reality. Their boys were arrested and tortured for the crime of writing anti-government graffiti on the wall of a school. When the parents marched in protest to demand their children’s release, security services opened fire on them. When more people came out to protest the killings, the government fired on them again. Soon, the point of no return was reached.

“We were asking in a peaceful way to release the children but their reply was bullets,” a relative of one of the boys told a reporter. “Now we can have no compromise with any security branches.”

The Syrian war is just one example of how human rights violations can become a vicious cycle of violence and instability that quickly spirals into all-out war. What began as an act of free expression of the kind Americans take for granted has become a conflict responsible for hundreds of thousands of deaths and millions of desperate refugees. Nations thousands of miles away have been impacted.

As the U.S. Ambassador to the United Nations, I’ve looked at how we can do more to respond to human rights violations before they reach the level of conflict. Traditionally, the United Nations Security Council has been considered the place where peace and security are debated, not human rights. But Tuesday, at the insistence of the United States, for the first time the Security Council took up the connection between human rights and conflict. We debated how widespread human rights violations are a warning sign—a loud, blaring siren—that a breakdown in peace and security is coming.

Syria is not alone. In the Democratic Republic of the Congo today, it is no coincidence that reports of government soldiers and armed groups committing extrajudicial executions of civilians in the Kasais region are occurring at the same time that the security situation appears to be quickly spiraling out of control.

These sorts of allegations demand answers from independent investigations. And when violations are found to occur, the United Nations cannot turn a blind eye. We must engage these violators early and often, in the statements we make and the measures we impose. Human rights violations and abuses suffered by civilians rarely have a happy ending. At best, they drive desperate people

from their homes and from their countries. At worst, they radicalize them to take up arms themselves.

In other cases, human rights violations and abuses don't lead to violence down the road, they exist side-by-side with threats to peace and security. In fact, the world's most brutal regimes are also the most ruthless violators of human rights.

In the case of North Korea, human rights abuses literally finance the government's nuclear and ballistic missile programs. Political prisoners work themselves to death in coal mines to finance the regime's military. Starvation, sexual violence and slave labor in the prison camps help supply the North Korean nuclear program.

In Burundi, the government is using human rights violations to stifle dissent. The Burundian government services use torture to crack down on protestors. This has forced hundreds of thousands of people to flee to neighboring countries and caused massive regional disruption. A U.N. report detailed 17 types of torture used by the government, including driving sharpened steel rods into the legs of victims and dripping melted plastic on them.

In fact, there is hardly an issue on the agenda of the Security Council that does not in some way involve human rights. As president of the Council, I've had great support from U.N. Secretary General Antonio Guterres in driving home the connection between threats to human dignity and threats to peace. I'm grateful as well to my colleagues on the Security Council, who agreed to take this unprecedented step.

The next international crisis could very well come from places in which human rights are widely disregarded. Perhaps it will be in North Korea or Iran or Cuba. We don't know when the next group of desperate people will rise up or when the next gang of violent extremists will exploit human suffering to further their cause. But we know from history that it will happen. And when it does, the United Nations will be called upon to act. We are much better off acting before abuse turns to conflict.

Imagine if we had acted six years ago in Syria. If we learn nothing else from the torture of children, let it be this: Evil is an inescapable fact of life, but the violence that results from human rights violations and abuses is not inevitable. We can choose to learn from history, not doom ourselves to repeat it.

OPENS ALASKA ACT

Ms. MURKOWSKI. Mr. President, Senator SULLIVAN and I introduced a bill, S. 883, the Offshore Production and Energizing National Security Alaska Act of 2017, to lift a damaging Federal moratorium, reopen Alaska's energy-rich Arctic waters to responsible production, and ensure our home State receives a fair share of the revenues from development off our coasts.

According to the U.S. Geological Survey, the Arctic contains 22 percent of the world's undiscovered, technically recoverable oil and gas resources. The Federal Government projects that the Beaufort and Chukchi Seas alone contain an estimated 23.6 billion barrels of oil and 104.4 trillion cubic feet of natural gas. Yet, despite that prolific potential, the Obama administration

spent much of the past 8 years systematically putting the region off limits.

It began with the cancellation of lease sales scheduled for our Arctic Outer Continental Shelf. It continued with critical habitat designations, the imposition of burdensome new rules, and a constantly shifting administrative approach that seemed designed to make commercial operations impossible. We saw new withdrawals in our Arctic OCS in early 2015, followed by a decision by President Obama, just days before he left office, to withdraw nearly all of the region from future leasing. Those decisions ran directly contrary to the views of the vast majority of Alaskans, who overwhelmingly support the responsible development of our Arctic OCS. Those decisions ran contrary to the promises made to Alaskans, at statehood and repeatedly in the years since then, that we would be allowed to access our resources to help build our State. Those decisions have already cost Alaskans jobs and revenues and today continue to deprive us of a golden opportunity to provide for our families, end our economic recession, and refill our Trans-Alaska Pipeline System.

Our bill, the OPENS Alaska Act, recognizes our needs and opportunities in Alaska, it rejects the heavy-handed decisions made against our State in recent years, and it puts our policies for the Arctic OCS on a better track.

First, it repeals President Obama's so-called 12(a) withdrawal of nearly all of the offshore Arctic. This is a simple necessity, before leasing can occur. It is not a statement about the President's current legal authority to amend, modify, or revoke a withdrawal made under section 12(a) of the Outer Continental Shelf Lands Act. I believe our new President has all the authority he needs to revoke the Alaska withdrawals, and I hope he will do just that. If he does, precedent will be on his side. In the meantime, our legislation makes clear the position of Alaska, which is that we do not support the withdrawal and want it gone by any possible legal means.

Next, our bill would create a new nearshore Beaufort Planning Area. The State of Alaska currently conducts annual lease sales in the area from zero to 3 miles offshore. The establishment of a separate planning area in the adjacent nearshore zone will provide a real, near-term opportunity to provide vital throughput into the Trans-Alaska Pipeline System, known as TAPS, because of its proximity to existing infrastructure. Projects in this area are easier, faster, and less expensive.

Our bill would also provide for additional lease sales in the Nearshore Beaufort Sea and Cook Inlet Planning Areas. By lifting the withdrawals in the Beaufort and Chukchi Seas, those areas would be eligible for leasing in the next Five-Year OCS Leasing Pro-

gram or a supplement to our current program. Frequent and predictable lease sales are needed to create stability and certainty for investors, Alaska, and the United States.

It is also important that Alaska and Alaskans receive fair compensation for any exploration, development, and production that occurs in the Arctic OCS. Under current law, no matter how much energy we provide for the rest of the Nation, Alaska will receive none of the revenues. That arrangement is widely recognized as unfair, and so my bill devotes a reasonable share of the revenues that will only be generated as a result of this bill, and as a result of the waters that are only part of the United States by virtue of Alaska, with our State.

We have divided revenue sharing into two time periods, from 2017 to 2027 and from 2027 onwards, to reflect our differing needs during the exploration, development, and production phases. During the initial 10-year period, our bill proposes that 7.5 percent of the revenues be shared with the State and 7.5 percent of revenues be divided between coastal political subdivisions. The division between coastal political subdivisions is based on distance from the lease tracts, with 90 percent of the funds going to areas within 200 miles and 10 percent reserved for coastal political subdivisions that are beyond 200 miles but determined by the State of Alaska to be staging areas.

In addition, our bill would allocate 2.5 percent of the revenues it generates to fund competitive grants for workforce development in support of OCS development, 2.5 percent to fund the North Slope Science Initiative, 2.5 percent to the Secretary of the Interior to support offshore development and the establishment of pipeline rights-of-way on Federal land associated with Beaufort and Chukchi development, and 2.5 percent to the Tribal Resilience Program established by the act. The remaining 75 percent would go to the U.S. Treasury, to help pay down our national debt.

Following the initial 10-year period, we propose to divide the revenues slightly differently, with 50 percent going to the Treasury, 30 percent to the State, 7.5 percent to coastal political subdivisions, and 12.5 percent to the Tribal Resilience Program established by the act. These divisions do not apply to what is known as the 8(g) zone, such as the Nearshore Beaufort, where Alaska currently receives 27 percent of revenues.

The Tribal Resilience Program established by our bill, which is national in scope, would provide grants for a number of critical purposes. These funds could be used to relocate villages or communities experiencing or susceptible to coastal or river erosion, to construct infrastructure to support emergency evacuations, to restore or repair

infrastructure damaged by melting permafrost or coastal or river erosion, to install and manage energy systems that reduce energy costs and greenhouse gas emissions, and to construct and maintain social or cultural infrastructure that supports resilient communities.

The OPENS Alaska Act will allow our home State to produce more of its vast offshore energy resources, which is a priority for the vast majority of Alaskans. It will help us create good jobs, generate billions of dollars in new revenues, and ensure a stable footing for our State for generations to come. I urge the Senate to recognize the improvements this bill makes to our current policies and to join Senator SULLIVAN and I in supporting its passage in this Congress.

102ND ANNIVERSARY OF THE ARMENIAN GENOCIDE

Mr. REED. Mr. President, last Thursday I had the honor of joining my friends from the Armenian National Committee of Rhode Island in my hometown of Cranston, RI, to raise the flag of Armenia in remembrance of the 102nd anniversary of the Armenian genocide.

Over a century ago, the Young Turk leaders of the Ottoman Empire summoned and executed over 200 Armenian community leaders and intellectuals, beginning an 8-year campaign of oppression and massacre.

By 1923, an estimated 1 and a half million Armenians were killed, and over a half a million survivors were exiled. These atrocities affected the lives of every Armenian living in Asia Minor and, indeed, throughout the world.

The survivors of the Armenian genocide, however, persevered due to their unbreakable spirit and steadfast resolve and went on to greatly contribute to the lands in which they found new homes and communities, including the United States.

This genocide has been denied for far too long. That is why I have joined with several of my colleagues on resolutions over the years to encourage the U.S. to officially recognize the Armenian genocide.

But as we remember our history, we must also look to the present and to our future.

Recent efforts to bring Azerbaijan to the negotiating table have injected new momentum into the push for a lasting agreement in Nagorno Karabakh. It is critical that the United States, along with our regional partners, continue to press for a peaceful resolution to the conflict that respects the rights of all stakeholders and allows for a more stable and prosperous future for Armenia.

As ranking member on the Senate Armed Services Committee, I remain committed to supporting efforts to provide assistance to Armenia to strength-

en security, promote economic growth, and support democratic reforms and development.

We also must find a way to come together to recognize our past and to show our unwavering support to those facing persecution today.

TRIBUTE TO JOHN MASSICK

Mr. GRASSLEY. Mr. President, we often hear about the term "Greatest Generation" in describing the people who endured the Great Depression and persevered in World War II. Today I am proud to talk about one of those people who is a part of the Greatest Generation, my constituent John Massick.

John was born, quite fittingly, on Veteran's Day in 1915. Last November, John celebrated his 101st birthday.

Mr. Massick enlisted in the Army in 1941, serving the H Company 378th Infantry Division. During his time in the Army, John was promoted to the rank of sergeant. John served in combat, including multiple battles in France during 1944. Mr. Massick's service concluded upon his honorable discharge in 1945. He earned several decorations in the line of duty, earning the Good Conduct Medal, American Defense Service Ribbon, two Bronze Stars, and others.

After John's discharge from duty, he returned home to Davenport, IA, where he still lives. John and his late wife, Velma, raised a son and a daughter.

Our country can't thank Mr. Massick enough for his service. We will never truly be able to repay the debt owed to those who put their lives on the line in defense of freedom, not just for Americans but for those around the world. While I may not ever be able to thank Mr. Massick enough for his service, I do hope that shedding light on his incredible service may serve as a symbol of this body's gratitude.

TRIBUTE TO COLONEL SCOTT JACKSON

Mr. ISAKSON. Mr. President, today I wish to thank COL Scott Jackson for his exemplary service and outstanding leadership as the chief of the Army's Senate Liaison Division. During his tenure with the Office of the Chief Legislation Liaison, Scott was able to bring more than 24 years of experience in various leadership and staff positions to provide superior support to the work of the U.S. Senate. Additionally, I congratulate Scott on his recent selection to command the Army's first Security Force Assistance Brigade at Fort Benning, GA.

In support of the global war on terror, Scott has deployed to Iraq three times, for a cumulative 41 months. In 2003, he served as the lead operational planner for the First Cavalry Division, writing the initial counterinsurgency campaign plan for Baghdad; subsequently assigned as the executive offi-

cer for 2nd Battalion 7th Cavalry Regiment and participated in its assault into Najaf, Iraq, August 2004, and Fallujah, Iraq, November 2004. In 2006–2008, he served as the 3rd Heavy Brigade Combat Team, First Cavalry Division, deputy brigade commander with duty as the deputy team leader, Diyala Provincial Reconstruction Team, where he was the governance team leader and senior coalition adviser to the governor of Diyala, providing daily coaching, mentorship, and liaison to the provincial governor.

In April 2008, Scott assumed command of 1st Battalion 5th Cavalry Regiment and deployed his battalion in January 2009, assuming responsibility for coalition operations in the Baghdad districts of Adamiyah, Rusafa, and Taji. During this deployment, his battalion executed the coalition withdrawal from the cities and transition of responsibility to the Iraqi Security Forces.

Following command, Scott was selected to be the assistant chief of staff, G3, Operations and Plans, for the First Cavalry Division and subsequently selected as an Army War College fellow at the MIT Lincoln Laboratory. While at Lincoln Laboratory, Scott focused his research on how technology enables the application of strategy, producing an original research project entitled, "An Operational Design Concept for Wide Area Persistent Biometric Surveillance."

Following the War College, Scott served as the 3rd Infantry Division, Rear chief of staff, while the headquarters was deployed in support of Operation Enduring Freedom. He then went on to assume command of the 2nd Armored Brigade Combat Team, SPARTANS, at Fort Stewart, GA, from 2013 to 2015.

Scott's humble character rarely does justice to his accomplishments and accolades. However, he does speak very proudly of his wife, Valerie, and their sons, Benjamin and William. Military families are true testaments of both strength and pride. They are constantly challenged by deployments, changes in duty stations, and uncertainties. These hurdles create resiliency that the Jackson family patriotically embodies. Scott's family are his pride and joy and will equally be missed by everyone they have inspired during their time here.

While we will miss having Scott's support and counsel here in the Senate, I know that he will be moving on to greater things. I want to again thank Scott and his family for their service to our great Nation and congratulate him for his selection to command the Army's newest brigade at Fort Benning.

ADDITIONAL STATEMENTS

30TH ANNIVERSARY OF THE
L'AMBIANCE PLAZA COLLAPSE

• Mr. BLUMENTHAL. Mr. President, yesterday was Sunday, April 23.

In Connecticut, April 23 is a solemn day. It is the day when we pause to remember and reflect upon the lives lost and the lives forever altered by one of the worst workplace disasters in Connecticut history, the collapse of the L'Ambiance Plaza construction site in Bridgeport.

On almost every April 23, I have stood with laborers, families, officials, and others at the L'Ambiance memorial park to recognize the heart-breaking loss. It is a somber, sobering moment.

On that day—30 years ago yesterday—workers were constructing a 16-story apartment building using a process known as the lift-slab method. This method allows floors to be built at the base of a building and then hoisted up, one by one, using hydraulic lifting technology. This process was at work at L'Ambiance Plaza when things went horribly wrong. Due to shortsightedness and failures by the building's developers, the massive concrete slabs that formed several upper floors gave way, crushing the floors below like pancakes, all within seconds.

Twenty-eight workers lost their lives. Nearly 2 dozen others were seriously injured. Those who survived the collapse demonstrated tremendous bravery and unity in the days afterward as a massive rescue and recovery operation ensued. The techniques deployed in that operation were later put to use at the World Trade Center on 9/11.

In the aftermath of the tragedy, the lift-slab method of construction used in Bridgeport ended nationwide, thankfully. Still, however, the pain and grief continues for the families who lost loved ones.

Today, in recognition of this grave anniversary and in memory of the victims, I enter into the RECORD their names: Michael Addona, Augustus Allman, Glenn Canning, Mario Colello, Francesco D'Addona, William Daddona, Donald Emanuel, Vincent Figliomeni, Herbert Goeldner, Jr., Terrance Gruber, John Hughes, Joseph Lowe, John Magnoli, Rocco Mancini, Richard McGill, Mario Musso, Nicholas Nardella, John Page, Guiseppe Paternostro, Angelantonio Perugini, John Puskas, Jr., Anthony Rinaldi, Albert Ritz, Michael Russillo, Reginald Siewert, William Varga, Frank Visconti, and Scott Ward.

We must honor their lives—and the lives of many other American workers killed or injured in the workplace—by ensuring that employees are able to work at facilities that are safe and secure, free from needless dangers and

hazards. We can achieve that realistic goal through strong regulations, meaningful oversight, and effective enforcement.

On this day, I pledge to continue fighting for workers and workplace safety. I pledge to fight against efforts to roll back safety rules and against efforts to hamper agencies tasked with enforcing those rules.

I strongly urge and challenge my colleagues and this administration to demonstrate their concern for their constituents and all American workers by publicly adopting this same pledge.

We owe nothing less to the 28 victims of the L'Ambiance Plaza disaster.

Thank you.●

REMEMBERING INA BOON

• Mr. BLUNT. Mr. President, Missouri has lost a true crusader of the civil rights movement. Ina Boon passed away Monday, February 27, in St. Louis, at the age of 90 after dedicating her life to fighting and advocating for justice and equality through her long tenure at the National Association for the Advancement of Colored People, NAACP.

Ina Boon started as a volunteer for the St. Louis Branch of the NAACP. She quickly demonstrated her tenacity and strong leadership skills to work her way up in the organization. Ms. Boon's work included a position at the NAACP headquarters in New York, but she is best known for the work she did as the region IV director of the national NAACP office. In that role, she became the national office's longest serving regional director.

Over the years, she became a fearless advocate and organizer, helping to address racial inequities in the workplace. Even in the face of adversity, she was not deterred. When her counterpart Medgar Evers was killed in 1963, Ina Boon sent her children to live with family members in Wisconsin, while she continued to push for changes. For over 50 years, Ina Boon worked in various roles for the NAACP, never ceasing and always full of energy, even up to her retirement in her late 70s.

As a true civil servant, Ina Boon continued to give back after her retirement through her work on many St. Louis area boards such as the Myrtle Hilliard Davis Comprehensive Health Center, the St. Louis Black Roundtable, and the Eastern Star Missionary Baptist Church. She even provided her expertise to help the local St. Louis County NAACP, where she volunteered to serve as their branch president.

Ina Boon is survived by her son Gentry Trotter, founder of Heat-Up St. Louis/Cool Down St. Louis. Like his mother, Gentry Trotter saw the needs in the community and stepped up to address them. His organization focuses on regional energy assistance to help as a safety net to prevent low-income

families, seniors, and people with disabilities from losing their heat or air-conditioning in times of freezing temperatures or the excessive summer heat. The organization also offers energy efficiency education and advocates for public engagement regarding utility rates, health, and safety issues. Ina Boon leaves behind nieces, nephews, grandchildren, and seven great- and great-great-grandchildren. She will be missed by many, but her work and efforts will never be forgotten.●

RECOGNIZING MOUNTAIN HOME
AIR FORCE BASE AND THE 366TH
FIGHTER WING

• Mr. CRAPO. Mr. President, my colleague Senator JIM RISCH joins me today in honoring Mountain Home Air Force Base both on its 75-year anniversary and the 366th Fighter Wing of Mountain Home Air Force Base on its 50-year anniversary of being recognized as the "Gunfighters."

According to historical accounts from Mountain Home Air Force Base, the 366th Fighter Wing's roots trace back much further than 50 years, all the way to the activation of the 366th Fighter Group in 1943. The fighter group participated in action over France, ground support in the Normandy invasion, air attacks near St. Lo, France, and attacks and reconnaissance in the Battle of the Bulge. Following World War II, the fighter group went through deactivations, reactivations, redesignations, and base reassignments before earning its nickname, the "Gunfighters," in the 1960s, for its weapons innovation and effectiveness in accomplishing its missions in Vietnam. The wing became renowned as the Gunfighters after it mounted Gatling gun pods on its aircraft wings to improve short-range capabilities in battling enemy aircraft over Vietnam. The Gunfighters' effectiveness was recognized with a Presidential unit citation. The tenacity and ingenuity at the heart of the wing and its earning its Gunfighters moniker is an attribute we celebrate today.

While both the fighter wing and Mountain Home Air Force Base started taking shape in 1943, it was not until 1972 that the two combined when the then-366th Tactical Fighter Wing, later redesignated the 366th Fighter Wing, moved from Vietnam to its current location at Mountain Home Air Force Base. Mountain Home Air Force Base reports that the base first opened on August 7, 1943. The base has since been home to many of our Nation's outstanding servicemembers, including the men and women of the 366th Fighter Wing. From accommodating the training of crews for a variety of aircraft to supporting combat, covert, and special operations missions, the base has a long history of remarkable contributions to defending Americans and

allies both at home and all around the world. As part of its more recent service, Mountain Home Air Force Base has provided personnel and equipment to support efforts in Iraq and Afghanistan, as well as throughout Southwest Asia.

The approximately 3,500 military and civilian members and 4,300 family members of the 366th Fighter Wing and Mountain Home Air Force Base have an extensive record of excellence. In 2015 and 2016, the 366th Fighter Wing received the Air Force Outstanding Unit Award, adding to a long list of accomplishments of the men and women of Mountain Home Air Force Base. The families of the 366th Fighter Wing and Mountain Home Air Force Base represent a lasting tradition of distinction in meeting our Nation's call to service. As we celebrate the significant milestones of the Mountain Home Air Force Base and 366th Fighter Wing, we also honor the exceptional dedication inherent in those who serve and the families who support their service.

Congratulations, Gunfighters and all those who support Mountain Home Air Force Base, on your decades of achievements and extraordinary service.●

REMEMBERING ELEANOR BYERS

● Ms. HASSAN. Mr. President, today I wish to celebrate the life of my aunt, Eleanor Atwater Byers, who passed away peacefully on March 20, 2017. Nunnie, as she was affectionately known, was born on November 30, 1927, in Fall River, MA, and grew up in Tiverton and Providence, RI.

She grew up doing anything she could with water such as swimming, fishing, and sailing, as well as climbing trees, collecting arrowheads, and communing with the natural world on and around Nanaquaket Pond for the first 14 years of her life in Tiverton. At 12 years old, Nunnie took her first photograph with a Brownie camera of her best friend. At age 14, her family started to summer in Little Compton, RI, and while her childhood pals continued to sail and swim, Nunnie photographed the Sakonnet landscape. She continued snapping pictures until age 22 and then never photographed again until 30 years later. After the loss of her family's home to fire in 1940, Nunnie and her family moved to Providence, where she attended Lincoln School. After graduating from Lincoln School in 1945, Nunnie went to Bradford Junior College in Haverhill, MA. Soon after graduating from Bradford in 1947, Nunnie suffered a broken back from a skiing accident which required a year's recovery, including many months in a full body cast. This injury would be a source of physical discomfort and limit her mobility for the rest of her life, but it would fail to squelch her mischievous and indomitable spirit.

Ahead of her times and a true adventurer, Nunnie joined the American

Friends Field Service and participated in a mission trip to the village of Santiago Ixcuintla in Nayarit, Mexico. She taught in health clinics and schools to improve the quality of life for the native Huichol and Mexican women and children with whom she fell in love. Soon after her return from Mexico, she accepted the marriage proposal of Randolph Kunhardt Byers, Jr., of Milton, MA, and they were married in August of 1951.

Randy's enlistment in the Army took them to Lawton, OK. They then returned to Rhode Island where Nunnie gave birth to their first of four children, Elizabeth "Libby". In 1955, they moved to Wilton, CT, while also bringing son Bartlett "Bart" Cooke into the world. Two more daughters were to follow, Eleanor "Ellie" and Mary.

Nunnie created extraordinary homes showcasing naturally found objects and her photography. She also loved crafting joyful holiday celebrations, including such things as greeting trick-or-treaters dressed as a witch with a memorable cackle and laugh from the roof of the garage. She adored her dachshunds, West Highland white terriers, and chocolate lab, giving them people names to assure them of their family status.

Her days in Mexico inspired memorable travels with Randy to Guatemala, Haiti, Mexico—again—Europe, and beyond, and she always had her camera at her side. She displayed her business acumen through leading a women's investment group, played paddle tennis, skated, cross country skied, fished, and boated. In 1970, Nunnie moved to her dream home in Wilton, which was surrounded by acres and acres of woods and on a reservoir. There, she balanced time communing with birds and skating on black ice with completing her job raising and launching her four teenagers, a job she later acknowledged to be one of the most gratifying, albeit societally underrecognized, accomplishments of her life.

Once done with child rearing, Nunnie turned her attention back to her photographic artwork, and in 1980, she went back to school and studied photography seriously for 5 years, including participating in workshops abroad. She dug out her old Brownie black-and-white vintage negatives and set about developing them herself, along with new images she took with her Leica camera, at a local community dark room. She also mounted and framed the prints and then displayed them at photography shows and exhibits for all to enjoy. She also created several series of color postcards of her beloved Little Compton and sold them at the local general store. She experimented with images, wanting to show others what can be seen with the "naive eye" and produced a large volume of photographic work until her eyesight started

failing her in her 80s. Nunnie shared her gift, teaching others how to see and how to construct interesting and aesthetically pleasing visuals.

Nunnie was a force to be reckoned with, a fierce and passionate woman who felt and experienced life at a very deep level. Her sense of humor was full of wit, and time spent with her was always memorable. She stood her ground, valued truth, and supported others in being their own selves.

She was predeceased by her parents, Eleanor Bartlett and David Hay Atwater. She was the sister of the late David "Tiny" Hay Atwater, Jr., and Damaris "Dicie" Sayre Atwater. Living to carry on her memory are her husband of 65 years, Randy, and her children, Elizabeth "Libby" Moore and husband, Raoul, of Little Compton; Bartlett "Bart" Cooke Byers of Denver, CO; Eleanor "Ellie" Byers of Shelburne, VT; and Mary Truslow and her husband, Charles, of Milton. Living to carry on her legacy are her grandchildren, Justin, Loren, Chas, Kelsey, Andrew, Will, and Graham. Living to carry on the Atwater legacy are her sister, Sally Anne "Sadie" Havens, and brother, Nathaniel "Nate" Bartlett Atwater, both of Little Compton.●

JACKIE ROBINSON DAY AND THE TAMPA BAY RAYS

● Mr. NELSON. Mr. President, today I wish to recognize an important civil rights anniversary in the annals of our Nation's favorite pastime. Seventy years ago this month, Jackie Robinson started on first base for the Brooklyn Dodgers, becoming the first African American to play for a Major League Baseball team and marking the beginning of the end of racial segregation in baseball.

That watershed moment came after a distinguished career in what were then known as the Negro Leagues, the coalition of teams for players of Color and whose retirees remain a vibrant part of the community in the Tampa Bay area of Florida.

Jackie Robinson's contributions to the sport of baseball and to our Nation are unparalleled. His accolades ranged from "Rookie of the Year" in 1947 and "Most Valuable Player" in 1949 to the Presidential Medal of Freedom in 1984. In 2003, he was posthumously awarded the Congressional Gold Medal, the highest honor bestowed by Congress.

His character and spirit have not ended with his passing, and his legacy remains a part of our communities, including the Tampa Bay area. Through the work of his wife, Rachel, and the Jackie Robinson Foundation, college-bound students have been provided with over \$65 million in grants, scholarships, and direct program support, resulting in a 98 percent graduation rate among recipients. Each of the students are mentored with consideration

to the values espoused by Jackie Robinson himself—courage, determination, teamwork, persistence, integrity, citizenship, justice, excellence, and commitment.

It is in honor of Jackie Robinson's character and contributions that teams across Major League Baseball honor him every April 15, on Jackie Robinson Day.

In particular, I am especially proud to recognize the Tampa Bay Rays' work in its community to honor Jackie Robinson's legacy. To mark this year's anniversary, the Rays and their community partners carried out service projects in Pinellas and Hillsborough Counties, in neighborhoods now home to men who, like Jackie Robinson, once played in the Negro Leagues. Along with updating a local baseball park and beautifying small businesses in the 16th Street Business Corridor, the Rays honored nine "unsung heroes" in the Tampa Bay area who exemplify the aforementioned values Jackie Robinson held.

The Rays' leadership and commitment to community represent the best of American citizenship and public service, and I am honored to recognize the team's work to uphold and live up to Jackie Robinson's legacy.●

TRIBUTE TO DALLAS HUMPHRIES

● Mr. ROUNDS. Mr. President, today I recognize Dallas Humphries, an intern in my Washington, DC, office, for all the hard work he has done for me, my staff, and the State of South Dakota.

Dallas is a graduate of Douglas County High School in Castle Rock, CO. In August, he will graduate from the University of South Dakota where he studies political science and criminal justice. Dallas is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience and who has been a true asset to the office.

I extend my sincere thanks and appreciation to Dallas for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO ROBERT TRAVIS WOOLEY

● Mr. ROUNDS. Mr. President, today I recognize Robert Travis Wooley, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Travis recently graduated from the University of Michigan, where he studied political science and Portuguese. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience and who has been a true asset to the office.

I extend my sincere thanks and appreciation to Travis for all of the fine

work he has done and wish him continued success in the years to come.●

TRIBUTE TO DAVID CAPP

● Mr. YOUNG. Mr. President, today I wish to honor the service of David Capp, who is retiring from the U.S. Department of Justice after 31 years of service. Let the record reflect how proud I am of Mr. Capp's service to fellow Hoosiers and our country.

After graduating from Valparaiso University School of Law in 1977, Mr. Capp served in the private sector for 8 years prior to joining the U.S. Attorney's Office in 1985. During his tenure, Mr. Capp served as interim U.S. attorney, as well as first assistant. On April 28, 2010, Mr. Capp was sworn in by Chief Judge Philip Simon as the U.S. Attorney for the Northern District of Indiana and has been serving in that capacity ever since.

Mr. Capp has undoubtedly left this office and community a better place. Mr. Capp's tireless commitment to his work helped alleviate gang-related violence and drug-related offenses. In addition, Mr. Capp's dedication to ending public corruption serves as an example for current and future district attorneys in Indiana.

Mr. Capp, on behalf of all Hoosiers, thank you again, for your service to our State and country.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 3:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that pursuant to section 301 of the Congressional Accountability Act of 1995 (2 U.S.C. 1381), as amended, and section 1(b) of Public Law 115-19, the Speaker and Minority Leader of the House of Representatives and the Majority and Minority Leaders of the United States Senate jointly reappoint the following individuals on April 7, 2017, to the Board of Directors of the Office of Compliance: Ms. Barbara Childs Wallace of Ridgeland, Mississippi, Chair, for a term of four years,

Mr. Alan V. Friedman of Los Angeles, California, for a term of three years, and Ms. Susan S. Robfogel of Rochester, New York, for a term of four years.

The message also announced that pursuant to 44 U.S.C. 2702, the Clerk reappoints the following individual on the part of the House of Representatives to the Advisory Committee on the Records of Congress: Dr. Sharon Leon of Fairfax, Virginia.

ENROLLED BILL AND JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that on April 7, 2017, she had presented to the President of the United States the following enrolled bill and joint resolutions:

S. 544. An act to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes.

S.J. Res. 30. Joint resolution providing for the reappointment of Steve Case as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 35. Joint resolution providing for the appointment of Michael Govan as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 36. Joint resolution providing for the appointment of Roger W. Ferguson as a citizen regent of the Board of Regents of the Smithsonian Institution.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 188. A bill to prohibit the use of Federal funds for the costs of painting portraits of officers and employees of the Federal Government (Rept. No. 115-28).

S. 500. A bill to amend the Homeland Security Act of 2002 to make the Assistant Secretary of Homeland Security for Health Affairs responsible for coordinating the efforts of the Department of Homeland Security related to food, agriculture, and veterinary defense against terrorism, and for other purposes (Rept. No. 115-29).

S. 576. A bill to amend title 5, United States Code, to extend certain protections against prohibited personnel practices, and for other purposes (Rept. No. 115-30).

H.R. 274. A bill to provide for reimbursement for the use of modern travel services by Federal employees traveling on official Government business, and for other purposes (Rept. No. 115-31).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with amendments:

H.R. 366. A bill to amend the Homeland Security Act of 2002 to direct the Under Secretary for Management of the Department of Homeland Security to make certain improvements in managing the Department's vehicle fleet, and for other purposes (Rept. No. 115-32).

By Mr. RISCH, from the Committee on Small Business and Entrepreneurship:

Special Report entitled "Summary of Legislative and Oversight Activities During the 114th Congress" (Rept. No. 115-33).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. WARREN (for herself, Mrs. SHAHEEN, Ms. BALDWIN, Mr. SANDERS, Mr. FRANKEN, Mr. UDALL, Mr. WHITEHOUSE, Mr. MARKEY, Mr. LEAHY, Ms. DUCKWORTH, and Ms. HASSAN):

S. 912. A bill to amend the Internal Revenue Code of 1986 to establish a free on-line tax preparation and filing service and programs that allow taxpayers to access third-party provided tax return information; to the Committee on Finance.

By Mr. KING (for himself, Ms. COLLINS, and Mr. SCHATZ):

S. 913. A bill to amend the Older Americans Act of 1965 to establish an initiative, carried out by the Assistant Secretary for Aging, to coordinate Federal efforts and programs for home modifications enabling older individuals to live independently and safely in a home environment, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself and Mr. PORTMAN):

S. 914. A bill to improve and coordinate interagency Federal actions and provide assistance to States for responding to public health challenges posed by emerging contaminants, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BROWN (for himself, Ms. COLLINS, Ms. MURKOWSKI, Ms. BALDWIN, Mr. HELLER, and Mrs. MCCASKILL):

S. 915. A bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions; to the Committee on Finance.

By Mr. CASSIDY (for himself, Mr. BENNETT, Mr. BLUNT, and Mr. FRANKEN):

S. 916. A bill to amend the Controlled Substances Act with regard to the provision of emergency medical services; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUNT (for himself and Mrs. MCCASKILL):

S. 917. A bill to amend title 36, United States Code, to designate May 1 as "Silver Star Service Banner Day"; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself, Mr. ISAKSON, Mr. LEE, Mr. BARRASSO, Ms. MURKOWSKI, and Mr. DAINES):

S. 918. A bill to amend title 31, United States Code, to provide for automatic continuing resolutions; to the Committee on Appropriations.

By Mr. SULLIVAN (for himself and Mr. LANKFORD):

S. 919. A bill to amend title 5, United States Code, to postpone the effective date of high-impact rules pending judicial review; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. SHAHEEN (for herself and Ms. COLLINS):

S. 920. A bill to establish a National Clinical Care Commission; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MORAN (for himself and Mr. ROBERTS):

S. 921. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 100 year anniversary of the 1st Infantry Division; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DURBIN:

S. 922. A bill to establish the Climate Change Advisory Commission to develop recommendations, frameworks, and guidelines for projects to respond to the impacts of climate change, to issue Federal obligations, the proceeds of which shall be used to fund projects that aid in adaptation to climate change, and for other purposes; to the Committee on Finance.

By Mr. KENNEDY:

S. 923. A bill to exempt certain financial institutions from regulations issued under the Dodd-Frank Wall Street Reform and Consumer Protection Act; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CARDIN (for himself, Mr. MENENDEZ, Mr. REED, Mr. COONS, Mrs. SHAHEEN, Mr. BOOKER, and Mr. SCHATZ):

S. 924. A bill to improve diversity and inclusion in the workforce of national security agencies, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BLUNT (for himself and Mrs. MCCASKILL):

S. Res. 135. A resolution expressing support for the designation of May 1, 2017, as "Silver Star Service Banner Day"; to the Committee on Armed Services.

By Mr. MENENDEZ (for himself, Mr. CRUZ, Mr. MARKEY, and Mr. UDALL):

S. Res. 136. A resolution expressing the sense of the Senate regarding the 102nd anniversary of the Armenian Genocide; to the Committee on Foreign Relations.

By Mr. THUNE (for himself, Mr. NELSON, Mrs. FISCHER, and Mr. BOOKER):

S. Res. 137. A resolution supporting the goals and ideals of National Safe Digging Month; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 29

At the request of Mr. TESTER, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 29, a bill to permit disabled law enforcement officers, customs and border protection officers, firefighters, air traffic controllers, nuclear materials couriers, members of the Capitol Police, members of the Supreme Court Police, employees of the Central Intelligence Agency performing intelligence activities abroad or having specialized security requirements, and diplomatic security special agents of the Department of State to receive retirement benefits in the same manner as if they had not been disabled.

S. 66

At the request of Mr. HELLER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 66, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed serv-

ices who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 103

At the request of Mr. LEE, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 103, a bill to nullify certain regulations and notices of the Department of Housing and Urban Development, and for other purposes.

S. 109

At the request of Mr. GRASSLEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 109, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 170

At the request of Mr. RUBIO, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Iowa (Mrs. ERNST) were added as cosponsors of S. 170, a bill to provide for nonpreemption of measures by State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 188

At the request of Mr. CASSIDY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 188, a bill to prohibit the use of Federal funds for the costs of painting portraits of officers and employees of the Federal Government.

S. 205

At the request of Mr. THUNE, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 205, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 206

At the request of Mr. KAINE, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 206, a bill to amend the Higher Education Act of 1965 to allow the Secretary of Education to award job training Federal Pell Grants.

S. 208

At the request of Mr. KING, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 208, a bill to amend the Internal Revenue Code of 1986 to make the Child and Dependent Care Tax Credit fully refundable, and for other purposes.

S. 236

At the request of Mr. WYDEN, the names of the Senator from Illinois (Ms. DUCKWORTH), the Senator from New Hampshire (Ms. HASSAN), the Senator

from Hawaii (Ms. HIRONO) and the Senator from Louisiana (Mr. KENNEDY) were added as cosponsors of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 264

At the request of Mr. LANKFORD, the name of the Senator from Alabama (Mr. STRANGE) was added as a cosponsor of S. 264, a bill to amend the Internal Revenue Code of 1986 to allow charitable organizations to make statements relating to political campaigns if such statements are made in ordinary course of carrying out its tax exempt purpose.

S. 272

At the request of Mr. SCHATZ, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 272, a bill to enhance the security operations of the Transportation Security Administration and the stability of the transportation security workforce by applying a unified personnel system under title 5, United States Code, to employees of the Transportation Security Administration who are responsible for screening passengers and property, and for other purposes.

S. 283

At the request of Mr. FRANKEN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 283, a bill to amend title 38, United States Code, to provide for the treatment of veterans who participated in the cleanup of Enewetak Atoll as radiation exposed veterans for purposes of the presumption of service-connection of certain disabilities by the Secretary of Veterans Affairs, and for other purposes.

S. 319

At the request of Ms. KLOBUCHAR, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 319, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish within the Department of Veterans Affairs a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits.

S. 322

At the request of Mr. HELLER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 322, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

At the request of Mr. PETERS, the names of the Senator from Vermont (Mr. LEAHY), the Senator from New Jersey (Mr. BOOKER) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 322, *supra*.

S. 324

At the request of Ms. HIRONO, the names of the Senator from Connecticut (Mr. MURPHY), the Senator from Washington (Mrs. MURRAY) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 324, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

At the request of Mr. HATCH, the names of the Senator from North Carolina (Mr. BURR) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 324, *supra*.

S. 339

At the request of Mr. NELSON, the names of the Senator from Maryland (Mr. VAN HOLLEN), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 339, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 367

At the request of Mr. HATCH, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 367, a bill to amend section 3606 of title 18, United States Code, to grant probation officers authority to arrest hostile third parties who obstruct or impede a probation officer in the performance of official duties.

S. 372

At the request of Mr. PORTMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 372, a bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to require the provision of advance electronic information on shipments of mail to U.S. Customs and Border Protection and for other purposes.

S. 374

At the request of Mr. BLUNT, the names of the Senator from Kansas (Mr. MORAN) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 374, a bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

S. 379

At the request of Mr. WHITEHOUSE, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 379, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 382

At the request of Mr. MENENDEZ, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 382, a bill to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters.

S. 384

At the request of Mr. BLUNT, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 384, a bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes.

S. 407

At the request of Mr. CRAPO, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 407, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 423

At the request of Mr. TESTER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 423, a bill to amend title 38, United States Code, to increase the maximum age for children eligible for medical care under the CHAMPVA program, and for other purposes.

S. 455

At the request of Mr. TESTER, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 455, a bill to amend title XVIII of the Social Security Act to count resident time spent in a critical access hospital as resident time spent in a nonprovider setting for purposes of making Medicare direct and indirect graduate medical education payments.

S. 459

At the request of Mr. RUBIO, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 459, a bill to designate the area between the intersections of Wisconsin Avenue, Northwest and Davis Street, Northwest and Wisconsin Avenue, Northwest and Edmunds Street, Northwest in Washington, District of Columbia, as "Boris Nemtsov Plaza", and for other purposes.

S. 479

At the request of Mr. BROWN, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Michigan (Ms. STABENOW) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 479, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 482

At the request of Mr. THUNE, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 482, a bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care.

S. 493

At the request of Mr. RUBIO, the names of the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Utah (Mr. HATCH), the Senator from Arizona (Mr. MCCAIN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 493, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 512

At the request of Mr. BARRASSO, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 512, a bill to modernize the regulation of nuclear energy.

S. 538

At the request of Mr. CRAPO, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 538, a bill to clarify research and development for wood products, and for other purposes.

S. 540

At the request of Mr. THUNE, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 540, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 546

At the request of Mr. BARRASSO, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 546, a bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

S. 553

At the request of Mr. DURBIN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 553, a bill to provide that chapter 1 of title 9 of the United States Code, relating to the enforcement of arbitration agreements, shall not apply to enrollment agreements made between students and certain institutions of higher education, and to prohibit limitations on the ability of students to pursue claims against certain institutions of higher education.

S. 568

At the request of Mr. BROWN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 568, a bill to amend title XVIII of the Social Security Act to count a period of receipt of out-

patient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 573

At the request of Mr. PETERS, the names of the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 573, a bill to establish the National Criminal Justice Commission.

S. 591

At the request of Mrs. MURRAY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 591, a bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes.

S. 601

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 601, a bill to ensure that significantly more students graduate college with the international knowledge and experience essential for success in today's global economy through the establishment of the Senator Paul Simon Study Abroad Program in the Department of Education.

S. 602

At the request of Ms. COLLINS, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 602, a bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler system retrofits as section 179 property and classify certain automated fire sprinkler system retrofits as 15-year property for purposes of depreciation.

S. 628

At the request of Mr. Kaine, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 628, a bill to amend the Carl D. Perkins Career and Technical Education Act of 2006 to raise the quality of career and technical education programs and to allow local eligible recipients to use funding to establish high-quality career academies.

S. 632

At the request of Mr. COONS, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 632, a bill to amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges; and for other purposes.

S. 636

At the request of Mrs. MURRAY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 636, a bill to allow Americans

to earn paid sick time so that they can address their own health needs and the health needs of their families.

S. 652

At the request of Mr. PORTMAN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 652, a bill to amend the Public Health Service Act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children.

At the request of Mr. Kaine, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 652, *supra*.

S. 681

At the request of Mr. TESTER, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to improve the benefits and services provided by the Department of Veterans Affairs to women veterans, and for other purposes.

S. 682

At the request of Mrs. MURRAY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 682, a bill to amend title 31, United States Code, to require the Secretary of the Treasury to provide for the purchase of paper United States savings bonds with tax refunds.

S. 708

At the request of Mr. MARKEY, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 708, a bill to improve the ability of U.S. Customs and Border Protection to interdict fentanyl, other synthetic opioids, and other narcotics and psychoactive substances that are illegally imported into the United States, and for other purposes.

S. 712

At the request of Mr. BLUMENTHAL, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 712, a bill to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 720

At the request of Mr. PORTMAN, the names of the Senator from Nevada (Mr. HELLER), the Senator from Kansas (Mr. MORAN) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 720, a bill to amend the Export Administration Act of 1979 to include in the prohibitions on boycotts against allies of the United States boycotts fostered by international governmental organizations against Israel and to direct the Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes.

At the request of Mr. CARDIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 720, *supra*.

S. 751

At the request of Mr. WARNER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 751, a bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.

S. 766

At the request of Mr. MANCHIN, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Georgia (Mr. PERDUE), the Senator from South Dakota (Mr. ROUNDS) and the Senator from North Dakota (Ms. HEITKAMP) were added as cosponsors of S. 766, a bill to amend titles 10 and 32, United States Code, to improve and enhance authorities relating to the employment, use, status, and benefits of military technicians (dual status), and for other purposes.

S. 794

At the request of Mr. ISAKSON, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 794, a bill to amend title XVIII of the Social Security Act in order to improve the process whereby Medicare administrative contractors issue local coverage determinations under the Medicare program, and for other purposes.

S. 796

At the request of Mr. WARNER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 796, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided education assistance to employer payments of student loans.

S. 806

At the request of Mr. SANDERS, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 806, a bill to amend the Higher Education Act to ensure College for All.

S. 830

At the request of Mr. CASSIDY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 830, a bill to amend title XVIII of the Social Security Act to provide for the coordination of programs to prevent and treat obesity, and for other purposes.

S. 833

At the request of Mr. TESTER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 833, a bill to amend title 38, United States Code, to expand health care and benefits from the Department of Veterans Affairs for military sexual trauma, and for other purposes.

S. 836

At the request of Mr. WYDEN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 836, a bill to amend the Federal Credit Union Act to exclude a loan secured by a non-owner occupied 1- to 4-family dwelling from the definition of a member business loan, and for other purposes.

S. 856

At the request of Mrs. MCCASKILL, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 856, a bill to amend the Higher Education Act of 1965 and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to combat campus sexual assault, and for other purposes.

S. 861

At the request of Mr. CARDIN, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 861, a bill to provide for the compensation of Federal employees affected by lapses in appropriations.

S. 881

At the request of Ms. WARREN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 881, a bill to reduce risks to the financial system by limiting banks' ability to engage in certain risky activities and limiting conflicts of interest, to reinstate certain Glass-Steagall Act protections that were repealed by the Gramm-Leach-Bliley Act, and for other purposes.

S. 882

At the request of Mr. ROUNDS, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 882, a bill to amend title 38, United States Code, to provide for the entitlement to educational assistance under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs for members of the Armed Forces awarded the Purple Heart, and for other purposes.

S. 897

At the request of Mrs. FEINSTEIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 897, a bill to protect civilians from cluster munitions, and for other purposes.

S. 898

At the request of Ms. KLOBUCHAR, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 898, a bill to provide incentives to physicians to practice in rural and medically underserved communities, and for other purposes.

S. 900

At the request of Ms. HIRONO, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Maryland (Mr. CARDIN) were added as

cosponsors of S. 900, a bill to improve the Federal Pell Grant program, and for other purposes.

S. 905

At the request of Mr. CARDIN, the names of the Senator from Oregon (Mr. MERKLEY), the Senator from Delaware (Mr. COONS), the Senator from Virginia (Mr. KAINE), the Senator from Massachusetts (Ms. WARREN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Michigan (Mr. PETERS), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from New Jersey (Mr. BOOKER), the Senator from California (Mrs. FEINSTEIN), the Senator from Massachusetts (Mr. MARKEY), the Senator from New York (Mrs. GILLIBRAND), the Senator from Colorado (Mr. BENNET) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 905, a bill to require a report on, and to authorize technical assistance for, accountability for war crimes, crimes against humanity, and genocide in Syria, and for other purposes.

S.J. RES. 8

At the request of Mr. UDALL, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S.J. Res. 8, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S. CON. RES. 6

At the request of Mr. BARRASSO, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

S. CON. RES. 12

At the request of Mr. GRASSLEY, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Massachusetts (Mr. MARKEY), the Senator from Pennsylvania (Mr. CASEY), the Senator from Delaware (Mr. COONS), the Senator from Florida (Mr. RUBIO) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. Con. Res. 12, a concurrent resolution expressing the sense of Congress that those who served in the bays, harbors, and territorial seas of the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, should be presumed to have served in the Republic of Vietnam for all purposes under the Agent Orange Act of 1991.

S. RES. 75

At the request of Mr. PORTMAN, the names of the Senator from Louisiana (Mr. CASSIDY) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. Res. 75, a resolution recognizing the 100th anniversary of the Academy of Nutrition and Dietetics, the largest organization of food and nutrition professionals in the world.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN:

S. 922. A bill to establish the Climate Change Advisory Commission to develop recommendations, frameworks, and guidelines for projects to respond to the impacts of climate change, to issue Federal obligations, the proceeds of which shall be used to fund projects that aid in adaptation to climate change, and for other purposes; to the Committee on Finance.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 922

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Climate Change Adapt America Fund Act of 2017”.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—CLIMATE CHANGE ADVISORY COMMISSION

Sec. 101. Establishment of Climate Change Advisory Commission.

Sec. 102. Duties.

Sec. 103. Commission personnel matters.

Sec. 104. Funding.

Sec. 105. Termination.

TITLE II—ADAPT AMERICA FUND

Sec. 201. Adapt America Fund.

Sec. 202. Compliance with Davis-Bacon Act.

Sec. 203. Funding.

TITLE III—REVENUE

Sec. 301. Climate Change Obligations.

Sec. 302. Promotion.

SEC. 2. DEFINITIONS.

Except as otherwise provided, in this Act:

(1) COMMISSION.—The term “Commission” means the Climate Change Advisory Commission established by section 101(a).

(2) FUND.—The term “Fund” means the Adapt America Fund established by section 201(a)(1).

(3) QUALIFIED CLIMATE CHANGE ADAPTATION PURPOSE.—

(A) IN GENERAL.—The term “qualified climate change adaptation purpose” means an objective with a demonstrated intent to reduce the economic, social, and environmental impact of the adverse effects of climate change.

(B) INCLUSIONS.—The term “qualified climate change adaptation purpose” includes—

(i) infrastructure resiliency and mitigation;

(ii) improved disaster response; and

(iii) ecosystem protection.

(4) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

TITLE I—CLIMATE CHANGE ADVISORY COMMISSION

SEC. 101. ESTABLISHMENT OF CLIMATE CHANGE ADVISORY COMMISSION.

(a) IN GENERAL.—There is established a commission to be known as the “Climate Change Advisory Commission”.

(b) MEMBERSHIP.—The Commission shall be composed of 11 members—

(1) who shall be selected from the public and private sectors and institutions of higher education; and

(2) of whom—

(A) 3 shall be appointed by the President, in consultation with the Interagency Climate Change Adaptation Task Force;

(B) 2 shall be appointed by the Speaker of the House of Representatives;

(C) 2 shall be appointed by the minority leader of the House of Representatives;

(D) 2 shall be appointed by the majority leader of the Senate; and

(E) 2 shall be appointed by the minority leader of the Senate.

(c) TERMS.—Each member of the Commission shall be appointed for the life of the Commission.

(d) INITIAL APPOINTMENTS.—Each member of the Commission shall be appointed not later than 90 days after the date of enactment of this Act.

(e) VACANCIES.—A vacancy on the Commission—

(1) shall not affect the powers of the Commission; and

(2) shall be filled in the manner in which the original appointment was made.

(f) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold the initial meeting of the Commission.

(g) MEETINGS.—The Commission shall meet at the call of the Chairperson.

(h) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(i) CHAIRPERSON AND VICE CHAIRPERSON.—The Commission shall select a Chairperson and Vice Chairperson from among the members of the Commission.

SEC. 102. DUTIES.

The Commission shall—

(1) establish recommendations, frameworks, and guidelines for a Federal investment program funded by revenue from climate change obligations issued under section 301 for States, municipalities, and other public entities, including utility districts, transit authorities, and multistate regulatory bodies that—

(A) improves and adapts energy, transportation, water, and general infrastructure impacted or expected to be impacted due to climate variability; and

(B) integrates best available science, data, standards, models, and trends that improve the resiliency of infrastructure systems described in subparagraph (A); and

(2) identify categories of the most cost-effective investments and projects that emphasize multiple benefits to commerce, human health, and ecosystems.

SEC. 103. COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—

(1) NON-FEDERAL EMPLOYEES.—A member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Commission.

(2) FEDERAL EMPLOYEES.—A member of the Commission who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

(b) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(c) STAFF.—

(1) IN GENERAL.—The Chairperson of the Commission may, without regard to the civil service laws (including regulations), appoint and terminate such personnel as are necessary to enable the Commission to perform the duties of the Commission.

(2) COMPENSATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Chairperson of the Commission may fix the compensation of personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(B) MAXIMUM RATE OF PAY.—The rate of pay for personnel shall not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

SEC. 104. FUNDING.

The Commission shall use amounts in the Fund to pay for all administrative expenses of the Commission.

SEC. 105. TERMINATION.

The Commission shall terminate on such date as the Commission determines after the Commission carries out the duties of the Commission under section 102.

TITLE II—ADAPT AMERICA FUND

SEC. 201. ADAPT AMERICA FUND.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established within the Department of Commerce the “Adapt America Fund”.

(2) RESPONSIBILITY OF SECRETARY.—The Secretary shall take such action as the Secretary determines to be necessary to assist in implementing the establishment of the Fund in accordance with this Act.

(b) CLIMATE CHANGE ADAPTATION PROJECTS.—The Secretary, in consultation with the Commission, shall carry out a program to provide funds to eligible applicants to carry out projects for a qualified climate change adaptation purpose.

(c) ELIGIBLE ENTITIES.—An entity eligible to participate in the program under subsection (b) shall include—

(1) a Federal agency;

(2) a State or a group of States;

(3) a unit of local government or a group of local governments;

(4) a utility district;

(5) a tribal government or a consortium of tribal governments;

(6) a State or regional transit agency or a group of State or regional transit agencies;

(7) a nonprofit organization;

(8) a special purpose district or public authority, including a port authority; and

(9) any other entity, as determined by the Secretary.

(d) APPLICATION.—An eligible entity shall submit to the Secretary an application for a project for a qualified climate change adaptation purpose at such time, in such manner, and containing such information as the Secretary may require, including data relating to any benefits, such as economic impact or improvements to public health, that the project is expected to provide.

(e) SELECTION.—The Secretary shall select projects from eligible entities to receive

funds under this section based on criteria and guidelines determined and published by the Commission.

(f) **NON-FEDERAL FUNDING REQUIREMENT.**—In order to receive funds under this section, an eligible entity shall provide funds for the project in an amount that is equal to not less than 25 percent of the amount of funds provided under this section.

(g) **MAINTENANCE OF EFFORT.**—All amounts deposited in the Fund in accordance with section 301(a) shall be used only to fund new projects in accordance with this Act.

(h) **APPLICABILITY OF FEDERAL LAW.**—Nothing in this Act waives the requirements of any Federal law (including regulations) that would otherwise apply to a qualified climate change project that receives funds under this section.

SEC. 202. COMPLIANCE WITH DAVIS-BACON ACT.

(a) **IN GENERAL.**—All laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Fund pursuant to this title shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of part A of title 40, United States Code.

(b) **LABOR STANDARDS.**—With respect to the labor standards specified in this section, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

SEC. 203. FUNDING.

The Secretary shall use funds made available to the Secretary and not otherwise obligated to carry out the program under section 201(b).

TITLE III—REVENUE

SEC. 301. CLIMATE CHANGE OBLIGATIONS.

(a) **IN GENERAL.**—Not later than 6 months after the date of the enactment of this Act, the Secretary of the Treasury or the Secretary's delegate (referred to in this title as the "Secretary") shall issue obligations under chapter 31 of title 31, United States Code (referred to in this title as "climate change obligations"), the proceeds from which shall be deposited in the Fund.

(b) **FULL FAITH AND CREDIT.**—Payment of interest and principal with respect to any climate change obligation issued under this section shall be made from the general fund of the Treasury of the United States and shall be backed by the full faith and credit of the United States.

(c) **EXEMPTION FROM LOCAL TAXATION.**—All climate change obligations issued by the Secretary, and the interest on or credits with respect to such obligations, shall not be subject to taxation by any State, county, municipality, or local taxing authority.

(d) **AMOUNT OF CLIMATE CHANGE OBLIGATIONS.**—The aggregate face amount of the climate change obligations issued annually under this section shall be \$200,000,000.

(e) **FUNDING.**—The Secretary shall use funds made available to the Secretary and not otherwise obligated to carry out the purposes of this section.

SEC. 302. PROMOTION.

(a) **IN GENERAL.**—The Secretary shall promote the purchase of climate change obligations through such means as are determined appropriate by the Secretary, with the amount expended for such promotion not to exceed \$10,000,000 for any fiscal year during the period of fiscal years 2018 through 2022.

(b) **DONATED ADVERTISING.**—In addition to any advertising paid for with funds made available under subsection (c), the Secretary shall solicit and may accept the donation of advertising relating to the sale of climate change obligations.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—For each fiscal year during the period of fiscal years 2018 through 2022, there is authorized to be appropriated \$10,000,000 to carry out the purposes of this section.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 135—EX-PRESSING SUPPORT FOR THE DESIGNATION OF MAY 1, 2017, AS "SILVER STAR SERVICE BANNER DAY"

Mr. BLUNT (for himself and Mrs. MCCASKILL) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 135

Whereas the Senate has always honored the sacrifices made by the wounded and ill members of the Armed Forces;

Whereas the Silver Star Service Banner has come to represent the members of the Armed Forces and veterans who were wounded or became ill in combat in the wars fought by the United States;

Whereas the Silver Star Families of America was formed to help the people of the United States remember the sacrifices made by the wounded and ill members of the Armed Forces by designing and manufacturing Silver Star Service Banners and Silver Star Flags for that purpose;

Whereas the sole mission of the Silver Star Families of America is to evoke memories of the sacrifices made by members of the Armed Forces and veterans on behalf of the United States through the presence of a Silver Star Service Banner in a window or a Silver Star Flag flying;

Whereas the sacrifices made by members of the Armed Forces and veterans on behalf of the United States should never be forgotten; and

Whereas May 1, 2017, is an appropriate date to designate as "Silver Star Service Banner Day": Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of May 1, 2017, as "Silver Star Service Banner Day"; and

(2) calls upon the people of the United States to observe Silver Star Service Banner Day with appropriate programs, ceremonies, and activities.

SENATE RESOLUTION 136—EX-PRESSING THE SENSE OF THE SENATE REGARDING THE 102ND ANNIVERSARY OF THE ARMENIAN GENOCIDE

Mr. MENENDEZ (for himself, Mr. CRUZ, Mr. MARKEY, and Mr. UDALL) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 136

Whereas the Armenian Genocide was conceived and carried out by the Ottoman Empire from 1915 to 1923, resulting in the deportation of nearly 2,000,000 Armenians, of whom 1,500,000 men, women, and children

were killed and 500,000 survivors were expelled from their homes, and the elimination of the over 2,500-year presence of Armenians in their historic homeland;

Whereas, on May 24, 1915, the Allied Powers of England, France, and Russia jointly issued a statement explicitly charging for the first time ever another government of committing crimes "against humanity and civilization";

Whereas Raphael Lemkin, who coined the term "genocide", and whose draft resolution for a genocide convention treaty became the framework for the United Nations Convention on the Prevention and Punishment of the Crime of Genocide, recognized the Armenian Genocide as the type of crime the United Nations should prevent and punish through the setting of international standards;

Whereas Senate Concurrent Resolution 12, 64th Congress, agreed to February 9, 1916, resolved that "the President of the United States be respectfully asked to designate a day on which the citizens of this country may give expression to their sympathy by contributing funds now being raised for the relief of the Armenians," who at the time were enduring "starvation, disease, and untold suffering";

Whereas Senate Resolution 359, 66th Congress, agreed to May 11, 1920, stated that "the testimony adduced at the hearings conducted by the subcommittee of the Senate Committee on Foreign Relations have clearly established the truth of the reported massacres and other atrocities from which the Armenian people have suffered";

Whereas House Joint Resolution 148, 94th Congress, agreed to April 8, 1975, resolved, "That April 24, 1975, is hereby designated as 'National Day of Remembrance of Man's Inhumanity to Man', and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe such day as a day of remembrance for all the victims of genocide, especially those of Armenian ancestry . . .";

Whereas House Joint Resolution 247, 98th Congress, agreed to September 10, 1984, resolved, "That April 24, 1985, is hereby designated as 'National Day of Remembrance of Man's Inhumanity to Man', and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe such day as a day of remembrance for all the victims of genocide, especially the one and one-half million people of Armenian ancestry . . .";

Whereas, on April 11, 2014, the Committee on Foreign Relations of the Senate reported favorably Senate Resolution 410, 113th Congress, expressing the sense of the Senate regarding the anniversary of the Armenian Genocide, and calling on the President to "ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights crimes against humanity, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide";

Whereas, on April 12, 2015, Pope Francis described the atrocities perpetrated by the Ottoman Turks against the Armenians as the first genocide of the 20th century;

Whereas the United States Holocaust Memorial Council, an independent Federal agency, unanimously resolved on April 30, 1981, that the United States Holocaust Memorial Museum would document the Armenian Genocide in the Museum, and has done

so through a public examination of the historic record, including lectures and the maintenance of books, records, and photographs about the Genocide;

Whereas the Government of the Republic of Turkey has continued its international campaign of Armenian Genocide denial, maintained a blockade of Armenia, and continues to pressure the small but growing Turkish civil society movement for acknowledging the Armenian Genocide;

Whereas, in April 2011, the month of remembrance of the Armenian Genocide, the Government of the Republic of Turkey demolished a 100-foot-high statue in the city of Kars which was erected to promote reconciliation with Armenia;

Whereas, on April 22, 2016, on the occasion of Armenian Remembrance Day, President Barack Obama referred to the events of April 1915 as “the first mass atrocity of the 20th Century” and further called for “a full, frank, and just acknowledgment of the facts”;

Whereas the German Bundestag in June 2016, and Danish Parliament, in January 2017, passed Armenian genocide resolutions, thereby joining a growing list of legislatures from a wide number of countries who recognize the Armenian genocide as such;

Whereas the denial of the Armenian Genocide by the Government of the Republic of Turkey has prevented the meaningful advancement of a constructive political, economic, and security relationship between Armenia and Turkey; and

Whereas the teaching, recognition, and commemoration of acts of genocide and other crimes against humanity is essential to preventing the reoccurrence of similar atrocities: Now, therefore, be it

Resolved, That it is the sense of the Senate—

(1) to remember and commemorate the 102th anniversary of the Armenian Genocide on April 24, 2017;

(2) that the President should work toward an equitable, constructive, stable, and durable Armenian-Turkish relationship that includes the full acknowledgment by the Government of the Republic of Turkey of the facts about the Armenian Genocide; and

(3) that the President should ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, crimes against humanity, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide.

SENATE RESOLUTION 137—SUPPORTING THE GOALS AND IDEALS OF NATIONAL SAFE DIGGING MONTH

Mr. THUNE (for himself, Mr. NELSON, Mrs. FISCHER, and Mr. BOOKER) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 137

Whereas each year, the underground utility infrastructure of the United States, including pipelines, electric, gas, telecommunications, water, sewer, and cable television lines, is jeopardized by unintentional damage caused by those who fail to have underground lines located prior to digging;

Whereas some utility lines are buried only a few inches underground, making the lines easy to strike, even during shallow digging projects;

Whereas digging prior to locating underground utility lines often results in unintended consequences, such as service interruption, environmental damage, personal injury, and even death;

Whereas the month of April marks the beginning of the peak period during which excavation projects are carried out around the United States;

Whereas in 2002, Congress required the Department of Transportation and the Federal Communications Commission to establish a 3-digit, nationwide, toll-free number to be used by State “One Call” systems to provide information on underground utility lines;

Whereas in 2005, the Federal Communications Commission designated “811” as the nationwide “One Call” number for homeowners and excavators to use to obtain information on underground utility lines before conducting excavation activities;

Whereas “One Call” has helped reduce the number of digging damages caused by failure to call before digging from 48 percent in 2004 to 26 percent in 2013;

Whereas the 1,700 members of the Common Ground Alliance, who are dedicated to ensuring public safety, environmental protection, and the integrity of services, promote the national “Call Before You Dig” campaign to increase public awareness about the importance of homeowners and excavators calling 811 to find out the exact location of underground lines;

Whereas the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (Public Law 112-90; 125 Stat. 1904) affirmed and expanded the “One Call” program by eliminating exemptions given to local and State government agencies and their contractors regarding notifying “One Call” centers before digging; and

Whereas the Common Ground Alliance has designated April as “National Safe Digging Month” to increase awareness of safe digging practices across the United States and to celebrate the anniversary of 811, the national “Call Before You Dig” number: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Safe Digging Month; and

(2) encourages all homeowners and excavators throughout the United States to call 811 before digging.

NOTICE: REGISTRATION OF MASS MAILING

The filing date for the 2017 first quarter Mass Mailing report is Tuesday, April 25, 2017.

An electronic option is available on Webster that will allow forms to be submitted via a fillable pdf document. If your office did no mass mailings during this period, please submit a form that states “none.”

Mass mailing registrations or negative reports can be submitted electronically or delivered to the Senate Office of Public Records, 232 Hart Building, Washington, DC, 20510-7116.

The Senate Office of Public Records is open from 9:00 a.m. to 6:00 p.m. For further information, please contact the Senate Office of Public Records at (202) 224-0322.

APPOINTMENTS

Mr. McCONNELL. Mr. President, I understand appointments were made during the adjournment of the Senate, and I ask they be stated for the RECORD.

The PRESIDING OFFICER. The Chair, on behalf of the majority and Democratic leaders of the Senate and the Speaker and minority leader of the House of Representatives, pursuant to Section 301 of Public Law 104-1, as amended by Public Law 108-349, Public Law 114-6, and as further amended by Public Law 115-19, announces the joint reappointment of the following individuals as members of the Board of Directors of the Office of Compliance: Barbara Childs Wallace of Mississippi, Alan V. Friedman of California, Susan S. Robfogel of New York, Barbara L. Camens of the District of Columbia, and Roberta L. Holzwarth of Illinois.

ORDERS FOR TUESDAY, APRIL 25, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until Tuesday, April 25; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate resume executive session to consider the nomination of Rod Rosenstein, with the time until 12:30 p.m. equally divided in the usual form; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings; finally, that all time during adjournment, recess, morning business, and leader remarks count postcloture on the Rosenstein nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:53 p.m., adjourned until Tuesday, April 25, 2017, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

ELAINE MCCUSKER, OF VIRGINIA, TO BE A PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE, VICE JOHN CONGER.

DEPARTMENT OF THE TREASURY

ADAM LERRICK, OF WYOMING, TO BE A DEPUTY UNDER SECRETARY OF THE TREASURY, VICE RAMIN TOLOUI.

BRENT JAMES MCINTOSH, OF MICHIGAN, TO BE GENERAL COUNSEL FOR THE DEPARTMENT OF THE TREASURY, VICE CHRISTOPHER J. MEADE, RESIGNED.

DEPARTMENT OF HOMELAND SECURITY

DAVID JAMES GLAWE, OF IOWA, TO BE UNDER SECRETARY FOR INTELLIGENCE AND ANALYSIS, DEPARTMENT OF HOMELAND SECURITY, VICE FRANCIS XAVIER TAYLOR.

EXECUTIVE OFFICE OF THE PRESIDENT

VISHAL J. AMIN, OF MICHIGAN, TO BE INTELLECTUAL PROPERTY ENFORCEMENT COORDINATOR, EXECUTIVE OFFICE OF THE PRESIDENT, VICE DANIEL HENRY MARTI.

DEPARTMENT OF JUSTICE

NOEL J. FRANCISCO, OF THE DISTRICT OF COLUMBIA, TO BE SOLICITOR GENERAL OF THE UNITED STATES, VICE DONALD B. VERRILLI, JR., RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. BRADFORD J. SHWEDO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. STEVEN L. KWAST

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. GIOVANNI K. TUCK

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE VICE CHIEF OF STAFF OF THE ARMY AND APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 3064:

To be general

LT. GEN. JAMES C. MCCONVILLE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE DEPUTY JUDGE ADVOCATE GENERAL, UNITED STATES ARMY, AND FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 3037 AND 3064:

To be major general

BRIG. GEN. STUART W. RISCH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. THOMAS C. SEAMANDS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. MARK E. BLACK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. MATTHEW V. BAKER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. CHRIS R. GENTRY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. ROBERT A. KARMAZIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. MARION GARCIA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. JOSEPH E. WHITLOCK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. MIGUEL A. CASTELLANOS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. WINDSOR S. BUZZA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. RANDALL V. SIMMONS, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. MICHAEL D. WICKMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. CARL A. ALEX
BRIG. GEN. FRANCIS M. BEAUDETTE
BRIG. GEN. CHRISTOPHER F. BENTLEY
BRIG. GEN. GARY M. BRITO
BRIG. GEN. PATRICK W. BURDEN
BRIG. GEN. JOSEPH R. CALLOWAY
BRIG. GEN. PAUL T. CALVERT
BRIG. GEN. PAUL A. CHAMBERLAIN
BRIG. GEN. RONALD P. CLARK
BRIG. GEN. BRIAN P. CUMMINGS
BRIG. GEN. EDWIN J. DEEDRICK, JR.
BRIG. GEN. RODNEY D. FOGG
BRIG. GEN. ROBIN L. FONTES
BRIG. GEN. MARIA R. GERVAIS
BRIG. GEN. KAREN H. GIBSON
BRIG. GEN. DAVID P. GLASER
BRIG. GEN. WILLIAM H. GRAHAM, JR.
BRIG. GEN. JAMES B. JARRARD
BRIG. GEN. GARY W. JOHNSTON
BRIG. GEN. MITCHELL L. KILGO
BRIG. GEN. RONALD KIRKLIN
BRIG. GEN. JOHN S. KOLASHESKI
BRIG. GEN. VIET X. LUONG
BRIG. GEN. PATRICK E. MATLOCK
BRIG. GEN. BRIAN J. MENNES
BRIG. GEN. JEFFREY L. MILHORN
BRIG. GEN. JAMES J. MINGUS
BRIG. GEN. CHRISTOPHER J. SHARPSTEN
BRIG. GEN. JOHN P. SULLIVAN
BRIG. GEN. FRANK W. TATE
BRIG. GEN. DANIEL R. WALRATH
BRIG. GEN. BRIAN E. WINSKI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

KALIE K. ROTT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

NORMA A. HILL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

FRANK C. PESCATELLO, JR.

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

BASIM M. YOUNIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

STANLEY F. GOULD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

SCOTT W. FISHER

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

GARY L. BEATY
LARRY M. BURNETT, JR.
DAVID M. CHURCH
BRETT D. CRIQUI
KELBY L. FAULKNER
DAVID B. FOSTER
JOSEPH H. GARDNER II
WILLIAM C. GREER III
PHILIP G. HOUSER
MICHAEL S. MURPHY
TIMOTHY T. OCHSNER
JOSE D. RIVERA
WARNER A. ROSS
WILLIAM E. TEMPLE V
JOHN M. WALLACE
MICHAEL A. M. WILSON

THE FOLLOWING NAMED OFFICERS IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DANIEL J. CONVEY
PHILIP A. HORTON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

SOPHIA DALCE
BURKE LENZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

DAWN E. ELLIOTT

THE FOLLOWING OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

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THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

BENJAMIN W. HILLNER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CELINA S. PARGO

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

PAUL R. AMBROSE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

JAMES L. DUNGCA
NATHAN S. LANHAM

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

CHARLES R. BURNETT

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

EVAN M. COLBERT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

LUCIANA SUNG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

WILLIAM A. SCHULTZ

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

WILLIAM L. MCCOY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
IN THE GRADE INDICATED IN THE REGULAR NAVY
UNDER TITLE 10, U.S.C., SECTION 531:

To be captain

CHRIS F. WHITE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE REGULAR NAVY
UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

KARL M. KINGRY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MICHAEL A. POLITO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
IN THE GRADE INDICATED IN THE REGULAR NAVY
UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

RAYMOND J. CARLSON, JR.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES MA-
RINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JAVIER E. VEGA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES MA-
RINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

SERGIO L. SANDOVAL

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
IN THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

CHRISTOPHER M. ALLEN

CONFIRMATION

Executive nomination confirmed by
the Senate April 24, 2017:

DEPARTMENT OF AGRICULTURE

SONNY PERDUE, OF GEORGIA, TO BE SECRETARY OF
AGRICULTURE.

EXTENSIONS OF REMARKS

IN RECOGNITION OF THE TRENTON
FIRE DEPARTMENT ON THE 90TH
ANNIVERSARY OF ITS FOUNDING

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 24, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the Trenton Fire Department on the 90th Anniversary of its founding. The Trenton Fire Department has provided important fire prevention and lifesaving services to the City of Trenton and the surrounding communities.

Founded in 1927 to replace the previous all-volunteer system, the Trenton Fire Department initially consisted of seven full-time firemen and one pumper truck. Since its inception, the Department has grown and expanded to accommodate the increased size and needs of the community. Today, the Fire Department has 29 personnel, three fire trucks and two Advanced Life Support ambulances housed in two stations that operate 24 hours a day. These resources help the department serve the approximately 2,500 calls for help that it receives each year with an on-scene response time of less than four minutes. The Trenton Fire Department is also a member of the Downriver Mutual Aid Group, which offers surrounding communities emergency assistance in times of need.

The Trenton Fire Department's effectiveness plays a critical role in keeping the Trenton community safe from fires, hazards and other emergencies. In addition to its emergency services, the department has engaged in community-based initiatives to further protect the well-being of Trenton residents. These include offering free smoke detectors to residents on fixed incomes, as well as operating the Trenton Firefighters Charity Organization, which provides financial support to over 100 organizations that serve the community. Collectively, these efforts have had a tremendous impact in keeping Trenton and its residents safe from danger. It is my hope that the Trenton Fire Department continues its outstanding legacy of public service and care for the sick and injured in Trenton and the surrounding areas.

Mr. Speaker, I ask my colleagues to join me in honoring the Trenton Fire Department on the 90th Anniversary of its establishment. The Trenton Fire Department's wide spectrum of services are key to protecting public health and providing emergency support to the city.

RECOGNIZING UNITED STATES
NAVY CAPTAIN MIKE STEFFEN

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 24, 2017

Ms. GRANGER. Mr. Speaker, I rise today to recognize United States Navy Captain Mike Steffen and his leadership as the 11th Commanding Officer of Naval Air Station Fort Worth Joint Reserve Base, which is located in the 12th District of Texas that I represent.

Over his naval career, Captain Steffen has served numerous deployments overseas—including two combat tours conducting special operations forward deployed in Iraq in support of Operation Iraqi Freedom, and earned a number of decorations for his service.

In August 2015, I was pleased to speak at the ceremony when he assumed command of Naval Air Station Fort Worth Joint Reserve Base, Texas. Captain Steffen has since worked tirelessly to grow the base and ensure it fully supports the Army, Air Force, Navy and Marine Corps commands to help them prepare for deployment around the world in these dangerous times. He has also done an excellent job of fostering a spirit of collaboration to make sure the base and the communities surrounding it grow and thrive.

Fort Worth is proud of our nation's military and proud of our base. It's in our genes since the city started as a fort. Like Captain Steffen says whenever the roar of a fighter jet is heard overhead, "Texans love the sound of freedom."

Captain Steffen will be turning over command of Naval Air Station Fort Worth Joint Reserve Base this month on new orders. He will leave the base well-positioned for the future. On behalf of the people of the 12th Congressional District of Texas, I wish him and his family fair winds and following seas.

IN RECOGNITION OF BOY SCOUT
TROOP 1721 ON THE 90TH ANNI-
VERSARY OF ITS FOUNDING

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 24, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Boy Scout Troop 1721 on the 90th anniversary of its founding. Since its establishment, Boy Scout Troop 1721 has served the Downriver area through its community service projects and the activism of its members.

Founded in 1927 as Boy Scout Troop TN-1, Troop 1721 has compiled an outstanding record of service and engagement with Trenton and the surrounding areas. The troop holds regular food drives and collections for

nearby food pantries through its Scouting for Food initiative and other events. Additionally, the troop has completed projects including the installation of bat houses at the International Wildlife Refuge, as well as seating and sign upgrades at the cultural center. The troop has also excelled at leadership development, with 126 Boy Scouts receiving Eagle Scout awards since 1962. The Troop 1721 adult leaders have also been recognized for their service, with several receiving the District Award of Merit and Silver Beaver award.

As the oldest troop operating in Downriver, Troop 1721 has played a key role in providing area youth with leadership opportunities while teaching them skills that will serve them throughout their lives. The troop has also maintained a partnership with the Exchange Club of Trenton, a service organization that helps with events like ChristNet and Veterans Matter. Through this collaborative effort, troop members have received mentoring opportunities while providing community service to local organizations and nonprofits in need. It is my hope that Troop 4 continues to serve as a model for activism and helps inspire leadership and a spirit of service in the community in the coming years.

Mr. Speaker, I ask my colleagues to join me in honoring Trenton's Boy Scout Troop 1721 on the 90th anniversary of its founding. The troop has played an important role in the growth and development of the City of Trenton and inspired a new generation of young leaders.

IN RECOGNITION OF THE EX-
CHANGE CLUB OF TRENTON ON
THE 90TH ANNIVERSARY OF ITS
FOUNDING

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 24, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the Exchange Club of Trenton on the 90th anniversary of its founding. The club has provided outstanding support to service projects and community initiatives since its establishment.

Founded in 1927, the Exchange Club of Trenton began as a professional gathering of prominent businessmen in the Trenton area and has since evolved into a community organization that provides funding and support to a variety of different causes active in the city. The organization raises money through an annual spaghetti dinner, as well as other events like a 5K run and comedy night. Using these funds, the Exchange Club assists a multitude of initiatives to improve the Trenton area. These include supporting child abuse prevention services, as well as activities including an Adopt-a-Highway cleanup program on Fort

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Street and helping organize the Memorial Day and Christmas parades in the city. Additionally, the Exchange Club also works with Boy Scout Troop 1721 to provide community service and leadership opportunities for troop members.

The Exchange Club of Trenton has been instrumental in helping the Trenton community grow and develop over the past 90 years. By bringing together local leaders and concerned citizens, the Exchange Club has not only provided an important forum to discuss solutions to issues facing the Trenton area, but also helped drive action to make the city a better place to live and work. The Exchange Club of Trenton's longevity and record of success are testaments to the great work that it has done, and it is my hope that the organization continues to build on these achievements in the years ahead.

Mr. Speaker, I ask my colleagues to join me in honoring the Exchange Club of Trenton on its 90th anniversary. The Exchange Club has successfully supported important local initiatives in Trenton since its founding.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, April 25, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED APRIL 26

9:30 a.m.

Committee on Security and Cooperation in Europe
To hold hearings to examine democracy and human rights abuses in Russia.
SD-124

10 a.m.

Committee on Commerce, Science, and Transportation
To hold hearings to examine reopening the American frontier, focusing on re-

ducing regulatory barriers and expanding American free enterprise in space.

SR-253

Committee on Health, Education, Labor, and Pensions

Business meeting to consider S. 652, to amend the Public Health Service Act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children, S. 849, to support programs for mosquito-borne and other vector-borne disease surveillance and control, an original bill entitled, "National Clinical Care Commission Act", an original bill entitled, "Protecting Patient Access to Emergency Medications Act", and the nomination of Scott Gottlieb, of Connecticut, to be Commissioner of Food and Drugs, Department of Health and Human Services.

SD-430

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine duplication, waste, and fraud in Federal programs.

SD-342

Committee on the Judiciary

To hold hearings to examine the nominations of Amul R. Thapar, of Kentucky, to be United States Circuit Judge for the Sixth Circuit, and Makan Delrahim, of California, to be an Assistant Attorney General, Department of Justice.

SD-226

Committee on Small Business and Entrepreneurship

To hold hearings to examine the challenges and opportunities of running a small business in rural America.

SR-428A

Select Committee on Intelligence

To hold hearings to examine the nomination of Courtney Elwood, of Virginia, to be General Counsel of the Central Intelligence Agency.

SD-106

10:15 a.m.

Committee on Environment and Public Works

To hold hearings to examine the technical, scientific, and legal basis of the Waters of the United States Rule.

SD-406

10:30 a.m.

Committee on Appropriations

Subcommittee on Department of Defense

To hold hearings to examine a review of National Guard and Reserve programs and readiness.

SD-192

1:30 p.m.

Committee on Foreign Relations

To hold hearings to examine the nominations of Tulinabo Salama Mushingi, of Virginia, to be Ambassador to the Republic of Senegal, and to serve concurrently and without additional compensation as Ambassador to the Republic of Guinea-Bissau, and Todd Philip

Haskell, of Florida, to be Ambassador to the Republic of the Congo, both of the Department of State.

SD-419

APRIL 27

9:30 a.m.

Committee on Armed Services

To hold hearings to examine United States Pacific Command and United States Forces Korea.

SD-G50

9:45 a.m.

Special Committee on Aging

To hold hearings to examine aging without community, focusing on the consequences of isolation and loneliness.

SH-216

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine countering Russia, focusing on further assessing options for sanctions.

SD-538

Committee on Energy and Natural Resources

To hold hearings to examine H.R. 339, to amend Public Law 94-241 with respect to the Northern Mariana Islands.

SD-366

10:30 a.m.

Committee on Appropriations

Subcommittee on Military Construction and Veterans Affairs, and Related Agencies

To hold hearings to examine preventing veteran suicide.

SD-124

2 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

2:30 p.m.

Committee on Armed Services

Subcommittee on Cybersecurity

To hold hearings to examine cyber-enabled information operations.

SR-222

MAY 2

10 a.m.

Committee on Energy and Natural Resources

To hold an oversight hearing to examine federal payments to local governments provided through the Secure Rural Schools and Community Self Determination Act and the Payment in Lieu of Taxes program and the need to provide greater fiscal certainty for resource-dependent communities with tax-exempt federal lands.

SD-366

MAY 3

10 a.m.

Committee on Armed Services
Subcommittee on Emerging Threats and
Capabilities

To hold hearings to examine Department
of Defense laboratories and their con-
tributions to military operations and
readiness.

SR-222

Committee on Foreign Relations

Subcommittee on Multilateral Inter-
national Development, Multilateral In-
stitutions, and International Eco-
nomic, Energy, and Environmental
Policy

To hold hearings to examine global phi-
lanthropy and remittances and inter-
national development.

SD-419

MAY 4

10 a.m.

Committee on Energy and Natural Re-
sources

To hold hearings to examine the threat
posed by electromagnetic pulse and
policy options to protect energy infra-
structure and to improve capabilities
for adequate system restoration.

SD-366

SENATE—Tuesday, April 25, 2017

The Senate met at 10 a.m. and was called to order by the Honorable BEN SASSE, a Senator from the State of Nebraska.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God most high, we know not what a day will bring forth—sorrow or joy—but our eyes are on You.

Sustain our Senators in their work. Give them the wisdom to repay Your Grace with the currency of their gratitude. Lead them to bear the burdens of the marginalized and so fulfill the law of love.

Lord, teach them anew the meaning of faith, hope, and love. Give them even tempers that can meet upsetting things with calm serenity.

Lord, keep them from being ashamed of that which they should be proud and proud of that which they should be ashamed.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 25, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BEN SASSE, a Senator from the State of Nebraska, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. SASSE thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

ISSUES BEFORE THE SENATE

Mr. MCCONNELL. Mr. President, yesterday, the Senate confirmed former Georgia Governor Sonny Perdue to lead the Department of Agriculture.

We also took the next step in advancing Rod Rosenstein to serve as Deputy Attorney General. I look forward to confirming Mr. Rosenstein so he can get to work without further delay.

After we take that vote, we will be able to advance the Department of Labor nominee, Alexander Acosta. Mr. Acosta has an impressive background that will serve him well as he leads the Department on issues that can support America's employers and employees as well as the overall economy.

I am pleased Mr. Acosta has outlined his commitment to ensuring that the Department of Labor encourages, rather than hampers, job growth—a welcome change after 8 years of job-killing and opportunity-destroying rules and regulations under the Obama administration. I encourage my colleagues to support his nomination so he can begin this important work to help create jobs, enhance workforce development, and support middle-class workers.

As we advance these nominees, Senators are also continuing discussions on government funding legislation. These talks have been part of a bipartisan, bicameral process from the start, with appropriators having continued negotiations over the State work period. I look forward to more productive conversations with Senators, our House colleagues, and the White House so we can get this important work done quite soon.

DAYS OF REMEMBRANCE CEREMONY

Mr. MCCONNELL. Mr. President, many decades ago, historic tragedy befell a continent, and unimaginable horror visited a people.

Behind cold steel gates and within huddled boxcars, man's capacity for cruelty reached grim new frontiers. An inhuman campaign of extermination by an inhuman regime not only took aim at the Jewish people but also tore deep at the collective bonds of our humanity. The scars of the Holocaust continue to run deep in the sinew of our history and of our humanity. It must never be repeated. It also must never be forgotten.

Today, the President of the strongest Nation in the world will again join with survivors in the Capitol Rotunda to help ensure it never is.

Today's Days of Remembrance ceremony serves as yet another reminder of

the immeasurable suffering that was inflicted upon millions of innocent men, women, and children during the Holocaust, especially the Jewish people. It also serves as a reminder of our responsibility as free people to stand against evil and defend those who are persecuted.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume executive session to consider the following nomination, which the clerk will report.

The assistant bill clerk read the nomination of Rod J. Rosenstein, of Maryland, to be Deputy Attorney General.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12:30 p.m. will be equally divided in the usual form.

The Democratic whip.

DAYS OF REMEMBRANCE CEREMONY

Mr. DURBIN. Mr. President, I will yield the floor if the Democratic leader arrives, but until his arrival, I would like to do two things—first, join in the comments made by the majority leader, Senator MCCONNELL, relative to the Holocaust remembrance.

This is the day on which we gather in the Rotunda each year to remember the atrocities of World War II, which includes remembering the Holocaust victims, so many who were Jewish people as well as Polish people—the list goes on and on—as well as those who were gay and gypsies. This was an ethnic cleansing—the worst ever seen in the history of this world. We remember it on this day, as we should.

Mr. President, on a separate issue, before us now is the nomination of Rod Rosenstein to be the Deputy Attorney General of the United States.

The Deputy Attorney General oversees the day-to-day operations of the Department of Justice. In any circumstance, this is an important position that requires a nominee with experience, independence, management

skills, and good judgment, which is especially true today.

Many of us questioned whether Attorney General Sessions was the right person to be the chief law enforcement officer of the United States of America at this moment in history. Unfortunately, many of the actions of the new Attorney General, since he was confirmed, have not erased these concerns. The Attorney General has already begun making dramatic changes at the Justice Department, including on critical issues like criminal justice, civil rights, immigration, and funding for crime prevention.

Just last week, Attorney General Sessions disparaged a Federal judge from Hawaii who issued an order blocking the Trump administration's Muslim travel ban.

Attorney General Sessions said: "I really am amazed that a judge sitting on an island in the Pacific can issue an order that stops the President of the United States from what appears to be clearly his statutory and constitutional power."

Senator MAZIE HIRONO, my colleague on the Senate Judiciary Committee and the junior Senator from Hawaii, pointed out that Hawaii was granted statehood in 1959 and called the Attorney General's comments "insulting and prejudiced."

Also, last week, Attorney General Sessions called into question the status of the Deferred Action for Childhood Arrivals Program, also known as DACA. When asked about DACA, Attorney General Sessions said: "We can't promise people who are here unlawfully that they're not going to be deported."

That is exactly what DACA is. It is a commitment to young people who were brought to the United States as children and grew up in our country that they will be protected from deportation on a temporary renewable basis. Attorney General Sessions' statement is contrary to his own administration's policy as established by President Trump and Homeland Security Secretary John Kelly, who have primary responsibility for immigration enforcement.

The last confirmed nominee for Deputy Attorney General was Sally Yates, a veteran prosecutor and U.S. attorney from Georgia. Ms. Yates displayed sound judgment as Deputy Attorney General, and she was unafraid to speak truth to power.

Ms. Yates became the Acting Attorney General at the end of the Obama administration, and when President Trump signed his unconstitutional Muslim ban Executive order on January 27, Sally Yates told the White House she could not defend the order in court because she was not convinced it was lawful. Ms. Yates was then fired by President Trump for disagreeing with him. However, multiple Federal courts

agreed with Ms. Yates' position and blocked this unconstitutional Executive order. Time and history have proven Ms. Yates correct.

We need a Deputy Attorney General like Sally Yates, who is highly competent and has the independence to say no to the President and to the Attorney General when necessary.

Rod Rosenstein has served as the U.S. Attorney for the District of Maryland since 2005 under both Democratic and Republican Presidents. I do not question his experience or his competence. As a member of the Senate Judiciary Committee, I looked closely at his nomination. I asked him many questions in the hearing. I sent some followup letters, and I appreciate that he has been forthcoming in his responses.

Mr. Rosenstein has pledged to be an independent voice and has committed that he will not recommend any changes in Justice Department policies until he evaluates them, discusses them with appropriate officials, and determines that changes are warranted.

I expect he will be confirmed. Upon confirmation, Mr. Rosenstein will immediately be tasked with responsibility over critically important issues over which he will need to display both sound judgment and independence. Four come to mind.

First is the ongoing investigation into Russia's efforts to interfere with the 2016 Presidential election to help the Trump campaign. What Russia did in our election last year was a cyber act of war against our democracy. It is imperative that we get to the bottom of what happened and make sure it never happens again. I have called for an independent, bipartisan investigation into Russia's election interference. The Republican majority of the House and Senate have resisted this call.

Instead, Republicans in Congress have referred this matter to the Intelligence Committees of both Houses, perhaps hoping it will fade away behind closed doors. I hope the Intelligence Committees will step up and conduct an investigation that is worthy of the importance of this issue, but when it comes to potential criminal acts involving Russia's election interference, the responsibility to investigate falls solely on the Justice Department.

Attorney General Sessions has had to recuse himself from the investigation because of his work for the Trump campaign and his failure to disclose his contacts with Russian officials last year. That means the Deputy Attorney General now has the responsibility over this investigation.

It will be incumbent on Mr. Rosenstein to ensure this investigation is conducted with independence, diligence, and integrity. I believe that appointing a special counsel is the best

way to ensure this. I hope he will make that appointment. If Mr. Rosenstein does not appoint a special counsel, the spotlight will be on him personally to make sure the investigation is conducted properly, no matter where it leads. I hope he exercises good judgment. This investigation is too important to get wrong.

The second issue that will require independence and good judgment from the Deputy Attorney General is the Justice Department's threat to withhold Federal funding to prevent violence across America, including in the city of Chicago.

The Trump administration's message has been confusing, to say the least, when it comes to Federal efforts to prevent violence. On the one hand, President Trump, in the middle of the night, tweets "Chicago needs help," and "Send in the Feds," but then the administration threatens to cut off critical funding for violence prevention under programs like Byrne JAG unless cities agree to turn their local police departments into deportation forces.

It is pretty obvious that cutting off Federal violence prevention funding will hurt the cause of violence prevention. Do not take my word for it. Ask any law enforcement leader.

Listen to what the International Association of Chiefs of Police said: "Penalizing communities by withholding assistance funding to law enforcement agencies and other critical programs is counterproductive to our shared mission of reducing violent crime and keeping communities safe."

It is no secret that the Attorney General is fixated on immigration, but we need the Deputy Attorney General to ensure that this fixation does not undermine the important ways that the Justice Department and local law enforcement cooperate to reduce violent crime.

This administration cannot call itself a law-and-order administration and then do something like cut the funds for violence prevention when police chiefs across America say that is just wrong.

The third area of critical importance is criminal justice policy. Today, our Federal prisons are 30 percent over capacity, and runaway prison expenditures are undermining important public safety priorities like crime prevention, drug courts, and addiction treatment.

The largest increase in the Federal prison population has been nonviolent drug offenders who are then separated from their families for years on end as a result of inflexible mandatory minimum sentences. This has a destructive effect on communities and erodes faith in America in our criminal justice system.

Congress needs to pass legislation to reform our Federal drug sentencing laws, but the Justice Department's

policies for nonviolent drug offenses also can help.

Under the Obama administration, the Smart on Crime Initiative directed Federal prosecutors to reserve stiff mandatory minimum sentences for individuals convicted of serious offenses. This initiative has been very effective in focusing the Department's limited resources on the worst offenders and ensuring that people convicted of low-level, nonviolent offenses are not subjected to these same mandatory minimum penalties.

Attorney General Sessions has signaled that he wants to eliminate the Smart on Crime Initiative, and certainly those of us who listened to his opposition to criminal sentencing reform are not surprised. But, as Deputy Attorney General, Mr. Rosenstein will chair the Task Force on Crime Reduction and Public Safety that has been established by the President. This gives him an important voice. I hope he will work to ensure that the Department's charging policy reserves stiff mandatory sentences for only serious violent offenders.

Mr. Rosenstein would also be responsible for determining the fate of the Justice Department's efforts to work constructively with State and local law enforcement to protect civil rights and improve community and police relations. In particular, Mr. Rosenstein should continue negotiations to pursue police reform in Chicago, backed up by an enforceable consent decree. The former U.S. attorney in Chicago, Zach Fardon, felt strongly that a consent decree was needed to correct the systemic problems we face. Mr. Rosenstein has shown more openness to using consent decrees than Attorney General Sessions, who has an ideological personal hostility toward them. I hope Mr. Rosenstein will look carefully at this issue in Chicago and respect the judgment of Mr. Fardon and the career DOJ professionals who spent over a year investigating this matter.

Mr. Rosenstein also will be responsible for reining in the Attorney General's worst instincts on immigration. It is no surprise to any Member of this Chamber that when the issue of immigration came to the floor, the leading opponent on immigration reform was Senator Sessions of Alabama. I believe he offered 100 amendments to the immigration reform bill that passed the U.S. Senate. He has spoken out over and over again about his opposition to immigration reform.

The Attorney General has already directed Federal prosecutors across the country to make immigration cases a higher priority and look for opportunities to bring serious felony charges against those who cross the border without authorization. Federal prosecutors understand this is not the right approach. Listen to Paul Charlton, the U.S. attorney for Arizona under the

Bush administration. According to him, this new directive will overburden the Federal courts already struggling to handle the volume of immigration cases. He said: "Prosecution and incarceration do not adequately address the real need, which is a reform of the immigration laws."

Let me conclude. I see the Democratic leader on the floor.

There are a number of critical issues that will require sound judgment and leadership from the next Deputy Attorney General. I hope Mr. Rosenstein will approach these issues with the professionalism and integrity that have earned him bipartisan praise as U.S. Attorney in Maryland. I hope he will be willing to speak truth to power and to stand up to the President and the Attorney General if necessary.

I will support Mr. Rosenstein's nomination. I hope we can work together constructively on the important matters facing the Department of Justice.

Mr. President, I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, first let me thank my friend from Illinois for his always thoughtful and good words. I agree with his sentiments on Mr. Rosenstein, whom I will support as well.

GOVERNMENT SPENDING BILL

Mr. President, first I want to say that it is very good news that the President seems to be taking the wall off the table in the negotiations we are having on an appropriations bill this week. It would remove the prospect of a needless fight over a poison pill proposal that Members of both parties don't support. On a bill as important as one to keep the government open, it is a dangerous prospect for the administration to push so hard for such a flawed, incomplete, and unthought-out proposal on a must-pass spending bill. It could tank what would have been productive, bipartisan, bicameral negotiations between the leaders in both Houses. If the threat of the wall is removed, as I hope is the case, our negotiations can continue and we can hopefully continue to resolve all of the outstanding issues by Friday.

Make no mistake about it, there are other important issues to resolve—no poison pill riders, above all, and the ratio of defense and nondefense spending in terms of increases above the baseline. On the nondefense side, miners are very important on our side, getting permanent healthcare for these miners who have struggled their whole lives; the issue of cost-sharing, where 6 million people could lose their healthcare because it would become unaffordable; and the issue of Puerto Rico, which is struggling so, are among those that we feel are important as well. There are other issues to resolve

as well, but I am hopeful we can address them as the week moves forward. Poison pill riders are something that could really hurt the bill, and we don't want that to happen.

THE PRESIDENT'S FIRST ONE HUNDRED DAYS

Mr. President, on another matter, as we quickly approach the 100-day mark of the Trump Presidency, it is a good time to look back on what this administration has accomplished and has not accomplished. One thing is clear: This President has either broken or failed to fulfill many of the promises he made to working families during the campaign. This morning, I wish to focus on one area in particular—this President's promises to working people on jobs and the economy.

One of the President's key rationales as to why he would be an effective President was that he was a good businessman who could create jobs and get the economy moving much faster than anyone predicted. But on the major issues of jobs, including outsourcing, "Buy American," trade—key economic issues that help job growth in America, that help working families—President Trump has made scant progress during his first 100 days and has broken several core campaign promises he made to kick-start the economy for working families.

On jobs, President Trump said he was going to be "the greatest job President that God ever created," but have we seen one significant piece of legislation that would create jobs from this President? What about infrastructure, for instance? That is something that would create tons of good-paying jobs, and Candidate Trump talked about it a lot when he campaigned. He promised to fix America's crumbling infrastructure, pledging a \$1 trillion plan to do it. But we haven't seen any details of any plan yet, and no comprehensive plan to rebuild our infrastructure has been introduced by any Republicans in Congress.

So we Democrats came out with our own \$1 trillion infrastructure plan, taking what the President said in his campaign. The bill would create 15 million good-paying jobs, going to the working families of America. We haven't seen any proposal or gotten any response to our proposal from the President. The only thing we have seen from President Trump on infrastructure is that he has proposed multibillion-dollar cuts to vital transportation programs in his 2018 budget, saying one thing in the campaign—infrastructure jobs—yet doing exactly the opposite—cutting infrastructure jobs—in his proposed budget for next year.

On outsourcing, Candidate Trump lamented the fact that so many companies were shipping U.S. jobs overseas, promising: "We're going to stop it day one. It's so easy to stop."

While President Obama used regulatory measures to stop inversions in

their tracks—a company in New York, Pfizer, which I thought was so wrong to try and invert—President Trump has just signed an Executive order to review those rules and potentially undo them—the exact opposite of what he campaigned on. This is astounding. He said he was going to prevent jobs from going overseas. President Obama put in regulations that have virtually stopped inversions—companies moving their headquarters overseas for tax breaks. President Trump, directly in contradiction of what he talked about over and over and over again in his campaign, says: Now let's review those rules and possibly undo them. It is just hard to comprehend.

President Trump said his policy would be “Buy American and Hire American,” and he has had a bunch of little rallies where he talks about this, but he has refused to insist that pipelines and water infrastructure be made with American steel.

If he were serious about stopping outsourcing, he would demand that Senate Republicans put Senator BALDWIN's bill requiring infrastructure to be made with American steel on the Senate floor. If we increase water and sewer as one of our biggest infrastructure proposals, American steel would get a huge boost, if companies had to buy American steel. Senator BALDWIN has a bill that does it. President Trump has not gotten any action. He ought to tell Leader MCCONNELL, tell Speaker RYAN he is for that bill, and they should bring it to the floor, and, with a lot of Democratic votes—probably every one, just about—we can pass it.

On trade, which is another crucial issue for the American worker—maybe the issue that President Trump garnered the most support for from working families—well, he has made some big promises, but he has either broken them or failed to deliver in his first 100 days. He pledged to hold China accountable for its rapacious trade practices, which have robbed America of millions of jobs and cost trillions of dollars of wealth. He said China was “world champion” of currency manipulation and pledged to name it a currency manipulator on day one. President Trump has done neither of those things. He has broken his promise to name them a currency manipulator, and he has backed off on his promise to get tough with trade on China in general.

This is an issue I am passionate about. I didn't agree with President Trump on a whole lot of issues, but when he talked about China during the campaign, I said: I am closer to President Trump on how we treat China than I was with President Obama or President Bush, and I thought it would be one of the areas where we could make real progress. Instead, we have seen a U-turn—China, not a currency manipulator, when he said over and

over again they were, and they are manipulating their currency.

I know all the free-trade pundits get up and say: Yes, but now they are not reducing the value of their currency; they are doing the opposite of what they did when they made it easier for them to export. But they are still manipulating it. It still doesn't flow. As sure as we are sitting here, if China's advantage is to once again devalue the currency so they can have more exports and unfair advantages over American workers, they will do it in a minute.

Furthermore, had he called China a currency manipulator, it would have sent a shot across China's bow. For years, frankly, under Democratic and Republican administrations, China has gotten away with economic murder. They steal our intellectual property. They don't let good American companies into China. They buy American companies to get their technology and then produce it in China and try to export it here. They have over the years manipulated the currency to their advantage, among many other things. They are hurting us. Probably nothing has done more to hurt American jobs than China's rapacious trade policies. And President Trump is nowhere to be found. In fact, he is doing the opposite of what he promised on trade.

Instead of sticking up for hard-working, middle-class Americans by trying to create jobs and get tough on both trade and outsourcing, President Trump has spent the last few months looking out for powerful corporations and the special interests he repeatedly campaigned against, breaking promise after promise to working families. It is a shame he has taken this route.

On issues like infrastructure, outsourcing, and trade, we Democrats agree with many of the things Candidate Trump was saying, but he is nowhere to be found to work with on these issues. President Trump could have chosen to spend his first 100 days working with us Democrats on these issues, finding compromises and consensus to fulfill his promises to working America. Instead, he spent the first 100 days governing from the very hard right, refusing to seek Democratic input on any major legislation. That is not how you get things done here, and that is why the President has so little to show for his first 100 days.

We Democrats are prepared to work with him to give the middle class and those struggling to get there a much needed boost, but the President and Republicans in Congress need to start reaching out and meeting us halfway.

As I have told the President many times, if he governs from the middle, if he is willing to work with both parties to get things done, we might be able to compromise on some of the important economic issues where we have had these values for a long time—the ones

I just mentioned. If the President, Republicans, and Congress continue their “my way or the highway approach,” the next 100 days will be just like the first—a lot of broken and unfulfilled promises and very few accomplishments from this new administration.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FLAKE). Without objection, it is so ordered.

ANTIQUITIES ACT

Ms. CANTWELL. Mr. President, President Trump is expected to issue an Executive order directing the Department of the Interior to review all of the national monuments issued over the past 20 years, to see whether those monuments should be reduced in size or repealed. It is clear to me that many of us know the value of our public lands. But I am questioning whether our President understands that trying to illegally roll back those national monuments—some of the most treasured lands in our country—is something we should not do.

This shortsighted move is a pretext to attacking the designation of the Bears Ears National Monument in Utah, which is sacred to the five tribes that form the Bears Ears Inter-Tribal Coalition, and is a breathtaking site for all Americans who come to experience what is the unbelievable, unique beauty of the West.

Whether they are there hiking or climbing or vacationing, it is a special place. But President Trump's Executive order is expected to go even further than just Bears Ears, reviewing any designation in the last 20 years, threatening the question of the San Juan Islands or Hanford Reach National Monuments and the creation of other sites around the United States and threatening our economy.

Time and again, the Trump administration is pushing for policies that are harmful to our recreation economy and a disaster for our pristine places, and it sets a terrible precedent for future conservation efforts.

The Antiquities Act is one of our Nation's most successful conservation laws. It was signed into law in 1906 by President Theodore Roosevelt to designate Devils Tower in Wyoming as our Nation's first national monument.

In the 110 years since its enactment, the Antiquities Act has been a very useful tool by 16 different Presidents—eight Republicans, eight Democrats—to designate more than 140 national monuments, including, as I mentioned, the San Juan Islands and Hanford Reach in the State of Washington.

Nearly half of all of our national parks, including national icons such as the Grand Canyon or Olympic National Park, were first designated as national monuments under the Antiquities Act. So it is a very helpful tool to making sure we preserve those special places. I will note, too, that only 4 percent of all land in the United States is set aside this way, designated as part of the national park system or as a national monument.

So, of all the lands in the United States, we are asking to protect 4 percent of the lands, that are these unique special places, to be persevered for the American public and not turned over to special interests for oil and gas mining.

I also think it is important to note that the Antiquities Act gives the President the authority to make sure that these monuments are designated because from time to time there are those who do not believe in these special places.

I note that when the Grand Canyon was being considered, an editorial in that time period editorialized: "The idea of protecting the Grand Canyon represents a fiendish and diabolical scheme." Now, I don't think that is what Americans think today about the Grand Canyon, nor do they think that it is something that hasn't enriched the lives of millions of Americans over the years or added to our economy and tourism. So I find it ironic that the same people think that the designation of Bears Ears is somehow a "fiendish and diabolical scheme."

Well, what I know is that the President is wrong to think he can use the Antiquities Act in reverse. In 1938, an Attorney General's opinion was issued stating that the President did not have the authority to use it in reverse.

So I think any attempt by the Trump administration to modify or revoke earlier national monument proposals is without the legal authority to do so. But I also want to make sure that we are talking about how important and how special Bears Ears is. It is a monument of true significance. It encompasses 1.3 million acres of beautiful desert hills, mesas, and sandstone canyons in southeastern Utah and is home to some of the most spiritually significant lands of the local Tribes and some of the best rock climbing in the world.

Bears Ears encompasses Native American archaeological sites dating back at least 13,000 years. The area is covered in rock art, petroglyphs and pictographs, cliff dwellings, and artifacts. So if nothing else, those special places should be preserved.

It is also special to many of the early inhabitants of that area: the Ute Tribe, the Navajo Tribe, the Uintah Ouray Tribe, the Hopi Tribe, and the Zuni Tribe. Bears Ears is important to these Tribal members for sacred ceremonies, and hunting, and fishing.

Bears Ears also continues to be one of the richest paleontological resources

in our Nation, with fossil records dating back millions of years. So it is easy to see why it is so important that this special place was designated.

In addition to its historical and cultural significance, Bears Ears is also a world-class recreation resource visited by rock climbers from all over the world. It is also visited by hunters, hikers, canyoneers, white water rafters, mountain bikers, and the entire conservation community. That is why the Outdoor Retailer show, which had previously located its biannual event in Utah, decided after two decades that they were pulling out. That is right. They are pulling out their \$40 million contribution to the Utah economy because they are against the efforts by many in Utah to oppose the Bears Ears monument and try to get the President to reverse the Antiquities Act and then use that Federal land for oil and gas exploration. I was so proud to see the outdoor industry take such a bold step. Companies like REI, Patagonia, Black Diamond, and Outdoor Research really made a big and bold statement. They decided that if a State was going to attack the very economy that was so important to their jobs in recreation, they were going to do something about it.

I agree with the Salt Lake Tribune editorial on the Outdoor Retailer's decision, which said that the debate over public lands is about "who we are and where we are headed. To get there, we need leaders with a better appreciation of the magnificent gifts God has given everyone, not just Utahans."

So what is ironic and, frankly, a bit sad is that at the same time the Trump administration is waging war on our public lands and fighting imaginary ones, like the War on Coal, we have new data on just what an economic engine the recreation industry has become. Just today, the Outdoor Industry Association released a new report on the economic contributions of the recreation economy. Today, the recreation industry generates \$887 billion in consumer spending every year. That is up more than \$200 billion—from \$646 billion—since the last time the study was done a few years ago. What does this tell us? Not only do more Americans enjoy recreation on our public lands, but an economy has been built around it, and it continues to grow and thrive, with new products, new services, and more comfortable and innovative ways to enjoy the outdoors. The outdoor recreation economy is responsible for 7.6 million jobs in this country. That is a growth of 1.5 million jobs since the last time the report was done.

Meanwhile, the Trump administration seems perfectly content to do the bidding of these natural resources industries instead of focusing on these jobs and these recreational opportunities that are booming. In fact, the clean energy economy is now sup-

porting more jobs than fossil fuels in 26 States and the District of Columbia. So it is an economy that exists in many parts of our country.

On top of this effort to try and weaken these national monument designations and use the Antiquities Act in reverse, the President is also expected to gut some of our key investments in science and innovation that are also helping us grow in new ways.

I will tell you that pollution is not an economic strategy. We cannot turn the economy of the past into hope for the future. What we need to do is make sure we are paying attention to the unique resources that these special places represent and the great heritage of both Democratic and Republican administrations, which have done great work by protecting places like the Grand Canyon and Bears Ears.

I hope all of my colleagues will realize that this is a futile effort and that these special places do not belong only to us. They do not belong to the people who are here on the Senate floor. They belong to generations and generations of Americans.

To those great Presidents—Republican and Democratic—who made those decisions and created those special places for all of us, thank you. I hope that some future generation will be standing here thanking us for protecting Bears Ears and all of the national monument designations that have taken place over the last two decades.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PETERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FARM SERVICE AGENCY

Mr. PETERS. Mr. President, I rise today to acknowledge and honor Michigan farmers. Agriculture is a vital part of Michigan's economy. In fact, Michigan is home to more than 51,000 farms that contribute over \$100 billion to our Nation's economy. Michigan is also the second most diverse agricultural producer in the Nation, growing more than 300 commodities, including a significant portion of our Nation's milk, corn, cherries, cucumbers, and much more.

Last week I had the pleasure of visiting the Iciek Dairy Farm in Gladwin, MI. It was incredible to see firsthand how this family-run dairy has grown from a small farm of a few dozen cows to a large, modern dairy operation with 700 cows and seven full-time employees.

Today, the Iciek Dairy works with the Michigan State University Extension program to help mentor new businesses and farmers who are just starting off with their own small dairy operation. Michigan's farmers and farmers all across our country feed our country and people around the globe, and we must do what we can to support them. Our agricultural businesses rely on the ability to access the resources they need to keep growing, creating jobs, and contributing to our economy.

Access to these resources can be especially challenging for new small farm operations that are just getting started, including those small farms that make up 82 percent of Michigan's agricultural producers. Small farms that are just starting up or are facing tough economic conditions sometimes struggle to find and secure affordable credit. That is why I am working across the aisle with Senator TILLIS to urge congressional appropriators to fully fund the Farm Service Agency loan programs as Congress considers government funding bills for 2018.

The Farm Service Agency works with lenders to guarantee and deliver small dollar loans to the small farms that need them the most. When a farm has no other options, Farm Service Agency loans and guarantees can help farmers cover urgent operating costs for feed, seed, and fertilizer to get them through the season. Without these loans, farmers could lose their ability to purchase equipment and other necessities for the planting season and could be forced to curtail their operations.

Currently, more than 2,300 farms in Michigan have Farm Service Agency loans totaling over \$630 million. Across the country last year, the Farm Service Agency made and guaranteed a total of 39,650 loans totaling \$6.3 billion. It is critical that Farm Service Agency funding reflect expected demand for loans so that small farms can continue to have this crucial lifeline.

This program is in such high demand that just last year the Farm Service Agency ran out of money to finance its operating loans, including more than 1,000 loans that had already been approved for small farmers. This led to a backlog of loans, and farmers were forced to wait for months until Congress passed emergency funding to get the loans they needed for their day-to-day operations.

Access to capital is critical across a range of businesses, but it is incredibly important to our farmers. They can lose out on an entire growing season if they cannot buy the equipment and the supplies they need while they wait for Congress to fund the Farm Service Agency.

Today, ensuring that the Farm Service Agency has sufficient funding is even more critical, especially following President Trump's proposed \$4.7 billion cut to the U.S. Department of Agriculture.

Like our small businesses, students, and families, America's farmers deserve to have affordable loan options, and they deserve our attention and our support. I urge my colleagues to join me in asking for robust Farm Service Agency funding so we can continue to support our farming communities as they support and sustain us each and every day.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN POLICY

Mr. CORNYN. Mr. President, as we come back into session after a 2-week State work period, I think we need to take stock of what we have been able to accomplish in working together during the last few months.

Through the efforts of the administration and in working with Congress, we have been able to greatly lessen the regulatory burden on many American job creators, which is something sorely needed while our economy has been bumping along at, roughly, 2 percent growth of our gross domestic product since the Great Recession of 2008. We have confirmed a ninth Supreme Court Justice, and we have seen strong, credible action taken against people like the terrible Assad regime in Syria.

It is important to remember, as folks continue to judge the current administration and its foreign policy in particular, how we got here and what this White House inherited after 8 years of the Obama administration.

As President Obama left office, he left in his wake fires burning around the world. There is no better example than the Middle East. President Obama celebrated the Arab Spring as a testament to the power of a democratic voice, but he did little to help our partners across the Middle East and North Africa find stability and prosperity. Along the way, he made the world a lot more dangerous for all of us by his inaction or, in some cases, by his actions. Libya is one of the most tragic examples.

Without his coming to Congress but instead going to the United Nations for a resolution, under President Obama's watch, the country fractured after he helped to launch a poorly conceived military campaign that helped depose Muammar Qadhafi, with no plan at all as to what to do afterward to stabilize the country. Apparently, despite all of President Obama's criticisms of President Bush's 2003 invasion of Iraq, he learned very little from it, and terrorists, including ISIS, jumped at the opportunity to fill the vacuum in Libya.

Later, the American Consulate in Benghazi would be attacked, resulting

in the deaths of four Americans, including that of Ambassador Christopher Stevens. That was the result of President Obama's failed strategy in Libya.

To the east, as 2016 came to a close, Syria was embroiled in even more disarray, more bloodshed, and more violence than when the civil war initially broke out. President Obama promised the world—now infamously—that should the Syrian Government use chemical weapons that at that point a red line would have been crossed. We know how that turned out and so do the citizens of Syria and so do, importantly, other thugs, autocrats, and dictators around the world—red lines crossed but not enforced.

President Obama's threats went unanswered. Russia became bolder in its support of Assad as it became clearer that the United States would not intervene. Now, in light of years of inaction by the previous administration, we have a refugee crisis in the Middle East and throughout Europe. Millions of people have been displaced both internally and externally across Europe. We have a war criminal leading the Syrian Government who has repeatedly used chemical weapons and indiscriminately killed civilians, including children, in a region even further from any measure of stability than when President Obama took office.

Yet, instead of developing a strategy, instead of listening to his own military and national security leadership, President Obama and his team perversely opted to strengthen our adversary Iran. The ill-conceived JCPOA deal cemented the status of this state sponsor of terrorism as a future nuclear power as it released billions of dollars in sanctions relief to the regime and empowered our enemy to engage in even more terrorist activities abroad and around the world. After 8 years of the Obama administration, the bottom line is, our foremost enemy in the Middle East became stronger, not weaker.

On top of all of that, President Obama pushed aside our strongest ally in the region—Israel—time and time again to appease nations that were working against us. That is simply not how the United States should operate in its leadership role around the world.

I could go on and on about the foreign policy failures of the last administrations with respect to the Middle East, but it is not the only region in worse shape. Under President Obama's watch, Russia invaded Crimea and eastern Ukraine. It repeatedly threatened NATO member states and ramped up its cyber espionage to influence and undermine public confidence in free and fair elections both in the United States and in Europe. Along the way, our allies in Europe were cast aside rather than assured of our support—all with Russia's mounting aggression close by.

In the Pacific, China continued to advance its regional dominance by making claims to islands disputed by our allies, going so far as to convert sand bars and reefs into island military bases—some with 10,000-foot military-capable runways right there in the South China Sea.

Finally, North Korea continues to develop and test its nuclear and ballistic missile capabilities with the threat of soon being able to use both to reach the continental United States. North Korea carried out four nuclear tests during the Obama administration. That is simply unacceptable.

The truth is, after two terms of inaction, no coherent strategy, and leading from behind, our allies and partners around the world questioned the commitment and power of the United States and our ability to defend our national interests around the globe.

I, personally, am thankful for what we have seen President Trump accomplish so far, even in a short period of time. His tough but honest discussions about America's role in the world are appreciated not only by those of us here at home but by our allies and friends around the world who have been hungry for American leadership.

When Assad crossed a line the entire international community deemed abhorrent, President Trump, unlike President Obama, took action. Unfortunately, President Trump has inherited foreign policy predicaments that were created by both the action and inaction of his predecessor around the world. My hope is, President Trump will continue to work with the great team he has assembled to make sure U.S. interests are put first and that America continues to exert its leadership role around the world.

The truth is, a strong America and an America that leads is a stabilizing and peacekeeping influence around the world. Just the opposite is also true. As America retreats, there is no other country that can fill that leadership vacuum. It is inherently destabilizing, and it is an invitation for bad actors around the world to take advantage of that power vacuum.

I look forward to working with the administration, as well as all of our colleagues in the Congress, to help keep Americans safe by making clear that we will back up and support our allies and partners abroad and send a powerful message to those who threaten our interests.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CRUZ). Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I support Mr. Rosenstein's nomination to be Deputy Attorney General. Not only is he a very experienced and accomplished attorney, he has served in the Justice Department for almost three decades under five Presidents, but he served as the U.S. Attorney for the District of Maryland under both President Bush and President Obama—a very rare record of service. During his nominations hearing to be Deputy Attorney General, Mr. Rosenstein promised us that he would “work to defend the integrity and independence of our justice department, to protect public safety, to preserve civil rights, to pursue justice, to advance the rule of law and to promote public confidence.”

However, many Members have mentioned they are concerned about the FBI Director's announcement of an investigation of Russia. And during his nominations hearing, Mr. Rosenstein was repeatedly asked if he would commit to appointing a special counsel to handle any investigation in this matter. I was impressed with his unfailing commitment to independence when he answered these questions.

Rather than prejudice investigations before he knows the facts, he unwaveringly promised to make decisions only after thoroughly reviewing all the relevant information in a particular case. He committed to not prejudice the situation before he knew the facts. And he committed to conducting every investigation with independence.

I personally believe Mr. Rosenstein possesses the necessary independence to conduct any investigation of this type. He told us he had never met with Russian officials nor has he spoken to the President or Attorney General about this matter. And he spoke in great length about his career-long commitment to independence and to conduct his work free from political concerns.

In fact, we already know that he has a well-known reputation for independence. In 2012, Attorney General Holder specifically asked Mr. Rosenstein to handle a special investigation into leaks of classified information because of his reputation for independence and impartiality.

When Republicans suggested a special prosecutor might be appropriate, members of the Judiciary Committee assured us that none was necessary precisely because Mr. Rosenstein was at the helm of the investigation. One member of the Committee described him as a “scrupulous man” and “independent.” There was “no reason to believe why [he] cannot work with the FBI and assemble a very strong prosecution team where warranted.”

Mr. Rosenstein is still scrupulous and independent. If Mr. Rosenstein could conduct an investigation with independence under Holder then, he can certainly do it now. Furthermore, Mr.

Rosenstein comes with high recommendations from a bipartisan list of former Attorneys General and Deputy Attorneys General. And he comes with high recommendations from his home state Senators, current and former.

Former Senator Mikulski wrote the committee and told us that he will be a “strong, experienced leader at the Department of Justice who is fair and committed to the equal application of our laws” and “In these polarized times, now, more than ever we need a strong, experienced leader at the Department of Justice who is fair and committed to the equal application of our laws. I hope the Senate will confirm Rod Rosenstein for this important position.”

After Senator CARDIN described all Mr. Rosenstein's professional accomplishments when he was introducing him at the hearing, he said, “What impresses me the most, he has done this in a totally non-partisan manner.” And concluded by saying, “I think Mr. Rosenstein is the right person at the right time for Deputy Attorney General.”

Finally, James Cole, President Obama's Deputy Attorney General, wrote to inform the committee that Mr. Rosenstein will respect the need for the Department “to not only enforce the laws, but to also maintain a level of independence that enables it to have credibility in the eyes of our citizens.”

From all I see and know about him, I believe Mr. Rosenstein will keep his promise for integrity and independence. He promised us if he is confirmed as Deputy Attorney General, “all investigations under my supervision [will] be initiated and conducted in a fair, professional, and impartial manner, without regard to political considerations.” We can't ask for anything more. I urge all my colleagues to join me in voting to confirm Mr. Rosenstein to be Deputy Attorney General.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. GRASSLEY. Mr. President, I ask unanimous consent that all time postclosure on the Rosenstein nomination expire at 5 p.m. today and that, if confirmed, the President be immediately notified of the Senate's action and the Senate resume consideration of the Acosta nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:30 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Nebraska.

HONORING NEBRASKA'S SOLDIERS WHO LOST
THEIR LIVES IN COMBAT

Mrs. FISCHER. Mr. President, I rise today to remember another of Nebraska's fallen heroes—those young men and women who have given their lives defending our freedom in Iraq and Afghanistan. They all have different stories. Their families all have the same request: Remember their sacrifice. By telling the stories of these heroes here on the Senate floor, we honor the request of these Gold Star families.

SPECIALIST WILLIAM "BILL" BAILEY

Today, Mr. President, I honor the life and service of William "Bill" Bailey of Bellevue, NE. Now, the name "William" comes from old German. It means "determined protector". Bill Bailey lived up to his name. His mother Margaret says he was a born protector. When Bill was very young, he lost his father to a car accident. Margaret recalls how Bill embraced his younger sister Jessie just after her birth. The word came to her at once: protective.

As he grew, Bill naturally looked to protect those outside his family too. Ron Budwig was matched with Bill through the Big Brothers Big Sisters program.

Ron recalled a simple but profound example of Bill looking out for Ron's family. Ron's mother was running late to one of the program's activities, and, meanwhile, the parking lot was filling up. Bill went and stood in a parking space, keeping it open until Ron's mother could come. It was a simple act, but it said a lot.

Bill attended Bellevue East, where the call to protect his country prompted him to enlist in the Nebraska Army National Guard in 1995. After graduating from high school in 1996, he served out his enlistment with distinction.

A few years later, in December 2000, Bill met Deanna, whom everyone calls Dee. She was a bank teller at Wells Fargo. He drove an armored truck. They met through a service window. Now, Bill had left the service in 2001 when his enlistment ended. After 9/11, he felt the call to serve his country again—but first things first. Bill and Dee married in 2004. Dee's children, Cody and Maquala, took immediately to Bill and his children, Catlynn and Billy. Logan soon followed.

As you can expect, Bill's protective nature made him a great father. It also made him a great firefighter. Extending his protection beyond his family once again, he joined the Bellevue Volunteer Fire Department. He was a natural fit. Whether there or working as a life flight dispatcher, Bill worked to keep Bellevue safe.

That deep desire to serve his country continued to tug at him. In 2005, Bill reenlisted in the Nebraska Army National Guard. Originally assigned to the 600th Transportation Company, he transferred to the 755th Chemical Company. Why the transfer? Because he learned the 755th would soon deploy. In late 2006 it did. Bill Bailey went with it. The 755th Chemical Company was assigned to provide security escorts for truck convoys operating out of the Balad Air Base in Iraq. Iraq at this time was increasingly unstable. It was dangerous, but Bill's good nature made it bearable.

SGT Timothy Ossowski remembers SPC Bill Bailey fondly: "When I became his team leader, I thought I had struck the jackpot." By 2007, the insurgency in Iraq had erupted to new levels of violence. Increased American forces sought to seek out and destroy the al-Qaida network. Casualties ran high.

Despite the high operations tempo, Bill and Dee communicated almost every day through phone calls or texts. On May 24, they were able to talk by phone. In typical fashion, Bill mentioned he was excited to finish his dull watchtower duty and start a new security escort mission the next day. Bill was also excited for his upcoming leave in June, when the Bailey family planned to celebrate Bill's birthday.

The next day, May 25, 2007, Bill took part in that security escort mission. During it, his vehicle struck an improvised explosive device. Three Nebraska Army National Guard soldiers were wounded, and Bill Bailey was killed.

More than 1,000 people gathered in Bellevue to remember Bill. A Patriot Guard of more than 100 flag-flying motorcycles accompanied his funeral procession. Specialist Bailey earned several military awards, including the Purple Heart, the Bronze Star, the Iraqi Campaign Medal, and the Combat Action Badge. Bill's brother-in-law, Damian Kuzepka, summarized Bill's life:

Bill was a wonderful husband, brother, son, father. He dedicated quite a bit of his life to helping other people. He was definitely a go-doe. He will definitely be missed.

William Bailey is survived by his mother Margaret, his wife Deanna, and their children, Cody, Maquala, Catlynn, Billy, and Logan. Bill Bailey is a true Nebraska hero. I am honored to tell his story.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

BORDER SECURITY

Mr. CARPER. Mr. President, I am pleased to be able to serve with the Presiding Officer on the Committee on Homeland Security. Part of our responsibilities on homeland security is to make sure, to the extent that we can, that our borders are secure. We do that in a variety of ways. We do that, in some cases, with our Border Patrol officers. We have a lot of them. We appreciate the work they do.

We also have, in many places, particularly along the border of Mexico—as the Presiding Officer knows—a lot of fencing that is there. We have a lot of roads that our vehicles can travel along to have mobility on the ground. Our President has proposed, at least earlier this year, that we spend about \$25 billion to build a wall, maybe 10-, 15-, 25-foot high along the 2,000 miles between the Pacific Ocean and the Gulf of Mexico.

I have never been convinced that that is the best way—to put all of our money in the basket—that that is really the best way to better ensure the security of our border with Mexico. As it turns out, most of the folks who are coming into the United States from that part of the world are not Mexicans. Actually, more Mexicans are going back into Mexico than Mexicans coming across the border into the United States.

Most of the illegal immigration—not all but most of it—is coming from three countries: Honduras, Guatemala, and El Salvador. The reason why they come here is because their lives are miserable. They are miserable because we buy drugs. We have this insatiable appetite for illegal drugs. So a lot of them are trafficked through Honduras, Guatemala, and El Salvador.

We send money down to those three countries for the drugs, and we send guns down to that part of the world. When we catch bad guys in this country from Honduras, Guatemala, and El Salvador, we send them back to those three countries.

So part of the security of our southern border involves actually trying to help those three countries figure out ways to keep their people home, rather than wanting to come to our country. Part of it is making sure that they have decent lives to live. Twenty years ago, as you all may remember, a bunch of gunmen rounded up the supreme court justices in Colombia, took them into a room, and shot and killed them—shot them all to death.

It was a time when the government was tottering and there was a question of whether they were going to survive in Colombia. Some very brave people stood up in Colombia and said: No, no, we want to survive, we want to fend off the drug cartels, and we want to fend off the leftist guerillas. Ultimately, they were successful. It has taken 20 years.

They worked on something called Plan Colombia to help turn around their country. We came in, and we helped them. They did the heavy lifting, and we helped out as well. I like to say that it is sort of like at Home Depot: "You" can do it—using, in that case, Colombia—and "we" being the United States.

A similar kind of thing is going on in Honduras, Guatemala, and El Salvador. They have come up with their own Plan Colombia. You might call it "Plan Central America." The three countries have come up with things they are responsible for doing to improve the quality of life for their folks and the ability to have economic growth and opportunity and hope. We are helping out as well. We have done that in some appropriations bills for the last fiscal year. We are trying to spend a little bit more. Wisely invested, it will be a fraction of what they are actually spending on their own.

To the extent that those three countries can be more attractive to people who live there, that actually helps a whole lot in terms of the pressure on our own borders. Plus, it is the right thing to do. The other thing I would mention, as to our energy policy in this country, is that sometimes we have had an "all of the above" energy approach. It is not just coal, it is not just wind, it is not just solar, it is not just geothermal, it is not just nuclear, and it is not just natural gas. It is all of the above. It is conservation as well.

We need a similar approach to continuing to protect our borders, whether it is in the South or other places. But it should involve a variety of things. There are some places along the 2,000 miles where it will actually make some sense. There are a lot of places where a fence makes more sense. There are a lot of places where it makes more sense just to pave the roads alongside the border.

The Presiding Officer actually spent, as he said, his "misspent youth"—but I will say his youth—earlier in his life where he and other kayakers were in boats along the Rio Grande River. Part of border security is boats along that stretch of the river, that stretch of the border because it is literally hundreds of miles where the border is defined by a river. So in some places, boats make sense. In other places, boat ramps make sense.

Sometimes it makes sense to have drones up in the air that can surveil up to 100 miles into Mexico for folks coming our way. Sometimes it makes sense to put helicopters, sometimes fixed-wing aircraft. But you can't just send them up with binoculars. You need to put the right kind of surveillance equipment on there. We have that equipment. The key is to put it on the aircraft.

Sometimes stationary towers going up 200, 300 feet makes sense. Some-

times it makes sense to make those mobile. Sometimes we can put those surveillance systems 5,000 feet up in the air to look literally 100 miles into Mexico to see what is coming our way. If we have the right surveillance system, they could see not just during daylight, sunny skies, but they could see at night. They can see in fog and dense fog. So the key is all of the above—it is not any one thing—and to find out what works. The other thing is, maybe to continue to support and ask our Border Patrol: What do you guys and gals think? What do you think makes sense? And listen to them.

No, I am not smart enough to figure out how much money we put exactly in each one of those, but I think it makes sense, depending on what the needs are and on the advice of the folks who really are the experts on the ground, what they suggest, and we can do an "all of the above" approach. But we also have to consider that the reason most of the illegals are coming to our country is that they live their lives in misery. If we don't do something to help them help themselves, we are going to be falling short of where we want to be.

I just wanted to share that before we recognize the next Senator.

I am looking forward to the inaugural address of the new Senator from Illinois.

THE PRESIDING OFFICER. The Senator from Oregon.

MR. MERKLEY. Mr. President, I am honored to be on the floor for the maiden speech of my colleague Senator DUCKWORTH.

THE PRESIDING OFFICER. The Senator from Illinois.

OUR SHARED VALUES

MS. DUCKWORTH. Mr. President, I thank my friend and mentor, a great Illinoisan, Senator DURBIN for being here today. I wouldn't be here without his guidance and friendship over the years.

It is truly an honor to stand at this desk, which was once held by another great Illinoisan by the name of Barack Obama, delivering my maiden speech from the floor of the U.S. Senate to the people of Illinois, the same State that has been represented in Washington by other impressive leaders like Paul Simon and Abraham Lincoln. And it is an honor to address the people of the United States of America, the greatest Nation in the world.

Though we have occasionally made choices as a society that do not reflect our best selves, we are today the greatest Nation on Earth because of the founding ideals that have anchored our Nation and because of the shared values that have guided the development and strength of our economy and our people—values like treating each other equally, showing strength and resilience in the face of hardship, and embracing the diversity that makes us who we are. They are shared values

that have helped us to strive toward that more perfect Union the Constitution's Framers envisioned, a more perfect Union that offers everyone a chance to reach his or her potential, a more perfect Union that will not give up on its people, and a more perfect Union whose people don't give up on themselves either.

We face a great deal of challenges and threats, threats I know well, but we cannot allow today's hardships to change who we are as a people, to tear down the pillars that make this Nation great. Falling victim to fear and demagoguery will only ensure a weaker America for our children, and that is simply not the future I want for my Abigail.

When we, as a society, think about the future we want for all of our children, I think it is important for us to remember how we got here. Our Nation wasn't founded as the dominant global economic and military force that it is today. We were not founded as the leader of the free world; our people built that. Americans understood that when we invest in ourselves, the fabric that holds our country together only grows stronger. A scrappy gang of patriots in the American Revolution—my own family included—won us our liberty, which we used to push for greater civil and human rights and to make investments in agricultural and educational systems that sparked our economy, allowing us to strengthen our military into the greatest fighting force the world has ever seen.

Success, however, was never guaranteed. From our founding, the United States of America was forged through fierce debates and stark divisions. Slavery led to bloodshed across the country, including in the Senate Chamber, and culminated in brothers killing brothers during our Civil War. Yet our Union made it through our greatest challenges and emerged even stronger. We emerged a more perfect Union.

Our strength has been on display outside of our military as well: When heroes like Frederick Douglass and Harriet Tubman risked everything to help bring an end to slavery; when Martin Luther King, Jr., had a dream; when the children of the Little Rock Nine braved harassment and abuse to bring an end to segregated schools and ensure educational opportunity for all; and when the backbreaking work of Asian and American laborers united our Nation from sea to shining sea with the completion of the transcontinental railroad.

America catalyzed the industrial revolution for the globe. We helped rescue the global community from fascism during World War II. We promoted civil and human rights around the globe. We explored space, launched the internet revolution, helped feed the world, built a world-class infrastructure network, developed a gold standard education

system, and grew the strongest economy ever seen.

We were able to win World War II not because of the brave troops in our Armed Forces alone but also because our Nation's manufacturers and steel mills were able to produce the tanks and planes and firearms and other tools we needed to defeat the Nazis. We were able to build those weapons, launch the internet revolution, and send a man to the Moon only because we had a well-educated workforce made of people from all around the globe, all of whom had an opportunity to attend world-class colleges and universities right here in the United States, universities we spent generations strengthening.

Our economy was able to grow to its current strength not only because of that well-educated workforce and those who came from distant lands but also all who came and stayed to contribute to our society. It was also able to grow because we had invested heavily in infrastructure and built an interstate system and air and rail networks that enabled our farmers, ranchers, and other producers to get their goods to market inside and outside our country's borders.

We were able to feed the world not only because of our strong agricultural sector and infrastructure alone but also because of the scientific advances supported by those educational institutions that helped increase farm production and yields.

Throughout our history, we pushed to expand human and civil rights from the abolitionists to the suffragettes, learning from people like the Tuskegee Airmen, the Selma marchers, and the LGBTQ leaders today that being inclusive and enabling people to reach their full potential only strengthens the American core. We did all of these things as a result of our shared values, and we have reaped their rewards for generations.

We have seen our Nation's strength in our prouder moments, as when America chose to go to the Moon—not because it was easy but, in President Kennedy's words, because it was hard.

We have seen our strength in tragedy, reuniting under a common cause in the rubble of the Pentagon and Ground Zero on 9/11.

We might get knocked down, but the America that I know, the America that I fought for and love, does not give up. That is not a Democratic principle or a Republican principle; it is simply the American way.

America's greatness has never depended on the strength of any individual person, but on all of us working together toward a common goal. When we have failed to stay true to our core values, when we deny another person our Nation's promise of opportunity, our Nation's strength suffers. When a child can't access the tools to succeed in school, when a woman can't afford

basic healthcare, when refugees fleeing terror see the door slammed shut in their face, when we deny civil rights on the basis of skin color or sexual orientation or religion, and when a working family can't put food on the table, our whole Nation suffers. At the end of the day, America's greatness depends on each of us remaining true to the common values of our Nation.

But we have lost sight of those values. The Nation that built an interstate highway system, that was a refuge for immigrants who became the foundation of our economy, this Nation that pushed humanity to new heights, first with planes and helicopters and then into space, that same Nation seems to have forgotten how to invest in itself.

Our country that ushered in the era of aviation is now home to aging airports that struggle to compete with their global competitors. Our country that took on the Herculean task of reversing the flow of the Chicago River to protect the city's drinking water can no longer muster the resources to modernize public water systems to prevent our children from being poisoned by lead. Our country that built the greatest military the world has ever seen, sending a signal that we will not cower in front of anyone, now finds itself with leaders who believe in the misguided notion that it is simply better to hide behind walls than to help lead with strength.

Make no mistake, America has not lost her greatness. Our Nation remains the dominant force on the global stage. But if we don't act, if we don't invest in ourselves, our adversaries are positioned to overtake us.

Though some may try to convince us the path forward is less engagement with the world, less acceptance of others, and less investment in ourselves, I know the path forward for our country cannot include—does not include—turning our backs on the shared values that built this Nation.

Perhaps more than any other State, Illinois knows this. We represent all the strengths of our Nation, from our dynamic cities to our strong rural and industrial communities and everything in between. We are the realization of the values that have created that robust American economy, bolstered by a strong agricultural community and manufacturing sector, both of which innovate and strengthen our Nation with the help of wise public policy and investments.

Those investments enabled Illinois steelworkers to help us develop our farmland, build our cities, and secure our military strength. American manufacturing built this Nation, but too many of the steel mills we relied on to win World War II have been idled or shuttered completely.

After years of illegal trade practices, like dumping of cheap foreign products

and currency manipulation by our competitors, our manufacturing base has been weakened. That hurts not only American jobs but also our Nation's military strength as well as the resilience of our entire economy. We simply need to do a better job of keeping manufacturing jobs within our borders, and we need to make the investments necessary to ensure that we have a workforce trained for our 21st century jobs.

We can do better by Illinois' tens of thousands of farmers as well. These farmers, ranchers, and agricultural workers form the basis of our Nation. They all wake up with a purpose, each farm feeding nearly 170 people every year while supporting an industry that is developing cutting-edge biofuels and other technologies.

I have seen firsthand the painful price our Nation pays because of our overreliance on oil imported from our competitors. The simple fact is that American farmers are helping us improve our national security. They are helping to strengthen our Armed Forces and our entire country every day. They are already helping produce billions of gallons of clean fuel for our cars, our factories, and our military, and every single one of those gallons brings us closer to energy independence.

We cannot afford to leave our agricultural sector behind. We should be working to preserve policies like the Renewable Fuel Standard that support agricultural jobs and to open new markets, like Cuba, for their goods.

For generations, our manufacturers and agricultural sectors have relied on a strong infrastructure network, including roads, bridges, waterways, railways, and air transportation, to get their goods to market, both domestically and internationally. Illinois has often led the way. We built the Nation's first elevated electric rail line in the 1800s. But today, far too much of that infrastructure is crumbling. It is in dire need of the investments our society once understood the need for. The down payments previous generations made paid dividends to us all in the form of increased tourism, lower costs, more efficient shipments, easier travel, and so many other benefits.

If we fail to continue the investments past generations have made, we risk falling behind our global competitors, hurting not only our tourism industry but also our manufacturers and our hard-working ranchers, farmers, and producers who will find it harder and more expensive to get their products to market.

If we choose to disregard our infrastructure much longer, we simply will not be able to compete in the 21st century global economy. Improving our infrastructure isn't a partisan issue. It is common sense. It is an economic priority, a defense priority, and a national

security imperative. This is something we can all work on together.

I am proud to say that the first bill I proposed after arriving here in the Senate passed unanimously with bipartisan support. It will cut redtape and help streamline efforts to modernize our infrastructure and allow our economy to continue growing for generations to come.

That is also true of supporting our schools, colleges, and universities. We have developed global gold standards for education that enable our manufacturers, agricultural workers, engineers, and brilliant Americans all across every sector to push our economy further.

There is a reason that wealthy elites across the globe—including world leaders from foreign lands—still send their children to be educated on our shores, in world class institutions like the University of Illinois and the University of Chicago. Our education system is widely recognized as the best in the world. Our teachers and institutions continue to produce some of the best trained and most skilled professionals in every field imaginable—both American and international students. That is a good thing.

But more and more Americans are no longer able to access those same educational opportunities. We have priced too many of our own children out of the market for those colleges and universities that we have developed to ensure our Nation's workforce remains more skilled than our competitors, or we have saddled them with crippling debt. We are failing to make the necessary investments in K-12 public institutions that, regardless of ZIP Code, should be preparing every single one of our children to lead our country into the future.

Quality primary education should not be a privilege only for the wealthy, and it should not depend on rolling the dice on receiving a voucher. In the greatest and wealthiest Nation in the world, a quality education should be a right for every single American child. Our Nation's promise of opportunity should be a reality for every child in America, not just for those whose parents can afford it. We already have some of the world's greatest teachers, the brightest students, and the best facilities within our own borders. All we have to do is ensure they have the resources they need to succeed. That means our kids should not have to worry about going to school hungry or getting the help they need after school or being able to pay for college when they graduate high school.

That is why I focus on commonsense solutions to increase access to educational opportunity, whether by helping to lead the charge to make college more affordable or doing well to ensure the education we are providing people actually helps them find good-paying jobs when they graduate.

In that vein, I am also disheartened by the recent erosion of civil rights protections in our Nation. The calls for bigger walls and closed doors are not only bad, costly policies, they run counter to our society's shared value for inclusion over exclusion. Too many of us seem to forget the immigrant roots within our own families. If we lose sight of our Nation's founding principles, as some in Washington would like us to do, we will lose out on the innovations we have seen from immigrants and immigrant families.

If we had rejected immigrants years ago, Apple Computers might never have been founded by the son of a Syrian man. I worry that at a time when we still have so much work to do to make our Union more perfect and to provide truly equal rights for all, under the current administration we are at risk of backtracking on hard-fought progress made by civil rights leaders who bled and even died for the rights of all Americans, regardless of race, gender, religion, sexual orientation, income or ZIP Code to have the right to vote, to have equal protection under the law, to have basic worker protections, and for the everyday rights and privileges so many of us take for granted. We still have so much progress left to make if we want the American dream to be accessible to all Americans—equal pay for equal work, a criminal justice system that truly provides justice for all, nationwide leave policies that enable anyone to take time to care for a sick family member or to start a family, a society that is accessible for all disabled Americans and truly equal for all LGBTQ Americans.

I worry that we are at risk of going backward instead of forward. Failing to continue our Nation's inclusive nature weakens our global standing as well as the rest of the world begins to look elsewhere for moral leadership. That would be a failure for us and a weakening of our Nation that I will fight to prevent.

Of course, I also know how much our military has contributed to our Nation's greatness throughout our history. We must do a better job of recognizing these contributions, not just by purchasing equipment and technology, though what our skilled workforce has done is the envy of the world, but also by ensuring that we recognize and respect the sacrifices made by our troops, our military families, and our veterans. Servicemembers embody our values of shared sacrifice and perseverance, of loyalty and selfless service, and they each make great sacrifices to protect us.

They deserve from their leaders in Washington a clear sense of mission and strategy, and they deserve to know we fully support them. So, yes, when the drums of war are beating in the White House or in Congress, you can

bet I am going to be right here on the floor of the Senate, asking tough questions and making sure our leaders in Washington, especially those who have never worn the uniform, truly consider the true costs of war—not just in dollars and cents but in human lives—in the commitments we are making on behalf of the Nation. I will also be here to remind my colleagues that we are all dishonored when any veteran is forced to lay their head down to sleep on the same streets they defended. We must end veterans homelessness. When our troops come home, I will be working to see that the veterans receive the care and support they earned for the sacrifices they have made.

Each of these components of our society contribute to what has made our country great—our military, our values, our infrastructure, our agriculture, our manufacturers, and our world-class educational system. If we fall prey to our fears, to our worst demons, and allow any of these pillars to fall, we will lose our opportunity to remain the leader of the world. We can rebuild the foundation of our Nation's strength and revamp it for the 21st century, but we can't simply rest on our past successes and act like our greatness is guaranteed forever. It isn't. It will take work.

This is deeply personal for me. I wouldn't be here today without the public education that enabled me to serve in our military for more than two decades and allowed me to give back to my Nation, both in and out of uniform.

Our Nation would not be as strong as it is today without the millions of individuals who sacrificed to build it. Our Nation's strength—what truly makes America great—is rooted firmly in our shared sense of sacrifice. It comes from our single parents working multiple jobs just to make sure our kids don't go to school hungry; it comes from the farmer in Illinois waking long before dawn and working long after dusk to help power and feed our Nation; it comes from an immigrant family willing to put everything on the line to give their kids a chance at a better life than their own; it comes from the hard work and compassion, the sacrifice that Americans serving in our country in and out of the military demonstrate every single day.

We can all do a better job of remembering the shared values that have helped to build this Nation, but I want to make one thing clear: America is already great. We shouldn't let anyone tell us otherwise.

We know we still have a lot of work to do as a country, but let us not lose sight of the core values that make our improbable Union possible. We are still the greatest Nation on the face of the Earth, and if anyone has the capacity to overcome the challenges of today, it is this Nation. It is the American people.

I thank my colleagues for joining me today for my maiden speech.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Illinois.

CONGRATULATING SENATOR DUCKWORTH

Mr. DURBIN. Mr. President, I rise to thank my colleague for her first speech. The first speech given on the floor of the Senate is a memorable occasion for not only my colleague but for the staff, friends, and family who have followed this amazing story of TAMMY DUCKWORTH, a U.S. Senator from Illinois. She didn't disappoint with this first speech.

If there was ever an inspirational speech speaking to who we are as a nation and what we can be, she encapsulated it in her comments on the floor of the U.S. Senate. It was an aspirational speech, too—a challenge to all of us to do a better job for this Nation, to make it stronger and to represent more effectively the people who have sent us here to serve them.

She brings a special quality to the service that very few have been able to bring to the U.S. Senate. I first met MAJ TAMMY DUCKWORTH 12 years ago when she was my guest at the State of the Union Address just weeks after her helicopter had been shot down over Iraq. I was amazed by her tenacity, her courage, her good humor. I thought to myself, this woman has really made history. I think she can even make more history, and she has, being elected to the U.S. House of Representatives as well as the U.S. Senate, an opportunity that fewer than 2,000 Americans have had in our Nation's history.

I think back on what she brings to the Senate, and it is something that is special and extraordinary. To come to this Senate after her service in the military is to follow in the path of Senator Bob Dole, a disabled veteran from World War II, who led the Republican side of the aisle; Senator Daniel Inouye, a personal friend to both Senator DUCKWORTH and me, who served in World War II; Senator Paul Douglas of Illinois, who served as well; Strom Thurmond, from South Carolina, a Republican; and more recently, Max Cleland, a Vietnam veteran; Bob Kerrey, John Kerry—the list goes on and on, the great people who have served our Nation in the military and then came to serve in the Senate.

One of the points she made in that speech was one of the reasons I supported her so wholeheartedly. When we face the most difficult, trying, and challenging votes in a Senate career, the vote to go to war, having the voice of TAMMY DUCKWORTH on the floor is a reminder of the real cost of war and how we should avoid it at any cost, if we can, and what we are asking our men and women in America to do if we send them off to war. She will have more credibility, will have more confidence in her judgment, than virtually

any colleague on the floor of the U.S. Senate. So she is going to play a special role.

Finally, let me say, in a short period of time serving as a U.S. Senator from the State of Illinois, she has shown that she is not going to be taking it easy. She has covered our State from one end to the other, most recently during the Easter recess, with town meetings and meetings with all sorts of people across our State, leaving a positive impression of her commitment to public service.

When I saw her and her mom and her little daughter Abigail get on the plane just the other day, yesterday, to come out here, I realized it is a family commitment which includes all of her family and her husband Bryan. They are committed to this country, they are committed to our great State, and we are fortunate to have her service.

Mr. President, I congratulate my colleague.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HOEVEN). Without objection, it is so ordered.

THE ECONOMY

Mr. THUNE. Mr. President, it is no surprise that the economy continues to be one of the top issues on the minds of Americans. The 8 years of the Obama administration were characterized by weak economic growth, a dearth of jobs and opportunities, and almost nonexistent wage growth. The Obama administration ushered in long-term economic stagnation.

The Congressional Budget Office predicts that the economy will grow at a rate of just 1.9 percent over the next 30 years—a full percentage point lower than the average growth rate over the past 50 years. We cannot resign ourselves to that. Resigning ourselves to long-term growth of 1.9 percent would mean resigning ourselves to decades of fewer jobs and opportunities, low wage growth, and a reduced standard of living. Fortunately, there are a lot of things we can do to get our economy thriving again and to spur economic growth.

A recent report from the Economic Innovation Group identified one important problem with our economy today, and that is a lack of what the EIG calls economic dynamism. Economic dynamism, as the Economic Innovation Group defines it, refers to the rate at which new businesses are born and die.

In a dynamic economy, the rate of new business creation is high and significantly outstrips the rate of business death, but that has not been the

case in the United States lately. New business creation has significantly dropped over the past several years. Between 2009 and 2011, business death outstripped business birth, and while the numbers have since improved slightly, the recovery has been poor and far from historical norms.

The Economic Innovation Group notes that in 2012—which, by the way, was the economy's best year for business creation since the recession—it still “fell far short of its worst year prior to 2008.” This is deeply concerning because new businesses have historically been responsible for a substantial part of the job creation in this country, not to mention a key source of innovation. When new businesses are not being created at a strong rate, workers face a whole host of problems. “A less dynamic economy,” the Economic Innovation Group notes, “is one likely to feature fewer jobs, lower labor force participation, slack wage growth, and rising inequality—exactly what we see today.”

Restoring economic dynamism would go a long way toward boosting economic growth and providing new jobs and opportunities for American workers. One big thing we can do to achieve this is to relieve the burden of excessive government regulations. Obviously, some government regulations are important and necessary, but too many others are unnecessary and do nothing but load businesses with compliance costs and paperwork hours. The more resources businesses spend on complying with regulations, the less they have available for growth and innovation. Excessive regulations also prevent many new businesses from ever getting off the ground. Small startups simply do not have the resources to hire individuals—let alone consultants and lawyers—to do the costly work of complying with scores of government regulations.

Unfortunately, over the past 8 years, the Obama administration spent a lot of time on imposing burdensome and unnecessary regulations on American businesses. According to the American Action Forum, the Obama administration was responsible for implementing more than 675 major regulations that cost the economy more than \$800 billion. Given those numbers, it is no surprise that the Obama economy left businesses with few resources to dedicate to growing and creating jobs or that new business creation seriously dropped off during the Obama administration.

Since the new Congress began in January, Republicans in Congress and the President have been focused on repealing burdensome Obama-era regulations. So far, we have saved individuals and businesses approximately \$67 billion and freed them from 56 million hours of paperwork. Eliminating burdensome regulations will continue to

be a priority for both Republicans in Congress and for the White House.

In addition to removing burdensome regulations, we need to focus on reforming our Tax Code. Our current Tax Code is strangling businesses, both large and small. Some corporations escape with paying very little in taxes, but others end up paying the highest corporate tax rate in the developed world. Meanwhile, small businesses and family farms face high tax rates, at times exceeding those paid by large corporations.

Tax reform needs to address these obstacles to growth. We need to trim our excessive corporate tax rate to make U.S. businesses competitive in the global economy, and we need to reduce taxes for small businesses so that we do not choke off these sources of growth and innovation. Measures like allowing new businesses to deduct their startup costs and expense more of their investments in machinery and equipment would spur new business creation and help small businesses thrive.

Our goal is to take up tax reform this year, and I am looking forward to that debate. Reforming our Tax Code will go a long way toward restoring dynamism to our economy and encouraging growth, job creation, and better wages.

There are other growth-boosting measures we can take as well, like removing unnecessary barriers that restrict access to capital. Both new and existing businesses rely on capital to help them innovate and expand.

The last 8 years were discouraging years for American workers, but the stagnation of the Obama years does not have to be the new normal. American workers and job creators are as dynamic and creative as ever; we just need to clear the obstacles from their paths. I look forward to working with my colleagues this year as we make putting our economy on the path to long-term health and vitality a top priority for the U.S. Senate.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO BRIAN MCGUIRE

Mr. MCCONNELL. Mr. President, this is one of those days I never look forward to. In my time in the Senate, I have had a lot of outstanding chiefs of staff. It is a pretty impressive group of men and women who have been in that position with me over the years—none more impressive than the person who, unfortunately, I have to say goodbye to today.

I am here today to pay tribute to Brian McGuire, the chief of staff in my

personal office, who is going to be leaving after well over 10 years of service in several different capacities but over the last few years as my personal office chief of staff. He is really a uniquely gifted person. He is one of the most skilled writers I have ever encountered and, in fact, in my career, the most skilled writer I ever encountered. But in addition to that, he is good at a whole lot of other things, too, as I will subsequently describe in my remarks.

As I think back about the chiefs of staff I have fortunately been lucky enough to have, none has been better at so many different things than Brian McGuire. I always hate to see these talented people go, but we know the best way for each of us to operate is to do what is in our own best interests. Of course, he has reached the point where he has a big family. There are more lucrative alternatives out there—maybe not as much fun and not as meaningful as daily life around here but important to making sure our families are taken care of.

It is hard to know really where to begin with Brian. He came to my office in 2007. It was a critical time. I had just been elected Senate Republican leader. We were not in the majority, but I had just been elected to this position. There was a lot of pressure to get things right.

Obviously, I was setting up a new staff in the leadership office. I wanted the best I could find. When we set out to hire a speechwriter, I certainly wasn't envisioning an upstate New Yorker with a master's in philosophy and a resume that included stints at HUD and the Schenectady Daily Gazette. From HUD to the Schenectady Daily Gazette and a guy from Albany, NY—not exactly what I had envisioned, but that was Brian McGuire, and he quickly proved himself in that role. That wouldn't surprise anyone who knows Brian. He is, as I said earlier, a skilled writer. He is bright. He is talented. He is guided by faith and his family. He is also the consummate professional, going above and beyond each and every time, no matter what the challenge, and we have plenty of them. As the years went by, there would be many different challenging situations—communications challenges, policy challenges, political challenges—but whatever the issue, Brian always rose to the moment.

After the 2014 election, when I became majority leader, I asked Brian to leave speechwriting behind and become the chief of staff in my personal office. He agreed, fortunately. He took to his new opportunity to serve the people of Kentucky with similar skill and always good humor.

These days, you would be forgiven for thinking Brian had spent his formative years in Albany, KY, rather than Albany, NY. He is an adaptable guy. He led my office in pressing the Common-

wealth's priorities on issues as diverse as industrial hemp, clean coal technology, and the fight against heroin and opioid abuse. So we can see the versatility, from a skilled writer from New York, of all places, to an effective advocate for Kentucky and Kentucky's interests.

Brian will be ably succeeded by another impressive individual, Phil Maxson, a Kentucky native who I know will continue Brian's legacy of service to Kentucky and who will serve with similar distinction.

Brian McGuire probably never imagined he would find himself here. Like me, he grew up dreaming of a career in the Major Leagues. As he put it, though, you can either hit the fastball or you can't. And since neither of us could, we ended up here. But Brian is more than just another power hitter; he, like his idol growing up, the Mets' Keith Hernandez, is an all-star. Brian is an indispensable utility player who can play every position, and I am not sure what I would have done without him. He is also one of the most interesting guys you will meet. Brian has a great sense of humor and a rather infamous reputation for spot-on impressions. He is probably the only one around here who holds Keith Hernandez and Aristotle in similar reverence and can reference each with similar ease.

At his core, though, Brian is incredibly grounded. He is all about the things that really matter—his Catholic faith, his two beautiful children, Stella and Max, and his wonderful wife Ashley. Ashley, I am happy to say, is due with their third child next month—just in time for Mother's Day. So Brian has a lot to look forward to as he climbs the next mountain. I hope he takes some time to look back and reflect on all he has accomplished here in his time with us.

Let me say again that Brian McGuire, on so many different occasions, has made me look so much better than I am. I could never thank him enough for the enormous contribution he made not only to my career but to Kentucky and to the Nation. So it won't surprise my colleagues to know I am going to miss Brian McGuire a lot.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I rise today in support of the nomination of Rod J. Rosenstein to be the Deputy Attorney General of the United States at the Justice Department. Rod has served the people of Maryland extraordinarily well since 2005 as the U.S. attorney for the District of Maryland. I am pleased to support his nomination, and I hope the Senate will confirm him in very short order.

I might point out that he received a favorable recommendation from the Judiciary Committee by a lopsided vote of 19-to-1.

Rod Rosenstein is the total package. He has committed his life to public service. Rod graduated from the Wharton School of the University of Pennsylvania with a B.S. in economics, *summa cum laude*, in 1986. He earned his J.D. degree from Harvard Law School in 1989, where he was the editor of the Harvard Law Review. He then served as a law clerk to Judge Douglas H. Ginsburg of the U.S. Court of Appeals for the District of Columbia Circuit. After finishing his clerkship in 1990, he became a trial attorney in the Public Integrity Section of the Criminal Division of the Department of Justice. He has remained at the Justice Department for his entire career.

Mr. Rosenstein has devoted his life to public service. In Maryland, Rod was appointed in 2005 by President Bush and then held over by President Obama, with the strong support of his two home State Senators, which include myself and the senior Senator at that time, Senator Barbara Mikulski. Rod has now become the longest serving U.S. attorney in the country today.

I really want to underscore that point. I know my colleagues know the prerogatives we have when we come into office and there is an opening at the U.S. attorney's office because of an election of a President from your own party where the previous U.S. attorney was appointed by the other party. In this case, it was a Republican who appointed Mr. Rosenstein. President Obama came into office, and the senior Senator and junior Senator had the opportunity to replace that U.S. attorney, which has been the tradition in the Senate. Senator Mikulski and I had no hesitation when asking Mr. Rosenstein to remain on as the U.S. attorney in Maryland. We did that because we knew how valuable he was for law enforcement in our State.

As U.S. attorney for the District of Maryland, Rod has garnered broad bipartisan support from the State and local law enforcement officials across our great State as he has tackled problems of crime, terrorism, drug trafficking, gun and gang violence, civil rights enforcement, environmental crimes, intellectual property fraud, and corruption. I just mentioned a couple of those.

I sat down with the U.S. attorney to talk about gang violence in our State because I had been to Central America and I saw the exporting of gang violence from Central America to Maryland. The U.S. attorney, Mr. Rosenstein, and I had a chance to talk about the strategies we would use in Maryland to combat that. But he didn't just work by himself at the U.S. attorney level; he worked with local law enforcement to make sure we had a team approach.

In terms of his pro bono work, Rod wrote in his Judiciary Committee questionnaire:

My entire legal career has been devoted to public service, and much of my work directly benefits disadvantaged persons. In addition to my official duties and public speaking, I have taught without compensation at area law schools, served as a judge at law school moot court and mock trial competitions, and counseled other lawyers who have devoted some or all of their career to public service.

He has truly been a model for many others in public service, a real role model.

Let me share a few examples with my colleagues of how State and local officials in Maryland have viewed Rod's work over the past decade. Let me begin with the city of Baltimore, which has just entered into a consent decree with the U.S. Department of Justice to reform its police practices after the death of Freddie Gray in custody 2 years ago.

Baltimore police commissioner Kevin Davis wrote:

Mr. Rosenstein and the Baltimore Police Department have collaborated on numerous large-scale investigations and resulting indictments of violent criminal organizations operating in Baltimore City. Under Mr. Rosenstein's leadership, the U.S. Attorney's Office and its prosecutors operate with the highest sense of justice and integrity in the course of these investigations and trials.

Commissioner Davis continues:

It is undeniable that Baltimore City is a safer place as a result of Mr. Rosenstein's tenure as U.S. Attorney. Through our professional collaborations, I have come to know Mr. Rosenstein on a personal basis as well. Mr. Rosenstein is a man of utmost character and intellect.

Former State's attorney for Baltimore City, Gregg Bernstein, a Democrat, wrote:

Simply stated, Rod was a terrific partner. Even a cursory review of his body of work as the United States Attorney for the District of Maryland makes readily apparent that Rod was committed to reducing the level of violent crime in Baltimore. His commitment and effort trickled down to other law enforcement agencies as well, including the Baltimore City State's Attorney's Office.

In Rod, we saw a person who was not interested in personal credit or accolade, but instead, one who created an atmosphere of collaboration that had not been seen in Baltimore for some time. It was much more important to him that everyone was working as hard as they could to fight crime in the City and the rest of Maryland.

Mr. Bernstein continues:

As a result of his tireless efforts, Rod helped to reduce the homicide rate in Baltimore to historically low levels not seen in decades. He also was responsible for supervising a United States Attorney's Office that was able to dismantle many of the gangs in Baltimore that were responsible for much of the illegal drug trade and violence that have plagued the City. He has earned the universal respect and admiration of not only his colleagues in the United States Attorney's Office, but other law enforcement agencies, and a debt of gratitude from the public that has greatly appreciated his work to make Baltimore a safer place to live and work.

State and local elected prosecutors of both political parties in Maryland have

also weighed in in support of Mr. Rosenstein's nomination. Scott Shellenberger, the Baltimore County State's attorney, wrote on behalf of the Maryland State's Attorneys' Association:

Rod has been an outstanding partner with every local prosecutor in the State of Maryland. Whether it is partnering with prosecutors in the City of Baltimore to stem gun violence, to the prosecution of prison gang corruption both in the city and in rural counties . . . Rod has always been there for law enforcement. When prosecutors in this State ask Rod for assistance, he does not care if you are a "D" or an "R," he has only cared about making this State a safer place. Rod makes his decisions based on the law, the evidence, logic and reasons, never allowing emotion or passion to move him from his core mission.

I have full confidence that Rod will call it like he sees it without regard to partisan or political considerations and that he will continue to uphold his oath to support and defend the Constitution and laws of the United States.

I must tell you that I have heard from State and local officials directly who have worked with Rod on political corruption cases and thanked Rod for the manner in which he collaboratively worked to root out corruption and misconduct by State and local officials in Maryland. As you can imagine, State and local officials do not always welcome Federal investigations or prosecutions into their domain, so this really speaks volumes about Rod as a prosecutor and a person and his ability to get along and accomplish results.

Former Maryland attorney general Doug Gansler wrote:

I have always found [Rod] to be totally by-the-book and completely apolitical. Rod understands the importance of staying out of the political limelight. The fact that I am a Democrat who served in elected office for 16 years and that Rod was appointed by a Republican President never was mentioned. He makes decisions for the right reasons and articulates those reasons with aplomb. . . . Rod is and always has been extremely ethical and conscientious, qualities which have earned him the respect of his peers and colleagues.

As Deputy Attorney General, Rod Rosenstein would basically serve as the chief operating officer at the Justice Department and manage the daily operations of the Nation's largest firm. The Department of Justice is a sprawling Cabinet Department with more than 100,000 employees and a \$28 billion budget. That is a pretty big undertaking. It is good to know that a person of his reputation has shown that he will not yield to partisan pressure but do what is right. It is good to know that we have that type of person whom we can confirm as the Deputy Attorney General. That is why it is so important that we have an effective manager and leader.

Maryland attorney general Brian Frosh, a Democrat, wrote:

I have found [Rod] to be intelligent, principled, and fair. As U.S. Attorney, Mr. Rosenstein has been an exemplary leader. He inherited an office that was in turmoil. With a steady hand and superb management, he has built it into an institution that is universally respected in our state. He has been able to recruit and retain extremely talented attorneys, investigators and staff, and the office has been effective and successful in carrying out its mission.

I expect Rod to exercise the same management style as the Deputy Attorney General overseeing the dozens of divisions, offices, and agencies at the Department of Justice. He will use that same commitment that he used as the U.S. attorney for the State of Maryland.

Lastly, let me quote from former Deputy Attorney General James Cole, who served in President Obama's administration under Attorney General Holder. I know Mr. Cole well. He was the special counsel during the House ethics investigation of former Speaker Newt Gingrich, which committee I was on. Mr. Cole supports Mr. Rosenstein's nomination. Mr. Cole writes:

Rod brings with him the knowledge, skill, experience, and wisdom that is required for this job. He also brings an understanding of, and respect for, the important role the Department of Justice occupies in our government—the need for it to not only enforce the laws, but to also maintain a level of independence that enables it to have credibility in the eyes of our citizens. Rod will make an excellent Deputy Attorney General. . . . Even at an earlier age, he exhibited the sound judgment and careful thought that was necessary to handle the very sensitive public corruption cases that were prosecuted by the [Public Integrity Section of the Criminal Division].

That is Mr. Cole. Mr. Cole was a former Deputy Attorney General, and he understands this role very well and understands Mr. Rosenstein is uniquely qualified to hold this position.

I want to conclude by urging my colleagues to support Mr. Rosenstein's nomination.

I especially thank Rod's family for their contribution to public service as well. As we know, we can't do this without a supportive family, and this service comes at a steep price in terms of time spent doing public service and sacrifices made by his family. I thank his wife Lisa and his daughters, Julie and Allison, for being willing to share their husband and father with our country.

I urge the Senate to confirm Mr. Rosenstein's nomination to be the next Deputy Attorney General of the United States at the Justice Department.

Mr. LEAHY. Mr. President, Rod Rosenstein's nomination to be Deputy Attorney General comes at a unique moment in history and critical juncture for the Department of Justice, as well as for this country. It has been 44 years since the Senate considered a Justice Department nominee who will be in charge of an active criminal in-

vestigation into a sitting President's campaign and administration. Since the Judiciary Committee reported Mr. Rosenstein's nomination to the Senate earlier this month, further press reports underscore how important it is that we have an independent and impartial investigation into Russian interference in our elections and connections with the Trump campaign and administration.

In just the past 3 weeks, we learned that a notable Trump campaign adviser was reportedly the subject of a FISA warrant. CNN reported that this adviser was among those who "Russian operatives tried to use . . . to infiltrate the Trump campaign." The AP reported that Paul Manafort, who worked for free as the Trump campaign chairman, previously received at least \$1.2 million for consulting work on behalf of a Ukrainian ally of Russian President Putin. That is in addition to reports that Mr. Manafort earned \$10 million per year for secret work on behalf of Vladimir Putin. We learned that President Trump's first National Security Advisor "failed to list payments from Russia-linked entities" on his financial disclosure forms. We also learned that the President's son-in-law and top adviser failed to disclose meetings with the Russian Ambassador and other officials on his application to obtain top secret security clearance—just like when the Attorney General provided false testimony before the Senate Judiciary Committee in response to questions from me and Senator FRANKEN about his own Russian contacts.

If confirmed, Mr. Rosenstein will assume leadership of the sprawling investigation into Russia's multifaceted attempts to interfere with our elections, an investigation that embroils not only individuals in the Trump campaign, but also those who are now in the President's Cabinet and senior officials in the White House. Attorney General Sessions was forced to recuse himself from this investigation after the press revealed that he had misled the Judiciary Committee and the American people about his connections to Russian officials and agents. There is no question that the Attorney General's recusal was required—and should have happened on day 1 after assuming office. Justice Department regulations required him to recuse himself because of the integral role that then-Senator Sessions played in the Trump campaign and his continuing contacts with those directly under investigation. These Department of Justice regulations protect the impartiality of all Justice Department investigations.

The Justice Department's regulations regarding appointment of a special counsel are equally significant. These regulations direct appointment of a special counsel when there is "a conflict of interest for the Department

or other extraordinary circumstances" and "it would be in the public interest to appoint an outside Special Counsel to assume responsibility for the matter." The current situation unquestionably meets that standard. Mr. Rosenstein acknowledged at his confirmation hearing that it would be an unusual challenge to lead an investigation that potentially includes the Attorney General, his direct supervisor. This investigation now not only includes Mr. Rosenstein's potential boss, but also several others inside the White House. Americans deserve an investigation that is independent and inspires public confidence, and that requires appointment of a special counsel who is free from political influence. This issue is too important for us to skew for partisan motivations. Country must come before party, and I hope and trust Mr. Rosenstein will understand that if he is confirmed.

We know that this administration and this President have already interfered with the House Intelligence Committee's investigation into Russian activity and connections to the Trump campaign. DEVIN NUNES, the chairman of the House Intelligence Committee, recused himself from his own committee's investigation after what Ryan Lizza of the New Yorker called a "coordinated effort between the Trump Administration and [Chairman] Nunes . . . to manufacture a fake scandal" in order to distract from, as well as obstruct, any real investigation. Earlier this month, President Trump even said that "it's not too late" to fire FBI Director Comey. This administration cannot be trusted to respect the independence of any investigation, which is why we need an outside special counsel. Whoever assumes the role of Deputy Attorney General in this administration will face extraordinary tests of integrity. Mr. Rosenstein has a reputation for integrity that is unusual for this administration's nominees, and I hope he is up to the challenge.

We already know from the intelligence community's public report that Russian President Putin waged a multifaceted influence campaign to delegitimize Secretary Clinton and help Donald Trump win the Presidency. Worse, he intended to undermine public faith in our democratic process. This interference did not end on November 8th. It is ongoing and, according to the intelligence community, President Putin will continue using cyberattacks and propaganda campaigns to undermine our future elections—but there is still much we do not know.

We need a thorough, independent investigation. President Putin's goal last year was to undermine our democratic institutions—to corrode Americans' trust and faith in our government. If we do not get to the bottom of Russian interference, he will have been successful, and he will no doubt do it again. I

hope that Mr. Rosenstein will do the right thing and appoint a special counsel to lead a truly independent investigation—one in which all Americans can have confidence.

If confirmed, Mr. Rosenstein will face other critical tests as well, including whether he will continue to support the Justice Department's Smart on Crime initiative, focusing the most serious criminal penalties on the most serious offenders. With his 27 years of experience in the Justice Department, I hope that Mr. Rosenstein will be an independent check on the excesses of this administration, which has already sought to undermine the principle of judicial review. He has served as U.S. Attorney under both Democratic and Republican administrations, so I hope that, as Deputy Attorney General and as Acting Attorney General in matters relating to the Trump campaign, he will remember that he is not the President's attorney, but the people's attorney.

Mr. CARDIN. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

THE PRESIDENT'S BUDGET

Mr. COONS. Mr. President, I rise today to address President Trump's proposed budget for fiscal year 2018. My predecessor in this seat, my friend, former Vice President Joe Biden, once said to me years ago: Show me your budget and I will show you your values.

One of my concerns about the proposal we have received—the initial slimmed-down overview proposal we have received—is that it suggests values that I think are quite out of line with what my home State of Delaware would look for me to be doing in this body, what I think addresses the real needs and priorities of the American people.

Last month President Trump released an overview of his budget—what is called a skinny budget—and we haven't yet received a full and detailed budget proposal. Even though what we have received is just an overview, it indicates that the cuts President Trump is proposing will significantly weaken vital domestic programs, often with the goal of completely eliminating existing and valued initiatives.

This chart gives a rough summary of all the different Federal agencies that would take double-digit hits in order to be able to pay for the significant \$54 billion increase to defense spending. Targeting only nondefense programs that millions of Americans and Delawareans rely on ignores commitments made over the last couple of budget cycles and years, as Republicans and Democrats have worked together to ensure placing equal priority on defense and nondefense spending.

Under sequestration, under the Budget Control Act, we have already made significant cuts to important domestic

programs. After the difficult budgets of the last few years, in my view, we have already made too many cuts to some of the programs that helped build our Nation.

To be clear, I am as passionate as anyone in this body about supporting our Armed Forces, particularly when they are in harm's way and particularly as we continue to conduct operations against ISIS in Iraq and Syria. But Democrats will not stand for cutting domestic programs simply to pay for a \$54 billion military expansion that hasn't been explained or justified through a thorough review of what are the appropriate investments in defense that will respond to the challenges and threats we face in this world.

To pay for that \$54 billion increase in defense by cutting investments in education, housing, job training, and more here at home strikes me as the wrong set of priorities and the wrong direction. If anything like these proposed Trump budget cuts are enacted, I know my home State of Delaware would lose millions and millions of dollars for valuable and effective Federal programs that help my constituents each and every day. Trump's budget proposal would cut research and health programs. It would cut job-creating infrastructure programs. It would cut grants for higher education. It would cut housing and so much more.

I wish to take a few minutes to focus on a few of many proposed budget cuts to give a sense of the impact it might have on our livelihood, our security, and our prosperity at home. Let me start with some cuts that would directly affect our national security, our safety.

In my view, the deep cuts made in the proposed Trump budget would simply make us less safe. For example, the U.S. Coast Guard, which has a station in Delaware, would be cut by more than \$1.3 billion. The Transportation Security Administration, or TSA, has just as high a cut. Ironically, even though these are the very agencies that protect our ports and other points of entry, Trump proposes cutting their funding so that a southern border wall can be built for an estimate well above \$25 billion. This simply makes no sense. If you listen to the words of the Coast Guard Commandant, ADM Paul Zukunft, he warned that simply focusing all those resources on building a wall along the border with Mexico would make our ports and waterways even more appealing to smugglers and those who seek to bring illicit drugs or to bring people into the United States through unlawful entry.

That is not all. The Trump budget would make us less safe by depleting Federal protection from natural disasters, starting with a proposed \$600 million cut to FEMA State and local grants. The budget also proposes restructuring fees for the National Flood

Insurance Program, which would lead to raising rates for homeowners who get flood insurance.

My home State of Delaware is the lowest mean elevation State in America—literally the lowest lying State and ground zero for sea level rise. These cuts would have a significant impact on homeowners up and down my State, those at our seashore and those in my home community of Wilmington who face steadily rising flood insurance premiums.

It is not just our safety, though, that would be impacted by the President's budget; it also threatens job growth and economic security. As a President who ran a campaign on a middle-class jobs agenda, I am struck that his proposed budget would endanger Americans across the country financially by also undermining support for development in both rural areas and urban areas. Take the Department of Agriculture, which provides critical support through the Rural Development Program. In Delaware, at least, Rural Development, or RDA, has played a critical role in supporting housing, businesses, and communities in the rural parts of Delmarva—Delaware and Maryland.

The Trump budget would also eliminate the Rural Business-Cooperative Service, or RBS, which promotes economic development in distressed rural areas. That is a program which has supported things like Del Tech automotive technician training and architectural services for the Seaford Historical Society, among many other things.

Something I am much more familiar with and more passionate about is the Manufacturing Extension Partnership. Across the State of Delaware, the MEP, as it is known, has helped small and medium manufacturing companies to be better at taking advantage of cutting-edge technology, understanding how to manage their inventory, how to invest more wisely in new capital equipment, and how to grow and compete around the world.

Since 2000, Delaware's Manufacturing Extension Partnership Program has used Federal support to help Delaware manufacturers increase sales by more than \$120 million, helping create more than 1,600 good-paying jobs and finding over \$100 million in cost savings in Delaware's small and medium manufacturers. These are great impacts for a fairly small program. Why that program specifically targeted at helping small and medium manufacturing companies would be a priority for elimination is beyond me.

Cuts to other areas that impact research and energy in our economy also strike me as unwise and ill-considered. It is not just our economy and national security; Trump's budget would also threaten our infrastructure, our transportation, and our housing.

As a Delawarean and someone who rides Amtrak between Wilmington and Washington almost every day we are in session, I know how important our passenger rail system is for the Northeast, as well as for connecting the rest of our country. Amtrak's long-distance routes are critically important to the Nation's economy and to sustaining passenger rail as a nationwide Federal service. Yet, as our competitors around the world are investing billions of dollars in high-speed rail and in efficient rail networks that connect whole countries, President Trump's proposal would eliminate all Federal funding for Amtrak's long-distance routes.

Another effective Federal program that has made a difference in my home State in infrastructure is the so-called TIGER Program, which invests in a whole range of infrastructure options—highway, transit, rail and port—by leveraging private capital and supporting competitive, innovative solutions to infrastructure challenges. The TIGER Program has supported projects like a new regional rail transportation center at the University of Delaware, taking advantage of the former Chrysler rail yard, and the significant new growth we are seeing at the University of Delaware's STAR campus. This is an investment that will have several multiples that will leverage private sector benefits by promoting economic development, accessible housing, and multi-modal transportation choices in the area.

Many of my colleagues have similar experiences in their States about the impact of the TIGER Grant Program. In the last year, it had a demand nearly 20 times the available funding. Yet the Trump budget would again eliminate all Federal funding to this vital transportation infrastructure program that creates jobs and helps to leverage private sector investment.

There are so many other programs on the chopping block, it is hard to even begin to touch on them: Community Development Block Grants, which I relied on in my previous job as county executive to provide support for low-income and disabled individuals to have access to high quality housing; the funds that support things like Meals on Wheels, that allow our low-income seniors to age in place rather than having to be moved to institutions; and many other programs through the Federal Department of Housing that have a positive impact in communities up and down my State, from Newark and Wilmington to Dover and Seaford.

If you take the U.S. Department of Agriculture's rural water and wastewater loan and grant programs, these would be eliminated entirely. These programs are critical to ensuring that rural communities can access funds to support safe drinking water and sewer systems. Many communities in Southern Delaware rely on rural water funds

to ensure safe drinking water supplies for the families that live there. As I have suggested, the list of potential cuts to programs goes on and on.

Let me move to some impacts on the environment, briefly. The Chesapeake Bay is one of the world's largest estuary systems, and Delaware is a State that borders on the Chesapeake Bay watershed. Economists insist that there is nearly \$1 trillion worth of economic value to the Chesapeake Bay watershed, yet the Trump budget cuts nearly half of the funding for the EPA to allow States to get grants that will help improve air quality, clean up contaminated waste sites, and remove lead from drinking water. Delaware alone would lose \$3 million in these vital initiatives.

There are millions of Americans who rely on many more programs listed here—AmeriCorps, Low Income Home Energy Assistance Program, Corporation for Public Broadcasting, the African Development Foundation, and many more—all eliminated in this budget in order to prioritize a focus on our military and defense.

I don't think the President understands that we cannot maintain our status as a global leader with defense and military alone. We need to ensure that a complementary strength exists in our development and diplomacy programs, which are less than one-tenth of our spending on national defense.

I recently had the opportunity to see the impact that USAID and our programs to assist the hungry and needy around the world can make in stabilizing fragile states and preventing them from becoming failed states. We spent less than one percent of the Federal budget on these sorts of programs. They provide a critical connection to parts of the world where a positive understanding of America and our values would be a good thing.

The international affairs budget, which includes needed funding for USAID, the State Department, and other related programs, would be cut by one-third under the Trump budget—a 29 percent cut to the State Department alone.

If history is any indicator, the last 70 years show these investments in diplomacy and development are critical. Foreign assistance is not charity. It serves a humanitarian purpose, but it also makes us stronger by promoting American values around the world, building coalitions that isolate our adversaries, and helping make tens of millions less susceptible to terrorism and to extremism around the world.

This is a false choice between significantly increasing our defense spending and the need to sustain our investments in diplomacy and development. I hope my colleagues and constituents will take time to think about the many different Federal programs that I have briefly discussed in these remarks

about the proposed budget and all the different ways that these Federal programs have invested in our quality of life, in our national security, and our economic prosperity. Many of them are scheduled for elimination under this budget.

As I have heard both Republicans and Democrats say in press interviews and on this floor: No President's budget is adopted without change. It is my hope that this budget will be set aside and that the folks who represent our States here will begin anew the process of building an appropriations path forward that actually protects our country, protects our livelihood, and invests significantly in sustaining and saving the very best of these programs that have benefited my home State and my constituents for so very long.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

REFORMING FINANCE FOR LOCAL ECONOMIES ACT

Mr. KENNEDY. Mr. President, I rise today to discuss my bill, the Reforming Finance for Local Economies Act, which I introduced earlier this week. This bill is very simple and straightforward. It would exempt community banks and credit unions with assets of less than \$10 billion from complying with the loan-killing, anti-jobs disaster that we commonly refer to as Dodd-Frank. Every reasonable person with a passing knowledge of our banking system knows the destabilizing effect that Dodd-Frank has had on local economies, community banks, and the Nation's credit unions.

Just last week, President Trump turned to the problems wrought by Dodd-Frank by signing two Presidential memorandums to take a look at the Orderly Liquidation Authority and the systemic risk designation process at the Financial Stability Oversight Council. I applaud the President's efforts in that regard. I believe they are desperately needed. Reforming this flawed law is crucial to the future success of the American economy.

Some of my colleagues were here when Dodd-Frank was passed in 2010. As we all know, it was intended to prevent another 2008-like banking crisis by strengthening Federal Government regulation of financial services. But in the process, as so often happens, Congress actually crippled America's small community banks and credit unions that played absolutely no role—none, zero, nada—in instigating the 2008 meltdown. And that is not just my opinion. Our Federal Reserve Chair, Dr. Janet Yellen, appeared before the Senate Banking Committee earlier this year—actually, February 14. When it was my turn to ask her questions, I asked her the following simple question: "What did community banks do wrong in 2008?"

This was the Chairwoman's answer: "Well, community banks were not the

reason for the financial crisis. It was larger institutions that took risks and risks that developed outside the banking system."

Let me read that first sentence again. Chair Yellen: "Well, community banks were not the reason for the financial crisis."

I believe she is right. The fact is that our smaller banks and our credit unions are smothering under the weight of Dodd-Frank. I will give you an example of what I am talking about. The Truth in Lending Act passed by Congress is actually 22 pages long. The Federal Reserve Act, setting up our Federal Reserve System, is 32 pages long. Glass-Steagall, about which we heard a great deal, was 37 pages long. Dodd-Frank is a breathtaking 2,300 pages with 22,000 pages of regulations. You can stand on the thing and paint the ceiling.

That is why so many community banks no longer exist. Those that have managed to survive have seen their costs go up, their profits go down, and their ability to make small business and consumer loans curtailed—all as a result of the unnecessary, heavy hand of government. In fact, since Dodd-Frank was passed in 2010, this country has lost 1,700 small institutions. The reason is very simple. Dodd-Frank has forced community banks and credit unions to merge, consolidate, or to go out of business because of the heavy hand of regulation and because they can't make the loans that they normally would be able to make.

Nationwide, we have been losing an average of one community bank or credit union a day—every single day—since Dodd-Frank was passed because of its costs, which have driven our banks to sell or merge with larger banks. It is so ironic that this forced consolidation—forcing our smaller banks and credit unions to either merge with or be bought out by larger institutions—has caused even greater concentration of assets on the books of even larger and, in some cases, too-big-to-fail banks that Dodd-Frank was supposed to do something about.

My legislation will help 5,785 American credit unions. It will help 5,461 community banks in our country survive. Specifically, financial institutions with assets of less than \$10 billion—if you are a financial institution and you have less than \$10 billion in assets, you will be exempt completely from Dodd-Frank, its 2,300 pages and its 22,000 pages of regulations. We are talking about a lot of banks.

Banks with less than \$10 billion in assets make up 92 percent of our Nation's banks, according to the FDIC. Banks with less than \$10 billion in assets provide 48 percent of all small business loans, 16 percent of residential mortgages, 44 percent of lending to purchase farmland, 43 percent of lending for farm operations, and 35 percent of com-

mercial real estate loans. If my bill passes, these institutions will no longer have to reduce their products and service offerings in order to divert resources to compliance, to interpretation, and to execution.

The expertise of our smaller banks and credit unions in America in evaluating risk will no longer be reduced to some algorithm—some mathematical exercise. Instead, our institutions will be able to deliver the desperately needed capital to the customers they know so well because that is what community banks and credit unions do. They take in local deposits, and they make loans to local borrowers whom they know and whose creditworthiness they can closely monitor because community bankers, as we all know, are relationship bankers. They don't participate in widespread subprime lending. They don't use derivatives to speculate, and they never did. Most of them have fewer than 100 employees.

The type of regulation they need—and I am not suggesting they don't need regulation. What I am suggesting is the type of regulation they need—because of the risks our small institutions take—is much different than the regulation needed by a \$700 billion or a trillion-dollar bank.

I am certain that the proponents of Dodd-Frank were well-intentioned when they wrote and passed it. But 150 years ago, doctors used to bleed their patients with the best of intentions. They stopped doing that because their patients died. That is why I suggest today that we eliminate Dodd-Frank for our smaller institutions. Making Dodd-Frank applicable to community banks and credit unions is a lot like using a sledgehammer to go after a gnat. It is way over the top.

Now, certainly our smaller institutions need regulation. Certainly, they need regulation to ensure that they are stable and secure. Our small institutions know that. They know they need it. They want it. They welcome it. But even after my bill becomes law, community banks are still going to be subject to a strict regulatory scheme established by dozens of applicable Federal statutes. I am talking about the Banking Secrecy Act, the Electronic Fund Transfer Act, the Truth in Lending Act, and the Equal Credit Opportunity Act, and I could go on and on.

All of these statutes will still apply to our smaller banks and credit unions. Our smaller banks and credit unions—now exempt, if my bill passes, from Dodd-Frank—will still be under the supervision of the Federal Reserve. They will still be under the supervision of the Comptroller of the Currency. They will still be regulated by the Federal Deposit Insurance Corporation, the National Credit Union Administration, and even the Department of Justice.

America's smaller lending institutions need some relief. What they need

is relief from the destabilizing consequences of Dodd-Frank. The Reforming Finance for Local Economies Act, in my estimation, is a step in that direction. I would also like to say, in closing, that I am pleased that both President Trump and Senate Republicans are committed, as we are, to paving the way for new businesses and the jobs they create through regulatory reform as our actions have already proven this year.

However, I would also like to stress that helping our community banks and credit unions is a bipartisan issue and one that I hope will garner support from many of my colleagues, not only just on the Republican side of my aisle but by friends on the Democratic side of the aisle.

I welcome their support. I look forward to working with my fellow Senators on the Banking Committee to find some commonsense solutions that will help grow our local economies.

I yield the floor.

The PRESIDING OFFICER (Mr. STRANGE). The Senator from Louisiana.

CONGRATULATING SENATOR KENNEDY

Mr. CASSIDY. Mr. President, I would like to acknowledge my experienced and talented friend from Louisiana in his maiden speech, speaking about something that reflects his experience. Briefly, his experience, aside from being an outstanding citizen, was as a secretary of revenue in Louisiana, a State treasurer in Louisiana, and an attorney and a law school professor.

So now there are his committee appointments, which include the Banking, Appropriations, and Judiciary Committees, which are tailor-made for what he does. As a product of a small town and as someone who as treasurer in our State has been so aware of the economic development issues, no one would know better than he what a critical role small banks play in generating the capital and delivering the capital to a small business that grows to be a bigger and a bigger and a big business, while along the way employing more folks.

So, as we as a nation grapple with how to create better-paying jobs, it is fitting that Senator KENNEDY would begin by speaking directly to how to create better-paying jobs. I welcome him as a colleague. I look forward to working with him for things that would benefit our State, our Nation, and the people who live here.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, in less than an hour, we will consider

the nomination of Rod Rosenstein to be Deputy Attorney General of the United States.

We consider his nomination under highly unusual, if not unique, circumstances. Only today, there were revelations from the House Oversight Committee at a bipartisan conference indicating that General Flynn, formerly the National Security Advisor, may have broken criminal laws by his concealing payments from Russia—specifically, from Russia Today—in connection with his speaking fees and travel expenses in 2015. He concealed these payments in security clearance forms submitted in 2016, SF86 forms. False statements on such forms are a violation of our criminal laws. His potential criminal liability is a serious and important allegation that needs to be investigated further.

What we know for sure is that the investigation of this allegation and others—this very colorful violation of Federal criminal law—can be done reliably, impartially, and credibly only by a special prosecutor. That is why I have asked Mr. Rosenstein to commit that he will appoint a special prosecutor to investigate this allegation as well as others involving the President's staff, campaign associates, and staff in connection with Russia's interference with our election.

There is no question that the Russians sought to interfere and that they did so. That is the conclusion of the investigation that was already done by our intelligence community, and it is a conclusion that is virtually universally accepted. The only question now is this: What was the involvement and potential collusion and aiding and abetting of Americans in that Russian cyber attack on this country? In my view, it was an act of war. We can debate that question.

What is undebatable is the need for a thorough, impartial, vigorous, and aggressive investigation that will give that information to the American people. It must be an investigation that can pursue criminal wrongdoing, if it is proved, and that can prosecute it and ultimately make that investigation transparent to the American people so they know what actually happened.

I have asked Rod Rosenstein to follow the precedent that was established by Elliot Richardson under circumstances that were not unlike the ones we encountered here.

The saying is that history almost never repeats, but it rhymes. What we have here is a situation that rhymes with the one that Elliot Richardson encountered when he was Attorney General-designee. He was requested to appoint a special prosecutor as a condition of his confirmation. He agreed to do so in 1973. He appointed Archibald Cox. That, in turn, led to the Watergate investigation and, ultimately, it vindicated the judgment on the part of

our Senate Judiciary Committee that an independent special prosecutor was necessary under those circumstances.

My colleague who is presiding, as a former State attorney general, knows well the importance of independence and credibility in any judicial role of this kind. This Nation now faces a looming constitutional crisis—again, not unlike Watergate, which ultimately resulted in *United States v. Nixon* before the U.S. Supreme Court, a subpoena that had to be enforced by that special prosecutor against the President of the United States.

Only Rod Rosenstein can vindicate that important public interest. Only the Deputy Attorney General of the United States can appoint a special prosecutor because the Attorney General rightly has recused himself. Jeff Sessions has recused himself because of his own conversations with Russian officials, which he failed to disclose during testimony to the Judiciary Committee.

Only the Deputy Attorney General can perform that vital function, and only a special prosecutor can do what is necessary to vindicate the public interest through a vigorous investigation into any criminal wrongdoing and to prosecute lawbreakers.

I have confidence that our Intelligence Committee in the Senate will impartially and objectively do whatever it can to uncover the truth. But even if it succeeds—and there are obstacles and challenges to its success—it cannot pursue a criminal investigation, and it cannot bring criminal charges and pursue a conviction. It probably cannot make fully transparent or disclose all of the facts that it uncovers. Its custom is to issue a report and, when it does so, redacting information that can be considered classified or sensitive. It may well lead, in an abundance of caution, toward redacting rather than disclosing.

That is why I have asked Rod Rosenstein, as a condition of his becoming Deputy Attorney General, to commit that he will appoint a special independent prosecutor. Call that office whatever you wish—special counsel, independent counsel, special prosecutor. The role is what is significant. It is someone who will uncover the wrongdoing and follow the evidence and the facts wherever they lead.

Neither Mr. Rosenstein nor Mr. Sessions can do so. Neither Rosenstein nor Sessions will ever convince the public that they are really pursuing their boss, the President of the United States, if there is evidence that leads to his culpability. They report to him. Rod Rosenstein reports to Jeff Sessions, and he, in turn, reports to the President of the United States. That is why the appearance and the reality of independence is so critically important, and that is why only a special prosecutor can pursue that interest.

If we were in normal times, Rod Rosenstein would be an eminently acceptable nominee, and I would welcome his nomination without attaching any kind of request or condition. He is certainly an honorable public servant. He is a career prosecutor. I admire his dedication and commitment to public service. As U.S. attorney for Maryland, he certainly has an admirable record. He is, in some senses, what we value in the Department of Justice—someone who is committed to the rule of law. That is why I have been surprised and disappointed that he has failed to heed my request.

Whatever happens today, I want to ensure my colleagues and, most especially, him and the loyal and dedicated members of the Department of Justice that I will support his work in his capacity as Deputy Attorney General, if he is confirmed today, because the professionalism of the Department of Justice is of preeminent interest for me personally, having served as a U.S. attorney and also as attorney general of my State, but it is also vitally important to the American people.

We must consider his nomination in the light of the looming constitutional crisis that our Nation confronts. It is a crisis partly of the administration's making by its attacks on the judiciary, calling a member of the bench a "so-called judge," saying to the American people that a circuit court of appeals will be responsible for any violence that may occur as a result of its ruling on the constitutionality of Executive orders related to immigration, demeaning and disparaging a judge because of his ethnic heritage—a judge born, in fact, in Indiana.

These kinds of attacks on the judiciary undermine respect and trust in a branch of government that is the bulwark of our democracy and that, in my view, when the history of this era is written, will be regarded as having been one of its finest hours. We will be relying on it to protect our Nation's fundamental rights and liberties. The independence of the judiciary is a sacred pillar of our democracy, and it must be free of political interference.

The other hero of this era, in my view, will be the press, which has uncovered many of the facts leading to my conclusion, joined by so many of my colleagues, that there must be a special prosecutor. That conclusion is not mine alone. It has been joined by many of my colleagues, 10 of them having cosigned a letter I wrote in mid-February asking for a special prosecutor.

The independence of our judiciary and of our prosecutors is so critically important for the trust and credibility of the American people that the rule of law will prevail and that no official will put himself above the rule of law. That is the threat and the constitutional crisis that we potentially face.

Two high-ranking administration officials have been caught misrepresenting their ties with Russia. One of them is, in fact, the Attorney General, Jeff Sessions, who did so before the Judiciary Committee, under oath.

Mr. Rosenstein has said that he wants to be approved by the Senate before he decides whether to appoint a special prosecutor, but that delay will mean that a man who was hired and can be fired by President Trump will decide whether the Trump administration will face a thorough and complete investigation. This body has a duty to insist on it before his confirmation. We must seize this opportunity to assure accountability to the American people and make sure also about their confidence in our electoral system. While Mr. Rosenstein has claimed he needs to be in office to familiarize himself with the facts of an investigation into the Trump administration before he can commit to appointing a special prosecutor, the row of facts are all a matter of public record now.

We know Russia interfered in the 2016 election. We know the FBI is investigating Trump administration lawbreaking associated with that interference. That investigation has been confirmed by the Director of the FBI himself. We know Attorney General Jeff Sessions met with officials of Russia's Government, and yet he said under oath that he did not meet with those Russians. That is more than ample information to justify appointing a special prosecutor, but there is much more, including actions by Carter Page, Paul Manafort, Roger Stone. These kinds of abundant facts are known now and warrant this action and also more than justify this body insisting that he commit to appointing that special prosecutor.

That public information concerning known associates of the President and their Russian contacts includes General Flynn's actions disclosed today. On December 10, 2015, General Flynn was paid to attend an event in Moscow celebrating the 10th anniversary of Russia Today, a propaganda arm of the Russian Government. He concealed the amount Russia Today paid him for speaking fees and travel expenses in those security clearance forms he submitted in 2016, the SF86. He dined with Vladimir Putin just 18 months after leaving his position leading the Defense Intelligence Agency. As a retired general, he is prohibited from receipt of consulting fees, gifts, travel expenses, honorary or any other kind of salary from a foreign government without congressional consent. That action also is a potentially prosecutable action.

After the election, General Flynn spoke repeatedly to Russian Ambassador Kislyak regarding lifting sanctions on Putin, an amazing act of disloyalty. Misleading Vice President

PENCE and the American public on the nature of these secret discussions, he demonstrated a lack of candor and credibility inconsistent with the role of National Security Advisor, and therefore he was compelled to resign.

The President also selected Carter Page to serve during the campaign on his foreign policy advisory committee. He is the same individual we have learned who was under investigation for his contacts with Russian agents.

The President's campaign manager, Paul Manafort, worked for years on a disinformation campaign to benefit the Putin government and was paid millions of dollars to do so. The President's son-in-law Jared Kushner held an undisclosed meeting with both the Russian Ambassador and also executives from a Russian bank, EDB, a bank built by Putin's cronies. The President himself has sold real estate to Russian investors seeking to profit from their corrupt activities in Russia or, as his son, Donald Trump, put it, "We see a lot of money pouring in from Russia."

The administration's supposed attempts to investigate itself have produced mixed signals and clear conflicts of interest such as House Intelligence Chair DEVIN NUNES's ill-fated trip to the White House to discuss his committee findings.

The robust congressional oversight hearings that we all hope will happen are certainly essential, but only the Department of Justice can analyze these facts and information which are only the tip of the iceberg—analyze it, digest it, determine its relevance to a criminal investigation and to a prosecution, pursuit of a violation of law and charges. The FBI can investigate, but it cannot bring charges. Only a lawyer from the Department of Justice can do so, and only a special prosecutor can make that judgment independently and impartially without having to worry about what his boss thinks or what his boss's boss thinks.

So I have reached the conclusion reluctantly—because Rod Rosenstein has a very admirable record of public service—that I must vote against his nomination in just a short time because of his failure to commit to a special prosecutor. I have no illusions about convincing my colleagues about joining me to vote on cloture with a degree of realism about the views of this body on his nomination, but I hope he will heed the example of Mr. Richardson in 1973 and also of Jim Comey, who at one point also resorted to a special prosecutor to investigate a controversial matter that arose during President George Bush's administration.

There is clear, unmistakable, bipartisan precedent for a special prosecutor under these circumstances. There is not only precedent, there is historical imperative. At the root of this constitutional crisis is a concern for the

rule of law, for preserving the public's faith and trust and respect for our justice system. It is at the foundation of what we do when we vote. When we make laws, we presume they will be rigorously and fairly enforced without fear or favor, and that no official, not even the President of the United States, will be placed above the law. That is the lesson of Watergate, but it is also the lesson established throughout our history, going back to the Founders and the preeminent role played by our U.S. Supreme Court.

I will support Mr. Rosenstein in his efforts to pursue the truth and pursue justice, as I believe he must do, and I hope he will do because the credibility of the Department of Justice and our justice system is so much at stake.

I urge my colleagues to vote against his nomination, as I will do, but I also pledge my support for him and the loyal, dedicated, hardworking members of the Department of Justice if he is confirmed.

Thank you, Mr. President. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. JOHNSON). Without objection, it is so ordered.

Under the previous order, all time is expired.

The question is, Will the Senate advise and consent to the Rosenstein nomination?

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 94, nays 6, as follows:

[Rollcall Vote No. 114 Ex.]

YEAS—94

Alexander	Daines	Johnson
Baldwin	Donnelly	Kaine
Barrasso	Duckworth	Kennedy
Bennet	Durbin	King
Blunt	Enzi	Klobuchar
Boozman	Ernst	Lankford
Brown	Feinstein	Leahy
Burr	Fischer	Lee
Cantwell	Flake	Manchin
Capito	Franken	Markey
Cardin	Gardner	McCain
Carper	Graham	McCaskill
Casey	Grassley	McConnell
Cassidy	Hassan	Menendez
Cochran	Hatch	Merkley
Collins	Heinrich	Moran
Coons	Heitkamp	Murkowski
Corker	Heller	Murphy
Cornyn	Hirono	Murray
Cotton	Hoeven	Nelson
Crapo	Inhofe	Paul
Cruz	Isakson	Perdue

Peters
Portman
Reed
Risch
Roberts
Rounds
Rubio
Sanders
Sasse
Schatz

Schumer
Scott
Shaheen
Shelby
Stabenow
Strange
Sullivan
Tester
Thune
Tillis

Toomey
Udall
Van Hollen
Warner
Whitehouse
Wicker
Wyden
Young

NAYS—6

Blumenthal
Booker

Cortez Masto
Gillibrand

Harris
Warren

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the President will be immediately notified of the Senate's action.

EXECUTIVE CALENDER

The PRESIDING OFFICER. The Senate will resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of R. Alexander Acosta, of Florida, to be Secretary of Labor.

Mr. HOEVEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. RUBIO). Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such

annex is available to all Senators in the office of the Foreign Relations Committee, Room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-18, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to Canada for defense articles and services estimated to cost \$195 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

GREG KAUSNER,
(For J.W. Rixey, Vice Admiral,
USN, Director).

Enclosures.

TRANSMITTAL NO. 17-18

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Canada.

(ii) Total Estimated Value:
Major Defense Equipment* \$ 0 million.
Other \$195 million.
Total \$195 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None.
Non-MDE: Non-MDE items and services under consideration for sale are follow-on support for five (5) CC177 aircraft (Canada's designator for the C-17), including contractor logistics support (CLS) provided through the Globemaster III Integrated Sustainment Program (GISP), in-country field services support, alternate mission equipment, major modification and retrofit, software support, aircraft maintenance and technical support, support equipment, personnel training and training equipment, additional spare and repair parts, publications and technical documentation, and other U.S. Government and contractor engineering, logistics and program support.

(iv) Military Department: Air Force (QCR).
(v) Prior Related Cases, if any: CN-D-QZZ—\$1.3B—15 Nov 06.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: April 19, 2017.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Canada—Sustainment Support for C-17 Aircraft

The Government of Canada has requested a possible sale of follow-on support for five (5) CC177 aircraft (Canada's designator for the C-17), including contractor logistics support (CLS) provided through the Globemaster III Integrated Sustainment Program (GISP), in-country field services support, aircraft maintenance and technical support, support equipment, alternate mission equipment,

software support, spares, personnel training and training equipment, U.S. Government and contractor engineering and logistics support services, publications and technical documentation, and major modification and retrofit kits support. The total estimated program cost is \$195 million.

This proposed sale will contribute to the foreign policy and national security objectives of the United States by sustaining the military capabilities of Canada, a NATO ally that has been, and continues to be, an important force for ensuring political stability and economic progress in the world, including through its involvement in military, peacekeeping, and humanitarian operations. The sustainment of Canada's C-17s will ensure the country's continued capability to rapidly deploy its forces, as well as the continued interoperability between the U.S. and Canadian Air Forces' C-17s.

The proposed sale of defense articles and services is required to maintain the operational readiness of the Royal Canadian Air Force C-17 aircraft. Canada's current contract supporting its five (5) C-17s will expire on 20 September 2017. The Royal Canadian Air Force will have no difficulty absorbing this support.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

Sources of supply will award contracts when necessary to provide the defense articles ordered if items ordered are not available from U.S. stock or are considered lead-time away.

The prime contractor will involve the following contractors:

Boeing Company, Long Beach, California.
Boeing Company Training Systems, St. Louis, Missouri.
Lockheed Martin Corporation/MFC, Lexington, Kentucky.

There are no known offsets. Any offset agreements will be defined in negotiations between the purchaser and the contractor.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Canada. There is an on-going foreign military sales case providing C-17 sustainment services. There are currently 13 contractors from Boeing in-country providing contractor technical services support on a continuing basis.

There will be no adverse impact to U.S. defense readiness as a result of this proposed sale.

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-10, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Iraq for defense articles and services estimated to cost \$295.6 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosures:

TRANSMITTAL NO. 17-10

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser, Government of Iraq.

(ii) Total Estimated Value:

Major Defense Equipment * \$40.6 million.

Other \$255.0 million.

Total \$295.6 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Four thousand four hundred (4,400) M16A4 Rifles.

Forty-six (46) M2 50 Caliber Machine Guns.

One hundred eighty-six (186) M240B Machine Guns.

Thirty-six (36) M1151 High Mobility Multi-purpose Wheeled Vehicles (HMMWVs).

Seventy-seven (77) M1151 up-armored HMMWVs.

Non-MDE: All necessary equipment and accessories to outfit two Peshmerga Regional Brigades and two support artillery battalions, to include twelve (12) 3 kilowatt tactical quiet generator sets, body armor, helmets, and other Organization Clothing and Individual Equipment (OCIE); small arms and associated accessories including tripods, cleaning kits, magazines, and mounts; mortar systems and associated equipment; Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) detection and protective equipment; dismounted and mounted radio systems; commercial navigation equipment including compasses, binoculars, and Geospatial Position System (GPS) limited to the Standard Positioning System (SPS); M1142 HMMWVs; medical equipment; Mine Resistant Ambush Protected Vehicles (MRAP); cargo and transportation equipment, including light tactical vehicles, medium tactical vehicles, water trucks, fuel trucks, and ambulances; thirty-six (36) refurbished M119A2 105mm howitzers; RF-7800V Very High Frequency (VHF) dismounted radios; spare parts, training and associated equipment related to the mentioned vehicles and artillery systems.

(iv) Military Department: Army (ADI, ADJ).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: April 18, 2017.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Iraq—Equipment for Two Peshmerga Infantry Brigades and Two Support Artillery Battalions

The Government of Iraq has requested a possible sale of the equipment necessary to fully outfit two full Peshmerga Regional Brigades of light infantry, as well as the equipment necessary to outfit two artillery battalions that will ultimately provide support to those regional brigades. These artillery battalions and infantry brigades will operate under the Kurdistan Regional Governments Ministry of Peshmerga (KRG MOP) with the concurrence of the central government. Requested equipment includes the following: (4,400) M16A4 rifles; (46) M2 50 caliber machine guns; (186) M240B machine guns; (36) M1151 HMMWVs; (77) M1151 up-armored HMMWVs; (12) 3 Kilowatt Tactical Quiet

Generator sets; body armor, helmets, and other Organization Clothing and Individual Equipment (OCIE); small arms and associated accessories including tripods, cleaning kits, magazines, and mounts; mortar systems and associated equipment; Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) detection and protective equipment; dismounted and mounted radio systems; commercial navigation equipment including compasses, binoculars, and Geospatial Position System (GPS) limited to the Standard Positioning System (SPS); M1142 HMMWVs; medical equipment; Mine Resistant Ambush Protected Vehicles (MRAP); cargo and transportation equipment, including light tactical vehicles, medium tactical vehicles, water trucks, fuel trucks, and ambulances; (36) refurbished M119A2 105mm howitzers; spare parts, training and associated equipment related to the mentioned vehicles and artillery systems.

This proposed sale will contribute to the foreign policy and national security objectives of the United States, by supporting Iraq's capacity to degrade and defeat the Islamic State of Iraq and the Levant (ISIL). Iraq will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

There are a number of contractors involved in this effort, including but not limited to AM General, Oshkosh Defense, Navistar Defense, Harris Radio, and Colt Corporation. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the deployment of any additional U.S. Government or contractor personnel to Iraq.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 17-10

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. M16A4 Assault Rifle. The M16A4 assault rifle is the fourth generation of the M16 series that fires 5.56mm NATO cartridges. The A4 variant is equipped with a removable carrying handle and full length quad Picatinny rail for mounting optics and other ancillary devices. The highest level of information that could be disclosed through the sale and testing of this end-item is UNCLASSIFIED.

2. M2 Machine Gun. The M2 machine gun is an air-cooled belt-fed machine gun that fires the .50 caliber Browning Machine Gun (BMG) cartridge. The highest level of information that could be disclosed through the sale and testing of this end-item is UNCLASSIFIED.

3. M240B Machine Gun. The M240B machine gun is a belt-fed, gas-operated medium machine gun firing 7.62x51mm NATO cartridges. The M240B variant is a tripod or vehicle-mounted configuration. The highest level of information that could be disclosed through the sale and testing of this end-item is UNCLASSIFIED.

4. M1151 HMMWV. The M1151 is an expanded capacity armament carrier HMMWV variant that is armor-ready. Designed as an armament carrier, the M1151 provides for the mounting and firing of various weapon systems that are ring-mounted with a 360 degree-arc of fire. The level of information that could be disclosed through the sale and testing of this end-item is UNCLASSIFIED.

5. Garmin Fortrex 401 Navigation Set/Globa Positioning System (GPS). The Garmin Fortrex is a commercial GPS solution for individual navigation which utilizes GPS Selective Positioning Service (SPS) mode only. This is a commercial-off-the-shelf item. The level of information that could be disclosed through the sale and testing of this end-item is UNCLASSIFIED.

6. RF-7800V Very High Frequency (VHF) Dismounted Radio. The RF-7800V is a multi-purpose, exportable radio system that can be configured for 10W handheld/dismounted, 50W vehicle, or 50W base station use. The system incorporates 128 and 256 bit Harris proprietary and Advanced Encryption Standard (AES) encryption and does not utilize SG/NATO waveforms. The system has an integrated GPS receiver which is SPS capable only. This radio is not used by the U.S. military and the highest level of information that could be disclosed through the sale and testing of this end-item is UNCLASSIFIED.

7. Tactical Quiet Generator Set. The 3KW Tactical Quiet Generator Set—Mobile Electric Power (MEP) 831A (60HZ) is a mobile electrical generator that runs on JP/Diesel fuel. These items are no longer in service with the U.S. military, but are offered as refurbished articles to Foreign Military Sales (FMS) customers. The highest level of information that could be disclosed through the sale and testing of this end-item is UNCLASSIFIED.

8. All other support and non-MDE equipment offered on this case carry no technology transfer concerns. The highest level of information that could be disclosed through the sale and testing of this end-item is UNCLASSIFIED.

9. All equipment and support listed on this transmittal are authorized for release and export to the Government of Iraq.

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-03, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of the Republic of Iraq for defense articles and services estimated to cost \$1.06 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 17-03

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: The Government of Iraq.

(ii) Total Estimated Value:

Major Defense Equipment * \$0 billion.

Other \$1.06 billion.

Total \$1.06 billion.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None.

Non-MDE: Pilot training; maintenance training; and contractor logistical services support for C-172, C-208, and T-6 aircraft for up to five (5) years to include contractor aircraft modification; repair and spare parts;

publications; aircraft ferry; and miscellaneous parts, along with training base operation support, base life support, security, construction, and other related elements of program support.

(iv) Military Department: Air Force (X7-D-NAA).

(v) Prior Related Cases, if any: N/A.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: April 11, 2017.

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Republic of Iraq—Pilot and Maintenance Training Contractor Logistical Support (CLS) for Trainer Aircraft, and Base Support

The Government of Iraq has requested a possible sale of pilot training; maintenance training; and contractor logistical services support for C-172, C-208, and T-6 aircraft for up to five (5) years to include contractor aircraft modification; repair and spare parts; publications; aircraft ferry; and miscellaneous parts, along with training base operation support, base life support, security, construction, and other related elements of program support. The estimated total program value is \$1.06 billion.

The proposed sale will contribute to the foreign policy and national security of the United States by helping to provide for a stable, sovereign, and democratic Iraq, capable of combating terrorism and protecting its people and sovereignty. Iraq currently owns twelve (12) C-172, five (5) C-208, and fifteen (15) T-6 training aircraft. The training pipeline will allow the Iraqi Air Force to tailor pilot training for several U.S.-origin operational aircraft. The C-172s and T-6s are Iraq's training platforms for their mobility and fighter attack fleets. The C-208s are Iraq's platform of choice for training its Intelligence, Surveillance, and Reconnaissance (ISR) pilots.

The proposed sale of training and support services will improve Iraq's ability to train its pilots and maintenance technicians. By training its own pilots and maintenance technicians in-country, Iraq will decrease its overseas training requirements, significantly reduce its training costs, and will enhance its ability to take over the sustainment of its aircraft. Iraq will have no difficulty absorbing this support. In addition to its primary mission—pilot and maintenance training for Iraqi Air Force personnel—this proposed sale includes Contractor Logistical Support costs for the trainer aircraft, as well as possible future construction and base operation support costs.

The proposed sale of this training and support will not alter the basic military balance in the region.

The principal contractor is Spartan College, Tulsa, OK. At this time, there are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require the assignment of approximately four U.S. Government representatives and 50-55 contractor representatives to Iraq.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale. All training and support listed on this transmittal are authorized for release and export to the Government of Iraq.

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-80, concerning the Army Corps of Engineers' proposed Letter(s) of Offer and Acceptance to the Government of Kuwait for airbase construction and services estimated to cost \$319 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 16-80

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Kuwait.

(ii) Total Estimated Value:

Major Defense Equipment* \$0 million.

Other \$319 million.

Total \$319 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Non-MDE: Design, construction, and procurement of key airfield operations, command and control, readiness, sustainment, and life support facilities for the Al Mubarak Airbase in Kuwait. The U.S. Army Corps of Engineers (USACE) will provide project management, engineering services, technical support, facility and infrastructure assessments, surveys, planning, programming, design, acquisition, contract administration, construction management, and other technical services for the construction of facilities and infrastructure for the airbase. The overall project includes, among other features, a main operations center, hangars, training facilities, barracks, warehouses, support facilities, and other infrastructure required for a fully functioning airbase.

(iv) Military Department: U.S. Army Corps of Engineers (USACE) (HBE).

(v) Prior Related Cases, if any: N/A.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: April 6, 2017.

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Kuwait—Facilities and Infrastructure Construction Support Service

The Government of Kuwait has requested possible sale for the design, construction, and procurement of key airfield operations, command and control, readiness, sustainment, and life support facilities for the Al Mubarak Airbase in Kuwait. The U.S. Army Corps of Engineers (USACE) will provide project management, engineering services, technical support, facility and infrastructure assessments, surveys, planning, programming, design, acquisition, contract administration, construction management, and other technical services for the construction of facilities and infrastructure for the airbase. The overall project includes,

among other features, a main operations center, hangars, training facilities, barracks, warehouses, support facilities, and other infrastructure required for a fully functioning airbase. The estimated total cost is \$319 million.

The proposed sale will contribute to the foreign policy and national security of the United States by supporting the infrastructure needs of a friendly country which has been, and continues to be, an important force for political stability and economic progress in the Middle East.

The facilities being constructed are similar to other facilities built in the past by USACE in other Middle Eastern countries. These facilities replace existing facilities and will provide autonomous airbase operations to the Kuwait Air Force. The new airbase will ensure the continued readiness of the Kuwait Air Force and allow for the continued education of current and future Kuwait Air Force personnel. The construction of this airbase will enable Kuwait to enhance the operational effectiveness of its military and promote security and stability throughout Kuwait. Kuwait will have no difficulty absorbing this additional capability into its armed forces.

The proposed sale of this infrastructure and support will not alter the basic military balance in the region.

USACE is the principal organization that will direct and manage this program. USACE will provide services through both in-house personnel and contract services. The estimated number of U.S. Government and contractor representatives to be assigned to Kuwait to implement the provisions of this proposed sale will be determined as a result of program definitization.

There are no known offset agreements proposed in connection with this potential sale.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale. All defense articles and services listed in this transmittal are authorized for release and export to the Government of Kuwait.

ADDITIONAL STATEMENTS

REMEMBERING SHAWN GILBERT

● Mr. DAINES. Mr. President, today I wish to honor the life of Shawn Gilbert. Shawn was a prominent member of Montana's Little Shell Tribal community who tragically lost his battle with cancer this past January. Even in his final days, Shawn maintained a positive attitude, and all who knew him fondly remember the constant smile on his face. As is the Montana way, Shawn loved the great outdoors. He enjoyed snowmobiling, four-wheeling, and hunting with his family, as well as reloading his own ammunition and target practice with his pistols. Shawn served his people as a member of the tribal council and dreamt of the day his nation, Little Shell Nation, would be formally recognized. It is our duty and my honor to keep that dream alive as my colleague, Senator TESTER, and I work to enact into law legislation to do just that. I had the pleasure of meeting Shawn while he was in office at the Little Shell Tribal headquarters. Along with his fellow tribal

leaders, Shawn presented me with a beautiful beaded bolo tie which sits on display in my office. It serves as a daily reminder of the Little Shell people and of Shawn. May God watch over his soul as his light lives on through the memories of his loved ones.●

RECOGNIZING THE LEWISTON HIGH SCHOOL COMPETITION CHEERLEADING TEAM

● Mr. KING. Mr. President, each year high school student-athletes from across the country compete for their State championship title. The journey of a championship team is not merely a story of glory or success, but rather an aggregation of hard work, sportsmanship, and persistence. Today I wish to extend recognition to a team in Maine whose perseverance and teamwork have made them a force to be reckoned with each season. I am proud to highlight the achievements of the Lewiston High School Blue Devils competition cheerleading team who, on the path to their third consecutive Class A State title for the sixth time in the last seven seasons, have demonstrated a remarkable level of drive, ambition, and pride towards achieving success.

Lewiston High School's nationally recognized and distinguished competition cheer program has a long history of talent and teamwork symbolic of the pride felt for the Blue Devils throughout the community. As the eighth consecutive Class A North/East Regional Champions, the cheer team has experienced few losses in recent years, but the program and student-athletes see each challenging loss as an opportunity to work harder and be stronger. The Blue Devils fulfilled that promise and more this past season. After a loss in the Kennebec Valley Athletic Conference, KVAC, the team responded with an impressive display of discipline and grit when they exceeded expectations and won the State title with a score of 95—representative of a nearly seamless routine.

The Lewiston cheer program is much more than a team of exceptional student-athletes. These talented and aspiring young people have contributed to a cheer dynasty that inspires young athletes and is recognized as a premier program throughout the State. The pride felt for the program, team members, peers, and the Lewiston community at large shows the level of dedication and ambition that has led to so many impressive successes.

I wish to join the city of Lewiston and the entire Maine community in congratulating the Lewiston High School competition cheering team for their well-earned recognition. The program has built a legacy of success, instilling core values of hard work, perseverance, and sportsmanship and imbues all that is significant about participation and competition in sport at any

level. For this and so much more, the Blue Devils competition cheer team are true champions.●

RECOGNIZING GARBAGE TO GARDEN

● Mr. KING. Mr. President, today I wish to honor the work of Tyler Frank and his award-winning company Garbage to Garden—a curbside composting service that was founded in Portland, ME. In August 2012, Tyler Frank was living in Portland and wanted to start a compost pile, but didn't have the space in his urban surroundings. He and his roommates wondered why they couldn't put compost out on the curb like they do with their trash and recycling, and with that, Garbage to Garden was born. Tyler set up a table on Congress Street during a First Friday Artwalk, and by the end of the day, 17 Portland residents had signed on to his curbside composting service. Today one in seven Portland households participates in Garbage to Garden. Tyler and his partners have expanded their service to eight other Maine communities and three communities in Massachusetts.

Tyler was able to create a unique and effective composting company, and with more than 8,000 households, schools, restaurants, and businesses using their services, they are the most successful curbside composting company in the country. Tyler has created a sustainable and local experience. Food scraps are composted by Benson Farms in Gorham, and all food waste can be incorporated into Garbage to Garden's compost, due to the high-heat process they use. Garbage to Garden also collects used cooking oil, and Maine Standard Biofuels turns it into biofuel and soap, which is then used to wash the composting buckets. Using clean composting buckets is a key part of Garbage to Garden's process, eliminating the "ick factor" that turns many people off from composting. Garbage to Garden even offers free service to those who volunteer for the company or for one of their partner organizations. Every day, Garbage to Garden diverts 20 tons of food scraps from landfills, and over a 3-year period, the average household will divert 1 ton of food waste from landfills.

Garbage to Garden is a shining example of what can happen when you have a little determination, a great idea, and passion to make a difference. Tyler is an excellent example of a hard-working Mainer who is making a difference in our State and beyond. I look forward to following the company's continued growth and remarkable service to Maine communities. Thank you, Tyler, for all you have already done for the greater Portland community and our great State of Maine. We are lucky to have people like you working to better our communities.●

NEW JERSEY HIGH SCHOOL ARMED SERVICE ENLISTMENT

● Mr. MENENDEZ. Mr. President, today I wish to honor the following New Jersey high school seniors for their commendable decision to enlist in the U.S. Armed Forces: Craig Ackerly, Bryan Adame, Aldo Aguayo Flores, Alba Agyao, Dalton Ailtmar, Janae Albright, Michael Vincent Alvarez, Michael Luis Alvarez, Jose Alvarez, Juan Alvarez, Alexander Alvarez Escobar, Andre Ascura, Daniel Ayala, Elijah Baez, Justin Baez, Joseph Barbato, David Batastini, Frederick Bauer, Sergio Bautista Benitez, Joseluis Bejarano, Alejandro Bejarano Valencia, Nathan Bell, Joseph Bell, Fallon Bennett, Nula Bolden, Christopher Bonario, Joyce Bonilla Gonzalez, James Brackett, Patrick Brand, Nicolas Brett, Imani Brown Hilton, Alexander Brutosky, Tyree Bull, Logab Burns, Rory Bushby, Jose Caba, Dino Cabrales, Jorge Cabral Gonzalez, Ralph Calitre, Brian Callahan, Christopher Campos, Daniel Cano, Reinier Carlos, Jose Caro, Rafael Castellanos, Addison Chang, Eric Cho, Dhane Christensen, Anthony Ciarlo, Jack Cipas, Dashonda Clark, Amanda Clarke, Tyler Cochran, Alexander Colavito, Liam Collins, Vincent Concina, Dayana Coreas-Alvarez, Kevin Cornelio, Ethan Correa, Kevin Cosme, Jonathan Cox, Jeffrey Cox, Nasir Crank-Williams, Kevin Cubillos, Andrew Cumming, Aidan Curran, Douglas Dasilva, Joshua Dechillo, Michael Dehaas, Michael Delcher, Johanny DelOrbe, Esvicarla Delossantos, Christopher DeRienzo, Damian Diaz, Diego Diazrazuri, Thomas Digiovanni, Brett Dolgos, Heydi Dominguez, Eric Dougherty, Sean Dougherty, Christopher Dramis, Anna Drew, Santana Duran, John Duran, Jared Durante, Miguel Duvergepena, Jesse Efymow, Linwood Mickey Evans, Matthew Eggink, Katherine Espinal, Jacob Fallon, Tyler Fanz, Joseph Fiduccia, Nicholas Fiorelli, Jack Flores, Salatiel Flores, Kimberly Fox, Jacob Franks, Richard Furmanek, Benito Gabriel, Manuel Gallego, Matthew Galloway, Eddison Garcia, Jack Garcia, Giselle Garcia Clavijo, Edgar Garcia Gonzalez, Michael Garrido, Liam Gavin, Sebastian Geary, Jake Gerber, Andrew Ghaleb, Brian Gilligan, Ryan Goldy, Edward Gomez, Adriana Gomez, Jeremy Gomez, Matthew Gonzalez, Josue Gonzalez, Christian Gonzalez, Carlos Gonzalez, Anthony Goodell, Destiny Goodridge, Jonathan Gorgonio Ramirez, Robert Gorny, Patrick Grabowski, Julian Guarderas, Christian Guevara, Grant Gunnarson, Samantha Harris, Jonathan Hart, Anthony Hernandez, Henry Hernandez, Travis Hickman, Christian Hoffman, Nicholas Hoffman, Frank Hofmann, Sean Holl, Rose Hollywood, Tyler Horner, Ryan Howard, Brendan Ingino, Kyle Irwin, Zach Irwin, Andrew Jones, Miguel Juarez

Hernandez, Sabrina Jung, Madison Kasza, Brendan Kelly, Bailey Kiefer, Kaitlyn Kimble, Shayne King, Cody Kniveton, Thomas Kopec, Benjamin Kwok, Caelb Lamberson, Emma Landsaw, Bryan Laumbach, Corey Laurenzi, Justin Lebron, Kevin Lee, Sandro Lema, Derik Leon, Brandon Lima, Derek Liptak, Alexzander Lonky, Ever Lopez, Moises Luna, Marcus Macalinalo, Jastin Macalino, Marc Macalino, Joshua MacMillan, Austin Madden, Liam Madden, Jaelon Magat, Christopher Major, Julio Maldonado Martinez, Joana Mallari, Mark Mangravito, Armando Marrero, Jerwin Martilus, Miguel Martinez, Jayr Martinez Reyes, Pedro Martinez Tapia, Evan Martinovitch, Anthony Mazza, Aubrey McCarrick, Matthew McGee, Caitlin McHorney, Jack McMahon, Jose Mendez Sagastume, German Mendoza, Luis Mendoza, Kiyara Middleton, Joseph Mihalko, Phillip Milder, Charles Miles, Luis Mimbs Fuentes, Jeffrey Miranda, Edward Molano, Xavier Molina, Laura Molina, David Monaco, Carlos Monterrosa, Albert Montilla, Michael Mourey, Almadelia Navarro Martinez, Shania Negrón, Mylique Nelson, Daniel Newkirk-Carpenter, Victor Noa, Chelsea Nunez, Jacob Nussbaum, Collins Nwekeze, Lucas Ochoa, Peter Oliva, Tyler Oliveira, Zachary Ortega, Kiara Osbourne Willis, Wesley Osoria, Zachary Pacetti, Mariya Pakhomova, George Panchana, Nicholas Paola, Kiana Papaleo, Nathaniel Paras Clenista, Piquiline Park, Shweta Patel, Brandon Paul, Jacob Perez, Ashley Perezferrer, Charles Phan, Justin Michael Pineda, Aidan Proulx, Cross Quinlan, Nidhi Rakholia, Michelle Ramirez, Sheehan Ramirez, Adam Randazzo, Jackie Remache, Ernesto Reyes, Nicholas Ribeirocarvalho, Evan Ridgell, Alido Rivera, Brian Rivera, Isis Rivera, Jayvon Roberson, Guy Robinson, Peter Robinson, Daniel Roble, Stephan Roche, Viana Rodriguez, Guillermo Rodriguez Zavala, Christopher Rojas, Yandry Romero, Darion Rosario, David Roxas, James Russell, Kevin Saar, Lau Sage, Vicuna Saltos, Nicholas Salvucci, Anthony Sanchez, Christopher Sanford, Michael Santangelo, Eddie Santiago, John Santiago, Giovanni Santos, Nicholas Scanzano, Jacob Schettino, Lisa Schrage, Jason Schultz, Dylan Schweibinz, Paloma Seijas, Kyle Seo, Armani Serrano, Dante Shearin, Edward Simo, Gurvir Singh, Jacob Solem, Victor Souza, Terrell Stearns Bailey, Brian Stevens, Brendan Stevenson, Alaysia Stewart, Dawid Sura, Yerines Suriel-Baez, Shane Tambussi, Joseph Tamimi, Jordan Tanis, Nicholas Tejada, Michael Tesauero, Jailey Torres, Fabio Toyos, Brandon Tuberquia, Elvis Tumuxcurruchich, Paul Turnbull, Luke Turner, Jared Tymon, Zaria Underwood Madden, Michael Valdes, Steve Valencia, Mateo

Valentine, Miranda Vallese, Jessica Vanderzyde, Damian Vanriper, Francis Vanteekelenburgh, John Vargas, Michael Velthaus, Edward Villela, Romelson Virtusio, Jeffrey Walsh, Kevin Watts, Jacob Wendt, Camdyn Williams, Tenzin Woesser, Brandon Woodall, James Young, and Drew Zigo.

These outstanding individuals will also be honored at various "Our Community Salutes" recognition events held throughout New Jersey in May 2017.

The future of our Nation remains strong because these individuals have decided to step forward and commit themselves to the defense of our Nation and to uphold the ideals upon which it was founded. Indeed, these New Jerseyans represent the very best of America, and they should rest assured that the full support of the U.S. Senate, as well as the American people, are with them in whatever challenges may lie ahead.

It is thanks to the dedication of untold numbers of patriots like these that we are able to meet here today, in the U.S. Senate, and openly debate the best solutions to the many and diverse problems that confront our country. It is thanks to their sacrifices that the United States of America remains a beacon of hope and freedom throughout the world. We owe them, along with all those who serve our country, a deep debt of gratitude.●

RECOGNIZING DESTINATIONS INN

● Mr. RISCH. Mr. President, our country has been built upon a bedrock of guiding principles which has molded the character of many Americans. Hard work, risk-taking, and perseverance are some of the characteristics that have helped so many of our Nation's citizens achieve the American Dream. Continually on the cutting edge of innovation, America's entrepreneurs share an inspiring creative spirit. As chairman of the Senate Committee on Small Business and Entrepreneurship, it is my pleasure to recognize one such entrepreneur, Larry Fisher, and his small business, Destinations Inn, as the Senate Small Business of the Month for April 2017.

With a lifelong understanding of business, Mr. Fisher has built many successful businesses, including the critically acclaimed Black Swan Inn. Acquired in 1997, Mr. Fisher transformed the unique 1933 English Tudor into a luxury themed suite lodging facility catering to couples, tourists, and business travelers who are looking for a unique experience.

After the success of the Black Swan Inn, the Fishers purchased and opened a sister hotel located in Idaho Falls in 2010, the Destinations Inn. The building was built in 1905 and has served as host to a number of businesses since that time, including the O.P. Skaggs Gro-

cery Store and Ferrell's Clothing. In 2006, the Destinations Inn reopened as a premier luxury hotel and began to host guests from all over the world. When the Fishers acquired the building in 2010, they used their skills in artistry and contracting to transform the hotel into a world-class themed suite lodging facility. Each of the 14 suites within the Destinations Inn is creatively tailored to encapsulate an imaginative atmosphere. Combining their talents and vision, Larry and Debbie Fisher have created a business environment where creativity and ideas thrive. The Fishers exemplify professionalism and entrepreneurial passion through the success of the Destinations Inn.

Born and raised in Pocatello, ID, Mr. Fisher has been a mainstay in his community since his early years. Mr. Fisher currently serves on numerous boards and committees, including the Pocatello Development Authority, Grand Teton Council of the Boy Scouts of America, and Portneuf Valley Interfaith Fellowship. Recognized for his commitment to the community, Mr. Fisher was a recipient of a number of awards, including Parade of Homes Best Show, Builder of the Year, Bridge Builder Award from the Grand Teton Council of the Boy Scouts of America, voted as best lodging property several years by the community, TripAdvisor Hall of Fame Award for 5 years of certificates of excellence, and the Community Black Belt Volunteer Award. Mr. Fisher has dedicated his life to serving his customers and the community. It is my honor to recognize Larry and Debbie Fisher and the employees of Destinations Inn who have done so much for their community. You make our State proud, and I look forward to watching your continued growth and success.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1267. A communication from the Deputy Director, Office of Senate Security, transmitting, pursuant to law, a report relative to the National Defense Authorization Act (NDAA) for fiscal year 2011 (OSS-2017-0369); to the Committee on Armed Services.

EC-1268. A joint communication from the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, transmitting a request relative to issuing a travel restriction on senior officials' travel to Syria for the period of April 7, 2017, until further notice; to the Committee on Armed Services.

EC-1269. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report relative to Modification to Support for Non-Federal Development and Testing of Material for Chemical Agent Defense; to the Committee on Armed Services.

EC-1270. A communication from the Acting Secretary of the Navy, transmitting, pursuant to law, a report relative to the Program Acquisition Unit Cost (PAUC) and Average Procurement Cost (APUC) for the Advanced Arresting Gear (AAG) program; to the Committee on Armed Services.

EC-1271. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General William J. Bender, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-1272. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Philip H. Cullom, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-1273. A communication from the Acting Deputy Secretary, Department of Agriculture, transmitting, pursuant to law, the Federal Grain Inspection Service Annual Report for 2016 and the Uniform Resource Locator (URL) for the report; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1274. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations; Panola County, MS, and Incorporated Areas, et al." (Docket No. FEMA-2017-0002) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1275. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Unverified List (UVL)" (RIN0694-AH29) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1276. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility (Pierce County, WA, et al.)" ((44 CFR Part 64) (Docket No. FEMA-2016-0002)) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1277. A communication from the Chief Counsel, Federal Emergency Management

Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility (Otsego County, NY, et al.)" ((44 CFR Part 64) (Docket No. FEMA-2016-0002)) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1278. A communication from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting, pursuant to law, a report entitled "Consumer Financial Protection Bureau's Office of Minority and Women Inclusion Annual Report to Congress"; to the Committee on Banking, Housing, and Urban Affairs.

EC-1279. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Federal Reserve Bank Capital Stock" (RIN7100-AE47) received in the Office of the President of the Senate on April 6, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1280. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Federal Reserve Bank Capital Stock" (RIN7100-AE47) received in the Office of the President of the Senate on April 6, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1281. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations; Carroll County, MS" (Docket No. FEMA-2016-0002) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1282. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary (Terrorism and Financial Intelligence), Department of the Treasury, received in the Office of the President of the Senate on April 7, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1283. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Director of the Mint, Department of the Treasury, received during adjournment of the Senate in the office of the President of the Senate on April 11, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1284. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility (Loudon County, VA, et al.)" ((44 CFR Part 64) (Docket No. FEMA-2016-0002)) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1285. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility (Jackson County, MO, et al.)" ((44 CFR Part 64) (Docket No. FEMA-2016-0002)) received during adjournment of the Senate in the Office of the President of the Senate

on April 13, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1286. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility (Davidson County, TN, et al.)" ((44 CFR Part 64) (Docket No. FEMA-2016-0002)) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1287. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary (Financial Institutions), Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-1288. A communication from the Acting Solicitor General, Department of Justice, transmitting, pursuant to law, a report relative to the Consumer Financial Protection Bureau's for-cause removal provision; to the Committee on Banking, Housing, and Urban Affairs.

EC-1289. A communication from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting, pursuant to law, a report entitled "Fair Lending Report of the Consumer Financial Protection Bureau"; to the Committee on Banking, Housing, and Urban Affairs.

EC-1290. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Syria that was declared in Executive Order 13338 of May 11, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-1291. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Banking, Housing, and Urban Affairs.

EC-1292. A communication from the Chairman, National Credit Union Administration, transmitting, pursuant to law, the National Credit Union Administration's 2016 annual report; to the Committee on Banking, Housing, and Urban Affairs.

EC-1293. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Subsistence Harvest in Alaska; Harvest Regulations for Migratory Birds in Alaska During the 2017 Season" (RIN1018-BB71) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Environment and Public Works.

EC-1294. A communication from the Chief of the Policy, Performance, and Management Programs Division, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Reclassification of the West Indian Manatee From Endangered to Threatened" (RIN1018-AY84) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Environment and Public Works.

EC-1295. A communication from the Special Agent in Charge of the Branch of Investigations, Office of Law Enforcement, Fish

and Wildlife Service, transmitting, pursuant to law, the report of a rule entitled "Civil Penalties; 2017 Inflation Adjustments for Civil Monetary Penalties" (RIN1018-BB97) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Environment and Public Works.

EC-1296. A communication from the Chief of the Policy, Performance, and Management Programs Division, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Removal of the Scarlet-Chested Parrot and the Turquoise Parrot From the Federal List of Endangered and Threatened Wildlife" (RIN1018-BB29) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Environment and Public Works.

EC-1297. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary (Intelligence Affairs), Department of the Treasury, received in the Office of the President of the Senate on April 6, 2017; to the Committee on Finance.

EC-1298. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Secretary, Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Finance.

EC-1299. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Finance.

EC-1300. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Finance.

EC-1301. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Finance.

EC-1302. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Secretary of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Finance.

EC-1303. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Chief Counsel, Internal Revenue Service, Department of the Treasury, received during adjournment of the Senate in the Office of the

President of the Senate on April 11, 2017; to the Committee on Finance.

EC-1304. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Member, Internal Revenue Service Oversight Board, Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Finance.

EC-1305. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Member, Internal Revenue Service Oversight Board, Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Finance.

EC-1306. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary (Financial Markets), Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Finance.

EC-1307. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Anti-Harassment and Hostile Work Environment Case Tracking and Records System" (RIN0960-AH82) received during adjournment of the Senate in the Office of the President of the Senate on April 14, 2017; to the Committee on Finance.

EC-1308. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Election by Qualified Small Business to Claim Payroll Tax Credit for Increasing Research Activities" (Notice 2017-23) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Finance.

EC-1309. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Proposed Revenue Procedure for Requesting Consent to Change a Method of Accounting" (Notice 2017-17) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Finance.

EC-1310. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notice on Windsor-Related Estate, Gift and Generation-Skipping Transfer Issues" (Notice 2017-15) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Finance.

EC-1311. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Announcement and Report Concerning Advance Pricing Agreements" (Announcement 2017-03) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Finance.

EC-1312. A communication from the Chief of the Publications and Regulations Branch,

Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Relief from Section 4975 of the Internal Revenue Code" (Announcement 2017-4) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Finance.

EC-1313. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2017 Automobile Price Inflation Adjustment" (Rev. Proc. 2017-29) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Finance.

EC-1314. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Small Business/Self Employed Fast Track Settlement" (Rev. Proc. 2017-25) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Finance.

EC-1315. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "March 2017 Supplement to Rev. Proc. 2014-64, Implementation of Nonresident Alien Deposit Interest Regulations" (Rev. Proc. 2017-31) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Finance.

EC-1316. A communication from the Principal Deputy Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0378); to the Committee on Foreign Relations.

EC-1317. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the Department's annual report concerning military assistance and military exports (OSS-2017-0402); to the Committee on Foreign Relations.

EC-1318. A communication from the Principal Deputy Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0379); to the Committee on Foreign Relations.

EC-1319. A communication from the Principal Deputy Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2017-0380); to the Committee on Foreign Relations.

EC-1320. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended," for the six months ending June 30, 2016; to the Committee on Foreign Relations.

EC-1321. A communication from the Office of Presidential Appointments, Department of

State, transmitting, pursuant to law, thirty-six (36) reports relative to vacancies in the Department of State, received during adjournment of the Senate in the Office of the President of the Senate on April 14, 2017; to the Committee on Foreign Relations.

EC-1322. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended," for the six months ending June 30, 2016; to the Committee on Foreign Relations.

EC-1323. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-074); to the Committee on Foreign Relations.

EC-1324. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-137); to the Committee on Foreign Relations.

EC-1325. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-126); to the Committee on Foreign Relations.

EC-1326. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-105); to the Committee on Foreign Relations.

EC-1327. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-100); to the Committee on Foreign Relations.

EC-1328. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-080); to the Committee on Foreign Relations.

EC-1329. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the Protocol to the North Atlantic Treaty on the Accession of Montenegro of March 28, 2017; to the Committee on Foreign Relations.

EC-1330. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 17-008); to the Committee on Foreign Relations.

EC-1331. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 17-017); to the Committee on Foreign Relations.

EC-1332. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 17-005); to the Committee on Foreign Relations.

EC-1333. A communication from the Deputy Assistant Secretary for Program Operations, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Definition of the Term 'Fiduciary'; Conflict of Interest Rule—Retirement Investment Advice; Best Interest Contract Exemption (Pro-

hibited Transaction Exemption 2016-01); Class Exemption for Principal Transactions in Certain Assets Between Investment Advice Fiduciaries and Employee Benefit Plans and IRAs (Prohibited Transaction Exemption 2016-02); Prohibited Transaction Exemptions 75-1, 77-4, 80-83, 84-24 and 86-128" (RIN1210-AB79) received in the Office of the President of the Senate on April 7, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-1334. A communication from the Acting Secretary of Labor, transmitting, pursuant to law, the report of a rule entitled "Revision of FOIA Regulations" (RIN1290-AA30) received in the Office of the President of the Senate on April 7, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-1335. A communication from the Regulations Coordinator, Division of Select Agents and Toxins, Centers for Disease Control and Prevention, transmitting, pursuant to law, the report of a rule entitled "Possession, Use, and Transfer of Select Agents and Toxins—Addition of *Bacillus cereus* Biovar anthracis to the HHS List of Select Agents and Toxins" (RIN0920-AA64) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-1336. A communication from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Part 4022) received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-1337. A communication from the Deputy Assistant General Counsel for the Division of Regulatory Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Adjustment of Civil Monetary Penalties for Inflation" (RIN1801-AA16) received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-1338. A communication from the Deputy General Counsel, Office of General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Title I—Improving the Academic Achievement of the Disadvantaged (Subpart C—Migrant Education Program)" (RIN1810-AA99) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-1339. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1340. A communication from the Director, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, the Department's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1341. A communication from the Acting Administrator, General Services Administra-

tion, transmitting, pursuant to law, the Administration's fiscal year 2016 report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1342. A communication from the Chief Judge, Superior Court of the District of Columbia, transmitting, pursuant to law, a report relative to the District of Columbia Family Court Act; to the Committee on Homeland Security and Governmental Affairs.

EC-1343. A communication from the General Counsel, Privacy and Civil Liberties Oversight Board, transmitting, pursuant to law, the Board's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1344. A communication from the Acting Chairman, Occupational Safety and Health Review Commission, transmitting, pursuant to law, the Commission's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1345. A communication from the President, Inter-American Foundation, transmitting, pursuant to law, the Foundation's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1346. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's fiscal year 2014 and fiscal year 2015 inventories of commercial and inherently governmental positions in the Department of Transportation; to the Committee on Homeland Security and Governmental Affairs.

EC-1347. A communication from the Acting Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the Commission's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1348. A communication from the Special Counsel, Office of Special Counsel, transmitting, pursuant to law, the Office's fiscal year 2016 report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1349. A communication from the Acting Director, Environmental Protection Agency, transmitting, pursuant to law, the Agency's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1350. A communication from the Acting Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the Commission's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1351. A communication from the Director of Legislative Affairs, Office of the Director of National Intelligence, transmitting,

pursuant to law, the Office's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1352. A communication from the Acting Director, Environmental Protection Agency, transmitting, pursuant to law, the Agency's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1353. A communication from the Director, Court Services and Offender Supervision Agency for the District of Columbia, transmitting, pursuant to law, the Agency's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-1354. A communication from the Director, Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting, pursuant to law, the Commission's Annual Sunshine Act Report for 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-1355. A communication from the Director, Office of Legislative Affairs, Office of the Director of National Intelligence, transmitting, pursuant to law, a report relative to two (2) vacancies in the Office of the Director of National Intelligence, received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2017; to the Select Committee on Intelligence.

EC-1356. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Department's Annual Privacy Report for the period October 1, 2013 through September 30, 2016; to the Committee on the Judiciary.

EC-1357. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, the Uniform Resource Locators (URLs) for two reports entitled "2016 Annual Report of the Director of the Administrative Office of the United States Courts" and "Judicial Business of the United States Courts"; to the Committee on the Judiciary.

EC-1358. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, two (2) reports relative to vacancies in U.S. Citizenship and Immigration Services, Department of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on April 13, 2017; to the Committee on the Judiciary.

EC-1359. A communication from the Chief of Special Projects, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "VA Dental Insurance Program" (RIN2900-AP91) received in the Office of the President of the Senate on April 7, 2017; to the Committee on Veterans' Affairs.

EC-1360. A communication from the Office Program Manager, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Release of VA Records Relating to HIV" (RIN2900-AP73) received in the Office of the President of the Senate on April 6, 2017; to the Committee on Veterans' Affairs.

EC-1361. A communication from the Acting Deputy Administrator, Transportation Secu-

rity Administration, Department of Homeland Security, transmitting, pursuant to law, a report relative to the Administration's decision to enter into a contract with a private security screening company to provide screening services at Jackson Hole Airport (JAC); to the Committee on Commerce, Science, and Transportation.

EC-1362. A communication from the Associate Chief of the Mobility Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of the Commission's Rules with Regard to the 800 MHz Cellular Radiotelephone Service" ((WT Docket No. 12-40; WT Docket No. 10-112; WT Docket No. 16-138; RM No. 11510; RM No. 11660) (FCC 17-27)) received in the Office of the President of the Senate on April 7, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1363. A communication from the Associate Chief of the Mobility Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Promoting Technological Solutions to Combat Contraband Wireless Device Use in Correctional Facilities" ((GN Docket No. 13-111) (FCC 17-25)) received in the Office of the President of the Senate on April 7, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1364. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions; Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Digital Low Power Television and Television Translator Stations; Channel Sharing by Full Power and Class A Stations Outside the Broadcast Television Spectrum Incentive Auction Context" ((GN Docket No. 12-268; MB Docket No. 03-185; MB Docket No. 15-137) (FCC 17-29)) received in the Office of the President of the Senate on April 7, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1365. A communication from the Deputy Chief, Disability Rights Office, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities" ((CG Docket No. 10-51 and CG Docket No. 03-123) (FCC 17-26)) received in the Office of the President of the Senate on April 7, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1366. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Space Vehicle and Missile Launch Operations" (RIN0648-BG25) received during adjournment of the Senate in the Office of the President of the Senate on April 10, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1367. A communication from the Assistant Secretary, Federal Maritime Commission, transmitting, pursuant to law, the report of a rule entitled "Amendments to Regulations Governing Service Contracts and NVOCC Service Arrangements" (RIN3072-AC53) received in the Office of the President

of the Senate on April 6, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1368. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Safran Helicopter Engines, S.A., Turboshift Engines" ((RIN2120-AA64) (Docket No. FAA-2016-7850)) received in the Office of the President of the Senate on April 6, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1369. A communication from the Acting Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Parts 2, 15, 80, 90, 97, and 101 of the Commission's Rules Regarding Implementation of the Final Acts of the World Radiocommunication Conference (Geneva, 2012) (WRC-12), Other Allocation Issues, and Related Rule Updates" ((ET Doc. No. 15-99) (ET Doc. No. 14-14) (FCC 17-33)) received during adjournment of the Senate in the Office of the President of the Senate on April 11, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1370. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Maritime Administrator, Maritime Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1371. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Administrator, National Highway Traffic Safety Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1372. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Administrator, Federal Railroad Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1373. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Administrator, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1374. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Administrator, Federal Highway Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1375. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Administrator, Federal Transit Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1376. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Administrator, Federal Motor Carrier Safety Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1377. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Assistant Secretary for Research and Technology, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1378. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Assistant Secretary for Governmental Affairs, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1379. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Chief Financial Officer, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1380. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of General Counsel, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1381. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Assistant Secretary for Aviation and International Affairs, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1382. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Assistant Secretary for Transportation Policy, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the

Committee on Commerce, Science, and Transportation.

EC-1383. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Assistant Secretary of Transportation for Policy, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1384. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Deputy Secretary, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC-1385. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy for the position of Secretary of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2017; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-16. A concurrent resolution adopted by the Legislature of the State of North Dakota urging the United States Congress, under Article V of the United States Constitution, to call for a constitutional convention limited to proposing amendments to the United States Constitution, which impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 3006

Whereas, the founders of the United States Constitution empowered state legislators to be guardians of liberty against excessive use of power by the federal government; and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending; and

Whereas, the federal government has ceased to operate under a proper interpretation of the United States Constitution; and

Whereas, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

Whereas, it is the solemn duty of the states to protect the liberty of our people, particularly for the generations to come, by proposing amendments to the United States Constitution through a convention of the states under Article V for the purpose of restraining these and related abuses of power: Now, therefore, be it

Resolved by the House of Representatives of North Dakota, the Senate concurring therein:

That the Sixty-fifth Legislative Assembly urges the Congress, under the provisions of Article V of the United States Constitution, to call a convention of the states limited to proposing amendments to the United States

Constitution which impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress; and be it further

Resolved, that this application constitutes a continuing application in accordance with Article V of the United States Constitution until the legislatures of at least two-thirds of the several states have made applications on the same subject; and be it further

Resolved, that the Legislative Assembly adopts this application expressly subject to the following reservations, understandings, and declarations:

1. An application to the Congress of the United States to call an amendment convention of the states pursuant to Article V of the United States Constitution confers no power to Congress other than the power to call such a convention. The power of Congress to exercise this ministerial duty consists solely of the authority to name a reasonable time and place for the initial meeting of a convention;

2. Congress shall perform its ministerial duty of calling an amendment convention of the states only upon the receipt of applications for an amendment convention for the substantially same purpose as this application from two-thirds of the legislatures of the several states;

3. Congress does not have the power or authority to determine any rules for the governing of a convention for proposing amendments called pursuant to Article V of the United States Constitution. Congress does not have the power to set the number of delegates to be sent by any state to such a convention, nor does it have the power to name delegates to such a convention. The power to name delegates remains exclusively within the authority of the legislatures of the several states;

4. By definition, an amendment convention of the states means that states shall vote on the basis of one state, one vote;

5. A convention for proposing amendments convened pursuant to this application must be limited to consideration of the topics specified herein and no other. This application is made with the express understanding that an amendment that in any way seeks to amend, modify, or repeal any provision of the Bill of Rights is not authorized for consideration at any stage. This application is void ab initio if ever used at any stage to consider any change to any provision of the Bill of Rights;

6. Pursuant to Article V of the United States Constitution, Congress may determine whether proposed amendments must be ratified by the legislatures of the several states or by special state ratification conventions. The Legislative Assembly recommends Congress select ratification by the legislatures of the several states; and

7. The Legislative Assembly may provide further instructions to its delegates and may recall its delegates at any time for a breach of a duty or a violation of the instructions provided; and be it further

Resolved, that the Secretary of State forward copies of this resolution to the President and Secretary of the Senate and the Speaker and Clerk of the House of Representatives of the Congress, each member of the United States Congressional Delegation from North Dakota, and the presiding officers of each house of the legislatures of the several states, requesting their cooperation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HATCH, from the Committee on Finance, without amendment:

S.J. Res. 41. An original joint resolution providing for an exception to the limitation on the appointment of certain persons as the United States Trade Representative.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. McCAIN for the Committee on Armed Services.

Navy nominations beginning with Rear Adm. (lh) Richard A. Brown and ending with Rear Adm. (lh) John W. Tammen, Jr., which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2017.

Navy nominations beginning with Capt. Kevin M. Jones and ending with Capt. Thomas J. Moreau, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2017.

Marine Corps nominations beginning with Brig. Gen. David G. Bellon and ending with Brig. Gen. Patrick J. Hermesmann, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2017.

Marine Corps nominations beginning with Brig. Gen. Edward D. Banta and ending with Brig. Gen. Eric M. Smith, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2017.

Marine Corps nomination of Col. Michael S. Martin, to be Brigadier General.

Marine Corps nominations beginning with Col. James H. Adams III and ending with Col. Christian F. Wortman, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2017.

Army nomination of Maj. Gen. Bryan P. Fenton, to be Lieutenant General.

Army nomination of Maj. Gen. Darrell K. Williams, to be Lieutenant General.

Navy nomination of Rear Adm. David H. Lewis, to be Vice Admiral.

Navy nomination of Rear Adm. Mathias W. Winter, to be Vice Admiral.

Navy nomination of Rear Adm. (lh) Steven L. Parode, to be Rear Admiral.

Navy nomination of Rear Adm. (lh) John P. Polowczyk, to be Rear Admiral.

Navy nominations beginning with Rear Adm. (lh) Jon A. Hill and ending with Rear Adm. (lh) Gordon D. Peters, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Mr. McCAIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nomination of Raymond C. Jones III, to be Major.

Air Force nomination of Christopher E. Austin, to be Colonel.

Air Force nominations beginning with Robert D. Houghteling and ending with Carl H. Spears, Jr., which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nominations beginning with Lisa Ann Banyasz and ending with Julie L. Wible, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nominations beginning with Lori J. Betters and ending with Lisa S. Shear, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nomination of James A. Crider, to be Colonel.

Air Force nominations beginning with Jose E. Barrera and ending with David H. Zonies, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nominations beginning with Kristin L. Ader and ending with Christopher C. Vannatta, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nominations beginning with Gregg Michael Caggianelli and ending with William Scott Wiecher, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nominations beginning with Patrick W. Albrecht and ending with Stephen S. Yoon, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nomination of Stephen N. Luker, to be Major.

Air Force nominations beginning with Tyler J. Banachowski and ending with Marita N. Zguri, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nominations beginning with Joni A. Abbott and ending with Danielle C. Yuen, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nominations beginning with Michael J. Alfaro and ending with Sara M. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nominations beginning with Jessica L. Abbott and ending with Heath D. Wright, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nominations beginning with Corey R. Anderson and ending with Andrew J. Stoy, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nominations beginning with Edward R. Anderson III and ending with Ramon Yambo Arias, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Air Force nominations beginning with Patrick M. Albritton and ending with Ray A. Zuniga, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Air Force nominations beginning with Neil R. Copeland and ending with Olivia M. Vaughan, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Air Force nomination of Robert P. McCoy, to be Colonel.

Air Force nomination of Allen R. Henderson, Jr., to be Colonel.

Air Force nomination of George L. Burnett, to be Lieutenant Colonel.

Air Force nomination of Dion R. Dixon, to be Lieutenant Colonel.

Air Force nomination of Rebecca A. Lipe, to be Major.

Air Force nomination of Michael N. Tesfay, to be Major.

Air Force nomination of Megan G. K. Steele, to be Major.

Air Force nominations beginning with Ryan W. Abner and ending with Breanca G. Young, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Air Force nominations beginning with Allen Seth Abrams and ending with Thomas Benjamin Williams, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Air Force nominations beginning with Chad A. Bellamy and ending with Andrew L. Thornley, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Air Force nominations beginning with Aimee L. Alviar and ending with David A. Whitehorn, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Air Force nominations beginning with Willie J. Babor and ending with Maureen Schellie Wood, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Air Force nominations beginning with Hector L. Coloncolon and ending with Kevin L. Lockett, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Air Force nominations beginning with Beth M. Baykan and ending with William T. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Air Force nomination of Martin J. Hamilton, to be Colonel.

Air Force nominations beginning with Michael A. Blackburn and ending with Jason S. Wrachford, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Army nomination of Scott C. Apling, to be Lieutenant Colonel.

Army nomination of Patricia L. George, to be Colonel.

Army nomination of Adam J. Points, to be Lieutenant Colonel.

Army nomination of Larry G. Workman, to be Lieutenant Colonel.

Army nomination of Robert J. Dunlap, to be Lieutenant Colonel.

Army nomination of Wayne O. Dehaney, to be Colonel.

Army nomination of Johnathan T. Parchem, to be Colonel.

Army nominations beginning with Jacob P. Absalon and ending with G010445, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Army nominations beginning with Mark P. Adams and ending with G010388, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Army nominations beginning with Amir A. Abuakeel and ending with D013352, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Army nominations beginning with Vanessa R. Asmus and ending with D013007, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Army nomination of Michael C. Flynn, to be Lieutenant Colonel.

Army nomination of Steve L. Martinelli, to be Colonel.

Army nominations beginning with Kenneth Ahorrio and ending with Paul W. Ziegler III, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Army nominations beginning with Tolulope O. Adeyemi and ending with D013595, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Army nominations beginning with Paul J. E. Auchincloss and ending with D012628, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Army nominations beginning with Rachel A. Acciaccia and ending with Lauren E. White, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Army nomination of Christopher J. Brown, to be Lieutenant Colonel.

Army nominations beginning with Daniel B. King and ending with Todd E. Wainman, which nominations were received by the Senate and appeared in the Congressional Record on March 27, 2017.

Army nomination of John J. Bottorff, to be Major.

Army nomination of Eugene L. Thomas III, to be Major.

Army nomination of John T. Bleigh, to be Lieutenant Colonel.

Army nomination of Jeffrey D. Buck, to be Colonel.

Army nomination of Michael W. Preczewski, to be Major.

Army nominations beginning with Candy Boparai and ending with Lincoln F. Williams, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Army nominations beginning with Charles J. Haselby and ending with Jason T. Ramspott, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Army nomination of Alexander M. Willard, to be Major.

Army nomination of Christopher K. Berthold, to be Major.

Army nomination of Preston H. Leonard, to be Major.

Army nomination of Nicole E. Ussery, to be Lieutenant Colonel.

Army nomination of Michael D. Baker, to be Colonel.

Army nomination of Bridget V. Kmetz, to be Colonel.

Army nominations beginning with Vedner Bellot and ending with James Robinson, Jr., which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Army nominations beginning with Angela L. Funaro and ending with Chad Hackley, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Army nomination of Brian R. Harki, to be Colonel.

Army nominations beginning with Jonathan L. Bouriaque and ending with David A. Langer, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Army nominations beginning with Timothy L. Baer and ending with Gerald R. White, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Army nomination of James V. Crawford, to be Colonel.

Army nomination of Mohammed S. Aziz, to be Major.

Army nomination of Seth C. Lydem, to be Major.

Army nomination of Christopher C. Ostby, to be Colonel.

Army nomination of Calvin E. Fish, to be Colonel.

Army nomination of Aaron E. Lane, to be Major.

Army nomination of Damien Boffardi, to be Lieutenant Colonel.

Army nomination of Randy D. Dorsey, to be Colonel.

Army nominations beginning with Benjamin R. Smith and ending with Stalin R. Subramanian, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Army nomination of Mark W. Hopkins, to be Lieutenant Colonel.

Army nominations beginning with Thomas R. Matelski and ending with Joshua H. Walker, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Army nomination of Mark B. Howell, to be Lieutenant Colonel.

Army nomination of Julio ColonGonzalez, to be Lieutenant Colonel.

Army nominations beginning with Jason N. Bullock and ending with Gerald A. Nunziato, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Army nomination of Jennifer A. McAfee, to be Colonel.

Army nomination of Nina R. Copeland, to be Major.

Army nomination of Calvin E. Townsend, to be Major.

Army nomination of Scott A. McDonald, to be Lieutenant Colonel.

Army nomination of Thomas P. Lukins, to be Major.

Army nomination of Scott M. McFarland, to be Colonel.

Army nomination of Jeffrey A. Miller, to be Colonel.

Army nomination of Joseph M. Kilonzo, to be Lieutenant Colonel.

Army nomination of Brandi A. Schuyler, to be Lieutenant Colonel.

Army nomination of David J. Kaczmarek, to be Lieutenant Colonel.

Army nomination of Jonathan A. Johnson, to be Major.

Army nominations beginning with James A. Benson and ending with William M. Yanek II, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Army nomination of Crystal J. Smith, to be Lieutenant Colonel.

Army nomination of Dana B. Love, to be Major.

Army nomination of Douglas A. McKewan, to be Colonel.

Army nomination of David M. Wallace, to be Colonel.

Army nomination of Lisa M. Patton, to be Colonel.

Army nomination of Basil J. Catanzaro, to be Colonel.

Marine Corps nominations beginning with Daniel E. Alger, Jr. and ending with Jessica M. Wall, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Marine Corps nominations beginning with Anis A. Abuzeid and ending with Craig A. Zoellner, which nominations were received

by the Senate and appeared in the Congressional Record on April 4, 2017.

Marine Corps nominations beginning with Daniel W. Annunziata and ending with Leah R. Parrott, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Marine Corps nomination of James R. Reusse, to be Lieutenant Colonel.

Marine Corps nominations beginning with Jose M. Acevedo and ending with Francisco X. Zavala, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Marine Corps nominations beginning with Henry Centeno, Jr. and ending with James L. Shelton, Jr., which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Marine Corps nomination of Richard K. O'Brien, to be Major.

Marine Corps nominations beginning with Michael J. Allen and ending with Christopher T. Hambrick, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Marine Corps nominations beginning with Jeremy T. Flannery and ending with Mark L. Oldroyd, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Marine Corps nomination of Joseph W. Hockett, to be Major.

Marine Corps nominations beginning with Francisco D. Amaya and ending with Tyson E. Peters, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Marine Corps nominations beginning with Michael M. Dodd and ending with Robert J. Snoddy, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Marine Corps nomination of David S. Gersen, to be Major.

Marine Corps nomination of John W. Glinsky, to be Major.

Marine Corps nomination of Keith A. Stevenson, to be Major.

Marine Corps nominations beginning with Quentin R. Carritt and ending with Eric A. Sharpe, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Marine Corps nominations beginning with Anthony P. Green and ending with Michael A. Young, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Marine Corps nomination of Stuart M. Barker, to be Lieutenant Colonel.

Marine Corps nominations beginning with Richard Canedo and ending with David L. Ogden, Jr., which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Marine Corps nomination of John E. Simpson III, to be Lieutenant Colonel.

Marine Corps nomination of Sean T. Hays, to be Lieutenant Colonel.

Marine Corps nominations beginning with Luke A. Crouson and ending with Jason C. Flores, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Marine Corps nominations beginning with Arlington A. Finch, Jr. and ending with Kevin M. Tscherch, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Marine Corps nominations beginning with Stephen J. Acosta and ending with Donald R. Wright, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Marine Corps nominations beginning with Joshua P. Bahr and ending with Janhendrik C. Zurippe, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Marine Corps nominations beginning with John T. Brown, Jr. and ending with Julius G. Jones, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Marine Corps nominations beginning with Eli J. Bressler and ending with James R. Strand, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Marine Corps nominations beginning with Chadwick W. Ardis and ending with Brad J. Wilde, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Marine Corps nomination of Duane A. Gumbs, to be Major.

Navy nomination of Aaron B. Mayer, to be Lieutenant Commander.

Navy nomination of John J. Kitt, to be Commander.

Navy nominations beginning with Jorge R. Balares, Jr. and ending with Brandon M. Zoss, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Navy nomination of Mary E. Linnell, to be Lieutenant Commander.

Navy nominations beginning with Spencer M. Burk and ending with Brianna S. Whittemore, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Navy nominations beginning with Kirk J. Hippensteel and ending with John M. Ruggero, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2017.

Navy nomination of Evita M. Salles, to be Lieutenant Commander.

Navy nomination of John P. H. Rue, to be Captain.

Navy nominations beginning with Michael W. Ameche and ending with Joshua J. Whitlow, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Navy nominations beginning with Rachel E. Carter and ending with Kevin D. Keith, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Navy nominations beginning with Mauer Biscotti III and ending with Adam J. Susmarski, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Navy nomination of Donald V. Wilson, to be Commander.

Navy nomination of Michael A. Winslow, to be Lieutenant Commander.

Navy nominations beginning with Horacio G. Tan and ending with Derrick A. Thomas, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2017.

Navy nomination of Natalie C. O. Gilliver, to be Lieutenant Commander.

Navy nomination of John F. Sharpe, to be Commander.

Navy nomination of Reann S. Mommsen, to be Lieutenant Commander.

By Mr. HATCH for the Committee on Finance.

*Robert Lighthizer, of Florida, to be United States Trade Representative, with the rank of Ambassador Extraordinary and Plenipotentiary.

*Nomination was reported with recommendation that it be confirmed sub-

ject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. ERNST (for herself and Ms. HIRONO):

S. 925. A bill to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans through the use of telemedicine, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. ERNST (for herself and Mr. MANCHIN):

S. 926. A bill to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LEAHY (for himself and Mr. GRASSLEY):

S. 927. A bill to allow acceleration certificates awarded under the Patents for Humanity Program to be transferable; to the Committee on the Judiciary.

By Mrs. MURRAY (for herself, Mr. BOOKER, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BROWN, Ms. CANTWELL, Ms. DUCKWORTH, Mr. MARKEY, Ms. WARREN, Mrs. GILLIBRAND, Ms. HIRONO, Mr. SANDERS, Mr. WHITEHOUSE, Ms. HASSAN, Mr. WYDEN, Mr. MERKLEY, Mr. SCHATZ, Mr. MURPHY, Mr. LEAHY, Mr. CASEY, Mr. FRANKEN, Ms. HARRIS, and Mr. DURBIN):

S. 928. A bill to prohibit, as an unfair or deceptive act or practice, commercial sexual orientation conversion therapy, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. SHAHEEN:

S. 929. A bill to improve the HUBZone program; to the Committee on Small Business and Entrepreneurship.

By Mr. FLAKE (for himself, Mr. MCCAIN, and Mr. KING):

S. 930. A bill to require the Administrator of the Western Area Power Administration to establish a pilot project to provide increased transparency for customers, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GARDNER (for himself and Mr. BENNET):

S. 931. A bill to designate the facility of the United States Postal Service located at 4910 Brighton Boulevard in Denver, Colorado, as the "George Sakato Post Office"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DAINES (for himself, Mr. JOHNSON, Mr. PERDUE, Mr. PAUL, and Mr. LEE):

S. 932. A bill to amend the Congressional Budget Act of 1974 to provide that any estimate prepared by the Congressional Budget Office or the Joint Committee on Taxation shall include costs relating to servicing the public debt, and for other purposes; to the Committee on the Budget.

By Mr. SULLIVAN (for himself and Mr. CASEY):

S. 933. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program to provide veterans the option of using an alternative appeals process to more quickly determine claims for disability compensation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ALEXANDER (for himself and Mrs. MURRAY):

S. 934. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL (for himself and Mr. HELLER):

S. 935. A bill to amend the Endangered Species Act of 1973 to permit Governors of States to regulate intrastate endangered species and intrastate threatened species, to amend the Migratory Bird Treaty Act to permit the taking of certain black vultures and ravens, and for other purposes; to the Committee on Environment and Public Works.

By Mr. WHITEHOUSE (for himself, Mrs. SHAHEEN, Mr. BROWN, Mr. DURBIN, Mr. MARKEY, Ms. STABENOW, and Mr. MENENDEZ):

S. 936. A bill to designate certain National Forest System land and certain public land under the jurisdiction of the Secretary of the Interior in the States of Idaho, Montana, Oregon, Washington, and Wyoming as wilderness, wild and scenic rivers, wildland recovery areas, and biological connecting corridors, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself, Mr. BLUNT, Mrs. GILLIBRAND, Mr. INHOFE, Mr. MARKEY, Mr. ROUNDS, and Ms. KLOBUCHAR):

S. 937. A bill to amend the Internal Revenue Code of 1986 to provide for a refundable adoption tax credit; to the Committee on Finance.

By Mr. PETERS (for himself, Ms. COLLINS, Mr. CARPER, and Mr. REED):

S. 938. A bill to require notice of cost-free Federal procurement technical assistance in connection with registration of small business concerns in procurement systems; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CRUZ:

S. 939. A bill to reserve any amounts forfeited to the United States Government as a result of the criminal prosecution of Joaquin Archivaldo Guzman Loera (commonly known as "El Chapo"), or of other felony convictions involving the transportation of controlled substances into the United States, for security measures along the Southern border, including the completion of a border wall; to the Committee on the Judiciary.

By Mr. ENZI (for himself and Mr. NELSON):

S. 940. A bill to amend the Internal Revenue Code of 1986 to modify the rules relating to loans made from a qualified employer plan, and for other purposes; to the Committee on Finance.

By Mr. TESTER:

S. 941. A bill to withdraw certain National Forest System land in the Emigrant Crevice area located in the Custer Gallatin National Forest, Park County, Montana, from the mining and mineral leasing laws of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HATCH:

S.J. Res. 41. An original joint resolution providing for an exception to the limitation on the appointment of certain persons as the United States Trade Representative; from the Committee on Finance; placed on the calendar.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CORNYN (for himself, Mrs. CAPITO, Mr. DAINES, Mr. CASSIDY, Mr. RUBIO, Ms. BALDWIN, Mr. DURBIN, Mr. BOOKER, Mr. BROWN, Mr. MANCHIN, Mr. SANDERS, Mr. FRANKEN, Mr. TESTER, and Mr. BLUMENTHAL):

S. Res. 138. A resolution honoring National Former Prisoner of War Recognition Day on April 9, 2017, and commemorating the 75th anniversary of the fall of Bataan; to the Committee on Foreign Relations.

By Mr. WYDEN (for himself, Mr. RUBIO, Mr. BOOZMAN, and Mr. DURBIN):

S. Res. 139. A resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights; to the Committee on Foreign Relations.

By Mr. ISAKSON (for himself and Ms. STABENOW):

S. Res. 140. A resolution supporting the designation of April 2017 as "Parkinson's Awareness Month"; considered and agreed to.

By Mr. SCOTT (for himself and Mr. GRAHAM):

S. Res. 141. A resolution congratulating the University of South Carolina women's basketball team for winning the 2017 National Collegiate Athletic Association Division I Women's Basketball Tournament Championship; considered and agreed to.

By Mr. Kaine (for himself and Mr. WARNER):

S. Res. 142. A resolution commemorating the 10th anniversary of the tragic events at Virginia Polytechnic Institute and State University on April 16, 2007; considered and agreed to.

By Mr. TESTER:

S. Res. 143. A resolution supporting fair and equitable grading treatment for exports of United States wheat products to Canada; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 59

At the request of Mr. CRAPO, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 59, a bill to provide that silencers be treated the same as long guns.

S. 109

At the request of Mr. CASEY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 109, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 223

At the request of Ms. COLLINS, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor

of S. 223, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 234

At the request of Mr. DONNELLY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 234, a bill to provide incentives for businesses to keep jobs in America.

S. 253

At the request of Mr. CARDIN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 253, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 292

At the request of Mr. REED, the names of the Senator from Florida (Mr. RUBIO) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 292, a bill to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes.

S. 339

At the request of Mr. NELSON, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 339, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 445

At the request of Mr. CARDIN, the names of the Senator from Maine (Mr. KING), the Senator from Massachusetts (Mr. MARKEY), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Ohio (Mr. BROWN), and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 445, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 470

At the request of Mr. CASEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 470, a bill to amend the Internal Revenue Code of 1986 to enhance the Child and Dependent Care Tax Credit and make the credit fully refundable.

S. 487

At the request of Mr. CRAPO, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 487, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs.

S. 497

At the request of Ms. CANTWELL, the names of the Senator from Arkansas (Mr. COTTON) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 517

At the request of Mrs. FISCHER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 517, a bill to amend the Clean Air Act with respect to the ethanol waiver for Reid vapor pressure limitations under such Act.

S. 569

At the request of Ms. CANTWELL, the names of the Senator from New Hampshire (Ms. HASSAN) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 569, a bill to amend title 54, United States Code, to provide consistent and reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, and for other purposes.

S. 611

At the request of Mrs. FEINSTEIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 611, a bill to amend the McKinney-Vento Homeless Assistance Act to meet the needs of homeless children, youth, and families, and honor the assessments and priorities of local communities.

S. 632

At the request of Mr. COONS, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 632, a bill to amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges; and for other purposes.

S. 652

At the request of Mr. Kaine, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 652, a bill to amend the Public Health Service Act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children.

S. 717

At the request of Mr. SULLIVAN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 717, a bill to promote pro bono legal services as a critical way in which to empower survivors of domestic violence.

S. 720

At the request of Mr. PORTMAN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 720, a bill to amend the Export Administration Act of 1979 to include in

the prohibitions on boycotts against allies of the United States boycotts fostered by international governmental organizations against Israel and to direct the Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes.

S. 722

At the request of Mr. CORKER, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Idaho (Mr. CRAPO), the Senator from Washington (Ms. CANTWELL), and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 722, a bill to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes.

S. 744

At the request of Mr. DONNELLY, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 744, a bill to amend the Fair Credit Reporting Act to delay the inclusion in consumer credit reports and to establish requirements for debt collectors with respect to medical debt information of veterans due to inappropriate or delayed billing payments or reimbursements from the Department of Veterans Affairs, and for other purposes.

S. 754

At the request of Mr. KAINE, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 754, a bill to support meeting our Nation's growing cybersecurity workforce needs by expanding the cybersecurity education pipeline.

S. 832

At the request of Mr. CARDIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 832, a bill to enhance the transparency and accelerate the impact of programs under the African Growth and Opportunity Act and the Millennium Challenge Corporation, and for other purposes.

S. 869

At the request of Mr. PAUL, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 869, a bill to repeal the violation of sovereign nations' laws and privacy matters.

S. 872

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 872, a bill to amend title XVIII of the Social Security Act to make permanent the extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 878

At the request of Mr. MARKEY, the name of the Senator from Oregon (Mr.

WYDEN) was added as a cosponsor of S. 878, a bill to establish privacy protections for customers of broadband Internet access service and other telecommunications services.

S. 901

At the request of Ms. HIRONO, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 901, a bill to prohibit any reduction in the amount of the per diem allowance to which members of the Army, Navy, Air Force, and Marine Corps or civilian employees of the Department of Defense are entitled based on the duration of temporary duty assignments or official travel, and for other purposes.

S. 910

At the request of Mr. SCHUMER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 910, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 923

At the request of Mr. KENNEDY, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 923, a bill to exempt certain financial institutions from regulations issued under the Dodd-Frank Wall Street Reform and Consumer Protection Act.

S. CON. RES. 12

At the request of Mr. GRASSLEY, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. Con. Res. 12, a concurrent resolution expressing the sense of Congress that those who served in the bays, harbors, and territorial seas of the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, should be presumed to have served in the Republic of Vietnam for all purposes under the Agent Orange Act of 1991.

S. RES. 99

At the request of Mr. MANCHIN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. Res. 99, a resolution recognizing the 11 African-American soldiers of the 333rd Field Artillery Battalion who were massacred in Wereth, Belgium, during the Battle of the Bulge in December 1944.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself and Mr. GRASSLEY):

S. 927. A bill to allow acceleration certificates awarded under the Patents for Humanity Program to be transferable; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, tomorrow, April 26, is World Intellectual Property Day, an opportunity for people around the world to appreciate and

learn about the role of intellectual property rights in promoting innovation. Our Founders believed that the right to enjoy the benefit of one's own inventions was so important to the progress of science that they included it in the Constitution. More than 200 years later, limited exclusive rights for inventors continue to incentivize the research and development and make the United States the global leader in innovation.

In the spirit of this year's theme, "Innovation—Improving Lives," I am proud to partner with Senator GRASSLEY to reintroduce the Patents for Humanity Program Improvement Act. Patents for Humanity is a perfect example of how intellectual property rights encourage inventors to develop creative solutions to some of the world's most pressing humanitarian challenges.

Since 2012, the Patents for Humanity Program of the U.S. Patent and Trademark Office, PTO, has honored patent holders whose inventions apply cutting-edge technology to meet global challenges in medicine, nutrition, sanitation, energy, and living standards. The winning inventors receive a certificate to accelerate future PTO processes, such as a reexamination or additional patent applications. The Patents for Humanity Program provides an important incentive for talented innovators to use their expertise and intellect to enhance the public good.

The winners of the Patents for Humanity Program have addressed some of the toughest challenges in the developing world. One lab developed a vaccine cooler that has been used in the fight against the Ebola virus. A non-profit organization created a strand of rice enriched with vitamin A to prevent a nutritional deficiency that is the leading killer of children globally. A social enterprise made a low-cost solar light that can replace dangerous kerosene lamps in areas without electricity. These life saving inventions are exactly the kind of innovations that our intellectual property system should incentivize.

In 2012, the Director of the PTO testified before the Judiciary Committee that Patents for Humanity would attract even more innovators if the winners could transfer their acceleration certificates to a third party. Frequently, successful small businesses and individual inventors are unable to continue their projects or are prevented from taking advantage of the accelerated process because of acquisitions and reorganizations. Transferability of the award certificates would increase the incentive for these small businesses and individuals to develop innovative technologies that would benefit the public and international development.

This bipartisan legislation would allow Patents for Humanity winners to

transfer their acceleration certificates. This straightforward, common sense reform to the Patents for Humanity Program passed the Senate by unanimous consent last Congress. I am hopeful that it will again this Congress and that we can finally enact into law this simple improvement to a successful program. We should take every opportunity we can to encourage and support enterprising Americans with bright ideas that will benefit both our country and the world.

By Mr. DAINES (for himself, Mr. JOHNSON, Mr. PERDUE, Mr. PAUL, and Mr. LEE):

S. 932. A bill to amend the Congressional Budget Act of 1974 to provide that any estimate prepared by the Congressional Budget Office or the Joint Committee on Taxation shall include costs relating to servicing the public debt, and for other purposes; to the Committee on the Budget.

Mr. DAINES. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 932

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Budgetary Accuracy in Scoring Interest Costs Act of 2017" or the "BASIC Act".

SEC. 2. CBO AND JCT ESTIMATES TO INCLUDE DEBT SERVICING COSTS.

(a) IN GENERAL.—The Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621 et seq.) is amended by inserting after section 402 the following:

"ESTIMATES TO INCLUDE DEBT SERVICING COSTS

"SEC. 403. Any estimate prepared by the Congressional Budget Office under section 402, and any estimate prepared by the Joint Committee on Taxation, shall include, to the extent practicable, the costs (if any) of servicing the public debt."

(b) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 402 the following:

"403. Estimates to include debt servicing costs."

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 138—HONORING NATIONAL FORMER PRISONER OF WAR RECOGNITION DAY ON APRIL 9, 2017, AND COMMEMORATING THE 75TH ANNIVERSARY OF THE FALL OF BATAAN

Mr. CORNYN (for himself, Mrs. CAPITO, Mr. DAINES, Mr. CASSIDY, Mr. RUBIO, Ms. BALDWIN, Mr. DURBIN, Mr. BOOKER, Mr. BROWN, Mr. MANCHIN, Mr. SANDERS, Mr. FRANKEN, Mr. TESTER, and Mr. BLUMENTHAL) submitted the following resolution; which was re-

ferred to the Committee on Foreign Relations:

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. RES. 138

Whereas, throughout United States history, United States servicemen and servicewomen held as prisoners of war have endured unimaginable cruelty and unspeakable treatment at the hands of their captors in—

- (1) British prison ships floating in the harbor of New York City;
- (2) tiger cages in North Vietnam;
- (3) coal mines in Omuta, Japan; and
- (4) mine shafts in Berga, Germany;

Whereas many of these servicemen and servicewomen, while in service to the United States, lost their lives as prisoners of war under cruel and inhumane conditions;

Whereas United States service members held as prisoners of war have—

- (1) endured situations few people of the United States can imagine; and
- (2) found courage in a darkness that other people of the United States will hopefully never experience;

Whereas National Former Prisoner of War Recognition Day was established to memorialize the surrender by General Edward P. King of 80,000 United States and Filipino troops on the Bataan Peninsula on April 9, 1942, which led to—

- (1) the infamous Bataan Death March; and
- (2) nearly 4 years of brutal imprisonment and slave labor for the survivors;

Whereas, by May 10, 1942, over 11,500 soldiers from the United States and the Philippines surrendered on Corregidor, a fortress island in Manila Bay, and at various bases on islands in the southern Philippines, which resulted in the largest surrender of United States soldiers in United States military history;

Whereas, during World War II, over 26,000 prisoners of war from the United States were held by Imperial Japan, of which an estimated 40 percent died, and nearly ⅓ of those deaths occurred on "hell ships" that carried the prisoners of war to Japan to become slave labor in Japanese companies;

Whereas the productive peace between the United States and Japan has produced a model of reconciliation between former combatants;

Whereas, in 2009, the Government of Japan offered an apology to the United States prisoners of war for the damage and suffering of the prisoners of war in Imperial Japan;

Whereas, in 2010, the Government of Japan established a program for former prisoners of war and their families to visit Japan and the former prisoner of war camps; and

Whereas the former prisoners of war who have participated in the program described in the ninth whereas clause have encouraged the Government of Japan to partner with Japanese companies to continue the program as—

- (1) an international model of reconciliation; and
- (2) a permanent fund to support projects for remembrance, documentation, education, and exchange: Now, therefore, be it

Resolved, That the Senate—

- (1) honors National Former Prisoner of War Recognition Day on April 9, 2017;
- (2) commemorates the 75th anniversary of the fall of Bataan on April 9, 1942; and
- (3) applauds the efforts of the Government of Japan toward a historic apology for the

maltreatment of United States prisoners of war by Imperial Japan.

SENATE RESOLUTION 139—CONDEMNING THE GOVERNMENT OF IRAN'S STATE-SPONSORED PERSECUTION OF ITS BAHAI MINORITY AND ITS CONTINUED VIOLATION OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS

Mr. WYDEN (for himself, Mr. RUBIO, Mr. BOOZMAN, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 139

Whereas in 1982, 1984, 1988, 1990, 1992, 1993, 1994, 1996, 2000, 2004, 2006, 2008, 2009, 2012, 2013, 2015, and 2016, Congress declared that it deplored the religious persecution by the Government of Iran of the Baha'i community and would hold the Government of Iran responsible for upholding the rights of all Iranian nationals, including members of the Baha'i Faith;

Whereas the United States Commission on International Religious Freedom 2016 Annual Report states—

(1) "The Baha'i community, the largest non-Muslim religious minority in Iran, long has been subject to particularly severe religious freedom violations. The government views Baha'is, who number at least 300,000, as 'heretics' and consequently they face repression on the grounds of apostasy.";

(2) "Since 1979, authorities have killed or executed more than 200 Baha'i leaders, and more than 10,000 have been dismissed from government and university jobs.";

(3) "Over the past 10 years, approximately 850 Baha'is have been arbitrarily arrested.";

Whereas the Department of State 2015 International Religious Freedom Report states—

(1) Religious minorities in Iran "continued to face societal discrimination, especially the Bahai community, which reported continuing problems at different levels of society, including personal harassment.";

(2) The Government of Iran "continued to prohibit Bahais from officially assembling or maintaining administrative institutions, actively closed such institutions, harassed Bahais, and disregarded their property rights.";

(3) In Iran, "Bahai blood may be spilled with impunity, and Bahai families are not entitled to restitution" and "Bahais cannot receive compensation for injury or crimes committed against them and cannot inherit property.";

(4) The Government of Iran "requires universities to exclude Bahais from access to higher education or expel them if their religious affiliation becomes known.";

(5) In Iran, "Bahais are banned from government employment" and "[t]here were reports of non-Bahais being pressured to refuse employment to Bahais or dismissing Bahais from their private sector jobs.";

Whereas on June 8, 2016, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran and the United Nations Special Rapporteur on freedom of religion or belief issued a joint statement condemning the "wave of incitement of hatred of the Baha'i community reflected in speeches made by religious, judiciary and political officials in the Islamic Republic of Iran";

Whereas on September 6, 2016, the United Nations Secretary-General issued a report on

the situation of human rights in the Islamic Republic of Iran (A/71/374), which stated that “human rights violations have continued at an alarming rate”;

Whereas on December 17, 2016, the United Nations General Assembly adopted a resolution (A/RES/70/179), which “[e]xpress[ed] serious concern about ongoing severe limitations and restrictions on the right to freedom of thought, conscience, religion or belief and restrictions on the establishment of places of worship, as well as attacks against places of worship and burial, as well as other human rights violations, including but not limited to harassment, persecution and incitement to hatred that lead to violence against persons belonging to recognized and unrecognized religious minorities, including Christians, Jews, Sufi Muslims, Sunni Muslims, Zoroastrians and members of the Baha’i Faith and their defenders”;

Whereas since May 2008, the Government of Iran has imprisoned the 7 members of the former ad hoc leadership group of the Baha’i community in Iran, known as the Yaran-i-Iran, or “friends of Iran”—Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, and Mr. Vahid Tizfahm—and these individuals were convicted of charges including “spying for Israel, insulting religious sanctities, propaganda against the regime and spreading corruption on earth” and sentenced to 20-year prison terms, the longest sentences given to any prisoner of conscience in Iran at that time, now reportedly reduced to 10 years;

Whereas beginning in May 2011, officials of the Government of Iran in 4 cities conducted sweeping raids on the homes of dozens of individuals associated with the Baha’i Institute for Higher Education (referred to in this Resolution as “BIHE”) and arrested and detained several educators associated with BIHE, with 16 BIHE educators ultimately sentenced to 4- or 5-year prison terms, 7 of whom remain in prison;

Whereas scores of Baha’i cemeteries have been attacked, and, in 2014, Revolutionary Guards began excavating a Baha’i cemetery in Shiraz, which is the site of 950 graves, and built a cultural and sport center on the cemetery site;

Whereas the Baha’i International Community reported that there has been a recent surge in anti-Baha’i hate propaganda in Iranian state-sponsored media outlets, noting that—

(1) in 2010 and 2011, approximately 22 anti-Baha’i articles were appearing every month;

(2) in 2014, the number of anti-Baha’i articles rose to approximately 400 per month; and

(3) by 2016, the number of anti-Baha’i articles rose to approximately 1,500 per month;

Whereas there are currently 90 Baha’is in prison in Iran;

Whereas the Government of Iran is party to the International Covenants on Human Rights and is in violation of its obligations under such Covenants;

Whereas section 105 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8514) authorizes the President to impose sanctions on individuals “responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses against citizens of Iran or their family members on or after June 12, 2009”; and

Whereas the Iran Threat Reduction and Syria Human Rights Act of 2012 (Public Law 112-158) amends and expands the authorities

established under the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195) to sanction Iranian human rights abusers: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the Government of Iran’s state-sponsored persecution of its Baha’i minority and its continued violation of the International Covenants on Human Rights;

(2) calls on the Government of Iran to immediately release the 7 imprisoned Baha’i leaders, the 7 imprisoned Baha’i educators, and all other prisoners held solely on account of their religion;

(3) calls on the President and Secretary of State, in cooperation with responsible nations, to immediately condemn the Government of Iran’s continued violation of human rights and demand the immediate release of prisoners held solely on account of their religion; and

(4) urges the President and Secretary of State to utilize available authorities to impose sanctions on officials of the Government of Iran and other individuals directly responsible for serious human rights abuses, including abuses against the Baha’i community of Iran.

SENATE RESOLUTION 140—SUPPORTING THE DESIGNATION OF APRIL 2017 AS ‘PARKINSON’S AWARENESS MONTH’

Mr. ISAKSON (for himself and Ms. STABENOW) submitted the following resolution; which was considered and agreed to:

S. RES. 140

Whereas Parkinson’s disease is a chronic, progressive neurological disease and is the second most common neurodegenerative disease in the United States;

Whereas there is inadequate data on the incidence and prevalence of Parkinson’s disease, but the disease affects an estimated 1,000,000 individuals in the United States and its prevalence is expected to more than double by 2040;

Whereas, according to the Centers for Disease Control and Prevention, Parkinson’s disease is the 14th leading cause of death in the United States;

Whereas every day Parkinson’s disease greatly impacts millions of individuals in the United States who are caregivers, family members, and friends of individuals with Parkinson’s disease;

Whereas, although research suggests that the cause of Parkinson’s disease is a combination of genetic and environmental factors, the exact cause of the disease in most individuals is still unknown;

Whereas, as of March 2017, there is no objective test or biomarker for diagnosing Parkinson’s disease;

Whereas there is no known cure or drug to slow or halt the progression of Parkinson’s disease, and available treatments are limited in their ability to address the medical needs of patients and remain effective over time;

Whereas the symptoms of Parkinson’s disease vary from person to person and may include—

- (1) tremors;
- (2) slowness of movement and rigidity;
- (3) difficulty with balance and gait;
- (4) disturbances in speech and swallowing;
- (5) cognitive impairment and dementia;
- (6) mood disorders; and
- (7) a variety of other nonmotor symptoms;

Whereas volunteers, researchers, caregivers, and medical professionals are working to improve the quality of life for individuals living with Parkinson’s disease and their families; and

Whereas increased research, education, and community support services are needed—

(1) to find more effective treatments; and

(2) to provide access to quality care for individuals living with Parkinson’s disease:

Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2017 as “Parkinson’s Awareness Month”;

(2) supports the goals and ideals of Parkinson’s Awareness Month;

(3) continues to support research to find better treatments and a cure for Parkinson’s disease;

(4) recognizes the individuals living with Parkinson’s disease who participate in vital clinical trials to advance the knowledge of the disease; and

(5) commends the dedication of organizations, volunteers, researchers, and millions of individuals across the United States working to improve the quality of life for individuals living with Parkinson’s disease and their families.

SENATE RESOLUTION 141—CONGRATULATING THE UNIVERSITY OF SOUTH CAROLINA WOMEN’S BASKETBALL TEAM FOR WINNING THE 2017 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I WOMEN’S BASKETBALL TOURNAMENT CHAMPIONSHIP

Mr. SCOTT (for himself and Mr. GRAMHAM) submitted the following resolution; which was considered and agreed to:

S. RES. 141

Whereas, on April 2, 2017, at American Airlines Center in Dallas, Texas, the University of South Carolina Gamecocks won the national title game for the National Collegiate Athletic Association Division I Women’s Basketball Tournament over the Mississippi State Bulldogs by a score of 67 to 55;

Whereas the University of South Carolina Gamecocks women’s basketball team won the 2017 Southeastern Conference championship;

Whereas the University of South Carolina Gamecocks women’s basketball team head coach Dawn Staley, a 3-time Olympian who was elected to carry the United States flag at the opening ceremony of the 2004 Summer Olympics, was elected to the Naismith Memorial Basketball Hall of Fame in 2013, and is the new head coach of the United States women’s national basketball team, joins Carolyn Peck as the only 2 African-American female head coaches to lead a National Collegiate Athletic Association Division I basketball team to a national title;

Whereas this is the first National Collegiate Athletic Association Division I Women’s Basketball Tournament Championship for the University of South Carolina Gamecocks women’s basketball team, who finished the season with 33 wins and 4 losses;

Whereas A’ja Wilson, who is from Columbia, South Carolina, and an alumna of Heathwood Hall Episcopal School, was named Southeastern Conference player of the year and the National Collegiate Athletic Association Division I Women’s Basketball Tournament Championship most valuable player;

Whereas the University of South Carolina has been a leader on the Southeastern Conference Academic Honor Roll for last 10 years;

Whereas, each year, University of South Carolina student-athletes support approximately 100 events and organizations for a total of more than 5,000 hours of service;

Whereas A'ja Wilson received First Team All-America recognition from the Women's Basketball Coaches Association, and senior center Alaina Coates earned an All-America honorable mention;

Whereas junior Kaela Davis was a College Sports Information Directors of America Academic All-District selection;

Whereas University of South Carolina student-athletes earned a departmental grade point average of 3.245 for the Fall 2016 semester, the 20th consecutive semester in which Gamecock student-athletes have combined for a grade point average above 3.0; and

Whereas the University of South Carolina is ranked number 1 in the United States for attendance at women's basketball games: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of South Carolina women's basketball team for winning the 2017 National Collegiate Athletic Association Division I Women's Basketball Tournament Championship; and

(2) recognizes the achievements of—

(A) the team's players, coaches, and staff, whose hard work and dedication helped the University of South Carolina women's basketball team win that Championship; and

(B) the dedicated faculty and staff of the University of South Carolina for building an educational environment that has helped University of South Carolina student-athletes to thrive.

SENATE RESOLUTION 142—COMMEMORATING THE 10TH ANNIVERSARY OF THE TRAGIC EVENTS AT VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY ON APRIL 16, 2007

Mr. KAINE (for himself and Mr. WARNER) submitted the following resolution; which was considered and agreed to:

S. RES. 142

Resolved, That the Senate—

(1) recognizes the 32 victims who lost their lives as a result of the tragic events at Virginia Polytechnic Institute and State University (referred to as "Virginia Tech") on April 16, 2007, Ross A. Alameddine, Christopher James Bishop, Brian R. Bluhm, Ryan Christopher Clark, Austin Michelle Cloyd, Jocelyne Couture-Nowak, Kevin P. Granata, Matthew Gregory Gwaltney, Caitlin Millar Hammaren, Jeremy Michael Herbstritt, Rachael Elizabeth Hill, Emily Jane Hilscher, Jarrett Lee Lane, Matthew Joseph La Porte, Henry J. Lee, Liviu Librescu, G.V. Loganathan, Partahi Mamora Halomoan Lumbantoruan, Lauren Ashley McCain, Daniel Patrick O'Neil, Juan Ramon Ortiz-Ortiz, Minal Hiralal Panchal, Daniel Alejandro Perez Cueva, Erin Nicole Peterson, Michael Steven Pohle, Jr., Julia Kathleen Pryde, Mary Karen Read, Reema Joseph Samaha, Waleed Mohamed Shaalan, Leslie Geraldine Sherman, Maxine Shelly Turner, and Nicole Regina White;

(2) recognizes the 17 individuals who survived the shooting and supports the continued recovery of those survivors from physical and psychological wounds;

(3) offers condolences to the families and friends of the victims;

(4) expresses hope that the memory of each victim will live on; and

(5) recognizes—

(A) the resilience of the Virginia Tech community in the decade following the tragedy of April 16, 2007; and

(B) that the perseverance of the Virginia Tech community serves as an example to communities that experience similar tragedies.

SENATE RESOLUTION 143—SUPPORTING FAIR AND EQUITABLE GRADING TREATMENT FOR EXPORTS OF UNITED STATES WHEAT PRODUCTS TO CANADA

Mr. TESTER submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 143

Whereas Canada is the second-largest goods trading partner of the United States, with \$575,000,000,000 in goods traded between the 2 countries in 2015, as the United States exported \$280,000,000,000 in goods to Canada and imported \$295,000,000,000 in goods from Canada in that year;

Whereas the efficient and equitable flow of agricultural goods across the border is a critical component of the trade relationship between the United States and Canada;

Whereas wheat is the third-most widely produced field crop in the United States, and approximately ½ of the wheat produced in the United States is exported;

Whereas Canadian law requires wheat imported from the United States to be segregated from wheat produced in Canada and automatically designated as feed quality, the lowest possible designation, regardless of the actual quality or the variety of the wheat product;

Whereas United States Federal law allows wheat imported from Canada to be graded under the same system as domestically grown wheat;

Whereas that unfair devaluation practice puts United States agricultural producers at a distinct disadvantage when attempting to access Canadian wheat markets;

Whereas the treatment by Canada of United States wheat products is likely a violation of trade agreements and is to the detriment of United States agricultural producers; and

Whereas the strong economic ties between the United States and Canada are extremely important and well-served when a level playing field exists across all industries: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) wheat grading practices in Canada should—

(A) grade wheat produced in Canada in the same manner as wheat produced in the United States; and

(B) be fair to agricultural producers in the United States; and

(2) the President should—

(A) examine whether the wheat grading laws of Canada adhere to trade agreements; and

(B) insist on full access for United States exporters of wheat to the Canadian market.

AUTHORITY FOR COMMITTEES TO MEET

Mr. GRASSLEY. Mr. President, I have 5 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, April 25, 2017, at 9:30 a.m., in open session, to receive testimony on policy and strategy in the Asia-Pacific.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, April 25, 2017, at 10 a.m., in 215 Dirksen Senate Office Building, to consider the nomination of Robert Lighthizer, of Florida, to be United States Trade Representative.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, April 25, 2017, at 9:45 a.m., to hold a hearing entitled "The Crisis in Libya: Next Steps and U.S. Policy Options."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate, on April 25, 2017, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Intellectual Property—Driver of Innovation: Making Our Lives Healthier, Safer, and more Productive."

COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Tuesday, April 25, 2017, from 2:15 p.m.-4:00 p.m., in room SH-219 of the Senate Hart Office Building to hold a closed hearing.

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern Nicholas Piwonka be granted privileges of the floor for the remainder of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESOLUTIONS DISCHARGED

Mr. THUNE. Mr. President, I ask unanimous consent that applicable committees be discharged from further consideration of and the Senate now proceed to the immediate consideration of the following resolutions en bloc: S. Res. 105, S. Res. 122, S. Res. 128, S. Res. 129, S. Res. 130, S. Res. 131, and S. Res. 133.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

S. RES. 128

Mr. CARDIN. Mr. President, today I wish to ask my Senate colleagues to join me in designating April 2017 as National Congenital Diaphragmatic Hernia Awareness Month. Congenital Diaphragmatic Hernia, also known as CDH, is a birth defect that occurs when the fetal diaphragm fails to fully develop, allowing abdominal organs to move into the chest cavity and preventing lung growth. When the lungs do not develop properly during pregnancy, it can be difficult for the baby to breathe after birth, or the baby is unable to take in enough oxygen to stay healthy. Congenital diaphragmatic hernia is a birth defect that occurs in 1 out of every 2,500 live births worldwide. Only about 50 percent of CDH cases are diagnosed in utero. The Centers for Disease Control and Prevention, CDC, estimates that CDH affects 1,600 babies in the U.S. each year. Every 10 minutes, a baby is born with CDH, adding up to more than 700,000 babies with CDH since 2000. According to the CDC, babies born with CDH experience a high mortality rate ranging from 20 to 60 percent, depending on the severity of the defect and the treatments available at delivery; yet most people have never heard of CDH.

Researchers are making great progress to determine the cause of this birth defect and to identify optimal treatment methods. In fiscal year 2017, the National Institutes of Health funded approximately \$4 million in CDH research, an increase of \$700,000 from fiscal year 2015. There is still much progress to be made, however. The cause of CDH remains unknown, and there currently is no cure. CDH survivors often endure long-term complications, such as congenital heart defects and developmental delays, and the average CDH survivor will face postnatal care of more than \$100,000.

Last month, members from the Association of Congenital Diaphragmatic Hernia Research, Awareness and Support, also known as CHERUBS, visited my office. Among them were David and Allison Finger and their daughter Vivienne from Hyattsville, MD. Vivienne was born with CDH and had to spend 60 days in the newborn intensive care unit after birth and had to have surgery to repair the hernia when she was only 3 weeks old. On March 18, 2017, Vivienne celebrated her second birthday and is doing very well. Babies like Vivienne, born with CDH, today have a better chance of survival due to early detection and research on treatment options.

For these reasons, I am proud my colleague the junior Senator from Alabama, Mr. STRANGE, has joined me in

submitting a resolution designating April 2017 as National Congenital Diaphragmatic Hernia Awareness Month. In previous years, I was pleased to work with his predecessor, Senator Sessions, on this resolution. Designating this month in this fashion provides an opportunity to raise public awareness about CDH; promote quality prenatal care and ultrasounds to detect CDH in utero; and support finding for the research necessary to improve screening and treatment of CDH, discover the causes of CDH, and develop a cure for CDH.

Mr. THUNE. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles, where applicable, be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 105) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 30, 2017, under "Submitted Resolutions.")

The resolutions (S. Res. 122 and S. Res. 128) were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in the RECORD of April 7, 2017, under "Submitted Resolutions.")

The resolution (S. Res. 129) was agreed to.

(The resolution is printed in the RECORD of April 7, 2017, under "Submitted Resolutions.")

The resolutions (S. Res. 130, S. Res. 131, and S. Res. 133) were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in the RECORD of April 7, 2017, under "Submitted Resolutions.")

SUPPORTING THE DESIGNATION OF APRIL 2017 AS "PARKINSON'S AWARENESS MONTH"

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 140, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 140) supporting the designation of April 2017 as "Parkinson's Awareness Month."

There being no objection, the Senate proceeded to consider the resolution.

Mr. THUNE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 140) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

CONGRATULATING THE UNIVERSITY OF SOUTH CAROLINA WOMEN'S BASKETBALL TEAM FOR WINNING THE 2017 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I WOMEN'S BASKETBALL TOURNAMENT CHAMPIONSHIP

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 141, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 141) congratulating the University of South Carolina women's basketball team for winning the 2017 National Collegiate Athletic Association Division I Women's Basketball Tournament Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. THUNE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 141) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

COMMEMORATING THE 10TH ANNIVERSARY OF THE TRAGIC EVENTS AT VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY ON APRIL 16, 2007

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 142, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 142) commemorating the 10th anniversary of the tragic events at Virginia Polytechnic Institute and State University on April 16, 2007.

There being no objection, the Senate proceeded to consider the resolution.

Mr. THUNE. Mr. President, I ask unanimous consent that the resolution

be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 142) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Democratic leader, in consultation with the vice chairperson of the Committee on Indian Affairs, pursuant to the provisions of Public Law 114-244, appoints the following individual to serve as a member of the Alyce Spotted Bear and Walter Soboleff Commission on Native Children: Tami DeCoteau of North Dakota.

ORDERS FOR WEDNESDAY, APRIL 26, 2017

Mr. THUNE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, April 26; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session to resume consideration of the Acosta nomination, with the time until 11:30 a.m. equally divided in the usual form; finally, that notwithstanding the provisions of rule XXII, the cloture vote on the Acosta nomination occur at 11:30 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. THUNE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:44 p.m., adjourned until Wednesday, April 26, 2017, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

KARI A. BINGEN, OF VIRGINIA, TO BE A PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE, VICE MARCEL J. LETTRE II, RESIGNED.

ROBERT DAIGLE, OF VIRGINIA, TO BE DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION, DEPARTMENT OF DEFENSE, VICE JAMIE MICHAEL MORIN.

ROBERT STORY KAREM, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE DEREK H. CHOLLET, RESIGNED.

KENNETH P. RAPUANO, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE ERIC ROSENBAUGH, RESIGNED.

DEPARTMENT OF STATE

SCOTT P. BROWN, OF NEW HAMPSHIRE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO NEW ZEALAND, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE INDEPENDENT STATE OF SAMOA.

JOHN J. SULLIVAN, OF MARYLAND, TO BE DEPUTY SECRETARY OF STATE, VICE ANTHONY BLINKEN, RESIGNED.

DEPARTMENT OF JUSTICE

STEPHEN ELLIOTT BOYD, OF ALABAMA, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE PETER JOSEPH KADZIK.

DEPARTMENT OF HOMELAND SECURITY

LEE FRANCIS CISSNA, OF MARYLAND, TO BE DIRECTOR OF UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, DEPARTMENT OF HOMELAND SECURITY, VICE LEON RODRIGUEZ.

FOREIGN SERVICE

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE TO BE A CONSULAR OFFICER AND A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

JOEL JUSTIN AGALSOFF, OF VIRGINIA
MICHAEL ANDRUCHOW, OF VIRGINIA
JONATHAN MANUEL ARAYA, OF VIRGINIA
MEAGHAN CHRISTINE ARCHER, OF VIRGINIA
DANIEL JACOB BABINSKI, OF VIRGINIA
AMIN SHEILONI BAILEY, OF VIRGINIA
ELIZABETH REUSS BAIOCCHI, OF FLORIDA
MERAH IRIS BAIRD, OF VIRGINIA
AMY EILEEN BARNES, OF VIRGINIA
BRIAN ANTHONY BARONE, OF NEW YORK
REBECCA CHRISTINE BEARDSLEY, OF VIRGINIA
DANIELLE M. BERRA, OF VIRGINIA
CHRISTINA HERTA BERTRAND, OF VIRGINIA
DEVIN DRAKE BICKMORE, OF VIRGINIA
JEFFREY ROBERT BITTER, OF VIRGINIA
ALEXANDER JAMES BLACK, OF GEORGIA
JOHN YOUNG BONDS IV, OF TEXAS
BRANDON WAYNE BOYATT, OF VIRGINIA
ERIC THOMAS BRASSIL, OF VIRGINIA
TONI RAQUEL BRINK, OF VIRGINIA
CHARLENE SUZANNE BROWN, OF THE DISTRICT OF COLUMBIA
MARSHA L. BROWN, OF VIRGINIA
GREGORY S. BROWN, OF VIRGINIA
TARA LYNN DI TROLIO CAMPBELL, OF VIRGINIA
MARLIA CANIC, OF VIRGINIA
DAVID W. CARR, OF VIRGINIA
ANA ALICIA CARRIEDO, OF VIRGINIA
I JUN CHEN, OF VIRGINIA
MATTHEW CLAYTON CHILDS, OF VIRGINIA
KWANG U. K. CHUNG, OF NEVADA
GABRIELLE CHWAZIK-GEE, OF NEW YORK
CASEY RICHARD CLARK, OF VIRGINIA
SEAN P. COGHLAN, OF VIRGINIA
GREGORY ROBERT COLLINS, OF VIRGINIA
RYAN WEISS COOPER, OF VIRGINIA
JORDAN PAIGE COUGHENOUR, OF VIRGINIA
MICHAEL ANDREW CRAMER, OF CALIFORNIA
TRAMPES CHRISTOPHER CROW, OF VIRGINIA
COREY J. CROWLEY, OF VIRGINIA
JENNY LYNN CURATOLA, OF THE DISTRICT OF COLUMBIA
BENJAMIN JOHN CUSHING, OF VIRGINIA
THOMAS A. DALTON, OF VIRGINIA
BRYAN RUSSEL DELEUW, OF VIRGINIA
MARCO J. DELGADO RODRIGUEZ, OF VIRGINIA
KEITH J. DOMINICK, OF VIRGINIA
ANGUS JAMES DOWTON, OF CONNECTICUT
THERESA MARGUERITE VERMEULEN DRAKE, OF VIRGINIA
MICHELLE LYNNE DURANT, OF VIRGINIA
CHRISTINE MARIA DWULET, OF VIRGINIA
CHRISTOPHER JAMES EDGEComb, OF GEORGIA
APRIL MAE ELDRIDGE, OF VIRGINIA
LESLIE MARIE ELDRIDGE, OF THE DISTRICT OF COLUMBIA
ROBERT C. ELLIOTT, OF VIRGINIA
ANNA EROKHINA, OF VIRGINIA
ALISON K. ESQUIVEL, OF VIRGINIA
ELIZABETH MARIE ESTELA, OF VIRGINIA
PENNY FIELDS, OF WASHINGTON
JEFFREY FINE, OF VIRGINIA
THOMAS HAROLD FINKEN, JR., OF NEW YORK
CARL F. FIORELLO, OF VIRGINIA
JOEL BRENDON FITCH, OF FLORIDA
ANNE COVINGTON FOSS, OF THE DISTRICT OF COLUMBIA
TIMOTHY J. FRANCIS, OF VIRGINIA
MARCUS SMOLIC FREDERICK-ROSE, OF VIRGINIA
AMBER MARIE GARLOCK, OF THE DISTRICT OF COLUMBIA
CHELSEA NICOLE GEIER, OF WISCONSIN
CHRISTINE E. GERSON, OF VIRGINIA
KATHRYN K. GHENT, OF VIRGINIA
SAMUEL PATRICK GLEASON, OF TEXAS
ADAM GOODBERG, OF VIRGINIA
GREGORY FOSTER GOVORUHK, OF VIRGINIA
ROSARIO GRANADOS-RUIZ, OF VIRGINIA
JAMES GARRISON GREENLEAF, OF OKLAHOMA
LAURA MARIE GUNDERSON, OF VIRGINIA
ANA HACIC-VLAHOVIC, OF VIRGINIA
KEITH ERIK HAGER, OF NEW YORK

AARON RAY HALL, OF THE DISTRICT OF COLUMBIA
JASON BRADFORD HARMS, OF COLORADO
RAFI HAROUTUNIAN, OF VIRGINIA
ELIZABETH A. HARPER, OF VIRGINIA
BETHANY ANNE HAWORTH, OF VIRGINIA
KYLE JOSEPH HENNING, OF OREGON
KATHRYN D. HINKLE, OF VIRGINIA
MICHAEL ALLEN HINKLE, OF VIRGINIA
HIEP ANH HOANG, OF VIRGINIA
SHARON M. HOCH, OF VIRGINIA
ZACHARY JOHN HODYNA, OF MICHIGAN
MATTHEW ALAN HOFFER, OF VIRGINIA
ANGIE M. HUNT, OF VIRGINIA
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ALEKSANDRA MARIA LIPSCOMB, OF VIRGINIA
ADAM RYAN LONGENECKER, OF VIRGINIA
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ANUM SHAUKAT MALIK, OF VIRGINIA
SHEHERBANO MALIK, OF VIRGINIA
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 SCOTT SHAW, OF ILLINOIS
 DOUGLAS WALLACE, OF CALIFORNIA
 PAMELA WARD, OF CALIFORNIA

CONFIRMATION

Executive nomination confirmed by the Senate April 25, 2017:

DEPARTMENT OF JUSTICE

ROD J. ROSENSTEIN, OF MARYLAND, TO BE DEPUTY ATTORNEY GENERAL.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on April 25, 2017 withdrawing from further Senate consideration the following nomination:

TODD M. RICKETTS, OF ILLINOIS, TO BE DEPUTY SECRETARY OF COMMERCE, WHICH WAS SENT TO THE SENATE ON JANUARY 20, 2017.

HOUSE OF REPRESENTATIVES—Tuesday, April 25, 2017

The House met at noon and was called to order by the Speaker pro tempore (Mr. MESSER).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

April 25, 2017.

I hereby appoint the Honorable LUKE MESSER to act as Speaker pro tempore on this day.

PAUL D. RYAN,

Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

WISHING ARNOLD HIGH SCHOOL AMERICAN GOVERNMENT STUDENTS GOOD LUCK ON UPCOMING ADVANCED PLACEMENT EXAM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. DUNN) for 5 minutes.

Mr. DUNN. Mr. Speaker, I rise today to wish Mr. Ryan Ziem's American Government students at Arnold High School the very best luck in their upcoming advanced placement exam. I visited these students last fall, and I was impressed by their articulate questions and commitment to understanding our system of government.

Of course, understanding our system of government means understanding the U.S. Constitution. It is the greatest gift left to us by the Founders, and it has stood the test of time.

The success of the Constitution is due to its carefully designed system of checks and balances. By separating the powers of government into separate but equal branches and guaranteeing individual rights, the Constitution has been, as James Madison suggested, "the guardian of true liberty."

Mr. Speaker, please join me in wishing these bright young students good

luck on their AP exam and in their college applications.

CONFRONTING TRUMP ON ANTI-SCIENCE AGENDA AND TAXES

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. SHERMAN) for 5 minutes.

Mr. SHERMAN. Mr. Speaker, last Saturday was Earth Day, and tens of thousands, hundreds of thousands, millions of people across this country had to march in favor of science because, not since Galileo was condemned by the Inquisition for asserting that the Earth orbits the Sun, not since Galileo was condemned by the Inquisition have science deniers had such powerful friends.

Our species went 1,000 years without science. We call those years, in retrospect, the Dark Ages. My time in this Congress has convinced me that we should be guided by scientific consensus, by scientific facts, not alternative facts.

Scientific fact: Climate change is real and predominantly man-made, and if we don't reduce our emission of greenhouse gasses, then we are going to lose our ports, our beaches, our health, and entire countries like the Maldives.

Another scientific fact: Donald Trump can't stop global warming just by emitting an unprecedented volume of hot air.

Now, a week earlier we had tax day, and millions of Americans across this country, including in Los Angeles, needed to demonstrate to try to get Donald Trump to reveal his tax returns. Every President since Richard Nixon has released their tax returns. Donald Trump told us in May of 2014: If I decide to run for office, I will produce my tax returns. And he said it again a year later. And then he said it during the Republican debate in 2016. He said: Oh, I will release my tax returns, but they are under audit.

Well, according to Donald Trump, his 2011 and 2012 returns aren't under audit. He ought to release those. But he ought to release all of his tax returns. And this idea that they are under audit is absolutely absurd.

The IRS has made it clear: Any taxpayer can release their tax return, whether they are under audit or not, and everyone in the tax world—I headed the second largest tax agency in this country for several years, I am a CPA—knows that you can release your tax

returns whether you are under audit or not.

Now, I understand that you don't want to release information to your adversary, and if you are being audited, the IRS is your adversary. But Donald Trump knows that the IRS already has his tax returns, so who is the adversary from which Donald Trump is withholding information? The American people are the adversary that cannot see his tax return that the IRS already has.

But it is not enough to just see Donald Trump's Form 1040, because he tells us that he has 532 private businesses, secret businesses in the sense that they do not report their financial information to the SEC, over 532 of those business entity investments. We need to see the tax returns of every business entity that Trump controls. Over 100 of those investments are in foreign countries. We need to see the tax returns of Trump Panama Hotel, LLC; Trump Korea, LLC; DT Dubai Golf Course, LLC; and all the business entities that he has that are doing business in Saudi Arabia, Qatar, and China.

Finally, Donald Trump ran as a populist, especially on corporate issues, but now he wants to allow corporate inversions that provide tax benefits to corporate Benedict Arnolds who betray our country and incorporate in some foreign country. He refuses to designate China as a currency manipulator, even though he pledged to the American people during his rallies that he would do just that, and he refuses to do anything about Chinese requirements for coproduction agreements.

Donald Trump: His rallies sounded like BERNIE SANDERS, but he is governing like Goldman Sachs.

DELIVERING FOR THE AMERICAN WORKER

The SPEAKER pro tempore (Mr. DUNN). The Chair recognizes the gentleman from Indiana (Mr. MESSER) for 5 minutes.

Mr. MESSER. Mr. Speaker, for generations our Nation has celebrated the American Dream. I call it the American promise, the simple idea that if you work hard, you will be rewarded.

The American promise means that, if you show up for work every morning and play by the rules, you will be able to take care of your family and, over time, your life will improve. Unfortunately, for many Americans, that promise no longer rings true today.

Before the election of Donald Trump, more than 50 percent of Americans saw

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

our economic conditions worsening, and 50 percent of millennials think the American Dream is dead. When it comes to economic security for low- and middle-income workers, we flatlined: paychecks have frozen, and American families are having a harder and harder time making ends meet. As an uncle of mine used to say: When it came to the end of the month, it seems like you got more month than money to pay your bills.

We need a renewed focus on improving the lives of everyday working Americans. That is why the Republican Policy Committee, which I chair, launched a task force for the American worker, and our first hearing is today.

It is time to start delivering for the American worker and restoring the American promise.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 10 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POLIQUIN) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of the universe, we give You thanks for giving us another day.

The House returns from a long recess meeting with constituents as concerns about budget, taxes, and immigration, among others, reveal the considerable divisions both in Congress and among the American populace as well.

As opinions and emotions surge loudly and with little indication of easy solution, we take this quiet moment to ask Your blessing upon the Members of this people's House.

Give each Member peace and quiet discernment to work toward common solutions that might ease our divisions and open the way to new hope and confidence that we as a nation will continue to shine as an example for all the world to emulate.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New Jersey (Mr. LANCE) come forward and lead the House in the Pledge of Allegiance.

Mr. LANCE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

NORTH KOREA

(Mrs. MIMI WALTERS of California asked and was given permission to address the House for 1 minute.)

Mrs. MIMI WALTERS of California. Mr. Speaker, I rise today to voice my deep concern regarding the dangerous and irresponsible actions of the Kim Jong-un regime in North Korea on behalf of the people of Orange County and the Korean Americans I represent.

This week marks the 85th anniversary of the founding of the North Korean Army. The North Korean military marked the occasion by conducting a large scale artillery drill in the coastal region of Wonsan on the Sea of Japan.

Make no mistake, this was a direct message to our ally, South Korea, where millions, including nearly 30,000 U.S. troops, are within range of the North Korean artillery. This drill comes on the heels of North Korea's threat to destroy U.S. aircraft carriers.

Mr. Speaker, North Korea is the top threat facing the American people. North Korea's efforts to extend the range of their ballistic missiles, while working to miniaturize a nuclear warhead, will eventually place the West Coast of the United States under direct nuclear threat. Intelligence experts estimate that the regime will be capable of striking the West Coast in less than 4 years.

That is an unacceptable risk for U.S. national security and an intolerable threat facing the residents of Orange County. I urge my colleagues to join me in condemning the recent North Korean provocations, demanding comprehensive sanctions on the North Korean regime, and supporting all actions necessary to secure the safety of our Nation and allies.

REMEMBERING RUBY ARNOLD

(Mr. CLEAVER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLEAVER. Mr. Speaker, while it is widely known that Horace Peterson of Kansas City was the visionary and sole founder of the Black Archives of Mid-America, it is little known who saved the institution from vanishing years later.

During the spring of 1998, Ruby Arnold, a diehard board member, began a personal crusade to secure a new home

for the organization she held dear. One Monday morning, during a heavy rainstorm, Ruby Arnold appeared at the front desk of the 29th floor of city hall.

The security guard asked her if she had an appointment with anyone in particular. "I don't have an appointment," she said, "but I have come to see Mayor Emanuel Cleaver."

The assistant to the mayor replied: I'm sorry, but the mayor is not in.

A week later, Ruby came by again to see the mayor and waited two hours for an appointment that she did not have to discuss a home for the Black Archives.

And then, at a public event the next week, she asked again: Mayor, have you found a place for the Black Archives?

Ruby Arnold died before the opening of the new archives in the summer of 2010, but former mayor, EMANUEL CLEAVER, now the U.S. Representative from the Fifth District, said this location for the Black Archives was not secured by wishing or hoping but by the merciful harassment I received from one determined Ruby Arnold. May God bless her remarkable spirit.

CELEBRATING THE PUBLIC SERVICE OF CAROLANN GARAFOLA

(Mr. LANCE asked and was given permission to address the House for 1 minute.)

Mr. LANCE. Mr. Speaker, I rise today to celebrate the public service of Carolann Garafola, mayor of Warren Township, New Jersey, as she is honored by the Somerset County Federation of Republican Women as the recipient of the Millicent Fenwick Award for Outstanding Public Service.

Carolann's service as a public official began on the Warren Township planning board 30 years ago. She then became the township committeewoman for that township, a post she has held for 20 consecutive years, 6 as mayor.

Carolann began her professional career working with special needs children in Glen Rock, New Jersey public schools, and is currently in her fifth year as executive director of Mt. Bethel Village in Warren, an apartment community for adults with autism, developmental disabilities, and traumatic brain injuries.

The Millicent Fenwick Award for Outstanding Public Service is awarded to a woman who serves in the tradition of the late Congresswoman Fenwick, one with a strong work ethic, high integrity, and a willingness to assist those in need.

I congratulate Mayor Garafola on this well-deserved recognition.

RECOGNIZING ROTARY INTERNATIONAL'S SUCCESS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, through my service to South Carolina's Second Congressional District and as past Cayce-West Columbia Rotary Club president, I appreciate Rotary International's work in promoting worldwide Service Above Self.

In coordination with national governments, Rotary International created the Global Polio Eradication Initiative, producing Polio Plus as one of the most successful public-private health initiatives in history. The initiative has provided immunizations for more than 2.5 billion children, spared 15 million from disability, prevented over 1.5 million deaths, and has reduced polio illnesses by 99 percent.

Earlier this year, I introduced H. Res. 165, recognizing Rotary International's work on the Global Polio Eradication Initiative and supporting their ongoing services.

While we have made remarkable strides, more work remains. I am grateful to support the current president of the Global Polio Eradication Initiative with Rotary International President John Germ and past Vice President Anne Matthews of Columbia, South Carolina.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism. Our sympathy to the family of National Review conservative stalwart Kate O'Beirne.

DO EVERYTHING TO SECURE THE BORDER

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, for years, cries for help coming from those on the front lines of the Rio Grande have fallen on deaf ears in Washington.

I have traveled to the southern border many times in Texas, New Mexico, Arizona, and California. Law enforcement and citizens do the best they can with what they have got, but they are outmanned, outgunned, and outfinanced by the drug cartels and other devious actors trying to enter the United States.

The Federal Government has been negligent for too long, but there is a new sheriff in town, and President Trump has promised that help is on the way. He wants to build a wall.

Mr. Speaker, I believe that effective border security requires a comprehensive strategy that includes not only physical barriers in places but also increased use of technology, more boots on the ground, and more boats in the Rio Grande.

The United States has amazing capabilities like aerial drones, aerostats, and seismic technology to detect crossers. Let's use and do everything to secure the Nation.

The Commander in Chief is right when he indicates border security is a matter of national security.

And that is just the way it is.

COMBATING OPIOID ABUSE

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, I recently visited The Next 24, an addiction recovery residential home in New Port Richey, Florida. They do fantastic work to give those impacted by addiction a second chance. After all, the opioid crisis is not only a national epidemic; it is happening here in our local communities.

Addiction knows no bounds and does not discriminate based on race, age, income, or ZIP Code. It seems like so many people have a story about how they have been affected.

Thanks to the 21st Century Cures Act, Florida will soon receive \$27 million in new grant funding to help fight the opioid crisis. The \$27 million will go towards increasing access to treatment and recovery services, strengthening public education efforts, and improving pain management practices.

This critical grant is the first of two rounds of funding to support an all-hands-on-deck approach in Florida to combat opioid abuse and save lives.

SOLVING OPIOID CRISIS

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute.)

Mr. FITZPATRICK. Mr. Speaker, as communities across my district and across the Nation continue to deal with the crisis of opioid abuse and addiction, it is hard to imagine that a synthetic drug exists that is 50 times stronger than heroin and 100 times stronger than morphine.

Fentanyl is a manufactured opioid, which, especially in its illicit versions, has contributed to tens of thousands of deaths. Especially concerning is the fact that this synthetic poison can be ordered online and delivered via medical or express consignment couriers from places like China, and because of its high potency in small amounts, Fentanyl is extremely difficult for law enforcement officials and authorities to detect.

That is why I have joined Congresswoman NIKI TSONGAS in introducing the INTERDICT Act which will provide U.S. Customs and Border Protection agents access to the latest chemical screening devices and scientific support to both detect and intercept synthetic opioids before they can cause our communities more harm and more devastation.

So I urge my colleagues to support this bipartisan legislation. As both parties, we must come together, and this is one piece of a larger response to the opioid epidemic. Both parties can and

must come together to solve this crisis to take on this challenge head on.

ARMENIAN GENOCIDE ANNIVERSARY

(Mr. VALADAO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VALADAO. Mr. Speaker, I rise today to recognize the anniversary of the Armenian genocide, a horrific event impacting many of my own constituents in California.

From 1915 to 1923, the Ottoman Empire engaged in a systematic and organized deportation and extermination of over 2 million Armenians from their homeland. It is estimated that nearly 1.5 million Armenian men, women, and children were killed and many more permanently displaced or forced to flee.

I recall one Armenian genocide remembrance ceremony outside city hall in Fresno, California. During the ceremony, I was given a copy of the event invitation, which had inscribed the words of Avetis Aharonian, an influential Armenian writer and poet. It read: "If evil of this magnitude can be ignored, if our own children forget, then we deserve oblivion and earn the world's scorn."

The passionate and enduring advocacy of the Armenian Americans, especially those in California's Central Valley, is evidence that the descendants of those who escaped the genocide have not forgotten this evil or their obligation to share its lessons with the world.

Like Armenians from around the world, our central California community has heeded Aharonian's words, accepting his call to remember.

I am proud to have recently coauthored a bipartisan letter encouraging President Trump to properly recognize the Armenian genocide. As in years past, this year I took part in the Capitol Hill remembrance ceremony and supported the Armenian Caucus' screening of "The Promise," a film made possible by Fresno-native Kirk Kerkorian that depicts the Armenian people's will to survive.

To the Armenian community throughout the United States, please know that I stand with you today and always in honoring Aharonian's words and never forgetting all those impacted by the Armenian genocide.

□ 1415

MEDIA BIAS SETS RECORD

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, the biased liberal media have forgotten their responsibility to our democracy:

give the American people the facts, don't tell them what to think.

A new report by the Media Research Center shows that coverage of President Trump by the broadcast networks has been 89 percent negative, higher than any other President.

Is it any wonder that half of Americans disapprove of the job President Trump is doing?

The real wonder is that it is not greater, given what the public hears and reads every day.

According to a recent Gallup Poll, 55 percent of U.S. adults say that news organizations' stories are "often inaccurate." Only 36 percent say the media get the facts straight.

Commonsense, reasonable Americans would do well to discount the liberal media since they don't provide fair and objective information.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 25, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 25, 2017, at 9:25 a.m.:

Appointments:

Board of Directors of the Office of Compliance.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4:30 p.m. today.

Accordingly (at 2 o'clock and 17 minutes p.m.), the House stood in recess.

□ 1630

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ROGERS of Kentucky) at 4 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the

vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

AUTHORIZING USE OF CAPITOL GROUNDS FOR NATIONAL PEACE OFFICERS MEMORIAL SERVICE

Mr. FERGUSON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 35) authorizing the use of the Capitol Grounds for the National Peace Officers Memorial Service and the National Honor Guard and Pipe Band Exhibition.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 35

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF THE CAPITOL GROUNDS FOR NATIONAL PEACE OFFICERS MEMO- RIAL SERVICE.

(a) IN GENERAL.—The Grand Lodge of the Fraternal Order of Police and its auxiliary shall be permitted to sponsor a public event, the 36th Annual National Peace Officers Memorial Service (in this resolution referred to as the "Memorial Service"), on the Capitol Grounds, in order to honor the law enforcement officers who died in the line of duty during 2016.

(b) DATE OF MEMORIAL SERVICE.—The Memorial Service shall be held on May 15, 2017, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate, with preparation for the event to begin on May 11, 2017, and take-down completed on May 16, 2017.

SEC. 2. USE OF THE CAPITOL GROUNDS FOR NA- TIONAL HONOR GUARD AND PIPE BAND EXHIBITION.

(a) IN GENERAL.—The Grand Lodge of the Fraternal Order of Police and its auxiliary shall be permitted to sponsor a public event, the National Honor Guard and Pipe Band Exhibition (in this resolution referred to as the "Exhibition"), on the Capitol Grounds, in order to allow law enforcement representatives to exhibit their ability to demonstrate Honor Guard programs and provide for a bagpipe exhibition.

(b) DATE OF EXHIBITION.—The exhibition shall be held on May 14, 2017, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 3. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsors of the Memorial Service and Exhibition shall assume full responsibility for all expenses and liabilities incident to all activities associated with the events.

SEC. 4. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsors referred to in section 3(b) are authorized to erect upon the

Capitol Grounds such stage, sound amplification devices, and other related structures and equipment, as may be required for the Memorial Service and Exhibition.

SEC. 5. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the events.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. FERGUSON) and the gentleman from Georgia (Mr. JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia (Mr. FERGUSON).

GENERAL LEAVE

Mr. FERGUSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Con. Res. 35.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FERGUSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H. Con. Res. 35 authorizes the use of the Capitol Grounds for the annual National Police Officers' Memorial Service and the National Honor Guard and Pipe Band Exhibition. These events are held each year as part of Police Week to honor the men and women who sacrificed their lives in the line of duty. This use of the Capitol Grounds is a worthy recognition of the honorable sacrifice of our Nation's brave first responders and their families.

This year, 234 fallen officers will be honored, which is 100 more than last year. Ten of these officers are from my home State of Georgia, and 70 died from 9/11-related cancer. This year, we will also remember five officers of the Dallas Police Department for their courage in the line of fire while responding to the shootings in Dallas at last July's protest.

This is a clear reminder of the sacrifices that our men and women in law enforcement make every day as they put their lives on the line to maintain safe communities for us and our loved ones. We must do all we can to support these brave men and women and their families.

Mr. Speaker, I urge support of this resolution, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H. Con. Res. 35 authorizes use of the Capitol Grounds for the annual National Peace Officers' Memorial Service on May 15 and a National Honor Guard and Pipe Band Exhibition. Both events will be coordinated

with the Architect of the Capitol and the Capitol Police.

The National Peace Officers' Memorial will honor the 144 law enforcement officers killed in the line of duty in 2016. In addition, the memorial event will honor 70 police officers who died from cancer related to 9/11 and 30 officers who died within the past 5 years who were not previously honored.

Eight of those officers this year hail from my home State of Georgia. I offer the deepest condolences to the families of those officers who have had to endure the tragedy of losing a loved one who volunteered to protect my fellow Georgians.

I have deep appreciation for the fallen officers and the ultimate sacrifice that they have made on behalf of their local communities. I support this resolution and urge Members to join me in supporting this tribute to law enforcement officers who died in the line of duty in the year 2016.

Mr. Speaker, I yield back the balance of my time.

Mr. FERGUSON. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. FERGUSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 35.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING USE OF CAPITOL GROUNDS FOR GREATER WASHINGTON SOAP BOX DERBY

Mr. FERGUSON. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 36) authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 36

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF CAPITOL GROUNDS FOR SOAP BOX DERBY RACES.

(a) IN GENERAL.—The Greater Washington Soap Box Derby Association (in this resolution referred to as the “sponsor”) shall be permitted to sponsor a public event, soap box derby races (in this resolution referred to as the “event”), on the Capitol Grounds.

(b) DATE OF EVENT.—The event shall be held on June 17, 2017, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment as may be required for the event.

SEC. 4. ADDITIONAL ARRANGEMENTS.

The Architect of the Capitol and the Capitol Police Board are authorized to make such additional arrangements as may be required to carry out the event.

SEC. 5. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. FERGUSON) and the gentleman from Georgia (Mr. JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia (Mr. FERGUSON).

GENERAL LEAVE

Mr. FERGUSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H. Con. Res. 36.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FERGUSON. Mr. Speaker, I yield myself as much time as I may consume.

H. Con. Res. 36 authorizes the use of the Capitol Grounds for the annual Greater Washington Soap Box Derby in June.

Since the first official All-American Soap Box Derby in 1934, the mission of the soapbox derby has been to build knowledge and character and to teach fair and honest competition. This tradition also allows children to demonstrate their dedication and creativity.

Winners from this local competition will join those from other races, including from my home State of Georgia, in competing at the world championship in Akron, Ohio.

Mr. Speaker, I urge support of this resolution, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I would like to, first of all, thank my good friend from Maryland, Representative STENY HOYER, for introducing this resolution on behalf of the entire Washington regional delegation. The

Greater Washington Soap Box Derby is an annual competitive event that encourages boys and girls, ages 9 through 16, to construct and race their own soapbox vehicles.

This Capitol Hill event has become a great tradition in Washington, D.C., in our metropolitan area over the last 20 years. It provides a terrific opportunity for children to appreciate the workmanship necessary to build the vehicles and enjoy the thrill of competition.

The Greater Washington Soap Box Derby organizers will work with the Architect of the Capitol and the Capitol Police to ensure the appropriate rules and regulations are in place and that the event remains free to the public.

I support this resolution, and I urge my colleagues to vote for this legislation.

You know, the Washington Soap Box Derby was an event that was being held during the times that I was here in Washington, D.C., growing up. I was born and raised here in Washington, D.C. I left at the age of 17 to come to Georgia. When I got to Georgia, I fell in love with Georgia; and I have been there for the last 47 years or so, and it has been a good run for me.

But I tell you, remembering those occasions when the soapbox derby came to Washington, D.C., in my youth and going to watch the races, and, you know, it was really a joyful occasion, mass crowds gathered, people are rooting for their neighbors and their relatives and their friends, and pretty soon everybody is rooting for everybody. And to see the cars, the craftsmanship that went into building those cars, it is really a joy.

I haven't been to a soapbox derby since those times, so I imagine the craftsmanship that is going into these vehicles now is probably astounding what these young people and their supporters do in preparation for this soapbox derby. But still, although the vehicles have probably gotten more sophisticated and the preparation has gotten more detailed, the aspiration of the soapbox derby remains the same, and that is for young people to challenge themselves to do something, get out of their comfort zone, construct something, build something, then watch it actually move, and then even win the competition. So it is a great thrill, I am sure.

I reserve the balance of my time.

Mr. FERGUSON. Mr. Speaker, I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the gentleman from Georgia for yielding, and I thank the chairman for bringing this resolution to the floor.

Mr. Speaker, as I was sitting here listening to Congressman JOHNSON, I got

so inspired that I just want to go out and jump in a soapbox or jump on a soapbox to give my talk.

I have been at this for a very long period of time. The soapbox derby has been going on for 76 years; 36 of those years, I had the great privilege of serving in this body. I rise each year to sponsor the resolution allowing the Greater Washington Soap Box Derby Association to hold its annual race on the Capitol Grounds. It is appropriate, I think, that it is here at the Capitol. The inspiration of the Capitol, the inspiration of the dome, the inspiration and excitement of which Congressman JOHNSON just spoke, I think, captures the sense of what "soapbox derby" means.

This year marks, as I said, the 76th year of the derby, Mr. Speaker, at which young people from around the region, from age 8 all the way to age 17, compete in three divisions. Those divisions are stock, super stock, and masters. So you are talking about these sophisticated soapboxes. They are not your father's soapbox, that is for sure.

It is not only a fun and exciting event, it is also educational and brings children together, young people together, young adults together with their parents, grandparents, siblings, and neighbors to plan and build their soapbox racers.

You know, one of the things we need in America is more engineers. I am a lawyer. I don't know that we need more lawyers. And we need doctors, of course, but people tell me, if we are going to make things in America, we need more engineers, people who work with their hands, people who create, people who design, and that is what this soapbox derby is about.

Doing so, participating in this contest helps connect these young people with hands-on engineering and manufacturing lessons which promote greater interest in the STEM fields which we all talk about: science, technology, engineering, and math. This has been the case, Mr. Speaker, since the first soapbox derby in 1938, and this long tradition now continues in the 21st century.

The winner in each division will then qualify to race against the regional champions from across the Nation later this year, at Derby Downs, at the All-American Soap Box Derby in Akron, Ohio.

This year, the Greater Washington Soap Box Derby will be held on June 17, Mr. Speaker. The derby has been called "the greatest amateur racing event in the world." I don't know whether it is the greatest, but it is certainly one of the great contests in the world and teaches participating youth about fortitude, about leadership, about engineering, sportsmanship, and pride of achievement.

□ 1645

In addition to bringing families together, the Soap Box Derby brings

communities closer together, Mr. Speaker. Many of the races are sponsored and cheered by their local civic groups, police, fire departments, and service organizations.

I have been proud, as I said, Mr. Speaker, to sponsor this resolution for 26 years, and I believe strongly in the importance of this tradition and am convinced of the very positive impact the Derby has on young people from my district who participate, around this region, and around the country.

Maryland's Fifth District, my district, has been home to a number of Greater Washington Soap Box Derby winners, including the winners from 2007, 2008, 2009, 2012, 2013, and 2014.

The Washington region is millions of people. My young people and their advisers, otherwise may be called parents, are doing pretty well in this, and we are proud of that. Our racers even won the national championship in 2007 and 2008.

I hope my colleagues, Mr. Speaker, will join me in supporting this resolution and thanking the organizers of the Greater Washington Soap Box Derby. I hope they will also join me in congratulating, in advance, all of the young people from the region who will be participating on June 17.

I also want to thank my cosponsors: GERRY CONNOLLY, DON BEYER, JOHN DELANEY, JAMIE RASKIN, ANTHONY BROWN, ELEANOR HOLMES NORTON, and BARBARA COMSTOCK. This is a bipartisan resolution. I am sure everybody will support it, and I am sure that the excitement of which Congressman JOHNSON spoke will be experienced by those young people as they race towards victory. Whether they win the number one spot, they will be winners for having participated in this creative contest that makes them better people.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield back the balance of my time.

Mr. FERGUSON. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. FERGUSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 36.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

R. JESS BROWN UNITED STATES COURTHOUSE

Mr. FERGUSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 455) to designate the United States courthouse located at 501 East Court Street in Jackson, Mississippi, as the "R. Jess Brown United States Courthouse".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 455

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The United States courthouse located at 501 East Court Street in Jackson, Mississippi, shall be known and designated as the "R. Jess Brown United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the "R. Jess Brown United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. FERGUSON) and the gentleman from Georgia (Mr. JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia (Mr. FERGUSON).

GENERAL LEAVE

Mr. FERGUSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 455.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FERGUSON. Mr. Speaker, I yield myself such time as I may consume.

H.R. 455 would designate the United States courthouse located at 501 East Court Street in Jackson, Mississippi, as the R. Jess Brown United States Courthouse.

Mr. Brown, a native of Oklahoma, attended Illinois State University, Indiana University, and the Texas Southern University law school.

In the 1960s, R. Jess Brown was one of only four African-American lawyers licensed to practice in Mississippi. In 1962, Mr. Brown took on his most famous case, where he worked on behalf of James Meredith, an African-American student who sought enrollment at the University of Mississippi. Mr. Brown's successful lawsuit broke the color barrier at the University of Mississippi and helped set the tone for future litigation in the civil rights movement.

Although the Meredith case may be his most famous trial, Mr. Brown already had established a history of litigating for civil rights stretching back to 1948, when he sued on behalf of Black teachers in Jackson, Mississippi, who sought salaries on par with their White colleagues.

R. Jess Brown helped to break down barriers and set historical precedent that has shaped our Nation for the better. It is only appropriate that we honor the work of Mr. Brown by naming this courthouse after him.

Mr. Speaker, I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise in support of H.R. 455. I want

to commend my friend on the other side of the aisle for his eloquence and for his support of H.R. 455.

I yield such time as he may consume to the gentleman from Mississippi (Mr. THOMPSON).

Mr. THOMPSON of Mississippi. Mr. Speaker, I thank the gentleman from Georgia for yielding me the time.

Mr. Speaker, I rise in support of H.R. 455, a bill to designate the United States courthouse in Jackson, Mississippi, as the R. Jess Brown United States Courthouse.

Mr. Speaker, Richard Jess Brown was born on September 12, 1912, in Coffeyville, Kansas. His parents, Ernestine and Joe Brown, were jazz musicians and performed in and managed a local theater.

Jess received a bachelor of science in industrial arts from Illinois State Normal University and a master of science in industrial education from Indiana University in Bloomington, Indiana.

After teaching at Alcorn State University, Jess moved to Jackson, Mississippi, where he taught industrial arts at Lanier High School, the only Black high school in the city at that time. While teaching at Lanier, Jess became an intervening plaintiff in a lawsuit that sought equal pay for Black teachers in Jackson.

After teaching in Jackson, Jess attended Texas Southern University Law School. Jess left the law school before receiving his juris doctorate, but was able to return to Mississippi and pass the Mississippi bar in 1953.

Beginning his law career in Vicksburg, Mississippi, Jess confined his practice to cases involving divorces, deeds, land titles, and other practices that did not agitate White members of the bar. However, after the Brown v. Board of Education of Topeka ruling in 1954, Jess felt compelled to defend the civil rights of African Americans.

In the fall of 1955, the conditions and hardships endured by Black lawyers in the courts led Mr. Brown and seven other Black attorneys to establish the Magnolia Bar Association.

Mr. Speaker, R. Jess Brown is credited with filing the first civil suit on behalf of an African American in Mississippi, that lawsuit on behalf of a Jefferson County minister who challenged laws that prevented Blacks from voting.

Mr. Speaker, Jess Brown has an extensive record as a civil rights lawyer. His list of clients include:

Clyde Kennard, who was charged with and convicted of a fictitious crime while attempting to desegregate the University of Southern Mississippi;

James H. Meredith, whose litigation ultimately led to the integration of the University of Mississippi;

Dr. Gilbert Mason, who led the effort to end racial segregation on the beaches of Biloxi, Mississippi; and

Civil rights icons Medgar Wiley Evers and Dr. Aaron Henry.

Mr. Speaker, Mr. Brown was admitted to practice law before all Mississippi court systems; the United States District Court for the Northern District of Mississippi; the United States District Court for the Southern District of Mississippi; the United States Court of Appeals for the Fifth Circuit; and the United States Supreme Court. Mr. Brown also served on the Executive Board of the National Bar Association for approximately 15 years.

Mr. Speaker, on December 31, 1989, R. Jess Brown died in Jackson, Mississippi, at the age of 77.

Mr. Speaker, R. Jess Brown is well-deserving of this honor, and I urge my colleagues to join me in supporting H.R. 455.

Mr. FERGUSON. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, R. Jess Brown is the type of individual who is an American success story. Just listening to the comments of my colleague, Congressman THOMPSON, about R. Jess Brown made me very proud of his accomplishments. He seemed to have been a Renaissance man with a southern twist. He seemed to be a gentleman and a scholar, yet someone who worked with his hands, also, and showed others how to do so.

That is why I rise in support of H.R. 455, a bill to designate the Federal courthouse in Jackson, Mississippi, as the R. Jess Brown United States Courthouse. I can't think of any better name for a courthouse in that locale other than the R. Jess Brown United States Courthouse. Attorney R. Jess Brown was a towering champion during critical moments in the civil rights movement in the South, and especially in Mississippi.

Jess Brown received his law degree from the Thurgood Marshall School of Law at Texas Southern University, which is my law school alma mater, and he practiced law in Mississippi throughout the sixties and seventies as one of the few attorneys willing to practice civil rights law. He made the metamorphosis from being a divorce lawyer into being a civil rights lawyer.

He was associate counsel for the National Association for the Advancement of Colored People, the NAACP Legal Defense and Educational Fund, and he filed the first civil rights suit in Mississippi in the 1950s in Jefferson Davis County, seeking the enforcement of the right of Black citizens to become registered voters.

In 1961, R. Jess Brown represented James H. Meredith in his suit to be allowed to enter the University of Mississippi. His victory in this case opened the doors of that university to all Mississippi citizens.

While with the NAACP Legal Defense and Educational Fund, he played a

major role in fighting racial discrimination in the areas of transportation and other public accommodations.

During his lifetime, R. Jess Brown received numerous awards and honors, including the NAACP's Lawyer of the Year Award, the National Bar Association's C. Francis Stradford Award, and the Mississippi Teachers Association Award for extraordinary service to education in Mississippi. Other accomplishments are too numerous to mention but, unfortunately, are not as well known as they should be, and this is the least that we can do to honor the legacy of this important American.

I support this legislation honoring the life's work of R. Jess Brown, and I urge my colleagues to join me and pass H.R. 455.

Mr. Speaker, I yield back the balance of my time.

Mr. FERGUSON. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. FERGUSON) that the House suspend the rules and pass the bill, H.R. 455.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

METROPOLITAN PLANNING ORGANIZATION COORDINATION AND PLANNING AREA REFORM REPEAL ACT

Mr. LEWIS of Minnesota. Mr. Speaker, I move to suspend the rules and pass the bill (S. 496) to repeal the rule issued by the Federal Highway Administration and the Federal Transit Administration entitled "Metropolitan Planning Organization Coordination and Planning Area Reform".

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 496

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REPEAL.

The rule issued by the Federal Highway Administration and the Federal Transit Administration entitled "Metropolitan Planning Organization Coordination and Planning Area Reform" (81 Fed. Reg. 93448 (December 20, 2016)) shall have no force or effect, and any regulation revised by that rule shall be applied as if that rule had not been issued.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. LEWIS) and the gentleman from Georgia (Mr. JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. LEWIS of Minnesota. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days

in which to revise and extend their remarks and include extraneous materials on S. 496.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

□ 1700

Mr. LEWIS of Minnesota. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me begin by thanking my colleague across the aisle, Representative LIPINSKI, for his work on the original House version of this legislation and to Senator DUCKWORTH for introducing the corresponding language in the Senate. We all understood the unintended ramifications that this last-minute rule created, and we worked together to address this issue.

This bill rescinds the Federal Highway Administration and Federal Transit Administration's Metropolitan Planning Organization Coordination and Planning Reform rule that was promulgated in December, 2016.

After being sworn in to the House of Representatives, one of the first pieces of legislation I offered was to repeal this rule. Through the Transportation and Infrastructure Committee, we were able to work in a bipartisan manner to achieve that goal, and I was proud to serve as the lead Republican in advancing a commonsense policy unanimously through our committee.

This flawed rule mandates the expansion of boundaries for federally required Metropolitan Planning Organizations, or MPOs. There are 409 MPOs in the United States, and the Department of Transportation identified that more than one-third of these MPOs would immediately be subject to the new requirements of this rule.

By requiring that MPO boundaries encompass the entire urbanized area and any surrounding areas that may be urbanized within 20 years, the Department of Transportation has taken away the ability for States and localities to determine how to plan their transportation networks. In many cases, this rule pushes an MPO into the boundary of another MPO, forcing consolidation of areas that are represented by different governing bodies. These areas are not capped and could become extremely expansive. There are even instances where MPOs would be mandated to include cities and counties in neighboring States.

The question is: Why did the DOT feel the need to institute this rule? States already have the ability to reassess their MPO boundaries. MPOs have the ability to expand beyond their boundaries by using memorandums of understanding. Minnesota uses several for transportation planning. Additionally, every 4 years, MPOs are required to participate in a review process that identifies areas of concern like the

planning of projects with neighboring areas.

Meanwhile, in the instances of unelected MPOs, like Minnesota's Metropolitan Council, this rule encourages them to expand without any participation or control from local citizens. The MPO council representing the Twin Cities area is entirely appointed by the Governor. Through State statute, they have the ability to levy taxes, and, like all MPOs, they determine what transportation projects to pursue. An expansion of MPO boundaries could mean a new tax for surrounding counties to fund transportation projects that do not address their local needs.

Mr. Speaker, I encourage my colleagues to support this measure and return current law to what Congress intended when it passed the FAST Act. This bill ensures that States, cities, and counties retain decisionmaking ability when it comes to planning their development and transportation growth.

Our language restores certainty to local officials already in planning phases for local projects and could save MPOs more than \$340 million over the next several years conforming to the regulation. The essence of this bill is local control. The more government is removed from the people, the less responsive it becomes. Self-governance works best when closest to home.

I want to thank Chairman SHUSTER for his leadership on this matter, as well as my colleagues, Representative LIPINSKI and Senator DUCKWORTH, for their work on this bill, and I encourage all my colleagues to support our bill.

Mr. Speaker, I include in the RECORD a letter from the National Association of Regional Councils and the Association of Metropolitan Planning Organizations, and a letter from the American Association of State Highway and Transportation Officials.

NATIONAL ASSOCIATION OF REGIONAL COUNCILS AND ASSOCIATION OF METROPOLITAN PLANNING ORGANIZATIONS,

April 25, 2017.

DEAR MEMBER OF CONGRESS: On behalf of the members of the Association of Metropolitan Planning Organizations (AMPO) and National Association of Regional Councils (NARC), we wish to express our strong support for a bill expected on the floor later today: S. 496—"To repeal the rule issued by the Federal Highway Administration and the Federal Transit Administration entitled "Metropolitan Planning Organization Coordination and Planning Area Reform". This legislation passed the Senate unanimously on March 8. Identical legislation from Representatives Daniel Lipinski and Jason Lewis, H.R. 1346, has the support of 26 bipartisan co-sponsors and passed the Transportation and Infrastructure Committee by voice vote on March 29.

AMPO and NARC support increased planning coordination at all levels, but this Final Rule has significant drawbacks that make its implementation impractical, and would hinder the regional planning process and delay project implementation. Our extensive

joint comments to the federal docket explain in significant detail the problems with this rule and the negative consequences we believe would result. Ours was one of more than 600 comments to the docket that asked this rule be withdrawn or substantially modified. Neither occurred, so legislative action is required.

Repeal of this Final Rule is a key priority for our organizations and for many of our members. The legislation you will consider today would immediately restore certainty to the planning process for hundreds of planning organizations. Its bipartisan support is an indication that members from both parties recognize the damage this Final Rule could inflict on the transportation planning process and project implementation.

We thank you for your consideration of this matter, and reaffirm our request that you support passage of S. 496.

Sincerely,

LESLIE WOLLACK,
Executive Director,
National Association
of Regional Councils.

DELANIA HARDY,
Executive Director,
Association of Metropolitan Planning Organizations.

AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS,

Washington, DC, March 10, 2017.

Re H.R. 1346 to repeal the rule issued by the FHWA and the FTA entitled "Metropolitan Planning Organization and Coordination and Planning Area Reform"

DEAR MEMBERS OF CONGRESS: The American Association of State Highway and Transportation Officials (AASHTO) expresses our full support of H.R. 1346 which will repeal the recently issued rule by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) entitled "Metropolitan Planning Organization Coordination and Planning Area Reform" (81 Fed. Reg. 93448) finalized on December 20, 2016. Representing all 50 states, the District of Columbia, and Puerto Rico, AASHTO serves as a liaison between state departments of transportation (state DOTs) and the federal government.

AASHTO and its members are supportive of voluntary opportunities to strengthen regional transportation planning by states and metropolitan planning organizations (MPOs). As expressed in our comments on the NPRM regarding this rule, we do not see a basis for making substantial changes to the planning process as required in the rule.

AASHTO has significant concerns with the specific mandates that the rule imposes upon states and MPOs. The regulation will add significant additional legal and administrative requirements that would serve as barriers to constructive and flexible approaches to planning and programming being implemented by states and MPOs today. Imposing these new requirements goes against the Congressional intent of the Fixing America's Surface Transportation (FAST) Act to streamline project delivery. The rule also epitomizes the one-size-fits-all approach that does not allow flexibility to tailor processes and solutions to the diverse needs, opportunities, and constraints faced by states and MPOs across the nation.

We appreciate your tremendous leadership in repealing this specific rule. If you would like to discuss these issues further, please

contact AASHTO's Program Director for Planning and Performance Management.

Sincerely,

DAVID BERNHARDT, P.E.,
President, American
Association of State
Highway and Trans-
portation Officials;
Commissioner,
Maine Department
of Transportation.

Mr. LEWIS of Minnesota. Mr. Speaker, I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 496, a straightforward bill to repeal changes made to the transportation planning process in the waning days of the Obama administration.

On June 27, 2016, the Federal Highway Administration and the Federal Transit Administration jointly published a proposed rule to make significant changes to surface transportation planning regulations in an attempt to promote more effective regional planning by States and Metropolitan Planning Organizations, MPOs. The proposed rule was well-intentioned, aiming to strengthen coordination among planning partners and neighboring communities.

However, the rule was haphazardly put together on an expedited timeline, with very little input from States and local planning organizations. It is not surprising, therefore, that the result was overwhelming opposition to the specific requirements of the rule.

This rule was not mandated by Congress. In fact, Congress made very few changes to the planning process in the most recent surface transportation reauthorization, the Fixing America's Surface Transportation Act, also known as the FAST Act.

Among other changes, the administration sought to require that, in any urbanized area represented by more than one MPO, the MPOs would be required to either merge or realign their boundaries or develop unified planning documents. This requirement for joint planning documents would apply in urbanized areas that cross State lines. This provision, in particular, caused substantial concern in the planning community.

The FHWA and the FTA received 299 comments in opposition to the proposed rule, of which 249 requested that the rulemaking be withdrawn. Only 16 commenters expressed support for the proposed rule. The agencies received 156 comments in support of the intent of the rule, but not the specific requirements and procedures proposed.

The final rule, published in December of 2016, made a few modifications, including the addition of a waiver process, subject to approval by the Secretary, from some of the joint planning requirements if an area can demonstrate suitable coordination. Despite

the changes made by the agencies in the final rule, strong opposition to the rule continues.

Earlier this month, Atlanta Mayor Kasim Reed testified before the Subcommittee on Highways and Transit on implementation of the FAST Act. His written testimony, submitted on behalf of the U.S. Conference of Mayors, states: "The outgoing administration proposed a new rule on MPO designations that created unreasonable burdens for a number of regions, and we thank you, Mr. Chairman, and this committee for acting on legislation to remedy this."

Repeal of this rule is supported also by the American Association of State Highway and Transportation Officials, the Association of Metropolitan Planning Organizations, and the National Association of Regional Councils.

Last month, the Transportation and Infrastructure Committee passed H.R. 1346, an identical bill to S. 496, by voice vote. H.R. 1346, introduced by the gentleman from Illinois (Mr. LIPINSKI), is a bipartisan bill with 29 cosponsors.

S. 496 stops the controversial changes I have described from going into effect. The bill does not preclude the administration from pursuing changes in the future, through a new notice and comment rulemaking, to improve the planning process by strengthening the coordination of MPOs and States.

Mr. Speaker, I support this legislation, and I urge my colleagues to do the same.

I yield back the balance of my time.

Mr. LEWIS of Minnesota. Mr. Speaker, I urge my colleagues to join me in supporting this important legislation, and I yield back the balance of my time.

Mr. PASCRELL. Mr. Speaker, I rise in support of S. 496, which is the first and likely only legislation striking an Obama Administration era rule or regulation outright that I will be supporting this Congress.

From when I first learned of the rule last year, I have had strong concerns about the United States Department of Transportation's (DOT) proposal on Metropolitan Planning Organization Coordination and Planning Area Reform.

Planning was a top priority of one of my predecessors in the United States House of Representatives, former Public Works Committee Chairman Bob Roe. In the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, the Congress overhauled the planning process and gave tremendous authority to local Metropolitan Planning Organizations (MPO). The process works well in Northern New Jersey, where the North Jersey Transportation Planning Authority (NJTPA) plays an important role advancing regional projects that provides an important opportunity for local communities to offer meaningful input.

I joined my colleague, Mr. SIREN, in a letter last summer expressing concerns with the draft rule and requesting that the comment period be extended.

I appreciate the DOT's end goal: to make planning more efficient, more comprehensible

to stakeholders and the public, and more focused on projects that address critical regional needs. However, in a rush to judgment and ignoring the concerns of many comments from across the county, the DOT finalized a well-intended, but misguided rule. Specifically, I object to the severity of its reconstruction of the planning processes, practices, and understandings that have been in effect for MPOs for decades, and the ability for the public to comment.

Most concerning to me is that the rule could require the redrawing of Metropolitan Planning Areas (MPAs) and require Urbanized Areas (UZAs) to have a common MPO or common Transportation Improvement Plan (TIP). For densely populated regions like Northern New Jersey, the proposed rule would reduce local decision-making by either forcing MPO consolidation or requiring a burdensome multi-region single long-term TIP that could weaken local input. The NJTPA region covering my district already includes 6.7 million people and its TIP is over \$2 Billion—adding any more to their plate would be unwieldy. We just need to witness the dysfunction at the Port Authority of New York and New Jersey to know that mandating New Jersey to undertake transportation planning with New York City and New York State in this way would be a recipe for disaster.

I thank my colleagues for advancing this bill, look forward to this rule being put back on the shelf, and hope DOT can come up with something less burdensome in their quest to reform transportation planning processes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. LEWIS) that the House suspend the rules and pass the bill, S. 496.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LEWIS of Minnesota. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

AVIATION EMPLOYEE SCREENING AND SECURITY ENHANCEMENT ACT OF 2017

Mr. KATKO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 876) to amend the Homeland Security Act of 2002 to reform programs of the Transportation Security Administration, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 876

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Aviation Employee Screening and Security Enhancement Act of 2017".

SEC. 2. DEFINITIONS.

In this Act:

(1) **ADMINISTRATION.**—The term “Administration” means the Transportation Security Administration.

(2) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Transportation Security Administration.

(3) **AIR CARRIER.**—The term “air carrier” has the meaning given such term in section 40102 of title 49, United States Code.

(4) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate.

(5) **FOREIGN AIR CARRIER.**—The term “foreign air carrier” has the meaning given such term in section 40102 of title 49, United States Code.

(6) **INTELLIGENCE COMMUNITY.**—The term “intelligence community” has the meaning given such term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

(7) **SECURED AREA.**—The term “secured area” has the meaning given such term in section 1540.5 of title 49, Code of Federal Regulations.

(8) **SECURITY IDENTIFICATION DISPLAY AREA.**—The term “Security Identification Display Area” has the meaning given such term in section 1540.5 of title 49, Code of Federal Regulations.

(9) **STERILE AREA.**—The term “sterile area” has the meaning given such term in section 1540.5 of title 49, Code of Federal Regulations.

SEC. 3. COST AND FEASIBILITY STUDY.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Administrator, in consultation with the Aviation Security Advisory Committee (established under section 44946 of title 49, United States Code), shall submit to the appropriate congressional committees and the Comptroller General of the United States a cost and feasibility study of a statistically significant number of Category I, II, III, IV, and X airports assessing the impact if all employee access points from non-secured areas to secured areas of such airports are comprised of the following:

(1) A secure door utilizing card and pin entry or biometric technology.

(2) Surveillance video recording, capable of storing video data for at least 30 days.

(3) Advanced screening technologies, including at least one of the following:

(A) Magnetometer (walk-through or handheld).

(B) Explosives detection canines.

(C) Explosives trace detection swabbing.

(D) Advanced imaging technology.

(E) X-ray bag screening technology.

(b) **CONTENTS.**—The study required under subsection (a) shall include information related to the employee screening costs of those category I, II, III, IV, and X airports which have already implemented practices of screening 100 percent of employees accessing secured areas of airports, including the following:

(1) Costs associated with establishing an operational minimum number of employee entry and exit points.

(2) A comparison of estimated costs and effectiveness associated with implementing the security features specified in subsection (a) to—

(A) the Federal Government; and

(B) airports and the aviation community.

(c) **COMPTROLLER GENERAL ASSESSMENT.**—

(1) **IN GENERAL.**—Upon completion of the study required under subsection (a), the

Comptroller General of the United States shall review such study to assess the quality and reliability of such study.

(2) **ASSESSMENT.**—Not later than 60 days after the receipt of the study required under subsection (a), the Comptroller General of the United States shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate on the results of the review required under paragraph (1).

SEC. 4. AIRPORT WORKER EDUCATION AND SECURITY AWARENESS.

(a) **COOPERATIVE EFFORTS TO ENHANCE AIRPORT SECURITY AWARENESS.**—Not later than 180 days after the date of the enactment of this Act, the Administrator shall work with air carriers, foreign air carriers, airport operators, labor unions representing credentialed employees, and the Aviation Security Advisory Committee to enhance security awareness of credentialed airport populations regarding insider threats to aviation security and best practices related to airport access controls.

(b) **CREDENTIALING STANDARDS.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Administrator shall, in consultation with air carriers, foreign air carriers, airport operators, labor unions representing credentialed employees, and the Aviation Security Advisory Committee, assess credentialing standards, policies, and practices to ensure that insider threats to aviation security are adequately addressed.

(2) **REPORT.**—Not later than 30 days after completion of the assessment required under paragraph (1), the Administrator shall report to the appropriate congressional committees on the results of such assessment.

(c) **SIDA APPLICATIONS.**—

(1) **SOCIAL SECURITY NUMBERS REQUIRED.**—Not later than 60 days after the date of the enactment of this Act, the Administrator shall require airport operators to submit the social security number of an individual applying for a credential granting access to the Security Identification Display Area to strengthen security vetting effectiveness. An applicant who does not provide such applicant's social security number may be denied such a credential.

(2) **SCREENING NOTICE.**—The Administrator shall issue requirements for airport operators to include in applications for access to a Security Identification Display Area a notice informing applicants that an employee holding a credential granting access to a Security Identification Display Area may be screened at any time while gaining access to, working in, or leaving a Security Identification Display Area.

SEC. 5. SECURING AIRPORT WORKER ACCESS.

(a) **IN GENERAL.**—The Administrator shall work with airport operators and the Aviation Security Advisory Committee to identify advanced technologies, including biometric identification technologies, for securing employee access to the secured areas and sterile areas of airports.

(b) **RAP BACK VETTING.**—Not later than 180 days after the date of the enactment of this Act, the Administrator shall ensure that all credentialed aviation worker populations currently requiring a fingerprint-based criminal record history check are continuously vetted through the Federal Bureau of Investigation's Rap Back Service, in order to more rapidly detect and mitigate insider threats to aviation security.

(c) **INSIDER THREAT EDUCATION AND MITIGATION.**—Not later than 180 days after the date of the enactment of this Act, the Administrator shall identify means of enhancing the Administration's ability to leverage the resources of the Department of Homeland Security and the intelligence community to educate Administration personnel on insider threats to aviation security and how the Administration can better mitigate such insider threats.

(d) **PLAYBOOK OPERATIONS.**—The Administrator shall ensure that Administration-led employee physical inspection efforts of aviation workers, known as Playbook operations, are targeted, strategic, and focused on providing the greatest level of security effectiveness.

(e) **COVERT TESTING.**—

(1) **IN GENERAL.**—The Administrator shall conduct covert testing of Administration-led employee inspection operations at airports and measure existing levels of security effectiveness. The Administrator shall provide—

(A) the results of such testing to the airport operator for the airport that is the subject of any such testing, and, as appropriate, to air carriers and foreign air carriers that operate at the airport that is the subject of such testing; and

(B) recommendations and technical assistance for air carriers, foreign air carriers, and airport operators to conduct their own employee inspections, as needed.

(2) **ANNUAL REPORTING.**—The Administrator shall annually, for each of fiscal years 2018 through 2022, submit to the appropriate congressional committees a report on the frequency, methodology, strategy, and effectiveness of employee inspection operations at airports.

(f) **CENTRALIZED DATABASE.**—Not later than 180 days after the date of the enactment of this Act, the Administrator, in consultation with the Aviation Security Advisory Committee, shall—

(1) establish a national database of individuals who have had either their airport or airport operator-issued badge revoked for failure to comply with aviation security requirements;

(2) determine the appropriate reporting mechanisms for air carriers, foreign air carriers, and airport operators to—

(A) submit to the Administration data regarding individuals described in paragraph (1); and

(B) access the database established pursuant to such paragraph; and

(3) establish a process to allow individuals whose names were mistakenly entered into such database to correct the record and have their names removed from such database.

SEC. 6. INSIDER THREAT COORDINATION EFFORTS.

The Department of Homeland Security is the lead interagency coordinator pertaining to insider threat investigations and mitigation efforts at airports. The Department shall make every practicable effort to coordinate with other relevant Government entities, as well as the security representatives of air carriers, foreign air carriers, and airport operators, as appropriate, when undertaking such investigations and efforts.

SEC. 7. INFORMATION TECHNOLOGY SECURITY.

Not later than 90 days after the date of the enactment of this Act, the Administrator shall submit to the appropriate congressional committees a plan to conduct recurring reviews of the operational, technical, and management security controls for Administration information technology systems at airports.

SEC. 8. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act. Such requirements shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KATKO) and the gentleman from New Jersey (Mr. PAYNE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KATKO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KATKO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 876, the Aviation Employee Screening and Security Enhancement Act of 2017, which seeks to implement findings from a multiyear investigation into the insider threat facing our Nation's airports. This bipartisan legislation will help mitigate an increasingly disturbing threat to safety of the traveling public.

Mr. Speaker, as chairman of the Committee on Homeland Security's Subcommittee on Transportation and Protective Security, it is my duty to understand and respond to the ever-changing threat landscape facing our Nation's aviation sector, which is a critical component to both America's economic and national security. In February of this year, we released a telling report on airport insider threats, which painted a disturbing picture of security vulnerabilities and gaps in screening and access controls at airports across the country. Just 3 days after the release of our report, news broke of a massive drug smuggling ring between Puerto Rico and the continental United States involving both TSA and airport employees. This network of criminals exploited their access to secure areas of airports to smuggle an astounding 20 tons—or \$100 million worth—of cocaine into the United States and into our own communities.

Another concerning example uncovered in our investigation throughout last Congress was when an airport employee offered to smuggle explosives on a passenger aircraft. Luckily, this individual was caught in a drug trafficking ring by the FBI and was arrested. However, we have seen multiple examples of aviation workers with access to secure areas of airports being involved in serious criminal activities, including terror plotting, after being radicalized.

We cannot allow these lapses in security to continue placing the traveling

public at risk, and we must continue to work together like my brother across the aisle, Mr. PAYNE, with our partners in security in the aviation sector and at the Transportation Security Administration. After a number of insider threat-related attacks at airports overseas, along with plots here in the United States, it is essential that we act on this legislation.

This bill, if enacted, will enhance employee vetting requirements, improve procedures governing the way airports issue security credentials, and reform TSA's employee screening operations to be more targeted and effective. It will also provide policymakers with critical, previously unavailable data relating to the cost and feasibility of providing full employee screening at all domestic airports.

The insider threat is real, and it is our duty to ensure the Federal Government is taking every step possible to keep the traveling public safe.

I would like to extend my sincere gratitude to the ranking member of the subcommittee, my friend and colleague, Mrs. WATSON COLEMAN, for her shared leadership on this issue. I would also like to thank the chairman of the full committee, Mr. MCCAUL, for shepherding this legislation through the committee.

Mr. Speaker, I urge my colleagues to support this legislation, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, April 25, 2017.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security,
Washington, DC.

DEAR CHAIRMAN MCCAUL: I am writing with respect to H.R. 876, the "Aviation Employee Screening and Security Enhancement Act of 2017." This bill contains provisions within the Rule X jurisdiction of the Committee on Ways and Means.

The Committee on Ways and Means will not seek a sequential referral on H.R. 876 so that it may proceed expeditiously to the House floor for consideration. This is done with the understanding that the jurisdictional interests of the Committee on Ways and Means over this and similar legislation are in no way diminished or altered. In addition, the Committee reserves the right to seek conferees on H.R. 876 and requests your support when such a request is made.

I would appreciate your response confirming this understanding with respect to H.R. 876 and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of the bill on the House floor.

Sincerely,

KEVIN BRADY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, April 25, 2017.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR CHAIRMAN BRADY: Thank you for your letter regarding H.R. 876, the "Aviation Employee Screening and Security Enhancement Act of 2017." I appreciate your support

in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Ways and Means will not seek a sequential referral of the bill.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing consideration on this bill at this time, the Committee on Ways and Means does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support a request by the Committee on Ways and Means for conferees on those provisions within your jurisdiction.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

Mr. PAYNE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 876, the Aviation Employee Screening and Security Enhancement Act for 2017.

Mr. Speaker, last month, the Transportation Security Administration issued a directive prohibiting travelers flying out of 10 airports in eight countries from carrying laptops and other large electronic devices aboard airplanes. That decision was informed by intelligence that ISIS and other terrorist organizations may have developed innovative ways to plant explosives in electronic devices that TSA may not be able to detect. This swift action highlights the importance of TSA's being able to adapt quickly in response to the ever-evolving terrorist threat landscape.

Here, in the United States, we have been fortunate that there has never been a case where an airport worker has exploited their position to carry out a deadly attack on an airport, but we have seen such incidents abroad.

Accordingly, Congress has given particular attention to the airport insider threat risk, and, in the 114th Congress, we enacted measures to enhance access controls at airports and improve security vetting for airport workers.

□ 1715

Today, we consider H.R. 876, a bill that seeks to address this risk by requiring TSA to carry out a cost and feasibility study of incorporating new approaches to bolster access controls to a diverse range of airports.

In an effort to help airports better understand the effectiveness of their current airport worker screening systems, the measure also directs TSA to increase covert testing of such systems.

One feature of the bill that I want to highlight is a provision targeted at fostering greater vigilance and awareness among airport workers regarding the insider threat risk.

Specifically, it directs TSA to work with airport operators, air carriers,

and unions to develop insider threat security awareness training for airport workers within 180 days of enactment of the bill.

H.R. 876, which was introduced in February and approved by the full committee in March, has bipartisan support, including the support of Representative BONNIE WATSON COLEMAN, the top-ranking Democrat on the Homeland Security Committee's Transportation Security Subcommittee.

Mr. Speaker, I urge the passage of H.R. 876, and I yield back the balance of my time.

Mr. KATKO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I echo the sentiment of my colleague, Mr. PAYNE. He is spot on in his discussion about the vulnerabilities that have been highlighted overseas that can easily come our way if we don't act on this bill. I applaud his comments and thank him for those.

This issue is critical to the safety of traveling Americans. We must act today to close every known security gap.

Mr. Speaker, I urge my colleagues to support the bill, and I yield back the balance of my time.

Mr. MCCAUL. Mr. Speaker, I include in the RECORD the cost estimate from the Congressional Budget Office regarding H.R. 876. The cost estimate was not available at the time of the filing of the Committee report.

CONGRESSIONAL BUDGET OFFICE,
U.S. CONGRESS,
Washington, DC, April 26, 2017.
Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 876, the Aviation Employee Screening and Security Enhancement Act of 2017.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Megan Carroll.

Sincerely,
KEITH HALL, Director.

Enclosure.
H.R. 876—AVIATION EMPLOYEE SCREENING AND SECURITY ENHANCEMENT ACT OF 2017
As ordered reported by the House Committee on Homeland Security on March 8, 2017
SUMMARY
H.R. 876 would direct the Transportation Security Administration (TSA) to pursue a

variety of activities aimed at improving aviation security, particularly by enhancing vetting and screening of aviation workers and controlling their access to secure areas of airports. Based on an analysis of information from TSA, CBO estimates that implementing H.R. 876 would cost \$41 million over the 2017–2022 period, assuming appropriation of the necessary amounts.

Enacting the bill would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting H.R. 876 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

H.R. 876 would impose intergovernmental and private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) on airport operators and air carriers. Based on information from the TSA and airport officials, CBO estimates that the total costs of the mandates on public and private entities would fall well below the annual thresholds established in UMRA for intergovernmental and private-sector mandates (\$78 million and \$156 million in fiscal year 2017, respectively, adjusted annually for inflation).

ESTIMATED COST TO THE FEDERAL GOVERNMENT
The estimated budgetary effect of H.R. 876 is shown in the following table. The costs of this legislation fall within budget function 400 (transportation).

	By fiscal year, in millions of dollars—						
	2017	2018	2019	2020	2021	2022	2017–2022
INCREASES IN SPENDING SUBJECT TO APPROPRIATION							
Estimated Authorization Level	0	15	7	7	7	7	43
Estimated Outlays	0	11	8	8	7	7	41

BASIS OF ESTIMATE
For this estimate, CBO assumes that the legislation will be enacted near the end of 2017, that the necessary amount will be appropriated each year, and that outlays will follow historical spending patterns.
H.R. 876 would require TSA to identify, in collaboration with airport operators and the TSA's Aviation Security Advisory Committee (ASAC), advanced technologies—particularly biometric identification technologies—for entrances and exits used by employees to access secure areas of airports. Under the bill, TSA could pursue a qualified products list (QPL) of such technologies, which would require several full time staff and ongoing collaborative efforts to develop and implement systems to test the full spectrum of commercially available technologies and recommend products manufactured by specific vendors. Because the bill would not require TSA to develop an official QPL, CBO expects that the agency would fulfill the bill's requirement by identifying broad types or categories of technologies that would serve airports' security needs. That effort would still involve several staff to assess existing and emerging technologies, on an ongoing basis, in collaboration with airport operators and the ASAC. Based on an analysis of information provided by the TSA about the cost of similar efforts, CBO estimates the agency would spend between \$4 million and \$5 million annually—or \$23 million over the 2017–2022 period—to implement this provision.
CBO estimates that implementing other provisions of H.R. 876 would cost \$18 million over the 2017–2022 period. That amount includes \$2 million annually for increased covert testing of employee screening at certain

airports—an increase of roughly 10 percent over existing funding levels. The remaining \$8 million would be for a one-time study of measures used to secure entrances and exits used by employees to access the secure areas of airports. That estimate is based on the historical costs of similar efforts.
PAY-AS-YOU-GO CONSIDERATIONS
None.
INCREASE IN LONG-TERM DIRECT SPENDING AND DEFICITS
CBO estimates that enacting H.R. 876 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.
INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT
H.R. 876 would impose intergovernmental and private-sector mandates as defined in UMRA. The bill would require airport operators and air carriers to provide information to TSA about individuals who have had their security credentials revoked. Additionally, the bill would require airport operators to notify applicants for security credentials about screening procedures and to submit applicants' social security numbers to TSA. Those provisions would impose an intergovernmental mandate on airport operators and a private-sector mandate on airport operators and air carriers. Based on information from the TSA and airport officials, CBO expects that affected entities would probably report information to TSA electronically and estimates that the costs to submit that information would be small. In total, CBO estimates that the costs on public and private entities would fall well below the annual thresholds established in UMRA for intergovernmental and private-sector man-

dates (\$78 million and \$156 million in fiscal year 2017, respectively, adjusted annually for inflation).
ESTIMATE PREPARED BY
Federal Costs: Megan Carroll; Impact on State, Local, and Tribal Governments: Jon Sperl; Impact on the Private Sector: Amy Petz.
ESTIMATE APPROVED BY
H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.
The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KATKO) that the House suspend the rules and pass the bill, H.R. 876, as amended.
The question was taken.
The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.
Mr. KATKO. Mr. Speaker, on that I demand the yeas and nays.
The yeas and nays were ordered.
The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.
HOMELAND SECURITY FOR CHILDREN ACT
Mr. DONOVAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1372) to amend the Homeland Security Act of 2002 to ensure that the needs of children are considered in

homeland security planning, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1372

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Homeland Security for Children Act”.

SEC. 2. RESPONSIBILITIES OF THE UNDER SECRETARY FOR STRATEGY, POLICY, AND PLANS.

Paragraph (6) of section 709(c) of the Homeland Security Act of 2002 (6 U.S.C. 349(c)) is amended by inserting “, including feedback from organizations representing the needs of children,” after “stakeholder feedback”.

SEC. 3. TECHNICAL EXPERT AUTHORIZED.

Paragraph (2) of section 503(b) of the Homeland Security Act (6 U.S.C. 313(b)) is amended—

(1) in subparagraph (G), by striking “and” at the end;

(2) in subparagraph (H), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(I) identify and integrate the needs of children into activities to prepare for, protect against, respond to, recover from, and mitigate against the risk of natural disasters, acts of terrorism, and other manmade disasters, including catastrophic incidents, including by appointing a technical expert, who may consult with relevant outside organizations and experts, as necessary, to coordinate such integration, as necessary.”.

SEC. 4. REPORT.

Not later than one year after the date of the enactment of this Act and annually thereafter for five years, the Under Secretary for Strategy, Policy, and Plans of the Department of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report describing the efforts the Department has undertaken to review and incorporate feedback from organizations representing the needs of children into Department policy in accordance with paragraph (6) of section 709(c) of the Homeland Security Act of 2002 (as added by section 2 of this Act), including information on the following:

(1) The designation of any individual responsible for carrying out such paragraph (6).

(2) Any review, formal or informal, of Department policies, programs, or activities to assess the suitability of such policies, programs, or activities for children and where feedback from organizations representing the needs of children should be reviewed and incorporated.

(3) Any review, change, modification, or promulgation of Department policies, programs, or activities to ensure that such policies, programs, or activities are appropriate for children.

(4) Coordination with organizations or experts outside the Department pursuant to such paragraph (6) conducted to inform any such review, change, modification, or promulgation of such policies, programs, or activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. DONOVAN) and the gentleman from New Jersey (Mr. PAYNE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. DONOVAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include any extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DONOVAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1372, the Homeland Security for Children Act.

According to the U.S. Census Bureau, there are about 74 million children in the United States, and while we are constantly making progress to achieve national resilience in the face of the next emergency, we must continue to ensure special consideration is made to integrate emergency planning at the Department of Homeland Security that addresses the unique needs of children when emergencies arise. I want to thank Mr. PAYNE for introducing H.R. 1372, which will ensure such consideration is made.

Recently, the Subcommittee on Emergency Preparedness, Response, and Communications held a series of hearings focused on the progress and the future of achieving national preparedness in the face of events like Hurricane Katrina and Superstorm Sandy. Among the child safety efforts made in the last 10 years, FEMA created the National Emergency Child Locator Center within the National Center for Missing & Exploited Children to ensure the swift reunification of children should a major emergency displace communities.

Mr. Speaker, I know this personally, having been an elected official on Staten Island during the tragedy in lower Manhattan in September of 2001. All three bridges from Staten Island to New Jersey were closed, the Verrazano-Narrows Bridge was closed, and ferry service was stopped from Staten Island to Manhattan. We had many of our residents stuck at work in Manhattan. Their children were on Staten Island and could not be reached when being released from school.

I know Mr. PAYNE can comment on this as well, but I just want to publicly thank him, because I experienced that myself.

The subcommittee heard from weather-tested first responders who, among other important issues, stressed the importance of integrating the needs of children into emergency planning, reminding us that, after all, children are not just mini-adults.

While DHS and FEMA have taken steps to elevate the safety of our most important populations, DHS can still do more to ensure Department policies,

programs, and activities to prepare for, protect against, respond to, recover from, and mitigate against disasters, and also consider the needs of children throughout our impacted communities.

By authorizing a children's needs technical expert at FEMA, as H.R. 1372 seeks to do, we can make certain that the needs of children are integrated into emergency preparedness, protection, response, recovery, and mitigation activities.

Further, H.R. 1372 will require DHS's Office of Strategy, Policy, and Plans to appropriately consider the needs of children throughout Departmental activities and report such efforts to Congress.

H.R. 1372 provides peace of mind that the future of our most treasured assets, our children, are safe in the face of emergencies. Additionally, the Congressional Budget Office estimates that this legislation would not have a significant impact on the Federal budget.

I want to thank Chairman SHUSTER of the Committee on Transportation and Infrastructure and Chairman BARLETTA of the Transportation and Infrastructure's Subcommittee on Economic Development, Public Buildings, and Emergency Management for working with the Committee on Homeland Security to see that this legislation receives timely consideration on the House floor.

As chairman of the Subcommittee on Emergency Preparedness, Response, and Communications, I am committed to ensuring FEMA has resources at its disposal to meet its mission of safeguarding a more resilient nation.

Mr. Speaker, I urge all of my fellow Members to join me in supporting this bill, and I reserve the balance of my time.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, March 10, 2017.

Hon. MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security,
Washington, DC.

DEAR CHAIRMAN MCCAUL: I write concerning H.R. 1372, the “Homeland Security for Children Act.” This legislation includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite Floor consideration of H.R. 1372, the Committee on Transportation and Infrastructure will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest in the Congressional Record during House Floor consideration of the bill. I look

forward to working with the Committee on Homeland Security as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, March 16, 2017.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and
Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for your letter regarding H.R. 1372, the "Homeland Security for Children Act". I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Transportation and Infrastructure will waive further consideration of the bill.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing a action on this bill at this time, the Committee on Transportation and Infrastructure does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee on Transportation and Infrastructure represented on the conference committee.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor, I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,
Chairman,
Committee on Homeland Security.

Mr. PAYNE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 1372, the Homeland Security for Children Act.

Mr. Speaker, children are not tiny adults, as was stated, but too often that is how the Federal policy treats them when there is not a deliberate effort to do otherwise.

The Department of Homeland Security, through its components, interacts with children regularly, and its policies have a direct impact on them. That is why I introduced H.R. 1372, the Homeland Security for Children Act.

H.R. 1372 would make integrating the unique needs of children a priority at the Department of Homeland Security. The bill directs the DHS Under Secretary for Strategy, Policy, and Plans to solicit and incorporate feedback from children's organizations into Department-wide policies and activities.

Additionally, H.R. 1372 would formally authorize the existing children's technical expert position at the Federal Emergency Management Agency. The position was established by former Administrator Fugate in response to a March 2015 recommendation by the FEMA National Advisory Council.

At the time, the National Advisory Council had concluded that FEMA had made progress integrating the unique needs of children into disaster plans since Hurricane Katrina, despite the fact that it did not have a technical

lead to emphasize and address children's issues. As a result, State and local governments and emergency managers were unaware of guidance related to children's needs at the State and local level, leaving children vulnerable.

According to Save the Children, 80 percent of the National Commission on Children and Disasters' recommendations from 2010 still remain open. Whatever progress has been made in integrating the needs of children in disasters, it is clear there is still work left to be done.

H.R. 1372 will ensure FEMA and DHS has the expertise necessary to do its part to ensure the unique needs of children are integrated into relevant activities, plans, and policies.

The legislation has been endorsed by Save the Children, and former Administrator Fugate has said he supports efforts to authorize the children's needs technical expert at FEMA.

Mr. Speaker, the Homeland Security for Children Act is commonsense, bipartisan legislation that will ensure that the needs of the most vulnerable among us are adequately integrated into homeland security and disaster policies planning.

I would like to just state, Mr. Speaker, that this bill has been a long time coming. I was just reminded of its importance by a program that I watched on television the other day about the tornadoes in Oklahoma, where we lost 7 children in a school building that fell. It showed the disarray in the rest of the parents being able to be reunited with their children. This is a timely bill.

Before I yield back, I would like to thank Transportation and Infrastructure Committee Chairman SHUSTER and Ranking Member DEFAZIO for agreeing to exchange letters to expedite consideration of H.R. 1372 on the floor.

Mr. Speaker, I urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. DONOVAN. Mr. Speaker, I once again urge my colleagues to support H.R. 1372, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. DONOVAN) that the House suspend the rules and pass the bill, H.R. 1372, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1730

U.S. WANTS TO COMPETE FOR A WORLD EXPO ACT

Mr. ROYCE of California. Mr. Speaker, I move to suspend the rules and

pass the bill (H.R. 534) to require the Secretary of State to take such actions as may be necessary for the United States to rejoin the Bureau of International Expositions, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 534

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "U.S. Wants to Compete for a World Expo Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Bureau of International Expositions (BIE) is the organization responsible for governing World Fairs and International Expositions.

(2) Section 1(a) of Public Law 91-269 (22 U.S.C. 2801(a)) found that "international expositions . . . have a significant impact on the economic growth of the region surrounding the exposition and . . . are important instruments of national policy".

(3) The United States has not been an active member of the BIE since 2001.

(4) State and local governments and private entities in the United States have continued to participate in international expositions held in foreign countries as a means of promoting United States exports and creating jobs, but face significantly higher costs for such participation because the United States is not an active member.

(5) State and local governments and private entities in the United States have expressed interest in an international exposition being hosted in the United States, but the bid of a United States city, region, or State to host an international exposition is unlikely to be successful if the United States is not a member of the BIE.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States should rejoin the BIE immediately to promote domestic job creation, global branding, and tourism to the United States;

(2) the Secretary of State, in partnership with the Secretary of Commerce, State and local governments, and private and non-profit entities, should take all necessary steps to facilitate the timely submission of a request to rejoin the BIE; and

(3) funding for the participation of the United States in international expositions or other events facilitated by the BIE should continue to be privately solicited and sourced, in accordance with existing law.

SEC. 4. AUTHORIZATION.

(a) IN GENERAL.—The Secretary of State is authorized to take such actions as the Secretary determines necessary for the United States to rejoin and maintain membership in the BIE.

(b) AUTHORIZATION TO ACCEPT PRIVATE CONTRIBUTIONS.—In addition to funds otherwise available to the Secretary to carry out this section, the Secretary is authorized to accept contributions for such purpose.

(c) NOTIFICATION.—The Secretary of State shall notify the Committees on Foreign Affairs and Appropriations of the House of Representatives and the Committees on Foreign Relations and Appropriations of the Senate upon taking any action under subsection (a).

SEC. 5. CONTINUATION OF PROHIBITION ON USE OF FEDERAL FUNDS FOR WORLD'S FAIR PAVILIONS AND EXHIBITS.

Nothing in this Act may be construed to authorize any obligation or expenditure prohibited by section 204 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (22 U.S.C. 2452b) (relating to limitations on the obligation or expenditure of funds by the Department of State for a United States pavilion or exhibit at an international exposition or world's fair registered by the BIE).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentlewoman from California (Ms. BASS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 534, the U.S. Wants to Compete for a World Expo Act. As always, I appreciate the assistance of the ranking member, Mr. ENGEL, in expediting this legislation. I would like to commend two of our body here, Mr. TOM EMMER and Ms. BETTY MCCOLLUM. We thank them and their Minnesota colleagues for their leadership on this issue.

Mr. Speaker, this bill will enable American citizens and our businesses and State and local governments to once again compete on an even footing against foreign countries to host a World Expo here in the United States. It does so by authorizing the Secretary of State to take those steps necessary to rejoin the Bureau of International Expositions. This BIE, as it is called, is the organization that governs World Expos, and it determines which cities get to host such an event.

The United States originally joined the BIE back in 1928, but it withdrew from active membership in 2001. Unfortunately, the rules of the BIE make it virtually impossible for bids from non-member nations to compete against bids from member nations. This bill will revise this. It will reverse the longstanding position, and we can lend our support to a recent surge of American interest in once again hosting a World Expo in the United States.

Citizens from Minnesota have developed a comprehensive bid and are actively competing against cities in Argentina and Poland to host the 2023 World Expo, but since these countries are BIE members, the U.S. must rejoin

the BIE in order for Minnesota to compete on an even playing field when the BIE makes its recommendations to the selection committee in May.

It is not just Minnesota that is interested in this. At least five other U.S. States and cities are actively exploring hosting a World Expo in the future, including Los Angeles and San Francisco from my home State of California. These cities know that World Expos create American jobs. They promote American exports. They enhance the image of America around the world. Indeed, in November, the Departments of Commerce and State submitted reports to the President certifying that the Minnesota proposal was in the national interest of the United States and had guaranteed financial support from State, from local, from private, and other sources.

Members should know that U.S. law requires that the cost of hosting or participating in a World Expo be funded entirely by private donors. This bill does not change that. In fact, it reaffirms that requirement. This bill also specifically authorizes the Department of State to accept private contributions in order to cover any costs associated with rejoining the organization. Indeed, the organizers of Minnesota's 2023 Expo bid have committed to do just that.

Mr. Speaker, I urge my colleagues to vote "yes" on H.R. 534 in order to once again give the American people the opportunity to host a World Expo here in the United States.

Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of the U.S. Wants to Compete for a World Expo Act. Let me thank our chairman, ED ROYCE, for his leadership of the Committee on Foreign Affairs. I also want to thank my colleagues from Minnesota, Ms. MCCOLLUM and Mr. EMMER, for their hard work on this measure.

World Fairs and World Expos explore and bring millions of people together from around the globe. They drive billions of dollars of investment to host cities, and they provide a forum for working toward new and creative solutions to serious problems. Across more than a century, these Expos have given us some of the world's most iconic architecture: the Golden Gate Bridge, the Space Needle, and the Eiffel Tower. They have brought together world leaders and experts to discuss topics ranging from nutrition to the future of energy.

The last Expo held in the United States was in 1984, and Minnesota is a potential candidate to host the 2023 World Expo. This Expo could bring in about 12 million visitors and \$4 billion of revenue to Minnesota and connect the public and private sector to discuss Wellness and Well-Being for All.

Mr. Speaker, we are at a grave disadvantage in competing for this event. In 2001, at the direction of Congress, the State Department withdrew from numerous international associations, including the Bureau of International Expositions, or BIE. Then-Secretary of State Colin Powell warned that this action could force the U.S. to pay a higher fee for participation and decrease the chance of an American city being selected as a host city.

We are currently facing these consequences. As a nonmember of the BIE, the United States faces significantly higher costs to participate in expositions and will also face substantial barriers in hosting since preference is given to member nations.

Mr. Speaker, the remedy is simple. We must rejoin the BIE. Private sector companies have shown interest in paying membership dues, so rejoining the BIE would not be an additional burden to taxpayers.

Hosting the World Expo would increase revenue and tourism to Minnesota and the U.S. generally, put us at the forefront of international discussion on health, and increase our chances to hold specialized and World Expos in the future. I am proud of the hard work that has gone into this by my colleagues. I am glad once again that we are working in a bipartisan manner to pass legislation that advances our interests.

Mr. Speaker, I urge a "yes" vote, and I reserve the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I include in the RECORD two letters of support for this bill. One is from the administration, and the other is from ExpoUSA, the United States World's Fairs Council.

UNITED STATES DEPARTMENT OF STATE,
Washington, DC, April 24, 2017.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Department of State appreciates Congress' interest in facilitating the bids of states to host international expositions. Not only do such events potentially generate considerable economic benefits but they also create ideal opportunities for showcasing American commercial capabilities to interested international audiences. This is consistent with the President's policy to promote domestic job growth and American innovation.

As the Bureau of International Expositions (BIE) is the international organization responsible for selecting venues offered by bidders, the chances of U.S. bidders being selected would be greatly enhanced if the U.S. were to renew and maintain its membership in the BIE. H.R. 534, the "U.S. Wants to Compete for a World Expo Act", as amended, would provide the needed permissive authority for the Secretary of State to do so.

Further, the Department greatly appreciates the efforts of Congress to ensure the bill is consistent with similar authorizations. Insofar as BIE has advised of the need for United States membership to be renewed by May 12, 2017, to ensure timely consideration of the Minnesota Expo 2023 bid, the Department urges that, if possible, the bill be

passed quickly. This will enable the Department to take the necessary steps to renew membership, enhancing prospects that state bids to host upcoming expositions will prevail. With the U.S. membership within BIE, costs for states to bid and host will be decreased by half and provide long-term savings for U.S. businesses interested in participating in future expos, both domestically and internationally.

Finally, expeditious renewal of United States membership in the BIE will return the United States to the decision-making body for future World's Fairs and Expos, offsetting the growing influence of other countries, such as China.

The Office of Management and Budget has no objection to the views expressed in this letter.

Thank you for your consideration in this matter.

Sincerely,

JOSEPH E. MACMANUS,
Bureau of Legislative Affairs.

EXPOUSA, THE UNITED STATES
WORLD'S FAIRS COUNCIL,
April 19, 2017.

Hon. ED ROYCE,
Chairman, House Foreign Affairs Committee,
Washington, DC.
Hon. ELIOT ENGEL,
Ranking Member, House Foreign Affairs Committee,
Washington, DC.

DEAR CHAIRMAN ROYCE AND RANKING MEMBER ENGEL: On behalf of ExpoUSA and Minnesota's World's Fair Bid Committee, we write in support of The U.S. Wants to Compete for a World Expo Act (H.R. 534). This bill authorizes the United States to rejoin Bureau of International Exhibitions (BIE), the organization that coordinates World's Fairs, also known as Expos. Renewing membership in the BIE will promote public diplomacy, U.S. exports and travel and tourism. It will also ensure that U.S. cities wanting to host Expos will have that opportunity to compete against cities around the world. H.R. 534 has gained bipartisan and national support.

While the U.S. has not hosted a World's Fair in more than 30 years, there's been a surge of local interest over the past few years. Houston, San Francisco, Los Angeles, Las Vegas, and Philadelphia have actively considered bidding for future Expos, and the U.S. Government gave official support for Minnesota's bid to host a World's Fair in 2023 focused on health and wellness. After passing a rigorous review by the United States Commerce Department, State Department, and the White House, the State Department formally recommended Minnesota's bid to the BIE. Minnesota will now compete against Buenos Aires, Argentina and Lodz, Poland. Voting will take place at the BIE General Council meeting in November 2017.

Under current rules, the BIE is required to discriminate against bids from non-member countries if there are competing proposals from member countries. Since Argentina and Poland are BIE members, the U.S. must rejoin the BIE in order for Minnesota to compete against these foreign bidders when the BIE makes its recommendations to the selection committee in May. Therefore, Congress must pass legislation authorizing the Secretary of State to rejoin the BIE by May 13, 2017 in order for Minnesota's bid to be viable.

Expos held in the U.S. are local initiatives that are funded entirely by the private sector; therefore no taxpayer money will be

used to pay for Expo 2023. Additionally, if Congress acts to rejoin the BIE, ExpoUSA stands ready to pay the costs of BIE membership with private sector funds, including membership dues both past and current, in order to save money by reducing fees and to give Minnesota and the U.S. a renewed voice in the BIE.

World's Fairs are the largest gatherings held on the planet, generating billions of dollars in economic activity for the region and country in which they are held. Expo 2023 will attract 12 million visitors, generating 22,000 jobs in the upper Midwest region, paying an annual wage of \$47,000, and another 18,000 jobs nationwide in the tourism, travel, and hospitality sectors. Total economic impact in the Twin Cities metropolitan area will be \$1.4 billion. International visitor spending will total \$581 million, and on average will stay 6 days in Minnesota and another 5 days in other locations around the United States.

We ask for your support in expeditiously moving legislation authorizing the United States to rejoin the BIE.

Thank you for consideration of our request and for your interest in helping cities like Minneapolis/St. Paul bid on future World's Fairs.

Sincerely,

MARK RITCHIE,
President and CEO,
Minnesota World's
Fair Bid Committee,
Board Member,
ExpoUSA.

MANUEL DELGADO,
Chairman, ExpoUSA.

Mr. ROYCE of California. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. EMMER). He is the author of this bill. He has worked very hard preparing this legislation for passage.

Mr. EMMER. Mr. Speaker, I thank the chairman for yielding. I thank Chairman ED ROYCE, Ranking Member ENGEL as well, and the entire staff on the Committee on Foreign Affairs for working to get this important legislation to the floor today.

Mr. Speaker, when many Americans look back in our Nation's history, they remember the iconic nature of the 1962 World's Fair in Seattle or the 1939 and 1964 World's Fairs in New York. Those events highlighted the best the United States had to offer in science, technology, and innovation, all while bringing visitors and revenue to this great country.

While the United States remains a global leader in these fields, our country has been noticeably absent over the past three decades when it comes to hosting a World's Fair. In fact, New Orleans was the last city in the United States to host a World's Fair in 1984. But it is time for that to change and to bring this incredible event back to our great country.

Thankfully, in recent years there has been an upsurge of local interest in hosting a World's Fair. Exploratory committees in Houston, Los Angeles, Las Vegas, Minneapolis, Philadelphia, and San Francisco are actively considering bidding to host a future World's

Fair. Currently, my home State of Minnesota is competing against Argentina and Poland to do just that, with the goal of hosting the 2023 World Expo. However, under the current rules, the Bureau of International Expositions will not give bids submitted by a nonmember country the same consideration as those from a country who is a member of the organization.

For those of you who may not know, the Bureau of International Expositions is the intergovernmental organization in charge of overseeing and regulating World Expos. Despite being one of the founding members in 1928, the United States has not been a member since 2001. The U.S. must renew its membership so Minneapolis and every city across the country can have an opportunity to host a World's Fair.

That is why I have introduced and I am happy to see H.R. 534 under consideration before the House today. The U.S. Wants to Compete for a World Expo Act provides the Secretary of State with the authority to rejoin the Bureau of International Expositions so that U.S. cities can compete against foreign cities to host a World Expo. The 6-month World Expo, held every 5 years, can draw millions of visitors and generate billions of dollars in tourism, construction, and other job-creating economic activity, all while promoting exports of U.S. products around the world.

In Minnesota's case, a 2016 economic analysis conducted by Rockport Analytics found that hosting the 2023 World Expo will attract 12 million visitors, create almost 22,000 jobs, yield \$185.3 million in State and local tax revenue, and generate \$1.5 billion in total economic benefits. This legislation also has safeguards for protecting taxpayers and ensuring proper use of funds. Recognizing the difficult fiscal climate our country currently faces, H.R. 534 authorizes the use of private funds to pay outstanding as well as future membership dues. It also maintains taxpayer safeguards which prohibit tax dollars from being used to fund a United States pavilion or exhibit at an international exposition or World's Fair.

By approving this legislation today, we will give American cities the ability to compete with other cities around the world to host future Expos and World's Fairs where we can showcase American innovation and success while continuing to be wise stewards of the taxpayers' hard-earned dollars.

Again, I thank Chairman ROYCE and Ranking Member ENGEL in helping bring this legislation to the floor today. I urge my colleagues on both sides of the aisle to support this legislation, and I look forward to bringing the next World's Fair back to the United States.

Ms. BASS. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

World Expos are designed to showcase a nation's products, the technology, the innovative spirit. And what nation on Earth produces more innovative products and technology than the United States or has a better or more skilled workforce?

Simply put, when Americans compete in the world on an even footing, America wins. It is therefore in our interest to once again compete to host a World Expo.

This bill does that by empowering our fellow citizens to mount competitive private bids to bring a World Expo to the U.S., and it does so while maintaining a sound legal requirement that participation in Expos continue to be privately funded. It goes further to permit private funding for the relatively modest cost to rejoin the BIE. That is why this measure has the support of Members from both parties and the administration, which has written that H.R. 534 is consistent with the President's policy to promote domestic job growth and American innovation.

I urge my colleagues to vote "yes" on this measure and give our fellow Americans the chance to compete and win a World Expo for America. I again thank the bill's committed sponsors, Representatives TOM EMMER and BETTY MCCOLLUM. I want to give a special thanks to Sean O'Neill, a detailee on my staff, whose skill and dedication have made today's consideration of this measure possible.

Mr. Speaker, I yield back the balance of my time.

Mr. PAULSEN. Mr. Speaker, it's been more than three decades since the United States hosted a World's Fair, even as there has been a recent upsurge in local and national interest to do so. Under rules from the Bureau of International Expositions, the U.S. is effectively prevented from hosting Expos and World's Fairs because we are no longer a part of the organization.

That's why I'm joining with my fellow Minnesotans, led by Congressman EMMER, and a bipartisan coalition to authorize the U.S. to rejoin the BIE. This effort also urges U.S. government assistance in advancing Minnesota's bid to host EXPO 2023.

I believe my home state of Minnesota is the perfect place to usher in a new era for American membership in the BIE. Business, civic, and community leaders in Minnesota have already created the Minnesota's World's Fair Bid Committee to start preparing for this unique opportunity to show what our state, our region, and our country have to offer.

We should work with the appropriate federal departments and agencies, and take the necessary steps to ensure the United States rejoins the BIE so that we are not at a disadvantage and so our great cities and states can experience being on display on the world stage.

Ms. MCCOLLUM. Mr. Speaker, I rise today in strong support of the U.S. Wants to Compete for a World Expo Act (H.R. 534).

World Expos are gatherings of millions of people from around the globe exploring ideas, innovation and international understanding. A World Expo is a six month long event that highlights the very best that the host city and nation has to offer in science, technology, innovation, and culture. It is no wonder that states and cities across the United States are interested in competing on the global stage and hosting a World Expo. A city that hosts a World Expo instantly becomes a global destination.

My home state of Minnesota is competing against Buenos Aires, Argentina and Lodz, Poland to host the 2023 World Expo. Minnesota's bid intends to focus on health innovation based on the theme "Wellness and Well-Being for All." Minnesota's healthcare industry is advanced, global, and innovative—and it deserves the spotlight. Hosting the World Expo in 2023 would be a remarkable event for the people of my state.

Unfortunately, an American state or city competing to host a World Expo is currently at an almost insurmountable disadvantage because the United States is not a member of the Bureau of International Expositions (BIE)—the governing body for World Expos. Unless Congress affirmatively authorizes the State Department to rejoin the BIE, from which the United States withdrew almost two decades ago, it is unlikely that Minnesota or any other state or city will be awarded a World Expo.

The U.S. Wants to Compete for a World Expo Act is a bipartisan effort that levels the playing field. It authorizes the Secretary of State to take the steps to rejoin the BIE immediately. By ending this harmful self-imposed isolation from the BIE, the United States will once again be in a position to host a World Expo and showcase the innovation, culture, and beauty of our great nation.

Mr. Speaker, I urge my colleagues to support H.R. 534, legislation that lets our country compete for the many benefits provided by hosting a World Expo.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 534, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1745

RELATING TO EFFORTS TO RESPOND TO THE FAMINE IN SOUTH SUDAN

Mr. ROYCE of California. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 187) relating to efforts to respond to the famine in South Sudan, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 187

Whereas on February 20, 2017, famine was formally declared in parts of South Sudan;

Whereas South Sudan is the world's newest nation and for the past three years has experienced an ongoing armed conflict and the deliberate hindrance by the Government of South Sudan of humanitarian access to opposition communities in need;

Whereas due to this deliberate action on the part of the Government of South Sudan and the armed opposition to prolong the conflict South Sudan is experiencing a "man-made" famine currently affecting 100,000 people;

Whereas according to the United States Agency for International Development (USAID) food insecurity is already prevalent in South Sudan and the ongoing conflict is exacerbating the situation;

Whereas the United Nations has reported that 4,900,000 people, over 40 percent of the population, are in urgent need of food, agriculture, and nutritional assistance;

Whereas there are 1,900,000 Internally Displaced Persons (IDPs) residing in South Sudan and according to the United Nations High Commission for Refugees (UNHCR) an average of approximately 2,400 South Sudanese refugees arrive in Uganda every day;

Whereas 1,000,000 children in South Sudan are suffering from malnutrition in part due to the deliberate actions of the Government of South Sudan, at the same time according to United Nations International Children's Emergency Fund (UNICEF) there are more than 17,000 child soldiers forced into combat;

Whereas an anticipated 5,500,000 people are at risk for starvation by mid-year and without urgent humanitarian intervention civilians will continue to die from acute malnutrition and millions more will remain at risk;

Whereas failure to act prior to the upcoming rainy season May to August, will further impede humanitarian efforts;

Whereas the areas where famine has been declared have seen some of the most intense fighting;

Whereas USAID has been a leading provider of humanitarian support to South Sudan, including more than 620,000 tons of life-saving food assistance since the conflict broke out in 2013; and

Whereas support provided by the Food and Agriculture Organization of the United Nations (FAO), UNICEF, and the World Food Program have been critical in reducing the number of civilians at risk of severe malnutrition: Now, therefore, be it

Resolved, That the House of Representatives—

(1) it is the sense of the House of Representatives that—

(A) the Administrator of the United States Agency for International Development should continue to provide immediate and robust assistance to respond to the famine in South Sudan by providing food and other essential resources and to collaborate with international relief organizations, such as World Food Program and others in an effort to reach vulnerable populations; and

(B) the Administrator of the United States Agency for International Development should be encouraged to continue to provide desperately needed and locally appropriate food aid through the Food for Peace and Emergency Food Security Programs; and

(2) the House of Representatives—

(A) calls upon the Government of South Sudan to declare and observe a cessation of hostilities to allow food and essential supplies to reach affected civilians;

(B) urges specifically that the Government of South Sudan allow immediate and unrestricted humanitarian access to southern

Unity, where the famine is currently underway;

(C) condemns all threats and violence against civilian populations and aid workers, including the over 70 humanitarian aid workers killed since the conflict began and the brutal attack by the South Sudanese military on humanitarian aid workers, including Americans, at the Terrain Camp in July 2016;

(D) condemns the multiple instances in which security forces have looted humanitarian assistance destined for civilians in need; and

(E) supports effort of the United States Government, working with partners in the international community, including the United Nations, the African Union, and the European Union, to facilitate humanitarian access to affected areas, and encourages greater diplomatic pressure on the parties to return to the negotiation table to stop the violence, and to allow full humanitarian access.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentlewoman from California (Ms. BASS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include any extraneous material in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in July of 2011, all of us here celebrated the establishment of the world's newest nation. Finally, South Sudan had emerged after more than 20 years of brutal suppression by the government in Khartoum and a war that saw some of the worst human rights atrocities of our time. They emerged out of that.

Tragically, though, the celebration was short-lived. By December of 2013, a long-simmering rivalry between two leaders—South Sudan's ethnic Dinka President and ethnic Nuer Vice President—exploded in violence, and South Sudan became embroiled in yet another deadly civil conflict.

Today, over 100,000 people are starving to death; 5.5 million people—half of the population—are at risk of starving by July; and 3.6 million people have been displaced by conflict and famine with 7,000 newly displaced South Sudanese crossing the Ugandan border each and every week.

In February, famine was declared in two of the areas that have experienced the heaviest fighting.

Let's be clear: the famine unfolding across South Sudan is completely man-made. The leaders who have unleashed this horror upon the citizens that they are meant to represent—Salva Kiir and

Riek Machar—have plundered billions of dollars in oil revenues and donor investment, manipulated ethnic tensions, and armed proxy militias. They have, as we can share with you, recruited child soldiers, killed U.N. peacekeeping forces, and forcibly displaced millions of their citizens—civilians who have been run from their homes.

Lifesaving humanitarian supplies have been looted by the government and by the opposition. The government has blocked humanitarian access through bureaucratic manipulation and through sheer brute force. Humanitarian workers have been deliberately targeted. They have been abused, raped, and murdered with impunity. Yes, humanitarian workers. South Sudan is now the most dangerous place in the world for humanitarians.

It is also the most dangerous place for their own citizens because they are treated the same way by these two so-called leaders. And those South Sudan leaders have, in effect, become exactly like the government in Khartoum that their people fought against for decades.

This is appalling. This is unconscionable. It cannot stand. Congress, working with our Ambassador to the United Nations, Nikki Haley, and many other concerned countries, must make sure those who bear responsibility for this calamity are held to account through sanctions and other tools.

Mr. Speaker, I thank the gentlewoman from California (Ms. BASS), the ranking member of the Africa, Global Health, Global Human Rights, and International Organizations Subcommittee, for introducing this timely and important resolution, which seeks to bring attention to the humanitarian catastrophe unfolding in South Sudan, because in South Sudan it gets worse by the day. It has not mattered what arguments we have brought to bear against the President and the Vice President. Many world leaders and many of us have had these arguments face-to-face.

This resolution makes clear that the U.S. Agency for International Development should have the flexibility to tailor their response by using market-based food aid where appropriate, and U.S. commodities where needed. We need to ensure that food is not being used as a weapon in this civil war, and flexible food aid can help.

I urge all Members to join me in supporting this resolution and, more importantly, in continuing to demonstrate the compassion of the American people through lifesaving humanitarian assistance. Deep, arbitrary cuts to U.S. humanitarian assistance programs at a time when we are facing famine in four countries beset by violence—including countries where we are fighting designated terrorist groups—would be reckless and irresponsible. Millions of lives are hanging in the balance. It is in the U.S. interest

to respond in South Sudan, just as it is in these other countries.

Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to express my strong support for H. Res. 187, Relating to Efforts to Respond to the Famine in South Sudan, as amended, which passed out of the Foreign Affairs Committee, and has received bipartisan support.

As always, Mr. Speaker, I thank and appreciate the leadership of Chairman ROYCE, Chairman SMITH, and Ranking Member ENGEL.

The United Nations has declared what is going on now in four countries as potentially the worse humanitarian crisis since the U.N. was formed in 1945. Famine has been declared in one country, and three others are at risk of famine. Famine might be averted in Somalia if the rains come. In Nigeria and Yemen, famine might be averted if the world acts in time.

But South Sudan, which is the world's newest nation, is currently experiencing famine. The United Nations defines famine as meaning over 20 percent of the population has access to only 2,100 calories per day. Thirty percent of children are malnourished. And 2 to 4 people die per day because of lack of food. Tragically, South Sudan meets all three conditions.

Over the years, the U.S. has played a leadership role in the region. The U.S. has helped South Sudan throughout their struggle for independence, and has tried to help the world's newest nation over the last several years before and during the conflict.

The tragedy is the people of South Sudan are in the midst of a famine, not because of a drought or other natural disaster, but because of ongoing conflict. There is heavy responsibility on all sides of the fighting. There is no innocent party here.

In South Sudan, the U.N. has reported roughly 5 million people who are in urgent need of food and nutritional assistance. There are almost 2 million internally displaced persons in camps in South Sudan, and 2,400 South Sudanese refugees arrive in Uganda every single day.

If the world does not act, 5 million people will be at risk for starvation by mid-2017. Without urging humanitarian intervention, more civilians will continue to die from acute malnutrition, and millions more will remain at risk.

If we fail to act prior to the upcoming rainy season, which is May to August, this will create additional problems that will further impede humanitarian efforts. Unfortunately, the areas where famine has been declared have also seen some of the most intense fighting.

The amendment to H. Res. 187 calls for USAID to continue providing desperately needed and locally appropriate food aid through the Food for

Peace and Emergency Food Security Programs, and calls on the Government of South Sudan to declare and observe a cessation of hostilities to allow food and essential supplies to reach affected civilians.

The resolution urges the Government of South Sudan to allow immediate and unrestricted humanitarian access to the southern unity region, where the famine is currently underway.

The amendment also condemns all threats and violence against civilian populations and aid workers, including over 70 humanitarian aid workers that have been killed since the conflict began.

The resolution condemns the brutal attack by the South Sudanese military on humanitarian aid workers, including Americans at the Terrain Camp in July of last year.

The resolution condemns the multiple instances in which security forces have looted humanitarian assistance destined for civilians in need, and supports the effort of the U.S. Government working with partners in the international community, including the U.N., the African Union, and the European Union, to facilitate humanitarian access to affected areas, and encourages greater diplomatic pressure on the parties to return to the negotiation table to stop the violence and to allow full humanitarian access.

Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. SMITH), the chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the distinguished chairman for yielding and for his leadership. I especially thank my good friend and colleague, Ms. BASS, for this resolution.

Mr. Speaker, last August, my staff director Greg Simpkins and I visited Juba, South Sudan, to press President Salva Kiir, his Vice President, the minister of defense, and five of his top generals to end the civil war, protect innocent lives, and reverse the conditions causing rampant disease and severe malnutrition that could soon lead to a famine.

Mr. Speaker, just 2 months ago, famine was formally declared in South Sudan. I especially asked President Kiir to personally intervene and issue and enforce an executive order of zero tolerance on rape and sexual abuse by his soldiers and security personnel against mostly humanitarian aid workers and civilians. I told the President that it was unconscionable in the extreme that South Sudanese soldiers had raped, beaten, and murdered humanitarian aid workers in July at the Terrain compound. One of those work-

ers that was sexually assaulted, as it turned out, was from my own district. I didn't know until 3 days before leaving on that trip that she was in the compound and came close to being raped and it was the intervention of other forces that precluded her from suffering that horrible trauma, but she was, indeed, severely traumatized.

I asked him for a review to hold people to account and put them in prison—yes, there have been arrests, but there have been no prosecutions yet—and, again, to issue a zero tolerance policy.

On March 28, I chaired a hearing on the famine and the growing crisis in South Sudan, which is also being chaired by some of the other neighboring countries in the region.

Matt Nims, the acting director of the Office of Food for Peace testified that for 3 years the international community has employed massive efforts to stave off famine in South Sudan. Yet, as conflict intensified, the food security situation continued to deteriorate. And he said:

This is a man-made crisis and the direct consequence of prolonged conflict.

Ken Isaacs, the vice president of Samaritan's Purse—and Samaritan's Purse has an extensive footprint in South Sudan doing unbelievably great humanitarian work—testified:

The most significant driver of the current crisis in the worst hit areas of South Sudan, however, is the political insecurity and brutal conflict that continues to engulf the region. In South Sudan alone, 1.85 million people have been internally displaced because. Because of this, many people are calling this a man-made famine, and it is hard to argue with that assessment.

Today, the United Nations reports that two-thirds of South Sudan's population requires humanitarian assistance, and almost 5 million people—more than 40 percent of the population—are in urgent need of food, agriculture, and nutritional assistance.

Clearly, the Government of South Sudan and the rebels they face are more interested in winning and holding territory than in finding ways to feed and nurture their people and allow humanitarian access. Two months ago, there were 70 humanitarian-access incidents reported, causing suspension of operations in multiple locations. Aid workers are being targeted in South Sudan, where eight Samaritan's Purse workers were kidnapped and later released in February, and six African aid workers in South Sudan were killed in March.

Stephen O'Brien, the head of the U.N. Office for the Coordination of Humanitarian Affairs, accused South Sudan's Government of blocking foods and medicines and restricting U.N. peacekeepers from protecting civilians. He described active hostility, access denials, and bureaucratic impediments to humanitarian organizations serving that beleaguered nation. This is a man-

made crisis. This resolution puts us on record and, again, encourages our administration and the world to do more to end it.

Ms. BASS. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. CROWLEY), my good friend and Democratic Caucus chairman.

Mr. CROWLEY. Mr. Speaker, I thank the gentlewoman for yielding to me. I want to recognize the bipartisan support for this resolution. It heartens me. I know of the great work of the gentlewoman from California (Ms. BASS) for quite some time, as well as others on the other side of the aisle, on this issue.

She, along with the Sudan Caucus, the Africa Subcommittee, and the CBC Africa Task Force have been working every day in a very tenacious way to draw attention to this issue and demand a strong international response.

□ 1800

Mr. Speaker, there is no doubt that this is a crisis. I agree with my colleague and friend from New Jersey (Mr. SMITH): it is a manmade crisis.

The United Nations is reporting that the current situation in a number of countries in Africa and the Middle East constitutes the most serious humanitarian crisis since its founding over 70 years ago. In South Sudan alone, 100,000 people are in a state of famine as we speak, and up to 5 million more are in serious danger of being in famine. These are men, women, and children who are in danger of not having enough food and water.

The simple fact is, without international aid and assistance, people will die—many people will die. But it doesn't have to be this way. The world is smart enough and resourceful enough to ensure that the worst of this tragedy can be prevented before the situation gets further out of hand, but it is going to take a full-court press by this administration, by the State Department, and by the international community.

I grew up in Queens, New York, in an Irish-American family. At an early age, I learned of the Great Hunger in Ireland that killed more than 1 million people and forced more than 2 million more to flee. Those Irish didn't have to die just because a potato crop went bad.

In Ireland at the time, food was actually being exported out of Ireland while people starved. So it was starvation not only because of food loss, but also because of politics and repression—very much the same situation that exists in parts of Africa and in Yemen—and only politics could ultimately change the underlying conditions in Ireland.

Now, we need both aid and political pressure to help stop this famine and all of the ongoing famines now. So I urge my colleagues on both sides of the

aisle to support this legislation. I urge that the State Department: Seize the bull by the horns and take action. Don't let history look back on America and say: Why did you not do enough while millions starved? Let history reflect the goodness of the heart of the American people, which I know exists.

To this day, the people of Ireland remember the sultans from the then-Ottoman Empire that helped. They remember the Choctaw Nation, who gave \$700 during the 1840s to help the starving Irish.

Let America be that shining country in the future when Africa looks back and says: Who was there to help? Let it be America. That is the American way. Working with our allies, America will succeed in preventing this famine if we move expeditiously.

Mr. ROYCE of California. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PAYNE).

Mr. PAYNE. Mr. Speaker, 100,000 people in South Sudan are at risk of starvation. Turmoil in the country could push another 5.5 million people into life-threatening hunger by summer. This hunger crisis in Sudan is man-made, the result of a civil war that has decimated the agriculture and destroyed the economy, and it will take humanitarian action to fix it.

I am proud to be a cosponsor of H. Res. 187, introduced by Congresswoman KAREN BASS. This resolution aids the people of South Sudan by increasing emergency assistance to address the famine, and it calls on the Government of South Sudan to allow unrestricted humanitarian access to displaced and starving populations.

I urge my colleagues to pass this resolution. It is essential that the South Sudanese Government and opposition forces cease their inhumane blocking of humanitarian workers and permit the delivery of assistance to the South Sudanese. Millions of lives are at stake.

As my late father, Donald Payne, the Member in this seat prior to me, fought for this Nation to exist over a decade of work here in the Congress, to now see what is going on, he was able to get the situation in Darfur labeled a genocide. I hope the next generation of Paynes does not have to do the same thing in South Sudan.

Mr. ROYCE of California. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 4 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), my good friend and colleague and the chair of the Nigeria Caucus.

Ms. JACKSON LEE. Mr. Speaker, I thank the distinguished lady for her commitment and this very important resolution, and the opportunities to meet with her and advocate as she convenes the South Sudan and Sudan Cau-

cus and works as the ranking member on the Foreign Affairs Committee, Subcommittee on Africa, with our chairman, Mr. SMITH; and, of course, I thank Mr. ROYCE and Mr. ENGEL, leading the full committee; and those who came to the floor, Mr. CROWLEY, and certainly Mr. PAYNE, who has a legacy that he is holding in such high esteem by his own leadership.

I was in South Sudan with the late Congressman Donald Payne as the right to return was implemented, and the individuals who were fleeing Sudan came with joy and tears. As they exited the buses that were bringing them in, they clearly were joyful. This was a homecoming.

We look forward to a great recognition of the assets and minerals and various wealth that Sudan, South Sudan could have to help all of its people and even to try and help those still in Darfur even though in Sudan.

We met with the then-President and Vice President, who have now turned it into an enormous conflict and rising up against each other and killing and causing people to flee.

And so I want to congratulate Congresswoman BASS for this resolution, for us to be on record relating to efforts to respond to the famine in South Sudan. And I take this moment just to read this story about a woman who is an example of what the fear and fright is:

"By day, Mary Nyarac scours swamps for fish and edible water lilies. When darkness falls and South Sudan's militias retreat to their bases, she and hundreds of others fleeing a 3-year civil war slip onto dry land and tend crops to stave off famine.

"Prowling hyenas pose a threat during Nyarac's nighttime harvests, but they worry her less than the armed men who can appear in daytime, the 20-year-old said as she sat beneath neem trees in the northern county of Leer, one of two areas in South Sudan where the United Nations in February made the world's first declaration of famine since 2011. She and other residents are facing a catastrophe that's being echoed by looming mass food shortages in Somalia, Yemen, and northern Nigeria."

This is devastating—an article in Bloomberg News—100,000 in those counties, 5 million all throughout Sudan and South Sudan, but it is in all of Sub-Saharan Africa.

So I believe that this resolution brings all of us together—Republicans and Democrats—and makes the statement of the United States House of Representatives, then on to the Senate, and then for the President to make the statement, as Congresswoman BASS so aptly states in this resolution, to let humanitarian aid come in. Let there be food that will reach those starving, and particularly the children, that are apt to die in this region.

It is well-known, as well, that women are not treated in the way that they should be, and I look forward to working with Congresswoman BASS on H.R. 48 that deals specifically with the rights of women and providing them with human rights and women's participation in leadership. That is certainly missing.

But now people are starving, and so I would ask my colleagues to join me in supporting H. Res. 187, relating to efforts to respond to the famine in South Sudan and be reminded of Mary, who scours swamps for fish and edible water lilies, if at all possible, and fears the onslaught of violence during the day. They cannot live this way. They can only die this way.

Mr. Speaker, support H. Res. 187 so that we can save lives.

Mr. Speaker, as a member of the South Sudan Caucus, and the sponsor of H.R. 48, the "Equal Rights and Access for the Women of South Sudan Act," I rise in strong support of H. Res. 187, a resolution directing the United States Agency for International Development (USAID) to increase emergency assistance to respond to the famine in South Sudan.

On February 20, 2017 famine was declared formally in two counties of Unity State, which is located in the northern region of South Sudan.

The United Nations currently estimates that more than 100,000 people in two Unity State counties are directly affected by the famine.

In addition, food security experts are concerned that famine will spread.

According to expert analyses, in the absence of urgent humanitarian action, as many as 4.9 million South Sudanese, about 40 percent of the country's population, face the grim and certain prospect of starvation.

In 1998 the region suffered from a famine spurred by civil war and approximately 70,000 to several hundred thousand people died during that famine.

Although South Sudan has previously experienced wide-spread food insecurity, the present famine crisis is different because it is almost entirely man-made.

South Sudan is the world's newest nation, located in the center of Africa and bordered by six countries.

It is rich in oil, but following decades of civil war it is also one of the least developed regions on earth—only 15% of its citizens own a mobile phone and there are very few tarmac roads in an area larger in land mass than Spain and Portugal combined.

This makes the Nile River, which flows through regional centers, an important transport and trade route.

Since South Sudan overwhelmingly voted to break away from Sudan in 2011, the government's main concern has been to get oil flowing following disagreements with the regime in Khartoum.

There have been a few small armed rebellions, border clashes and deadly cattle feuds but these have all taken place far from the capital city of Juba.

Signs of friction within the governing party, Sudan People's Liberation Movement (SPLM),

came when President Salva Kiir, an ethnic Dinka, the country's largest group, fired his deputy Riek Machar, who is from the second largest tribe, the Nuer.

President Kiir believes Mr. Machar was behind a coup plot to oust him and seize power.

Mr. Machar denies the accusations, but has publicly criticized Mr. Kiir for failing to tackle corruption and vowed to challenge President Kiir for leadership of the SPLM.

It is not clear what led to the breach in their relationship but what started out as a political squabble has escalated into ethnic violence.

The loyalties of the South Sudan army are divided with each of the principals commanding significant military support and forces loyal to each man have clashed around the country.

And some of the most intense fighting has taken place in areas where famine is most severe.

Compounding matters, Mr. Speaker, South Sudan is awash with guns after decades of conflict and there is a history of ethnic tension for politicians to exploit if they believe that could help them gain, or remain in, power.

It is against this backdrop that USAID is coordinating proactively and closely with the United Nations, the African Union, the European Union, and others to address South Sudan's food insecurity.

Complicating this situation is the fact that while the Government of South Sudan has reportedly promised access to the most at-risk areas, humanitarian organizations remain unable to provide vital food, water and shelter in many locations.

Mr. Speaker, the actions of South Sudan Government in prohibiting humanitarian assistance from getting to starving communities has undermined the most proactive attempts by the United States and others to address what has now become a famine.

H. Res. 187 calls on South Sudan's leaders to put their petty disputes aside and to put the well-being of their people first.

The resolution condemns all threats and violence against civilian populations and aid workers, including the over 70 humanitarian aid workers killed since the conflict began and the brutal attack by the South Sudanese military on humanitarian aid workers, including Americans, at the Terrain Camp in July 2016.

In addition, H. Res. 187 expresses support for the efforts of the United States Government, working with partners in the international community, including the United Nations, the African Union, and the European Union, to facilitate humanitarian access to affected areas, and encourages greater diplomatic pressure on the parties to return to the negotiation table to stop the violence, and to allow full humanitarian access to displaced and starving populations, and to cease violations of humanitarian principles.

Finally, Mr. Speaker, let me conclude by observing that while bringing an end to the civil war and humanitarian relief the famine-stricken in South Sudan must be our first order of business, it is also very important to note that all of us who worked to secure its independence want the country to succeed and become a productive and constructive member of the community of nations.

That is why I have reintroduced the "Equal Rights and Access for the Women of South

Sudan Act" (H.R. 48), which promotes the human rights of women in South Sudan as the country transitions to a long-term government and to ensure women enjoy the right to participate fully in the political and economic life of the country.

Despite its newly won independence women in South Sudan continue to face brutal violations of their human rights.

A lack of infrastructure as well as gender inequality has the potential to regress much of the progress that has been made in South Sudan.

Such a lack of human development factors only furthers the marginalization of women in South Sudan:

1. Inadequate health care has resulted in high maternal and infant mortality rates in South Sudan; the maternal mortality rate is one of the highest in the world with 1,054 deaths per 100,000 live births.

2. Additionally, literacy rates for women are staggeringly low; over 80% of women and girls in South Sudan are illiterate.

3. The violence stemming from the conflict has led some traders to suspend their market presence resulting in food commodity price increases as much as 30 percent in high-conflict regions.

The "Equal Rights and Access for the Women of South Sudan Act" puts equal rights and access for the women of South Sudan at the forefront by:

1. Encouraging the appointment of women to high level positions within Republic of South Sudan Government;

2. Ensuring that a significant portion of United States development, humanitarian, and relief assistance is channeled to local and United States-based South Sudanese organizations, particularly South Sudanese women's organizations;

3. Providing long-term financial assistance for primary, secondary, higher, nontraditional, and vocational education for South Sudanese girls, women, boys, and men;

4. Providing financial assistance to build health infrastructure and deliver high-quality comprehensive health care programs, including primary, maternal, child, reproductive, and mental health care;

5. Requiring military training regarding the protection, rights, and particular needs of women and emphasizing that violations of women's rights are intolerable and should be prosecuted; and

6. Taking all necessary steps to ensure that internally displaced South Sudanese women are directly receiving food aid, shelter, relief supplies, and other services from United States-sponsored programs.

Mr. Speaker, as a nation, we should support the Republic of South Sudan in its efforts to become a freer, more equitable society that respects, supports, and endorses the rights of women.

I look forward to working with Congresswoman BASS, the Ranking Member of the Foreign Affairs Subcommittee on Africa, members of the South Sudan Caucus, and all Members of the House to pass the "Equal Rights and Access for the Women of South Sudan Act" and send it to the President's desk for signature.

But before we can do that, we must end the man-made famine and alleviate the humanitarian suffering now ongoing in South Sudan.

That is why I strongly support H. Res. 187 and urge all Members to join me in voting for this important resolution.

Mr. ROYCE of California. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. SUOZZI), my fellow colleague on the Foreign Affairs Committee.

Mr. SUOZZI. Mr. Speaker, I rise in support of H. Res. 187, sponsored by my colleagues, Ranking Member BASS and Chairman SMITH, and I applaud their and Chairman ROYCE's and Ranking Member ENGEL's continued bipartisan attention to this oft-neglected part of the world.

South Sudan faces a famine of Biblical proportions which compels us to act. As the world's newest country, South Sudan's entry on the world stage has been fraught with disaster. A drought caused by climate change, which has become all too familiar in this part of the world, has, since December 2013, been coupled with politically and ethnically fueled violence which has destroyed the infrastructure as well as the economy. This has escalated drought into famine.

Across the African Continent and the globe, climate change and extreme weather result in drought and the loss of farmland. Families are forced to leave their homes in the countryside to seek work in the cities. The work is not there. Incompetent and/or corrupt governments fail to address the needs, and civil unrest devolves into violence. Countries are destabilized.

Here in South Sudan, the newness of the nation, the government's efforts to stamp out civil unrest—especially from nonruling tribes—and military forces let loose upon their fellow countrymen has resulted in death, destruction, and destabilization.

With nearly 3.5 million people displaced and at least 50,000 dead, the international community, including the United States, has responded with humanitarian aid to try and address the potential for 5.5 million humans at risk for starvation by midyear.

However, last month the U.N. reported 79 incidents of aid being either stolen or otherwise blocked. Eighty-two aid workers have been killed since the start of the conflict, and around half of those deaths have occurred in the last 2 years alone. Additionally, the upcoming rainy season will further impede delivery of humanitarian aid.

For too many reasons, the hunger exists.

USAID is a leading provider of humanitarian aid, including more than 620,000 tons of food assistance since 2013.

□ 1815

This resolution calls on the government of South Sudan to cease hostilities and allow aid to flow unrestricted.

In the Gospel of Matthew, Jesus teaches: "I was hungry, and you fed me. Lord, when did we see you hungry and feed you? Truly I tell you, whatever you did for the least of my brothers, you did for me."

In an effort to both stabilize the region and to feed those dying of hunger, I strongly urge my colleagues to support H. Res. 187.

Mr. ROYCE of California. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BASS. Mr. Speaker, I have no more speakers. I propose to close.

Mr. Speaker, this crisis can be stopped in its tracks. There is no need for millions to die. The world needs to step up as it did in the Ebola crisis.

The U.S. needs to continue to lead. Our contribution is vital and is based on the size of our economy and the fact that other countries who are not as fortunate contribute in different ways. But the entire world should and does participate.

In 2011, 200,000 people had to die in Somalia before the world took notice and acted. This should never happen again.

Mr. Speaker, I ask for an "aye" vote, and I yield back the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, many of us knew President John Garang who tragically died after many years of trying to secure freedom for the people of South Sudan, tragically died in a helicopter crash.

He was the father of his country. He was also one who always championed peaceful coexistence among the tribes in South Sudan. He was very different than obviously the current competing warlords for that position.

I had worked with DON PAYNE's father. DON PAYNE, JR., spoke of this issue of the genocide resolution. We passed that resolution through this House together. As a matter of fact, we brought it before the Human Rights Council. DON PAYNE and I traveled up to New York to raise this issue.

What is shocking to us about the current circumstances in South Sudan is the effort being undertaken by the world community in order to try to step in and provide some measure of peace. Of course, we have talked today about what has happened to the people of South Sudan, what has happened to our own aid workers there.

But if we reflect for a minute that Rwandans have lost their lives there, when we were dealing with this genocide issue in Sudan, we took Don Cheadle, the actor who portrayed Paul Rusesabagina, who was also with us on that trip.

We went into Sudan in order to document the genocide that was going on, to speak to some of the survivors. We brought in a Nightline camera crew.

Yes, we have, in this case, brought the world community along to a certain extent. But here is part of the tragedy: those Rwandan peacekeepers were slaughtered in South Sudan. So were Chinese peacekeepers. So were Indian and Kenyan and Fiji and Danish peacekeepers. So were Egyptian and Ethiopian and Bangladeshi peacekeepers. So were Benin and Burkina Faso, and Chad and Mongolia. So were peacekeepers from Nepal and Nigeria and Norway, and the Philippines and Pakistan.

And this is the kind of attitude that we see from these warlords against their own people and against others who try to come in to keep the peace.

And this is why, frankly, in addition to this resolution, it is time—and I know the support is there in the Security Council, I know now there is the support—to cut off the arms and the ammunition going in to South Sudan that helps fuel these warlords.

We have heard the passion and dedication of Congresswoman BASS of California. Of course, she has worked with Mr. SMITH of New Jersey, the chairman of the Subcommittee on Africa, to shine a light on this crisis. As always, I appreciate the assistance of Mr. ENGEL, the ranking member.

I share the anguish of my colleagues in seeing the aspirations of South Sudan citizens dashed by kleptocrats and warlords, certainly not in the tradition of John Garang, warlords bent on maintaining power at any cost. The blood of countless civilians is on their hands, and the people of South Sudan deserve better.

Mr. Speaker, in closing, I would like to recognize the bravery and selflessness of the humanitarians who are working to save lives and bring an end to the suffering that has been imposed upon the people of South Sudan.

I have personally met with humanitarian workers who have been held at gunpoint, who have been threatened, who have been abused in the worst ways. I have met with people who have carried food and medicine on their backs through swamps because there were no roads.

Without their commitment, without their sacrifice, countless lives would have now been lost. And while they don't do this work for the accolades, they deserve our recognition and thanks here tonight.

I urge Members to join me in honoring them today by supporting this timely resolution.

Mr. Speaker, I yield back the balance of my time.

Ms. MOORE. Mr. Speaker, I rise in strong support of H. Res. 187 and to express my growing alarm that we have millions around the globe on the verge of starvation despite the fact that we live in a world that produces more than enough food to feed all its inhabitants.

H. Res. 187 rightfully calls for the U.S. Agency for International Development (USAID)

to continue to provide emergency relief (food and other essential resources) to those affected in South Sudan. It also calls on USAID to collaborate with international relief organizations and others to ensure that aid gets where it is most needed. The resolution also condemns violence and threats against aid workers assisting those in need and calls on the leaders of South Sudan to cease the fighting so that these resources may reach those who need them.

This resolution focuses on the situation in South Sudan where 7.5 million are at imminent risk. But unfortunately, at least 20 million people around the world are facing severe food shortages as a result of below-average rainfall and conflict. That is equivalent to the populations of the States of Connecticut, Iowa, Utah, Mississippi, Arkansas, Nevada, Kansas, and New Mexico combined. And conflicts in South Sudan, Yemen, Nigeria, and Somalia are making bad situations even worse.

People are starving and we cannot stand by and watch. I implore my colleagues to support U.S. leadership and funding to address this dire situation. That's what this resolution is about. The United States has the ability to save the lives of tens of millions of people and this resolution is crystal clear that we should do so.

The U.S. cannot end these crises by itself. However, my conscious—and I hope that all of my colleagues would not be clear knowing that I could have done more as a Member of Congress to respond to the suffering and deaths of millions of innocent adults and children across the world facing starvation. This resolution and the recognition of the problem is a good start. I urge my colleagues to also support the inclusion of additional funding in the FY 2017 funding bill that we may consider this week to prevent widespread famine and cut off suffering from hunger as an obvious next step. It is also vital that we provide adequate resources in FY 2018 as well to save the lives of men, women and children.

I want to thank my colleague, Congresswoman KAREN BASS, for her leadership and focus on this issue as well as Congressman DONALD PAYNE, Jr. and Rep. CHRIS SMITH. I also want to thank the Chairman and Ranking Member of the Foreign Affairs Committee, Mr. ROYCE and Mr. ENGEL for their leadership and efforts as well.

Now is the time for the U.S. to illustrate its global leadership and act to save lives.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, H. Res. 187, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROYCE of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 6 o'clock and 21 minutes p.m.), the House stood in recess.

□ 1831

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DUNCAN of Tennessee) at 6 o'clock and 31 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Res. 187, by the yeas and nays;

H.R. 876, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

RELATING TO EFFORTS TO RESPOND TO THE FAMINE IN SOUTH SUDAN

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 187) relating to efforts to respond to the famine in South Sudan, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, as amended.

The vote was taken by electronic device, and there were—yeas 411, nays 2, not voting 16, as follows:

[Roll No. 222]

YEAS—411

Abraham	Bilirakis	Buck
Adams	Bishop (MI)	Buchson
Aderholt	Bishop (UT)	Budd
Aguilar	Black	Burgess
Allen	Blackburn	Bustos
Amash	Blum	Butterfield
Amodel	Blumenauer	Byrne
Arrington	Blunt Rochester	Calvert
Babin	Bonamici	Capuano
Bacon	Bost	Carbajal
Banks (IN)	Boyle, Brendan	Cárdenas
Barletta	F.	Carson (IN)
Barr	Brady (PA)	Carter (GA)
Barragán	Brady (TX)	Carter (TX)
Barton	Brat	Cartwright
Bass	Bridenstine	Castor (FL)
Beatty	Brooks (AL)	Castro (TX)
Bera	Brooks (IN)	Chabot
Bergman	Brown (MD)	Chaffetz
Beyer	Brownley (CA)	Cheney
Biggs	Buchanan	Chu, Judy

Cicilline	Hanabusa	McHenry	Shea-Porter	Thompson (MS)	Walorski
Clark (MA)	Harper	McKinley	Sherman	Thompson (PA)	Walters, Mimi
Clarke (NY)	Harris	McMorris	Shimkus	Thornberry	Walz
Clay	Hartzer	Rodgers	Shuster	Tiberi	Waters, Maxine
Cleaver	Hastings	McNerney	Simpson	Tipton	Watson Coleman
Clyburn	Heck	McSally	Sinema	Titus	Weber (TX)
Coffman	Hensarling	Meadows	Smith (MO)	Tonko	Webster (FL)
Cohen	Herrera Beutler	Meehan	Smith (NE)	Torres	Welch
Cole	Hice, Jody B.	Meeks	Smith (NJ)	Trott	Wenstrup
Collins (GA)	Higgins (LA)	Meng	Smith (TX)	Tsongas	Westerman
Collins (NY)	Higgins (NY)	Messer	Smith (WA)	Turner	Williams
Comer	Hill	Mitchell	Smucker	Upton	Wilson (FL)
Comstock	Himes	Moolenaar	Speier	Valadao	Wilson (SC)
Conaway	Hollingsworth	Mooney (WV)	Stefanik	Vargas	Wittman
Connolly	Hoyer	Moulton	Stewart	Veasey	Womack
Conyers	Hudson	Mullin	Stivers	Vela	Woodall
Cook	Huffman	Murphy (FL)	Suozi	Velázquez	Woodall
Cooper	Huizenga	Murphy (PA)	Swalwell (CA)	Visclosky	Yoder
Correa	Hultgren	Nadler	Takano	Wagner	Yoho
Costa	Hunter	Napolitano	Taylor	Walberg	Young (AK)
Costello (PA)	Hurd	Neal	Tenney	Walden	Young (IA)
Courtney	Issa	Noem	Thompson (CA)	Walker	Zeldin
Cramer	Jackson Lee	Nolan			
Crawford	Jayapal	Norcross			
Crist	Jeffries	Nunes	Jones	Massie	
Crowley	Jenkins (KS)	O'Halleran			
Cuellar	Jenkins (WV)	O'Rourke			
Culberson	Johnson (GA)	Olson			
Cummings	Johnson (LA)	Palazzo	Bishop (GA)	Lee	Sires
Curbelo (FL)	Johnson (OH)	Pallone	Davis, Danny	Loudermilk	Slaughter
Davidson	Johnson, E. B.	Palmer	Farenthold	Marino	Soto
Davis (CA)	Johnson, Sam	Panetta	Frankel (FL)	Moore	Wasserman
Davis, Rodney	Jordan	Pascarell	Gutiérrez	Newhouse	Schultz
DeFazio	Joyce (OH)	Paulsen	Holding	Rohrabacher	
DeGette	Kaptur	Payne			
Delaney	Katko	Pearce			
DeLauro	Keating	Pelosi			
DelBene	Kelly (IL)	Perlmutter			
Demings	Kelly (MS)	Perry			
Denham	Kelly (PA)	Peters			
Dent	Kennedy	Peterson			
DeSantis	Khanna	Pingree			
DeSaulnier	Kihuen	Pittenger			
DesJarlais	Kildee	Pocan			
Deutch	Kilmer	Poe (TX)			
Diaz-Balart	Kind	Poliquin			
Dingell	King (IA)	Polis			
Doggett	King (NY)	Posey			
Donovan	Kinzing	Price (NC)			
Doyle, Michael	Knight	Quigley			
F.	Krishnamoorthi	Raskin			
Duffy	Kuster (NH)	Ratcliffe			
Duncan (SC)	Kustoff (TN)	Reed			
Duncan (TN)	Labrador	Reichert			
Dunn	LaHood	Renacci			
Ellison	LaMalfa	Rice (NY)			
Emmer	Lamborn	Rice (SC)			
Engel	Lance	Richmond			
Eshoo	Langevin	Roby			
Espallat	Larsen (WA)	Roe (TN)			
Esty (CT)	Larson (CT)	Rogers (AL)			
Evans	Latta	Rogers (KY)			
Faso	Lawrence	Rokita			
Ferguson	Lawson (FL)	Rooney, Francis			
Fitzpatrick	Levin	Rooney, Thomas			
Fleischmann	Lewis (GA)	J.			
Flores	Lewis (MN)	Ros-Lehtinen			
Fortenberry	Lieu, Ted	Rosen			
Foster	Lipinski	Roskam			
Fox	LoBiondo	Ross			
Franks (AZ)	Loeb	Rothfus			
Frelinghuysen	Lofgren	Rouzer			
Fudge	Long	Roybal-Allard			
Gabbard	Love	Royce (CA)			
Gaetz	Lowenthal	Ruiz			
Gallagher	Lowey	Ruppersberger			
Gallego	Lucas	Rush			
Garamendi	Luetkemeyer	Russell			
Garrett	Lujan Grisham,	Rutherford			
Gibbs	M.	Ryan (OH)			
Gohmert	Luján, Ben Ray	Sánchez			
Gonzalez (TX)	Lynch	Sanford			
Goodlatte	MacArthur	Sarbanes			
Gosar	Maloney,	Scalise			
Gottheimer	Carolyn B.	Schakowsky			
Gowdy	Maloney, Sean	Schiff			
Granger	Marchant	Schneider			
Graves (GA)	Marshall	Schrader			
Graves (LA)	Mast	Schweikert			
Graves (MO)	Matsui	Scott (VA)			
Green, Al	McCarthy	Scott, Austin			
Green, Gene	McCaul	Scott, David			
Griffith	McClintock	Sensenbrenner			
Grijalva	McCollum	Serrano			
Grothman	McEachin	Sessions			
Guthrie	McGovern	Sewell (AL)			

NAYS—2

NOT VOTING—16

Bishop (GA)	Lee	Sires
Davis, Danny	Loudermilk	Slaughter
Farenthold	Marino	Soto
Frankel (FL)	Moore	Wasserman
Gutiérrez	Newhouse	Schultz
Holding	Rohrabacher	

□ 1852

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SOTO. Madam Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 222.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 25, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a copy of the Certificate of Election received from the Honorable Kris W. Kobach, Secretary of State of Kansas, indicating that, at the Special Election held on April 11, 2017, the Honorable RON ESTES was duly elected Representative in Congress for the Fourth Congressional District, State of Kansas.

With best wishes, I am,
Sincerely,

KAREN L. HAAS,
Clerk.

SWEARING IN OF THE HONORABLE RON ESTES, OF KANSAS, AS A MEMBER OF THE HOUSE

The SPEAKER. Will Representative-elect ESTES and the members of the Kansas delegation present themselves in the well.

All Members will rise and the Representative-elect will please raise his right hand.

Mr. ESTES appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now a Member of the 115th Congress.

WELCOMING THE HONORABLE RON ESTES TO THE HOUSE OF REPRESENTATIVES

The SPEAKER. Without objection, the gentlewoman from Kansas (Ms. JENKINS) is recognized for 1 minute.

There was no objection.

Ms. JENKINS of Kansas. Mr. Speaker, I rise this evening to congratulate my good friend and our new House colleague, RON ESTES.

I have known RON and his wife, Susan, for many years. I can tell you, he is truly one of the nicest guys you will ever want to know.

RON and I share a common bond, having served as State treasurers in Kansas, and I have watched him serve in that role well.

With a nation \$20 trillion in debt, it is always nice to add a fellow conservative to Congress to help fix the debt and get our economy on the right fiscal track, which I know RON is committed to doing.

He has dedicated his entire life to bold innovations and efficiency, reform, and problem solving in both the public and the private sector. Kansans in the Fourth District can be proud of their new Congressman, and I look forward to working with Congressman RON ESTES on behalf of Kansans.

Mr. Speaker, I yield to the gentleman from Kansas (Mr. ESTES), our newest colleague.

Mr. ESTES. Mr. Speaker, I thank Congresswoman JENKINS and our entire Kansas delegation, and thank you to all the Members for serving.

I also want to thank my wife, Susan Estes, who is up in the gallery tonight.

My mother, Lou Estes, is also up there, my son, Brent Estes, and my daughters, Laura Estes and Grace Estes.

As you all know, you can't run an election and you can't serve without the support of family and friends, so I appreciate the effort that they put in on my behalf. I look forward to serving with you. This is an honor to be a public servant and to work with you in the Chamber.

I want to mention that my background, both in the private sector before I was elected county treasurer and then State treasurer, was to focus on

how to make things more efficient and how do we get things done. The message that came through in the election was that the voters in my district, like the voters in your district, want to see us accomplish things and want to get them done.

I appreciate the time, I appreciate the opportunity, and I look forward to serving with you to accomplish things for our country.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentleman from Kansas (Mr. ESTES), the whole number of the House is 431.

AVIATION EMPLOYEE SCREENING AND SECURITY ENHANCEMENT ACT OF 2017

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 876) to amend the Homeland Security Act of 2002 to reform programs of the Transportation Security Administration, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion offered by the gentleman from New York (Mr. KATKO) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 0, not voting 21, as follows:

[Roll No. 223]

YEAS—409

Abraham	Boyle, Brendan	Chu, Judy
Adams	F.	Cicilline
Aderholt	Brady (PA)	Clark (MA)
Aguiar	Brady (TX)	Clarke (NY)
Allen	Brat	Clay
Amash	Bridenstine	Cleaver
Amodei	Brooks (AL)	Clyburn
Arrington	Brooks (IN)	Coffman
Babin	Brown (MD)	Cohen
Bacon	Brownley (CA)	Cole
Banks (IN)	Buchanan	Collins (GA)
Barletta	Buck	Collins (NY)
Barr	Bucshon	Comer
Barragán	Budd	Comstock
Barton	Burgess	Conaway
Bass	Bustos	Conyers
Beatty	Butterfield	Cook
Bera	Byrne	Cooper
Bergman	Calvert	Correa
Beyer	Capuano	Costa
Biggs	Carbajal	Costello (PA)
Bilirakis	Cárdenas	Courtney
Bishop (GA)	Carson (IN)	Cramer
Bishop (UT)	Carter (GA)	Crawford
Black	Carter (TX)	Crist
Blackburn	Cartwright	Crowley
Blum	Castor (FL)	Cuellar
Blumenauer	Castro (TX)	Culberson
Blunt Rochester	Chabot	Cummings
Bonamici	Chaffetz	Curbelo (FL)
Bost	Cheney	Davidson
		Davis (CA)
		Davis, Rodney
		DeFazio
		DeGette
		Delaney
		DeLauro
		DelBene
		Demings
		Denham
		Dent
		DeSantis
		DeSaulnier
		DesJarlais
		Deutch
		Diaz-Balart
		Dingell
		Doggett
		Donovan
		Doyle, Michael
		F.
		Duffy
		Duncan (SC)
		Duncan (TN)
		Dunn
		Ellison
		Emmer
		Engel
		Eshoo
		Espallat
		Estes (KS)
		Esty (CT)
		Evans
		Farenthold
		Faso
		Ferguson
		Fitzpatrick
		Fleischmann
		Flores
		Fortenberry
		Foster
		Fox
		Franks (AZ)
		Frelinghuysen
		Fudge
		Gabbard
		Gaetz
		Gallagher
		Galleo
		Garamendi
		Garrett
		Gibbs
		Gohmert
		Gonzalez (TX)
		Goodlatte
		Gosar
		Gottheimer
		Gowdy
		Granger
		Graves (GA)
		Graves (LA)
		Graves (MO)
		Green, Al
		Green, Gene
		Griffith
		Grijalva
		Grothman
		Guthrie
		Hanabusa
		Harper
		Harris
		Hartzer
		Hastings
		Heck
		Hensarling
		Herrera Beutler
		Hice, Jody B.
		Higgins (LA)
		Higgins (NY)
		Hill
		Himes
		Hollingsworth
		Huffman
		Huizenga
		Hultgren
		Hunter
		Hurd
		Issa
		Jackson Lee
		Jayapal
		Jeffries
		Jenkins (KS)
		Jenkins (WV)
		Johnson (GA)
		Johnson (LA)
		Johnson (OH)
		Johnson, E. B.
		Johnson, Sam
		Jones
		Jordan
		Kaptur
		Katko
		Keating
		Kelly (IL)
		Kelly (MS)
		Kelly (PA)
		Kennedy
		Khanna
		Kihuen
		Kildee
		Kilmer
		Kind
		King (IA)
		King (NY)
		Kinzing
		Knight
		Krishnamoorthi
		Kuster (NH)
		Kustoff (TN)
		Labrador
		LaHood
		LaMalfa
		Lamborn
		Lance
		Langevin
		Larsen (WA)
		Latta
		Lawrence
		Lawson (FL)
		Levin
		Lewis (GA)
		Lewis (MN)
		Lieu, Ted
		Lipinski
		LoBiondo
		Loeb
		Lofgren
		Long
		Loudermilk
		Love
		Lowenthal
		Lowey
		Lucas
		Luetkemeyer
		Lujan Grisham,
		M.
		Luján, Ben Ray
		Lynch
		MacArthur
		Maloney,
		Carolyn B.
		Maloney, Sean
		Marchant
		Marshall
		Massie
		Mast
		Matsui
		McCarthy
		McCaul
		McClintock
		McCollum
		McEachin
		McGovern
		McHenry
		McKinley
		McMorris
		Rodgers
		McNerney
		McSally
		Meadows
		Meehan
		Meeks
		Meng
		Messer
		Mitchell
		Moolenaar
		Mooney (WV)
		Moulton
		Mullin
		Murphy (FL)
		Murphy (PA)
		Nadler
		Napolitano
		Neal
		Noem
		Nolan
		Norcross
		Nunes
		O'Halleran
		O'Rourke
		Olson
		Palazzo
		Pallone
		Palmer
		Panetta
		Pascarella
		Paulsen
		Payne
		Pearce
		Perlmutter
		Perry
		Peters
		Peterson
		Pingree
		Pittenger
		Pocan
		Poe (TX)
		Poliquin
		Polis
		Posey
		Price (NC)
		Quigley
		Raskin
		Ratcliffe
		Reed
		Reichert
		Renacci
		Rice (NY)
		Richmond
		Roby
		Roe (TN)
		Rogers (AL)
		Rogers (KY)
		Rokita
		Rooney, Francis
		Rooney, Thomas
		J.
		Ros-Lehtinen
		Rosen
		Roskam
		Ross
		Rothfus
		Rouzer
		Roybal-Allard
		Royce (CA)
		Ruiz
		Ruppersberger
		Rush
		Russell
		Rutherford
		Ryan (OH)
		Sánchez
		Sanford
		Sarbanes
		Scalise
		Schakowsky
		Schiff
		Schneider
		Schrader
		Schweikert
		Scott (VA)
		Scott, Austin
		Scott, David
		Sensenbrenner
		Serrano
		Sessions
		Sewell (AL)
		Shea-Porter
		Sherman
		Shimkus
		Shuster
		Simpson
		Sinema
		Smith (MO)
		Smith (NE)
		Smith (NJ)
		Smith (TX)
		Smith (WA)
		Smucker
		Soto
		Speier
		Stefanik
		Stewart
		Stivers
		Suozi
		Swalwell (CA)
		Takano
		Taylor
		Tenney
		Thompson (CA)
		Thompson (MS)
		Thompson (PA)
		Thornberry
		Tiberi
		Tipton
		Titus
		Tonko
		Torres
		Trott

Tsongas	Walorski	Wilson (SC)
Upton	Walters, Mimi	Wittman
Valadao	Walz	Womack
Vargas	Waters, Maxine	Woodall
Veasey	Watson Coleman	Yarmuth
Vela	Weber (TX)	Yoder
Velázquez	Webster (FL)	Yoho
Visclosky	Welch	Young (AK)
Wagner	Wenstrup	Young (IA)
Walberg	Westerman	Zeldin
Walden	Williams	
Walker	Wilson (FL)	

NOT VOTING—21

Bishop (MI)	Joyce (OH)	Rohrabacher
Connolly	Larson (CT)	Sires
Davis, Danny	Lee	Slaughter
Frankel (FL)	Marino	Turner
Gutiérrez	Moore	Wasserman
Holding	Newhouse	Schultz
Hoyer	Pelosi	
Hudson	Rice (SC)	

□ 1908

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to reform programs of the Transportation Security Administration, and for other purposes."

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1695, REGISTER OF COPYRIGHTS SELECTION AND ACCOUNTABILITY ACT OF 2017

Mr. COLLINS of Georgia, from the Committee on Rules, submitted a privileged report (Rept. No. 115-95) on the resolution (H. Res. 275) providing for consideration of the bill (H.R. 1695) to amend title 17, United States Code, to provide additional responsibilities for the Register of Copyrights, and for other purposes, which was referred to the House Calendar and ordered to be printed.

MOMENT OF SILENCE HONORING FORMER REPRESENTATIVE DAWSON MATHIS

(Mr. BISHOP of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BISHOP of Georgia. Mr. Speaker, it is with a heavy heart and solemn remembrance that I rise today to pay tribute to an outstanding public servant and friend of longstanding, the Honorable Dawson Mathis. Sadly, former Congressman Mathis passed away on Monday, April 17, 2017. A memorial service will be held on Saturday, April 29, 2017, at 2 p.m. in Nashville, Georgia.

A Georgia man through and through, Dawson Mathis was born on November 30, 1940, in Berrien County, to Marvin Wilbur Mathis and Nell Dawson Abell. He attended South Georgia College, now South Georgia State College, in Douglas. Before seeking public office,

Dawson made a name for himself as the anchor and news director at WALB-TV in Albany, Georgia, from 1964 until 1970.

That year, the young 29-year-old Dawson was elected to represent Georgia's Second Congressional District in the United States House of Representatives. He served on the House Agriculture Committee where he was a staunch advocate for the farmers, ranchers, and producers of the district and the Nation. He was known for working with lawmakers across the aisle to find common ground that would best serve the interests of Americans across the country.

In 1980, Congressman Mathis ran unsuccessfully for the United States Senate. After being defeated in 1982 to regain his House seat, Congressman Mathis became a lobbyist in Washington, D.C., advocating on behalf of groups including Georgia peanut farmers.

George Washington Carver once said: "No individual has any right to come into the world and go out of it without leaving behind him distinct and legitimate reasons for having passed through it." Indeed, Congressman Dawson Mathis devoted many years of dedicated service to the people of Georgia through his meaningful contribution of energy, skill, and genuine passion, and for it, he will be remembered for years to come.

On a personal note, Congressman Mathis was one of my predecessors in serving the Second Congressional District of Georgia, and I was blessed with his friendship, counsel, and mentorship over the years. Congressman Mathis was a great Representative for southwest Georgia and rural America, and I looked up to him as an example of how a public servant should serve his constituents.

Mr. Speaker, my wife, Vivian, and I, along with the more than 730,000 residents of Georgia's Second Congressional District, salute Congressman Dawson Mathis for his outstanding public service and his everlasting commitment to improving the quality of life for our citizens. I ask my colleagues here in the House of Representatives to join us in extending our deepest condolences to Congressman Mathis' family and friends during this difficult time.

We pray that they will be consoled and comforted by an abiding faith and the Holy Spirit in the days, weeks, and months ahead.

Mr. Speaker, I ask at this time for the House to observe a moment of silence in remembrance of the late Congressman Dawson Mathis.

□ 1915

RECOGNIZING THE 17TH ANNUAL MIRACLE MAKERS FASHION SHOW AND LUNCHEON

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to recognize the Women's Committee of Big Brothers Big Sisters of Miami as the members gear up to celebrate the 17th annual Miracle Makers Fashion Show and Luncheon on April 27.

Through its mentoring programs, Big Brothers Big Sisters of Miami has given our community over 50 years of proven success in providing at-risk youth with the tools and resources to discover their true potential and thrive in their personal, academic, and professional lives.

Thanks to the invaluable dedication of its staff and volunteers, Big Brothers Big Sisters of Miami has rightfully earned its reputation as the gold standard of mentoring youngsters.

The upcoming Miracle Makers Fashion Show will highlight some of our community's most outstanding miracle makers while bringing attention to the positive impact that mentoring has on our youth.

I encourage all south Floridians who want to give back to our community to lend their time and their support to Big Brothers Big Sisters of Miami. Together, we can make a brighter future for all.

INDEPENDENT COMMISSION NEEDED

(Mr. KRISHNAMOORTHY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KRISHNAMOORTHY. Mr. Speaker, today, as a member of the House Oversight Committee, I had the opportunity to view classified documents related to General Michael Flynn's disturbing foreign financial relationships.

I am very proud that Chairman CHAFFETZ and Ranking Member CUMMINGS worked together in a bipartisan fashion to bring those documents before our committee. The issue of Russian interference in our democracy is an issue that affects everyone. I hope that all Members will have the chance to review these critical materials.

While the information in these documents is classified, I remain profoundly disturbed by the additional questions they raised. Unfortunately, I also remain very concerned about how they are being portrayed by the White House.

This growing credibility gap between the administration and the American people only underscores the need for an independent commission to uncover all

the facts. I am heartened, however, that today, Chairman CHAFFETZ and Ranking Member CUMMINGS came together in a bipartisan fashion regarding this issue.

COAL REGULATIONS

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, there has been a lot of talk lately about President Trump's first 100 days in office.

The first 100 days of an administration offer a chance to watch a new President turn proposed policy changes into reality. In southwestern Pennsylvania, we are seeing President Trump fulfill his pledge to end the war on coal, and we are seeing real change.

For example, the very day that President Trump signed legislation overturning one of former President Obama's anti-coal rules, a coal company in Somerset County announced it would open a brand-new coal mine that will create at least 70 new middle class jobs. It would be great if President Trump can make it out to the mine's grand opening ceremony scheduled for June 8.

I have met with miners as their mines were closed during the previous administration, and I listened to their stories as they worried about their kids and paying their mortgages.

It is a new day, Mr. Speaker, and I look forward to more employment opportunities being created as we begin to roll back the job-killing regulations in Washington, D.C.

REJECT DANGEROUS CUTS

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, last week in Michigan, I toured the Bay Area Women's Center, which provides emergency shelter and counseling to survivors of domestic violence or sexual violence and their children. I toured the Women's Center to get a better understanding of their important work and see what they do and how they would be impacted by President Trump's proposed budget cuts.

Two-thirds of the Women's Center's budget comes from Federal grants through the Violence Against Women Act, one of the first bills I cosponsored. I saw it signed into law by President Obama.

I am concerned that the cuts that President Trump has proposed would effectively eliminate the important lifesaving care and rescue this organization provides to women, children, and others facing domestic violence. There are 15,000 citizens in mid-Michigan who could lose access to these lifesaving, important services.

What kind of country are we if we don't provide this sort of support to our most vulnerable citizens at the moment of their need?

We need to reject these dangerous cuts.

GE'S ECONOMIC IMPACT IN NORTH CAROLINA

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, tomorrow, GE will hold its 2017 Annual Meeting of Shareowners in Asheville, North Carolina. The company will also be celebrating its 125th anniversary.

GE likes to hold its shareowners meeting in a different city each year to highlight the company's strong presence in communities across the United States. It certainly has significant business operations in North Carolina.

GE supports nearly 18,000 jobs in the State between its direct employees and its suppliers. For every one GE job, three North Carolina jobs are supported. The company also generates \$7.2 billion in total production output per year in North Carolina, and compensates its employees more than twice the State average.

GE makes this investment in our great State because it knows that the workers in North Carolina, especially those at the GE facility in West Jefferson, in the Fifth District, work hard and have a commitment to excellence.

AUTISM AWARENESS MONTH

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, I rise today in recognition of Autism Awareness Month.

It is shocking to know that at least 1 in 68 children have been identified with autism spectrum disorder in the United States. My own family has been affected by this situation with my nephew Joshua, who is now 20 years old, a bright and energetic young man who is autistic.

Mr. Speaker, early detection and treatment plans are crucial to the development of a child's social, behavioral, and communications skills. As such, we must invest in the research of new interventions, provide support to families and caregivers, and fund programs that assist those living with autism well into adulthood. Right now, especially when they age into adulthood, those resources are not there.

Mr. Speaker, Sesame Street recently introduced a character with autism named Julia to teach audiences about inclusion. This month is part of a larger conversation about autism derived from a place of positivity.

I am hopeful that Julia can help convey such a message to our youth, and I

will continue supporting programs that help people with autism and their families by providing the tools they need to succeed.

CONGRATULATING WESLEY SO ON HIS CHESS CHAMPIONSHIP

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise today to recognize Wesley So of Minnetonka, Minnesota, who earlier this month became the United States chess champion. At 23 years of age, Wesley is already one of the world's top chess grandmasters.

In St. Louis, for the U.S. Chess Championship, Wesley So and his opponent went into a playoff after a two-way tie for first place. In the two-game playoff, So won the first game handily and was able to force a draw in the second game with a perpetual check with his knight. He extended his no-loss streak to 67 games, one of the longest runs in the game's history.

Mr. Speaker, Wesley So has quickly made a name for himself in the world of chess since coming to America from the Philippines 5 years ago. He is now the world's number two ranked player and is in prime position to play the world's top player, Norway's Magnus Carlsen.

Congratulations to Wesley So on an impressive run of dominance. We will be cheering for him as he continues to work on becoming the first American chess grandmaster in more than 40 years.

AVOID GOVERNMENT SHUTDOWN

(Mr. CARBAJAL asked and was given permission to address the House for 1 minute.)

Mr. CARBAJAL. Mr. Speaker, I rise today to urge this Congress to work together to avoid a shutdown of the Federal Government this week.

We must pass a clean funding bill that Members from both parties can support, without any ideological riders. We cannot allow the American public and central coast families in my district to foot the bill resulting from partisan gridlock. A shutdown would mean disrupting economic growth and potentially triggering job losses across the country, as we experienced in the partisan 2013 shutdown.

A shutdown damages both our economy and national security. It is vital that this Congress put forward a clean funding resolution. It would be irresponsible for us to engage in partisan political games with the funding of our Federal Government.

HONORING NANCY LOMBARDO ON HER RETIREMENT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to congratulate Nancy Lombardo on her well-deserved retirement.

Nancy is the executive officer for the Clearfield County League on Social Services in Pennsylvania's Fifth Congressional District. For the past nearly 20 years, she has been instrumental in leading several programs that the league provides for the betterment of local communities.

Nancy manages several programs, including Child Care Information Services of Clarion, Clearfield, and Jefferson Counties; Children First, which is a seminar for divorced parents to help cope with divorce and how it affects their children; Safe Haven, which provides a safe meeting place for custodial parents to have their children visit with the noncustodial parent; as well as the Child and Adult Care Food Program.

Nancy has given her time to numerous boards to advocate for children's needs, day care services, child advocacy centers, children youth services, and more. She has been a valuable and dedicated leader to the league for many years, and she will be missed.

On behalf of the Congress of the United States, I wish Nancy Lombardo all the best in her retirement.

EDUCATION FUNDING IN THE PRESIDENT'S BUDGET

(Mrs. TORRES asked and was given permission to address the House for 1 minute.)

Mrs. TORRES. Mr. Speaker, our children are this Nation's greatest asset. Our future is in their hands. We have to make sure that they have the tools they need to lead our country and tackle whatever challenges the future holds.

This is why I was shocked the President's budget makes drastic cuts to education—cuts that will have the biggest impact on kids who need our help the most.

In my district, a quarter of our kids live in poverty, with parents working long hours and multiple jobs just to make ends meet. Yet President Trump wants to cut before- and afterschool programs, as well as over \$4 million in programs to hire and train teachers and reduce class size.

As this Congress crafts our budget, I ask my Republican colleagues to reject these cuts and to truly invest in our future. We will never make America great if we leave our kids behind.

NATIONAL DONATE LIFE MONTH

(Mr. COMER asked and was given permission to address the House for 1 minute.)

Mr. COMER. Mr. Speaker, I rise today to bring awareness to April being National Donate Life Month.

There are currently 117,992 people who need lifesaving organ transplants. Of those, there are nearly 1,000 Kentuckians on that list. To put it in perspective, every 10 minutes, someone is added to that list.

Despite advances in medicine, there continues to be a gap between supply and demand. On average, 22 people die each day while waiting for a transplant. Kentucky legislation passed in 2006 enabling its residents to have their wishes documented through the Kentucky Organ Donor Registry. By joining the registry, an individual's wishes are documented electronically in a safe and secure database. Several States have also created their own registry.

Ninety-five of Americans are in favor of being a donor, but only 54 percent are registered. This is why registering to be an organ donor is so important.

Mr. Speaker, I would also like to recognize my field representative, Amelia Wilson, who received a liver transplant in 2005, and is currently awaiting a second transplant. Amelia, my longtime friend and a fellow Monroe County native, resides in Livingston County with her husband, Allen Wilson.

After courageously undergoing her first transplant, Amelia has dedicated herself to advocating for organ donation. We are lucky to have her serving the First District as our field representative. Beyond her service to Kentucky, her activism for this noble cause is what truly elevates her as an advocate, friend, and servant of the First District.

During National Donate Life Month, I encourage everyone to remember the bravery and diligence of people like Amelia. This April, please consider the importance of donating life.

□ 1930

WE MUST AVOID A GOVERNMENT SHUTDOWN

(Mr. BEYER asked and was given permission to address the House for 1 minute.)

Mr. BEYER. Mr. Speaker, I rise to urge my colleagues to do everything in our power to avoid a government shutdown. Federal workers protect our public health and environment, they deliver our mail, they help our businesses and home buyers, and they keep us safe. Shutting down the government would suspend their paychecks, damage their morale, and shut off the essential services they provide.

My friend, Mr. WITTMAN, and I have drafted legislation to protect the pay of Federal employees in case Congress

and the White House fail to reach an agreement. I urge my colleagues on both sides of the aisle to cosponsor the Federal Employee Retroactive Pay Fairness Act.

This bill is unusual. Usually you do everything you can when you introduce a bill to get it passed. You work hard to get it written into law. But this bill, I will do everything I can to prevent it from being considered because, if it becomes law, it means that Congress has failed and we have shut down our government.

Republicans hold the White House and both Chambers of the Congress, so what happens next is up to them. I hope my friends here will have nothing to do with the White House plan to hold hostage the budget agreement and payments to stabilize health insurance rates. I urge my colleagues to act swiftly and responsibly to work out a bipartisan funding bill and avoid a government shutdown.

ESSENTIAL AIR SERVICE FUNDING CUTS

(Mr. BERGMAN asked and was given permission to address the House for 1 minute.)

Mr. BERGMAN. Mr. Speaker, I rise on behalf of communities across Michigan's First District that depend on Essential Air Service funding for industry, mobility, and economic success. I believe that, when it comes to protecting taxpayer dollars, we as Congress have a fiduciary responsibility to the American people. We owe it to them to evaluate what is working and what isn't and make the appropriate adjustments.

The Essential Air Service program is a great example of a program that is working, and I am proud to support it. EAS grants make it possible for 8 of the 10 airports in Michigan's First District to provide reliable air services, promote economic stability and job growth, and support a healthy tourism industry in the Upper Peninsula and throughout northern Michigan.

The benefits that this program provides to small towns and cities in Michigan and across the United States are well worth the investment, and I look forward to working with my colleagues in Congress to ensure full Essential Air Service funding.

HONORING THE LIFE OF SHARON GIESE

(Mr. BIGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BIGGS. Mr. Speaker, I rise today to commemorate the life of Sharon Giese. Sharon passed away unexpectedly in Arizona last week, a few short days after the death of her husband, Burt.

Sharon was a respected, admired, and cherished member of our community. She had a long history of promoting conservative principles, and everyone she touched will miss her steady voice. Sharon Giese was a steadfast icon of the conservative movement in Arizona and a former Republican National Committeewoman.

Mr. Speaker, I pray that the family of Burt and Sharon will receive peace in remembering their lives of purpose and distinction. These two individuals made a difference for Arizona and for the causes they dedicated themselves to. Burt and Sharon left behind a wonderful legacy for their family, community, church, and State.

Like Sharon, we do not have knowledge of the moment of our life's final breath, but we are exhorted to run with endurance the race that is set before us. Sharon Giese ran her race with an abundance of endurance and inspired countless individuals around her. Her example will be celebrated and her loss mourned.

AUTISM SPEAKS OUT

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, I rise tonight to recognize the beginning of World Autism Month. I am wearing this blue pin to raise awareness for those impacted by autism around the country.

There are over 70 million people with autism worldwide, with more children diagnosed each year than with AIDS, diabetes, and cancer combined. This disease impairs the ability for folks to communicate and socialize. This April, it is my goal to join forces with my House colleagues to recognize what has become the fastest growing serious developmental disorder in the United States, one that early intervention can greatly help.

On average, having a child with autism costs a family \$60,000 per year, an expense that many families cannot afford but are left with no choice. School-based services provide vital education and developmental tools for children with autism, but what happens when the schooldays are over? Once a child with autism reaches the age of 18, many families face a services cliff. They are no longer able to access the care they need.

As we work to reform health care in this 115th Congress, we must ensure that individuals have access to the affordable treatment they need and improve the outcomes for youth who are transitioning out of the school system as well. Go to autismspeaks.org, and let's deal with and work for quality of life improvements for these folks. I urge my House and Senate colleagues to do the same.

MAKE IT IN AMERICA

The SPEAKER pro tempore (Mr. FITZPATRICK). Under the Speaker's announced policy of January 3, 2017, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, the good news is this will probably be about 15—maybe 20—minutes, but it is a subject that is very, very important to all of us.

Actually, I am going to start on a slightly different subject, and that is what is wrong with this picture. A master sergeant at one of the air bases in the United States who has served for some almost 30 years, married the last 18 years to a young woman with three children. She attempted to return from deployment in the United Kingdom, had her passport removed, and she was deported to Mexico. Her children are in the United States. She served for 18 years alongside her husband as he built and maintained America's fleet of spy planes.

What is wrong with this picture, America, that a wife of a servicemember who served for 18 years alongside her husband, a master sergeant, cannot come back into the United States because of an error that was made years and years ago?

We are going to follow this up. When our generals talk about taking care of their troops, may I suggest they also take care of their spouses. We have got work to do here.

But the subject matter for tonight is a little different, although that issue is much on my mind. Some of you may have seen this on the news a month and a half ago. That is the Oroville Dam spillway. A maintenance problem not paid attention to over the years resulted in a massive failure of the spillway and put 188,000 of my constituents and Mr. LAMALFA's constituents at risk.

This is the Interstate 5 bridge in Washington State connecting the United States to Canada. It collapsed. We could put up pictures of other bridges in Minnesota, et cetera. What we are talking about tonight is infrastructure, not just about infrastructure. The President wants a trillion-dollar infrastructure program, and we await his proposal. It would be good. We would put millions of Americans to work if we were to have that infrastructure program.

But there is more to it than just infrastructure. In the last 5-year transportation bill, I was successful in working with other Members here to insert into that bill that at least 70 percent of the value in our transit systems be American made. So tonight's subject matter is really about the failing infrastructure, but it is also about making it in America.

This is a subject matter that, for 7 years, I have talked about on the floor

here: Make It In America. Our President wants to talk about this and, in fact, recently issued an executive order that says we ought to make it in America. He instructed his administration, as few as they are, to make sure that, in every effort, the Buy American provisions be honored. That has not been the case in the past. What we need to do is make certain that we make it in America, that we spend the American taxpayer money on American-made products.

Let me give you an example of what it means when you actually do that—or maybe an example of what it means when you don't do that.

Now, Californians take great pride in their State. We have the Golden Gate Bridge. We have Yosemite. We have the great industries of southern California—the entertainment, the movie industries and the rest—and we have San Francisco. We also have major policy problems. Make It In America: I want to give you two different examples.

The San Francisco-Oakland Bay Bridge, now completed. It is a beautiful bridge, and it replaces an old bridge that was built in the 1930s that was seriously deficient. However, it was made with a large, large input of Chinese steel. It actually came in \$3.9 billion over budget, but we did provide some 3,000 jobs in China, and we allowed the Chinese steel industry to build a new steel mill to be able to produce the very high-quality steel that was supposed to be in the bridge. However, the steel that they shipped wasn't exactly high quality, the welds weren't exactly good, and we wound up seriously over budget for that as well as other reasons.

So maybe Californians don't always have the position of taking pride in all that is done. This I take no pride in. This was a serious mistake by the State government, a serious mistake by the agency that ran and put this bridge into process. What would it mean if, for example, instead of trying to save 10 percent on the cost of steel, our Californian colleagues would have actually said, well, maybe those jobs should be in America and that new steel mill should be in America? Could have, should have, but it didn't happen.

Now, on the other side of the continent we have New York. Now, we Californians don't much like to talk about New York but, hey, here is something to talk about. Here is something that really worked out well.

It seems as though New York wanted a new bridge over the Hudson River, the new Tappan Zee Bridge in New York, and they made a decision: it was going to be built with American steel. Wow, what a noble thought. And all of that from New York, as opposed to California that said: Oh, let's go with China.

So what happened? The steel arrived. The steel was quality. The bridge was

built, \$3.9 billion, on budget, on time, and there was some 7,700-plus American jobs. It makes a difference when you make it in America and when your tax dollars—State, local, and Federal—are spent on American-made equipment and supplies: American steel, American jobs, an American bridge.

The Oakland Bay Bridge, San Francisco-Oakland Bay Bridge: Chinese steel, Chinese jobs, over budget, bad quality, and the story is not a good one.

So the issue of the day is: Buy American. Yes, indeed, we should and we could. Let me give you an example of what happens.

My Republican colleagues like to take on the bailout. They like to talk about how bad the American Recovery and Reinvestment Act was. It wasn't bad. It was actually very good. It could have been better if there had been more infrastructure and more Buy American, but there is one provision in the American Recovery and Reinvestment Act that really made a difference.

□ 1945

It was for the Amtrak systems. Basically, the systems here on the East Coast, the electrification. New locomotives for the East Coast corridor. Wow. Some \$700 million. I think it was 80, maybe 90 new locomotives to be built.

American companies looked at this and said: We don't build locomotives anymore. We certainly don't build diesel electric or all electric locomotives, so we will let this one go.

Well, there is that German company called Siemens.

They said: \$700 million, 80 or so locomotives.

We have a manufacturing plant out in Sacramento, California. We make light rail cars out there and transit cars.

You say: 100 percent American made? Everything from the electric motors to the brakes, to the wheels, to the paint, 100 percent American made?

The German company said: We can do that. We could make it in America.

And they did. The last train has been produced. This is the first train.

Don't tell me we can't make it in America. Don't tell me that our American taxpayer dollars should be spent in China, Japan, or someplace else. No. Build it in America. Buy American. And we will put thousands—in fact, tens of thousands of people to work.

I want to give you another example. The American maritime industry has been in a very steep decline for the last 4 decades. Following World War II, we had over 1,500 American ships. A decade ago we had over 200 ships on the ocean. Our shipyards were making LNG tankers 20 years ago, and they were American flagged. There were American mariners on those ships. Today, we have less than 80 American flag-

ships, and we don't make large commercial ships in the United States, except on rare occasions.

The maritime industry is absolutely critical for national defense.

How do you think our men, women, and equipment get to the troubled spots of the world?

You don't fly the M1 tank on an airplane. You put it on a ship. You put the trucks on a ship. You put the artillery on a ship.

But where are the American ships?

Oh, I know. We will call China and they will deliver our goods to the South China Sea. I doubt it. I don't think so.

If you are concerned about national security, you had better be thinking about the American maritime industry.

Are you thinking about it? Are you thinking what is really possible if we were to write 16 lines of law this year?

It has to do with the export of two strategic national resources: oil and natural gas.

Now operating in Texas is an LNG—liquefied natural gas—facility exporting American natural gas. They liquefy it, put it on a ship, and off it goes to somewhere in the world like China. That is okay.

It will take 100 or more LNG tank ships to meet the full export potential of that one facility when it comes fully on line. There are five other LNG export facilities licensed in the United States, one which is being built near the Washington Capital, in Maryland.

Perhaps 250–225 new liquefied natural gas tank ships are going to be needed in the next decade or so.

Are any of them to be built in America?

No, nada, none, unless we pass a piece of legislation that we call energizing American shipbuilding. There are 16 lines of law that say it is a strategic national security issue to be able to build commercial ships in the United States. The export of an equally strategic national asset—LNG and crude oil—should be on those ships.

This is not new policy. When the North Slope of Alaska opened nearly 50 years ago, it was American steel in the pipeline, it was American ships that were taking that crude oil out of Valdez, Alaska. Over the years, we kind of forgot about that and the law disappeared. Now it is not American ships and not American sailors.

We can do this. The energizing American shipbuilding piece of legislation will be introduced this week. We have some 20 or more coauthors. We want to follow what our President says about: Buy American, build it in America.

How many jobs are we talking about? Well over a couple hundred thousand in the shipyards. And if that bill passes as we have written it, that would require that the engines, the compressors, the pumps, the anchors, and the

electronic equipment be American made also. We are talking about a whole supply train throughout most every State and businesses that are as reflective as the American manufacturing sector used to be.

There is enormous potential in public policy that actually puts in place laws that build upon the strength of America, strengthening our national security, and at the same time strengthening a critical industry in America: the shipbuilding industry.

And, of course, American ships will be American flagged with American mariners.

This is a good thing for America. This is a very good thing for our national security. It is a very good thing for jobs.

For our taxpayers, what does it mean?

Well, these are commercial ships, so no direct. However, if the American shipyards are able to reconstitute their ability to build large commercial vessels, they will also be able to compete for the naval vessels and begin to give America naval construction competition in the shipyards. It is not a bad thing to have competition. That is one.

Number two. For more than 3 decades we have had the School Lunch Program, which is also the School Breakfast Program, which is a critical program that provides nutritious meals to students in our schools who would not otherwise be fed.

Now, there is one genius here that said: Well, hungry kids can learn.

Really?

I know a lot of my colleagues that can't think if they are hungry. At least that is a good reason to assume what they are actually talking about in policy. But a hungry kid will not be able to learn. They are thinking about their stomach. They are thinking about that ache. We have had the school nutrition program for some time—lunches and breakfasts.

The law says that the food should be produced in America, but the practice is different. The practice is: We will buy wherever we can.

Now, I will give you an example. A school district in Sacramento, California, whose name actually happens to be similar to the city, decided that they should purchase Chinese peaches in big cans. Yet, within 10 miles of that school there were three packing plants that produced California-grown peaches.

It turns out that the Chinese peaches have some label on it that says organic. Right. Now, there is a label you can believe. It turns out that they are really not too organic at all.

So in terms of quality, in terms of food that is produced domestically and locally, the Buy American provisions that have been in the law for the School Lunch Program and School Breakfast Program need to be observed by school districts across this Nation.

So we have introduced another bill called American Food for American Schools. It doesn't change the basic requirement that the food be American-produced food by our farmers and by our packing houses and by the facilities that take that food and bring that nutritious meal to the schools. No. It simply says that school districts can no longer ignore the law. That they are going to be required to follow the law, to report and to seek a waiver if the cost of domestically-grown peaches, peaches grown within 10 miles of the Sacramento school district, are too expensive compared to peaches that are imported from California or some other part of the world. They could seek a waiver. They could prove that those peaches are nutritious and that they are not somehow contaminated.

We have done the studies, and there is some question about whether there is or is not contamination. But I know that in California, we have the strictest laws concerning the quality of the food, both on the tree and in the can.

I want our students to have the best. If the cost is way out of line, a waiver can be sought and granted. But no more willy-nilly not paying attention to the law, which says: American food for American schools. And now there will be somebody watching to make sure that that law is followed.

I would also add that a similar bill is now being pushed through the California legislature.

So, once again, it comes back to this issue: Do you want to grow the American economy? Do you want to use our taxpayer money to support American jobs and American manufacturing? Or are you willing to just not worry about it and let the jobs go wherever they may?

I am still trying to find who it was; maybe one of my colleagues here in the House of Representatives or a Senator, but quite probably some staff person that when they wrote the American Recovery Act, they said: Great, we need new electric locomotives on the Eastern corridor. And they said: 100 percent American made. Hundreds of jobs in Sacramento building these. And the electric engines, the brakes, the steel, all the rest of it, all gathered from America, 100 percent American made.

So don't let anybody tell you it can't be done. If we write the law, it will be done. Those LNG ships, those oil tankers that will take our crude oil and ship it around the world, those can be built in America, in the American shipyards with American welders and plumbers and boilermakers and naval architects and American businesses providing the jobs here in the United States. It is possible.

But, colleagues, it takes a law. That is our business: to pass laws that support the American jobs, that support American businesses, just like the

American Recovery Act. Sixteen lines of law. The export of crude oil, the export of LNG, starting with 5 percent in the first year, and then building up to 25 percent over the next 7 years. American ships will be built, American sailors will be on it, and American jobs will be here in the United States. We can do it if we want to.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MARINO (at the request of Mr. MCCARTHY) for today and the balance of the week on account of a family medical issue.

Mr. NEWHOUSE (at the request of Mr. MCCARTHY) for today and the balance of the week on account of a family illness.

Mr. DANNY K. DAVIS of Illinois (at the request of Ms. PELOSI) for today.

ADJOURNMENT

Mr. GARAMENDI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 59 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, April 26, 2017, at 10 a.m. for morning-hour debate.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 115th Congress, pursuant to the provisions of 2 U.S.C. 25:

RON ESTES, Fourth District of Kansas.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1126. A letter from the Acting Deputy Secretary, Department of Agriculture, transmitting a report of violations of the Anti-Deficiency Act by the Department of Agriculture's (USDA) Working Capital Fund, National Finance Center managed by the Office of the Chief Financial Officer, pursuant to 31 U.S.C. 1351; Public Law 97-258; (96 Stat. 926); to the Committee on Appropriations.

1127. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Philip H. Cullom, United States Navy, and his advancement to the grade of vice admiral on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

1128. A letter from the Acting Chairman, National Credit Union Administration, transmitting the Administration's 2016 Annual Report, pursuant to 12 U.S.C. 1752a(d); June 26, 1934, ch. 750, title I, Sec. 102(d) (as amended by Public Law 95-630, Sec. 501); (92 Stat. 3680); to the Committee on Financial Services.

1129. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Patient Protection and Affordable Care Act; Market Stabilization [CMS-9929-F] (RIN: 0938-AT14) received April 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

1130. A letter from the Secretary, Department of Health and Human Services, transmitting a determination that a significant potential for a public health emergency exists that has a significant potential to affect national security or the health and security of United States citizens living abroad and that involves nerve agents or certain insecticides (organophosphorus and/or carbamate); to the Committee on Energy and Commerce.

1131. A letter from the Executive Secretary, Department of State, transmitting the Department's report covering the period from December 8, 2016 to February 6, 2017 on the Authorization for Use of Military Force Against Iraq Resolution, pursuant to 50 U.S.C. 1541 note; Public Law 107-243, Sec. 4(a); (116 Stat. 1501) and 50 U.S.C. 1541 note; Public Law 102-1, Sec. 3 (as amended by Public Law 106-113, Sec. 1000(a)(7)); (113 Stat. 1501A-422); to the Committee on Foreign Affairs.

1132. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to the Central African Republic that was declared in Executive Order 13667 of May 12, 2014, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

1133. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Yemen that was declared in Executive Order 13611 of May 16, 2012, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

1134. A letter from the Executive Secretary, Department of State, transmitting the 34th Annual Report to Congress on the Multinational Force and Observers Pursuant to Sec. 6 of Public Law 97-132, for the Period Ending January 15, 2017; to the Committee on Foreign Affairs.

1135. A letter from the Acting Secretary, American Battle Monuments Commission, transmitting the Commission's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

1136. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting two notifications of a change in previously submitted reported information, discontinuation of service in acting role, and designation of acting officer, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

1137. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting a notification on an action on nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

1138. A letter from the Secretary, Department of Transportation, transmitting the Department's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

1139. A letter from the Attorney-Advisor, Department of Transportation, transmitting sixteen (16) notifications of a federal vacancy, designation of acting officer, nomination, action on nomination, or discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

1140. A letter from the Deputy Under Secretary for Operations, NOAA, Department of Commerce, transmitting the National Oceanic and Atmospheric Administration's Chesapeake Bay Office Biennial Report to Congress for Fiscal Years 2015-2016, pursuant to 15 U.S.C. 1511d(b)(7); Public Law 102-567, Sec. 307(b)(7) (as amended by Public Law 107-372, Sec. 401(a)); (116 Stat. 3098); to the Committee on Natural Resources.

1141. A letter from the Acting Solicitor General, Department of Justice, transmitting notification that the department has taken the position of amicus curiae in *PHH Corp. v. CFPB*, No.: 15-1177 (D.C. Cir.) (filed March 17, 2017), pursuant to 28 U.S.C. 530D(a)(1); Public Law 107-273, Sec. 202(a); (116 Stat. 1771); to the Committee on the Judiciary.

1142. A letter from the Deputy Assistant General Counsel for the Division of Regulatory Services, Department of Education, transmitting the Department's final regulations — Adjustment of Civil Monetary Penalties for Inflation [Docket ID: ED-2016-OGC-0051] (RIN: 1801-AA16) received April 17, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

1143. A letter from the Secretary, Department of Education, transmitting the Department's final regulations — Adjustment of Civil Monetary Penalties for Inflation [Docket ID: ED-2016-OGC-0051] (RIN: 1801-AA16) received April 17, 2017, pursuant to 5

U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

1144. A letter from the Executive Secretary, Department of State, transmitting a report entitled "Report on Denials of Visas to Confiscators of American Property", pursuant to Sec. 2225(c) of the Foreign Affairs Reform and Restructuring Act of 1998, as contained in the Omnibus Consolidated and Emergency Supplemental Appropriations Act 1999, Public Law 105-277, 8 U.S.C. 1182d; to the Committee on the Judiciary.

1145. A letter from the Deputy CFO, NESDIS, Department of Commerce, transmitting the Department's final rule — Schedule of Fees for Access to NOAA Environmental Data, Information, and Related Products and Services [Docket No.: 161107999-6999-01] (RIN: 0648-BG39) received April 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Science, Space, and Technology.

1146. A letter from the Secretary, Department of the Treasury, transmitting the Department's report on Foreign Exchange Policies of Major Trading Partners of the United States for April 14, 2017, pursuant to 22 U.S.C. 5305; 19 U.S.C. 4421; jointly to the Committees on Ways and Means and Financial Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCCAUL: Committee on Homeland Security. H.R. 876. A bill to amend the Homeland Security Act of 2002 to reform programs of the Transportation Security Administration, and for other purposes; with amendments (Rept. 115-94). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLLINS of Georgia: Committee on Rules. House Resolution 275. Resolution providing for consideration of the bill (H.R. 1695) to amend title 17, United States Code, to provide additional responsibilities for the Register of Copyrights, and for other purposes (Rept. 115-95). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KNIGHT:

H.R. 2116. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in a series of water reclamation projects to provide a new water supply to communities previously impacted by perchlorate contamination plumes; to the Committee on Natural Resources.

By Mr. SESSIONS (for himself and Mr. PASCRELL):

H.R. 2117. A bill to amend the Employee Retirement Income Security Act of 1974 to permit multiemployer plans in critical status to modify plan rules relating to withdrawal liability, and for other purposes; to the Committee on Education and the Workforce.

By Mr. COSTELLO of Pennsylvania (for himself and Mr. PETERS):

H.R. 2118. A bill to amend the Federal Food, Drug, and Cosmetic Act to require the registration of establishments that service devices, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TED LIEU of California (for himself, Ms. PELOSI, Mr. AGUILAR, Mr. BLUMENAUER, Ms. BONAMICI, Mr. CARBAJAL, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. COHEN, Mrs. DAVIS of California, Ms. DEGETTE, Ms. DELBENE, Mrs. DEMINGS, Mr. DESAULNIER, Mr. ENGEL, Mr. ESPAILLAT, Ms. ESTY of Connecticut, Mr. GALLEGGO, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. HASTINGS, Mr. HIMES, Ms. JACKSON LEE, Ms. JAYAPAL, Mr. KEATING, Mr. KILDEE, Mr. LANGEVIN, Mr. LARSEN of Washington, Ms. LEE, Mrs. LOWEY, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Ms. MOORE, Mr. MOULTON, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. PALLONE, Mr. PANETTA, Mr. PASCRELL, Mr. PETERS, Ms. PINGREE, Mr. POCAN, Mr. QUIGLEY, Ms. ROSEN, Mr. RUSH, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SERRANO, Ms. SINEMA, Ms. SLAUGHTER, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, Ms. TSONGAS, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Mr. WELCH, Ms. BROWNLEY of California, Mr. HIGGINS of New York, Ms. ESHOO, Mr. MCGOVERN, and Mr. SCHRADER):

H.R. 2119. A bill to prohibit, as an unfair or deceptive act or practice, commercial sexual orientation conversion therapy, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PERRY:

H.R. 2120. A bill to direct the Secretary of Transportation to take actions to address issues affecting motorcoach and school bus operators, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ROTHFUS (for himself, Mr. FOSTER, and Mr. HULTGREN):

H.R. 2121. A bill to require the appropriate Federal banking agencies to revise regulations to specify that certain funds shall not be taken into account when calculating any supplementary leverage ratio for custodial banks, and for other purposes; to the Committee on Financial Services.

By Mr. MCKINLEY (for himself and Mr. DELANEY):

H.R. 2122. A bill to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving Jennings Randolph Dam; to the Committee on Energy and Commerce.

By Mr. THOMPSON of Pennsylvania (for himself, Ms. BROWNLEY of California, Mr. LOBIONDO, and Mr. ESPAILLAT):

H.R. 2123. A bill to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans through the use of telemedicine, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. SCHAKOWSKY (for herself and Mr. KRISHNAMOORTHY):

H.R. 2124. A bill to require the Secretary of Transportation to modify a regulation regarding denied boarding on an aircraft, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BRAT:

H.R. 2125. A bill to amend the Congressional Budget Act of 1974 to provide that any estimate prepared by the Congressional Budget Office or the Joint Committee on Taxation shall include costs relating to servicing the public debt, and for other purposes; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCHANAN:

H.R. 2126. A bill to strengthen welfare research and evaluation, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUDD:

H.R. 2127. A bill to amend the Labor-Management Reporting and Disclosure Act of 1959 to require employee consent before labor organization dues of such employee are used for any purpose not directly related to the labor organization's collective bargaining or contract administration functions; to the Committee on Education and the Workforce.

By Mr. DAVIDSON:

H.R. 2128. A bill to amend the Securities Exchange Act of 1934 to permit private persons to compel the Securities and Exchange Commission to seek legal or equitable remedies in a civil action, instead of an administrative proceeding, and for other purposes; to the Committee on Financial Services.

By Mr. DEUTCH:

H.R. 2129. A bill to establish the Climate Change Advisory Commission to develop recommendations, frameworks, and guidelines for projects to respond to the impacts of climate change, to issue Federal obligations, the proceeds of which shall be used to fund projects that aid in adaptation to climate change, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HARPER:

H.R. 2130. A bill to award a Congressional Gold Medal to Myrlie Evers-Williams, in recognition of the great contributions and ultimate sacrifice she and her husband, the assassinated civil rights leader Medgar Wiley Evers, made in the fight for racial equality in the United States; to the Committee on Financial Services.

By Mr. HIGGINS of Louisiana (for himself and Mr. MCCAUL):

H.R. 2131. A bill to amend the Homeland Security Act of 2002 to direct the Chief Human Capital Officer of the Department of Homeland Security to improve consistency regarding discipline and adverse actions in the Department's workforce, and for other purposes; to the Committee on Homeland Security.

By Mr. KATKO (for himself, Mr. MCCAUL, and Mrs. WATSON COLEMAN):

H.R. 2132. A bill to require the implementation of a redress process and review of the Transportation Security Administration's intelligence-based screening rules for aviation security, and for other purposes; to the Committee on Homeland Security.

By Mr. LUETKEMEYER:

H.R. 2133. A bill to provide regulatory relief to community financial institutions, and

for other purposes; to the Committee on Financial Services.

By Mr. LUETKEMEYER (for himself and Mr. SESSIONS):

H.R. 2134. A bill to amend the Endangered Species Act of 1973 to permit Governors of States to regulate intrastate endangered species and intrastate threatened species, and for other purposes; to the Committee on Natural Resources.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. GRIJALVA, Mr. NADLER, Mrs. NAPOLITANO, Ms. TSONGAS, Mr. CROWLEY, Ms. DELAURO, Ms. MOORE, Mr. POCAN, Mr. HUFFMAN, Ms. CLARK of Massachusetts, and Ms. NORTON):

H.R. 2135. A bill to designate certain National Forest System lands and certain public lands under the jurisdiction of the Secretary of the Interior in the States of Idaho, Montana, Oregon, Washington, and Wyoming as wilderness, wild and scenic rivers, wildlife recovery areas, and biological connecting corridors, and for other purposes; to the Committee on Natural Resources.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 2136. A bill to amend the Internal Revenue Code of 1986 to provide an exception from certain reporting requirements with respect to the foreign accounts of individuals who live abroad; to the Committee on Ways and Means.

By Mr. MAST:

H.R. 2137. A bill to direct the President to treat a harmful algal bloom caused by certain activities of the Federal Government as an emergency for purposes of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCCAUL:

H.R. 2138. A bill to provide that members of the Armed Forces performing services in the Sinai Peninsula of Egypt shall be entitled to tax benefits in the same manner as if such services were performed in a combat zone; to the Committee on Ways and Means.

By Ms. MOORE:

H.R. 2139. A bill to amend the FAA Modernization and Reform Act of 2012 and title 49, United States Code, with respect to disadvantaged business enterprises, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RUPPERSBERGER:

H.R. 2140. A bill to amend the Internal Revenue Code of 1986 to increase the credit for employers establishing workplace child care facilities, to increase the child care credit to encourage greater use of quality child care services, to provide incentives for students to earn child care-related degrees and to work in child care facilities, and to increase the exclusion for employer-provided dependent care assistance; to the Committee on Ways and Means.

By Mr. SCHNEIDER (for himself and Mr. ISSA):

H.R. 2141. A bill to provide incentives to physicians to practice in rural and medically underserved communities, and for other purposes; to the Committee on the Judiciary.

By Ms. TSONGAS (for herself and Mr. FITZPATRICK):

H.R. 2142. A bill to improve the ability of U.S. Customs and Border Protection to interdict fentanyl, other synthetic opioids, and other narcotics and psychoactive substances that are illegally imported into the United States, and for other purposes; to the Committee on Homeland Security.

By Mr. VARGAS:

H.R. 2143. A bill to impose a net worth tax of 14.25 percent on all individuals and trusts with a net worth of \$10,000,000 or more; to the Committee on Ways and Means.

By Mrs. MIMI WALTERS of California (for herself and Ms. KUSTER of New Hampshire):

H.R. 2144. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the appropriate, risk-based classification of device accessories based on their intended uses; to the Committee on Energy and Commerce.

By Ms. MAXINE WATERS of California:

H.R. 2145. A bill to prohibit licenses or other authorization for United States persons to engage in activities relating to deep-water, Arctic offshore, or shale projects that have the potential to produce oil in the Russian Federation, or in maritime area claimed by the Russian Federation, and for other purposes; to the Committee on Foreign Affairs.

By Ms. ROS-LEHTINEN (for herself, Mr. DEUTCH, Mr. CHABOT, Mr. ENGEL, Mr. SMITH of New Jersey, Ms. SCHAKOWSKY, Ms. JENKINS of Kansas, and Mr. SCHNEIDER):

H. Res. 274. A resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights; to the Committee on Foreign Affairs.

By Mr. BRENDAN F. BOYLE of Pennsylvania (for himself, Mr. BILIRAKIS, Mr. CARBAJAL, Mr. CICILLINE, Mr. COHEN, Mr. CONYERS, Mr. CROWLEY, Mr. DEUTCH, Mr. ENGEL, Mr. FITZPATRICK, Mr. HASTINGS, Mr. KILMER, Mr. TED LIEU of California, Mrs. LOWEY, Mrs. CAROLYN B. MALONEY of New York, Mr. MCGOVERN, Mr. NADLER, Mr. PALLONE, Mr. PASCRELL, Ms. ROSEN, Ms. ROS-LEHTINEN, Ms. SCHAKOWSKY, Mr. SIRES, Mr. SUOZZI, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mr. WEBER of Texas, Ms. WILSON of Florida, Mr. RASKIN, Mr. LEVIN, and Mr. GOTTHEIMER):

H. Res. 276. A resolution expressing the sense of the House that more should be done to instill Holocaust education in school curricula around the country; to the Committee on Education and the Workforce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CÁRDENAS (for himself, Mr. BUTTERFIELD, Mr. HASTINGS, Ms. KELLY of Illinois, Ms. LEE, Mr. LOEBACK, Mr. MEEKS, Mr. PAYNE, Mr. RYAN of Ohio, Mr. VARGAS, and Mr. WALZ):

H. Res. 277. A resolution expressing support for designation of April 2017 as National Stress Awareness Month; to the Committee on Energy and Commerce.

By Mr. SWALWELL of California (for himself, Mr. PEARCE, and Mr. CRAWFORD):

H. Res. 278. A resolution amending the Rules of the House of Representatives to permit absent Members to participate in committee hearings using video conferencing and related technologies and to establish a remote voting system under which absent Members may cast votes in the House on motions to suspend the rules; to the Committee on Rules.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. KNIGHT:

H.R. 2116.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (Necessary and Proper Clause)

By Mr. SESSIONS:

H.R. 2117.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 3 of the United States Constitution (relating to Congress' power to regulate commerce . . . among the several states . . .). The United States Congress initially enacted ERISA under the Commerce Clause in order to stabilize employee pension plans that employees carry with them across state lines. This bill modifies ERISA and is thus a regulation of commerce—specifically pension plans—among more than one state.

By Mr. COSTELLO of Pennsylvania:

H.R. 2118.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. TED LIEU of California:

H.R. 2119.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Congress may also make laws that are necessary and proper for carrying into execution their powers enumerated under Article I.

By Mr. PERRY:

H.R. 2120.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8

By Mr. ROTHFUS:

H.R. 2121.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution, "[t]o regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes . . ."

By Mr. McKINLEY:

H.R. 2122.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8 of the Constitution: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States but all duties, imposts, and excises shall be uniform throughout.

By Mr. THOMPSON of Pennsylvania:

H.R. 2123.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 12, 13, 14, and 18

The Congress shall have Power to raise and support armies; to provide and maintain a navy; to make rules for the government and regulation of the land and naval forces; and to make all laws which shall be necessary and proper for carrying into execution the foregoing powers.

By Ms. SCHAKOWSKY:

H.R. 2124.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. BRAT:

H.R. 2125.

Congress has the power to enact this legislation pursuant to the following:

Congress has explicit and implicit powers to spend, to raise revenue, and to borrow throughout Article I, Section 8 of the Constitution. Coherent management of fiscal powers requires a complete assessment of the effects of proposed legislation, so it is both necessary and proper for the estimating agencies to inform Congress of total fiscal impacts.

By Mr. BUCHANAN:

H.R. 2126.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8.

By Mr. BUDD:

H.R. 2127.

Congress has the power to enact this legislation pursuant to the following:

United States Constitution Article 1, Section 8.

By Mr. DAVIDSON:

H.R. 2128.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18, "The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. DEUTCH:

H.R. 2129.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution.

By Mr. HARPER:

H.R. 2130.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 6

By Mr. HIGGINS of Louisiana:

H.R. 2131.

Congress has the power to enact this legislation pursuant to the following:

US Const. art I, sec 8, cl 18

By Mr. KATKO:

H.R. 2132.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. LUETKEMEYER:

H.R. 2133.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the explicit power of Congress to regulate in commerce in and among the states, as enumerate in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

Additionally, Article 1, Section 7, Clause 2 of the Constitution allows for every bill passed by the House of Representatives and the Senate and signed by the President to be codified into law; and therefore implicitly allows Congress to repeal any bill that has

been passed by both chambers and signed into law by the President.

By Mr. LUETKEMEYER:

H.R. 2134.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 18: The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 2135.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 2136.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: To regulate commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. MAST:

H.R. 2137.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. MCCAUL:

H.R. 2138.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the Constitution of the United States.

By Ms. MOORE:

H.R. 2139.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. RUPPERSBERGER:

H.R. 2140.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. SCHNEIDER:

H.R. 2141.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. TSONGAS:

H.R. 2142.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution

By Mr. VARGAS:

H.R. 2143.

Congress has the power to enact this legislation pursuant to the following:

Congress has the constitutional authority to enact this legislation pursuant Article 1, Section 8, Clause 1 of the U.S. Constitution, which states: "The Congress shall have the power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States."

By Mrs. MIMI WALTERS of California:

H.R. 2144.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, which permits Congress to regulate commerce.

By Ms. MAXINE WATERS of California:

H.R. 2145.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

"The Congress shall have power . . . to make all laws which shall be necessary and proper for carrying the execution of the foregoing powers, and all powers vested by this Constitution in the government of the United States, or in any department or officer thereof."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 19: Mr. RUSH, Mr. BEN RAY LUJÁN of New Mexico, Ms. ROSEN, and Ms. BROWNLEY of California.

H.R. 20: Ms. BARRAGÁN.

H.R. 36: Mr. WALKER and Mr. BLUM.

H.R. 37: Mr. WALKER.

H.R. 48: Mr. LEWIS of Georgia, Mr. JOHNSON of Georgia, Mr. HASTINGS, Ms. NORTON, Ms. BASS, and Mr. MEEKS.

H.R. 51: Mr. AL GREEN of Texas.

H.R. 52: Mr. AL GREEN of Texas.

H.R. 60: Mr. RUTHERFORD, Ms. KAPTUR, Mr. CLYBURN, Mr. ENGEL, Mr. RUSH, Mr. WILLIAMS, Mr. MOULTON, Mrs. DAVIS of California, and Mr. LOBIONDO.

H.R. 91: Ms. ROSEN.

H.R. 95: Ms. ROSEN.

H.R. 112: Ms. CASTOR of Florida.

H.R. 113: Mr. YARMUTH, Ms. TENNEY, Mr. FITZPATRICK, Ms. MOORE, Mr. TAKANO, Mr. KEATING, and Mr. COURTNEY.

H.R. 115: Mr. KATKO, Mr. DUNCAN of Tennessee, Mr. MULLIN, Mr. FARENTHOLD, Mr. AMODEI, Mr. ROGERS of Alabama, Mr. SENBRENNER, and Mr. MCCAUL.

H.R. 116: Mr. SOTO.

H.R. 140: Mr. WEBSTER of Florida.

H.R. 169: Mr. CARBAJAL and Mr. SHERMAN.

H.R. 173: Mrs. WALORSKI, Ms. SPEIER, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. KAPTUR, and Mr. JENKINS of West Virginia.

H.R. 203: Ms. DELBENE, Ms. CLARK of Massachusetts, Ms. DELAURO, Ms. LEE, Mr. GRIMALVA, Mr. SEAN PATRICK MALONEY of New York, Mr. POCAN, Ms. MENG, Ms. MCCOLLUM, Mr. WELCH, Mr. TONKO, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. VELÁZQUEZ, Mr. WALZ, Mr. HASTINGS, Mr. VEASEY, Ms. TSONGAS, Mr. BISHOP of Georgia, Ms. MOORE, Mr. LOWENTHAL, Ms. ROYBAL-ALLARD, Mr. LANGEVIN, Mr. SERRANO, Mr. MCGOVERN, Mr. RYAN of Ohio, Mr. TAKANO, Ms. PINGREE, Ms. SLAUGHTER, Mr. RUSH, Ms. SEWELL of Alabama, Mr. PASCRELL, and Ms. WASSERMAN SCHULTZ.

H.R. 233: Ms. MCCOLLUM and Ms. ROSELEHTINEN.

H.R. 253: Mr. GONZALEZ of Texas.

H.R. 285: Mr. RATCLIFFE.

H.R. 305: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TAKANO, Mr. BEN RAY LUJÁN of New Mexico, and Mr. BERA.

H.R. 350: Mr. ARRINGTON.

H.R. 352: Mr. RATCLIFFE.

H.R. 354: Mr. BARTON.

H.R. 365: Mr. GRAVES of Missouri.

H.R. 469: Mr. BUDD.

H.R. 485: Mr. RICHMOND.

H.R. 488: Ms. PINGREE, Ms. JENKINS of Kansas, Mr. LARSEN of Washington, Mr. PALONE, Ms. TENNEY, and Ms. CLARK of Massachusetts.

H.R. 490: Mr. LAMBORN.

H.R. 502: Mr. GUTIÉRREZ, Mr. GALLEGU, Mr. ELLISON, Mr. CRIST, Mr. SERRANO, Ms. JACKSON LEE, Ms. SEWELL of Alabama, Mr. DAVID SCOTT of Georgia, Mr. FOSTER, Mr. LARSEN of Washington, Mr. SCHNEIDER, Mr. LANCE, Mr. CURBELO of Florida, Mr. LEWIS of Georgia, Mr. HASTINGS, Mr. NORCROSS, Mr. JEFFRIES, Mr. DOGGETT, Mr. GONZALEZ of Texas, Mr. CÁRDENAS, Mr. BROWN of Maryland, Ms. FRANKEL of Florida, Mr. VEASEY, Mr. YARMUTH, and Mr. RICHMOND.

H.R. 510: Mr. DUNCAN of Tennessee and Mr. CARTER of Texas.

H.R. 544: Mr. CICILLINE,

H.R. 545: Mr. BARLETTA, Mr. COFFMAN, and Mr. GOODLATTE,

H.R. 633: Mr. ROKITA.

H.R. 635: Mr. SHERMAN and Mr. SCHIFF.

H.R. 639: Mrs. COMSTOCK.

H.R. 644: Mr. BISHOP of Michigan.

H.R. 669: Mr. SHERMAN and Mr. JEFFRIES.

H.R. 676: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. LAWSON of Florida, Mr. SWALWELL of California, Mr. COOPER, and Mr. THOMPSON of California.

H.R. 686: Mr. KILMER.

H.R. 695: Ms. MCCOLLUM, Mr. DUNCAN of Tennessee, and Ms. BROWNLEY of California.

H.R. 747: Mr. TED LIEU of California, Mrs. BLACKBURN, Ms. KAPTUR, Ms. TENNEY, Mr. PERRY, Mr. THOMPSON of Mississippi, Mr. MCKINLEY, Mr. LYNCH, Ms. SINEMA, Mr. PAYNE, Mr. PALAZZO, Mr. CICILLINE, Ms. HERRERA BEUTLER, Ms. JENKINS of Kansas, Mrs. DAVIS of California, Ms. CLARK of Massachusetts, Mr. HARRIS, Mr. COFFMAN, Mr. RASKIN, Mr. WALDEN, Mr. LAWSON of Florida, Ms. MOORE, Mr. DUFFY, Mr. COLLINS of Georgia, Mr. PETERSON, Mr. BARR, Mr. COURTNEY, and Mr. CULBERSON.

H.R. 750: Mrs. MCMORRIS RODGERS.

H.R. 753: Mr. BROWN of Maryland.

H.R. 754: Mr. SUOZZI and Mr. MEEKS.

H.R. 766: Mr. DOGGETT.

H.R. 770: Mr. GOTTHEIMER and Ms. MOORE.

H.R. 772: Mr. FLEISCHMANN, Mr. BUDD and Mr. LAMBORN.

H.R. 781: Mr. MARSHALL, Mr. HULTGREN, and Mr. GRAVES of Georgia.

H.R. 785: Mr. YODER, Mr. FRANKS of Arizona, Mr. ROE of Tennessee, Ms. JENKINS of Kansas, Mr. LAMBORN, and Mr. JODY B. HICE of Georgia.

H.R. 788: Mr. BROOKS of Alabama and Mr. FRANKS of Arizona.

H.R. 807: Ms. JACKSON LEE, Mr. O'HALLERAN, Mr. PRICE of North Carolina, Mr. LUTKEMEYER, Ms. ROSEN, Mr. WELCH, Ms. WASSERMAN SCHULTZ, Mr. HASTINGS, Mr. JOHNSON of Ohio, Mr. TURNER, Mr. SCHRADER, and Mr. BERA.

H.R. 812: Ms. CLARKE of New York, Mr. MEEKS, and Mr. ELLISON.

H.R. 816: Mr. CORREA.

H.R. 820: Ms. KAPTUR, Ms. SEWELL of Alabama, Mr. JOHNSON of Ohio, Mr. SUOZZI, Mr. MCGOVERN, and Mr. BLUMENAUER.

H.R. 822: Mr. HIGGINS of New York.

H.R. 842: Mr. KELLY of Pennsylvania.

H.R. 846: Mr. KELLY of Pennsylvania, Mr. MCCAUL, Mr. BARTON, Mr. MURPHY of Pennsylvania, Mr. BRADY of Pennsylvania, Mr. ELLISON, Mr. CARTWRIGHT, Mr. HARPER, Mr. MOULTON, Mr. DELANEY, Mr. ROSS, Mr. WELCH, Mr. DEUTCH, Mr. GOHMERT, Mr. CARSON of Indiana, Mr. SMITH of Missouri, Ms. ROSELEHTINEN, Mr. MOOLENAAR, Mr. PERLMUTTER, Mrs. MCMORRIS RODGERS, Mr. KATKO, and Mr. MCGOVERN.

H.R. 849: Mr. GRAVES of Missouri, Mr. WALKER, Mr. THOMPSON of Pennsylvania, Mr. YOHO, Mr. ADERHOLT, and Mr. GOTTHEIMER.

H.R. 851: Mr. GONZALEZ of Texas.

H.R. 901: Mr. RUSSELL.

H.R. 907: Ms. ROSEN.

H.R. 909: Mr. ESPAILLAT, Mr. CASTRO of Texas, Mr. PASCRELL, and Ms. TENNEY.

H.R. 948: Mr. SCOTT of Virginia.

H.R. 949: Mr. COHEN, Mr. BARLETTA, and Mr. DUNCAN of Tennessee.

H.R. 959: Mr. COURTNEY.

H.R. 964: Mrs. BEATTY, Mr. PALLONE, and Ms. MENG.

H.R. 997: Mr. BROOKS of Alabama and Mr. JODY B. HICE of Georgia.

H.R. 1002: Mr. MCKINLEY.

H.R. 1005: Mrs. NAPOLITANO, Mr. RYAN of Ohio, Mr. MOULTON, and Ms. DELBENE.

H.R. 1006: Mr. CAPUANO.

H.R. 1017: Mr. LANGEVIN, Mr. EMMER, Mr. DUNCAN of Tennessee, and Mr. HUFFMAN.

H.R. 1038: Mr. ADERHOLT.

H.R. 1054: Mr. THOMPSON of Mississippi, Mr. SCHNEIDER, and Ms. BLUNT ROCHESTER.

H.R. 1057: Mr. COMER, Mr. HOLLINGSWORTH, Mr. HURD, Mr. FLEISCHMANN, Mrs. WALORSKI, and Mrs. NOEM.

H.R. 1059: Mr. COSTELLO of Pennsylvania.

H.R. 1060: Mr. WELCH.

H.R. 1089: Ms. BONAMICI.

H.R. 1090: Mr. KING of Iowa, Mr. POLIS, and Mr. PETERSON.

H.R. 1098: Mr. CICILLINE.

H.R. 1136: Mr. HILL, Mr. PALAZZO, and Mr. BARR.

H.R. 1143: Ms. KELLY of Illinois.

H.R. 1145: Ms. MOORE.

H.R. 1146: Ms. LEE.

H.R. 1148: Ms. JENKINS of Kansas, Mr. EMMER, Ms. ESHOO, Mr. BERA, and Ms. MATSUI.

H.R. 1150: Mr. DEFazio.

H.R. 1154: Mr. JOHNSON of Ohio.

H.R. 1155: Mr. PETERSON.

H.R. 1158: Mr. HILL and Mr. THOMPSON of California.

H.R. 1160: Mr. MCKINLEY.

H.R. 1163: Mr. PALAZZO and Mr. NOLAN.

H.R. 1169: Mr. DEFazio.

H.R. 1171: Mr. BARLETTA.

H.R. 1180: Mrs. COMSTOCK, Mr. ROE of Tennessee, Ms. STEFANIK, Mr. GOODLATTE, Mr. SESSIONS, Mr. WEBER of Texas, Mr. GUTHRIE, Mr. WILSON of South Carolina, Mr. FERGUSON, and Ms. FOX.

H.R. 1200: Mr. WOMACK.

H.R. 1227: Mr. RASKIN and Mr. PERLMUTTER.

H.R. 1232: Mr. DESAULNIER, Ms. SHEA-PORTER, Mr. BLUMENAUER, Ms. BONAMICI, Ms. SCHAKOWSKY, and Mr. SIRE.

H.R. 1243: Mr. TONKO, Mr. JEFFRIES, Ms. BONAMICI, Mrs. NAPOLITANO, Mr. SARBANES, and Mr. QUIGLEY.

H.R. 1267: Miss RICE of New York.

H.R. 1276: Ms. JUDY CHU of California, Mr. KENNEDY, Mr. KHANNA, and Mr. HUFFMAN.

H.R. 1284: Mr. YOUNG of Iowa.

H.R. 1289: Mr. BEN RAY LUJÁN of New Mexico.

H.R. 1290: Ms. TSONGAS.

H.R. 1291: Mr. KHANNA.

H.R. 1299: Mr. QUIGLEY and Mr. KEATING.

H.R. 1316: Mr. ALLEN and Mr. ADERHOLT.

H.R. 1318: Ms. ESHOO, Mr. COURTNEY, and Ms. BONAMICI.

H.R. 1322: Mr. VISCLOSKEY.

H.R. 1328: Ms. KUSTER of New Hampshire.

H.R. 1329: Mr. CARSON of Indiana and Ms. KUSTER of New Hampshire.

H.R. 1341: Mr. GOODLATTE.

H.R. 1360: Mr. TIPTON and Mr. CULBERSON.

H.R. 1361: Mr. RUPPERSBERGER, Mr. BARLETTA, and Mr. JOHNSON of Ohio.

H.R. 1363: Mr. COURTNEY.

H.R. 1377: Ms. SCHAKOWSKY and Ms. PINGREE.

H.R. 1378: Ms. WASSERMAN SCHULTZ and Mr. NOLAN.

H.R. 1393: Mr. PITTENGER and Mr. FERGUSON.

H.R. 1406: Mr. BRADY of Pennsylvania, Ms. SPEIER, Mr. SUOZZI, Mr. CÁRDENAS, Ms. TENNEY, Mr. EVANS, Mrs. TORRES, Mr. O'HALLERAN, Ms. NORTON, Mr. GUTIÉRREZ, Ms. VELÁZQUEZ, Ms. DELBENE, Mr. YARMUTH, Ms. SÁNCHEZ, Ms. MOORE, and Mr. KEATING.

H.R. 1409: Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. LOFGREN, Mr. SMUCKER, Mr. MOULTON, Mr. CARTWRIGHT, Mr. JOHNSON of Ohio, Mr. BIGGS, Mr. PALAZZO, Mr. YOUNG of Iowa, and Mr. CRAMER.

H.R. 1421: Mr. NOLAN, Mr. CICILLINE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. COHEN, Mr. DEUTCH, and Ms. SCHAKOWSKY.

H.R. 1428: Mr. O'ROURKE.

H.R. 1429: Mr. VISCLOSKEY.

H.R. 1438: Mr. SARBANES, Mr. O'ROURKE, Mrs. BEATTY, Mr. NORCROSS, and Mr. CARBAJAL.

H.R. 1472: Mr. O'ROURKE and Ms. PINGREE.

H.R. 1474: Ms. ROSEN, Mr. DEUTCH, Miss RICE of New York, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CROWLEY, Mr. AL GREEN of Texas, Ms. VELÁZQUEZ, and Mr. LEVIN.

H.R. 1475: Mr. MEEKS, Mr. TAKANO, Mr. LYNCH, Ms. CLARK of Massachusetts, Ms. TSONGAS, Mr. GARAMENDI, Mrs. NAPOLITANO, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CAPUANO, Ms. SPEIER, Mr. LANGEVIN, Mr. LIPINSKI, Mr. PASCRELL, Ms. MOORE, Mr. ELLISON, Mr. BLUMENAUER, Mr. SERRANO, Mr. CICILLINE, Mr. CÁRDENAS, Mr. POCAN, Mr. CARTWRIGHT, Mr. QUIGLEY, Mr. PALLONE, Mr. GRIJALVA, Mr. PAYNE, Mr. COHEN, Ms. JACKSON LEE, Mr. CONYERS, Ms. CLARKE of New York, Mr. BRADY of Pennsylvania, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. RASKIN, Mr. YARMUTH, Mr. CROWLEY, Mr. MCGOVERN, Mr. NADLER, Ms. VELÁZQUEZ, Mr. KEATING, and Mr. SWALWELL of California.

H.R. 1478: Mr. KHANNA.

H.R. 1480: Mr. GARAMENDI.

H.R. 1485: Mrs. MIMI WALTERS of California.

H.R. 1494: Mr. MCGOVERN, Mr. BEN RAY LUJAN of New Mexico, Mr. LANGEVIN, Ms. MOORE, Ms. PINGREE, Mrs. LAWRENCE, Mr. FOSTER, Mr. ROYCE of California, Ms. SLAUGHTER, Mr. CICILLINE, Mr. SABLON, Mr. JOYCE of Ohio, Mrs. DEMINGS, Mr. BUCK, Mr. GONZALEZ of Texas, Ms. TENNEY, Mr. FITZPATRICK, Ms. BONAMICI, Mr. HIGGINS of New York, Ms. JENKINS of Kansas, Mr. POLIS, Mr. SERRANO, Mr. ROSKAM, Ms. MCSALLY, Mr. DEFazio, Ms. STEFANIK, Mr. STIVERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PITTENGER, Mr. KILMER, Mr. LOWENTHAL, Mr. DELANEY, Mr. DENT, Mr. TURNER, Ms. BROWNLEY of California, Mrs. DAVIS of California, Mr. SARBANES, Mr. LARSON of Connecticut, Mr. MEEKS, Mr. SIREs, Mr. KEATING, Mr. LOEBSACK, and Mr. HENSARLING.

H.R. 1551: Mr. CARTER of Georgia.

H.R. 1553: Ms. MCCOLLUM and Ms. JACKSON LEE.

H.R. 1555: Mr. MULLIN.

H.R. 1578: Ms. SEWELL of Alabama, Mr. RICHMOND, and Mr. DELANEY.

H.R. 1584: Mr. ELLISON, Ms. NORTON, and Ms. SCHAKOWSKY.

H.R. 1589: Mr. HASTINGS and Ms. LOFGREN.

H.R. 1625: Mr. FITZPATRICK.

H.R. 1626: Mr. WELCH, Mr. FERGUSON, and Mrs. BUSTOS.

H.R. 1629: Mr. LYNCH, Mrs. DAVIS of California, and Mr. QUIGLEY.

H.R. 1639: Mr. TURNER, Mr. TIPTON, Ms. ROYBAL-ALLARD, Mr. PRICE of North Carolina, Ms. SHEA-PORTER, Mr. O'HALLERAN, Ms.

JACKSON LEE, Ms. BLUNT ROCHESTER, Mrs. BEATTY, Mr. KILDEE, Mr. JOYCE of Ohio, Mr. JOHNSON of Ohio, and Ms. VELÁZQUEZ.

H.R. 1644: Mr. BARR, Mr. MCCAUL, and Mr. TED LIEU of California.

H.R. 1650: Mr. MOULTON.

H.R. 1651: Ms. ESHOO, Mr. JOHNSON of Ohio, Mr. WELCH, and Mr. BARLETTA.

H.R. 1659: Mr. LANGEVIN.

H.R. 1661: Ms. DELBENE, Mr. JONES, and Mr. CICILLINE.

H.R. 1673: Mr. BROWN of Maryland.

H.R. 1676: Mr. CRAMER, Mr. COFFMAN, Mr. BARLETTA, Mr. COURTNEY, Mr. MEEHAN, Mr. FARENTHOLD, Mr. HUFFMAN, and Ms. PINGREE.

H.R. 1677: Mr. COURTNEY and Mr. DELANEY.

H.R. 1697: Mr. SUOZZI, Mr. SCHIFF, Mr. CARTER of Georgia, Mr. SCHRADER, Mr. VELA, Ms. MCSALLY, Mr. THOMPSON of Pennsylvania, and Mr. FLORES.

H.R. 1698: Mr. LOBIONDO, Mr. KRISHNAMOORTHY, Mr. ESPAILLAT, Mr. LOWENTHAL, Mr. RUPPERSBERGER, Mr. KING of New York, Mr. ZELDIN, Mr. CARTER of Georgia, Mr. LANCE, Mrs. BUSTOS, Mr. SCHIFF, Mr. FLORES, Mr. POLIQUIN, Mr. THOMPSON of Pennsylvania, Mr. ABRAHAM, Mr. PASCRELL, Ms. MCSALLY, Mr. JEFFRIES, and Mr. VELA.

H.R. 1711: Ms. SÁNCHEZ, Mr. CICILLINE, Mr. CARBAJAL, Mr. SIREs, and Mr. MEEKS.

H.R. 1727: Mrs. BEATTY.

H.R. 1730: Ms. DELBENE, Ms. KUSTER of New Hampshire, and Mr. PAYNE.

H.R. 1736: Mr. BANKS of Indiana.

H.R. 1737: Mr. KUSTOFF of Tennessee.

H.R. 1748: Mr. RASKIN, Mr. LEWIS of Georgia, and Mr. KHANNA.

H.R. 1753: Mr. BLUMENAUER.

H.R. 1762: Mr. CICILLINE.

H.R. 1776: Ms. SHEA-PORTER, Ms. BARRAGÁN, and Mr. ELLISON.

H.R. 1777: Mr. MESSER, Mr. BLUM, Mr. AUSTIN SCOTT of Georgia, Mrs. WALORSKI, Mr. HIGGINS of Louisiana, Mr. CARSON of Indiana, Mr. KATKO, Mr. STIVERS, Mr. CARTER of Georgia, and Mr. COLE.

H.R. 1778: Mr. GOSAR.

H.R. 1783: Mr. LANGEVIN.

H.R. 1784: Mr. COHEN, Mr. GALLEG0, Mr. GUTIÉRREZ, Mr. CARBAJAL, and Mr. KEATING.

H.R. 1789: Mr. BACON and Ms. TSONGAS.

H.R. 1808: Mr. THOMPSON of Pennsylvania and Mr. ROKITA.

H.R. 1809: Mr. THOMPSON of Pennsylvania.

H.R. 1810: Mr. COURTNEY and Mr. O'ROURKE.

H.R. 1812: Ms. VELÁZQUEZ, Mr. RUSH, Ms. SHEA-PORTER, and Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 1825: Ms. SHEA-PORTER, Mr. PETERSON, Mr. KILMER, Mr. THOMPSON of Mississippi, Mr. JOHNSON of Ohio, Mr. BARLETTA, Mr. LANCE, Mr. PASCRELL, and Mr. FORTENBERRY.

H.R. 1836: Mr. SCHIFF.

H.R. 1838: Mr. CRAMER.

H.R. 1847: Mrs. NOEM, Mr. PAULSEN, and Ms. SLAUGHTER.

H.R. 1881: Mr. BARLETTA and Mr. LAMBORN.

H.R. 1885: Mr. RASKIN.

H.R. 1886: Mr. RASKIN.

H.R. 1892: Mr. COHEN.

H.R. 1896: Mr. YODER.

H.R. 1897: Mr. YODER.

H.R. 1898: Mr. THOMPSON of California and Mr. KELLY of Pennsylvania.

H.R. 1904: Mr. ROE of Tennessee, Mr. CICILLINE, Mr. THORNBERRY, Mr. STEWART, Mr. GUTHRIE, Mr. BUTTERFIELD, and Mr. LANGEVIN.

H.R. 1905: Mr. RICHMOND.

H.R. 1909: Mr. JOHNSON of Georgia, Ms. JAYAPAL, Mr. CARTWRIGHT, and Mr. RASKIN.

H.R. 1926: Mr. RASKIN.

H.R. 1928: Ms. KAPTUR, Mr. TED LIEU of California, Mr. POLIS, Ms. CLARKE of New York, Mr. BISHOP of Utah, Mrs. RADEWAGEN, Mr. RUSH, Mr. JONES, Mr. PETERS, Ms. VELÁZQUEZ, Mr. VISCLOSKEY, and Mr. POE of Texas.

H.R. 1940: Mr. COHEN.

H.R. 1953: Mr. PRICE of North Carolina, Mr. RYAN of Ohio, Mr. LOEBSACK, Mr. MEEHAN, Mr. COSTA, Ms. DELBENE, Ms. ESHOO, Mrs. COMSTOCK, Mr. WALZ, Mr. SWALWELL of California, Mr. JOHNSON of Ohio, Mr. ENGEL, Mr. SIREs, Mr. LANGEVIN, Mr. YOUNG of Alaska, Mr. KILMER, Mrs. HARTZLER, and Ms. ROYBAL-ALLARD.

H.R. 1955: Mr. KIHUEN, Mr. BISHOP of Utah, Mr. ROGERS of Kentucky, Mr. PETERSON, and Mr. LUCAS.

H.R. 1960: Mr. DEFazio, Mr. LYNCH, Mr. GRIJALVA, Mr. KENNEDY, Mr. MCGOVERN, Mr. KILMER, Mr. LOWENTHAL, Ms. SCHAKOWSKY, Mr. SMITH of Washington, Mr. CÁRDENAS, Ms. ESHOO, Ms. DELAURO, Ms. SPEIER, Ms. MENG, Ms. NORTON, Ms. CLARK of Massachusetts, Mr. TONKO, Mr. CARTWRIGHT, Ms. MOORE, Mr. CICILLINE, Mr. WELCH, Ms. WASSERMAN SCHULTZ, Mr. RASKIN, Mr. ELLISON, Mr. LEWIS of Georgia, Mr. POCAN, Mr. PAYNE, Ms. CASTOR of Florida, Mr. WALZ, Mrs. DAVIS of California, Mr. HIGGINS of New York, Mr. KEATING, and Mr. POLIS.

H.R. 1969: Ms. BARRAGÁN.

H.R. 1997: Mr. ENGEL and Ms. KAPTUR.

H.R. 2004: Mr. MESSER, Mr. BARR, and Mr. RICE of South Carolina.

H.R. 2010: Mr. PALAZZO and Mr. HARPER.

H.R. 2012: Mrs. NAPOLITANO, Ms. CASTOR of Florida, Mr. EVANS, Mr. KEATING, Mr. SCHIFF, Ms. CLARK of Massachusetts, Mr. SOTO, Mr. HASTINGS, Mr. RASKIN, Mr. DEFazio, and Ms. BARRAGÁN.

H.R. 2029: Ms. GRANGER, Mr. KILDEE, and Mr. CULBERSON.

H.R. 2052: Mrs. WALORSKI, Mrs. LAWRENCE, Ms. FRANKEL of Florida, and Mr. LIPINSKI.

H.R. 2069: Mr. STIVERS.

H.R. 2073: Ms. SCHAKOWSKY and Ms. BARRAGÁN.

H.R. 2105: Ms. TENNEY.

H.J. Res. 29: Ms. TENNEY.

H.J. Res. 31: Mr. PETERS, Ms. DELBENE, Mr. BERA, and Ms. BARRAGÁN.

H.J. Res. 33: Ms. PLASKETT.

H.J. Res. 48: Ms. DELBENE.

H.J. Res. 51: Mr. WALKER, Mr. GRAVES of Missouri, Mr. THOMPSON of Pennsylvania, Mr. ADERHOLT, and Mr. FERGUSON.

H. Con. Res. 8: Mr. CHABOT, Mr. KELLY of Pennsylvania, Mr. CAPUANO, Mr. LYNCH, Mr. ROE of Tennessee, Ms. JENKINS of Kansas, Mr. JONES, and Mr. COFFMAN.

H. Con. Res. 10: Ms. SCHAKOWSKY, Mr. EMMER, Mr. WALZ, Mrs. BEATTY, and Mrs. COMSTOCK.

H. Con. Res. 41: Mr. GRAVES of Missouri.

H. Con. Res. 44: Mr. O'ROURKE, Mr. PAYNE, and Mr. KILMER.

H. Res. 15: Ms. ROS-LEHTINEN, Ms. JAYAPAL, Mr. SIREs, Mr. HECK, Mr. HIMES, Mr. LARSEN of Washington, Mr. LUCAS, Mr. WELCH, Mr. GRIJALVA, Ms. BASS, Mr. GALLEG0, Mrs. BUSTOS, and Ms. EDDIE BERNICE JOHNSON of Texas.

H. Res. 30: Mr. AGUILAR, Mr. THOMPSON of Pennsylvania, Mr. SHERMAN, Mr. LOEBSACK, Mrs. NAPOLITANO, Mr. SEAN PATRICK MALONEY of New York, Mr. YODER, Ms. VELÁZQUEZ, and Ms. BONAMICI.

H. Res. 90: Mr. SCOTT of Virginia and Mr. RASKIN.

H. Res. 128: Mr. KEATING.

H. Res. 129: Mr. BACON, Mr. POLIS, Mr. BARR, Mr. LOBIONDO, and Mr. FLORES.

H. Res. 187: Mr. SMITH of Washington.
H. Res. 195: Mr. COFFMAN.
H. Res. 220: Mr. AGUILAR, Mr. GOTTHEIMER,
Mr. YARMUTH, Mr. SMITH of New Jersey, and
Mr. GALLEG0.
H. Res. 237: Mr. RASKIN.
H. Res. 239: Mr. PAYNE, Mr. MEEKS, Ms.
WILSON of Florida, and Mr. EVANS.
H. Res. 244: Mr. POE of Texas, Mr. MCNER-
NEY, and Mr. POLIS.
H. Res. 245: Mrs. COMSTOCK.
H. Res. 246: Mr. POLIS.
H. Res. 250: Mr. RASKIN.

H. Res. 256: Mrs. WALORSKI, Mr. BERA, Mr.
TED LIEU of California, and Mr. SENSEN-
BRENNER.

H. Res. 261: Mrs. HARTZLER.

H. Res. 269: Mrs. COMSTOCK.

CONGRESSIONAL EARMARKS, LIM-
ITED TAX BENEFITS, OR LIM-
ITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or
statements on congressional earmarks,

limited tax benefits, or limited tariff
benefits were submitted as follows:

The amendment to be offered by Rep-
resentative DEUTCH (FL), or a designee to
H.R. 1695, the Register of Copyrights Selec-
tion and Accountability Act of 2017, does not
contain any congressional earmarks, limited
tax benefits, or limited tariff benefits as de-
fined in clause 9 of rule XXI.

EXTENSIONS OF REMARKS

RECOGNIZING THE STATE CHAMPIONSHIP MORAVIA HIGH SCHOOL BOYS BASKETBALL TEAM

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. KATKO. Mr. Speaker, I rise today to recognize the victory of the Moravia High School Boys' Basketball Team in the New York State Public High School Association Class C Championship on March 18, 2017. The Moravia Blue Devils defeated the Lake George Warriors by a score of 54–39 to secure the Blue Devils' first state title in program history.

The Blue Devils, who finished the season 22–5, were determined to win the program's first state title. Junior Kaleb Stayton led the team with 17 points followed by senior Jordan Crossgrove with 12 points. Members of the state championship team include Stayton, Crossgrove, Zack Becker, LinWei Chen, Parker Dickenson, Jack Fedrizzi, Carter Flick, Gavin Genson, Kaden Hooper, Austin Kulas, Dustin Mondics, Gabe Short, Scottie Sovocool, and Zack Stanton. The team is coached by Todd Mulvaney.

I am honored to recognize the teamwork displayed by the Moravia Blue Devils and to congratulate the members of the team, their families, the coaching staff, and teachers at Moravia High School. This is a historic win for Central New York and I am confident that the positive experiences from the 2017 season will yield continued success in both athletics and academics.

HONORING DAVID CAPP

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. VISCLOSKY. Mr. Speaker, it is with profound respect and admiration that I take this time to honor David Capp and to wish him well upon his retirement from his position as United States Attorney. For his relentless dedication to the people of Northwest Indiana and beyond, he is worthy of the highest praise. In honor of Dave's remarkable career, a celebratory event will be held on Wednesday, April 26, 2017, at the Hammond Federal Courthouse.

David Capp graduated from Lew Wallace High School in Gary, Indiana, in 1968. He went on to graduate with a Bachelor of the Arts degree from the University of Wisconsin—Madison in 1972 and earned his Juris Doctor degree from the Valparaiso University School of Law in 1977.

After completing his studies, Dave practiced law in the private sector for eight years before

joining the United States Attorney's Office in 1985. From 1991 to 2007, he served as first assistant and was responsible for the daily operations of the office. During his career, Mr. Capp served as interim United States Attorney on multiple occasions under administrations of both political parties. This unique history is a testament to the esteem held for Mr. Capp's impeccable ethics and extraordinary talent. He also became the terrorism coordinator after the tragic events of September 11, 2001. On December 23, 2009, David Capp was nominated for United States Attorney for the Northern District of Indiana and was confirmed by the Senate on April 22, 2010.

Throughout his noteworthy career, Mr. Capp has been unwavering in his professional duties and in his pursuit of justice. Through his work, he has ensured the safety of those he has served, whether from violence, ethical lapses, the despoilment of our environment, or predatory economic activity. David's painstaking commitment to justice has been witnessed time and again. He has left our world a better place to live and given the people of our nation a future that is brighter because he walked among us.

Attorney Capp and I both grew up in the Glen Park neighborhood of Gary, Indiana. Although we did not know each other growing up, I have been blessed by David's friendship for nearly four decades. And not possessing his legal acumen, I am proud to note that he is the unquestioned national expert on fraud committed in uncontested elections.

In summary, I most respect David Capp's commitment to working hard and doing his best. I appreciate his judicious temperament, his dogged belief in doing the right thing—always—and his unshakable devotion to public service.

Mr. Speaker, David Capp is the best. His leadership has introduced permanent positive changes throughout Northern Indiana and our state. His vision has provided all of us with a guide to an improved and gentler future. His is a life we should all seek to emulate.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in paying tribute to an outstanding public servant and to wish him well upon his retirement. David Capp's impact on the region will be witnessed by generations to come, and for his many contributions, he is deserving of our gratitude.

IN RECOGNITION OF MADELAINE WALKER KIRLIN

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. MEEHAN. Mr. Speaker, I rise to congratulate my Chief of Staff, Michael Kirlin, and his wife Emily, who serves as Director of Member Services for the Senate Majority

Whip, JOHN CORNYN of Texas, upon the birth of their beautiful daughter. Madelaine Walker Kirlin arrived into the world at 5:50 pm on Monday April 24, 2017 at Sibley Memorial Hospital in Washington, D.C. Madelaine weighed nine pounds and measured twenty-one inches long. Madelaine is their second child, and her big brother Brock is just as excited as his parents.

I would also like to congratulate Madelaine's grandparents, Michael Kirlin of Bethany Beach, Delaware, and Brock and Cameron Hill of Crossville, Tennessee. Congratulations to the entire Kirlin and Hill families as they welcome their newest addition of pure pride and joy.

CELEBRATING THE RETIREMENT OF MS. TRACY CIAMPAGLIO AFTER 29 YEARS OF TEACHING

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. WITTMAN. Mr. Speaker, I rise today to recognize and celebrate the retirement of Ms. Tracy Ciampaglio after 29 years of teaching.

Tracy began teaching preschool in 1988 while in graduate school. From 1990 to 1994, Tracy taught first grade and preschool, married her husband Timothy and cared for their first child. From 1994 to 1997, Tracy ran a Parents Anonymous group that sought to teach good parenting skills to the community. During this timeframe, Tracy and Timothy welcomed their second child. From 1997 to 2006, Tracy taught preschool through first grade in four different states while Timothy was deployed with the U.S. Coast Guard. This year, Tracy will be retiring after 11 years as a sixth and seventh grade teacher at Holy Cross Academy. During Tracy's 29 years, she has taught 1,650 students.

Tracy's passion for educating can be seen in the lives she has impacted. Through Tracy's classes, many students who had difficulties reading not only received help and care, but also developed a passion for reading. Tracy consistently has former students visit to thank her for how she impacted their education and lives.

As the spouse of an educator and as someone who has known the Ciampaglio family for many years, I know firsthand the commitment and sacrifice that Tracy has made through her life's work of educating our Nation's youth. I admire and applaud Tracy for her lifelong commitment to her calling and for her service to this great nation.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

RECOGNIZING THE STATE CHAMPIONSHIP ONONDAGA THUNDER BOYS ICE HOCKEY TEAM

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. KATKO. Mr. Speaker, I rise today to recognize the victory of the Onondaga Thunder Boys' Ice Hockey Team in the U14 Tier 3 New York State Championship on March 5, 2017. The Onondaga Thunder defeated White Plains by a score of 5–1 in the title game. With this win, the Onondaga Thunder took home the state title for the second time in three years.

Members of the state championship team include Jordan Joslyn, Brackton Bowler, Tanner Burns, Kaleb Benedict, Brett Collier, Zach Delaney, Ben Hammond, Josh Kuchinski, Tyler Murray, Brad O'Neil, Derek Shumaker, Luke Pinkney, and Dominick Tutino. The team is coached by Greg Burns and assistants Greg Murray and Tom Joslyn.

I am honored to recognize the teamwork displayed by the Onondaga Thunder and to congratulate the members of the team, their families, and the coaching staff. This is a historic win for Central New York and I am confident that the positive experiences from the 2017 season will yield continued success in both athletics and academics.

HONORING MRS. SHARON GIESE

HON. DAVID SCHWEIKERT

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. SCHWEIKERT. Mr. Speaker, I rise today to celebrate the life of a great friend to Arizona, Mrs. Sharon Giese, who passed away on April 19, 2017. Sharon distinguished herself in our community as a thoughtful leader and respected advocate.

Sharon Giese served with distinction as Arizona's Republican National Committeewoman from 2002 until her retirement in 2016. She was President of the Arizona Federation of Republican Women (AZFRW) from 1992 to 1993; she was a supporter of and parliamentarian for the AFRW and National Federal of Republican Women for many decades; she served several years as the official professional parliamentarian for the Chairman of The Republican National Committee as well as the Arizona Republican Party Chair at various meetings and conventions for over a decade; she was a delegate to Republican National Conventions in 2008, 2012 and 2016, held multiple positions in the Arizona Republican Party, supported Republican Teens, was an elected precinct committeewoman, member for many years on AZGOP central committee and a Presidential Elector in 2016.

I am proud to honor the life and legacy of Mrs. Sharon Giese for her tireless and devoted service to our country. I extend my condolences to all of her friends, family, and loved ones.

IN RECOGNITION OF JOHN RUSSELL OF CMS AND CONSUMERS ENERGY FOR THE DEDICATION OF THE JOHN G. RUSSELL LEADERSHIP CENTER

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. HUIZENGA. Mr. Speaker, I rise today to recognize John Russell, Chairman of the Board of Directors for CMS and Consumers Energy, for the dedication of the John G. Russell Leadership Center in Grand Rapids, Michigan. Customer-focused and data-driven, John has inspired countless employees to accomplish extraordinary things, and with the opening of this center, his legacy will continue to train and motivate leaders for generations to come.

During his 35-year career in the energy industry, John valued leadership and was deeply committed to developing strong, capable leaders throughout the company. He challenged the organization to consistently deliver breakthrough results and leave Michigan better than he found it.

A longtime Grand Rapids resident, John was President and Chief Executive Officer of CMS and Consumers Energy from May 2010 to July 2016. He was named Chairman of the Boards of CMS and Consumers Energy in May 2016.

John also served on the boards of Grand Valley State University, Business Leaders for Michigan, Michigan Chamber of Commerce, Hubbell Inc. and The Right Place Inc.

Mr. Speaker, I ask my colleagues to join me in honoring John Russell for his outstanding leadership and commitment to the state of Michigan.

HONORING MR. PHIL "HAMBONE" HAMILTON

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. VISCLOSKY. Mr. Speaker, it is my honor and privilege to stand before you and my fellow colleagues today to recognize Mr. Phil "Hambone" Hamilton, as he celebrates the 50th Anniversary of his baseball and softball umpiring career. For his lifetime of devotion to the youth in the community of Northwest Indiana and beyond, through the sports of baseball and softball, Phil Hamilton is to be commended.

Phil's love for umpiring began when he became a baseball team manager while attending Lew Wallace High School in Gary, Indiana. He was given the opportunity to umpire at a practice game, and from that day forward, Phil discovered his passion and skill for officiating.

After high school, while working at U.S. Steel, Phil began umpiring for the Gary Little League, Gary Babe Ruth League, the National Softball Association, the Amateur Softball Association, and high school games throughout Northwest Indiana. Upon retiring from U.S. Steel, after thirty-six years of service, he began officiating full-time.

As an umpire, he has called many games featuring future major league baseball players LaTroy Hawkins, Kenny Lofton, Lloyd McClendon and Ron Kittle, to name a few. Players and coaches alike have observed Phil's enjoyment, pride, and passion for officiating. Consequently, he is highly respected for his dedication, knowledge, and the fairness he brings to the game.

In addition to umpiring, Phil volunteered at the College Football Hall of Fame at its previous location in South Bend, Indiana, where he enjoyed greeting visitors and assisting with assembling exhibits and displays. An avid sports enthusiast, Phil is a devoted fan of the Chicago Cubs, Bears, and Blackhawks and spends the offseason rooting for and attending Notre Dame football games.

I must also add that I have known this wonderful gentleman since we started first grade together at Saint Mark's Grade School in Gary, Indiana. I have been blessed by his friendship my entire life and consider him a most generous soul who has served the youth of our state his entire life. His is a life we should all seek to emulate.

Mr. Speaker, I ask you and all of our fellow colleagues to join me in commending Phil "Hambone" Hamilton for his 50 dedicated years of serving the youth of his community. I applaud his distinguished officiating career and passion for the game, and I am pleased to honor him today.

RECOGNIZING THE STATE CHAMPIONSHIP SKANEATELES GIRLS VARSITY ICE HOCKEY TEAM

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. KATKO. Mr. Speaker, I rise today to recognize the victory of the Skaneateles Girls Varsity Ice Hockey Team in the 2017 New York State Public High School Athletic Association Championship on February 11, 2017. The Skaneateles Lakers defeated Orchard Park by a score of 5–1 for their second state title.

The Lakers, who never trailed a game and had nine shutouts, finished out a perfect season with a 19–0 record. They scored 109 goals this past season, while only getting scored on 13 times. Members of the undefeated state championship team include Sophie Kush, Alison Weiss, Maria McLean, Johna Halko, Lauren Jones, Kat Lindgren, Katie Halko, Emily Cox, Grace Schnorr, Abby Kuhns, Cecily Kawejcsza, Katrina Harter, Anne Rubel, Megan Teachout, Heather Tanzella, Jessica Smith, Sophia Burns, Ioanna Christou, Grace Kush, Campbell Torrey, and Caroline Corbett. The team is coached by Andy Rozak.

Not only did the Lakers play hard this season, but they studied hard as well. The Lakers were also a New York State Scholar Athlete team due to their academic accomplishments.

I am honored to recognize the teamwork displayed by the Skaneateles Lakers and to congratulate the members of the team, their families, the coaching staff, and teachers at Skaneateles High School. This is a historic

win for Central New York and I am confident that the positive experiences from the 2017 season will yield continued success in both athletics and academics.

IN APPRECIATION OF JAMES
LIEBERMAN'S CAREER AT U.S.
CUSTOMS AND BORDER PROTEC-
TION AGENCY

HON. JAMIE RASKIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. RASKIN. Mr. Speaker, I rise today to honor a fine constituent and public servant, James Lieberman. After thirty years, Mr. Lieberman will be retiring from a prolific and significant career at the U.S. Customs and Border Protection Agency.

Between 1985 and 2005, Mr. Lieberman's career blossomed as a U.S. Customs Service Contract Specialist. During this period, he served as a Procuring and Administrative Contracting Officer on many of the highest-visibility, highest-priority and highest-impact acquisitions within the agency. From 2005 to 2007, Mr. Lieberman was asked to serve as Chief of the Business Management Branch of the U.S. Customs and Border Protection Agency supervising contracting professionals who provided acquisition services to support the Offices of the Commissioner, Chief Counsel, International Trade, Internal Affairs, Congressional Affairs, Public Affairs, Finance, Training and Development, and Human Resources. Between 2007 and 2012 James served as the Director of the Border Patrol Contracting Division. His division was responsible for acquiring all supplies, equipment and services for Office of Border Patrol. After an exemplary demonstration of skill, Mr. Lieberman was asked to serve as the Director of the Border Enforcement Contracting Division from 2012 to 2017. His career crescendoed during his time as the Acting Executive Director, Procurement Directorate, from 2016 to 2017. His department is comprised of seven divisions authorized for 166 full-time employees.

We appreciate Mr. Lieberman's profound commitment to public service and honor his long and successful career.

HONORING DR. THOMAS E. STARZL

HON. DAVID LOEBSACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. LOEBSACK. Mr. Speaker, I rise today to honor Dr. Thomas E. Starzl of Les Mars, Iowa. A pioneer in the world of science and medicine, Dr. Thomas E. Starzl will forever be remembered as an extraordinary member of our community. Among his many accomplishments, Dr. Starzl revolutionized medicine by successfully performing the first ever human liver transplant. Dr. Starzl's work saved thousands of lives, and he became known as "the father of transplantation." On March 4, 2017, Starzl passed away peacefully at his home in Pittsburgh, Pennsylvania.

Dr. Thomas Starzl was born in Les Mars, Iowa to a family of first generation Americans.

As an undergraduate, Dr. Starzl attended Westminster College in Fulton, Missouri and eventually went on to complete an M.D. and Ph.D. in neuroscience at Northwestern University Medical School in Chicago, Illinois. Dr. Starzl would spend a majority of his early career working at the University of Iowa and the University of Colorado until his move to University of Pittsburgh, where he remained until his retirement. In 2006, President George W. Bush awarded Dr. Starzl the National Medal of Science for his pioneering work in transplantation. He has also received awards from the National Institute of Medicine, the American Liver Foundation, the National Kidney Foundation, and the American Medical Foundation, among others.

Dr. Starzl was considered a "force of nature" to those who knew and loved him. One of his former students remarked that he came to recognize Dr. Starzl's "work ethic and pragmatism as characteristics in many of my patients and think that his salt-of-the-earth values must have been instilled at an early age." I and other Iowans are proud to call Dr. Starzl one of our own.

BERNADETTE GRAY-LITTLE

HON. LYNN JENKINS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Ms. JENKINS of Kansas. Mr. Speaker, I rise today to recognize and congratulate Bernadette Gray-Little for her unwavering leadership and service as the 17th Chancellor of the University of Kansas. As her tenure comes to an end and we reflect on her eight years as Chancellor, we celebrate the work Bernadette Gray-Little has done to positively impact the university, the state of Kansas, and beyond.

Chancellor Gray-Little has championed initiatives for the University such as the implementation of new admissions standards, prioritizing retention and graduation rates, and succeeding at growing the freshman class for five consecutive years. She has overseen the physical transformation of KU's campuses by securing support for new projects as well as major renovations for the university.

Additionally, she has demonstrated courage and compassion by leading university conversations on matters such as sexual assault, diversity and inclusion, campus safety, and the living and working environment on the university's campus.

When it comes to the state of Kansas, Chancellor Gray-Little has made her imprint through undertaking university efforts that would help in creating new jobs to spur economic growth, launching startup companies, developing corporate partnerships, licensing new technologies, and fostering an entrepreneurial mindset among faculty, staff and students alike.

Chancellor Gray-Little demonstrated national leadership as a member of the board of directors of the Association of American Universities and the Association of Public and Land-grant Universities. As a member on these boards, she played an important role on the national level as a strong advocate for higher education and the importance of research

funding. We can see her impact as she led the university to new heights in research funding that will benefit people around the globe.

As Chancellor of KU, Bernadette Gray-Little made history as the first female and first African-American Chancellor in the university's existence. Chancellor Gray-Little has led the University of Kansas with strength and humility. She truly has been an inspiration to students, staff, faculty, and colleagues throughout the state and our nation.

I extend my deepest appreciation to Bernadette Gray-Little for her service and commitment to the University of Kansas and I wish her all the best in the years ahead.

HONORING MR. ROGER SHALALA

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. KATKO. Mr. Speaker, I rise today to honor the esteemed career of Roger Shalala following 50 years of dedicated service to the Elbridge Volunteer Fire Company in Elbridge, New York.

On December 6, 1966, Mr. Shalala joined the Elbridge Volunteer Fire Company to serve his community. He served as the Department's President during 1968 and then maintained a 24 year tenure as Secretary, where he gained a wealth of knowledge of the Department's history and background. As such, Mr. Shalala has become known as the resident historian of the Elbridge Volunteer Fire Company.

During his time serving the Elbridge Volunteer Fire Company, Mr. Shalala's passion for serving his community has never faltered. He regularly volunteers at events to benefit the Department, including parades, fundraisers, pancake breakfasts, and chicken and biscuit dinners.

It is my honor to recognize Roger Shalala's 50 years of devoted service to our community.

IN HONOR OF JESSICA MARK'S RE-
CEIPT OF THE YAVAPAI COUNTY
TEACHER OF THE YEAR AWARD

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. GOSAR. Mr. Speaker, today I would like to recognize Ms. Jessica Marks of Yavapai, Arizona. Jessica is an accomplished and respected educator whose distinguished career has inspired countless young people in Arizona to follow their dreams. Currently, she teaches Language Arts to the students of Glassford Hill Middle School in Yavapai. Her inspiring service to the youth of our district is deserving of all of our admiration. It comes as no surprise that she is being recognized as the Yavapai County Teacher of the Year.

Jessica's career in education began in 2011, where she taught at Liberty Traditional School and later became a founding teacher at Prescott Valley's Arizona Agribusiness and Equine Center. On account of her teaching excellence, 100 percent of her students passed AIMS testing. Jessica has prioritized community engagement, leadership skills and well-

rounded character in her pedagogical approach. Outside of the classroom, she has served as an adviser to the student yearbook, the community service organization Panthers in Action, the National Junior Honor Society, and the school newspaper, amongst other extracurricular responsibilities. Jessica also works hard planning the annual eighth grade trip to Catalina Island.

Jessica's service and mentorship to our youth is commendable. Her track record of excellence began when she undertook her first teaching position, and has continued to the present day. Jessica's amazing career serves as a beacon of civic duty and care for one's community, and I sincerely appreciate the opportunity to recognize her today.

HONORING NEW CITIZENS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and sincerity that I take this time to congratulate fifteen individuals who took their oaths of citizenship on Friday, April 21, 2017. This memorable occasion, presided over by Magistrate Judge John E. Martin, was held at the United States Courthouse and Federal Building in Hammond, Indiana.

America is a country founded by immigrants. From its beginning, settlers have come from countries around the world to the United States in search of better lives for their families. Oath ceremonies are a shining example of what is so great about the United States of America—that people from all over the world can come together and unite as members of a free, democratic nation. These individuals realize that nowhere else in the world offers a better opportunity for success than here in America.

On April 21, 2017, the following people, representing many nations throughout the world, took their oaths of citizenship in Hammond, Indiana: Laura Yvette Tirado, Siblu Kudakkachira Mathew, Chiedozie Destiny Felix, Ofelia Juarez Hernandez, Servando Leal, Graciella Lopez-Strambu, Cecilia Mercy Mumbi Muchiri, Uyen Thi Thu Nguyen, Andy Dai Nguyen, Nakyung Nikkie Park, Yasmin Rahim, Alicia Ramirez, Hortencia Rodriguez, Hun Young Susan Yang, and Bahradine Abderhmane Zakaria.

Although each individual has sought to become a citizen of the United States for his or her own reasons, be it for education, occupation, or to offer their loved ones better lives, each is inspired by the fact that the United States of America is, as Abraham Lincoln described it, a country "... of the people, by the people, and for the people." They realize that the United States is truly a free nation. By seeking American citizenship, they have made the decision that they want to live in a place where, as guaranteed by the First Amendment of the Constitution, they can practice religion as they choose, speak their minds without fear of punishment, and assemble in peaceful protest should they choose to do so.

Mr. Speaker, I respectfully ask you and my other distinguished colleagues to join me in

congratulating these individuals who became citizens of the United States of America on April 21, 2017. They, too, are American citizens, and they, too, are guaranteed the inalienable rights to life, liberty, and the pursuit of happiness. We, as a free and democratic nation, congratulate them and welcome them.

COMMENDING ALPHA OMEGA- HENRY SCHEIN CARES HOLO- CAUST SURVIVORS ORAL HEALTH PROGRAM

HON. THOMAS R. SUOZZI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. SUOZZI. Mr. Speaker, I rise today, in commemoration of Yom HaShoah, to solemnly remember the six million Jews and the millions of others murdered by the Nazis during the Holocaust. We reaffirm our commitment to stand up and take action when we encounter persecution or an assault on human dignity. As Holocaust survivor and Nobel Laureate Professor Elie Wiesel counseled, "the opposite of love is not hate, it's indifference."

As we mourn those who perished, we must honor the more than 100,000 survivors of the Holocaust who live here in our United States of America, an estimated one third of whom live in poverty. It is through our understanding of history that we "never forget" their plight and act to ensure that they live their lives in comfort and dignity.

I would like to commend the Alpha Omega-Henry Schein Cares Holocaust Survivors Oral Health Program, an innovative public-private partnership that has improved the lives of this most vulnerable population. In under two years, this program has provided critical, pro bono dental care to more than 600 Holocaust survivors in 18 cities across North America. The program serves as a model for what we can accomplish when we work together to help those in need.

As a Member of Congress who represents constituents of the Jewish faith I am compelled to remember today the millions of Jews as well as individuals of other faiths who were murdered during the Holocaust and pay tribute to a partnership committed to enhance Holocaust survivors' quality of life. May their efforts serve as an inspiration to us all to always choose action over indifference.

RECOGNIZING THE STATE CHAMPIONSHIP WESTHILL BOYS BASKETBALL TEAM

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. KATKO. Mr. Speaker, I rise today to recognize the victory of the Westhill Senior High School Boys' Basketball Team in the New York State Public High School Association Class B Championship on March 18, 2017. The Westhill Warriors defeated the Canton Golden Bears by a score of 80–62 for their fifth state title.

The Warriors, ranked number one in their class, finished the season 25–1. The team

had four players who scored double digits in the title game, including senior Kemerren Jackson with 22 points, juniors Sean Dadey and Owen Matukas with 15 points each, and junior John Geer with 11 points. Members of the state championship team include Jackson, Dadey, Matukas, Geer, as well as seniors Braedon Elmer and Antonio Scrimale, juniors Holden Carroll, Corey Frassica, Chris Holt, Jordan Marcano, and EJ Zawadzki, sophomores Charlie Bolesh and Michael Laszlo, freshmen Zechariah Brown, and Dan Washburn. The team is coached by Kevin King.

I am honored to recognize Coach Kevin King on his fifth state title in program history and to honor the teamwork displayed by the Westhill Warriors in earning the Class B Championship. I congratulate the members of the team, their families, the coaching staff, and teachers at Westhill Senior High School. This is a historic win for Central New York and I am confident that the positive experiences from the 2017 season will yield continued success in both athletics and academics.

FIFTY YEARS OF COLORADO LEADERSHIP ON ABORTION RIGHTS

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Ms. DeGETTE. Mr. Speaker, 50 years ago today, Colorado blazed a trail for the rights of women and girls when it became the first state to loosen restrictions on legal abortions. Until then, the procedure was available only if the woman's life was at stake.

The new law allowed an abortion if the woman's physical or mental health was threatened, if the pregnancy was the result of rape or incest, or if the child might have serious birth defects.

Mr. Speaker, this was seven years before the U.S. Supreme Court would affirm a woman's constitutional right to choose in *Roe v. Wade*. Today, polling consistently shows that seven in 10 Americans do not believe that *Roe* should be overturned. But back in 1967, allowing any loosening of the near-absolute ban on abortion was a risky move from a political point of view.

A freshman Colorado state lawmaker, Richard Lamm, decided the risk was worth it, even if it meant the end of his career. After introducing the bill, he worked State Senator John Birmingham and many others to persuade the overwhelmingly male and Republican-dominated legislature to pass it. Within weeks, Republican Governor John Love signed it into law.

The year before, only 10 abortions had been reported to Colorado's health department. During the eight months remaining in 1967 after the bill was signed, 120 abortions were reported—including for a 12-year-old girl who had been raped. Without that law, her only recourse would have been either a back-alley procedure or carrying the pregnancy to term.

Within the next three years, 11 other states emulated Colorado, while four others loosened restrictions on legal abortions even more.

Rather than see his career come to an end, Richard Lamm went on to serve three terms as Colorado's governor. Now age 81, he's the

co-director of the University of Denver's Institute of Public Policy Studies.

Mr. Speaker, as a leader in women's reproductive rights, I am proud to hail from the state that, half a century ago, led the way in giving women and girls more control over their own bodies. It's thanks to enlightened people with courage and conviction like Richard Lamm that such progress can be made.

IN RECOGNITION OF EMLLEN
TUNNELL

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. MEEHAN. Mr. Speaker, today I recognize the life of Emlen Tunnell, a Radnor High School graduate, World War II hero, and the first African American to be inducted into the NFL Hall of Fame.

Tunnell grew up in Garrett Hill, PA where he excelled in all athletics but decided to accept a football scholarship to Toledo University. Unfortunately, a broken neck nearly cost him his life and football career. But Tunnell recovered. When World War II broke out he desperately wanted to enlist but was rejected from both the Army and Navy due to his injury. Finally, the Coast Guard accepted Tunnell. Twice while serving, he risked his own life to save a fellow serviceman—extinguishing flames that engulfed a friend after a Japanese torpedo attack, and again when he dove into freezing waters to rescue a shipmate.

After serving his country, Tunnell returned to football. He played two years with the University of Iowa before hitchhiking from Lancaster Pike to New York where he tried out to become a Giant. It was a humble start to a stellar career. Tunnell spent 14 years in the league—11 with the Giants and three as a Green Bay Packer. In that time he was selected to the Pro Bowl nine times, played on two championship teams, and held the then NFL record for consecutive games played at 143. In 1967 he became the first African American inducted into the NFL Hall of Fame.

Mr. Tunnell is an American hero. Yet, his name has largely been lost to the history books. That must change. The Sports Legends of Delaware County and Delaware County Veterans Memorial have initiated a campaign to erect a seven-foot bronze statue of Tunnell with that goal in mind. It is an important step to properly honoring this great Pennsylvanian. Through their efforts, Emlen Tunnell's remarkable life and accomplishments will rightly be remembered for decades to come.

CELEBRATING THE 90TH BIRTHDAY OF BENJAMIN "BEN" MORRIS OF WESTMORELAND COUNTY, VA

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. WITTMAN. Mr. Speaker, I rise today to recognize and celebrate the 90th birthday of Benjamin "Ben" Morris of Westmoreland County, VA.

Born on May 6, 1927, Ben would attend grade school at Oak Grove School for first through twelfth grade. Upon graduating in 1945, Ben enlisted in the United States Navy to serve in World War II.

By the time Ben completed boot camp in Maryland, the war had ended but the mission to invade Japan was still to take place. He journeyed to California to board a troop ship that would travel to the Marshall Islands where he would board the USS *Prairie*. The USS *Prairie* traveled the seas of the Pacific, stopping at many islands, until it reached Tokyo, Japan. Ben recalls being amazed at the destruction of the city from the bombing that had occurred. After his naval tour of 15 months, he returned to his home in Montross, VA to begin working with his father at L.A. Clark Company, producing railroad ties.

In 1950, Ben and his older brother built a lumber mill. That same year, Ben married his wife, Middy, with whom he would have three boys and a daughter. In 1951, Northern Neck Lumber, Inc. opened for business in Warsaw, VA. After his brother's death, Ben continued to run the business until 1995 when he retired. Ben's two sons continue to run the business today.

Ben served on the Board of The Bank of Montross for 34 years until it was sold. Ben is a member of St. James Episcopal Church where he has served on the Vestry several times.

Ben has enjoyed the pleasures of the Northern Neck: golfing, fishing, boating, and hunting. He is proud of his three children from his first marriage who have blessed him with nine grandchildren and seven great-grandchildren. Ben and his current wife of 33 years live in Montross, and her two children and five grandchildren have been part of an ever growing family.

Mr. Speaker, I have had the pleasure of knowing Ben for many years and am honored to recognize him and to celebrate his 90th birthday. On behalf of the millions of Americans that he has selflessly served through his military service and service to his community, I thank him and wish him the happiest of birthdays.

HONORING MR. DONALD TRIBBY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure that I take this opportunity to honor Mr. Donald Tribby upon his retirement from United Steelworkers Local 1066. I have known Don for many years, and his dedication to his fellow union members is unparalleled. For nearly forty-eight years, he served in many capacities as a member and officer with Local 1066, and his contributions have helped to strengthen the organization and improve conditions for its members.

A third generation steelworker, Don Tribby's outstanding career in the steel industry began on September 27, 1968, as a motor inspector apprentice and journeyman, a position he would hold for the next ten years. Don then spent the remainder of his time at United States (U.S.) Steel as a millwright apprentice and journeyman, where he excelled in his trade and proved to be an exceptional model for his fellow steelworkers to emulate. While employed at U.S. Steel, Don became active in Local 1066, first part-time as a grievor, then full-time as Financial Secretary in 2003. In 2008, he also took on the role of Benefits Coordinator, and he remained in both capacities until his retirement in August of last year.

Mr. Tribby has worked tirelessly to make his employer one of the most efficient producers of steel in the world. Simultaneously, he has

committed his life to ensuring the value of human labor is recognized. He was meticulous in making sure that his colleagues and those he was responsible for were provided a safe work environment and that their wages were commensurate with their value to the company.

While Don has been a loyal servant and colleague for Local 1066, his greatest source of pride is his loving family. Don wed his beloved wife, Barbara, on July 25, 1981, and the couple has spent the past thirty-five years by each other's side. Don and Barbara are the proud parents of two sons, David and Michael.

I am proud that Don Tribby is my friend, and I cannot thank him enough for all he has done for me over the years. I am even more grateful for what he has done for so many for so long, strangers and friends alike.

Mr. Speaker, Donald Tribby has been a dedicated member and officer with United Steelworkers Local 1066 for nearly half a century and served and worked beside his fellow union members with distinction. At this time, I ask that you and all of my distinguished colleagues join me in wishing Don the best upon his retirement and commending him for his lifetime of dedicated service.

RECOGNIZING THE STATE CHAMPIONSHIP JAMESVILLE-DEWITT GIRLS BASKETBALL TEAM

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. KATKO. Mr. Speaker, I rise today to recognize the victory of the Jamesville-DeWitt Girls' Basketball Team in the New York State Public High School Association Class A Championship on March 18, 2017. The Jamesville-DeWitt Red Rams defeated the Pittsford-Mendon Vikings by a score of 48-46 to win the state title for the second year in a row.

The Red Rams' victory over the undefeated and number one-ranked Vikings was a close game, but the tournament's most outstanding player Meg Hair scored 12 points and senior Julia Kelner scored 11 points to secure the title. Members of the state championship team include Hair, Kelner, as well as senior Angela Bussone, juniors Jamie Boenheim and Kasey Vaughan, freshmen Sydney Baker, Paige Keeler, Maya Leslie, Gabby Stickle, Andrea Sumida, and eighth graders Momoka LaClair and Tracey Edison. The team is coached by Rob Siechen.

I am honored to recognize the teamwork displayed by the Jamesville-DeWitt Red Rams and to congratulate the members of the team, their families, the coaching staff, and teachers at Jamesville-DeWitt High School. This is a historic win for Central New York and I am confident that the positive experiences from the 2017 season will yield continued success in both athletics and academics.

HONORING COAHOMA COUNTY
HIGH SCHOOL

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a group of high school students from the second district of Mississippi on their victory against Baldwin High School

Bearcats by the score of 60 to 47 on March 10th to win the State 2A Boys Basketball Championship. The team ended the season with an overall record of 32 and 2.

I would first like to recognize the team beginning with the coaches. They include Head Coach, Derrick Moore and Assistant Coaches, Darryl Moore and Tim Williams; Trainers, Latrentis Murrell and Antwonario Bryant. To the entire coaching staff, your hard work and dedication is greatly appreciated.

The players' teamwork and athletic abilities are also evident with this victory. Waltavious Cockerham, Keion Cosby, Bentavious Galmore, Markevious Holmes, Brandon Hornburger, Jaylin McCray, Derrick Moore, Jr., Markevious Phillips, Alshun Ross, Dewayne Rucker, Timarcus Sacks, Timothy Sacks, Effernee Taylor, Keyshawn Thomas, Jammion Burden, Gregg Johnson, Tykeevius Taylor, Jermaine Fry, and Quenton Wolfe, congratulations on a victorious season.

Derrick Moore, a 1996 graduate of Coahoma County High School and former Assistant Coach under Coach Isaiah Peterson when the Red Panthers won back to back titles in 2005 and 2006, believes a team is a team when everyone has the mindset that they can win and be champions and when each individual knows they are important to the program.

Mr. Speaker, I ask my colleagues to join me in recognizing and congratulating the Coahoma County High School Red Panthers Boys Basketball Championship Team.

RECOGNIZING MR. "BUZ" EDDY,
THE CITY MANAGER OF THE
CITY OF GULF BREEZE

HON. MATT GAETZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. GAETZ. Mr. Speaker, I rise to recognize Mr. "Buz" Eddy, the City Manager of The City of Gulf Breeze, Florida. Mr. Eddy has served the city in this role since 1992. On May 1, 2017, Mr. Eddy is retiring after twenty-five years of dedicated service.

Mr. Eddy has contributed his expertise and guidance in many different capacities. He served on the Board of the Florida City/County Managers Association, and as a member of the Gulf Breeze Sertoma and Gulf Breeze Rotary Clubs. Buz served as President of the Gulf Breeze Rotary Club in 2015–2016. Mr. Eddy also serves as the City's representative on The Santa Rosa County RESTORE Council and is President of Fairpoint Regional Utility System.

As City Manager, Mr. Eddy made structural transformation the cornerstone of his administration. He has put in place the plans, procedures, systems, and controls necessary for accountability and performance to ensure Gulf Breeze will continue to operate under the institutional principles established by his administration long after he leaves the post.

During Mr. Eddy's tenure, Gulf Breeze was impressively recognized as the Number One Most Successful City in Florida over 215 top livable cities, based on national quality-of-life rankings.

Mr. Eddy has contributed to the creation of countless successful projects and programs. He has demonstrated a profound dedication to the concepts of effective and democratic local government. His negotiations on behalf of the City have resulted in the expansion and redevelopment of a variety of enterprises.

Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize Mr. "Buz" Eddy and congratulate him on his retirement. I thank him for his fairness, diligence, encouragement, and trustworthy leadership; and wish him all the best for continued success in the future.

CONGRATULATING THE 2017
CRISPUS ATTUCKS MEDICAL
MAGNET HIGH SCHOOL'S VARSITY
BOYS BASKETBALL TEAM

HON. ANDRÉ CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. CARSON of Indiana. Mr. Speaker, I rise to congratulate the 2017 Crispus Attucks Medical Magnet High School's Varsity Boys Basketball Team. The Tigers were crowned the Division 3A Indiana State Boys Basketball Champions on March 25, 2017 after a thrilling last second basket to clinch victory over Twin Lakes 73–71 at Bankers Life Fieldhouse.

The Crispus Attucks basketball program is one of our country's most legendary basketball programs, as it was the first all-black school in the country to win an open state championship in 1955. This year's team was supported by our entire community and especially alumni. NBA Hall of Famer and leader of the 1955 and 1956 championship teams, Oscar Robertson, cheered on the Tigers and following their victory placed the championship medals around the necks of the players, coaches, and support staff.

This is the team's fourth state title, but the first since 1959. The Tigers were led to a 25–4 record by first year Head Coach Chris Hawkins who has inspired the student athletes to excel. Additionally, all Attucks fans and in particular the student body should be recognized for their enthusiasm and pride in this team.

The young men on this team should be proud of their accomplishment. It is an honor to join the entire Indianapolis community in recognizing these outstanding student athletes.

IN RECOGNITION OF MORTON &
PITALO, INC.'S 40TH ANNIVERSARY

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Ms. MATSUI. Mr. Speaker, I rise today to recognize Morton & Pitalo, Inc. as they celebrate their 40th Anniversary. As the community and members of Morton & Pitalo gather today, I ask my colleagues to join me in honoring them and their long history of service to the Sacramento region and beyond.

Co-founded by Richard Morton and John Pitalo in 1977, Morton and Pitalo, Inc. is the oldest locally-owned firm in the region. Mr. Morton and Mr. Pitalo have created an organization that provides high-quality civil engineering, land planning, and land surveying to their clients. Providing all of these services via a single firm allows Morton & Pitalo to be closely involved and knowledgeable in entire construction projects, from start to finish. Dedicated to the success of their projects, the highly-talented staff's teamwork is the key to the many accomplishments of Morton & Pitalo's operations. As they commemorate their 40th Anniversary, they can celebrate hav-

ing successfully completed thousands of projects for the public and private sectors.

Mr. Speaker, as the members and friends of Morton & Pitalo, Inc. celebrate their 40 years of service to the Sacramento region and beyond, I ask all my colleagues to join me in honoring them for their dedication to their clients and to our community.

HONORING BETHEL COLLEGE
MEN'S BASKETBALL COACH
MIKE LIGHTFOOT ON HIS RE-
TIREMENT

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mrs. WALORSKI. Mr. Speaker, I rise today to honor Mike Lightfoot, who will retire at the end of this season after 30 years as coach of the Bethel College Men's Basketball Team.

The tremendous achievements of the Bethel Pilots Men's Basketball Team are a reflection of Coach Lightfoot's ability to see greatness in his players and inspire the team to be their best. Coach Lightfoot was an inspiration not only to his team, but to the entire Bethel College community. As generations of students, faculty, and fans have gathered at the Wiekamp Athletic Center, committed to the home game excitement and school spirit, Coach Lightfoot has helped foster the team's will to succeed and the institution's faithful turnout.

Coach Lightfoot has led the Bethel Pilots since 1987, and in that time the team secured 796 wins, including four NCCAA National Championships and three NAIA National Championships. His greatest legacy, however, is in helping the countless players he coached grow into strong leaders and dedicated members of their community. He had an amazing ability to connect with these young men, inspiring them to strive for great achievements, as evidenced by the 98 percent graduation rate among Coach Lightfoot's players.

Mr. Speaker, on behalf of 2nd District Hoosiers, I want to thank Coach Lightfoot for his unconditional dedication to the Pilots, Bethel College, and our entire community. His innovative coaching styles and effective leadership resonates in the team's excellent record as well as in the personal growth and achievement of every player he helped shape. I am grateful for the example he set for the young Hoosiers of Bethel College.

HONORING VELMA JACKSON HIGH
SCHOOL

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a group of high school students from the second District of Mississippi with a special congratulations for winning the State 3A Boys Basketball Championship when they defeated East Side by the score of 46 to 32 on March 10th with an overall record of 27 and 6.

I would first like to recognize the team beginning with the coaches. They include Head Coach, Anthony Carlyle and Assistant Coaches: Bryantae Garrett and Christian Johnson. Their hard work and dedication is greatly appreciated.

The players' teamwork and athletic abilities are also evident with this victory. The players are Mason Riley, Robert Anderson, Kiryne Jobe, Brandon Weatherspoon, Robert Kendrick, Charles Smith, Travius Brown, Nikolas Weatherspoon, Haven Ousley, Carlton Beamon, Leaveon Griffin, Jamuel Brooks, DeMarion Jones, Andre Lee and Antwain Dixon.

Congratulations Velma Jackson High School Falcon Boys Basketball Championship Team.

Mr. Speaker, I ask my colleagues to join me in recognizing and congratulating Velma Jackson High School Boys Basketball Championship Team.

IN RECOGNITION OF MRS. MELANY REIS-ABERNATHY

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. VALADAO. Mr. Speaker, I rise today to honor the life of Mrs. Melany Reis-Abernathy, who sadly passed away on March 18, 2017 after a long battle with cancer.

Mrs. Melany Reis-Abernathy was born in Modesto, California on March 27, 1973. Growing up, Melany was the daughter of a dairyman and a District 5 Dairy Princess. She attended California Polytechnic State University, San Luis Obispo, where she graduated in 1996, and went on to work in the agriculture industry with the Farm Credit system and later at Rabobank North America Wholesale as a financial analyst.

An avid adventure seeker, Melany met her husband, Kevin Abernathy, while in a martial arts class in 1999. The two became quick friends due to their active lifestyles and similar upbringings in the dairy community and began dating soon after meeting. Melany and Kevin got married on June 17, 2003 in Kauai, Hawaii at Ship Wreck Beach and made their home in Delhi, California. Kevin and Melany enjoyed water skiing, boating, hiking, running, and snow skiing together. Although the two never had children of their own, Melany was known and loved by her nieces and nephews as the "cool aunt".

Known for her dedicated service, Melany and Kevin began working with disadvantaged children through Aspiring Children for Tomorrow, an organization of which her husband serves as general manager. The goal of the organization is to assist struggling young people through training and competition in the fighting arts.

Mrs. Reis-Abernathy became a yoga instructor while battling cancer, showing her strength and resolve even in the face of adversity. Melany had the strength to continue fighting this disease and living her life with love and joy, as she always had. She truly lived every moment to the fullest.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in honoring the life of Mrs. Melany Reis-Abernathy. My thoughts and prayers are with her family and friends during this difficult time.

IN HONOR OF KATY LUCILLE HENDERSON

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. BRADY of Texas. Mr. Speaker, this month, the Houston County Tadmor Community will celebrate the one hundredth birthday of Katy Lucille Henderson, a cherished leader and faithful servant in the community.

On April 24th, 1917, George and Josephine Augusta Stewart Henderson welcomed a new addition to the family, Katy Lucille Henderson, better known as Lucille. In her life, Lucille has witnessed the growth and transformation that took place in the world during the 20th and 21st Centuries. Growing up, Lucille's family used a horse drawn buggy as their primary mode of transportation. She vividly remembers the introduction of many "modern" inventions such as the electric light bulb, refrigeration, and indoor plumbing. However, few modern marvels have had a great impact on Lucille compared to hearing her favorite hymn, How Great Thou Art, or the majestic voice of the great Mahalia Jackson.

After graduating high school in 1936, Lucille married Carl Lester Franklin. While Carl served in the military during World War II, Lucille dedicated her time to working in the community and serving as a cook at the Kennard West Side Schools. For more than 50 years, she has served the Lord as a Stewardess at the Bethel Christian Methodist Episcopal Church and as a respected role model in the Tadmor Community.

Together, Lucille and Carl raised five children: Carl E. Franklin, Barbara Franklin, Marva G. Anglin, Charles D. Franklin, and Ronald L. Franklin. Lucille is also blessed with a stepdaughter, Doris Gibson.

Lucille's family continues to grow as she is blessed with twelve grandchildren and ten great-grand children: Byron Franklin, Abria Perry, Brian Franklin, Bobby R. Anglin, George K. Anglin, Kyla N. Franklin, Micha A. Franklin, Diondra I. Franklin, Nichelle R. Franklin, Patrice L. Franklin, Robbyn L. T aylor, and Rosslyn K. Douglas; along with Doris' children: Mitchell, Marcus and Milton; Malkijah Perry, Aniyah Perry, Briana M. Franklin, Jayna Franklin, Jordan Anglin, Jayron Anglin, Kennedy Anglin, Reign K. T aylor, Ryleigh M. T aylor, and Cadence K. Douglas.

From her home in the Tadmor Community, Lucille continues to see the world transform around her; however, she recently joked with her family that she "has never been on an airplane and never will be".

As she celebrates her 100th birthday, I would like join her family, friends, and the Tadmor Community to wish Lucille a very happy and blessed birthday.

HONORING TWENTY-TWO TEACHERS OF THE GREATER BOCA RATON AREA

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. DEUTCH. Mr. Speaker, I rise today in honor of the twenty two outstanding teachers in South Florida who have been awarded the Teacher of the Year Award from the Rotary Club of Boca Raton Sunrise.

For the past 31 years, the Rotary Club of Boca Raton Sunrise has offered this annual distinction to one teacher at each of the twenty-two schools in the greater Boca Raton area. Each awardee is selected by the school's principal. These teachers have dedicated their time to inspiring, empowering, and bettering the next generation of youth in our community. Their passion in this effort is truly worthy of our recognition.

These twenty-two exemplary teachers have made a profound impact on their students through their caring, commitment, and professionalism. They are a cohort defined by integrity, excellence, and the highest marks in all they do. The City of Boca Raton is fortunate to have such outstanding faculty.

Congratulations to Maria Laing, Brad Chapell, Kelly Green, CarolAnn Da Rocha, Meghan Forbush, Mariel Stark, Shari Farenga, Eileen O'Brien, Denise Rudy, Courtney Elkin, Emlyn McAna, Nora Buck, Robin Koota, Sarah Gregory, Jacqueline Grandison, Shelly Devino, Mary Fish, Anna Lillie-Young, Karen Gibson, Amanda Fraga, Lance Blank, and Sharon Gotschall on being nominated for this year's Teacher of the Year Award. I am pleased to honor them, and I thank them, for their continued service.

TRIBUTE TO CAPTAIN JAMES DICK

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. COURTNEY. Mr. Speaker, I rise today in honor of Captain James Dick for his more than 30 years of faithful and dedicated service to the U.S. Navy and our country.

A 1987 graduate of the U.S. Naval Academy and 1993 graduate of the Naval Postgraduate School, Captain Dick served as an engineering officer on the USS *San Jacinto* (CG 56) where he completed three deployments to the Persian Gulf. In 2000, he returned to shipboard life aboard the USS *Klackring* (FFG 42) as executive officer. In this tour, he oversaw a crew of more than 200 sailors as they circumnavigated South America as part of their UNITAS XLI exercises with other foreign navies. In 2005, Captain Dick assumed command of the USS *Ramage* (DDG 61). While in command, his crew supported both Operation Enduring Freedom and Operation Iraqi Freedom. Under his leadership, the *Ramage* earned recognition as Self-Sufficient Ship of the Year for the Atlantic fleet, saving the Navy over \$200,000.

Captain Dick transitioned from being a surface warfare officer to serving as an exceptional navy acquisition professional in 2008. In this capacity, he served as Program Manager for the Sea Warrior Program, as an International Programs and Foreign Military Sales expert, and most recently within the International Fleet Support and Ship Transfer Directorate. Captain Dick's tireless efforts supporting the U.S. Navy's foreign military sales endeavors have helped to ensure America's timeless values of freedom and democracy extend beyond our borders, around the globe.

I ask my colleagues to join me in recognizing Captain James Dick for his lifetime of dedication and service to the U.S. Navy and the country. We thank him for his sacrifice, his commitment, and his countless efforts to preserve peace at home and spread freedom abroad.

RECOGNIZING PONCE DE LEON
HIGH SCHOOL'S SENIOR KOBY
TOWNSEND

HON. MATT GAETZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. GAETZ. Mr. Speaker, I rise today to recognize Ponce de Leon High School's senior Koby Townsend.

Koby has received and accepted an offer to continue his college basketball career at Huntingdon College in Montgomery, Alabama.

In addition to his success as a basketball player, Koby has excelled in the classroom. He is an active member of the Sr. Beta Club, a national organization honoring high academic achievement; and is set to graduate as Magna Cum Laude of his high school class.

Koby has also been an active member of the FCCLA club serving as treasurer for one year. He competed in the speech contest and won 5 gold awards at the state level allowing him the opportunity to compete at the national level.

I am proud to recognize the diligence and dedication this young man has shown to his team and education. Koby is a role model for fellow students and team members, and a source of pride for his community and all Northwest Florida.

I urge my colleagues to join me in congratulating Koby on his spectacular senior season and receiving this honor. I look forward to continuing to follow his basketball career.

HONORING TUNICA 10 POINT COALITION, INC.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Tunica 10 Point Coalition, Inc. in Tunica County, Mississippi.

Tunica 10 Point Coalition, Inc. is a Faith Based Organization with a strategic vision, programmatic structure, financial resources necessary to save at-risk youth from child abuse and neglect, street violence, drug abuse, school failure, teen pregnancy, incarceration, chronic health and wellness issues, spiritual depravity and hopelessness about the future.

Tunica 10 Point Coalition, Inc. was formulated in 2004 after being introduced to the facts or the (10 Points) by the Memphis Chapter who was providing a training workshop on community involvement in local metropolitan areas. In April 2005, the Tunica 10 Point Coalition, Inc. organization was introduced to local clergy and community leaders. In 2007, the Executive Board was officially established and officers elected took office to start the local chapter.

Tunica 10 Point Coalition, Inc. primary mission is to work closely with local organizations and law enforcement, clergy, school administrators, elected officials and community leaders to assist with programs such as: after school programs, community outreach services and youth outreach enrichment activities. Partnership with these agencies enables the organization to continue to assist youth and parents in creating a better community for all. They are also partners with community health centers, recreation centers to promote good health choices and provide a program that will

help guide youth and parents to a healthy lifestyle by eating healthy and exercising.

Tunica 10 Point Coalition, Inc. organization has many accomplishments over the years with most of the involvement that are still ongoing in the community. Some of the major accomplishments and ongoing initiatives for the Tunica 10 Point Coalition are:

1. Created the COW (Combating Obesity & Intervention Program) initiative that enables the Tunica community to participate in a FREE Health & Wellness Program.

2. Partner with the local faith-based organizations to sponsor a weekly low impact exercise and wellness program on Tuesday and Friday from 4:15pm until 5:15pm with an annual membership fee of only \$40.00.

3. Initiated "Water for Flint Drive" in June 2016 with a Water-A-Thon Day at the Rivergate Park in downtown Tunica. At the event, there was 308 cases of water collected and \$450.00 in donations that was used to transport the water to Flint, Michigan. One of the Tunica 10 Point Coalition, Inc. board member and local pastor, Roman Fullilove volunteered to transport the water to Flint using his church van.

4. Partner with the local Sheriff Department, Sheriff K. C. Hamp to assist in the monthly activities of the "TRIAD" Program who provides activities and programs for the senior citizens in the Tunica County community. This includes special activities such as: Valentine Day Celebration, Black History Month Observation, Senior Citizen Prom, Cancer Awareness Month, Home Coming Participation and Thanksgiving and Christmas Dinners celebrations. They also partner with the Sheriff Office to present Domestic Violence Awareness programs and activities which consist of speakers from various sources such as: local Judges, Mental Health and Law Enforcement.

5. Provide financial assistance of \$1,000.00 annually to the local Tunica Head Start Program to ensure each student receives a gift during the Christmas Holiday Season.

6. Provide a \$500.00 college scholarship to a deserving high school graduate(s) each year. The organization also donated \$300.00 to a local college student, Keara Jones who attends Clark University to help sponsor her visit to London.

7. Serve as character witnesses for youth at the local youth court proceedings regarding cases that involves youth who are identified as at-risk youth with minor offences. They have an opportunity to negotiate with the judge on penalty recommendation for certain cases. Pastor Evelyn Hubbard serves many times in this capacity.

8. Participate with local community organization "God Make Us One" to identify and rectify diversity in the community to create racial harmony under the common core umbrella of Hope, Faith and Love. They meet quarterly and have an annual celebration for the entire community of Tunica County called "The Great River Revival" orchestrated by Brother Billy Pritt.

9. Partner with the Tunica County Recreation Commission to sponsor the Summer Feeding Program, Snack Program and the Back-Pack Program annually. These programs are vital to the community to ensure the youth are receiving meals all year.

10. Sponsor an Annual Gospel Extravaganza Concert each December for the Tunica County community which include world renowned Gospel Artists such as: Lee Williams and the Spiritual QC's, Harvey Watkins and the Canton Spirituals, The Jackson Southernares, and local Artists such as: The Tunica Harmonizers and the Tunica Gospel

Choir. This concert provides spiritual connection for the entire community and is well received.

The Tunica 10 Point Coalition, Inc. current Board of Directors consist of Pastor Evelyn Hubbard, Executive Director; Dr. Billy Willis, Chief Officer of Operations; Pastor Ben Pratt, President; and Pastor Kelvin Bell, Secretary/Treasurer.

Mr. Speaker, I ask my colleagues to join me in recognizing Tunica 10 Point Coalition, Inc. for their dedication to serving their community and this great state and country.

RAMON'S EL DORADO

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. SHIMKUS. Mr. Speaker, I rise to celebrate the 50th Anniversary of Ramon's El Dorado, an institution in my hometown of Collinsville, Illinois.

In the 1960s Raymundo "Ramon" Otero was working in St. Louis at the Chevrolet assembly plant. An unfortunate accident occurred in which he fell through scaffolding, injuring his back. He was paralyzed from the waist down, and doctors told him he would never walk again.

Six months later he found a doctor who would perform a surgery that would allow him to walk again. But payments from the plant had already stopped.

With a young, hungry child, Mr. Otero's wife, Estella, sent him to borrow \$5 from a neighbor and get food for the baby. But God interceded.

On his way to the store, Mr. Otero felt a calling to buy meat instead, which he did. Once home, they made a tray of tacos, burritos, enchiladas, and tostadas. He took that tray to a local bar, sold the food, and made \$18.60. Thus began a cycle of making food and selling it.

He eventually worked with a local fried chicken restaurant to sell his Mexican food for ten cents of every dollar sold. Soon he bought out the owner, and Ramon's El Dorado was born in what was a former gas station.

Mr. Otero used his mother's recipes, who owned a restaurant in Durango City, Mexico. He helped his hometown for many years by taking a truckload of food and clothing to Mexico.

Ramon's has expanded several times over the years and now seats 280 people.

Mr. Otero died last year, but his sons Raymond and Carlos continue the family tradition today.

I am humbled to be able to honor Ramon's on its 50th Anniversary of serving delicious Mexican food to the people of southwestern Illinois and beyond.

Congratulations to the Otero family.

HONORING THE LIFE AND ACHIEVEMENTS OF RUBY ARNOLD

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. CLEAVER. Mr. Speaker, I rise today to recognize and honor the life of Ruby Arnold. While it is widely known that Horace Peterson was the visionary and sole founder of the Black Archives of Mid-America (BAMA), it is

little known who saved the institution from vanishing, years later.

Years after Peterson's accidental death, the BAMA experienced internal tumult that unfortunately played out in the Kansas City media. The unflattering press resulted in funding shortfalls and eventually, the exodus from Vine Street, sometimes referred to as "The Firehouse."

As BAMA began to fade in part because it did not have an adequate home, or sufficient funding, nor the extensive collection of artifacts and memorabilia, some longtime supporters began to search for funding and a new location.

During the spring of 1998, Ruby Arnold, a BAMA diehard board member, began a personal crusade to secure a new home for the organization she held dear. One Monday morning, during a heavy spring rain, Ruby Arnold appeared at the desk on the 29th floor of City Hall. The security guard asked if she had an appointment with anyone in particular. "I don't have an appointment but I have come to see Mayor EMANUEL CLEAVER," she said. "I'm sorry but the Mayor is not in," Cheryl Richards, an assistant to the Mayor stepped in and stated. She told Ms. Arnold that on Monday mornings, the Mayor attended the Mayors Corp of Progress meeting, a support group of Kansas City business leaders. "Thank you, I'll wait. It's raining pretty hard, anyway." And wait she did. Several hours later, the Mayor and his security walked off the 29th floor elevators where he was greeted by one Ruby Arnold. "Mayor CLEAVER, I need your help to locate a home for the Black Archives. We don't have any money but we need a place large enough to grow." The Mayor said, "Well, I don't know for sure what I can do. You know that the Black Archives was supposed to be in the main museum building on 18th Street but Horace wanted something different that we could not do legally." "All I know is that we need a home for the Archives, and you are the Mayor. I don't know anyone else to ask," Ms. Arnold replied, slowly and sadly.

A week later, Ruby showed up at the Mayor's office but because she didn't have an appointment, she waited for almost two hours to see the Mayor. Again, when she was taken to see the Mayor, she made an appeal for help. The Mayor had no solution to share with her so he said that he would continue to work on it. She looked him straight in the eye and said, "Mayor, I know you can do this."

On the following Saturday, the Mayor held an event for city leaders from Columbus, Ohio on 18th and Vine in the Gem Theater. Ms. Ruby Arnold was there among the elected officials. "Have you found a place for the Black Archives?" she asked the Mayor as he sat on the stage answering questions about the 18th and Vine development. "Well, not yet," he replied, "but I do have an idea. Can we talk later?" She nodded and said "Mayor, I know you can do this."

On Monday morning, as the Mayor expected, Ms. Arnold arrived without an appointment. The Mayor had told the staff to show her in if she appeared at the front desk. This time, the Mayor was anxious to get her into the office to present what he called an intriguing proposal. When she took a seat in his office, the Mayor smiled, and said, "Good news! I have been in conversation with Terry Dobson, the director of the Kansas City Parks and Recreation Department about the old Parade Park maintenance building at 1722 E. 17th Terrace." "Can we get it?" asked Ruby. The Mayor replied, "I think so, but we've got to make sure that the tons of horse manure underground does not present a threat since methane gas is a bi-product of manure." Ms.

Arnold seemed pleased and the Mayor was relieved. "Thank you, thank you. I told you that you could do it," Ruby said as she moved towards the door. The Mayor told her she didn't need to thank him, and with his tongue strangely planted in his cheek, the Mayor added, just stop driving him crazy.

Ruby Arnold died before the opening of the new Archives in the summer of 2010, but former Mayor EMANUEL CLEAVER, then U.S. Representative from Missouri's Fifth District, said, "This location for the Black Archives was not secured by wishing or hoping, but by the merciful harassment I received from one determined Ruby Arnold. May God bless her remarkable spirit."

RECOGNIZING THE 50TH ANNIVERSARY OF THE ADVANCED TEST REACTOR AT THE IDAHO NATIONAL LABORATORY

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. SIMPSON. Mr. Speaker, I rise today to call your attention to an extraordinary facility located on the Department of Energy's 890-square-mile site in Idaho, and the many people who have been employed there over the last 50 years.

Idaho National Laboratory is this nation's lead nuclear research, development and deployment laboratory. It also has emerged as a world leader in cybersecurity, keeping our critical infrastructure safe from those who would do us harm, and broader clean energy research and development.

One of INL's crown jewels is the Advanced Test Reactor. This summer, we are celebrating the 50th anniversary of ATR, and recognizing that experiments conducted there have helped ensure our national security and advance knowledge about clean nuclear energy.

Just as importantly, we also recognize that, with regular maintenance and upgrades, ATR will continue to be this nation's test reactor of choice at least through 2050.

What makes ATR so unique—and valuable—is its ingenious cloverleaf design, envisioned by an engineer named Deslonde deBoisblanc on a lonely stretch of Highway 20 in the Idaho desert more than a half century ago.

deBoisblanc's design resulted in a one-of-a-kind reactor that can house simultaneous experiments under distinct temperatures, pressures and irradiation conditions. That means, at the ATR complex, we can test materials for academia, industry and the U.S. Navy—all at the same time. The knowledge that our talented scientists, engineers and technicians pull out of this reactor is incredibly valuable.

For example, when the Navy began sending fuel samples from its nuclear submarines to the INL site, that science was in its infancy. Eventually, nuclear fuel became more complex. The Navy needed to test larger fuel elements, not just samples, and with the Cold War accelerating, it needed those test results more quickly.

So, ATR was built, started up in 1967, and two years later brought to full power of 250 Megawatts. The impact on America's Nuclear Navy has been remarkable. Early submarines had to be pulled out of duty every two years or so for expensive and time-consuming refueling. Because of what we have learned from experiments at ATR, the reactor cores for

the Navy's newest submarines last for their entire lifetimes, more than 30 years.

Idaho National Laboratory's Advanced Test Reactor has saved taxpayers millions of dollars and made our country safer and more secure. That's a testament not only to the facility—and deBoisblanc's unique design—but also to generations of world-class scientists, engineers, technicians and mechanics who have kept the reactor functioning at the highest possible level these five decades.

ATR has also played a central role in helping sustain this nation's current light-water nuclear reactor fleet, which produces 19 percent of America's electricity and 63 percent of its carbon-free electricity.

In 2007, ATR became a National Scientific User Facility. That allows our colleges and universities to run experiments at ATR, with the Department of Energy footing the bill. As a result, we have expanded knowledge about clean nuclear energy throughout the nation and built a foundation for the next generation of reactors, including small modular reactors, such as one that could begin producing power in the Idaho desert as soon as 2024.

It is a great honor to congratulate INL on ATR's 50th anniversary, acknowledge its dedicated, talented and determined workforce, from past and present, and look ahead to many more years of valuable service to our nation.

RECOGNIZING THE SERVICE OF LIEUTENANT COLONEL STEPHANIE A. SIDO OF THE UNITED STATES ARMY

**HON. AUMUA AMATA COLEMAN
RADEWAGEN**

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mrs. RADEWAGEN. Mr. Speaker, I rise today to recognize Lieutenant Colonel Stephanie A. Sido of the United States Army for her extraordinary dedication to duty and service to our nation.

Colonel Sido will soon transition from her current assignment as an Army Congressional Liaison in the House of Representatives to serve as the Troop Commander at Landstuhl Regional Medical Center. Her new unit is the largest U.S. hospital outside the United States, and serves as the sole military medical center for Europe, Middle East and Africa to our Service Members, their families, and coalition and allies troops.

A native of Grafton, Ohio, Stephanie began her military career when she was commissioned in 1999 through the University of Akron's Army ROTC Program as a Medical Service Corps Officer. Since that time she has served at all leadership levels from platoon leader to company commander. Stephanie also honorably served in multiple staff positions in combat, including two deployments to Afghanistan. She is married to Edward, a U.S. Army veteran and the proud mother to their son Patrick.

In 2016, Colonel Sido was selected to serve as Legislative Liaison to the Army House Liaison Office. In her role as a legislative liaison, Colonel Sido served as the primary liaison between Members of the 114th and 115th Congresses, their Staffs, Legislative Committees, and the U.S. Army. In this role, she planned, coordinated, and accompanied Congressional and Staff Delegations on numerous worldwide fact-finding and investigative missions, and

strengthened the relationships and trust needed to continue the longstanding confidence the U.S. Congress has in the U.S. Army.

Mr. Speaker, it is my honor to recognize the selfless service of Lieutenant Colonel Stephanie A. Sido and her family as they proceed to the next chapter in her remarkable career and continue to serve our great nation.

INTRODUCTION OF OVERSEAS AMERICANS FINANCIAL ACCESS ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise to introduce the Overseas Americans Financial Access Act on behalf of the estimated 6–8 million American citizens living and working abroad. This bill would amend the Foreign Account Tax Compliance Act (FATCA) to address the unintended consequences it imposes on American citizens overseas that make it more difficult to access basic banking products and services in their country of residence.

As co-chair of the Americans Abroad Caucus, for years I have heard reports from constituents overseas detailing how FATCA's expensive and duplicative reporting requirements have led foreign financial institutions to deny basic banking services to American citizens. Some Foreign Financial Institutions have simply closed accounts or refused to open new ones for U.S. citizens in order to minimize their exposure to FATCA reporting requirements, withholding fees and potential penalties. This practice leaves law-abiding American citizens without access to everyday financial tools such as mortgages, bank accounts, insurance policies and pension funds—all of which are critical services regardless of place of residence.

While I recognize the difficult job of the Treasury Department to make sure American money around the world remains compliant with the U.S. tax code, the current FATCA reporting procedures subject ordinary Americans to the same scrutiny as criminal tax evaders and money launderers. Revision of these reporting policies is necessary to ensure that Americans remain competitive in international business and continue to contribute to economies here in the U.S. and around the world. Unfortunately, some have resorted to renouncing their American citizenship in response. It is now time to act and provide relief.

The IRS Taxpayer Advocate Service (TAS) has recognized this problem and on April 13, 2015, issued a recommendation that the IRS exclude from FATCA reporting financial accounts maintained by a financial institution in the country in which the U.S. citizen is a bona fide resident. To date, no action has been taken to institute such a policy to alleviate the burden on overseas Americans as a result of FATCA. That is why I am proud to introduce the Overseas Americans Financial Access Act which would implement TAS's recommendation and exempt Americans from FATCA reporting if their accounts are held in the same country where they are a bona fide resident.

As Members of Congress, it is our duty to represent our constituents' best interests whether they live in the United States or overseas. I urge my colleagues to support this bill so that we may fulfill this duty and grant our overseas constituents the relief they need.

HONORING WILLIE WRIGHT, SR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor the legacy of Mr. Willie Wright, Sr.

Mr. Wright, Sr. was born to the union of George Moses Wright and Fannie Cowan Wright. This union was blessed with five beautiful children. All of his siblings preceded him in death years ago in New York and Alabama, but God saw fit to leave the baby, "Willie" in Rural Holmes County, Mississippi for eighty-two years.

As a child, Willie confessed Christ as his personal savior and united with the Popular Springs C.M.E. Church. Later, he moved to the Lebanon Community and united with the Lebanon Missionary Baptist Church under the leadership of Rev. A. Barron.

During the winter season, Mr. Wright, Sr. married Claudie Mae Ware on November 13, 1954. This union was blessed with six children. Willie wanted his children to leave no task incomplete and often uttered these words to his children: "Don't ever stop anything you start. If you don't plan to finish it, don't start it."

Mr. Wright, Sr. was married with a seventh grade education but went back to school in 1969 to complete his education at Saints Industry in the Migrant Farm/Manpower School under the direction of Dr. Arenia C. Mallory. Mr. Wright, Sr. put his six children through their college education.

In 1962, Mr. Wright went to work at the Charcoal Plant in Lexington, MS. In 1968, he began his employment with the Holmes County School Bus Garage as a Mechanic and continued his employment with the District until his retirement in 2008; an inspiring forty year career.

Mr. Wright made free standing metal toys as a hobby that gain bragging rights with all of his co-workers, family and all who saw them. He designed an Electric Chair at the Holmes County Bus Garage and enjoyed plugging it up for all of his friends. Willie and all of his brothers were Blues guitarist and included their dance moves for audiences to enjoy. Although his favorite musical instrument was the harmonica, he was a master of them all.

Mr. Willie Wright, Sr. will be truly missed and his legacy will continue in the heart of those he left behind: a devoted wife of sixty-two years, Claudie Mae; 6 children: Artha Earl, Robert Lee, Earline (James Zachary), Willie, Jr., Brinda and Charlie Edward; 11 Grandchildren: Sammie, Tonya (Jeremy), Stephanie (Jimmie), Robert, Jr., Alvia (Christopher), Aries, Robbie (Sha'marcus), Chauntrell, Jamie, Marcus and Charlie Martez; 7 Great-Grands, 1 sister-in-law, 6 brothers-in-law, numerous nieces, nephews and loved ones.

Mr. Speaker, I ask my colleagues to join me in recognizing the legacy of Mr. Willie Wright, Sr. for his dedication to the community, friends and his family.

IN RECOGNITION OF LIEUTENANT COMMANDER JOHN J. PARMA

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. HUNTER. Mr. Speaker, I rise today to recognize and celebrate the service of Lieutenant Commander John J. Parma, who will retire from the United States Navy this month after 21 years of distinguished and faithful service to our nation.

Since graduating from class 214 of Basic Underwater Demolition/SEAL training, LCDR Parma has participated in numerous combat missions around the world. His service has taken him from West Africa to Bosnia. Additionally, he has executed many combat special reconnaissance missions behind enemy lines in Afghanistan and sensitive site exploitations in Iraq, which have earned him numerous awards and accolades.

By his side throughout his successful career and arduous deployments have been his wife, Megan, and their children Madison, Brooklyn, Dominic, and Kennedy. Their love and support has aided and strengthened LCDR Parma throughout his service, and I congratulate them as well on this special occasion. I am proud to share in the celebration of LCDR Parma's military career, and as he and his family move to this next chapter of his life, I wish LCDR Parma fair winds and following seas as he embarks on his future endeavors.

IN RECOGNITION OF POST 67 ON ITS 100TH ANNIVERSARY

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Ms. MATSUI. Mr. Speaker, I rise today to recognize the Lt. Philip V. Lansdale Veterans of Foreign Wars (VFW) Post 67 as they celebrate the 100th Anniversary of their congressional charter. The VFW Post 67 is the second Post in California to reach their centennial milestone. As they gather tonight for their Centennial Celebration, I would like to honor the members of the VFW Post 67 for the superb work they have done on behalf of veterans and veteran causes on a national stage and in the Sacramento area.

In 1916, 32 veterans who served in the U.S. Army and U.S. Navy chose to continue to serve our country by aiding their veteran brothers and sisters in our region. The Post is named after Lt. Philip V. Lansdale, who served on the U.S. *Philadelphia*. VFW Post 67 was founded in Sacramento with the noble cause to ensure the war bonuses promised to veterans after World War I, to promote comradeship, and to improve the well-being of veterans and their families. On January 3, 1917, VFW Post 67 was recognized for its efforts and received its congressional charter.

VFW Post 67 has had many great leaders in its 100 years. Most notably are the first Post Commander, Mr. William Taylor, and the Silver Star recipient Mr. Darold D. Decoe, Sr. as National Commander in Chief. For a century, The VFW Post 67 has provided support to an abundant amount of veterans and has used its collective voice to advocate for veteran causes. Current members are dedicated to continuing the mission of the VFW Post 67 and continue to be a haven for Sacramento's veterans.

In honoring tonight's celebration, it is important to honor all of the important work and contributions to veterans that the VFW Post 67 has helped advanced nationally and in the Sacramento region. The VFW played a major role in the formation of the Veterans Administration as well as pursuing compensation for Vietnam veterans and fighting for both the 20th and 21st century GI bills. We would like to express gratitude to those involved in Post 67's diligent service to our country's veterans and their families.

Mr. Speaker, as the members of the VFW Post 67 take part in their centennial celebration, I ask all of my colleagues to join me in honoring them for their astounding service to the veteran community in the Sacramento area.

**RECOGNIZING MASTER SERGEANT
KEARY J. MILLER ON RECEIVING
THE AIR FORCE CROSS**

HON. MATT GAETZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. GAETZ. Mr. Speaker, it is my privilege to pay tribute to Master Sergeant Keary J. Miller upon being awarded the Air Force Cross, the service's highest combat medal of valor.

While supporting a joint special operations team during the Battle of Roberts Ridge on March 4, 2002, then-Tech. Sgt. Miller saved the lives of ten U.S. service members and assisted in the recovery of seven who were killed in action all while facing insurmountable odds and a barrage of heavy enemy fire.

The courage shown by this dedicated parascueman is a true testament of his character. Master Sergeant Miller embodies the selfless commitment to service, sacrifice, and exceptional skill of our Nation's service members.

The entire Northwest Florida community is immensely proud of our area's tradition of military service and support for those who wear the uniform. It is a true honor to recognize Master Sergeant Miller upon this most notable distinction.

CHARLES A. TINDLEY ACCELERATED SCHOOL VARSITY BOYS BASKETBALL TEAM

HON. ANDRÉ CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. CARSON of Indiana. Mr. Speaker, today I rise to offer my congratulations to the Charles A. Tindley Accelerated School Varsity Boys Basketball Team. The Tindley Tigers secured the Division 1A Indiana State Boys Basketball Championship on March 25, 2017 at Bankers Life Field House after a 51-49 victory over Lafayette Central Catholic.

This is the Tigers first appearance in the state finals and the team made it count by clinching the school's first state championship in any sport. The game's last minute shot and stolen inbound pass secured the win for the Tindley Tigers, who were led by Head Coach Bob Wonell.

The Tindley Tigers have secured their place in the storied history of Indiana basketball. I extend my congratulations to the student athletes, coaching staff, school and our entire Indianapolis community on their accomplishment this season.

CELEBRATING THE 38TH ANNIVERSARY OF THE TAIWAN RELATIONS ACT

HON. EARL L. "BUDDY" CARTER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize the palpable achievements of the Taiwan Relations Act on its 38th Anniversary. The TRA, which was enacted on April 10, 1979, has and continues to be the critical cornerstone in preserving the relationship between the United States and Taiwan, and in maintaining both the peace and stability of the Taiwan Strait and Taiwan's democratic existence. The significance of the TRA, as well as the significance of President Reagan's Six Assurances of 1982, cannot be understated.

Regional military buildups confirm the necessity of the TRA and the policy that the United States shall "make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability." The security interests of our good friend and security partner Taiwan must not be marginalized. The commitments made in the Congressionally-mandated Taiwan Relations Act and President Reagan's "Six Assurances" can never be compromised.

It is my hope that by working with our friends in Taiwan, we can help find the balance necessary for the region. Doing so is yet another way we guarantee Taiwan's freedom and democracy. Our obligations under the TRA are clear, and I ask my colleagues to join me in working with the Administration in focusing on this important issue as this session of Congress continues to unfold.

On this 38th Anniversary, I reaffirm my support for the TRA and the Six Assurances, and I wish the people of Taiwan the very best.

HONORING ELIZABETH D. EVANS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor the incredible educator, leader, and public servant, Elizabeth D. Evans.

Elizabeth Evans joined the Mississippi Valley State University faculty in the fall of 2003 where she currently serves in the Social Sciences Department. She earned a Bachelor of Science Degree in Mathematics from Mississippi Valley State University, where she was commissioned as a Distinguished Graduate of the U.S. Air Force Reserve Officer Training Corps (AFROTC) program. She earned a Master of Arts Degree in Public Management from the University of Houston-Clear Lake, Texas, and a Ph.D. degree in Public Policy and Administration from Mississippi State University.

Other educational ventures include completion of the Air Force's three-tier Professional Military Education program (Squadron Officer School, Air Command and Staff College, and Air War College) and Academic Instructor School while serving in the U.S. Air Force.

As an assistant professor in the Social Sciences Department and the Public Administration Program, she teaches freshman through senior level courses, manages the internship program, advises all students in the

Public Administration program, and serves as coordinator for the Public Administration program.

Her primary interests are in continuous personal improvement and student achievement. She believes that teaching is more than the giving of information; it is working to ensure learning takes place and students must be engaged with exciting instruction, materials, examples, and demonstrations of real world situations to excite their desire to learn and use what they learn for a lifetime.

Mr. Speaker, I ask my colleagues to join me in recognizing Elizabeth D. Evans, an Educator, a Leader and Public Servant for her dedication to serving others and giving back to the African American community.

RECOGNIZING BRET MANLEY

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. DENHAM. Mr. Speaker, I rise today to recognize Bret Manley and thank him for his years of dedicated service.

Born and raised in San Dimas, California, Bret went on to attend the University of California, Berkeley Walter A. Haas School of Business. At the University, he served as the President of the Berkeley College Republicans, was a member of Phi Delta Theta, Order of Omega, the National Society of Collegiate Scholars, and the Associated Students of the University of California. Bret began his career in public service as an intern in Representative Gary Miller's office, where he was hired shortly after. Always a hard worker, Bret quickly rose through the ranks, becoming a legislative assistant and then a financial services policy advisor for Representative Miller. Prior to leaving Representative Miller's office, Bret was recognized as one of Capitol Hill's 50 Most Beautiful in 2010.

For the last six years, Bret has been a guiding figure in my office as Legislative Director. He has helped introduce 43 individual pieces of legislation, five of which were ushered into law. Thanks to Bret, you can now ride with your pet on AMTRAK and the federal government can more easily sell excess properties, relieving American taxpayers of government waste. He was instrumental in orchestrating the first Congressional hearing at the Old Post Office, which led to a long term lease of the building, eventually becoming the Trump International Hotel.

A champion of conservative values, he's also led the fight to keep the California High Speed Rail project transparent and accountable, while also managing a diverse portfolio of issues including financial services, immigration, economics, and transportation and infrastructure. He has worked tirelessly in his role as my chief advisor during my tenure as Chairman of the House Subcommittee on Railroads, Pipelines, and Hazardous Materials. He was instrumental with policy formulations and the eventual passage of the Passenger Rail Reform and Investment Act, Positive Train Control, and the Protecting our Infrastructure of Pipelines and Enhancing Safety Act, among many others. In addition, Bret also served as manager and coach at the biennial Congressional Football Game for Charity.

Although it is clear Bret doesn't mind the grueling pace of Capitol Hill, he can often be found on the golf course or singing lead vocals and playing guitar for his band, Full Fifth, self-described as "the most fun you'll have in public." In addition to work and his

seemingly endless list of hobbies, Bret is also a Lieutenant in the US Navy Reserves and has proudly served our country for the last six years.

His departure signifies a great change within my office. As my chief policy advisor, Bret was integral to all aspects of our day-to-day operations, from managing the legislative team to coordinating with the communications staff. Although we will miss him greatly, Team Denham wishes him the best in his next endeavor and I look forward to working with him in his new role at the Association of American Railroads, where he will continue his work in transportation.

Mr. Speaker, please join me in applauding Bret Manley for his unrelenting service and recognizing his great achievements during his time here in the House of Representatives.

IN RECOGNITION OF THE 20TH ANNIVERSARY OF BREAUX VINEYARDS

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mrs. COMSTOCK. Mr. Speaker, I rise today to recognize Breaux Vineyards of Purcellville, Virginia on the occasion of its 20th Anniversary celebration.

Situated on a 404-acre estate overlooking the beautiful valley between the Blue Ridge and Short Hill Mountains, Breaux Vineyards has for several years been voted Virginia's favorite winery because of its absolute commitment to excellence in the wines it produces and the hospitality that it extends to all of its guests.

Breaux Vineyards wines have a superior international reputation, having placed among the winners in more than 100 regional, national, and international competitions.

While Breaux Vineyards is also recognized as a first-rate venue for weddings and corporate meetings, I am grateful that the warm hospitality of the Breaux family and staff daily extends to my constituents residing in Loudoun County and northern Virginia. Often using the expression "No reservation or RSVP required," the vineyard invites local people and visiting tourists, including children and pets, to regularly enjoy the diverse events that take place there each year, including the Fourth Fridays activities that feature live entertainment, the annual Dog Day celebration, the Cajun Festival that is in its 20th year, and other regularly scheduled events. In addition, Breaux Vineyards offers itself as a venue for various local charity events, including the 3rd Annual Corks for a Cause that on May 19th of this year will be benefitting the Loudoun Child Advocacy Center, a program of the Loudoun Abused Women's Shelter.

I am pleased to report that the wine industry in Virginia has grown so rapidly that the Commonwealth is now the fifth largest state for viticulture in the nation, with annual sales of close to \$1 billion. I am also pleased that Loudoun County has contributed to this success as the location of 44 of Virginia's 280 wineries, the most of any county in the Commonwealth, and that Breaux Vineyards, through its commitment to the quality of its wines and its hospitality, has been an extraordinary leader in our wine industry.

Mr. Speaker, I ask my colleagues to join me in applauding Breaux Vineyards for reaching this 20 year milestone and wish CEO Paul Breaux, Jr., Vice President Jennifer Breaux,

and the entire Breaux Vineyard team continued phenomenal success in all of their future endeavors.

RECOGNIZING MOLLY ORTEGA FOR HER LIFETIME OF SERVICE

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mrs. BUSTOS. Mr. Speaker, I rise today to honor Molly Ortega who is retiring after almost 35 years of federal service. Ms. Ortega has worked for decades at the Federal Aviation Administration (FAA) and the Transportation Security Administration (TSA) to ensure these vital agencies have the resources and staff they need to keep us safe.

Ms. Ortega has utilized her decades of agency experience and insights to improve the safety of civil aviation in our region. She provided support and guidance to the management team in the staffing and training of essential personnel at TSA, and prior to that she was employed at the FAA for nearly two decades, working in multiple positions. I am proud to have such dedicated civil servants in my community that set an example for future generations.

Mr. Speaker, I would like to thank Ms. Ortega for her dedication to the safety of travelers and passengers in our region. I congratulate her on a well-earned retirement and wish her luck in her future endeavors.

CONGRATULATING THE 2017 ENLISTEES FROM FLORIDA'S 20TH CONGRESSIONAL DISTRICT

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. HASTINGS. Mr. Speaker, I rise today to honor 41 high school seniors from Florida's 20th Congressional district, who have chosen to enlist in the United States Armed Forces.

Of these 41 fine young people, 14 have joined the United States Army, to include: William Bethel, Cameron Clayton, Javier Hernandez, Cassidy Anderson, Mack Cromer II, Derly Dorneus, Benjamin Gacel, Clayton Gibson, Ryan Golubovic, Tyler Grove, Ryan Julien, Corey Pritchett, Sean Riley and Julio Alvarez.

Seventeen have joined the United States Marine Corps, to include: Jason Marquez, Cristal Verdugo, Patrick Rhoden, Maikel Suarez, Kathy Sylvestre, Henry Rivera, Albert Londono, Lindel Coffie, Maya Colson, Weston Boyd, Nicolas Franco, Errohl Cruz, John Osegueda, Jonathan Thompson, Caitlin Silva, Melissa Edwards and Pierre Chery.

Five have joined the United States Navy, to include: Jade Apolo-Hecker, Miguel Scott, Britany Stewart, Shinequah Stone and Ofelia Velasquez.

Four have joined the United States Army National Guard, to include: Cobe Pate, Adamary Hernandez, Melissa Gutierrez and Moises Fernandez.

Thanks to the dedication of patriots such as these, we are able to meet here today, in the United States House of Representatives, and openly debate the best solutions to the diverse issues that confront our nation.

On behalf of myself and all my constituents in Florida's 20th Congressional district, I thank

them for their service. I wish them the very best of luck now and in their future.

HONORING JACK WALSH, RECIPIENT OF THE 2017 CHARLES H. FLYNN HUMANITARIAN AWARD

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Ms. DeLAURO. Mr. Speaker, it is my great honor to join the communities of the Naugatuck Valley as they pay tribute to the outstanding and incalculable contributions of Jack Walsh by honoring him with the 47th Annual Charles H. Flynn Humanitarian Award. The oldest award of its kind, this prestigious honor is bestowed each year to a member of the Valley community in recognition of their lifetime commitment to service.

A life-long resident of Derby, Connecticut, Jack dedicated his personal and professional life to enriching the many communities of the Naugatuck Valley and improving the quality of life for all of its residents. Jack began his career as a teacher in Shelton and Derby, a high school basketball coach in Shelton, and the Director of the Derby Recreation Camp. In each of these roles, Jack helped to shape the hearts and minds of the next generations of Valley residents, ensuring that they had access to educational opportunities and provided a strong foundation on which to build their future success.

In 1989, Jack began his tenure as President & CEO of the Valley United Way—a career which spanned nearly thirty years until his retirement just last November. Under his tenure the organization grew as a community resource with the addition of the Youth Leadership Program, the Volunteer Action Center, and the partner Agency Council, which has since expanded to become the Valley Council for Health & Human Services. Jack also helped to spearhead the Valley's successful effort in the All-America City competition.

In addition to his professional contributions, Jack is an active member of the community. His seemingly innumerable titles include Chair of the Electronic Valley project, President of the Board of Directors at the Derby Neck Library, member and past president of both the Derby/Shelton Rotary Club and the Ancient Order of Hibernians, past President of the Board of Directors for the Derby Historical Society and former member of the board of directors for the Hallock's Landing Senior Housing Project. He served on the Valley Advisory Committee for the Community Foundation for Greater New Haven, is a Corporator for Griffin Hospital and a member and past Co-chair of the Citizens Advisory Committee for the Yale/Griffin Prevention Resource Center. Jack is a member of the Board of Directors for the On-line Journalism Project, the parent organization for the Valley Independent Sentinel as well as one of the founders and a committee member for the Commodore Hull Thanksgiving Day 5K Road Race. Past Chair of Derby's Park & Recreation Commission, current Chair of the City's Greenway Committee, as well as co-Chair of the Naugatuck River Greenway Committee, his efforts have changed the very face of the Naugatuck Valley.

Jack's incredible service has been recognized by many over the years with a myriad of awards and commendations. He is recipient of the Greater Valley Chamber of Commerce's Gold Seal Award, the Lewis Savitsky Staff Excellence Award, the Hazel Knapp Award for

regional leadership as well as the Derby Historical Society's Dr. John I. Howe Award just to name a few. He was named to the Boys & Girls Club of the Lower Naugatuck Valley Alumni Association Hall of Fame and honored by the Lower Naugatuck Valley Bar Association with their Liberty Bell Award. The YMCA presented him with their Strong Community Builder Award and the Women and Heart Disease Committee at Griffin Hospital presented him with their "Caring Heart" Award.

Tonight, marking his lifetime of service, Jack Walsh is presented with the Charles H. Flynn Humanitarian Award—and I cannot think of a more deserving individual to recognize for their commitment, dedication, and extraordinary good work. I am honored to join the communities of the Naugatuck Valley in thanking Jack for his unparalleled public service—his is a legacy that will not soon be matched and most certainly will continue to inspire service in others for generations to come.

**HONORING RAYMOND RANGERS
BOYS BASKETBALL TEAM**

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor the Raymond Rangers Boys Basketball Team, from my District, on the victory over Leake Central Boys Basketball Team in the Mississippi Boys Class 4A Championship Game (52-46).

I would like to recognize the team beginning with the coaching staff; Head Coach Robert Green, and the Assistant Coach, Terrell Anderson. Because of their hard work and dedication, the Rangers' 23-5 record has captured their second state championship in the school's history, and first state title (2017 District 3-4A Champions), since 1999.

The players' teamwork and athletic abilities are also evident with this victory. The players are: Keyundra Downs, Tremayne Watts, Keivonte Watts, Tavian Coleman, Cameron Woodall, Jiris Killingsworth, DeMarius Daniels, SharDarrion Allen, TraDavis Thompson, JeKeivious Williams, Girrod Harris, Jared Keyes, Alvin Brown and Jakorie Smith.

Mr. Speaker, I ask my colleagues to join me in congratulating one of the basketball teams in my district, Raymond Rangers Boys Basketball Team.

**RECOGNIZING STAFF SERGEANT
CHRISTOPHER G. BARADAT ON
RECEIVING THE AIR FORCE
CROSS**

HON. MATT GAETZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. GAETZ. Mr. Speaker, it is my privilege to pay tribute to Staff Sergeant Christopher G. Baradat upon being awarded the Air Force Cross, the service's highest combat medal of valor.

During his third deployment, Staff Sergeant Baradat called in close air support from A-10 Thunderbolt II fighter jets and AC-130 gunships while exposing himself directly to enemy gunfire. His efforts resulted in the safety and rescue of 150 troops and the destruction of 50 enemy and 13 separate fighting positions.

The courage shown by this dedicated Special Tactics Airman is a true testament of his character. Staff Sergeant Baradat embodies the selfless commitment to service, sacrifice, and exceptional skill of our Nation's service members.

The entire Northwest Florida community is immensely proud of our areas tradition of military service and support for those who wear the uniform. It is a true honor to recognize Staff Sergeant Baradat upon this most notable distinction.

**HONORING THE 100TH BIRTHDAY
OF ELLA FITZGERALD**

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. SCOTT of Virginia. Mr. Speaker, I rise today to honor "The First Lady of Song", Ella Fitzgerald on her 100th birthday.

Born on April 25, 1917 in Newport News, Virginia, Ella Jane Fitzgerald went on to define Jazz music for more than half a century. Fitzgerald's career first began when she performed at an amateur night contest at the Apollo Theater in 1934. She was just 17 years old and received first place. After overcoming a tumultuous childhood, Fitzgerald recorded her first major hit, "A-Tisket A-Tasket," in 1938 just four short years after her appearance at the Apollo Theater.

In 1958, during the inaugural Grammy Awards, Fitzgerald won best jazz performance and best female vocal performance. Remembered for her humble demeanor, effortless stage presence, and inventive voice, Fitzgerald recorded more than 200 albums in her lifetime and sold over 40 million records. During her impressive and lengthy career, Fitzgerald worked with many other great jazz artists of the time including Duke Ellington, Nat King Cole, Frank Sinatra, and Dizzy Gillespie.

Ella Fitzgerald won 13 Grammy's during her lifetime, and was awarded the National Medal of Arts by President Ronald Reagan in 1987 and the Presidential Medal of Freedom by President George H.W. Bush in 1992.

Mr. Speaker, although Ella Fitzgerald is no longer here with us, her music is still celebrated throughout the world, especially in her birthplace of Newport News, Virginia, and I hope that it continues to inspire well beyond her 100th Birthday.

**RECOGNIZING MAYOR DAVID K.
PENDERGRASS**

HON. JIMMY PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. PANETTA. Mr. Speaker, I rise to recognize David Pendergrass, the Mayor of Sand City, on his retirement after serving as mayor for thirty-five years. As an outstanding citizen and public servant, Mayor Pendergrass made a significant impact on the lives of citizens and the business community in Sand City in his four decades of public service.

As Mayor, he has achieved high praise for his accomplishments in the local, regional and business community on the Central Coast. In addition to his time as mayor, David was a professional artist and illustrator. He also had a thirty-two-year tenure working for the United States Army Training Division, in the Direc-

torate of Plans, Training, and Mobilization Support Center.

Mayor Pendergrass entered public service in 1978 and twice served as Chair of the Monterey Peninsula Water Management District. Further, he served on the Fort Ord Reuse Authority, the Monterey-Salinas Transit Board of Directors, the Regional Taxi Authority, the Monterey Peninsula Regional Water Authority and the Association of Monterey Area Governments.

During his tenure, Mayor Pendergrass has turned Sand City into a hub of economic and commercial activity. The accomplishments he has made to the Central Coast community will be felt for generations. His involvement in local and regional governance has provided a positive economic impact to the local business sector.

As Mayor, he has worked diligently on the challenging issue of water supply quantity and quality for the Monterey Peninsula. He also provided leadership in the community effort to deal with the closure of Fort Ord and establish CSU Monterey Bay. Mayor Pendergrass has deep roots in the community by raising three children, fourteen grandchildren, and one great-grandchild. I am proud of the mayor's many personal and professional accomplishments.

Mr. Speaker, it is my pleasure to recognize the dedication and hard work Mayor Pendergrass has given to Sand City and the Central Coast region. I ask my distinguished colleagues to join me in recognizing Mayor Pendergrass and to congratulate him on his well-earned retirement.

**IN HONOR OF DETECTIVE BRENT
AKIN**

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. BRADY of Texas. Mr. Speaker, today, I am honored to recognize and thank Brent Akin for his selfless commitment to the safety and well-being of the Montgomery County community.

On April 30th, Detective Akin of the Montgomery County Sheriffs Department will enter a well-deserved retirement after almost thirty years of dedicated public service.

A native Texan, Brent was born and raised in Houston by his parents, JoAnn and Rowland Akin. Together with his five siblings: Joe, Ricky, Bill, Deronda, and Rowland, Brent grew up in the Houston community. In 1983, Brent married the love of his life, Catherine Parada and, two years later, packed their belongings and moved to The Woodlands, TX where they have resided ever since. In 1987, Brent and Catherine welcomed a beautiful daughter, Emily, who has blessed them with a son-in-law, Stephen Richards, and a grandson, Noah.

Brent officially began his career in law enforcement when he graduated from the police academy in 1987. Just one year later, he joined the Montgomery County Sheriff's Department, where he has served for nearly thirty years, working under five sheriffs. Most recently, Brent works as a Detective, but during his many years of distinguished service, he held various positions within the department as a Patrol Officer and Internal Affairs Officer.

Throughout his career, Brent has helped countless members of our community conducting criminal investigations, providing security for community events, and patrolling the

cities and roads of Montgomery County. Brent has worked to solve many high profile cases, including the 1999 Wanda Pitts murder case. His close attention to detail, perseverance, commitment to the law and serving his community is evident in every case he has worked on.

Brent has honorably dedicated himself to Montgomery County as is evidenced by countless first-hand accounts and the many commendations he has received, such as the Public Safety Hero Award in 2009.

I am pleased to join Brent's family friends, the citizens of Montgomery County, and the entire Eighth Congressional District of Texas to give thanks and wish him well as he begins his retirement.

IN RECOGNITION OF MR. JAY
TAMSI

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. VALADAO. Mr. Speaker, I rise today to thank Mr. Jay Tamsi for his dedicated community service and to congratulate him for being selected as the Grand Marshal of the Cinco de Mayo Fiesta in Delano, California.

Mr. Tamsi was born August 17, 1978 in Bakersfield, California to his parents, Olivia and Jimmy Tamsi. Mr. Tamsi has strong Kern County roots, having attended Cecil Avenue Middle School in Delano, Delano High School, and later the California State University, Bakersfield, where he graduated in 2001 with a Bachelor of Arts degree in Communications and Marketing.

As the President and Chief Executive Officer of Kern County Hispanic Chamber of Commerce and a successful business owner of his own company, Tamsi Consulting Services, Jay has been generous in giving back to his local community. A strong man of God, Jay serves as a member at St. Mary's Catholic Church in Delano and was responsible for organizing the induction of rites celebration for Father Loji Pilonas as the new priest of St. Mary's. Jay was an organizer for the St. Mary's Thanksgiving Community Feed, where he helped provide meals for less fortunate families during the holidays.

His community service extends past his parish; Mr. Tamsi works as the Director on several community boards including the Greater Area Delano Youth Foundation and the Philippine Weekend Executive Committee. He is also a Lifetime Member of Delano Harvest Holidays. Mr. Tamsi's love of service and community involvement extended into his creation of the only Filipino Hall in the State of California, which works to promote Filipinos' needs in the community.

Mr. Tamsi is being honored as the Grand Marshal of the Cinco de Mayo Fiesta of his home city of Delano, California, which holds one of the largest and oldest celebrations in the United States. This high honor is being bestowed upon a great man who has spent countless hours helping his community and neighbors.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in thanking Mr. Jay Tamsi for his years of community service and congratulating him on being the Grand Marshal of the Cinco de Mayo Fiesta in Delano.

HONORING MILLS ACADEMY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable organization, Mills Academy.

With Mississippi schools mandating fundamental tests for kindergarten through third grade students to pass in order to advance to the next grade, one woman has made it her mission to help the children in the Greenville Public School District. Airmecia Mills, founder and director of Mills Academy, an after-school tutoring program for students in pre-K all the way through college, has started a free third-grade reading comprehension program in an effort to prepare area children for upcoming state tests. "We're encouraging students to read passages and comprehend what the questions are asking them with the same strategies they will be tested on," Mills said.

Last year, all of Mills' third-graders passed the reading gate and many of her students showed exceptional growth in their star literacy and reading test, she said. Aside from the reading program, Mills Academy provides after-school help for students in pre-k through 12th grade from 4:00–8:00 p.m. every weekday. While helping students to enhance their educational experience, the academy focuses on promoting academic achievement, developing stronger academic skills, test-taking and studying skills. Homework assistance, test prep and tutorials are given to students after school to help eliminate the illiteracy in the community.

Mills started this program towards the end of 2015 and her family was super supportive of her. Mills is a graduate of Greenville Weston High School and Alcorn State University, where she received a bachelor's degree in elementary education with a special education and reading endorsement.

She was an educator in the public school district and realized there was a need for extra help for students in the after-school extended program.

With more than 20 students enrolled, Mills said she hopes to continue the growth of the academy and wants to be able to make a bigger impact. "I really believe I can make an impact in children's lives and I want to see growth in them. One of my main goals is to see how I helped that child. I am very passionate about education because it's the key to success," Mills said.

While Mills' focus right now is on the third-grade reading test, she also helps students prepare for the ACT. "I had one student to go from a 16 to an 18, and he was preparing to get into nursing school and that was his main focus," she said.

Parents in the community have been very supportive of her mission and have participated in many of the Mills Academy events, which include: fundraisers, paint classes, movie nights for the kids and even an event for Dr. Seuss' birthday that the parents and community supports," she said.

Mr. Speaker, I ask my colleagues to join me in recognizing Mills Academy for its dedication to serving and giving back to the community.

CONGRATULATING THE KIWANIS
CLUB OF ELKHART ON CELEBRATING 100 YEARS OF SERVICE

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mrs. WALORSKI. Mr. Speaker, I rise today to congratulate the Kiwanis Club of Elkhart on celebrating 100 years of service.

In 1917, the 36th Kiwanis Club was formed in Elkhart, Indiana. Since then, this incredible unit of volunteers and local leaders has been dedicated to improving the lives of children around the world and right here at home.

Kiwanis Clubs around the country and across the globe aim to encourage, support, and inspire local youth to make a difference in their communities. From rebuilding schools to hosting food drives, Kiwanians are serving others while learning to work together and find positive solutions to society's most challenging problems.

The commitment of Elkhart Kiwanis to serving our community is demonstrated by its signature program, Knowledge is Dynamite—or KID—Day. Twice a year, they honor a group of local fourth grade students who have demonstrated perseverance and personal growth. Over the last 30 years, they have recognized the achievements of more than 1,300 students and inspired countless more to set and strive toward meaningful goals.

The longstanding tradition of volunteerism and leadership runs strong in the Kiwanis members in Elkhart. I am incredibly grateful for the positive role this organization has played in making our community a better place. When children are empowered to break through obstacles and help those in need, anything is possible. Children are safer, healthier, and happier because of the hard work and determination of Kiwanians. Thanks to the Kiwanis Club, our future is in good hands.

The impressive growth and charitable reach of the Kiwanis Club of Elkhart is a true reflection of the hardworking Hoosier spirit its members embody.

Mr. Speaker, on behalf of Indiana's 2nd District, I want to thank the Kiwanis Club of Elkhart for continuing to provide such a remarkable opportunity for children and young adults to challenge themselves and fight for worthy causes in their own neighborhoods and on the global stage.

IN RECOGNITION OF PORTUGUESE
IMMIGRANT WEEK

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Ms. MATSUI. Mr. Speaker, I rise today in recognition of the 50th Anniversary of Portuguese Immigrant Week. As members of the Portuguese community in the Sacramento region celebrate and gather today, I ask my colleagues to join me in honoring them and their long history and contributions to our region and country.

California was discovered by Portuguese explorer Joao Rodrigues Cabrilho in 1542. Centuries later, in the mid-1800s, Portuguese immigrants made new roots for their families setting in our state—many owned, operated, or worked on a dairy farm or in the dairy-related industry. Throughout the many decades,

the Portuguese communities in California have made a great effort to preserve their culture and identity. The Portuguese communities and their members contribute many services to the local community and they are always striving to uphold the values that the Portuguese community holds dear. Fifty years ago, recognizing their contributions, then Governor Ronald Reagan declared the second week of March as "Portuguese Immigrant Week". We celebrate the long history of the Portuguese community in our region. The community in Sacramento continues to share their rich and beautiful heritage and we will continue to celebrate their influence in our region.

Mr. Speaker, as members of our community gather to celebrate the outstanding contributions of our Portuguese families, I ask all my colleagues to join me in honoring them for their dedication.

**BEN DAVIS HIGH SCHOOL VARSITY
BOYS BASKETBALL TEAM**

HON. ANDRÉ CARSON-

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. CARSON of Indiana. Mr. Speaker, today I rise before you to offer a word of congratulations to the Ben Davis High School Varsity Boys Basketball Team. The Giants captured the Division 4A Indiana State Boys Basketball Championship on March 25, 2017 at Bankers Life Field House in Indianapolis after a 55-52 win over Fort Wayne North Side.

This team's achievements would not have been possible without, Head Coach Mark James, who is in his 35th year coaching the Giants and boasted that "it's been a team effort all year." The entire team, including the players, coaches, managers and fans should be proud of their record, including a 14 game winning streak, and for bringing their school a third championship.

Winning a state championship is reaching the pinnacle of basketball and the entire Indianapolis community is proud to celebrate their accomplishments this season.

**RECOGNIZING THE PENSACOLA
BLUE WAHOOS BASEBALL TEAM**

HON. MATT GAETZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. GAETZ. Mr. Speaker, I rise to recognize the Pensacola Blue Wahoos Baseball Team, in Northwest Florida. In 2016, the Southern League of Professional Baseball Clubs announced the Wahoos as the winners of the "Community Service Award".

In addition, the Director of Sports Turf Management for the Blue Wahoos, Ray Sayre, was named the "Groundskeeper of the Year" for the fourth consecutive season.

The team members have demonstrated a profound dedication to their community by participating in activities that directly benefit and uplift the Pensacola area.

The Wahoos' outreach has helped such organizations as the Epilepsy Foundation of Northwest Florida, Autism Pensacola, the United Way, the National Alliance of Mental Illness, and many more.

Working with the Studer Community Institute, through such programs as "Kazoo's Grand Slam Reading Program", the team has

highlighted the priority of Early Childhood Education; this program reached over 9,000 students and parents in 2016.

The Blue Wahoos have a long history of taking an active role in their community. In 2012, their unwavering support and involvement resulted in them being named the "Southern League Organization of the Year", "Ballpark Digest's Organization of the Year", and "Ballpark of the Year" by Baseballparks.com.

The tradition of excellence has continued since 2013, when the team was named "Stadium Journey's Best Minor League Ballpark Experience"; and again, awarded the "Southern League Community Service Award". Since then, the Blue Wahoos have won many awards from a multitude of organizations because of their selfless contributions to the Pensacola area.

I would like to personally thank all of the past and present members of the Blue Wahoos, as well as all of the employees who participate and provide support for the team and community events. I would also like to thank Quint Studer and his team for providing the leadership that supports this remarkable cooperative contribution.

On behalf of the United States Congress, I am honored to recognize the Pensacola Blue Wahoos Baseball Team for their continuous devotion to enhancing their community and for their contribution to an immeasurable positive impact that has occurred because of each team member's exceptional character. It is with great pride that I recognize and thank them for all that they do.

HONORING MR. CARL TART

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor an intuitive and self-motivated young man, Mr. Carl Tart.

Carl Tart is a 2016 graduate of Yazoo City High School, finishing number 3 of 127 in his class, with a 4.03 GPA and an ACT score of 25. He chose to continue his education approximately 151 miles north of Yazoo City at the University of Mississippi, where he is pursuing a bachelor's degree in Secondary Science Education. He plans to return to Yazoo City to teach at his alma mater.

Carl is the recipient of the Ole Miss Academic Excellence Scholarship, Mississippi Boy's State Delegate scholarship, the Bledsoe Academic Award, the Mississippi Star Student Scholarship and the King's Memorial Scholarship for students in the School of Education. He is also the recipient of three local scholarships: the Yazoo County Conventions and Visitors Bureau Scholarship, the Yazoo Community Scholarship and the Community Solutions of Mississippi Scholarship. He is also the recipient of the Robert Ben Williams Minority Scholarship Endowment, which supports scholarship awarded for academic excellence and provides assistance for young Mississippians. Being the first Fund to be established by the university's African American alumni, the scholarship is named after Yazoo City Native Ben Williams, known as "Gentle Ben", who was the first African American football player at Ole Miss.

Carl has joined various organizations including the Ole Miss Black Student Union, Teachers of Tomorrow, and holding the position as Events Coordinator for the FASTrack, LLC. He

plans to start his own organization in the spring that supports no-kill animal shelters and pet adoption agencies. He has also worked on the campaigns of the reigning Homecoming Queen MK Phillips and Miss Ole Miss Acacia Santos.

Mr. Speaker, I ask my colleagues to join me in recognizing Carl Tart for his desire for academic excellence.

**JORDAN CHEEK WINS 2016 RESERVE
WORLD CHAMPIONSHIP
YOUTH TITLE**

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Jordan Cheek of Needville, TX, for winning the 2016 Reserve World Championship Youth Title in the American Quarter Horse Association's Versatility Ranch Horse World show.

The show took place at the Houston Livestock & Rodeo, where Jordan and her horse, Irish Cowboy, competed in ranch riding, ranch trail, reining, cutting, conformation halter, and working cow work. Jordan has been riding horses since the age of three and showing since she was eight. She competes in equestrian drill team, halter, English performance, western performance, reining, and speed events. Eight years ago, she also began judging horse competitions. After graduating from Needville High School, Jordan plans to pursue a nursing program at Texas Tech University.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Jordan for winning the 2016 Reserve World Championship Youth Title. We are proud of her hard work and look forward to her future success.

**KATY SIBLINGS COMPETE AT
DRIVE, CHIP AND PUTT NA-
TIONAL FINALS**

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Maye and Treed Huang of Katy, TX, for qualifying and competing at the Drive, Chip and Putt National Finals at the Augusta National Golf Club in GA.

Maye brought home a national championship by winning the girls 7-9 division, while Treed tied for fourth in the 12-13 boys division. This is Treed's second time competing at this prestigious competition, having won the 7-9 boys division in 2014. Each division included 10 competitors, where they received points based on their performance in the driving, chipping and putting categories. To qualify, Maye and Treed had to compete at a local qualifier, one of 50 sub-regional competitions, and one of 10 regionals. Only 80 competed in the junior competition.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Maye and Treed Huang for their stellar performances at the Drive, Chip and Putt National Finals. We're proud of their hard work and look forward to seeing them play at Augusta again—at the Masters.

BEST WISHES TO PEARLAND
POLICE CHIEF J.C. DOYLE

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 25, 2017

Mr. OLSON. Mr. Speaker, I rise today to thank Chief J.C. Doyle of Pearland, TX, for his

distinguished service with the Pearland Police Department. Chief Doyle is retiring after 38 years of service.

A lifetime Pearland resident, Chief Doyle joined the Pearland Police Department in 1979. He has worked as a detective, a patrol sergeant and as the commander for a multi-agency Special Weapons and Tactics Team. He was the Assistant Chief of Police from 1994 until 1999, when he was appointed Chief

of Police. He's the longest-serving police Chief in the department and has been an integral part of keeping the Pearland community safe. We wish him an enjoyable and happy retirement.

On behalf of the Twenty-Second Congressional District of Texas, I wanted again to thank Chief Doyle for his dedicated public service. All of Pearland has benefitted from his commitment to safety and we thank him.